



# 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 21 September 2015**

at 7.00 p.m.

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

**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

Cr Harris has sought a leave of absence for tonight's Ordinary Council Meeting 21 September 2015

Cr Bennett and Cr Davenport have previously sought and been granted a leave of absence for the Ordinary Council Meeting 21 September 2015.

#### RECOMMENDATION

***That the apology from Cr Harris be received for tonight's Ordinary Council Meeting 21 September 2015 and that the leave of absence be granted.***

### 3 DISCLOSURE OF CONFLICT OF INTERESTS

### 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting of 17 August 2015 and Confidential Minutes 17 August 2015.

#### RECOMMENDATION

***That the minutes of the Ordinary Council Meeting of 17 August 2015 and the Confidential Council Meeting Minutes 17 August 2015 having been circulated now be confirmed.***

### 5 RESPONSES TO QUESTIONS

**6 NOTICES OF MOTION**

**7 PETITIONS**

**7.1 Petition relating to 1-3 Ruby Street, Burwood East - Construction of one new mixed use 3 storey building in a C1Z - WH/2015/198**

A petition has been received objecting to the development of the proposed mixed use development at 1-3 Ruby Street, Burwood East. The petition has been signed by 20 signatories and is tabled at tonight's meeting for Council's consideration.

**RECOMMENDATION**

*That Council receive the petition and that it be referred to the General Manager City Development to be considered as a multi-signed objection to Planning Application WH/2015/198 - 1-3 Ruby Street, Burwood East Vic 3151 - Construction of one new mixed use 3 storey building in a C1Z.*

**8 URGENT BUSINESS**

**9 COUNCIL REPORTS**

## 9.1 CITY DEVELOPMENT

### Strategic Planning

#### 9.1.1 Amendment - C182 Request for 217 and 219-223 Burwood Highway, Burwood East - Rezone from Residential Growth Zone to the Mixed Use Zone

FILE NUMBER: 15/128358

#### SUMMARY

On 29 July 2015 Council received a request to consider an amendment to the Whitehorse Planning Scheme. The request concerns sites at 217 and 219-223 Burwood Highway, Burwood East and seeks the rezoning of the land from the Residential Growth Zone to the Mixed Use Zone and the application of an Environmental Audit Overlay.

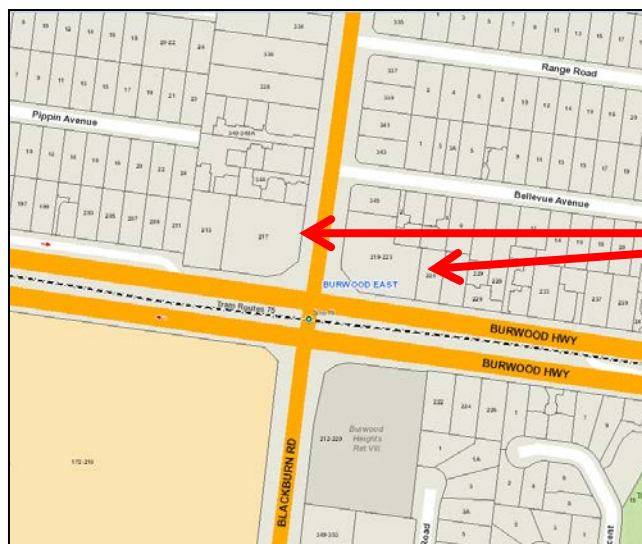
This report discusses the amendment request and recommends that Council seek authorisation from the Minister for Planning to prepare and exhibit the amendment to the Whitehorse Planning Scheme.

#### RECOMMENDATION

***That Council as Planning Authority, following receipt from the proponent of a written agreement to pay all fees and costs (including any panel costs) associated with the proposal, seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whitehorse Planning Scheme to rezone land at 217 and 219-223 Burwood Highway, Burwood East from the Residential Growth Zone to the Mixed Use Zone and apply a Environmental Audit Overlay.***

#### MELWAYS REFERENCE 61 K6

Applicant:	JMPlanning on behalf of Bob Jane Corporation Pty Ltd and Carwoode Pty Ltd
Zoning:	Residential Growth Zone
Overlays:	None
Relevant Clauses:	Clause 11 Settlement Clause 17 Economic Development Clause 18 Transport
Ward:	Riversdale and Morack (boundary is Blackburn Road)



Map 1 – Location of the subject sites

### 9.1.1

(cont)

#### BACKGROUND

On behalf of Bob Jane Corporation Pty Ltd and with support from Carwoode Pty Ltd, JMPlanning (the proponent) has submitted a request to Council to amend the Whitehorse Planning Scheme (Planning Scheme) by rezoning land at 217 and 219-223 Burwood Highway, Burwood East from the Residential Growth Zone Schedule 2 (RGZ2) to the Mixed Use Zone (MUZ) and to apply an Environmental Audit Overlay (EAO).

The land subject to the rezoning comprises the properties which are located on the north-western and north-eastern corners of the intersection of Burwood Highway and Blackburn Road, Burwood East.

The sites have vehicular access via crossovers from both Burwood Highway and Blackburn Road. 217 Burwood Highway has a site area of 2765m<sup>2</sup> and 219-223 Burwood Highway has a site area of 2587m<sup>2</sup>.

#### History

A combined planning scheme amendment and planning permit application was lodged with Council in March 2014. The planning scheme amendment sought the rezoning of the land at 217 and 219-223 Burwood Highway to the MUZ and the planning permit application (WH/2014/307) sought a Bob Jane T-Mart tyre service centre and retail outlet on the land at 219-223 Burwood Highway. No change to the current use and development was sought on 217 Burwood Highway.

As officer concerns with the planning permit application could not be resolved, in June 2015 it was agreed between the proponent and Council that the planning permit application should be withdrawn until such time that a more suitable development of the subject site could be achieved.

The current rezoning request was lodged with Council in July 2015 and seeks the rezoning of the sites from the RGZ to the MUZ and the withdrawal of the planning permit application.

#### The site and surrounds

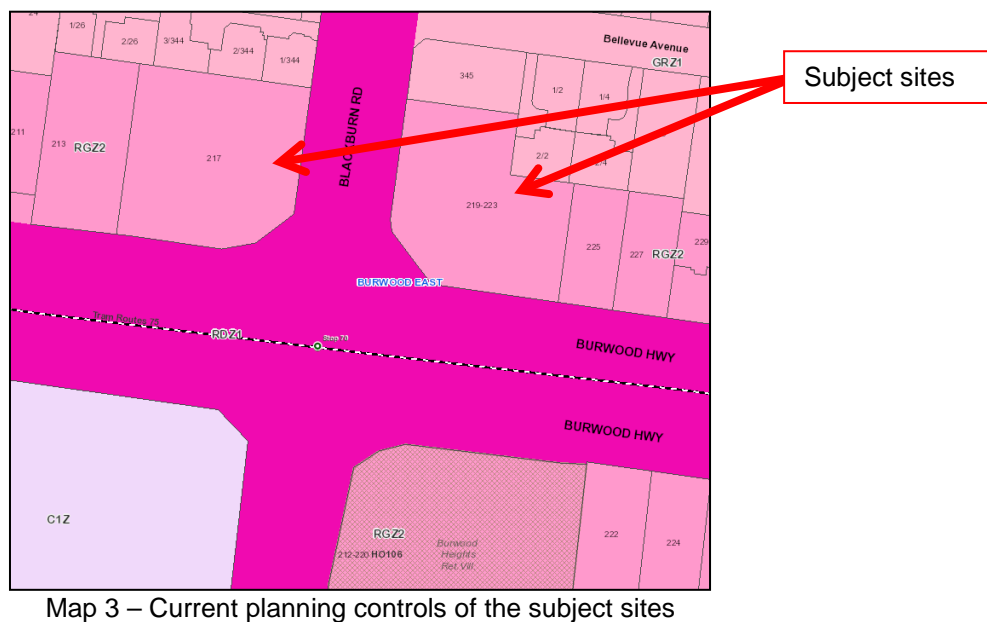
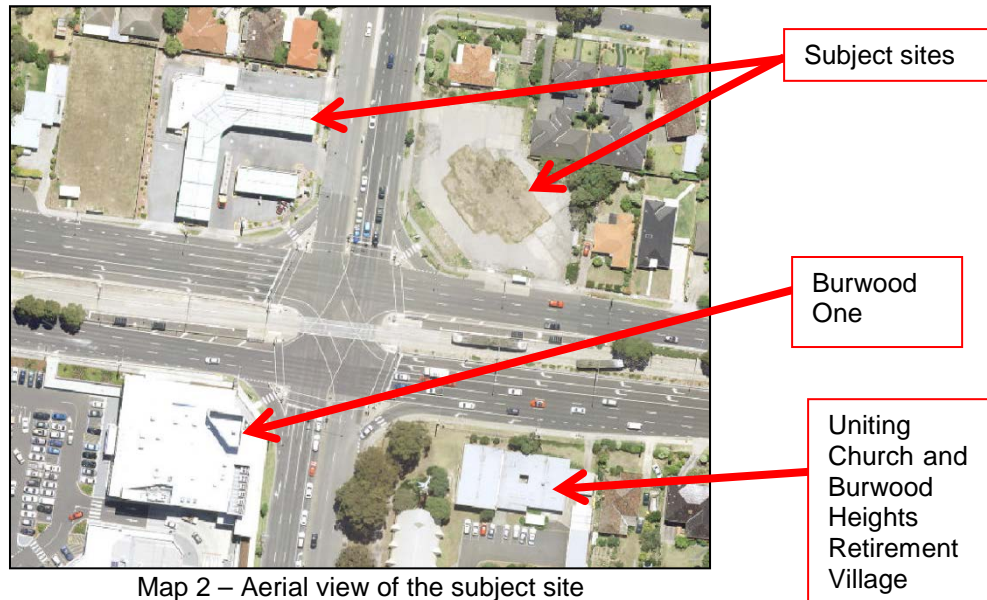
The rezoning request relates to two sites at the intersection of Burwood Highway and Blackburn Road:

- **217 Burwood Highway, Burwood East** is located on the north-western corner of the intersection of Burwood Highway and Blackburn Road. The site is currently used as a petrol station and associated car wash and it is proposed to continue to operate as this for the foreseeable future. The site and land to the west is zoned RGZ2 and land to the north is zoned General Residential Zone (Schedule 1). Surrounding land is developed for housing. The site adjacent to 217 Burwood Highway to the immediate west is the subject of a planning permit application to construct a three storey residential building comprising 24 dwellings and basement car parking.
- **219-223 Burwood Highway, Burwood East** is located on the north-eastern corner of the intersection of Burwood Highway and Blackburn Road and is currently vacant. The site was previously used as a petrol station but has been decommissioned and remediated and the underground petrol and LPG tanks have been removed. The site and land to the east is zoned RGZ2 and land to the north is zoned General Residential Zone (Schedule 1). Surrounding land is developed for housing.

### 9.1.1 (cont)

The sites are located opposite the Burwood One (formerly Burwood East/Kmart Plaza) which is situated on the south-western corner of the intersection.

The Uniting Church and Burwood Heights Retirement Village is located on the south-eastern corner of Burwood Highway and Blackburn Road.



### Planning Controls

The sites are currently zoned RGZ2 which also covers properties along Burwood Highway to the east and west. The sites were previously zoned Residential 1 prior to the State Government zone reforms implemented in October 2014. Properties beyond the sites to the north, north-west and north-east are zoned General Residential Zone Schedule 1 (GRZ1).

Burwood One on the south-western corner of the intersection is zoned Commercial 1 (C1Z). Properties on the southern side of Burwood Highway are also zoned RGZ2.



### 9.1.1 (cont)

There are no overlays on either of the sites. A heritage overlay exists on the Uniting Church and Burwood Heights Retirement Village site.

#### PROPOSAL

The amendment request seeks the rezoning of the land from the RGZ2 to the MUZ to allow the use and development of the land at 219-223 Burwood Highway for a mix of retail, commercial and service industry land uses. The request has been made on the following basis:

- The current residential zoning of the land is inappropriate.
- The site was previously used as a petrol station.
- The MUZ allows a range of uses, including residential.
- The rezoning will facilitate redevelopment and use of the site.

The request also proposes the application of an EAO to both sites as a result of the current use of 217 Burwood Highway as a petrol station and the former use of 219-223 Burwood Highway as a petrol station. The EAO will ensure any future sensitive use of the land will be suitably protected from potential contamination resulting from the former use of the site.

Under Clause 45.03-1 of the Planning Scheme a certificate of environmental audit must be issued or the land must be declared suitable before any sensitive use such as residential dwelling, child care centre or school commences or construction or building works are carried out in association with any sensitive use.



Map 4 – Proposed zone of the subject sites

### 9.1.1 (cont)



Map 5 – Proposed overlay on the subject sites

## DISCUSSION

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

### Why is the Amendment required?

The applicant seeks to rezone the sites from the RGZ to MUZ to allow the purpose-built development of one of the sites (219-223 Burwood Highway) to be used for a service industry use (Bob Jane T-Mart tyre service centre) and retail premises.

The rezoning is sought given the RGZ prohibits the use of the property for service industry use and retail premises and the MUZ permits these land uses subject to a permit and related assessment. The amendment proposes to rezone the sites concurrently as they are both zoned RGZ2 but neither are currently used for residential purposes. The sites are prominently located at a major intersection and have previously presented to the intersection in a similar way. Rezoning both of the sites to MUZ will provide a consistent land use outcome for the area and provide some certainty to the expected built form outcomes for the area.

The MUZ responds to the proposed land use and its history and respects the existing land use (petrol station with car wash) on the land at 217 Burwood Highway. The MUZ facilitates the desired land use for the sites and also allows for future commercial and residential opportunities, particularly as they abut a major intersection and are located directly opposite a designated Neighbourhood Activity Centre. The MUZ provides an effective land use buffer for surrounding residential properties and the Commercial 1 Zone to the Burwood One Neighbourhood Activity Centre.

Given the historical use of the subject land as approved, past and present, and acknowledging the surrounding residential land; it is also proposed to apply an EAO as per Clause 45.03 of the Planning Scheme to ensure any future development and use of the land and surrounding residential properties are effectively protected.

### 9.1.1 (cont)

#### How does the Amendment implement the objectives of planning in Victoria?

The objectives of planning in Victoria are outlined within Section 4(1) of the *Planning and Environment Act 1987*. They include:

- To provide for the fair, orderly, economic and sustainable use, and development of land.
- To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.
- To balance the present and future interests of all Victorians.

The site at 217 Burwood Highway is currently being used for a petrol station and the site at 219-223 Burwood Highway was previously used as a petrol station. The sites are strategically located at the intersection of two major arterial roads that have excellent access to the local and broader community. Rezoning the sites to MUZ would allow the current use to continue and also facilitate the future development of the site for commercial, retail or residential uses.

The rezoning to MUZ would also mean that the immediate desired use of the land as a Bob Jane T-Mart service centre would be a permissible land use in the Planning Scheme under the MUZ. The development and operation of such a use will provide for local employment and provide a service to the local community.

#### How does the Amendment address any environmental, social and economic effects?

The rezoning of the sites to the MUZ is unlikely to have any significant impacts on the environment due to the site's location in an established urban area. The land at 217 Burwood Highway will continue for the foreseeable future as a petrol station and associated car wash. The land at 219-223 Burwood Highway has been cleared and the previous use of a petrol station has been decommissioned and remediated, including the removal of the underground petrol tanks. The application of an EAO will also ensure that the land is declared suitable for any sensitive land use.

The rezoning of the sites to MUZ will allow the sites to be developed for commercial and retail uses that serve the immediate and broader area. Any future development of the sites will need to be cognisant of the interfaces to the surrounding residential area and respect the character of the surrounding area. The sites abut a major road intersection and the rezoning to MUZ will allow future development of a greater range of residential and / or commercial uses that complements the site's location and surrounding land uses.

The MUZ provides the opportunity for commercial and residential development into the future, however neither site is of a size that could result in a development that would compete with nearby commercial developments, in particular Burwood One. The sites could allow for smaller scale commercial, service and retail development that will complement the existing supermarkets, discount department stores and tenancies in Burwood One.

#### Does the amendment address relevant bushfire risk?

There is no bushfire risk considered relevant to this amendment. The sites are located in a well-established urban area and abut two major roads and residential development.

#### Does the Amendment comply with the requirements of any Minister's Direction applicable to the Amendment?

The proposed amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes and Strategic Assessment Guidelines. No other Ministerial Direction applies to the amendment.

### 9.1.1 (cont)

#### How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

Clause 11.02-1 to the SPPF discusses the supply of urban land and notes the objective “to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”. The rezoning of the sites to MUZ will allow for the initial development of the site at 219-223 Burwood Highway for commercial and service industry uses, but will also provide opportunity for future residential or commercial development on the sites.

Clause 17.01-1 to the SPPF sets strategies for Business to “provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres” and “provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations” and “provide outlets of trade-related goods or services directly serving or ancillary to industry and which have adequate on-site car parking.”

Clause 17.01-2 to the SPPF sets as strategies for Out of Centre Development for Metropolitan Melbourne to “ensure that proposals or expansion of single use retail, commercial and recreational facilities outside activity centres are discouraged by giving preference to locations in or on the border of an activity centre” and “ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.”

The rezoning of the sites to the MUZ directly responds to and furthers these strategies. The subject sites, which have longstanding commercial uses, are located adjacent to a neighbourhood activity centre and front the intersection of two main roads which perform as the gateway to the adjoining activity centre. It is preferred that any development of the land at 219-223 Burwood Highway is orientated to the intersection with adequate on-site parking and provides opportunity for further commercial and/or residential development into the future.

The proposed development and use of the land for service industry and retail premises (typically automotive/trade related supplies) permitted pursuant to the MUZ and complementing the existing petrol station with car wash use will provide on-going net benefit to the surrounding community, local residents and workers.

Clause 18.01-1 of the SPPF discusses Integrated Transport and has the objective to “create a safe and sustainable transport system by integrating land-use and transport”. The sites are strategically located at the intersection of two major roads and also located adjacent to the Number 75 Tram Route between Vermont South and Docklands and the Number 703 Smartbus Route between Blackburn and Middle Brighton. This allows for access to the sites by private vehicle, public transport and active transport and integrates the land uses on the site with the surrounding uses and transport modes.

#### How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Municipal Strategic Statement (MSS) recognises that large neighbourhood activity centres, such as Kmart Plaza (now Burwood One), plays an important role in the economic activity of the municipality and that this role should be further enhanced

### **9.1.1** (cont)

The MSS also recognises the important contribution the industrial sector plays in the City's economy, considered relevant to the proposed service industry use of the land. Clause 21.07-3 provides the key objectives to the MSS seeking to strengthen the manufacturing sector, attract new investment, manage sensitive interfaces with adjoining residential areas, facilitate high quality, attractive and environmentally sustainable development and to facilitate the continued enhancement of the Kmart Plaza (now Burwood One) Neighbourhood Activity Centre.

The rezoning will facilitate development and uses commensurate to the site specific 'attributes' afforded to the land, is responsive to the existing use as a petrol station and adjoining neighbourhood activity centre, whilst also respecting and providing a suitable land use and transition to adjoining residential areas. In doing so, the proposed amendment directly complements the implementation of these objectives.

The local planning policy at Clause 22.05 Non Residential Uses in Residential Areas is considered partially relevant to the current amendment request given the existing residential zoning to the land and existing and proposed land uses. To this effect, Clause 22.05-2 provides key objectives including the need to avoid the concentration of non-residential uses where it would create a defacto commercial area.

The preparation of the amendment assists the implementation of this objective by recognizing the ongoing commercial potential of the site and allowing a mix of potential uses, including commercial and residential.

#### Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment is consistent with the intent and use of the Victorian Planning Provisions as it seeks to apply the MUZ to residentially zoned land which has operated and presented as a commercial use, located on properties at the intersection of two major roads and adjoining a neighbourhood activity centre.

The MUZ provides a suitably responsive land use buffer and transition to the surrounding residential land and will facilitate the development of service industry and retail premises whilst also accommodating a potential range of future uses of the land, including residential, as permitted by the zone.

#### Does the amendment address relevant requirements of the Transport Integration Act 2010?

There is no impact on the transport system created by the proposed amendment. The current land use at 217 Burwood Highway will remain and the proposed development at 219-223 Burwood Highway is unlikely to cause a growth in private vehicle usage or public transport patronage substantially higher than what the transport network currently experiences.

### **CONSULTATION**

If Council resolves to prepare an amendment, it will be placed on public exhibition for a minimum of one (1) calendar month. The exhibition will include the advertising of the proposed amendment to the owners and occupiers of the subject site and surrounding properties. These requirements are in addition to the need to publish a notice in the Whitehorse Leader and the Government Gazette and to notify specific Ministers and referral authorities.

At the end of the exhibition period Council will consider any submissions received about the amendment and possibly refer these to an independent panel appointed by the Minister for Planning. Following a public hearing, any panel will report back to Council and Council will then have to determine whether to adopt the amendment. The Minister for Planning may then decide whether or not to approve the amendment.

### **9.1.1** (cont)

No views from referral authorities or any agencies have been sought in relation to this Amendment. If the Amendment is exhibited, the views of any relevant agencies will be sought during the exhibition stage of the amendment process.

#### **POLICY IMPLICATIONS**

The proposed rezoning to MUZ will meet several strategic objectives in the Council Plan, including:

*Strategic Direction 2: Maintain and enhance our built environment to ensure a liveable and sustainable city.*

This direction is proposed to be achieved by improving the links and usage of transport modes with regard to efficiency, sustainability and safety. The proposed rezoning to MUZ supports this as the sites are located at the intersection of Burwood Highway and Blackburn Road and adjacent to a major tram route and Smartbus Route. This allows for sustainable access to the sites by using public transport and active transport and will maintain the built environment in this area. The amendment also allows for the potential future residential development of the sites which would utilise the local transport modes and provide greater housing diversity in the area.

*Strategic Direction 5: Support a healthy local economy*

This direction is proposed to be achieved by supporting the development of a sustainable, growing local economy and supporting the industrial and retail sectors. The proposed rezoning to MUZ will support this direction as it allows for the continuation of the petrol station at 217 Burwood Highway and development of service industry and retail uses at 219-223 Burwood Highway. This will support the current local and broader economy and provide complimentary uses to the existing uses and services in the surrounding area, including Burwood One. The MUZ also allows for future commercial and residential uses, which will also support the local economy through construction and commercial jobs.

#### **FINANCIAL IMPLICATIONS**

The amendment will have minimal financial implications for Council. The proponent has paid the initial fee for Council's assessment of the amendment. If the Amendment is authorised by Council to be prepared and exhibited, the proponent will be required to bear all subsequent fees associated with the Amendment, including consideration of submissions and Planning Panel costs. Council will require written receipt of agreement to pay all costs prior to preparing the amendment and lodging it with the Minister for exhibition.

Detailed consideration of requirements for infrastructure would form part of a future planning permit application process following the rezoning of the site.

#### **CONCLUSION**

The proposed rezoning of the land from the Residential Growth Zone (Schedule 2) to the Mixed Use Zone is considered appropriate. The rezoning will facilitate the future development of the sites with uses that are consistent with the strategic location at the intersection of two major roads. The rezoning will allow development that provides for a range of uses which complement the mixed use function of the location.

It is therefore recommended that Council support the Amendment request, and seek authorisation from the Minister for Planning to prepare and exhibit the Amendment to the Whitehorse Planning Scheme.

## 9.1.2 Strategic Planning Update

FILE NUMBER: SF10/90

### **SUMMARY**

*This report outlines progress with key strategic planning projects from March 2015 to date. The report recommends that this update report be acknowledged.*

### **RECOMMENDATION**

***That Council acknowledges the report on progress of Strategic Planning projects.***

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### **BACKGROUND**

Council's Strategic Planning Unit undertakes a range of projects that respond to the strategic planning needs of Whitehorse, updates the Whitehorse Planning Scheme and manages projects to proactively plan for future improvement, development opportunities and protection of important features and places within the City.

### **DISCUSSION**

The following is a summary of the current status of key projects being undertaken through the Strategic Planning Unit. The last update to Council was provided to the Special Committee meeting on 13 April 2015.

***Key planning scheme amendments that are currently in progress and their status include:***

#### C110 – Tally Ho Activity Centre

Council at its meeting 8 December 2014 considered the Panel's report and recommendations and resolved to adopt the amendment to introduce the Tally Ho Urban Design and Landscape Guidelines, Design and Development Overlay and Development Plan Overlay to the Tally Ho Activity Centre. Amendment C110 was submitted to the Minister for Planning in February 2015 and is still awaiting approval.

#### C130 – Environmentally Sustainable Development (ESD) Policy

The proposed ESD Local Planning Policy is part of a joint amendment with the Cities of Banyule, Moreland, Yarra, Port Phillip and Stonnington. The combined panel and advisory committee report which considered the submissions to all six amendments, was considered by Council on 23 June 2014 and the amendment was submitted to the Minister for Planning for approval on 3 July 2014. The Mayors of the six Councils jointly wrote to the Minister for Planning in April 2015 to expedite the approval of the six amendments and are still awaiting a response.

#### C153 – 15 – 31 Hay Street, Box Hill South

This amendment proposed to rezone land at 15 – 31 Hay Street in Box Hill South from Special Use Zone 1 and Public Use Zone 1 to a combination of General Residential Zone and Residential Growth Zone, concurrently with a planning permit for multiple dwellings, a retirement village, a food and drink premises (café), shop and associated buildings and works on the land. At its meeting of 16 March 2015, following initial consideration at its meeting of 16 February 2015, Council resolved to abandon the amendment.

### 9.1.2 (cont)

On 27 March 2015 the owner of the land lodged an appeal with the Victorian Civil and Administrative Tribunal seeking a declaration that Council failed to comply with the *Planning and Environment Act 1987* in that it failed to submit the adopted Amendment to the Minister for Planning following the 16 February 2015 Council meeting decision, that the decision to rescind the adoption of the Amendment is ultra vires, void and/or invalid and that the decision to subsequently abandon the Amendment is ultra vires, void and/or invalid. The appeal seeks a direction from the Tribunal that Council, as the Planning Authority, must submit the adopted Amendment to the Minister. The matter was heard by the Tribunal on 10 and 11 August 2015 and a decision is pending.

#### C155 – Daniel Robertson brickworks, 56 – 74 Station Street, Nunawading

Exhibition of the Daniel Robertson brickworks site amendment closed 1 June 2015. The amendment proposes to rezone the land from Industrial 1 Zone to Residential Growth Zone and Mixed Use Zone and to introduce an Environmental Audit Overlay and the Development Plan Overlay to the site. Council considered a report on submissions received at its meeting of 20 July 2015 and resolved to refer the amendment and submissions to an independent Planning Panel for consideration. The Panel hearing is being held on 14 and 15 September 2015. The Panel report and recommendations are expected early November.

#### C157 – Whitehorse Heritage Review 2012

The amendment proposed to introduce heritage overlays for 32 new heritage places identified as part of the 2012 Whitehorse Heritage Review. The heritage places consisted of 29 individual places and 3 precincts. Exhibition closed 3 November 2014 and a Panel hearing was held 23-27 March 2015. The Panel report and recommendations were considered by Council at its meeting of 20 July 2015. Council adopted the amendment with changes, including the removal of four of the heritage places. The adopted amendment was submitted to the Minister for Planning for approval on 2 September 2015.

#### C158 – Box Hill Central Activities Area Car Parking Strategy 2014

The amendment proposes to introduce a schedule which sets out particular car parking provision rates for new office and residential uses within the Box Hill Activity Centre. Council considered twenty four submissions at its meeting of 27 January 2015 and resolved to refer the amendment and all submissions received to an independent Panel for its consideration. Council officers received the Panel's report on 21 April 2015. At its meeting of 22 June 2015, Council adopted Amendment C158, and the amendment was subsequently submitted to the Minister for Planning for approval.

#### C159 – Corrections Amendment

Whitehorse City Council is responsible for regularly reviewing the Whitehorse Planning Scheme. Minor errors and anomalies were identified in the Scheme that required correction via a planning scheme amendment. At its meeting on 16 February 2015, Council resolved to request the Minister for Planning consider and approve Amendment C159 to the Scheme without exhibition using his powers under section 20(4) of the *Planning and Environment Act 1987* to correct ninety four (94) identified errors and anomalies. The amendment was approved by the Minister for Planning and gazetted on 21 May 2015.

#### C162 – Neighbourhood Activity Centres

The *Neighbourhood Activity Centre Urban Design Guidelines 2014* were prepared as part of Council's Housing and Neighbourhood Character Review and looks at development opportunities, including housing, in neighbourhood activity centres (NACs). The amendment implements the Guidelines by applying a Design and Development Overlay, Schedule 4 (DDO4) to 60 NACs in Whitehorse and updates Clause 21.04 Strategic Directions and Clause 22.06 Activity Centres. The DDO4 sets out design objectives and guidance for the NACs.



### 9.1.2 (cont)

At its meeting on 28 April 2014, Council adopted the proposed amendment and resolved to request that the Minister for Planning consider and approve Amendment C162 to the planning scheme under section 20(4) of the Planning and Environment Act 1987 following extensive community consultation undertaken during the Review. Amendment C162 was lodged on 5 May 2014 (with Amendment C160 to implement the new residential zones) and is still awaiting the Minister's decision. In April 2015 further information to elaborate on the community consultation process was provided to the Department of Environment, Land, Water and Planning (DELWP) to assist with its assessment of the amendment. A letter requesting an update on progress with the Amendment has recently been sent to the Minister from the Mayor.

#### C167 – 35 Hay Street, Box Hill South

Whitehorse City Council received a request to rezone 35 Hay Street, Box Hill South from the Special Use Zone (Schedule 2 – Private Sport and Recreation Facilities) to the General Residential Zone and introduce Schedule 6 to the GRZ into the Scheme.

Amendment C167 was exhibited in February / March 2015 and Council referred the submissions received to an independent Planning Panel for consideration at its meeting on 20 April 2015. The Panel hearing was held on 27 May 2015 and the subsequent Panel report was considered by Council at its meeting on 17 August 2015. Council adopted the amendment as exhibited and the amendment has been submitted to the Minister for Planning for approval.

#### C168 and C169 - Telecommunications Tower, 730 Canterbury Road Surrey Hills

This amendment was abandoned by Council at its meeting on 18 May 2015. Over 300 submissions were received opposing the amendment. The site was identified in Council's Post 1945 Heritage Study as having heritage significance due to its association with the expansion of broadcasting telecommunications infrastructure in the late 1950's. The tower is rare and virtually unaltered. The amendment process was 'fast tracked' as a result of a planning application being received for replacement of the tower. When making its decision to abandon the amendment, Council considered that introduction of an overlay would not outweigh the community benefit that would be achieved if the tower were removed. Council considered that the objectives of the *Planning and Environment Act 1987* would be best met if the amendment was abandoned.

#### C170 – Former Brickworks, 78 Middleborough Road, Burwood East

Refer to 'Activity Centres' below.

#### C171 – 12-14 Nelson Road, Box Hill and C176 – 837 Whitehorse Road, Box Hill

Amendments C171 and C176 propose to include the above sites in the Schedule to Clause 52.03 Specific Sites and Exclusions, along with an Incorporated Documents specifying that a planning permit application proposing accommodation uses may be considered by Council. With recent changes to planning policy at the State level, and further work being undertaken within Council, additional time is required to carefully consider and apply the most appropriate zones to land within the Box Hill Activity Centre. The proposed approach will facilitate two site-specific developments that meet the vision and desired outcomes set out in the Structure Plan while the most appropriate zones for Box Hill are being determined.

In both instances, Council requested that the Minister for Planning consider and approve the amendments to the planning scheme under section 20(4) of the *Planning and Environment Act 1987*. Amendment C171, lodged on 4 December 2014, was approved by the Minister and gazetted on 14 May 2015. Amendment C176, lodged with the Minister on 2 July 2015 is awaiting a decision.

### **9.1.2** (cont)

#### C172 – Post 1945 heritage places

This amendment implements the Post 1945 Heritage Study following Council's receipt of the Study at its meeting on 16 March 2015. The amendment proposes to apply the heritage overlay to 27 heritage places including four (4) precincts and 23 individual places. Authorisation has been granted from the Minister for Planning to prepare the amendment and exhibition is expected to commence October 2015.

#### C174 – Residential Zones Standing Advisory Committee

The Victorian Government's new residential zones came into effect in the City of Whitehorse on 14 October 2014 with the gazettal of Amendment C160 to the Whitehorse Planning Scheme. On 6 October 2014, the former Minister for Planning requested that the Residential Zones Standing Advisory Committee (the Committee) review the Neighbourhood Residential Zone schedules that were proposed as part of the original Amendment C160.

The proposed Neighbourhood Residential Zone schedules were exhibited in February / March 2015 as Whitehorse Amendment C174. A two person Committee was appointed to consider the amendment and submissions in March / April 2015. Council officers are awaiting the receipt of the Committee's report which is currently with the Minister for Planning for consideration.

#### C177 – Whitehorse Planning Scheme Review Implementation – Stage 1

The Whitehorse Planning Scheme Review 2014 identified a number of changes to the Scheme that would help strengthen and improve its operation and its use to guide the assessment of development applications in the City. This amendment seeks to progress a number of minor corrections and updates to the Scheme. Council, under delegation, has received authorisation from the Minister for Planning to prepare the amendment, as well as an exemption from notice requirements pursuant to section 20(2) of the *Planning and Environment Act 1987*. The amendment is currently on exhibition until 2 September 2015.

#### C180 – Nunawading Primary School

The Department of Education and Early Childhood Development had sought to rezone surplus land occupied by the former Whitehorse Primary School (Nunawading Campus) at 96 – 106 Springvale Road, Nunawading from the Public Use Zone (Schedule 2 – Education) to the General Residential Zone.

In May 2015 the Department formally withdrew the request for the rezoning. Council having decided to purchase the school site for community purposes sought a rezoning of the land from Public Use Zone (Schedule 2 – Education) to Public Use Zone (Schedule 6 – Local Government) under Section 20(4) of the *Planning and Environment Act 1987*. The rezoning request was submitted to the Minister for Planning in June 2015. Council received advice of approval of the amendment from the Minister on 1 September 2015. The amendment was subsequently gazetted on 3 September 2015.

#### C181 – Vegetation Protection Overlay (VPO5)

Council adopted the Significant Tree Study, Stage 3 at its meeting on 22 June 2015 and subsequently resolved to proceed with a planning scheme amendment to introduce VPO5 to 31 private properties across the municipality. The amendment was authorised for exhibition by the DELWP and is on exhibition until 25 September 2015.

#### C182 – 217 - 223 Burwood Highway, Burwood East

A request was received for a combined rezoning and permit application for two sites on the corner of Burwood Highway and Blackburn Road, Burwood East. The amendment request sought to rezone 217 and 219 - 223 Burwood Highway from Residential Growth to Mixed Use. The permit application proposed a Bob-Jane T-Mart tyre service centre (service industry) with separate retail showroom on the site at 219 – 223 Burwood Highway. The permit application was recently withdrawn and an amended request was received in July 2015 that only includes the proposed rezoning. The amendment is the subject of a separate report to Council.

### 9.1.2

(cont)

#### **Activity Centres**

Officers continue to liaise with the DELWP regarding implementation of actions from adopted structure plans and urban design framework plans. A monitoring framework for implementation of the plans has also been established and is periodically updated.

##### Burwood Heights Activity Centre

At its meeting on 20 October 2014, Council received a draft masterplan prepared by Australand for future redevelopment of the 20.5 hectare former brickworks located in the Burwood Heights Activity Centre. Council consulted with the community on the proposed masterplan and proposed planning controls for the site in October / November 2014.

Having considered the community feedback, at its meeting on 27 January 2015, Council adopted an updated masterplan (subject to further review of the proposed open space network) and resolved to support an amendment request by Australand (Amendment C170) to the Minister for Planning under section 20(4) of the *Planning and Environment Act 1987* to rezone the land to a combination of Residential Growth, General Residential and Commercial 1 Zone and to apply a Development Plan Overlay (DPO). The amendment updates local planning policies at Clauses 22.11 and 22.12 in line with the adopted masterplan.

Australand (now known as Frasers Property Australia) lodged the amendment documents with the Minister for Planning on 27 March 2015. Council was formally advised of approval of Amendment C170 by the Minister on 1 September 2015. The amendment was gazetted on 10 September 2015. Subsequent stages of the project including consideration of a Development Plan/s for the site under the DPO will be the subject of further reports to Council.

##### Box Hill Metropolitan Activity Centre (MAC)

Actions relating to the Box Hill MAC are aligned with the Box Hill Structure Plan and other strategic documents and include engagement with relevant departments across the organisation and external stakeholders. Key projects in the MAC include:

- Investment and development facilitation advice on development sites and major redevelopments (ongoing), including advice and facilitation for 12-14 Nelson Road and 837 Whitehorse Road, Box Hill.
- Box Hill Retailers and Community Network monthly meetings (ongoing), including advice and input into operational matters, and liaison with traders and landowners, including Box Hill Central (Vicinity Centres).
- Box Hill Reference Group held its last meeting on 10 August 2015, with its next meeting planned for 16 November 2015 to discuss the progress and advocacy tactics and actions for priority projects throughout the Box Hill MAC.
- Placemaking and promotion including:
  - Evaluation and reporting on the placemaking trial of pop-up performances in the Box Hill Mall, April 2015.
  - Ongoing liaison and assistance to community participants and traders.
  - Planning of the next placemaking demonstration project for October 2015.
- Investment attraction: Ongoing dissemination of "Discover Box Hill" investment and development brochure and other marketing collateral.

### 9.1.2 (cont)

- Ongoing implementation of the *Political Advocacy Strategy* (adopted by Council in June 2012) to assist Council in advocating for action and investment in Box Hill, with the following occurring over the quarter:
  - Implementation of advocacy campaign focusing on 2015.
  - Ongoing coordination and advice to *Box Hill First* stakeholder group and process.
  - Ongoing correspondence, meetings and discussions with Box Hill stakeholders, including Government Ministers, local MPs, relevant government agencies, health and education institutions and land owners, to gather information and gain support for and participation in planning, business case development and advocacy.
  - Ongoing investigation and development of the Box Hill First business case for revitalisation of the Box Hill town centre and transport interchange.

#### ***Built Environment Awards Program (BEAP)***

The Built Environment Program advocates for good planning and design outcomes including building, landscape and urban design projects, and recognises the people who contribute towards them. The Program consists of an Awards event and Educational event on alternate years. The Educational event held during Sustainability Week seeks to promote the winners of the previous year's Awards.

The Built Environmental Awards event was held on the 7 May 2015 at Deakin University in Burwood. Awards were given in eight of the nine categories. Winners of the 2015 awards are listed on Council's web site at <http://www.whitehorse.vic.gov.au/Built-Environment-Awards.html>

#### ***Heritage***

##### Heritage Assistance Fund:

The Fund provides grants up to \$1,000 to eligible owners and occupiers to assist with the ongoing maintenance of their heritage properties. Applications for the 2015/2016 round of funding close on 11 September 2015 and are expected to be considered by the Heritage Steering Committee in October 2015.

##### Heritage Adviser:

Council's Heritage Advisor continues to provide specialist advice to the Strategic Planning Unit. Responsibilities of the Advisor include responding to planning application referrals from the Statutory Planning Unit, liaising with the community and other departments of Council on heritage matters and helping to assess Heritage Assistance Fund applications.

#### ***State Government Projects***

##### Healesville Freeway Reservation

The current state government gave an election undertaking for the Healesville Freeway corridor in Whitehorse to be open space. There has been no further activity on the matter since the election.

##### Plan Melbourne

In March 2015, the Minister for Planning announced that Plan Melbourne prepared under the previous State government would be "refreshed" and that the Ministerial Advisory Committee that developed the original plan would be reconvened. The intent of a "renewed Plan" is "to ensure it accurately reflects community and expert priorities and advice" and "provides the long-term vision for Victoria's growing population". The project "will include identifying further housing opportunities and alternatives, increasing jobs and improving liveability, dealing with a changing climate, integrating public transport and supporting infrastructure investment."

Release of an issues and options paper for public consultation is expected in October – December 2015, followed by release of a revised Plan Melbourne in first half of 2016.

**9.1.2**  
(cont)

**CONSULTATION**

Community consultation is an integral part of all strategic planning projects. The level and type of consultation will be extensive and varied, depending on the nature and complexity of each project. While community consultation adds to the depth of projects it can also extend their timeframe in some instances.

This update report on strategic planning projects is prepared every six (6) months covering periods ending in March and September. This is followed by a summary in the Whitehorse News on a selection of projects of interest to the community.

**FINANCIAL IMPLICATIONS**

All of the projects require resources and funding for tasks including consultation, preparation, exhibition and consideration of amendments, consultant advice and investigations, including government processes eg: panel hearings etc. Adequate funding for the projects has been provided in the recurrent budget.

**POLICY IMPLICATIONS**

The undertaking of strategic planning projects is consistent with the *Council Plan 2015 – 2019* in terms of project outcomes and the consultation involved.

**CONCLUSION**

The report provides an update on key strategic planning projects. It is recommended that Council acknowledge the report

## **Engineering & Environmental**

### **9.1.3 Tender Evaluation Report – Contract 14061 – McKean Street, Box Hill North - Road Reconstruction**

FILE NUMBER: SF15/326

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#### **SUMMARY**

*To consider tenders received for the road reconstruction of McKean Street, Box Hill North and to recommend the acceptance of the tender received from Parkinson Group (Vic) Pty Ltd, for the amount of \$777,344.37 including GST and to consider the overall project expenditure.*

#### **RECOMMENDATION**

***That Council accept the tender and sign the formal contract document for Contract 14061 McKean Street, Box Hill North - Road Reconstruction received from Parkinson Group (Vic) Pty Ltd (ABN 58 168 742 925), of 30 Alfred Street Blackburn Victoria 3130, for the tendered amount of \$777,344.37 including GST; as part of the total expected project expenditure of \$932,813 including GST (\$848,012 excluding GST).***

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#### **BACKGROUND**

This contract is for the road reconstruction of McKean Street, Box Hill North. The project is included in the 2015/2016 Capital Works Program.

In 2015/2016 the adopted Council budget includes an allocation to reconstruct McKean Street between Dorking Road and Evan Street. It was planned to reconstruct the remaining section of McKean Street, between Evan Street and Middleborough Road, in the 2016/2017 financial year. It was proposed to stage the works due to the limited available budget for road maintenance.

On 30 June 2015, after the Council budget was adopted, the Australian Government announced that they would provide additional funds to Councils for road maintenance under the Roads to Recovery program. Whitehorse Council received an additional \$358,075 to be spent on road maintenance in the 2015/2016 financial year. It is proposed to allocate the additional funding to reconstruct the full length of McKean Street between Dorking Road and Middleborough Road. The funds for the reconstruction of the section of McKean Street that was originally planned to be completed in 2016/2017 can be used on other high priority road maintenance projects.

The reconstruction of McKean Street is required as a result of the diminished integrity and poor condition of the road pavement indicating that it has reached the end of its serviceable life. Additional works will be undertaken to provide improved drainage along the road.

The works under this contract include the removal and reconstruction of the concrete kerb and channel, reconstruction of concrete driveways, profiling, asphalt resurfacing, installation of drainage, reinstatement and ancillary works.

#### **DISCUSSION**

Tenders were advertised in The Age newspaper on Saturday 11 July 2015 and were closed on Wednesday 5 August 2015. Ten (10) tenders were received.

### 9.1.3 (cont)

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Tenderers experience in provision of similar services;
- Quality of Tenderers Work;
- Resources dedicated to this project;
- Availability of tenderer to complete the works; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

Parkinson Group (Vic) Pty Ltd is the recommended tenderer for this contract. They have successfully completed the reconstruction of roads for Monash City Council and Kingston City Council. They have also successfully completed civil infrastructure projects for Whitehorse City Council.

The tender received from Parkinson Group (Vic) Pty Ltd is considered to provide the best value for money for this Contract.

### CONSULTATION

This project has been developed in consultation with City Works. All relevant service authorities have been advised of the works.

All residents in McKean Street and intersecting streets will be advised in writing of the proposed works and expected impacts of construction before works commence.

The preferred tenderer's business viability has been considered.

### FINANCIAL IMPLICATIONS

	<b>Budget</b>	<b>Expenditure</b>
Capital Works Funding Account No. S104 McKean Street, Box Hill North Reconstruction	\$ 449,000	
Additional Roads to Recovery Funding for 2015/2016	\$ 358,075	
<b>Total Budget</b>	<b>\$ 807,075</b>	
Preferred tenderer's lump sum offer (including GST)		\$ 777,344
Less GST		-\$ 70,668
Net cost to Council		\$ 706,676
Plus Contingencies		\$ 70,668
Plus Project Management Fees		\$ 70,668
<b>Total Expenditure</b>		<b>\$ 848,012</b>

## 9.2 INFRASTRUCTURE

### 9.2.1 Tender Evaluation Report – Blackburn Lake Sanctuary Foyer Upgrade

FILE NUMBER: SF15/137767

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#### SUMMARY

*To consider tenders received for the Foyer Upgrade to Blackburn Lake Sanctuary and to recommend the acceptance of the tender received from Adma Group for the amount of \$404,786.80 including GST and to consider the overall project expenditure.*

#### RECOMMENDATION

***That Council accept the tender and sign the formal contract document for Contract No: 14071 for the Blackburn Lake Sanctuary Foyer Upgrade, received from Adma Group Pty Ltd (ABN 29 146 031 761), of 292 Middleborough Road, Blackburn South. VIC 3130, for the tendered amount of \$404,786.80, including GST as part of the total expected project expenditure of \$517,000.00 including GST.***

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#### BACKGROUND

Blackburn Lake Sanctuary is one of the few significant remaining natural bushland reserves in Melbourne and the best known bushland park in the City of Whitehorse. It is well known for the indigenous bushland, lake and wetlands, extensive walking tracks and Visitor Centre.

The Visitor Centre offers learning opportunities to the general community and schools through an Environmental Education Program. The existing facility lacks adequate and compliant public amenities, the reception and public interface lack appeal, natural light and functionality. It is proposed to upgrade to the Visitor's Centre to incorporate a new building façade, an upgraded reception and office area, and new Universal Access compliant public toilet facilities. The works will be carried out in a manner that will enable the Visitor Centre to continue to operate during construction works.

#### DISCUSSION

Five builders were sourced from the State Government's Construction Suppliers Register and invited to tender on the Blackburn Lake Foyer Upgrade. Tenders closed on Friday 31 July 2015. Of the tenders received, all were complying tenders. Three of the complying tenders were considerably lower than the other two. The most competitive tenderer has successfully completed projects for the City of Whitehorse in the recent past.

Construction works are planned to commence in early October 2015 and the completion of the project is anticipated to be early 2016.

All tenderers were selected based on their quality of works and experience in similar projects.

The tenders were evaluated against the following criteria:

- Financial benefit to council.
- The Contractors' resources specifically dedicated to this project.
- The Contractor's ability to meet Council's set-out time frame for the completion of this project.

The tender received from **Adma Group Pty Ltd** is considered to provide the best value for money for this Contract.



### 9.2.1

(cont)

#### CONSULTATION

Council officers have consulted extensively with the Blackburn Lake Sanctuary stakeholders including the Parkland Advisory Committee during the design, documentation and tender process.

The preferred tenderer's business viability has been checked and considered sound.

#### FINANCIAL IMPLICATIONS

	<b>Budget</b>	<b>Expenditure</b>
Capital Works Funding Account No.( S531)	\$470,000.00	
<b>Total Budget</b>	<b>\$470,000.00</b>	
Preferred tenderer's lump sum offer (including GST)		\$404,786.80
Less GST		-\$ 36,798.80
Net cost to Council		\$367,988.00
Plus Consultants Fees		\$ 10,000.00
Plus Temporary toilets and modifications		\$ 5,000.00
Plus Contingencies (10%)		\$ 36,798.00
Plus Project Management Fee		\$ 42,727.72
<b>Total Expenditure (excluding GST)</b>		<b>\$470,000.00</b>

## **9.3 HUMAN SERVICES**

### **9.3.1 Municipal Early Years Plan 2014-2018 Implementation Report 2015**

FILE NUMBER: SF10/337  
ATTACHMENT

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#### **SUMMARY**

*The purpose of this report is to update council on the implementation status of the Municipal Early Years Plan 2014-2018 "A City for all Children".*

#### **RECOMMENDATION**

***That Council receive the report.***

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#### **BACKGROUND**

In August 2014, Council adopted a municipal wide strategic plan for the enhancement and development of services and supports for families with young children aged 0-12 years. The implementation of the plan covers a 4 year period with annual progress reports presented to council as part of the implementation and evaluation process. This report represents the first implementation and evaluation report presented to council since the plan was adopted. The implementation of the plan will be completed by December 2018.

#### **DISCUSSION**

Extensive research into child and family development confirms that the 'early years' of a child's life are crucial in laying foundations that will contribute to a child's future development, health and wellbeing. Effective supports for parents, families and children are therefore vital in ensuring that every child is provided with the best opportunities available and assistance to avoid potential developmental problems and difficulties later in life.

Municipal Early Years Plans (MEYP) provide an important strategic framework for Local Government, their communities, partner organisations and governments to prioritise actions and resources aimed at improving education, care, health and social outcomes for children and their families. Conceptually, the Whitehorse MEYP sits as a sub plan to the Whitehorse *Community Wellbeing Plan* and utilises the same '*Environments for Health*' planning framework that considers the overall impact of factors originating across any or all of four environmental dimensions on the health and wellbeing of families. These dimensions are social, economic, built and natural environments.

As previously reported to council, a comprehensive strategic planning process was employed in the development of the plan which incorporated a review of government policy, demographic data and early years services in the local community. The process also included consultation with the community, councillors, government representatives and other key stakeholders.

Collectively, these processes provided direction on the current and future issues of importance to young children and their families living in the Whitehorse community. It is from this process that four key priority areas were identified and their respective actions plans developed in the plan. These priority areas are:

1. Healthy active and thriving children
2. Secure, supported and engaged families
3. Quality services for all children & families
4. Safe, welcoming & inclusive community for all children and families

### 9.3.1 (cont)

The four priority areas form the basis of annual action plans that have and will be developed in collaboration between relevant council departments and with partner organisation with a key stake hold in supporting families and their children.

The plan itself provides a roadmap for all stakeholders in Whitehorse to move ahead in improving supports for children and their families in Whitehorse.

Finally, the plan has been distributed widely to the community and partner organisations in the form of an easy to read one page flyer.

## IMPLEMENTATION STATUS

The Whitehorse MEYP Steering committee was established by Council in 2013 to guide the development of the plan. Following adoption of the plan, the committee was reformed as the Whitehorse Early Years Reference Group and charged with monitoring the implementation of the plans.

The Whitehorse Early Years Reference Group has prepared the attached table (Attachment 1) reporting on the progress for implementing the plan.

In summary, the timetable for implementation has been achieved with a number of exceptions which are outlined. A number of key achievements to date are highlighted as follows:

1. **Parent Forums:** 8 Parent Forums planned/delivered during 2015. (2 Forums were delivered in the second half of 2014)
2. **TIQBIZ:** Implementation of the TIQBIZ App for Whitehorse parents/families. 10 categories have been established covering the Early Years and Youth areas.
3. **Toy Library/Playgroup Project:** Undertaken an audit of the needs of Toy Libraries and Playgroups in Whitehorse – developed closer working relationships, and produced an information flier to be distributed to families with pre-school age children.
4. **Immunisation Sessions:** Key Health and Family Services information is being distributed at a number of Immunisation Sessions.
5. **Whitehorse News:** Inclusion of a Family and Health page to complement the existing Youth page has been a key feature this year.
6. **MCH:** The MCH team in conjunction with Aqualink have completed a pilot Health and Wellbeing Fitness Program for New Mothers.
7. **Parks, Playgrounds, Playgroups and Toy Libraries** information has been include on Whitehorse Maps.
8. **Referral Pathway document** has been reviewed/updated and disseminated to staff in the Early Years services areas. (This document is a comprehensive list of specialist early years' service providers and is intended as a referral resource for staff working in Child Care/Kindergarten and MCH services.

It should be noted that the implementation of the Whitehorse MEYP has been undertaken utilising existing departmental budgets and personnel.

There are a number of actions highlighted in the plan that lie ahead for the next 6 months. These actions will be incorporated into service plans for operational areas within Council and discussed with partner agencies and the government where relevant.

### **9.3.1**

(cont)

#### **FINANCIAL IMPLICATIONS**

The financial cost to Council, in regards to the implementation of the Whitehorse Municipal Early Years Plan 2014-2018, has so far been absorbed within current operational budgets.

Further financial support for strategies and actions contained within the plan will be considered and reported to Council where relevant over the next 12 months.

#### **POLICY IMPLICATIONS**

The draft Whitehorse Municipal Early Years Plan - *A City for all Children* – 2014-2018 is consistent with objectives in the Whitehorse Council Plan and State and federal Government policy directions.

### 9.3.2 Municipal Youth Plan 2014-2018 Implementation Report 2015

FILE NUMBER: SF12/2041  
ATTACHMENT

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#### **SUMMARY**

*The purpose of this report is to update Council on the implementation status of the Municipal Youth Plan 2014-2018 "A City for all Young People".*

#### **RECOMMENDATION**

***That Council receive the report.***

---

#### **BACKGROUND**

In August 2014, Council adopted a municipal wide strategic plan for the enhancement and development of services and supports for young people aged 12-25 years and their families. The implementation of the plan covers a 4 year period with annual progress reports presented to Council as part of the implementation and evaluation process. This report represents the first implementation and evaluation report presented to Council since the plan was adopted. The implementation of the plan will be completed in December 2018.

#### **DISCUSSION**

The adolescent and early adult years are a vital period of development and transition for all people. They are characterized by significant physical, emotional and sociological change.

It has long been acknowledged that there is an important role for the community to play in ensuring young people make a happy and safe transition into adulthood in a community that supports and respects them. For many young people, often referred to as marginalized within their communities, this is often not the case.

The development of a Municipal Youth Plan (MYP) is consistent with the commitment by the City of Whitehorse, as articulated in the Municipal Community Wellbeing Plan, to support young people, to achieve improved health and wellbeing outcomes and to develop an integrated approach to planning and service delivery throughout the municipality.

Conceptually, the MYP sits as a sub plan to the Whitehorse *Community Wellbeing Plan* and utilizes the same *Environments for Health* planning framework that considers the overall impact on the health and wellbeing of young people, of factors originating across any or all of four environmental dimensions. These dimensions are social, economic, built and natural environments. The framework emphasizes the importance of addressing inequalities in health and the leadership role played by Council working in partnership with its community.

As previously reported to Council, a comprehensive strategic planning process was employed in the development of the plan which incorporated a review of Government policy, demographic data and early years services in the local community. The process also included consultation with the community, councillors, government representatives and other key stakeholders.

### 9.3.2 (cont)

Collectively, these processes provided a clear indication of the current and future issues of importance to young people and their families living in the Whitehorse community. It is from this process that five key priority areas were identified and their respective action plans developed in the plan. These priority areas are:

- Healthy, resilient and engaged young people
- Secure families and relationships
- Employment, training and education opportunities
- Comprehensive services for all young people
- Safe, welcoming and inclusive community

The five priority areas form the basis of annual action plans that have and will be developed in collaboration between relevant council departments and with partner organisations with other key stakeholders in supporting young people and their families.

The Youth Plan is documented and formatted to ensure accessibility to a broad audience including youth service professionals and young people themselves. Since adoption, it has been distributed widely across the municipality to an array of welfare, health and education services.

### IMPLEMENTATION STATUS

The Whitehorse MYP Steering committee was established by Council in 2013 to guide the development of the Plan. Following the adoption of the plan, the committee was reformed as the Whitehorse Youth Plan Implementation Review Committee and charged with monitoring the implementation of the Plan. The Review Committee comprises six Council Officers (from across the organisation), representatives from six community organisations and government departments. Two young people from the Council's Youth Representative Committee worked alongside the reference group to assist guide the implementation of the MYP.

The Whitehorse Youth Plan Implementation Review Committee now meets on a six monthly basis and has prepared the attached table (Attachment 2) reporting on the progress for implementing the plan.

In summary, the timetable for implementation has been achieved with a number of exceptions which are outlined. A number of key achievements to date are highlighted as follows:

- **Community Youth Services Awareness Project:** successful application to the State Government for grant funding for this project. The project involves the development of a comprehensive communication strategy to provide information about all existing services, supports, programs and events, activities, facilities, etc. to young people and their families in Whitehorse. The project will enable young people to locate information and resources from local government and community agencies in an accessible and easy manner.
- The extension of the **School Holiday program** to 4 days over each school holiday period provides further opportunities for young people to participate in activities that encourage them to be active and involved in their local community.
- **WYRC Youth Forum planned for September 2015** will encourage young people to participate and actively engage in key issues identified in the Youth Plan (mental health, bullying and body image). The Whitehorse Youth Representative Committee has planned and will facilitate the Youth Forum. **Headspace** outpost in Box Hill: Council's Youth Services team has worked in partnership with Carrington Health and Headspace Hawthorn for Headspace to be located in Box Hill to provide support to young people. The service will provide young people in the municipality with the opportunity to access specialised mental health services.

### 9.3.2

(cont)

- The Mental Health and Us program (peer support mental health program) was developed and delivered in Whitehorse Secondary Schools from July 2015. Research based evidence demonstrates that young people dealing with mental health issues will likely seek assistance from their peers. This program is designed to assist students in developing knowledge and skills to identify when peers may be struggling and what they can do to assist.
- The Robust, Resilient and Ready to Go program was delivered in two Whitehorse Primary Schools during the past 12 months. The program incorporates activities focusing on improving student's resilience and parent information sessions to reduce student absenteeism from school,
- Parent information forums targeted at the parents of adolescents were hosted by Council during the past 12 months. The forums covered a range of topics including building resilience, video gaming and mental health and are designed to assist parents with the challenges of raising their child/ren during a period when young people search for their identity and deal with complex issues. Five forums were hosted in the last 12 months with 560 parents attending.
- Box Hill Assertive Outreach program engaged with and provided support for young people who are most likely to become disengaged and participate in high-risk behaviour. The program ensures that young people who may be hesitant to access support services in a centre based environment have access to skilled professionals in an informal setting,
- Anti-Graffiti Education workshops: Council was successful in receiving funding from the Department of Justice to deliver Anti-Graffiti Education workshops in schools. 11 primary schools and 4 secondary schools received these workshops during the past 12 months. A funding application will be submitted for the workshops to continue over the next 12 months.
- Council's Environmental Health team achieved the highest immunisation coverage rate in the eastern metropolitan region for 3 of the 4 scheduled vaccines provided to secondary school aged children.
- Continued use of social media (Facebook) as a means to engage young people to provide relevant information in a social media platform they are comfortable accessing
- The FReeZA program provides music and cultural events across the municipalities for young people in a safe and supervised environment. Over the past 12 months, the FReeZA Committee have facilitated 5 events for young people including 'live music' events, film making and short story competition.
- Continued provision of School Focused Youth Services to provide support to schools and vulnerable students to ensure they remain engaged in education and learning.

It should be noted that the implementation of the Whitehorse MYP has been undertaken utilising existing departmental budgets and personnel.

There are significant actions highlighted in the plan that lie ahead for the next 12 months. These actions will be incorporated into service plans for operational areas within Council and discussed with partner agencies and the government where relevant.

### **FINANCIAL IMPLICATIONS**

The financial cost to Council, in regards to the implementation of the Whitehorse Municipal Youth Plan 2014-2018, has so far been absorbed within current operational budgets.

Further financial support for strategies and actions contained within the plan will be considered and reported to Council where relevant over the next 12 months.

### **POLICY IMPLICATIONS**

The Whitehorse Municipal Youth Plan – *"A City for all Young People"* – 2014-2018 is consistent with objectives in the Whitehorse Council Plan and State and federal Government policy directions.

### 9.3.3 Child Friendly Cities & Community Charter

FILE NUMBER: SF15/138683

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#### SUMMARY

*This report provides Council with information and a recommendation relating to the Child Friendly Cities and Community Charter. The Charter was developed by the Child Friendly Cities and Communities Network in partnership with the Victorian Local Governance Association. The report recommends the endorsement of the Charter which is consistent with action 4.1 contained in the Municipal Early Years Plan – Whitehorse: A City for all Children – 2104 to 2018. The action states that Council “continue to enhance the City of Whitehorse as a child friendly city in a way that is consistent with the aims and objectives of the UNICEF Child Friendly Cities program”.*

#### RECOMMENDATION

***That Council resolves to endorse and become a signatory of the Victorian Charter for Child Friendly Cities and Communities***

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#### BACKGROUND

In August 2014, Council adopted the Municipal Early Years Plan (MEYP) – *Whitehorse: A City for all Children 2014 to 2018*. Action 4.1 contained in the MEYP states that Council will:

*“Continue to enhance the City of Whitehorse as a child friendly city in a way that is consistent with the aims and objectives of the UNICEF Child Friendly Cities program”.*

The Child Friendly Cities and Communities Network in partnership with the Victorian Local Governance Association (VLGA) has recently developed a Child Friendly Cities and Community Charter (Appendix 1). The charter is an inaugural document and is intended to raise the profile and rights of children within communities and government departments. The Charter was officially launched in late 2013 by the Victorian Commissioner for Children.

The Charter has been developed specifically for local governments, organisations and individuals to take action. It contains a statement of the principles and actions that underpin the right to be considered "child friendly". The Charter is consistent with state, national and international protocols and embraces rights that are embedded in the Convention of the Rights of the Child 1990, the Chiba Declaration for a Child Friendly Asia Pacific 2009, UNICEF's Building Blocks for Developing a Child Friendly City 2004 and the Victorian Human Rights and Responsibilities Charter 2006.

The charter reads as follows:

*“Recognising the need for increased participation by children in decision-making forums and creating child friendly environments to support the following principles, Councils and government departments across Victoria are invited to become a signatory of the Charter which includes:*

- *Freedom for Children to experience environments that considers their needs;*
- *Respect and dignity for children to express their individual opinions, participate in and contribute to decisions about their communities and their wellbeing; and*
- *Equitable access to supportive environments and services for children regardless of gender, ethnicity, religion or ability.”*



### 9.3.3 (cont)

#### DISCUSSION

The Child Friendly Cities and Communities Network (CFCCN), of which Council is a member, is a voluntary network of Councils and peak bodies that was formed four years ago to promote child friendly cities.

In early 2013 the CFCCN committee approached the Victorian Local Governance Association (VLGA) to assist in promoting the Network's aims, which are to:

- Strengthen local governments and communities capacity to deliver Child Friendly Initiatives;
- Develop practical policy and tools to assist local governments to involve children and young people in planning and decision making;
- Advocate for the Victorian government to take a whole of government approach to establishing child friendly cities and communities;
- Influence policy and behavioural change to ensure that the rights of children are reflected in community planning and building; and
- Seek funding for research and special projects that directly relate to child friendly cities and communities.

The VLGA has recently written to all Council Mayors and CEOs seeking Local Government commitment to involve children in planning their community's future by endorsing the Charter. The VLGA asserts that a Child Friendly City is one that:

- Asserts the rights of every child and values children as equal citizens;
- Builds spaces with children in mind so they can actively be part of social and community life;
- Creates workplace environments that are family - friendly;
- Demands safety in all dimensions; and
- Ensure children have access to affordable services such as specialist health services, early childhood care, lifelong learning opportunities and support services.

These principles remain a key to all aspects of work across community wellbeing and are embedded in key strategic documents e.g. Whitehorse Council Plan 2014 - 2018, Municipal Public Health and Wellbeing Plan (*Health and Wellbeing in Whitehorse 2013 – 2017*), together with the Municipal Early Years and Youth Plans.

The development of the Charter formalises government's commitment to continue to promote the principles of Child Friendly Cities and Communities. In recent times, several Victorian Municipalities have endorsed the Charter including Ballarat, Cardinia and Greater Dandenong Councils.

There are several compelling reasons for Council to consider in determining whether it should become a signatory to the charter. The key affirmative reason is that the charter relates to Council's Municipal Early Years Plan specifically in relation to:

- Prioritising improved health, development and learning outcomes for Children and young people;
- Continuing to promote Whitehorse as a child-friendly city;
- Actively engaging, consulting and communicating with our community and stakeholders; and
- Promoting Whitehorse as a democratic and engaged community.

### **9.3.3** (cont)

The Charter is relevant to and complements Council's long term planning and supports and strengthens all Council Plans and strategies in its acknowledgement that all Whitehorse children and young people are actively considered and respected within our community.

#### **PROPOSED AGED FRIENDLY CITIES CHARTER**

Age-friendly cities support people of all ages and abilities to remain active and engaged in their communities across the life course

The World Health Organisation's (WHO) Global Network of Age-friendly Cities and Communities (the Network) was established to foster the exchange of experience and mutual learning between cities and communities worldwide, as a growing number of cities and communities around the world are striving to better meet the needs of older people locally.

In 2006, Council on the Ageing (COTA) Victoria in partnership with the MAV, joined the WHO as one of only two Australian cities wanting to participate in an international project on Age-friendly cities. This initiative brought together 33 cities of varying sizes throughout the world to explore what makes a city a good place in which to grow old.

As a result, in 2007 the WHO *Global Age-friendly Cities: A Guide* was released which includes a checklist and eight key domains which include: Outdoor spaces and buildings, transportation, housing, social participation, respect and social inclusion, civic participation and employment, communication and information, and community support and health services.

COTA and the MAV of Victoria have been working together for the past five years to promote the concept of Age-friendly environments and continue to work actively with councils across the state on the Age-friendly direction. More recently this includes the exploration of the development of a Charter which contains key principles for working towards communities that are age friendly and supportive of people as they age in place.

It is anticipated that such a charter will be developed in the coming years for local government consideration.

#### **CONSULTATION**

A key step in the development of the MEYP was the extensive community engagement process undertaken to capture community and stakeholder feedback in relation to improving outcomes for children and families in the City of Whitehorse.

Council designed and implemented a far reaching and innovative program of consultation activities that were aimed at engaging a wide range of interested stakeholders. A major highlight of the engagement process was the consultation process undertaken with pre-school and school aged children.

The consultation processes highlighted that children and families in Whitehorse value and appreciate the following aspects of our community: the quality and accessibility of our parks and open spaces; the diversity and variety of our activities; high quality services; and that Whitehorse is a safe and friendly community. These aspects all contribute to creating a child friendly city.

### 9.3.3

(cont)

#### FINANCIAL IMPLICATIONS

There are no financial implications to Council endorsing and becoming a signatory of the Victorian Charter for Child Friendly Cities and Communities.

However, being a signatory of the Charter will enhance Council's profile and may add value to its ability to attract external funding.

This initiative not only strongly promotes Whitehorse as a Child Friendly City, in line with UNICEF guidelines, but also provides an opportunity for Council to continue to provide leadership and advocacy to other organisations across the broader community and promote Child Friendly Whitehorse.

Child Friendly Communities have known economic benefits in that they attract families to live, work and recreate within the municipality.

Over the last 5 years Whitehorse Council has been progressing strategies and policies that are consistent with the UNICEF guidelines and underpinning principles of a child friendly city. Becoming a signatory to the Charter is another step along the path to becoming a child friendly city, however being a signatory does not bind or compel Council to sign up to any particular initiative or strategy that may have financial implications or costs attached. Any future Child Friendly City initiative will be considered by Council on merit at that time.

#### POLICY IMPLICATIONS

Endorsement and becoming a signatory of the Charter is sighted as a key action within the Municipal Early Years Plan – *Whitehorse: A City for all Children – 2014 to 2018*.

The Charter fits across key sections of the Whitehorse Council Plan, in particular:

- Support a healthy, vibrant, inclusive and diverse community;
- Maintain and enhance our built environment to ensure a liveable and sustainable city; and
- Protect and enhance our open space and natural environments.

As stated above, the Charter relates directly to the Municipal Early Years Plan specifically in regards to:

- Prioritising improved health, development and learning outcomes for Children and young people;
- Continuing to promote Whitehorse as a child-friendly city;
- Actively engaging, consulting and communicating with our community and stakeholders; and
- Promoting Whitehorse as a democratic and engaged community.

The Charter is relevant to and complements Council's long term planning and supports and strengthens all Council Plans and strategies in its acknowledgement that all Whitehorse children and young people are actively considered and respected within our community.

**9.3.3**  
(cont)

**APPENDIX 1**

# Victorian Child Friendly Cities and Communities Charter

This Victorian Charter for Child Friendly Cities and Communities has been developed specifically for local governments, organisations and individuals to take action. The Charter is a statement of the principles and actions that underpin the right to be considered *child friendly*.

The Charter is consistent with state, national and international protocols and embraces rights that are embedded in the Convention of the Rights of the Child (1990), the Chiba Declaration for a Child Friendly Asia Pacific (2009), UNICEF's Building Blocks for Developing a Child Friendly City (2004) and the Victorian Human Rights and Responsibilities Charter 2006.

**Recognising the need for increased participation by children in decision-making forums and creating child friendly environments, we support the following principles:**

- **Freedom for children to experience environments that consider their needs**
- **Respect and dignity for children to express their individual opinions, participate in and contribute to decisions about their communities and their wellbeing**
- **Equitable access to supportive environments and services for children regardless of gender, ethnicity, religion or ability**



## **9.4 CORPORATE SERVICES**

### **9.4.1 In Principle Adoption of the Annual Report 2014/15 - Report of Operations**

ATTACHMENT

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#### **SUMMARY**

*Council is required to complete and forward to the Minister for Local Government its Annual Report by 30 September 2015.*

#### **RECOMMENDATION**

***It is recommended that the Report of Operations be received by Council, approved in principle and forwarded to the Minister for Local Government as part of the Annual Report 2014/15.***

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#### **BACKGROUND**

Council is required under *Section 131* of the *Local Government Act (1989)* to complete an Annual Report each year and forward it to the Minister for Local Government by 30 September. The Annual Report comprises:

- A report of its operations during the financial year;
- Audited standard statements for the financial year (Adopted in principle by Council 17 August 2015);
- Audited financial statements for the financial year (Adopted in principle by Council 17 August 2015);
- A copy of the performance statement prepared under section 132 (Adopted in principle by Council 17 August 2015);
- A copy of the report on the performance statement prepared under section 133 (Adopted in principle by Council 17 August 2015); and
- Any other matter required by the regulations.

#### **DISCUSSION**

The Report of Operations as attached comprehensively includes Council's vision and mission, strategic objectives, highlights for the year, performance and compliance matters.

Council's endorsement in principle is sought for the purpose of forwarding it as part of the Annual Report 2014/15 to the Minister for Local Government as required by the *Local Government Act (1989)*.

*Section 134* of the Act requires a meeting to consider the Annual Report as soon as practicable but within the time required by the regulations after the Council has sent the report to the Minister.

The Annual Report will be further considered at a future Ordinary Council meeting on 19 October 2015.

## 9.4.2 Information Privacy Policy Review

FILE NUMBER: SF05/20  
ATTACHMENT

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### SUMMARY

*As a result of the introduction of the new Privacy and Data Protection Act 2014 (Vic), Council's Information Privacy policy has been reviewed and updated. It is recommended that Council adopt the updated Information Privacy Policy to continue its strong commitment to protecting personal information.*

### RECOMMENDATION

***That Council adopts the updated Information Privacy Policy for an additional four years as per Attachment 4.***

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### BACKGROUND

The Privacy and Data Protection Act 2014 became fully operational on 9 December 2014. The new Act replaces the former Information Privacy Act 2000 with a new framework that applies across the government sector to enhance the protection of personal information.

### DISCUSSION

Council believes that the responsible handling of personal information is a key aspect of democratic governance, and is strongly committed to ensuring the personal information received by Council is collected and handled in a responsible manner.

In operation, this means that all public bodies, including Victorian local councils, must give proper consideration to information privacy when providing services and making decisions. Accordingly, Council's existing Information Privacy Policy has been reviewed and updated to increase staff awareness of their responsibilities under the new legislation. The policy retains the process for managing privacy complaints.

### CONSULTATION

The review of the policy has been undertaken in consultation with some internal stakeholders.

- Procurement – Contracts
- Organisation Development – Human Rights and Equal Opportunity
- Property & Rates – Rates for Debt Collection

The Policy has also been independently reviewed by Council's lawyer, FOI solutions for compliance with privacy legislative legal requirements.

### FINANCIAL IMPLICATIONS

There are no financial implications associated with the adoption of the updated policy.

### POLICY IMPLICATIONS

There are no implications on any existing Council policies with the adoption of the updated policy.

### **9.4.3 Naming of Laneway – Adjacent to 20A Broughton Road Surrey Hills**

FILE NUMBER: WH/2014/176

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#### **SUMMARY**

*Council received a request to name a currently unnamed laneway to the south of 20 Broughton Road and 20A Broughton Road Surrey Hills. Council at its meeting held 15 September 2014 resolved to approve planning application WH/2014/176 – 20A Broughton Road Surrey Hills for construction of five dwellings, including four double storey dwellings and one single storey dwelling. Planning Permit approval was provided for the construction of five dwellings on 3 November 2014, with a permit condition being that prior to the occupation of the development or certification of any plan of subdivision of the site, the section of the laneway to the south of 20 and 20A Broughton Road Surrey Hills must be constructed and named, as it is required for property addressing and access to the dwellings. Council at its meeting 20 July 2015 resolved to assign the naming proposal Pennant Lane to the unnamed laneway and to undertake a community consultation process on the naming proposal.*

#### **RECOMMENDATION**

*That:*

- 1. Council endorses its decision of 20 July 2015 to name the unnamed laneway to the south of 20 Broughton Road and 20A Broughton Road Surrey Hills, Pennant Lane.*
- 2. The Registrar of Geographic Names be advised of Council's Resolution.*
- 3. Adjoining property owners be advised accordingly once advice has been received from the Office of the Registrar of Geographic Names and the laneway name has been formally gazetted.*
- 4. Appropriate street signage be erected once advice has been received from the Office of the Registrar of Geographic Names that the laneway name has been formally gazetted.*

---

#### **BACKGROUND and CONSULTATION**

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

Council at its Ordinary Council Meeting 20 July 2015, resolved to assign the naming proposal **Pennant Lane** to the unnamed laneway to the south of 20 and 20A Broughton Road Surrey Hills. Pennant was suggested by the Box Hill Historical Society, due to knowledge that over many decades, junior players with the Surrey Hills Uniting Church tennis club joined to play 'pennant' tennis. Pennant complies with the Guidelines for Geographic Names, is considered suitable for the location and is supported by the property owner/developer of the site.

### **9.4.3**

(cont)

#### **Formal Consultation Process**

As required by the Guidelines for Geographic Place Names Act 1989, prior to seeking final approval of the naming proposal Pennant Lane from the Office of the Registrar of Geographic Names, Council was required to undertake community consultation.

- Council staff wrote to owners of properties abutting the laneway; to the property owner and developer of the site at 20A Broughton Road Surrey Hills, inviting comments on the naming proposal;
- an advertisement was placed in the Whitehorse Leader on 27 July 2015 and on Council's website, inviting comments from members of the community on the naming proposal;
- The consultation period closed at 5pm on Thursday 27 August 2015, at the close of the consultation period no formal submissions supporting or objecting to the naming proposal had been received, however an enquiry regarding the street naming consultation process and the construction of the laneway was received.

#### **DISCUSSION and POLICY IMPLICATIONS**

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

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

- Consideration to the use of Indigenous names;
- Names should be easy to pronounce, spell and write; and
- Duplication of names is not allowed within the municipality or within a five kilometre radius.

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

*Council respects and acknowledges the relationship that Aboriginal people have with their traditional land. We will work with local Aboriginal people and groups to raise awareness of the local Aboriginal history and cultural traditions of local Aboriginal people:*

- *By naming of parks/reserves/streets/significant landmarks in traditional language.*

Note: Consultation was also undertaken with the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated (Wurundjeri Council), however the words of the Woivurrung language submitted by the Wurundjeri Council were non compliant with the Guidelines for Geographic Place Names Act 1998.

#### **FINANCIAL IMPLICATIONS**

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



**9.4.3**  
(cont)



#### **9.4.4 Naming of Laneway – Adjacent to 21 Lexton Road Box Hill North**

FILE NUMBER: WH/2014/841

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##### **SUMMARY**

*Council received a request to name a currently unnamed laneway running between 21 and 23 Lexton Road Box Hill North. A planning permit has been issued for construction of three double storey dwellings and a subdivision permit issued for a three lot subdivision at 21 Lexton Road Box Hill North. Dwelling 1 will be accessed from Lexton Road, however dwellings 2 and 3 will be accessed via a currently unnamed laneway running between 21 and 23 Lexton Road Box Hill North. The laneway needs to be named, as it is required for property addressing and access to dwellings 2 and 3 at the 21 Lexton Road Box Hill North site. Council staff have received a request from the owner and developer of the site at 21 Lexton Road, Box Hill North to name the currently unnamed laneway. Council at its meeting 20 July 2015 resolved to assign the naming proposal Rainbow Lane to the unnamed laneway and to undertake a community consultation process on the naming proposal.*

##### **RECOMMENDATION**

*That:*

- 1. Council endorses its decision of 20 July 2015 to name the unnamed laneway running between 21 and 23 Lexton Road Box Hill North Rainbow Lane.*
- 2. The Registrar of Geographic Names be advised of Council's Resolution.*
- 3. Adjoining property owners be advised accordingly once advice has been received from the Office of the Registrar of Geographic Names and the laneway name has been formally gazetted.*
- 4. Appropriate street signage be erected once advice has been received from the Office of the Registrar of Geographic Names that the laneway name has been formally gazetted.*

---

##### **BACKGROUND and CONSULTATION**

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

Council at its Ordinary Council Meeting 20 July 2015, resolved to assign the naming proposal **Rainbow Lane** to the unnamed laneway to the south of 21 and 23 Lexton Road Box Hill North.

#### **9.4.4** (cont)

##### **Formal Consultation Process**

As required by the Guidelines for Geographic Place Names Act 1989, prior to seeking final approval of the naming proposal Pennant Lane from the Office of the Registrar of Geographic Names, Council was required to undertake community consultation.

- Council staff wrote to owners of properties abutting the laneway; to the property owner and developer of the site at 21 Lexton Road Box Hill South, inviting comments on the naming proposal;
- an advertisement was placed in the Whitehorse Leader on 27 July 2015 and on Council's website, inviting comments from members of the community on the naming proposal;
- The consultation period closed at 5pm on Thursday 27 August 2015, at the close of the consultation period correspondence endorsing Rainbow was received, no submissions objecting to the naming proposal were received; in addition enquires were received regarding street naming process and the construction of the laneway.

##### **DISCUSSION and POLICY IMPLICATIONS**

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

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

- Consideration to the use of Indigenous names;
- Names should be easy to pronounce, spell and write; and
- Duplication of names is not allowed within the municipality or within a five kilometer radius.

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

*Council respects and acknowledges the relationship that Aboriginal people have with their traditional land. We will work with local Aboriginal people and groups to raise awareness of the local Aboriginal history and cultural traditions of local Aboriginal people:*

- *By naming of parks/reserves/streets/significant landmarks in traditional language.*

Note: Consultation was undertaken with the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated (Wurundjeri Council), however words of the Woiwurrung language submitted by the Wurundjeri Council were non-compliant with the Guidelines for Geographic Place Names Act 1998.

##### **FINANCIAL IMPLICATIONS**

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

**9.4.4**  
(cont)



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

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 adopts 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 18 May 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.

The proposed delegation 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 General Managers and Managers were consulted in the updating of the proposed delegations.

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

## 9.4.6 Delegated Decisions – July 2015

FILE NUMBER: SF 13/1527#02

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

### RECOMMENDATION

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

DELEGATION	FUNCTION	Number for July 2014	Number for July 2015
Planning and Environment Act 1987	- Delegated decisions	128	120
	- Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		22	37
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & applications to Building Control Commission	67	71
Liquor Control Reform Act 1998	Objections and prosecutions	1	4
Food Act 1984	- Food Act orders	Nil	4
Public Health & Wellbeing Act 2008	- Improvement / prohibition notices	Nil	Nil
Local Government Act 1989	Temporary road closures	11	4
Other delegations	CEO signed contracts between \$150,000 - \$500,000	Nil	1
	Property Sales and leases	23	
	Documents to which Council seal affixed	Nil	
	Vendor Payments	1223	1128
	Parking Amendments	6	4
	Parking Infringements written off (not able to be collected)	192	268

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

Details of each delegation are outlined on the following pages.

**DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS JULY 2015**

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

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
119	17-07-15	Delegate Approval - S72 Amendment	72 Kenmare St, Mont Albert	Elgar	Construction of three double storey dwellings	Permit Amendment
170	27-07-15	Delegate Approval - S72 Amendment	780 Whitehorse Rd, Mont Albert	Elgar	Amendment to plans for construction of a three storey building plus a basement car park comprising of fifteen (15) dwellings and to create and alter access to a road in a Road Zone Category 1 (Whitehorse Road), to change the front facade, change entry and disability access, and alterations to apartment 2.03 including new large balcony to the south	Permit Amendment
225	28-07-15	Delegate Approval - S72 Amendment	10 Holberry St, Nunawading	Springfield	Amendment to Planning Permit WH/2013/225 (issued for the construction of a double storey dwelling to the rear of the existing dwelling) for modifications to the finish floor levels of Dwelling 2	Permit Amendment
432	17-07-15	Delegate Approval - S72 Amendment	12 Queen St, Blackburn	Central	Construction of a five storey building plus two levels of basement, comprising dwellings and a reduction in the car parking requirements	Permit Amendment
453	21-07-15	Delegate Approval - S72 Amendment	13 Sheehans Rd, Blackburn	Central	Buildings and works to extend an existing dwelling	Permit Amendment

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
505	03-07-15	Delegate Approval - S72 Amendment	38 Springfield Rd, Box Hill North	Elgar	Amendment to Planning Permit WH/2012/505 (Issued for the construction of two double storey dwellings) for changes to the approved crossover location, removal of a street tree, raising of the finished floor levels, modification and reduction of windows, modification to solar panels.	Permit Amendment
513	21-07-15	Delegate Approval - S72 Amendment	1A Deanswood Rd, Forest Hill	Central	Building and works comprising of the construction of an undercover alfresco, upper storey mezzanine, pool and a front fence	Permit Amendment
523	02-07-15	Delegate Approval - S72 Amendment	22 Sunnyside Ave, Nunawading	Springfield	Amendment to Planning Permit WH/2014/523 (Issued for the construction of two (2) double storey dwellings) for minor changes to setbacks for Dwelling 2	Permit Amendment
527	21-07-15	Delegate Approval - S72 Amendment	4 Mingeta Ave, Blackburn South	Riversdale	Construction of the land for two (2) double storey dwellings	Permit Amendment
578	21-07-15	Delegate Approval - S72 Amendment	44 Morack Rd, Vermont	Morack	Amendment to Planning Permit WH/2012/578 (Issued for the construction of two dwellings by way of alterations to the existing building) for modifications to the front fence along the southern boundary	Permit Amendment
602	21-07-15	Delegate Approval - S72 Amendment	490-524 Springvale Rd, Forest Hill	Morack	Buildings and works associated with the installation of boom gates to an existing medical centre	Permit Amendment
642	02-07-15	Delegate Approval - S72 Amendment	4 James Ave, Mitcham	Springfield	2 lots subdivision	Permit Amendment



Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
680	27-07-15	Delegate Approval - S72 Amendment	9 Acacia Ave, Blackburn	Central	Amendment to Planning Permit WH/2013/680 to relocate the spa and construct an underground storage space beneath the approved extensions.	Permit Amendment
683	30-07-15	Delegate Approval - S72 Amendment	9 Railway Rd, Blackburn	Central	Amendment to Planning Permit WH/2013/683 (Issued for construction of three (3) double storey dwellings on a lot) for modifications to endorsed plans and changes to the garage of Dwelling 3.	Permit Amendment
725	23-07-15	Delegate Approval - S72 Amendment	249 Middleborough Rd, Box Hill South	Riversdale	Advertising Signage (North) in an Industrial 1 Zone	Permit Amendment
762	31-07-15	Delegate Approval - S72 Amendment	10 Wridgway Ave, Burwood	Riversdale	To vary the finished floor levels - increased levels Dwellings 1, 2 & 3 from 700 - 900mm and garages 1, 2 & 3 from 1.2m to 1.5m	Permit Amendment
763	16-07-15	Delegate Approval - S72 Amendment	836-850 Whitehorse Rd, Box Hill	Elgar	Amendment to WH/2014/763 (issued for the buildings and works to construct a building comprising two towers of 36 storeys and 26 storeys) for amendment to a number of conditions in relation to submission of expert reports	Permit Amendment
804	16-07-15	Delegate Approval - S72 Amendment	123 Jolimont Rd, Vermont	Morack	Construction of a second double storey dwelling at the rear of the existing dwelling	Permit Amendment

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
890	30-07-15	Delegate Approval - S72 Amendment	20 Sweetland Rd, Box Hill	Elgar	Amendment to Planning Permit WH/2012/890 (Issued for the development of the land for three dwellings comprising one double storey and one single storey dwelling to the rear of the existing dwelling) for changes to the western boundary wall and modifications to the endorsed plans.	Permit Amendment
19	14-07-15	Delegate NOD Issued	63 Vicki St, Forest Hill	Central	Development of the land for two dwellings (comprising the construction of a double storey dwelling to the rear of the existing single storey dwelling)	Multiple Dwellings
92	14-07-15	Delegate NOD Issued	1A Thomas St, Mitcham	Springfield	Partial demolition of existing dwelling and buildings and works including first floor addition	Heritage
173	30-07-15	Delegate NOD Issued	26 Somers St, Burwood	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
174	14-07-15	Delegate NOD Issued	52 Goodwin St, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
228	16-07-15	Delegate NOD Issued	19 Alexander St, Box Hill	Elgar	Partial demolition, alterations and additions to existing dwelling	Neighbourhood Character Overlay
251	13-07-15	Delegate NOD Issued	1 Tarrangower Ave, Mitcham	Springfield	Construction of one (1) double storey dwelling to the rear of an existing dwelling	Multiple Dwellings
278	30-07-15	Delegate NOD Issued	113 Lake Rd, Blackburn	Springfield	Buildings and works to construct a double storey dwelling within a Significant Landscape Overlay	Special Landscape Area
284	14-07-15	Delegate NOD Issued	711-713 Whitehorse Rd, Mont Albert	Elgar	Buildings and works associated with the use of land for a restaurant (cafe) and reduction of the standard car parking requirements	Multiple Dwellings

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
299	09-07-15	Delegate NOD Issued	10 Hannaslea St, Box Hill	Elgar	Building and works to construct an extension to the rear of the dwelling within a Heritage Overlay	Heritage
606	31-07-15	Delegate NOD Issued	20 East India Ave, Nunawading	Springfield	Construction of three double storey dwellings	Multiple Dwellings
730	09-07-15	Delegate NOD Issued	76 Mahoneys Rd, Forest Hill	Central	Construction of six (6) double storey dwellings and consolidation of land into one lot	Multiple Dwellings
786	16-07-15	Delegate NOD Issued	47 Dunlavin Rd, Mitcham	Springfield	Construction three double storey dwellings	Multiple Dwellings
821	21-07-15	Delegate NOD Issued	9 Manniche Ave, Mont AlbertNorth	Elgar	Construction of two double storey dwellings and the removal of trees	Multiple Dwellings
1068	16-07-15	Delegate NOD Issued	451 Belmore Rd, Mont AlbertNorth	Elgar	Tree Removal in a Vegetation Protection Overlay	Vegetation Protection Overlay
1	30-07-15	Delegate Permit Issued	55 Eley Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
9	31-07-15	Delegate Permit Issued	390-400 Station St, Box Hill South	Riversdale	Alterations to the existing building and use as a warehouse	Business
11	28-07-15	Delegate Permit Issued	31 Ashley St, Box Hill North	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
31	21-07-15	Delegate Permit Issued	395 Middleborough Rd, Box Hill	Elgar	Buildings and works for the construction of entry gates, fencing, and signage, associated tree removal, and alteration of access to a road in a Road Zone Category 1	Heritage
42	14-07-15	Delegate Permit Issued	4 Burch St, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
44	30-07-15	Delegate Permit Issued	122 Jolimont Rd, Vermont	Morack	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
108	14-07-15	Delegate Permit Issued	76 Winfield Rd, Balwyn North	Elgar	Construction of seven dwellings comprising three triple storey and four double storey dwellings and tree removal	Multiple Dwellings

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
127	28-07-15	Delegate Permit Issued	8 Second Ave, Box Hill North	Elgar	Construction of two (2) semi-detached double storey dwellings	Multiple Dwellings
128	16-07-15	Delegate Permit Issued	1-9 George St, Blackburn	Central	Buildings and works to extend existing building used for Panel Beating and a reduction in the standard car parking requirements	Industrial
136	28-07-15	Delegate Permit Issued	42 Wattle Valley Rd, Mitcham	Springfield	Buildings and works to construct a carport and fence	Special Landscape Area
201	21-07-15	Delegate Permit Issued	Shop 3/339 Mitcham Rd, Mitcham	Springfield	Buildings and works associated with Shop 3, use of land to sell and consume liquor and a reduction in the standard carparking requirements (associated with the use of land for restaurant)	Business
237	16-07-15	Delegate Permit Issued	14 Bass St, Box Hill	Elgar	Partial demolition of existing dwelling and ground floor addition	Neighbourhood Character Overlay
239	23-07-15	Delegate Permit Issued	8A Clarice Rd, Box Hill South	Riversdale	Building and works in association with a warehouse and office	Industrial
261	23-07-15	Delegate Permit Issued	44 Springfield Rd, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
273	16-07-15	Delegate Permit Issued	4 Francesca St, Mont AlbertNorth	Elgar	Construction of two double storey dwellings	Multiple Dwellings
279	21-07-15	Delegate Permit Issued	1/8 Via Media Box Hill	Elgar	Alterations to the existing dwelling	Residential (Other)
298	31-07-15	Delegate Permit Issued	2-3 Terrigal Ln, Vermont	Morack	2 lot subdivision	Subdivision
305	10-07-15	Delegate Permit Issued	26 Britannia Mall Mitcham	Springfield	Use of land for the sale and consumption of liquor (on-premises liquor licence)	Liquor Licence
331	16-07-15	Delegate Permit Issued	118 Whitehorse Rd, Blackburn	Central	Construction of a carport	Business

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
372	17-07-15	Delegate Permit Issued	1/24 Thomas St, Mitcham	Springfield	Alterations and additions to the existing dwelling, demolition of carport, construction of new carport and front fence	Heritage
375	14-07-15	Delegate Permit Issued	8 Munro St, Mitcham	Springfield	Removal of two (2) within a Vegetation Protection Overlay	Vegetation Protection Overlay
377	28-07-15	Delegate Permit Issued	15 Gordon Cres, Blackburn	Central	Building and works to extend an existing dwelling	Residential (Other)
378	16-07-15	Delegate Permit Issued	2 Newbigin St, Burwood	Riversdale	Construction of 4 double storey dwellings	Multiple Dwellings
409	30-07-15	Delegate Permit Issued	1181 Riversdale Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
425	09-07-15	Delegate Permit Issued	515 Whitehorse Rd, Mitcham	Springfield	Car parking waiver	Business
428	21-07-15	Delegate Permit Issued	30 Main St, Box Hill	Elgar	Buildings and works to the existing building and display of business identification signage including internally illuminated signage	Business
431	21-07-15	Delegate Permit Issued	17 Black St, Mont Albert	Elgar	Partial demolition of the existing dwelling and outbuilding, and building and works associated with dwelling additions and construction of a domestic swimming pool and associated mechanical equipment and safety fencing	Heritage
433	16-07-15	Delegate Permit Issued	1 Arnold St, Box Hill	Elgar	Buildings and works for an extension to an existing hospital	Residential (Other)
437	10-07-15	Delegate Permit Issued	12 Oliver Ave, Blackburn	Central	Buildings and works to construct an extension to the existing dwelling within 4 metres of the protected tree in a Significant Landscape Overlay	Special Landscape Area
454	27-07-15	Delegate Permit Issued	78 Churchill St, Mont Albert	Elgar	Construction of a swimming pool in a Heritage Overlay	Heritage

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
460	13-07-15	Delegate Permit Issued	710 Station St, Box Hill	Elgar	100 lots subdivision	Subdivision
463	27-07-15	Delegate Permit Issued	5 Marian Crt, Blackburn	Central	3 lot subdivision	Subdivision
473	30-07-15	Delegate Permit Issued	11 George St, Blackburn	Central	Buildings and work to extend an existing factory	Industrial
478	14-07-15	Delegate Permit Issued	58-74 Station St, Nunawading	Springfield	Demolish a building	Heritage
482	29-07-15	Delegate Permit Issued	25-27 Foch St, Box Hill South	Riversdale	Four Lot Subdivision	Subdivision
488	24-07-15	Delegate Permit Issued	20 Queen St, Blackburn	Central	49 lot subdivision	Subdivision
489	24-07-15	Delegate Permit Issued	87 Clyde St, Box Hill North	Elgar	3 lot subdivision	Subdivision
498	16-07-15	Delegate Permit Issued	Shop 69/1 Main St, Box Hill	Elgar	Use of land to sell and consume liquor	Liquor Licence
499	21-07-15	Delegate Permit Issued	302 Middleborough Rd, Blackburn	Central	Installation of an internally illuminated sign	Advertising Sign
507	10-07-15	Delegate Permit Issued	20 Rose St, Box Hill	Elgar	2 lot subdivision	VicSmart - Subdivision
510	29-07-15	Delegate Permit Issued	30 Tiller St, Burwood East	Riversdale	3 lot subdivision	Subdivision
512	29-07-15	Delegate Permit Issued	207-207A Elgar Rd, Surrey Hills	Riversdale	4 lot subdivision	Subdivision
514	30-07-15	Delegate Permit Issued	7 Mahoneys Rd, Forest Hill	Morack	Buildings and works, display of internally illuminated signage, and a reduction in car parking associated with the use of the land for a restaurant	Business
516	01-07-15	Delegate Permit Issued	3 Wright St, Blackburn	Central	2 lot subdivision	Subdivision
517	29-07-15	Delegate Permit Issued	81 Thames St, Box Hill	Elgar	18 lot subdivision	Subdivision
543	14-07-15	Delegate Permit Issued	15-33 Alfred St, Blackburn	Central	To construct a concrete pavement & ramps to the rear of the building on top of existing pavement to raise the pavement level to match the building floor level	VicSmart - General Application
545	10-07-15	Delegate Permit Issued	32 Landale St, Box Hill	Elgar	Install spa and deck with pool fence	VicSmart - General Application
552	27-07-15	Delegate Permit Issued	47 Centre Rd, Vermont	Morack	2 Lot Subdivision	Subdivision

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
553	31-07-15	Delegate Permit Issued	546 Elgar Rd, Box Hill North	Elgar	13 lot subdivision	Subdivision
554	27-07-15	Delegate Permit Issued	27 Centre Rd, Vermont	Morack	2 lot subdivision	Subdivision
557	24-07-15	Delegate Permit Issued	131 Middleborough Rd, Box Hill South	Riversdale	2 lot subdivision	Subdivision
558	24-07-15	Delegate Permit Issued	16 Paul Rd, Forest Hill	Morack	2 lot subdivision	Subdivision
561	27-07-15	Delegate Permit Issued	9 Romoly Drv, Forest Hill	Central	2 lot subdivision	Subdivision
563	27-07-15	Delegate Permit Issued	38 Second Ave, Box Hill North	Elgar	2 lot subdivision	Subdivision
564	27-07-15	Delegate Permit Issued	113 Koonung Rd, Blackburn North	Central	2 lot subdivision	Subdivision
565	31-07-15	Delegate Permit Issued	10 Delany Ave, Burwood	Riversdale	3 lot subdivision	Subdivision
567	31-07-15	Delegate Permit Issued	465 Middleborough Rd, Box Hill North	Elgar	3 lot subdivision	Subdivision
568	31-07-15	Delegate Permit Issued	55 Woodcrest Rd, Vermont	Morack	2 lot subdivision	Subdivision
578	29-07-15	Delegate Permit Issued	53 Florence Rd, Surrey Hills	Riversdale	2 lot subdivision	Subdivision
580	24-07-15	Delegate Permit Issued	6 Station St, Nunawading	Springfield	Buildings and works associated with the installation of exhausts	VicSmart - General Application
591	28-07-15	Delegate Permit Issued	49 Glen Ebor Ave, Blackburn	Central	Removal of one tree	VicSmart - General Application
599	29-07-15	Delegate Permit Issued	11 Gibson St, Box Hill South	Riversdale	Two lot subdivision	VicSmart - Subdivision
600	29-07-15	Delegate Permit Issued	134 Middleborough Rd, Blackburn South	Riversdale	Two lot subdivision	VicSmart - Subdivision
604	29-07-15	Delegate Permit Issued	62 Surrey Rd, Blackburn North	Central	Two lot subdivision	Subdivision
608	31-07-15	Delegate Permit Issued	123 Jolimont Rd, Vermont	Morack	Two lot subdivision	Subdivision
645	27-07-15	Delegate Permit Issued	3 Beddows St, Burwood	Riversdale	Changes to the construction of two (2) double storey dwellings including the garage to Dwelling 1 relocated to the western boundary and revised location of retaining walls	Multiple Dwellings

Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
653	23-07-15	Delegate Permit Issued	533 Elgar Rd, Mont AlbertNorth	Elgar	Construction of two (2) double storey dwellings and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
705	28-07-15	Delegate Permit Issued	66 Rostrevor Pde, Mont AlbertNorth	Elgar	Construction of two double storey semi-detached dwellings	Multiple Dwellings
740	27-07-15	Delegate Permit Issued	10 Bundoran Pde, Mont AlbertNorth	Elgar	Construction of three double storey dwellings	Multiple Dwellings
771	17-07-15	Delegate Permit Issued	75 Box Hill Cres, Mont AlbertNorth	Elgar	Construction of two double storey dwellings	Multiple Dwellings
847	28-07-15	Delegate Permit Issued	9 Johnston St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
877	27-07-15	Delegate Permit Issued	914 Station St, Box Hill North	Elgar	Construction of three double storey dwellings and to alter access to a road in a Road Zone Category 1	Multiple Dwellings
895	27-07-15	Delegate Permit Issued	1 Benbrook Ave, Mont AlbertNorth	Elgar	The development of the land for three dwellings comprising the construction of two double storey dwellings to the rear of the existing single storey dwelling	Multiple Dwellings
919	14-07-15	Delegate Permit Issued	1 Salisbury Ave, Blackburn	Central	Construction of a second storey addition office addition to existing shop, and a waiver of the car parking requirements of Clause 52.06.	Business
944	09-07-15	Delegate Permit Issued	80 Burwood Hwy, Burwood East	Riversdale	Construction of six triple storey dwellings and alteration to access to a road in a Road Zone (Category 1)	Multiple Dwellings
1121	28-07-15	Delegate Permit Issued	2A Junction Rd, Blackburn North	Central	Construction of three double storey dwellings and a 3 lot subdivision	Multiple Dwellings
1126	14-07-15	Delegate Permit Issued	18 Harold St, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
1151	27-07-15	Delegate Permit Issued	122 Dorking Rd, Box Hill North	Elgar	Construction of two (2) dwellings	Multiple Dwellings
1203	14-07-15	Delegate Permit Issued	2 Erasmus St, Surrey Hills	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings



Appl No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1233	31-07-15	Delegate Permit Issued	701 Station St, Box Hill	Elgar	Buildings and works to construct a 12 storey plus basement building (for use as office and dwellings) and associated reduction of car parking requirements	Business
1274	28-07-15	Delegate Permit Issued	23 Stanley St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
214	14-07-15	Delegate Refusal Issued	370-372 Mitcham Rd, Mitcham	Springfield	Use of land as take-away food premises (kebabs) and associated building and works for placement of a food van.	Residential (Other)
748	21-07-15	Delegate Refusal Issued	22 Clifton St, Blackburn	Central	Buildings and works for the construction of a single storey dwelling and removal of two (2) trees	Permit Amendment
391	09-07-15	No Permit Required	245 Mahoneys Rd, Forest Hill	Morack	Construction of a verandah	Residential (Other)
875	27-07-15	Permit Corrected	50 Lucknow St, Mitcham	Springfield	Tree removal	Vegetation Protection Overlay
76	30-07-15	Withdrawn	268 Burwood Hwy, Burwood	Riversdale	Construction of a 4 storey apartment building, reduction in standard car parking requirement and creation of access to a road in a Road Zone Category 1	Multiple Dwellings
149	22-07-15	Withdrawn	37 Norma Rd, Forest Hill	Morack	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings

**BUILDING DISPENSATIONS/APPLICATIONS JULY 2015**

Address	Date	Ward	Result
5 Charlton Street, BLACKBURN NORTH	16-07-15	Central	Amendment Approved R409
23 Patricia Road, BLACKBURN	24-07-15	Central	Granted R409
24 Lawrence Street, BLACKBURN SOUTH	24-07-15	Central	Granted R415
30 Salisbury Avenue, BLACKBURN	28-07-15	Central	Granted R424, R427
37 Charlotte Street, BLACKBURN SOUTH	13-07-15	Central	Granted R426
5 Canterbury Road, BLACKBURN	21-07-15	Central	Granted R604
59 Springfield Road, BLACKBURN NORTH	02-07-15	Central	Granted R414
65 Holland Road, BLACKBURN SOUTH	28-07-15	Central	Granted R416
67 Canora Street, BLACKBURN SOUTH	14-07-15	Central	Granted R426
3 Hirst Street, BLACKBURN	24-07-15	Central	Refused R424
48 Pakenham Street, BLACKBURN	29-07-15	Central	Refused R409
5 Bond Avenue, BLACKBURN SOUTH	07-07-15	Central	Refused R410
6 Iris Court, BLACKBURN NORTH	20-07-15	Central	Refused R424
12 Galt Street, BOX HILL NORTH	17-07-15	Elgar	Amendment Approved R409
4 Orchard Crescent, MONT ALBERT NORTH	30 Jul 2015	Elgar	Amendment Approved R424
1 Arcade Road, MONT ALBERT NORTH	07-07-15	Elgar	Granted R604
19 Grange Street, MONT ALBERT	31-07-15	Elgar	Granted R414
1C View Street, SURREY HILLS	29-07-15	Elgar	Granted R409
2 Lightfoot Street, MONT ALBERT	03-07-15	Elgar	Granted R424
22 Rutland Road, BOX HILL	07-07-15	Elgar	Granted R604
22 Valda Avenue, MONT ALBERT NORTH	27-07-15	Elgar	Granted R409
24 Churchill Street, MONT ALBERT	14-07-15	Elgar	Granted R414
24 Churchill Street, MONT ALBERT	28-07-15	Elgar	Granted R410
6 Briggs Street, MONT ALBERT NORTH	07-07-15	Elgar	Granted R604
710 Station Street, BOX HILL	21-07-15, 15-07-15	Elgar	Granted R604, R604
72 Watts Street, BOX HILL NORTH	02-07-15	Elgar	Granted R414
8 Galt Street, BOX HILL NORTH	21-07-15	Elgar	Granted R415
836-850 Whitehorse Road, BOX HILL	03-07-15	Elgar	Granted R604
2 Lightfoot Street, MONT ALBERT	24-07-15	Elgar	Refused R409
35 Karen Street, BOX HILL NORTH	29-07-15	Elgar	Refused R424
835 Station Street, BOX HILL NORTH	22-07-15	Elgar	Refused R415
712-714 Station Street, BOX HILL	07-07-15	Elgar	Refused R604
16 Balmoral Court, BURWOOD EAST	13-07-15	Morack	Granted R420
19 Panorama Drive, FOREST HILL	29-07-15	Morack	Granted R409, R420, R411
245 Mahoneys Road, FOREST HILL	17-07-15	Morack	Granted R411
3 Lunar Crescent, VERMONT	15-07-15	Morack	Granted R425
40 Parkmore Road, FOREST HILL	31-07-15	Morack	Granted R409
41 Hanover Road, VERMONT SOUTH	24-07-15	Morack	Granted R420
5 Ida Court, VERMONT	31-07-15	Morack	Granted R415
51 Philip Street, VERMONT	07-07-15	Morack	Granted R409
6 Ellesmere Road, BURWOOD EAST	30-07-15	Morack	Granted R411
19 Panorama Drive, FOREST HILL	31-07-15	Morack	Withdrawn R425
1 Little Street, BOX HILL SOUTH	16-07-15	Riversdale	Amendment Approved R409
16 Shepherd Street, SURREY HILLS	27-07-15	Riversdale	Amendment Approved R409
4 Ferndale Street, SURREY HILLS	10-07-15	Riversdale	Granted R413
5 Howell Avenue, SURREY HILLS	24-07-15	Riversdale	Granted R409
50 Lindisfarne Drive, BURWOOD EAST	21-07-15	Riversdale	Granted R416
6 Boronia Street, SURREY HILLS	29-07-15	Riversdale	Granted R424
7-9 Burwood Highway, BURWOOD	17-07-15	Riversdale	Granted R513
880 Canterbury Road, BOX HILL SOUTH	27-07-15	Riversdale	Granted R604
29 Lindisfarne Drive, BURWOOD EAST	24-07-15	Riversdale	Refused R409
52 Lenna Street, BURWOOD EAST	14-07-15	Riversdale	Refused R424

Address	Date	Ward	Result
8 Clanbrae Avenue, BURWOOD	29-07-15	Riversdale	Refused R409
12 O'Shannessy Street, NUNAWADING	07-07-15	Springfield	Granted R417
20 Browns Road, NUNAWADING	03-07-15	Springfield	Granted R409
20 Burnett Street, MITCHAM	10-07-15	Springfield	Granted R424
24 East India Avenue, NUNAWADING	03-07-15	Springfield	Granted R411
35 Barkly Terrace, MITCHAM	24-07-15	Springfield	Granted R411, R424
38 Scott Street, VERMONT	17-07-15	Springfield	Granted R409
9 Eugenia Street, NUNAWADING	14-07-15	Springfield	Granted R415
12 O'Shannessy Street, NUNAWADING	07-07-15	Springfield	Refused R416
23 Market Street, NUNAWADING	02-07-15	Springfield	Refused R604
3 O'Shannessy Street, NUNAWADING	29-07-15	Springfield	Refused R409
8 Gladys Street, NUNAWADING	24-07-15, 20-07-15	Springfield	Refused R424, R409
9 Eugenia Street, NUNAWADING	14-07-15	Springfield	Refused R410

**Delegated Decisions Made On Strategic Planning Matters – July 2015**  
*Under the Planning and Environment Act 1987*

Nil

**REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION JULY 2015**

Contract	Service
Contract 14054	Box Hill Gardens Lighting Upgrade Installation Works

**REGISTER OF PROPERTY DOCUMENTS EXECUTED JULY 2015**

Property Address	Document Type	Document Detail
<b>Leases</b>		
Room 2, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 31/01/2016)
Room 7, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 31/01/2016)
Room 1A, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 9/10/2015)
<b>Land Transfers</b>		
Various parcels of land located in the vicinity of the Eastern Freeway	Transfer of Land documents. Transfers to Council.	Pursuant to a land exchange agreement between Council and Roads Corporation
Part 26 Blackburn Road, Blackburn	Transfer of Land	Transfer of Land Section 207D Local Government Act 1989
Part 26 Blackburn Road, Blackburn	Deed of Creation of Easement	Section 45 (1) of Transfer of Land Act 1958
Part 26 Blackburn Road, Blackburn	Goods Statutory Declaration	Duties Act 2000

#### **REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – JULY 2015**

Sale of Land and Granting of easement over Council Land – part of 26 Blackburn road (subdivision) – (Council Resolution 27-07-15)

Transfer of land- Eastern Freeway Land Exchange from Roads Corp to Council – (Council Resolution 27-07-15)

Transfer of Part Interest in Land – Eastern Freeway land Exchange from Roads Corp to Council – (Council Resolution 27-07-15)

Instrument of Sub Delegation – CEO to Staff – (Council Resolution 28-07-15)

#### **PARKING RESTRICTIONS APPROVED BY DELEGATION JULY 2015**

**Address:** **Meldan Street, Burwood:** from Timor Close to Uganda Street – east side  
**Previously:** Unrestricted  
**Now:** 1-Hour, 8am to 6pm, Monday to Friday  
**Spaces:** 6

**Address:** **Bruce Street, Box Hill:** from 10m south of Archibald Street to 30m south of Archibald Street – west side  
**Previously:** 2-Hour, Ticket, 8.30am to 6pm, Monday to Saturday  
**Now:** 2-Hour, 8.30am to 6pm, Monday to Saturday  
**Spaces:** 4

**Address:** **Severn Street, Box Hill:** from Station Street to 15m west of Station Street north and south side  
**Previously:** No Stopping, 7-9.30am & 4-6pm, Monday to Friday  
**Now:** No Stopping  
**Spaces:** 2

**Address:** **Verbena Street, Blackburn North:** from boundary of 17/19 Verbena Street to 12m east of boundary of 17/19 Verbena Street – north side  
**Previously:** Unrestricted  
**Now:** No Stopping 8-9am, 3-4pm School Days, Buses Excepted  
**Spaces:** 2

**VENDOR PAYMENT SUMMARY – SUMS PAID DURING JULY 2015**

<b>Date</b>	<b>Total Issued</b>	<b>Payments (direct debit, cheques or electronic funds transfer)</b>	<b>Transaction Type EFT/CHQ/DD</b>
08.07.15	\$3,946.00	1	EFT
09.07.15	\$263.85	1	EFC
09.07.15	\$6,717.05	4	EFC
09.07.15	\$38,262.37	35	CHQ
09.07.15	\$650,806.44	48	EFT
13.07.15	\$1,316,533.08	1	EFT
16.07.15	\$8,705.95	10	EFC
16.07.15	\$53,237.37	36	CHQ
16.07.15	\$3,232,200.47	332	EFT
23.07.15	\$2,898.74	13	EFC
23.07.15	\$74,074.58	43	CHQ
23.07.15	\$577,585.63	43	EFT
23.07.15	\$61.19	1	EFC
23.07.15	\$2,837.55	12	EFC
29.07.15	\$69,108.52	1	EFT
30.07.15	\$4,019.27	8	EFC
30.07.15	\$921,887.70	14	EFT
30.07.15	\$4,019.27	8	EFC
30.07.15	\$4,588,916.26	467	EFT
30.07.15	\$130,536.44	50	CHQ
<b>Monthly Leases</b>	30,000.00		
<b>GROSS</b>	\$11,716,617.73	1128	
<b>CANCELLED PAYMENTS</b>	-\$10,314.01	-27.00	
<b>NETT</b>	\$11,706,303.72	1101.00	

**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 14 September 2015**

### **10.2.1 Motion for MAV State Council – Protecting the Health and Welfare of Council Authorised Enforcement Officers**

Moved by Cr Harris, Seconded by Cr Daw

*That Council endorse the motion that the MAV State Council advocate to the State Government that for the purpose of protecting the health and welfare of Council authorised enforcement officers, the need to amend and insert in the Local Government Act 1989 (currently being reviewed) the following:*

- 1. A specific offence provision(s) within the Act that applies to causing serious injury or the death of a council appointed authorised officer. Specifically, the offence(s):*
  - a) To reflect the current offences to which section 10AA of the Sentencing Act applies, such as:*
    - i. Intentionally causing serious injury or the death of an authorised officer performing their duties, in circumstances of gross violence;*
    - ii. Recklessly causing serious injury or the death of an authorised officer performing their duties, in circumstances of gross violence;*
    - iii. Intentionally causing serious injury or the death of an authorised officer performing their duties; and*
    - iv. Recklessly causing serious injury or the death of an authorised officer performing their duties.*
  - b) The penalty for the offence(s) to be a significant fine or imprisonment, or both.*
  - c) The offence provision to include a subsection that makes it clear that it has effect in addition to, and not in derogation from, any Act or law relating to civil or criminal liability. This will ensure that the offence provision will not limit other criminal and civil proceedings that may be brought; and*
- 2. Including a definition of 'serious injury' that refers to the definition currently contained within section 15 the Crimes Act.*
- 3. That upon conviction, Local Governments have a capacity to recover all costs associated with the incident including additional work cover premiums from the defendant.*

### **RECOMMENDATION**

*That the recommendation from the Special Committee of Council Meeting of 14 September 2015 Items 10.2.1 be received and adopted*

### 10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
17 – 08-15 6.30 - 7.00pm	<b>Councillor Informal Briefing Session</b> - In Principle Approval of the 2014/15 Annual Financial Statements and Performance Statement - 9.1.2 50 Kenmare Street, Mont Albert - 15 -31 Hay Street, Box Hill VCAT Hearing - 2015/16 Rates Notices	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett  NB: Cr Davenport joined the meeting at 6.43pm	N Duff I Goodes T Wilkinson P Warner P Smith A De Fazio J Russell S Freud M Giglio T Johnson	Cr Chong declared a conflict of interest in 15-31 Hay Street, Box Hill VCAT Hearing	Cr Chong left the meeting at 6.53pm prior to discussion on 15-31 Hay Street Box Hill VCAT Hearing and did not return
24-08-2015 3.30 – 5.15pm	<b>Box Hill First</b> - Box Hill Town centre & Transport - Advocacy	Cr Munroe (Chair) Cr Chong AM Cr Harris OAM Cr Massoud Cr Daw Cr Ellis	N Duff J Green K Morriott P Smith P Warner W Gerhard D Vincent-Smith	Nil	Nil
26-08-15 7.30 – 9.45pm	<b>COWBAC</b> - Working Together - Induction - Planning for Year Ahead	Cr Munroe (Chair)	N Duff I Goodes D Seddon L McGuinness L Roberts M Wright	Nil	Nil
7-09-15 6.30 – 9.30pm	<b>Strategic Planning Session</b> - ATV Site Presentation —Forest Ridge - Organisationa l Customer Service Update - Information Privacy Policy Review - Finance Report - Capital Works Program	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Daw Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett  NB: Cr Davenport joined the meeting at 7.45pm	N Duff J Green P Warner T Wilkinson P Smith T De Fazio A Ghastine M Giglio J Xu D Logan K Marriott	Nil	Nil



Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
14-09-15 6.30pm -	<b>Councillor Briefing Session</b> <ul style="list-style-type: none"> <li>- Early Years &amp; Youth Plan</li> <li>- Special Council – Discussion</li> <li>- Special Committee Agenda &amp; Other Business Motions</li> <li>- Draft Agenda 21 September 2015</li> </ul>	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	N Duff J Green P Warner T Wilkinson P Smith S Freud J Russell W Gerhard N Schetzer K Marriott I Goodes V Mogg J Chambers K Sinclair T Johnson N Rogers F Perrone 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 Tender Evaluation Report – Supply of Merchandise

### 12.2 CEO Annual Performance Review 2014/15

## 13 CLOSE MEETING