



# City of Whitehorse

## AGENDA

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### Ordinary Council Meeting

To be held in the  
Council Chamber  
Box Hill Town Hall  
1022 Whitehorse Road  
Box Hill

On

**Tuesday 27 January 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 Ellis has sought a leave of absence for the Ordinary Council Meeting 16 February 2015.

#### RECOMMENDATION

***That the apology from Cr Ellis be received for the Ordinary Council Meeting 16 February 2015 and 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 8 December 2014 and Confidential Council Agenda 8 December 2014.

#### RECOMMENDATION

***That the Minutes of the Ordinary Council Meeting of 8 December 2014 and Confidential Council Meeting of 8 December 2014 having been circulated now be confirmed.***

**5      RESPONSES TO QUESTIONS**

**6      NOTICES OF MOTION**

Notion of Motion 82 – Cr Daw

***That Council:***

- A. Undertake a review of Box Hill Activity Centre Transit City Structure Plan in relation to Built Form Precinct C – Traditional Town Centre, for that area bounded by Station Street, Whitehorse Road, Market Street and Main Street. That particular consideration be given to increasing the preferred height from the current 3 storeys (11metres) to a podium height of approximately 4 to 5 storeys and no preferred height limit above the podium, with appropriate setbacks.***
  
- B. Note that any resultant proposed change to the Structure Plan would require a Planning Scheme Amendment and the appropriate funding through the budget process.***

**7      PETITIONS**

**8      URGENT BUSINESS**

## **9 COUNCIL REPORTS**

### **9.1 CITY DEVELOPMENT**

#### **Strategic Planning**

##### **9.1.1 Australand Former Brickworks Site, Burwood East – Review Of Community Consultation and Planning Scheme Amendment C170**

SF14/375  
ATTACHMENTS

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#### **SUMMARY**

*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 in Burwood East. Council resolved to consult with the community on the proposed Masterplan and planning scheme amendment request for the site. Consultation undertaken from 27 October to 28 November 2014, included two drop-in information sessions and attracted 103 submissions. This report reviews the community feedback received, provides an update on further dialogue with Australand on issues of interest to Council and refines the planning controls proposed for the site. The report recommends that Council adopts the updated Masterplan and supports an amendment under section 20(4) of the Planning and Environment Act 1987 to rezone and apply a Development Plan Overlay to the land.*

#### **RECOMMENDATION**

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

- 1. Adopt the updated draft Burwood East Master Plan and Urban Design Report, January 2015 for the former brickworks site (as shown in Attachment 1c), subject to further review of the proposed open space network to Council's satisfaction.***
- 2. Support a request by Australand to the Minister for Planning to consider and approve an amendment to the Whitehorse Planning Scheme under section 20(4) of the Planning and Environment Act 1987 to rezone the former brickworks site to Residential Growth Zone, General Residential Zone and Commercial 1 Zone, update associated local policies and to apply a Development Plan Overlay to the site, as generally shown in Attachment 1d, subject to minor changes as needed.***
- 3. Initiate an overarching 'heads of agreement' with Australand under section 173 of the Planning and Environment Act 1987 to guide future Section 173 Agreements on the construction, future delivery, ownership, maintenance and management responsibilities for public assets proposed in the development.***

**9.1.1**  
(cont)

MELWAYS REFERENCE 61 G5

Proponent: Australand Residential Burwood No 2 Pty Ltd

Zoning:	Priority Development Zone - Clause 37.06, Schedule 1
Overlay:	Environmental Audit Overlay – Clause 45.03
Relevant Clauses	Multiple clauses of the State Planning Policy Framework (SPPF) – Clause 9 Plan Melbourne; Clause 11.01 Activity Centres; Clause 11.02 Urban Growth; Clause 11.03 Open Space; Clause 11.04 Metropolitan Melbourne; Clause 13.02 Soil Degradation; Clause 14.02 Water; and Clause 15.01 Urban Environment Clause 21.04 Strategic Directions (MSS) Clause 21.06 Housing (MSS) Clause 21.07 Economic Development (MSS) Clause 22.03 Residential Development (LPPF) Clause 22.06 Activity Centres (LPPF) Clause 22.11 Burwood Heights Activity Centre (LPPF) Clause 22.12 Former Brickworks Site (LPPF)
Ward:	Riversdale



Figure 1 – Former Brickworks Site

### 9.1.1 (cont)

#### BACKGROUND

Burwood Heights is an Activity Centre in *Plan Melbourne*, the Victorian Government's metropolitan planning strategy released in May 2014 and includes the 20.5 hectare former brickworks site on Middleborough Road (refer Figure 1). There is a substantial history of planning for the activity centre and the former brickworks site following purchase of the land in 1995 by Reading Properties and subsequent inclusion of Burwood Heights as a Major Activity Centre under the previous metropolitan strategy *Melbourne 2030*:

- July 2005 - Conceptual 'Framework Plan' completed for the former brickworks by the former landowner, Reading Properties, for a mix of residential, commercial, retail, office, entertainment and leisure uses.
- August 2006 - Council adopts the Burwood Heights Structure Plan for the wider Activity Centre following extensive phases of community engagement.
- February 2006 - the former brickworks site is rezoned to the Priority Development Zone via Amendment C63 to recognise the site's metropolitan significance and interim planning policies are introduced for the wider activity centre and for the former brickworks site. The interim policies were later made permanent via Amendment C92 gazetted on 1 October 2009.
- February 2008 – An overall Development Plan for the former brickworks site as required under the Priority Development Zone is approved by Council for the proposal by Reading Properties, following exhibition and community comment.
- Both the planning scheme amendment and the Development Plan involved intensive input from the Priority Development Panel appointed by the Minister for Planning at Council's request to provide advice on these two important planning phases for this significant site.
- 2008 – 2014 - The site remains vacant, with no progress toward implementation of the approved Development Plan by Reading Properties.
- May 2014 - Australand purchases the former brickworks site.
- October 2014 - Australand lodges the draft *Burwood East Master Plan and Urban Design Report* (the Draft Masterplan) and an associated Summary Report for a mix of uses including a diversity of housing, a retail centre and public spaces with a request to support an amendment to the planning scheme. The latter being required due to state government changes to the Priority Development Zone and the existing planning controls being based on the previous proposal by Reading Properties. Many of the principles within the existing controls and policy, and previously developed from earlier planning and consultation processes, will still be relevant to the future controls.

The key Draft Masterplan drawing is shown in Figure 2 below. Australand's proposal for the site includes up to 950 dwellings for approximately 2,000 new residents, a shopping centre with 10,530 square metres of floor space, plus open spaces and public realm improvements. Australand's proposal is less intensive and less diverse in its uses for this significant site than the previous Reading Properties proposal.

9.1.1  
(cont)

Figure 2 - Draft Masterplan drawing



Subject to relevant approvals being obtained and site remediation, Australand plans to commence in 2015 and to undertake the development in stages over approximately eight (8) years, with completion in 2023. Site remediation to prepare the site for development recommenced in recent months under an existing planning permit and is due to be completed by mid-2015. Primarily the remediation involves addressing contamination, consequent tree removal and filling the land to prepare the site levels.

**9.1.1**  
(cont)

At its meeting on 20 October 2014, Council noted the Draft Masterplan, the associated Summary Report and planning scheme amendment request lodged by Australand for future redevelopment of the 20.5 hectare former brickworks in Burwood East and resolved to consult with the community on the proposal.

**DISCUSSION**

Consultation was undertaken from 27 October to 28 November 2014 and included two drop-in information sessions, advertisements in the Leader newspaper, a mail out to land owners, occupiers and stakeholders in the local area, an information brochure (refer Attachment 1a) and display of documentation via Council's web site and at 10 venues (three being local). The 'Consultation' section below provides more details on the consultation approach.

**Information Sessions**

The drop-in information session at the RSPCA on Wednesday 12 November 2014, 4pm – 8pm was attended by approximately 40 people and the Burwood Heights Shopping Centre on Saturday 15 November 2014, 9am – 1pm generated strong interest with approximately 200 people attending and included coverage on Channel 9 Saturday 15 November evening news as a significant redevelopment site in the metropolitan area. Australand representatives and members of its consultant team were available to explain the project and display material, and to respond to questions from the community, however the sessions were coordinated and managed by Council officers.



*RSPCA*



*Burwood Heights Shopping Centre*

### 9.1.1 (cont)

Participants were encouraged to lodge a submission either via a Feedback Form or letter / email, and many subsequently did provide formal comment (refer below). Debrief with officers and the Australand team after the sessions provided the following anecdotal feedback:

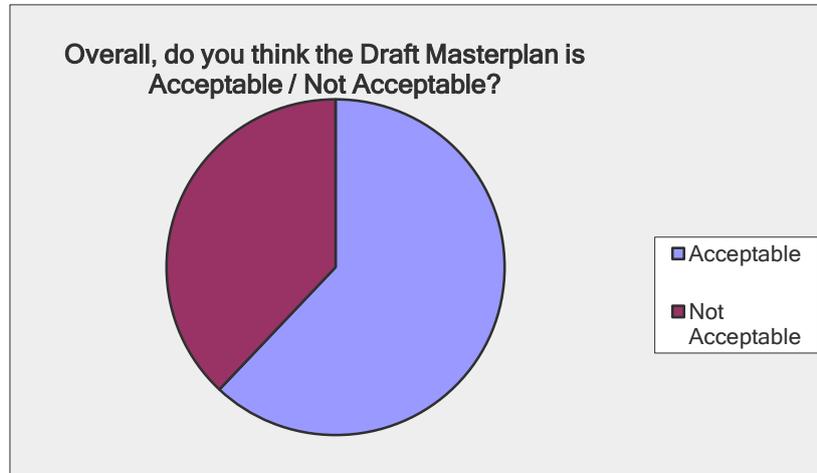
- Most feedback ranged from generally favourable to blanket support for the proposal. Attendees wanted to know more about the proposal. Concerns were around specific matters but only a few attendees seemed to be opposed to the development.
- Traffic was raised by attendees seeking to understand how traffic flows would work, traffic signal placement, volumes, etc. Particular concerns included traffic along Eley Road, Richmond Street, and Middleborough Rd in peak hour.
- The amount of open space was viewed as a benefit for community.
- The proposed central plaza area with good cafes and restaurants was mostly welcomed. Some queried the impact on the Burwood Heights Shopping Centre and what tenants would be in the new centre.
- People questioned whether the development would come to fruition and the timeframe for development given the Reading proposal did not proceed. Some indicated development should proceed immediately.
- Interest was expressed in buying property in the development.
- There was interest in dwelling types and heights. Generally people were comfortable with the proposed heights once they were shown where the height was concentrated in relation to the size of the site and the transition of scale of development to the edges.
- Disappointed there will be no cinema.
- Opportunities for walking and cycling / accessibility was seen as important.

### Summary of Submissions

Consultation attracted **103 submissions** via online survey, email and post. The main themes expressed by the community in submissions are outlined below. A more detailed summary and analysis is included as Attachment 1b. The majority of submissions (84) were via Council's online survey or the hard copy 'Feedback Form' version of the same (refer Attachment 1a) which guided the community's comment on key elements of the Draft Masterplan and process. Opportunity was also provided for any other comments or suggestions. Nineteen (19) submissions were via separate letter / email. The discussion below is structured on the Feedback Form questions.

**9.1.1**  
(cont)

Overall, approximately 62% considered the Draft Masterplan to be acceptable; 38% believed it was unacceptable. This supports comments heard at the drop-in information sessions. However, overall acceptability of the draft plan did not necessarily mean there were no issues of concern. In 24 of the 103 submissions it was unclear whether respondents generally supported the draft plan in general or not, and have not been included in the chart below.



Housing

There were positive comments about the proposed housing types, with the mix being suitable for a wide range of people and good for the local area. Only a small number suggested that the site could accommodate more housing than proposed. Support was expressed for the Eley Road dwellings to mirror character of existing dwellings opposite.

However, there were also many negative comments: too many dwellings, the density is too high and the impact of the increased population on facilities, in particular, on local roads, creating unacceptable traffic increase and congestion, the impact on public transport and the need for sufficient / more car parking than proposed. A preference was expressed for high quality housing and good design. Lower density forms that are more consistent with the surrounding character, such as detached / semi-detached homes, terraces / townhouses and units were generally preferred over apartment forms, though some submitters supported apartments. Of the latter, there appeared to be a stronger preference for lower-rise over the proposed “high-rise” apartments, and some negative response to one bedroom apartments (seen as geared toward the student market) and seeking that these dwellings be removed or reduced in number.

Some submissions referenced the need to include “affordable housing” (another opposed it), aged-care housing and for particular consideration to be given to noise and odour attenuation to protect the RSPCA’s operations and the amenity of future residents.

Concern also expressed about the profit motive of the developer over liveability outcomes.

Building Height

There is reasonable level of support in submissions for the building heights proposed with a transition from lower heights at the interfaces to taller buildings toward the centre of the site. However, many submitters expressed strong views that buildings were too high, and with this, suggested height preferences that varied considerably (refer Attachment 1b). Typically, preferred heights were either around 2-storeys across the site, or varying height of 1-2 up to a maximum of 4-storey.

### 9.1.1 (cont)

Concerns with the proposed building height include: it is out of character with local area; too dense / overcrowding; visual impact on skyline for local residents; will set a precedent; overshadowing; parking inadequacy; and traffic congestion. Comment also included the need for greater setback and stepped height from Middleborough Road and Burwood Highway.

Apartments, being the taller building forms proposed, attracted the most comment and in particular those proposed along Burwood Highway were opposed by some submitters; primarily because of their height, the impact on Old Burwood Road residents (eg: privacy, parking and visual impact) and visual impact along Burwood Highway.

Submitters frequently mentioned the need for high standards of finish and design / architecture of buildings.

#### Shopping Centre

A more mixed response from submitters and questions that seem to reflect the lack of detail on this element. Submitters sought more information on layout and tenancies proposed.

Support for the proposed shopping centre included a desire to ensure the tenancy mix has a high quality offer, a "decent" supermarket, more specialty shops, other services (eg: banks, medical centre, gym) and excitement about the prospect of a dining precinct with good cafes and restaurants for the community to enjoy. There was some preference for smaller brands for retail and dining. Some submitters felt the centre could be bigger given the residential density proposed. There is still a strong desire for a cinema in the mix.

Many submitters queried the economic assessment / demand for the retail component given the existing supply in the local area and that the proposed shopping centre is "not needed"; it is "overkill". Strong concern for the impact on existing centres and small businesses, in particular the impact on Burwood Heights Shopping Centre (BHSC) was most frequently mentioned and on Burwood One. Submitter's concerns included: potential closure of BHSC Woolworths; that the proposed supermarket tenant should be required to obtain ACCC approval given the number of supermarkets already in the area; that housing development should precede the shopping centre (shown in the plan for Stage 1); the tenancy mix to complement, not compete with the existing local centres; and that the proposal doesn't show how the centre will integrate with the BHSC, the draft plan is not visionary, and the retail centres should be linked.

Some concern was raised about social impacts, community safety and noise related to alcohol availability (liquor outlets and licensed premises) and high density development, as well as opposition to poker machines.

Car parking was generally viewed as inadequate for the shopping centre. It was suggested that car parking should be provided at 5.5 spaces per 100 sqm gross leasable floor area for all retail.

The RSPCA immediately adjoining the retail centre seeks noise / acoustic attenuation and screening to protect the RSPCA operations from impacts by the retail component.

### 9.1.1 (cont)

#### Community Facilities (including open space)

Strong support as well as strong opposition is apparent regarding community facilities.

Positive comments included: "Great idea" / "Well balanced"; support for the facilities proposed, parkland areas, civic plaza, and the pedestrian / bicycle paths; the amenity is good for the surrounding area. A number of submissions also sought more improvements (eg: tennis courts, playground, BBQ facilities and plenty of seating). "Design of facilities looks good and Australand have [sic] proven it can deliver high quality urban landscapes." Good design, high standard facilities and ongoing maintenance of spaces was considered important.

Submitters frequently demanded more and larger open space given the increase in residents proposed. The amount of open green space was viewed as small, fragmented and inadequate; it is "token" provision. The draft plan lacks the facilities / services for the new residents for a development of this scale. "The developer is abrogating its responsibility to provide infrastructure on this major development site." Other concerns include:

- Usable open space in the Village Green is severely restricted by water body / flood mitigation.
- Need ovals (which are in high demand in the municipality), more sporting facilities (eg: tennis and bowls), dog walking areas, larger and a variety of community facilities and open spaces, active play areas and more paths.
- A desire for the Burwood Hwy triangle "parkland" to be retained and improved as parkland, not developed.
- Addressing long term future ownership and management of facilities in planning approval, and concern about Council's ability to maintain those facilities.
- The need for schools is not addressed.

Submitters sought more detail on facilities that will be provided. Facilities suggested by the community included: playgrounds, kindergarten, family-oriented facilities, open space to suit age needs, library, small swimming pool, cinema, retirement village, more services and shops, places for youth to socialise, neighbourhood house / community centre / indoor facility for community activities (i.e.: Eley Park is the only service available), senior citizen's centre, walking paths, child care, healthcare, bike parking facilities, space for farmers market / community use, a performance stage, basketball courts and Men's Shed, a permanent tenancy in the shopping centre for Council use at zero cost.

Submitters support the development having a "leafy character", a number seeking use of native or indigenous species, fewer seeking deciduous / exotic trees.

Public Transport Victoria (PTV) has made reference to relocation and upgrade of the bus stop on Middleborough Road and potential for Council to seek "a developer contribution toward future design or build of a new platform stop" at Middleborough and Burwood Hwy, noting however that is not a priority for PTV at this point in time.

#### Overall – "what do you like about the Draft Masterplan?"

Overall the response to this question was fairly positive. Although the question was about what people like about the draft plan, there were still a number of negative and mixed responses.

Consistent with feedback from the information sessions, there was general support for development of the site; that development was long overdue and that it would be "fixing an eyesore", and enhance and add great value to the area. Submitters appreciated the layout of the site, the landscaped open spaces, the shopping centre and dining precinct, paths, sensitive low-rise treatment of interfaces, the housing mix; trees (eg along the boulevard), landscaped open spaces, civic plaza and wetlands, the roundabout at Eley Road, the car park east of the RSPCA, the "ecofriendly" elements and creation of jobs.

### 9.1.1 (cont)

Criticisms expressed by submitters have been largely incorporated into the responses under other questions on the feedback form.

#### Other Important Elements to Include in the Proposed Development

Themes include:

- Strong concerns about traffic management and congestion on Eley Road and Middleborough Road, also Richmond Street and Burwood Highway.
- Accessibility and connectivity for walking and cycling;
- Public transport improvement;
- Inclusion of environmental / sustainability initiatives;
- Car parking adequacy;
- High standard buildings in terms of design, variety and materials;
- Vegetation / native or indigenous landscapes and tree retention;
- Amenity for residents at the interface (setbacks, privacy, noise, site remediation impacts, etc.);
- More and better / functional open spaces;
- Inclusion of a percentage of affordable housing;
- Public space maintenance;
- The RSPCA's operations; and
- Economic considerations.

Attachment 1b has further detail on each of these. The most frequent themes are discussed below.

#### **Traffic**

- Several submitters considered that vehicle access should only be via the signalised intersections at Burwood Highway and Middleborough Road. Further, that Burwood Highway should be the main entrance and that the Middleborough Road entrance should be secondary and opposite an existing street.
- An access point to the development from Eley Rd will generate excessive traffic on Eley Rd and exacerbate queuing to Middleborough Rd intersection. Eley Road is already too congested during peak times, taking traffic from the immediate catchment and from Blackburn Road, Middleborough Road and Station Street, in spite of attempts to restrict traffic.

Submitters "strongly reject the proposal for any vehicle access to Eley Road from this complex." This includes a petition with 90 signatures received by Council on 8 December 2014 citing the above issues, consequent traffic impacts of through traffic on other connecting local streets including access to and safety at three (3) sensitive community facilities in Richmond Street, exacerbation of the Richmond St / Fulton Rd thoroughfare (where turning right into Middleborough is already a safety issue), as well as potential for accidents at the new intersection of Eley Rd / Richmond St (eg: impaired sightlines west of this point). Submitters also note that Eley Road is narrow; on-street parking by residents will exacerbate the congestion and that parking restrictions along the south side of Eley Road and 'keep clear' pavement marking for adjoining streets may be needed. Pedestrian and cycle access from Eley Road to the development was however supported.

- The restriction on the number of dwellings having vehicle access from Eley Road through the site was acknowledged by a limited number of submitters and support was expressed for a roundabout at the Eley Road access point.

### **9.1.1**

(cont)

- Concern about the impact on traffic volume and flow on Middleborough Rd (and at the Burwood Highway intersection) which “is already a nightmare”. Submitters were also concerned that additional traffic on Middleborough Road will make turning into side streets worse (eg into Stewart St where drivers turning left experience “many near rear-end collisions”) and the additional traffic signals along this route will further impede traffic flow.
- South of Burwood Highway, Crow Street was highlighted as a potential ‘rat-run’ to Highbury Road. Closure of the Burwood Highway median break was suggested to address this concern.

#### ***Transport and Accessibility***

- Accessibility for walking and cycling is fundamental.
- Better transport on Middleborough Road and Burwood Hwy (more regular buses and trams).

#### ***Sustainability***

- Environmental sustainability initiatives to be mandatory; a range of specific initiatives were requested in the development.

#### ***Infrastructure***

- The development needs sufficient off street car parking, especially for apartments and townhouses. “Car parking is always underestimated for apartments ... public transport is not as convenient as you make it sound”: Lack of parking will hinder the traffic flow, cause people to park on nature strips and in visitor and shopping centre car parking, and will impact on visitation if parking is not easy.

#### ***Building design***

- Good / great building design needed. Submitters seek interesting, high quality building design, architectural variety and innovation; buildings that have some individuality rather than all being the same; “no more uninteresting boxes like those along Burwood Hwy”.

#### ***Vegetation***

- Support for tree planting, focussing on native or indigenous plants/trees, and native ground and middle-storey in public spaces to increase biolinks and attract native birds.
- Retain the majority of healthy mature trees on the Burwood Highway triangle.
- Increase building setbacks along frontages, allowing for more landscaping to soften buildings.

#### ***Affordable housing***

- Particular comment was made on the need to have 5 - 10% of new dwellings developed in partnership with registered housing agency.

#### ***RSPCA***

- Protection of future operation of the RSPCA and amenity for future residents.
- Protect long term car parking and access arrangements.
- Ensure air flow around kennels (car parking, landscaping, not buildings).

#### ***Other Suggestions***

Positive comment reflected that the development is worthy and to ‘get on with’ the development.

### 9.1.1 (cont)

In addition to those previously mentioned, suggestions included:

- The need for more information about the development overall
- More information on specific matters such as traffic impacts (Eley Road and Middleborough Road); accuracy of peak traffic and car parking analysis; interface management with the RSPCA and integration with the BHSC; and other Masterplan options (i.e. 4 or 5 options)
- Traffic considerations: disperse traffic; the developer to upgrade traffic management along Eley Road; the right turn lane extension on Middleborough Road (southbound) is inadequate; for safety, make side streets off Middleborough Road left out only / no access from Middleborough Road; widen Middleborough Road to Burwood Highway.
- A more interesting plan is needed for this valuable site. The plan needs to be visionary
- Delete pedestrian improvement along Burwood Highway to tram stop 67 (Crow St) and improve the pedestrian link to stop 66 (Middleborough Road) to direct new residents to integrate with BHSC and for more equitable use of public transport by new and existing residents.
- Include underground power
- Accessibility - remove access to streets to the east (via Rochdale St, Ridley St and Old Burwood Road); allow access to the north west; include a path along rear of properties in Ramsey St; create access onto Old Burwood Road
- Include parking restrictions on the south side of Eley Road and in streets west of Middleborough Road
- Open up the Melbourne Water retarding basin to provide more open space;
- Rate reductions to encourage 'no car' ownership;
- New bus stop near Eley Road entrance
- Prepare wildlife management plan for the vegetated Burwood Highway triangle during construction (RSPCA has offered assistance)
- Allow scope for more car parking in future on landscaped area east of the RSPCA, shown as open space between the car park and boulevard.
- Possible land transfer from RSPCA may be needed for the Burwood Highway / boulevard intersection reconfiguration, subject to suitable access arrangements.
- Undertake an assessment of potential amenity impacts to consider the interface with the RSPCA

#### Draft Planning Controls or Amendment Process

Most submitters were against streamlining the planning scheme amendment process, strongly expressing that the amendment should go through the full process and that the community had the right to further consultation. Issues included: insufficient detail and a desire to comment on detailed plans; lack of transparency; suspicion as to why Australand should be treated any differently; suggestions of priority being given to profit over the community; and that streamlining will result in a poor quality development. One submitter commented that streamlining should be dependent on provision of affordable housing within the development.

Positive comments related to consultation having been sufficient: support for streamlining the process to approve the development "*as soon as possible*"; that it's been too long and development of the site needs to proceed. Only a few submitters commented on the proposed controls, seeking more detail on them and outlining matters to be included in future controls.

The proposed planning controls are discussed below and shown in Attachment 1d.

### 9.1.1 (cont)

#### **Response to Submissions**

Analysis of the community feedback is included in Attachment 1b. Rather than repeat that analysis, this section of the report focuses on the changes and actions that are proposed in response to submissions.

Very few of the responses will result in changes to the Draft Masterplan document. Most of the responses relate to drafting of the planning controls, consideration of future planning permit applications, separate agreements needed and other minor matters.

Recommended change and actions arising from community feedback are as follows:

#### Draft Masterplan document

- Include approximate lot size range in the Masterplan document.
- Simplify the Building Height and Housing Mix plan to be more conceptual and clarify that the parcels/ shapes are not building footprints.
- Buildings along east edge of civic plaza to be shown as a mix of housing types in the Housing Mix plan and as the taller 5/6-storey form in the Building Height plan but annotated to indicate a mix of building heights up to 5/6-storeys. The intended combination building heights and mix of housing types within this area will be included in the planning controls. (NB: In addition to Attachment 1b, there is further discussion later in this report on the need to ensure that an active frontage is achieved at ground level in these buildings where they adjoin the civic space.)
- Annotate relevant plans to indicate that the open space network shown in the Masterplan document is subject to further review.
- Reinforce (where appropriate) that residential development is to be 'high quality'.
- In addition to the above minor typographic errors will be corrected.

#### Planning Controls and Planning Approvals

- In response to community feedback, include relevant statement/s (objectives, requirements, decision guidelines, etc.) in the planning controls on the following and consider these (as appropriate) when assessing subsequent development plans and planning permit applications:
  - The ability to retain trees on the triangular area on Burwood Highway
  - Inclusion of majority native species
  - Suitability of open space
  - Environmental sustainability
  - Integration with Burwood Heights Shopping Centre to promote a retail offer that complements existing centres
  - CPTED principles in the design of public spaces
  - Affordable housing and housing for people with additional needs
  - Universal design / inclusive design
  - Appropriate interface with the RSPCA regarding its ongoing operation and amenity for residents
  - Setbacks to road frontages (internal as relevant and external)
  - Good design and quality of development

**9.1.1**  
(cont)

- Future agreements on construction, delivery, ownership, management and maintenance of public infrastructure to be referenced in the planning controls if required.
- Australand to assess the impact on amenity of the RSPCA interface and mitigate as appropriate at the planning permit stage.

Agreements

- Future construction, delivery, ownership, management and maintenance of public infrastructure to be subject to future agreements.
- Council require a roundabout at the proposed Eley Road exit with Richmond St, noting this may require use of additional land from within the development.
- Council to require open space in the development to be of sufficient size, functional and well-located, to its satisfaction, noting that these matters are the subject of further discussion (in progress).

Other Matters

- Refer concerns to VicRoads about left turn access into side streets (potential rear-end collisions) and parking along Middleborough Road in the vicinity of the site.
- Australand to liaise with the RSPCA on appropriate management of wildlife on the Burwood Highway triangle.
- Implement 'no parking' along the south side of Eley Road west of Westminster Close to Middleborough Road.
- Continue dialogue with Australand on provision of affordable housing, housing for people with additional needs (eg: aged care accommodation) and universal design.
- Australand to provide further information on proposed provision of affordable housing and housing for people with additional needs (eg: aged care accommodation) in the development.
- Encourage Australand to regularly communicate progress on the project to the community, should the project be approved.

Discussion on Concerns Not Supported

The analysis in Attachment 1b does not support community concern around the following key matters and salient points from that analysis are included below:

- **Concern:** The housing mix being too dense, too many dwellings, opposition to apartments, a desire for more conventional housing forms and opposition to building heights proposed.

**Response:**

It is considered that the number of dwellings (850 – 950 dwellings), housing density and building height is appropriate. The housing mix is also appropriate and provides for a variety of household types. This is a strategically significant infill site in the metropolitan area. The site is capable of more intensive development than its surrounds and large enough to sensitively manage interfaces to existing dwellings and the RSPCA and to ensure that a reasonable transition in building height is achieved.

**9.1.1**  
 (cont)

The approved proposal by Reading Properties was for 700 dwellings (primarily apartments) plus six-times as much retail / commercial development. The proposal by Australand has fewer apartments, a wider mix of housing types and overall lower building heights than the previous proposal. A comparison of building height is shown below:

<b>Location</b>	<b>Current (2008) approved plan (max height)</b>	<b>Australand proposal (max height)</b>
Centre of site	9-storey	6-storey
Burwood Highway	7-storey	4 storey
Northern residential area interfaces	4-storey (Eley Rd, rear of Ridley / Rochdale Streets, east of Neil Crt)	2-storey
	5-storey (Middleborough Rd, south of Neil Crt, next to Ramsey/Medhurst Streets / Old Burwood Rd)	2-storey
Inner northern residential area	6-storey	Mostly 2-storey. 3-storey at village green edge.

- **Concern:** Traffic generation and impact on local streets (Eley Road and Richmond Street) and arterial roads (Middleborough Road).

**Response:**

Resident traffic concerns about increased traffic are acknowledged. The traffic impact assessment for the development is considered adequate. The local streets in the area are capable of carrying increased traffic volumes beyond existing levels. Potential transfer of traffic into nearby local streets from the development is expected to have a minimal impact on the operation of the road network.

VicRoads is responsible for the operation of Middleborough Road and Burwood Highway and has provided input to the development proposal regarding matters including traffic generation and signalisation.

- **Concern:** Demand for the proposed shopping centre and the impact on existing local centres.

**Response:**

The economic assessment indicates sufficient demand to support the shopping centre and maintain viability of existing centres. The current approved plan (by Reading Properties) proposed a much larger retail / commercial component, albeit geared to a much wider catchment, would also have served local needs.

Tenancy mix of the proposed centre is not known to Council at this point. Council acknowledges the community's reservation about the centre and proposes to include relevant objectives in the planning controls to demonstrate how the proposed centre will better integrate with and complement rather than compete with the existing centres (principally Burwood Heights Shopping Centre).

**9.1.1**  
(cont)

- **Concern:** The adequacy of community facilities proposed, in particular, provision of open space.

**Response:**

A community needs assessment is being developed to forecast the demographics of the proposed development and to ensure that relevant community facilities are planned and that they respond to future community needs.

Council acknowledges the importance of adequate open space in the development and the opportunity the site presents. The proposal is being reviewed against Council's Open Space Strategy. There are a number of concerns that Council is currently discussing with Australand that are yet to be resolved and may result in refinement of the open space layout. These concerns relate principally to the village green and the impact of the wetland / retarding basin on usability of the space, fragmentation and function of other smaller spaces across the site, proposed park improvements (landscaping and infrastructure) and future ownership and management / maintenance arrangements.

- **Concern:** The planning scheme amendment process and the desire for a full process to be undertaken and further community consultation on details of the proposal.

**Response:**

Council acknowledges the community's concerns and desire for input, but is comfortable with a more streamlined planning scheme amendment process given the history of the site and the extent of the recent community consultation.

Previous planning scheme amendments for this site have also been via amendments under section 20(4) of the Planning and Environment Act 1987 following extensive community consultation to support this path and given the significance of the site to planning objectives for the metropolitan area. A section 20(4) amendment is considered a valid path for this project. This matter is discussed further later in this report.

**Update on subsequent discussions with Australand**

Since the report to Council in October 2014 and through the consultation period, discussion has continued with Australand on key issues.

Site Remediation

Australand has recommenced remediation of the site in accordance with permit WH2006/623 issued in 2006. The works will take place over the next 12 months and include substantial filling of the land to bring the former quarry pit generally back up to the original natural surface and to approximately meet with the surrounding surface levels at the edges of the site. The approved remediation and filling works also include activities such as removal of waste and asbestos off site and the removal of all trees and other vegetation associated with the earthworks, including those located along the eastern boundary of the site. New landscaping is proposed to be included as the site is developed.

At its meeting on 24 November 2014, Council received a petition with 93 signatures requesting Council prevent or delay the removal of trees on the east boundary of the Burwood East Brickworks Site and retaining the barrier between the building site and adjacent residential area. Council referred the petition to the General Manager City Development for appropriate action and response, and the site remediation has subsequently continued. The tree removal works were undertaken following the petition to Council.

### 9.1.1 (cont)

The permit for earthworks and associated tree removal does not relate to the triangular parcel of land adjoining Burwood Highway. This area is the subject of a separate planning application for removal of native vegetation and earthworks.

#### Planning Controls

The proposed planning controls are discussed below. Council has obtained planning and legal advice on this matter, in particular, to advise on the most appropriate planning overlay for the site - Design and Development Overlay (DDO) favoured by Australand or the Development Plan Overlay (DPO).

The key considerations relating to the proposed controls, in particular application of the Residential Growth Zone, use of a suitable overlay to implement the vision and 'finer' detail from the Masterplan, and exemption from notification of future planning permit applications was included in the consultation material for comment. While the final package of controls was not presented, the key information that they will contain has received public scrutiny.

Discussions with Australand have focused on:

- The zone boundaries;
- Ensuring that the two apartment buildings on the east edge of the civic space incorporate an active interface with the plaza at ground level (NB: Minor changes are proposed in the Masterplan document to reinforce this);
- Application of the General Residential Zone at the sensitive residential interfaces to the site to reinforce Australand's intention to develop a complementary built form at these interfaces as expressed in the Masterplan;
- Selection of the DPO over the DDO, and potential for the Masterplan, Summary Report and individual specialist reports to ultimately be considered for approval as a 'development plan' as required under the DPO; and
- The need to make the Building Height and Housing Mix drawings more conceptual so as to clarify that the parcels are not building footprints. This discussion also highlighted that the two buildings on the east edge of the civic plaza would be more sensibly shown in the Building Height plan as the taller 5/6-storey but annotated to indicate a mix of building heights up to 5/6-storeys, and in the Housing Mix plan to include a mix of housing types. It is considered that this will enable flexibility around the orientation of the built form relating to the RSPCA, boulevard and civic plaza interfaces in the detailed design process. The overlay will enable expression of the intended combination building heights and mix of housing types for these buildings.

#### Development Plan and Associated Specialist Reports

This report seeks to endorse the Draft Masterplan (as updated in Attachment 1c) as a 'reference document' for the purpose of the proposed planning scheme amendment. The Masterplan document together with the individual specialist reports and associated Summary Report are envisaged to form a future 'Development Plan' for the site. Subsequent planning permit applications for various stages of the development would need to comply with the Development Plan, subject to approval of the Development Plan by Council.

Officer feedback on earlier drafts of the specialist reports (in progress) and relevant feedback from the community consultation period is being used to finalise the specialist reports. Finalisation of the specialist reports may result in further consequential update of the associated Summary Report.

It is proposed that consideration of the Development Plan 'package' of reports be the subject of a separate report to Council.

### 9.1.1 (cont)

#### Future Public Asset Responsibilities and Agreements

The Draft Masterplan does not contain the detail to establish the future delivery, ownership, maintenance and management responsibilities for key infrastructure such as open space, roads, drains, lighting and any other community infrastructure. This matter will need to be carefully considered by Council in future, more detailed planning stages of the development and in necessary formal agreements with the landowner / developer. It is proposed that there be an overarching 'heads of agreement' in the early phase to set out, for example, the topics and arrangements for making future specific agreements as the further detail on the project becomes available. The agreements can be triggered at any time and are envisaged (as relevant) for:

- o Roads, traffic management and transport infrastructure
- o Open space and related infrastructure
- o Stormwater management
- o Street trees
- o Any new community infrastructure that may be needed
- o Staging (eg: delivery of key infrastructure and handover of responsibilities)
- o Maintenance agreements / Asset management
- o Any remaining matters related to landfill and site remediation activities.

Discussions with Australand are continuing on key areas of concern in regard to future public asset delivery and responsibilities including:

- Stormwater management, specifically the retarding basin / wetland proposed to be located on filled land and required by Melbourne Water to store stormwater and regulate its discharge into the adjoining Eley Road retarding basin. The retarding basin / wetland will have a permanent water body and is expected to flood a large portion of the surrounding open space in the 100 year flood event. It will also have a sediment dry out area.
- The suitability and functionality of land areas identified for public open space in terms of being either floodprone (mentioned above), too small or narrow, sloping land to deal with level changes across the site and functionality of multiple, fragmented spaces.
- The suitability of roads and associated assets (eg: drains, lighting, etc.) many of which will be on filled land and, if delivered to Council standards, would typically be assumed as Council's responsibility.

Council is yet to make any decision on such matters.

#### Staging

Indicatively, the development is to be undertaken in a number of stages, commencing in 2015 and completed over an eight (8) year construction program. Australand has recently updated the indicative staging plan shown in the Draft Masterplan and the document at Attachment 1c has been updated accordingly.

It is appreciated that this is a very large development and that the number and sequencing of stages will continue to be refined. In order to make the most efficient use of Council's resources and to streamline the approvals process it is however appropriate to ensure that the project is not unwieldy, with too many stages.

Proposed in Stage 1 is the retail centre, the main boulevard and traffic signals, residential development fronting Eley Road and a section of residential along the boulevard to Burwood Highway. Stages 2 and 3 include residential development adjoining the eastern boundary of the site through to and including formation of the central open space and retarding basin.

### **9.1.1** (cont)

#### ***Draft Planning Scheme Amendment C170***

The Draft Masterplan has informed the proposed planning scheme amendment needed to facilitate the project and guide future approvals for the proposed development. Australand is seeking Council's support for the key amendment documents shown in Attachment 1d.

#### Land Use Zoning

It is proposed that the site be rezoned from Priority Development Zone to Residential Growth Zone (RGZ) for the bulk of this strategic redevelopment site, and to the Commercial 1 Zone for the proposed shopping centre fronting Middleborough Road.

Following community consultation and to more accurately reflect the Draft Masterplan, it is proposed to rezone land at the sensitive edges along the north and east interfaces to General Residential Zone (GRZ) where the intensity of development is proposed to be lower. An inconsequential, anomalous strip of General Residential Zone land that abuts the rear boundaries of 1 – 5 Neil Court is also proposed to be rezoned in part to RGZ.

It is not proposed to include any variations to the Rescode requirements in the schedules to the RGZ or GRZ.

#### Overlays

A planning overlay is proposed to be applied to the site to give effect to the desired outcomes expressed in the Draft Masterplan. The report to Council in October 2014 discussed the merits of the Design and Development Overlay (DDO) and the Development Plan Overlay (DPO). The DDO deals with matters relating to built form and design and includes a planning permit trigger for buildings and works. By comparison the DPO requires that a development plan be prepared to the satisfaction of the responsible authority before a permit (triggered under the zone controls) can be granted for use, subdivision or development of land, and that permits must be generally in accordance with the development plan. In addition, the DPO can also include other matters, for example, around land use, staging and the triggers for agreements. The DPO is the preferred option for this large site and has been discussed with the Department of Environment, Land, Water and Planning.

Both the DDO and DPO provide for exemptions from third party notification of future planning applications, with the DPO being a 'blanket' exemption that cannot be modified. Although removal of third party rights, be it through the proposed section 20(4) amendment or future notification exemptions, was frequently not supported by the community, such exemption is considered appropriate for the project in light of the overall master-planning, the history of consultation on the use and development principles for the site and there being a reasonable understanding of the future development outcome following the recent and past community consultation. The strong community interest in this project is however acknowledged and Australand is encouraged to regularly communicate progress on the project to the community, should it be approved (e.g.: via a regular community bulletin, local advertisement or similar).

Substantial work was undertaken to prepare the existing planning framework for the site (for the previous Reading proposal) and this has been used and simplified as relevant, to draft the proposed DPO and policy updates to reflect the Australand proposal.

The previous report to Council flagged the possibility of the Draft Masterplan evolving into a 'Development Plan' for the purpose of the DPO and whether greater detail is needed. While officers are yet to be satisfied with the content of the draft specialist reports which influence the Summary Report and potentially the Masterplan, dialogue to date has been productive and Australand's response to feedback on these draft reports is in progress.

### 9.1.1 (cont)

As the Draft Masterplan and the overview of the specialist reports contained in the Summary Report has already been on display to the community, subject to Council being satisfied with the final specialist reports, the package including the Masterplan, Summary Report and the specialist reports could form the Development Plan. Subject to the planning scheme amendment with a DPO being approved by the Minister, consideration and approval of the required Development Plan can be via a subsequent report to Council.

The existing Environmental Audit Overlay would continue to apply to the site.

#### Local Policies

In addition to the zone and overlay controls, updates to the Local Planning Policy framework are required to reflect Australand's development intentions. In particular, policies at Clause 22.11 *Burwood Heights Major Activity Centre* and related Clause 22.12 *Former Brickworks Site, 78 Middleborough Road, Burwood East* are proposed to be amended to align with the Australand Development proposal. It is noted that most of the principles contained in these policies are still relevant to the Australand proposal and will remain or be updated where needed. A new 'reference document' (the updated Masterplan) and relevant drawings are to be included.

Minor corrections are also proposed to make these Local Planning Policies consistent with current metropolitan strategy, *Plan Melbourne*, which no longer designates Major Activity Centres, but rather refers to these classifications as just Activity Centres.

#### Amendment Process

As reported to Council in October 2014, Australand is proposing to request the Minister for Planning to exempt himself from the usual notification and exhibition requirements via section 20(4) of the *Planning and Environment Act 1987* to approve the amendment.

As with past amendments for this site, it is considered that this request for a section 20(4) amendment is appropriate and should be supported, subject to Council being satisfied with the proposed planning tools as generally drafted and the Draft Master Plan being revised in line with this report. This is in light of the significant community consultation and strategic work undertaken toward each successive amendment, the need to progress development of the site in the public interest, and the long-recognised State significance of the site to deliver on metropolitan strategy.

### 9.1.1 (cont)

#### CONSULTATION

In accordance with the community engagement program set out in the 20 October 2014 report, consultation was undertaken from 27 October to 28 November 2014 and included:

- Consultation period in excess of 4 weeks;
- Notification via the Council web site, mail out to 2882 landowners and occupiers in the local area and to 345 stakeholders, agencies, local shopping centres and interested persons;
- Leader advertisements in five (5) consecutive editions during the consultation period,
- Notices on the site
- Preparation of an information flyer and feedback form (Attachment 1a);
- Two drop-in information sessions held locally at the RSPCA on Wednesday 12 November 2014, 4pm – 8pm and in the Burwood Heights Shopping Centre on Saturday 15 November 2014, 9am – 1pm;
- Documents on display at Council's service centres, libraries in Whitehorse, locally at the RSPCA, Bennettswood Neighbourhood House and Eley Park Community Centre, and on the Whitehorse web site;
- Feedback captured via an online survey, hard copy feedback form of the same, and written submissions.

As noted above, consultation attracted **103 submissions** via online survey, email and post. These are summarised in Attachment 1b and discussed above. Approximately **240 people attended** the drop-in information sessions.

#### FINANCIAL IMPLICATIONS

Community consultation expenses will be recouped from Australand.

To date, Council has required limited assistance from external consultants (e.g.: planning, legal and high level engineering advice). Internal officer expertise has been committed from all divisions across Council to assess the Australand Draft Masterplan and Summary Report and the individual draft specialist reports.

Ongoing internal officer input will be required to finalise and approve the Development Plan and to assess future planning, building and works approvals, etc as the project unfolds. Resourcing required for future planning permit approvals will be partly offset by notice exemptions in the proposed Development Plan Overlay. It is also likely that further external consultant advice will be needed. Funds are available in the 2014 / 2015 budget for these general purposes.

There will be significant future cost implications to Council if it assumes ownership and / or responsibility for future maintenance and management of any public infrastructure. This would include ongoing operational budget for maintenance and management of matters such as open space, roads, drains, lighting, potentially the wetland / retarding basin, street trees, any other community infrastructure, cleansing of public spaces and waste collection, as well as capital works into the future to improve and replace public assets. Further detail on the development is needed to estimate these costs

Beyond a body corporate for the shopping centre and those associated privately with residential development (e.g.: apartments and potentially some terrace / townhouses), Australand does not envisage having any future role in relation to public asset management in the longer term.

**9.1.1**  
(cont)

Infrastructure needed for the development and related existing asset upgrades will be provided or required as part of the development at Australand's cost.

**POLICY IMPLICATIONS**

The Council Plan 2014 - 2018 and relevant Council strategies, such as the Burwood Heights Activity Centre Structure Plan, Whitehorse Open Space Strategy, Bicycle Strategy, Integrated Transport Strategy, Housing Strategy, Neighbourhood Character Study, Neighbourhood Activity Centre Guidelines, Community Engagement Framework, Recreation Strategy, Sustainability Strategy, Health and Wellbeing Plan, Economic Development Strategy, Streetscape Strategy (and other associated documents) all inform Council's approach to the future of this strategic development site.

Affected policies as contained in the Whitehorse Planning Scheme (Clauses 22.11 and 22.12) as discussed earlier in this report, will require updating to align with Australand's proposal.

**CONCLUSION**

Community consultation has been completed on the Draft Masterplan, Draft Summary Report and draft planning controls for the former brickworks in accordance with Council's resolution of 20 October 2014. This report responds to the feedback received and presents the updated Masterplan (Attachment 1c) for adoption and draft planning scheme amendment for endorsement as generally shown in Attachment 1d.

It is recommended that Council support Australand's request for a planning scheme amendment under section 20(4) of the *Planning and Environment Act 1987*.

The report also highlights ongoing discussion with Australand on key matters of interest (such as public assets) and acknowledges work in progress to finalise specialist reports with a view to the Masterplan, Summary Report and individual specialist reports forming a 'Development Plan' under the Whitehorse Planning Scheme.

**9.1.2 Consideration of Submissions to Amendment C158 –  
Implementation of the Box Hill Central Activities Area Car  
Parking Strategy 2013**

FILE NUMBER: SF14/709  
ATTACHMENT

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**SUMMARY**

*The exhibition period for Amendment C158 has been completed. Twenty two (22) submissions were received during the exhibition of the amendment. This report discusses the issues raised during the exhibition of the amendment. It is recommended that the amendment and submissions be referred to an Independent Panel.*

**RECOMMENDATION**

**That Council:**

**A** *Being the Planning Authority, having considered the submissions in relation to Amendment C158 to the Whitehorse Planning Scheme, request the Minister for Planning to appoint an Independent Panel to consider the amendment and all submissions in accordance with Sections 22, 23 and 153 of the Planning and Environment Act.*

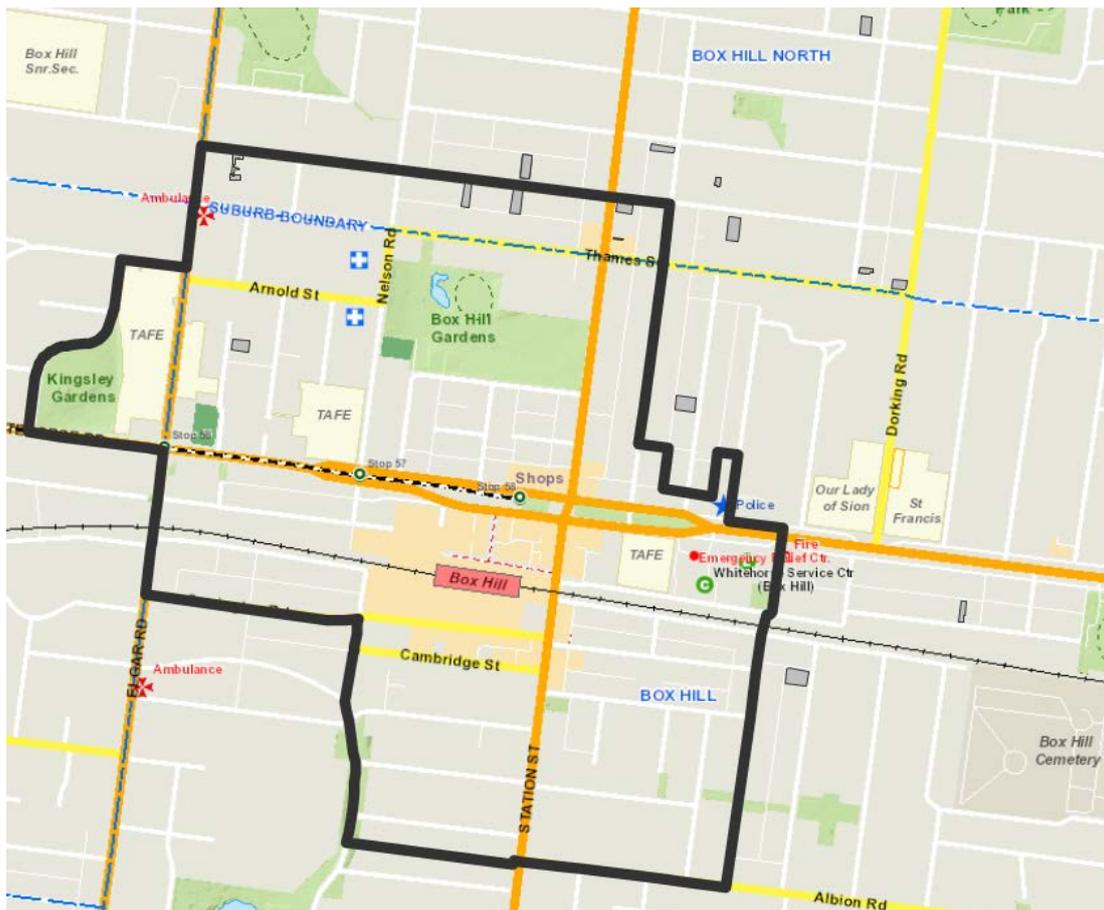
**B** *Advise all submitters of the request for an Independent Panel.*

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**9.1.2**  
 (cont)

MELWAYS REFERENCE 75A

Applicant:	Whitehorse City Council
Zoning (proposed overlay area):	C1Z, C2Z, GRZ1, GRZ5, PPRZ, PUZ2, PUZ3, PUZ4, PUZ6, RGZ1, RGZ2 and RGZ3.
Overlay (proposed overlay area):	HO14, HO77, HO90, HO91, HO92, HO93, HO94, HO114, HO115, HO116, HO117, HO142, HO157, HO224, HO225, SBO, VPO1 and VPO3.
Relevant Clauses	Clause 21.08 Infrastructure Clause 22.07 Box Hill Central Activities Area Clause 45.09 Parking Overlay
Ward:	Elgar



	Box Hill Activity Centre boundary		16 submissions mapped of 24 received		North
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### 9.1.2 (cont)

#### BACKGROUND

Amendment C158 was exhibited between 2 October 2014 and 3 November 2014 following a decision by Council on 23 June 2014 to prepare and exhibit an amendment to the Whitehorse Planning Scheme to implement a car parking overlay for the Box Hill Activity Centre, based on recommendations within the *Box Hill Central Activities Area Car Parking Strategy 2013*.

The *Box Hill Central Activities Area Car Parking Strategy 2013* gives recommendations about the number of car parking spaces to be provided in new developments. The car parking spaces required are calculated against floor area, per dwelling or other measure as applicable. This amendment looks to include the rates given in the Strategy in the Whitehorse Planning Scheme.

The amendment proposes to apply Schedule 1 to the Parking Overlay to the Box Hill Activity Centre and make consequential changes to other parts of the Whitehorse Planning Scheme to implement the parking rates and sustainable transport directions from the *Box Hill Central Activities Area Car Parking Strategy 2013*.

Specifically, the amendment:

- Amends Clause 21.08-5 (Zone and Overlays) to make reference to the application of a Parking Overlay for land in the Box Hill Activity Centre.
- Amends Clause 21.08-7 (Reference Documents) to include the *Box Hill Central Activities Area Car Parking Strategy 2013* as a reference document.
- Amends Clause 22.07-2 (Strategies) to make reference to the recommendations of the *Box Hill Central Activities Area Car Parking Strategy 2013*.
- Amends Clause 22.07-4 (Reference Documents) to include the *Box Hill Central Activities Area Car Parking Strategy 2013* as a reference document.
- Inserts Clause 45.09 Parking Overlay into the Whitehorse Planning Scheme.
- Inserts a new Schedule 1 to Clause 45.09 Parking Overlay for land in the Box Hill Activity Centre.
- Amends the Schedule to Clause 61.03 to include new planning scheme overlay maps (PO1 and PO2) in the Whitehorse Planning Scheme.

GTA Traffic Consultants were engaged to prepare the *Box Hill Central Activities Area Car Parking Strategy 2013*. The Parking Strategy was based on a comprehensive and detailed study of the area and its completion is consistent with directions provided for by the *Box Hill Transit City Activity Centre Structure Plan* (2007), which is the primary planning document for the Box Hill Activity Centre.

For more information about the background to the *Box Hill Central Activities Area Car Parking Strategy 2013* (the Parking Strategy), the consultation undertaken on the draft document and Council's adoption of the final Parking Strategy, please see item 9.2.6 of Whitehorse City Council Ordinary Council Minutes dated 23 June 2014.

**9.1.2**  
(cont)

**CONSULTATION**

**Public Notice**

Exhibition of the amendment involved the direct notification of owners and occupiers of affected properties as well as direct notification of owners and occupiers within the broader area, totalling approximately 7,500 letters. Relevant Ministers, bodies and referral authorities were notified, together with the publication of a notice in the Whitehorse Leader for two weeks and the Government Gazette for one week. Full amendment documentation was available for viewing on Council's website and in hardcopy at Council's Civic Centre, Service Centres and at libraries in the City of Whitehorse.

**Submissions**

At the close of the exhibition period twenty two (22) on time submissions had been lodged, with a further two (2) late submissions also considered. Of those, eighteen (18) submissions were opposed or objected to the amendment, four (4) were supportive, and two (2) were unable to be specified.

The submissions raised the following issues:

- Concern about the impact of reduced car parking provision rates on surrounding streets and existing car parking and traffic issues
- Criticism about the rationale for reducing car parking provision rates
- The need for greater car parking provision in Box Hill
- Comment on broader issues such as change in Box Hill and the Parking Strategy itself

Concern about the impact of reduced car parking provision rates

Just over half of all submitters were concerned about the consequences of reducing car parking provision rates (submissions 1, 2, 4, 7, 8, 9, 10, 13, 14, 15, 16, 20 and 22). Concerns included the overflow of car parking into surrounding streets, reduced residential amenity, increased congestion and illegal parking, and safety hazards. Eleven submissions considered that the amendment, should it proceed, would exacerbate existing parking and traffic issues in the area (submissions 2, 6, 7, 8, 9, 10, 12, 14, 15, 20 and 22). Three submitters noted that difficulty finding a car park discourages visitors to the area (submissions 6, 17 and 22).

Criticism about the rationale for reducing car parking provision rates

Eight submitters considered that the amendment will only benefit developers (submissions 1, 7, 8, 12, 15, 20, 21 and 22), and three thought that it does not reflect what the community wants (submissions 3, 15 and 16). Six submitters believe that people will still own cars despite reduced parking rates (submissions 2, 6, 12, 15, 21 and 22).

The need for greater car parking provision in Box Hill

Many submitters requested more car parking provision in Box Hill, both on-site (submissions 1, 8, 13 and 22) and for public access (submissions 9, 10 and 17). Three submitters did not want a change from the existing parking provision rates (submissions 4, 8 and 20) while two submitters thought parking provision rates should be higher than at present (submissions 15 and 16).

### 9.1.2 (cont)

#### Public Authorities

Submissions were received from Public Transport Victoria and VicRoads (submissions 18 and 24 respectively). Both organisations were supportive of the amendment and its potential to encourage sustainable transport use.

#### Other comments

Three submissions made comments which were not directly related to the planning scheme amendment. Submission 12, among other things, considered that the amendment allows Council to obtain developer contributions in lieu of off-street parking but doesn't require it to utilise those funds in fixing problems caused by development in the area. Submission 23 made comments on recommendations within the Parking Strategy, in particular 12 and 15 (changing parking restrictions on Elgar Road and Station Street), the need for drop off and loading areas in new developments, and the practical location of bicycle parking. Submission 19 sought the reconfiguration of entries to the Court Street car park.

Other comments related to the amendment were as follows:

- Three submitters (3, 9 and 10) blamed growth in Box Hill for making parking problems worse.
- Two submitters (1 and 22) queried the availability of car parking permits.
- Two submitters (13 and 22) were worried about property values.
- Two submitters (14 and 22) requested greater enforcement of existing parking arrangements.
- One submitter (1) queried how provision of half a parking space would work.
- One submitter (5) was supportive of the proposed car parking rates and potential to encourage public transport use.
- One submitter (21) wanted Box Hill to be a more attractive and liveable place.

## **DISCUSSION**

### Response to key issues

Many of the issues presented in the submissions were previously addressed in the response to submissions received on the *Box Hill Central Activities Area Car Parking Strategy 2013*, detailed in item 9.2.6 of Whitehorse City Council Ordinary Council Minutes dated 23 June 2014. Some of those responses are repeated in this report.

The impact of reduced car parking provision rates on existing residential streets and car parking problems was a significant concern. However, reduced car parking provision rates are not anticipated to exacerbate existing problems. Firstly, reduced car parking provision means that buyers will need to make a decision to purchase a dwelling with a car parking space if they own a car or intend to lease a dwelling with a car space. For example, by providing half a space per one bedroom dwelling, this means that only one in every two one bedroom dwellings will have a car space on title. Should the market demand more car parking spaces on site, developers are able to provide more than the rate specified if they choose to. It is worth noting that the rates proposed are industry accepted and often endorsed at the Victorian Civil and Administrative Tribunal (VCAT).

Secondly, prohibiting on-street car parking permits for new developments will penalise those who choose not to purchase a car parking space. This means that if there is no available car parking on-site, they will not be able to park on the street and will be forced to either purchase a car park or make other off-street arrangements for their vehicles. More effective enforcement, as advocated by the Parking Strategy, will provide a further disincentive to flout parking restrictions. It is also noted that this amendment will not affect existing car parking permits.

### 9.1.2 (cont)

Introducing a car parking overlay in Box Hill Activity Centre provides for a range of benefits. Formalising Council's expectations for car parking within central Box Hill gives it a stronger negotiation point than at present, where each development may argue its own case for reduced parking rates. By providing an evidence based and strategic justification for its parking rates, Council will be able to provide more consistent decision making with stronger justification. In addition, case studies prepared for the Parking Strategy show that Box Hill is the only former Central Activities Area in Melbourne without any parking guidelines or a parking overlay (former Central Activities Areas are now known as Metropolitan Activity Centres, along with a number of new centres). Introducing such guidelines could attract increased investment due to a more streamlined planning permit application process.

Many submitters considered that more car parking is required in Box Hill. Two car parking surveys undertaken as part of the Parking Strategy found that of all on-street and off-street car parking facilities within Box Hill Activity Centre, an overall average of 64 per cent of spaces were occupied at the peak time of 1:00pm Thursday. This is below the theoretical 'full capacity' of 85 per cent. However, it is acknowledged that there are some instances where Council has limited influence over the parking provision of others, particularly hospital and education developments which are under the control of Federal and State Governments, and that this creates pressure on other areas in the centre. Similarly, the provision of drop off areas should be made within sites generating that demand. In summary, it is considered that existing car parking infrastructure can be better utilised through a range of measures recommended in the Parking Strategy.

#### Response to other comments

Two submissions made detailed comments which are not directly related to the planning scheme amendment. In relation to obtaining developer contributions, this is listed in the existing Clause 21.08 as a potential strategy Council could use; it is not the intention of this amendment to obtain contributions. Were Council to seek to obtain developer contributions, there are detailed State Government guidelines Council would have to meet, including demonstrating a link between the obtained funds to proposed projects.

Two submitters made comments about items within the Parking Strategy. It is noted that both submitters raised these comments during the consultation on the Parking Strategy and a response was provided at that time. In relation to the Court Street car park, it was noted that:

*Reconfiguration of the Court Street car park could be considered subject to further investigation, however it is considered that the existing layout is the most efficient way to maximise car spaces (page 92).*

In relation to recommendations 12 and 15, it was noted that:

*Objections were received about encouraging long-term parking on sections of Elgar Road and Station Street (recommendations 12 and 15). These recommendations relate to two specific areas of those roads, being around Hagenauers Reserve on Elgar Road, and between Thames and Shannon Streets on Station Street. Parking is already permitted in these areas outside clearway times, and the recommendations relate to changing the parking time permitted. ... Encouraging long term parking would assist traffic flow by reducing the number of cars looking for car parking spaces and the turnover of spaces which can cause delays while people park (page 92).*

### **9.1.2** (cont)

Box Hill has long been a focus for substantial development and investment. Box Hill is one of nine centres which have been designated as having state significant elements under the current metropolitan planning strategy, *Plan Melbourne*. The strategic direction for such locations is to provide a major role in service delivery, employment and housing for a subregional catchment. Box Hill's growth needs to be comprehensively managed to ensure that it transitions in a smooth manner. Reducing car use and space dedicated to cars within Box Hill Activity Centre is one way that attractiveness and liveability can be improved for the broader community.

#### **FINANCIAL IMPLICATIONS**

Council will be required to pay for the consideration of the submissions by a panel, including any expert witnesses and a detailed submission by Council. There are sufficient funds available in the recurrent budget for this purpose.

#### **CONCLUSION**

Amendment C158 seeks to implement a car parking overlay for the Box Hill Activity Centre, based on recommendations within the *Box Hill Central Activities Area Car Parking Strategy 2013*. The amendment has attracted twenty four (24) submissions, some of which support the amendment and others that oppose the exhibited control.

Council in considering the submissions must either change the amendment as requested, refer the submissions and amendment to a Panel or abandon the amendment.

As there are changes sought by submitters, including the abandonment of the amendment, which cannot be supported the first option cannot be considered. In addition the amendment can be supported on a strategic basis and there are submitters that support the proposed planning control. Accordingly the most transparent and fair method to enable all parties to have their comments assessed is for all submissions and the amendment to be referred to an independent Panel.

### 9.1.3 Consideration of Submissions to Amendment C157 to Introduce 32 New Heritage Overlays

FILE NUMBER: SF14/381

#### SUMMARY

*Amendment C157 proposes to introduce 32 new heritage overlays across the municipality – three precincts and 29 individual heritage places. Exhibition has finished and 30 submissions have been received in response. Twenty four (24) of these submissions object to the proposed heritage overlay. This report discusses the issues raised in the submissions and recommends that Council refer the amendment and all submissions to an Independent Planning Panel for further consideration and advice.*

#### RECOMMENDATION

**That Council:**

- A Being the Planning Authority and having considered the submissions in relation to Amendment C157 to the Whitehorse Planning Scheme, request the Minister for Planning to appoint an Independent Panel to consider the amendment and all submissions in accordance with Sections 22, 23 and 153 of the Planning and Environment Act 1987.**
- B Advise all submitters of the request for an Independent Panel.**
- C Authorise the Chief Executive Officer and the General Manager City Development to make changes to the amendment and associated planning controls prior to the Panel hearing, should they be required, following the result of further investigation into properties identified in Livingstone Close Burwood.**

#### MELWAY REFERENCES:

62A1, 47D11, 46J7, 47J10, 61A5, 62C9, 61A4, 47E9, 48A10, 47D8, 48J7, 47D8, 62D7, 47B11, 60H6, 46J11, 47K10, 46K7, 60 H6, 47A6, 46K12, 47E8, 47F10, 47B10, 47B7, 47B9, 47E9, 46K12 and 62D5

Proponent:	Whitehorse City Council
Zoning (32 places):	Neighbourhood Residential, General Residential, Residential Growth, Public Use, Public Park and Recreation
Overlay (7 places):	Significant Landscape, Vegetation Protection, Heritage, Neighbourhood Character
Relevant Clauses	Clause 11.01 Activity Centres Clause 11.04 Metropolitan Melbourne Clause 15.01 Urban Environment Clause 15.03 Heritage Clause 16 Housing Clause 17 Economic Development Clause 21.04 Strategic Directions Clause 21.05 Environment Clause 21.06 Housing Clause 21.07 Economic Development Clause 22.01 Heritage Buildings and precincts Clause 22.03 Residential Development Clause 22.06 Activity Centres
Wards:	All

### 9.1.3 (cont)

#### **BACKGROUND**

The Whitehorse Heritage Review 2012 was completed in 2012/2013. It identified 32 places as having heritage significance – three heritage precincts and 29 individual places. Council resolved to request the Minister for Planning for authorisation to exhibit an amendment to introduce a Heritage Overlay (HO) to protect all 32 places. Authorisation was approved, exhibition completed and 30 submissions received. A copy of the report including the study rationale and citations for each of the recommended heritage places has already been provided to Councillors in April 2014 as an attachment to the authorisation report.

#### **PROPOSED AMENDMENT**

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

- Alexander Street Precinct
- Winsor Park Estate Precinct
- Box Hill Commercial Area Precinct.

The proposed twenty nine individual heritage places are:

- Horse trough, corner Blackburn and Canterbury Roads, Blackburn
- Box Hill Community Arts Centre, 470 Station Street, Box Hill
- Mont Albert Primary School, 21-23 Inglisby Road, Mont Albert
- Box Hill High School, 1180 Whitehorse Road, Box Hill
- Former Kildonan Children's Home, Elgar Road, Burwood
- Former Tally Ho Boys' Village, 27 Carrington Court, East Burwood
- Former Orana Methodist Peace Memorial Homes, Livingstone Close Burwood
- South Africa and China War Memorial, Whitehorse Road Median, Box Hill
- World war 1 Memorial, Morton Park Central Road, Blackburn
- World War 1 Memorial, Box Hill Gardens, Box Hill
- World War 1 Memorial, Halliday Park Mitcham Road, Mitcham
- World War 2 Memorial, Box Hill Gardens, Box Hill
- Burvale Hotel/Motel, 385 Burwood Highway, Vermont South
- Surrey Dive and Former Box Hill Swimming Pool
- Former Methodist Church, 385 Warrigal Road, Burwood
- Surrey Hills Uniting Church (former Methodist), 679-681 Canterbury Rd, Surrey Hills
- The Avenue Uniting Church (former Presbyterian), 44 Blackburn Road, Blackburn
- St Augustine's Anglican Church and Hall, 38 Bundoran Parade, Mont Albert North
- St Benedict's Roman Catholic Church, 299 Warrigal Road, Burwood
- Former Chapel of St Joseph, 27-29 Strabane Ave, Mont Albert
- House- 7 Pembroke Street, Surrey Hills
- House – 26 Thames Street, Box Hill North
- House – 42 Bishop Street, Box Hill
- House – 99B Carrington Road, Box Hill
- House – 25 Hopetoun Parade, Box Hill
- House – 15 Hopetoun Parade, Box Hill
- House – 1039 Whitehorse Road, Box Hill
- House – 14 Harding Street, Surrey Hills
- Former ATV-0 Television Studios, 104-168 Hawthorn Road, Forest Hill

### **9.1.3** (cont)

These recommended places have all been identified as being important for contributing to Whitehorse's heritage and needing long term protection against demolition. It is considered that protection can only be properly achieved through the introduction of a heritage overlay.

The main purpose of a heritage overlay control is to:

- Conserve and enhance places of heritage significance,
- Conserve and enhance heritage elements which contribute to the significance of a place, and

Ensure that new development does not adversely affect the significance of heritage places. As exhibited, Amendment C157 proposed to:

- Modify Clause 21.04 to amend the strategic framework plan to include all residentially zoned places in minimal change areas.
- Modify Clause 22.01 to include specific reference to the Alexander Street Precinct Box Hill, the Windsor Park Estate Precinct Surrey Hills and the Box Hill Commercial Precinct and make reference to the Whitehorse Heritage Review 2012.
- Modify Clause 22.03 to amend map 1 to include all residentially zoned places as minimal change areas.
- Modify the schedule to Clause 43.01 Heritage Overlay to include the new heritage places.
- Insert new Planning Scheme Maps marked "Whitehorse Planning Scheme, Amendment C157" to include 32 new places in the heritage overlay and delete part of Neighborhood Character Overlay 2.

Please note that since Amendment C157 was exhibited, Clause 22.03 was amended as part of Amendment C160 (introduction of the new residential zones) and therefore this change is no longer being pursued.

## **CONSULTATION**

### **Public Notice**

The amendment was exhibited between 2 October 2014 and 3 November 2014. Notice was sent to all affected properties, properties adjoining and opposite affected properties, the National Trust, local historical societies, relevant Ministers, Boroondara City Council and referral authorities. Notice of the amendment was also published in the Government Gazette and five times in the Whitehorse Leader (29 September and 6, 13, 20 and 27 October 2014).

### **Submissions**

At the end of the exhibition period, a total of 30 submissions were received. These can be summarised as follows:

- 2 general submissions – one submission raised no objection and the other submission requested that the amendment be modified.
- Box Hill Commercial proposed heritage precinct - 7 submissions.
- Windsor Park proposed heritage precinct - 9 submissions.
- Alexander Street proposed heritage precinct – 2 submissions.
- Individual places – 10 submissions.

Attachment 3 provides a summary of submissions received.

### 9.1.3

(cont)

#### DISCUSSION

##### General submissions

##### VicRoads (submission 29)

The planning scheme requires a planning permit for most road work in a heritage overlay. For this reason VicRoads opposes application of the overlay to:

- The section of Station Street roadway affected by the Box Hill Commercial Precinct (HO256).
- The section of roadway on the corner of Whitehorse Road and Middleborough Road affected by HO248 (Box Hill High School).
- The section of Burwood Highway affected by HO244 (Burvale Hotel/Motel).

VicRoads requests that the amendment be modified and the HO boundaries adjusted to exclude the roadway so road works and repairs can continue to be undertaken without the need for a planning permit.

##### *Comment*

VicRoads' submission is considered reasonable. Boundaries of the relevant three HO's can easily be modified as requested and exclude the roadway, without affecting the three relevant heritage places.

##### Boroondara City Council (submission 3)

Boroondara City Council was notified of the amendment because some Warrigal Road properties in Boroondara are opposite two of the proposed individual heritage places – 339 Warrigal Road, Burwood (former church currently used as a funeral home) and St Benedict's Church at 299 Warrigal Road, Burwood. No objection is raised to the amendment and Boroondara officers advise that their Council is currently undertaking some heritage planning which may complement the amendment.

##### *Comment*

A response is not necessary since no objection was made to the amendment.

##### Windsor Park Precinct - 9 submissions

This precinct is an estate of mostly inter-war detached single storey houses built around a core of some large Edwardian and Victorian era villas. This unique estate includes curvilinear streets lined with street trees including pin oaks, plane trees and elms. These now mature street trees are a significant part of the precinct, and are unique in that they were planted at same the time that the original estate was created. The Windsor Park Precinct was first identified as a potential heritage precinct in 1990.

##### Support for the amendment (submissions 10 and 26)

These submissions support the intent of the amendment and further comment is not considered necessary since no objection is made.

##### Some buildings have no heritage significance and should not be included in the overlay (submissions 4, 11, 7, 15 and 26)

These submissions request that the overlay be modified to delete certain properties on the basis that the buildings do not have any heritage significance and therefore it is not reasonable that they be subject to the same level of control as heritage buildings.

### 9.1.3 (cont)

#### *Comment*

Heritage planning practice distinguishes between contributory and non-contributory buildings and many heritage precincts include some non-contributory buildings. Some of these non-contributory sites may be subject to redevelopment in the future and development will affect adjoining heritage properties and the heritage streetscape. Heritage overlays with 'holes' or gaps of exclusion is not considered good heritage practice and can compromise the integrity of these areas. The 2012 Heritage Review clearly maps which buildings are non-contributory and development on these sites will be treated in a different manner to those sites which do have heritage significance.

#### Paint controls are unreasonable (submission 6)

This submitter objects to the inconsistency in the application of paint controls. The proposed HO includes paint controls but the existing HO's in the Windsor Park area do not include paint controls. The submitter suggests that paint controls are an unreasonable and impractical imposition on home owners.

#### *Comment*

The submitter's comments have some merit and after discussions with Council's consultant and Heritage Adviser, it is considered that the amendment should be modified to remove paint controls.

#### The property at 683 Canterbury Road (former motor garage and now restaurant) should be included for heritage protection (submission 6)

#### *Comment*

This property is already subject to HO196 and it is recommended that the submitter be advised.

#### The amendment will result in loss of property value and financial hardship (submission 7)

#### *Comment*

Recent amendments to the *Planning and Environment Act 1987* require that Council must consider economic and social factors before deciding to apply a HO. Loss of property value and financial hardship are considered difficult to substantiate unless a specific application is received. Since no application is known for the site at this stage and the heritage significance has been considered and identified for the property, it is considered that the benefits of the property's inclusion in an HO should take precedent in this case.

#### Boundaries of the HO should be changed (submissions 25 and 26)

It is not clear whether submission 25 is requesting that the boundaries of the proposed HO are expanded to align with the previous HO for the area, or whether the submission supports the boundaries now being proposed.

Submission 26 requests that the boundaries of the proposed HO be redrawn to exclude the property at 13 Windsor Crescent (also known as 4 Lorne Parade).

#### *Comment*

In 2004/2005 Council proposed a larger HO for the area but a Planning Panel recommended that it be abandoned because the proposed HO included too many non-contributory buildings. The brief for the 2012 Heritage Review included reviewing previous HO's which never proceeded and consideration as to whether a possible reduction or modification to their previous boundaries might be warranted to make them a viable option. The current boundaries are the result of the review process. Based on the previous experience, it is considered that a larger area is unlikely to have Panel or Ministerial approval.

### 9.1.3

(cont)

The property at 13 Windsor Crescent has frontage to both Windsor Crescent and Lorne Parade. Development on the site will impact the streetscape of Windsor Crescent and it is for this reason that it is considered that the property should continue to be included in the proposed HO.

The building permit process is adequate to protect heritage places (submission 26)

#### *Comment*

Building applications cannot provide heritage protection or influence the appearance of new development. Similarly building regulations do not prevent demolition. In summary the building permit process is considered inadequate to provide heritage protection.

#### **Alexander Street Precinct – 2 submissions**

This area was first mooted in 2001 as a potential heritage precinct and the 2012 Heritage Review confirmed its significance. The precinct is an estate of single storey bungalows dating largely from the inter-war period, but also includes some Victorian and Edwardian houses. The street is currently included in a Neighbourhood Character Overlay (NCO).

Support for the proposed heritage precinct (submission 1)

This submission supports the proposed HO on the basis that it will maintain the existing attributes of the precinct, thereby contributing to a sense of belonging and well-being. The HO will also foster greater pride by home owners and encourage investment in property maintenance.

#### *Comment*

Further comment is not necessary since no objection was made to the amendment.

Concern with details of the HO (submission 16)

Submission 16 does not object to the HO but expresses the following concerns:

- The existing Neighbourhood Character Overlay (NCO) already provides protection.
- An HO was previously considered and rejected for this area.
- The proposed HO boundary is inconsistent with the citation, for example 30 Alexander Street has been excluded from the HO but is referred to in the citation.
- The HO should include both 30 Alexander Street and 455 Station Street since the development of either of these properties would affect the streetscape of the HO area.
- The citation is incorrect with respect to the number of houses in the precinct which have second storey extensions and the claim that 'all bungalows are single storey'.
- Most dwellings in the precinct have been modified and the precinct is not 'substantially intact'.

#### *Comment*

It is acknowledged that the NCO does provide some level of control; however it does not allow Council to consider the heritage significance of a place when considering applications for demolition or new buildings. Given the identified heritage significance of the street, it is recommended that an HO will provide greater protection than is currently provided by an NCO.

The previous heritage precinct was much larger than the precinct now being proposed. It was considered that heritage significance of the previous precinct varied too much to warrant an HO. The current precinct is more compact and its heritage significance can therefore be better justified.

### 9.1.3

(cont)

30 Alexander Street Box Hill is not a contributory building. Although it was included in the citation for the precinct, a decision was taken not to include it when the boundaries of the precinct were being mapped.

It is considered that the property at 455 Station Street should not be included in the HO. It has frontage to the main road and does not form part of this heritage 'enclave'.

Suggested changes to the citation are minor and can be easily accommodated with some wording changes. However the assertion that the precinct is not substantially intact is strongly disputed.

#### **Box Hill Commercial Precinct – 7 submissions**

##### Submission 2

Council previously rejected an HO for this area and nothing has changed in the intervening period to warrant an HO now. The submission disagrees that all buildings in the precinct have aesthetic significance. The Heritage Study states that three buildings in the proposed precinct already have individual HO's and the other buildings are contributory, which the submitter maintains does not warrant an HO over the whole precinct.

##### Submission 5

The buildings have very limited heritage value and have been extensively and unsympathetically altered. Alternative heritage advice is submitted disputing the Statement of Significance and asserting that there are significant 'gaps' in the precinct. The submission also states that existing HO's are sufficient to protect buildings of heritage value and the HO will stymie development in the Centre and therefore is contrary to Box Hill's role as a Metropolitan Activity Centre.

##### Submissions 17, 19 and 20

These three submissions are the same, objecting to the HO on the grounds that:

- Affected buildings have little or no heritage significance.
- Existing HO's are adequate.
- A new HO is not warranted or justified.
- A new HO is contrary to the Centre's role as a Metropolitan Activity Centre.

##### Submission 23

Historic significance of the Box Hill commercial area is due to its role as a commercial centre rather than the buildings themselves, therefore retention of building fabric is not necessary.

##### Submission 30

This submission supports an HO as the height of new buildings is detracting from the heritage character of Box Hill.

##### *Comment*

It is considered that an HO and a Metropolitan Activity Centre can coexist. An HO will not prevent development, but it will provide Council with an opportunity to protect the low rise original 'village' feel of the centre at the intersection of Whitehorse Road and Station Street, consistent with the direction of the Box Hill Transit City Activity Centre Structure Plan 2007. As more development occurs, the HO will show how the centre developed historically.

### 9.1.3 (cont)

Council's Heritage Advisor envisages that within the proposed Overlay, new development would be encouraged to occur at the rear of sites, while retention of the existing front portion of buildings would be encouraged for a depth of approximately 2 rooms or 10 metres. This would retain the 'feel' of the original centre and the heritage buildings while still allowing new development to occur.

Internal controls are not being proposed as part of the amendment.

#### **Individual places – 10 submissions**

##### 470 Station Street Box Hill (Box Hill Community Arts Centre) (submission 22)

This submission was received from an adjoining landowner of the proposed heritage place and requests that Council favourably consider a future request to rezone the adjoining property at 480-482A Station Street from Industrial to Mixed Use. The submitter believes such a rezoning will allow greater connectivity between the two sites, for the benefit of the whole community.

##### *Comment*

This submission does not comment on the intent or content of the amendment.

##### Elgar Road Burwood (former Kildonan children's home) (submission 12)

This proposed heritage place is currently owned by Deakin University. The University submits that most of the relevant children's home buildings have already been demolished. The remaining buildings have been extensively modified internally and externally and now retain little historical or aesthetic significance. Previous use of the site would be better recognised in other ways, such as the existing memorial and interpretive plaques in the small memorial garden located on Elgar Road.

##### *Comment*

Although some of the children's home buildings have been demolished, a significant number still remain and it is these which the 2012 Heritage Review recommends are covered by an HO. Internal alterations are not relevant to whether an HO is appropriate since internal alterations can be done without the need for a planning permit.

##### 385 Burwood Highway Vermont South (Burvale Hotel/Motel) (submission 18)

This submission on behalf of the owner and occupier of the site objects to the HO on the following grounds:

- Heritage significance is insufficient and has not been properly substantiated in the Statement of Significance.
- The buildings have insufficient historical significance.
- There is no evidence linking construction of the hotel with increased suburban car ownership or changing liquor laws.
- Insufficient evidence of aesthetic and social significance.
- Inclusion in a Minimal Change Area is inappropriate and contradicts Council's other strategic work which has resulted in the site being zoned Residential Growth Zone (2).
- An HO does not automatically warrant a site being included in a Minimal Change Area.
- The proposed designation as a Minimal Change Area applies to the whole site but the HO only applies to part of the site which is inconsistent.
- The Tally Ho Urban Design Framework proposes significant commercial and residential development for this site.

### 9.1.3

(cont)

#### *Comment*

The Burvale Hotel was built in 1968 and its significance is easy to overlook due to the building's low profile, local familiarity and notoriety. However these are some of the very factors which give the building its importance and contribute to its iconic status. The Burvale was first flagged in 2008 as having possible State importance.

The citation for the building explains that the Burvale has important aesthetic significance as one of the best and most intact examples of the work undertaken by Jorgensen and Hough - Australia's leading designers of hotels and motels in the 1960s. The building is an important example of a new architecture style introduced to Australia from the United States of America. The hotel building is deliberately designed to nestle into the site on a busy intersection, surrounded by native planting and a natural landscape setting. The building profile is long and low with deep wide eaves; clearly influenced by Frank Lloyd Wright's preference for organic forms and materials. Importantly, the architects strived to create a specifically regional style of architecture. Interestingly, the local Daniel Robertson Brickworks produced a new style/colour of brick, especially to be used for building the new hotel. This new brick became very popular in new housing for at least another decade.

The Burvale has historical importance because it was built as a direct response to radical new liquor laws. The floorplan was a direct response to the new liquor laws and the accessibility provided by the widespread ownership of private cars. The modern facilities included an extended closing time, a family meals area, modern motel accommodation, a large public lounge with provision for entertainment designed for 450 people, a drive in bottle shop and large car park.

The Burvale has social significance because it reflects *'changing community attitudes towards the availability of alcohol compared with the 1950's and the belief that more relaxed drinking conditions together with multipurpose facilities would help alleviate excess drinking in the community.'*

The site was first flagged as having possible heritage potential in 2008. At that time it was described as: *'possibly the best and most well-preserved example of the work of this prominent architectural firm'. A particularly fine example of the distinctive organic/regionalist style.....'* The building was flagged then as having possible State significance.

Given the level of interest in The Burvale as a proposed heritage place, Council officers commissioned a peer review to be undertaken by Mr Simon Reeves; a renowned specialist in post war architecture, who also prepared Council's Post 1945 Heritage Study. The review concurs with the citation and notes that the building certainly has local significance and possibly regional or metropolitan importance.

The building occupies just part of a very large site, located on a major intersection and part of the Tally Ho Activity Centre. A large portion of the site remains still undeveloped, despite a large car park. For this reason, the HO applies to the whole site but 'heritage significance' is limited to just the hotel/motel and the immediate surrounding area. This is clearly shown on the map included as part of the citation.

The submitters reference to the amendment also being contrary to the Tally Ho Urban Design Framework (UDF) is noted, however the UDF was adopted by Council seven years before the 2012 Heritage Review identified the building and before the site was even flagged by the State government as having possible State significance. Given that heritage significance only relates to part of the site, there is still opportunity for new development to occur, with building height and intensity compatible with the UDF and the new residential zones, whilst also respecting the heritage buildings and place.

**9.1.3**  
(cont)

7 Pembroke Street Surrey Hills – 1886/87 dwelling (submission 21)

This is a detailed submission (35 pages) disputing the HO. In summary, the submitter objects to the HO for the following reasons:

- Insufficient evidence available justifying that the premises has significant heritage and aesthetic value, ie, the significance and importance is overstated.
- The property was never identified in any previous heritage studies.
- Other equally significant and previously identified properties in the street are not proposed for an HO.
- The previously proposed precinct for the street never proceeded.
- 'Prettiness' of the house is main reason for its aesthetic value.
- Association with the Chicken Farm estate is not significant.
- Association with Tarrant family is tenuous.
- The building has been substantially altered (tower removed) and house has actually been moved from another site, both factors of which reduce the heritage significance.
- Appearance of the house is affected by the large tree in the front garden.
- Economic and financial hardship will be caused by the HO.
- Loss of property value.
- Increased difficulty in selling property.
- A flawed consultation process.
- Severe psychological stress to property owner due to proposed HO.

*Comment*

This submission has been reviewed by the Study consultant and given the extent of difference between the citation and the submission, it is considered that the submission cannot be accommodated and it should therefore be referred to Panel for further consideration and advice.

42 Bishop Street Box Hill (Victorian dwelling) (submission 27)

This submission objects to the HO on the basis that:

- There is no direct link with the Police paddock and therefore the reference in the citation is misleading,
- The link to Linsley is misleading and overstated, and
- Value of the property will greatly reduce and therefore there is no incentive to maintain the property.

*Comment*

This submission has been reviewed by the Study consultant and given the extent of difference between the citation and the submission, it is considered that the submission cannot be accommodated and it should therefore be referred to Panel for further consideration and advice.

### 9.1.3

(cont)

#### 104-168 Hawthorn Road Forest Hill - former ATV-0 television studios (submissions 9 and 13)

The occupier of the site (submission 9) objects to the HO for the following economic and social reasons:

- Regular changes to the studio building are required as part of normal everyday operational requirements and the proposed overlay requiring increased planning permits and the inherent delays, will affect the ability to conduct normal business.
- Relocation of the business would affect employment and local television production.

The owner of the site (submission 13) objects to the HO on the basis that:

- The amendment is not consistent with amendment C160 (new housing zones). The place is a key redevelopment site in the municipality but the amendment will change the site from being suitable for 'substantial change' to 'minimal change'.
- There is no justification for the proposed boundaries of the heritage overlay.
- The building is substantially altered.
- The building has limited heritage significance because it is not the first purpose built television studio (the ABC Elsternwick studios were first).
- The HO map does not correspond with the HO in the citation or the minimal change map in clause 22.03.
- Continuing use of the existing building as a television studio requires that regular changes to the studio building be possible without the delays caused by increased need for planning permits. If the HO 'forces' the current occupier to relocate, then employment and local television production would be affected.
- Council is requested to consider alternative methods of recording the perceived significance of the site, such as requiring the reuse of studio bricks in any future building on the site and/or producing a video to record the construction and history of the studio buildings.

#### *Comment*

Given the variation between these two submissions and the citation, it is considered that both submissions should be referred to Panel for further consideration and advice.

#### Livingstone Close Burwood - former Orana Methodist Peace Memorial Homes (submissions 14 and 24)

27 Livingstone Close Burwood – House (submission 14):

This submission opposes the amendment on the basis that the building is insignificant, has 'little street frontage' and is privately owned.

19-25 Livingstone Close Burwood – community building part vacant and part used for child care centre and kindergarten (submission 24):

This submission describes that a substantial part of the building is rapidly decaying and has actually been vacant for many years – unusable and unfit for habitation due to severe damp problems. It is also submitted that the problem is irreparable.

### 9.1.3

(cont)

#### *Comment*

As a result of submissions, these buildings are being further investigated. Councils Building and Human Services departments are well aware of the ongoing damp issues, together with problems associated with the building's foundations. Council's Heritage advisor has inspected the building with representatives from the State government's department of Human Services. It is recommended that the Chief Executive Officer and the General Manager City Development be authorised to undertake changes to the amendment and associated planning controls prior to the Panel hearing should they be required, following the result of these investigations.

#### 679-681 Canterbury Road Surrey Hills - church (submission 8)

This submission objects to the HO on the basis that:

- The church replaces an earlier wooden church on the site which was demolished some time ago.
- The church has changed from being a Methodist to a Uniting Church and the congregation is an amalgamation of two churches. Therefore the church is not a continuing centre for Methodist worship, nor has it made a strong, noticeable or influential contribution to the evolution or pattern of the local area's cultural history as referred to in the Assessment Criteria of the Statement of Significance.
- The exterior painting of the church has disguised some of the more distinctive features of the building's Arts and Crafts style. The Church Council believes there has been no public or architectural recognition of the church building as an example of the Arts and Crafts style.
- The 'link' between the church and the church hall detracts from the visual appeal of the church.
- The church has been substantially altered internally.

#### *Comment*

The church is considered to have local historical significance as the centre of Methodist worship in Surrey Hills from 1908. It also has aesthetic significance as a fine and unusual example of the eclectic arts and crafts style. It is one of the few churches in the municipality of this style and the exterior is still largely intact, despite the exterior painting and new additions at the rear.

The building's heritage significance was identified despite the exterior painting (which can easily be reversed) and despite the contemporary buildings at the rear.

The HO relates to the exterior of the current building. It is not affected by the building being the second church on the site or the fact that internal alterations have taken place. Although the denomination of the congregation has changed and is no longer Methodist, the building is still considered to be of sufficient historic and architectural merit to warrant an HO.

### **FINANCIAL IMPLICATIONS**

Council will be required to pay for the Panel costs including any expert witnesses and presentation of a detailed submission by Council. There are sufficient funds available in the budget for this purpose.

If the amendment is approved, then it is anticipated that some additional resource and administration costs will result from administering the proposed new overlays. Although overlays will increase the number of planning applications Council would be required to assess, Council has a well-established process for dealing with such applications.

**9.1.3**  
(cont)

**CONCLUSION**

Amendment C157 seeks to introduce 32 new heritage overlays. Exhibition of the amendment has attracted 30 submissions, some of which support the amendment and others that oppose the exhibited controls. Council in considering the submissions has three options:

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

As there are some changes sought by submitters which cannot be supported the first option cannot be considered. In addition the amendment can be supported on a strategic basis and there are submitters that support the proposed planning controls. Accordingly the most transparent and fair method to enable all parties to have their comments assessed is to refer all submissions to an Independent Panel.

## **9.2 INFRASTRUCTURE**

### **9.2.1 Wembley Park Sportsfield Redevelopment**

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#### **SUMMARY**

*The Wembley Park sportsfield is being redeveloped as part of the environmental management of the site to ensure the facility is fit for purpose. In undertaking the excavation of the sportsfield Council officers identified that the subgrade was saturated and needed to be stabilized to enable construction of the new playing surface. These urgent works were undertaken to minimize environmental risks and the delays to the project. Council has committed to Wembley Park being available for matches in May 2015.*

#### **RECOMMENDATION**

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

- 1. Approve the stabilization of the sportsfield subgrade at Wembley Park as undertaken by McMahons Pty Ltd, P O Box 29, Melton, Vic, 3337, ABN 27 077 932 444 at a cost of \$198,000 including GST.**
  - 2. Resolve to approve the subgrade works undertaken by McMahons Pty Ltd being designated as emergency works, as defined by Section 186 of the Local Government Act 1989, at Wembley Park to minimize environmental risks and the delays to the sportsfield project.**
- 

#### **BACKGROUND**

Some years ago Council officers carried out a review of the former landfill sites and filled land in the municipality to identify any environmental land management matters on Council land that may require control works to be undertaken. Wembley Park was one of the sites identified as requiring environmental management works. During 2014 new turf was laid on the sportsfield and training and playing of matches was significantly reduced. These restrictions ensured that the environmental risks on the site were minimized. The interim works were successful and the long term management of the environmental land management matters required removal of contaminated soil (bulk earthworks) and reconstruction of the sportsfield.

#### **DISCUSSION**

Council has previously approved funding of \$955,000 from its 2014/2015 Capital Works Program for the environment land management works and the reconstruction of the sportsfield at Wembley Park. To facilitate the sportsfield being ready for training and match play in May 2015 Council officers determined to undertake the project in two parts.

Quotes were sought for the Part 1 environment land management works/bulk earthworks prior to a tender being let for the Part 2 construction of the new sportsfield turf works.

Following a competitive quoting process McMahons Pty Ltd was appointed to undertake the environment land management works and the bulk earthworks components of the project in November 2014.

Evergreen Turf Pty Ltd was appointed by Council at its meeting on 8 December 2014 to undertake the Part 2 works involving the construction of the new sportsfield turf.

**9.2.1**  
(cont)

In late December 2014 it was identified that the sportsfield subgrade was saturated and would require stabilization to enable the turf construction to be undertaken as planned. Prompt treatment of the saturated soil material was considered necessary to manage the environmental conditions and minimize any delays to the project. These emergency stabilization works were undertaken in early January 2015 at a cost of \$198,000 including GST.

Council officers are working with the appointed contractors to minimize the delays to the project.

**CONSULTATION**

Council officers have sought technical advice on the treatment of the subgrade and advised Box Hill United Pythagoras Soccer Club that the environmental management and subgrade works being undertaken at Wembley Park may delay the completion of the project.

**FINANCIAL IMPLICATIONS**

	<b>Budget</b>	<b>Expenditure</b>
Total Approved Budget	\$955,000	
Capital Works Funding Account No. R578 Surrey Park Swim club Room Refurbishment	\$113,900	
<b>Total Budget</b>	<b>\$1,068,900</b>	
Total Approved Expenditure		\$888,900
Emergency Stabilization Subgrade Works (incl GST)		\$198,000
Less GST		\$18,000
Net cost to Council		\$180,000
<b>Total Expenditure</b>		<b>\$1,068,900</b>

It is proposed to utilize surplus capital funds from the Surrey Park swim clubrooms refurbishment project to cover the funding shortfall at the Wembley Park sportsfield redevelopment.

## 9.3 CORPORATE SERVICES

### 9.3.1 Delegated Decisions – November 2014

FILE NUMBER: SF 13/1527

*The following activity was undertaken by officers under delegated authority during November 2014.*

#### RECOMMENDATION

***That the report of decisions made by officers under Instruments of Delegation for the month of November 2014 be noted.***

DELEGATION	FUNCTION	Number for November 2013	Number for November 2014
Planning and Environment Act 1987  Telecommunications Act 1997 Subdivision Act 1988 Gaming Control Act 1991	- Delegated decisions	75	164
	- Strategic Planning Decisions	Nil	Nil
		Nil	Nil
		21	29
		Nil	Nil
Building Act 1993	Dispensations & applications to Building Control Commission	49	55
Liquor Control Reform Act 1998	Objections and prosecutions	Nil	Nil
Food Act 1984	- Food Act orders	1	1
Public Health & Wellbeing Act 2008	- Improvement / prohibition notices	1	Nil
Local Government Act 1989	Temporary road closures	4	2
Other delegations	CEO signed contracts between \$150,000 - \$500,000	2	2
	Property Sales and leases	2	16
	Documents to which Council seal affixed	Nil	Nil
	Vendor Payments	1,190	1162
	Parking Amendments	7	6
	Parking Infringements written off (not able to be collected)	1138*	275*

\*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 NOVEMBER 2014**

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

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
389	12-11-14	Delegate Approval - S72 Amendment	46 Haig St, Box Hill South	Riversdale	Construction of three (3) double storey dwellings	Permit Amendment
478	10-11-14	Delegate Approval - S72 Amendment	42 Haig St, Box Hill South	Riversdale	Amendment to WH/2012/478 (issued for two double storey dwellings) for external alterations, increase in dwelling height and extension	Permit Amendment
38	28-11-14	Delegate NOD Issued	43 Orchard Cres, Mont Albert North	Elgar	Construction of six double storey dwellings and removal of vegetation	Multiple Dwellings
83	27-11-14	Delegate NOD Issued	61 Witchwood Cres, Burwood East	Riversdale	Construct two double storey dwellings	Multiple Dwellings
110	28-11-14	Delegate NOD Issued	224 Springfield Rd, Blackburn	Central	Development of land for two dwellings	Multiple Dwellings
165	28-11-14	Delegate NOD Issued	4 Wilson St, Mont Albert	Elgar	Construction of two double storey dwellings	Multiple Dwellings
171	28-11-14	Delegate NOD Issued	38 Lorikeet St, Nunawading	Springfield	Construction of a single storey dwelling to the rear of the existing dwelling and two lot subdivision	Multiple Dwellings
207	28-11-14	Delegate NOD Issued	183 Springfield Rd, Blackburn North	Central	Construction of three double storey dwellings	Multiple Dwellings
251	10-11-14	Delegate NOD Issued	3 Cyril St, Box Hill South	Riversdale	Buildings and works for the installation and use of tennis court lighting for Courts 1-3 of Box Hill Tennis Club	Residential (Other)
276	28-11-14	Delegate NOD Issued	12 Jenner St, Blackburn South	Riversdale	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
402	28-11-14	Delegate NOD Issued	481 Middleborough Rd, Box Hill North	Elgar	Construction three double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
455	27-11-14	Delegate NOD Issued	55 Springfield Rd, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
469	20-11-14	Delegate NOD Issued	9 Judith St, Burwood	Riversdale	Development of land for three (3) double storey dwellings	Multiple Dwellings
587	21-11-14	Delegate NOD Issued	141-155 Burwood Hwy, Burwood	Riversdale	Buildings and works associated with the development of a Performing Arts Centre at an existing school	Education
590	27-11-14	Delegate NOD Issued	12 Warnes Rd, Mitcham	Springfield	Construct two (2) double storey dwellings to the rear of the existing dwelling	Multiple Dwellings
591	26-11-14	Delegate NOD Issued	15-17 Sherman St, Forest Hill	Morack	Construction of six double storey dwellings	Multiple Dwellings
630	28-11-14	Delegate NOD Issued	25-27 Foch St, Box Hill South	Riversdale	Construction of four double storey dwellings	Multiple Dwellings
634	19-11-14	Delegate NOD Issued	11 Anthony Cres, Box Hill North	Elgar	Construction of two semi attached double storey dwellings	Multiple Dwellings
733	26-11-14	Delegate NOD Issued	21 Eley Rd, Blackburn South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
770	17-11-14	Delegate NOD Issued	31 Erasmus St, Surrey Hills	Riversdale	Additions and alterations to an existing educational facility	Education
817	19-11-14	Delegate NOD Issued	21-25 Mahoneys Rd, Forest Hill	Morack	use of the land for a Restricted Recreation Facility and associated display of illuminated signage	Business
831	28-11-14	Delegate NOD Issued	18A St Georges Ave, Mont Albert	Elgar	Amendment to Planning Permit WH/2010/831 (issued for Demolition of an existing tennis court and construction of one double storey dwelling and use for and construction of a private tennis court) to amend the tennis court location and the construction of tennis court lighting and netting and to illuminate a private tennis court.	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
879	27-11-14	Delegate NOD Issued	2A Agra St, Mitcham	Springfield	Removal of nine (9) trees	Special Landscape Area
956	24-11-14	Delegate NOD Issued	436 Middleborough Rd, Blackburn	Central	Construction of three (3) double storey dwellings and alteration of access to a road in a Road Zone Category 1	Multiple Dwellings
958	24-11-14	Delegate NOD Issued	42 Gillard St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
992	28-11-14	Delegate NOD Issued	24 Bennett St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
7	14-11-14	Delegate Permit Issued	43 Kerr St, Blackburn	Central	Construction of one double storey dwelling to the rear of the existing dwelling and two lot subdivision	Multiple Dwellings
115	06-11-14	Delegate Permit Issued	115 Lake Rd, Blackburn	Springfield	Buildings and works to construct one (1) dwelling and remove vegetation	Special Landscape Area
144	20-11-14	Delegate Permit Issued	11 Rishon Ave, Blackburn South	Riversdale	Construction of one double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
176	03-11-14	Delegate Permit Issued	20A Broughton Rd, Surrey Hills	Riversdale	Construction of five dwellings, including four double storey dwellings and one single storey dwelling	Multiple Dwellings
184	14-11-14	Delegate Permit Issued	6 Sinnott St, Burwood	Riversdale	Development of land for two (2) dwellings	Multiple Dwellings
188	10-11-14	Delegate Permit Issued	35 Koonung Rd, Blackburn North	Central	Construction three double storey dwellings	Multiple Dwellings
197	07-11-14	Delegate Permit Issued	44 Victoria St, Box Hill	Elgar	Construction of three double storey dwellings	Multiple Dwellings
214	03-11-14	Delegate Permit Issued	6 Birkby St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
218	20-11-14	Delegate Permit Issued	14 Hill St, Box Hill South	Riversdale	Construction three double storey dwellings	Multiple Dwellings
244	10-11-14	Delegate Permit Issued	18 South Pde, Blackburn	Central	Construction of three double storey dwellings	Multiple Dwellings
256	03-11-14	Delegate Permit Issued	14 Kneale Drv, Box Hill North	Elgar	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
292	18-11-14	Delegate Permit Issued	3 Bridgeford Ave, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
311	28-11-14	Delegate Permit Issued	660 Whitehorse Rd, Mont Albert	Elgar	Subdivision of land into two (2) lots	Subdivision
327	20-11-14	Delegate Permit Issued	8 Judy Crt, Vermont	Morack	Construction of three double storey dwellings	Multiple Dwellings
352	07-11-14	Delegate Permit Issued	5 Vernal Ave, Mitcham	Springfield	Construction of three single storey dwellings on 5 Vernal Avenue and lopping of trees overhanging from 3 and 7 Vernal Avenue	Multiple Dwellings
360	14-11-14	Delegate Permit Issued	12 Rialton Ave, Blackburn North	Central	Buildings and works for the construction of two (2) double storey dwellings	Multiple Dwellings
365	28-11-14	Delegate Permit Issued	21 Ian Grv, Burwood	Riversdale	Three (3) lot subdivision	Subdivision
366	20-11-14	Delegate Permit Issued	12 Acacia St, Box Hill	Elgar	Buildings and works to construct a dwelling extension	Neighbourhood Character Overlay
385	03-11-14	Delegate Permit Issued	65 Canterbury Rd, Blackburn	Central	Development of land for two dwellings	Multiple Dwellings
400	20-11-14	Delegate Permit Issued	37 Rostrevor Pde, Mont Albert North	Elgar	Two (2) lot subdivision	Subdivision
405	27-11-14	Delegate Permit Issued	97 Rooks Rd, Mitcham	Springfield	Two (2) lot subdivision	Subdivision
409	12-11-14	Delegate Permit Issued	253B Burwood Hwy, Burwood	Riversdale	Change of use to service industry (laundromat) and ice cream shop	Permit Amendment
427	24-11-14	Delegate Permit Issued	11 Eley Rd, Blackburn South	Riversdale	Construction of three (3) double storey dwelling	Multiple Dwellings
448	06-11-14	Delegate Permit Issued	24 Winton St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
453	11-11-14	Delegate Permit Issued	13 Sheehans Rd, Blackburn	Central	Buildings and works to extend an existing dwelling	Special Landscape Area
466	14-11-14	Delegate Permit Issued	44 Percy St, Mitcham	Springfield	Removal of restrictive covenant 2712779 on Certificate of Title Vol. 08704 Fol. 717	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
519	28-11-14	Delegate Permit Issued	45 Milton St, Nunawading	Springfield	Construction of two double storey dwellings	Multiple Dwellings
535	28-11-14	Delegate Permit Issued	397 Burwood Hwy, Vermont South	Morack	Interim development and use of land as a take away food premises (drive-through coffee and kebab outlet) and display of an internally illuminated sign	Permit Amendment
538	26-11-14	Delegate Permit Issued	2 Orchard Cres, Mont AlbertNorth	Elgar	Construction of two dwellings comprising one three storey and one double storey dwelling	Permit Amendment
550	10-11-14	Delegate Permit Issued	37 Holland Rd, Blackburn South	Central	Construction of three (3) double storey dwellings	Multiple Dwellings
556	03-11-14	Delegate Permit Issued	13 Bordeaux Ave, Blackburn	Central	Partial removal of Easement E-1 created in LP26186 and creation of Easement E2 (for the purpose of drainage) in favour of Whitehorse City Council	Permit Amendment
568	17-11-14	Delegate Permit Issued	6 Ray Rd, Burwood East	Morack	Amendment to planning permit WH/2005/568 (issued for the construction of two double storey dwellings) is for minor alterations Dwelling 1 and the internal configuration of Dwelling 2	Permit Amendment
571	26-11-14	Delegate Permit Issued	5 Henry St, Box Hill	Elgar	Amendment to plans for minor internal layout changes	Permit Amendment
575	28-11-14	Delegate Permit Issued	31 Graham Place Box Hill	Elgar	Development of land for three (3) dwellings	Multiple Dwellings
599	20-11-14	Delegate Permit Issued	178 Whitehorse Rd, Blackburn	Central	Use as an indoor recreation facility (martial arts/fitness centre), and associated display of floodlit business identification signs	Business

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
616	11-11-14	Delegate Permit Issued	18 Terrara Rd, Vermont	Morack	Construction of four (4) double storey and one (1) single storey dwellings	Permit Amendment
680	05-11-14	Delegate Permit Issued	9 Acacia Ave, Blackburn	Central	Buildings and works for extensions to the existing dwelling, construction of an outbuilding, and associated tree removal	Special Landscape Area
691	27-11-14	Delegate Permit Issued	3 Mahoneys Rd, Forest Hill	Morack	Display internally illuminated signage	Business
718	27-11-14	Delegate Permit Issued	30 Raymond St, Blackburn North	Central	Use of land for dwelling	Business
761	28-11-14	Delegate Permit Issued	20 Banksia St, Burwood	Riversdale	Buildings and works for an extension to the existing building and reduction in the standard carparking rate for a medical centre	Permit Amendment
768	19-11-14	Delegate Permit Issued	65 Shady Grv, Forest Hill	Springfield	Removal of two (2) trees	Special Landscape Area
769	13-11-14	Delegate Permit Issued	34 Landale St, Box Hill	Elgar	Alterations and additions to the existing dwelling and demolition of three (3) outbuildings and carport.	Heritage
777	27-11-14	Delegate Permit Issued	138-140 Burwood Hwy, Burwood	Riversdale	Alterations to front facade of existing office building and display of signage associated with medical centre and use of shop (pharmacy)	Business
808	05-11-14	Delegate Permit Issued	1C Faulkner St, Blackburn South	Central	Construction of a verandah	Residential (Other)
809	13-11-14	Delegate Permit Issued	10 Delany Ave, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
811	20-11-14	Delegate Permit Issued	927 Whitehorse Rd, Box Hill	Elgar	Display of business identification signage	Business
813	17-11-14	Delegate Permit Issued	70 Orchard Grv, Blackburn South	Central	Construction of two (2) attached double storey dwellings	Multiple Dwellings
823	28-11-14	Delegate Permit Issued	1/56 Tyne St, Box Hill North	Elgar	Amendment to plans for construction of four double storey dwellings	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
826	28-11-14	Delegate Permit Issued	5 Marian Crt, Blackburn	Central	Construction of three double dwellings	Permit Amendment
828	03-11-14	Delegate Permit Issued	87 Thames St, Box Hill	Elgar	7 lots subdivision	Subdivision
829	10-11-14	Delegate Permit Issued	23 Mitchell Rd, Mont AlbertNorth	Elgar	Construction of three double storey dwellings	Multiple Dwellings
839	20-11-14	Delegate Permit Issued	18 Prince St, Box Hill South	Riversdale	Addition of one (1) double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
844	14-11-14	Delegate Permit Issued	9 Halifax St, Mont AlbertNorth	Elgar	Construction of two double storey dwellings	Multiple Dwellings
859	14-11-14	Delegate Permit Issued	17 Poplar St, Box Hill	Elgar	Construction of an seven (7) storey building, comprising 43 dwellings, basement car parking and a reduction in standard car parking requirement	Multiple Dwellings
860	07-11-14	Delegate Permit Issued	7 Arundel Crt, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
886	03-11-14	Delegate Permit Issued	18-20 Venice St, Box Hill South	Riversdale	2 lot subdivision	Subdivision
888	11-11-14	Delegate Permit Issued	20 Roberts Ave, Box Hill South	Riversdale	2 lot subdivision	Multiple Dwellings
892	28-11-14	Delegate Permit Issued	57 Wattle Valley Rd, Mitcham	Springfield	Buildings and works to replace an existing deck within 4 metres of protected trees and removal of three (3) trees	Special Landscape Area
897	28-11-14	Delegate Permit Issued	11 Penrose St, Box Hill South	Riversdale	Construction of one double storey dwelling to the rear of an existing single storey dwelling on a corner lot	Multiple Dwellings
898	27-11-14	Delegate Permit Issued	4/25-39 Cook Rd, Mitcham	Springfield	Use of land for dancing school	Industrial
907	03-11-14	Delegate Permit Issued	31 Wellman St, Box Hill South	Riversdale	2 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
908	10-11-14	Delegate Permit Issued	1/287-289 Station St, Box Hill South	Riversdale	Consolidation and redevelopment of 38 strata titles to 20 residential including an extension to the first floor and reduction of car parking	Multiple Dwellings
909	10-11-14	Delegate Permit Issued	3 Valma Crt, Forest Hill	Springfield	Construction of a single storey dwelling to the rear of the existing dwelling	Multiple Dwellings
916	13-11-14	Delegate Permit Issued	1/754 Whitehorse Rd, Mitcham	Springfield	Amendment to height and design of approved front fence	Permit Amendment
919	20-11-14	Delegate Permit Issued	18 Britannia Mall Mitcham	Springfield	Alterations and additions to existing shop in Commercial 1 Zone	Permit Amendment
943	03-11-14	Delegate Permit Issued	5 Lithgow Ave, Blackburn	Central	4 Lot Subdivision	Subdivision
945	19-11-14	Delegate Permit Issued	700 Canterbury Rd, Surrey Hills	Riversdale	Construction of a front fence	Residential (Other)
948	12-11-14	Delegate Permit Issued	110-112 Whitehorse Rd, Blackburn	Central	Display of one (1) internally illuminated and animated business identification sign	Advertising Sign
960	28-11-14	Delegate Permit Issued	407-415 Canterbury Rd, Vermont	Springfield	Display of internally illuminated sign	Advertising Sign
966	19-11-14	Delegate Permit Issued	347 Burwood Hwy, Forest Hill	Morack	Buildings and works to the existing building including an ancillary food and drink premises	Business
970	28-11-14	Delegate Permit Issued	166 Rooks Rd, Nunawading	Springfield	Use of land for Motor Repairs (Brake Repair Centre), reduction in the standard car parking requirement and associated buildings and works	Industrial
974	20-11-14	Delegate Permit Issued	11B Clarice Rd, Box Hill South	Riversdale	4 lot subdivision	Subdivision
996	03-11-14	Delegate Permit Issued	Suite 1/1-3 Rooks Rd, Nunawading	Springfield	2 lot subdivision	Subdivision
998	20-11-14	Delegate Permit Issued	4 Simon St, Blackburn North	Central	Construction of three (3) double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1012	18-11-14	Delegate Permit Issued	1/17 Grey St, Vermont	Springfield	Building and works to construct an extension to a dwelling	Special Landscape Area
1023	14-11-14	Delegate Permit Issued	37 Springfield Rd, Box Hill North	Elgar	2 lot subdivision	Subdivision
1024	27-11-14	Delegate Permit Issued	11 Stuart Cres, Nunawading	Springfield	3 lot subdivision	Subdivision
1033	28-11-14	Delegate Permit Issued	9 Alern Crt, Nunawading	Springfield	Two lot subdivision	Subdivision
1035	20-11-14	Delegate Permit Issued	49 Hanover Rd, Vermont South	Morack	Two lot subdivision	Subdivision
1037	28-11-14	Delegate Permit Issued	Level 2 16-18 Ellingworth Pde, Box Hill	Elgar	Reduction in carparking for use as a medical centre	Business
1039	28-11-14	Delegate Permit Issued	244-246 Whitehorse Rd, Nunawading	Springfield	Use of the land for a Restricted Recreation Facility (fitness centre) and display of advertising signage	Business
1044	19-11-14	Delegate Permit Issued	1/3 Grey St, Vermont	Springfield	Erecting picket fence 1.4m height in front of property	VicSmart - General Application
1047	21-11-14	Delegate Permit Issued	35 Timbertop Drv, Vermont	Morack	2 Lot Subdivision	Subdivision
1049	28-11-14	Delegate Permit Issued	19 Nurlendi Rd, Vermont	Morack	2 Lot Subdivision	Subdivision
1051	27-11-14	Delegate Permit Issued	19 McClares Rd, Vermont	Morack	2 lot subdivision	Subdivision
1056	13-11-14	Delegate Permit Issued	8 Edinburgh Rd, Blackburn South	Central	Two lot subdivision	Subdivision
1057	17-11-14	Delegate Permit Issued	23 Statesman Ave, Burwood East	Riversdale	Two lot subdivision	Subdivision
1062	27-11-14	Delegate Permit Issued	11 Market St, Box Hill	Elgar	Display electronic and promotion signage	Advertising Sign
1063	28-11-14	Delegate Permit Issued	722 Canterbury Rd, Surrey Hills	Riversdale	Two lot subdivision	Subdivision
1066	21-11-14	Delegate Permit Issued	12 Little St, Box Hill South	Riversdale	Two lot subdivision	Subdivision
1069	13-11-14	Delegate Permit Issued	28 Valda Ave, Mont AlbertNorth	Elgar	Two lot subdivision	Subdivision
1071	13-11-14	Delegate Permit Issued	252 Middleboroug h Rd, Blackburn South	Central	Two lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1078	21-11-14	Delegate Permit Issued	50 Swan St, Blackburn South	Central	2 lot subdivision	Subdivision
1079	03-11-14	Delegate Permit Issued	95 Mount Pleasant Rd, Nunawading	Springfield	Buildings and works to alter and extend the existing building	Business
1086	07-11-14	Delegate Permit Issued	15 Trawool St, Box Hill North	Elgar	Buildings and works to alter and extend the existing ground floor shops and construct a new double storey dwelling above each shop, and a waiver of car parking (shop extension)	Business
1088	28-11-14	Delegate Permit Issued	4/60-64 Foch St, Box Hill South	Riversdale	Buildings and works for the construction of an alfresco	Residential (Other)
1089	19-11-14	Delegate Permit Issued	12 Nymph St, Mitcham	Springfield	Removal of one (1) tree	VicSmart - General Application
1095	28-11-14	Delegate Permit Issued	3 Beaver St, Box Hill South	Riversdale	Two lot subdivision	Subdivision
1098	27-11-14	Delegate Permit Issued	22 Shepherd St, Surrey Hills	Riversdale	Two lot subdivision	Subdivision
1099	17-11-14	Delegate Permit Issued	14 Cadorna St, Box Hill South	Riversdale	Two lot subdivision	Subdivision
1105	27-11-14	Delegate Permit Issued	19 Jenner St, Blackburn South	Riversdale	Two lot subdivision	Subdivision
1108	26-11-14	Delegate Permit Issued	1/14 Iris St, Burwood	Riversdale	Buildings and works to construct a garage	Residential (Other)
1109	13-11-14	Delegate Permit Issued	16 Owen St, Mitcham	Springfield	Tree removal	VicSmart - General Application
1112	18-11-14	Delegate Permit Issued	532-542 Station St, Box Hill	Elgar	Installation of a disability access lift	VicSmart - General Application
1124	17-11-14	Delegate Permit Issued	43 Gardenia St, Blackburn	Central	Removal of one tree	VicSmart - General Application
1129	25-11-14	Delegate Permit Issued	34 The Ave, Blackburn	Central	Tree removal in a Significant Landscape Overlay	VicSmart - General Application
1143	27-11-14	Delegate Permit Issued	280 Elgar Rd, Box Hill South	Riversdale	Removal of one (1) tree	VicSmart - General Application
1152	26-11-14	Delegate Permit Issued	545 Mitcham Rd, Vermont	Springfield	To remove Silky Oak tree	VicSmart - General Application
32	26-11-14	Delegate Refusal Issued	163 Dorking Rd, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
281	28-11-14	Delegate Refusal Issued	1/63 Doncaster East Rd, Mitcham	Springfield	Construction of a verandah	Residential (Other)
354	27-11-14	Delegate Refusal Issued	16 Dunlavin Rd, Nunawading	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
438	20-11-14	Delegate Refusal Issued	43 Orient Ave, Mitcham	Springfield	Construction of three double storey dwellings	Multiple Dwellings
470	28-11-14	Delegate Refusal Issued	41 Barkly Trc, Mitcham	Springfield	Construction of five (5) three storey semi detached dwellings	Multiple Dwellings
535	12-11-14	Delegate Refusal Issued	311 Mitcham Rd, Mitcham	Springfield	Development of land for two (2) dwellings	Multiple Dwellings
546	19-11-14	Delegate Refusal Issued	7 Prince Edward Ave, Mitcham	Springfield	Development of land for four (4) dwellings	Multiple Dwellings
600	20-11-14	Delegate Refusal Issued	28 Edwards St, Burwood	Riversdale	Construction of four (4) double storey dwellings	Multiple Dwellings
605	28-11-14	Delegate Refusal Issued	1/54 McIntyre St, Burwood	Riversdale	Construction of two double storey semi-detached dwellings on Lot 1	Multiple Dwellings
620	17-11-14	Delegate Refusal Issued	58 Melrose St, Mont AlbertNorth	Elgar	Construction of two dwellings	Multiple Dwellings
675	19-11-14	Delegate Refusal Issued	3 Puerta St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
692	24-11-14	Delegate Refusal Issued	948 Canterbury Rd, Box Hill South	Riversdale	Construction three double storey dwellings and alteration of access to a Road Zone, Category 1	Multiple Dwellings
725	28-11-14	Delegate Refusal Issued	5 Valma Crt, Forest Hill	Springfield	Construction of three (3) double storey dwellings	Multiple Dwellings
748	28-11-14	Delegate Refusal Issued	1 Parer St, Burwood	Riversdale	Construction of four double storey dwellings	Multiple Dwellings
764	27-11-14	Delegate Refusal Issued	29 Uganda St, Burwood	Riversdale	Development of land for two dwellings (retention of existing double storey dwelling and construction of one double storey dwelling)	Multiple Dwellings
778	12-11-14	Delegate Refusal Issued	12 Efron St, Nunawading	Springfield	Construction of four double storey dwellings	Multiple Dwellings
783	28-11-14	Delegate Refusal Issued	75 Jolimont Rd, Forest Hill	Morack	Carparking reduction for retail and wholesale butcher	Business

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
797	10-11-14	Delegate Refusal Issued	12 Hamel St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
866	17-11-14	Delegate Refusal Issued	12 Gawler Crt, Mont Albert	Elgar	Removal of Easement	Subdivision
922	25-11-14	Delegate Refusal Issued	125 Lake Rd, Blackburn	Springfield	Concrete works and removal of one tree in a SLO 2	Special Landscape Area
978	20-11-14	Delegate Refusal Issued	44 Efron St, Nunawading	Springfield	Construction of three double storey dwellings	Multiple Dwellings
279	24-11-14	No Permit Required	120 Thames St, Box Hill North	Elgar	Use and Development for a Medical Centre within a three(3) storey building plus basements and a reduction in the car parking requirement	Permit Amendment
1084	20-11-14	No Permit Required	1/420 Belmore Rd, Mont AlbertNorth	Elgar	Louvred sun control system in a GRZ4	Residential (Other)
560	12-11-14	Permit Corrected	87 Clyde St, Box Hill North	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
669	28-11-14	Permit Corrected	15 Leopold Cres, Mont Albert	Elgar	Construction of a double storey dwelling to the rear of an existing dwelling	Multiple Dwellings
525	07-11-14	Withdrawn	51 Gissing St, Blackburn South	Central	New Dwelling in a Significant Landscape Overlay 2	Special Landscape Area
596	14-11-14	Withdrawn	53 Cadorna St, Box Hill South	Riversdale	Development of land for two dwellings	Multiple Dwellings
666	11-11-14	Withdrawn	38 Holyrood Drv, Vermont	Morack	Construction of a double storey dwelling and removal of trees in a Significant Landscape Overlay 8	Special Landscape Area
865	07-11-14	Withdrawn	205 Dorking Rd, Box Hill North	Elgar	Multi dwelling development	Multiple Dwellings
14927	13-11-14	Withdrawn	381 Mitcham Rd, Mitcham	Springfield	Buildings and works on two (2) dwellings on a lot (modification to the layout and setback of the rear dwelling)	Permit Amendment

**BUILDING DISPENSATIONS/APPLICATIONS NOVEMBER 2014**

Address	Date	Ward	Result
15 Bridgeford Avenue, Blackburn North	18-11-2014	Central	Granted R409
39 Marchiori Road, Blackburn North	24-11-2014	Central	Granted R409
4 Rodney Close, Blackburn South	24-11-2014	Central	Granted R409
58 Canora Street, Blackburn South	19-11-2014	Central	Granted R420
6 Baird Court, Blackburn South	11-11-2014	Central	Granted R409
9 Railway Road, Blackburn	26-11-2014	Central	Granted R427
97 Koonung Road, Blackburn North	28-11-2014	Central	Granted R424
13 Katrina Street, Blackburn South	11-11-2014	Central	Refused R409
19 Faulkner Street, Blackburn South	26-11-2014	Central	Refused R424
58 Canora Street, Blackburn South	19-11-2014	Central	Refused R409
3 Albany Crescent, Surrey Hills	14-11 -2014	Elgar	Approved R425
1/110 Windsor Crescent, Surrey Hills	11-11-214	Elgar	Granted R427
16-18 main Street, Box Hill	11-11-2014	Elgar	Granted R604
29 Olympiad Crescent, Box Hill North	07-11-2014	Elgar	Granted R418
46 Graham Place, Box Hill	18-11-2014	Elgar	Granted R604
49 Saxon Street, Box Hill North	28-11-2014	Elgar	Granted R414
5 Blenheim Avenue, Mont Albert	24-11-2014	Elgar	Granted R414
546 Elgar Road, Box Hill North	17-11-2014	Elgar	Granted R604
69 Orchard crescent, Mont Albert North	14-11-2014	Elgar	Granted R409
740 Station street, Box Hill	20-11-2014	Elgar	Granted R604
744 Station Street, Box Hill	28-11-2014	Elgar	Granted R604
836 - 850 Whitehorse Road, Box Hill	07-11-2014	Elgar	Granted R426, R424, R425, R427
13 Morris Avenue, Mont Albert North	18-11-2014	Elgar	Refused R409
30 Belgravia Avenue, Mont Albert North	25-11-2014	Elgar	Refused R426
49 Saxton Street, Box Hill North	28-11-2014	Elgar	Refused R417
80 Albion Road, Box Hill	14-11-2014	Elgar	Refused R409
546 Elgar, Box Hill North	14-11-2014-	Elgar	Expired R604, R604
25 Thornhill, Forest Hill	20-11-2014	Morack	Approved R409
1 Newhaven Road, Burwood East	07-11-2014	Morack	Granted R424
1 O'Grady Street, Burwood East	25-11-2014	Morack	Refused R424
19 Panorama Drive, Forest	11-11-2014	Morack	Refused R417
9 Wilkinson Street, Burwood East	07-11-2014	Morack	Refused R409
3 Spence Street, Burwood	11-11-2014	Riversdale	Granted R415
307 Station Street, Box Hill South	13-11-2014	Riversdale	Granted R427
5 Hughes Street, Burwood	26-11-2014	Riversdale	Granted R415
5 Warren Street, Burwood	28-11-2014	Riversdale	Granted R414
6 Pembroke Street, Surrey Hills	20-11-2014	Riversdale	Granted R414, Withdrawn R417
13 Neville Street, Box Hill South	10-11-2014	Riversdale	Refused R415
20 Scottsdale Street, Surrey Hills	26-11-2014	Riversdale	Refused R424
3 Spence Street, Burwood	11-11-2014	Riversdale	Refused R420
6 Emmy Court, Burwood	18-11-2014	Riversdale	Refused R418
1 Bowling Green Lane, Mitcham	20-11-2014	Springfield	Granted R431
Albert Street, Mitcham	13-11-2014	Springfield	Granted R414
131 Central Road, Nunawading	14-11-2014	Springfield	Granted S57
1B Burnett Street, Mitcham	26-11-2014	Springfield	Granted R427
57 Menin Road, Forest Hill	18-11-2014	Springfield	Granted R415
6 Valma Court, Forest Hill	18-11-2014	Springfield	Granted R415, Refused R424
7 Russell Street, Nunawading	19-11-2014	Springfield	Granted R414

**DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – NOVEMBER 2014**  
*Under the Planning and Environment Act 1987*

Nil

**REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION NOVEMBER 2014**

<b>Contract</b>	<b>Service</b>
14007	Parkmore Village Shopping Centre Streetscape Renewal Works
14013	Blackburn Lake Sanctuary Play Space

**REGISTER OF PROPERTY DOCUMENTS EXECUTED NOVEMBER 2014**

<b>Property Address</b>	<b>Document Type</b>	<b>Document Detail</b>
Temporary building adj Aqualink Box Hill - 31 Surrey Drive, Box Hill - Surrey Park Swimming Club Inc.	Surrender of Lease	Landlord (date of surrender 9/11/2014)
Aqualink Box Hill - 31C Surrey Drive, Box Hill - Surrey Park Swimming Club Inc.	Lease	Landlord (9 years expires 9/11/2023)
7/5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 31/01/2015)
9/5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 17/05/2015)
Room 2/5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 19/04/2015)
1/5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 31/05/2015)
1A/5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 16/01/2015)
<b>Licences</b>		
Part of Whitehorse Reserve (adj Box Hill High School) - Department of Education and Early Childhood Development	Licence - Access Agreement (dated 24/9/14)	Extension of Agreement to 7/11/2014
Office area - Sportlink, 2 Hanover Road, Vermont South - Eastern Recreation and Leisure Services	Surrender of Licence	Landlord (date of surrender 3/11/2014)
Suite 2, Level 1, Centro Box Hill, Main Street Box Hill - K.Y.M. (Victoria) Incorporated (Youth Connections)	Licence dated 12/8/13	Extension of Agreement to 31/12/2014
8A Prospect Street, Box Hill - Ace Parking Pty Ltd	Licence	Landlord (1 year expires 30/11/2015)
<b>Land Transfers</b>		
Rear 27 O'Shannessy Street, Nunawading	Road Discontinuance	Transfer of Land Section 207D Local Government Act 1989
Rear 48 Begonia Street, Box Hill South	Road Discontinuance	Transfer of Land Section 207D Local Government Act 1989
Rear 48 Begonia Street, Box Hill South	Creation of Easement Deed	Section 45 (1) of Transfer of Land Act 1958
Rear 9 Cunningham Street and 2 Cherryhinton Street, Box Hill	Road Discontinuance	Transfer of Land Section 207D Local Government Act 1989
Rear 9 Cunningham Street and 2 Cherryhinton Street, Box Hill	Creation of Easement Deed	Section 45 (1) of Transfer of Land Act 1958

**REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – NOVEMBER 2014**

Nil

**PARKING RESTRICTIONS APPROVED BY DELEGATION NOVEMBER 2014**

**Address:** Mitcham Off Street Car Park: from Victoria Avenue to Enterprise Way  
**Previously:** 3P 8am-8pm,-Mon Sat  
**Now:** 1/4P  
**Spaces:** 2

**Address:** Good Governs Street, Mitcham: from 27 Good Governs St to 33 Good Governs Street  
**Previously:** Unrestricted  
**Now:** 2P 8am-6pm, Mon - Fri  
**Spaces:** 8

**Address:** Minna Street, Blackburn: from Whitehorse Road to Dora Street  
**Previously:** No parking, 7am to 6pm, Mon to Fri  
**Now:** ½ hr, 7am to 6pm, Mon - Fri  
**Spaces:** 10

**Address:** McIntyre Street, Burwood: from Ireland Street to 51 McIntyre Street  
**Previously:** Unrestricted  
**Now:** 2P 8am to 6pm, Mon to Fri  
**Spaces:** 10

**Address:** William Road Balckburn: from Statutory No stopping at Harold Street Intersection to Power Pole at No. 66  
**Previously:** Unrestricted  
**Now:** No Stopping  
**Spaces:** 1

**Address:** Springfield Road, Blackburn North: from Peter Avenue to Gay Street  
**Previously:** No Stopping 4-6pm, Mon Fri  
**Now:** Unrestricted  
**Spaces:** 5

**VENDOR PAYMENT SUMMARY – SUMS PAID DURING NOVEMBER 2014**

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
06.11.14	599.60	6	EFC
06.11.14	54,975.28	41	CHQ
06.11.14	314,910.66	47	EFT
06.11.14	374.90	1	CHQ
11.11.14	71,034.08	37	EFT
13.11.14	594.86	5	EFC
13.11.14	343,085.66	59	CHQ
13.11.14	1,548,085.06	313	EFT
20.11.14	1,974.16	11	EFC
20.11.14	40,601.99	43	CHQ
20.11.14	289,207.96	49	EFT
20.11.14	3,299.82	1	CHQ
25.11.14	68,130.63	37	EFT
27.11.14	12,109.95	14	EFC
27.11.14	57,352.89	71	CHQ
27.11.14	2,824,531.85	411	EFT
28.11.14	34,529.46	11	EFT
28.11.14	2,148.85	3	CHQ
28.11.14	46,209.88	2	EFT
<b>Monthly Leases</b>	30,000.00		DD
<b>GROSS</b>	5,743,757.54	1162	
<b>CANCELLED PAYMENTS</b>	11,423.06	10	
<b>NETT</b>	5,732,334.48	1152	

**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 reports from delegates be received and noted*

**10.2 Recommendations from the Special Committee of Council Meeting**

No meeting held

**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
8 -12- 14	<p><b>Councillor Informal Briefing Session</b></p> <ul style="list-style-type: none"> <li>6.2 Notice of Motion No. 80</li> <li>9.2.1 Tree Protection Options Report</li> <li>Council Agenda 8 December 2014</li> </ul>	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	N Duff T Wilkinson P Warner P Smith J Green A De Fazio J Russell S Freud	Nil	
19-01-15	<p><b>Councillor Briefing Session</b></p> <ul style="list-style-type: none"> <li>Land Transaction</li> <li>Council Agenda 27 January 2015</li> </ul>	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	N Duff P Warner P Smith J Green J Russell A Egan W Gerhard P Neivandt	Nil	

**RECOMMENDATION**

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

**11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE**

**RECOMMEDATION**

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

**12 CONFIDENTIAL REPORTS**

None Submitted

**13 CLOSE MEETING**