



City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 17 August 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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Meeting opened at 7.00pm

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

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

The Mayor welcomed all.

APOLOGIES:

Cr Davenport and Cr Bennett have sought a leave of absence for the Ordinary Council meeting to be held 21 September 2015.

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Carr

That the apology from Cr Davenport and Cr Bennett be received for the Ordinary Council meeting to be held 21 September 2015 and that the leave of absence be granted.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 20 July 2015 and Confidential Minutes 20 July 2015.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Ellis

That the minutes of the Ordinary Council Meeting of 20 July 2015 and Confidential Minutes of 20 July 2015 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

- 5.1 Ms Moira Hodgkiss, Mont Albert submitted a question in relation to Item 9.1.2 50 Kenmare Street Mont Albert (LOT 119 LP 8375 ECSS) – Development of land for four (4) double storey dwellings, comprising three (3) three-bedroom dwellings and one (1) two-bedroom dwelling

The Chief Executive Officer Ms Noelene Duff responded to the question on behalf of Council.

- 5.2 Ms Elizabeth Meredith, WERA submitted a question in relation to Item 9.1.1 Deakin University Pedestrian Bridge.

The Chief Executive Officer Ms Noelene Duff responded to the question on behalf of Council.

- 5.3 Dr T.H. Randle submitted a question in relation to Item 9.1.1 Deakin University Pedestrian Bridge.

The Chief Executive Officer Ms Noelene Duff responded to the question on behalf of Council.

6 NOTICES OF MOTION

6.1 Notice of Motion 89– Cr Daw

COUNCIL MOTION

Moved by Cr Daw, Seconded by Cr Bennett

That Council:

- 1. *Call on the State Government to***
 - a) Prepare and release an economic impact statement as a result of the introduction of rate capping commencing in 2016-2017.***
 - b) Lead by example by capping all State increases in fees, charges and taxes to the same rate cap percentage imposed on Local Government.***
- 2. *Identify all cuts to future budgets arising from rate capping***
 - a) In the Council budget documents, including in Councils Annual report the impact on Councils service delivery programs.***

and

 - b) Publically to the community.***
- 3. *Advise all community members and community groups:***
 - To direct any concerns regarding such cuts to the State Government as the responsible authority for imposing rate capping.***
 - That any concerns directed to Council will be referred to the State Government.***
- 4. *Advise the Premier, Minister for local Government, opposition and minor parties, the MAV, and VLGA of this decision.***

A division was called

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

On the results of the Division the motion was declared CARRIED

6.2 Notice of Motion 90 – Cr Munroe

COUNCIL MOTION

Moved by Cr Ellis, Seconded by Cr Bennett

That Council:

- a) *Endorses the establishment of the Alliance for Gambling Reform (Alliance) as the newly-formed national collaboration of organisations with a shared concern about the harmful impacts of gambling in Australia, specifically electronic gaming machines.*
- b) *Supports the Alliance campaign for reforms to the gambling industry to reduce harm from gambling, particularly to vulnerable communities.*
- c) *Writes to the Alliance commending them on the formation of the Alliance and confirming Council's support.*

CARRIED UNANIMOUSLY

6.3 Notice of Motion 91 – Cr Harris

COUNCIL MOTION

Moved by Cr Harris, Seconded by Cr Carr

That Council:

1. *Supports the initiative of the Federal Minister Greg Hunt in examining the possible establishment of a national lottery whose profits would be used to support heritage and the arts, including making grants available for the community history and heritage movement. Such a lottery has operated successfully in England for many years.*
2. *Writes to our Federal Members Anna Burke and Michael Sukkar, encouraging them to join the recently formed intra-party Parliamentary Friends of History and Heritage, and urging them to support Minister Hunt's initiative in establishing a lottery which will benefit the community rather than private enterprise.*

CARRIED

7 PETITIONS

Nil

8 URGENT BUSINESS

Nil

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 Deakin University- Pedestrian Bridge

FILE NUMBER: WH/2009/652

SUMMARY

Council has received a request from Deakin University for City of Whitehorse, as the Public Land Manager, to provide consent as required by the Public Park and Recreation Zone for Deakin University to submit an application for a Planning Permit for a bridge linking the two campuses. This report discusses the merits of the University's request, and recommends that Council, as Public Land Manager, provides consent to Deakin University for the lodging of a Planning Permit Application.

COUNCIL MOTION

Moved by Cr Davenport, Seconded by Cr Ellis

That Council:

- A. As Committee of Management under the Crown Land (Reserves) Act 1978 and as Public Land Manager under Clause 36.02-3 of the Whitehorse Planning Scheme issues its consent to Deakin University 'to the application for Planning Permit being made' for the proposed pedestrian bridge.**
- B. Advise Deakin University of the following expectations for a Planning Permit Application:**
 - a. That Deakin University will submit with its planning application all necessary information required by Council relating to the construction, management and operation of the proposed pedestrian bridge.**
 - b. That Deakin University will seek approval, as required, under Clause 52.17 of the Whitehorse Planning Scheme for removal of native vegetation in its application.**
 - c. That Deakin University will fully participate in any community consultation process including an information session and a community forum as part of the planning application process for the proposed bridge.**
 - d. That Deakin University confirm that at no time will vehicular access be provided for or undertaken on the proposed bridge (other than by disability access, emergency vehicles, bicycles and maintenance buggies).**

The decision to issue consent under Part A in no way implies that Council has considered the merits or otherwise of the proposed pedestrian bridge and that such a decision will only be made following a detailed assessment and a thorough community consultation process through the planning application process under the Planning and Environment Act 1987 and relevant Council policies.

9.1.1

(cont)

AMENDMENT

Moved Cr Stennett, Seconded by Cr Daw

That Council:

- A. As Committee of Management under the Crown Land (Reserves) Act 1978 and as Public Land Manager under Clause 36.02-3 of the Whitehorse Planning Scheme issues its consent to Deakin University 'to the application for Planning Permit being made' for the proposed pedestrian bridge.***

The decision to issue consent under Part A in no way implies that Council has considered the merits or otherwise of the proposed pedestrian bridge and that such a decision will only be made following a detailed assessment and a thorough community consultation process through the planning application process under the Planning and Environment Act 1987 and relevant Council policies.

LOST

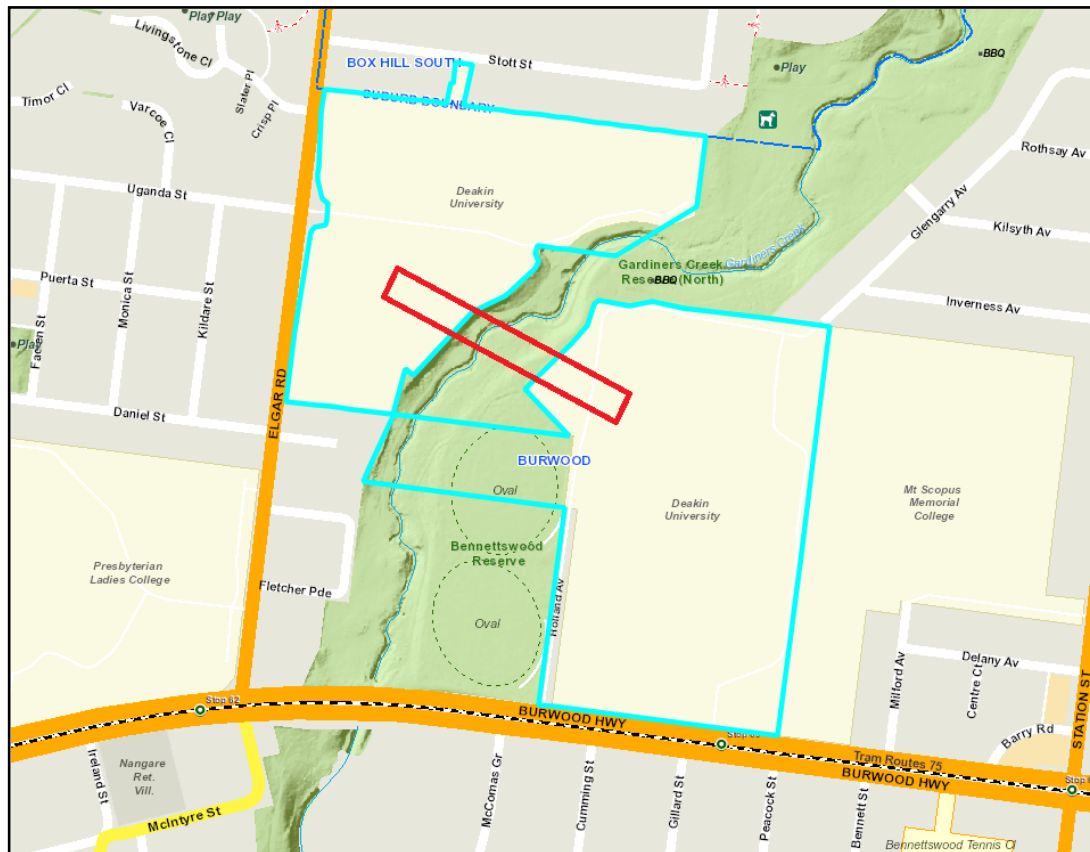
**The Council motion moved by Cr Davenport, Seconded by Cr Ellis was then put and
CARRIED**

9.1.1

(cont)

MELWAYS REFERENCE 61 A4

Applicant:	Deakin University
Zoning:	Public Park and Recreation Zone and Public Use Zone Schedule 2 (Education)
Overlays:	Design and Development Overlay Schedule 2 (Gardiner's Creek Environs) and Land Subject to Inundation Overlay
Relevant Clauses:	Clause 36.02-3 – Application requirements for Public Park and Recreation Zone
Ward:	Riversdale



Subject site

North

9.1.1

(cont)

BACKGROUND

The Burwood and Elgar campuses of Deakin University are bisected by the Gardiners Creek Reserve, which is included within the Public Park and Recreation Zone. Deakin University is seeking to construct a bridge between the campuses, over the Gardiners Creek Reserve.

Pursuant to Clause 36-02-3 of the Public Park and Recreation Zone:

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- *To the application for permit being made.*
- *To the application for permit being made and to the proposed use or development.*

Council is the Public Land Manager for the Gardiners Creek Reserve that is covered by the Public Park and Recreation Zone.

History

Council considered a report on the first request to submit a planning permit application for the interconnect project at its meeting on 19 September 2005, and resolved to refuse consent pending Deakin University undertaking community consultation and exploring other options to link the two campuses.

The University undertook a consultation program following this resolution and submitted a second request to submit a planning permit application for a bridge, which Council considered at its meeting on 20 February 2006. Council resolved to defer consideration on this request pending further discussions between the stakeholders led by the Mayor with the Minister for Planning and the Minister for Education, and Council seeking joint funding from the State Government to undertake an environmental impact study on the proposed bridge, and failing receiving funding, that Council refer the matter to budget deliberations for 2006/07.

A third request from Deakin University seeking authorisation to lodge a planning permit application for the bridge project was considered by Council at its meeting in March, 2008, and Council resolved to defer the matter.

In 2009, a VCAT hearing (P1983/2008) instigated by Deakin University, investigated whether Deakin University had the ability to Appeal against Council's decision and/or failure to make a decision in relation to the provision of consent pursuant to Clause 36-02-3 of the Public Park and Recreation Zone for Deakin University to lodge a Planning Permit Application. The Tribunal found that VCAT has the power to review Council's decision and/or failure to grant consent within a reasonable time in relation to the request to lodge a Planning Permit Application.

9.1.1

(cont)

Subsequently, this matter proceeded to a further hearing in relation to this Appeal against Council's failure to decide the initial request for a Planning Permit Application to be lodged. In the interim, Council had decided to grant consent to Deakin University lodging a Planning Permit Application for the proposed pedestrian bridge subject to conditions including:

- That Deakin University will submit all necessary information with its planning application, including, but not limited to, an Environmental Impact Study which addresses, in particular, the construction, management and operation of the proposed pedestrian bridge.
- That Deakin University will seek approval under Clause 52.17 of the Whitehorse Planning Scheme for removal of native vegetation in its application.
- That Deakin University will fully participate in any community consultation process including an information session and a community forum as part of the planning application process for the proposed bridge.
- That Deakin University confirm that at no time will vehicular access be provided for or undertaken on the proposed bridge (other than by disability access, bicycles and maintenance buggies).

The Tribunal found that several of the conditions that Council had attached to its consent for lodgement of a Planning Permit application pre-empted the assessment of the merits of the proposal which would be occurring as part of the assessment of the Planning Permit application. VCAT decided to affirm Council's consent to the lodgement of the Planning Permit application, subject to conditions requiring Deakin University to submit a complete Planning Permit application with all relevant supporting documents, participate in any consultation processes undertaken as part of the assessment process, and limit vehicular access over the bridge to bicycles, disability and maintenance access vehicles.

On 19 April 2010, Council refused Planning Permit application WH/2009/652 by Deakin University proposing the use and development of land for the purpose of a bridge, construction of a building and construction and carrying out of works, and removal of native vegetation. Following an appeal by Deakin University against the refusal, on 5 November 2010, VCAT directed that a Planning Permit be issued. This Planning Permit was not acted upon and has since expired.

Planning Permit WH/2008/168 was issued on 26 May, 2008, allowing the construction of temporary stairs on the north-west side of the Gardiner's Creek Reserve, adjacent to an existing set of stairs that provided pedestrian access between the University's facilities on both sides of Gardiner's Creek to accommodate the increase in the number of pedestrians crossing Gardiner's Creek. This Permit has been amended and the timeframe extended to allow these stairs to remain in place until 26 May 2017.

The Site and Surrounds

The Deakin University Campus at Burwood is located on either side of Gardiners Creek, on the north side of Burwood Highway, between Station Street and Elgar Road. The subject area is located 400 metres north of Burwood Highway, and encompasses land in the two University sites and within the Gardiners Creek Reserve.

The existing crossing over Gardiners Creek includes two sets of stairs on the west campus, and sloping paths on both the east and west sides of the creek. The route is indirect, as the stairs in particular do not align with the existing bridge, and the paths meander between the landscaped river banks.

9.1.1

(cont)

PROPOSAL

Deakin University is seeking consent under Clause 36-02.3 of the Whitehorse Planning Scheme to submit a Planning Permit application to construct and use a bridge over the Gardiners Creek Reserve between the Burwood and Elgar campuses. This bridge is to be known as "The Burwood Link".

The proposed bridge is intended:

- To be Disability Discrimination Act 1992 (DDA) compliant.
- To have only one point of contact with the ground within the Gardiners Creek Reserve.
- To be visually permeable when viewed from the Reserve.
- To minimise tree removal/impacts.
- To provide clear viewlines across the bridge and CCTV camera surveillance.

In support of this request, Deakin University has advised that the existing Gardiners Creek crossing linking the two campuses:

- Is not safe.
- Is not compliant with the Disability Discrimination Act 1992.
- Carries 40,000 crossings per week over the current bridge.

CONSULTATION

Public Notice

It is noted that if permission were given to Deakin University to submit an application then that application would need to be assessed on its merits and appropriate notice, where required, would need to be given.

Deakin University has already undertaken a Stakeholder meeting regarding the current Burwood Link proposal, which was held at Deakin University on Wednesday, 20 May 2015. Deakin University has advised Council that approximately 55 people attended including Councillor Davenport and the State Member for Burwood, Mr Graham Watt MP. Representatives from the local Burwood community, Victoria Police, Mount Scopus Memorial College, disability advocates, St Leo's Football Club, Deakin University staff, Deakin University students and others also attended this session.

DISCUSSION

This discussion will consider a request made by Deakin University for Council's consent to apply for a Planning Permit application for the Burwood Link bridge.

9.1.1

(cont)

Regulatory Framework

The proposed pedestrian bridge across Gardiners Creek Reserve, linking the Burwood and Elgar campuses of Deakin University requires a Planning Permit pursuant to several provisions of the Whitehorse Planning Scheme. The provision relevant here is the Public Park and Recreation Zone which requires, at Clause 36.02-3, that:

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- *To the application for permit being made.*
- *To the application for permit being made and to the proposed use or development.*

Whitehorse City Council is the Public Land Manager for the Gardiners Creek Reserve because it has the responsibility for the care and management of this reserve, by virtue of having been appointed as the Committee of Management under the Crown Land (Reserves) Act 1978.

Decision Guidelines

Council's decision in relation to Deakin University's request for consent to lodge a Planning Permit application must also satisfy the following elements:

- It must be in writing;
- It may be given with or without conditions; and,
- It can either give consent to the lodging of the application only or consent to the lodging of the application and to the proposed use and development.

It is noted that consideration of this request in no way constitutes an assessment of the merits of the proposal, but requires Council, in its role as Public Land Manager, to consider whether to consent to Deakin University lodging a Planning Permit application.

In the VCAT decision on the 2009 case (P1983/2008 noted above), the Tribunal determined that when assessing a request for consent to lodge Planning Permit applications, there is an implication that the Public Land Manager will not withhold consent unreasonably. The Tribunal noted that the provision of consent to lodge a Planning Permit application in no way pre-supposed final approval for a development, as there are several subsequent application processes required before the bridge could be built, including the assessment of the Planning Permit application, and the final consent of the Committee of Management under the Crown Land (Reserves) Act 1978. Instead, the Tribunal found that: *the processes associated with a decision by the Responsible Authority about whether or not to grant a permit, which include notice and public participation in the decision making process, will have the effect of better informing the Public Land Manager about the proposed use or development and better equip it to make its own decision under the Crown Land (Reserves) Act 1978.*

A further finding from VCAT in relation to this matter was that there was only one reason for a Public Land Manager to refuse consent to a permit application being made by a non-Public Land Manager, and this would be a clear non-compliance with public policy, and the reasons for withholding consent should be provided in order that they can be understood and reviewed by the Tribunal.

The Planning Scheme does not list any matters to consider when deciding whether to grant the requested consent, as the merits of the proposed bridge will be dealt with through the Planning Permit application process.

9.1.1

(cont)

Policy Discussion

Despite the limited guidance provided to Council in the Planning Scheme and previous Tribunal decision as to what matters should be taken into consideration, Council's ultimate decision on the request must be reasonable and justified. The Tribunal has directed that public policy should guide Council's discretion. Accordingly, a basis for consideration could be the usual matters a landowner/manager would consider in providing consent to others to lodge an application.

These matters should relate to the terms on which Council was appointed Committee of Management. The terms of appointment in this instance are as follows:

Under Section 14 of the Crown Land (Reserves) Act 1978 I appoint the Council of the City of Box Hill as a Committee of Management of the land being Crown Allotment 49G, Parish of Nunawading temporarily reserved as a site for Public Park and Recreation by Order in Council of 23 April, 1991.

Consideration therefore needs to include an assessment of what the land is managed for currently, long term plans for the site/area and the impact that the proposed use/development will have on the management of the site. The area of land for which consent is sought is currently managed by Council as part of the Gardiner's Creek Reserve. The reserve as a whole has a number of purposes, including being part of a metropolitan linear bicycle trail network, a vegetation corridor between Blackburn Lake and the municipal boundary and provides an area for passive and active recreation between Station Street and Burwood Highway.

The Whitehorse Open Space Strategy 2007, at Section 18.7.1, recommends that a Landscape Master Plan is prepared for the Gardiners Creek Linear Reserve to achieve a number of objectives, including managing the interface of adjoining land, especially Deakin University. Although there has been no Master Plan prepared to date for the Gardiners Creek Reserve, it is likely that the long-term management of the reserve and area would continue to provide and enhance the area as a community space for active and passive recreation and to enhance the vegetation corridor through the planting of indigenous vegetation.

Accordingly, consideration needs to be given to the policy impacts of the proposed link on the management of the reserve as a public park and for public recreation. It is anticipated that the proposed development will not unreasonably interfere with the public use of the trails, planted areas and lawns for recreation. In the final decision by VCAT on the 2009 case, the Tribunal found that a bridge over the reserve would be more likely to enhance the recreational experience and enjoyment of the linear reserve at ground level, by removing high volumes of Deakin University students and staff commuting across Gardiners Creek, perpendicular to the alignment of the linear reserve.

The benefits of improving accessibility also cannot be ignored. The existing ground level crossing includes several flights of stairs, which are a barrier to people with limited mobility. The route is also circuitous and poorly lit at night, thereby reducing pedestrian safety. Accessibility for the broader community could also be improved by providing an alternative access route with views over the Gardiners Creek through the university from west of Elgar Road and from Wattle Park. The Whitehorse Open Space Strategy 2007 includes recommendations for new paths and structures to meet all-ability access principles and standards (at Sections 6.1.2, 6.3.2).

The bridge will be required to comply with Part D3 of the Building Code of Australia, and the Disability Discrimination Act 1992.

9.1.1

(cont)

The Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2007 provide a framework for the protection and management of Victoria's Aboriginal heritage with processes linked to the Victorian planning system. High impact activities in culturally sensitive landscapes, including the Gardiners Creek Reserve, can cause significant harm to Aboriginal cultural heritage, and as such the preparation of a Cultural Heritage Management Plan may be required. Compliance with these procedures through the Planning Permit application process will ensure that the requirements of the Victorian Aboriginal Affairs Policy can be met. Importantly, Council's consent to the lodgement of a Planning Permit application for the proposed bridge will not breach this policy.

It is noted that Section 8.2.1 of the Whitehorse Open Space Strategy 2007 requires development of properties adjoining open space to cause no loss of or potential future conflicts with trees. The proposed bridge will require the removal of some trees on both the Deakin University campuses and within the Gardiners Creek Reserve. However it is not considered that this is sufficient to refuse the proposed request, given that no merits assessment of the trees' condition and value has been or can be undertaken at this stage. The Planning Permit application process is the appropriate arena for consideration of the details of tree impacts to be weighed against all other relevant planning and policy considerations.

Providing consent to the request will also provide an opportunity for the proposed bridge to be considered on its merits against the relevant zone, overlay and particular provisions of the Whitehorse Planning Scheme and provides the ability for the community to fully participate in the assessment of the proposal through the notice requirements of the Scheme and the Planning and Environment Act 1987.

CONCLUSION

Deakin University has requested the consent of Council (as the Public Land Manager of the Gardiners Creek Reserve) to lodge a Planning Permit application for the Burwood Link bridge over Gardiners Creek between the Burwood and Elgar campuses of Deakin University. This request has been made pursuant to Clause 36.02-3 Public Park and Recreation Zone of the Whitehorse Planning Scheme. Council can provide consent to the lodging of the application, as Public Land Manager for this part of Gardiner's Creek Linear Reserve, with or without conditions.

The request has been considered in relation to the relevant public policies applicable. The merits or otherwise of the proposal are not required to be assessed as part of this process, as this will occur under the provisions of the Planning and Environment Act 1987, and the Whitehorse Planning Scheme, following the lodging of a formal Planning Permit application if consent to lodge is provided.

No public policies arguing against the granting of consent have been identified, and the proposed bridge appears to further the public policy objectives in relation to disability access, safety and the purpose of the Gardiners Creek Reserve.

It is therefore recommended that consent to submit a Planning Permit application be given. It is further recommended that Deakin University be advised of Council's expectations in relation to the scope of information provided with the application, participation in consultation processes and restrictions on the proposed bridge, consistent with the 2009 Tribunal decision to give consent for lodgment of a Planning Permit application.

9.1.2 50 Kenmare Street, MONT ALBERT (LOT 119 LP 8375 ECSS) – Development of land for four (4) double storey dwellings, comprising three (3) three-bedroom dwellings and one (1) two-bedroom dwelling

FILE NUMBER: WH/2013/848
ATTACHMENT

SUMMARY

This application was advertised, and a total of fourteen (14) objections were received. The objections raised issues in relation to neighbourhood character, landscaping, tree removal, traffic and parking and impact on infrastructure. A Consultation Forum was held on 26 May 2015 chaired by Councillor Harris, at which the issues were explored, however no resolution was reached between the parties. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. It is recommended that the application be supported, subject to conditions.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Chong

That Council:

- A. Being the Responsible Authority, having caused Application WH/2013/848 for 50 Kenmare Street, MONT ALBERT (LOT 119 LP 8375 ECSS) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the development of land for four (4) double storey dwellings, comprising three (3) three-bedroom dwellings and one (1) two-bedroom dwelling is acceptable and should be supported.***
- B. Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 50 Kenmare Street, MONT ALBERT (LOT 119 LP 8375 ECSS) for the development of land for four (4) double storey dwellings, comprising three (3) three-bedroom dwellings and one (1) two-bedroom dwelling, subject to the following conditions:***
 - 1. Before the development starts, or any trees or vegetation removed, amended plans (three copies in A1 size and one copy reduced to A3 size) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to 1:100 scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:***
 - a) Alfresco to Dwelling 1 must be setback a minimum of 2.5 metres from the eastern internal fence of the private open space.***
 - b) Alfresco to Dwellings 2 and 3 must be setback a minimum of 2.5 metres from the western side boundary.***
 - c) Provision of windows to the north facing wall of Dwelling 1 Bedroom 2.***
 - d) Provision of a minimum 450mm wide eave along the eastern wall of Dwelling 1 Bedroom 2.***
 - e) Entry porches to Dwellings 2 and 3 to be extended towards the central accessway by a minimum of 0.5 metres.***
 - f) The internal 1.8 metre high horizontal slat side fence to the north of Dwelling 2 entry porch to be relocated at minimum of 0.5 metres westward.***

9.1.2

(cont)

- g) Dwelling 4 ground and first floor setbacks to the western side boundary must be increased as per the following:**
 - i. Ground level meals area and alfresco to be setback a minimum of 3 metres.**
 - ii. Ground level master bedroom to be setback a minimum of 5.5 metres.**
 - iii. First floor Bedroom 2 to be setback a minimum of 5.5 metres.**
 - iv. First floor Bedroom 3 to be setback a minimum of 5 metres.**
- h) Provision of an external storage facility to Dwelling 4 in accordance with Clause 55.05-6 of the Whitehorse Planning Scheme.**
- i) The locations of Tree Protection Zones distances and measures described in Conditions 5 and 6, with all nominated trees clearly identified and numbered on both site and landscape plans, and a summary of the requirements of conditions 5 and 6 to be annotated on the development and landscape plans.**
- j) Provision of corner splay along the accessways at the frontage of the site in accordance with Design Standard 1 under Clause 52.06.**
- k) Accessways are to be constructed with porous material.**
- l) Provision of rainwater tanks with a minimum capacity of 2000 litres to each dwelling.**
- m) Notation on site plans indicating that all obscured glazing be manufactured obscured glass. Obscure film being applied to clear glazing will not be accepted.**
- n) All pedestrian doors to garages must open outwards.**
- o) Provision of light coloured roofing material.**
- p) Landscape Plan in accordance with Condition 3, including the following:**
 - i. Provision of one (1) canopy tree capable of growing in excess of 8 metres within the front setback to Dwelling 1.**
 - ii. Provision of a minimum of two (2) canopy trees capable of growing in excess of 8 metres per dwelling. At least one (1) of those trees must be planted within the SPOS area of the dwellings.**
 - iii. All new trees must be planted at a minimum height of 1.5 metres.**

All of the above must be to the satisfaction of the Responsible Authority. Once approved these plans become the endorsed plans of this permit.

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

9.1.2

(cont)

- 3. No building or works must be commenced (and no trees or vegetation shall be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed shall form part of this permit. This plan shall show:**
- a) A survey of all existing vegetation, abutting street trees, natural features and vegetation.**
 - b) Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.**
 - c) Planting within and around the perimeter of the site comprising trees and shrubs capable of:**
 - i. Providing a complete garden scheme,**
 - ii. Softening the building bulk,**
 - iii. High screen planting to reduce the effect of the fence enclosing the area of open space to Dwelling 1,**
 - iv. Providing some upper canopy for landscape perspective,**
 - v. Minimising the potential of any overlooking between habitable rooms of adjacent dwellings.**
 - d) A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of condition 1.**
 - e) The proposed design features such as paths, paving, lawn and mulch.**
 - f) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.**

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

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

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

9.1.2

(cont)

5. ***Prior to commencement of any building or demolition works on the land, Tree Protection Zones (TPZs) must be established on the subject site (and nature strip) and maintained during, and until completion of, all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:***
- a) Tree Protection Zone distances:***
- i. Tree 2 (Fraxinus excelsior 'aurea') – 3.6 metre radius from base of tree.***
 - ii. Tree 3 (Pittosporum eugeniodes) – 2.1 metre radius from base of tree.***
 - iii. Tree 4 (Cupressus sempervirens) – 5.0 metre radius from base of tree.***
 - iv. Tree 5 (Ligustrum lucidum) – 2.6 metre radius from base of tree.***
 - v. Tree 6 (Betula pendula – 2.9 metre radius from base of tree.***
 - vi. Tree 8 (Malus domestica) – 3.6 metre radius from base of tree.***
 - vii. Tree 9 (Agonis flexuosa) – 2.0 metre radius from base of tree.***
- b) Tree Protection Zone measures are to be established in accordance with Australian Standard 4970-2009 and are to include the following:***
- i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.***
 - ii. Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.***
 - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary provide watering/irrigation within the TPZ, prior and during any works performed.***
 - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.***
 - v. All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.***
 - vi. No trenching is allowed within the TPZ for the installation of utility services unless tree sensitive installation methods such as boring have been approved by the Responsible Authority.***
 - vii. All sub surface utilities and utility connection points, inspection pits and associated infrastructure trenching and installation are to be designed so that they are located outside of the TPZ's of retained trees, to the satisfaction of the Responsible Authority. Utility conduits can be located beneath TPZs but must be installed using trenchless excavation (e.g. boring) and installed to a minimum depth of 0.6 metres below natural grade.***
 - viii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.***

9.1.2

(cont)

- ix. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorized person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.*
- 6. During construction of any buildings, or during other works, the following tree protection requirements are to be adhered to, to the satisfaction of the Responsible Authority:**
 - a) For Trees 2, 3, 4, 5, 6, 8 and 9 no roots greater than 40mm in diameter are to be cut or damaged during any part of the construction process.*
 - b) The driveway/paved area within the TPZ of Trees 2, 3, 4 and 9 must be constructed at the existing soil grade using porous materials which allow water to penetrate through the surface and into the soil profile. No roots are to be cut or damaged during any part of the construction process. In addition, a Geocell/root barrier must be installed to prevent impacts on the root zone.*
 - c) All tree pruning is to conform with AS4373-2007 Pruning of Amenity Trees and the work is to be performed by a suitably qualified Arborist (AQF Level 3, minimum).*
- 7. Unless with the further written consent of the Responsible Authority, Dwelling 3 is approved and is to be maintained as a two (2) bedroom dwelling.**
- 8. The development must be provided with external lighting capable of illuminating access to each garage and car parking space. Lighting must be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site.**
- 9. All treatments to prevent overlooking must not include 'Translucent film' on windows and must be in accordance with Standard B22 of Clause 55.**
- 10. Prior to the occupation of the development, all boundary walls must be constructed, cleaned and finished to the satisfaction of the Responsible Authority.**
- 11. All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.**
- 12. Detailed civil plans and computations for stormwater on-site detention (if required) and connection to the legal point of discharge must be prepared by a suitably experienced and qualified professional, and submitted for approval by Responsible Authority prior to the commencement of any works.**
- 13. Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.**
- 14. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.**

9.1.2

(cont)

- 15. The Applicant/Owner shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**
- 16. This permit will expire if one of the following circumstances applies:**
- a) The development is not commenced within two (2) years from the date of issue of this permit;**
 - b) The development is not completed within four (4) years from the date of this permit.**

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

Permit note:

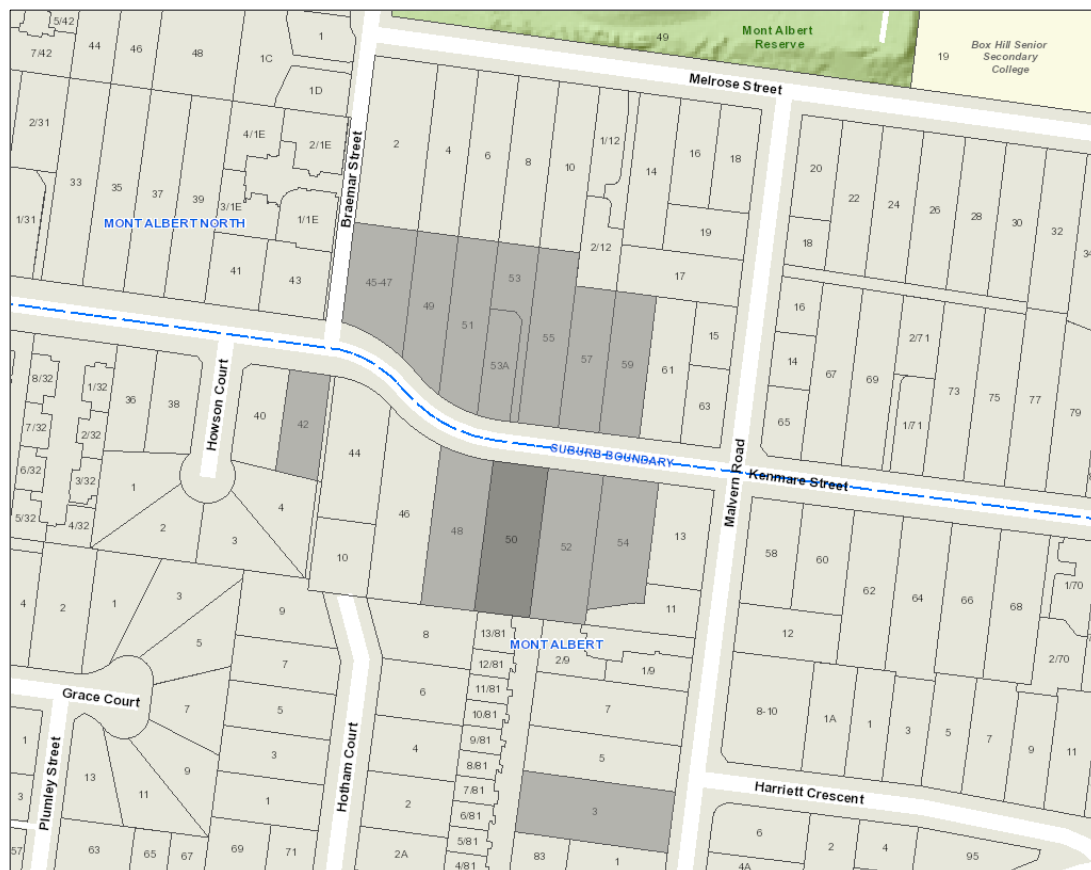
- A. Residents and visitors of this development will not be eligible for Resident Parking Permits issued by the Responsible Authority.**
 - B. Soil erosion control measures must be adopted at all times to the satisfaction of the Relevant Authority during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with the EPA (Environment Protection Authority) Victoria "Environmental Guidelines for Major Construction Sites". The works during and after construction must comply with the above guidelines and in potentially high erosion areas a detailed plan may be required to indicate proposed measures and methodology.**
 - C. The property owner/ builder is to obtain the relevant permits and consents from Council in relation to asset protection, drainage works in easements and works in the road reserve prior to the commencement of any works.**
 - D. All stormwater drainage within the development site and associated with the building(s) (except for an on-site detention system and connection to the nominated legal point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s), in accordance with the provisions of the Building Regulations (2006) section 610.**
 - E. The surface treatment and design of all crossovers and driveways shall be of materials submitted to and approved by the Responsible Authority and must be constructed in accordance with the submitted details.**
 - F. Any trees that need removing for the construction of the vehicle crossover must be approved by Parkswide.**
- C. Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.**




CARRIED UNANIMOUSLY

9.1.2
(cont)

MELWAYS REFERENCE 47 A7 & A8

Applicant:	Southern Planning Consultants
Zoning:	General Residential Zone, Schedule 4
Overlays:	No overlay
Relevant Clauses:	<p>Clause 11 Settlement</p> <p>Clause 12 Environment and Landscape Values</p> <p>Clause 15 Built Environment and Heritage</p> <p>Clause 21.05 Environment</p> <p>Clause 21.06 Housing</p> <p>Clause 22.03 Residential Development</p> <p> Garden Suburban, Precinct 8</p> <p>Clause 22.04 Tree Conservation</p> <p>Clause 32.08 General Residential Zone, Schedule 4</p> <p>Clause 52.06 Car Parking</p> <p>Clause 55 Two or More Dwellings on a Lot or Residential Buildings</p> <p>Clause 65 Decision Guidelines</p>
Ward:	Elgar



	Subject site		14 Objector Properties (1 outside of map)	 North
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9.1.2

(cont)

BACKGROUND

History

No planning permit has previously been issued to the subject site.

The proposal has been amended three times during the application process to address Council's concerns and to amend the proposal to comply with the varied requirement under the Schedule 4 to the General Residential Zone. The decision plan which will be discussed in this report is Revision C of the plans, received by Council on 16 March 2015.

The Site and Surrounds

The subject site is located on the southern side of Kenmare Street in Mont Albert, and it is surrounded by residential uses in the form of detached dwellings and multi dwelling developments. The subject site is located approximately 520 metres east of the intersection with Elgar Road.

The subject site is rectangular in shape with a frontage of 20.73 metres and a depth of 56.39 metres that forms a total site area of 1169 square metres. The subject site has a slope from south (rear) to north (front) with a fall of 4.18 metres.

It contains a single storey brick veneer dwelling. Existing vehicle access to the site is via a crossover located at the northeast corner of the site. The site does not contain any significant vegetation or easements.

The adjoining property to the east contains a single storey brick veneer dwelling with a front setback of approximately 16.5 metres with a side setback to the common east boundary of 3.2 metres. The property to the west contains a single storey brick veneer dwelling that is setback approximately 12 metres from the street frontage, with a carport, a bungalow and a shed all located near the common west boundary. To the south of the subject site is a property fronting Victoria Crescent, which contains a total of thirteen (13) single storey attached dwellings. The nearest dwelling of this development is Unit 13, 81 Victoria Crescent at an approximate distance of 4 metres.

Properties to the south are located within a Neighbourhood Residential Zone, Schedule 7 and properties to the east, west and north are zoned General Residential Zone, Schedule 4.

Planning Controls

Pursuant to Clause 32.08-4 (General Residential Zone), a permit is required to construct two or more dwellings.

PROPOSAL

The proposal is to develop land for the construction of four (4) double storey dwellings, comprising three (3) three bedroom dwellings and one (1) two bedroom dwelling.

The proposal also includes the construction of an additional crossover at the northwest corner of the subject site for access to Dwelling 1.

The dwellings have an overall height of 8 metres and comprises a combination of materials include face brickwork, render finish and vinyl and timber cladding. Each dwelling will have a pitched roof form with eaves.

9.1.2

(cont)

The proposed development will have a site coverage of 39% and with a permeability of 41%. The subject site has a total site area of 1169 square metres, the average proposed lot size is 292 square metres.

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting a notice to the Kenmare Street frontage. Following the advertising period fourteen (14) objections were received from fourteen (14) properties.

The issues raised are summarised as follows:

Neighbourhood Character

- The proposal is not in keeping with the rhythm or spacing between and around buildings in the area.
- The lot size of each dwelling is minimal.
- Dwelling 1 setback 9 metres from the frontage is inconsistent with the neighbourhood.
- Four dwellings is an overdevelopment of the site.
- Double storey is out of character and visually bulky.
- The external finishes are not in keeping with the neighbourhood character.

Landscaping and Tree Removal

- Removal of large established trees.
- Insufficient area for landscaping and not respecting the treed character.

Traffic and Parking

- The subject site is located at the bend of a road, which may lead to concern on traffic safety.
- Limited on street car parking.
- The double garage will not be fully used for car parking.
- Illegal on street parking.
- Potential conflict between cyclists, pedestrians and vehicles egressing from the site.

Infrastructure

- Existing drainage will not cope with the demand.
- Increase hard surface will cause flooding.

Consultation Forum

A Consultation Forum was held on 26 May 2015, chaired by Councillor Harris. Twelve (12) objectors, a planning officer, the owner and the permit applicant attended the meeting.

In the forum, all matters listed in the objections received by Council were discussed, however, no resolution was reached between the parties.

9.1.2

(cont)

Referrals

Internal

Engineering and Environmental Services Department

- Transport Engineer

The proposal has been reviewed by Council's Transport Engineer who has no objection to the proposal provided that pedestrian doors to garages swing outwards.

- Assets Engineer

The proposal has been reviewed by Council's Assets Engineer, who raised no concern to the proposal, provided that standard conditions are included in any permit issued.

Planning Arborist

The proposal has been reviewed by Council's Planning Arborist, who raised no objection to the proposal, provided that specific tree protection conditions are included in any permit issued.

DISCUSSION

Consistency with State and Local Planning Policies

The construction of four double storey dwellings on this site is consistent with State and Local Planning Policies which encourages higher density development within walking distance of shops, recreation facilities and public transport.

State Planning Policies also encourage the development of well designed medium density housing that makes better use of existing infrastructure, that new development respects the neighbourhood character and appropriately responds to its landscape, valued built form and cultural context. The proposal has adequately responded to its context and the preferred neighbourhood and landscape character. The double storey dwellings are well setback from frontages and side and rear boundaries, with separated and recessed upper levels. In addition, there is adequate spacing around dwellings to be consistent with the Natural Change, Garden Suburban character of the area and the Neighbourhood Character Precinct 8 of the Whitehorse Housing Strategy 2014 and Neighbourhood Character Study 2014.

The design response is acceptable in terms of Clause 22.03, Residential Development policy and the Garden Suburban objectives in that there is space within the development for two trees capable of reaching a height of 8 metres at maturity for all dwellings, space around dwellings and secluded private open space areas are of sufficient size for landscaping in accordance with the character of the area. A permit condition requiring the increase in dwelling setback to boundaries will further ensure sufficient open space is provided per dwelling for the planting of vegetation ranging from ground covers, shrubs to canopy trees.

The Garden Suburban, Precinct 8 also suggests blank walls and facades should be avoided. The upper levels of the dwellings are reasonably recessed from the ground level footprint and therefore it is considered that these recessions are acceptable. The proposed built forms are well separated and are well setback from boundaries to minimise any potential building bulk impacts that they may present to the street or abutting properties. The mix of cladding finish also adds texture and detailing. It is recommended that a second window be added to the northern upper floor elevation of Dwelling 1 Bedroom 2 to improve architectural interest when viewed from the street and improve natural light.

9.1.2

(cont)

Overall, the proposal, subject to minor amendment, displays a high level of regard for the purposes, objectives and preferred outcomes of the Natural Change, Garden Suburban and Neighbourhood Character Precinct 8 policies and provides significant space to add landscaping and contribute to the garden suburban neighbourhood character.

Design and Built Form

The proposal is considered to be a well-designed development and represents a positive response to the preferred design and built form character of the area. The proposal ensures that ground level separation is provided between each dwelling, with further separation at the upper levels. The space provided between each dwelling will provide a visual break and relief throughout the development that will reduce visual impact to the adjoining properties.

A permit condition requiring the incorporation of a window to Dwelling 1 Bedroom 2 north wall and a minimum 450mm wide eave to be provided along the eastern wall of Bedroom 2 is proposed. It will also provide further articulation to Dwelling 1 when viewed from the street. The provision of a north facing window to Bedroom 2 of Dwelling 1 will improve solar access to the room and provide better internal amenity and energy performance to the dwelling.

The external finishes of the dwellings include face brickwork, render finish and weatherboard, which is in keeping with the materials commonly found in the area.

Street Setback

The front setback of Dwelling 1 is 9.05 metres from Kenmare Street, which complies with the Street Setback requirement (Standard B6) under ResCode. It is noted that dwellings on the adjoining properties are setback 11.5 and 16.5 metres from their frontage respectively, which will result in this development to be forward of the adjoining properties. Standard B6 of Rescode requires a new development to setback from the street the average distance of the two abutting properties or 9 metres, whichever is lesser. In this instance, the street setback of 9.05 metres fully complies with the requirement.

Side and rear setbacks

The proposed built form, except for the garage wall of Dwellings 1 and 4, will be setback between 2.5 and 5 metres from the side boundaries and 3 metres from the rear boundary. Standard B17 as modified by Schedule 4 to the General Residential Zone requires built form to be setback 3 metres from one side boundary and the rear boundary. Dwellings 1 to 3 will be setback at least 5 metres from the eastern side boundary. While the garage to Dwelling 4 is located on the eastern boundary, and does not fully comply with the modified Standard B17, it is considered an appropriate response as the garage is located to the rear of the property and is located opposite a garage on the adjoining property. Furthermore, the western side boundary of Dwelling 4 only has a setback of 2.5 metres. A condition of permit will require the meals area of Dwelling 4 to be setback a minimum of 3 metres from the western side boundary, the upper level will also be required to be setback an additional 500mm from the western side boundary to ensure the recessing between the ground floor and first floor is maintained and that adequate spacing around Dwelling 4 is provided.

9.1.2

(cont)

Walls on boundaries

Standard B18 as modified by Schedule 4 of the General Residential Zone requires any new wall constructed on a boundary to be setback at least 3 metres from the building façade. The front porch of Dwelling 1 protrudes 1 metre from the façade resulting in the garage being setback 3 metres from the front of the porch and 2 metres from the façade of the dwelling. While this does not fully comply with the modified Standard this is considered acceptable in this instance as the garage is single width and is setback 2 metres from the façade, which reduces the dominance of the garage when viewed from the street and is considered to have met the objective under Clause 55.04-2 (walls on boundary). It is also considered that vehicle storage constructed on the boundary and behind the façade of the dwellings is typical in the area.

Front setback and height

The proposed development fully complies with the street setback and building height requirement under ResCode. Dwelling 1 will be setback 9 metres from the frontage of the site and the overall building height is 8 metres.

Dwelling Entries

It is considered that entrances to Dwellings 2 and 3 have not been suitably highlighted along the accessway due to the small size of entry porches. It will be a permit condition requiring those porches to be increased in area.

Internal Amenity

It is considered that the internal amenity of the proposed dwellings are satisfactory, with good access to natural daylight. Bedroom dimensions are considered acceptable, ranging from 3 by 3 metres to 3.5 by 3.8 metres.

Landscaping

It is considered that the proposal provides sufficient area for landscaping, ranging from ground covers and shrubs to canopy trees. However, it is considered that the alfresco areas to all dwellings should be reduced to ensure that each dwelling will have sufficient open space to accommodate canopy trees capable of reaching a mature height of 8 metres. This will be achieved via permit conditions to increase the alfresco setback to 2.5 metres from the relevant boundary fence, while for Dwelling 4; the setback is required to be increased to 3 metres to also comply with the varied side and rear setbacks as discussed in the section above.

It has been mentioned by a number of objectors that trees within the subject site have been removed prior to the lodgement of this application. It is worth noting that the site is not subject to any tree protection controls, and sufficient open space has been set aside in the proposal to provide areas for landscaping and canopy tree planting.

Car Parking

Each dwelling will have either single or double garages which fully comply with the car parking requirement under Clause 52.06 of the Whitehorse Planning Scheme.

9.1.2

(cont)

Objectors Concerns not Previously Addressed

- Double storey is out of character and visually bulky.

The local area is characterised by single and double storey dwellings. The proposed dwellings have been well articulated, recessed well at first floor and provided with good separation at ground level. The proposal has an overall height of 8 metres which is below the allowed height of 10 metres. The dwelling setbacks also provide room for landscaping which will soften the built form.

- The subject site is located at the bend of a road, which may lead to concern on traffic safety.

The proposal has been reviewed by Council's Transport Engineer and it is considered that the proposal will not result in unreasonable impact to the local road network.

- The double garage will not be fully used for car parking.

The provision of car parking satisfies the requirement under Clause 52.06 of the Whitehorse Planning Scheme and provides the opportunity for car accommodation for future residents.

- Illegal on street parking.

Illegal on street parking is monitored by Council's Community Laws officers.

- Potential conflict between cyclists, pedestrians and vehicles egressing from the site.

It will be a permit condition requiring sightline splays in accordance with Clause 52.06 (Car Parking). This will ensure that motorists will have a clear view line of the pedestrian and road when egressing from the site. It is worth noting that all vehicles of Dwellings 2 to 4 will egress in a forward direction.

- Existing drainage will not cope with the demand.
- Increase hard surface will cause flooding.

A condition of permit requires a drainage plan including the provision of a stormwater detention system to be prepared by a suitably qualified engineer to be submitted to Council for assessment and approval prior to the commencement of any works. If deemed necessary, the owner of the subject site will be required to contribute to the upgrade of any infrastructure. Council's Engineer will also ensure that the subject site is drained to the satisfaction of Council. A condition will also be included requiring accessways to be constructed of porous materials.

To further assist the management of stormwater and to promote the reuse of stormwater, thus will also be a permit condition requiring the provision of rainwater storage tanks with a minimum capacity of 2000 litres to each dwelling.

9.1.2

(cont)

CONCLUSION

The construction of four (4) double storey dwellings on the subject site is considered to be an acceptable proposal that satisfies the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the General Residential Zone, Schedule 4, Clause 52.06 (Car parking) and Clause 55 (Two or more dwellings on a lot).

The proposal will increase housing supply within a residential area, will integrate with the existing streetscape and neighbourhood character and has, subject to conditions, suitably considered the amenity of the adjoining properties.

A total of fourteen (14) objections from thirteen (13) properties were received as a result of public notice and all of the issues raised have been discussed in this report.

It is recommended that the application should be approved.

Strategic Planning

9.1.3 Amendment C167 – Consideration of Panel Report

FILE NUMBER: 15/105231
ATTACHMENT

SUMMARY

This report discusses the recommendations of the Independent Panel that has assessed Amendment C167, which proposes to rezone 35 Hay Street, Box Hill South from the Special Use Zone (Schedule 2) to the General Residential Zone (Schedule 6). The report discusses the Panel report and recommends that Amendment C167 be adopted as exhibited.

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Ellis

That Council, being the Planning Authority, and having considered the Panel Report:

A. Adopt Amendment C167 as exhibited;

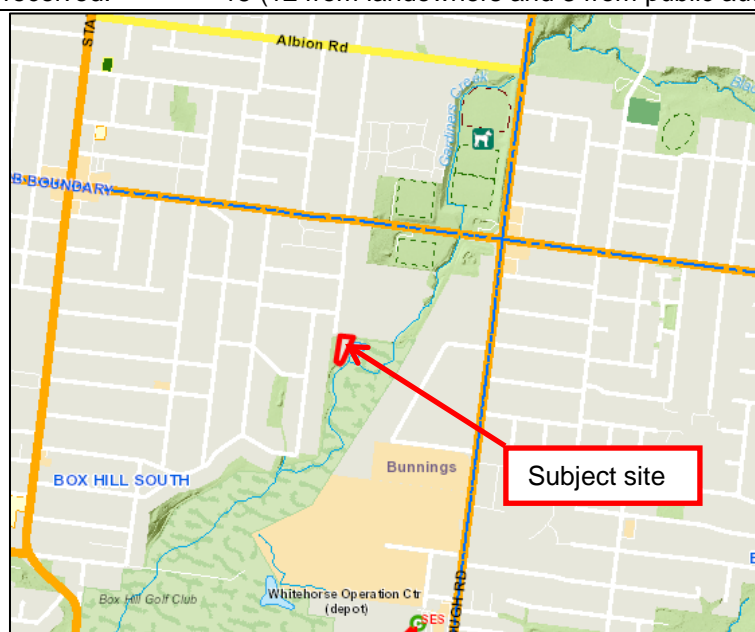
Submit the adopted Amendment to the Minister for Planning for approval under the Planning and Environment Act 1987 with the appropriate fee; and

B. Advise all submitters of all resolutions in relation to the Panel Report for the Amendment.

CARRIED UNANIMOUSLY

MELWAYS REFERENCE (61 E1)

Applicant:	James Livingston Planning on behalf of Visconti Investments Pty Ltd
Zoning:	Special Use Zone Schedule 2 – Private Sport and Recreation Facilities
Overlay:	None
Relevant Clauses	Clause 11 Settlement Clause 16 Housing Clause 18 Transport Clause 19 Infrastructure
Ward:	Riversdale
Submissions received:	15 (12 from landowners and 3 from public authorities)



9.1.3

(cont)

BACKGROUND

On behalf of Visconti Investments Pty Ltd, James Livingston Planning (the Proponent) submitted a request to Whitehorse City Council (Council) to rezone 35 Hay Street, Box Hill South (the subject site) from the Special Use Zone - Schedule 2 (SUZ2) to the General Residential Zone (GRZ).

The Amendment proposes to introduce Schedule 6 to the GRZ into the Planning Scheme, which has maximum site coverage of 60% and a requirement that at least 20% of the site is covered by pervious surfaces. The proposed schedule does not include any variations to ResCode for site coverage, permeability, setbacks, open space or fences. The proposed schedule has a mandatory maximum building height of 9 metres (or 10 metres on a slope).

The Amendment was prepared and exhibited according to the Planning and Environment Act 1987. Exhibition took place from Thursday 5 February 2015 until Friday 6 March 2015. The submissions received during exhibition were considered at the Council Meeting on 20 April 2015, where Council also resolved to request an independent Planning Panel to consider the Amendment and the submissions received.

PANEL REPORT

Submissions

At the close of exhibition, fifteen (15) submissions had been received, including:

- Three (3) submissions from referral authorities who had no objection to the amendment; and
- Twelve (12) submissions from local residents who objected to all or part of the amendment.

The main issues raised by the submitters related to land ownership and historical use, proposed zone and schedule, traffic, car parking and infrastructure, neighbourhood character, built form and heritage, environmental considerations and other comments relating to the Amendment process and documentation.

Panel Hearing

The Panel held a Directions Hearing at the Whitehorse City Council Civic Centre on 27 May 2015. The Panel consisted of one panel member who also undertook an unaccompanied site inspection of the subject site. A number of directions were made at the Directions Hearing, which provided guidance for the conduct of the Panel Hearing.

The Panel Hearing was held on 23 June 2015 at the Whitehorse City Council Civic Centre. Council was represented by its Strategic Planner. The Panel considered all written submissions to the Amendment and the Panel heard from one (1) submitter and the Proponent at the hearing.

DISCUSSION OF PANEL REPORT

The Panel Report from Planning Panels Victoria was received on Thursday 9 July 2015 and the report was released to the general public on Friday 17 July 2015 in accordance with Council policy. This was done by advising all submitters to Amendment C167 that the report had been received and was available for viewing in person or on Council's website, and by providing a full copy of the report to the submitter who presented at the hearing in person.

9.1.3

(cont)

The Panel has presented their findings under several headings and the Report generally adopted Council's panel submission structure and deals with the issues under the following headings:

- Planning Context
- Key Issues
 - General Residential Zone Schedule 6
 - Traffic, parking and infrastructure
 - Neighbourhood character, built form and heritage
 - Environmental considerations
 - Other comments
 - Recommendation

Planning Context

Council submitted that the GRZ is the most appropriate zoning outcome and the rationale behind this stems from consideration of the subject site's residential and industrial interfaces balanced against the location of the subject site. The GRZ allows for a variety of residential uses commensurate with the character of the area in a manner that allows regulation of built form outcomes through the insertion of a schedule.

Council also submitted that rezoning the land to the GRZ provides land for a future residential development in an established and serviced area and supports key objectives of the State Planning Policy Framework (SPPF) including Clause 11 (Settlement), Clause 15 (Built Environment and Heritage), Clause 16 (Housing), Clause 18 (Transport) and Clause 19 (Infrastructure).

The Panel reviewed the policy context of the Amendment and undertook an assessment of the relevant provisions and planning strategies. The Panel adopted Council's appraisal of the Amendment with the Planning Policy Framework and found that based on criteria in Planning Practice Note 78 (Applying the Residential Zones), the GRZ is an appropriate zone for the subject site.

The Panel concluded that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, including Clauses 11, 15, 16, 18 and 19 of the SPPF and Clauses 21 and 22 of the Local Planning Policy Framework.

Officer Comments

The adoption of Council's appraisal of the Amendment is noted, as is the Panel's conclusions which support Council's original submission to the Panel.

General Residential Zone Schedule 6

The Panel agreed with Council and the Proponent about the purpose of the GRZ, in that it is to ensure that any future development will respect the existing surrounding neighbourhood. The Panel understood how submitters found the GRZ to be at odds with the Neighbourhood Residential Zone (NRZ) on properties west of Hay Street as the GRZ Schedule 6 allows an extra metre of building height and does not restrict two dwellings to each lot.

However Council submitted that the proposed GRZ is not considered to be a zone that would allow for a major new development, and that the adjacent neighbourhood character precinct (Bush Suburban 3) has many characteristics, including that dwellings are predominantly 1-2 storeys detached with some semi-detached infill development (units and townhouses).

9.1.3

(cont)

The Panel referred to Planning Practice Note 78 on the suitability of GRZ6 for the subject site. It took into account several factors, including that the site was not identified for urban preservation or recognised for its environmental or landscape significance. The Panel found that the subject site met more criteria in the Practice Notice for the Residential Growth Zone and that the site met very few criteria for applying the NRZ. However, when taking into account that the local submitters sought a future built form that respects the existing neighbourhood character, the Panel found the GRZ is, on balance, an appropriate zone for the subject site. The Panel also noted that both Council and the Proponent support the proposed GRZ.

The Panel agrees with the Proponent that the site is likely to accommodate no more than 8 to 10 dwellings with a height of 9 metres. The Panel also noted that no submission raised the mandatory height provision as an issue.

Officer Comments

The Panel's consideration of the Planning Practice Note is noted. The Panel agrees with Council and the Proponent about the purpose of the GRZ and this is noted.

Traffic, Parking and Infrastructure

Council submitted that the rezoning will not generate any traffic or car parking requirements. However, Council appreciated that any future development on the subject site may generate traffic and that this would be considered at the planning permit application stage. The Panel found that there was no information provided to support submitter claims that the surrounding streets were at capacity and cannot cope with additional traffic movements that may result from a future residential development.

The Panel took into account the proposed mandatory maximum building height and Clause 55 of the Planning Scheme and believes that any future development of the subject site will not result in traffic or parking impacts. The Panel agrees with Council and the Proponent that specific traffic and parking issues can be adequately addressed at the permit stage.

The Panel noted that no infrastructure or service provider expressed concern about the impact of future development on their assets and the Panel concluded that the Amendment will not result in adverse traffic, parking or infrastructure impacts on the surrounding neighbourhood.

Officer Comments

Officers note the Panel's conclusion that any specific traffic and parking issues can be adequately addressed at the permit stage and that the Amendment will not result in adverse traffic, parking or infrastructure impacts on the surrounding neighbourhood.

Neighbourhood Character, Built form and Heritage

The Panel understood that existing residents have become accustomed to the vacant subject site and associated amenity adjoining the Gardiners Creek corridor. The Panel commented that the proposed land use, being multi-unit dwellings, is entirely consistent with the existing character of the surrounding area, which is predominantly residential. Council submitted that there is sufficient distance between the rear boundary fences of the properties along Beaver Street and the western boundary of the subject site by the 15m wide Gardiners Creek Trail connection to Hay Street and therefore overlooking of neighbourhood properties would be minimal or non-existent. Council also submitted that a 9 metre mandatory maximum building height is proposed.

9.1.3

(cont)

The Panel concluded that the proposed GRZ6 and Clause 55 of the Planning Scheme provides for the appropriate parameters for built form outcomes that respect the surrounding neighbourhood character. The ultimate building heights and setbacks, in context with the trail and existing dwellings, can be assessed during a future planning permit application. At such time Council will be required to notify affected residents of the permit application and provide opportunity to comment on the specific development proposal.

Officer Comments

Council submitted that the GRZ6 will result in a built form outcome that respects the existing and surrounding neighbourhood character and therefore officers acknowledge the Panel's conclusion of the same. Officers also note that the Panel expects Council to notify all affected residents of any future planning permit application.

Environmental Considerations

Council submitted that there are no overlays on the site and there was no objection from the relevant Ministers or Melbourne Water. The Panel is satisfied that Council has exercised the appropriate process to seek comment from the relevant statutory referral authority and Minister.

The Panel acknowledged that the subject site is located adjacent to Gardiners Creek however there are no planning scheme overlays on the site and the Panel found no basis to support claims that residential development on the subject site will adversely affect the Gardiners Creek corridor.

The Panel concluded that there are no environmental issues that need to be addressed at this stage of the planning process and that any potential environmental impacts will be considered at the planning permit stage when details of the proposed development are known.

Officer Comments

The Panel's conclusions that there are no issues to be addressed during the Amendment are noted.

Other Comments

Council submitted that whilst the site is used on a recreational basis, the site is privately owned. The Panel also acknowledged the comments made by submitters about recreational use of the subject site; however the Panel also noted that the site has been privately owned since the Parks Victoria land was sold. The Panel stated that it is not the Panel's role to consider whether the subject site should be public open space as this has already been determined.

Council explained that the Amendment was prepared and exhibited under the Planning and Environment Act 1987 and the Panel determined that Council met all obligations under the Act related to the preparation and exhibition of the Amendment. This included the exhibition period and request of an Independent Planning Panel. The Panel concluded that the Amendment process was transparent and accountable.

The Panel noted that Council has taken into account social and economic impacts of the Amendment, as well as community interest when proposing the mandatory maximum building height. The Panel regards any claims that community interest was not considered as unfounded and concluded that there are no issues about land ownership, historical uses, amendment documentation accuracy or process transparency.

9.1.3

(cont)

The Panel concluded that residential development should occur on the subject site and the GRZ6 is appropriate to achieve this. A mandatory maximum 9 metre building height will provide certainty to surrounding residents. This height is consistent with surrounding building form and will respect existing neighbourhood character. The Panel recommended in its Report that, based on the reasons set out in the Report, the Whitehorse Planning scheme Amendment C167 be adopted as exhibited.

Officer Comments

The Panel's acknowledgements of the current ownership and use of the land is noted. Officers welcome the Panel's determination that Council prepared and exhibited the Amendment as per the requirements of the Planning and Environment Act 1987. Officers also note that the Panel regards the Amendment process as being transparent and accountable.

POLICY IMPLICATIONS

Following receipt of the Panel's report, the final planning scheme amendment documentation is proposed to be submitted to the Minister for Planning for approval and inclusion within the Whitehorse Planning Scheme.

FINANCIAL IMPLICATIONS

The Proponent will be required to pay a fee of \$798 to the Department of Environment, Land, Water and Planning (DELWP) if it wishes to seek approval of the amendment.

Council must also consider the impact on resources of the ongoing, additional workload generated by the amendment, specifically the assessment of planning permit applications.

The proponent indicated that a planning permit application may be lodged for the subject site in the future. It is considered that any future planning permit application will be adequately managed by the current resources allocated to administer the planning scheme.

CONCLUSION

Amendment C167 (as exhibited) proposes to rezone 35 Hay Street, Box Hill South from the Special Use Zone (Schedule 2) to the General Residential Zone (Schedule 6). The Amendment was prepared and exhibited under the Planning and Environment Act 1987.

During the exhibition period Council received 15 submissions about the amendment and referred it to an independent Planning Panel for consideration.

The Panel convened for the Amendment has considered the Amendment process and documentation and the submissions received towards it. The Panel Report was received by Council on 9 July 2015. Based on the reasons set out in the Panel Report, the Panel recommended that Amendment C167 be adopted as exhibited.

Council officers have assessed the Panel Report and recommendations. It is submitted that Amendment C167 be adopted as exhibited.

Engineering & Environmental

9.1.4 Adoption of Proposed Amended Road Management Plan

FILE NUMBER: SF15/117303
ATTACHMENT

SUMMARY

The purpose of this report is to consider the final adoption of the amended Road Management Plan as a result of giving public notice in accordance with the provisions of the Road Management Act 2004. No public submissions have been received. Further minor changes are proposed as a result of a final review of the proposed Road Management Plan, since public notice was given. It is recommended that Council adopt the Road Management Plan, with further minor changes, and give notice of its adoption of the final amended Road Management Plan as presented.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Daw

- 1. That in accordance with the requirements of section 54(6) of the Road Management Act 2004 and Part 3, Division 2, of the Road Management (General) Regulations 2005, Council hereby adopts the proposed amended Council Road Management Plan (as included as Attachment 3 to this report).***
- 2. That the amendments made to the Road Management Plan are to take effect from the date of this resolution.***
- 3. That notice of the adoption of the amended Road Management Plan be given in "The Age" newspaper, the Victoria Government Gazette, the "Whitehorse Leader" newspaper, and Council's website.***

CARRIED UNANIMOUSLY

BACKGROUND

Victoria's 79 local Councils are responsible for maintaining considerable infrastructure such as roads (including footpaths, kerb and channel and other road related assets), bridges, drains, parks, recreation facilities and buildings. There is considerable interest in the performance of local government in terms of asset management, with road infrastructure in particular the subject of specific and detailed legislation.

The High Court of Australia's decision in *Brodie v Singleton Shire Council* (in 2001) significantly altered the civil liability and responsibility positions for Councils in relation to the performance of their functions for road management. The effect of the decision was to abolish the past traditional legal defence of 'non-feasance'. In the past this had meant that a Council acting as a road authority could not be held liable for injury or loss caused by the condition of a road where it had not previously done any work on the road. The case replaced this defence with the prospect of legal liability being based on normal principles of negligence, that is whether or not Council owed and had breached a duty of care.

Given this significant change in the law, the Victorian State Government initiated a review of the State's road management legislation and as a result of the review, the Road Management Act 2004 (***the RM Act***) was passed by the State Government. This established a legislative scheme to allow each road authority to determine its own framework, priorities and standards for the care and management of public roads under its administration by the use of an appropriate Road Management Plan.

9.1.4

(cont)

Council adopted its first Road Management Plan on 25 October 2004 and also approved the Public Roads Register (which lists all of the roads throughout the municipal district which Council considers are “reasonably required for general public use”, and which are subject to the requirements specified in the Road Management Plan), in accordance with the requirements of Division 5, Part 4 of the RM Act.

Council adopted its second and current Road Management Plan on 14 December 2009 after reviewing the original plan.

The Roads Register has since its first adoption by Council, had six revisions that have been approved under delegation, dated 20 January 2005, 3 February 2006, 14 October 2006, 17 November 2006, 19 February 2010 and 16 October 2013 respectively.

The Road Management Plan provides Council with a legal “policy defence” in civil liability against claims of negligence arising from the standard and condition of the roads and road related infrastructure that are under Council's administration. In short, the Road Management Plan details how and by what standards and priorities Council will inspect and maintain its roads in the context of available budgetary and other resources.

Council's insurers undertake a biannual risk assessment and audit of Council operations in relation to Public and Professional Liability and the results influence Council's insurance premiums. Council's Road Management Plan and compliance with the Plan is included in these assessments by Council's insurers.

In accordance with the requirements of section 54(5) of the Road Management Act 2004 and Division 1, Part 3, of the Road Management (General) Regulations 2005, the Chief Executive Officer acting under delegated authority, authorised commencement of the review of Council's current Road Management Plan on 13 May 2013.

A review was completed and Council adopted the findings of the review at its meeting on 24 June 2013 after a period of public exhibition.

As a result of Council's review of its Road Management Plan and following further comment and recommendations from Council departments, a draft of the amended Road Management Plan was endorsed by Council on the 20 October 2014, for the purpose of giving public notice of the proposed amendment in accordance with the requirements of the Road Management Act 2004 and the Regulations.

Public notice was given in the Victoria Government Gazette, The Age newspaper and the Whitehorse Leader, in accordance with the requirements of regulation 303(2) of the regulations, on the 8 June 2015, inviting submissions in respect of the draft amendment of the Road Management Plan. A copy of the current Road Management Plan and a copy of the draft amended Road Management Plan were made available for public inspection.

Submissions from the public consultation process, and any further comments and recommendations made by Council departments (beyond those arising from the review process already undertaken) on the proposed amendment of the Road Management Plan were to be received by 5pm on 10 July 2015.

DISCUSSION

As a result of the giving of public notice and inviting submissions on the proposed amended Road Management Plan, no submissions from the public have been received.

9.1.4

(cont)

On the advice of Council's insurers, some further minor amendments have been made to the proposed Road Management Plan. The amendments relate to the management of vehicle crossings, service strips, reactive inspections and maintenance, clearer response times in Activity Specifications in the Inspection and Maintenance Standards and insertion of commentary that an internal audit for compliance of Council's Road Management Plan is undertaken once every two years.

Council's insurers have conducted a review of the proposed amended plan and schedules and are satisfied with the changes.

The proposed amended Road Management Plan is now presented to Council for final adoption.

The updated draft amended Road Management Plan is included as Appendix A.

It is recommended, in accordance with this report, that Council formally adopt the amended Road Management Plan as presented.

CONSULTATION

The review of the Road Management Plan adopted by Council on the 24 June 2013 included giving public notice of the review and inviting public submissions. No public submissions were received. Relevant Council Departments were consulted as part of the review and in the preparation of the draft amended Road Management Plan.

Public notice of the amended Road Management Plan inviting submissions was given on the 8 June 2015. Some further minor changes have been made to the amended Road Management Plan as exhibited, as a result of advice from Council's insurers. No submissions were received as a result of the public exhibition. Council may now consider the formal adoption of the amended Road Management Plan as presented.

FINANCIAL IMPLICATIONS

The type of road assets and the inspection, maintenance and repair standards included in the Road Management Plan directly relate to Council budget allocations. Budget implications were taken into account in preparing the proposed amended plan.

POLICY IMPLICATIONS

Council's Road Management Plan provides Council with a legal "Policy Defence" in civil liability against claims of negligence arising from the standard and condition of roads and road-related infrastructure that are under Council's administration.

9.1.5 Tender Evaluation Report – Nunawading Retail Precinct Laneway Construction

FILE NUMBER: SF15/396

SUMMARY

To consider tenders received for Nunawading Retail Precinct Laneway Construction and to recommend the acceptance of the tender received from Jasper Concreting Pty Ltd, for the amount of \$636,534.97, including GST and to consider the overall project expenditure.

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Daw

That Council accept the tender and sign the formal contract document for Contract 14064 for the Nunawading Retail Precinct Laneway Construction received from Jasper Concreting Pty Ltd (ABN 83 006 268 328), of 1/38-40 Access Way, Carrum Downs, Victoria, 3201, for the tendered amount of \$636,534.97, including GST; as part of the total expected project expenditure of \$763,842, including GST (\$694,402 excluding GST).

CARRIED UNANIMOUSLY

BACKGROUND

Council adopted the “Nunawading Retail Precinct – Visioning the Urban Realm Plan” in November 2010. This plan outlines urban design outcomes to guide future development of public space in the area. There was extensive community consultation undertaken in the development of the plan. The redevelopment of Station Street Nunawading between Springvale Road and Wood Street was a major initiative of Council following the completion of the Springvale Road rail grade separation project. The redevelopment of Station Street Nunawading was undertaken over the 2011/2012 and 2012/2013 financial years. This project was in accordance with the principles and conceptual framework of the plan and was the first stage of the implementation of the plan.

The proposed works this financial year (Stage 2 of the plan), involves improvement works in Lovell Lane, which is the laneway between Station Street, Wood Street and Market Street, Nunawading. The improvement works include reconstructing the laneway with new patterned surfaces, new street furniture, new garden beds and installing new security lighting.

The proposed works also include footpath improvement works on Wood Street (western side) and Market Street (northern side), similar to that undertaken on Station Street. This will include new exposed aggregate concrete footpaths, street furniture, custom way-finding signage, street signs, line-marking and landscaping works.

The security lighting in Lovell Lane is to provide a safer environment and reduce anti-social behaviour. It is expected by improving the lighting and appearance in the laneways that this will; promote increased use of the laneways; increase the actual and perceived levels of safety; reduce vandalism; and support local traders. The security lighting component of the project is being funded by the Australian Government through the Safer Streets Program.

The works will be programmed to limit disruption in the area during construction by avoiding the busy times around Christmas and New Year. It is planned to commence construction in October 2015 and complete the works in April 2016.

The works will be staged and programmed to limit disruption to traders/users.

9.1.5

(cont)

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 27 June 2015 and were closed on Wednesday 22 July 2015. Four (4) tenders were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Tenderer's experience in the provision of similar services;
- Quality of the tenderer's work;
- Proposed construction methodology;
- Availability of the tenderer to complete the works; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

The recommended contractor, Jasper Concreting Pty Ltd, has extensive experience in these types of works. They have successfully constructed a number of similar streetscape and paving projects for Whitehorse City Council, including all three stages of the Blackburn Station Village streetscape renewal and the reconstruction of Garrett's Lane in Box Hill. They are a well-resourced company for this type of work and have an acceptable Occupational Health and Safety policy. They have a good understanding of working in a busy activity centre.

The tender received from Jasper Concreting Pty Ltd is considered to provide the best value for money for this Contract.

CONSULTATION

This project has been developed in consultation with the Council Departments of Engineering and Environmental Services, Business and Economic Development, City Works and ParksWide.

There was extensive consultation for this project during the design process. Council officers met and discussed the works with the Nunawading Retail Traders Association and there have also been letters with concept plans sent to traders, property owners and local residents.

There will be further information provided closer to the start of construction including publications, letters and personal visits with traders.

The preferred tenderer's business viability has been considered.

FINANCIAL IMPLICATIONS

	Budget	Expenditure
Capital Works Funding Account No.S113 Nunawading Retail Precinct Laneway Construction	\$ 500,000	
Capital Works Funding Account No.S271 Nunawading Retail Precinct Laneway Security Lighting (Safer Streets Program)	\$ 160,000	
Total Budget	\$ 660,000	
Preferred tenderer's lump sum offer (including GST)		\$ 636,535
Less GST		-\$ 57,867
Net cost to Council		\$ 578,668
Plus Contingencies		\$ 57,867
Plus Project Management Fees		\$ 57,867
Total Expenditure		\$ 694,402

9.1.6 Tender Evaluation Report – Contract 14059 - Asphalt Resurfacing of Local Roads

FILE NUMBER: SF15/324

SUMMARY

To consider tenders received for the Asphalt Resurfacing of Local Roads and to recommend the acceptance of the tender received from Alex Fraser Asphalt Pty Ltd, for the amount of \$1,411,594.98 including GST, and continue to trial alternative environmentally sustainable asphalt products such as 'Warm Mix Asphalt' and increased amounts of recycled asphalt product.

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Bennett

That Council accept the tender and sign the formal contract document for Contract 14059 for the Asphalt Resurfacing of Local Roads received from Alex Fraser Asphalt Pty Ltd of First Floor, 50 Park West Drive, Derrimut VIC 3030 (ABN 60 083 841 963) for the tendered amount of \$1,411,594.98 including GST, and continue to trial alternative environmentally sustainable asphalt products such as 'Warm Mix Asphalt' and increased amounts of recycled asphalt product.

CARRIED UNANIMOUSLY

BACKGROUND

Council allocates funds each year as part of an ongoing rehabilitation program for local roads. Roads require periodic rehabilitation usually by applying an asphalt overlay to maintain the integrity of the road pavement, serviceability and to prolong the life of the road pavement. Periodic rehabilitation also minimises the need for routine maintenance such as pothole patching. The specific locations are selected using technical ratings of a variety of condition indicators through Council's Road Pavement Management System (SMEC), visual inspections and past maintenance history. The works of this contract include the resheeting of local roads with asphalt and other associated works such as reinstating existing line marking and patching in preparation for resheeting.

The contract includes the use of asphalt that contains 20% recycled asphalt product. The recycled asphalt is retrieved from existing asphalt roads when they are being prepared for resheeting. The asphalt mix used is approved by VicRoads and contains the highest recycled content that is recommended and which conforms to the VicRoads specification.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 27 June 2015 and closed on Wednesday 22 July 2015. A total of eight tenders were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Tenderer's experience in the provision of similar services;
- Quality of the tenderer's work;
- Resources dedicated to this project;
- Availability of the tenderer to complete the works; and
- Occupational Health & Safety, Equal Opportunity and Business Viability (Pass/Fail).

Tenderers were requested to provide a lump sum price for the asphalt resurfacing of 46 local roads with 6 of these roads to be trialled with an alternative environmentally sustainable treatment. The tender also included rates for additional works.

9.1.6

(cont)

Alex Fraser Asphalt Pty Ltd is the recommended tenderer for this work. This contractor is experienced in these types of work and they have successfully completed similar contracts for Whitehorse Council in the 2009/2010, 2011/2012, 2012/2013, 2013/2014 and 2014/2015 financial year as well as projects for other Councils including Stonnington and Frankston. The tender received from Alex Fraser Asphalt Pty Ltd is considered to be the most beneficial to Council for this contract.

As part of the tender, each tenderer was requested to provide an alternative environmentally sustainable asphalt product for 6 roads that could still meet Council's requirements for value for money, suitable quality and fit for purpose that has an increased recycled content and/or is more environmentally friendly. In response, Alex Fraser Asphalt Pty Ltd has proposed the use of 'Warm Mix Asphalt' combined with increased amounts of recycled asphalt product in addition to the specified 20%.

'Warm Mix Asphalt' is an alternative to the traditional hot mix asphalt and the benefits include:

- Energy and fuel savings in manufacture reducing carbon dioxide emissions by up to 30%;
- Improved material handling safety as the product is placed at lower temperatures;
- Reduced emissions and odours.

Alex Fraser Asphalt Pty Ltd has offered to use 'Warm Mix Asphalt' for 6 roads at no additional cost to that of using the standard specified 20% recycled asphalt product.

The use of 'Warm Mix Asphalt' combined with increased amounts of recycled asphalt product, in addition to the specified use of 20% recycled asphalt product, will further Council's commitment to green purchasing and help to ensure that Council continues to be a leader in this field.

CONSULTATION

The schedule of roads for resurfacing was developed jointly by the Council Departments of Engineering and Environmental Services Department and City Works.

The contractor is required to advise residents in writing a minimum of 3 days prior to the works commencing at each location.

FINANCIAL IMPLICATIONS

	Budget	Expenditure
Capital Works Funding Account No. S103 Local Roads Rehabilitation	\$ 2,185,000	
Total Budget	\$ 2,185,000	
Preferred tenderer's lump sum price (including GST)		\$ 1,411,595
Less GST		\$ 128,327
Net cost to Council		\$ 1,283,268
Contingencies		\$ 128,327
Project Management Fee		\$ 76,996
Sub Total Expenditure		\$ 1,488,591
Patches for failed sections of pavements that are to be resurfaced		\$ 325,000
Kerb and channel repairs		\$ 150,000
Reactive road resurfacing / rehabilitation of roads beyond routine maintenance		\$ 220,000
Total Expenditure		\$ 2,183,591

9.1.7 Tender Evaluation Report – CCTV Drain Inspection and Drain Cleaning Services

FILE NUMBER: SF15/323

SUMMARY

To consider tenders received for the provision of CCTV drain inspection and drain cleaning services and to recommend the acceptance of a panel of six (6) contractors: Toxfree Australia Pty Ltd; Citywide Service Solutions Pty Ltd, trading as Citywide; GMA Waste Water Services Pty Ltd; Rangedale Drainage Services Pty Ltd; The Finigan Family Trust, trading as RMC Reservoir Maintenance Contractors Pty Ltd; and Environmental Services Group Pty Ltd, on a Schedule of Rates basis for a period of 3 years with an option to extend the contract for a further 2 years or less at Council's discretion.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Ellis

That Council:

- 1. Accept the tender and sign the formal contract document for Contract 14058 for CCTV Drain Inspection and Drain Cleaning Services received from:**

- **Toxfree Australia Pty Ltd, (ABN 31 127 853 561), of 41 Stirling Highway, Nedlands WA 6909;**
- **Citywide Service Solutions Pty Ltd, (ABN 94 066 960 085), of Level 1, 150 Jolimont Road, East Melbourne VIC 3002, trading as Citywide;**
- **GMA Waste Water Services Pty Ltd, (ABN 20 087 182 170), of 2 Keith Campbell Court, Scoresby VIC 3179;**
- **Rangedale Drainage Services Pty Ltd, (ABN 67 079 133 832), of 6/440 Dynon Road, West Melbourne VIC 3003;**
- **The Finigan Family Trust, (ABN 72 496 603 141), of 12-14 Ivanhoe Court, Thomastown VIC 3074, trading as RMC Reservoir Maintenance Contractors Pty Ltd;**
- **Environmental Services Group Pty Ltd, (ABN 43 145 149 971), of 30 Nicholas Drive, Dandenong South VIC 3175.**

For the estimated tendered amount of \$450,000 including GST for the initial 3 year term of the contract.

This is a schedule of rates contract for a period of 3 years with an option to extend the contract for a further 2 years or less at Council's discretion.

- 2. Authorise the Chief Executive Officer to award an extension of this contract, subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term in accordance with the contract provisions.**

CARRIED UNANIMOUSLY

BACKGROUND

The contract is for CCTV drain inspection and drain cleaning services throughout the City of Whitehorse on an 'as required' basis. CCTV drain inspections are periodically required to assess the general condition of drains or investigate reported problems.

Drain cleaning services are periodically required to clear blockages which may be impeding the operating capacity of a drain or may be impeding a CCTV inspection; or to clear pollution that may have inadvertently entered a drain, such as a fuel spill.

The term of the contract is 3 years commencing in August 2015 with an option to extend the contract for a further 2 years or less at Council's discretion.

9.1.7

(cont)

To maximise cost effectiveness and flexibility, it is considered appropriate to appoint a panel of contractors. Some projects will be more suited to a specialised contractor. It is also common that drain inspections and drain cleaning services are required urgently at short notice. It is therefore preferable to have a contract with more multiple contractors to ensure a timely response.

The contract will be used by both Engineering and Environmental Services as well as City Works.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 16 May 2015 and were closed on Wednesday 10 June 2015. A total of nine tenders were received.

The tenders were evaluated against the following criteria:

- Financial benefit to Council;
- Tenderer's experience in undertaking similar work;
- The quality of the Tenderer's work;
- The resources (equipment and Staff) available for this Contract; and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

The preference for Council is to appoint multiple contractors to ensure the services can be delivered in a timely manner and to have a broad range of services to complete all aspects of the contract.

The tenders received from Toxfree Australia Pty Ltd, Citywide Service Solutions Pty Ltd, GMA Waste Water Services Pty Ltd, Rangedale Drainage Services Pty Ltd, RMC Reservoir Maintenance Contractors Pty Ltd and Environmental Services Group Pty Ltd are considered to be the most beneficial to Council for this contract. As such, appointing these contractors to a panel is recommended.

The recommended tenderers are experienced in the provision of the type, range and quality of services that will be required under this contract. They have all successfully completed similar contracts for Councils in the past. These tenderers are considered to provide the best value for money for this contract.

CONSULTATION

There was no external community consultation required as part of the tender evaluation. For projects that are completed under the contract, residents will be notified in advance of the works.

Reference checks were undertaken with other Councils as part of the tender evaluation. The preferred tenderer's business viability has been considered.

FINANCIAL IMPLICATIONS

The contract for the provision of CCTV drain inspection and drain cleaning is based on a Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

9.1.7

(cont)

The financial advantage of each tender submission was determined by comparing rates for services that are used most frequently by Council. Typical projects were formulated with the tendered rates applied and then multiplied by the estimated number of projects per year.

The estimated expenditure under this contract over the initial contract term is \$450,000, including GST. This expenditure will increase to approximately \$750,000, including GST if the options to extend the contract are exercised. The expenditure will be allocated among the 6 recommended tenderers in accordance with their schedule of rates, availability and capability considerations.

The costs incurred under this contract will be charged to the relevant recurrent Operating Budget for drainage maintenance and the relevant Capital Works Budget for drainage works.

	Estimated Budget	Estimated Expenditure
Year 1 (2015/2016) Capital Works Project No. DU5560 CCTV Investigations for reactive drainage works	\$ 30,000	
Year 1 (2015/2016) Drainage Maintenance Operating Budget City Works	\$ 110,000	
Year 2 (2016/2017) Capital Works Project No. DU5560 CCTV Investigations for reactive drainage works	\$ 30,000	
Year 2 (2016/2017) Drainage Maintenance Operating Budget City Works	\$ 110,000	
Year 3 (2017/2018) Capital Works Project No. DU5560 CCTV Investigations for reactive drainage works	\$ 30,000	
Year 3 (2017/2018) Drainage Maintenance Operating Budget City Works	\$ 110,000	
Optional Year 4 (2018/2019) Capital Works Project No. DU5560 CCTV Investigations for reactive drainage works	\$ 30,000	
Optional Year 4 (2018/2019) Drainage Maintenance Operating Budget City Works	\$ 110,000	
Optional Year 5 (2019/2020) Capital Works Project No. DU5560 CCTV Investigations for reactive drainage works	\$ 30,000	
Optional Year 5 (2019/2020) Drainage Maintenance Operating Budget City Works	\$ 110,000	
Total Estimate Budget	\$ 700,000	
Estimated contract cost that will be allocated among the 6 recommended tenderers (including GST) - \$150,000 (including GST) per year for 3 years plus 2 optional years		\$ 750,000
Less GST		\$ 68,182
Net cost to Council		\$ 681,818
Plus Project Management Fees		\$ 15,000
		\$ 696,818

9.2 HUMAN SERVICES

9.2.1 Tender Evaluation Report – Provision of Food Services

FILE NUMBER: SF 15/416

SUMMARY

To consider tenders received for the provision of Councils food services (delivered meal service) and to recommend the acceptance of the tender received from I Cook Foods Pty Ltd, trading as I Cook Foods Pty Ltd, on a Schedule of Rates basis for a period of 3 years commencing on 1 October 2015 with the conditional option of 3 x 1 year extensions.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Ellis

That Council:

- 1. Accept the tender and sign the formal contract document for Contract 14065 for the Provision of Food Services received from I Cook Foods Pty Ltd (ABN 39 094 392 060), of 2/12 Zenith Road Dandenong South Victoria 3175, trading as I Cook Foods Pty Ltd, on a Schedule of Rates basis for a period of 3 years commencing on 1 October 2015.***
- 2. Authorise the Chief Executive Officer to award an extension of this contract, for a further 3 x 1 year extensions subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term.***

CARRIED UNANIMOUSLY

BACKGROUND

Council has a comprehensive food services program (Meals on Wheels) that is coordinated through Council's Home and Community Care (HACC) department. Council together with the federal and state governments contribute substantial financial resources to support the program.

Currently all meals are produced by Council, at a Council-owned facility, located at Silver Grove in Nunawading. It includes individually produced and packaged meals delivered to residents as well as meals served in larger sittings through various social programs and at the Carrington Road Dining Room located at the Box Hill Senior Citizens Centre.

Due to the age of Council's existing meal production infrastructure, Council commissioned an evaluation of options available for the future provision of food under its food services program. These included the following options:

- Regional food storage and distribution centre
- In-house meals production (business as usual)
- Outsourced local meal production to Community Chef
- Outsourced local meal production to another daily meals provider

The evaluation report identified that both Silver Grove and Carrington Road food services facilities required extensive renovations and upgrades to support ongoing meal production and continued full compliance with all food safety requirements. The cost of these renovations and upgrades was estimated at \$1.53M. The report also identified that the alternative option of outsourcing meal production and converting Silver Grove to a storage and distribution centre would require a minor capital upgrade of just \$10,000.

9.2.1

(cont)

On 16 March 2015, Council endorsed outsourcing Council's food services meal production. This service model involves Council purchasing meals from an alternative provider that supplies meals on a daily basis. It will deliver the best outcomes for Council in terms of overall net cost, flexibility and a significant reduction in required capital investment. It also enables a significant expansion of the meal options available for clients and can provide culturally relevant meals (linked to HACC funding) and meals that meet health and dietary requirements.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday, 13 June 2015 and were closed on Wednesday, 1 July 2015. Following an information session open to all interested parties, three tenders were received.

The tenders were evaluated against the following criteria:

- Experience (relevant working history, personnel, experience in transitioning clients, corporate standards);
- Financial (schedule of rates, disclosure of current & past financial and legal matters);
- Capacity to deliver (catering for diversity, meal options; information technology systems; meal sampling)

The above evaluation criteria were listed in order of priority. Tenderers were asked to ensure they clearly addressed the evaluation criteria. Tenderers were also assessed on a pass/fail basis for their record, policies and attitude towards Occupational Health & Safety and Equal Opportunity. The assessment of tenders for this contract was in accordance with the published evaluation criteria.

I Cook Foods Pty Ltd (ICF) is the recommended tenderer for this contract. ICF has thirty years plus experience in the production of bulk foods for commercial catering and has been a service provider to a number of local government food services programs for over thirteen years. The company currently service contracts for the daily provision of meals to six other municipalities and two private hospitals. Their meals production facility is accredited under Hazard Analysis Critical Control Points (HACCP) standards (the prime food safety standard in the food industry) and is located in Dandenong South. The company offers a flexible and responsive service to meet Council's client needs with a proven history of providing high quality food production. ICF has a thorough knowledge of food handling legislation and associated food production requirements operating under similar service delivery protocols at other municipalities. They are capable of providing comprehensive and flexible reporting to Council that integrates seamlessly with Council's existing information technology infrastructure.

A significant benefit of ICF is their ability to enhance the nutritional experience to existing Council meals on wheels clients through an expansion of menu offerings. They have extensive experience in producing culturally specific meals within the aged care sector over many years and their menus reflect culturally diverse meals consistent with the population of Whitehorse. Their menu choice will change every eight weeks (56 days). Their menus have been developed as a result of customer interaction and consultation on an annual basis. ICF maintain that their experience in receiving high satisfaction and acceptance levels with their culturally diverse menus is a result of their annual client surveys which acts as continuous improvement practice to enhance their service delivery. They also have experience in supplying special occasion meals at Christmas and Easter.

ICF also offers flexibility in the provision of special requirement meals that can be tailored to meet specific individual medical and dietary requirements of clients. Customised menu planning can be adopted for particularly difficult cases or those requiring specialised diets with complex illnesses.

9.2.1

(cont)

ICF has invested significantly in infrastructure to support their business and offer an improved packaging system, Modified Atmosphere Packing System (MAPS) that not only offers industry standards in quality and safety, it also offers a significant investment in sustainable practices utilising recyclable packaging materials.

The term of the proposed contract is 3 years commencing on 1 October 2015, with an option to extend the contract for a further 3 x 1 year extensions at Council's discretion.

Based on the evaluation conducted by the tender evaluation panel and its scoring for each of the evaluation criteria, the tender received from I Cook Foods Pty Ltd is considered to provide the best value for money for this Contract.

CONSULTATION

A sampling menu from two tenderers (tenderers B and C) was commissioned as part of the evaluation process. This involved consultation with forty (40) clients (end users) of the food services program. In addition, twenty (20) Council staff from various departments participated in sampling the meals. Items that were sampled included individually and bulk packaged meals. Evaluation panel members along with end users of the service rated the food on its taste, appearance, authenticity, texture/consistency, labelling/heating instructions and packaging. The menu items that were sampled included a variety of soup, main meals, desserts and juices.

References for the selected tenderer have been checked and confirmed.

The preferred tenderer's business viability has been considered and the recommendations from the independent assessment have been implemented.

FINANCIAL IMPLICATIONS

The contract for the provision of food services is based on a Schedule of Rates. The rates are subject to a CPI adjustment based on the Melbourne All-groups index numbers on each anniversary of the contract.

Based on Council's current service demand of 80,000 meals per annum, the estimated value of this contract for the fixed three year term of the contract is \$2,260,645 (incl. GST). The budget for this service is estimated only as it is based on demand for the service. Fluctuations occur from year to year and the figures provided herewith are based on the service levels experienced in the 2014/15 financial year. The cost of the meals under this tender arrangement will be within the 2015/16 food services adopted budget.

9.2.1

(cont)

If Council were to continue in-house meal production the estimated net operating cost to continue providing this service over the three year term is \$4,134,336. The table below provides a comparison of the purchased meal option and the current in house model of meal production. It should be noted that this is the net operating cost to Council for this service.

	In-house Meals Production based on 2014-2015 budget (\$)	Purchased Meals: I Cook Foods P/L (\$)
Net Operating Cost Year 1 2015/2016	840,752	837,453
Net Operating Cost Year 2 2016/2017	865,974	862,577
Net Operating Costs Year 3 2017/2018	891,954	888,454
Capital investment required Year 1 2015/2016	767,828	10,000
Capital investment required Year 2 2016/2017	767,828	0
Capital investment required Year 3 2017/2018	0	0
Total net cost to Council over 3 years	4,134,336	2,598,484

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

Attendance: Cr Ellis left the chamber at 8.34pm, returned at 8.36pm.

9.2.2 Vermont Kindergarten Lease

FILE NUMBER: SF09/1141

SUMMARY

The purpose of this report is to provide background information pertaining to Council's responsibilities under current lease and sub-lease agreements relating to the Vermont Kindergarten Centre. The report recommends that Council make a conditional cash offer to the Vermont Primary School Council as a means of extinguishing current and near term maintenance responsibilities for the building and negotiating the transfer of the kindergarten building and all future responsibilities to Department of Education and Training.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Carr

That Council:

- 1. Acknowledges that the operation and management of the Vermont Kindergarten Service has transitioned from community management to the Vermont Primary School Council and is now under the auspice of the Vermont Primary School Council.**
- 2. Provides a conditional cash offer of \$27,300 to the Vermont Primary School Council to enable them to include identified maintenance works (considered as Council responsibility) to be included as part of their capital works project to extend the Vermont kindergarten building.**
- 3. Subject to point 2 above include the following conditions with the offer:**
 - a. That ownership of the Vermont kindergarten building be transferred from Council to the State Department of Education and Training and that Council be relieved of any further responsibility for maintaining the building and surrounding land as outlined in the lease and sub-lease agreements, and**
 - b. That the head lease and sub-lease agreements for the Vermont kindergarten land and building be extinguished.**

CARRIED UNANIMOUSLY

BACKGROUND

The Vermont Kindergarten building was constructed by Council in 1996/97 following the signing of a 30 year lease of land agreement by Council (lessee) and the State Government (lessor) in July 1996. The lease of land involves a parcel of land adjacent to and connected to the Vermont Primary School (see map below).

A sub lease agreement was also developed between Council and the Vermont Preschool Committee of Management (COM) in 1997 and covers responsibilities for the use and maintenance of the facility. Pursuant to the terms of the sub lease, the bulk of maintenance responsibility for the kindergarten building falls to Council with the COM having responsibilities for certain non-structural matters.

9.2.2 (cont)



The rental consideration paid annually by Council to the State Department of Education & Training (DET) under the head lease is \$5,000 pa, with Council receiving \$4,000 pa in reimbursement from the COM.

In 2007, the COM approached the Vermont Primary School Council (VPSC) requesting the VPSC to take over the management of the kinder due to financial management concerns. The school council reluctantly agreed in the interest of ensuring the kindergarten service remained viable. It should be noted that the kindergarten service represents an important feeder of young students to the school.

At the present time, DET does not recognise the kindergarten service as being integrated into the activities of the VPS, hence there is no special support for the kindergarten service provided DET. Until late 2014, VPSC had not been interested in assuming maintenance responsibility for the kindergarten building. This was because DET would not provide them with specific maintenance funding which otherwise was covered by Council.

Capital Grant

In early 2014, the Vermont School Council was successful in its application for State Government Capital funding to extend the kindergarten to allow for two concurrent 4 year old kindergarten sessions to be provided. The project will increase the capacity of the kindergarten and the ability of the kindergarten to also continue to provide 3 year old kindergarten sessions. The project is of benefit to the local community.

Late last year the school principal, Dr Robin Stickland, met with Council officers to discuss maintenance issues with the kindergarten building. During the meeting, it was acknowledged that an amendment to the current sub lease would be required to account for the extension to the building. It was also acknowledged that full maintenance responsibilities for the extension will fall to the school council.

9.2.2

(cont)

Dr Stickland advised that this arrangement would be complex as it also involve determining who would be responsible for ongoing essential service measures (ESMs) at the centre (ie the land owner or the building owner, under the Building Act the land owner is responsible for ESMs). A further complexity involved the terms of the sub lease which required the building to be available for use by other community groups in the area which had not been promoted since the VPSC took over ownership of the kindergarten service.

It was agreed at the meeting that it was time for Council and the VPSC to consider the merit of the VPSC assuming responsibility for the maintenance of the whole building. However, one proviso for the VPSC in considering this option would be for Council and the VPSC to agree on responsibilities for remedial works for any current and/or near term maintenance issues. If agreement in principle can be reached, then both parties could consider the merit of a joint proposal to DET to extinguish both the head lease and sub-lease with ownership of the building transferring to DET.

DISCUSSION

The management of the Vermont kindergarten service has transitioned from community (parent) management to the auspice of the VPSC. The kindergarten service is now embedded within the Vermont School program and is operating on state education land.

Council has spent considerable resources (\$52,000) in the upkeep of the building since 2013 and there is at least \$42,000 in works that will be required in the next 5 to 10 years. The current lease and sub-lease are due to expire in 2026 and 2027 respectively.

Council's Facilities Maintenance team has provided a schedule of required works for the kindergarten building and its surrounds over the next 10 years (see appendix 1). The VPSC has informed Council that building works are due to commence on the kindergarten extension during the 2015 September School holidays.

It is proposed that Council make a conditional cash offer of \$27,300 from the annual kindergarten capital maintenance budget to the VPSC to enable them to schedule the remaining identified works considered as Council responsibility as part of their proposed building extension works.

The offer is to be conditional on:

1. The ownership of the Vermont kindergarten building transferring to DET and Council extinguishing any further responsibility for the building and surrounding land as outlined in the lease and sub-lease agreements, and
2. The head lease and sub-lease agreements for the Vermont kindergarten land and building be nullified.

If the VPSC rejects the offer and does not wish to negotiate a modified agreement on maintenance works then no further action on this matter is recommended.

CONSULTATION

Consultation in relation to the development of this report was undertaken with officers from Council's Early Childhood Services Unit and Facilities Maintenance Unit. Consultation has also involved the Principal of the Vermont Primary School and the regional legal officer, property for the Victorian Department of Education and Training.

9.2.2

(cont)

FINANCIAL IMPLICATIONS

The cost to Council of the proposal is \$30,300 which represents a saving of about \$12,000 if Council undertook the works. However this amount would need to be discounted for inflation to calculate current value. The proposed amount would be sourced from Council's \$250,000 per annum kindergarten maintenance budget in the capital works program. This will require the re prioritising of scheduled works but no impact on critical or high needs maintenance works for the future.

If the proposal is adopted, it will also eliminate liability in the future for any other maintenance works that council retains responsibility for until the end of the lease agreements.

In addition to the above mentioned costs Council would incur approximately \$5,000 in legal costs associated with extinguishing both the head lease and sub-lease.

POLICY IMPLICATIONS

The recommendations contained in this report accords with key strategies contained in Council's

- 1) Municipal Early Years Plan (2014-2018) and
- 2) The Whitehorse Community Health & Wellbeing Plan 2013-17

9.3 CORPORATE SERVICES

9.3.1 Supplementary Valuation Quarterly Return: April to June 2015

FILE NUMBER: SF14/549

SUMMARY

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

COUNCIL RESOLUTION

Moved by Cr Daw, Seconded by Cr Harris

That Council:

- 1. Note and accept the supplementary valuations undertaken during the period commencing 01 April to 30 June 2015.***
- 2. Authorise the rate records being adjusted to take account of the supplementary valuations returned.***

CARRIED UNANIMOUSLY

BACKGROUND

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

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

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

This report relates to supplementary valuations undertaken by Council in accordance with *Valuation of Land Act 1960* for the period from 01 April 2015 to 30 June 2015.

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

Supplementary valuations are primarily due to construction, demolition, subdivision and/or planning activities. This supplementary valuation return comprises predominantly building demolitions and the amendment of valuations resulting from valuation objections.

Table # 1: Supplementary Valuations completed between 01 April and 30 June 2015

Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
48	\$50,591,500	\$64,762,000	\$4,588,175

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

CONSULTATION

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

9.3.1

(cont)

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

FINANCIAL IMPLICATIONS

The total quarterly change to the Capital Improved Value (CIV) caused by the supplementary valuations undertaken is a decrease of \$7,335,000.

This change in CIV has resulted in a reduction of \$7,575 of supplementary rate income.

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

Table #2: Valuation Totals as at 31 March 2015

BREAKDOWN	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
Rateable	69,485	\$32,398,137,401	\$47,824,451,501	\$2,508,879,076
Non-Rateable	1,087	\$ 2,450,988,500	\$ 2,850,724,000	\$ 165,902,200
<i>Municipal Total</i>	70,572	\$34,849,125,901	\$50,675,175,501	\$2,674,781,276

Table#3 Change to valuation totals due to supplementary valuations from 01 April 2015 to 30 June 2015

<i>Supplementary Valuations</i>	<i>Assessments within Supplementary Valuation Batches</i>	<i>Change to Site Value</i>	<i>Change to CIV</i>	<i>Change to NAV</i>
	48	\$-1914,000	\$-7,335,000	\$-257,000

Table #4: Valuation Totals as at 30 June 2015

NEW BREAKDOWN	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
New Rateable	69,488	\$32,403,520,401	\$47,824,766,501	\$2,509,023,126
New Non-Rateable	1,084	\$ 2,443,691,500	\$ 2,843,074,000	\$ 165,501,150
<i>New Municipal Total</i>	70,572	\$34,847,211,901	\$50,667,840,501	\$2,674,524,276

9.3.2 In Principal Approval of the 2014/15 Annual Financial Statements and Performance Statement

FILE NUMBER: SF15/117959
ATTACHMENTS

SUMMARY

Council is required to complete and forward to the Minister for Local Government its Annual Report by 30 September 2015. The Council must not submit the financial statements or the performance statement to its auditor or the Minister unless it has passed a resolution giving its approval in principle to the financial statements and performance statement. It is recommended that the Annual Financial Statements and Performance Statement, be approved in principle and forwarded to the Minister.

COUNCIL RESOLUTION

Moved by Cr Davenport, Cr Stennett

That Council receive the report and that:

- 1. The Annual Financial Statements and Performance Statement for 2014/15 be approved in principle.***
- 2. The Principal Accounting Officer be authorised to make minor amendments to the Annual Financial Statements and Performance Statement for 2014/15 to meet the Victorian Auditor General's requirements.***
- 3. Cr Davenport and Cr Stennett be authorised to sign the Annual Financial Statements, and Performance Statement for 2014/15.***
- 4. The Chief Executive Officer be authorised to sign the Annual Financial Statements and Performance Statement for 2014/15.***
- 5. The Annual Report be forwarded to the Local Government Victoria by 30 September 2015.***
- 6. Public notice be given of:***
 - a) The availability of the report of the auditor under Section 9 of the Audit Act 1994.***
 - b) A meeting to be held for the purpose of discussing the Annual Report under Section 134 of the Local Government Act 1989 at 7.00 pm on 19 October 2015.***

CARRIED UNANIMOUSLY

BACKGROUND

The Council is required under Section 131 of the Local Government Act 1989 to complete an annual report each year and forward it to the Minister by 30 September 2015. The Annual report comprises:

- A report of its operations during the financial year
- Audited financial statements for the financial year
- A copy of the performance statement prepared under Section 132
- A copy of the report on the performance statement prepared under Section 133
- Any other matter required by the regulations.

The Council must not submit the financial statements or the performance statement to its auditor or the Minister unless it has passed a resolution giving its approval in principle to the financial statements and performance statement.

9.3.2

(cont)

The annual report incorporating the audited financial statements and performance statement are required to be certified by Council's Principal Accounting Officer and by two Councillors on behalf of the Council prior to the Council's Auditor signing the Audit Report. The annual report is then forwarded to the Minister by 30 September 2015.

The Audit Advisory Committee, at its meeting of 17 August 2015, discussed the annual financial statements and performance statement with a representative of the agent of the Victorian Auditor General.

DISCUSSION

The legislation requires the Council to resolve to approve in principle the annual financial statements and performance statements prior to these statements being forwarded to the Victorian Auditor General. The Victorian Auditor General conducted the final phase of the audit process from 13-24 July 2015 at the Council. In conjunction with the audit, the Victorian Auditor General requires copies of Council resolutions to authorise the signing and adoption of the statements so as to provide the Councillors with clearance to sign the certification of the report.

The Audit Advisory Committee reviewed the Annual statements, in conjunction with the Auditor General's agent, at its meeting held on 17 August 2015.

Certification

Two Councillors are required to sign the certification of the annual financial statements and performance statement once clearance is obtained from the Victorian Auditor General and after the Principal Accounting Officer has signed their certification. It is proposed that the Councillors on the Audit Advisory Committee be authorised to sign the certification on behalf of the Council after the necessary clearance has been obtained. In the eventuality that there may be some late changes made to the financial statements, it is also proposed that the approval given to the Councillors be extended to enable them to sign the certification after these necessary changes have been made.

After the annual report has been submitted to the Minister, the Council must give public notice that the annual report has been prepared and can be inspected at the Council office Section 131(10).

Section 134 of the Act requires a meeting to consider the annual report. The Council must consider the annual report at a meeting of Council. The meeting must be held as soon as practicable but within the time required by the regulations, after the Council has sent the annual report to the Minister.

Attendance: Cr Daw left the chamber at 8.45pm, returned at 8.47pm.

9.3.3 Microsoft Licensing Agreement

FILE NUMBER: SF11/1669
ATTACHMENT

SUMMARY

The purpose of this report is to consider the selection of a preferred vendor for the supply of a Microsoft software assurance and additional licences for a three year period and to recommend that the CEO be authorised to sign the formal contract document on behalf of Council. It is recommended that the contract be awarded to Staples Australia.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Chong

That Council:

- 1. Accept Staples Australia as the preferred Microsoft channel partner.***
- 2. Accept the offer from Staples Australia Pty Ltd (ABN 94 000 728 398), for the supply of software licensing and to sign an Enterprise Agreement with Microsoft Operations PTE Limited of Department 551, Volume Licensing 438B Alexandra Rd #04-09/12 Block B Alexandra TechnoPark Singapore 119968, for the amount of \$757,940.70, including GST for a period of 3 years.***

CARRIED UNANIMOUSLY

BACKGROUND

In 2008 Council purchased Microsoft licences under a MAV led tender Victorian local government for the fixed period of 3 years. This allowed Council to amortise the cost of outright purchases over the period in addition to paying software assurance.

Following expiry of the agreement the MAV retendered for the supply of licencing and software assurance. Council selected Corporate Express as its Microsoft software supplier and entered into a 3 year contract for software assurance and new licences only. This contract ended in September 2014, Council opted to take up a one year extension.

As a refresh to the current contract, the MAV have recently managed a new tender (contract MS4333-2014) process and following evaluation have selected 2 preferred suppliers from which Council can choose.

Staples Australia (formerly Corporate Express) and Data#3 Limited where the selected preferred suppliers, each with a unique set of pricing and added value offerings.

DISCUSSION

Enterprise Agreements

Enterprise Agreements are generally aimed at large business and offer significant cost savings based on business size categories. The basis of the EA is that you purchase your required software licenses and are able to amortise them over a 3 year period rather than an upfront lump sum. One requirement, however, is that you must take up Software Assurance, which comes with a range of benefits. Software Assurance, or maintenance, means that council will have access to:

- All future upgrades at no further cost
- Training credits
- Technical support and problem resolution
- E-learning
- Home use for business purposes
- Employee purchase discount programs. For example, Council staff can access a copy of MS Office, which includes Word, Excel, PowerPoint and Outlook.

9.3.3

(cont)

Once the capital cost of the software has been paid after year 3, the ongoing cost is only software assurance (software maintenance) and then any licenses required due to PC fleet increases or user demand.

If during the EA, there is a requirement to buy additional licenses of a particular application, Council will be able to purchase at the discounted prices. Effectively the prices are locked in over the period of the agreement.

Microsoft in conjunction with the MAV have developed a new EA as many local government site's current agreements are due to expire in August 2015, including Whitehorse. The intention of the agreement was to allow all Councils access to a sector wide agreement and be rewarded with the lower cost option as a result of the economy of scale normally restricted to larger organisations. The agreement has also received Ministerial approval to exempt councils from having to tender for Microsoft licensing agreements.

The process involved the tendering of MS Licensing Services and license pricing. A panel of two vendors (License Solution Partners) were selected – Staples Australia and Data#3 Limited. Both vendors offer a fixed discount off official Microsoft pricing as well as value-added services.

Options Summary

Option	Pros / Cons
"Do nothing" option	<ul style="list-style-type: none">• No support• Ongoing compatibility issues• Reduced functionality• Limited development opportunities• Out-right licence purchases required when upgrading• Unsupported integration to corporate applications• Other related issues
Re-sign to an Enterprise Agreement	<ul style="list-style-type: none">• Continuous access to state-of-the-art software• Ongoing support• Functionality• Software Assurance benefits

Microsoft, like most software vendors, are moving their products to "cloud" based offerings. This changes the traditional per desktop software license to an annual subscription, rather than annual software assurance. Officers reviewed this option and felt that Whitehorse should consider cloud based options only when further analysis on the merits of cloud computing where more broadly understood. This is expected to be conducted in the next 6 to 12 months with access to cloud ready licenses available to purchase under the agreement.

Below is a summary of the 2 considered options for the 3 year agreement:

1. Continue annual maintenance on current product set (recommended option).
Allows upgrade from Office 2010 to 2013 and from Windows 7 to Windows 10. Move to cloud products would require extra costs in future years.
585 users @ **\$389.14** per user = \$227,646.90 per year
2. Move to a "cloud" ready license / subscription model.
Allows immediate move to Office 365 and optional cloud services.
585 users @ **\$511.73** per user = \$299,362.05 per year

9.3.3

(cont)

Benefits Summary

Action	Impact	Benefit
Modernising of the current systems	Increased functionality Increased stability Increased compatibility	Increased productivity Better Customer Service Reduced downtime Reduced errors & conflicts
Closing licensing gaps	Increased cost	Risk mitigation
Software Assurance	Ongoing support	Stable, reliable systems
Ability to spread payments over 3 years	Reduced upfront costs	Better cost management
Ongoing supplier relationship	Value Added services	Better service

Other benefits

- Locking in acknowledged sector best pricing
- Dealing with an existing, known, reliable supplier
- Increased ability to keep systems current
- Other Software Assurance benefits.

License Solution Partner Selection

To assist in the selection of a preferred License Solution Partner available, Council officers utilised Council's tender evaluation methodology. Our selection was based on the following criteria:

- Financial Benefit
- Value Added services
- Experience
- Overall Track Record.

The outcome of the evaluation resulted in Staples Australia being the preferred License Solution Partner. The package offered by the company, exceeded Data#3 in terms of financial benefit and other value added services.

FINANCIAL IMPLICATIONS

The table below outlines the previous and future period spend (Inc GST) for the preferred Option 1.

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Operational	\$147,565	\$147,565	\$215,452	\$227,647	\$227,647	\$227,647

The 2015/16 Capital works budget currently includes \$25,000 over 3 years for additional software licence requirements. The operational costs will be covered by the 2015/16 IT annual software maintenance budget, which allowed for MS assurance increases.

9.3.3

(cont)

Appendix 1

Product Set Required

Office Productivity
Windows Enterprise
Office Professional Plus – Word, Excel, Outlook, PowerPoint, Access, Publisher
Core Client Access License
Visio Standard – org and flow charting
Visio Professional
Microsoft Project – project management
Visual Studio Pro w/MSDN Premium
Server Products
Office SharePoint Server
SharePoint Enterprise CAL
Configuration Manager Server
Exchange Server Standard
Exchange Server Enterprise
SQL CAL – client access license
SQL Server Standard
SQL Server Standard Core
System Centre Standard
System Centre Datacentre
Windows Remote Desktop CAL - Device
Windows Remote Desktop CAL - User
Windows Server Standard
Windows Server Datacentre

9.3.4 Delegated Decisions – June 2015

FILE NUMBER: SF13/1527#02

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

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

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

CARRIED UNANIMOUSLY

DELEGATION	FUNCTION	Number for June 2014	Number for June 2015
Planning and Environment Act 1987	- Delegated decisions	95	158
	- Strategic Planning Decisions	Nil	1
Telecommunications Act 1997		1	Nil
Subdivision Act 1988		7	32
Gaming Control Act 1991		0	
Building Act 1993	Dispensations & applications to Building Control Commission	49	49
Liquor Control Reform Act 1998	Objections and prosecutions	1	2
Food Act 1984	- Food Act orders	Nil	3
Public Health & Wellbeing Act 2008	- Improvement / prohibition notices	Nil	Nil
Local Government Act 1989	Temporary road closures	9	8
Other delegations	CEO signed contracts between \$150,000 - \$500,000	1	Nil
	Property Sales and leases	7	11
	Documents to which Council seal affixed	Nil	Nil
	Vendor Payments	1499	1629
	Parking Amendments	8	8
	Parking Infringements written off (not able to be collected)	197	212

*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 JUNE 2015

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

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
143	23-06-15	Application Lapsed	362 Middleborough Rd, Blackburn	Central	Construction of one double storey dwelling	Residential (Other)
255	15-06-15	Application Lapsed	33 Neville St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
280	09-06-15	Application Lapsed	1A Moritz St, Box Hill South	Riversdale	Construction of a deck	Residential (Other)
23	01-06-15	Delegate Approval - S72 Amendment	6 Donald St, Blackburn South	Central	Amendment to WH/2014/23 (issued for the construction of three (3) double storey dwellings) for minor internal alterations and alteration to windows	Permit Amendment
102	26-06-15	Delegate Approval - S72 Amendment	40 Begonia St, Box Hill South	Riversdale	Two (2) lot subdivision of land	Permit Amendment
181	11-06-15	Delegate Approval - S72 Amendment	1 Russell St, Nunawading	Springfield	Construction of two double storey dwellings and subdivide into two lots	Permit Amendment
211	30-06-15	Delegate Approval - S72 Amendment	7 Station St, Burwood	Riversdale	Amendment to Planning WH/2014/211 (Issued for the construction of three double storey dwellings) for changes to external features of Dwelling 3	Permit Amendment
235	11-06-15	Delegate Approval - S72 Amendment	42 Eley Rd, Burwood	Riversdale	Amendment to Planning Permit WH/2014/235 (Issued for construction of three double storey dwellings and building and works to construct a front fence within a Special Building Overlay) for minor alterations to external features of the development.	Permit Amendment
243	18-06-15	Delegate Approval - S72 Amendment	7/197 Springvale Rd, Nunawading	Springfield	Amend plans	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
268	15-06-15	Delegate Approval - S72 Amendment	644 Whitehorse Rd, Mitcham	Springfield	Amendment to endorse plans for additional signage	Permit Amendment
400	02-06-15	Delegate Approval - S72 Amendment	17 Shafer Rd, Blackburn North	Central	Construction of a double storey dwelling at the rear of the existing dwelling and subdivision of land into two lots	Permit Amendment
583	12-06-15	Delegate Approval - S72 Amendment	391-399 Burwood Hwy, Burwood	Riversdale	Staged construction of a part three, part four and part five storey building with basement car parking for the purposes of residential dwellings and alteration to access to a road in a Road Zone Category 1 and part discontinuance and part realignment of easements and a reduction in car parking under clause 52.06 of the planning scheme	Permit Amendment
630	26-06-15	Delegate Approval - S72 Amendment	25-27 Foch St, Box Hill South	Riversdale	Amendment to Planning Permit WH/2014/30 (Issued for the construction of four double storey dwellings) for alterations to the internal configuration of the development, minor external alterations to Dwelling 4 and changes to the approved landscaping layout	Permit Amendment
738	15-06-15	Delegate Approval - S72 Amendment	1029 Riversdale Rd, Surrey Hills	Riversdale	Construction of a double storey dwelling to the rear of the existing dwelling and buildings and works to the existing dwelling	Permit Amendment
955	16-06-15	Delegate Approval - S72 Amendment	15 McCubbin St, Burwood	Riversdale	Construction of four double storey dwellings	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1	24-06-15	Delegate NOD Issued	55 Eley Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
44	30-06-15	Delegate NOD Issued	122 Jolimont Rd, Vermont	Morack	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
108	04-06-15	Delegate NOD Issued	76 Winfield Rd, Balwyn North	Elgar	Construction of seven dwellings comprising three triple storey and four double storey dwellings and tree removal	Multiple Dwellings
127	30-06-15	Delegate NOD Issued	8 Second Ave, Box Hill North	Elgar	Construction of two (2) semi-detached double storey dwellings	Multiple Dwellings
160	30-06-15	Delegate NOD Issued	6 Ray Rd, Burwood East	Morack	Construction of two double storey dwellings	Multiple Dwellings
170	30-06-15	Delegate NOD Issued	780 Whitehorse Rd, Mont Albert	Elgar	Amendment to plans for construction of a three storey building plus a basement car park comprising of fifteen (15) dwellings and to create and alter access to a road in a Road Zone Category 1 (Whitehorse Road), to change the front facade, change entry and disability access, and alterations to apartment 2.03 including new large balcony to the south	Permit Amendment
269	30-06-15	Delegate NOD Issued	24 Tasman Ave, Nunawading	Springfield	Construction of a roofed deck to the rear of the existing dwelling	Single Dwelling < 300m2
273	22-06-15	Delegate NOD Issued	4 Francesca St, Mont Albert North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
378	11-06-15	Delegate NOD Issued	2 Newbigin St, Burwood	Riversdale	Construction of 4 double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
645	25-06-15	Delegate NOD Issued	3 Beddows St, Burwood	Riversdale	Changes to the construction of two (2) double storey dwellings including the garage to Dwelling 1 relocated to the western boundary and revised location of retaining walls	Multiple Dwellings
659	30-06-15	Delegate NOD Issued	6 Savage Crt, Nunawading	Springfield	Construction of two (2) single storey dwellings	Multiple Dwellings
705	23-06-15	Delegate NOD Issued	66 Rostrevor Pde, Mont Albert North	Elgar	Construction of two double storey semi-detached dwellings	Multiple Dwellings
740	30-06-15	Delegate NOD Issued	10 Bundoran Pde, Mont Albert North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
771	02-06-15	Delegate NOD Issued	75 Box Hill Cres, Mont Albert North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
847	30-06-15	Delegate NOD Issued	9 Johnston St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
877	23-06-15	Delegate NOD Issued	914 Station St, Box Hill North	Elgar	Construction of three double storey dwellings and to alter access to a road in a Road Zone Category 1	Multiple Dwellings
895	25-06-15	Delegate NOD Issued	1 Benbrook Ave, Mont Albert North	Elgar	The development of the land for three dwellings comprising the construction of two double storey dwellings to the rear of the existing single storey dwelling	Multiple Dwellings
899	26-06-15	Delegate NOD Issued	30 Victor Cres, Forest Hill	Morack	Development of the land for two dwellings (comprising the retention of the existing single storey dwelling and the construction of a double storey dwelling)	Multiple Dwellings
944	04-06-15	Delegate NOD Issued	80 Burwood Hwy, Burwood East	Riversdale	Construction of six triple storey dwellings and alteration to access to a road in a Road Zone (Category 1)	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
997	30-06-15	Delegate NOD Issued	71 Severn St, Box Hill North	Elgar	Construction of eight (8) dwellings, comprising one (1) double storey and seven (7) three storey dwellings and reduction of visitor car parking requirements	Multiple Dwellings
1042	30-06-15	Delegate NOD Issued	788 Station St, Box Hill North	Elgar	Construction of three double storey dwellings and to create access to a road, in a Road Zone, Category 1	Multiple Dwellings
1055	30-06-15	Delegate NOD Issued	14A Lee Ann St, Blackburn South	Central	Construction of two double storey dwellings and subdivision of land into 2 lots	Multiple Dwellings
1121	24-06-15	Delegate NOD Issued	2A Junction Rd, Blackburn North	Central	Construction of three double storey dwellings and a 3 lot subdivision	Multiple Dwellings
1151	25-06-15	Delegate NOD Issued	122 Dorking Rd, Box Hill North	Elgar	Construction of two (2) dwellings	Multiple Dwellings
1200	30-06-15	Delegate NOD Issued	18 Taldra St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
1274	30-06-15	Delegate NOD Issued	23 Stanley St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
10	11-06-15	Delegate Permit Issued	43 Florence Rd, Surrey Hills	Riversdale	The development of the land for two dwellings comprising the construction of a double storey dwelling to the rear of the existing single storey dwelling and a two lot subdivision	Subdivision
13	16-06-15	Delegate Permit Issued	15 Wolseley Close Mont Albert	Elgar	Alterations to an existing dwelling including the addition of a first floor component in a Heritage Overlay	Heritage
24	30-06-15	Delegate Permit Issued	22-24 Blackburn Rd, Blackburn	Central	Removal of a restrictive covenant (from Lot 2, PS 526677E)	Subdivision
27	11-06-15	Delegate Permit Issued	30 Cosgrove St, Vermont	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
36	30-06-15	Delegate Permit Issued	2 Betula Ave, Nunawading	Springfield	Construction of a double storey dwelling to the rear of the existing dwelling and modifications to the existing dwelling	Multiple Dwellings
37	04-06-15	Delegate Permit Issued	347 Springfield Rd, Nunawading	Springfield	Construction of one (1) double storey dwelling at the rear of the existing double storey dwelling	Multiple Dwellings
58	04-06-15	Delegate Permit Issued	32 Karen St, Box Hill North	Elgar	Alterations and additions to the existing dwelling and construction of one (1) double storey dwelling to the rear	Multiple Dwellings
61	05-06-15	Delegate Permit Issued	2 Eyre St, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
114	23-06-15	Delegate Permit Issued	22/277-289 Middleborough Rd, Box Hill South	Riversdale	Building and works to create a sub-floor within an existing warehouse and a reduction to the standard car parking requirement associated with the use of land for industry (catering)	Industrial
122	05-06-15	Delegate Permit Issued	48 William St, Box Hill	Elgar	10 lot subdivision	Subdivision
130	23-06-15	Delegate Permit Issued	2/30 Francesca St, Mont Albert North	Elgar	Building and works to extend a dwelling on a lot less than 300sqm to include a first floor component above the garage, comprising of a studio	Single Dwelling < 300m2
142	30-06-15	Delegate Permit Issued	34 Laburnum St, Blackburn	Central	Buildings and works to an Existing Dwelling (Ground floor additions and alterations and first floor extension)	Special Landscape Area
147	30-06-15	Delegate Permit Issued	9 Vivian St, Blackburn North	Central	Construction of a double storey dwelling in front of an existing double storey dwelling	Multiple Dwellings
159	23-06-15	Delegate Permit Issued	14 Havelock St, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
194	23-06-15	Delegate Permit Issued	208-212 Mitcham Rd, Mitcham	Springfield	Installation of a new underground fuel storage tank and dispenser upgrade	Other
266	29-06-15	Delegate Permit Issued	78 Middleborough Rd, Burwood East	Riversdale	Variation of carriageway easement	Subdivision
279	09-06-15	Delegate Permit Issued	17 East India Ave, Nunawading	Springfield	Construction of two double storey dwellings	Multiple Dwellings
287	15-06-15	Delegate Permit Issued	17 Orloff Crt, Burwood East	Riversdale	2 lots subdivision	Subdivision
304	30-06-15	Delegate Permit Issued	5 Lindisfarne Drv, Burwood East	Riversdale	Removal of one (1) tree within a Vegetation Protection Overlay	Vegetation Protection Overlay
319	23-06-15	Delegate Permit Issued	183 Springfield Rd, Blackburn North	Central	Three lot subdivision	Subdivision
325	30-06-15	Delegate Permit Issued	257-259 Mitcham Rd, Mitcham	Springfield	Buildings and works for an extension to the existing kindergarten	Residential (Other)
328	30-06-15	Delegate Permit Issued	571 Burwood Hwy, Vermont South	Morack	Construction of three dwellings and associated buildings and works within a Special Building Overlay	Multiple Dwellings
337	15-06-15	Delegate Permit Issued	698-700 Whitehorse Rd, Mitcham	Springfield	Buildings and works associated with a Section 2 Use (place of assembly)	Residential (Other)
355	30-06-15	Delegate Permit Issued	22 Britannia Mall Mitcham	Springfield	Buildings and works and reduction in the standard car parking requirements (associated with the use of land for a restaurant)	Business
357	01-06-15	Delegate Permit Issued	1 Skene St, Burwood East	Riversdale	Lopping of branches of a protected tree on an adjoining site	VicSmart - General Application
362	23-06-15	Delegate Permit Issued	17 Frances Ave, Vermont	Morack	Removal of two (2) trees	Special Landscape Area
367	16-06-15	Delegate Permit Issued	12 Barkly St, Box Hill	Elgar	4 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
371	11-06-15	Delegate Permit Issued	487-503 Springvale Rd, Vermont South	Morack	Buildings and works to convert an existing change room into a multi-purpose learning area.	Other
374	05-06-15	Delegate Permit Issued	582 Elgar Rd, Box Hill North	Elgar	Construction of six double storey dwellings and alteration of access to a road in a Road Zone (Category 1)	Multiple Dwellings
383	15-06-15	Delegate Permit Issued	7 Elmhurst Rd, Blackburn	Central	3 lot subdivision	Subdivision
386	23-06-15	Delegate Permit Issued	1 Overland Drv, Vermont South	Morack	3 lot subdivision	Subdivision
389	29-06-15	Delegate Permit Issued	410 Springfield Rd, Mitcham	Springfield	2 lot subdivision	Subdivision
392	30-06-15	Delegate Permit Issued	30-32 Somers St, Mitcham	Springfield	Vegetation Removal	Special Landscape Area
393	23-06-15	Delegate Permit Issued	6/197 Springvale Rd, Nunawading	Springfield	Display of a business identification advertising sign.	Advertising Sign
400	15-06-15	Delegate Permit Issued	21 Ian Cres, Mitcham	Springfield	3 lots subdivision	Subdivision
402	15-06-15	Delegate Permit Issued	23A Mitta St, Box Hill North	Elgar	2 lot subdivision	Subdivision
403	15-06-15	Delegate Permit Issued	45 Peter St, Box Hill North	Elgar	3 lot subdivision	Subdivision
414	15-06-15	Delegate Permit Issued	72 Kenmare St, Mont Albert	Elgar	3 lot subdivision	Subdivision
417	03-06-15	Delegate Permit Issued	42 Lucknow St, Mitcham	Springfield	Remove tree	VicSmart - General Application
419	03-06-15	Delegate Permit Issued	36 Myrtle Grv, Blackburn	Central	Removal of one tree within existing deck area	VicSmart - General Application
426	16-06-15	Delegate Permit Issued	42 Eley Rd, Burwood	Riversdale	3 lot subdivision	Subdivision
427	16-06-15	Delegate Permit Issued	28 Frank St, Box Hill South	Riversdale	3 lot subdivision	Subdivision
432	30-06-15	Delegate Permit Issued	22 Summit Rd, Burwood	Riversdale	3 lots subdivision	Subdivision
436	11-06-15	Delegate Permit Issued	38A Carween Ave, Mitcham	Springfield	Removal of one protected tree	VicSmart - General Application
440	30-06-15	Delegate Permit Issued	3 Wickham Ave, Forest Hill	Springfield	6 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
442	22-06-15	Delegate Permit Issued	340 Station St, Box Hill South	Riversdale	2 lot subdivision	Subdivision
445	15-06-15	Delegate Permit Issued	36 Thomas St, Mitcham	Springfield	Construction of a new front fence within a Heritage Overlay	VicSmart - General Application
448	16-06-15	Delegate Permit Issued	55 Mitta St, Box Hill North	Elgar	2 lot subdivision	Subdivision
449	16-06-15	Delegate Permit Issued	12 Puerta St, Burwood	Riversdale	2 lot subdivision	Subdivision
450	16-06-15	Delegate Permit Issued	46 Joan Cres, Burwood East	Morack	2 lot subdivision	Subdivision
459	23-06-15	Delegate Permit Issued	42 Surrey Rd, Blackburn North	Central	2 lot subdivision	Subdivision
467	25-06-15	Delegate Permit Issued	718 Canterbury Rd, Surrey Hills	Riversdale	2 lot subdivision	Subdivision
468	23-06-15	Delegate Permit Issued	11 McKean St, Box Hill North	Elgar	2 lot subdivision	Subdivision
481	26-06-15	Delegate Permit Issued	14 Game St, Blackburn	Central	Removal of one (1) tree within a Significant Landscape Overlay	VicSmart - General Application
484	29-06-15	Delegate Permit Issued	37 Esdale St, Blackburn	Springfield	Two Lot subdivision	Subdivision
485	25-06-15	Delegate Permit Issued	17 Victoria Cres, Mont Albert	Elgar	2 lot subdivision	Subdivision
487	29-06-15	Delegate Permit Issued	1/6 Canora St, Blackburn South	Central	Two lot subdivision	Subdivision
494	29-06-15	Delegate Permit Issued	1097 Whitehorse Rd, Box Hill	Elgar	Nine (9) lot subdivision	Subdivision
506	30-06-15	Delegate Permit Issued	944 Station St, Box Hill North	Elgar	2 lot subdivision	VicSmart - Subdivision
513	30-06-15	Delegate Permit Issued	2 Mardion Drv, Nunawading	Springfield	2 lot subdivision	Subdivision
515	30-06-15	Delegate Permit Issued	43 Monash St, Box Hill South	Riversdale	2 lot subdivision	Subdivision
556	11-06-15	Delegate Permit Issued	21 Loddon St, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
572	04-06-15	Delegate Permit Issued	36 Cadorna St, Box Hill South	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
589	11-06-15	Delegate Permit Issued	86 Kenmare St, Mont Albert	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
594	23-06-15	Delegate Permit Issued	70 Stevens Rd, Forest Hill	Morack	Construction of two semi-detached double storey dwellings	Multiple Dwellings
605	19-06-15	Delegate Permit Issued	24 Churchill St, Mont Albert	Elgar	Alterations and additions to the existing dwelling, demolition of out buildings and construction of a vehicle crossover and carport	Residential (Other)
637	30-06-15	Delegate Permit Issued	463-465 Whitehorse Rd, Mitcham	Springfield	Development of a two storey apartment building comprising seven dwellings (plus basement car park) and associated reduction of car parking requirements	Multiple Dwellings
662	04-06-15	Delegate Permit Issued	17 Barry Rd, Burwood East	Morack	Construction of three (3) double storey dwellings	Multiple Dwellings
669	11-06-15	Delegate Permit Issued	4 Shady Grv, Nunawading	Springfield	Construction of five double storey dwellings	Multiple Dwellings
687	30-06-15	Delegate Permit Issued	178 Junction Rd, Nunawading	Springfield	Construction of two double storey dwellings and two lot subdivision	Multiple Dwellings
712	29-06-15	Delegate Permit Issued	14 Goodwin St, Blackburn	Central	Construction of two double storey dwellings	Multiple Dwellings
716	09-06-15	Delegate Permit Issued	4 Box Ave, Forest Hill	Morack	Construction of a double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
745	11-06-15	Delegate Permit Issued	7 Harcourt St, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
764	15-06-15	Delegate Permit Issued	25 Simpsons Rd, Box Hill	Elgar	Construction of four double storey dwellings	Multiple Dwellings
801	29-06-15	Delegate Permit Issued	11 Strabane Ave, Mont Albert North	Elgar	Construction of three (3) double storey dwellings	Multiple Dwellings
807	30-06-15	Delegate Permit Issued	51 Hastings Ave, Blackburn South	Riversdale	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
818	09-06-15	Delegate Permit Issued	517 Elgar Rd, Mont Albert North	Elgar	Buildings and works for a first floor addition to the existing dwelling	Special Building Overlay
822	11-06-15	Delegate Permit Issued	44 Broughton Rd, Surrey Hills	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
909	23-06-15	Delegate Permit Issued	8 Roberts Ave, Box Hill South	Riversdale	Construction of one (1) double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
927	23-06-15	Delegate Permit Issued	22 Linlithgow St, Mitcham	Springfield	Construction of a single storey dwelling at the rear of the existing dwelling	Multiple Dwellings
937	11-06-15	Delegate Permit Issued	12 Molleton St, Blackburn	Central	Buildings and works for the construction of two (2) dwellings on a lot	Multiple Dwellings
952	04-06-15	Delegate Permit Issued	10 Fir St, Blackburn	Central	Construction of two dwellings	Multiple Dwellings
1036	22-06-15	Delegate Permit Issued	391-399 Burwood Hwy, Burwood	Riversdale	126 lot multi-level building subdivision	Subdivision
1046	30-06-15	Delegate Permit Issued	1/37-39 Lexton Rd, Box Hill North	Elgar	Use of the land for indoor recreation facility (dance and gymnastics studio)	Industrial
1052	29-06-15	Delegate Permit Issued	17 Acacia St, Box Hill	Elgar	The demolition of existing dwelling and construction of two double storey dwellings	Multiple Dwellings
1074	04-06-15	Delegate Permit Issued	1 Graham Place Box Hill	Elgar	Double storey building to be used as VCE Learning Centre, College Maintenance facility and car park at 1 Graham Place, Box Hill	Residential (Other)
1087	02-06-15	Delegate Permit Issued	22 Wavell St, Box Hill	Elgar	construction of two double storey dwellings	Multiple Dwellings
1171	30-06-15	Delegate Permit Issued	28 Junction Rd, Blackburn North	Central	Buildings and works to construct a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
1184	12-06-15	Delegate Permit Issued	28 Boisdale St, Surrey Hills	Riversdale	Twenty nine lot subdivision	Subdivision
1206	04-06-15	Delegate Permit Issued	30 Wolseley Cres, Blackburn	Central	Buildings and works (carport in frontage and outbuilding, deck, spa, pergola in to the rear)	Special Landscape Area

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1219	23-06-15	Delegate Permit Issued	106 Elgar Rd, Box Hill South	Riversdale	Construction of two double storey dwellings and to alter access to a road in a Road Zone, Category 1	Multiple Dwellings
1231	05-06-15	Delegate Permit Issued	7 Orchard Grv, Blackburn South	Central	Construction of two (2) dwellings on a lot	Multiple Dwellings
1232	05-06-15	Delegate Permit Issued	1064 Whitehorse Rd, Box Hill	Elgar	2 Lot Subdivision	Subdivision
1236	04-06-15	Delegate Permit Issued	8 Haros Ave, Nunawading	Springfield	Development of the land for two dwellings comprising the construction of a double storey dwelling to the rear of the existing single storey dwelling	Multiple Dwellings
1239	30-06-15	Delegate Permit Issued	149 Morack Rd, Vermont South	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings
1242	30-06-15	Delegate Permit Issued	2 Henders St, Forest Hill	Central	Use of the land for the purpose of a residential hotel and associated buildings and works	Residential (Other)
1255	26-06-15	Delegate Permit Issued	22 Baratta St, Blackburn South	Central	Construction of two double storey dwellings	Multiple Dwellings
1257	30-06-15	Delegate Permit Issued	84 Rutland Rd, Box Hill	Elgar	Construction of a three (3) storey apartment building (plus basement) comprising 12 dwellings and a reduction in visitor car parking requirement by one (1) space	Multiple Dwellings
1271	30-06-15	Delegate Permit Issued	13 Harrison St, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
1272	04-06-15	Delegate Permit Issued	5 Morrie Cres, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
15	30-06-15	Delegate Refusal Issued	628 Whitehorse Rd, Mitcham	Springfield	Construction of a double storey dwelling at the rear of an existing dwelling	Multiple Dwellings
701	15-06-15	Delegate Refusal Issued	4 Ian Grv, Burwood	Riversdale	Construction of three double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
720	30-06-15	Delegate Refusal Issued	40 Lindsay Ave, Nunawading	Springfield	Construction of a part double, part triple storey dwelling to the rear of the existing dwelling and alteration to existing dwelling	Multiple Dwellings
761	30-06-15	Delegate Refusal Issued	647 Canterbury Rd, Vermont	Springfield	Construction of five dwellings comprising four double storey dwellings and one single storey dwelling	Multiple Dwellings
858	29-06-15	Delegate Refusal Issued	25 Redhill Ave, Burwood East	Morack	Construction of two double storey dwellings and variation of Covenant C921978	Multiple Dwellings
1240	30-06-15	Delegate Refusal Issued	20 Victoria St, Box Hill	Elgar	Construction of six double storey dwellings and reduction in visitor car parking requirement	Multiple Dwellings
559	26-06-15	Failure - Not Supported	99 Morack Rd, Vermont South	Morack	Development of the land for 18 dwellings and removal of native vegetation	Multiple Dwellings
1139	15-06-15	No Permit Required	Level 2 2/814-818 Whitehorse Rd, Box Hill	Elgar	Respite Planned Activity Centre in a C1Zone	Business
234	23-06-15	Withdrawn	57 Florence Rd, Surrey Hills	Riversdale	Construction of a dwelling behind the existing dwelling and additions to existing dwelling	Multiple Dwellings
254	09-06-15	Withdrawn	175 Springfield Rd, Blackburn North	Central	Construction of three double storey dwellings	Multiple Dwellings
277	30-06-15	Withdrawn	7 Bellara St, Vermont	Morack	Construction of a double storey dwelling at the rear of an existing dwelling	Multiple Dwellings
373	25-06-15	Withdrawn	26 Belgravia Ave, Mont Albert North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
385	16-06-15	Withdrawn	43 Kerr St, Blackburn	Central	2 lot subdivision	Subdivision
479	26-06-15	Withdrawn	152 Springfield Rd, Blackburn	Central	Business Signage	Advertising Sign

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
810	16-06-15	Withdrawn	127 Whitehorse Rd, Blackburn	Central	Building and works to construct a place of assembly (Sikh Community Centre) and associated reduction of car parking requirements	Residential (Other)
819	19-06-15	Withdrawn	1 Gee Crt, Nunawading	Springfield	Construction of four dwellings on a lot	Permit Amendment
14292	24-06-15	Withdrawn	980-982 Whitehorse Rd, Box Hill	Elgar	Building and works	Permit Amendment

BUILDING DISPENSATIONS/APPLICATIONS JUNE 2015

Address	Date	Ward	Result
27 Patricia Road, BLACKBURN	24-06-15	Central	Approved R409
10 Marilyn Court, BLACKBURN NORTH	22-06-15	Central	Granted R409
28 Forest Glen Avenue, BLACKBURN SOUTH	05-06-15	Central	Granted R409
4 Station Street, BLACKBURN	22-06-15	Central	Granted R604
41 Kerr Street, BLACKBURN	05-06-15	Central	Granted R414, R409
60 Baratta Street, BLACKBURN SOUTH	26-06-15	Central	Granted R420
28 Forest Glen Avenue, BLACKBURN SOUTH	05-06-15	Central	Refused R414
6 Iris Court, BLACKBURN NORTH	26-06-15	Central	Refused R409
82 Shannon Street, BOX HILL NORTH	15-06-15	Elgar	Approved R409
13 Belgravia Avenue, MONT ALBERT NORTH	29-06-15	Elgar	Granted R424
16A Churchill Street, MONT ALBERT	17-06-15	Elgar	Granted R414, R409
17 Lincoln Avenue, MONT ALBERT NORTH	17-06-15	Elgar	Granted R409, R417
30 Main Street, BOX HILL	17-06-15	Elgar	Granted R604
7 Janda Court, BOX HILL NORTH	29-06-15	Elgar	Granted R409
82 Shannon Street, BOX HILL NORTH	04-06-15	Elgar	Granted R415
990 Whitehorse Road, BOX HILL	17-06-15	Elgar	Granted R604
4 Orchard Crescent, MONT ALBERT NORTH	26-06-15	Elgar	Refused R424
72 Kenmare Street, MONT ALBERT	15-06-15	Elgar	Refused R424
990 Whitehorse Road, BOX HILL	19-06-15	Elgar	Withdrawn R604
14 Centre Road, VERMONT	22-06-15	Morack	Granted R424
2 Huskey Court, VERMONT SOUTH	26-06-15	Morack	Granted R424
41 Hanover Road, VERMONT SOUTH	17-06-15	Morack	Granted R414
7 Minchinbury Drive, VERMONT SOUTH	26-06-15	Morack	Granted R420
53 Samuel Road, BLACKBURN SOUTH	24-06-15	Riversdale	Approved R409
17 Hill Street, BOX HILL SOUTH	05-06-15	Riversdale	Granted R415
21 Wellman Street, BOX HILL SOUTH	26-06-15	Riversdale	Granted R417
29 Erasmus Street, SURREY HILLS	22-06-15	Riversdale	Granted R427
38 Roslyn Street, BURWOOD	17-06-15	Riversdale	Granted R424
5 Lindisfarne Drive, BURWOOD EAST	24-06-15	Riversdale	Granted R409
72 Park Road, SURREY HILLS	22-06-15	Riversdale	Granted R409
72A Broughton Road, SURREY HILLS	22-06-15	Riversdale	Granted R414
72A Park Road, SURREY HILLS	29-06-15	Riversdale	Granted R414, R 415
752 Canterbury Road, Surrey Hills	17-06-15	Riversdale	Granted R427
16 Shepherd Street, SURREY HILLS	23-06-15	Riversdale	Refused R409
72A Broughton Road, SURREY HILLS	22-06-15	Riversdale	Refused R415, R418
72A Park Road, SURREY HILLS	29-06-15	Riversdale	Refused R409
12 O'Shannessy Street, NUNAWADING	29-06-15	Springfield	Granted R409
12A Will Street, FOREST HILL	22-06-15	Springfield	Granted R424
193-195 Springvale Road, NUNAWADING	10-06-15	Springfield	Granted R604
35 Creek Road, MITCHAM	12-06-15 15-06-15	Springfield	Granted R416, R414
5 Gladys Street, NUNAWADING	09-06-15	Springfield	Granted R414
50 Nicholson Street, NUNAWADING	05-06-15	Springfield	Granted R409
12 O'Shannessy Street, NUNAWADING	29-06-15	Springfield	Refused R415
159-171 Rooks Road, VERMONT	02-06-15	Springfield	Withdrawn R431

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – JUNE 2015

Under the Planning and Environment Act 1987

Decision Date	Act Section	Decision	Street Address	Ward	Proposal	Reference
23/06/15	8	Delegate Approval	Municipality	All	Request the Minister for Planning to give authorisation to prepare Amendment C177 and provide exemption under Section 20(2) of the Planning and Environment Act 1987 from the notification requirement of Section 19 of the Act, to introduce the relevant corrections and minor updates into the Local Planning Policy Framework of the Whitehorse Planning Scheme.	Amendment C177

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION JUNE 2015

Nil

REGISTER OF PROPERTY DOCUMENTS EXECUTED JULY 2015

Property Address	Document Type	Document Detail
Leases		
Aqualink Nunawading, 6B Fraser Place, Forest Hill - Physiohealth (Vic) Pty Ltd & McEvoy/Morarty	Lease	Landlord (expires 31/08/2016)
Room 1, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 30/11/2015)
Room 5, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 30/11/2015)
Room 7, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 30/07/2015)
Room 2A, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 1/08/2015)
Room 4, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 30/11/2015)
Room 9, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 14/11/2015)
Room 8, 5 Combarton Street, Box Hill	Residential Tenancy Agreement	Landlord (expires 28/02/2016)
Licences		
Part road reserve adjacent to 469-485 Springvale Road, Forest Hill - Police Department (Vic)	Licence	City of Whitehorse as Licensor (15 years expires 31/07/2030)
Waiver of Rates		
19 Sunshine Avenue, Mitcham	Waiving of rates	
2/42 Alfred Street, Blackburn	Waiving of rates	

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – JUNE 2015

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION JUNE 2015

Address: **Delany Avenue, Burwood:** from 10m north of Station Street to 16m north of Station Street – West Side
Previously: 1-Hour, 8am to 5pm, Monday to Friday and 8.30am to 12.30pm Saturday
Now: 1-Hour, 8am to 1pm, Monday to Friday and 1/4-Hour, 1pm to 7pm, Monday to Friday
Spaces: 1

Address: **Whitehorse Road service road, Box Hill:** from 10m east of Pendle Street to 15m east of Pendle Street – North Side
Previously: No Stopping
Now: 1/4-Hour, 7am-6pm, Monday to Saturday
Spaces: 1

Address: **Burwood Highway, Burwood:** from Renown Street to east boundary of 324 Burwood Highway – South Side
Previously: 2-Hour, 9am-7pm, Monday to Friday
Now: No Stopping
Spaces: 1

Address: **Derwent Street, Box Hill North:** from Elgar Road to Olympiad Crescent North Side
Previously: Unrestricted
Now: 2-Hour, 8am to 6pm, Monday to Friday
Spaces: 17

Address: **Arnold Street, Box Hill:** from 38m east of Elgar Road to 57m east of Elgar Road – North Side
Previously: Bus Zone
Now: 2-Hour, 8.30am to 6pm, Monday to Saturday
Spaces: 3

Address: **Clyde Street, Box Hill North:** from 10m west of Station Street to 15m west of Station Street – South Side
Previously: 2-Hour, 8am to 6pm, Monday to Friday
Now: No Stopping
Spaces: 1

VENDOR PAYMENT SUMMARY – SUMS PAID DURING JUNE 2015

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
04.06.15	\$11,352.35	20	EFC
04.06.15	\$674,202.90	54	CHQ
04.06.15	\$226,034.54	47	EFT
05.06.15	\$7,000.00	1	EFT
09.06.15	\$24,970.24	15	EFT
11.06.15	\$11,560.94	17	EFC
11.06.15	\$72,208.64	37	CHQ
11.06.15	\$1,804,294.92	298	EFT
11.06.15	\$270.00	1	CHQ
18.06.15	\$13,279.62	30	EFC
18.06.15	\$88,738.69	132	CHQ
18.06.15	\$286,722.08	35	EFT
23.06.15	\$23,675.85	15	EFT
25.06.15	\$2,330,668.14	1	EFT
25.06.15	\$6,870.66	17	EFC
25.06.15	\$3,693,437.47	446	EFT
25.06.15	\$307,830.73	142	CHQ
02.07.15	\$7,844.85	10	EFC
02.07.15	\$49,819.22	59	CHQ
02.07.15	\$2,274,936.45	252	EFT
Monthly Leases	30,000.00		DD
GROSS	\$11,945,718.29	1629	
CANCELLED PAYMENTS	\$17,342.59	14	
NETT	\$11,928,375.70	1615.00	

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

10.1 Reports by Delegates

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

- 10.1.1 Cr Stennett reported on his attendance at the Audit Advisory Committee meeting held on 17 August 2015.
- 10.1.2 Cr Daw reported on his attendance at the MAV Planning Committee meeting held on 30 July 2015.
- 10.1.3 Cr Chong reported on his attendance at the Municipal Early Years Plan Implementation meeting held on 3 August 2015.
- 10.1.4 Cr Harris reported on her attendance at the Box Hill Activity Centre Reference Group meeting held on 10 August 2015.
- 10.1.5 Cr Davenport reported on his attendance at the Audit Advisory Committee meeting held on 17 August 2015.
- 10.1.6 Cr Ellis reported on her attendance at the Box Hill Activity Centre Reference Group meeting held on 10 August 2015.
- 10.1.7 Cr Ellis reported on her attendance at the Whitehorse Matsudo Sister City Friendship Group meeting held on 5 August 2015.
- 10.1.8 Cr Bennett reported on his attendance at the Whitehorse Reconciliation Policy & Action Plan Committee meeting held on 11 August 2015.
- 10.1.9 Cr Bennett reported on his attendance at the Local Government Waste Management Forum meeting held on 13 August 2015.
- 10.1.10 Cr Massoud reported on her attendance at the Whitehorse Disability Advisory Committee meeting held on 12 August 2015.
- 10.1.11 Cr Massoud reported on her attendance at the Whitehorse Business Group Leadership dinner held on 27 July 2015.
- 10.1.12 Cr Massoud reported on her attendance at the Box Hill Activity Centre Reference Group meeting held on 10 August 2015.
- 10.1.13 Cr Munroe reported on his attendance at the National Alliance for Gambling reform meeting held on 4 August 2015.
- 10.1.14 Cr Munroe reported on his attendance at the Whitehorse Matsudo Sister City Friendship Group meeting held on 5 August 2015.
- 10.1.15 Cr Munroe reported of his attendance at the Box Hill Activity Centre Reference Group meeting held on 10 August 2015.

- 10.1.16 Cr Munroe reported of his attendance at the Eastern Metropolitan Region Local Government Policy Forum held on 13 August 2015
- 10.1.17 Cr Munroe reported of his attendance at the All Faiths Music Festival held on 16 August 2015
- 10.1.18 Cr Munroe reported on his attendance at the Whitehorse Business Week launch held on 6 August 2015

The Mayor congratulated the Chief Executive Officer and officers for putting the events together.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Ellis

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

CARRIED UNANIMOUSLY

10.1 Recommendations from the Special Committee of Council Meeting of 10 August 2015

Nil

10.2 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
20-07-15 6.30-7.00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> - Appointment of Acting chairperson for Item 9.1.2 – 730 Canterbury Road, Surrey Hills - Community Grants Procedural matters - Item 9.1.4 – Consideration of Panel Report for Amendment C157 to Introduce 32 New Heritage Overlays - Council Agenda 20 July 2015 - Nunawading Primary School Site – Letters sent to residents - Item 9.1.2 – 730 Canterbury Road Surrey Hills 	Cr Munroe (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	(ACEO) P Warner (AGMHS) T Johnson (AGMCD) I Goodes (AGMI) D Logan P Smith A De Fazio S Freud D Seddon J Russell	Cr Munroe declared a Conflict of Interest (Indirect) in Item 9.1.2 – 730 Canterbury Road, Surrey Hills	CR Munroe left the meeting at 7.50pm prior to discussion on Item 9.1.2 – 730 Canterbury Road, Surrey Hills and did not return

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
03-08-15 3.00- 4.10pm	Whitehorse Early Years Plan	Cr Chong AM	T Johnson N Rogers P Heselev M Block	Nil	Nil
03-08-15 6.30 – 9.00pm	Strategic Planning Session - Box Hill to Ringwood Rail Trail - Eastern Organic Processing Facility - Capital Works	Cr Munroe (Mayor & 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 (AGMHS) T Johnson J Green P Smith A De Fazio I Goodes I Barnes D Braby R Orger	Nil	Nil
05-08-15 5.00-7.00pm	Whitehorse-Matsudo Sister City Relationship Friendship Group	Cr Munroe (Mayor & Chair) Cr Chong Cr Ellis Cr Stennett	J Russell R Orger	Nil	Nil
10-08-15 4.00-5.50pm	Box Hill Activity Centre Reference Group	Cr Munroe (Mayor & Chair) Cr Bennett Cr Chong AM Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Daw	N Duff (AGMCD) I Goodes P Smith T Peak D Vincent Smith	Nil	Nil
10-08-15 6.30- 8.39pm	Councillor Briefing Session - Tender Evaluation Report – Provision of Food Services - Special Committee Agenda & other Business Motions - Draft Agenda 17 August 2015	Cr Munroe (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Daw Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	N Duff P Warner (AGMHS) T Johnson J Green P Smith A De Fazio I Goodes S Freud, R Orger, P McAleer, C Sherwin, A Hollensen, M King, D Seddon, A Makedonskaya, K Smithies, T Peak	Nil	Nil

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Bennett

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

CARRIED UNANIMOUSLY

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Cr Massoud reported on her attendance at the Sustainable Gardening Australia Seminar held on the 15 August 2015
- 11.2 Cr Bennett reported on his attendance at the MAV Councillor Development Weekend held on 24 July to 26 July 2015.
- 11.3 Cr Bennett reported on his attendance at the Municipal Association of Victoria Youth Entrepreneurship and Economic Development in Local Government conference held on the 29 July 2015.
- 11.4 Cr Ellis reported on her attendance at the ICTC and Mainstreet Conference held in Wollongong from 21 July to 24 July 2015.
- 11.5 Cr Daw reported on his attendance at the ICTC and Mainstreet Conference held in Wollongong from 21 July to 24 July 2015.
- 11.6 Cr Munroe reported on his attendance at the MAV Councillor Development Weekend held on 24 July to 26 July 2015.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Chong

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

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

That in accordance with Section 89(2) (g) & (h) of the Local Government Act 1989 the Council should resolve to go into camera and close the meeting to the public as the matters to be discussed relate to matters affecting the security of Council property; and matters which the Council considers would prejudice the Council or any person.

CARRIED UNANIMOUSLY

The meeting closed to the public at 9.20pm.

Attendance: Cr Stennett left the chamber at 9.21pm, returned at 9.22pm.

12 CONFIDENTIAL REPORTS

12.1 Council Owned Land

12.2 Environmental Land Management Update

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Bennett

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

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 9.26pm.

13 CLOSE MEETING

Meeting closed at 9.42pm

Confirmed this 21st day of September 2015

CHAIRPERSON