



City of Whitehorse

MINUTES

Ordinary Council Meeting

Held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 18 May 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: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

Cr Andrew Munroe declared a conflict of interest (Indirect) in Item 9.1.3 – Consideration of submissions to Amendment C169 to introduce a new heritage overlay – 730 Canterbury Road Surrey Hills as he works for Telstra the owner of the land.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council Meeting 20 April 2015 and Confidential Minutes 20 April 2015

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Ellis

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

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

- 5.1 Mr Niels Holm, Blackburn submitted two questions in relation to Matsudo Sister City Relationship Program

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

6 NOTICES OF MOTION

Notice of Motion – No 86 – Cr Davenport

That Council, recognising the significance of the proposal to redevelop the Whitehorse Centre releases:

- 1. Details of the forecast profit and loss statement for year 1, year 2, year 3, year 4 and year 5 relating to the proposal:***
- 2. Details of the forecast profit and loss statement for the “Do Nothing” scenario covering the same period.***

COUNCIL MOTION

Moved by Cr Harris, Seconded by Cr Daw

That Council defer release of draft forecast profit and loss statements relating to the proposed Whitehorse Centre Redevelopment, to such time as Council has received and considered the completed final Business Case which will include feedback from the community consultation currently underway and the related financial analysis of the recommended concept plan.

CARRIED

Division

A Division was called

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

On the results of the Division the motion was declared CARRIED

Notice of Motion – No 87 - Cr Davenport

That Council:

1. ***Requests officers to prepare a report:***
 - a) ***That outlines the current location of solar panels which are used to generate electricity.***
 - b) ***For each location outlined in a), the suitability of retrofitting a battery system in order to store power for later use.***
 - c) ***For locations which are deemed suitable for retrofitting a battery system, the costs in doing so.***
2. ***Makes provision for a battery system, when proposing new solar panels for generating electricity.***

COUNCIL MOTION

Moved by Cr Harris, Seconded by Cr Daw

That Council requests officers to maintain a watching brief on the development of battery storage systems that can be used in conjunction with solar panels to store electricity generated.

PROCEDURAL MOTION

Moved by Cr Carr, Seconded by Cr Stennett

That the motion be put.

After the vote on the procedural motion was put, the vote remained tied. The Mayor chose not to exercise his casting vote, the motion lapsed.

Debate continued on the Motion moved by Cr Harris, Seconded by Cr Daw

The Motion moved by Cr Harris, Seconded by Cr Daw was then put and CARRIED UNANIMOUSLY

7 PETITIONS

Nil

8 URGENT BUSINESS

Nil

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

**9.1.1 42 Maple Street, Blackburn (Lot 69 LP 9679) – Construction
three double storey dwellings**

FILE NUMBER: WH/2014/697
ATTACHMENT

SUMMARY

This application was advertised, and a total of 13 objections were received. The objections raised issues with overdevelopment, neighbourhood character, overshadowing, car parking and traffic impacts. A Consultation Forum was held on Tuesday, 17 March 2015 chaired by Councillor Massoud, at which the issues were explored, however no resolution was reached between the parties. This report assesses the application against the relevant provisions of the Whitehorse Planning Scheme, as well as the objector concerns. It is recommended that the application be supported, subject to conditions.

RECOMMENDATION

That Council:

- A** *Being the Responsible Authority, having caused Application WH/2014/697 for 42 Maple Street, BLACKBURN (LOT 69 LP 9679) to be advertised and having received and noted the objections is of the opinion that the granting of a Planning Permit for the construction three double storey dwellings is acceptable and should be supported.*
- B** *Issue a Notice of Decision to Grant a Permit under the Whitehorse Planning Scheme to the land described as 42 Maple Street, BLACKBURN (LOT 69 LP 9679) for the construction three double storey dwellings, subject to the following conditions:*
- 1.** *Before the development starts, or any trees or vegetation removed, amended plans (three copies) shall be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application but modified to show:*
 - a)** *Reduction in the size of the kitchen of Dwelling 3 to achieve a secluded private open space area of 5.0 metres by 3.42 metres adjacent to the southern boundary, with no reductions to any other area of this open space.*
 - b)** *All hard surfaced areas to be shown, including paving and pathways in service yards.*
 - c)** *Internal elevations for all dwellings.*
 - d)** *Add highlight window to west wall of bedroom 2 of Dwelling 3 with a minimum sill height of 1700mm from the floor level.*
 - e)** *Screening in accordance with the requirements of Standard B23 for the upper floor bedroom 2 window of Dwelling 2 to limit overlooking to the secluded private open space of Dwelling 1.*

9.1.1
(cont)

- f) A landscape plan in accordance with Condition 3, including the following:**
- i. The planting of one tree capable of reaching a height of 12.0 metres at maturity in the front setback of Dwelling 1.**
 - ii. The planting of one tree capable of reaching a height of 8.0 metres at maturity in the front setback of Dwelling 2.**
 - iii. The planting of one tree capable of reaching a height of 8.0 metres at maturity in the secluded private open space area of all dwellings.**
 - iv. All proposed canopy trees are to be 1.5 metres in height at the time of planting.**

All of the above must be to the satisfaction of the Responsible Authority.

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

- 2. The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan and must not be altered or modified without the further written consent of the Responsible Authority.**
- 3. No building or works shall be commenced (and no trees or vegetation shall be removed) until a landscape plan prepared by a suitably qualified and experienced person or firm has been submitted to and endorsed by the Responsible Authority. This plan when endorsed shall form part of this permit. This plan shall show -**
 - * A survey of all existing vegetation, abutting street trees, natural features and vegetation.**
 - * Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.**
 - * Planting within and around the perimeter of the site comprising trees and shrubs capable of:**
 - Providing a complete garden scheme,**
 - Softening the building bulk,**
 - Providing some upper canopy for landscape perspective,**
 - Minimising the potential of any overlooking between habitable rooms of adjacent dwellings.**
 - * A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of condition No. 1.**
 - * The proposed design features such as paths, paving, lawn and mulch.**
 - * A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.**

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

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

9.1.1
(cont)

- 4. *The garden areas shown on the endorsed plan and schedule must only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.***
- 5. *All stormwater drains must be connected to a point of discharge to the satisfaction of the Responsible Authority.***
- 6. *Detailed civil plans and computations for stormwater on-site detention 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.***
- 7. *Stormwater connection to the nominated point of discharge and stormwater on-site detention must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of any of the buildings.***
- 8. *As-constructed drawings prepared by a Licensed Land Surveyor are to be provided to Council after the completion of civil works prior to the occupation of any of the buildings.***
- 9. *Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.***
- 10. *Prior to the occupation of any of the buildings, the redundant vehicle crossing in Fir Street is to be removed and replaced with concrete kerb and channel and the affected nature strip areas reinstated with topsoil and grass seed.***
- 11. *Prior to the occupation of any of the buildings, the proposed double vehicle crossing in Fir Street is to be constructed to the satisfaction of the Responsible Authority. Removal of any tree(s) due to the location of the crossover must be approved by Parkside prior to the endorsement of the plans.***
- 12. *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.***
- 13. *The development shall be provided with external lighting capable of illuminating access to the dwellings and car parking spaces. Lighting shall be located, directed and shielded and of limited intensity that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.***
- 14. *No equipment, services and architectural features other than those shown on the endorsed plan shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.***
- 15. *Screening measures applied directly to windows must be manufactured opaque glass and not opaque film applied to transparent glass.***

9.1.1
(cont)

16. *All walls constructed to boundaries must be finished and cleaned to the satisfaction of the Responsible Authority.*
17. *The existing street trees shall not be removed or damaged.*
18. *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 in accordance with the requirements of Section 69 of the Planning and Environment Act 1987.

Permit Notes:

Assets

- A. *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.*
- B. *All stormwater drainage within the development site and associated with the buildings (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 buildings, in accordance with the provisions of the Building Regulations (2006) section 610.*
- C. *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.*

Building

- D. *Protection measures for the public and adjoining properties must be determined by the relevant building surveyor in accordance with Regulation 602 (Protection of adjoining properties) and Regulation 604 (Protection of the public) of the Building Regulations 2006.*
- C** *Has made this decision having particular regard to the requirements of Sections 58, 59, 60 and 61 of the Planning and Environment Act 1987.*

9.1.1
(cont)

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Carr

That Council:

- A** *Being the Responsible Authority, having caused Application WH/2014/697 for 42 Maple Street, Blackburn, to be advertised and having received and noted the objections is of the opinion that the grant of a Planning Permit for the construction of three double storey dwelling is not acceptable and should not be supported.*
- B** *Issue a Notice of Refusal to Grant a Permit under the Whitehorse Planning Scheme to the land described as 42 Maple Street, Blackburn for the construction of three double storey dwellings, on the following grounds:*
- 1.** *The proposal fails to comply with the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, particularly Clause 21.05 (Environment), Clause 21.06 (Housing) and Clause 22.03 (Residential Development), in terms of respecting the built form and Garden Suburban character of the area and the provision of suitable setbacks from the south boundary.*
 - 2.** *The proposal fails to satisfy objectives of Clause 55.02-1 (Neighbourhood character), Clause 55.02-2 (Residential policy), Clause 55.03-3 (Site coverage), Clause 55.04-2 (Walls on boundaries) and Clause 55.05-4 (Private open space).*
 - 3.** *The proposal has not adequately considered the dwelling density of the area, is an overdevelopment of the site and will be inconsistent with the existing neighbourhood character.*
 - 4.** *The proposal would result in unacceptable on and off-site amenity impacts.*
- 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

9.1.1
 (cont)

MELWAYS REFERENCE 48 B8

Applicant:	Cadox Building Design	
Zoning:	General Residential Zone (Schedule 1)	
Overlays:	Nil	
Relevant Clauses:	Clause 11	Settlement
	Clause 15	Built Environment and Heritage
	Clause 16	Housing
	Clause 21.05	Environment
	Clause 21.06	Housing
	Clause 22.03	Residential Development
	Clause 22.04	Tree Conservation
	Clause 32.08	General Residential Zone
	Clause 52.06	Car Parking
	Clause 55	Two or More Dwellings on a Lot
	Clause 65	Decision Guidelines
Ward:	Central	



	Subject site	13 Objector Properties	 North
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9.1.1 (cont)

BACKGROUND

History

Planning application WH/2009/739 for the construction of a double storey dwelling at the rear of the existing dwelling was refused by Council on 11 June 2010 and approved by VCAT on 23 November 2010. This permit has not been enacted upon.

Planning application WH/2014/223 for the construction of a double storey dwelling at the rear of the existing dwelling was received by Council on 28 March 2014. This application was withdrawn on 1 July 2014.

The Site and Surrounds

The subject site is located on the south-west corner of the intersection of Maple and Fir Streets, 140 metres east of Surrey Road and 280 metres north of Whitehorse Road. The site is located approximately 850 metres to the north-east from Blackburn train station.

The site is generally rectangular in shape with a 12.19 metre frontage to Maple Street, a 4.3 metre splay facing the intersection, a maximum depth of 44.45 metres and a total area of 673m². The land contains a double storey brick veneer dwelling facing Maple Street and is generally flat. There is a 3.05 metre wide easement along the western boundary. There are four trees on site and three trees in the road reserve.

Abutting land uses are exclusively residential and include generally single and one double storey detached dwellings. The site abuts the eastern elevation of the single storey dwelling within the site at 12 Fir Street to the west and the private open space and north elevation of the single storey dwelling at 44 Maple Street to the south.

Planning Controls

Pursuant to Clause 32.08-4, a planning permit is required to construct two or more dwellings on a lot.

PROPOSAL

The application proposes the construction of three double storey dwellings in a tandem arrangement with Dwelling 1 fronting Maple Street and Dwellings 2 and 3 fronting Fir Street. The details of the development are as follows:

- Dwelling 1 to have ground level living, dining, kitchen, toilet and laundry areas and a single space garage, and three bedrooms and a bathroom at the upper level. A private open space area of approximately 100m² to be at the west of the dwelling with a minimum width of 3.47 metres.
- Dwellings 2 and 3 to have ground floor living, dining, toilet and laundry areas with single car garages. At the upper level will be two bedrooms and a bathroom. These dwellings will be attached and secluded private open spaces will be located on the east side for Dwelling 2 and the west for Dwelling 3. Both areas will have minimum dimensions of 3.52 metres and an area of 40m².
- Vehicle access for Dwelling 1 will be from Maple Street and from Fir Street for Dwellings 2 and 3.

9.1.1 (cont)

CONSULTATION

Public Notice

The application was advertised by mail to the adjacent and nearby property owners and occupiers and by erecting a notice at both street frontages. Following the advertising period, 13 objections were received.

The issues raised are summarised as follows:

Neighbourhood character

- Three dwellings will be too bulky and crowded on the lot and not in keeping with other developments in the area, the streetscape or the neighbourhood character.
- Site coverage and permeability calculations appear to be incorrect.
- Insufficient space for canopy tree planting consistent with the green leafy streets and garden sizes of other dwellings in the area.
- Front setback for Dwellings 2 and 3 is inconsistent with the site to the west resulting in inadequate landscaping space in the frontage.

Amenity impacts

- Potential for continued use of land for car maintenance.
- Noise impacts from proposed private open space areas on the property to the south.
- Overshadowing impacts on the property to the south.

Traffic

- Increased traffic congestion.
- Parking restrictions in Maple and Fir Streets are not adequately enforced.
- Inadequate on-site car parking provision.

Miscellaneous

- Loss of property values.
- Inadequate and confusing notification for the local community.
- Errors on 'Existing site conditions' plan.
- Concerns with loss of boundary security for the site to the south during construction.
- Will set a precedent for development in the area.

Consultation Forum

A Consultation Forum was held on 17 March 2015, chaired by Councillor Massoud. The applicant's representative, a planning officer and 11 objectors attended the meeting.

All the issues raised by objectors were raised and discussed at the meeting, with no resolution on any issues.

Referrals

Transport Engineers

Council's Transport Engineers have reviewed the application and raised no objections. They have noted that there will be no change to the existing road network in Maple Street and the car parking layout associated with Dwellings 2 and 3 is supported.

9.1.1
(cont)

Assets Engineers

No objection has been raised by Council's Asset (Drainage) Engineer in relation to the proposal. Standard conditions and notes have been provided to be included on any permit granted.

ParksWide

Council's ParksWide team have inspected the street tree and agreed to its removal subject to the payment of an amenity valuation.

DISCUSSION

Consistency with State and Local Planning Policies

The construction of three 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. In these regards, the proposal is acceptable. 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, 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 13 of the Whitehorse Housing and Neighbourhood Character Review 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 one tree capable of reaching a height of 8.0 and 12.0 metres at maturity for Dwellings 1 and 2, space around dwellings and secluded private open space areas are of sufficient size for landscaping in accordance with the character of the area. There is limited space for a second tree for Dwelling 3. A condition will be included on any approvals granted to increase the setback of the kitchen from the site boundaries to improve landscaping opportunities to the rear of this dwelling. There is also an existing street tree to the north of the proposed dwelling that contributes to the canopy of the area. Combined with the space for planting throughout the rest of the site, there will be adequate canopy trees.

While the secluded private open space of Dwellings 1, 2 and 3 do not achieve the suggested 5.0 metre by 5.0 metre area, the areas of secluded private open space are substantial and significantly exceeds 40m², with additional space in the front setbacks for additional tree planting. Given the length of the secluded private open space areas provided there is adequate room for plantings and the objective is considered met.

Neighbourhood Character Precinct 13 also suggests blank walls and facades should also be avoided. While each of the dwellings include some sheer walls, it is considered that these walls are acceptable as they are well separated and face large areas of open space to minimise any potential building bulk impacts that they may present to the street or abutting properties. The cladding finish of weatherboard also adds texture and detailing. Further, it is recommended that a highlight window (minimum of 1.7 metres above the finished floor level) be added to the west upper floor elevation of Dwelling 3 bedroom 2 to improve architectural interest.

9.1.1 (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 13 policies.

Design and Built Form

The development will generally maintain an open streetscape presentation along both street frontages, consistent with the objectives of the Garden Suburban area policy to maintain a sense of openness to the street. While there is a boundary fence for Dwelling 1 on Fir Street this is only for a small portion of the 41.48 metre frontage and is acceptable.

Walls on boundaries

Modified Standard B18 from Schedule 1 to the General Residential Zone requires that any new wall constructed on a boundary should be set back at least 3.0 metres from the building façade. As noted above, the garage wall for Dwelling 1 will be set back 600mm from the building façade. While this does not fully comply with the modified Standard, it is considered an appropriate response as the garage will be a clearly recessed element in the streetscape elevation and is consistent with the location of garages within other lots in the area. Worth noting also is the lot to the south where the garage is located forward of the main building line. The garage of this dwelling is 5.5 metres from Maple Street and the garage for Dwelling 1 is proposed to be 8.16 metres from Maple Street.

It is therefore considered the Objective of Standard B18 will be achieved.

Internal views

The upper floor plan shows an east facing window for Bed 2 of Dwelling 2. No internal elevations have been provided and no notation has been shown on the plans to indicate any proposed screening. A condition of any approval granted will require both this window to be screened and internal elevations for all elevations.

Secluded private open space

Modified Standard B28 from Schedule 1 to the General Residential Zone requires that the secluded private open space is to be at the side or rear of the dwelling with a minimum area of 35m², a minimum dimension of 5.0 metres and convenient access from a living room.

The secluded private open space area of Dwelling 1 has a maximum width of 4.0 metres and 3.47 metres. While this does not achieve the requirement of the Standard, it is considered a width of 4.0 metres in the majority combined with the depth of 12 metres will provide adequate private open space for the reasonable recreation and service needs of future residents.

The secluded private open space area of Dwelling 3 has a width of 3.52 metres and a depth of 11.7 metres, giving 41.2m² in a single area with direct access to the living area of the ground floor. It is noted that there is a stormwater drain in the 3.05 metre wide easement along the western boundary. To facilitate an area outside the easement for the planting of one canopy tree, it is recommended that an area of 5.0 metres width be provided for a depth of 3.42 metres at the southern elevation.

9.1.1 (cont)

Objectors Concerns not Previously Addressed

- *Site coverage and permeability calculations appear to be incorrect.*

A condition of approval will require all hard paved areas (including in service yards) to be shown on both development and landscape plans.

- *Front setback for Dwellings 2 and 3 is not consistent with the site to the west resulting in inadequate landscaping space in the frontage.*

The front setback of Dwellings 2 and 3 comply with the 3.0 metre requirement of Standard B6 (Streetscape).

- *Potential for continued use of land for car maintenance.*

The use of this site for car maintenance is prohibited pursuant to the General Residential Zone (Schedule 1).

- *Noise impacts from proposed private open space areas on the property to the south.*

The proposed areas of secluded open space abut the secluded open space of the land to the south, this is considered to be a typical feature of suburban residential development and is an acceptable outcome.

- *Overshadowing impacts on the property to the south.*

The extent of overshadowing has been reviewed and found that it will not exceed the shadowing caused by the existing 2.6 metre high boundary fence and will be well within the limits of Standard B21 (Overshadowing).

- *Increased traffic congestion at intersection of Fir and Maple Streets and risks to safety of pedestrians from additional cars as these streets already suffer from large amounts of vehicular movements and on-street car parking.*
- *Inadequate on-site car parking provision.*

The addition of two dwellings to the site will not result in an unreasonable increase in the amount of traffic using the local road network. The proposal includes six on-site car parking spaces which is above the statutory requirement of four and this will ensure there is no additional reliance on on-street car parking spaces.

- *Parking restrictions in Maple and Fir Streets are not adequately enforced.*

This matter is beyond the scope of the planning assessment.

- *Will result in a loss of property values.*

The loss of property values is very difficult to quantify and as such is not considered to be a relevant planning ground.

- *Inadequate and confusing notification for the local community.*

Council is satisfied the notification procedure was undertaken in accordance with the requirements section 52 of the *Planning and Environment Act 1987* including the provision of a sign erected on each street frontage.

- *Errors on 'Existing site conditions' plan.*

9.1.1 (cont)

While there are a number of errors on this plan (including the location of a verandah to the south and the number of storeys contained within the dwelling to the west), a site inspection has been undertaken as part of the required planning assessment and the true site context has been considered.

- *Concerns with loss of boundary security for the site to the south during construction.*

This is a matter for the relevant building surveyor managing the construction of the dwellings. A note will be placed on the permit clarifying these obligations.

- *Will set a precedent for development in the area.*

Precedent does not play a role in the assessment of planning applications and each application is assessed on its own merits.

CONCLUSION

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

The proposal is generally consistent with the existing and preferred neighbourhood character of the area and subject to a number of amendments, is suitable for approval.

A total of 13 objections were received as a result of public notice and all of the issues raised have been discussed in the above assessment.

It is recommended that the application should be approved.

Strategic Planning

9.1.2 Amendment C176 to the Whitehorse Planning Scheme: 837 Whitehorse Road, Box Hill

FILE NUMBER: 15/54177

SUMMARY

This report outlines the recommended approach to resolve an identified inconsistency between the land use objectives of the Box Hill Activity Centre Transit City Structure Plan (June 2007) and the current zone applying to the subject land.

The landowners have expressed interest in redeveloping the site with mixed uses, including accommodation – a use encouraged by the Structure Plan, but largely prohibited by the current Commercial 2 Zone.

Amendment C176 proposes to:

- *Amend the Schedule to Clause 52.03 Specific Sites and Exclusions to include 837 Whitehorse Road, Box Hill and refer to the Incorporated Document applying to the site; and*
- *Insert a new Incorporated Document titled '837 Whitehorse Road, Box Hill, Incorporated Document May 2015', into Clause 81.01.*

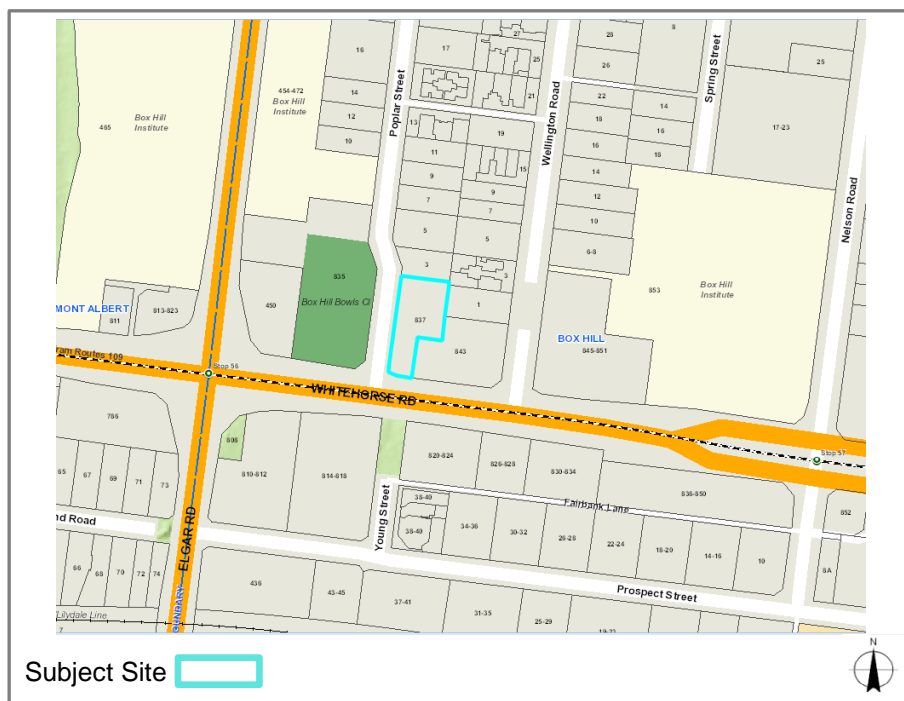
The amendment will help to facilitate development on the site, and will specifically allow an application to be submitted to Council for a development that includes accommodation uses. It is proposed that Council request the Minister for Planning approve the amendment under Section 20(4) of the Planning and Environment Act 1987.

COUNCIL RESOLUTION

Moved by Cr Chong, Seconded by Cr Harris

That Council request the Minister for Planning approve Amendment C176 under Section 20(4) of the Planning and Environment Act 1987 to include 837 Whitehorse Road, Box Hill in the Schedule to Clause 52.03, 'Specific Sites and Exclusions' together with an Incorporated Document specifying that an application for a planning permit proposing accommodation uses may be considered by Council.

CARRIED UNANIMOUSLY



9.1.2 (cont)

BACKGROUND

The *Box Hill Activity Centre Transit City Structure Plan*, adopted by Council in June 2007, sets out preferred land uses for activity precincts which are considered to meet the vision for the Box Hill Metropolitan Activity Centre (MAC). The Structure Plan recommends the future rezoning of selected areas and sites to facilitate development consistent with these uses. Council officers are currently investigating options for the future rezoning of the MAC.

In some cases, however, the current zone applying to sites does not allow the consideration of uses envisaged by the Structure Plan. Pre-application discussions with the landowners of 837 Whitehorse Road, Box Hill have highlighted that this is the case on this site.

The site, which is currently occupied by a single storey commercial building and tenanted by Donnellans Tyres, is located in *Precinct D: Hospital and Western TAFE Precinct*. Precinct D is identified for higher density residential development, among other uses. The landowner is seeking to apply for a permit for a mixed-use development including residential uses however the current Commercial 2 Zone largely prohibits the consideration of planning permits for accommodation uses.

To allow sufficient time for Council officers to undertake a comprehensive centre-wide rezoning of the MAC, it is recommended that the site be added to Council's list of Specific Sites and Exclusions, under Clause 52.03 of the Whitehorse Planning Scheme. The purposes of Clause 52.03 are to:

- *Recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date; and*
- *Provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.*

Clause 52.03 allows specific sites and related incorporated documents to be included in the schedule. Land identified in the schedule may be used and developed in accordance with the specific controls contained in the incorporated document corresponding to that land. Clause 52.03 also indicates that the controls will expire if:

- *The development and use is not started within two years of the approval date or another date specified in the incorporated document.*
- *The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.*

The controls may be extended if a request is made in writing before the expiry date or within three months afterwards.

PROPOSAL

In this particular instance, it is considered that circumstances warrant the inclusion of 837 Whitehorse Road, Box Hill in the Schedule to Clause 52.03, along with an Incorporated Document specifying that a planning permit application proposing accommodation uses may be considered by Council. With recent changes to planning policy at the State level, and further work being undertaken within Council, additional time is required to carefully consider and apply the most appropriate zones to land within the Box Hill MAC. The proposed approach is considered to be the most efficient way of facilitating a site-specific development that meets the vision and desired outcomes set out in the Structure Plan.

9.1.2 (cont)

As noted above, an Incorporated Document is proposed to be inserted into the Planning Scheme, specifying that for this particular site, an application may be considered by Council for all uses within the Accommodation Group of Clause 75.01. In any decision making, Council officers will be guided by Clause 22.07 *Box Hill Central Activities Area*, as well as the Structure Plan, which is a reference document within the Planning Scheme. Both of these include objectives for Precinct D around the land uses envisaged. It should be emphasised that the Incorporated Document will still require a permit for Accommodation uses, similar to any other use included under *Section 2 – Permit required* of the Commercial 2 Zone.

CONSULTATION

Following discussions with the Department of Environment, Land, Water and Planning (DELWP) it has been determined that a Section 20(4) Amendment made at the request of the Council to the Minister for Planning is a suitable approach. This would enable the amendment to be exempt from the normal notice requirements set out under sections 17, 18 and 19 of the *Planning and Environment Act 1987*.

Extensive consultation occurred as part of the preparation of the Structure Plan and its implementation in the Planning Scheme. During this time community members and stakeholders including traders, property owners, residents and other users of the MAC, as well as relevant authorities, were provided with an opportunity to comment on all aspects of the Structure Plan, including the identified land use mix. This extensive consultation justifies an exemption for further consultation through this amendment process, particularly given that it relates only to one site.

In addition, the normal notification and advertising requirements will apply to any future planning permit application process. This will give relevant owners, occupiers and authorities the opportunity to make comment on future proposals that include components requiring a planning permit.

DISCUSSION

In considering the proposed amendment Council must have regard to two practice notes including:

- Ministerial powers of intervention in planning and heritage matters which sets out the circumstances in which the Minister will consider exercising powers of intervention and the principles that will apply in considering a request for intervention.
- Strategic Assessment Guidelines which provides a framework for preparing and evaluating a proposed planning scheme amendment and its outcomes.

The requirements and matters to be considered by these practice notes are discussed below.

9.1.2
(cont)

Circumstances in which the Minister will consider exercising powers of intervention

Five criteria are used to assess requests for Ministerial intervention. These include:

1. *The matter will be one of genuine State or regional significance.*

The amendment will enable Council to progress its ongoing strategic work as resources permit, without the risk of delaying a significant project within an identified MAC. The development as currently proposed is likely to result in economic benefit for the local, regional and state economy, including through construction and long term job creation associated with the proposed commercial components. In addition, any residential component will assist in meeting local and regional housing need.

2. *The matter will give effect to an outcome where the issues have been reasonably considered and the views of affected parties are known.*

The amendment will give effect to the desired outcomes set out in the Structure Plan, which has been adopted by Council and included as a reference document in the Whitehorse Planning Scheme. The Structure Plan has been subject to a thorough consultation process, which provided community members and stakeholders the opportunity to comment on the content of the Plan.

3. *The matter will be the introduction of an interim provision and substantially the same provision or requirement is also subject to a separate process of review.*

The amendment does not technically relate to the introduction of an interim provision (though the Clause 52.03 Specific Sites and Exclusions does include expiry provisions), but is a step towards facilitating land uses that meet the objectives identified in the Structure Plan.

4. *The matter will raise issues of fairness and public interest.*

The amendment does not raise issues of fairness and public interest.

5. *The matter requires co-ordination to facilitate decision-making by more than one agency.*

The amendment does not require co-ordination to facilitate decision-making by more than one agency.

Ministerial Direction No. 11 sets out the requirements to be met in preparing an amendment to a planning scheme. Further guidance in meeting the requirements is provided in the *Strategic Assessment Guidelines* which assist in assessing, among other matters, the need for an amendment and whether the proposed provisions are appropriate for the purpose for which they have been developed. Relevant requirements, with reference to the guidelines, are discussed below.

Amendment required

An amendment is required to facilitate a planning permit application for the use of land at 837 Whitehorse Road, Box Hill for a higher density residential outcome that is consistent with the vision, land use mix and strategies identified for the Box Hill MAC in the Structure Plan, a reference document to Clause 22.07 of the Planning Scheme.

The amendment is considered to be a step towards facilitating land uses that meet the objectives of the Structure Plan, until such time that Council is able to review the zones applying to the entire Box Hill MAC.

9.1.2 (cont)

Planning and Environment Act 1987

The amendment implements the objectives of planning in Victoria, as set out in the *Planning and Environment Act* by enabling the fair, orderly, economic and sustainable use of commercially zoned land on Whitehorse Road, Box Hill that will contribute to achieving the strategic planning objectives for the Box Hill MAC.

The introduction of the site specific provision to enable a planning permit to be granted for accommodation as part of a higher density mixed use development will contribute to the diversity of uses and in turn achieve the vision for the Box Hill MAC.

The amendment can ensure the use as part of any higher density mixed use development accords with and implements the objectives for the site, as required, through the submission and assessment of a planning permit application.

Potential environmental, social and economic effects

The amendment will assist in facilitating economic growth in the Box Hill MAC by allowing for a mixed use higher density development, subject to a planning permit being granted, while still supporting the core land use activities within Precinct D.

The amendment enables any environmental effects to be addressed through the submission and consideration of a planning permit for use and development.

The amendment is expected to have positive social and economic benefits by facilitating a potential use and development conducive to further employment opportunities in the area.

Compliance with any other Minister's Direction applicable to the amendment

The amendment is consistent with Ministerial Direction No. 9 *Metropolitan Strategy* through the application of appropriate land use controls to the site. The amendment also complies with Ministerial Direction No. 11 *Strategic assessment of amendments*. The amendment is not affected by any other Ministerial Direction.

State Planning Policy Framework (SPPF) and adopted State policy

The amendment supports and implements the State Planning Policy Framework. Specifically it:

- Responds to the settlement objectives and strategies of Clause 11 by providing for a diversity of land uses, including forms of higher density housing that support the role and function of the Box Hill MAC.
- The amendment facilitates a specific land use on a specific site within a location where a diversity of land uses and housing at higher densities are encouraged by Clauses 11 and 16 to meet the housing needs of the community.

In addition it is noted that the State Government's current Metropolitan Planning policy, Plan Melbourne, identifies Box Hill as a MAC and the Hospital and Box Hill Institute area as a key 'Health and Education Precinct'. No specific boundary for this precinct is demarcated by Plan Melbourne and given the site's proximity to these uses it is considered that the site is likely to be located within the precinct and therefore this state policy is directly relevant.

Accordingly, it is considered that facilitating a mixed-use development on the site that potentially complements the function of the Box Hill Institute or Hospital, will reinforce the growth of this Health and Education Precinct and assist in the fulfilment of state planning policy objectives.

9.1.2 (cont)

Municipal Strategic Statement and Local Planning Policies

The Amendment builds on and implements relevant areas of the Local Planning Policy Framework. In particular:

- Clause 21.06 *Housing* encourages higher density residential growth within 'substantial change' areas, such as activity centres, that are best able to sustain substantial change.
- Clause 21.07 *Economic Development* establishes that Box Hill is an identified MAC which provides significant opportunities for investment and medium and higher density residential development that will strengthen the role of the area as a major regional activity centre. Consistent with the objectives of Clause 21.07-3, the Amendment will enable the development of this site within the Box Hill MAC for a mixed use development including residential that will become a focus of activity and reflecting an area identified for the greatest level of change within the Municipality.
- Clause 22.07-2 *Box Hill Central Activities Area - Objectives* seeks to accommodate a more intensive and diverse range of activities that increase choices and opportunities, supporting synergies between different uses by facilitating a planning permit application for a higher density mixed use development incorporating an accommodation component.
- Clause 22.07-3 *Box Hill Central Activities Area - Policy* recognises the need to create more and diverse opportunities for housing that will contribute to the land use mix and economic and social activities within the Box Hill MAC.

FINANCIAL IMPLICATIONS

The amendment is unlikely to result in any significant financial implications. The fee applying to section 20(4) amendment requests to the Minister for Planning is \$2120. This fee will be paid by the applicant.

Planning fees will be payable by the applicant on receipt of a future planning permit application should the amendment be approved by the Minister.

CONCLUSION

In relation to the land at 837 Whitehorse Road, Box Hill, there is an identified inconsistency between the land uses encouraged by the Structure Plan and the land uses allowed under the current Commercial 2 Zone. While the Structure Plan makes recommendations towards rezoning parts of the centre to implement the land uses envisaged, additional time is needed to complete this work.

Furthermore, the State Government's Plan Melbourne identifies Box Hill as a MAC and the Hospital and Box Hill Institute area as a key 'Health and Education Precinct'.

The landowners have expressed an interest in developing the site for mixed uses, including accommodation – a use encouraged by the Structure Plan in this location, but largely prohibited under the current zone. Given that the Structure Plan supports this use and Plan Melbourne identifies the area as a key precinct, it is recommended that the site be included under Clause 52.03 *Specific Sites and Exclusions* with an associated incorporated document indicating that a planning permit application involving accommodation may be submitted to Council for consideration.

It is also recommended that it is requested that the amendment be approved under Section 20(4) of the *Planning and Environment Act 1987*, which will exempt the amendment from providing notice. This is recommended because of the extensive consultation conducted previously when the Structure Plan was prepared and because of discussions held about this site with DELWP.

Appointment of Acting Chairperson

The Mayor having declared a Conflict of Interest in Item 9.1.3 Consideration of Submissions to Amendment C169 to introduce a new heritage overlay – 730 Canterbury Road, Surrey Hills called for a motion to appoint an Acting Chairperson for consideration of this item.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Daw

That Cr Ellis be appointed Acting Chairperson for Item 9.1.3 Consideration of Submissions to Amendment C169 to Introduce a New Heritage Overlay – 730 Canterbury Road, Surrey Hills.

CARRIED

Attendance

The Mayor having declared a Conflict of Interest in item 9.1.3 left the Chamber at 7.38pm prior to the discussion on the item.

9.1.3 Consideration of submissions to Amendment C169 to introduce a new heritage overlay – 730 Canterbury Road Surrey Hills

FILE NUMBER: SF14/929
ATTACHMENTS

SUMMARY

Amendment C169 proposes to introduce a new permanent heritage overlay to the site at 730 Canterbury Road, Surrey Hills. Exhibition has finished and a total of 334 submissions have been received in response. Nearly all of these submissions object to the proposed overlay. This report discusses the issues raised in the submissions and recommends that Council abandon the amendment rather than referring submissions to an independent Planning Panel for further consideration.

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Daw

That Council:

- A Being the Planning Authority and having considered the submissions in relation to Amendment C169 to the Whitehorse Planning Scheme, resolve to abandon the proposed amendment.***
- B Advise all submitters and the Department of Environment, Land and Water of Council's decision.***

CARRIED UNANIMOUSLY

9.1.3
(cont)

MELWAY REFERENCE: 46K12

Proponent:	Whitehorse City Council
Zoning:	Neighbourhood Residential
Overlay:	Public Acquisition Overlay – Road widening
Relevant Clauses	Clause 10.4 Integrated decision making Clause 15.01 Urban Environment Clause 15.03 Heritage Clause 17 Economic Development Clause 19.03-4 Telecommunications Clause 21.04 Strategic Directions Clause 21.05 Environment Clause 21.06 Housing Clause 21.07 Economic Development Clause 22.01 Heritage Buildings and precincts
Ward:	Riversdale

BACKGROUND

Last year a planning application was received to replace the existing telecommunications tower at 728-730 Canterbury Road, Surrey Hills with a new slimline monotower. At the same time, Council's Post 1945 Heritage Study identified the site as having heritage significance and recommended it for inclusion in a heritage overlay. In accordance with standard procedure, officers requested an interim heritage overlay and exhibited a permanent heritage overlay.

Exhibition has now closed and a total of 334 submissions have been received. Council is now required to consider submissions and decide whether or not to refer them to Panel.

The citation for the site identifies both the tower and ancillary building as having historical significance for their association with expansion of the broadcasting and telecommunications infrastructure in the late 1950's. The tower is one of the few surviving examples of tall transmitting masts from that era in the metropolitan area. It is comparable to only a few towers which survive on the suburban fringe of Sydenham, Lower Plenty and Mount Dandenong. The tower is rare in a regional (metropolitan) context and also potentially in the broader statewide context. The tower is a virtually unaltered example of contemporary utility architecture of the period.

A copy of the exhibited citation is included in Attachment 2a.

The planning application has not been determined and is currently on hold pending resolution of this amendment.

PROPOSED AMENDMENT

Amendment C169 seeks to apply a permanent heritage overlay to the existing telecommunications tower and ancillary building. The place was identified as part of the Whitehorse Post 1945 Heritage Study, as being important for contributing to Whitehorse's heritage.

The main purpose of the amendment is to:

- Protect the identified heritage place and
- Ensure that new development does not adversely affect its heritage significance.

A copy of the amendment documentation is provided in Attachment 2b.

9.1.3

(cont)

CONSULTATION

Public Notice

The amendment was exhibited between 29 January 2015 and 27 February 2015. Notice was sent to all affected properties. Notice was also sent to the National Trust, local historical societies, prescribed Ministers and relevant referral authorities. Notice of the amendment was also published in the Government Gazette and four times in the Whitehorse Leader (26 January, 2, 9 and 16 February 2015).

Submissions

At the time this report was written, a total of 334 submissions have been received. Attachment 2c provides a summary of the submissions.

Despite the high number of submissions, the same issues tended to be raised. They include:

- The tower being a poor example of 20th century design.
- The tower being obsolete and defunct technology.
- The tower not enhancing the amenity of the area.
- The tower being visually dominating, intrusive and out of character with the surrounding area.
- The overlay will mean the tower will not be maintained and will become even more dangerous.
- Historic significance of the site can be marked in other ways.
- The tower has been long opposed by the local community.
- The tower makes no contribution to the local community.

The site and buildings are owned by Telstra who do not support the amendment. Telstra have submitted that:

- The tower and building do not meet the criteria or thresholds for heritage protection.
- The tower was never intended to be permanent but the inclusion in a heritage overlay may mean that demolition is difficult.
- The tower is not unique.
- The amendment will obstruct the installation of modern technology.
- The tower and building do not have any aesthetic significance to warrant a heritage overlay.
- The amendment does not implement the planning objectives of Victoria and the fair, orderly and economic use and development of the site. The amendment ignores that the existing tower and building are redundant and occupy a large proportion of the site, but can be rationalised to a monotower.
- Telstra does not accept that the site has any aesthetic, architectural, historic or cultural merit.
- The amendment does not support or implement Clause 19.03-4 of the Planning Scheme which specifically facilitates upgrading telecommunication facilities. The amendment would stymie changes and upgrading of existing facilities.

All but four submissions oppose the amendment. VicRoads and Melbourne Water do not object. A third submission supports the amendment but does not provide any reasons. A fourth submission supports the towers retention on the basis that the structure is unusual and has historical merit for its construction and technology of the time.

9.1.3

(cont)

DISCUSSION

Response to Submissions

The tower is a poor example of 20th century design

Comment

Council's consultant considers the tower and building has important cultural aesthetic and architectural merit with few counterparts in the metropolitan context. Officers consider that there are also issues other than heritage to be considered in regard to this amendment.

The tower is obsolete and defunct technology.

Comment

This is correct. The tower has outlived its usefulness and this is the reason that the new replacement monotower is being proposed.

The tower does not enhance the amenity of area.

Comment

The tower has been controversial since its erection and the submitters make it clear that they consider the tower does not enhance the amenity of the area. Officers do not disagree.

The tower is visually dominating, intrusive and out of character with the surrounding area.

Comment

Officers do not disagree with this statement. The tower is a non residential use occupying land in a residential area.

The overlay will mean the tower will not be maintained and will become even more dangerous if a heritage overlay were to be introduced.

Comment

Maintenance of the site is a Telstra matter. Many submitters refer to the site not being properly maintained at the moment and are concerned this will continue and even become worse if a heritage overlay were to be introduced. A heritage overlay would not affect the ability for the structure to undergo routine maintenance.

Historic significance of the site can be marked in other ways.

Comment

This is correct. Significance of the site could be marked in other ways if the owners or Council consider this to be appropriate.

The tower has been long opposed by the local community.

Comment

It is acknowledged that the tower was opposed by the local community when it was first constructed and it is still strongly opposed today.

The tower makes no contribution to the local community.

Comment

Neither the tower nor the building seem to be valued by the community. This is evidenced by the extraordinarily large number of submissions objecting to the amendment.

9.1.3

(cont)

Response to Telstra submission

Site does not meet thresholds for heritage protection and nor any aesthetic, architectural, historic or cultural merit.

Comment

The citation and Statement of Significance explain how the site meets the thresholds for heritage protection. The citation is detailed and well researched. However, no further evidence is submitted by Telstra to support its claims.

The tower was never intended to be permanent and the amendment may make demolition difficult.

Comment

Inclusion in a heritage overlay does not mean that demolition will be prohibited. However if a heritage overlay is approved, then Council will immediately be required to consider a demolition application due to the proposed monotower.

The tower is not unique.

Comment

The citation states that the tower has 'few contemporaneous counterparts' across the metropolitan area. No evidence is submitted by Telstra to support its claim that the tower is not rare and that the citation is incorrect in this instance.

The amendment will obstruct the installation of modern technology.

Comment

The amendment will mean that a planning permit will be required for both demolition and new buildings on the site. Any permit application would be assessed against the relevant Planning Scheme provisions.

The amendment does not implement the planning objectives of Victoria and the fair, orderly and economic use and development of the site. The amendment ignores that the existing tower and building are redundant and occupy a large proportion of the site and the proposed monotower will rationalise use of the site.

Comment

Officers acknowledge that the existing tower and building are largely redundant and occupy a large proportion of the site. Approval of the proposed monotower will rationalise use of the site. Planning decisions sometimes require responsible authorities to balance competing objectives and policies in order to achieve an outcome of net community benefit.

The amendment does not support or implement clause 19.03-4 of the Planning Scheme which specifically facilitates upgrading telecommunication facilities. The amendment would stymie changes and the upgrading of existing facilities.

Comment

Clause 19.03-4 of the Scheme requires Council to assist the government with providing and upgrading telecommunication infrastructure. However the current amendment could be considered contrary to the objectives of this clause. Planning decisions sometimes require Council to balance competing objectives and policies (heritage and providing telecommunications facilities) in order to achieve an outcome of net community benefit.

The site does not have any aesthetic merit.

Comment

The tower is aesthetic in the sense that it is a landmark structure. Whether the structure has aesthetic merit is subjective.

9.1.3

(cont)

Further Heritage Advice

Council's Heritage Advisor concurs with the heritage information contained in the citation but also advises that heritage is only one factor to consider. He acknowledges that Council may consider in this particular instance that other factors outweigh heritage significance.

The Heritage Advisor has also suggested that appropriate ways to remember the existing buildings might include:

- i. Professional photographs of the tower and building showing their location on the site and their relationship with the surrounding area. These photographs could be included in Council records and forwarded to the local historical societies.
- ii. An interpretive panel located on the corner of Canterbury Road and Pembroke Street incorporating some of the information from the citation and some photographs of the existing structure. This could be included as a condition of permit for the new monotower, with the design and wording to be approved by Council.

It is also noted that a response has not been received from either the local historical societies or the National Trust.

Further Matters for Consideration

The site is a highly unusual one in Whitehorse. It is a large dominating, non residential use surrounded by houses. Although the tower might be historically important as part of the story associated with providing TV and radio to the expanding eastern suburbs, there are also other competing social and economic considerations to consider and in this particular situation, these other matters are considered to outweigh heritage significance of the site. These considerations include amenity, providing a pleasant living environment and balancing the interests of all Victorians, including the local community.

The objectives of both the *Planning and Environment Act 1987* and the Whitehorse Planning Scheme require Council to consider:

- The fair, orderly, economic and sustainable use, and development of land,
- The protection of natural and man-made resources,
- The need to provide a safe, pleasant and efficient living environment for all Victorians and their visitors,
- The need to conserve and enhance those buildings and places of scientific, aesthetic, architectural, cultural or historical interest,
- Protection of public utilities and other facilities for the community benefit, and
- The need to balance the present and future interests of all Victorians.

Clause 10.04 of the Planning Scheme requires that Council balance competing objectives and policies to achieve an outcome of 'net community benefit'.

Planning matters to consider other than heritage in relation to this site include:

- The site is a non residential use in a residential area,
- The tower is visually dominating and intrusive in the surrounding residential area and it is considered that residential amenity will be substantially improved if the tower is removed, as proposed by the current planning application,
- The place does not appear to be valued by the community.

The submissions received have been extremely helpful for considering and informing this report for Council. It is now considered that the appropriate planning outcome and maximum community benefit will be achieved if the heritage overlay is not pursued further and the amendment abandoned. If Council considers it to be appropriate, then the tower can be remembered in other ways as discussed above.

9.1.3 (cont)

FINANCIAL IMPLICATIONS

Council would be required to pay for the costs associated with a Panel hearing, if it is resolved to refer submissions to a planning panel for advice. These costs will include employing an expert heritage witness and preparation of a detailed submission by officers. Based on other heritage Panel hearings and given the high number of submissions, panel can be expected to cost Council between \$30,000 - \$50,000.

If the amendment is approved, then it is anticipated that some additional resource and administration costs will result from administering one additional new overlay.

If Council resolves to abandon the amendment then no further costs will be incurred.

CONCLUSION

Amendment C169 seeks to introduce a new heritage overlay. Exhibition of the amendment has attracted 334 submissions, nearly all of which oppose the amendment. After considering the submissions, Council has three options:

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

Heritage criteria have been addressed in the Statement of Significance and research has been extensive. However the community has indicated that they do not value the place and they strongly reject its proposed protection.

Clause 10.04 of the Whitehorse Planning Scheme discusses the various needs and expectations of society and the need for planning to balance conflicting objectives in order to achieve an outcome of net community benefit. In this particular case it is considered that introduction of the proposed heritage overlay will not outweigh community benefit if the tower were to be removed. The existing tower can be remembered in other ways as has already been discussed in the body of this report and there are benefits from allowing the redundant tower to be replaced with new technology in the form of a slimline monotower.

It is also considered that social benefits of the amendment are debatable. Introduction of a heritage overlay on the site will not contribute to enriching the character of the area or contribute to the amenity of residents in the area immediately surrounding the tower. Given that there is a current planning application for replacement of the existing tower with a new slimline monotower, if Council were to proceed with the overlay it would then immediately have to consider a demolition proposal.

Planning involves balancing different and sometimes conflicting community needs. With respect to this amendment it is considered that planning objectives would be best met if the amendment is abandoned.

Attendance:

Cr Munroe returned to the Chamber at 7.51pm following the vote on Item 9.1.3.

9.2 INFRASTRUCTURE

9.2.1 Tender Evaluation Report – Kalang Park Construction of new Pavilion – (Contract 14042)

FILE NUMBER: SF14/11

SUMMARY

To consider tenders received for the construction of a new sports pavilion at Kalang Park and to recommend the acceptance of the tender received from Johns Lyng Commercial Builders Pty Ltd, for the amount of \$1,164,269.70 including GST and to consider the overall estimated expenditure for the project.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded By Cr Davenport

That Council accept the Tender and sign the formal contract document for Contract 14042 for the Construction of a new sports pavilion at Kalang Park received by Johns Lyng Commercial Builders Pty Ltd (ABN 27 567 113 962) for the tendered amount of \$1,164,269.70 including GST as part of the total expected project expenditure of \$1,479,570.00.

CARRIED UNANIMOUSLY

BACKGROUND

A recent building audit identified the existing sporting facility at Kalang Park, Kalang Street, Blackburn is ageing and does not comply with current building codes/regulations, standards and is not functional from a club perspective based on best practice. It is not economically viable to refurbish the existing building and it is planned for it to be demolished.

The existing pavilion is used by the Laburnum Cricket Club during the summer and the Laburnum Auskick and the Blackburn Football Club Auskick programs during the winter, under a seasonal licence agreement.

This proposed new building will double the current footprint and encourage multi-use whilst meeting the requirements of the local sporting teams, peak sporting associations, Council's policy expectations and legislative requirements. Similar to other recently completed sports pavilions, the multipurpose room and associated facilities will be made available for use by other community groups such as the Blackburn Creeklands Advisory Committee. Any additional requests for use will be managed in accordance with Council's Sporting Facilities Guide and standard Conditions of hire.

The new sports pavilion will include

- Two unisex change rooms and facilities for home and away teams
- Kitchen and kiosk for club and community functions
- Multipurpose hall and facilities for club and community use
- First aid room
- Umpire changing facilities
- Storage for clubs and community groups using the facility
- Accessible toilet facilities which are internally and externally accessed
- A covered verandah for spectators
- Includes Environmentally Sustainable Design features such as solar panels, rainwater collection tanks, LED light fittings, sensor operated lighting and wood composite for external cladding materials
- Universal access parking and bike racks

9.2.1
 (cont)

Funding was provided in the 2014/2015 Capital Works Program to undertake design for the sports pavilion and funding has been provided in 2015/2016 for building construction. Works are anticipated to commence in June 2015 and be completed for handover to tenant clubs in February 2016. The tenant clubs will be provided with temporary accommodation facilities onsite which will remain until the completion and handover of the new sports pavilion.

DISCUSSION

Seven prequalified builders considered to be best equipped to deliver the project were selected from the State Government's Construction Suppliers Register (CSR) to tender for this contract.

Tenders were invited on 3 March 2015 and closed on 31 March 2015. All seven shortlisted contractors submitted conforming tenders.

The tenders were evaluated against the following criteria:

- Financial benefit to Council
- Contractors resources specifically dedicated to the project
- Contractors displayed ability to meet Council's set out time frame for the project.
- Occupational Health & Safety, Equal Opportunity (Pass/Fail).
- Business Viability

Following a detailed assessment and clarifications to confirm tender prices, it has been determined that the tender provided by Johns Lyng Commercial Builders Pty Ltd provides the best value for money outcome for this Contract.

CONSULTATION

Council officers have consulted extensively with the pavilion user groups and the neighbouring community at Kalang Park. Council's Parks, Planning and Recreation Department, as well as various other internal departments were consulted regarding building compliance issues and other important design considerations.

FINANCIAL IMPLICATIONS

	Budget	Expenditure
Capital Works Funding Account No. (10 R580 6708) (2014/2015 – Revised Budget)	\$140,000.00	
Capital Works Funding Account No.(10 S580 6708) 2015/2016) – Subject to 2015/2016 Budget Confirmation	\$1,350,000.00	
Total Budget	\$1,490,000.00	
Preferred tenderer's lump sum offer (including GST)		\$1,164,269.70
Less GST		-\$105,842.70
Net cost to Council		\$1,058,427.00
Consultancy Fees 2015/16 (estimated)		\$15,000.00
Service Authority Fees (estimated)		\$25,000.00
Hire for temporary facilities for clubs during construction (estimated)		\$25,000.00
Landscaping		\$35,000.00
Solar PV Panels		\$21,500.00
Other ancillary costs** (estimated)		\$30,000.00
Contingency @ 10%		\$105,843.00
Project Management Fee @ 6%		\$79,000.00
Plus Consultancy Fees (2014/15)		\$84,800.00
Total Expenditure		\$1,479,570.00

**Ancillary costs include, master keying, pavilion signage, tree removal, bollards and bicycle racks.

9.3 CORPORATE SERVICES

9.3.1 2014/15 Quarterly Performance Report – January – March 2015

FILE NUMBER: SF15/64459
ATTACHMENT

SUMMARY

The purpose of this report is to present the quarterly performance report for the January-March quarter, providing a detailed report on performance against the Council Plan 2013-2017 and the 2014/15 Annual Budget for the third quarter of the financial year.

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Massoud

That Council notes the quarterly performance report ending 31 March 2015 as attached.

CARRIED UNANIMOUSLY

BACKGROUND

This report is being presented in accordance with sections 131 and 138 of the *Local Government Act 1989*.

The financial section of this report has been prepared on an accrual basis, to ensure accurate matching of income and expenditure, both operating and capital, for the year to date ending 31 March 2015. Further, the report is prepared on the basis of year to date, year-end projection, cash and key balance sheet items and analysing trends against budget.

DISCUSSION

Performance against Council Plan

This is the third quarter report against the 2014/15 Annual Action Plan activities which align directly with the Strategic Objectives of the Council Plan 2013-2017.

For this second quarterly report, 46 activities (both major initiatives and initiatives) have been reported against with 22 activities having been completed, 23 activities in progress and 1 activity on hold.

Highlights this quarter include:

- The completion of the Traffic Art Program, involving the artistic painting of 5 traffic signal boxes by five tutors from the Box Hill Community Arts Centre
- The delivery of our major festival season including the Australia Day celebrations
- The deployment of the new sportsfield asset database

Performance against Annual Budget

As outlined in the Income Statement, the underlying result reflects a favourable variance of \$5.145m. The year-end underlying result is forecast to be a \$15.745m surplus, \$2.491m favourable to budget.

The capital works report reflects expenditure to the end of March of \$17.774m compared to a year to date budget of \$18.572m. The year to date result represents 60.5% of the total capital works program. The current year end capital works program forecast, including carry over projects, is currently \$29.355m.

9.3.2 2 Bruce Street Box Hill- Proposed granting of an easement in accordance with Section 189 of the Local Government Act 1989

FILE NUMBER: SF15/68096

SUMMARY

This report seeks authorisation to grant an air space easement over Council owned land known as 2 Bruce Street, Box Hill in favour of the registered proprietors of 913 Whitehorse Road, Box Hill.

The easement will be located on the Council owned land known as 2 Bruce Street which forms part of the Bruce Street car park.

Council has completed its statutory obligations in accordance with sections 189 and 223 of the Local Government Act 1989.

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Chong

That Council:

- 1. Having completed its statutory obligations in accordance with sections 189 and 223 of the Local Government Act 1989, grant the air space easement over the Council owned land known as 2 Bruce Street Box Hill to the registered proprietor of 913 Whitehorse Road Box Hill in consideration of one hundred and five thousand (\$105,000) dollars plus GST.***
- 2. Authorise the Chief Executive Officer to sign all legal documents relating to the easement including the affixing of the Council seal, if required.***

CARRIED UNANIMOUSLY

BACKGROUND

The property known as 913 Whitehorse Road Box Hill is the site of the new Australian Tax Office (the new ATO Building), a twenty-level tower which at the time of writing was nearing completion.

The new ATO Building is constructed along the northern boundary of 913 Whitehorse Road and this boundary is also the southern boundary of the Council owned land known as the Bruce Street car park.

It is important to note that the Bruce Street car park comprises three allotments; however, the proposed easement only relates to one of the three parcels; that parcel being 2 Bruce Street which is legally known as Volume 4724 Folio 728.

As the new ATO Building is constructed on the dividing boundary an air space easement is required to enable the windows located on the building's north facing façade to be cleaned by a (manned) suspended basket.

The suspended basket is approximately 0.725 metres in width and it will descend from the top level (level twenty) of the new ATO Building until the commencement of the car parking at level six.

However, the proposed air space easement will be from the ground level to the top of level twenty; this is for safety reasons, the suspended basket needs to have the capability of being lowered to a flat-surface in the case of an emergency.

As the Bruce Street car park is presently an at grade car park, this means that the required flat-surface is at ground level.

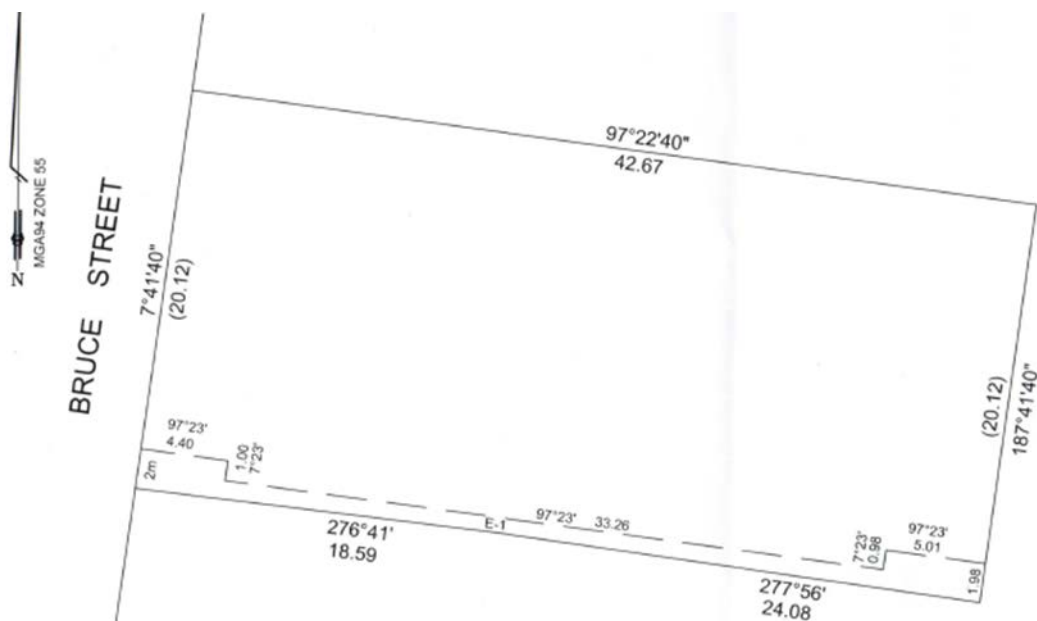
9.3.2
(cont)

A Deed of Easement will be lodged at the Land Registry Office and this deed has been drafted by Council's lawyers; it is worded in a manner that secures Council's right to construct within the easement at a future date.

The majority of the easement is 1 metre wide with additional depth at both the eastern and western ends of the easement. The additional depth is required because the suspended basket swings out from the building so that it can travel around the corners of the building.

The total area of the easement as represented by E1 on the location plan shown below is approximately fifty two square metres (52m²). Refer Plan #1 shown below.

Plan #1: Proposed Easement Location



Governance Requirements

In accordance with section 189 of the *Local Government Act 1989*, if Council wishes to grant an easement over its land, it must give public notice of its intention to grant the easement.

Council at its meeting of 16 March 2015 resolved the following:

“That Council:

- 1. In accordance with sections 189 and 223 of the Local Government Act 1989, give notice of Council's intention to grant an air space easement.**
- 2. Pursuant to section 223 of the Local Government Act 1989, consider and if required hear any submissions received in regard to the proposal to grant the easement.**
- 3. Authorise the Manager of Property & Rates to give public notice, in accordance with sections 189 and 223 of the Local Government Act 1989, of Council's intention to grant the easement and pursuant to section 223 of the Local Government Act 1989, to carry out the administrative procedures to enable Council or the appointed committee to carry out its function under section 223 of the Local Government Act 1989.”**

9.3.2

(cont)

On Saturday 21 March 2015 a public notice was placed in the Saturday edition of *The Age* and in accordance with section 82A of the *Local Government Act 1989* the same public notice was displayed on Council's website.

The public notice gave any person twenty eight (28) days to make a submission on Council's proposal to grant the easement.

The public notice also granted any person that made a submission within the twenty eight (28) day notice period the right to speak in support of their submission at Council's Special Committee meeting dated 11 May 2015.

No submissions have been received by Council and consequently no presentations were made to Council at its Special Committee meeting of 11 May 2015.

Additionally, prior to resolving to grant the easement Council must in accordance with section 189 obtain a valuation of the interest in land from a qualified Valuer and this valuation must not be any older than six (6) months.

The market value of the land as established via an independent valuation report commissioned by Council's Property & Rates Department is as follows:

- The market value of the proposed easement (E-1) as shown in Plan #1 of this report is **One Hundred and Five Thousand Dollars (\$105,000)** excluding GST as at 24 February 2015.

DISCUSSION

The market value of the proposed easement \$105,000 plus GST represents the loss in market value that 2 Bruce Street Box Hill would incur resulting from the granting the easement.

It is important to note that the proposed easement is a small encumbrance which is confined to the southern boundary of 2 Bruce Street. Consequently, the easement does not significantly impact on the overall development potential of 2 Bruce Street, especially as the Deed of Easement mentioned above secures Council's right to construct within the easement at a future date.

Once Council resolves to grant the proposed easement over 2 Bruce Street Box Hill to the registered proprietors of 913 Whitehorse Road Box Hill; Council's lawyers will upon full payment of \$105,000 plus GST lodge on behalf of Council the signed Deed of Easement to the Land Registry Office.

The Deed of Easement will grant easement rights over the Council owned parcel of land described as Volume 4724 Folio 728 in favour of the privately owned parcel of land described as Volume 11564 Folio 868.

In addition to the Deed of Easement the registered proprietors of 913 Whitehorse Road Box Hill will also be required to enter into a section 173 Agreement (in accordance with section 173 of the *Planning & Environment Act 1987*) with Council.

Council's lawyers will draft this agreement and it will be registered on the title for 913 Whitehorse Road, Box Hill (Volume 11564 Folio 868); the agreement will formally establish the liability and maintenance obligations regarding the suspended basket when the basket is located or operating in Council's air-space.

9.3.2

(cont)

CONSULTATION

Public consultation has been undertaken in accordance with sections 189 and 223 of the *Local Government Act 1989*, and as outlined in the body of this report.

FINANCIAL IMPLICATIONS

The public notice costs, valuation costs, surveying costs, legal costs (Council's legal costs) and Land Registry lodgement fees will be borne by Council.

The combined costs will be approximately \$25,000 plus GST.

To ensure full transparency Council will not seek a reimbursement of costs incurred by Council in for fulfilling its statutory obligation from the owners of 913 Whitehorse Road, Box Hill.

POLICY IMPLICATIONS

There are no policy implications.

9.3.3 Instrument of Delegation from Council to the Chief Executive Officer

FILE NUMBER: SF10/1028
ATTACHMENT

SUMMARY

The purpose of this report is to recommend approval of a new Instrument of Delegation from Council to the Chief Executive Officer.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Ellis

That Council adopt the attached Instrument of Delegation to the Chief Executive Officer.

CARRIED UNANIMOUSLY

BACKGROUND

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

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

DISCUSSION

The current delegation to the Chief Executive Officer ('CEO') was approved by Council on 19 August 2013. One of the limitations in the delegation is:

"The purchase or disposal of land with the exception of land compulsorily acquired".

There have been instances recently (eg: item 9.3.2 of the Ordinary Council Meeting of 16 February 2015) where a Council Resolution has been required to approve a transfer of land for a very small parcel of land. The report to the February 2015 meeting referred to land comprising approximately three square metres and effectively formalised the transfer of part of a footpath to Council's ownership. Other instances can occur such as where a splay corner is transferred for road widening purposes.

It is therefore suggested that the limitation in the CEO's Delegation be amended to enable the CEO to approve the acquisition or transfer of land where the area of land to be acquired or transferred is:

- a) Less than 10% of the total allotment area; or
- b) Less than 10% of the unencumbered freehold value of the total allotment; or
- c) For an easement and the value of the proposed easement does not reduce the unencumbered freehold value of the total allotment by more than 10%;

(Note – these limitations generally accord with the wording of the Land Acquisition and Compensation Regulations 2010).

9.3.3

(cont)

The proposed amendment will mean that the Council will not have to deal with these minor operational matters and will also expedite minor land transfers involving residents and other stakeholders.

CONSULTATION

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

FINANCIAL IMPLICATIONS

There are no financial implications.

9.3.4 Instrument of Delegation from Council to Positions within the Organisation

FILE NUMBER: SF10/1028
ATTACHMENT

SUMMARY

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

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Ellis

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

CARRIED UNANIMOUSLY

BACKGROUND

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

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

DISCUSSION

At its meeting on 17 March 2014, as a result of amendments to various Acts and Regulations, Council adopted a revised delegation to various positions in the organisation.

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

The proposed delegation reflects:

- a) One minor amendment (section 96Z) to the *Planning and Environment Act 1987*;
- b) The *Planning and Environment (Fees) Further Interim Regulations 2013* are now the *Planning and Environment (Fees) Further Interim Regulations 2014*;
- c) Changes to some position titles in the organisation;
- d) Changes to titles of state government departments and agencies as a result of recent re-structuring; and
- e) Delegation Under Council's Community Local Law 2014 in relation to event management

CONSULTATION

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

FINANCIAL IMPLICATIONS

There are no financial implications.

9.3.5 Delegated Decisions – March 2015

FILE NUMBER: SF 13/1527#02

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

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Harris

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

CARRIED UNANIMOUSLY

DELEGATION	FUNCTION	Number for March 2014	Number for March 2015
Planning and Environment Act 1987	- Delegated decisions	115	121
	- Strategic Planning Decisions	1	Nil
Telecommunications Act 1997		0	0
Subdivision Act 1988		30	45
Gaming Control Act 1991		0	0
Building Act 1993	Dispensations & applications to Building Control Commission	47	76
Liquor Control Reform Act 1998	Objections and prosecutions	2	1
Food Act 1984	- Food Act orders	1	3
Public Health & Wellbeing Act 2008	- Improvement / prohibition notices	1	Nil
Local Government Act 1989	Temporary road closures	5	6
Other delegations	CEO signed contracts between \$150,000 - \$500,000	2	2
	Property Sales and leases	6	5
	Documents to which Council seal affixed	2	Nil
	Vendor Payments	1297	1354
	Parking Amendments	6	8
	Parking Infringements written off (not able to be collected)	213	406

*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 MARCH 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
852	03-03-15	Application Lapsed	58 Glengarry Ave, Burwood	Riversdale	Construction of a three storey dwelling at the rear of the existing dwelling and a reduction in the standard car parking requirement.	Multiple Dwellings
369	31-03-15	Delegate Approval - S72 Amendment	1 Neil Crt, Blackburn South	Riversdale	Amendment of Planning Permit WH/2-11/369 (issued for development of land for a three storey building plus basement comprising 32 dwellings) to remove a basement level, and make minor alterations to the internal and external layout	Permit Amendment
550	31-03-15	Delegate Approval - S72 Amendment	37 Holland Rd, Blackburn South	Central	Amendment to WH/2014/550 (issued for the construction of three (3) dwellings) for removal of reference to Tree 4.	Permit Amendment
609	13-03-15	Delegate Approval - S72 Amendment	307 Station St, Box Hill South	Riversdale	Construct a front fence	Permit Amendment
672	31-03-15	Delegate Approval - S72 Amendment	1 Tevelton Ln, Surrey Hills	Elgar	Amendment to plans to extend decking for Dwelling 2	Permit Amendment
685	12-03-15	Delegate Approval - S72 Amendment	2 Elland Ave, Box Hill	Elgar	Amendment to Planning Permit WH/2013/685 (Building and works associated with multiple dwellings and a food and drink premises and associated waiver of car parking and loading requirements) to alter external finishes and floor plan layout	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
895	27-03-15	Delegate Approval - S72 Amendment	1 Elland Ave, Box Hill	Elgar	Amendment to Planning Permit WH/2011/895 (issued for: development of a nine storey apartment building including ground floor retail (community market, convenience shop, food and drink premises or plant nursery) and a mix of serviced apartments and dwellings, waiver in loading and unloading and car parking requirements) to alter the basement layout and building form.	Permit Amendment
125	30-03-15	Delegate NOD Issued	963 Station St, Box Hill North	Elgar	Construction of two double storey dwellings and alteration of access to a Road Zone Category 1	Multiple Dwellings
126	12-03-15	Delegate NOD Issued	36 Roslyn St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
240	24-03-15	Delegate NOD Issued	2 Anthony Cres, Box Hill North	Elgar	Construction of 4 dwellings comprising two new double storey dwelling to the rear of two existing dwellings	Multiple Dwellings
288	31-03-15	Delegate NOD Issued	8 Cherry Orchard Rise Box Hill North	Elgar	Construct one (1) double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
323	30-03-15	Delegate NOD Issued	1 Toogoods Rise Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
383	26-03-15	Delegate NOD Issued	6 Austin St, Mitcham	Springfield	Construction of two double storey dwellings	Multiple Dwellings
471	31-03-15	Delegate NOD Issued	8 Lake Ave, Mitcham	Springfield	Construct one (1) double storey dwelling to the rear of the existing dwelling	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
528	25-03-15	Delegate NOD Issued	38 Killara St, Box Hill North	Elgar	The development of the land for two dwellings comprising one double storey dwelling to the rear of the existing single storey dwelling	Multiple Dwellings
665	30-03-15	Delegate NOD Issued	30 Cumming St, Burwood	Riversdale	Construction of three (3) double storey dwellings	Multiple Dwellings
760	31-03-15	Delegate NOD Issued	310 Springvale Rd, Forest Hill	Springfield	Construction of five dwellings including three double storey dwellings and two single storey dwellings, and alteration to access to a road in a Road Zone (Category 1).	Multiple Dwellings
767	30-03-15	Delegate NOD Issued	3 Everglade Ave, Forest Hill	Morack	Construction of a double storey dwelling to the rear of the existing dwelling	Multiple Dwellings
804	27-03-15	Delegate NOD Issued	14A Churchill St, Mont Albert	Elgar	Buildings and works to construct a double storey Caretaker's House to the rear of the existing Shop	Business
812	13-03-15	Delegate NOD Issued	332-334 Mont Albert Rd, Mont Albert	Elgar	Construction of two double storey dwellings	Multiple Dwellings
838	03-03-15	Delegate NOD Issued	17 Parer St, Burwood	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
908	31-03-15	Delegate NOD Issued	14 Gunyah Rd, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
928	31-03-15	Delegate NOD Issued	2/2A Beaumont St, Vermont	Morack	Use of land to sell and consume liquor and a reduction in standard car parking requirement in association with a restaurant	Business
931	27-03-15	Delegate NOD Issued	42 Albany Cres, Surrey Hills	Elgar	Construction of a double storey dwelling to the rear of the existing dwelling and subdivision of land into two (2) lots	Multiple Dwellings
1006	30-03-15	Delegate NOD Issued	13 Standard Ave, Box Hill	Elgar	Construction of two double storey dwellings	Multiple Dwellings
1144	19-03-15	Delegate NOD Issued	19 Kenmare St, Mont Albert North	Elgar	To construct, use and illuminate a private tennis court	Residential (Other)

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1228	20-03-15	Delegate NOD Issued	7 Ravenswood Crt, Nunawading	Springfield	Buildings and works to construct an extension to an existing dwelling	Special Landscape Area
12	27-03-15	Delegate Permit Issued	28 Orchard Grv, Blackburn South	Central	Three (3) lot subdivision	Permit Amendment
14	18-03-15	Delegate Permit Issued	976 Whitehorse Rd, Box Hill	Elgar	Reduction of standard car parking requirement	Business
15	05-03-15	Delegate Permit Issued	17 Cadorna St, Box Hill South	Riversdale	Amendment to WH/2014/15 (issued for construction of two double storey dwellings) for the addition of timber decks within private open space of both dwellings	Permit Amendment
20	20-03-15	Delegate Permit Issued	913 Whitehorse Rd, Box Hill	Elgar	To display business identification signage and internally illuminated signage	Advertising Sign
21	31-03-15	Delegate Permit Issued	26-28 Simla St, Mitcham	Springfield	Removal and lopping of trees in a Vegetation Protection Overlay	Vegetation Protection Overlay
29	17-03-15	Delegate Permit Issued	4 Barkly St, Box Hill	Elgar	7 lot subdivision	Subdivision
33	27-03-15	Delegate Permit Issued	39 Lincoln Ave, Mont AlbertNorth	Elgar	Removal of four (4) trees in a Vegetation Protection Overlay	Vegetation Protection Overlay
35	20-03-15	Delegate Permit Issued	44 Andrews St, Burwood	Riversdale	3 lot subdivision	Subdivision
45	30-03-15	Delegate Permit Issued	28 The Ridge Blackburn	Central	Buildings and works to replace an existing deck	Special Landscape Area
53	30-03-15	Delegate Permit Issued	1 Spence St, Burwood	Riversdale	3 lot subdivision	Subdivision
65	30-03-15	Delegate Permit Issued	169 Surrey Rd, Blackburn	Central	7 lot subdivision	Subdivision
67	30-03-15	Delegate Permit Issued	95 Thames St, Box Hill	Elgar	18 lot subdivision	Subdivision
71	27-03-15	Delegate Permit Issued	3 Boondara Rd, Mont AlbertNorth	Elgar	3 lot subdivision	Subdivision
82	31-03-15	Delegate Permit Issued	30 Edwards St, Burwood	Riversdale	4 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
84	30-03-15	Delegate Permit Issued	382 Elgar Rd, Box Hill	Elgar	Amendment to Planning Permit WH/2014/84 (Issued for construction of a double storey dwelling to the rear of the existing dwelling) for alterations to setbacks with subsequent changes to the approved development	Permit Amendment
86	23-03-15	Delegate Permit Issued	5 Mudgee St, Burwood East	Riversdale	2 lot subdivision	Subdivision
94	31-03-15	Delegate Permit Issued	36 O'Hara St, Blackburn	Central	Buildings and works including first floor addition to existing dwelling	Residential (Other)
95	30-03-15	Delegate Permit Issued	126 Fulton Rd, Blackburn South	Riversdale	Use of the land for an indoor recreation facility (dance studio) and associated reduction in car parking	Business
98	18-03-15	Delegate Permit Issued	913 Whitehorse Rd, Box Hill	Elgar	Vesting of Bruce Street, identified as R1 shown on PS 728045T, into Whitehorse City Council	Subdivision
99	23-03-15	Delegate Permit Issued	20 Robyn Drv, Nunawading	Springfield	Two lot subdivision	Subdivision
105	23-03-15	Delegate Permit Issued	3 Station St, Burwood	Riversdale	2 lot subdivision	Subdivision
106	24-03-15	Delegate Permit Issued	8 Newman Rd, Nunawading	Springfield	2 lots subdivision	Subdivision
116	26-03-15	Delegate Permit Issued	7 Station St, Burwood	Riversdale	3 lot subdivision	Subdivision
118	12-03-15	Delegate Permit Issued	24 Belgravia Ave, Mont AlbertNorth	Elgar	Remove a tree to make way for proposed deck to rear of existing house	VicSmart - General Application
120	20-03-15	Delegate Permit Issued	27 Cobham Rd, Mitcham	Springfield	2 lot subdivision	Subdivision
123	10-03-15	Delegate Permit Issued	54 Lasiandra Ave, Forest Hill	Springfield	Removal of Easement	Subdivision
137	18-03-15	Delegate Permit Issued	4/25-29 Prospect St, Box Hill	Elgar	Reduction in car parking requirements in a C1 Zone	VicSmart - General Application
140	23-03-15	Delegate Permit Issued	13 Pendle St, Box Hill	Elgar	2 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
141	20-03-15	Delegate Permit Issued	26 Clyde St, Box Hill North	Elgar	2 lot subdivision	Subdivision
144	26-03-15	Delegate Permit Issued	6 Langtree Crt, Blackburn	Central	Amendment to Planning Permit WH/2013/144 (issued for buildings and works for the construction of two (2) double storey dwellings) for external alterations to Dwelling 2 and increase in fencing heights	Permit Amendment
145	20-03-15	Delegate Permit Issued	193A Canterbury Rd, Blackburn	Central	Tree Removal in an SLO 2	VicSmart - General Application
151	24-03-15	Delegate Permit Issued	43 Stott St, Box Hill South	Riversdale	Subdivision of two lots	Subdivision
155	27-03-15	Delegate Permit Issued	1 Yea Crt, Forest Hill	Springfield	Two lot subdivision	Subdivision
161	27-03-15	Delegate Permit Issued	5 Beenak Crt, Forest Hill	Morack	Two lot subdivision	Subdivision
164	24-03-15	Delegate Permit Issued	17 Taronga Crt, Nunawading	Springfield	Two lot subdivision	Subdivision
178	24-03-15	Delegate Permit Issued	9 Tucker Rd, Vermont	Morack	2 lot subdivision	Subdivision
181	30-03-15	Delegate Permit Issued	34A/288 Whitehorse Rd, Nunawading	Springfield	Use of land to sell packaged liquor	Liquor Licence
182	25-03-15	Delegate Permit Issued	3 Larch St, Blackburn	Central	2 lot subdivision	VicSmart - Subdivision
185	25-03-15	Delegate Permit Issued	8 Norris Crt, Blackburn	Central	Buildings and works associated with an extension to the existing dwelling	VicSmart - General Application
187	30-03-15	Delegate Permit Issued	4 Wilson St, Mont Albert	Elgar	2 lot subdivision	Subdivision
190	30-03-15	Delegate Permit Issued	28 Hastings Ave, Blackburn South	Riversdale	2 lot subdivision	Subdivision
196	31-03-15	Delegate Permit Issued	17 Alandale Rd, Blackburn	Central	Removal of one (1) tree in a Significant Landscape Overlay	VicSmart - General Application
246	26-03-15	Delegate Permit Issued	63 Tyne St, Box Hill North	Elgar	Construction of three (3) double storey dwellings	Permit Amendment
271	24-03-15	Delegate Permit Issued	5 Belmont St, Surrey Hills	Riversdale	Construction of three double storey dwellings	Multiple Dwellings
389	30-03-15	Delegate Permit Issued	46 Haig St, Box Hill South	Riversdale	Amendment to WH/2013/389 (issued for the construction of three (3) double storey dwellings) for the removal of Tree 5	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
403	24-03-15	Delegate Permit Issued	16 Main St, Blackburn	Central	Buildings and works to construct one (1) dwelling and tree removal	Special Landscape Area
507	26-03-15	Delegate Permit Issued	3/198 Whitehorse Rd, Blackburn	Central	Amendment to Planning Permit WH/2008/507 (issued for the use of land for restricted recreation facility (gymnasium) for increase in persons on site to 25 and opening hours 2pm - 10pm Mon - Fri and 8:30am - 12pm Sat.	Permit Amendment
518	31-03-15	Delegate Permit Issued	1 Linden St, Blackburn	Central	Construction of two double storey dwellings and subdivision	Multiple Dwellings
534	31-03-15	Delegate Permit Issued	787 Station St, Box Hill North	Elgar	Construction of three double storey dwellings and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
553	26-03-15	Delegate Permit Issued	26 Perth St, Blackburn South	Central	Amendment to Planning Permit WH/2013/553 (Issued for Construction of a double storey dwelling to the rear of the existing dwelling) to alter the roof form and reduce the front and south side setbacks.	Permit Amendment
554	19-03-15	Delegate Permit Issued	1097 Whitehorse Rd, Box Hill	Elgar	Amendment to Planning Permit WH/2011/554/B (Issued for the construction of a three storey building comprising nine dwellings and reduction in the standard car parking rate) for alterations to internal configuration and changes basement carparking	Permit Amendment
569	24-03-15	Delegate Permit Issued	15 Ashley St, Box Hill North	Elgar	Construction of three double storey dwellings	Multiple Dwellings
687	20-03-15	Delegate Permit Issued	41 Gerald St, Blackburn	Springfield	Buildings and works for extensions to the existing dwelling	Permit Amendment
699	16-03-15	Delegate Permit Issued	1 Alpha Crt, Mitcham	Springfield	Buildings and works to extend existing dwelling and tree removal	Special Landscape Area

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
711	23-03-15	Delegate Permit Issued	27 Shannon St, Box Hill North	Elgar	Construction of one (1) double storey dwelling at the rear of the existing dwelling	Multiple Dwellings
723	03-03-15	Delegate Permit Issued	61 Stevens Rd, Vermont	Morack	Construction of two double storey dwellings	Multiple Dwellings
754	31-03-15	Delegate Permit Issued	372 Burwood Hwy, Burwood	Riversdale	Construction of seven double storey dwellings and alteration of access to a road in a Road Zone, Category 1	Multiple Dwellings
780	05-03-15	Delegate Permit Issued	46 Joan Cres, Burwood East	Morack	Construction of two double storey dwellings	Multiple Dwellings
799	25-03-15	Delegate Permit Issued	326 Burwood Hwy, Burwood	Riversdale	Construction of two or more dwellings on a lot and alteration of access to a road in a Road Zone Category 1	Permit Amendment
805	25-03-15	Delegate Permit Issued	39 Koonung Rd, Blackburn North	Central	Construction of three double storey dwellings	Multiple Dwellings
835	16-03-15	Delegate Permit Issued	412 Middleborough Rd, Blackburn	Central	Construction of four dwellings comprising three double storey dwellings and one single storey dwelling	Multiple Dwellings
837	30-03-15	Delegate Permit Issued	22 Rutland Rd, Box Hill	Elgar	18 lots subdivision	Subdivision
883	31-03-15	Delegate Permit Issued	129 Dorking Rd, Box Hill North	Elgar	Construction of two double storey dwellings	Multiple Dwellings
917	27-03-15	Delegate Permit Issued	11 Evelina St, Mont AlbertNorth	Elgar	Construction of three double storey dwellings	Multiple Dwellings
967	31-03-15	Delegate Permit Issued	280 Middleborough Rd, Blackburn South	Central	Construction of three (3) double storey dwellings	Multiple Dwellings
1011	24-03-15	Delegate Permit Issued	11 Salvana Ave, Mitcham	Springfield	Construction of two double storey dwellings and subdivision into two lots	Multiple Dwellings
1013	25-03-15	Delegate Permit Issued	28 Dorothy St, Burwood East	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
1028	26-03-15	Delegate Permit Issued	28 Rochdale Drv, Burwood East	Riversdale	Amendment to plans for internal rearrangments and to reduce the accessway width	Permit Amendment
1092	24-03-15	Delegate Permit Issued	6 Clifton St, Blackburn	Central	Buildings and works for the construction of one (1) double storey dwelling	Special Landscape Area

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1149	24-03-15	Delegate Permit Issued	435 Highbury Rd, Burwood East	Riversdale	Reduction in the standard car parking requirement for a Medical Centre (Massage Clinic)	Business
1204	20-03-15	Delegate Permit Issued	811 Whitehorse Rd, Mont Albert	Elgar	Buildings and works for the installation of exhaust fans, reduction in standard car parking requirement and display of advertising signs in association with a restaurant	Business
1205	24-03-15	Delegate Permit Issued	6/31-35 Surrey Rd, Blackburn North	Central	Construction of an upper level extension to the existing dwelling	Residential (Other)
1217	03-03-15	Delegate Permit Issued	77-79 Whitehorse Rd, Blackburn	Central	Signage on hoarding	Advertising Sign
1224	20-03-15	Delegate Permit Issued	59C Station St, Burwood	Riversdale	Reduction of car parking requirements for a Medical Centre (massage parlour)	Business
1234	26-03-15	Delegate Permit Issued	32 The Avenue, Blackburn	Central	Buildings and works to construct a carport within 4 metres of existing trees and the removal of one (1) tree	Special Landscape Area
1262	12-03-15	Delegate Permit Issued	251 Elgar Rd, Surrey Hills	Riversdale	3 lot subdivision	Subdivision
1265	31-03-15	Delegate Permit Issued	237 Mitcham Rd, Mitcham	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
1266	27-03-15	Delegate Permit Issued	78 Middleborough Rd, Burwood East	Riversdale	Earthworks and removal of five trees	Other
1267	30-03-15	Delegate Permit Issued	45 Wattle Valley Rd, Mitcham	Springfield	Buildings and works to extend the existing dwelling and removal of one (1) tree	Special Landscape Area
57	12-03-15	Delegate Refusal Issued	52 Bishop St, Box Hill	Elgar	Development of the land for a four storey residential apartment building comprising 29 dwellings and at-grade car parking with a reduction in car parking requirements	Residential (Other)
71	27-03-15	Delegate Refusal Issued	190-192 Central Rd, Nunawading	Springfield	Construction of four double storey dwellings	Multiple Dwellings
110	30-03-15	Delegate Refusal Issued	12 Linden St, Box Hill South	Riversdale	Construction of five (5) double storey dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
129	30-03-15	Delegate Refusal Issued	19 Premier Ave, Mitcham	Springfield	Construction of three double storey dwellings	Multiple Dwellings
201	20-03-15	Delegate Refusal Issued	13-15 Verona St, Vermont South	Morack	Construction of five double storey dwellings	Multiple Dwellings
613	20-03-15	Delegate Refusal Issued	4 Fortune St, Box Hill North	Elgar	Construction four double storey dwellings	Multiple Dwellings
749	20-03-15	Delegate Refusal Issued	15 Cornfield Grv, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
1073	20-03-15	Delegate Refusal Issued	3 Agra St, Mitcham	Springfield	Removal of two (2) trees	Special Landscape Area
1181	30-03-15	Delegate Refusal Issued	12 Stanley St, Box Hill South	Riversdale	Change of use from outbuilding to dwelling, on a lot containing more than one dwelling	Residential (Other)
96	02-03-15	No Permit Required	2/12 Orchard Cres, Mont AlbertNorth	Elgar	Installation of a vergola	Vegetation Protection Overlay
101	02-03-15	No Permit Required	3/3 Ralph St, Blackburn South	Central	Construction of a vergola	Residential (Other)
14298	31-03-15	Permit Corrected	641-647 Burwood Hwy, Vermont South	Morack	Use and Development of a Four Storey Medical Centre with Ancillary Pharmacy and Food and Drink Premises Requiring Dispensation for Car Parking, Creation of Access to Burwood Highway and Removal of Native Vegetation	Business
126	12-03-15	Withdrawn	353 Whitehorse Rd, Nunawading	Springfield	Change of use to an education centre	Residential (Other)
603	12-03-15	Withdrawn	341-343 Elgar Rd, Surrey Hills	Elgar	Development of the land for 12 dwellings with basement parking and creation of access to land in a Road Zone Category 1	Multiple Dwellings
1179	04-03-15	Withdrawn	15 Manniche Ave, Mont AlbertNorth	Elgar	Construction of two (2) single storey dwellings	Multiple Dwellings
1187	26-03-15	Withdrawn	22 Wridgway Ave, Burwood	Riversdale	Construction of two double storey dwellings for student accommodation	Multiple Dwellings

BUILDING DISPENSATIONS/APPLICATIONS MARCH 2015

Address	Date	Ward	Result
1 Majilis Street, BLACKBURN NORTH	25-03-15	Central	R424 Granted
10 Finlayson Street, FOREST HILL	24-03-15	Central	R409 Granted
11 Larch Street, BLACKBURN	04-03-15	Central	R409 Granted
20 Gissing Street, BLACKBURN SOUTH	18-03-15	Central	R420 Granted
21 Athol Court, BLACKBURN	16-03-15	Central	R415 Granted
24 Sandgate Road, BLACKBURN SOUTH	16-03-15	Central	R427 Granted
4 Highfield Avenue, BLACKBURN SOUTH	04-03-15	Central	R409, R415 Granted
62 Laurel Grove South, BLACKBURN	04-03-15	Central	R409 Granted
65 Shafer Road, BLACKBURN NORTH	10-03-15	Central	R409 Granted
10 Finlayson Street, FOREST HILL	24-03-15	Central	R416 Refused
11 Craig Street, BLACKBURN SOUTH	02-03-15	Central	R409 refused
11 Lilac Court, BLACKBURN NORTH	27-03-15	Central	R414 Refused
19 Linum Street, BLACKBURN	27-03-15	Central	R425 Refused
39 Marchiori Road, BLACKBURN NORTH	27-03-15	Central	R409 Refused
42 Bennett Street, FOREST HILL	04-03-15	Central	R409 Refused
5 Bond Avenue, BLACKBURN SOUTH	18-03-15	Central	R409 Refused
65 Shafer Road, BLACKBURN NORTH	10-03-15	Central	R414 Refused
1 Garden Street, BOX HILL NORTH	16-03-15	Elgar	R417 Granted
11 Kingsley Crescent, MONT ALBERT	27-03-15	Elgar	R424 Granted
12 Clota Avenue, BOX HILL	18-03-15	Elgar	R417, R417, R409 Granted
20 Chessell Street, MONT ALBERT NORTH	24-03-15	Elgar	R417 Granted
20 Peter Street, BOX HILL NORTH	18-03-15	Elgar	R415, R409 Granted
22 Killara Street, BOX HILL NORTH	10-03-15	Elgar	R424 Granted
3 Berry Street, BOX HILL NORTH	16-03-15	Elgar	R424 Granted
3 Carrington Road, BOX HILL	16-03-15	Elgar	R604 Granted
3 Corlett Street, MONT ALBERT NORTH	27-03-15	Elgar	R417 Granted
4 Rosemont Street, SURREY HILLS	27-03-15	Elgar	R417 Granted
5 Blenheim Avenue, MONT ALBERT	16-03-15	Elgar	R414 Granted
712 Station Street, BOX HILL	10-03-15	Elgar	R604 Granted
714 Station Street, BOX HILL	04-03-15	Elgar	R604 Granted
77 Heathfield Rise, BOX HILL NORTH	05-03-15	Elgar	R409 Granted
13 Dunloe Avenue, MONT ALBERT NORTH	16-03-15	Elgar	R409 Refused
10 Kingsclere Street, VERMONT	10-03-15	Morack	R409 Granted
20 Beddoe Road, VERMONT	27-03-15	Morack	R409 Granted
43 Barry Road, BURWOOD EAST	24-03-15	Morack	R417 Granted
5 Anthony Court, BURWOOD EAST	16-03-15	Morack	R408 Granted
7 Frank Street, VERMONT	17-03-15	Morack	R414 Withdrawn
16 Lambourne Street, SURREY HILLS	04-03-15	Riversdale	R426 Granted
17 O'Brien Crescent, BLACKBURN SOUTH	04-03-15	Riversdale	R415 Granted
21 Fowler Street, BOX HILL SOUTH	24-03-15	Riversdale	R414 Granted
27 Ireland Street, BURWOOD	20-03-15	Riversdale	R415, R416 Granted
307 Station Street, BOX HILL SOUTH	16-03-15	Riversdale	R427 Granted
36 Rochdale Drive, BURWOOD EAST	16-03-15	Riversdale	R414 Granted
43 Samuel Road, BLACKBURN SOUTH	16-03-15	Riversdale	R409 Granted
5 Rothsay Avenue, BURWOOD	27-03-15	Riversdale	R414 Granted
52 Lenna Street, BURWOOD EAST	02-03-15	Riversdale	R414 Granted
10 Christina Street, BURWOOD	16-03-15	Riversdale	R409 Granted
103 Roslyn Street, BURWOOD	16-03-15	Riversdale	R409 Granted
13 Taylor Avenue, BURWOOD EAST	02-03-15	Riversdale	R415, R414 Refused
29 Begonia Street, BOX HILL SOUTH	17-03-15	Riversdale	R409 Refused
34 Leonard Street, BURWOOD	05-03-15	Riversdale	R409 Refused
36 Rochdale Drive, BURWOOD EAST	16-03-15	Riversdale	R415 Refused
5 Rothsay Avenue, BURWOOD	27-03-15	Riversdale	R416 Refused
13 Neville Street, BOX HILL SOUTH	23-03-15	Riversdale	R416 Expired
28 Milton Street, NUNAWADING	18-03-15	Springfield	R409 Amendment Approved

BUILDING DISPENSATIONS/APPLICATIONS MARCH 2015 (cont)

Address	Date	Ward	Result
1/32-36 Heatherdale Road, MITCHAM	03-03-15	Springfield	R414 Granted
10 Wattle Valley Road, MITCHAM	02-03-15	Springfield	R414, R409 Granted
23 Willow Avenue, MITCHAM	24-03-15	Springfield	R415 Granted
3 Cyprus Avenue, NUNAWADING	16-03-15	Springfield	R409 Granted
5 Charlesworth Place, MITCHAM	17-03-15	Springfield	R414,R409, R420 Granted
5/198-208 Springvale Road, NUNAWADING	10-03-15	Springfield	R414 Granted
10 Ferris Avenue, MITCHAM	16-03-15	Springfield	R409 Refused
12 O'Shannessy Street, NUNAWADING	27-03-15	Springfield	R409 Refused
22 Winchester Road, NUNAWADING	27-03-15	Springfield	R409 Refused
28 Nielsen Avenue, NUNAWADING	16-03-15	Springfield	R409 Refused
5 Charlesworth Place, MITCHAM	17-03-15	Springfield	R410 Refused

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS – MARCH 2015

Under the Planning and Environment Act 1987

Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION MARCH 2015

Contract	Service
Contract 14032	Provision of Transitional Respite Care Services
Contract 14039	Terrara Road Centre Island Installations, Vermont South

REGISTER OF PROPERTY DOCUMENTS EXECUTED MARCH 2015

Property Address	Document Type	Document Detail
Leases		
Part 2-4 Bruce Street, Box Hill (Grocon Developments (Box Hill) Pty Ltd	Deed of Renewal and Variation of Lease	Landlord (6 months expires 20/07/2015)
Land Transfers		
Rear 31 Boisdale Street, Surrey Hills	Road Discontinuance	Transfer of Land Section 207D Local Government Act 1989
Rear 31 Boisdale Street, Surrey Hills	Creation of Easement Deed	Section 45 (1) of Transfer of Land Act 1958
Rear 9 Goodwood Street, Surrey Hills	Road Discontinuance	Transfer of Land Section 207D Local Government Act 1989
Rear 9 Goodwood Street, Surrey Hills	Creation of Easement Deed	Section 45 (1) of Transfer of Land Act 1958

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL – MARCH 2015

Nil

PARKING RESTRICTIONS APPROVED BY DELEGATION MARCH 2015

Address: Shady Grove, Nunawading from Canterbury Road to 15m north of Canterbury Road

Previously: Unrestricted

Now: No Stopping

Spaces: 1

Address: McCubbin Street, Burwood from East side of driveway to 37 McCubbin Street to East side of driveway to 39 McCubbin Street

Previously: Unrestricted

Now: No Stopping

Spaces: 1

Address: Wakefield Street, Nunawading from Suzanne Avenue to Robyn Drive

Previously: No Stopping 8:30-9:15am & 3:15 - 4pm school days

Now: P 2minute 8:30am-9:15am & 3:15 - 4pm school days

Spaces: 2

Address: Queen Street, Nunawading from Rooks road to 17 Queen Street

Previously: non-conforming signage

Now: 1P 9am-6pm, Mon-Fri

Spaces: 4

VENDOR PAYMENT SUMMARY – SUMS PAID DURING MARCH 2015

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
03.03.15	65,787.36	36	EFT
05.03.15	47,471.91	36	EFC
05.03.15	26,112.50	62	CHQ
05.03.15	47,471.91	36	EFC
05.03.15	368,800.92	41	EFT
06.03.15	21,849.82	1	EFT
11.03.15	1,155.00	1	EFT
12.03.15	24,903.50	21	EFC
12.03.15	380,316.44	41	CHQ
12.03.15	1,380,905.07	294	EFT
17.03.15	3,131.40	2	EFT
17.03.15	66,318.92	35	EFT
19.03.15	15,363.87	16	EFC
19.03.15	99,476.70	81	CHQ
19.03.15	689,135.13	42	EFT
26.03.15	22,133.10	18	EFC
26.03.15	120,787.91	82	CHQ
26.03.15	4,811,125.80	436	EFT
26.03.15	22,133.10	18	EFC
27.03.15	22,133.10	18	EFC
27.03.15	15026.25	1	EFT
27.03.15	6109713.09	1	EFT
27.03.15	1000.00	1	MCK
31.03.15	65299.23	34	EFT
Monthly Leases	30000.00		
GROSS	14,457,552.03	1354	
CANCELLED PAYMENTS	113,417.61	106	
NETT	14,344,134.42	1248	

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 18 May 2015.
- 10.1.2 Cr Stennett reported on his attendance at the Eastern Transport Coalition meeting held on 16 April 2015
- 10.1.3 Cr Daw reported on his attendance at the Whitehorse Business Group Board meeting held on 12 May 2015.
- 10.1.4 Cr Harris reported on her attendance at the Visual Arts Committee meeting held on 24 April 2015. Confirmation was received from Ceramics Victoria relating to the donation of their permanent collection and the opportunity for building a fund for the purchase of major art works.
- 10.1.5 Cr Davenport reported on his attendance at the Audit Advisory Committee meeting held on 18 May 2015.
- 10.1.6 Cr Davenport reported on his attendance at the Metropolitan Transport Forum meeting held on 6 May 2015.
- 10.1.7 Cr Ellis as representative of the Eastern Region Affordable Housing Alliance spoke at an Affordable Housing Alliance Forum held on the 28 April 2015 at Hobsons Bay.
- 10.1.8 Cr Carr reported on her attendance at the Visual Arts Committee meeting held on 24 April 2015.
- 10.1.9 Cr Bennett reported on his attendance at the Whitehorse Reconciliation Policy & Action Plan meeting held on 12 May 2015.
- 10.1.10 Cr Bennett reported on his attendance at the Whitehorse Manningham Regional Library Corporation Meeting held on 22 April 2015.
- 10.1.11 Cr Massoud reported on her attendance at the Whitehorse Business Group Board meeting held on 12 May 2015.
- 10.1.12 Cr Munroe reported on his attendance at the Eastern Region Mayors and Chief Executive Officers meeting held on 8 May 2015 at Boroondara.
- 10.1.13 Cr Munroe reported on his attendance at the Municipal Association of Victoria State Council meeting held on 15 May 2015.
- 10.1.14 Cr Munroe reported on his attendance at the Whitehorse Built Environment Awards held at Deakin University on 7 May 2015.
- 10.1.15 Cr Munroe reported on his attendance at the Whitehorse-Matsudo Sister City - Green Tree Day event held at Aqualink Box Hill on 12 May 2015 with VIPs and community members in attendance. A phone and skype teleconference was held between Mayor Munroe and Mayor Hongoya of Matsudo City, Japan.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Massoud

That the reports from delegates be received and noted

CARRIED UNANIMOUSLY

CARRIED UNANIMOUSLY

10.2 Recommendations from the Special Committee of Council Meeting of 11 May 2015

10.2.1 Right-hand Turn Lane Whitehorse Road (West-Bound) into Dunlavin Road

Moved by Cr Stennett, Seconded by Cr Daw

That Council write to the Minister for Transport, Parliamentary Secretary and Vic Roads

- 1. Expressing concern at the ongoing dangerous situation presented by the narrow right-hand turn lane from Whitehorse Road (Westbound) into Dunlavin Road.***
- 2. Note previous correspondence between Council and Vic Roads, in which Council requested a review of the width of the lane compared to Vic Roads standards, and a reply from Vic Roads confirming the width of the lane was well below these standards.***
- 3. Requesting urgent remedial works to widen the lane to Vic Roads own standards.***

CARRIED UNANIMOUSLY

10.2.2 Controlled Pedestrian Crossing Across Springvale Road Nunawading (adjacent to Spencer Street)

Moved by Cr Stennett, Seconded By Cr Daw

That Council:

- 1. Notes previous correspondence between Council and the former Minister for Roads in which Council requested a controlled pedestrian crossing across Springvale Road, Nunawading, adjacent to Spencer Street between the two bus stops on either side of the road.***
- 2. Write to the State Government requesting a controlled pedestrian crossing be built across Springvale Road to improve safety and access to public transport.***

CARRIED UNANIMOUSLY

10.2.3 160 Whitehorse Road Blackburn (Lexus Site) – Joining Surrey Road and Blackburn Road through the site

Moved by Cr Stennett, Seconded by Cr Massoud

That Council write to the State Government requesting their intervention to reserve a section of 160 Whitehorse Road, Blackburn (the Lexus site) for the purpose of joining Surrey Road and Blackburn Road across Whitehorse Road through the site.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Daw

That the recommendations from the Special Committee of Council Meeting of 11 May 2015 Items 10.2.1 to 10.2.3 (inclusive) be received and adopted.

CARRIED UNANIMOUSLY

10.3 Record of Assembly of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
20-04-05 6.30pm- 7.00pm	Councillor Informal Briefing Session - 9.4.4 Naming of laneway – Adjacent 77 to 79 Doncaster - 12.2 Confidential Item Land Transaction - Council Agenda 20 April 2015	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Ellis Cr Harris OAM Cr Massoud	N Duff Green P Warner T Wilkinson P Smith A De Fazio S Freud J Russell N Brown	Nil	
04-05-15 6.30pm – 9.10pm	Strategic Planning Session - Finance Report - Strathdon House Project - Submission to ESC Rate Capping	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Harris OAM Cr Massoud Cr Stennett	N Duff J Green P Warner T Wilkinson P Smith A De Fazio M Giglio B Morrison S Price	Nil	
11-05-15 6.30pm	Councillor Briefing Session - Special committee agenda 11 May 2015 & Other Business Motions - Draft Council Agenda 18 May 2015	Cr Munroe (Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Daw Cr Harris OAM Cr Massoud Cr Stennett	N Duff J Green P Warner T Wilkinson P Smith A De Fazio J Russell P McAleer C Sherwin W Gerhard P Neivandt - (from 7.10pm) M Giglio P Branton D Logan	Cr Munroe declared a conflict of interest in Item 9.1.3 Consideration of submissions to Amendment C169 to introduce a new heritage overlay - 730 Canterbury Road Surrey Hills	Cr Munroe left the Meeting at 10.00pm prior to the discussion and returned at 10.02pm

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Chong

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

CARRIED UNANIMOUSLY

Attendance:

Cr Daw left the Chambers at 8.31pm and returned at 8.34pm

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Sports Without Borders Conference 2015**
Cr Bennett reported on his attendance at the Sports Without Borders Conference 2015 held on 1 May 2015
- 11.2 MAV Small Town Sexy the Art of Revitalizing Small Towns & Communities Session**
Cr Bennett reported on his attendance at the MAV Small town Sexy the Art of Revitalizing Small Towns and Communities Session held on 8 May 2015
- 11.3 Is Your Money Safe Forum**
Cr Bennett reported on his attendance at the Is Your Money Safe Forum held on 13 May 2015
- 11.4 VLGA Rate Capping Seminar**
Cr Bennett reported on his attendance at the VLGA Rate Capping Seminar held on 23 April 2015
- 11.5 VLGA Rate Capping Seminar**
Cr Carr reported on her attendance at the VLGA Rate Capping Seminar held on 23 April 2015
- 11.6 The Affordable Housing Summit**
Cr Ellis reported on her attendance at the Affordable Housing Summit held on 30 April and on 1 May 2015
- 11.7 League of Women's Voters of Victoria – Towards Equality Discussion**
Cr Harris reported on her attendance at the League of Women's Voters of Victoria – Towards Equality Discussion held on 11 May 2015.
- 11.8 Australian Local Government Women's Association**
Cr Harris reported on her attendance at the Australian Local Government Women's Association event held this month.
- 11.9 MAV Small Town Sexy the Art of Revitalizing Small Towns & Communities Session**
Cr Chong reported on his attendance at the MAV Small Town Sexy the Art of Revitalizing Small Towns and Communities Session held on 8 May 2015
- 11.10 MAV Small Town Sexy the Art of Revitalizing Small Towns & Communities Session**
Cr Daw reported on his attendance at the MAV Small Town Sexy the Art of Revitalizing Small Towns and Communities Session held on 8 May 2015
- 11.11 VLGA Rate Capping Seminar**
Cr Daw reported on his attendance at the VLGA Rate Capping Seminar held on 23 April 2015
- 11.12 2015 Japan Festival**
Cr Stennett reported on his attendance at the Japan Festival 2015 held 17 May 2015

11.13 Eastern Climate Action Melbourne Expo

Cr Munroe reported on his attendance at the Eastern Climate Action Melbourne Expo held on 13 May 2015.

COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Massoud

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

CARRIED UNANIMOUSLY

Attendance:

Cr Carr left the Chamber at 8.43pm, returned at 8.45pm

COUNCIL RESOLUTION

Moved by Cr Harris, Seconded by Cr Massoud

That in accordance with Section 89(2) (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 that would prejudice any person.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 8.55pm.

Attendance:

Cr Stennett left the Chamber at 8.55pm, returned at 8.57pm.

12 CONFIDENTIAL REPORTS

12.1 City of Whitehorse Scholarships 2015

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Daw

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

CARRIED UNANIMOUSLY

The meeting reopened to public at 9.00pm

13 CLOSE MEETING

Meeting closed at 9.00pm

Confirmed this 22nd day of June 2015

CHAIRPERSON