



# City of Whitehorse

## AGENDA

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### Ordinary Council Meeting

To be held in the  
Council Chamber  
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

**Monday 27 June 2016**

at 7.00 p.m.

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

**Ms Terry Wilkinson**  
Acting Chief Executive Officer

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## AGENDA

### 1 PRAYER

#### 1a Prayer for Council

*We give thanks, O God, for the Men and Women of the past whose generous devotion to the common good has been the making of our City.*

*Grant that our own generation may build worthily on the foundations they have laid.*

*Direct our minds that all we plan and determine, is for the wellbeing of our City.*

**Amen.**

#### 1b Aboriginal Reconciliation Statement

*"In the spirit of Reconciliation, Whitehorse City Council acknowledges the Wurundjeri people as the traditional custodians of the land we are meeting on. We pay our respects to their Elders past and present."*

### 2 WELCOME AND APOLOGIES

### 3 DISCLOSURE OF CONFLICT OF INTERESTS

### 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Council and Confidential Meeting 16 May 2016, Minutes of Special Confidential Council Meeting – Adoption of Expression of Interest for Box Hill Affordable Housing & Council Owned Land 30 May 2016 and Minutes of Special Confidential Council Meeting – Open Space Land 14 June 2016.

#### RECOMMENDATION

***That the Minutes of Ordinary Council and Confidential Meeting 16 May 2016, Minutes of Special Confidential Council Meeting – Adoption of Expression of Interest for Box Hill Affordable Housing & Council Owned Land 30 May 2016 and Minutes of Special Confidential Council Meeting – Open Space Land 14 June 2016 having been circulated now be confirmed.***

**5       RESPONSES TO QUESTIONS**

**6       NOTICES OF MOTION**

**7       PETITIONS**

**7.1   Petition relating to replacement of gravel path along two sections of Pipe Reserve between Mitcham Road and Creek Road, Mitcham.**

A petition signed by 52 signatories has been received requesting Council liaise with Melbourne Water to replace the current gravel path along two sections of the Pipe Reserve between Mitcham Road and Creek Road, Mitcham.

**RECOMMENDATION**

***That Council receives the petition and that it be referred to the General Manager Infrastructure for appropriate response.***

**8       URGENT BUSINESS**

## 9. COUNCIL REPORTS

### 9.1 CITY DEVELOPMENT

#### Statutory Planning

- 9.1.1 **220 Middleborough Road, Blackburn South (CP 103511)– WH/2014/510 Construction of a residential building (four to six storeys) for the existing residential aged care facility and creation and alteration of access to a road in a Road Zone Category 1, and WH/2014/532 Buildings and works to the existing retirement village (accommodation) comprising construction of 4 x four to six storey buildings, and associated reduction of car parking requirements, and creation and alteration of access to a road in a Road Zone Category 1**

FILE NUMBER:SF16/16028  
ATTACHMENTS

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#### SUMMARY

*Two planning permit applications (high care building and retirement living buildings) are being considered together in this report. Both applications were advertised concurrently, with a total of 26 objections (23 objector properties) received. The objections raised issues with amenity impacts, infrastructure, neighbourhood character, car parking, traffic and landscaping. A Consultation Forum chaired by an independent facilitator was held on 16 March, 2016, at which the issues were explored, however no resolution was reached between the parties. This report assesses both of the applications 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 including improvements to the car park layout and site presentation.*

#### RECOMMENDATION

***That Council:***

- A. i) ***Being the Responsible Authority, having caused Application WH/2014/510 for 220 Middleborough Road, BLACKBURN SOUTH (CP 103511) to be advertised and having received and noted the objections is of the opinion that the granting of Planning Permit WH/2014/510 for the construction of a residential building (four to six storeys) for the existing residential aged care facility and creation and alteration of access to a road in a Road Zone Category 1 is acceptable and should be supported.***
- A. ii) ***Being the Responsible Authority, having caused Application WH/2014/532 for 220 Middleborough Road, BLACKBURN SOUTH (CP 103511) to be advertised and having received and noted the objections is of the opinion that the granting of Planning Permit WH/2014/532 for buildings and works to the existing retirement village (accommodation) comprising construction of 4 x four to six storey buildings, and associated reduction of car parking requirements, and creation and alteration of access to a road in a Road Zone Category 1 is acceptable and should be supported.***
- B. i) ***Issue a Notice of Decision to Grant a Permit WH/2014/510 under the Whitehorse Planning Scheme to the land described as 220 Middleborough Road, BLACKBURN SOUTH (CP 103511) for construction of a residential building (four to six storeys) for the existing residential aged care facility and creation and alteration of access to a road in a Road Zone Category 1, subject to the following conditions:***

**9.1.1**  
(cont)

- B. ii) Issue a Notice of Decision to Grant a Permit WH/2014/532 under the Whitehorse Planning Scheme to the land described as 220 Middleborough Road, BLACKBURN SOUTH for buildings and works to the existing retirement village (accommodation) comprising construction of 4 x four to six storey buildings, and associated reduction of car parking requirements, and creation and alteration of access to a road in a Road Zone Category 1, subject to the following conditions:**

**WH/2014/510 (High Care Building)**

- 1. Before the development starts, amended plans and documents (two full size copies and one A3 size copy) must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application, but modified to show:**
  - a) The locations of Tree Protection Zones described in Condition 7, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of Conditions 7 and 8 to be annotated on the development and landscape plans.**
  - b) The car park layout amended as follows:**
    - i. All parking spaces to have a minimum clearance of 300mm to a wall (car spaces 44 and 82 (disabled space) are currently only 200mm from a wall).**
    - ii. The basement car park columns to be located in accordance with Clause 52.06-8 Diagram 1 of the Planning Scheme.**
    - iii. The layout of the shared space and associated bollard adjacent to the disabled space labelled as car space 80 to be redesigned to accord with AS 2890.6, and a second bollard installed to ensure this area is not mistaken for a parking space.**
    - iv. Car spaces correctly numbered to a total of 97 spaces (not 98 spaces as currently stated).**
  - c) The bicycle parking layout amended as follows:**
    - i. Provision of horizontal spaces with a 3.2 metre clearance to walls (1.7 metre for the bicycle and 1.5 metre path), in accordance with the Bicycle Parking Handbook.**
  - d) Details of the internal access road construction and layout including:**
    - i. The access road construction, kerbs and surface materials of sufficient strength to enable the carriage of vehicles and avoid damage by construction and service vehicles and equipment.**
    - ii. Provision of traffic calming measures to prevent the proposed internal access road from being used as a "rat run".**
    - iii. Linemarking and signs to delineate traffic movements at the T-intersection within the site.**
    - iv. Provision of integrated water sensitive urban design measures to use water run off from the road to assist in watering the street trees within the roadway.**
  - e) The pedestrian path and vehicle accessway amended as follows:**
    - i. Provision of a dedicated pedestrian path, including a safe pedestrian crossing, from the new north-south access road to the main pedestrian building entrance of the High Care Building.**

**9.1.1**

(cont)

- f) Details of the pedestrian path construction and layout including:**
  - i. Design to accommodate wheelchairs, prams, scooters and other footpath bound vehicles, allowing for continuous, connected and DDA compliant travel throughout the site.**
  - ii. Details of the pavement, edge, kerb, channel and crossovers. The surface to be structurally sound and have a durable, non-skid surface.**
  - iii. Tactile ground surface indicators and kerb ramps required for the movement of people with disabilities.**
- g) The main foyer entrance to be more defined architecturally to make it more clearly identifiable in order to assist pedestrian wayfinding.**
- h) Improved architectural articulation of the western elevation and provision of architectural detailing to indicate the location of the main pedestrian/visitor entrance and activating the pedestrian approach at grade.**
- i) Provision of an awning or similar structure to provide some shade to the west terrace.**
- j) Provide light coloured roofing material.**
- k) A detailed schedule and samples of all external materials, colours and finishes.**
- l) Development plans updated to include all of the relevant requirements of the Lighting Strategy and Parking and Access Management Plan.**
- m) Development plans to reflect all sustainability features indicated in the updated Sustainability Management Plan required by Condition 19. Where features cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.). These features must include, unless otherwise agreed with the Responsible Authority:**
  - i. Light coloured roofing materials.**
  - ii. On-site renewable energy to off-set a proportion of the facility's energy usage.**
  - iii. Heat transmission into all windows of regularly occupied rooms facing east, north and west to be restricted to achieve the equivalent of at least 50% shading between 10am and 3pm on 1 February.**
  - iv. All habitable rooms and corridors to be provided with a minimum of one operable window for ventilation, with the provision of insect screening (or other means of achieving an outside air ventilation rate of 13 litres per second). Window opening types to be selected to ensure ease of use for occupants, and operable windows, doors, winter garden openings and vents to be shown on elevations.**
  - v. Rainwater tanks no less than 52 kL for garden irrigation, other outdoor uses, plus 138kL for all toilet flushing, and other water-sensitive urban design measures limited to rain gardens, swales or the like as required to achieve a STORM Rating equal to or greater than 100% or equivalent while reducing potable water usage throughout.**
  - vi. Which timber species are intended for use as cladding, decking and other outdoor timber. Unsustainably harvested imported timbers (such as Merbau, Oregon, Western Red Cedar, Meranti, Luan, Teak etc.) must not be used.**
- n) Alterations to the plans as required by VicRoads (refer to Conditions 9-15).**

### 9.1.1

(cont)

- o) The following reports to be amended or endorsed as required will form part of the endorsed documentation:**
  - i. Landscaping Maintenance Plan required by Condition 6.**
  - ii. Amended Sustainability Management Plan in accordance with Condition 19.**
  - iii. Lighting Strategy in accordance with Condition 22.**
  - iv. Parking and Access Management Plan in accordance with Condition 25.**
  - v. Waste Management Plan in accordance with Condition 27.**
  - vi. Construction Management Plan in accordance with Condition 28.**
- p) A Landscape Plan in accordance with Condition 4, including the following:**
  - i. Remove Tree 115 and replace with a suitable species.**
  - ii. Details of all containerised planting infrastructure, including anchoring of all containers and containerised shrubs and trees planted above ground level.**
  - iii. Provision of substantial trees and landscaping at the south-west corner of the High Care Building to screen views of the loading bay and service area from the new vehicle accessway to the site.**
  - iv. Provision of substantial trees and landscaping between the existing Alwarra, Aldinga and Inala Lodges and the new loading bay to screen views of the service area.**
  - v. Tree planting in accordance with the submitted landscape concept plan. All trees are to have minimum mature heights of 12 metres and are to have a minimum height of 1.5 metres at the time of planting.**
  - vi. Provision of understorey plantings including smaller trees and shrubs and passive recreation areas including seating.**
  - vii. Details of the green walls and green roof area, including:**
    - o Soil volume of planting containers.**
    - o Substrate: suitability for species selection in relation to nutrients and irrigation requirements.**
    - o Dead and live loads.**
    - o Plant species, including selection criteria and growth rate.**
    - o Microclimate and effect on plant health.**
    - o Anchoring of plants to resist high winds.**
    - o Ongoing maintenance procedures to ensure that the green wall remains healthy and well-maintained to the satisfaction of the Responsible Authority in accordance with the Landscaping Maintenance Plan required by Condition 6.**

**All of the above must be to the satisfaction of the Responsible Authority. Once approved these plans and documents become the endorsed plans of the 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 plans and documents, and must not be altered or modified without the further written consent of the Responsible Authority.**
- 3. The internal roads must remain private roads.**



**9.1.1**  
(cont)

**Landscaping and Tree Protection**

4. **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) **A survey of all existing vegetation, abutting street trees, natural features and vegetation.**
  - b) **Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.**
  - c) **Planting within and around the perimeter of the site comprising trees and shrubs capable of:**
    - i. **Providing a complete garden scheme,**
    - ii. **Softening the building bulk,**
    - iii. **Providing some upper canopy for landscape perspective,**
  - d) **A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of Condition No. 1.**
  - e) **The proposed design features such as paths, planting containers, paving, mulch, and street furniture.**
  - f) **A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.**

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

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

5. **The garden areas and street plantings shown on the endorsed plan and schedule shall only be used as gardens and must be maintained in a proper, healthy and orderly condition at all times to the satisfaction of the Responsible Authority. Should any tree or plant be removed or destroyed it must be replaced by a similar tree or plant of similar size and variety.**
6. **Prior to the commencement of the development, a Landscaping Maintenance Plan, prepared by a suitably qualified consultant, must be submitted to the Responsible Authority. The landscaping maintenance plan must include, but is not limited to:**
- a) **Irrigation system/program for ground level landscape areas and containerised plantings above ground level, including details of frequency and water delivery method.**
  - b) **Details of the ongoing maintenance procedures to ensure that the green walls and green roof remain healthy and well maintained to the satisfaction of the Responsible Authority. This must include:**
    - i. **Irrigation frequency and delivery method.**
    - ii. **Drainage.**
    - iii. **Maintenance frequency and procedures including how access will be achieved to the green wall for maintenance purposes, including scaffolding and/or access and parking location of a scissor lift or cherry picker or other access method as required.**

### **9.1.1**

(cont)

***The approved landscaping must be maintained in accordance with the Landscape Maintenance Plan for the life of the development, to the satisfaction of the Responsible Authority.***

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

**a) *Tree Protection Zone distances:***

- i. *Tree 93 - Schinus areira – 14.7 metre radius from the centre of the tree base.***
- ii. *Tree 95 - Corymbia ficifolia – 7.5 metre radius from the centre of the tree base.***
- iii. *Tree 116 - Grevillia robusta – 6.6 metre radius from the centre of the tree base.***
- iv. *Tree 117 - Betula pendula – 2.0 metre radius from the centre of the tree base.***
- v. *Tree 118 - Betula pendula – 2.0 metre radius from the centre of the tree base.***
- vi. *Tree 119 - Betula pendula – 2.0 metre radius from the centre of the tree base.***
- vii. *Tree 120 - Betula papyrifera – 2.0 metre radius from the centre of the tree base.***
- viii. *Tree 121 - Betula papyrifera – 2.0 metre radius from the centre of the tree base.***
- ix. *Tree 127 - Ulmus parvifolia – 3.6 metre radius from the centre of the tree base.***
- x. *Tree 128 - Acer palmatum– 2.0 metre radius from the centre of the tree base.***
- xi. *Tree 139 - Grevillia robusta – 5.1 metre radius from the centre of the tree base.***

**9.1.1**  
(cont)

- b) *Tree Protection Zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:***
  - i. Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.***
  - ii. Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.***
  - iii. Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.***
  - iv. No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.***
  - v. All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.***
  - vi. All sub surface utilities and utility connection points, inspection pits and associated infrastructure trenching and installation are to be designed so that they are located outside the TPZs of retained trees, to the satisfaction of the Responsible Authority. Utility conduits can be located beneath TPZs but must be installed using trenchless excavation (eg: boring) and installed to a minimum depth of 0.6 metres below natural grade.***
  - vii. Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.***
  - viii. Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.***
  
- 8. *During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the Responsible Authority:***
  - a) For Trees 93, 95, 116, 117, 118, 119, 120, 121, 127, 128, and 139 no roots greater than 40mm diameter are to be cut or damaged during any part of the construction process.***
  - b) Any tree pruning is to conform to AS4373-2007 Pruning of Amenity Trees and the work is to be performed by a suitably qualified arborist (AQF Level 3, minimum).***

### **9.1.1**

(cont)

#### **VicRoads**

9. ***Prior to the commencement of the permitted development, a detailed functional layout drawing and functional stage Road Safety Audit of the vehicle access point at the fourth leg of the signalised intersection on Middleborough Road, generally in accordance with the Concept Drawing - G13988-02 by TraffixGroup, but modified to show the following, must be submitted to and approved by VicRoads:***
  - a) ***Details of an appropriately designed left turn and right turn lane treatment on Middleborough Road into the subject site. The right turn lane treatment should include storage capacity based on SIDRA analysis.***
  - b) ***Details of appropriately designed left turn slip lane treatments into and out of the site.***
  - c) ***Details of two right turn lanes out of the site onto Middleborough Road.***
  - d) ***Details of appropriate swept path analysis.***
  - e) ***Details of the bus stop.***
10. ***Before the use of the permitted development and/or commencement of any works required by VicRoads under this permit a detailed engineering design must be prepared generally in accordance with the accepted functional layout plan and to the satisfaction of VicRoads.***
11. ***Before the use of the permitted development, all works required by VicRoads under this permit must be completed to the satisfaction of VicRoads and at no cost to VicRoads.***
12. ***The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements – Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.***
13. ***No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.***
14. ***Where the proposed road works at Middleborough Road, including footpath and nature strip, lie within the subject property, a widening of the road reserve will be required, at no cost to VicRoads. The developer must engage a licensed surveyor to prepare a Plan of Subdivision showing the affected land labelled "ROAD", which is to be vested in the Roads Corporation upon certification of the Plan of Subdivision, without any encumbrances. Subsequent to the registration of the plan, the subdivider must ensure that the original Certificates of Title that issues in the name of the Roads Corporation, are posted to: VicRoads - Property Services Department, 60 Denmark Street KEW, 3101.***

### **9.1.1**

(cont)

15. *Prior to the commencement of use of the permitted development, all other vehicle access points onto Middleborough Road, apart from that at the signalised intersection, must be removed and the kerb, channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority.*

#### **Building Services**

16. *The building must provide the capacity for television signal distribution to each lodging room and any satellite dish, antenna or similar structure must be designed and located at a single point to the satisfaction of the Responsible Authority.*
17. *All building plant and equipment on the roofs, balcony areas, common areas, public thoroughfares is to be concealed to the satisfaction of the Responsible Authority. Noise emitting plant equipment such as air conditioners, must be shielded with acoustic screening to prevent the transmission of noise having detrimental amenity impacts. The construction of any additional plant, machinery or other equipment, including but not limited to all service structures, aerials, satellite dishes, air-conditioners, equipment, flues, all exhausts including car parking and communication equipment must include appropriate screening measures to the satisfaction of the Responsible Authority.*
18. *All mechanical exhaust systems for the car park hereby approved must be located and sound attenuated to prevent noise and general nuisance to the occupants of the surrounding properties, to the satisfaction of the Responsible Authority.*

#### **Environmentally Sustainable Development**

19. *Prior to the commencement of any buildings or works, an amended Sustainability Management Plan must be submitted to and approved by the Responsible Authority. This Sustainability Management Plan must be generally in accordance with the Sustainability Management Plan submitted with the application, but amended to include the following changes:*
- a) *Assessment against Green Star Design & As Built (2014) or equivalent tool as determined by the Responsible Authority, showing that the proposed development is capable of achieving no less than 5 stars, while ensuring that points are sought in all Indoor Environment Quality (IEQ), Energy, Water, and Transport categories.*
  - b) *A STORM Rating Report with a score of 100% or greater.*
  - c) *Potable water reduction by using harvested rainwater for all toilet flushing, irrigation, general wash down and laundry.*
  - d) *Car park lighting to be controlled with occupancy sensors.*
  - e) *Car park ventilation to use variable speed drive fans controlled with CO sensors (unless it is able to be naturally ventilated on at least 2 elevations).*
  - f) *All common, service & lift area ventilation to be controlled with timers and/or occupancy sensors.*
  - g) *All common, service & lift area lighting with daylight and occupancy sensors. Daylight sensors to be used in close proximity to daylight areas.*

*The requirements of the above Sustainability Management Plan must be illustrated (as appropriate) on the plans and elevations submitted for endorsement.*

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

### **9.1.1**

(cont)

- 20. All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority, and the approved building must operate in accordance with this Plan, to the satisfaction of the Responsible Authority. No alterations to the Sustainability Management Plan may occur without the written consent of the Responsible Authority.**
- 21. Prior to the occupation of the building approved under this permit, a report from the author of the Sustainability Management Plan report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.**

#### **Lighting Strategy**

- 22. Prior to the commencement of the development, a Lighting Strategy must be prepared to the satisfaction of the Responsible Authority. The Lighting Strategy must provide details of lighting of the internal roadways and pedestrian paths, and must be prepared in accordance with the Safety By Design Guidelines and the relevant Australian Standards, and utilise energy efficient fittings, to the satisfaction of the Responsible Authority.**

**All external lights must ensure no unreasonable nuisance or lighting spill is caused to adjoining or nearby residents, and details of measures to prevent lighting spill must be provided in the Strategy.**

**This lighting must be maintained and operated for the life of the development to the satisfaction of the Responsible Authority.**

#### **Car Parking and Access**

- 23. A minimum of 97 car parking spaces are to be provided in the basement of the approved building.**
- 24. The car parking areas and accessways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and shall be properly constructed, surfaced, drained and line-marked (where applicable). The car park and driveways shall be maintained to the satisfaction of the Responsible Authority.**
- 25. Prior to the commencement of buildings or works on the land, a Parking and Access Management Plan, detailing how car and bicycle parking areas, and accessways will be allocated and managed, must be submitted to and approved by Council.**

**This plan is to be to the satisfaction of the Responsible Authority and must include, but is not limited to, the following:**

- a) Details of how access to visitor car spaces in the basement will be achieved by visitors (i.e. if an intercom is required) and how parking will be secured.**
- b) Details of signage and/or alternate measures to be utilised to deter resident/visitor parking within the loading area.**
- c) Signing of car and bicycle parking spaces.**
- d) Location and face of bicycle parking signs in accordance with Clause 52.34-5**
- e) Line marking of parking spaces.**
- f) All large vehicles (including delivery vehicles, private waste collection vehicles or busses, but excluding emergency vehicles) to access/egress the site solely via Middleborough Road.**

### **9.1.1**

(cont)

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

***When approved the Parking and Access Management Plan will form part of this permit and must be implemented to the satisfaction of the Responsible Authority.***

- 26. *Prior to the occupation of the building, the internal access road must be constructed to the satisfaction of the Responsible Authority and, where relevant, to VicRoads.***

#### **Waste Management Plan**

- 27. *The requirements of the Waste Management Plan must be implemented by the building manager, owners and occupiers of the site for the life of the building, to the satisfaction of the Responsible Authority.***

#### **Construction Management Plan**

- 28. *Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner will manage the environmental and construction issues associated with the development, must be submitted to and approved by Council. All construction traffic access must be restricted to access/egress the site via Middleborough Road only, and no tradesperson/construction contractor parking may occur on residential streets. The site entrances to residential streets must be signed to restrict construction vehicle access/egress for the duration of the construction process.***

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

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

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

#### **Asset Engineering**

- 29. *All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.***
- 30. *Prior to any works, design plans and specifications of the civil works within the site associated with the development are to be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register), and submitted to the Responsible Authority. Certification by the consulting engineer that the civil works have been completed in accordance with the design plans and specifications must be provided to the Responsible Authority.***
- 31. *Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.***
- 32. *Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.***

### **9.1.1**

(cont)

- 33. 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.**

#### **Public Transport Victoria**

- 34. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Middleborough Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.**
- 35. The existing bus stop and associated infrastructure on Middleborough Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.**

#### **Expiry**

- 36. This permit will expire if one of the following circumstances applies:**

- a) The development is not commenced within three (3) years from the date of issue of this permit;**
- b) The development is not completed within six (6) years from the date of issue of this permit.**

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

#### **PERMIT NOTES**

##### **Access Road**

- a) The internal road must remain a private road. Council will not take over responsibility for this road.**

##### **Waste Collection**

- b) Waste collections for the development will be undertaken by private contractors.**
- c) Council issued waste bins will not be supplied for this development.**

##### **Asset Engineering**

- d) Soil erosion control measures must be adopted at all times to the satisfaction of the Relevant Authority during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with the EPA (Environment Protection Authority) Victoria "Environmental Guidelines for Major Construction Sites". The works during and after construction must comply with the above guidelines and in potentially high erosion areas a detailed plan may be required to indicate proposed measures and methodology.**



**9.1.1**

(cont)

- e) *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.*
- f) *All stormwater drainage within the development site and associated with the building(s) (except for an on-site detention system and connection to the nominated legal point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s), in accordance with the provisions of the Building Regulations (2006) section 610.*
- g) *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.*
- h) *The applicant must adhere to the report and consent – land liable to flooding advice dated 16 September 2014 submitted by the Regis Group.*
- i) *No alteration to existing interface levels will be permitted other than to maintain or introduce adequate and consistent road reserve crossfall and longitudinal fall all to the satisfaction of the Responsible Authority.*
- j) *Access to the development must be resolved within the development site. No provision for access and/or Disability Discrimination Act (DDA) compliance will be permitted external to the site being within any adjacent road reserve, right of way, reservation or other land owned managed by the Responsible Authority as may be applicable.*
- k) *Any proposed vehicle crossing must adhere to Whitehorse Council's – Vehicle Crossing General Specifications.*
- l) *Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be financed by the developer.*
- m) *Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be approved by the Responsible Authority prior to endorsement of the plans*
- n) *Any trees that need to be removed due to the location of the proposed vehicle crossing must be approved by Parkswide prior to endorsement of the plans.*

**Car Parking**

- o) *Residents of this development and their visitors will not be eligible for Residential Parking Permits.*

**Site Layout**

- p) *It is suggested that 'active' uses such as minimart, craft room, library, hairdresser and gym/pool facilities are relocated at the ground level to further activate internal access roads.*
- 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

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#### **WH/2014/532 (Retirement Living Buildings)**

1. ***Before the use and development starts, amended plans and documents (two full size copies and one A3 size copy) must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale, with dimensions, and be generally in accordance with the plans submitted with the application, but modified to show:***
  - a) ***The locations of Tree Protection Zones described in Condition 8, with all nominated trees clearly identified and numbered on both site and landscape plans, and the requirements of Conditions 8 and 9, to be annotated on the development and landscape plans.***
  - b) ***The car park layout amended as follows:***
    - i. ***The proposed basements to have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, in accordance with Design Standard 1 of Clause 52.06. Any landscaping, fencing and other obstructions within the sight line triangle must be no greater than 0.9 metres in height, and this should be clearly demonstrated on the plan.***
  - c) ***The bicycle parking layout amended as follows:***
    - i. ***The bicycle spaces within Blocks A and C, in both cases adjacent to car space 3.35, to be provided with a 1.5 metre wide pedestrian access path or similar, clear of vehicle spaces and aisles to achieve safe access and clear bicycle and car parking areas, or these bicycle spaces to be relocated.***
  - d) ***Details of the internal access road construction and layout including:***
    - i. ***The access road construction, kerbs and surface materials of sufficient strength to enable the carriage of vehicles and avoid damage by construction and service vehicles and equipment.***
    - ii. ***Provision of traffic calming measures to prevent the proposed internal access road from being used as a "rat run".***
    - iii. ***Linemarking and signs to delineate traffic movements at the T-intersection within the site.***
    - iv. ***Provision of integrated water sensitive urban design measures to use water run off from the road to assist in watering the street trees within the roadway.***
  - e) ***The pedestrian path and vehicle accessway amended as follows:***
    - i. ***Provision of a clearly defined pedestrian crossing over the internal road at the porte cochere adjacent to the main pedestrian entry for Block D. This must include a distinctive material treatment to signify a 'pedestrian priority' zone in this location.***
  - f) ***Details of the pedestrian path construction and layout including:***
    - i. ***Design to accommodate wheelchairs, prams, scooters and other footpath bound vehicles, allowing for continuous, connected and DDA compliant travel throughout the site.***
    - ii. ***Details of the pavement, edge, kerb, channel and crossovers. The surface to be structurally sound and have a durable, non-skid surface.***
    - iii. ***Tactile ground surface indicators and kerb ramps required for the movement of people with disabilities.***

### 9.1.1

(cont)

- g) Removal of the 1.8 metre high paling fences between Blocks A, B and C, and provision of clear pedestrian paths between these buildings from Middleborough Road to the north-south internal accessway.*
- h) The layout of pedestrian paths and landscaping to better connect to the existing bus stop on Middleborough Road and include a high quality and integrated waiting area within the site for residents.*
- i) The main foyer entrance of Block D to be more defined architecturally to make it more clearly identifiable in order to assist pedestrian wayfinding.*
- j) The west elevations of Blocks A, B and C to use a greater proportion of masonry at the first two-three storeys with more 'lightweight' materials above.*
- k) Air conditioning units to be shown on the plans, indicating if these are to be provided communally or separately to each apartment, and these units to be screened from view.*
- l) All habitable room windows in Blocks A, B and C to be double glazed or have similar acoustic protection measures installed.*
- m) Correct errors on the submitted plans by updating the spelling of Barker Street, adjacent to the north, and swapping the labels of the east and west elevations of Block D.*
- n) Provide light coloured roofing material.*
- o) A detailed schedule and samples of all external materials, colours and finishes.*
- p) All service piping (excluding downpipes), ducting and heating/cooling appliances above the ground floor storey of the buildings to be concealed from view where possible.*
- q) The provision of communal clothes lines in locations that are not visible from Middleborough Road or existing buildings on the subject site (such as rooftop areas).*
- r) Development plans updated to include all of the relevant requirements of the Lighting Strategy and Parking and Access Management Plan.*
- s) Development plans to reflect all sustainability features indicated in the updated Sustainability Management Plan required by Condition 21. Where features cannot be visually shown, include a notes table providing details of the requirements (i.e. energy and water efficiency ratings for heating/cooling systems and plumbing fittings and fixtures, etc.). These features must include, unless otherwise agreed with the Responsible Authority:
  - i. Light coloured roofing materials.*
  - ii. On-site renewable energy to off-set a proportion of the facility's energy usage.*
  - iii. Heat transmission into all windows of regularly occupied rooms facing east, north and west to be restricted to achieve the equivalent of at least 50% shading between 10am and 3pm on 1 February.*
  - iv. All habitable rooms and corridors to be provided with a minimum of one operable window for ventilation, with the provision of insect screening (or other means of achieving an outside air ventilation rate of 13 litres per second). Window opening types to be selected to ensure ease of use for occupants, and operable windows, doors, winter garden openings and vents to be shown on elevations.**

**9.1.1**  
(cont)

- v. ***Rainwater tanks no less than 140 kL for garden irrigation, other outdoor uses and for all toilet flushing, and other water-sensitive urban design measures limited to rain gardens, swales or the like as required to achieve a STORM Rating equal to or greater than 100% or equivalent while reducing potable water usage throughout.***
- vi. ***Which timber species are intended for use as cladding, decking and other outdoor timber. Unsustainably harvested imported timbers (such as Merbau, Oregon, Western Red Cedar, Meranti, Luan, Teak etc.) must not be used.***
- t) ***Alterations to the plans as required by VicRoads (refer to Conditions 11-17.***
- u) ***The following reports to be amended or endorsed as required will form part of the endorsed documentation:***
  - i. ***Staging Plan in accordance with Condition 4.***
  - ii. ***Tree Management Plan in accordance with Condition 10.***
  - iii. ***Amended Sustainability Management Plan in accordance with Condition 21.***
  - iv. ***Lighting Strategy in accordance with Condition 24.***
  - v. ***Parking and Access Management Plan in accordance with Condition 27.***
  - vi. ***Waste Management Plan in accordance with Condition 29.***
  - vii. ***Construction Management Plan in accordance with Condition 30.***
- v) ***A Landscape Plan in accordance with Condition 6, including the following:***
  - i. ***Incorporate alterations to the site layout required by Condition 1 (above).***
  - ii. ***Remove Tree 5 and replace with a suitable species.***
  - iii. ***Additional tree plantings to the east of the approved buildings.***
  - iv. ***Details of all containerised planting infrastructure, including anchoring of all containers and containerised shrubs and trees planted above ground level.***
  - v. ***Details of fencing and landscape screening to be utilised around the secluded private open space areas for ground level dwellings of Blocks A, B and C, which will provide adequate seclusion whilst maintaining some passive surveillance of roads and pedestrian paths and soften the appearance of screen fencing.***
  - vi. ***Tree planting in accordance with the submitted landscape concept plan (TP05). All trees are to have minimum mature heights of 12 metres and are to have a minimum height of 1.5 metres at the time of planting.***
  - vii. ***Provision of understorey plantings including smaller trees and shrubs and passive recreation areas including seating.***

***All of the above must be to the satisfaction of the Responsible Authority. Once approved these plans and documents become the endorsed plans of the 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 plans and documents, and must not be altered or modified without the further written consent of the Responsible Authority.***

**9.1.1**

(cont)

- 3. The internal roads must remain private roads.**

**Staging of Development**

- 4. Prior to the commencement of development, a Staging Plan must be submitted to and approved by the Responsible Authority. This plan must indicate which stages of the approved development will be required to comply with each of the conditions of this permit, and how such compliance may be staggered if required. The development must proceed in the order of the stages as shown on the endorsed plans unless otherwise agreed to in writing by the Responsible Authority.**

**Section 173 Agreement**

- 5. Before the development starts, the owner of the land must enter into and execute an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. The agreement must provide that the majority of persons residing in the development authorised by this permit are retired persons as defined by the Retirement Villages Act 1986. The Section 173 Agreement must be registered on title. It is further required that the Section 173 Agreement must be registered at the Office of Titles under Section 181 of the Planning and Environment Act 1987. The agreement must be prepared and executed at the owners expense, and in a form to the satisfaction of the Responsible Authority.**

**Landscaping and Tree Protection**

- 6. 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) A survey of all existing vegetation, abutting street trees, natural features and vegetation.**
  - b) Buildings, outbuildings and trees in neighbouring lots that would affect the landscape design.**
  - c) Planting within and around the perimeter of the site comprising trees and shrubs capable of:
    - i. Providing a complete garden scheme,**
    - ii. Softening the building bulk,**
    - iii. Providing some upper canopy for landscape perspective,****
  - d) A schedule of the botanical name of all trees and shrubs proposed to be retained and those to be removed incorporating any relevant requirements of Condition No. 1.**
  - e) The proposed design features such as paths, planting containers, paving, mulch, and street furniture.**
  - f) A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.**

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

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

### 9.1.1

(cont)

7. ***The garden areas and street plantings shown on the endorsed plan and schedule shall only be used as gardens and must be maintained in a proper, healthy and orderly condition at all times to the satisfaction of the Responsible Authority. Should any tree or plant be removed or destroyed it must be replaced by a similar tree or plant of similar size and variety.***
  
8. ***Prior to the commencement of any building and or demolition works on the land, a Tree Protection Zone (TPZ) must be established and maintained on the subject land during and until completion of all buildings and works including landscaping, around the following trees in accordance with the distances and measures specified below, to the satisfaction of the Responsible Authority:***
  - a) ***Tree Protection Zone distances:***
    - i. ***Tree 4 - Melaleuca styphelioides – 7.2 metre radius from the centre of the tree base.***
    - ii. ***Tree 5 - Pinus radiata – 10.2 metre radius from the centre of the tree base.***
    - iii. ***Tree 17 - Corymbia maculata – 5.2 metre radius from the centre of the tree base.***
    - iv. ***Tree 46 - Lagerstroemia indica – 2.4 metre radius from the centre of the tree base.***
    - v. ***Tree 52 - Casuarina cunninghamiana– 6.4 metre radius from the centre of the tree base.***
    - vi. ***Tree 62 - Callistemon viminalis – 2.6 metre radius from the centre of the tree base.***
    - vii. ***Tree 66 - Liquidambar orientalis – 3.1 metre radius from the centre of the tree base.***
    - viii. ***Tree 71 - Eucalyptus scoparia – 4.6 metre radius from the centre of the tree base.***
    - ix. ***Tree 73 - Eucalyptus scoparia – 3.0 metre radius from the centre of the tree base.***
    - x. ***Tree 74 - Eucalyptus scoparia – 3.2 metre radius from the centre of the tree base.***
    - xi. ***Tree 78 - Eucalyptus scoparia – 3.8 metre radius from the centre of the tree base.***
    - xii. ***Tree 93 - Schinus areira – 14.7 metre radius from the centre of the tree base.***

**9.1.1**  
(cont)

- b) **Tree Protection Zone measures are to be established in accordance to Australian Standard 4970-2009 and including the following:**
- i. **Erection of solid chain mesh or similar type fencing at a minimum height of 1.8 metres in height held in place with concrete feet.**
  - ii. **Signage placed around the outer edge of perimeter the fencing identifying the area as a TPZ. The signage should be visible from within the development, with the lettering complying with AS 1319.**
  - iii. **Mulch across the surface of the TPZ to a depth of 100mm and undertake supplementary watering in summer months as required.**
  - iv. **No excavation, constructions works or activities, grade changes, surface treatments or storage of materials of any kind are permitted within the TPZ unless otherwise approved within this permit or further approved in writing by the Responsible Authority.**
  - v. **All supports and bracing should be outside the TPZ and any excavation for supports or bracing should avoid damaging roots where possible.**
  - vi. **All sub surface utilities and utility connection points, inspection pits and associated infrastructure trenching and installation are to be designed so that they are located outside the TPZs of retained trees, to the satisfaction of the Responsible Authority. Utility conduits can be located beneath TPZs but must be installed using trenchless excavation (eg: boring) and installed to a minimum depth of 0.6 metres below natural grade.**
  - vii. **Where construction is approved within the TPZ, fencing and mulching should be placed at the outer point of the construction area.**
  - viii. **Where there are approved works within the TPZ, it may only be reduced to the required amount by an authorised person only during approved construction within the TPZ, and must be restored in accordance with the above requirements at all other times.**
9. **During the construction of any buildings or works, the following tree protection requirements must be carried out to the satisfaction of the Responsible Authority:**
- a) **The pathways where within the TPZs of Trees 4, 17 and 62 must be constructed above the existing soil grade using porous materials that allow water to penetrate through the surface and into the soil profile. No roots are to be cut or damaged during any part of the construction process.**
  - b) **For Trees 46, 71 and 78, no roots are to be cut or damaged during any part of the construction process.**
  - c) **Undertake all requirements of the Tree Management Plan required for Trees 52 and 93 (required by Condition 10).**
  - d) **Any tree pruning is to conform to AS4373-2007 Pruning of Amenity Trees and the work is to be performed by a suitably qualified arborist (AQF Level 3, minimum).**
10. **Prior to the commencement of any building and or demolition works on the land, a Tree Management Plan for Trees 52 and 93 detailing tree protection pre-, during and post-development, in accordance with the requirements set out in AS4970-2009 Protection of Trees on Development Sites, to the satisfaction of the Responsible Authority. In addition, the following must also be included in the Tree Management Plan:**
- a) **For Tree 52: the types of methods and materials used for the construction of the balcony and path within the TPZ. All methods must be tree sensitive.**
  - b) **For Tree 93: Tree root(s) management including pruning and protection of roots if exposed.**

### 9.1.1

(cont)

#### VicRoads

11. ***Prior to the commencement of the permitted development, a detailed functional layout drawing and functional stage Road Safety Audit of the vehicle access point at the fourth leg of the signalised intersection on Middleborough Road, generally in accordance with the Concept Drawing - G13988-02 by TraffixGroup, but modified to show the following, must be submitted to and approved by VicRoads:***
  - a) ***Details of an appropriately designed left turn and right turn lane treatment on Middleborough Road into the subject site. The right turn lane treatment should include storage capacity based on SIDRA analysis.***
  - b) ***Details of appropriately designed left turn slip lane treatments into and out of the site.***
  - c) ***Details of two right turn lanes out of the site onto Middleborough Road.***
  - d) ***Details of appropriate swept path analysis.***
  - e) ***Details of the bus stop.***
12. ***Before the use of the permitted development and/or commencement of any works required by VicRoads under this permit a detailed engineering design must be prepared generally in accordance with the accepted functional layout plan and to the satisfaction of VicRoads.***
13. ***Before the use of the permitted development, all works required by VicRoads under this permit must be completed to the satisfaction of VicRoads and at no cost to VicRoads.***
14. ***The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements – Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.***
15. ***No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.***
16. ***Where the proposed road works at Middleborough Road, including footpath and nature strip, lie within the subject property, a widening of the road reserve will be required, at no cost to VicRoads. The developer must engage a licensed surveyor to prepare a Plan of Subdivision showing the affected land labelled "ROAD", which is to be vested in the Roads Corporation upon certification of the Plan of Subdivision, without any encumbrances. Subsequent to the registration of the plan, the subdivider must ensure that the original Certificates of Title that issues in the name of the Roads Corporation, are posted to: VicRoads - Property Services Department, 60 Denmark Street KEW, 3101.***
17. ***Prior to the commencement of use of the permitted development, all other vehicle access points onto Middleborough Road, apart from that at the signalised intersection, must be removed and the kerb, channel, footpath and nature strip reinstated to the satisfaction of the Responsible Authority.***



### **9.1.1**

(cont)

#### **Building Services**

- 18. The residential buildings must provide the capacity for television signal distribution to each dwelling unit and any satellite dish, antenna or similar structure must be designed and located at a single point to the satisfaction of the Responsible Authority.**
- 19. All building plant and equipment on the roofs, balcony areas, common areas, public thoroughfares is to be concealed to the satisfaction of the Responsible Authority. Noise emitting plant equipment such as air conditioners, must be shielded with acoustic screening to prevent the transmission of noise having detrimental amenity impacts. The construction of any additional plant, machinery or other equipment, including but not limited to all service structures, aerials, satellite dishes, air-conditioners, equipment, flues, all exhausts including car parking and communication equipment must include appropriate screening measures to the satisfaction of the Responsible Authority.**
- 20. All mechanical exhaust systems for the car parks hereby approved must be located and sound attenuated to prevent noise and general nuisance to the occupants of the surrounding properties, to the satisfaction of the Responsible Authority.**

#### **Environmentally Sustainable Development**

- 21. Prior to the commencement of any buildings or works, an amended Sustainability Management Plan must be submitted to and approved by the Responsible Authority. This Sustainability Management Plan must be generally in accordance with the Sustainability Management Plan submitted with the application, but amended to include the following changes:**
  - a) Assessment against Green Star Design & As Built (2014), BESS, or equivalent tool as determined by the Responsible Authority. If Green Star is used, the SMP must demonstrate how the proposed development proposes to achieve no less than 5 stars, while ensuring that points are sought in all Indoor Environment Quality (IEQ), Energy, Water, and Transport categories.**
  - b) A STORM Rating Report with a score of 100% or greater.**
  - c) Potable water reduction by using harvested rainwater for all toilet flushing, irrigation, general wash down and laundry.**
  - d) Car park lighting to be controlled with occupancy sensors.**
  - e) Car park ventilation to use variable speed drive fans controlled with CO sensors (unless it is able to be naturally ventilated on at least 2 elevations).**
  - f) All common, service & lift area ventilation to be controlled with timers and/or occupancy sensors.**
  - g) All common, service & lift area lighting with daylight and occupancy sensors. Daylight sensors to be used in close proximity to daylight areas.**

**The requirements of the above Sustainability Management Plan must be illustrated (as appropriate) on the plans and elevations submitted for endorsement.**

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

### **9.1.1**

(cont)

- 22. All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority, and the approved buildings must operate in accordance with this Plan, to the satisfaction of the Responsible Authority. No alterations to the Sustainability Management Plan may occur without the written consent of the Responsible Authority.**
- 23. Prior to the occupation of any building approved under this permit, a report from the author of the Sustainability Management Plan report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.**

#### **Lighting Strategy**

- 24. Prior to the commencement of the development, a Lighting Strategy must be prepared to the satisfaction of the Responsible Authority. The Lighting Strategy must provide details of lighting of the internal roadways and pedestrian paths, and must be prepared in accordance with the Safety By Design Guidelines and the relevant Australian Standards, and utilise energy efficient fittings, to the satisfaction of the Responsible Authority.**

**All external lights must ensure no unreasonable nuisance or lighting spill is caused to adjoining or nearby residents, and details of measures to prevent lighting spill must be provided in the Strategy.**

**This lighting must be maintained and operated for the life of the development to the satisfaction of the Responsible Authority.**

#### **Car Parking and Access**

- 25. The following minimum numbers of car parking spaces are to be provided in the basements of the approved buildings:**
- a) Block A – 47 spaces.**
  - b) Block B – 58 spaces.**
  - c) Block C – 47 spaces.**
  - d) Block D – 78 spaces, including 13 in tandem.**
- 26. The car parking areas and accessways as shown on the endorsed plans must be formed to such levels so that they may be used in accordance with the plan, and shall be properly constructed, surfaced, drained and line-marked (where applicable). The car park and driveways shall be maintained to the satisfaction of the Responsible Authority.**

**9.1.1**

(cont)

- 27. Prior to the commencement of buildings or works on the land, a Parking and Access Management Plan, detailing how car and bicycle parking areas, and accessways will be allocated and managed, must be submitted to and approved by Council.**

***This plan is to be to the satisfaction of the Responsible Authority and must include, but is not limited to, the following:***

- a) Allocation of all basement parking spaces (except disabled spaces) to individual dwellings, at a rate of at least one car space per dwelling. (In particular Units 2.32 in Block A and Block C appear to be allocated a disabled parking space, which must be rectified). Each space within the tandem parking bays must be allocated to the same unit.***
- b) Details of signage to direct visitors to the basement parking area.***
- c) Signing of car and bicycle parking spaces.***
- d) Location and face of bicycle parking signs in accordance with Clause 52.34-5***
- e) Line marking of parking spaces.***
- f) All large vehicles (including delivery vehicles, private waste collection vehicles or busses, but excluding emergency vehicles) to access/egress the site solely via Middleborough Road.***

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

***When approved the Parking and Access Management Plan will form part of this permit and must be implemented to the satisfaction of the Responsible Authority.***

- 28. Prior to the occupation of the building, the internal access road must be constructed to the satisfaction of the Responsible Authority and, where relevant, to VicRoads.**

**Waste Management Plan**

- 29. The requirements of the Waste Management Plan must be implemented by the building manager, owners and occupiers of the site for the life of the building, to the satisfaction of the Responsible Authority.**

**Construction Management Plan**

- 30. Prior to the commencement of buildings or works on the land, a Construction Management Plan, detailing how the owner will manage the environmental and construction issues associated with the development, must be submitted to and approved by Council. All construction traffic access must be restricted to access/egress the site via Middleborough Road only, and no tradesperson/construction contractor parking may occur on residential streets. The site entrances to residential streets must be signed to restrict construction vehicle access/egress for the duration of the construction process.**

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

### **9.1.1**

(cont)

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

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

#### **Asset Engineering**

- 31. All stormwater drains must be connected to a point of discharge to the satisfaction of Responsible Authority.***
- 32. Prior to any works, design plans and specifications of the civil works within the site associated with the development are to be prepared by a registered consulting engineer (who is listed on the Engineers Australia National Professional Engineer Register), and submitted to the Responsible Authority. Certification by the consulting engineer that the civil works have been completed in accordance with the design plans and specifications must be provided to the Responsible Authority.***
- 33. Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.***
- 34. Stormwater that could adversely affect any adjacent land shall not be discharged from the subject site onto the surface of the adjacent land.***
- 35. 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.***

#### **Public Transport Victoria**

- 36. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Middleborough Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.***
- 37. The existing bus stop and associated infrastructure on Middleborough Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.***

### **9.1.1**

(cont)

#### **Expiry**

**38. This permit will expire if one of the following circumstances applies:**

- a) *The development is not commenced within three (3) years from the date of issue of this permit;*
- b) *The development is not completed within six (6) years from the date of issue of this permit.*

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

#### **PERMIT NOTES**

##### **Access Road**

- a) *The internal road must remain a private road. Council will not take over responsibility for this road.*

##### **Waste Collection**

- b) *Waste collections for the development will be undertaken by private contractors.*
- c) *Council issued waste bins will not be supplied for this development.*

##### **Asset Engineering**

- d) *Soil erosion control measures must be adopted at all times to the satisfaction of the Relevant Authority during the construction stages of the development. Site controls and erosion minimisation techniques are to be in accordance with the EPA (Environment Protection Authority) Victoria "Environmental Guidelines for Major Construction Sites". The works during and after construction must comply with the above guidelines and in potentially high erosion areas a detailed plan may be required to indicate proposed measures and methodology.*
- e) *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.*
- f) *All stormwater drainage within the development site and associated with the building(s) (except for an on-site detention system and connection to the nominated legal point of discharge within the site) must be approved and completed to the satisfaction of the Building Surveyor prior to the occupation of the building(s), in accordance with the provisions of the Building Regulations (2006) section 610.*
- g) *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.*
- h) *The applicant must adhere to the report and consent – land liable to flooding advice dated 16 September 2014 submitted by the Regis Group.*

**9.1.1**

(cont)

- i) No alteration to existing interface levels will be permitted other than to maintain or introduce adequate and consistent road reserve crossfall and longitudinal fall all to the satisfaction of the Responsible Authority.*
- j) Access to the development must be resolved within the development site. No provision for access and/or Disability Discrimination Act (DDA) compliance will be permitted external to the site being within any adjacent road reserve, right of way, reservation or other land owned managed by the Responsible Authority as may be applicable.*
- k) Any proposed vehicle crossing must adhere to Whitehorse Council's – Vehicle Crossing General Specifications.*
- l) Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be financed by the developer.*
- m) Any services that need to be removed and relocated due to the location of the proposed vehicular crossing must be approved by the Responsible Authority prior to endorsement of the plans*
- n) Any trees that need to be removed due to the location of the proposed vehicle crossing must be approved by Parkswide prior to endorsement of the plans.*

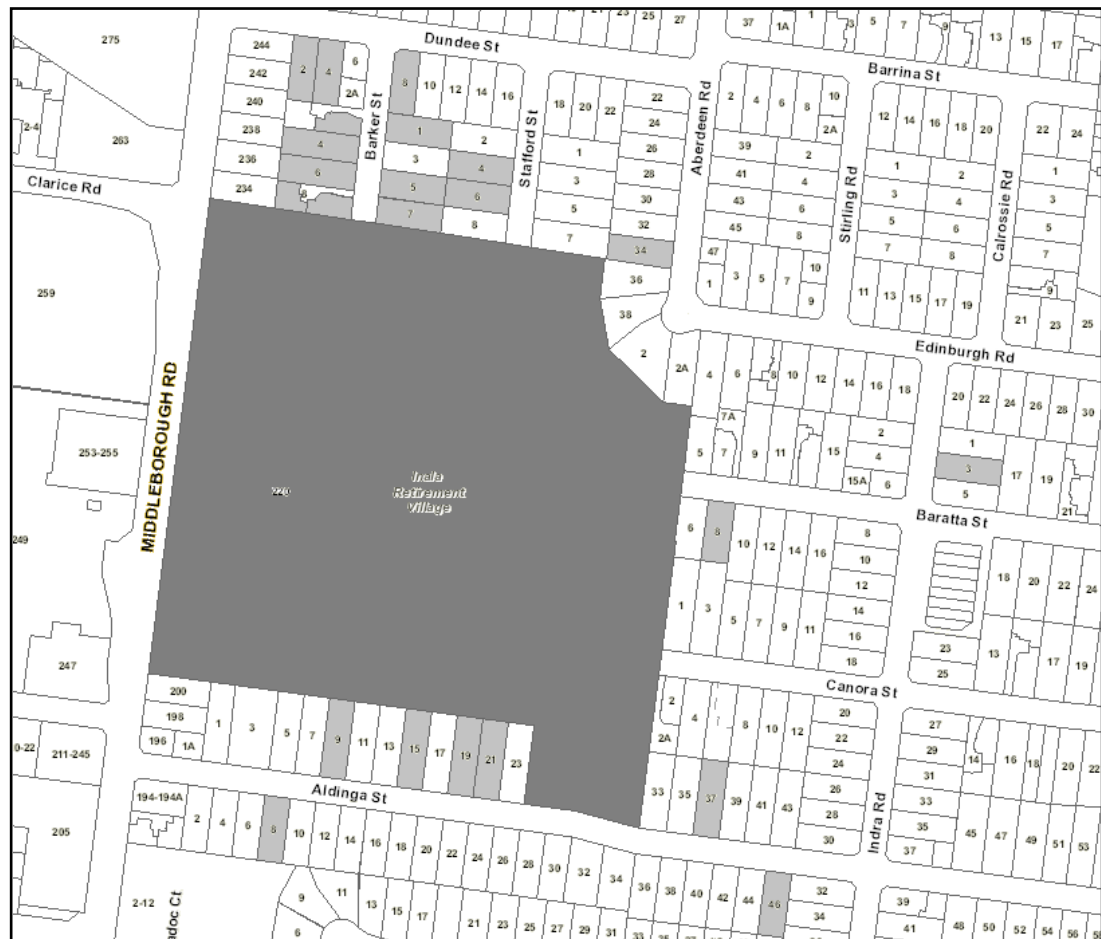
**Car Parking**

- o) Residents of this development and their visitors will not be eligible for Residential Parking Permits.*
- C. Has made this decision having particular regard to the requirements of Sections 58, 9, 60 and 61 of the Planning and Environment Act 1987.**
-

**9.1.1**  
(cont)

MELWAYS REFERENCE 61G2

Applicant:	Regis Aged Care Pty Ltd	
Zoning:	Neighbourhood Residential Zone Schedule 3	
Overlays:	N/A	
Relevant Clauses:	Clause 11	Settlement
	Clause 15	Built Environment and Heritage
	Clause 16	Housing
	Clause 19	Infrastructure
	Clause 21.01	Municipal Profile
	Clause 21.05	Environment
	Clause 21.06	Housing
	Clause 22.03	Residential Development
	Clause 22.04	Tree Conservation
	Clause 22.10	Environmentally Sustainable Development
	Clause 32.09	Neighbourhood Residential Zone 3
	Clause 52.06	Car Parking
	Clause 52.27	Land Adjacent To A Road Zone, Category 1
	Clause 52.34	Bicycle Facilities
	Clause 52.35	Urban Context Report and Design Response for Residential Development of Four or More Storeys
	Clause 65	Decision Guidelines
Ward:	Central	



	Subject site	23 Objector Properties for the two applications	↑ North
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## 9.1.1

(cont)

### BACKGROUND

#### History

Inala Village has operated as an aged care and retirement facility for over 50 years.

#### The Site and Surrounds

The subject site is located on the east side of Middleborough Road, Blackburn, between Dundee Street and Aldinga Street. The site has a frontage to Middleborough Road of 283 metres, and a frontage to Aldinga Street to the south of 69 metres. The site is irregular in shape and has an overall area of 83,418m<sup>2</sup> (8.3 hectares). The land slopes from its highest point near the centre of the site downwards to the perimeter, falling to the south-east corner by up to 11 metres.

The site is utilised as the Inala Village retirement and aged care facility and is developed by existing buildings ranging from single storey to three storeys in height, set within landscaped grounds containing scattered mature trees. The site has two vehicle crossovers to Middleborough Road and three crossovers to Aldinga Street, with internal roads within Inala Village connecting to Barker Street, Stafford Street, and Canora Street. A 1.83 metre wide drainage easement runs along most of the north boundary.

A bus stop is located on the Middleborough Road frontage, a signalised intersection connecting with the Masters site is located close to the south-west corner of the subject site and a second signalised intersection at Clarice Road that is located near the north-west corner of the site. Middleborough Road is an arterial road and identified as Road Zone Category 1.

The north, east and south boundaries of the subject site adjoin residential lots containing detached single and double storey dwellings, within established gardens. The residential land to the north of the subject site is included within the General Residential Zone Schedule 3, whilst the land to the east and south is zoned Neighbourhood Residential Zone Schedule 3, as is the subject site. The land to the west, across Middleborough Road, is within the Industrial 1 Zone, and is utilised for restricted retail premises (Bunnings and Masters) along Middleborough Road immediately opposite the subject site.

#### Planning Controls

The site is within the Neighbourhood Residential Zone Schedule 3 (NRZ3). The purpose of Clause 32.09 (Neighbourhood Residential Zone) is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To recognise areas of predominantly single and double storey residential development.
- To limit opportunities for increased residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.



### 9.1.1

(cont)

#### ***WH/2014/510 (High Care Building)- refer to attachment 1a***

Pursuant to the NRZ3, Residential Aged Care Facility is a Section 1 (as-of-right) use, and moreover is an existing use on the subject site. Residential Aged Care Facility is nested within the definition of Residential Building, and Clause 32.09-5 requires planning approval for construction of residential buildings. The lodging rooms proposed within the Residential Aged Care Facility are not self-contained, and therefore these are not defined as dwellings.

The Neighbourhood Residential Zone (NRZ), at Clause 32.09-8 includes a maximum building height requirement of 9 metres for sloping land such as the subject site, however transitional provisions allow for applications lodged prior to the introduction of the NRZ to be exempted from this requirement. This application was lodged on 4 June, 2014 and amended pursuant to Section 50 of the Act on 11 September, 2014, and the NRZ was applied to the subject site on 14 October, 2014. The application has not been further amended since that date, and as such, the transitional provisions exempt this application from the height control at Clause 32.09-8.

After the introduction of the new NRZ on 14 October, 2014, the applicant requested that the two planning permit applications for the high care building and for the retirement living buildings be placed on hold, pending the outcome of the Advisory Committee Hearings on Whitehorse's proposed schedules to the NRZ. This matter was resolved with the introduction of the schedules to the NRZ on 12 November, 2015, and notice of the two applications was given soon after this.

Pursuant to Clause 52.29, a planning permit is required to create or alter access to a road in a Road Zone, Category 1. The application proposes the deletion of one existing access point to Middleborough Road, and the creation of a new crossover at the signalised intersection serving Masters.

#### ***WH/2014/532 (Retirement Living Buildings) – refer to Attachment 1b***

Pursuant to the NRZ3, Retirement Village is a Section 2 (permit required) use, however as this is an existing use on the subject site, no further approval for this use is required.

Pursuant to Clause 32.09-5, the NRZ requires planning approval to be sought for construction and extension of two or more dwellings on a lot, which clearly relates to the *development* of Dwellings, so although the Retirement Village *use* does not incorporate Dwellings, the proposed development of self-contained accommodation for retirement living triggers the need for planning approval to be sought to *develop* Dwellings.

It is considered that the restriction at Clause 32.09-3 to no more than two within the NRZ would apply, except that this application also has the benefit of the transitional provisions in relation to the number of dwellings allowed, as set out above. The transitional provisions for building height at Clause 32.09-8 are also applicable to this application.

Pursuant to Clause 52.06-2, Car Parking, a planning permit is required for a reduction in car parking (12 visitor space shortfall).

Pursuant to Clause 52.29, a planning permit is required to create or alter access to a road in a Road Zone, Category 1. As per WH/2014/510, this application also proposes the deletion of one existing access point to Middleborough Road, and the creation of a new crossover at the signalised intersection serving Masters.

It is noted that there are two errors on the submitted plans:

- There is a spelling error in the name of Barker Street, adjacent to the north.
- The labels of the east and west elevations of Block D have been swapped.

### 9.1.1

(cont)

#### PROPOSAL

As discussed above, the two planning permit applications- WH/2014/510 for the High Care Building and WH/2014/532 for the Independent Living Buildings- each provide for different types of accommodation for older residents, and each have different land use definitions, and planning requirements. As such, two separate planning permit applications have been sought by the applicant, although they are being considered concurrently as they relate to the same site and overall retirement village land use.

#### ***WH/2014/510 (High Care Building)***

It is proposed to construct a residential building (four to six storeys) for the existing residential aged care facility, and associated creation and alteration of access to Middleborough Road. This high care accommodation building with communal living and dining facilities is proposed to replace the existing chapel, Milpara Lodge, and parts of Alawarra Lodge. The building will be located in the centre of the subject site, setback 46 metres from the south boundary, 100 metres from the east boundary, 143 metres from the north boundary, and 65 metres from Middleborough Road to the west.

A total of 322 lodging rooms are proposed to replace the existing 206 lodging rooms (an increase of 116 lodging rooms). Each lodging room contains an ensuite and has access to common living, dining and laundry facilities.

A new crossover to Middleborough Road is proposed off the existing signalised intersection which serves the Masters development on the opposite side of Middleborough Road.

#### *Basement level*

- 97 internal car parking spaces and four external parking spaces, plus the retention of 18 existing car parking spaces located to the south of the building. 18 bicycle spaces.
- Kitchen, laundry, staff room, plant room and storage area. External access to bin store and adjacent loading bay on the south elevation.

#### *Ground level*

- One way loop road serving a drop off area at the building entrance on the north elevation.
- 56 lodging rooms.
- Lobby, waiting area, administration areas, Chapel, two large communal living and dining areas, two activities rooms, two physio rooms, medic and nurse rooms and several utility/storage rooms.
- Building set around three central courtyard areas, and external terraces located to the north and south of the building.

#### *Levels 1 and 2*

- 81 lodging rooms.
- Two large communal living and dining areas with three north facing balconies opening off these areas, two activities rooms, two physio rooms, medic and nurse rooms, and several utility/storage rooms.

#### *Level 3*

- 52 lodging rooms.
- One large communal living and dining area served by two balconies, one activities room, medic and nurse rooms and several utility/storage rooms, café, cinema, spa, massage, hair dressing, function space and private dining room for residents. Two large external terraces including rooftop planting are located to the west and south.

### 9.1.1

(cont)

#### *Level 4*

- 52 lodging rooms.
- One large communal living and dining area served with a balcony, one activities room, medic and nurse rooms, and several utility/storage rooms, library/media room and an area of green roof.

#### *Elevations*

- Given the slope of the land and the stepping back of the building from the west elevation, the overall building height varies between 15.7 metres at the north-west corner and 20 metres at the south elevation (plus plant and lift overruns). Owing to the slope of the land, in some areas, the basement level protrudes sufficiently above the natural ground level and can be counted as a storey, producing a building between four and six storeys high.
- The building is proposed to be clad with a varied palette of dark brown brick, terra cotta corten cladding, grey and black concrete, natural timber feature fins, light grey render, black zinc cladding and decorative screens. Grey powder coated aluminium louvres surround the roof top plant. Vertical green walls are proposed on parts of the north and west elevations.

#### *Access*

- A new internal access road off the proposed crossover to Middleborough Road will travel along the west and part of the north elevations of the new building.
- Dedicated pedestrian access provided by footpaths beside the new access road.

#### *Landscaping*

- A landscape concept plan submitted with the application shows the retention of a number of existing trees, and the planting of a layered landscaping including trees shrubs and groundcovers around the proposed building and within the internal courtyards. A vegetable and sensory garden for residents is proposed within the largest (eastern) courtyard. A concept plan for the Level 3 roof garden has also been provided, showing containerised planting and further vegetable and sensory garden areas.

### **WH/2014/532 (Retirement Living Buildings)**

It is proposed to extend the existing retirement village (accommodation) with 4 x four to six storey buildings, requiring a reduction of car parking requirements, creation and alteration of access to Middleborough Road. These retirement living buildings will replace some existing facilities, requiring demolition of the existing Inala Lodge, Village Centre, Administration building and some independent living units.

This application comprises three buildings along the northern end of the Middleborough Road frontage and one building behind them in the centre of the site, all with basement car parking. Block A is located 45 metres from the nearest residential properties adjacent to the northern boundary of the subject site.

These buildings accommodate independent living (apartment style) accommodation, and the building central to the site includes some new communal facilities for Inala Village as a whole, including a swimming pool, café, small cinema, multipurpose hall, library, etc. These new facilities generally replace existing facilities located in the buildings to be demolished.

A total of 200 retirement living units are proposed to replace an existing 37 independent living units (increase of 163 independent living units). Each retirement living apartment provides self contained accommodation.

As with WH/2014/510, a new crossover to Middleborough Road is proposed off the existing signalised intersection which serves the Masters development opposite.

### 9.1.1

(cont)

The new buildings are labelled Blocks A, B and C, located along the Middleborough Road frontage, and Block D, located to the rear (east). A minimum 9 metre setback (Blocks A and C) to the building facades is provided to Middleborough Road, with ground level terraces/balconies protruding up to 4 metres into this setback.

These buildings include basement level car parking and independent storage facilities, waste storage, bicycle racks and lift lobbies.

Blocks A, B and C each have a separate communal entrance accessed off Middleborough Road, serving a large residential lounge, and provide for independent living units having between one and three bedrooms. Ground level units are served by ground level terraces/balconies which may be slightly cut into the natural ground level or elevated by up to 1.5 metres above ground level, owing to the slope of the land, and upper level units are each provided with balconies a minimum of 8m<sup>2</sup> in size.

Blocks A and C comprise four levels of independent living units, and Block B comprises five residential levels.

Block D, to the rear (east), accommodates at the ground level a swimming pool, spa, day therapy centre, cinema, craft room, mini mart, library, café, BBQ area, lawn bowls green, multi-purpose hall private dining room and kitchen. Five levels of independent living units above the communal facilities bring this building to a total of six storeys above ground level.

Owing to the slope of the natural ground level, the overall building heights vary between 12 metres at the east elevation of Block A and 22.2 metres at the north elevation of Block D (plus plant and lift overruns). Block A is proposed to be located 45 metres south of the nearest residential property boundary, and has a wall height of 11.8 metres at the northern façade.

These buildings are proposed to be clad with a varied palette of neutral coloured cladding materials, including timber, alucobond, brick and render in grey, brown and white tones. No front fence is proposed to the Middleborough Road frontage.

#### *Car Parking Summary*

- A combined total of 213 car spaces are provided in the basements for resident parking, with a minimum of one car space allocated to each apartment, and 13 of the three bedroom units being allocated two car spaces. Visitor car parking is proposed to be accommodated on the internal access roads.

#### *Access*

- A new internal access road off the proposed crossover to Middleborough Road, which will travel northwards between Blocks A-C and Block D to link up with the existing Inala Circuit internal access road, which has a crossover to Middleborough Road. A drop-off loop is provided at the entrance of Block D, and the basement car parks of these four buildings are accessed from the new internal road.
- Dedicated pedestrian access is provided by footpaths beside the new access road.

#### *Landscaping*

- A landscape concept plan submitted with the application includes retained existing trees around the perimeter of the development area and substantial tree plantings around and between the proposed buildings, plus understorey plantings and garden seating.

### 9.1.1

(cont)

## CONSULTATION

### Public Notice

The two applications were advertised concurrently by mail to the adjacent and nearby property owners and occupiers and by displaying three notices (for each application) on the two street frontages. Following the advertising period 26 objections were received from 23 individual properties, comprising five objections solely relating to WH/2014/510 (High Care Building), six objections solely relating to WH/2014/532 (Retirement Living Buildings), and 15 objections which related to both applications.

Owing to the similarity of concerns expressed in relation to both applications, the issues raised in relation to both applications have been consolidated into the summary list below:

- Amenity impacts:
  - Overlooking of surrounding residential properties
  - Overshadowing of surrounding residential properties
  - Loss of views
  - Increased noise and pollution from traffic.
  - Increased dust and dirt.
- Neighbourhood Character:
  - Buildings are too high, visually dominant and out of keeping with surrounding neighbourhood.
  - Building facades are out of keeping with the neighbourhood character.
  - Building height exceeds the permitted height under the planning controls.
  - The buildings will be visually prominent within the area due to their height and elevation on a topographical high point.
  - Loss of the low scale village characteristics of the existing buildings.
- Car parking and traffic:
  - Increased traffic in surrounding residential streets and on Middleborough Road.
  - Increased usage of surrounding residential streets as 'rat runs'.
  - The new entrance at the signalised intersection to Middleborough Road will cause delays and encourage further 'rat running'
  - Other entry points to Inala Village should be closed off except for emergencies, and should not be used by waste collection or delivery vehicles.
  - Resident parking permit schemes should be introduced around Inala.
  - Increased on-street parking, which is already a problem with Inala staff parking in surrounding residential streets.
  - Traffic safety impacts on the surrounding streets.
  - The apartment style retirement units may attract more residents with cars.
- Landscaping:
  - Removal of tall trees and established vegetation.
  - Insufficient replacement landscaping, especially replacement of tall tree species.
- Non-planning matters:
  - Construction impacts such as tradesperson parking and access, dust, dirt and damage to roads.
  - Negative impact on surrounding property values.
  - Increased pressure on surrounding infrastructure, amenities and services.

### 9.1.1

(cont)

#### Consultation Forum

A Consultation Forum chaired by an independent facilitator was held on 16 March, 2016. Eight registered objectors, two representatives for the applicant and Councillors Munroe and Massoud attended this Forum.

The Chair facilitated discussions around the themes raised in objections, and additional concerns were raised.

A representative from Inala Village stated that their market research had identified a shortage of 700 retirement living and aged care units in the area over the next ten years. It was also noted that the development of the five buildings over two applications was expected to be staged.

The applicant's architect provided a brief overview of some of the key features of the application to participants towards the end of the forum. No consensus was reached.

The discussions at the Forum revealed some additional concerns from objectors, including:

Amenity Impacts:

- Light pollution from the proposed buildings.

Landscaping:

- On-going maintenance of proposed landscaping.

Car parking and traffic, especially the use and potential intensification of use of the existing vehicle connections to the adjacent residential streets (Barker Street, Stafford Street, and Canora Street) to the north and east.

In response to the objectors' concerns and the associated discussion, the applicant advised:

- The overall site masterplan included building forms that stepped down to two storeys at the interfaces with adjacent residential properties to the north, east and west.
- It is not proposed to close off existing access to the surrounding residential streets.
- As the applicant (Regis Aged Care Pty Ltd) intends to both develop and run the aged care facility, they have a vested interest in achieving a high quality outcome.
- The retirement living component (WH/2014/532) will have only two staff members, whereas the high care accommodation (WH/2014/510) would require high staffing levels commensurate to the level of care required for residents.
- The shadows from the proposed buildings would all fall within the subject site between 9am and 3pm at the Equinox.
- There would be lighting provided along the internal road, but this could be baffled to prevent glare.
- The proposed multi-level building forms provide for more compact circulation areas which reduce reaction times in case of alarms.

Subsequently to the Forum, the applicant advised that the existing access points from Inala Village to the surrounding residential streets is required for:

- Emergency access.
- Access for residents to go to the Blackburn South shops.
- Disseminating the vehicle movements to and from the site across several points to reduce queuing and traffic congestion.
- Council waste collection vehicles serving the surrounding residential areas utilise the roads within Inala to turn around rather than reversing along public streets.

The applicant has further advised that Inala Village has legal rights of access to the surrounding residential streets.

### 9.1.1

(cont)

#### Referrals

##### External

###### Public Transport Victoria (PTV)

Public Transport Victoria, pursuant to Section 56(1) of the Planning and Environment Act 1987 does not object to the grant of both planning permits, subject to conditions.

###### VicRoads

VicRoads supports vehicle access to the site via a fourth leg at the existing signalised intersection. A concept plan drawing (Drg G13988-02) by Traffix Group has been provided to VicRoads for review. VicRoads would require that the fourth leg of the signals include left turn slip lanes into and out of the site, appropriately designed left turn and right turn treatments, double right turn lanes out of the site and appropriate consideration given to the bus stop design and location. The bus stop location and design must be to the satisfaction of VicRoads and Public Transport Victoria.

Appropriate swept path analysis and SIDRA analysis will need to be provided to VicRoads for review and approval.

The signalised intersection provides for safe and efficient access to the site as a whole. It is VicRoads view that the signalised intersection should be the sole vehicle access point off Middleborough Road. VicRoads would require that the vehicle access point to Middleborough Road at Inala Circuit (north of the site) be removed.

VicRoads does not object to either application, subject to the inclusion of conditions addressing these points.

##### Internal

###### Engineering and Environmental Services Department

- Transport Engineer

Council's Transport Engineer has no objection to both applications, subject to conditions to ensure compliant car and bicycle parking layouts and to manage on-site parking provision. These requirements will be discussed in greater detail below.

- Waste Engineer

Waste Management Plans for both applications are approved. It is noted that waste collections for the development would be undertaken by private contractors and waste will be collected within the site.

- Assets Engineer

Consent to both permits, subject to conditions and notes on each permit.

###### Urban Design Consultant

Given its notable size and multiple access off main and local roads, the site has the ability to accommodate a medium-high density aged care and retirement living development. In absence of an overarching framework for a cohesive outcome for redevelopment of the balance of the site, a high level strategic approach is required to address site planning matters relating to access and egress, development equity and on/off amenity matters. This is particularly important given the specifics of neighbourhood character elements may not be relevant due to the site's extent and its inability to ensure a seamless integration of the site within its overall urban fabrics.

### **9.1.1**

(cont)

Overall, we are broadly supportive of the proposal to intensify the use of the site as a higher density aged care facility and retirement village given the site's ability to accommodate any amenity impacts within its own boundary and its ability to establish a distinct character which is varied from its surrounding residential hinterland. However, further refinement is required to the overall built form outcomes which could partially be addressed through the formulation of an overall framework plan (for the site). More specific matters relating to site legibility, efficient internal movements, sense of address for individual buildings and resolutions of building 'fronts' and 'backs' could benefit from further clarification/improvement. These matters will be discussed below.

#### Planning Arborist

Council's Planning Arborist has reviewed the 140 trees that are within the proposed building areas, and has confirmed that the tree data provided by the applicant is accurate. Only ten high value trees require removal as they are located within the proposed building envelopes. Council's Arborist has no objection to the development or the removal of the trees on site, as most trees proposed for removal are of low or moderate arboricultural value. The removal of two additional trees (Trees 5 and 115) is recommended as these two trees will be significantly impacted by the proposed development, and are in poor condition and therefore not worthy of retention.

Two further trees (Trees 52 and 93) also could be substantially impacted by the proposed development, and Tree Management Plans will be required to ensure that construction impacts are managed to ensure the health of these trees. The health of all other retained trees will be protected during the construction process by standard tree protection measures.

#### Landscape Architect

Overall the landscape concept plan is well resolved and functional. The architects have delivered good designs specific for the High Care and Retirement Living uses. Conditions are only required to resolve some pedestrian access, open space and planting details.

#### ESD Advisor

The submitted Sustainability Management Plans for both applications do not meet Council's Environmentally Sustainable Design (ESD) standards for developments of this size and potential environmental impact. Conditions will be included requiring additional information and commitments to achieve satisfactory ESD standards.

#### Strategic Planning

There is significant policy support for increasing the provision of housing choices for the elderly within the planning policy framework. Having regard to the special features of the site including its size, its existing use, its main road location and adjacency to an industrial area, it provides an excellent opportunity to increase the provision of aged care housing. In this case, the need to provide additional housing for the elderly as outlined throughout the policy framework outweighs the limited change objectives of the NRZ3 and Clause 22.04.

The site is not particularly well located in terms of proximity to activity centres. However, a bus stop for Route 733 (Oakleigh Station to Box Hill Station) is directly in front of the site providing easy access for residents, visitors and staff to nearby activity centres and train stations. Monash Medical Centre is also located on this bus route. Additionally, a range of activity centres are close by including the proposed Burwood Heights Activity Centre approximately 1.2 kilometres to the south.

It is possible to vary the mandatory density and height requirements of NRZ3 by virtue of the transitional arrangements. It is recommended that the owners of the site pursue an alternative zoning by site specific amendment given it will not be possible to vary these provisions with any future applications.



### 9.1.1

(cont)

Inala Village is an established retirement village that currently presents as a series of single to double storey scale buildings to Middleborough Road. Opposite is an industrial zone occupied by 'big box' stores ranging in overall scale of between 2 to 3 storeys, some with large setbacks to the street. Buildings over the 8 metre height limit, applicable within NRZ3, can be supported in this context. Further, Clause 16.02-4 recognises that is acceptable for residential aged care facilities to have a different built form (including height, scale and mass).

The proposed buildings along Middleborough Road range in height between 4 and 5 storeys and incorporate substantial articulation at the fourth and fifth levels. All proposed buildings are well setback from the adjoining residential areas to the north, south and east. This scale is acceptable given the size of the site and the existence of large scale buildings on the opposite side of Middleborough Road. The six storey development proposed for the middle of the site will not dominate the streetscape or the adjoining residential areas, given the size of the site and the central location of this building.

## DISCUSSION

### Consistency with State and Local Planning Policies

*Plan Melbourne* acknowledges that the demand for new housing will be influenced by the ageing population and a desire for people to age in place. It is noted that by 2051 the number of Victorian residents aged 65 or older will have increased nearly three-fold.

The *Whitehorse Housing Strategy 2014* states that the population of Whitehorse is currently ageing at a greater rate than metropolitan Melbourne, with 17.3% of the City's population aged over 65 years in 2011, compared to 13.1% in Greater Melbourne. The Strategy notes that the age group within Whitehorse forecast to have the largest proportional increase, relative to its current population size, by 2031 is residents over 65 years.

Clause 15, Built Environment and Heritage, identifies that planning should ensure all new land use and development appropriately responds to valued built form and cultural context.

Clause 16.01-1 Integrated Housing seeks to ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities.

Clause 16.01-4 Housing Diversity seeks to ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.

Clause 16.01-5 Housing Affordability directs that choice and housing type, tenure and cost should be increased to meet the needs of households as they move through life cycle changes and to support diverse communities.

Clause 16.02-3 Residential Aged Care Facilities requires the timely development of residential aged care facilities to meet existing and future needs. The relevant strategies are as follows:

- *Ensure local housing strategies, precinct structure plans, and activity centre structure plans provide for residential aged care facilities.*
- *Encourage planning for housing that:*
  - *Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.*
  - *Enables older people to live in appropriate housing in their local community.*

### 9.1.1

(cont)

Clause 16.02-4 Design and location of residential aged care facilities encourages the provision of well-designed and appropriately located facilities. The relevant strategies are as follows:

- *Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.*
- *Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).*
- *Provide for a mix of housing for older people with appropriate access to care and support services.*
- *Ensure that residential aged care facilities are located in residential areas, activity centres and strategic redevelopment areas, close to services and public transport.*
- *Ensure that:*
  - *Residential aged care facilities are designed to respond to the site and its context.*
  - *Residential aged care facilities aspire to high urban design and architectural standards.*

Clause 19.01 promotes renewable energy use in development and Clause 19-03-05 seeks to minimise waste and encourage recycling within new development.

Clause 21.01 Municipal profile indicates that Whitehorse is expected to have significant increases in the number of residents over 50 years old over the next 20 years, which will generate substantial changes in housing demands.

The key principles of Clause 21.06 Housing are as follows:

- *Provide a mix of housing that meets the life stage and cultural needs of residents.*
- *Promote housing growth and diversity in locations within walking distance of public transport and local services such as shops, parks and education.*
- *Limit residential growth in areas of valued landscape or built form character, and/or with infrastructure limitations.*

The site is located within a Limited Change Area as reflected by its inclusion within a NRZ, where new development is to protect the preferred neighbourhood character, and limited medium density development is anticipated.

Clause 21.06-4 Housing Diversity encourages *a broader range of housing types to meet the differing needs of the future population through the lifecycle*. The relevant objectives for this Clause are as follows:

- *Diversify the variety of housing types in the City of Whitehorse.*
- *Provide housing that meets the specialised requirements of particular residents.*

The most relevant strategy to meet these objectives is to *promote activity centres with high accessibility that offer a range of services and provide a high level of amenity to residents as key locations for housing diversity*.

Clause 21.06-6 Housing Design requires that the preferred neighbourhood character is maintained and adequate space for substantial vegetation is provided in Limited Change Areas.

### 9.1.1

(cont)

Clause 22.03 Residential Development specifies requirements for development in residential areas and includes the following requirements for Limited Change Areas:

- *Ensure residential development is of a scale, form and character that is consistent with the surrounding area, and will predominantly comprise:*
  - *Detached dwellings*
  - *Semi-detached dwellings*
- *Provide some diversity of dwelling sizes and tenures, including affordable housing, where feasible.*
- *Ensure the scale and appearance of new housing respects the appearance of surrounding development and the environmental, heritage and neighbourhood character values of the area.*
- *Encourage the retention of older dwellings in areas where these buildings dominate, and limit new development to two dwellings per lot.*

The site is included within the Bush Suburban 3 Precinct where the preferred character includes low scale, pitched roof dwellings within established garden settings including native and exotic canopy trees.

Clause 22.04, Tree Conservation, seeks to encourage the retention and regeneration of significant vegetation.

The strategic planning directions in both State and Local Planning Policy Frameworks recognise the changing housing demand associated with an ageing population, and importantly, the different housing forms associated with retirement and aged care living. The proposed development will achieve the overarching strategic objective to increase the availability or accommodation for older residents, including a mix of housing options for older residents with access to care and support services. The proposal also provides a range of living options on the one site, allowing residents to age in place, transferring from Retirement Living to High Care facilities within the one community as their needs change.

It is noted that the subject site has access only to bus public transport, however the existing and proposed aged care facility includes a range of retail and service facilities on-site, including a shop, hair dresser, recreation options, various medical facilities and entertainment. In addition, Inala Village provides twice weekly buses for residents to Forest Hill Shopping Centre on Tuesdays and Thursdays.

The proposed buildings allow for the intensification of retirement and aged care living on the site, and it is considered that the proposed size of these buildings is able to be absorbed by the scale of the 8.3 hectare site, which will allow for transitions in building height at the sensitive residential interfaces. The two planning permit applications being considered both have the benefit of transitional provisions, and as such there is scope to allow the buildings' height and number of dwellings to exceed those typically required by the NRZ. It is noted that the transition period for the NRZ has expired, and the applicant would need to seek rezoning of the land in order to allow any future changes to the aged care facility. In association with consideration of any such rezoning, Council recommends that a detailed Master Plan for the overall development of Inala Village is submitted to Council for consideration.

### Urban Design Principles

Clause 15.01-2 of the Planning Scheme and the *Design Guidelines for Higher Density Residential Development* (Department of Sustainability and Environment, 2004) require design principles to be referred to when assessing development proposals for residential development of five or more storeys, including:

### 9.1.1

(cont)

#### Context

Development must take into account the natural, cultural and strategic context of its location. The subject site has operated as an aged care facility for many years and Inala Village is an established use in the region. The site is developed at a low density and the intensification of the existing use is appropriate on the land as this will assist in providing housing diversity for the ageing population of the area.

Strategically, the impetus to increase retirement and residential aged care places is at odds with the NRZ3 recently applied to the site, however the transitional provisions allow for the greater strategic imperative to cater to the changing housing needs of an ageing population to surpass the restrictions of the NRZ. Given the size of the subject site and the existing use, the limitation to two dwellings on 8.3 hectares is considered inappropriate. It is also inappropriate to allow the subject site to be subdivided to allow for greater residential density, as this is contrary to the typical structure of an aged care facility.

It is noted that the adjacent land to the north is included within the General Residential Zone (GRZ), where there is no restriction on the number of dwellings per lot. As such, Inala Village is located at the periphery of the NRZ where it interfaces with a Natural Change Area, where change is more appropriate.

Inala Village is an existing facility, and its site is large enough to allow intensification of development in the centre of the site which will not compromise the character or amenity of the surrounding residential areas. A site of this size can effectively create its own character within its precincts, provided the transitions to surrounding sensitive land uses are well managed.

The subject site is located at a topographical high point in relation to the surrounding land. In proposing to develop the higher buildings central to the site and away from the sensitive residential boundaries, the applicant has located the proposed High Care Building on the highest point on the subject site.

The applicant submitted an Urban Context and Design Response with the application, including photo montages showing the visual impact of the proposed building when viewed from various locations internal and external to the site. Despite the elevated location of the proposed High Care Building, the fall of the surrounding land generally enables views of the new building to be substantially screened by the intervening existing lower scale buildings and trees. The High Care Building will be most visible from Middleborough Road and from Baratta Street to the east, however these are long distance views with existing and proposed trees able to soften these viewlines.

All of the proposed buildings are well separated from surrounding residential uses to the north, east and south. They are also buffered from the adjacent sensitive residential areas by the existing single, double and triple storey buildings that form part of Inala Village, and by the scattered tall trees throughout the site. The existing Inala Village buildings surrounding proposed development provide a transition of building heights that assist the integration of the new High Care and Retirement Living Buildings with the balance of the existing Inala Village site and the residential areas beyond.

The proposed 9 metre front setbacks for Blocks A, B and C along Middleborough Road provide for a substantial transition of built form and minimum 5 metre wide in-ground tree planting areas along the frontage will ensure that tall trees can be established to maintain and enhance the Bush Suburban character of the area.

Therefore, the proposed buildings are considered to provide an acceptable balance between the natural environment and the strategic context of the existing Inala Village site.

### 9.1.1

(cont)

#### The public realm

##### *WH/2014/510 (High Care Building)*

Council's Urban Designer has expressed concern that the High Care Building does not provide a visible and identifiable front entrance to Middleborough Road and the main access point to the site. It is noted however that the Chapel presents to the street and that the pedestrian and vehicular entrance to the High Care Building may provide for more functional access for emergency vehicles by providing a dedicated one-way access road on the north elevation as proposed.

Council's Urban Designer has noted that 'active' uses such as a minimart, craft room, library, hairdresser and gym/ pool facilities are proposed at the top level of the proposed Aged Care facility. There are opportunities for some of these facilities to be located at the ground level to further activate internal access roads and the ground level to establish a more inviting and vibrant pedestrian environment. This will be included as a note on the proposed Permit.

The basement car park entry to the High Care Building may dominate the visual termination point from the site's new entrance, and substantial landscaping is recommended to screen this service area from Middleborough Road.

The design of the rear of the proposal needs to acknowledge the interfaces of the existing Alwarra, Aldinga and Inala Lodges. At present the proposal does not appear to sufficiently respond to these existing buildings, particularly their front doors, and results in their orientation and outlooks being onto a loading bay, car parks and back-of-house uses at ground floor. Although it is unknown whether these Lodges will be redeveloped in the short term, conditions on any permit will require the addition of substantial landscaping between the existing buildings and the new loading bay.

##### *WH/2014/532 (Retirement Living Buildings)*

Council's Urban Designer has noted that the proposed site layout appears to adopt a 'grid' layout for the new development, which is supported, except where visual and physical permeability is obstructed. In particular, links (visual and pedestrian) between Blocks A, B and C are stopped by proposed 1.8 metre paling fences which prohibit pedestrian movement between Blocks A, B and C, which is not supported. These 'dead-end' spaces could potentially be perceived as uninviting and must be designed according to the 'Crime Prevention Through Environmental Design' guidelines.

The site layout locates primary residential entries off Middleborough Road and basement car park entries to the rear, which is supported. Secondary entries from the new north- south internal road strengthen the site permeability through internal corridors for Blocks A, B and C.

#### Landmarks, views and vistas

Given the location and elevation of the subject site and the scale of the development, the proposed buildings will be visually prominent, although at a distance with intervening tree planting softening views. This is an appropriate response for this large institutional site on a main road. The proposal will not block any identified significant views or vistas.

#### Pedestrian spaces

Pedestrian paths are provided beside all of the proposed roads. The proposed site layout maintains a campus style similar to the existing conditions, with buildings set within a parkland setting.

### 9.1.1

(cont)

The plans do not show a dedicated pedestrian path from the new north-south access road to the entrance of the High Care Building, and this will be required as a condition of approval, including a safe pedestrian crossing.

Council's Urban Designer has also recommended a more clearly defined pedestrian crossing across the internal road at the porte-cochere adjacent to the main pedestrian entry for Block D, as this building contains a majority of the community facilities on site. A distinctive material treatment to signify a 'pedestrian priority' zone is recommended to assist with pedestrian access, site legibility and safety.

The foyer entrances of Block D and the High Care Building are not well-defined architecturally on the facades, and would benefit by being more clearly identifiable through both architectural and urban design treatments to assist pedestrian wayfinding and the legibility of the building form. This will form a condition of approval.

The submitted plans have not identified lighting for the proposed internal accessway, and a Lighting Strategy will be required to provide appropriate lighting to the internal roadway and the north-west pedestrian path, designed in accordance with the relevant Australian Standards, and utilising energy efficient fittings.

#### Light and shade

The proposed buildings will not cast shadows over the adjacent residential land at the Equinox, with shadows being confined within the subject site. The proposed development provides for good solar and daylight access to habitable rooms. Given the separation between the proposed buildings, especially Blocks A, B and C, there will be limited internal overshadowing between the proposed buildings during the key daytime period from 9am to 3pm. The extent of internal overshadowing is therefore acceptable.

#### Energy and resource efficiency

The orientation of the buildings on the lot has maximised available solar access. The use of shared roofs, floors and walls also promotes energy and resource efficiency. Conditions will require the provision of communal external clotheslines for the Retirement Living Buildings that are screened from public view from Middleborough Road or existing buildings on the subject site. The roofs of the proposed buildings may be suitable locations for communal clotheslines.

Sustainability Management Plans were submitted with both applications, and Council's ESD Officer has advised that further work is required to ensure that both proposals will comply with Council's Environmentally Sustainable Development Policy and achieve an acceptable level of energy efficiency. Conditions will be imposed to require the provision of:

- Rain water tanks and their connection to WCs and garden irrigation.
- Light coloured roofs to reduce heat wave impacts during warm weather.
- The provision of seasonal shading or glazing that limits heat transmission to the east, north and west habitable room windows to ensure these areas do not overheat in the warmer parts of the year.
- Provision of operable windows for ventilation.
- Sustainably harvested imported timbers (ie excluding timbers such as Merbau, Oregon, Western Red Cedar, Meranti, Luan, Teak etc.) are to be used.

### 9.1.1

(cont)

#### Architectural quality

The proposed development achieves an appropriate architectural and urban design response, subject to some minor alterations to the building interfaces with the public realm and presentation. Rooftop plant equipment is located centrally to the building footprint, and will have limited visibility from surrounding areas.

#### *WH/2014/510 (High Care Building)*

Council's Urban Designer considers the proposed continuous form has been modulated and articulated to good effect for most parts. Balanced horizontal and vertical articulations are achieved through employment of architectural elements (ie. fins, expressed joints, etc) and contrasting hard and soft materials (ie. bricks, cladding, render, glazing, timber and vertical landscaping). Utilisation of distinctive materials to signify special uses, such as a decorative screen for the chapel and vertical green walls are positive and assist with way finding and site legibility without adding visual clutter.

However, a clearer resolution of the western elevation of the proposal requires further consideration given its prominence from the site's main entrance off Middleborough Road. The current proposal presents a sheer 4 storey wall which offers no visual cue to the direction of the building main's entry and an uninviting pedestrian approach at grade. A condition will require further architectural resolution of this elevation.

#### *WH/2014/532 (Retirement Living Buildings)*

The Retirement Living Buildings incorporate a mix of materials to 'break up' the overall massing of the 4-5 storey forms for Blocks A, B and C, however Council's Urban Designer has required the streetscape presentation along Middleborough Road to have a more considered approach to materiality that better responds to the local character of the neighbourhood. In particular, it is considered that a greater use of masonry at the first 2-3 storeys with more 'lightweight' materials above would assist in mitigating the appearance of visual bulk, while at the same time grounding the buildings in the streetscape. This will be required as a condition of approval.

A 6 storey proposal (Block D) located centrally within the site is deemed acceptable as it provides sufficient landscape buffers to ensure no additional amenity impact on adjacent existing and proposed forms.

#### Landscape architecture

#### *WH/2014/510 (High Care Building)*

Council's Landscape Advisor has indicated there is a good variety of open space spread across the site which would allow for a range of activities and opportunities to spend time outside. The north facing drop off zone is generous, functional and well laid out, however a safe pedestrian crossing point is required to provide access to the north which links up with a pedestrian path to access the Community Centre (Retirement Living Building Block D).

The western terrace is generally well designed and functional, however, given the orientation, the provision of some shade is recommended. The provision of additional tree planting is recommended at the south-west corner to screen the back-of-house activity associated with the development. The proposed plant species selection and materials are acceptable.

The final landscape plans must include a typical detail of all containerised or above basement tree planting, including tree anchoring systems, green wall maintenance, irrigation and drainage.

### 9.1.1

(cont)

*WH/2014/532 (Retirement Living Buildings)*

Council's Landscape Advisor has recommended increased tree planting along the eastern boundary to ensure a continuous spread of tree canopy across the site and to soften the presentation of the new buildings. The concept plant species and materials are acceptable, but a full landscape plan is required in order to undertake a final assessment.

#### **Guidelines for Higher Density Development**

The Guidelines for Higher Density Development require applications to be assessed against six key urban design principles as detailed below:

##### Element 1 Urban Context

The Urban Context Reports submitted with the applications detailed opportunities and constraints of the site, and identified the policy direction and planning scheme objectives for the site.

##### Element 2 Height and Massing

The overall design concentrates the 4-6 storey building forms through the centre of the site and centrally located along the site frontage to Middleborough Road opposite existing commercial premises, maintaining the existing low scale buildings at the sensitive residential interfaces to the north, east and south.

Council's Urban Designer has stated that the proposed 4-6 storey High Care Building form centrally located within the site with no immediate impacts onto the public realm may be deemed acceptable. As demonstrated by a series of photomontages taken from sensitive residential streets, the visual impact is considered acceptable, as the proposed development will be screened by existing low-rise buildings and established trees on the subject site.

The proposed 4-5 storey forms (Blocks A, B and C) offer a consistent robust and varied profile which Council's Urban Designer considers acceptable along Middleborough Road, in absence of immediate sensitive residential interface.

It is noted that the proposed buildings take advantage of the transitional provisions to exceed the 9 metre maximum building height allowed by the NRZ3, however as per the discussion above, the proposed site is appropriate for higher density development by virtue of its site (and the resultant boundary setbacks achievable) and by virtue of the need to increase the amount and diversity of retirement living and aged care accommodation in the municipality to cater to an ageing population.

The proposed buildings are typically provided with setbacks to the nearest residential properties that are in the order of two times overall heights of the buildings. The northernmost Block A is 18.6 metres high and set back 45 metres from adjacent residential land to the north, and the southernmost High Care Building has a maximum height of 20 metres, and is located 46 metres from residential properties to the south. The High Care Building is also located closest to the eastern boundary, but the ample setback of over 100 metres is sufficient to balance the 21.2 metre building height.

Importantly, the proposed buildings will also be surrounded by the existing one to three storey buildings of Inala Village, which will provide a graduation in building forms. The established canopy trees and aged care buildings of Inala Village are an existing presence which will assist in screening views of the new buildings from surrounding residential areas to the north, east and south. Thus it is considered that the 8.3 hectare site can satisfactorily absorb the proposed building forms without negatively impacting the surrounding residential neighbourhood character.



### 9.1.1

(cont)

The proposed 9 metre minimum front setbacks of Blocks A, B and C to Middleborough Road are responsive to the setbacks of surrounding development, and there is ample in-ground planting area to support tall trees to soften the presentation of these building forms. As discussed above, the separation of the buildings in a campus-style setting is supported, and, subject to some improvements to the architectural detailing, Council's Urban Designer is supportive of the proposed building forms and massing.

No unreasonable overlooking between the proposed residential buildings and surrounding residential properties is possible and internal overlooking between the residential buildings is limited by the provision of 11 metre minimum separation distances between balconies/habitable room windows, in excess of the required 9 metres.

#### Element 3 Street Pattern and Street-Edge Quality

The provision of secluded private open space areas for ground level dwellings of Blocks A, B and C must strike a balance between the conflicting needs to provide adequate secluded private open space for new dwellings against the Element 3 requirement to ensure that frontages are not inactive as a result of fencing has been discussed above. Further details of balcony/terrace edge screening or fencing are required, and landscaping will be required to be used to soften the appearance of visual barriers.

No front fence is proposed to Middleborough Road, maintaining the existing condition. As discussed above, the urban design and streetscape treatments will integrate pedestrian access, although some of the building entrances require further definition to enhance their legibility.

#### Element 4 Circulation and Services

Council's Urban Designer has observed that the proposal has generally adopted an orderly grid approach to establish development cells through new streets and landscape breaks between buildings, which is positive. The resolution of road intersections in a 'dog-leg' configuration and 'T- intersection' are also generally supported in this instance to avoid the requirement of a round-about and facilitating open space provision at most visual termination points.

The proposed buildings generally enjoy a considerable amount of physical separation from the established residential hinterland afforded by existing access lane (south) and Inala Circuit (north). Within the proposed development, buildings are separated by a new north- south access road which provides vehicular access to basement car parks/porte-cochere, away from its primary frontage along Middleborough Road. This is supported by Council's Urban Designer.

An existing bus stop is available adjacent to the primary residential entry for Block C. Council's Urban Designer has expressed concern that the proposed development does not appear to take advantage of, or contribute positively to, this public transport infrastructure. There is opportunity for greater utilisation of the bus facility through improved linkages and interface conditions between the bus stop and the proposed site layout. Further refinement around the bus stop to provide a high quality and integrated waiting area (within the site) for residents will be required as a condition of approval.

One of the key concerns raised by objectors was the existing traffic generated in surrounding residential streets as a result of the connections to the internal access roads within Inala Village, and the potential for the proposed development to intensify the traffic utilising these connections. Council's Transport Engineer has confirmed that the volume of traffic experienced on Barker Street, Stafford Street, Baratta Street and Canora Street are typical for residential streets. In addition, it is noted that these secondary access points to Inala Village are utilised by both emergency vehicles and Council waste collection vehicles manoeuvring on the surrounding residential streets.

### 9.1.1

(cont)

The existing secondary street connections are legal points of access, and it is generally desirable to improve the permeability of and access routes to and from any site. This is particularly important for Inala Village, as the applicant has advised that many residents utilise the local street access to drive to the Blackburn South Shopping Centre without having to travel along any main roads, which is desirable for elderly residents.

The existing site circumstances provide two access points to Middleborough Road from the subject site, and the current applications propose to relocate one access point to an existing signalised intersection, whilst VicRoads has required the existing access point to the north of the subject site to be closed off. Owing to the intensity of traffic along Middleborough Road, making right turns into or out of the site at the existing access points is problematic. However the proposed relocation of the main site accessway to a signalised intersection will be a more attractive interface to Middleborough Road, allowing traffic to turn in all directions with ease, and as such it is anticipated that there may be less use of the secondary access points to surrounding residential streets after the completion of the proposed development.

The submitted plans do not provide details of the surface materials, kerbs or other design features of the proposed internal access road, and conditions will be included requiring details of the road construction and materials, linemarking for traffic and on-street parking and signs to delineate traffic movements, plus details for the design and location of street furniture, lighting, and other features will be required.

Footpaths should also be designed to accommodate wheelchairs, prams, scooters and other footpath traffic, and allow for continuous and connected travel throughout the site. As such, details of the pavement, edge, kerb, channel and crossover details are required for the footpath area. These must support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and be structurally sound, including a durable, non-skid surface and include tactile ground surface indicators and kerb ramps required for the movement of people with disabilities. It is further recommended that integrated water sensitive urban design measures are included to use water run off from the road to assist in watering the trees beside the roadway.

The internal layouts of the buildings provide for central communal corridors that allow for long view lines along the lengths of the corridors, and have some natural light access at all levels.

Mechanical plant and other related mechanical service units are generally located within the basement, or on the roofs of the towers. Air conditioning units have not been shown for the Retirement Living Buildings, and plans must be amended to show if these are to provided communally or separately to each dwelling, and the locations of the air conditioning units.

#### Element 5 Building Layout and Design

A range of retirement living accommodation from one to three bedrooms is provided, in addition to the High Care lodging rooms, and all habitable rooms have direct access to daylight and ventilation. It is noted that the shape of the site has resulted in a proportion of the proposed units being oriented southwards, where solar access will be limited but access to daylight is sufficient. In addition, communal open space and recreation facilities will provide for a range of solar access options on site.

As the subject site is located on a main road, the proposed dwellings in Blocks A, B and C may be impacted by traffic noise, and so acoustic protection measures will be required for habitable room windows of these buildings.

### **9.1.1**

(cont)

#### *Element 6 Open Space and Landscape Design*

Common areas are easily identifiable, including car parking, vehicular and pedestrian access. Improvements to the legibility of the entrances of the High Care Building and Block D have been suggested above. All retirement living units are provided with a balcony of at least 8m<sup>2</sup> in area, which is consistent with the requirements of ResCode.

Subject to conditions providing further detail on some aspects, the landscaping provided should be high quality and will provide engaging and functional spaces for residents, staff and visitors.

#### **Restriction of Land Use**

Inala Village is a retirement and aged care facility and the two planning permit applications propose buildings to expand that existing use. As discussed above, the state and local strategic policies encourage the expansion of accommodation for ageing residents, and in particular Clause 16.02-4 recognises that achieving aged care accommodation may result in non-conforming building forms. These policy directions have contributed to the recommendation to support the two proposals for 4-6 storey buildings within a Limited Change Area.

However, as discussed above, the retirement living units provide self-contained accommodation equivalent to dwellings, which would be allowed as-of-right. The only difference in this context between dwellings and retirement living units is the age of the occupants. Council may be less supportive of the proposed buildings were they for dwellings, and it is therefore appropriate to ensure that the approved retirement living units are maintained in the long term to provide accommodation for older residents. As such, a Section 173 Agreement will be included to ensure that the residents of the retirement living units are restricted in keeping with the requirements of the Retirement Villages Act 1986. Specifically, this requires that the majority of residents are at least 55 years of age or are retired from full time work; or are the spouse or domestic partner of such a person, or of a deceased resident.

#### **Car Parking and Transport Accessibility**

##### WH/2014/510 (High Care Building)

##### *Statutory Assessment*

Clause 52.06 of the Whitehorse Planning Scheme requires a parking provision of 0.3 spaces to each lodging room for the proposed development. This equates to a parking requirement of 96 spaces for the development.

##### *Adequacy of Parking Provision*

The submitted Traffic Engineering Assessment states that it is proposed to provide 98 car spaces within a semi-basement car park, with an additional four on-street spaces created as part of the reconstruction of the internal road network.

It is noted that a check of the semi-basement car parking found that 97 spaces are provided internally (not 98 as stated on the plans). It is accepted that the application exceeds the statutory car parking requirement.

##### *Traffic Generation*

It is likely that there will be some impact upon the local road network and nearby intersections, which will be assessed by VicRoads. It is anticipated that the volume of traffic generated can be absorbed by the local streets.

### 9.1.1

(cont)

#### Bicycle Facilities

Clause 52.34 of the Planning Scheme requires bicycle parking to be provided at a rate of 1 resident/employee space per 7 beds and 1 visitor space per 60 beds. On this basis, 46 resident/employee and 5 visitor bicycle parking spaces (i.e. 51 spaces in total) are required to be provided for this proposal.

The plans show horizontal bicycle parking within the semi-basement suitable for 18 bicycles. This represents a shortfall of 33 bicycle spaces.

The submitted Traffic Engineering Assessment argues that the rates within the Planning Scheme do not represent appropriate demands for this type of use, which will generate minimal resident bicycle parking demand, and limited staff demand. This claim is accepted, and it is therefore considered that the provision of 18 bicycle spaces for this proposal is appropriate.

Based on the Bicycle Parking Handbook, horizontal spaces require 3.2 metre clearance to walls (1.7 metre for the bicycle and 1.5 metre path), and the plans require amendment to comply with this requirement.

#### Vehicle Access Arrangements and Car Park Layout

The proposed vehicle access arrangements and car park layout are generally acceptable, subject to minor alterations to achieve compliant vehicle movements.

The internal road must remain a private road. Council will not take over responsibility for this road.

#### Loading Facilities

A loading bay is not required for this proposal under Clause 52.07. However, there is a loading area at the basement level that is designated as a loading area for goods. The proposed arrangement is satisfactory, although it is recommended that signage or alternate measures are used to deter resident/visitor parking within this loading area.

#### WH/2014/532 (Retirement Living Buildings)

#### Statutory Assessment

Usage	Number/Area	Rate	Required Spaces
Retirement Village	160 x 1&2-bedroom dwellings	1 space per dwelling	160
	40 x 3-bedroom dwellings	2 spaces per dwelling	80
Residential Visitor	200 total dwellings	1 space per 5 dwellings	40
<b>Total spaces required:</b>			<b>280</b>

#### Adequacy of Parking Provision

Residents:

The submitted Traffic Engineering Assessment states that it is proposed that each unit will be allocated at least one car space.

Based on the information provided, Block A, B and C will provide a minimum of one car space to each 1 and 2-bedroom unit and two car spaces to each 3-bedroom unit.

### 9.1.1

(cont)

Block D consists of 40 x 1 and 2-bedroom units and 25 x 3-bedroom units. It is proposed to provide a minimum of 1 space per unit, with 13 of the 25 x 3-bedroom units allocated 2 car spaces, representing the 13 tandem car spaces within the basement of Block D. This represents a shortfall of 1 car space each for 12 of the 3-bedroom units (i.e. a waiver of 12 residential car spaces).

The Car Parking Demand Assessment submitted with the application includes an empirical parking rate for retirement villages, based on the Menzies Retirement Village located at 1256 High Street, Malvern. This development, which comprised 50 x 3-bedroom dwellings, 74 x 2-bedroom dwellings and 25 x visitor/staff spaces, revealed a peak parking rate of 0.99 spaces per dwelling.

Given that for the proposal as a whole, 28 out of 40 of the 3-bedroom units would be provided with 2 car spaces, the waiver of 12 resident spaces is acceptable.

Visitors:

The Planning Scheme requires the provision for 40 visitor car spaces. The applicant claims that the loop road aligned north-south, which is proposed to be 7.3 metres wide is suitable to accommodate parallel parking on both sides. Accordingly, based on the available length of road, the submitted Traffic Engineering Assessment estimates that 39 vehicles could park along the loop road.

In addition, the applicant has submitted that the Menzies Retirement Village recorded a peak visitor/staff parking demand for 0.1 car spaces per dwelling. Application of this rate to the proposed development of 200 units equates to an anticipated peak demand for 20 car spaces, inclusive of both visitors and staff.

Based on the information above, the provision of 39 car spaces on-street (within the internal road network) is considered sufficient for staff and visitors to the site.

#### Traffic Generation

It is likely that there will be some impact upon the local road network and nearby intersections, which will be assessed by VicRoads. The volume of traffic anticipated to be generated can be absorbed by the local streets.

#### Bicycle Facilities

Clause 52.34 of the Planning Scheme does not specify a bicycle parking rate for a retirement village. Nevertheless, the proposal includes the provision of 72 x flat top floor mounted horizontal bicycle spaces comprising 20 spaces each within Blocks A and D, 12 spaces in Block B, and 22 spaces within Block C. Some of the proposed bicycle spaces require amendment or relocation to provide compliant layout and access paths.

#### Vehicle Access Arrangements and Car Park Layout

The proposed vehicle access arrangements and car park layout are generally acceptable, subject to minor alterations to achieve compliant vehicle movements, and driver sight line triangles at the basement car park exits.

Unit 2.32 in Block A and Block C appears to be allocated a disabled parking space. It is not considered appropriate to allocate a disabled space to a specific unit. Each unit should be allocated a minimum of 1 regular car space and any disabled spaces should be available for use by any users of the car park.

### 9.1.1

(cont)

The internal road must remain a private road. Council will not take over responsibility for this road.

#### **Clause 52.29 Land Adjacent to a Road Zone**

The proposal is consistent with the objective to '*ensure appropriate access to identified roads*'. All vehicles will be able to enter and exit the site in a forward facing direction, with adequate queuing room to avoid obstruction of the flow of traffic on Middleborough Road. The application was referred to Vic Roads in accordance with the requirements of Section 55 of the Act and conditions required by Vic Roads will be included on any approval issued.

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

- Increased noise and pollution from traffic.
- Increased dust and dirt.

The land use is an existing circumstance and the daily operation of the use is not a planning matter. The noise of local traffic and the daily operation of the site are considered normal and reasonable in an urban setting. Any future issues of amenity, if they arise, can be pursued as a civil matter.

- Light pollution from the proposed buildings.

Whilst illuminated windows of the proposed buildings may be visible at a distance after dark, it is not considered that the proposed development will cause excessive light emissions from windows. Internal street lighting will be required to be suitably baffled to prevent unreasonable off-site impacts.

- The new entrance at the signalised intersection to Middleborough Road will cause delays and encourage 'rat running' on surrounding residential streets.
- Other entry points to Inala Village should be closed off except for emergencies, and should not be used by waste collection or delivery vehicles.
- Resident parking permit schemes should be introduced around Inala.

The applicant has advised that the existing vehicle connections to the adjacent residential streets (Barker Street, Stafford Street, and Canora Street) to the north and east are utilised by emergency vehicles to access Inala Village, and Council waste collection vehicles use these crossovers to assist with turning vehicles. In addition, these connections provide direct access for Inala residents travelling to the Blackburn South shops.

The provision of several secondary vehicle access points ensures that traffic movements are not confined to one access point, allowing for alternate access to the site in emergencies and improving site permeability and integration with the surrounding area, which is preferable to the isolationist option of having a single access point that could be gated.

Given the layout of the internal access road, and the surrounding streets, Inala Village does not offer a direct "rat-run" path, and appears likely to be utilised predominantly by local traffic, which is appropriate to the purpose of the surrounding street network.

However it is appropriate to restrict the access of the site by delivery vehicles, private waste collection vehicles or busses to the Middleborough Road access point only, and this will form as condition of approval (Parking and Access Management Plan).

- Increased on-street parking, which is already a problem with Inala staff parking in surrounding residential streets.
- The apartment style retirement units may attract more residents with cars.

### 9.1.1 (cont)

At least one car space will be provided to each retirement living unit, and compliant visitor car parking is available on site.

- Removal of tall trees and established vegetation.
- Insufficient replacement landscaping, especially replacement of tall tree species.
- On-going maintenance of proposed landscaping.

The proposed landscape concept plans provide for replacement tall tree plantings and complete garden schemes to achieve a positive landscape outcome around the proposed buildings. Council's Landscape Advisor and Urban Designer are generally supportive of the landscape concepts submitted, subject to some minor improvements, and conditions will be imposed requiring full landscape plans and maintenance procedures to be submitted for both applications.

- Construction impacts such as tradesperson parking and access, dust, dirt and damage to roads.

Some noise and other off site impacts are inevitable when any construction occurs. The developer will be required to meet relevant Building and EPA regulations regarding construction practices to ensure these impacts are mitigated, and a Construction Management Plan will be required to be submitted for each application and construction traffic access will be restricted to access/egress the site via Middleborough Road only, and no tradesperson/construction contractor parking may occur on residential streets. The site entrances to residential streets will be required to be signed to restrict construction vehicle access/egress for the duration of the construction process.

- Negative impact on surrounding property values.

The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values.

- Increased pressure on surrounding infrastructure, amenities and services.

Infrastructure provision will be addressed by the relevant service authorities during the building approvals stage of the development.

### **9.1.1**

(cont)

#### **CONCLUSION**

Two Planning Permit applications have been received for the same site and are being considered concurrently:

- WH/2014/510 proposing construction of a residential building (four to six storeys) for the existing residential aged care facility and creation and alteration of access to a road in a Road Zone Category 1, and
- WH/2014/532 proposing buildings and works to the existing retirement village (accommodation) comprising construction of 4 x four to six storey buildings, and associated reduction of car parking requirements, and creation and alteration of access to a road in a Road Zone Category 1

Subject to conditions, both applications are considered to be consistent with the relevant provisions contained within the Whitehorse Planning Scheme, including the State and Local Planning Policies, the Neighbourhood Residential Zone Schedule 3, Clause 52.06 Car Parking, Clause 52.29 Land Adjacent to a Road Zone Category 1, and the Guidelines for Higher Density Residential Development.

A total of 26 objections were received from 23 individual properties, comprising five objections solely relating to WH/2014/510, six objections solely relating to WH/2014/532, and 15 objections which related to both applications. All of the issues raised have been discussed as required.

It is recommended that both the applications be approved.



## Strategic Planning

### 9.1.2 Amendment C182 – Consideration of Panel Report

FILE NUMBER: 16/62612  
ATTACHMENT

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#### SUMMARY

*This report discusses the recommendations of the independent Planning Panel that has assessed Amendment C182, which proposes to rezone 217 and 219-223 Burwood Highway, Burwood East from the Residential Growth Zone to the Mixed Use Zone and apply an Environmental Audit Overlay. The report discusses the Panel report and recommends that Amendment C182 be adopted as exhibited.*

#### RECOMMENDATION

***That Council, being the Planning Authority, and having considered the Panel Report (Attachment 2):***

- A. Adopt Amendment C182 as exhibited.***
- B. Submit the adopted Amendment to the Minister for Planning for approval under Section 31(1) of the Planning and Environment Act 1987 with the appropriate fee.***
- C. Advise all submitters of all resolutions in relation to the Panel Report for the Amendment.***

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#### BACKGROUND

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

At the Council Meeting on 21 September 2015 Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C182 to the Planning Scheme.

Exhibition of the amendment occurred in the form prescribed by the *Planning and Environment Act 1987* and took place from Thursday 19 November 2015 until Monday 21 December 2015. Exhibition involved the direct notification of owners and occupiers of properties surrounding the subject sites, totalling approximately 757 letters.

During the exhibition period three submissions were received to the amendment, two opposing and one in support. One submission from a public authority, which had no concerns about the amendment, was received shortly after the exhibition period.

At the Council Meeting on 1 February 2016 Council resolved to request the appointment of an independent Planning Panel to consider the amendment and the submissions received to the amendment.

Subsequent to Council's consideration of the submissions, a further 13 late submissions were received between 3 March 2016 and 21 March 2016. After consideration of the submissions, Council officers forwarded (under delegation) the late submissions to the appointed Planning Panel for consideration.

## **9.1.2**

(cont)

### **Panel Hearing**

The Panel held a Directions Hearing at the Whitehorse City Council Civic Centre on 21 March 2016. The Panel consisted of one panel member who also undertook unaccompanied site inspections of the subject sites. A number of directions were made at the Directions Hearing, which provided guidance for the conduct of the Panel Hearing.

The Panel Hearing was held on 21 and 22 April 2016 at the Box Hill Town Hall. Council was represented by its Strategic Planner. The Panel considered all written submissions to the Amendment and the Panel heard from three submitters and the proponent at the hearing.

### **Summary of Submissions to the Panel**

Of the seventeen (17) submissions to the exhibited Amendment, three (3) submitters addressed the Panel.

The first submitter to the Panel stated concerns that the rezoning would reduce the quality of life for local residents by increasing traffic in the area and contributing to environmental pollution.

The second submitter to the Panel expressed concerns about the rezoning, including exhibition of the amendment, the uses allowed under the proposed MUZ and issues with advertising signage. The submitter believes that there would be an increase in noise, odour, traffic, light spill and loitering if the amendment were to occur. The submitter was also concerned with the appearance of the streetscape and the proposed built form of any future mixed use development.

The final submitter to the Panel restated that the amendment is not strategically justified, not appropriate for the subject sites and would result in a large box like structure and a poor urban design outcome. The submitter believes that the rezoning would impede on Council's ability to provide sufficient housing to cater for the expected housing growth and that the rezoning would allow for industrial uses to be developed on the subject sites.

### **DISCUSSION OF PANEL REPORT**

The Panel Report was received from Planning Panels Victoria on 17 May 2016 and is attached to this Report. The Panel Report was released to the general public on 24 May 2016 in accordance with Council policy. This was done by advising all submitters to Amendment C182 that the report had been received and was available for viewing in person at Council's office, on Council's website and by providing a full copy of the report to the submitters who presented at the hearing.

The Panel presented their findings under the following headings:

- Planning Context;
- Strategic Justification of the Amendment; and
- Amenity and Access.

### **Planning Context**

The Panel considered the policy context for the amendment and briefly reviewed the relevant zone and overlay controls. The Panel concluded "that the Amendment is supported by, and implements, the relevant sections of the SPPF, the LPPF and Ministerial Directions" (Panel Report, page 10).

Council officers acknowledge the Panel discussion and conclusions regarding the planning context for the amendment.

## **9.1.2**

(cont)

### **Strategic Justification of the Amendment**

The Panel considered the future use of the subject sites, and considered “that the location of the two sites on the north-west and north-east corners of Burwood Highway and Blackburn Roads means that substantial development is both inevitable and desirable” (Panel Report, page 13).

One submitter argued that the Amendment would affect the amount of land available in the municipality that can contribute to future housing stock. The Panel concluded “that the likelihood of a negative impact of the Amendment on the support of residential land in Whitehorse City is not consequential” (Panel Report, page 13).

The Panel considered the relationship of the subject sites to the Burwood One Neighbourhood Activity Centre (NAC). The Panel “considers that the location of the sites in relation to the NAC is a positive rather than a negative aspect of the Amendment” (Panel Report, page 14).

The Panel considered whether the MUZ is appropriate for the subject land. The Panel notes that many of the objecting submitters did not specifically object to the MUZ but rather expressed concern with the future development of the subject sites. The Panel “concludes that the Mixed Use Zone is appropriate for the subject land” as “the sites on the north-west and north-east corners of Burwood Highway represent significant opportunities for a wider range of uses and more creative development than would be envisaged in the RGZ” (Panel Report, page 17).

Furthermore, the panel notes that the amendment “allows for appropriate land uses at both sites, while its status as a residential zone and the consequent planning requirements provide the capacity to protect the amenity of neighbouring residents” (Panel Report, page 17).

Finally, the Panel considered the application of an EAO on both of the subject sites. None of the submissions raised any objection to the proposed EAO. After a brief discussion, the Panel noted that “given the history of the sites as petrol stations and a range of potential future land uses (as well as the lack of submissions opposing the EAO), the Panel supports the application of the EAO to the subject land as part of the Amendment” (Panel Report, page 18).

Council officers acknowledge the Panel discussion and conclusions regarding the strategic justification of the amendment.

### **Amenity and Access**

Several of the submissions were concerned about potential amenity and access impacts. The Panel “acknowledges the genuine commitment of local residents to ensure that any built form...makes a strong and positive contribution...” (Panel Report, page 20). The Panel also noted that irrespective of the current amendment, substantial built form is already permissible on the subject sites under the RGZ. The Panel “considers that the tools are available to Council to manage the visual impact of buildings...” (Panel Report, page 21).

Submitters also raised issues about impacts caused by noise, traffic and parking. In relation to noise, the Panel “concluded that there will be little, if any, additional noise generated by the rezoning to MUZ, compared with what may occur under the existing RGZ” (Panel Report, page 23).

### 9.1.2

(cont)

In relation to traffic and parking, the Panel “concluded that the proposed rezoning from RGZ to MUZ will not generate additional traffic and parking problems that cannot be managed” and that traffic and parking issues can be managed through the statutory planning permit process (Panel Report, page 25).

Some submitters also raised concerns about the amenity and safety impacts of advertising signage and drew comparisons between the recently constructed sign at the Bob Jane T-Mart at the corner of Springvale Road and Maroondah Highway (Whitehorse Road), Nunawading.

The Panel acknowledged the concerns of the submitters regarding signage but it concluded “that there is significant difference between this site and the one at the corner of Springvale Road and Maroondah Highway in Nunawading” as the amendment is to rezone the land from RGZ to MUZ, which is considered a Category 3 area in relation to signage. Conversely, the site in Nunawading is considered a Category 1 area. Signs in a Category 3 area are to ensure that signage does not detract from the appearance of a building or the surrounding area. The Panel noted that “the planning system provides the tools to ensure that the amenity of neighbourhoods can be protected” and that signage “will be a matter for the planning permit process rather than the Amendment” (Panel Report, page 23).

Council officers acknowledge the Panel discussion and conclusions regarding amenity and access.

The Panel Report concludes “that the Mixed Use Zone is appropriate for the two sites. They are in a highly prominent location in a precinct undergoing significant transition and the range of land uses that would be possible under the Mixed Use Zone in this location are all reasonable. The concerns of local residents about impacts on amenity are valid, but can be addressed during the planning permit process” (Panel Report, page 1).

The Panel also concluded “that the Amendment is consistent with the State and Local Planning Policy Frameworks, is strategically justified, and will not negatively impact on the Burwood One Neighbourhood Activity Centre. Further, it concludes that any potential amenity and traffic impacts on local residential areas can be managed through the planning permit process” (Panel Report, page 1).

Having considered the written submissions together with those made at the Hearing, the Panel supports Amendment C182 as exhibited, and makes the following recommendation:

***Whitehorse Planning Scheme Amendment C182 be adopted as exhibited.***

### CONSULTATION

Exhibition of the amendment occurred in the form prescribed by the *Planning and Environment Act 1987* and took place from Thursday 19 November 2015 until Monday 21 December 2015. Exhibition involved the direct notification of owners and occupiers of properties surrounding the subject sites, totalling approximately 757 letters.

During the exhibition period three submissions were received to the amendment, two opposing and one in support. One submission, which had no concerns about the amendment, was received from a public authority after the exhibition period.

Subsequent to Council’s consideration of the submissions, a further 13 late submissions were received between 3 March 2016 and 21 March 2016. After consideration of the submissions, Council officers forwarded (under delegation) the late submissions to the appointed Planning Panel for consideration.

## 9.1.2

(cont)

### **POLICY IMPLICATIONS**

Following receipt of the Panel's report, the final amendment documentation is proposed to be submitted to the Minister for Planning for approval and inclusion in the Planning Scheme. The rezoning to MUZ will meet several strategic objectives in the Council Plan, including:

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

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

*Strategic Direction 5: Support a healthy local economy*

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

### **FINANCIAL IMPLICATIONS**

The proponent will be required to pay a fee of \$798 to the Department of Environment, Land, Water and Planning (DELWP) to seek approval of the amendment. Council must also consider the impact on resources of the ongoing, additional workload generated by the amendment, specifically the assessment of planning permit applications.

As the MUZ is only proposed to be applied to the two subject sites, it is not expected that this will result in any significant increase in workload.

### **CONCLUSION**

Amendment C182 (as exhibited) proposes to rezone 217 and 219-223 Burwood Highway, Burwood East from the Residential Growth Zone (Schedule 2) to the Mixed Use Zone and apply an Environmental Audit Overlay to both sites. The Amendment was prepared and exhibited under the *Planning and Environment Act 1987*.

During the exhibition period Council received 3 submissions about the amendment and referred it to an independent Planning Panel for consideration. One submission, which had no concerns about the amendment, was received after the exhibition period.

Subsequent to Council's consideration of the submissions, a further 13 late submissions were received between 3 March 2016 and 21 March 2016. Nine (9) of the submissions were from local residents. After consideration of the submissions, Council officers forwarded (under delegation) the late submissions to the appointed Planning Panel for consideration.

The Panel convened for the Amendment has considered the Amendment process, documentation and submissions. The Panel recommends that Amendment C182 be adopted as exhibited. Council officers have assessed the Panel Report and recommendations and it is therefore submitted that Amendment C182 be adopted as exhibited and sent to the Minister of Planning for approval.

### **9.1.3 Whitehorse Amendment C172 Part 2 – Consideration of Panel Report to Introduce Twelve New Heritage Overlays**

FILE NUMBER: SF16/243  
ATTACHMENTS

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#### **SUMMARY**

*The Panel Report for Amendment C172 Part 2 has now been received. The amendment proposes to apply the Heritage Overlay (HO) to twelve individual places on a permanent basis. The Panel recommends that the amendment be adopted subject to two changes. It is recommended that Amendment C172 Part 2 be adopted as recommended by the Panel.*

#### **RECOMMENDATION**

***That Council being the Planning Authority and having considered the Panel Report (Attachment 3a):***

- A. *Adopt Amendment C172 Part 2 with the following changes:***
  - i. The ‘What is significant?’ section of the ‘Statement of Significance’ in the Citation for HO283 - 24 Arnott Street, Mont Albert North should be amended to note that the brick screen wall at the frontage to the property is not considered to be significant.***
  - ii. Delete 12 Sunhill Avenue, Burwood from the Amendment.***
- B. *Submit the adopted Amendment to the Minister for Planning for approval under Section 31 of the Planning and Environment Act with the appropriate fee.***
- C. *Advise all submitters of all resolutions in relation to the Panel Report for the Amendment.***
- D. *Adopt the final version of the Whitehorse Post-1945 Heritage Study (Attachment 3b) which includes three revised heritage citations based on submissions received during Amendment C172 Parts 1 and 2.***

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#### **BACKGROUND**

Amendment C172 was exhibited between 1 October 2015 and 2 November 2015. This followed a decision by Council on 16 March 2015 to seek authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment to introduce a Heritage Overlay (HO) to twenty seven places identified in the *Whitehorse Post 1945 Heritage Study*. These recommended places had all been identified as being important for contributing to Whitehorse’s heritage and needing long term protection against demolition.

Council considered seventy four (74) submissions on Amendment C172 at its meeting on 14 December 2015 and resolved to split the parent amendment into two parts. Amendment C172 Part 1 was adopted and referred to the Minister for Planning for approval, while Amendment C172 Part 2 was referred to an independent Planning Panel for its consideration of unresolved submissions. Two additional submissions were not considered by Council but referred straight to the Panel for consideration. These two submissions were in relation to 4 Ian Grove, Burwood and 153-155 Springvale Road, Nunawading.

### 9.1.3

(cont)

The Panel Hearing was held on 15 and 16 March 2016. The twelve places considered by the Panel were:

- House at 24 Arnott Street, Mont Albert North
- House at 150 Canterbury Road, Blackburn South
- House at 1 Gracefield Drive, Box Hill North
- House at 4 Ian Grove, Burwood
- House at 7 Norris Court, Blackburn
- House at 1163 Riversdale Road, Box Hill South
- House at 40 Somers Street, Burwood
- Office at 153-155 Springvale Road, Nunawading
- House at 12 Sunhill Avenue, Burwood
- House at 1 Verona Street, Vermont South
- House at 3 Villa Mews, Vermont
- House at 359 Whitehorse Road, Nunawading

#### **Submissions to Amendment C172 Part 2**

Fifteen (15) submissions were received on Amendment C172 Part 2. Of those submissions, thirteen objected to the amendment on various grounds, generally opposing the inclusion of specific properties within the amendment. Two submissions were made in support of the amendment. One of these was from the National Trust which supported the amendment in its entirety. Its submission commended Council's leadership in the protection of post-war heritage places.

#### **Panel Hearing**

The Panel held a Directions Hearing on 28 January 2016. A number of directions were made, which provided guidance for the conduct of the hearing.

The Panel Hearing was held on 15 and 16 March 2016 at the Whitehorse Civic Centre, Nunawading. Council was represented by one of its senior strategic planners and called Mr Simon Reeves of Built Heritage Pty Ltd to give expert heritage evidence on behalf of Council. The Panel visited all sites covered by the amendment.

The Panel heard from five property owners whom had already made a written submission. Of those, two were represented at the hearing and called expert witnesses; two others had representation only, and one appeared on their own behalf. A member of the community and the National Trust also appeared in support of their written submissions.

#### **DISCUSSION OF PANEL REPORT**

The Panel Report was received by Council officers on 2 May 2016 (refer to Attachment 3a). In summary, the Panel recommended that:

*"Whitehorse Planning Scheme Amendment C172 Part 2 be adopted as exhibited subject to the following:*

1. *The 'What is significant?' section of the 'Statement of Significance' in the Citation for HO283 - 24 Arnott Street, Mont Albert North should be amended to note that the brick screen wall at the frontage to the property is not considered to be significant.*
2. *Delete 12 Sunhill Avenue, Burwood (HO291) from the Amendment"* (page 2).

### 9.1.3

(cont)

The issues considered by the Panel are discussed below.

#### **Planning context**

Council submitted that the amendment is consistent with the State and Local Planning Policy Frameworks, relevant Ministerial Directions and relevant Practice Notes, in particular *Planning Practice Note 1 – Applying the Heritage Overlay* (PPN01).

The Panel concurred with Council and noted that a detailed Thematic Environmental History (TEH) formed part of the *Whitehorse Post-1945 Heritage Study*. PPN01 specifies the need to undertake a ‘comparative analysis’ to establish threshold levels of significance of the heritage place, particularly for places identified as having local cultural heritage significance, as well as having a relationship to the TEH.

On that basis, the Panel concluded that the amendment is well founded and is strategically justified subject to addressing the more specific issues raised in submissions.

#### **General issues**

##### **Heritage criteria and thresholds**

There was much debate at the hearing about the tools used to evaluate heritage significance, in particular the *Victorian Heritage Criteria and Threshold Guidelines* (state level), the *Burra Charter* (national level) and PPN01 (local level). One submitter suggested that the tests to establish state level significance are “*equally applicable to the local municipality as well as the State*” (quoted on page 9) to help establish heritage significance levels. Their expert witness suggested that the heritage principles at national level also provide assistance. Council’s expert witness considered that interchanging specific wording within a state level heritage guideline and applying it to a local level was not appropriate, and that PPN01 was the appropriate tool to assess local heritage significance.

The Panel was not persuaded by the evidence and submissions provided during the hearing that wording in existing state heritage provisions is readily interchangeable to determine local significance thresholds. The Panel also noted that thresholds will vary from place to place. The Panel concluded that the:

*“Heritage Council of Victoria (HERCON) criteria as expressed in PPN01 (together with appropriate comparative analysis and direct links to researched and established historical themes) guide and provide the appropriate steps and method to determine local level heritage thresholds and cultural heritage significance of a place” (page 10).*

##### **Visibility**

A number of submissions stated that a lack of visibility of a nominated heritage place, particularly from the public realm, is a reason not to include that place in a HO. Council, Council’s expert witness and the National Trust submitted that there is no requirement for buildings to be identifiable from the street or public realm in order to determine heritage significance.

The Panel considered that while it would be advantageous for a heritage place to have a clear visible presence, it is not a specific requirement when determining the heritage significance of a place.



### 9.1.3

(cont)

#### **Impact on property values**

A number of submissions considered that the imposition of a HO would result in a negative financial impact for property owners and limit redevelopment opportunities on those sites.

Council submitted that these costs would be offset by the contribution that heritage places offer to the broader community. Council referred to findings by the Panel considering Amendment C157 to the Whitehorse Planning Scheme where the Panel for that amendment found that *“because the HO itself does not preclude further development, it is difficult to gauge if there is any real impact on property values”* (quoted on page 12). Similarly, the National Trust reiterated findings in other Panel Reports such as Amendment C110 to the Frankston Planning Scheme which found that *“if heritage significance has been clearly established, it (the Panel) must recommend that appropriate heritage protection be applied unless outweighed by community-wide social and economic considerations”* (quoted on page 12).

The Panel for Amendment C172 Part 2 noted that the amendment does not propose internal controls. It reiterated that each application for redevelopment would be considered on its merits and assessed against relevant considerations of the Whitehorse Planning Scheme. Further, the Panel found that:

*“the matters of adverse impact on property values (if any do exist) and restrictions on redevelopment opportunities (if any may present) are best handled at the detailed planning permit application stage. ...heritage significance should be the primary consideration for HO listing and that economic effects should be assessed on the basis of the likely impact on the community as a whole, rather than on individual owners or occupiers of land”* (page 12).

The Panel concluded that:

*“application of the HO in the Amendment must ultimately be tested against the provisions of PPN01. If places are found to meet the relevant threshold tests for cultural heritage significance at the local level then those places should be recommended for inclusion in a HO”* (page 12).

#### **Submissions considered at the Hearing**

##### **150 Canterbury Road, Blackburn South**

The submission on behalf of the property owner (Submission 63) objected to the inclusion of the site in the amendment on the basis that there was insufficient support to justify its individual heritage significance. The submission considered the application of HOs to individual properties as ‘problematic’ relative to the application to a precinct or group of buildings. The building’s commercial context and use is also not conducive to limiting development on the site. As the building is now used for medical purposes, consequential alterations to the property have deteriorated its heritage significance. It was also submitted that the original floor plan and features of the property have been altered which detract from the appearance of the heritage place. Further, it was submitted at the hearing that Council had not established the level of significance required for a HO.

Council and its expert witness submitted that the key features pertaining to the building’s heritage significance were still able to be observed, and that many HOs exist in isolation. It was also noted that a planning permit application for the site had incorporated the existing dwelling. Council’s expert witness submitted that the place was of local significance and that while alterations had been made, these are reversible and do not unduly detract from the original building fabric and form.

### 9.1.3

(cont)

The Panel was satisfied with the methodology used to identify the significance of the place, and that it met relevant criteria as outlined in the Statement of Significance prepared for Council. The Panel noted that a change in use does not “*constitute a valid reason for a HO not to be applied to any place*” (page 15), and that adaptive re-use is a crucial aspect of modern heritage conservation practice. The Panel accepted Council’s expert evidence that the alterations already made to the place are ‘reversible’, and it was able to observe significance parts of the original form and context of the building during its own inspection.

#### Panel conclusions

The Panel concluded that there should be no change to the amendment.

#### **‘Wildwood’ – 3 Villa Mews, Vermont**

Submission 47 objected to the inclusion of 3 Villa Mews in the amendment as the heritage significance of the site has already been compromised due to surrounding subdivision and development, and because the building does not contribute to the broader community as a result of these changes.

Council and its expert witness submitted that the house itself remains substantially intact, irrespective of its new setting. Further, while a place may not have its original landscaping or visibility to the public realm, it can still be significant.

The Panel noted that while it is unfortunate that the urban fabric and context around the nominated place has been significantly altered, the local heritage significance of the place remains largely intact. The Panel concurred with the findings of Council’s expert and of an Advisory Committee<sup>1</sup> in 2007 which considered that the focus of heritage controls should be on the significance of the heritage place, and that the inability to view these elements does not detract from their significance.

#### Panel conclusions

The Panel concluded that there should be no change to the amendment.

#### **Former ES&A Bank - 153-155 Springvale Road, Nunawading**

Submission 2 relating to the former ES&A Bank supported the amendment and the inclusion of this property within the HO. Further information for inclusion within the citation was also provided.

Submission 75 was brought to the attention of strategic planning officers by statutory planning officers when a planning permit application was lodged for the site at 153-159 Springvale Road on 1 December 2015. Council officers contacted the author of the submission who confirmed that it had been posted, however despite a comprehensive search, no record of it having been received or being on Council’s internal records system was found. As the Council report had already been published, no change to the report could be made to reflect the missing submission, and instead Council formally resolved that the property be referred to Panel for consideration.

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<sup>1</sup> *Review of Heritage Provisions in Planning Schemes, Advisory Committee Report - August 2007*

### 9.1.3

(cont)

The submission on behalf of the property owner (Submission 75) objected to the amendment as it considered that a HO would be contrary to policies encouraging new development in the Nunawading Activity Centre. They did not support an overlay for a single site, and considered that there is no valid basis for this individual heritage listing when considered against relevant heritage criteria. It was argued at the hearing that Council, in seeking to apply a control over the subject site, must establish that the heritage significance is of such significance as to warrant the imposition of the control on the private landowner.

The submitter's expert witness asserted that a reasoned explanation was needed to justify the heritage significance of the building, and that its heritage significance had not met the heritage criteria specified.

Council and its expert witness noted that the information in Submission 2 could be added to the citation for the sake of providing a fuller historical record. In response to Submission 75, Council's expert witness reiterated that the subject building is a notable individual specimen of modern architecture in its own right, irrespective of its context.

In response to comments about redevelopment in the Nunawading Activity Centre, Council provided a detailed strategic planning context for the subject site. In particular, it was noted that while the subject site is within the *Nunawading/MegaMile Major Activity Centre and Mitcham Neighbourhood Activity Centre Structure Plan* (the Structure Plan) area, this does not mean that any type of development is a given. Council emphasised the need for development proposals to be in accordance with the Structure Plan, and in particular, for development that maintains valued elements of the existing urban fabric in Nunawading. While Council supported the consolidation of the lot and the proposed use and development in principle, it concluded by saying that:

*"The former ES&A Bank building itself is distinctive and has been a feature of the centre for many decades. Council prides itself on protecting heritage buildings, and retaining high quality and distinctive buildings is also consistent with the direction provided in the Structure Plan. ... The planning system inherently involves balancing competing objectives. The question of whether land utilisation or heritage considerations are more important is often raised in relation to heritage matters. In this circumstance, there is no shortage of sites within close proximity to the subject site which are ready for redevelopment. On the contrary, there are few buildings within the centre that can provide character and distinctiveness such as the one at 153-155 Springvale Road. Given the location of the building and the land available to the south owing to the consolidation of sites, it is considered reasonable to request retention of parts of the heritage building" (quoted on page 23).*

Council also noted that just because this site is within an activity centre, this does not mean that it should have to meet a higher threshold of justification for a HO than other places.

The Panel reiterated that its primary consideration is whether the place warrants heritage protection. The Panel maintained that the application of the HO must be in accordance with PPN01, as discussed previously. The Panel noted that Council:

*"must be able to clearly demonstrate that the subject place has satisfied the relevant HERCON Criteria AND met the threshold(s) that help determine whether the place has significant cultural heritage value. ... This is not a cumulative exercise as implied by Mr Briggs [the submitter's expert witness]. It is necessary only to meet the threshold of at least one of the criteria in order to meet the case for cultural significance at the local level" (page 24).*

### 9.1.3

(cont)

Upon an inspection of the subject place, the Panel observed the qualities of the building and its context. The Panel observed that elements of the building made it “*particularly striking*” (page 24), and was not persuaded by evidence that suggested that the building makes little historic contribution to the public realm in this streetscape. Rather, the Panel considered that the open public realm and generous building setbacks along Springvale Road added to the context of the subject building.

The Panel also considered that there was merit in associating the building’s architect, Stuart McIntosh, to the building’s significance. The Panel noted McIntosh’s role as Staff Architect for the ES&A Bank in Victoria; the similarity of this building to other ES&A branches; and commentary in publications about McIntosh’s designs as being “*a remarkable series of sculptural forms which derived from McIntosh’s experiments with surrealist design techniques*” (P. Goad and P. Bingham-Hall, 2005, *New Directions in Australian Architecture*, as quoted by submitter 2, quoted on page 25).

Overall, the Panel concluded that the:

*“material and evidence submitted on this particular place justifies its local significance statement and meets the relevant HERCON criteria thresholds set within the context of PPN01. As highlighted in the Council’s submission and noted by the Panel’s inspections, the subject land has the capacity to be redeveloped in combination with the heritage significance of this particular place”* (page 25).

#### Panel conclusions

The Panel concluded that there should be no change to the amendment.

#### **4 Ian Grove, Burwood**

Submission 76 objected to the inclusion of the property in the amendment as the property is in bad condition and was purchased with the intent of being redeveloped. It was submitted that there is no heritage value to the property; however the landowner was unable to obtain an expert witness for the hearing. At the hearing the submitter provided evidence that the house is in poor condition and that there are better examples of the “Peninsula House” elsewhere.

As this submission was received well after the exhibition period closed, it was referred directly to the Panel by Council officers. At the hearing, Council officers noted that all land can be subject to new planning controls, and that heritage controls on this particular site would have an insignificant impact on Whitehorse’s ability to increase its overall housing stock numbers. Council’s expert witness outlined that adequate justification had been provided for the inclusion of this property within the amendment.

The Panel noted that only one of the grounds of objection to the HO was related to heritage considerations. The Panel referred to materials prepared by Council’s expert witness which asserted that it is rare to find examples of the Peninsula House with few or no external changes, and that this particular example dates from the initial phase of Peninsula Houses in 1955-56. The Panel also noted that it was not provided with any evidence that the building required immediate works to make it safe, and that irrespectively, the Panel’s concern is whether the place has local heritage significance under the terms of PPN01 and the HERCON criteria. In this case, the Panel has not been persuaded that the place does not have heritage significance under the HERCON criteria.

### 9.1.3

(cont)

#### Panel conclusions

The Panel concluded that there should be no change to the amendment.

#### **1 Gracefield Drive, Box Hill North**

Submission 56 objected to the inclusion of the property in the amendment on the basis that it would reduce the value and sale potential of the property. The written submission contends that the house was altered in the 1960s with the addition of a front porch and rear bedroom, and that the house at 2 Gracefield Drive was not designed by Charles Weight (as purported previously). It was also submitted that Charles Weight only worked as an architect for a short period, and that the dwelling does not meet modern day living requirements. Additional information about the property was provided, as was an independent heritage assessment.

The heritage assessment provided for the submitter (both in writing and verbally via their expert witness) contended that the heritage significance of the place is overstated. In particular, that the addition of the porch at the front has altered the expression of the house; that Charles Weight is not an architect of note (as he is not included in the *Encyclopaedia of Australian Architecture*); that the context of the building has been altered; and that two or more HERCON criteria are typically required to be satisfied for inclusion of a place in a HO (amongst other things).

Council noted that the impact of HOs on property values is inconclusive (as discussed previously), and that based on findings in previous Panel Reports, are assessed at a community rather than personal level at amendment stage. Specific protection for two gum trees on the site is also provided via Schedule 3 to the Vegetation Protection Overlay which provides a further consideration for any future development.

Council's expert witness contended that the alterations to the place were done sympathetically by the same architect, and that these do not impact on the significance of the place. Further, it was maintained that the house is recommended for protection as an individual specimen of modernist residential architecture, and that any heritage listed house has the capacity to be modified to accommodate present day standards of living. It was also noted that in a suburban heritage study of post-1945 architecture, the emphasis would be more on architectural and aesthetic HERCON significance rather than historic, social or spiritual significance.

The Panel accepted that the extent to which an architect is documented is not an accurate indicator of the significance of their work. The Panel also accepted that the interior and rear of the house could be modified, subject to a planning permit, to bring it up to contemporary living standards. Upon inspection of the place, the Panel "*confirmed the aesthetic significance of the particular place in its own right*" (page 33).

In relation to the alterations made to the place and its context, the Panel agreed with the submission made by the National Trust which highlighted that "*additions and alterations may not necessarily detract from the significance of the place (see Article 22 of the Burra Charter)*" (as quoted on page 33). The National Trust also considered that the alterations to the building were "*reversible and did not detract from the interpretation of the original structures*" (page 33).

It was submitted on behalf of the landowner that the Council needed to establish a sound basis for application of the HO. Council's expert witness responded by stating that "*there was no such stipulation in the Heritage Act, the Burra Charter or PPN01, that two or more criteria must necessarily be satisfied in order to establish a case for cultural significance at the local level*" (page 33). The Panel agreed with this view and was not persuaded that the place does not have local heritage significance under the relevant HERCON criteria.

### **9.1.3**

(cont)

#### Panel conclusions

The Panel concluded that the place should be listed in the HO for the reasons outlined in the citation.

#### Written submissions

##### **24 Arnott Street, Mont Albert North**

Submission 60 objected to the inclusion of the place in the amendment on the grounds that the house has been altered and has structural issues. The submission contends that the house does not relate to any significant post-modern architecture style and that the landscaping around the property does not contribute to the house. Concerns were raised about trees in close proximity to the house and the structural integrity of the front brick wall. The owner also wishes to build a new home on the subject land in the future.

Council and its expert witness submitted that the landscaping was not ascribed any significance, and that it was not asserted that the building was an example of post-modernism. Changes such as the repainting of external surfaces and internal renovations were not deemed to negatively impact the ascribed significance as these occur over time as required, and because no internal controls are sought. It was also noted that the freestanding front brick wall could be removed (with a planning permit) as it is not part of the original house and therefore has no heritage significance.

The Panel agreed that the internal and external alterations do not detract from the heritage significance of the dwelling, and noted that internal controls are not proposed for the place. The Panel also noted the cultural historical links to the significant architectural design contributions of Stuart McIntosh, the contributions of which were discussed previously in relation to the former ES&A Bank.

#### Panel conclusions

The Panel concluded that the place should be listed in the HO for the reasons outlined in the citation. It also concluded that references in the citation referring to the external brick screen wall as not having any significance should be added.

#### Panel recommendations

*"The 'What is significant?' section of the 'Statement of Significance' in the Citation for HO283 - 24 Arnott Street, Mont Albert North should be amended to note that the brick screen wall at the frontage to the property is not considered to be significant" (page 36).*

#### Officer comments

It is considered that this is a sensible change and it is recommended that the HO and citation be adopted with the Panel's recommended changes.

##### **7 Norris Court, Blackburn**

Submission 28 objected to the inclusion of the place in the amendment on the grounds that the architect who designed the dwelling is not significant; that the place is less than 50 years old; and that a Heritage Overlay will adversely affect property values. They questioned why a similar dwelling at 238 Canterbury Road was not heritage listed, and stated that their dwelling is not unique if there are similar houses elsewhere. The submission also considered that this approach to applying HOs is 'piecemeal', and has been unsuccessful elsewhere.

### 9.1.3

(cont)

Council submitted that many places with HOs exist in isolation, with selection based on heritage significance of the particular place. Council reiterated its previous comments that the impact of HOs on property values is inconclusive.

Council's expert witness argued that the level of documentation on an architect is not necessarily commensurate with the significance of their work, and that the early works of an architect can be particularly important to foreshadow their work later in life. It was also added that the citation suggested the house was 'unusual' rather than 'unique'; that the age of the house is not a valid reason to abandon the proposed overlay; and that the property at 238 Canterbury Road was also proposed for protection (which was granted via Amendment C172 Part 1).

The Panel noted that there are a number of places in Whitehorse dating from the mid-1960s onwards which are already afforded protection via the HO, and that there is no minimum age required for this privilege. The Panel reiterated that its primary consideration is heritage significance and referred to previous discussion around the impact of HOs on property values and the consideration of economic effects on the community as a whole rather than the individual.

The Panel inspected the place and found that it is "*indeed a distinctive and unusual example of residential development of the later 1960s*" (page 39). The Panel acknowledged the relative lack of comparative analysis and noted that "*part of its significance is that very distinctiveness and relative uniqueness*" (page 39). Overall the Panel considered that the aesthetic and technical significance relevant to the place had been demonstrated.

#### Panel conclusions

The Panel concluded that there should be no change to the amendment.

#### **1163 Riversdale Road, Box Hill South**

Submission 74 objected to the inclusion of the place in the amendment however it did not provide any grounds of objection. On that basis, Council and its expert witness were unable to provide a response.

The Panel considered it unfortunate that the submitters did not elaborate on why they were objecting to the place being listed in the HO. The Panel inspected the site and confirmed that the architectural elements listed as significant in the citation are of note. The Panel also confirmed that the presence of a gable-roofed brick garage is not significant as it is located discretely at street level.

#### Panel conclusions

The Panel concluded that the place should be listed in the HO for the reasons outlined in the citation, and that there should be no change to the amendment.

#### **40 Somers Street, Burwood**

This place was referred to the Panel by Council at its meeting on 14 December 2015. Council's expert witness reiterated the contents of the citation in ascribing cultural significance to the property.

The Panel inspected the subject place and confirmed the matters of significance raised in the citation and Statement of Significance.

### 9.1.3

(cont)

#### Panel conclusions

The Panel concluded that the place should be listed in the HO for the reasons outlined in the citation, and that there should be no change to the amendment.

#### **12 Sunhill Avenue, Burwood**

Submission 5 objected to the inclusion of 12 Sunhill Avenue in the amendment as the property is not in 'good' condition, and because the owners would like to put a new home on the site. The submission also questioned whether the building's architect could have developed his style at the point of his career when this building was designed, and contends that the as-built dwelling does not match the original plan.

Submissions 19 and 20 also objected to the inclusion of 12 Sunhill Avenue in the amendment. These submissions considered the house to be rundown and out of character with the neighbourhood; the retention of which will adversely affect the neighbourhood as a whole.

Council submitted that the condition of the house does not impact upon its significance, and that the house is similar in character with the era and scale of other houses in the neighbourhood. Council's expert witness argued that the condition of the house does not diminish its significance and the fact that the architect designed this house before completing his university studies is not a valid reason for a HO not to be applied as an architect's early work can foreshadow future accomplishments. It was also noted that preliminary drawings are often revised during design development.

The Panel noted the lack of maintenance on the property, however reiterated that its primary consideration is whether the place has heritage significance. The Panel considered that the place:

*"needs to be justified in its own right, not by association with, or by way of contrast to, Mr Corrigan's more mature and celebrated later buildings. It is not sufficient that a building 'anticipates' or provides a 'counterpoint' to later mature work or is an early 'marker' in the development of an architect's mature style. It is not sufficient that the building plays a supplementary role in the "body of work" of an architect, many of whose later buildings are already heritage listed in Whitehorse and other municipalities"* (page 44).

#### Panel conclusions

The Panel concluded that there is insufficient justification for the introduction of an individual HO. Rather, it would be appropriate to ensure that the building is fully documented instead; with the Panel noting that *"there appears to be good documentation already from the Building Permit and other sources cited in the work of Conrad Hamann"* (page 44).

#### Panel recommendations

*"Delete 12 Sunhill Avenue, Burwood (HO291) from the Amendment"* (page 44).

#### Officer comments

While unfortunate, the Panel's recommendation to remove the place from the amendment is accepted. Officers are investigating whether the existing documentation is sufficient for the purposes of fully documenting the building.



### 9.1.3

(cont)

#### 1 Verona Street, Vermont South

Submission 27 objected to the inclusion of 1 Verona Street in the amendment on the basis that there is no proper justification for its inclusion. It is not part of a group of dwellings, and there have been substantial alterations to the dwelling. The submission considered that the house has been selected due to its architect rather than specific elements of heritage significance.

Council and its expert witness submitted that the alterations are not deemed to have a negative impact on the significance of the place; that the significance of the place is based on it as an individual heritage place and not as part of a group or precinct; and that the prominence of the architect adds to the case for a HO rather than forms the basis of it.

The Panel noted that the extent of alterations was already listed in the citation and that the alteration works are complementary to the original design, having been undertaken by the same firm. The Panel also highlighted that the firm, Chancellor & Patrick, was a prominent architectural firm linked to the City of Whitehorse between 1953 and 1970. The Panel agreed that the place has significant architectural detail and aesthetic significance as an individual place, warranting an individual HO listing.

#### Panel conclusions

The Panel concluded that the place should be listed in the HO for the reasons outlined in the citation, and that there should be no change to the amendment.

#### 359 Whitehorse Road, Nunawading

Submission 73 objected to the inclusion of 359 Whitehorse Road in the amendment as the property is in disrepair and only meets limited criteria for heritage significance. The submission contended that the dwelling only meets the heritage significance for 'architectural significance' and that two or more criteria should be met to warrant a HO. The submission argued that the building is a 'representative' not a 'notable' example of a modernist building. It also questioned the architect's experience. It was also argued that the dwelling is not easily visible from the street frontage which diminishes its heritage significance.

Council submitted that many places with HOs are hidden from public view, and that homes of this age typically require maintenance. Council's expert witness reiterated that the view from the public realm does not influence heritage significance. It was also stated that this type of building is rarer in the local Whitehorse context, whilst it is not necessary that two or more HERCON criteria must be applied and met.

The Panel agreed that lack of visibility of a heritage place does not necessarily mean that a HO should not be applied. The Panel noted that many buildings of this age require renovations and maintenance, and that as no internal controls are proposed, the landowner can undertake internal improvements as required.

Upon its inspection of the place, the Panel was satisfied that the building had demonstrated more than a representation of the modernist style. It agreed with Council's expert witness that none of the comparative examples provided in the citation express the "*characteristic modernist sense of weightlessness as explicitly and confidently as the example at Nunawading*" (quoted on page 48). The Panel noted that it was unable to provide comment on the landowner's submission regarding the architect's experience based on the information provided to it.

### **9.1.3**

(cont)

The Panel reiterated previous comments that it is only necessary to meet at least one of the HERCON criteria to determine whether the place has significant cultural heritage value at the local level. The Panel accepted Council's expert witness' evidence that this particular example has demonstrated cultural heritage significance under the relevant HERCON criteria to warrant a HO.

#### Panel conclusions

The Panel concluded that the place should be listed in the HO for the reasons outlined in the citation, and that there should be no change to the amendment.

### **CONSULTATION**

Amendment C172 was exhibited in accordance with the *Planning and Environment Act 1987*, and fifteen (15) submissions were received in relation to Amendment C172 Part 2. These submitters were given an opportunity to present in support of their submission at an independent Panel Hearing.

### **POLICY IMPLICATIONS**

This amendment is consistent with the *Planning and Environment Act 1987*, State and Local Planning Policy and Strategic Direction 2 in the Council Plan 2015-2019, which seeks to "*maintain and enhance our built environment to ensure a liveable and sustainable city*" (page 11).

### **FINANCIAL IMPLICATIONS**

Council will be required to pay a fee of \$798 to the Department of Environment, Land, Water and Planning if it wishes to seek approval of the amendment. There are also ongoing costs associated with the assessment of planning permit applications associated with the introduction of the planning controls if the amendment is approved. There is adequate funding in the current budget for these purposes.

### **CONCLUSION**

Amendment C172 Part 2 proposes to apply the Heritage Overlay to twelve places.

An independent Panel has considered the amendment and associated submissions. The Panel has recommended that the amendment be adopted with changes. These changes are to modify one of the citations to more clearly present what is significant and what is not, and to delete one of the places from the amendment.

The Council report has assessed these recommendations and it is submitted that the rationales for the proposed changes are acceptable. It is recommended that Amendment C172 Part 2 be adopted with changes as recommended by the Panel.

## Engineering & Environmental

### 9.1.4 Adoption of Whitehorse Cycling Strategy 2016

FILE NUMBER: SF06/277  
ATTACHMENTS

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#### SUMMARY

*The purpose of this report is for Council to consider the submissions received on the draft Whitehorse Cycling Strategy 2016 and for Council to consider adoption of an amended Strategy as a result of the submissions.*

*It is recommended that the amended Whitehorse Cycling Strategy 2016 be adopted by Council.*

#### RECOMMENDATION

***That Council:***

- 1. Adopt the Whitehorse Cycling Strategy 2016, as amended and presented;***
- 2. Thank those who contributed or made a submission on the Strategy; and***
- 3. Make copies of the Cycling Strategy available to the public at Council libraries, Customer Service Centres and on Council's website.***

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#### BACKGROUND

Council resolved at its meeting on 18 April 2016 *“that Council approve the draft Whitehorse Cycling Strategy 2016 for public exhibition and invite public comment”*.

The draft Whitehorse Cycling Strategy 2016 was placed on public exhibition from 19 April 2016 to 8 May 2016. Residents, community groups and professional stakeholders were invited to comment on the draft Strategy prior to it being reviewed and considered for adoption by Council.

Cycling for transport, sport and recreation plays an important role in supporting a healthy, vibrant, inclusive and diverse community. The Whitehorse Cycling Strategy 2016 was prepared to guide Council in implementing education, infrastructure and advocacy actions that aim to increase participation in cycling across the municipality while respecting the needs of others in the community.

The Cycling Strategy was developed following extensive community engagement, contributions by the City of Whitehorse Bicycle Advisory Committee (COWBAC), literature reviews and analysis of statistics.

The Strategy proposes a vision of increasing cycling through a connected network of attractive, safe and inviting low-stress streets and paths which are accessible to all and respects the needs of all users.

### 9.1.4

(cont)

To achieve this vision, the overall objectives of the Strategy are to:

- Increase participation in cycling;
- Improve levels of health;
- Create an environment where people can cycle safely and conveniently;
- Encourage a culture where cycling is accepted and respected as a key mode of transport and recreation;
- Achieve greater compliance from motorists, cyclists and pedestrians of traffic laws and the rights of each user group;
- Achieve a greater diversity of cyclists;
- Maintain and promote existing cycling facilities;
- Advocate for improved cycle facilities, and increased recognition of cyclists in planning transport and land use; and
- Increase awareness of the principles of the Strategy within Council and the wider community.

### DISCUSSION

A total of 61 submissions were received on the draft Strategy from individuals, community groups and professional stakeholders.

Forty four of the submissions were received via the online and hard copy feedback forms that included a range of qualitative and quantitative questions. The results indicate a high level of support with each element of the draft Strategy supported or strongly supported by more than 70% of respondents.

The written comments contained in the feedback forms, together with the 17 written submissions received by Council have been reviewed. The key points raised by respondents include:

- The low stress network and 'Easy Ride Routes' need to be linked to key destinations;
- Utilising local streets to form the low stress network is strongly supported, however it is still important to address cycling issues along arterial roads;
- Addressing concerns about how cyclists, pedestrians and dogs interact along shared paths is crucial;
- The targets contained in the Strategy need to be increased; and
- Ensure Council officers and Councillors are 'bike conscious' when planning and delivering programs, projects and services across Council.

As a result of the submissions, amendments have been made to the Strategy to clarify the intent of particular sections or actions. Two of the targets have been increased as a result of the submissions and one new target has been added regarding reducing the number of cyclists injured or killed on Whitehorse roads. Eight new actions have been added to the Action Plan. Minor editing amendments have also been made.

Updated statistics from VicRoads are now available. The updated statistics have been analysed and inserted into the Strategy. The new statistics do not indicate a need for Council to amend the priorities and programs listed in the draft Strategy.

A summary of the submissions together with a response to each point is included as Attachment 4a. The Whitehorse Cycling Strategy 2016 amended as a result of the submissions is also attached for consideration by Council.

## **9.1.4**

(cont)

### **CONSULTATION**

The following community engagement activities were conducted during the public exhibition period:

- Advertisements were placed in the Whitehorse Leader on 25 April 2016 and 2 May 2016;
- The draft Strategy was placed on Council's web site with links to an online feedback form;
- The draft Strategy was available for viewing at Council's 3 Customer Service Centres;
- A summary fact sheet was prepared and disseminated with a feedback form;
- A workshop with the City of Whitehorse Bicycle Advisory Committee was held on 27 April 2016;
- Emails were sent to all participants of earlier community engagement activities (where contact details were provided to Council) inviting comments on the draft Strategy;
- Emails were sent to internal Council officers and external professional stakeholders inviting comment on the draft Strategy;
- A drop-in session was held for community members on 27 April 2016; and
- A display was erected in the foyer of the Whitehorse Civic Centre.

### **FINANCIAL IMPLICATIONS**

Budget allocations for specific cycling projects are considered annually as part of Council's budget process. Funding is also allocated for many other programs and projects that include cycling components. For example, the allocation for maintenance and capital improvements of roads, traffic safety improvements, footpaths, bike paths and street lighting provides facilities for cyclists as well as other road users. Council's commitment to encouraging safe, active and sustainable transport including cycling is also reflected in the operational budget.

Many of the proposed actions within the Whitehorse Cycling Strategy 2016 can be accommodated within existing funding programs. Some actions however will require consideration by Council during the preparation of operational and capital works budgets over the ten year life of the Strategy.

It is estimated that the cost of implementing the Strategy over the next 10 years will be over \$13 million.

### **POLICY IMPLICATIONS**

Actions within the Strategy will assist Council to fulfil the following Strategic Directions within the Council Plan 2015-2019:

- Strategic Direction 1 'Support a healthy, vibrant and diverse community';
- Strategic Direction 2 'Maintain and enhance our built environment to ensure a liveable and sustainable city'; and
- Strategic Direction 3 'Protect and enhance our open space and natural environments'.

#### **9.1.4**

(cont)

A wide range of other Council strategies have influenced the Whitehorse Cycling Strategy, including:

- Draft Sustainability Road Map 2016-2022;
- Municipal Public Health and Wellbeing Plan 2013-2017;
- Whitehorse Integrated Transport Strategy 2011;
- Whitehorse Community Road Safety Strategy 2013;
- Whitehorse Open Space Strategy 2007;
- City of Whitehorse Recreation Strategy 2015-2024;
- Municipal Early Years Plan (Whitehorse: A City for all Children 2014-2018); and
- Whitehorse Road Management Plan 2015.

Consideration has also been given to a number of State Government policies, including:

- Towards Zero, 2016-2020, Victoria's Road Safety Strategy and Action Plan;
- Cycling into the Future 2013-2023, Victoria's Cycling Strategy;
- Preliminary information from the State Government regarding updating Victoria's Cycling Strategy; and
- Draft Melbourne East Regional Sport and Recreation Strategy.

## 9.1.5 Whitehorse Community Road Safety Strategy – 2015 Progress Report

FILE NUMBER: 16/13306  
ATTACHMENT

### SUMMARY

*This purpose of this report is to provide a progress update on actions in the Whitehorse Community Road Safety Strategy for the 2015 calendar year.*

### RECOMMENDATION

***That Council note the progress of implementing the Whitehorse Community Road Safety Strategy.***

### BACKGROUND

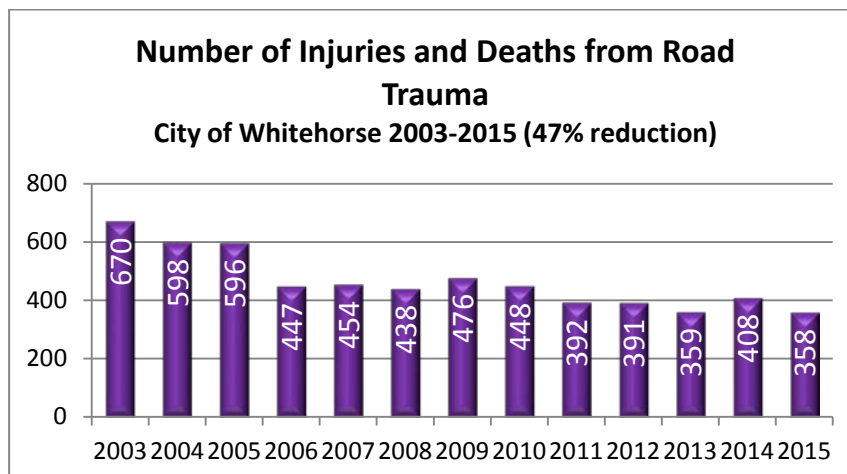
The Whitehorse Community Road Safety Strategy 2013 was adopted by Council on 16 September 2013 following a comprehensive review of Council's previous Road Safety Strategy, road crash statistics, and extensive community consultation. A progress report on the Strategy's action plan was provided to Council on 8 December 2014.

This progress report provides an update on road safety statistics for Whitehorse to the end of 2015 and progress on actions in the Strategy in the 2015 calendar year.

### DISCUSSION

Road injuries and deaths result in significant trauma within our community and it has been a priority for Council to play a role in reducing the social, emotional, physical and financial impacts of road crashes within Whitehorse.

The work undertaken by Council, the State Government and community organisations have resulted in a 47% reduction in deaths and injuries on Whitehorse roads since 2003 (see chart below).

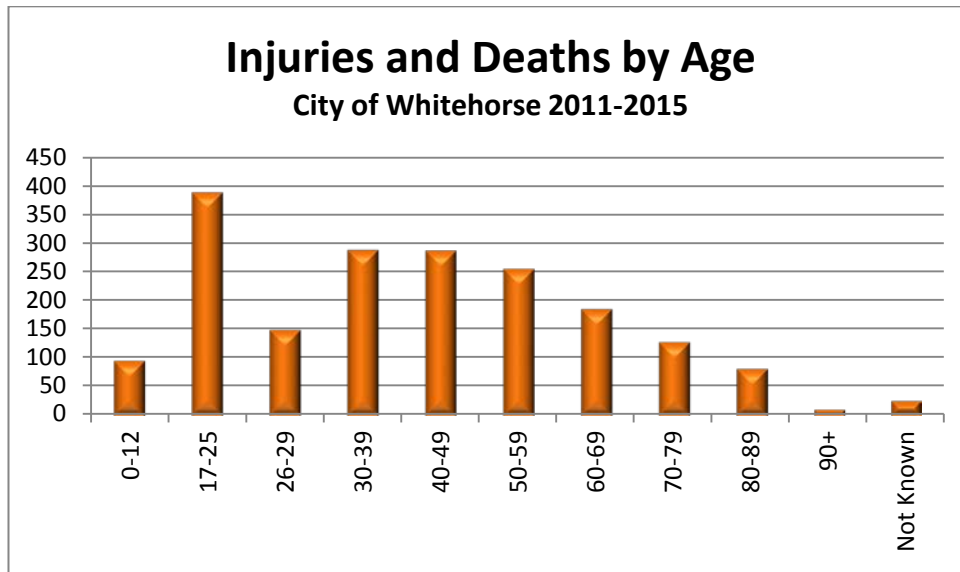


**9.1.5**  
 (cont)

In 2015 there were 358 injuries and deaths in road crashes within the City of Whitehorse. This includes 3 people who died and 67 people who were seriously injured. The three deaths were a pedestrian, a motorist and a motorcyclist in separate crashes.<sup>2</sup>

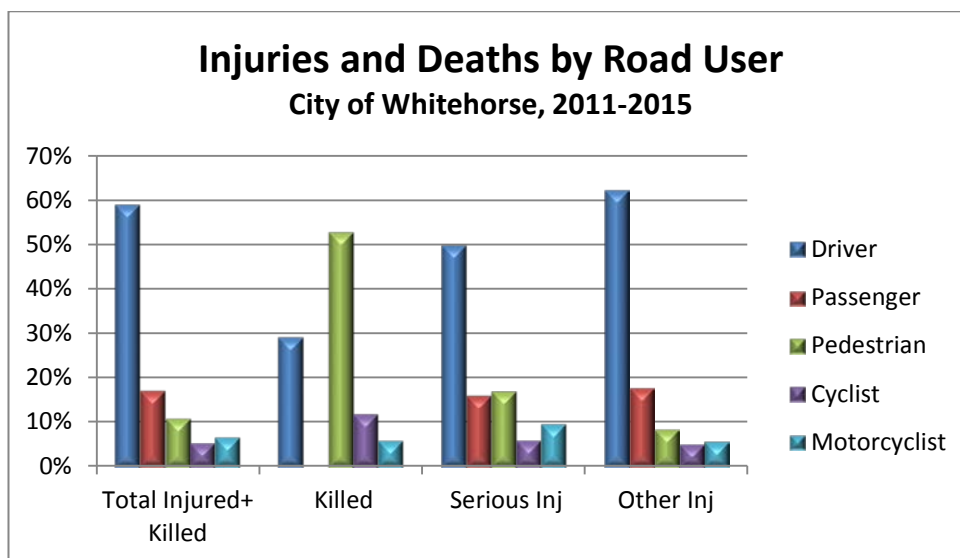
A summary of the trends in road injuries and deaths in Whitehorse for the period 2011-2015 is shown in the following charts.

**Road Users by Age**



People aged 17 to 25 years were involved in the highest proportion of injuries with 20% of all injury crashes occurring in this age group (please note that the number of years in each age group listed in the VicRoads statistics is not even.)

**Road Users by Type**



<sup>2</sup> Data sourced through VicRoads Road Crash Information System (RCIS)



### **9.1.5**

(cont)

Vulnerable road users (people walking, cycling or riding a motorcycle) are over represented in death and serious injury crashes. They are considered vulnerable because they do not have the same level of protection that a car provides in the event of a crash.

The chart above shows that while pedestrians are involved in 11% of all injury and death crashes, they make up 53% of deaths and 17% of all serious injuries. Cyclists were involved in 5% of all injury and death crashes, while making up 12% of deaths and 6% of all serious injuries. Injury crashes involving cyclists are also high given that only 0.7% of Whitehorse residents ride a bike to work (2011 Census data for Travel to Work).

#### **Most Common Crash Types**

The two single most common crash types were vehicle rear ends (26%) and those involving drivers turning right into oncoming vehicles (16%). After these two crash types, the most common groupings of crashes include side impacts at intersections (15%), crashes involving pedestrians (11%) and run off the road crashes (11%).

#### **Program Delivery**

Road crash statistics, together with information gathered through community engagement activities are used to prioritise the delivery of road safety programs in Whitehorse.

During 2015, Council provided a wide range of road safety programs. The major achievements include:

- Running the 'L2P' learner driver program for disadvantaged youth.
  - 17 Learners participated, with 6 Learners completing the program
  - 408 hours of supervised driving completed
- Delivery of 12 'Transit' programs within primary schools
- Placed Council's 6 speed observation trailers in 245 locations within 50 km/h local streets and 40 km/h school speed zones
- Pedestrian and traffic counts were conducted at 217 local roads across the municipality.
- Hosted 4 'Wiser Driver' programs, 1 'Keeping Safe and Mobile' seminar and 1 'Years Ahead' seminar for older road users.
- Hosted 2 'Child Restraint Clinics' which checked or fitted 203 child restraints.
- Co-hosted a 'Ride2Work' Day Community Breakfast with Box Hill Institute
- A range of youth road safety programs were delivered in secondary schools including 4 'Fit to Drive' workshops, 11 'Keys Please' sessions, 1 'SpinChat' program and 1 'Court Room Drama' program.
- 2 'CycleWise' programs were held for adult cyclists
- Completed a review of a number of existing traffic management devices and developed concept plans for modifications to improve safety for cyclist in the vicinity of the devices (TAC grant).
- Received grants from VicHealth and RoadSafe Eastern Metro to implement a range of road safety activities

The progress in 2015 for each action in the Whitehorse Community Road Safety Strategy is indicated in Attachment 5.

#### **CONSULTATION**

Council officers regularly consult with the community, neighboring municipalities, Victoria Police, VicRoads and RoadSafe Eastern Metro in the development, implementation and evaluation of road safety programs and projects.

### **9.1.5**

(cont)

#### **FINANCIAL IMPLICATIONS**

Funding in the 2015/2016 financial year for road safety related programs and projects is provided within the Engineering and Environmental Services Department operating and capital works budgets and also funded through external grants.

#### **POLICY IMPLICATIONS**

Road safety activities are directly linked to the following corporate Strategies:

- Council Plan 2015-2019
- Whitehorse Integrated Transport Strategy 2011
- Whitehorse Community Road Safety Strategy 2013

## 9.1.6 Whitehorse Sustainability Road Map 2016-2022

FILE NUMBER: 16/72881  
ATTACHMENTS

### SUMMARY

*The purpose of this report is for Council to consider submissions received on the draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan and for Council to consider adoption of the final strategy.*

*It is recommended that the Whitehorse Sustainable Road Map 2016-2022 and Action Plan be adopted by Council.*

### RECOMMENDATION

***That Council:***

- 1. Adopt the Whitehorse Sustainable Road Map 2016-2022 and Action Plan.***
- 2. Thank those who contributed or made a submission on the draft Whitehorse Sustainable Road Map 2016-2022 and Action Plan.***
- 3. Make copies of the Whitehorse Sustainable Road Map 2016-2022 and Action Plan available to the public at Council libraries, Customer Service Centres and on Council's website.***
- 4. Write to the Premier, Prime Minister, relevant State and Federal Ministers and local State and Federal members of parliament seeking support for the Whitehorse Sustainable Road Map 2016-2022 and Action Plan.***

### BACKGROUND

Council resolved at its meeting on 21 March 2016:

*"That Council approves the draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan for public exhibition and invites community comment".*

Public exhibition of the Whitehorse Sustainability Road Map 2016-2022 and Action Plan was widely publicised through all Council and local media outlets, and at Council's Customer Service Centres.

The period for public comment and submissions closed on 6 May 2016.

The Whitehorse Sustainability Road Map 2016-2022 and Action Plan is an important strategy that will assist Council to continue to improve the overall sustainability of Council and encourage the community to become more sustainable in their daily lives. The Road Map and Action Plan provide key targets, priority direction and actions to guide the delivery of the environmental sustainability programs and projects that will help to achieve the objectives and performance indicators in the Council Vision and Council Plan.

The recommended energy, water and waste reduction targets for the Sustainability Road Map 2016-2022 are shown in the last column of the table below. A comparison is made with the previous Sustainability and Waste Strategy targets and the progress achieved to 2014.

These targets and other objectives covered by the Sustainability Road Map 2016-2022 are supported by a detailed Action Plan that is included in the Sustainability Road Map.

### 9.1.6

(cont)

Target	Base Year level in 2002	Existing (2008-2013) strategy Target % reduction or diversion	2014 actual reduction or diversion	Existing (2008-2013) strategy Long-term Target % reduction or diversion	Recommended Target for the period of the new Road Map
Reduce corporate greenhouse gas emissions	21,865 tonnes CO <sub>2</sub> e	25% reduction by 2012	39%	50% reduction by 2030	<b>45% reduction by 2022</b>
To be carbon neutral across all Council operations by 2015	21,865 tonnes CO <sub>2</sub> e	Net zero emissions by 2015	14,227 tonnes CO <sub>2</sub> e	Net zero emissions by 2015	<b>Carbon neutral by 2022</b>
Reduce corporate water consumption	231,946 kL	25% reduction by 2012	22%	40% reduction by 2030	<b>30% reduction by 2022</b>
Recover, recycle and/or divert Council's municipal waste from landfill	38.3% waste diverted from landfill	55% diverted by 2016	48%	55% diverted by 2016	<b>65% diverted by 2022</b>

The development of the draft Whitehorse Sustainability Road Map extended over a 12 month period and involved an extensive period of research, a review of Council's previous Sustainability Strategy and the Energy and Water Action Plan outcomes, extensive community and corporate consultation, a further review of proposed actions, and alignment with other strategic policies and programs within Council.

The Whitehorse Sustainability Road Map 2016-2022 and Action Plan complement and build on actions in Council's Climate Change Adaptation Plan and Peak Oil Action Plan. These plans collectively outline Council's approach to becoming more environmentally sustainable and to encouraging the community to become more sustainable and environmentally resilient.

The draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan was promoted in Council's weekly Leader Council column, on Council's website, at Council's Customer Service centres, at events during Sustainable Living Week, and by email to residents on Council's 'keep in touch' email register. Residents, businesses and groups that made contributions to the development of the draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan were also invited to comment on the adopted draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan.

Residents could either respond to a survey on Council's website to provide feedback, or provide a submission in their preferred format.

The draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan was also re-circulated to Council staff for feedback.

The feedback received has been taken into consideration in finalising the Whitehorse Sustainability Road Map 2016-2022 and Action Plan for consideration by Council.

## 9.1.6

(cont)

### DISCUSSION

Council received 35 survey responses and 2 written submissions from the community to the draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan, and 2 written submissions from Council staff. Attachment 6a to this report provides a summary of all of the submissions received and responses to those submissions.

The community feedback received in the submissions was largely positive and supportive of the need for Council to continue its sustainable journey and to continue to support the community to become more sustainable.

A brief statistical summary of the feedback based on the responses received through the online survey is as follows:

- 81.5% of respondents either agreed or strongly agreed that the Road Map sets a strong direction for sustainability within Whitehorse;
- 63% of respondents think the targets within the Road Map are about right, 33.3% of respondents think the targets are not strong enough, and 3.7% of respondents think the targets and objectives are too strong;
- 32% of respondents consider that the actions within the Action Plan strongly support the achievement of the identified outcomes, 64% said the actions go some way towards achieving the outcomes, and 4% said the actions do not go far enough to achieve the desired outcomes;
- 60% of respondents think the actions are about right to help the community to become more sustainable, 36% of respondents think the actions do not help the community enough to become more sustainable, and the remaining 4% think the actions do too much to help the community to become more sustainable;
- 79.2% of respondents think the action to help the Council services, infrastructure and facilities to become more sustainable are about right, 12.5% of respondents said the actions would not help the services and infrastructure to become more sustainable, and 8.3% thought the actions were not necessary at all.

The key themes of the written comments in the community feedback were:

- The need for more trees and open space,
- Increasing support and incentives for the community to implement more sustainable energy measures and to use energy more sustainably, especially for low income and older community members;
- Urging Council to implement energy-efficiencies, use more renewable energy, and embrace improved technology such as electric cars and solar battery storage;
- Encourage local food accessibility, growing more edible food in private and public spaces (including indigenous foods and edible herbs), reducing food waste;
- Sustainable housing development, concerns about increasing density and unsuitable residential developments, and continuing to strive for higher Environmentally Sustainable Design (ESD) standards in Council buildings and private developments;
- Waste reduction, including banning single-use plastic bags, and helping with sustainability and waste education in schools;
- Increasing efforts in water sensitive design, including 'head of pipe' solutions;
- Access to public transport and the need for more off-street parking;
- Setting appropriate targets, having measurable actions and stronger commitment to specific actions and timelines;
- Council's street tree policy;
- The role of volunteers working on sustainable programs.

A summary of the written comments received and the proposed response to these comments is included in Attachment 6a of this report.

Contributors will be provided with feedback on how their suggestions were considered in finalising the Sustainability Road Map 2016-2022 and Action Plan.

### **9.1.6**

(cont)

The final Whitehorse Sustainability Road Map 2016-2022 and Action Plan amended as a result of the submissions are attached as Attachment 6b for consideration by Council.

#### **CONSULTATION**

The draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan was developed after extensive community consultation, as well as consultation across Council.

The draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan was made available for public comment for almost 4 weeks, publicised through all Council and local media outlets, and at Council's Customer Service Centres. Previous contributors to the draft Road Map were invited to make further comment on the draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan.

#### **FINANCIAL IMPLICATIONS**

The actions within the Sustainability Road Map and the proposed 6-year progression towards the targets within the Road Map are affordable within Council's core budget funding levels and proposed capital works program. Council's commitment to continuous improvement; implementing energy, water and waste efficiencies; innovation; the use of improved technology; and building on proven successful programs will ensure that key sustainability measures are implemented in a financially responsible manner.

The Whitehorse Sustainability Road Map 2016-2022 continues the responsible investment in sustainability-related programs and projects, with a focus on actions that help to reduce Council's operational costs. The Road Map recommends that Council continues to invest in measures that have a favourable return on investment, such as completing the replacement of all streetlights with energy-efficient light globes and ongoing upgrades to more efficient lighting, heating, cooling and water fixtures at Council buildings and facilities.

The Road Map is based on the continuation of core funding to support sustainable programs and projects at approximately the same level overall as current Council sustainability funding. It is intended that external funding will be sought each year from State and Federal Governments to assist in the implementation of new sustainable projects and programs, to increase the benefit or advance the timing of eligible projects.

All operational and capital funding is subject to Council's annual budget process, so the scope and timing of actions implemented in the Sustainability Road Map Action Plan will depend upon available funding.

The estimated cost of implementing the final Whitehorse Sustainability Road Map 2016-2022 and Action Plan has not changed from the draft Road Map. Amended or new actions included in the Sustainability Road Map Action Plan as a result of suggestions from the community can be delivered within the proposed funding levels outlined previously for the draft Whitehorse Sustainability Road Map 2016-2022 and Action Plan.

## 9.1.6

(cont)

The indicative cost of implementing the Whitehorse Sustainability Road Map and Action Plan for 2016/2017 and for the following 2 financial years is as follows:

<b>Actions</b>	<b>Operational</b>	<b>Capital</b>
<b>NOW<sup>#</sup> Actions:</b>		
Indicative cost of continuing the NOW actions built into Council's existing programs and practices, included in core budget for 2016/17	\$766,500 (2016/17)	\$890,000 (2016/17)
Indicative cost of continuing the NOW Actions for a further 2 years in 2017/18 and 2018/19	\$1,526,000 (2017/18 + 2018/19)	\$1,320,000 (2017/18 + 2018/19)
<b>3-Year total for NOW actions:</b>	<b>\$2,292,500</b>	<b>\$2,210,000</b>
<b>NEW<sup>##</sup> Actions:</b>		
Indicative cost of implementing the NEW Actions included in the draft budget for 2016/17	\$900,000* (2016/17)	\$0 (2016/17)
Indicative cost of implementing the NEW Actions for a further 2 years in 2017/18 and 2018/19	\$1,982,000* (2017/18 + 2018/19)	\$155,000 (2017/18 + 2018/19)
<b>3-Year total for NEW actions:</b>	<b>\$2,882,000*</b>	<b>\$155,000</b>
<b>TOTAL COST for NOW + NEW actions:</b>		
Indicative cost for 2016/17	\$1,666,500*	\$890,000
Indicative costs for 2017/18 plus 2018/19 (Costs for 2 years)	\$3,508,000*	\$1,475,000

\*Includes one-off operational expenditure of \$1,800,000 over 2 years to changeover remaining streetlights to energy-efficient globes (\$900,000 in 2016/17 and \$900,000 in 2017/18, subject to approval in the budget process.

# NOW actions are those actions already in place as part of Council's 'business as usual' service delivery

## NEW actions are those actions planned for implementation between 2016 and 2019, subject to approval in Council's annual budget process.

Provision has been made in the draft 2016/17 Council Budget to commence implementation of the Whitehorse Sustainability Road Map 2016-2022.

### POLICY IMPLICATIONS

The Whitehorse Sustainability Road Map 2016-2022 and Action Plan will continue to be the strategic framework document for implementing sustainable actions outlined in Council's 10-year Vision and Annual Plan. The Sustainability Road Map complements other key Council policies and strategies that deliver sustainable outcomes across the organisation and into the community. This will continue the development of a corporate culture where embedding sustainability into its operations is 'business as usual' for the City of Whitehorse

## **9.2 HUMAN SERVICES**

### **9.2.1 Melbourne East Regional Sport and Recreation Strategy**

FILE NUMBER SF14/203  
ATTACHMENT

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#### **SUMMARY**

*The Draft Melbourne East Regional Sport and Recreation Strategy (“Strategy”) has been developed to support and guide Councils and stakeholders in the Melbourne East Region in the planning and delivery of regional level sport and recreation facilities and shared recreation trails. The Strategy focuses on three priority areas of governance and partnerships, knowledge and understanding of the region and sustainable, flexible and efficient facility development.*

*The purpose of this report is to present to Council the Draft Melbourne East Regional Sport and Recreation Strategy and to seek Council endorsement for the Strategy.*

#### **RECOMMENDATION**

***That Council endorse the strategy, framework and recommendations contained within the Draft Melbourne East Regional Sport and Recreation Strategy.***

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#### **BACKGROUND**

Regional level sport and recreation facilities play an important role in contributing to the health and wellbeing of communities as they generally serve a broad catchment and cater for a diverse range of activities.

Council has been previously informed of work that is being undertaken regarding the Draft Melbourne East Regional Sport and Recreation Strategy. This Strategy has been developed to support and guide Councils and stakeholders in the East Region in the planning and delivery of regional level sport and recreation facilities and shared recreation trails. The Strategy and Regional Planning Framework is found in Attachment 7.

The core project team consisted of representation from the seven East Regional Councils (Whitehorse, Boroondara, Manningham, Monash, Maroondah, Knox and the Shire of Yarra Ranges), the Department of Transport, Planning and Local Infrastructure, via Sport and Recreation Victoria (SRV), and Regional Development Australia (East).

The purpose of the Strategy is to undertake a regional planning approach that supports the development of both current and new sport and recreation infrastructure for the Melbourne East Region for the next 20 years. The Strategy provides an overview of the region, identifies the gaps in regional sport and recreation facilities and shared trails and outlines the vision for the future provision of regional facilities in Melbourne’s East.

Also included in the Strategy is a planning framework to support Councils and other regional stakeholders to prioritise, plan and deliver regional facilities and shared trails collaboratively and effectively.



### **9.2.1** (cont)

The Strategy investigates the issues and opportunities impacting the planning and provision of regional level facilities using information provided by the seven represented Councils, State Sporting Associations, State Government and other regional stakeholder groups.

The Strategy is supported by the background, research and consultation reports (Preliminary Situational Analysis and Key Findings Report and the State Sporting Association Consultation Findings Report).

The development of a regional Strategy for sport and recreation provision in Melbourne's East will address a range of issues, these are as follows:

- Gaps in the shared recreation trail network create opportunities to better connect and link trails and develop a comprehensive network of regional trails.
- There is currently no regional approach to identifying sport and recreation priorities for the region.
- There is no formal governance structure or advocacy platform to support the planning and development of regional level facilities.
- There is no alignment of stakeholder policies and strategic directions that supports a collaborative approach to investment.
- There is a lack of stakeholder collaboration on planning regional projects that meet broader sport and recreation needs.
- There is a gap in strategic partnerships across key stakeholder organisations including state and regional sporting groups, schools and government departments.
- The capacity and ability of Melbourne's East Region Councils to fund regional priorities as well as servicing local sporting needs is increasingly difficult. Councils are generally unable to exclusively deliver regional level facilities.
- The constraints on Councils working across borders, resulting in some duplication and oversupply of facilities across the region is evident.
- The need to provide a regional approach to regional facility planning and delivery that is consistent with peak sporting bodies, Councils and State Government.
- An ageing community with changing demographics will create a focus on accessible and affordable facilities with broader recreation objectives.

The seven participating Councils are linked by the Yarra River and provide extensive waterways and parklands from Melbourne's urban landscape to the open space and national parks, forests and gardens of the Yarra Valley and Dandenong Ranges.

Melbourne East includes developed residential areas and accommodates over one million people and includes major employment clusters and agricultural areas in the Yarra Valley, considered the food bowl and wine district of Melbourne.

There is a diverse and unique network of regional sport, recreation and tourism experiences in Melbourne's East that are highly valued.

## 9.2.1 (cont)

### Key Regional Highlights include:

- 1.044 million people (24.5% of Melbourne population).
- A projected additional 140,000 people by 2031 (55,000 aged 55 and over).
- 70 identified regional level sport and recreation facilities (including regional play spaces) catering for a range of activities.
- Approximately 25 regional trails and mountain bike tracks.
- Walking, jogging, cycling and swimming are the most popular recreation activities.
- Basketball, Australian Rules Football, netball, soccer and gymnastics are the highest participation sports.
- Adventure and lifestyle sports, badminton, table tennis and personal training are activities that are also popular.

The key objectives of the project are as follows:

- Identify the vision and principles that will guide future planning and development of regional level sport and recreation facilities.
- Develop a sustainable governance model to drive regional project delivery, improve stakeholder collaboration and create a structure for assessment and decision making.
- Identify and map current and proposed regional level sport and recreation facilities and shared trails across the region.
- Identify gaps in existing regional facility provision and recommend future development priorities that meet current and future demand.
- Develop a regional project assessment criteria to support future project selection and prioritisation.

The preparation of the Strategy has been aligned to the recommendations of the individual Recreation and Sports Strategies (including Cycling Strategies) developed by the seven participating Councils in the Eastern Region, Strategic Plans of State Sporting Associations and relevant State and Federal Government policies and strategies.

The central aim of the Strategy is to:

1. Increase participation in sport and recreation activities.
2. Provide facilities that can accommodate future demand.
3. Provide increased opportunities to bid for and host regional, state and national sporting events resulting in economic benefits to communities.
4. Provide access to a wider range of quality facilities.
5. Avoid duplication of facility service provision across Council boundaries, and
6. Ensure sports facilities are financially viable and sustainable.

A key clarification point is to define what a 'regional facility' is. Regional facilities mean different things to different people. The State Sporting Associations primarily view regional level facilities as venues for elite sport whereas government, in particular local government, see regional facilities as catering for a broad range of sport and community use. For the purposes of this Strategy regional level sport and recreation facilities and trails are defined by their broad characteristics and benefits rather than one single component. They:

- Provide a range of participation outcomes which benefit the community, allow for a range of competitions (local, state and/or national), and have the ability to host medium to large scale events.
- Cater for a broad catchment across multiple municipal boundaries.
- Offer flexibility of use by one or more sports / activities.
- Deliver quality management and service levels that are maintained to a high level.
- Meet the defined regional facility standards of local governments and state sporting associations for training and competition.

## 9.2.1

(cont)

Shared trails:

- Are integrated and connected across municipal boundaries.
- Provide appropriate supporting infrastructure and amenities.
- Provide safe off road alternatives.
- Support both recreation and commuter use.

### DISCUSSION

The key outputs of this project are:

1. Consultation with peak sporting bodies, external reference group members, local Councils and other regional stakeholders.
2. Regional facility supply and demand analysis.
3. Current and proposed regional level facilities identified and mapped.
4. A key findings and background report.
5. State Sporting Organisation regional needs identified.
6. Project assessment criteria developed, and
7. Draft Strategy and Planning Framework developed.

Through the development of the Strategy and consultation with regional stakeholder groups it was found that:

- There is a strong supply of regional level sports facilities and shared recreation trails in Melbourne's East catering for a range of formal and informal activity.
- Some of Melbourne's East Region Councils are under ongoing financial pressure and are prioritising the renewal of existing community facilities over committing to regional planning and collaboration.
- Councils exist to provide facilities and services that serve their local communities and are constrained on the level of support they can provide to regional level projects.
- Those municipalities located in the outer east such as Yarra Ranges can offer different sport and recreation experiences than densely populated inner region municipalities due to having greater access to land and open space provision.
- Informal sport and recreation activities such as walking, swimming and gymnasiums are popular with adults in Melbourne's East.
- Structured sports such as basketball, netball, football, cricket and soccer have high participation rates, particularly in the junior category.
- Limited information is available from some State Sporting Associations that will influence regional planning and support key projects.
- There is an adequate supply of swimming pools and athletics facilities to service current and future demand across Melbourne's East at a regional level.
- There is an appetite from state and local government to plan and collaborate on shared recreation trail development projects to service the region.
- These high level findings have guided the development of the strategic directions recommended for the region.

A number of gaps in the current provision of regional level sport and recreation facilities in Melbourne's East have been identified. These include:

1. The connection and development of shared recreation trails.
2. 'Fit for purpose' indoor sports courts for basketball, netball and other compatible sports.
3. Development of specialised purpose built facilities for gymnastics.
4. A destination for adventure based activities that cater for the strong recreation market.

## 9.2.1

(cont)

The Strategy focuses on three priority areas for the region that are critical to the successful planning, funding and delivery of regional sport and recreation facilities. These are:

1. Governance and partnerships.
2. Knowledge and understanding of the region.
3. Sustainable, flexible and efficient facility development.

### **Governance and partnerships**

It is essential that the Melbourne East Region establishes a strong and sustainable governance structure that provides a process for decision making and helps to identify, prioritise and implement regional projects.

The proposed governance and project management structure will require Councils and other stakeholders to collaborate and invest resources into the regional planning process to ensure the objectives of the Strategy are achieved.

### **Knowing and understanding the region**

Recognising and responding to the region's unique attributes and continuing to challenge, assess and review identified priorities through the use of current sports participation, recreation trail and future population data will be a high priority for the region. To ensure the identified facility gaps remain applicable to the region it is essential that the baseline trail usage and sport participation data collected as part of the Strategy is kept up to date and reviewed annually.

### **Sustainable, flexible and efficient facility development**

There is a need for sport, government and community stakeholders to work together more effectively on the planning and delivery of regional facilities to ensure future provision is targeted, sustainable and successful. The delivery of regional projects requires significant investment from a range of funding providers so the development of a regional framework to guide future investment and provide the evidence to secure support from potential investors is vital.

The sport and recreation needs of the region and the role and function of existing regional level facilities have been considered in the development of the framework. The framework identifies and prioritises future regional level facilities and shared trail development that will be required to service the region for the next twenty years.

These priorities are supported by 23 recommended actions contained in the Strategy and Regional Planning Framework in Attachment 7.

From a Whitehorse perspective within the three priority areas for the region, the recommended actions for facility and shared trail development concern priority regional trail connections for the:

- Syndal train station to Heatherdale train station (Pipe Track)
- The Eastlink to Gardiners Creek trail connection (former Healesville Freeway Reservation) and the
- Box Hill to Ringwood shared path.

The recommended actions for governance and partnerships are generally about improved collaboration between levels of local and state government and also with peak recreation bodies. The recommended actions for understanding the region focus on ongoing participation of stakeholders, collection of demand and participation data collection and analysis and ongoing involvement in research with various key bodies.

## 9.2.1

(cont)

### CONSULTATION

In preparation for the development of Melbourne East Regional Sport and Recreation Strategy, a range of consultation methods were undertaken to ensure that the outcomes of the Strategy were evidence based and provided a clear picture of the future needs of the region.

The following organisations and agencies were consulted:

- Provided an opportunity for all State and Regional Sporting Associations to have input into the development of the Strategy through an information session and subsequent survey (33 peak sporting bodies participated in the survey) – December 2014.
- Key Internal Stakeholder consultations with individual Councils – July – Sep 2014.
- External Reference Group - Provided technical advice and a formal mechanism to consult with key sport and industry leaders and organisations which included the following organisations:
  - Aquatics and Recreation Victoria
  - Victorian Trails Committee
  - VicSport
  - Other Regional Stakeholders – Parks Victoria, VicRoads, Melbourne Water, Melbourne Planning Authority, Bicycle Network Victoria, YMCA, Belgravia Leisure, Victorian Equal Opportunity and Human Rights Commission.

An analysis of the consultation data was conducted and a consultation report is an appendix to the Strategy.

The Draft Melbourne East Regional Sport and Recreation Strategy has been developed through detailed consultation and research to create a Strategy that provides a snap shot of the current provision of regional facilities and identifies future priorities.

The Strategy recommends the development of a planning framework and a process for evaluating, assessing and prioritising regional projects that improves collaboration across local government areas and delivers regional facilities that support healthy and active communities.

The establishment and nurturing of strategic partnerships and improving collaboration across key sport, government and community stakeholder groups which will provide more opportunities for Councils to secure funding for regional projects is also a key outcome of this Strategy.

### POLICY IMPLICATIONS

From a City of Whitehorse policy perspective the Strategy purpose and content is generally supported by high level statements in the Council Plan 2015 – 2019:

Strategic Direction1: Appropriate multi-purpose programs, services, facilities and initiatives that promote and deliver wellbeing and inclusive and connected communities.

Strategic Direction 4: Strategic Leadership and Open and Accessible Government- Strategic Objective- Strong leadership and governance in partnership with the community and supported though regional collaboration and co-operation.

### **9.2.1**

(cont)

Another key Whitehorse document that supports this Strategy approach is the Whitehorse Recreation Strategy 2015-2024 that is based on eight principles that guide the planning of recreation services and facilities. Of specific relevance is Principle no. 7- Facilities: Buildings will:

- Be planned and developed reflecting evidence based research and with service levels defined for different classifications of facilities and in consideration of all associated costs;
- Focus on catering for local and municipal level needs as a priority;
- Generally be planned and designed for use by a number of groups;
- Be developed only after the use of existing facilities is optimised.
- The draft Whitehorse Cycling Strategy.

As noted in the above the City of Whitehorse has its primary financial and service commitment to Whitehorse based municipal facilities.

### **FINANCIAL IMPLICATIONS**

It is estimated that the recurrent budget cost to Council per year to participate in the planning and administrative contribution regarding this regional strategy is approximately \$5000 in addition to officer time to participate in bi-monthly meetings and contribute time to regional recreation planning. This can be absorbed within the recurrent budget.

## 9.3 CORPORATE SERVICES

### 9.3.1 2016/17 Annual Internal Audit Plan

FILE NUMBER: SF08/319

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#### **SUMMARY**

*Whitehorse City Council's 2016/17 internal audit plan has been developed by PricewaterhouseCoopers. Whitehorse City Council's Audit Committee charter requires approval of the annual plan by Council.*

#### **RECOMMENDATION**

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

- 1. Note the Audit Advisory Committee's endorsement of the 2016/17 annual internal audit plan.***
- 2. Approve the 2016/17 annual internal audit plan.***

---

#### **BACKGROUND**

Whitehorse City Council's internal audit plan is an independent, objective assurance function designed to add value and improve Council operations. It helps Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

The internal audit plan provides Council with a means to improve effectiveness and efficiency with a commitment to integrity and accountability through the provision of independent advice.

Whitehorse City Council's Audit Advisory Committee (AAC) Charter requires that an annual internal audit plan be approved by Council each year. The role of the AAC is to review and monitor the annual program including receiving of audit scopes and final reports. The Chair of the AAC reports to Council on audit activities on a six monthly basis.

#### **DISCUSSION**

The Annual Internal Audit Plan was developed by PwC in consultation with the Chief Executive Officer, General Managers, selected managers and the Audit Advisory Committee.

The reviews proposed have been nominated with consideration of the following key principles:

- To target areas of greatest importance or concern, and/or where the potential for improvement, or risks of failure or loss are greatest.
- To provide a rolling program of internal audit activity that is aligned to Council's risk areas as noted in the risk register.
- To take into account the nature and timing of previous internal audit activity.
- To take into account other review activity such as VAGO's financial and performance audits, Independent Broad-based Anti-corruption Commission (IBAC) reports and reports from Ombudsman Victoria relevant to Local Government.
- To ensure an appropriate balance between compliance and process / performance improvement focussed projects.

**9.3.1**  
(cont)

With these key principles in mind, the following five areas of focus have been included in the Audit Advisory Committee endorsed 2016/17 annual internal audit plan:

1. Business Continuity / IT Disaster Recovery
2. External Complaints Management
3. Sundry Debtor Management
4. Planning Permits
5. Cash Handling Processes at selected centres



### 9.3.2 Review of Councils Procurement Policy

FILE NUMBER: SF08/2  
ATTACHMENT

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#### **SUMMARY**

*This report presents a reviewed Procurement Policy (June 2016) for consideration and adoption by Council.*

#### **RECOMMENDATION**

***That Council adopts the Procurement Policy dated June 2016, as presented in Attachment 8.***

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#### **BACKGROUND**

Section 186A of the Local Government Act 1989 requires Council to prepare, approve and comply with a procurement policy that encompasses the principles, processes and procedures that are applied to the purchase of goods, services and works.

The legislation requires the policy to be reviewed once in each financial year.

Council adopted the current Procurement Policy on 22 June 2015. A review of the Policy has been undertaken and a revised policy is attached (**see Attachment 8**).

#### **DISCUSSION**

It is recognised that effective procurement management is essential to ensure that Council achieves compliance, transparency, open and fair competition, value for money and good governance.

The Procurement Policy (the Policy) encompasses these goals and provides a robust foundation for the conduct of procurement activities by Council.

Minor improvements have been made to the Policy to ensure that it continues to reflect best practice in the Local Government industry.

#### **CONSULTATION**

The Policy has been revised in consultation with various Managers, Coordinators and purchasing officers.

Upon adoption, the revised Policy will be posted on Council's website and will be made available to the public in hard copy format at the Whitehorse Civic Centre.

#### **FINANCIAL IMPLICATIONS**

A key objective of the Policy is to deliver value for money for Council (and therefore ratepayers) in the form of social, economic and environmental benefits.

#### **POLICY IMPLICATIONS**

The Procurement Policy dated June 2016 will replace the current Procurement Policy dated June 2015 in Council's Corporate Policy Manual.

### 9.3.3 Council Plan Annual Review

FILE NUMBER: 16/3350  
ATTACHMENT

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#### **SUMMARY**

*Council is required by the Local Government Act 1989 to review its Council Plan each year to determine whether the Plan requires any adjustment. This report recommends that minor adjustments be made to ensure the ongoing currency of the Council Plan, and that the Council Plan incorporate the Strategic Resource Plan 2016-2020 (presented separately as part of the Annual Budget).*

#### **RECOMMENDATION**

***That Council:***

- 1. Notes the review of the current Council Plan***
- 2. Approves the review of the Council Plan, incorporating the Strategic Resource Plan 2016-2020.***

---

#### **BACKGROUND**

Council is required by section 125 of the *Local Government Act 1989 (Act)* to prepare a four-year Council Plan following every general election. The Council Plan 2013-2017 (**Council Plan**) was adopted in June 2013 following a detailed community consultation process.

The Council Plan was developed alongside the Council Vision 2013-2023 (**Vision**). The Vision represents the community's ten-year aspirations for the city of Whitehorse, while the Council Plan describes how Council will act to implement the Vision. As required by the Act, the Council Plan includes:

- Strategic objectives
- Strategies to achieve the objectives
- Indicators to monitor achievement of the objectives, and
- A Strategic Resource Plan that forecasts the resources required to implement the Council Plan.

Council must review its Council Plan annually and consider whether it requires any adjustment in respect of its remaining period, as required by section 125(7) of the Act. Council may make any adjustment it considers necessary. If a proposed adjustment relates to the strategic objectives, strategies or indicators, then the adjustment is subject to a public consultation process under section 223 of the Act.

#### **DISCUSSION**

The Council Plan will shortly enter its fourth and final year in 2016/17. The annual review has identified minor adjustments necessary to ensure the Council Plan remains current, namely updates to the following:

- The Mayor;
- The organisation structure;
- Official Councillor committee appointments (which change annually);
- The estimated population of Whitehorse; and
- The Aboriginal acknowledgement.

### **9.3.3** (cont)

No adjustments are recommended to the strategic objectives, strategies or indicators. The strategic objectives and strategies continue to be relevant and reflective of the broad direction of Council activity, while the indicators were reviewed, updated and publicly exhibited as part of the 2014/15 annual review process.

The Council Plan incorporates a Strategic Resource Plan (**SRP**), which forecasts the resources required to implement the Council Plan over the next four years. The SRP is updated annually as part of the formulation of the Annual Budget. The SRP is also publicly exhibited as part of the suite of budget documents. The Annual Budget 2016/17 and the SRP 2016-2020 are being presented to Council for formal adoption at the ordinary meeting scheduled on 27 June 2016.

### **CONSULTATION**

The Council Plan was developed following a detailed community engagement process. Multiple stakeholders provided input into the strategic direction of Whitehorse, including residents, community groups, businesses, Councillors and staff. A public exhibition process was conducted in 2014/15 when adjustments were made to the Council Plan indicators. The most recent Council Plan review incorporated feedback from various consultation processes, including Council staff consultation. The SRP was placed on public exhibition as part of a suite of budget documents.

### **FINANCIAL IMPLICATIONS**

The Council Plan identifies high-level directions and strategies that guide Council's actions and inform the development of the annual budget. The SRP, which forms part of the Council Plan, forecasts the financial, human and other resources required to implement the plan.

The SRP aims to ensure that Council remains financially sustainable over the next four years and in the longer term. Council's long-term planning strategy is aimed at creating a sustainable fiscal environment to enable Council to continue to provide the community with high quality services and infrastructure into the medium and long term. The financial plan is a continuation of Council's responsible financial program. It is a financial plan aimed at:

- Balancing the community's needs and ensuring that Council continues to be financially sustainable in the long term.
- Increasing Council's commitment to sustainable asset renewal and maintenance of the community's assets.
- Maintaining a strong cash position for financial sustainability.
- Achieving efficiencies through targeted savings and an ongoing commitment to contain costs.
- Rate and fee increases that are both manageable and sustainable; and
- Providing a framework to deliver balanced budgets including sustainable annual underlying surpluses.

### **9.3.4 Adoption of the Proposed Budget 2016/17 & Draft Strategic Resource Plan 2016-2020**

FILE NUMBER: SF15/920  
ATTACHMENTS

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#### **SUMMARY**

*This report recommends that Council adopt the Proposed Budget 2016/17 incorporating the draft Strategic Resource Plan 2016-2020, as attached, in accordance with Sections 126, 127 and 130 of the Local Government Act 1989.*

#### **RECOMMENDATION**

***That Council:***

**1. *Having:***

- a) Considered all written submissions;***
- b) Heard the presentations of submissions;***
- c) Received the report of the Special Committee (Minuted extract Attachment 10a) of its meeting held on 14 June 2016, and***
- d) Considered officer comments (Attachment 10b),***

***Now adopt the Proposed Budget 2016/17 inclusive of the draft Strategic Resource Plan 2016-2020 as contained in the annexed Budget document (Attachment 10c) in accordance with Section 130 of the Local Government Act 1989.***

- 2. *Thank persons making submissions in writing for their contribution and advise them of the outcome of Council's decision.***
- 3. *Authorise the Chief Executive Officer to give public notice of Council's decision in accordance with Section 130(2) of the Local Government Act 1989 and submit a copy of the budget to the Minister in accordance with Section 130(4) of the Local Government Act 1989.***

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#### **BACKGROUND**

The Proposed Budget 2016/17 was presented to the Special Council meeting on 27 April 2016 and public notice advertised, in accordance with Section 129(1) and (3) of the *Local Government Act 1989*, in The Age newspaper on Saturday 30 April 2016.

The Proposed Budget 2016/17 was available for public inspection for 28 days after publication of the notice, in accordance with the *Local Government Act 1989* and the *Local Government (Planning & Reporting) Regulations 2014*.

Submissions regarding the Proposed Budget 2016/17 were required to be received by Sunday 29 May 2016 for consideration by Council at its Special Committee meeting, held on Tuesday 14 June 2016. The details of submissions received are contained in Appendix A of this report.

### 9.3.4

(cont)

#### DISCUSSION

The Proposed Budget 2016/17 incorporates the draft Strategic Resource Plan 2016-2020 and is in line with Council's long-term financial plan, providing a responsible solution to the current demands facing the organisation.

The Proposed Budget 2016/17 has been prepared with emphasis for the coming year on a continuation of service delivery for our community, providing consistency and support for our residents. The budget funds a range of community services including health and family services, home and community care, the maintenance of community facilities, parks, gardens, playgrounds, infrastructure, waste and recycling collection, and building and planning services. In addition, the Capital Works Program provides for a sustainable level of funding for the renewal of the community's infrastructure and an investment in major community facilities such as the development of the Nunawading Community Hub.

The key features of the Proposed Budget 2016/17 are:

#### **An operational budget that enables the delivery of services to the community including:**

- \$14.79 million for Home and Community Care
- \$14.34 million for Sustainability, Waste and Recycling
- \$12.06 million for Leisure Facilities
- \$11.64 million for Health and Family Services
- \$10.33 million for ParksWide (maintenance of sports fields, parks and gardens)
- \$7.49 million for City Works (depot operations, maintenance of footpaths, drains and roads)
- \$5.77 million for the Recycling and Waste Centre
- \$5.54 million for Planning and Building Services
- \$5.43 million for Arts and Cultural Services
- \$5.19 million for Engineering
- \$5.04 million for Libraries
- \$4.51 million for Compliance (Community Laws, parking, school crossings, risk, insurance and emergency management)
- \$3.61 million for Capital Works Management and Facilities Maintenance
- \$2.14 million for Community Development
- \$0.94 million for Investment and Economic Development
- \$0.82 million for Parks Planning and Recreation
- \$0.46 million for Major Projects (operational expenditure)

#### **A \$33 million Capital Works Program comprising:**

- \$10.50 million for building and building improvements
- \$5.88 million for roads, bridges and off street car parks
- \$4.43 million for plant and equipment
- \$3.56 million for footpaths and cycleways
- \$3.21 million for recreational, leisure and community facilities
- \$3.05 million for parks, open space and streetscapes
- \$1.99 million for drainage improvements and waste management

### 9.3.4

(cont)

#### KEY PRESSURES AND CHALLENGES

When setting the Proposed Budget 2016/17, Council considered a number of key pressures and challenges, both external and internal, including:

- The introduction of rate capping by the Victorian State Government limiting the average rate increase at 2.5% in line with the forecast Consumer Price Index;
- Cost shifting by other levels of government. This occurs where Council provides a service to the community on behalf of the state and federal government. Over time the funds received by Council do not increase in line with the cost of service delivery. Examples of services that are subject to cost shifting include school crossing supervision, library services and Home and Community Care;
- A significant source of funding for Council (Victoria Grants Commission funding) has been frozen at 2013/14 levels until 2017/18 as part of an announcement by the Commonwealth Government in its Budget 2014/15. This equates to forgone income of \$0.32 million over the period;
- Statutory fees that do not enable full cost recovery. For example planning fees are set by the state and have been frozen for most of the past 14 years;
- The fire services property levy will continue to be collected by Council on behalf of the state government under the *Fire Services Property Levy Act 2012*;
- A projected 3.0% increase in the State Government Landfill Levy to \$62.34 per tonne. This represents a 592.7% increase over the past eight years from the \$9.00 levy charged in 2009/10. The cost to Council will increase by \$0.11 million to \$3.85 million;
- Increased monitoring, rehabilitation and maintenance required for compliance with EPA regulatory requirements on closed landfills to a total of \$0.43 million for 2016/17;
- Changing demographics as a result of an ageing and increasingly culturally diverse population resulting in the need for Council to develop facilities which are accessible and adaptable to inter-generational, diverse and multicultural community users;
- Community expectations for Council to be a leader in environmental sustainability by planning for the effects of climate change, education and awareness of the benefits of trees and natural bushland, and supporting the community in protecting and enhancing our natural assets and open spaces;
- Council is facing significant increases in green power electricity supply costs as retailers pass on rising costs;
- Impact of market competition including the opening of new aquatic and gym facilities within the region;
- Low interest rates restricting Council's ability to generate earnings on cash and investments.
- Ongoing objective to gain operational efficiencies and to maintain ongoing long term financial sustainability;
- Identified cost savings and efficiencies and any alternative additional revenue streams have been accounted for in this budget;
- The continued requirement to invest in the renewal of ageing community infrastructure;
- The investment in major community infrastructure and facilities over several years (such as the Nunawading Community Hub); and
- Council is in the process of negotiating a new Enterprise Bargaining Agreement to come into effect in 2016/17.

### 9.3.4

(cont)

#### CONSULTATION

The budget document has been carefully prepared following community consultation throughout the year and is guided by priorities outlined in key strategic documents including the *Council Vision 2013-2023*, the current four year *Council Plan*, *Strategic Resource Plan* and other major plans and strategies.

A number of Council consultations on key Council strategies and plans were held throughout the year influencing the development of the budget including two community budget information sessions in April 2016 to discuss the development of Whitehorse's Proposed Budget 2016/17.

Council is required under Sections 126 and 127 of the *Local Government Act 1989* to seek written public comment on the Proposed Budget. Council is required to give public notice that the Proposed Budget document will be made available for inspection for 28 days and that Council will receive submissions made under Section 223 in respect of the Proposed Budget.

Advertisements providing formal notice of the approval of the Proposed Budget 2016/17 for consultation were placed in The Age on Saturday 30 April 2016 and the Whitehorse Leader on Monday 2 May 2016.

Council heard submissions at a Special Committee meeting on Tuesday 14 June 2016 at 8.00pm in the Civic Centre, Nunawading. Closing date for written submissions was Sunday 29 May 2016.

Copies of the Proposed Budget 2016/17 document were made available throughout the consultation period at the Council's Service Centres (Nunawading, Forest Hill and Box Hill), at the four library branches and on Council's website.

#### Public Submissions

Council received 12 formal submissions/comments on the Proposed Budget 2016/17. 7 people spoke in support of their submission at the Special Committee meeting.

#### Appendix A: Submissions received from the following:

	Name	Issue(s) Raised
1	Ms R. Smit	Cycling expenditure
2	Mrs G. Chambers	Rate increase
3	Mrs R. Farr	School crossing for Orchard Grove Primary School
4	Blackburn Junior Football Club	Improving facilities for female football at Eley Park
5	St Francis Xavier Primary School	Improving pedestrian safety around school
6	Mr K. Weeks	Elgar Park pond restoration
7	Blackburn Sporting Club	Funding for redevelopment of Morton Park facilities
8	Mr G. Thiele	Rate increase/cost savings
9	Mrs K. Cummings	Various issues mainly relating to cost savings and non-essential services/works
10	Whitehorse Ratepayers and Residents Association	Various issues mainly relating to cost savings, efficiencies and non-essential services
11	Mr R. Lloyd	Rate increase/surplus
12	Ms G. Gallagher	Proposed improvements for Yarran Dheran

The full text of the submissions are attached (Attachment 10a).

**9.3.4**  
(cont)

The following people spoke in support of their submissions:

	<b>Name</b>
<b>1</b>	Ms Ria Smit
<b>2</b>	Mr Rhys Thomas Chairperson, Education Board St Francis Xavier Primary School
<b>3</b>	Mr Kenneth Weeks
<b>4</b>	Mr Glenn Thiele
<b>5</b>	Mr Colin Carter Spokesperson Whitehorse Ratepayers and Residents Association
<b>6</b>	Mr Roy Lloyd
<b>7</b>	Ms Gay Gallagher Yarran Dheran Advisory Committee



**9.3.5 Delegated Decisions – April 2016**

FILE NUMBER: SF13/1527#02

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

**RECOMMENDATION**

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

DELEGATION	FUNCTION	Number for April 2015	Number for April 2016
Planning and Environment Act 1987  Telecommunications Act 1997 Subdivision Act 1988 Gaming Control Act 1991	- Delegated decisions	139	111
	- Strategic Planning Decisions	Nil	2
		Nil	Nil
		24	24
		Nil	Nil
Building Act 1993	Dispensations & applications to Building Control Commission	55	61
Liquor Control Reform Act 1998	Objections and prosecutions	1	2
Food Act 1984  Public Health & Wellbeing Act 2008	- Food Act orders	5	2
	- Improvement / prohibition notices	Nil	1
Local Government Act 1989	Temporary road closures	10	5
Other delegations	CEO signed contracts between \$150,000 - \$500,000	Nil	1
	Property Sales and leases	9	1
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	1317	1020
	Parking Amendments	6	12
	Parking Infringements written off (not able to be collected)	352	295

Details of each delegation are outlined on the following pages.

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

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

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
6	08-04-16	CMP Approved	5 Irving Ave, Box Hill	Elgar	Construction Management Plan	CMP Process
19	13-04-16	CMP Approved	18 Florence Rd, Surrey Hills	Riversdale	CMP - Development of a residential aged care facility within a two storey building and basement for car parking. Removal of vegetation from the land.	CMP Process
35	19-04-16	Delegate Approval - S72 Amendment	25 Jeffery St, Blackburn	Central	Buidings and works for a new double storey dwelling and removal of two protected trees	Permit Amendment
74	05-04-16	Delegate Approval - S72 Amendment	15 Warnes Rd, Mitcham	Springfield	Construction of three double-storey dwellings	Permit Amendment
114	28-04-16	Delegate Approval - S72 Amendment	22/277-289 Middleborough Rd, Box Hill South	Riversdale	Building and works to create a sub-floor within an existing warehouse and a reduction to the standard car parking requirement associated with the use of land for industry (catering)	Permit Amendment
176	08-04-16	Delegate Approval - S72 Amendment	20A Broughton Rd, Surrey Hills	Riversdale	Amendment to endorsed plan to permit WH/2014/176 to lower the finished floor level of Dwelling 1, addition of decks and variation in ground floor external materials to all dwellings	Permit Amendment
241	06-04-16	Delegate Approval - S72 Amendment	2 Toogoods Rise Box Hill North	Elgar	Amendment to Planning Permit WH/2014/241 (Issued for the construction of two double storey dwellings) to increase the finish floor level of the single garage to Dwelling 1.	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
376	28-04-16	Delegate Approval - S72 Amendment	32 Dunloe Ave, Mont AlbertNorth	Elgar	Construction of two double storey dwellings	Permit Amendment
451	27-04-16	Delegate Approval - S72 Amendment	11 Aspinall Rd, Box Hill North	Elgar	Construction of two double storey dwellings	Permit Amendment
537	20-04-16	Delegate Approval - S72 Amendment	454-456 Whitehorse Rd, Mitcham	Springfield	Amendment to Planning Permit WH/2014/537 (issued for building and works to extend existing restaurant) comprising a minor extension to the existing building footprint	Permit Amendment
584	05-04-16	Delegate Approval - S72 Amendment	43 Stott St, Box Hill South	Riversdale	Construction of a double storey dwelling to the rear of the existing dwelling	Permit Amendment
612	20-04-16	Delegate Approval - S72 Amendment	171 Whitehorse Rd, Blackburn	Central	Amendment to Planning Permit WH/2015/612 (issued for buildings and works comprising the construction of decking and gazebos and a reduction in the car parking requirements of Clause 52.06) comprising enclosure of the gazebos with timber shutters	Permit Amendment
638	04-04-16	Delegate Approval - S72 Amendment	395 Canterbury Rd, Vermont	Springfield	Use of land as an Education Centre in association with the Baha'i Center of Learning for Victoria	Permit Amendment
737	19-04-16	Delegate Approval - S72 Amendment	116 Brunswick Rd, Mitcham	Springfield	Amendment to Planning Permit WH/2014/737 (Issued for the construction three double storey dwellings) to increase the setback of the garage to Dwelling 3 to become 2.5 metres from the southern boundary	Permit Amendment

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
775	05-04-16	Delegate Approval - S72 Amendment	1/317 Blackburn Rd, Burwood East	Morack	Single storey addition to the existing attached dwelling	Permit Amendment
901	21-04-16	Delegate Approval - S72 Amendment	109 Carrington Rd, Box Hill	Elgar	Construction of a four storey apartment building for 50 dwellings with basement car parking.	Permit Amendment
931	04-04-16	Delegate Approval - S72 Amendment	42 Albany Cres, Surrey Hills	Elgar	Amendment to endorsed plan to permit WH/2014/931 to remove the front fence of Dwelling 1 and for minor alterations to Dwelling 2	Permit Amendment
998	12-04-16	Delegate Approval - S72 Amendment	12 Brentford Sqr, Forest Hill	Morack	Construction of ground floor shop extension, first and second floor office additions, and waiver of the car parking requirements	Permit Amendment
15361	29-04-16	Delegate NOD - S72 Amendment	396 Burwood Hwy, Burwood	Riversdale	Amendment to Planning Permit WH/2005/15361/A (issued for use of the land for a Medical Centre for eighteen (18) practitioners and a reduction in the number of car spaces required) for an extension to the operating hours from between 8am and 10pm seven days a week to between 8am and 11pm seven days a week	Permit Amendment
52	27-04-16	Delegate NOD Issued	85 Victoria Cres, Mont Albert	Elgar	Construction of two double storey dwellings	Multiple Dwellings
413	29-04-16	Delegate NOD Issued	1/10 Middlefield Drv, Blackburn North	Central	Construction of a dwelling extension (second storey) on a lot of less than 300 square metres	Single Dwelling < 300m2
542	08-04-16	Delegate NOD Issued	1 Sylvan Crt, Forest Hill	Morack	Construction of two (2) double storey side by side dwellings	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
632	12-04-16	Delegate NOD Issued	45 Combarton St, Box Hill	Elgar	Partial demolition and alterations to the existing dwelling and demolition of an outbuilding for the purpose of buildings and works to construct an extension and the construction of a domestic swimming pool	Heritage
679	11-04-16	Delegate NOD Issued	10 Dora Ave, Blackburn	Central	Construction of a four storey apartment building with basement comprising 13 dwellings	Multiple Dwellings
849	08-04-16	Delegate NOD Issued	87 Koonung Rd, Blackburn North	Central	Construction of two double storey dwellings	Multiple Dwellings
937	22-04-16	Delegate NOD Issued	23 Morley Cres, Box Hill North	Elgar	The construction of three (3) double storey dwellings and associated buildings and works within a Special Building Overlay	Multiple Dwellings
955	06-04-16	Delegate NOD Issued	15 Kinkora Rd, Blackburn	Central	Construction of three double storey dwellings	Multiple Dwellings
1015	06-04-16	Delegate NOD Issued	43-47 Ashmore Rd, Forest Hill	Morack	Construction of six double storey dwellings	Multiple Dwellings
1043	21-04-16	Delegate NOD Issued	75 Glenburnie Rd, Vermont	Springfield	Buildings and works to construction an outbuilding and the removal of one (1) protected tree	Special Landscape Area
1146	29-04-16	Delegate NOD Issued	121 Springfield Rd, Blackburn North	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
1164	14-04-16	Delegate NOD Issued	266 Middleborough Rd, Blackburn South	Central	Construction of two double storey dwellings	Multiple Dwellings
1173	22-04-16	Delegate NOD Issued	313 Middleborough Rd, Box Hill South	Riversdale	Use of land for the sale and consumption of liquor and reduction in car parking requirements under Clause 52.06 (for a restaurant use)	Liquor Licence

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
9	28-04-16	Delegate Permit Issued	1 Gilbert St, Mont Albert	Elgar	Construction of two double storey side by side dwellings	Multiple Dwellings
19	29-04-16	Delegate Permit Issued	30 Pine St, Surrey Hills	Riversdale	To demolish existing dwelling and to construct two new double storey dwellings with double garages	Multiple Dwellings
41	28-04-16	Delegate Permit Issued	630 Mitcham Rd, Mitcham	Springfield	Seventeen (17) lot subdivision of existing commercial building (Re-subdivision of Lot 3 on PS707260H)	Subdivision
74	27-04-16	Delegate Permit Issued	326 Burwood Hwy, Burwood	Riversdale	34 lot subdivision	Subdivision
80	19-04-16	Delegate Permit Issued	18 Collins St, Box Hill	Elgar	Buildings and works to extend an existing dwelling	Heritage
102	11-04-16	Delegate Permit Issued	114-126 Burwood Hwy, Burwood	Riversdale	Internally illuminated business identification pylon sign	Business
126	14-04-16	Delegate Permit Issued	2B Asquith St, Box Hill South	Riversdale	Buildings and works to construct of a single garage and front gate	Business
127	13-04-16	Delegate Permit Issued	11/56 Norcal Rd, Nunawading	Springfield	Buildings and works comprising the extension of an internal mezzanine level in association with a warehouse use and a reduction of the car parking requirements of Clause 52.06 (one space)	Industrial
139	18-04-16	Delegate Permit Issued	72 Scott St, Vermont	Springfield	Removal of protected trees	Special Landscape Area
148	20-04-16	Delegate Permit Issued	530 Elgar Rd, Box Hill North	Elgar	Construction of a new shed on a Public Park and Recreation zone at Hagenaur Reserve	Other
163	04-04-16	Delegate Permit Issued	10 Banksia St, Blackburn	Central	3 lots subdivision	Subdivision
187	27-04-16	Delegate Permit Issued	9-19 Rooks Rd, Mitcham	Springfield	Creation of Easement Section 23	Subdivision
189	15-04-16	Delegate Permit Issued	9 Station St, Mitcham	Springfield	Change of use to Medical Centre, with dispensation for carparking	Business

<b>Appl. No.</b>	<b>Dec. Date</b>	<b>Decision</b>	<b>Street Address</b>	<b>Ward</b>	<b>Proposed Use or Development</b>	<b>Application Type</b>
205	21-04-16	Delegate Permit Issued	974-976 Whitehorse Rd, Box Hill	Elgar	Use of land for the sale and consumption of liquor	Liquor Licence
212	29-04-16	Delegate Permit Issued	3 Linum St, Blackburn	Central	Construction of an inground concrete swimming pool and safety barrier in an SLO 1	Special Landscape Area
221	01-04-16	Delegate Permit Issued	23 Drummond St, Blackburn South	Central	Removal of one (1) tree	VicSmart - General Application
230	21-04-16	Delegate Permit Issued	14 Hopetoun St, Mitcham	Springfield	3 lot subdivision	Subdivision
233	05-04-16	Delegate Permit Issued	39 Toomey St, Vermont	Springfield	Extension to an existing dwelling in a Special Building Overlay	VicSmart - General Application
237	26-04-16	Delegate Permit Issued	1/511 Middleborough Rd, Box Hill North	Elgar	Change of an existing illuminated signage to a led signage	Advertising Sign
238	05-04-16	Delegate Permit Issued	17 Anthony Cres, Box Hill North	Elgar	Construction of one (1) double storey dwelling	VicSmart - General Application
257	15-04-16	Delegate Permit Issued	17 Ferguson St, Mitcham	Springfield	3 lot subdivision	Subdivision
258	15-04-16	Delegate Permit Issued	43 Milton St, Nunawading	Springfield	3 lot subdivision	Subdivision
259	29-04-16	Delegate Permit Issued	15 Farleigh Ave, Burwood	Riversdale	4 lot subdivision	Subdivision
261	18-04-16	Delegate Permit Issued	471 Middleborough Rd, Box Hill North	Elgar	3 lot subdivision	Subdivision
263	13-04-16	Delegate Permit Issued	17 Salisbury Ave, Mont Albert	Elgar	Pruning of one (1) tree	VicSmart - General Application
270	19-04-16	Delegate Permit Issued	20 Gordon Cres, Blackburn	Central	Construction of a front fence	VicSmart - General Application
274	21-04-16	Delegate Permit Issued	16 Central Rd, Blackburn	Central	Construction of a front fence within a Significant Landscape Overlay	VicSmart - General Application
279	26-04-16	Delegate Permit Issued	5 Boyd St, Blackburn South	Central	Removal of one (1) tree in the Significant Landscape Overlay	VicSmart - General Application
282	21-04-16	Delegate Permit Issued	1/8 Regal Crt, Vermont South	Morack	Change of use to indoor recreation facility (dancing school)	Residential (Other)
287	26-04-16	Delegate Permit Issued	33 Boisdale St, Surrey Hills	Riversdale	2 lot subdivision	Subdivision

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
301	28-04-16	Delegate Permit Issued	2/418 Mont Albert Rd, Mont Albert	Elgar	Construction of a front fence	VicSmart - General Application
313	28-04-16	Delegate Permit Issued	33 Orient Ave, Mitcham	Springfield	3 lot subdivision	Subdivision
319	28-04-16	Delegate Permit Issued	1/54 McIntyre St, Burwood	Riversdale	2 lot subdivision	Subdivision
320	28-04-16	Delegate Permit Issued	7/1 Via Media Box Hill	Elgar	Re-subdivide Unit 7 and part of the Common Property on RP14274 and create new lots 7A and common property on RP14274	Subdivision
342	21-04-16	Delegate Permit Issued	585 Whitehorse Rd, Mitcham	Springfield	Construction of a three storey building including 12 dwellings, reduction of car parking requirements and alteration of access to a road in a Road Zone (Category 1)	Multiple Dwellings
537	04-04-16	Delegate Permit Issued	12 Cyril St, Box Hill South	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
541	04-04-16	Delegate Permit Issued	15 Neville St, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
637	11-04-16	Delegate Permit Issued	5 Ronald St, Mitcham	Springfield	Construction of two (2) double storey dwellings	Multiple Dwellings
671	21-04-16	Delegate Permit Issued	89 Holland Rd, Blackburn South	Central	Construction of two double storey dwellings	Multiple Dwellings
690	27-04-16	Delegate Permit Issued	159-171 Rooks Rd, Vermont	Springfield	Change of use to an education centre (motor cycle training and licensing)	Industrial
697	11-04-16	Delegate Permit Issued	13 Cyril St, Box Hill South	Riversdale	Construction of two dwellings	Multiple Dwellings
777	21-04-16	Delegate Permit Issued	22 Frank St, Box Hill South	Riversdale	Construction of two dwellings (one double storey dwelling and one single storey dwelling)	Multiple Dwellings
783	14-04-16	Delegate Permit Issued	74 Mahoneys Rd, Forest Hill	Central	Construction of three double storey dwellings	Multiple Dwellings
851	26-04-16	Delegate Permit Issued	25 Bronte Ave, Burwood	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings



Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
860	11-04-16	Delegate Permit Issued	7 Unley Crt, Vermont	Morack	Construction of one (1) double storey dwelling to the rear of an existing dwelling	Multiple Dwellings
876	06-04-16	Delegate Permit Issued	15 Hannaslea St, Box Hill	Elgar	Partial demolition and extension to existing dwelling (including front fence)	Heritage
882	21-04-16	Delegate Permit Issued	6 McDowall St, Mitcham	Springfield	Proposed double storey dwelling	Single Dwelling < 300m2
910	21-04-16	Delegate Permit Issued	2/8 Glen Ebor Ave, Blackburn	Central	Extension to the existing dwelling (including verandah)	Residential (Other)
923	05-04-16	Delegate Permit Issued	7 Linlithgow St, Mitcham	Springfield	2 lot subdivision	Subdivision
924	26-04-16	Delegate Permit Issued	748 Whitehorse Rd, Mitcham	Springfield	Construction of a double storey dwelling to the rear of the existing dwelling and alterations to the existing dwelling	Multiple Dwellings
941	28-04-16	Delegate Permit Issued	7 Halsey St, Box Hill South	Riversdale	Development of two double storey dwellings	Multiple Dwellings
954	11-04-16	Delegate Permit Issued	32 Indra Rd, Blackburn South	Central	Construction of two (2) double storey dwellings	Multiple Dwellings
995	19-04-16	Delegate Permit Issued	237 Hawthorn Rd, Vermont South	Morack	Construction of two double storey dwellings	Multiple Dwellings
1003	13-04-16	Delegate Permit Issued	42 Myrtle Grv, Blackburn	Central	Buildings and works to alter and extend the existing dwelling and tree removal	Special Landscape Area
1020	06-04-16	Delegate Permit Issued	6 Malvina St, Burwood	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
1025	04-04-16	Delegate Permit Issued	3/6 Mitchell Rd, Mont AlbertNorth	Elgar	Buildings and works to the existing dwelling to provide a first floor addition	Single Dwelling < 300m2
1026	26-04-16	Delegate Permit Issued	9 Vine St, Blackburn	Central	Construction of three (3) double storey dwellings	Multiple Dwellings
1031	22-04-16	Delegate Permit Issued	231 Hawthorn Rd, Vermont South	Morack	Construction of two (2) double storey dwellings	Multiple Dwellings
1050	21-04-16	Delegate Permit Issued	5 Andrew St, Forest Hill	Springfield	Buildings and work to construct a garage within 4 metres of protected trees	Special Landscape Area

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
1056	20-04-16	Delegate Permit Issued	MM 1/1 Main St, Box Hill	Elgar	Buildings and works to alter the existing building facade	Business
1084	05-04-16	Delegate Permit Issued	3-5 Springfield Rd, Blackburn North	Central	Buildings and works associated with an existing place of worship	Residential (Other)
1088	28-04-16	Delegate Permit Issued	1 Inglisby Rd, Mont Albert	Elgar	3 lot subdivision	Subdivision
1095	20-04-16	Delegate Permit Issued	65 Eley Rd, Box Hill South	Riversdale	Construction of two (2) double storey dwellings	Multiple Dwellings
1153	08-04-16	Delegate Permit Issued	11 Park Close Vermont	Springfield	Extension to one dwelling on a lot	Residential (Other)
1159	18-04-16	Delegate Permit Issued	334 Springvale Rd, Forest Hill	Springfield	Buildings and works to extend an existing building (for an extension to the dwelling at the rear of a take-away convenience restaurant)	Residential (Other)
80	28-04-16	Delegate Refusal Issued	1/170-180 Rooks Rd, Vermont	Springfield	Use of premises as a retail premises (bookshop)	Industrial
99	29-04-16	Delegate Refusal Issued	15 Francesca St, Mont AlbertNorth	Elgar	Construction of four dwellings	Multiple Dwellings
714	15-04-16	Delegate Refusal Issued	1 Leonard St, Burwood	Riversdale	Construction of two double storey dwellings and alterations to a Road in a Road Zone Category 1	Multiple Dwellings
746	28-04-16	Delegate Refusal Issued	133 Burwood Hwy, Burwood East	Riversdale	Development of land for apartment buildings for dwellings, reduction in car parking requirement, and alteration of access to a road in a Road Zone, Category 1.	Multiple Dwellings
766	28-04-16	Delegate Refusal Issued	145 Burwood Hwy, Burwood East	Riversdale	Development of land for seven storey building comprising dwellings, reduction in the car parking requirement and alteration of access to a road in a Road Zone Category 1	Multiple Dwellings

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
890	08-04-16	Delegate Refusal Issued	13 Wingrove St, Forest Hill	Morack	Construction of a double storey dwelling to the rear of an existing single storey dwelling	Multiple Dwellings
14224	29-04-16	Delegate Refusal Issued	1/201 Elgar Rd, Surrey Hills	Riversdale	Amendment To Planning Permit Wh/2003/14224/A (Issued For The Construction And Use Of Building For Office, Education Centre And Residential Component (5 Dwellings) And Construction Of A Basement Car Park) Comprising The Alteration Of Conditions 23 And 24 To Extend Operating Hours And Increase The Number Of Staff And Students, And A Reduction In The Car Parking Requirements Of Clause 52.06	Permit Amendment
213	18-04-16	No Permit Required	974 Whitehorse Rd, Box Hill	Elgar	Reduction in car parking	Business
240	18-04-16	No Permit Required	1 Irvine St, Mitcham	Springfield	Removal of one (1) tree	VicSmart - General Application
303	26-04-16	No Permit Required	21 Lexton Rd, Box Hill North	Elgar	Construction of front fence	VicSmart - General Application
13319	20-04-16	No Permit Required	1/14 Worrall St, Burwood	Riversdale	Development of three dwellings, including one double storey dwelling and two single storey dwellings	Permit Amendment
79	05-04-16	Withdrawn	1/20 Forster St, Mitcham	Springfield	Building and works for additions and alterations to the existing dwelling	Residential (Other)

Appl. No.	Dec. Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
193	28-04-16	Withdrawn	5-13 Sinnott St, Burwood	Riversdale	Use of the land for an education centre (indoor swim school)	Industrial
204	08-04-16	Withdrawn	8/58 Lexton Rd, Box Hill North	Elgar	Establishment of a new swimming school with internal fit out in an IN3 Z	Industrial

**BUILDING DISPENSATIONS/APPLICATIONS APRIL 2016**

Address	Date	Ward	Result
45 Koonung Road, BLACKBURN NORTH	04-04-16	Central	Amendment Approved R409
10 Edinburgh Road, BLACKBURN SOUTH	15-04-16	Central	Consent Granted R409, R415, R416, R414
193 Blackburn Road, BLACKBURN SOUTH	01-04-16	Central	Consent Granted R424
4 Ernest Street, BLACKBURN	21-04-16	Central	Consent Granted R409
55 Railway Road, BLACKBURN	21-04-16	Central	Consent Granted R604
63 Main Street, BLACKBURN	20-04-16	Central	Consent Granted R414
65 Railway Road, BLACKBURN	21-04-16	Central	Consent Granted R604
19 Lee Ann Street, BLACKBURN SOUTH	07-04-16	Central	Consent Refused R415
2 Nicoll Street, BLACKBURN NORTH	05-04-16	Central	Consent Refused R418
2 Norway Avenue, BLACKBURN	13-04-16	Central	Consent Refused R424
87 Pakenham Street, BLACKBURN	21-04-16	Central	Consent Refused R409, R415
29 Elder Street, BLACKBURN	06-04-16	Central	Withdrawn R414
78 Shannon Street, BOX HILL NORTH	14-04-16	Elgar	Amendment Approved R424
1 Ashted Road, BOX HILL	20-04-16	Elgar	Consent Granted R604
1/87-91 Watts Street, BOX HILL NORTH	26-04-16	Elgar	Consent Granted R417
13 Dunloe Avenue, MONT ALBERT NORTH	08-04-16	Elgar	Consent Granted R409
3 Ashted Road, BOX HILL	20-04-16	Elgar	Consent Granted R604
4 William Street, BOX HILL	01-04-16	Elgar	Consent Granted R424, R417
76 Churchill Street, MONT ALBERT	20-04-16	Elgar	Consent Granted R414
15 Garden Street, BOX HILL NORTH	13-04-16	Elgar	Consent Refused R417
4 Padgham Court, BOX HILL NORTH	29-04-16	Elgar	Consent Refused R409
42 Valda Avenue, MONT ALBERT NORTH	14-04-16	Elgar	Consent Refused R415
4 Paul Road, FOREST HILL	15-04-16	Morack	Amendment Approved R409
30 Range Road, BURWOOD EAST	27-04-16	Morack	Consent Granted R414
39 Ashmore Road, FOREST HILL	29-04-16	Morack	Consent Granted R416
515 Springvale Road, VERMONT SOUTH	01-04-16	Morack	Consent Granted R424
64 Barter Crescent, FOREST HILL	01-04-16	Morack	Consent Granted R424
8 Jolimont Road, FOREST HILL	22-04-16	Morack	Consent Granted R424, R427
22 Pine Street, SURREY HILLS	01-04-16	Riversdale	Consent Granted R424
43 Broughton Road, SURREY HILLS	13-04-16	Riversdale	Consent Granted R415
6 Emmy Court, BURWOOD	28-04-16	Riversdale	Consent Granted R418, R411, R415
60 Roslyn Street, BURWOOD	21-04-16	Riversdale	Consent Granted R426
72 Park Road, SURREY HILLS	01-04-16	Riversdale	Consent Granted R415
9 Hastings Avenue, BLACKBURN SOUTH	07-04-16	Riversdale	Consent Granted R414

Address	Date	Ward	Result
9 Naples Street, BOX HILL SOUTH	20-04-16	Riversdale	Consent Granted R414
11 Puerta Street, BURWOOD	27-04-16	Riversdale	Consent Refused R424
1C Neville Street, BOX HILL SOUTH	13-04-16	Riversdale	Consent Refused R409
2/11 Birdwood Street, BOX HILL SOUTH	21-04-16	Riversdale	Consent Refused R421, R408
37 Newton Street, SURREY HILLS	13-04-16	Riversdale	Consent Refused R424
34 Wellard Road, BOX HILL SOUTH	06-04-16	Riversdale	Withdrawn R424
14 Ian Crescent, MITCHAM	01-04-16	Springfield	Consent Granted R409
252 Springfield Road, NUNAWADING	29-04-16	Springfield	Consent Granted R409
27 Alwyn Street, MITCHAM	01-04-16	Springfield	Consent Granted R411
27 Bruce Street, MITCHAM	07-04-16	Springfield	Consent Granted R409
29 Shady Grove, NUNAWADING	13-04-16	Springfield	Consent Granted R424
336 Springfield Road, NUNAWADING	05-04-16	Springfield	Consent Granted R409
1/14 Vernal Avenue, MITCHAM	13-04-16	Springfield	Consent Refused R424
16 Joanna Street, NUNAWADING	22-04-16	Springfield	Consent Refused R415
16 Joanna Street, NUNAWADING	22-04-16	Springfield	Consent Refused R409
16 Joanna Street, NUNAWADING	22-04-16	Springfield	Consent Refused R417
2 Moresby Street, MITCHAM	14-04-16	Springfield	Consent Refused R409
297 Mitcham Road, MITCHAM	01-04-16	Springfield	Consent Refused R409

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

13.04.16	8A(3) and 20(1)	Delegate Approval	65 Esdale Street, Nunawading	Springfield	A request to redevelop the site for three units has necessitated a request to the Minister for Planning for an interim Heritage Overlay for 65 Esdale Street, Nunawading. The delegate report also sought authorisation to prepare and exhibit an amendment for a permanent Heritage Overlay. The site was identified for potential heritage significance in the <i>Whitehorse Heritage Review 2001</i> , the <i>Whitehorse Heritage Review 2012</i> and the <i>Whitehorse Post-1945 Heritage Study</i> .	Amendment C187 and C188
21.04.16	20(2)	Delegate approval	837 Whitehorse Road, Box Hill 843 Whitehorse Road, Box Hill 845-851 Whitehorse Road, Box Hill 6 Nelson Road, Box Hill 8 Nelson Road, Box Hill 10 Nelson Road, Box Hill 12-14 Nelson Road, Box Hill 4 Shipley Street, Box Hill 6-10 Shipley Street, Box Hill 7-11 Shipley Street, Box Hill	Elgar	At the meeting on 15 March 2016, Council resolved to seek authorization under Section 20(2) of the Planning and Environment Act 1987 to undertake the rezoning of the ten properties in Box Hill.  Since Council's resolution, officers became aware that there may be potential contamination on the sites from existing and past uses and therefore the delegate report sought to apply an Environmental Audit Overlay to the sites as part of the planning scheme amendment to ensure appropriate remediation of the sites has occurred prior to the development of any sensitive land uses.  The application of the EAO does not affect the rezoning or the financial implications of undertaking the amendment.	Amendment C186

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

<b>Contract</b>	<b>Service</b>
Contract 15023	Koonung Creek Trail Shared Path Connections, Mont Albert North

**REGISTER OF PROPERTY DOCUMENTS EXECUTED APRIL 2016**

<b>Property Address</b>	<b>Document Type</b>	<b>Document Detail</b>
53 Mersey Street, Box Hill North	Transfer of Land	Sale of Discontinued Road Section 207D Local Government Act 1989

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

Instrument of Sub Delegation – CEO to Staff – (Council Resolution 05-04-16)

**PARKING RESTRICTIONS APPROVED BY DELEGATION APRIL 2016**

- Address:** **Will Street, Mitcham:** from Whitehorse Road to 40 metres south of Whitehorse Road – west side  
**Previously:** 5 'No Stopping, 8-9am & 3-4pm, School Days' parking spaces  
**Now:** 5 'No Stopping' parking spaces
- Address:** **Whitehorse Road, Mitcham:** from Witt Street to 42 metres east of Witt Street – south side  
**Previously:** 5 'Unrestricted' parking spaces  
**Now:** 5 Temporary 'Mini-Bus Zone' parking spaces
- Address:** **Gissing Street, Blackburn South:** from north boundary of 51 Gissing Street to south boundary of 51 Gissing Street – east side  
**Previously:** 2 'Unrestricted' parking spaces  
**Now:** 2 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
- Address:** **Tyrrell Avenue, Blackburn:** from Williams Road to 33m west of Williams Road – north side  
**Previously:** 3 'Unrestricted' parking spaces  
**Now:** 3 'No Stopping' parking spaces
- Address:** **Albert Street, Blackburn:** from 10m north of Railway Road to 25m north of Railway Road – east side  
**Previously:** 2 '2-Hour, 9am to 6pm, Monday to Saturday' parking spaces  
**Now:** 2 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
- Address:** **Greenwood Street, Burwood:** from Burwood Highway to Woorall Street – west side  
**Previously:** 25 'Unrestricted' parking spaces  
**Now:** 25 Temporary '2-Hour, 8am to 6pm, Monday to Friday' parking spaces

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

<b>Date</b>	<b>Total Issued</b>	<b>Payments (direct debit, cheques or electronic funds transfer)</b>	<b>Transaction Type EFT/CHQ/DD</b>
07.04.16	\$7,059.05	16	EFC
07.04.16	\$69,748.19	59	CHQ
07.04.16	\$724,941.05	48	EFT
08.04.16	\$44,542.86	2	EFT
14.04.16	\$4,214.25	8	EFC
14.04.16	\$43,392.76	59	CHQ
14.04.16	\$2,019,575.89	288	EFT
18.04.16	\$1,771.70	1	EFC
19.04.16	\$2,120.00	1	EFT
21.04.16	\$1,673.00	6	EFC
21.04.16	\$59,942.70	84	CHQ
21.04.16	\$434,579.56	67	EFT
26.04.16	\$4,122.73	1	EFT
28.04.16	\$2,100.75	7	EFC
28.04.16	\$29,764.54	15	CHQ
28.04.16	\$4,238,530.04	358	EFT
<b>Monthly Leases</b>	\$73,000.00		DD
<b>GROSS</b>	\$7,761,079.07	1020	
<b>CANCELLED PAYMENTS</b>	-\$1,751.31	-14	
<b>NETT</b>	\$7,759,327.76	1006	

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

**10.1 Reports by Delegates**

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

**RECOMMENDATION**

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

**10.2 Recommendations from the Special Committee of Council  
Meeting of 14 June 2016**

**RECOMMENDATION**

*That the recommendations from the Special Committee of Council Meeting of 14 June 2016 Item 10.2.1 be received and adopted.*

**10.2.1 Implementing Broader Social Media Platforms**

Moved by Cr Harris, Seconded by Cr Massoud.

***That Council:***

- 1. *Request Council officers to prepare a report outlining the next steps towards implementing broader social media platform/s and report back to Council by February 2017. The Report to include:***
  - An assessment of Council's current social media applications***
  - Suggested platforms and applications and an assessment of their value to achieving councils goals***
  - Financial and human resources required to support expanded applications***
  - An assessment of longer term cost implications***
  - A draft social media policy that reflects any recommendations in the report***
- 2. *Upon receiving the recommendations from the report, consider available funding options from within the parameters of the 2016/2017 budget.***

**CARRIED**



### 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
16 -05-16 6.30-7.00pm	<b>Councillor Informal Briefing Session</b> <ul style="list-style-type: none"> <li>• Notice of Motion</li> <li>• 2 Parkmore Road Forest Hill</li> <li>• 25 Holland Road, Blackburn</li> <li>• Delegations from Council to positions within the Organisation</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Munroe Cr Stennett	N Duff J Green (AGMI) I Kostopoulos T Wilkinson P Smith A De Fazio J Russell	Nil	Nil
16-05-16 9.40-9.55 pm	<b>Box Hill Affordable Housing-Marketing Sounding</b>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	N Duff J Green (AGMI) I Kostopoulos T Wilkinson P Smith A De Fazio D Seddon J White	Nil	Nil
30-05-16 5.30-6.30pm	<b>Special Councillor Briefing Session</b> <ul style="list-style-type: none"> <li>• 517 to 521 Station Street Box Hill</li> <li>• Box Hill Institute</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Stennett	N Duff J Green (AGMI) I Kostopoulos T Wilkinson P Smith A De Fazio D Seddon J White T Peak	Nil	Nil
06-06-16 4.00-5.45pm	<b>Box Hill Reference Group</b> <ul style="list-style-type: none"> <li>• Box Hill Advocacy</li> </ul>	Cr Daw (Mayor & Chair) Cr Carr Cr Harris OAM Cr Massoud	J Green W Gerhard B van Duppen D Vincent-Smith	Nil	Nil
06-06-16 6.35-9.30pm	<b>Strategic Planning Session</b> <ul style="list-style-type: none"> <li>• Capital Works</li> <li>• Finance-April 2016</li> <li>• Municipal Wide Tree Study</li> <li>• Melbourne East Regional Sports &amp; Recreational Strategy</li> <li>• Implementation of the Whitehorse Open Space Strategy</li> <li>• EBA Update</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Munroe Cr Stennett	N Duff J Green P Warner T Wilkinson P Smith S Freud A De Fazio D Logan J Gorst K Marriot A Egan V McLean B Morrison S McGrath T Peak	Nil	Nil

<b>Meeting Date</b>	<b>Matter/s Discussed</b>	<b>Councillors Present</b>	<b>Officers Present</b>	<b>Disclosures of Conflict of Interest</b>	<b>Councillor /Officer attendance following disclosure</b>
<b>08-06-16</b> 12.00- 2.30pm	<b>Community Grants 2016-17 Councillor Panel meeting</b> <ul style="list-style-type: none"> <li>Community Grants Applications for the 2016-17 Financial Year</li> </ul>	Cr Daw (Mayor & Chair) Cr Carr Cr Ellis Cr Harris OAM Cr Massoud	D Seddon J Lyons	<ul style="list-style-type: none"> <li>Cr Harris declared a indirect conflict of interest in Box Hill Historical Society</li> <li>Cr Massoud declared a direct conflict of interest in Whitehorse Community Chest</li> <li>Cr Ellis declared a direct conflict of interest in Alkira</li> </ul>	Crs Ellis, Harris and Massoud each declared a conflict of interest, however as Community Grants to the organisations they declared their interest in were not discussed there was no requirement for the Councillors to leave the panel meeting on this occasion.
<b>08-06-16</b> 5.00-7.00pm	<b>Whitehorse Matsudo Sister City Friendship Group</b> <ul style="list-style-type: none"> <li>Sister City Relationship</li> </ul>	Cr Daw (Mayor & Chair) Cr Chong AM Cr Ellis Cr Stennett	A De Fazio J Russell H Anderson	Nil	Nil
<b>14-06-16</b> 6.30-10.45pm	<b>Councillor Briefing Session</b> <ul style="list-style-type: none"> <li>Special Committee, Other Business Motions &amp; Special Council Meeting Open Space Land</li> <li>Draft Council Agenda 27 June 2016</li> <li>2016/17 Budget Submissions – Draft Council Report</li> <li>Special Council Meeting – Councillor Code of Conduct</li> </ul>	Cr Daw (Mayor & Chair) Cr Bennett Cr Carr Cr Chong AM Cr Davenport Cr Ellis Cr Harris OAM Cr Massoud Cr Munroe Cr Stennett	(ACEO) T Wilkinson J Green P Warner (AGMHS) T Johnson P Smith C Chritchley J Russell K Marriot P McAleer A Skraba V Mclean I Goodes I barnes L Mc Guinness J Gorst T peak J Blyth N Sotko	Nil	Nil

**RECOMMENDATION**

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

**11      REPORTS ON CONFERENCES/SEMINARS ATTENDANCE**

**RECOMMENDATION**

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

**12      CONFIDENTIAL REPORTS**

Nil

**13      CLOSE MEETING**