



City of Whitehorse

MINUTES

Special Committee of Council Meeting

**Held in the
Council Chamber
Whitehorse Civic Centre**

379 Whitehorse Road Nunawading

on

Tuesday 13 June 2017

at 8.00pm

Members: Cr Denise Massoud (Mayor), Cr Blair Barker, Cr Bill Bennett,
Cr Raylene Carr, Cr Prue Cutts, Cr Andrew Davenport,
Cr Sharon Ellis, Cr Tina Liu, Cr Andrew Munroe,
Cr Ben Stennett

Mr Jeff Green
Acting Chief Executive Officer





GUIDELINES SPECIAL COMMITTEE OF COUNCIL

OBJECTIVE

To enhance the consultative process and facilitate public participation and involvement of the community in Council decision making in accordance with Council's Corporate Plan strategies – good governance.

PURPOSE OF GUIDELINES

To facilitate public participation and involvement in meetings of the Special Committee. These Guidelines complement Council's Meeting Procedures and Common Seal Local Law 2013.

PROVISION FOR PUBLIC PARTICIPATION

(The information below refers to 'General' Submissions. Please refer to page 2 of these Guidelines for information on Submissions on Council's Proposed Budget 2017/18 to be heard at 13 June 2017 meeting of the Special Committee of Council.)

The public has two opportunities to participate in this meeting – either by a submission which may be heard at the start of the meeting, (i.e. **Public Submissions**, refer below) or if the item is on the agenda, immediately prior to consideration of the item, and by **Public Comment** later in the meeting. There is no public interjection during the meeting and speakers are heard in an orderly manner.

Public Submissions:

A submission may be made on any matter, providing it is not in contravention of Council's Meeting Procedures and Common Seal Local Law 2013.

A maximum of 10 speakers will be permitted to make a submission and they will be determined in order of registration.

No individual submission shall exceed three minutes.

Where submissions have been made, under the provisions of any statutory process, further submissions shall not be heard, unless the matter is listed as an item of business on the Special Committee of Council agenda.

Procedures for Public Submissions:

Persons wishing to make a submission to the Special Committee on matters other than land planning matters must directly notify the Committee Clerk, Civic Services Department by 4pm on the day of the meeting and register to speak, by telephoning 9262-6337. The person who registers to speak shall be the person who will make the submission to the Special Committee.

Persons wishing to make a submission to the Special Committee on any land use planning matter must directly notify the Committee Clerk, Civic Services Department, at least five working days prior to the day of the meeting and register to speak by telephoning 9262-6337. The person who registers to speak, shall be the person who will make the submission to the Special Committee.

At the time of registering to speak, that person must indicate whether he or she will be speaking in support of or opposition to any planning permit application or Planning Scheme Amendment (or proposed planning permit application or proposed Planning Scheme Amendment). The Special Committee must not listen to or read anything said by that person unless it is satisfied that, at least four working days before the day of the Special Committee Meeting, a member of Council staff has contacted the person(s) whose interests are inimical to the person who has registered to speak (eg has contacted the planning permit applicant if the person who has registered to speak has indicated that he or she will speak in opposition to the grant of a planning permit application) and invited the first-mentioned person (or a person authorised by him or her) to also register by 4pm on the day of the meeting to attend the Special Committee Meeting and speak.

Persons wishing to table written material must provide 15 copies to the Committee Clerk prior to the commencement of the meeting to enable distribution to Councillors prior to the start of the meeting. No material will be distributed during the meeting by any person, including Council staff.

Requests to speak will be registered strictly in the order of receipt. Speakers for topics not listed on the Special Committee Agenda for the meeting will be heard first, then speakers who wish to cover more than one topic (3 minutes in total, not 3 minutes per topic).

In instances where a number of persons wish to address the Special Committee on the same matter, the Chairperson at his or her discretion may request they nominate a speaker/speakers to represent them.

In accordance with Clause 48.5 of Council's Meeting Procedures and Common Seal Local Law 2013. It is not necessary for Standing Orders to be suspended to allow a person to address the Special Committee, subject to compliance with these Guidelines.

Public Comment:

After the "Other Business" Section of the meeting has concluded, the Mayor will invite members of the gallery to indicate by show of hands if they wish to make a comment. *Only matters pertaining to this evening's meeting are to be commented on, (i.e. a Council Officer report or presentation, and any "Other Business" matters) and a 3 minute period per speaker applies.* A maximum period of 15 minutes shall be provided for public comment. The Mayor will call individuals forward to be heard and they should begin by clearly stating their name. This is a period for comment, not questions or debate *and there is no opportunity for any further **Public Submissions***

ADOPTION AND AMENDMENT OF THESE GUIDELINES

These guidelines were adopted by resolution of Council dated 19 August 2013 and may be further amended by resolution of Council from time to time. The Chairperson at his or her discretion may vary procedures under these Guidelines, at any meeting of the Special Committee.

***SUBMISSIONS ON COUNCIL'S 2017-18 PROPOSED BUDGET**

A person who makes a written submission on Council's 2017-18 Proposed Budget may also request to be heard by a Committee of Council appointed to consider and hear submissions.

Council at its meeting held 24 April 2017 determined that pursuant to section 223 (1) (b) of the *Local Government Act 1989*, the Special Committee of Council hear any submissions received in relation to the Proposed Budget 2017/18 on 13 June 2017.

Four people requested to speak in support of their written submission on Council's 2017/18 Proposed Budget; in line with statutory requirements these speakers have up to five minutes for their verbal submission.

Meeting opened at 8.00pm

Present: Cr Massoud (Mayor), Cr Barker, Cr Bennett, Cr Carr, Cr Cutts, Cr Davenport,
Cr Ellis, Cr Liu, Cr Munroe, Cr Stennett

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

The Mayor welcomed all

APOLOGIES: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed

4 CONFIRMATION OF MINUTES

Minutes of the Special Committee Meeting 08 May 2017

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Ellis

That the minutes of the Special Committee Meeting 08 May 2017 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 PUBLIC SUBMISSIONS

Interested parties who wish to address the Special Committee of Council during the Public Submissions period of the Special Committee Meeting must register with the Civic Services Department by telephoning 9262 6337 by 4pm on the day of the meeting.

Persons speaking will be identified and recorded for Council Minutes and become part of a permanent record of the Council. Please indicate if you do not wish your name to be recorded.

Persons wishing to make a submission to the Special Committee on any land use planning matter must directly notify the Committee Clerk, Civic Services Department, at least five working days prior to the day of the meeting and register to speak by telephoning 9262-6337.

5.1 General Submissions (Other Speakers – up to 3 minutes each submitter)

Nil

5.2 2017/18 Budget Consultation (Speakers – up to 5 minutes each submitter)

The following speakers were heard in support of their written submission:

- Mr K Weeks
Submission 4
- Mr C Carter
Submission 6
- Mrs S Hayes – Representative of Utassy Ballet School Parents Association and as Director of Utassy Ballet School
Submission 5 (Utassy Ballet School Parents Association)
Submission 7 (Utassy Ballet School)

6 REPORTS FROM OFFICERS

6.1 2017/18 Budget Consultation

ATTACHMENT

SUMMARY

Council resolved on 24 April 2017 to endorse and advertise its Proposed Budget and to call for submissions under Section 223 of the Local Government Act 1989. A public notice was placed in The Age on Saturday 29 April 2017, with additional advertising in the Whitehorse Column in the Leader Newspaper. Copies of the Proposed Budget were available for inspection at the three Council service centres (Nunawading, Forest Hill and Box Hill), Libraries and on Council's website. Council received 7 written submissions on the Proposed Budget 2017/18.

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Ellis

That the Special Committee of Council having heard those who wished to speak in support of their written submission, consider all written submissions as part of Council's deliberations in adopting the Budget 2017/18 at the Ordinary Council Meeting to be held on 26 June 2017.

PROCEDURAL MOTION

Moved by Cr Stennett, Seconded by Cr Carr

That the Motion be put.

CARRIED

The Motion moved by Cr Munroe, seconded by Cr Ellis was then put and CARRIED UNANIMOUSLY

BACKGROUND

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 new *Council Plan 2017-2021*, *Strategic Resource Plan* and other major plans and strategies.

Consultations that have informed the development of this Budget include the *Your Say Whitehorse* engagement campaign, the 2016 Community Satisfaction Survey, consideration of prior year public budget submissions, and consultation on various Council strategies and plans, including the Council Plan. Council held a five-week *Your Say Whitehorse* campaign in late 2016, which included a survey, community workshop, online discussion forum and five pop-up events at various locations across the municipality, and has been used to inform development of the new *Council Plan 2017-2021*.

Councillors and officers also held a number of meetings to develop this fiscally responsible budget and longer term strategic resource plan within a rate capping environment.

Council was required under Sections 126 and 127 of the Local Government Act 1989 to seek written public comment on the Proposed Budget 2017/18. Council was required to give public notice that the proposed document will be made available for inspection for 28 days and that Council will receive submissions made under Section 223 of the *Local Government Act 1989* in respect of the budget. A person who has made a written submission may also request to be heard by a Committee of Council appointed to consider and hear submissions.

6.1

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A public notice advising that the Proposed Budget 2017/18 was available for inspection was placed in The Age on Saturday 29 April 2017. Advertisements giving advance notice of the availability of the Proposed Budget 2017/18 document were placed in Council's column in the Whitehorse Leader. Copies of the Proposed Budget document were placed in three Council Service Centres (Nunawading, Forest Hill and Box Hill), each of the libraries, and on Council's website on Wednesday 26 April 2017. In addition, there was coverage in Council's weekly column in the Whitehorse Leader plus a special feature on the Proposed Budget in the May 2017 Whitehorse News and various other press releases.

Council, at its meeting of 24 April 2017, gave notice that it had prepared a Proposed Budget and invited written submissions. Council also resolved that the Special Committee of the Council hear anyone who wishes to speak in support of their written submission in accordance with Section 223 of the *Local Government Act 1989*. The closing date for submissions was Sunday 28 May 2017.

DISCUSSION

Public submissions – Proposed Budget 2017/18

Council has received 7 formal submissions/comments on the Proposed Budget 2017/18. There are 4 people that have requested to speak in support of their submission at the Special Committee meeting.

Submissions were received from the following:

	Name	Issue(s) Raised
1	Mrs S. Dalton	Supports Whitehorse Centre redevelopment
2	Ms. S. Clifford	Does not support Whitehorse Centre redevelopment
3	Mr M. Crow	Improved parking for Surrey Hills train station
4	Mr K. Weeks	Elgar Park landscape plan for miniature railway
5	Utassy Ballet School Parents Association	Supports Whitehorse Centre redevelopment and requests that the ballet school's future needs be respected
6	Mr C. Carter	Various issues raised including opposition to Nunawading Community Hub and Whitehorse Centre redevelopments, local laws enforcement, capital expenditure, Council efficiency, and Budget and Council Plan consultation.
7	Mrs S. Hayes and Mr K. Hayes, Directors and Principal Utassy Ballet School	Provides conditional support of Whitehorse Centre redevelopment

The full text of the submissions are attached.

The following people have requested to speak to their submissions:

	Name
1	Mr K. Weeks
2	Mr C. Carter
3	Mrs S. Hayes, representative of Utassy Ballet School Parents Association
4	Mrs S. Hayes Director and Principal Utassy Ballet School

ATTACHMENT

- 1 2017/18 Budget Submissions 

6.2 Proposed Council Plan 2017-2021 Submission Hearings

SUMMARY

Council resolved on 24 April 2017 to adopt the Proposed Council Plan 2017-2021 including a Strategic Resource Plan for the purposes of Sections 125 and 126 of the Local Government Act 1989 and seek public feedback and comment.

Council is to consider and hear submissions received in respect of the proposed Council Plan 2017-2021, in accordance with Section 223 of the Local Government Act 1989, at the meeting of the Special Committee to be held on Tuesday 13 June at 8.00pm in the Council Chamber, Whitehorse Civic Centre, Nunawading.

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Ellis

That Council note the report.

CARRIED UNANIMOUSLY

BACKGROUND

As required by the Local Government Act 1989, Section 125, Council is required to prepare a council plan. The council plan must include strategic objectives, strategies for achieving these objectives and strategic indicators for monitoring achievement of the strategic objectives.

The Council Plan was developed through an extensive community engagement campaign, *Your Say Whitehorse*, which provided Councillors, community and staff with an opportunity to inform and guide the new Council Plan.

Through this community engagement, Council has developed a series of goals (strategic objectives) which form the overarching guidance for Council in this Council Plan. These goals are underpinned by the Strategic Directions contained within our community's long-term vision, '*Council Vision 2013-2023*', which are a broad set of statements that articulate the aspirations of our community for the municipality's future.

Under each goal within the Council Plan, Council has listed the approach (strategies) to achieving that goal, including measures of success (strategic indicators).

Council has also featured the relevant strategies, plans and policies that are externally focused and which support the relevant goal/s. Furthermore, Council has also included the services it delivers. Service delivery is a key driver for the achievement of each goal.

DISCUSSION

The proposed Council Plan 2017-2021 will guide Council over the next four years to ensure the city continues to be a healthy, prosperous and sustainable community supported by strong leadership and community partnerships.

6.2

(cont)

The proposed Council Plan 2017-2021 is underpinned by the five Strategic Directions contained within our community's long-term vision, '*Council Vision 2013-2023*'. These are as follows;

1. Strategic Direction 1 – Support a healthy, vibrant, inclusive and diverse community
2. Strategic Direction 2 – Maintain and enhance our built environment to ensure a liveable and sustainable city
3. Strategic Direction 3 – Protect and enhance our open spaces and natural environments
4. Strategic Direction 4 – Strategic leadership and open and accessible government; and
5. Strategic Direction 5 – Support a healthy local economy.

The proposed Council Plan has seven goals (strategic objectives) which form the overarching guidance for Council. This in turn is then supported by 33 related approaches (strategies) to be implemented over the next four years to help achieve these goals, including 74 measures of success (strategic indicators).

The proposed Council Plan also incorporates a Strategic Resource Plan which identifies the resources required over the next four years to deliver on the Council Plan. The Strategic Resource Plan includes a financial allocation based on Council's Long Term Financial Plan, Human Resource Strategy, Rating Information, Borrowing Strategy, and Asset Management Strategy. The Plan also contains a set of financial statements as required by legislation.

Council has received no public submissions on the proposed Council Plan 2017-2021.

One reference was made to the proposed Council Plan 2017-2021 in an Annual Budget submission, and therefore the feedback for this has been incorporated as part of an Annual Budget public submission process.

CONSULTATION

Advertisements providing formal public notification of the adoption of the proposed Council Plan 2017-2021 for consultation were placed in The Age on Saturday 29 April 2017 and the Whitehorse Leader on Monday 1 May 2017.

Council invited the community to provide commentary on the proposed Council Plan 2017-2021. The formal process is contained in the Local Government Act 1989. The Act requires Council pursue a formal consultation process as outlined in Section 223.

The consultation timetable is as follows:

Statutory advertisement	The Age: Saturday 29 April 2017 Whitehorse Leader: Monday 1 May 2017
Council Plan 2017-2021 available for public inspection and comment	29 April 2017 to Sunday 28 May 2017
Closing date for submissions	Sunday 28 May 2017
Meeting to hear submissions	Tuesday 13 June 2017
Consider adoption of Council Plan 2017-2021	Monday 26 June 2017

POLICY IMPLICATIONS

Council Plan 2017-2021

6.3 Proposed Sale of Land Known as 2 Carrington Road, Box Hill

FILE NUMBER: SF16/145
ATTACHMENT

SUMMARY

Council resolved on 18 April 2015 to commence the statutory procedures under sections 189 & 223 of the Local Government Act 1989 to sell the Council owned land known as 2 Carrington Street Box Hill.

A public notice with accompanying site plan of Council's proposal was placed in *The Age* newspaper on Saturday 22 April 2017 and placed on Council's website for thirty (30) days. Council received two written submissions by the closing date of Monday 22 May 2017.

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Carr

That Special Committee having noted the written submissions and that no submitter had requested to speak in regard to their submission, refer all submissions to the Ordinary meeting of Council to be held on Monday 17 July for further consideration and for final decision.

CARRIED UNANIMOUSLY

BACKGROUND

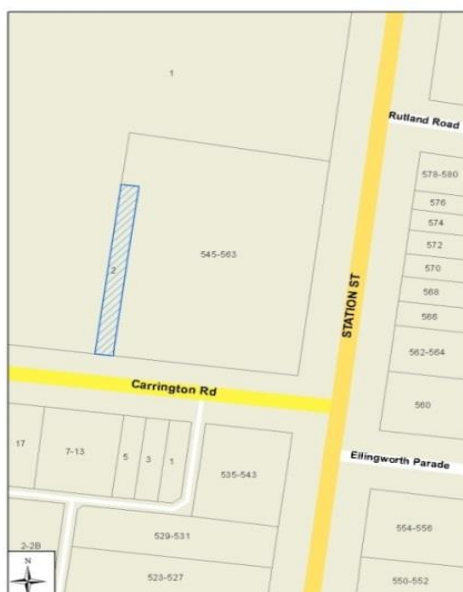
The current use of 2 Carrington Road Box Hill is a poorly sealed section of land that is partly occupied (occupied with Council's permission) by the registered proprietors of 545-563 Station Street, Box Hill.

CONSULTATION

The consultation timetable for 2 Carrington Road, Box Hill included the following dates:

Statutory advertisement (Public Notice with site plan):	The Age Saturday 22 April 2017
Closing date for submissions	Monday 22 May 2017
Special Committee Meeting to hear submissions	Tuesday 13 June 2017 (this meeting)

Site Plan displayed in Public Notice dated 22 April 2017:



6.3

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DISCUSSION

Two written submissions were received regarding Council's intention to sell 2 Carrington Road, Box Hill.

The submissions were received from the adjoining landowner (VicTrack) and tenant (Vicinity Centres) located to the west of the subject property.

The VicTrack submission dated 19 May 2017 contained the following request:

"The alternative we propose is that as a condition of sale, the Council will require the purchaser do all things reasonably required to protect VicTrack's existing use as a carriageway easement."

The Vicinity Centre submission dated 19 May 2017 contained the following request:



"In order to protect our ongoing rights, we write to object to the proposed sale of the Council Land unless:

- *The proposed sale documentation is clearly expressed to be subject to the prescriptive easement which is enjoyed firstly by VicTrack and Vicinity; and*
- *As a condition of the sale, without prejudice to the "as of right" nature of our prescriptive easement, the easement over the Council Land is recorded on the Certificate of Title of the Council Land as an easement in favour of the land owned by VicTrack and occupied as tenant by Vicinity."*

Neither of the submitters requested to be heard in support of their submission.

Refer attachment 1 & 2 for a copy of both submissions.

ATTACHMENT

- 1 VicTrack Submission 
- 2 Vicinity Centres Submission 

7 OTHER BUSINESS

Nil

8 PUBLIC COMMENT

Persons speaking will be identified and recorded for Council Minutes and become part of a permanent record of the Council. Please indicate if you do not wish your name to be recorded.

Nil

9 CONFIDENTIAL ITEMS

Nil

10 CLOSE MEETING

Meeting closed at 8.36pm

Confirmed this 10th day of July 2017

CHAIRPERSON