



City of Whitehorse

AGENDA

Ordinary Council Meeting

To be held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading
on

Monday 27 May 2019

at 7:00pm

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

Mr Philip Warner
Acting Chief Executive Officer

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TABLE OF CONTENTS

1	PRAYER	2
2	WELCOME AND APOLOGIES.....	2
3	DISCLOSURE OF CONFLICT OF INTERESTS	2
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	2
5	RESPONSES TO QUESTIONS	2
6	NOTICES OF MOTION.....	3
6.1	NOTICE OF MOTION No 122: Cr Liu.....	3
7	PETITIONS	3
8	URGENT BUSINESS.....	3
9	COUNCIL REPORTS.....	4
9.1	CITY DEVELOPMENT	4
	STATUTORY PLANNING	
9.1.1	TENDER EVALUATION (CONTRACT 30089) SPECIALIST STATUTORY AND STRATEGIC PLANNING ADVISORY AND ASSOCIATED SERVICES PANEL.....	4
	STRATEGIC PLANNING	
9.1.2	BOX HILL METROPOLITAN ACTIVITY CENTRE, REVIEW OF STRATEGIC DIRECTION: CONSULTATION ON ANALYSIS AND OPTIONS	8
	ENGINEERING AND ENVIRONMENTAL	
9.1.3	PROCUREMENT OF ADVANCED WASTE TECHNOLOGY OPTIONS FOR PROCESSING MUNICIPAL WASTE.....	13
9.2	INFRASTRUCTURE.....	20
9.2.1	TENDER EVALUATION (CONTRACT 30150) ELECTRICAL INSTALLATIONS & MAINTENANCE SERVICES.....	20
9.3	CORPORATE	23
9.3.1	MEASURES OF SUCCESS HALF YEAR REPORT 2018/19: YEAR 2 COUNCIL PLAN 2017-2021.....	23
9.3.2	QUARTERLY PERFORMANCE FOR QUARTER ENDING 31 MARCH 2019.....	25
9.3.3	PROPOSED ROAD DISCONTINUANCE AND SALE OF LAND REAR 24 KANGERONG ROAD, BOX HILL.....	27
9.3.4	SUPPLEMENTARY VALUATION QUARTERLY REPORT: 1 JANUARY 2019 TO 31 MARCH 2019.....	31
9.3.5	TENDER EVALUATION (CONTRACT 30158) SPECIALIST TRAINING AND PROFESSIONAL DEVELOPMENT CONSULTANT SERVICES PANEL	33
9.3.6	REVIEW OF COUNCIL DELEGATIONS TO COUNCIL STAFF: (PLANNING RELATED) AND (NON-PLANNING RELATED)	36
9.3.7	REVIEW OF COUNCIL'S GIFTS, BENEFITS AND HOSPITALITY POLICY.....	38
9.3.8	PROPOSAL TO NAME UNNAMED RIGHT OF WAY ABUTTING 3 CLARKE STREET AND THE REAR OF 7-19 GORDON CRESCENT, BLACKBURN	51
9.3.9	DELEGATED DECISIONS MARCH 2019	54
10	REPORTS FROM DELEGATES, SPECIAL COMMITTEE RECOMMENDATIONS AND ASSEMBLY OF COUNCILLORS RECORDS	69
10.1	REPORTS BY DELEGATES	69
10.2	RECOMMENDATION FROM THE SPECIAL COMMITTEE OF COUNCIL MEETING OF 11 JUNE 2019	69
10.3	RECORD OF ASSEMBLY OF COUNCILLORS	70
11	REPORTS ON CONFERENCES/SEMINARS ATTENDANCE.....	72
12	CONFIDENTIAL REPORTS.....	72
13	CLOSE MEETING	72

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 Meeting 15 April 2019 and Confidential Ordinary Council Meeting 15 April 2019.

RECOMMENDATION

That the minutes of the Ordinary Council Meeting 15 April 2019 and Confidential Ordinary Council Meeting 15 April 2019 having been circulated now be confirmed.

5 RESPONSES TO QUESTIONS

6 NOTICES OF MOTION

6.1 Notice of Motion No 122: Cr Liu

That Council:

- 1. Welcomes the announcement from Premier Daniel Andrews and the State Government that detailed investigations and planning of the first stage of the Suburban Rail Loop (SRL) from Box Hill to Cheltenham have commenced and advocates for Box Hill Metropolitan Activity Centre (MAC) to be the central focus for the SRL project. The potential redevelopment of the Box Hill Transport Interchange and the unprecedented levels of private and public investment, including significant investment planned by Vicinity Centres to redevelop Box Hill Central, will complement the SRL project and enable the continued evolution of Box Hill to provide significant social, economic and environmental benefits for Whitehorse and wider Melbourne.***
- 2. Supports the inclusion of a new SRL station at Burwood as part of the first stage of the project.***
- 3. Writes to the Premier, relevant Ministers, Local MPs / Parliamentary members advocating for Box Hill MAC to be the focal point for the SRL project and works with the State Government to deliver the best outcome for the Whitehorse community and Melbournians.***

7 PETITIONS

8 URGENT BUSINESS

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 Tender Evaluation (Contract 30089) Specialist Statutory and Strategic Planning Advisory and Associated Services Panel

SUMMARY

To consider tenders received for the provision of a range of specialist statutory and strategic planning advisory and advocacy services for the Statutory Planning and Strategic Planning Business Units. Further, to recommend the acceptance of the tender received from the panel of consultants and contractors, as set out below, for each of the seven (7) different services on a Schedule of Rates basis for a period of 3 years commencing on 1 June 2019 with an option to extend for a further 2 years at Council's discretion and to consider the estimated expenditure over the life of the contract.

RECOMMENDATION

That Council:

- 1. Accept the tender and sign the formal contract document for Contract 30089 for Specialist Statutory and Strategic Planning Advisory and Associated Services, on a Schedule of Rates basis for a period of 3 years with an option to extend for a further 2 years at Council's discretion commencing on 1 June 2019 for the following consultants:**

- **Architectus Group Pty Ltd (ABN 90 131 245 684)**
- **Alexander Urbanism Pty Ltd (ABN 63 649 221 626)**
- **Andrew Crack & Associates Pty Ltd (ABN 49 109 175 457)**
- **Arbor Survey Pty Ltd (ABN 59 611 545 101)**
- **ASK Planning Services Pty Ltd (ABN 90 168 712 203)**
- **Bill Forrest (ABN 22 542 572 586)**
- **Blair Warman Economics (ABN 30 964 176 122)**
- **Direct Planning (ABN 95 780 935 896)**
- **Edge Planning Studio (ABN 67 125 886 060)**
- **Ethos Urban Pty Ltd (ABN 13 615 087 931)**
- **Gerard Coutts & Associates Pty Ltd (ABN 82 776 632 573)**
- **Glossop Town Planning (ABN 35 001 878 744)**
- **Greenscape Tree Consulting Pty Ltd as trustee for Brown Family Trust (ABN 28 848 635 812)**
- **Hansen Partnership Pty Ltd (ABN 20 079 864 716)**
- **Ben & Rachel Kenyon Family Trust t/a Homewood Consulting Pty Ltd (ABN 39 531 880 706)**
- **Journeyman Planning (ABN 81 385 828 510)**
- **Kontext Planning & Development Pty Ltd t/a Kontext Town Planning Pty Ltd (ABN 52 606 728 901)**
- **Louise Lunn Planning (ABN 84 323 749 561)**
- **Mecone Melbourne Pty Ltd (ABN 87 610 612 970)**
- **MGS Architects Pty Ltd (ABN 13 006 488 302)**
- **Mosaic Insights Pty Ltd (ABN 42 623 437 525)**
- **PLN Planning Pty Ltd (ABN 86 093 469 740)**
- **Niche Planning Studio Pty Ltd (ABN 35 334 392 034)**
- **Organica Engineering Pty Ltd (ABN 96 146 494 804)**
- **Plan2Place Consulting (ABN 47 804 868 972)**

9.1.1

(cont)

- ***Planning & Environmental Design (ABN 76 082 712 242)***
 - ***PSA Consulting (Australia) Pty Ltd (ABN 83 109 836 197)***
 - ***SGS Economics & Planning Pty Ltd (ACN 007 437 729)***
 - ***SongBowden Planning Pty Ltd (ABN 39 530 857 465)***
 - ***Terralogic Pty Ltd (ABN 62 625 081 094)***
 - ***The Trustee for the Jones Family Trust t/a Arb Inspect Tree Risk Management Services Pty Ltd (ABN 17 554 625 305)***
 - ***TQ Urban Planning (ABN 78 969 272 161)***
 - ***Trustee for Gard'ner Jarman Martin Trust t/a GJM Heritage (ABN 62 348 237 636)***
 - ***Urban Design & Landscape Architecture (ABN 66 003 631 826)***
 - ***Urban Enterprise Pty Ltd (ABN 51 062 557 984)***
 - ***Urban Initiatives Pty Ltd (ABN 89 097 272 261)***
- 2. *Authorise the Chief Executive Officer to award a 2 year extension of this contract, subject to a review of the Contractor's performance and Council's business needs, at the conclusion of the initial 3 year contract term.***
-

BACKGROUND

The City of Whitehorse has sought a range of suitably qualified and experienced consultants for its Strategic and Statutory Planning Units to make up a panel to support these business units in the provision of their legislative and regulatory roles.

The increasing expectations on the delivery of statutory planning functions of Council through processing planning applications, representation of planning decisions at VCAT, increasing need for specialist supporting advice in matters of ESD, arboriculture and urban design has seen the need to engage specialists in these fields.

Furthermore, these services are sought to enable delivery of strategic planning services, with the need for specialist supporting services that underpin master planning, strategic advice and advocacy required for amendments to the Whitehorse Planning Scheme.

The Whitehorse Planning Team receives in excess of 1000 planning applications per year. In the past few years the number of appeals has been approximately 100 per year. There has been a significant increase in planning applications consistently over the last three financial years as a result of changes to residential zones, and the increasing pressure on areas within the Box Hill MAC, and other key activity areas.

A previous contract for the provision of VCAT advocacy services has recently expired, and this contract has sought to cover all those areas where substantial external consultant engagement has occurred over the past 2-3 years, as a means of ensuring Procurement procedures can be met, whilst still ensuring the on-going timely delivery of Statutory and Strategic planning functions of Council.

These services have been identified as being:

1. VCAT representation and advocacy
2. Statutory Planning report writing
3. Contract planning staff
4. Urban design advice
5. Arborist advisory for trees on private land
6. Environmentally Sustainable Development and Design advice (ESD)
7. Strategic Planning support

The term of the contract is 3 years commencing on 1 June 2019, with an option to extend the contract for a further 2 years at Council's discretion.

9.1.1

(cont)

DISCUSSION

The tender was advertised in The Age newspaper on Saturday 8 December 2018 and closed on Wednesday 24 January 2019. 47 tenders were received, some of which tendered for multiple services across the 7 areas covered in the tender. 36 Submissions that were considered best value have been recommended for the panel.

The tenders were evaluated against the following criteria and weightings:

- Price (35%);
- Capability (30%);
- Credibility (35%); and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

The tender identified 7 different services with some consultants/contractors seeking to tender for single or multiple services. Given the volume of work likely to be generated through the 7 different services, the Council Evaluation Panel determined that a panel of providers was appropriate for each of the 7 services, and accordingly, a number of consultants/contractors have been selected, based on their ratings against the above criteria.

The tenders listed above are considered to provide the best value for money for this panel contract.

CONSULTATION

Consultation occurred across both the Statutory and Strategic Planning areas of Council, Procurement and other business areas that may access this panel. It is important to note that the evaluation panel consisted of five experienced senior staff members from across the City Development Division, Procurement and included probity oversight by Council's Contracts and Procurement Business Unit.

FINANCIAL IMPLICATIONS

The contract for the provision of Specialist Statutory and Strategic Planning Advisory and Associated Services is based on a Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

The financial advantage of each tender submission was determined by comparing the rates for all services required by Council under this contract with careful consideration given to those that are used most frequently by Council. The financial analysis was added to the robust evaluation outcome of the consultant's credibility and capability to undertake the services required within the specification.

The estimated expenditure under this contract over the initial contract term is \$6M, including GST. This expenditure will increase to approximately \$10M, including GST if the options to extend the contract are exercised.

The estimated expenditure has been taken directly from budget data for the current financial year, as well as previous year's budgets. Noting that the requirement for this tender has been based on consistent expenditure across the seven services identified, for the past 3 financial years.

9.1.1 (cont)

The current 2018/19 financial year shows the following expenditure on utilisation of contractors and consultants:

- Current year to date spend on consultants providing urban design, planning overflow report writing, consulting arborists, VCAT advocacy and strategic planning specialist advice is \$720,000. This includes strategic work on the Box Hill Vision work, Residential Corridors Study and other large strategic projects that require expertise in not only strategic planning, but also urban design.
- Further breakdown of this (from a statutory planning perspective) include, \$160K for consultant and expert witness representation at VCAT. \$60K for urban design consultant advice needed for larger projects during application process, VCAT peer review and expert witness. \$10K for private investigators for illegal brothels as part of Planning Enforcement investigation. \$140K for ESD Advisor to assess and support statutory planners in the implementation of the ESD policy in the Whitehorse Planning Scheme. Overflow consultant reports \$100K to support officers.
- These costs, as attributed to VCAT, are those incurred through the representation of statutory planning decisions, both Council and delegated, at appeal. The trend over the past 3 years has seen an increasing number of appeals (approximately 80 per year), with each appeal requiring 3-4 separate hearing days (practice day, compulsory conference and merits hearing.) If VCAT consider a matter can be mediated out, multiple compulsory conference days can be scheduled. These days are not negotiable and are set through VCAT orders. This therefore incurs additional costs for consultants to represent Council at these hearings over multiple days.
- The budget spend to date in this financial year on contractors backfilling vacant positions is \$160k, comprising \$140k on arborist services, and \$20k on backfill during staff recruitment. The arborist costs are in a large part attributed to by the interim nature of the SLO controls and the increased number of VicSmart applications. The statutory turnaround times for a VicSmart application, has so required additional arborist support to be provided.

The above costs have been used to directly inform the expected spend for this tender over a 3 year timeframe and possible 2 year extension.

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

Strategic Planning

9.1.2 Box Hill Metropolitan Activity Centre, Review of Strategic Direction: Consultation on Analysis and Options

FILE NUMBER: SF18/4878
ATTACHMENT

SUMMARY

Further work is being undertaken to progress the longer term strategic vision for the Box Hill Metropolitan Activity Centre (MAC). Initial community consultation with the broader community has been undertaken, concurrent with background investigation of the MAC and development of 3D modelling. As the project has progressed, issues and ideas have emerged for the future of the MAC.

It is proposed to update the community on the substantial work to date and the emerging opportunities for the Box Hill MAC with an additional phase of community consultation. This will extend the project by approximately four months and require additional budget to allow the further consultation to occur.

The additional consultation will allow for a deeper understanding of the issues and emerging directions for the Box Hill MAC before forming draft recommendations. It is therefore recommended that the proposed approach, timeframe and budget for the community consultation is supported.

RECOMMENDATION

That Council:

- 1. Release the Box Hill Metropolitan Activity Centre, Analysis and Options Report as shown in Attachment 1 for consultation with the community to seek feedback on the investigations and emerging opportunities to date.***
- 2. Support the approach proposed to consult with the community.***
- 3. Support extension of the timeframe for the project into the 2019/2020 financial year and the additional budget required to allow for the community consultation proposed in this report.***

BACKGROUND

At the Council meeting on 25 June 2018 Council resolved to abandon an amendment to implement the Box Hill Built Form Guidelines (refer amendment C175 to the Whitehorse Planning Scheme). As a major budget initiative in 2018/2019, Council has subsequently initiated a review of the vision and strategic direction for Box Hill, including 3D modelling for the MAC. This will result in an update to the existing Box Hill Transit City Activity Centre Structure Plan (the 2007 Structure Plan) for the activity centre, including an urban design framework.

The project commenced in December 2018 with appointment of MGS Architects and its project team comprising: TQ Planning, Movement & Place Consulting, SGS Economics & Planning and Mary Papaioannou Landscape Architecture. Appointment of consultants followed careful consideration of the findings of the Independent Panel for Amendment C175, discussions with State Government, the Victorian Planning Authority and the Box Hill First Group, and precedent reviews to establish the project brief.

9.1.2

(cont)

Initial community consultation with the broader community took place in February 2019 at the commencement of the project, concurrent with background investigation of the MAC by the project team and development of 3D modelling. As this analysis has progressed, issues and ideas have emerged for the future of the MAC. The work to date has been captured in an *Analysis and Options Report* for the MAC (refer Attachment 1). The synthesis of information contained in the *Analysis and Options Report* and the possible directions that Box Hill could take is an appropriate milestone for the next phase of consultation with the broader community.

DISCUSSION

The *Review of Strategic Direction, Box Hill Metropolitan Activity Centre – Analysis and Options Report* (Attachment 1) contains an assessment of the following information:

- Strategic planning and metropolitan context of Box Hill
- Key issues arising from Amendment C175
- Findings of initial community consultation exploring themes of places and spaces for people; living, working and learning in Box Hill; shopping, visiting and getting around Box Hill and the buildings, character and image of Box Hill
- Initial perspectives on reviewing the Vision for Box Hill contained in the 2007 Structure Plan
- Economic and demographic projections
- Analysis of planning permit applications and development trends
- Built form considerations
- The transport context of Box Hill and the impacts of traffic generation and car parking on the MAC
- The emerging urban character, including 3D modelling of development applications
- Key institutions and strategic sites
- Analysis of the public realm
- Future options for Box Hill, including discussion and ideas relating to:
 - Its 'neighbourhoods' – exploring the land use, public realm, transport and built form aspirations for each precinct
 - Protection of employment and institutional uses as part of a mixed use MAC
 - Streets as a focus for public life
 - Creation of a primary walking network
 - Management of vehicles and place.

The *Analysis and Options Report* has identified some key considerations, particularly relating to provision for employment and institutional uses in Box Hill. The work to date has found that there is a potential mismatch between future demand and proposed supply of employment floor space and residential floor space. If all current planning permits and permits under consideration were constructed there would be 4, 630 dwellings (or 18-20 years' worth of housing demand) and 75,000m² of employment floor space (or 4 to 6 years' worth of employment floor space demand). The work has identified that much of the future demand will be for health floor space, with demand for office and education floor space also forecast to be significant.

These considerations and the needs for a growing population of residents, workers and visitors in Box Hill will be further explored as the project progresses.

9.1.2

(cont)

CONSULTATION

Initial community consultation at the commencement of the project took place in February 2019 to draw attention to the project and to gather ideas for the future of Box Hill. This initial consultation included an online survey and publicity on Council's web site, on Council's Facebook page and in the Whitehorse Leader. A 'pop-up' consultation session was also held in the Box Hill mall on 11 February 2019. The initial consultation resulted in over 70 conversations at the 'pop-up' event, 771 unique visitors to the online survey (which included 54 respondents, who provided 122 comments at various locations across Box Hill), 8 hard copy survey submissions and additional comments through Council's Facebook page.

A Stakeholder Reference Group (SRG) has been formed comprising State Government, key landowner, community and agency representatives. The SRG had its first meeting on 5 March 2019, followed by two subsequent meetings on 26 March and 30 April 2019.

Information for the community about the project is profiled on the project web page at:

<http://www.whitehorse.vic.gov.au/BoxHill.html>

To update the community on the substantial work to date and the emerging directions, the following consultation is proposed:

- Bi-lingual survey using Our Say – it is proposed to have two identical versions in English and Mandarin to ensure the consultation more actively encourages participation from the key demographic mix
- Drop-in information sessions in the Box Hill Mall during lunch time and the Box Hill Town Hall during the afternoon / early evening to capture a wide range of participants – including residents, workers and students across the day
- A broader mail-out to owners and occupiers of land within the Box Hill Metropolitan Activity Centre
- Notices in the Whitehorse Leader and information on Council's corporate website and Facebook page
- Promotion of the consultation to community networks by members of the SRG.

Beyond the above consultation, the extension of the project allows for additional opportunities to engage with the SRG, officers and Councillors.

The community consultation is anticipated to commence in June and will run for at least 3 weeks. It is anticipated that a deeper understanding of the perspectives from the broader community will be gained through this next phase of consultation.

Subsequent consultation will be undertaken with the broader community and the SRG on the draft updated Structure Plan and Urban Design Framework. The outcomes of the next stage of the project may also recommend the introduction of future controls into the Whitehorse Planning Scheme.

FINANCIAL IMPLICATIONS

Review of the vision for the Box Hill MAC is a major initiative in the 2018/2019 budget, including Stage 1 – project planning, appointment of consultant and key stakeholder consultation.

The additional phase of consultation did not form part of the original scope however the consultant's response to the project brief included an optional consultation phase. Having now completed the background work, the complexity and depth of the analysis for the project, has demonstrated that there is benefit for an additional phase of consultation and consequent project management and meetings.

9.1.2 (cont)

The consultants have provided a proposed budget of **\$94,100** for the additional phase of consultation (and related project management and meetings) which is consistent with the hourly rates included in the existing contract with Council.

\$375,000 is included in the 2018/2019 budget. In order to undertake the additional consultation, this will mean that the project will need to be completed in the 2019/2020 financial year. Council will therefore need to defer the potential planning scheme amendment and the associated expert witness costs until 2019/2020, after the strategic work is completed.

Therefore approximately **\$160,550** of the overall project budget will need to be allocated to the 2019/2020 budget year to complete the project. This results in a negligible increase in the overall project expenditure of \$550.

Council has already proposed \$50,000 in the 2019/2020 budget to cover expert witness costs at any future independent planning panel, should the amendment progress through to exhibition. Planning scheme amendment statutory fees and Planning Panels Victoria costs are included in the proposed 2018/2019 operational budget.

	Overall Budget	Overall Expenditure	Proposed Expenditure 2018/19	Proposed Expenditure 2019/20
Total Budget 2018/2019	\$375,000			
Tendered price by MGS Architects		\$251,450	\$200,000	\$145,550
Proposed variation		\$94,100		
Council consultation (additional phase)		\$15,000	\$15,000	
Proposed Budget 2019/2020	\$50,000			
Expert witness at future panel hearing*		\$50,000*		\$50,000*
Council consultation (final phase)		\$15,000		\$15,000
Total Expenditure	\$425,000	\$425,550	\$215,000	\$210,550

* Expenditure proposed in the 2018/19 budget allocation on expert witness and legal costs (approximate \$110,000) for any future panel hearing has been deferred to the 2019/20 budget and recalculated at \$50,000.

POLICY IMPLICATIONS

This project seeks to review the vision for Box Hill and update the 2007 Structure Plan to ensure it is relevant and current. This supports Strategic Direction 2 and Strategic Direction 5 within the current Council Plan.

Strategic Direction 2 is to "Maintain and enhance the built environment to ensure a liveable and sustainable city" and Strategic Direction 5 is to "Support a healthy local economy".

The project looks to achieve Goal 2.1: A well connected City with a balanced approach to growth supported by infrastructure and development that respects our neighbourhood character" as well as Goal 5.1 which is to "...support a strong, active local economic environment that attracts investment and provides economic opportunities for businesses and employment for people".

9.1.2

(cont)

The additional consultation will allow for greater consideration of the issues affecting all stakeholders within Box Hill and therefore result in a more robust strategic outcome to address these Strategic Direction and Goals in the Council Plan.



CONCLUSION

Initial community consultation with the broader community took place in February 2019 at the commencement of the project, concurrent with background investigation of the MAC by the project team and development of 3D modelling. Significant work has been assembled and opportunities have been identified for the future of Box Hill that warrants further community input at this point.

The additional consultation that is proposed in this report will extend the consultant's work by approximately four months into the 2019/2020 financial year.

It is therefore recommended that the additional consultation, including the approach, timeframe and budget, is supported to allow Council officers and the project team, as well as Council, the opportunity to more deeply understand the perspectives of all stakeholders.

ATTACHMENT

- 1 Box Hill MAC Analysis and Options Report ➡ 
- 2 Box Hill MAC Analysis and Options Appendices ➡ 

Engineering and Environmental

9.1.3 Procurement of Advanced waste technology options for Processing Municipal Waste

FILE NUMBER: 19/93531

SUMMARY

The purpose of this report is to inform Councillors about an opportunity for Council to participate in a Metropolitan Waste and Resource Recovery Group (MWRRG) multi-Council procurement project for the processing of municipal waste using advanced waste and resource recovery technology.

The report outlines that while there are other advanced waste technology proposals emerging, participation in the early stages of the MWRRG procurement process will result in Council knowing the initial proposals from the waste industry for using advanced waste technology to process municipal waste for a cluster of Councils in the south and east of Melbourne. These specific proposals can then be considered in context with any other proposed advanced waste facilities being offered to local government.

It is recommended that Council participates on a non-committal basis in the early phases of the MWRRG advanced waste technology procurement project that is due to commence by mid-2019, and report the outcomes to Council for further consideration.

RECOMMENDATION

That Council:

- 1. Participates on a non-committal basis in the early phases of the MWRRG multi-Council advanced waste technology procurement project that is due to commence by mid-2019,***
- 2. Consider a report on the outcomes of the Expression of Interest and Outline Solution phases of the MWRRG multi-Council advanced waste technology procurement project, to determine whether Council continues to participate in the multi-Council procurement process, and***
- 3. Continue to monitor any relevant emerging proposals for advanced waste processing technology that suit the processing of municipal waste, and include an update on relevant emerging proposals as part of the report on the early phases of the MWRRG multi-Council procurement project.***

BACKGROUND

Council's adopted Waste Management Strategy 2018-2028 includes a priority action for Council to consider using new technology and innovation to improve the processing of waste and reduce our reliance on sending waste to landfill. Key drivers for this action include the rising cost of landfill, the pending closure of the only remaining landfill in the South East within the next 6 to 8 years (SUEZ at Hallam), and the need to recover more resources from municipal residual waste for recycling. Council currently disposes of its kerbside garbage and some of the non-recyclable waste from the Whitehorse Recycling and Waste Centre at the SUEZ landfill.

9.1.3

(cont)

While there will continue to be landfills available to the west and north of Melbourne for a longer period, these sites also have a limited lifespan of up to 20 years and face pressures from encroaching residential developments. Once the SUEZ landfill in Hallam closes, unless an alternative waste transfer or processing facility can be established in the south-eastern suburbs, Council will need to transport all of its waste across Melbourne. This would add transport costs, traffic delays and greenhouse emissions as factors to be considered in using these more distant landfills. Several of the west and north landfills currently have EPA or Planning approvals only for the next 10 years despite having potential capacity up to 20 years.

It is therefore inevitable that Council and the community cannot rely on landfill for long-term disposal of municipal waste, and we must transition to the use of advanced waste treatment and resource recovery as the primary method of processing municipal waste in the near future. This transition has already occurred in many overseas countries, and is beginning to occur in other Australian states. Advanced waste processing facilities require significant investment from the private sector (typically \$400M+ for a regional facility) and take years to build, so consideration of this transition needs to commence in 2019 in readiness for new waste processing arrangements by 2024. This transition timeline was flagged in the Waste Management Strategy 2018-2028.

Council has been participating in discussions with other Councils and the Metropolitan Waste and Resource Recovery Group (MWRRG) about a multi-Council procurement project for up to 15 Councils in the South East to source an advanced waste processing facility and contractor for residual waste by 2026. The intention of this project is for a new advanced waste processing facility to be tendered, a contractor appointed, and for a new advanced waste facility to be constructed by the time the SUEZ landfill closes. This would enable continuity in Council's ability to dispose of Council's kerbside garbage in the south-east and such a facility would also be capable of processing the non-recyclable waste from Council's Whitehorse Recycling and Waste Centre.

Council is also aware of emerging proposals by private consortiums to develop advanced waste facilities capable of processing municipal waste. One such proposal by SUEZ and Australian Paper is for an energy-from-waste facility at Australian Paper's Maryvale Paper Mill, where municipal waste would be transferred from the SUEZ Hallam site to be converted to power to drive the Maryvale paper mill.

DISCUSSION

MWRRG multi-Council Procurement project:

The MWRRG has been meeting with Councils in the lead-up to developing a business case for an advanced waste processing facility to service south and eastern Councils. The confidential business case confirms the need for an advanced waste processing facility to ideally be established in the region, and the need for aggregated tonnes to make advanced waste technology affordable & viable.

The business case also covers:

- An outline of different types of advanced waste technologies that suit processing of municipal waste
- Typical costs, including a financial comparison with disposing of waste to landfill over time
- Risks and benefits of procuring an advanced waste solution
- A proposed multi-phase collaborative procurement process
- Suggested contract models
- Suggested governance and management arrangements
- 7-year timeline for the key project phases: procurement -> contract & approvals -> construction

9.1.3

(cont)

Proposed MWRRG procurement phases:

It is proposed to undertake a detailed, multi-phase process due to the scale and complexity of the project, and the importance of sourcing the right type of facility and contractor. The 4-step procurement process requires interested parties to submit progressively more information as the evaluation at each phase leads to determining a suitable facility and service provider by the end of the process.

The 4 procurement phases are:

1. Expression of Interest (EOI) with an open public invitation seeking interested bidders
2. Short-listed tenderers are invited to submit an outline of their proposed solution
3. Further short-listing and an invitation to submit a detailed solution, based on a formal specification
4. Final tender for a fully detailed solution to satisfy all criteria and a final specification

Participating Councils will be involved at all phases of the procurement process using agreed governance arrangements and procurement protocols. At the end of each stage, Councils need to confirm their participation in the next phase. The specification for the final tender will include a firm commitment by participating Councils to enter into a contract, which is likely to be a 20-year contract. Up until this phase, Councils have the option to withdraw from the procurement process.

Long term contracts where Councils guarantee to supply waste are necessary for such large waste processing facilities. This helps to ensure the financial viability for a \$400M+ investment by the successful contractor and spreads construction and operating costs over 20 years, resulting in a more affordable gate fee for participating Councils.

The overall MWRRG procurement process is expected to take up to 2 years to complete, from 2019 to 2021. The multi-phase process enables the MWRRG and participating Councils to weed out unviable proposals early on, but to still consider a wide range of technologies and proposals before determining those likely to suit Council needs. This multi-phase procurement process has been used successfully overseas and experienced contractors are familiar with and supportive of this approach.

MWRRG Timelines:

The Expression of Interest phase is expected to commence in mid-2019 subject to MWRRG receiving a sufficient level of interest from Councils to participate in a collaborative procurement with MWRRG. Already more than 5 Councils have confirmed their intention to participate.

On completion of the procurement phases in 2021, the anticipated subsequent project stages are:

2021 – 2023

- Contract finalisation
- Community engagement
- Environmental and planning approvals

2023 – 2026:

- Construction
- Commissioning
- Operations
- Community engagement

Community engagement at critical phases of this project is essential as these very large waste processing facilities can give rise to public concern and will generate public interest.

9.1.3

(cont)

Proposed Governance and contract arrangements for the MWRRG project:

MWRRG is proposing that participating Councils form a Special Purpose Vehicle (SPV) to facilitate and manage the interests of participating Councils through all aspects of the advanced waste technology project. An SPV is a company with its own separate legal identity, managed by a Board appointed by participating Councils. This separate legal entity allows the collective of Councils to aggregate their tonnes into a single contract offer, to enter contracts, attract investment and streamline the management and decision making on behalf of (potentially) 10 or more Councils.

The creation and operation of an SPV can be challenging and is not without risk. Investigation into how an SPV might work, its structure and governance arrangements are currently being considered by representatives from the participating South-East Councils

MWRRG has obtained legal advice that the previous MWRRG procurement and contracting process involving multiple Councils is not suited to a project that requires the construction of a new advanced technology waste facility.

The group of participating Councils is also looking at suitable contract models for this project. As a new facility needs to be constructed, it is possible to separately contract different components of the project such as design, construction and operation, or to engage a single entity to build, own and operate the facility from the start. The form of contract model will be further considered as part of the procurement process.

Risks related to the MWRRG collaborative procurement process:

The substantial scale of this project means that this will be the largest capital investment project that Council has been involved with, either alone or on a collaborative basis with other Councils. The scale of this project and the regional benefit it would bring raise a question about the need for Victorian Government capital investment in the facility. The Victorian Government is funding the procurement phase but advocacy from Councils has already commenced seeking a significant capital funding investment from the Victorian Government in advanced waste technology facilities.

There are also complexities involved in considering and evaluating advanced waste technology solutions that are relatively new to Victoria and Australia, although such technology is proven overseas. Challenging governance arrangements involving an SPV add to the mix of issues and risks to be managed with the proposed MWRRG procurement project.

However the need for an alternative solution to disposing of waste to landfill within the coming decade means that Council should at least commence its involvement in the MWRRG collaborative procurement project seeking for an advanced waste technology facility. Council can commence its involvement on a non-committal basis, and progression through all 4 phases of the MWRRG procurement process would be reviewed at the conclusion of each phase. Each phase is separately evaluated, and Council's ongoing involvement would be subject to the outcomes at each stage proving to be in Council's long-term best interest.

Alternative Advanced Waste Processing options:

1. Consider sending Council's residual waste to a proposed Australian Paper/SUEZ energy-from-waste facility

Australian Paper (AP) and SUEZ have developed a proposal for a large energy-from-waste facility to power Australian Paper's Maryvale Paper Mill in the Latrobe Valley. Partnering with SUEZ provides energy-from-waste expertise from SUEZ International who already develop and operate advanced waste facilities overseas. Metropolitan Councils would access a SUEZ transfer centre currently being developed at Hampton Park adjacent to the SUEZ landfill in Hallam. With a capacity for processing 520,000 tonnes of municipal waste per annum, this facility would be larger than an energy-from-

9.1.3 (cont)

waste facility in Kwinana Western Australia that commenced construction in September 2018.

AP and SUEZ are actively seeking Councils to supply residual waste to their facility, which is proposed to be built by 2025 if all of the relevant approvals, infrastructure finance and supply of waste material can be obtained. There are no specific gate fees offered at this early stage of the proposal, but it is understood that the consortium will need a gate fee well above current landfill prices to cover their establishment and operational costs. However it is expected that advanced waste processing costs will be cheaper over time compared with landfill because the cost of landfill will escalate considerably due to the scarcity factor and continued increasing landfill levies.

AP/SUEZ are seeking 25-year waste supply contracts with Councils to help the project to be sustainable over time and guarantee a financial payback on their investment. AP/SUEZ will need waste from about 15 or more metropolitan Councils to make their proposed energy-from-waste facility viable.

A benefit of the AP/SUEZ proposal is that they are willing to contract individually with Councils on a guarantee supply of waste basis. There would be no need for a Special Purpose Vehicle to be formed to aggregate Council waste tonnes, no separate legal entity needed to manage the contract, and a simpler form of direct contract between AP/SUEZ and Whitehorse Council (ie. no middle entity).

The downside of such an arrangement is the lack of public tendering to ensure best value, little Council influence over the management or operation of the facility to meet certain standards, and no Council control or influence of the resource recovery/recycling standards at the facility.

The simplicity (albeit long-term commitment needed) for a direct Council contract with AP/SUEZ is appealing, but Council would need to undertake a robust procurement process to demonstrate that a 25-year commitment with this AP/SUEZ proposal is in the best interests of Council and the community. AP/SUEZ might yet tender for the MWRRG collaborative procurement project as an opportunity to get a quorum of Councils for their facility, which would address Council's procurement requirements.

2. *Monitor the emergence of other consortiums that may offer advanced waste technology processing proposals*

A range of energy-from-waste (or waste-to-energy) proposals are emerging in Australia, including a proposal for a \$100M gasification plant in Laverton North from a consortium called Recovered Energy Australia. Wyndham City Council received a development application to establish this privately-funded energy-from-waste facility in an industrial estate in Laverton North. The gasification plant would be capable of processing up to 200,000 tonnes of waste per annum and could potentially service up to 3 or 4 Councils.

Very few details are publically available at this stage about this consortium, their financial backing or technical expertise to develop an energy-from-waste facility. Wyndham Council has issued a conditional Planning Permit for the proposed facility that the consortium hopes to construct by 2021. EPA approval is also required for any of these major waste facilities.

Other emerging proposals typically involve the use of advanced forms of waste technology to process particular waste streams such as food or organic waste. More proposals for advanced waste technology are expected as landfill costs increase, making the use of advanced waste processing technology more cost-competitive. The Victorian Government is currently developing a policy on waste-to-energy.

9.1.3

(cont)

Recommended next steps:

It is proposed that Council will participate in at least the Expression of Interest and Outline Solution phases of the MWRRG collaborative procurement project for an advanced waste processing facility to service the South East Councils. Involvement in the early phases of the MWRRG procurement process does not commit Council to an ultimate contract with MWRRG.

In the meantime, Council will continue to monitor the Australian Paper and SUEZ energy-from-waste proposal as well as any other emerging advanced waste processing proposals to ensure a better understanding of what options are available for the future processing of Council's residual waste.

CONSULTATION

Reducing Council's reliance on landfill was a key message from the community during the two detailed phases of community consultation in developing Council's new Waste Management Strategy 2018-2028. There is clear community support for Council to move away from using landfill to dispose of municipal waste, for environmental and service continuity reasons.

The MWRRG multi-Council procurement project for advanced waste technology involves detailed consultation with participating Councils, market testing of the waste industry, and a survey to obtain community views about their understanding of waste processing and disposal.

FINANCIAL IMPLICATIONS

The current annual cost of disposing of Council's kerbside garbage and the Whitehorse Recycling and Waste Centre waste to landfill is:

2017/18 actual costs	\$7.79M (including landfill levy)
2018/19 budgeted cost	\$7.92M (including landfill levy)

The cost of disposing of waste to landfill is expected to escalate considerably, with modelling showing that landfill disposal costs are expected to increase by an average of 30% every 5 years (made up of cumulative annual increases). This figure comes from modelling of expected contract gate fee increases, assumed 2.5% annual CPI increases, plus annual increases in the State Government's landfill levy. As landfill becomes scarce, the rate of fee increase is expected to escalate more sharply.

Using indicative industry costs for processing waste using advanced waste technology, it is expected that processing waste using advanced forms of technology will be more expensive than landfill at the commencement of a contract in 2026, but over time (eg a 20-year contract period), advanced technology costs will work out cheaper than relying on landfill. There is also a possibility that in 20 years' time, there will be no landfill available for metropolitan Councils.

Waste disposal is a significant cost to Council each year and will continue place upward pressure on Council's rates and fees.

More indicative cost details may be known once initial outline proposals are submitted, and cost modelling is updated using actual tender submissions. There is no financial commitment for Council to make at this point in time.

9.1.3

(cont)

In addition to the disposal cost for using an advanced waste technology facility, there have been and will continue to be staffing costs associated with Council participating in the MWRRG multi-Council procurement process. Participating Councils are required to commit staff resources to represent the Council, provide Council-related data and input into tender documentation and evaluation, and liaise with other stakeholders and the relevant Council to report on the project.

To date 4 Council staff have collectively attended about 30 meetings over 12 months in the preparatory stages of the project, and spent time in between meetings in gathering data, reviewing documents etc. A total of approximately 330 hours of staffing time has been spent on this project to date, at an estimated cost of \$26,400.

POLICY IMPLICATIONS

Council's Waste Management Strategy 2018-2028 endorses a strategic approach to reduce Council's reliance on landfill, and to consider using advanced forms of processing waste as landfill becomes more scarce and expensive.

The actions and indicative timelines in the Waste Management Strategy support Council's participation in a multi-Council procurement process to deliver an advanced waste technology processing contract by 2024.

9.2 INFRASTRUCTURE

9.2.1 Tender Evaluation (Contract 30150) Electrical Installations & Maintenance Services

SUMMARY

This report considers tenders received for the provision of Electrical Installations and Maintenance Services and to recommend the appointment of three qualified contractors to a preferred supplier panel to undertake specified reactive and programmed maintenance under a Schedule of Rates contract.

The report recommends the acceptance of tenders from Commlec Services Pty Ltd, Wallgates Pty Ltd and Alert Electrical Group.

The contract is for a fixed term of three (3) years with an option to extend the contract for a further one (1) x two (2) year period.

The estimated contract expenditure over the three years of the contract term is \$5,500,000 GST inc.

RECOMMENDATION

- 1. That Council accept the tenders and sign the formal contract documents for Contract 30150 for the provision of Electrical Installations and Maintenance Services received from Commlec Services Pty Ltd (ABN 48 055 185 718), of 4/ 40 Ricketts Rd, Mount Waverley, VIC. 3195, trading as Commlec Services; Wallgates Pty Ltd (ABN 27 096 477 842), of Unit 10, 8 enterprise Drive, Rowville, VIC. 3178, trading as Wallgates Electrical Services and Sundancer Cruz ATF DOAS FT (ABN 17 874 303 674), of 32 Webb Rd, Airport West, VIC. 3042, trading as Alert Electrical Group.***
- 2. Authorise the Chief Executive Officer to award an extension of this contract, subject to a review of each Contractors performance and Council's business needs, towards the conclusion of the initial three year contract term in accordance with the contract provisions.***
- 3. Note the estimated contract expenditure of \$5,500,000 GST inc. over the three year term of the contract.***

BACKGROUND

The current contract for the Provision of Electrical Services is due to expire on 30th June 2019.

The intent of this new contract is to enable Council to provide efficient and effective electrical installation and maintenance services to all building related assets, parks and open spaces including sporting fields, car parks, public spaces and Information Technology systems.

It specifically aims to:

- Maintain defined and expected levels of building serviceability;
- Ensure occupant and user safety as required by the OHS Act;
- Minimise service disruption to asset users; and
- Satisfy Council's legislative and regulatory obligations as well as comply with relevant Australian Standards.

The range of services associated with the contract include all reactive maintenance, programmed maintenance and installation of new or upgraded electrical services in existing assets.

9.2.1

(cont)

DISCUSSION

Following discussions with internal stakeholders it was determined that the tender and contract would specify the provision of Electrical Installations and Maintenance Services in four separate categories.

- Category 1 – Buildings and Associated Assets;
- Category 2 – Public Lighting and Associated Assets;
- Category 3 – Parks, Sports Field Lighting and Associated Assets; and
- Category 4 – IT Related Services, Data Cabling and Associated Assets.

Tenders were advertised in The Age newspaper on Saturday 16th February 2019 and closed on 14th March 2019. 22 tenders were received and five were found to be non-conforming.

The 17 conforming tenders were evaluated against the following criteria:

- The Tender Offer;
- Technical expertise, demonstrated knowledge;
- Available resources;
- Availability; and
- Occupational Health & Safety, Equal Opportunity and Business Viability (Pass/Fail).

A comprehensive evaluation of the 17 conforming tenders was undertaken by the Tender Evaluation Panel using a 'Weighted Attribute Method'. Scores were based on the quality of tender responses and the level of compliance with the contract requirements to determine the overall capability of contractors and best value outcome for Council.

As the contract is a Schedule of Rates contract, estimates of annual contract expenditure were determined using recently experienced workloads for reactive maintenance, programmed maintenance and new works multiplied by the tendered rates for labour and materials. This allowed the Tender Offer to be equitably scored.

The highest scoring tenderers were then shortlisted and interviews were conducted with Commlec Services, Wallgates Electrical Services and Alert Electrical Group on the 17th and 18th April 2019.

During the interviews, initial scores were validated and the capabilities of the tenderers were confirmed.

Reference checks were conducted with all nominated referees, in particular Local Councils that have utilised the tenderers' for similar services.

At the conclusion of the evaluation process it was determined that the tenders received from Commlec Services, Wallgates Electrical Services and Alert Electrical Group were most capable of meeting Council's contract requirements and offered the best overall value to Council.

All three recommended tenderers have experience working on community buildings, sporting pavilions, sport lighting, open space parks and carparks and all associated electrical assets within local government organisations. They are well equipped in regards to Council's safe work method procedures and have the technical expertise and availability including meeting after hour's service requirements. These skill sets were confirmed during the interview process.

The three recommended tenderers will form the preferred supplier panel and be allocated reactive and planned works within each category in accordance with agreed schedule of rates, availability and capability considerations.

9.2.1

(cont)

CONSULTATION

Consultation on the structure and specifications for this contract occurred with representatives from several council units including, Finance, Facilities Maintenance, Engineering Services, ParksWide and Information Technology ensuring that this contract will meet the needs of all areas within Council.

The tender evaluation panel was made up of representatives from, Facilities Maintenance, Engineering Services, ParksWide and Information Technology.

The recommended tenderer's business viabilities have been considered

FINANCIAL IMPLICATIONS

The services to be delivered under this contract will be funded primarily from the Facilities Maintenance Department's annual Operational and capital works budgets. Other department operational and capital works budgets were also considered.

The estimated total expenditure over the initial three (3) year term of the contract for the provision of Electrical Installations and Maintenance services is estimated to be \$5,500,000.00 GST inc.

The tender prices received from the recommended tenderers will rise and fall according to CPI figures for each year of the initial three year term of the contract.

	Estimated Budget	Expenditure
Estimated Expenditure over three years including GST:		
Category 1 –Buildings and Associated Assets	\$1,820,938.00	
Category 2 – Public Lighting and Associated Assets	\$589,268.00	
Category 3 – Parks, Sports Field Lighting and Associated Assets	\$1,455,021.00	
Category 4 – IT Related Services, Data Cabling and Associated Assets	\$68,561.00	
Total Operational Budget	\$3,933,788.00	
Panel of tenderer's estimated (inc. GST)		\$3,933,788.00
Estimated Capital Works (inc. GST)	\$1,566,212.00	\$1,566,212.00
Total Expenditure	\$5,500,000.00	\$5,500,000.00

9.3 CORPORATE

9.3.1 Measures of Success Half Year Report 2018/19: Year 2 Council Plan 2017-2021

ATTACHMENT

SUMMARY

This report reviews performance against the strategic Measures of Success outlined in the Council Plan for the half year ending 31 December 2018.

RECOMMENDATION

That Council note the half yearly commentary against the Council Plan 2017-2021 Measures of Success ending 31 December 2018.

BACKGROUND

Section 125 of the *Local Government Act 1989* requires Councils to prepare a Council Plan. The Council Plan must include:

- Strategic Objective
- Strategies for achieving those objectives; and
- Strategic indicators for monitoring achievement of the strategic objectives.

This report provides an assessment of performance against the governance and management checklist outlined in Schedule 1 of the *Local Government (Planning and Reporting) Regulations 2014*. Item 17 of the checklist requires Councils to produce a report reviewing the performance of Council against the Council Plan. This report must include the results in relation to the strategic indicators, for the first six months of the financial year.

DISCUSSION

This report is the review of performance against the Council Plan 2017-2021 Measures of Success for the period July-December 2018. A significant number of the 75 measures are reported on in existing corporate performance reports; where this is the case, they have not been duplicated in this report.

Future six monthly reports will evolve as the corporate performance team work with departments and the Executive Management team to refine the reporting requirements.

Overall Council is in a strong position with the majority of its indicators at December 2018.

Highlights include:

- **Implementation and progress of actions in the Positive Ageing Strategy Intergenerational Projects undertaken and participation rates (1I)** – 2019 Whitehorse Senior Festival ran throughout October providing an opportunity for seniors to try new activities and become more involved in their local community. Fourteen partner organisations hosted events with over 40 free or low cost activities being offered across the municipality.
- **Number of environmentally sustainable development assessments undertaken (2P)** – a critical component in achieving this is ensuring that development meets high environment standards from the design stage through to construction and operation. Our ongoing commitment to creating an environmentally friendly sustainable city was realised through 143 environmentally sustainable development assessments being undertaken this period.

9.3.1


(cont)

- **ParksWide Environment Education Program attendance rates (3F)** – remain strong with over 2,903 participants across 74 Environment Education Program sessions conducted for various education sectors. Various locations were utilised including Blackburn Lake Sanctuary and Yarran Dheran.
- **Number of annual advocacy campaigns (4T)** - Community Development have been involved in advocacy for more affordable and social housing through the Eastern Affordable Housing Alliance (EAHA) in the lead up to the Victorian election.
- **Participation rates at business workshops, seminars and events (5C)** – Whitehorse Business Week attracted over 775 participants to 7 business events held throughout August 2019. Collaborative efforts saw a range of well utilised workshops including *How to Approach Performance Management* in collaboration with Victorian Employers' Chamber of Commerce and Industry (VECCI) and Manningham City Council.

NEXT STEPS

The Council notes the attached report.

ATTACHMENT

- 1 Council Plan 2017-2021 - Measures of Success - Half Year Report 2018-19 

9.3.2 Quarterly Performance for quarter ending 31 March 2019

ATTACHMENT

SUMMARY

The purpose of this report is to brief Council on the performance against the Council Plan 2017-21 and the Annual Budget 2018/19 for the quarter ended 31 March 2019.

RECOMMENDATION

That Council note the Quarterly Performance Report for the quarter ended 31 March 2019.

BACKGROUND

The Quarterly Performance Report for the quarter ended 31 March 2019 provides a detailed report of performance against the major initiatives and initiatives identified in the *Annual Budget 2018/19*. These major initiatives and initiatives contribute to the achievement of the *Council Plan 2017-21*. Therefore, the Quarterly Performance Report reviews Council's performance against the Council Plan and the Annual Plan, pursuant to sections 131(3) (a) (ii) and 138 of the *Local Government Act 1989*.

The financial section of the Quarterly Performance Report has been prepared on an accruals basis to ensure accurate matching of income and expenditure, both operating and capital, for the year-to-date ended 31 March 2019. Furthermore, the financial section is prepared on the basis of year-to-date, year-end projection, cash and key balance sheet items, and analysing trends against budget.

DISCUSSION

Performance against Council Plan

The Annual Plan, which is a part of the *Annual Budget 2018/19*, identifies 23 major initiatives and initiatives which contribute to the achievement of the strategic directions and goals (strategic objectives) of the *Council Plan 2017-21*. Of the 23 major initiatives and initiatives being reported on in Quarter 3, three are completed, 17 are on track, two are below target and one has been deferred.

Highlights for the quarter included:

- Nunawading Community Hub Development – Construction is well underway on site with floor slabs, retaining walls and columns in places. Wall rendering and broken windows in the heritage building have been removed with the building cleaned up and preparation underway for construction of upper ground floors.
- Heritage Assistance Fund (HAF) program – Nineteen of the 22 successful applicants for the 2018/19 program grants have completed their approved heritage projects and claimed funding.
- “Cooking for One or Two” program – Interest continues in this program which assists clients in developing or regaining basic cooking skills and nutritional knowledge, reducing social isolation and maximising their opportunity to self-manage health and nutritional needs.

9.3.2

(cont)

- Chaucer Street, Box Hill – Excavation works at Chaucer Street have commenced in preparation for the new park as part of the Open Space Development Program. Terracing works have taken place to allow for a level play space and passive lawn area for informal recreation – maximising the usable space for the community.
- Residential Corridors Built Form Study – Council adopted the recommendations on 29 January 2019, which provides built form guidelines for those areas in the municipality along key road corridors which will better manage outcomes consistent with the land use and the impact on adjoining areas.

Performance against Annual Budget

The year to date financial result at 31 March 2019 was \$3.00m favourable to budget. This primarily reflects favourable variances in operating grants (\$1.17m), employee costs (\$1.08m), statutory fees and fines (\$892k), and other income (\$886k), partly offset by a \$2.21m unfavourable variance in public open space contributions.

The year-end result is forecast to be a surplus of \$67.01m, \$2.90m more than budget and \$3.66m more than the February forecast.

As at 31 March 2019, year to date capital expenditure has reached \$26.08m, or 43% of the annual forecast budget of \$60.1m.

While the Capital Program is behind budget by \$10.74m, at March end there are \$18.18m in outstanding orders.

ATTACHMENT

- 1 Quarterly Performance Report - Q3 January - March 2019 

9.3.3 Proposed Road Discontinuance and Sale of Land Rear 24 Kangerong Road, Box Hill

SUMMARY

To consider the discontinuance and sell of part of the unmade right of carriageway (road) at the rear of 24 Kangerong Road, Box Hill. The report recommends that the road be discontinued and sold to the abutting owner at 24 Kangerong Road, Box Hill, by private treaty. The section of road proposed to be discontinued is shown hatched on Plan A below.

RECOMMENDATION

That Council being of the opinion that the section of road at the rear of 24 Kangerong Road, Box Hill, shown hatched on Plan A (detailed in the report), is not reasonably required as a road for public use; resolves to:

- A. Discontinues the road in accordance with section 206 and clause 3 of schedule 10 of the Local Government Act 1989;***
- B. Authorise that a notice be published in the Victoria Government Gazette;***
- C. Authorise that the land from the road be sold by private treaty for a sale price of Twenty Four Thousand and Five Hundred Dollars (\$24,500) excluding GST to the registered proprietor of 24 Kangerong Road Box Hill, in accordance with Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy;***
- D. Authorise the Chief Executive Officer to sign all documents relating to the sale.***

BACKGROUND

At its Ordinary Meeting of 18 March 2019, Council directed that the formal procedures be commenced for the discontinuance and sale of the section of unmade carriageway (road) at the rear of 24 Kangerong Road, Box Hill.

Public notice of the proposed discontinuance and proposed sale was given in The Age newspaper on Thursday, 21 March 2019 and published on Council's website.

No public submissions were received.

As previously reported, a site inspection has confirmed that the section of road is enclosed within the adjoining property at 24 Kangerong Road. Council's aerial photography indicates that the relevant part of the road has been occupied as part of 24 Kangerong Road for in excess of 40 years. As such the section of road is no longer used for public access.

Plan A below shows the extent of the section of road proposed for discontinuance, as shown by single hatching.

Plan B below shows the proposed allocation of the land to the abutting property owner.

Plan C below shows an aerial photo of the section of road proposed for discontinuance. The section proposed for discontinuance is shown coloured red within the aerial photo.

DISCUSSION

The land from the road is proposed to be sold in accordance with the purchase price applicable under Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy.

9.3.3

(cont)

The owner of 24 Kangerong Road, Box Hill, has confirmed an interest in purchasing the 23 m² of land from the road that they occupy in accordance with the abovementioned policy with a purchase price of **Twenty Four Thousand and Five Hundred Dollars (\$24,500) excluding GST**.

CONSULTATION

Public notice of the proposed discontinuance and sale was given in The Age newspaper on Thursday 21 March 2019 and published on Council's website. Adjoining owners and occupiers were also notified in writing with submissions under Section 223 of the Local Government Act 1989 to be received within 28 days of the date of the notice.

No submissions have been received.

Council and the all relevant service authorities have been consulted in respect to the proposal and no objections have been received. There are no service authority assets (stormwater or sewer pipes) located within the section of road.

Given the above circumstances Council can form the opinion that the road is no longer reasonably required for use by the public and as such resolve to discontinue the road and sell the land to the owner of 24 Kangerong Road, Box Hill, in accordance with its policy.

FINANCIAL IMPLICATIONS

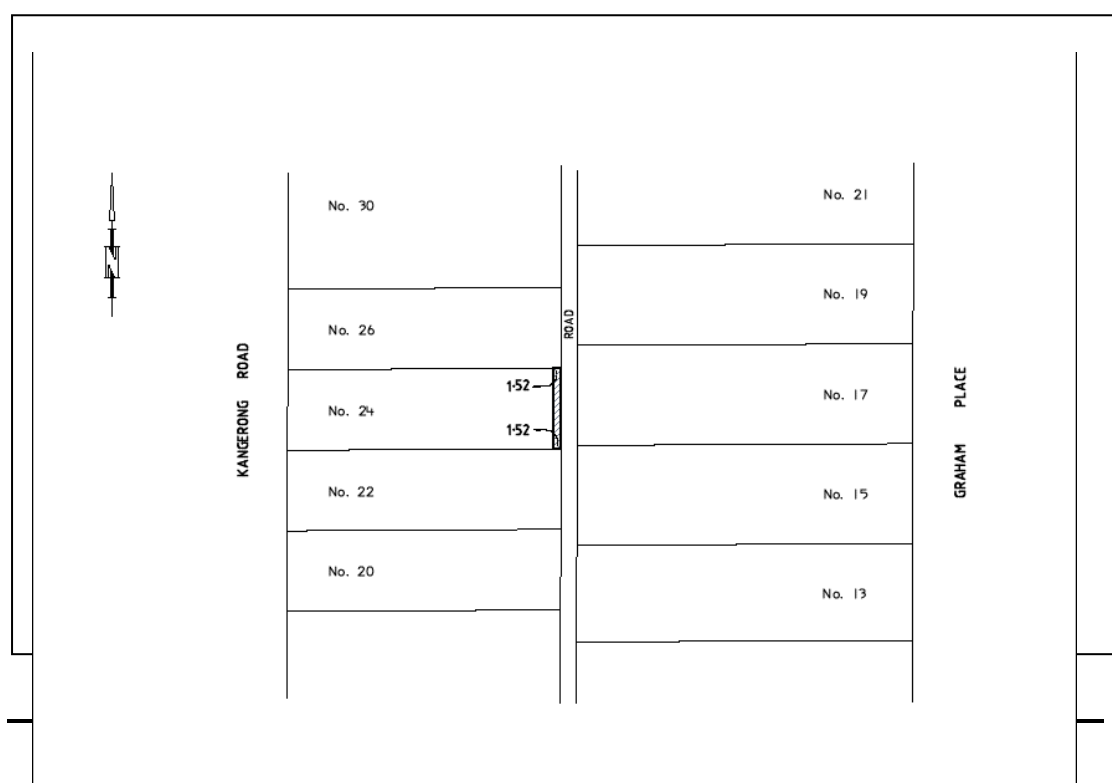
Gross proceeds from the proposed sale of the land will be **Twenty Six Thousand Nine Hundred and Fifty Dollars (\$26,950)**, inclusive of GST. After expenses, the net proceeds to Council will be approximately **Eighteen Thousand Eight Hundred and Seventy Dollars (\$18,870)** inclusive of GST.

The gross proceeds will be included in the Open Space Fund in accordance with Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy.

IMPLICATIONS

The recommendations are made in accordance with Council's "Discontinuance and Sale of Unnecessary Roads and Reserves" policy.

PLAN A



9.3.3
(cont)

TITLE PLAN				EDITION I	TP 965716H
<p style="text-align: center;">LOCATION OF LAND</p> <p>PARISH: NUNAWADING</p> <p>TOWNSHIP: _____</p> <p>SECTION: _____</p> <p>CROWN PORTION: _____</p> <p>CROWN ALLOTMENT: 16 (PART)</p> <p>LAST PLAN REFERENCE: LP 2766</p> <p>TITLE REFERENCE: VOL. 2993 FOL. 454</p> <p>DEPTH LIMITATION: DOES NOT APPLY</p>				<p>WARNING: THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION.</p>	
				NOTATIONS	
EASEMENT INFORMATION					<p>THIS PLAN HAS BEEN PREPARED FOR LAND VICTORIA TITLE DIAGRAM PURPOSES</p> <p>Date: _____</p> <p>Assistant Registrar of Titles</p>
Easement Reference	Purpose/ Authority	Width (Metres)	Origin	Land Benefited/ In Favour Of	
<p>SCALE LENGTHS ARE IN METRES</p>		<p>SCALE 1:400</p>		SHEET SIZE A3	FILE NO: LGD
<p>Millar Merrigan</p> <p><small>Land Development Consultants (03) 8720 9000 R (03) 5134 9611 www.millarmerrigan.com.au acquiring@millarmerrigan.com.au SAV GLOBAL Quality ISO 9001</small></p>		<p><small>Land Development Consultants Millar & Merrigan Pty Ltd ACN 005 541 668 Metro 2105 Macintyre Drive, Croydon 3136 Regional 158 Commercial Road, Morwell 3603 Mail PO Box 247 Croydon, Victoria 3136</small></p>		<p>SURVEYORS REF 24022SI</p> <p>DEALING CODE: LGA</p> <p>VERSION I DATE 14/2/19</p>	
					SHEET 1 OF 1

TITLEPL.DWG

9.3.3
(cont)



Photo of occupied part of laneway enclosed within fence line of 24 Kangerong Rd



9.3.4 Supplementary Valuation Quarterly Report: 1 January 2019 to 31 March 2019

FILE NUMBER: SF16/746#04

SUMMARY

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

RECOMMENDATION

That Council:

- 1. Note and accept the supplementary valuations undertaken during the period commencing 1 January 2019 to 31 March 2019.***
- 2. Authorise the rate records to be adjusted to take account of the supplementary valuations returned.***

BACKGROUND

This report relates to supplementary valuations undertaken by Council in accordance with the *Valuation of Land Act 1960* for the period from 1 January 2019 to 31 March 2019.

DISCUSSION

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

Supplementary valuations are primarily due to construction, subdivision and/or planning activities. Valuation changes resulting from objections are included in this report. Both the January and March supplementary valuations were predominantly valuation objection changes.

The supplementary valuations undertaken are summarized in Table #1 below.

Table # 1: Supplementary Valuations completed between: 1 January 2019 and 31 March 2019

Supplementary Valuation Reference	Number of Assessments	SITE VALUE	C.I.V.	N.A.V.
January 2019	57	\$ 48,898,000	\$ 61,963,000	\$ 3,183,150
February 2019	564	\$430,444,400	\$815,805,000	\$54,371,100
March 2019	23	\$ 23,669,000	\$ 46,892,000	\$ 3,102,800
Supplementary Valuations Total	644	\$503,011,400	\$924,660,000	\$60,657,050

CONSULTATION

The legislative requirement for Council to complete supplementary valuations is contained within the *Valuation of Land Act 1960*. All supplementary valuations contained in this report have been undertaken in accordance with the *2018 Valuation Best Practice Specifications Guidelines*.

9.3.4

(cont)

FINANCIAL IMPLICATIONS

The total change to the Capital Improved Value (CIV) caused by the supplementary valuations undertaken is an increase of \$74,321,000.

Due to a number of properties being granted a rate exemption, the rateable component of the \$74,321,000 CIV has increased by only \$43,945,000.

The changes in CIV and rateability resulted in a \$24,316 reduction of supplementary rate income. This reduction in income was due to the majority of the valuation objection and rate exemption changes being backdated 1 July 2018; while pro-rata supps are not backdated.

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

Table #2: Valuation totals as at 1 January 2019

BREAKDOWN	Number of assessments	SITE VALUE	C.I.V.	N.A.V.
Rateable	74,291	\$59,690,522,500	\$78,581,194,000	\$4,022,676,915
Non Rateable	1,080	\$ 3,927,510,000	\$ 4,303,798,000	\$ 234,517,045
Municipal Total	75,371	\$63,618,032,500	\$82,884,992,000	\$4,257,193,960

Table#3 Change to valuation totals due to supplementary valuations between: 1 January 2019 to 31 March 2019

Supplementary Valuations	Number of assessments subject to Supplementary Valuation	Change to Site Value	Change to CIV	Change to NAV
January 2019	57	(\$5,204,000)	(\$10,220,000)	(\$ 481,350)
February 2019	564	\$8,963,000	\$89,095,000	\$4,659,550
March 2019	23	(\$2,242,000)	(\$4,554,000)	(\$ 231,350)
Total Change	644	\$1,517,000	\$74,321,000	\$3,946,850

Table #4: Valuation totals as at 31 March 2019

NEW BREAKDOWN	Number of assessments	SITE VALUE	C.I.V.	N.A.V.
New Rateable	74,342	\$59,675,838,500	\$78,625,139,000	\$4,024,519,215
New Non Rateable	1,087	\$ 3,943,711,000	\$ 4,334,174,000	\$ 236,621,595
New Municipal Total	75,429	\$63,619,549,500	\$82,959,313,000	\$4,261,140,810

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

POLICY IMPLICATIONS

The valuations have been undertaken in accordance with the legislative requirements of the *Valuation of Land Act 1960*.

9.3.5 Tender Evaluation (Contract 30158) Specialist Training and Professional Development Consultant Services Panel

FILE NUMBER: SF/19/96

SUMMARY

This report considers tenders received for the provision of a range of training and professional development consultant services for Whitehorse City Council. It recommends the acceptance of the tender received from the panel of consultants and contractors as set out below for each of three (3) different services on a Schedule of Rates basis for a period of 3 years commencing on 1 July 2019 with an option to extend for a further 2 years at Council's discretion and to consider the estimated expenditure over the life of the contract.

RECOMMENDATION

That Council:

1. ***Accept the tender and sign the formal contract document for Contract 30158 for Specialist Training and Professional Development Consultant Services on a Schedule of Rates basis for a period of 3 years with an option to extend for a further 2 years at Council's discretion commencing on 1 July 2019 for the following consultants:***
 - ***Australian Institute of Management Education & Training Pty Ltd t/a Australian Institute of Management (ABN 40 009 668 553)***
 - ***Bendalta Pty Ltd (ABN 58 105 151 326)***
 - ***Body Safety Australia Ltd (ABN 94 624 326 307)***
 - ***Centre for Organisation Development (ABN 66 286 945 624)***
 - ***Eddie Kardas t/a Conflict Resolution Training & Consulting (ABN 70 229 088 119)***
 - ***Efficiency Works Pty Ltd (ABN 93 522 122 365)***
 - ***Empowered To Speak (ABN 61 523 393 678)***
 - ***Eyres & Associates (ABN 97 405 752 108)***
 - ***Fire Equipment Services t/a FES (ABN 28 598 558 561)***
 - ***First Intervention Pty Ltd (ABN 57 096 095 635)***
 - ***FOI Assist Pty Ltd (ABN 28 128 529 519)***
 - ***G2 Innovation Pty Ltd (ABN 62 602 535 991)***
 - ***GMR Consultants Pty Ltd ATF Ryan Family Trust t/a Organisations That Matter (ABN 81 194 694 208)***
 - ***HAZCON Pty Ltd (ABN 87 068 411 941)***
 - ***Heyden Lakes Pty Ltd t/a Associated Training Consultants (ABN 28 050 028 709)***
 - ***iHR Asia Pty Ltd t/a iHR Australia (ABN 57 132 371 825)***
 - ***Inspirative Training Pty Ltd t/a Vative (ABN 25 146 773 962)***
 - ***Ionize Pty Ltd (ABN 62 132 569 941)***
 - ***Keystroke Learning Pty Ltd (ABN 11 620 050 759)***
 - ***Kylie Bell t/a Wren Learning (ABN 15 590 802 358)***
 - ***Landell Corporation Pty Ltd (ABN 73 089 115 926)***
 - ***Lindsay Tighe t/a Inspirational Coaching Pty Ltd (ABN 59 100 096 179)***
 - ***Mr Meditate (ABN 44 821 952 426)***
 - ***Nina Ananidis & Catherine Smith t/a WorkMatters (ABN 91 485 056 206)***
 - ***OrgMent Business Solutions Pty Ltd (ABN 34 141 566 485)***
 - ***Productivity Matters Pty Ltd (ABN 94 162 300 601)***
 - ***Richard Day t/a Life & Business Leadership Institute (ABN 80 548 537 606)***
 - ***St John Ambulance Australia (Vic) Inc (ABN 69 061 844 380)***
 - ***Swinburne University of Technology (ABN 13 628 586 699)***
 - ***The Phillipa Wilson & Frank Cavallaro Family Trust t/a Premium Health (ABN 24 692 649 946)***
 - ***The Skin Smart Australia trust t/a Skin Smart Australia (ABN 72 749 269 961)***

9.3.5

(cont)

- ***Time2Talk Leadership Pty Ltd t/a time2talk Leadership & Communication (ABN 91 159 128 346)***

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

BACKGROUND

Whitehorse City Council sought a range of suitably qualified and experienced consultants to provide specialised training and professional development services to its staff in order to meet the diverse operational needs and requirements of the organisation.

Council has approximately 1400 employees. The responsibility for professional development is shared between employees, supervisors and managers for the planning and undertaking of professional development relevant to roles and responsibilities.

Council is committed to providing high quality professional development opportunities for all employees to improve the productivity of the organisation, meet legislative compliance and improve the career prospects and satisfaction of employees. This is achieved through the development and implementation of a wide range of professional development courses and activities provided within the organisation. In particular programs that contribute to innovation and continuous improvement are encouraged.

Professional development initiatives are underpinned by the annual Performance Appraisal and Development Program (PADP) and are reflected in the development and implementation of the organisation's annual training calendar. Professional development opportunities are promoted through regular email updates (distributed by supervisors if employees don't have access to email) and made available for registration through Council's Learning Management System (LMS) DevelopMe.

Council is committed to building and maintaining an environment in which employees are provided with relevant and diverse learning and development opportunities. Furthermore, Council recognises that continued professional development contributes to personal job satisfaction and workplace productivity.

Council's objectives are to:

- Encourage employees to identify and participate in learning and development opportunities which increase their effectiveness in the workplace and enhance their job and career satisfaction.
- Develop employee's capabilities in the necessary strategic and operational areas required to deliver Council's objectives.
- Offer employees an appropriate variety of development activities suited to the individual needs of the employee and the collective needs of Council.
- Support a workplace culture which rewards ongoing learning and facilitates growth at all levels.

The categories captured within this panel are as follows:

1. Professional Learning & Development
2. OHS, Health & Wellbeing
3. Compliance & Legislative

9.3.5

(cont)

DISCUSSION

The tender was advertised in The Age newspaper on Saturday 2 March 2019 and closed on Wednesday 27 March 2019. 47 tenders were received, some of which tendered for multiple services across the 3 areas covered in the tender. 32 Submissions that were considered best value have been recommended for the panel.

The tenders were evaluated against the following criteria and weightings:

- Price (40%);
- Capability (35%);
- Credibility (25%); and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail).

The tender identified 3 different services with some consultants/contractors seeking to tender for single or multiple services. Given the volume of work likely to be generated through the 3 different services, the Council Evaluation Panel determined that a panel of providers was appropriate for each of the 3 services, and accordingly, a number of consultants/contractors have been selected, based on their ratings against the above criteria.

The tenders listed above are considered to provide the best value for money for this panel contract.

CONSULTATION

Consultation occurred organisationally-wide to ascertain the breadth of training requirements needed for the organisation to meet its objectives and continue to deliver a high level of services to the community and to meet its obligations with regard to legislative qualifications and training for its staff. It is important to note that the evaluation panel consisted of four experienced senior staff members from across the Corporate Services and Human Services area, Procurement and included probity oversight by Council's Contracts and Procurement Business Unit.

FINANCIAL IMPLICATIONS

The contract for the provision of Specialist Training and Professional Development is based on a Schedule of Rates. The rates are subject to a CPI adjustment on each anniversary of the contract.

The financial advantage of each tender submission was determined by comparing the rates for all services required by Council under this contract with careful consideration given to those that are used most frequently by Council. The financial analysis was added to the robust evaluation outcome of the consultant's credibility and capability to undertake the services required within the specification.

The estimated expenditure under this contract over the initial contract term is \$3.6M, including GST. This expenditure will increase to approximately \$6M, including GST if the options to extend the contract are exercised.

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

9.3.6 Review of Council Delegations to Council Staff: (Planning Related) and (Non-Planning Related)

ATTACHMENT

SUMMARY

The purpose of this report is to recommend approval of two updated Instruments of Delegation from Council to Council Staff pertaining to:

- a) *The Planning and Environment Act 1987, the Planning and Environment Regulations 2015 and the Planning and Environment (Fees) Regulations 2016 and provided as Attachment 1; and*

Various Acts and Regulations: Cemeteries and Crematoria Act 2003, Domestic Animals Act 1994, Environment Protection Act 1970, Food Act 1984, Heritage Act 2017, Local Government Act 1989, Rail Safety (Local Operations) Act 2006, Residential Tenancies Act 1997, Road Management Act 2004, Cemeteries and Crematoria Regulations 2015, Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010, Road Management (General) Regulations 2016 and Road Management (Works and Infrastructure) Regulations 2015 and provided as Attachment 2.

RECOMMENDATION

That Council:

- 1. Approve and affix the seal to the Instrument of Delegation to Council Staff made under the Planning and Environment Act 1987, the Planning and Environment Regulations 2015 and the Planning and Environment (Fees) Regulations 2016 and provided as Attachment 1.***
 - 2. Approve and affix the seal to the Instrument of Delegation to Council Staff made under Various Acts and Regulations including the Cemeteries and Crematoria Act 2003, Domestic Animals Act 1994, Environment Protection Act 1970, Food Act 1984, Heritage Act 2017, Local Government Act 1989, Rail Safety (Local Operations) Act 2006, Residential Tenancies Act 1997, Road Management Act 2004, Cemeteries and Crematoria Regulations 2015, Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010, Road Management (General) Regulations 2016 and Road Management (Works and Infrastructure) Regulations 2015 and provided as Attachment 2.***
 - 3. Revoke the Instrument of Delegation from Council to Council Staff made under:***
 - a) The Planning and Environment Act 1987, the Planning and Environment Regulations 2015 and the Planning and Environment (Fees) Regulations 2016 and authorised by resolution of Council on 16 July 2018; and***
 - b) Various Acts and Regulations including the Cemeteries and Crematoria Act 2003, Domestic Animals Act 1994, Environment Protection Act 1970, Food Act 1984, Heritage Act 1995, Rail Safety (Local Operations) Act 2006, Residential Tenancies Act 1997, Road Management Act 2004, Cemeteries and Crematoria Regulations 2015, Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010, Road Management (General) Regulations 2016, Road Management (Works and Infrastructure) Regulations 2015 and provisions of Council's Community Local Law 2014 and authorised by resolution of Council on 21 August 2017.***
-

9.3.6

(cont)

BACKGROUND

Section 98(1) of the Local Government Act 1989 provides that a Council may by Delegation, delegate to a member of its staff any power, duty or function of the Council under the Act, or any other Act, other than some powers which are reserved for a Council decision.

The guiding principle in relation to delegations is that they should be seen as a tool to enable decisions to be made at the most appropriate level of the organisation.

The delegation document is based on a document prepared by Council's solicitors and is extensively used by other Victorian Councils. The document sets out who the delegate is and what power is conferred upon that delegate. Activity undertaken by Council staff under delegated authority will continue to be reported to Council on a regular basis.

DISCUSSION

The proposed Instruments of Delegation are consistent with prior documents approved by Council, except for some positional title changes and recent legislative changes that can be summarised as follows:

(Planning Related) Attachment 1

- Extensive changes to the Planning and Environment Act 1987 prompted by the Planning and Environment Amendment (Public Land Contributions) Act 2018 with removal of ss 46GF - 46GI(5), 46GI, 46GM and 224(8); and amendment of ss 62(5)(a) and 62(6)(a); and
- Further changes made by the Planning and Environment Amendment (Distinctive Areas and Landscapes) Act 2018, which included the insertion of ss 46AW - 46AZK; and the removal of s 46AS from the delegation document.

(Non-Planning related) Attachment 2

- The conditions and limitations column for s 41A (1) in the Domestic Animals Act 1994 has been updated to reflect new language used in that Act;
- The Heritage Act 1995 has been replaced by the Heritage Act 2017; and
- Footnote relating to s 181H of the Local Government Act 1989 has been removed.

Accordingly, it is recommended that Council approve the two new instruments of delegation to Council Staff and revoke the related existing delegations.

CONSULTATION

All Managers and General Managers were consulted in the preparation of the updated Instruments of Delegation.



FINANCIAL IMPLICATIONS

There are no financial implications flowing from the preparation of this report.

POLICY IMPLICATIONS

It is important that Council periodically reviews its Instruments of Delegation to ensure that they remain current, and safeguard that Council can satisfactorily comply with its obligations across a range of Acts and Regulations.

ATTACHMENT

- 1 S6 - Instrument of Delegation by Council to Members of Council Staff - Planning 
- 2 S6 - Instrument of Delegation by Council to Members of Council Staff - Various Acts 

9.3.7 Review of Council's Gifts, Benefits and Hospitality Policy

SUMMARY

The request to review current requirements for declaring and registering gifts for Councillors and Council officers has resulted in a whole of organisation approach to this important topic.

The development of a single Council policy, will further enhance public trust, confidence and accountability. The policy provides a high level of clarity on the minimum requirements and accountabilities of this new approach. Consideration of this new policy at this time, also provides Council with an opportunity to demonstrate its ongoing commitment to greater transparency in its activities, by placing its Gifts, Benefits and Hospitality Register for Councillors and Senior Officers, on the Council website.

RECOMMENDATION

That Council:

- 1. Receive and note the report.**
 - 2. Resolves to:**
 - a) Adopt its new Gifts, Benefits and Hospitality Policy, provided as Appendix 1.**
 - b) Endorse that it's Gifts, Benefits and Hospitality Register for Councillors and Senior Officers, provided as Appendix 2, be duly posted on Council's website, as another measure of this Council's commitment to good governance practices and transparency in its activities.**
-

BACKGROUND

Council at its meeting on 10 December 2018 resolved –

“That Council request officers to prepare a report reviewing the current requirements for declaring and registering gifts for Councillors and Officers and the most appropriate means of access by the community as part of Council's good governance and transparency policy”.

DISCUSSION

Current process for Councillors

Current requirements for declaring and registering gifts by Councillors, has been anchored by guiding provisions in the Local Government Act 1989, the Councillor Code of Conduct and due reference to the City of Whitehorse Conflict of Interest and Acceptance of Gifts Guidelines. Essentially all gifts offered, regardless of value and whether accepted or refused, must be entered into the Departmental Gift Register.

Current process for Council Officers

Council Officers have followed the information contained in the City of Whitehorse Conflict of Interest and Acceptance of Gifts Guidelines, in directing required actions and processes with gift offers received. The guidelines state that:

- a) Regardless of value, all gifts must be reported to their Manager and registered in the Departmental Gift Register;
- b) Staff may accept gifts up to the value of \$50;
- c) Gifts over the value of \$50, should be politely refused/returned;
- d) All gifts offered or received, refused or returned must be entered into the Departmental Gift Register maintained by each Manager;
- e) Corporate hospitality should be accepted only where there is a clear value to Council, and must be:

9.3.7

(cont)

- i. At a level that a reasonable person would consider appropriate and not extravagant;
- ii. Approved in advance by the respective General Manager.

In addition, Council Officers also need to have regard to the Employee Conduct Policy (October 2016) pertaining to personal conduct and financial probity respectively; and the Conflict of Interest Policy generally, and including Gift Threshold, Departmental Gift Registers and Hospitality. One of the requirements placed on Managers, is a requirement to conduct a review of their Departmental Gift Register each January, April, July and October to identify potential and actual conflict of interest situations. Twice per year, the Executive review the registers and are available for inspection by the Audit Advisory Committee.

Benefits of having an Organisational Policy

The preparation of an organisation wide policy with clearly defined minimum requirements and accountabilities including clear reporting obligations will enhance comprehension and application for Councillors and Council Officers, and strengthen the level of compliance.

In addition, this policy provides Council with an opportunity to further demonstrate its commitment to greater transparency by considering to place its Gifts, Benefits and Hospitality Register for Councillors and Senior Officers on the Council website for easy access. Further, it is also considered that this new policy will strengthen the level of community confidence and trust in the integrity and professional conduct of Councillors and Council Officers, when dealing with Gifts, Benefits and Hospitality.

CONSULTATION

The nature of this report does not require any specific consultation

FINANCIAL IMPLICATIONS

There are no financial implications flowing from the preparation of this report.

POLICY IMPLICATIONS

In the preparation of this report, due regard has been given to relevant policies and key organisational documents.

9.3.7
(cont)

APPENDIX 1



Gifts, Benefits and Hospitality Policy

1. PURPOSE

The purpose of this policy is to outline the City of Whitehorse's position on elected Councillors and appointed Council Officers responding to offers of gifts, benefits and hospitality.

This policy supports Councillors and Council Officers to avoid conflicts of interest and maintain high levels of integrity, accountability and public trust.

2. OBJECTIVES

The City of Whitehorse's policy objectives are to:

- Provide clear direction and guidance to Councillors and Council Officers on gifts, benefits and hospitality that may be accepted and those that may not.
- Ensure that members of the Whitehorse community and other key stakeholders have full confidence in the performance standards and conduct of Councillors and Council Officers, as it relates to gifts, benefits and hospitality.
- Further strengthen the organisation's ongoing commitment to developing a highly transparent, ethical and legislative compliant entity.

3. SCOPE

The policy applies to all Councillors and Council Officers of the City of Whitehorse and operates in conjunction with any prevailing adopted Councillor Code of Conduct and Employee Conduct Policy respectively, and relevant provisions provided in the *Local Government Act 1989* ("the Act").

4. CONTEXT

The City of Whitehorse is committed to being open and transparent in its operations to minimise the risk of being placed in a compromising position that may have an adverse effect on its public endeavours and the promotion of trust within the community.

The policy, serves to direct and guide Councillors and Council Officers to be responsible and honest in their dealings and apply sound judgement when dealing with offers of gifts, benefits and hospitality, so as to not compromise their decision-making by always acting impartially.

9.3.7

(cont)

5. DEFINITIONS

Act	Means the Local Government Act 1989.
Appreciation gift	A gift presented to an individual to express thanks and a feeling of goodwill on behalf of the giver where there is no expectation of repayment.
Benefit	Something that is of value to the receiver, such as invitations to sporting, cultural or social events, access to discounts and loyalty programs, access to confidential information, accommodation or leisure holidays.
Corporate Gifts, Benefits and Hospitality Register	A register that captures all offers of gifts, benefits and hospitality over \$50 in value, received, accepted and declined by Councillors and Council Officers (who are senior or nominated officers) and is on Council's website.
Departmental Gift Register	An internal register that captures all offers of gifts, benefits and hospitality, irrespective of value, received, accepted and declined by Councillors and all Council Officers.
Gift	Defined in section 3 of the Act as "any disposition of property otherwise than by will made by a person to another person without consideration in money or money's worth or with inadequate consideration, including – a) The provision of a service (other than volunteer labour); and b) The payment of an amount in respect of a guarantee; and c) The making of a payment or contribution at a fundraising function."
Hospitality	The friendly reception and entertainment of guests, that may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation.
Monetary gift	Means cash, gifts cards, cheque, direct deposit or other financial facility that will financially benefit the receiver.
Non-token gift	An offer of a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value (ie equal to or more than \$50). All offers with a value of \$50 or greater are non-token offers and must be recorded on Council's Gift, Benefit and Hospitality Register.
Official gift	A gift presented to a Councillor or Council Officer as representatives of the Council, from a Sister City, Organisation or Corporation bestowing a corporate gift (ie. plaques, plates, trophies, art work) to the City, or as a token of appreciation for a contribution to a conference or industry event.
Token gift	A gift, benefit or hospitality offered as courtesy or is inconsequential or trivial in value (< \$50) to both the person making offer and the individual. Such gift would not be reasonably perceived within or outside the City of Whitehorse as influencing a Councillor or Council Officer or raising an actual, potential or perceived conflict of interest, with a value no more than \$50 (excludes cumulative offers from same source over 12 month period).
Value	Means the face value or estimated retail value.

9.3.7

(cont)

6. GUIDING PRINCIPLES

6.1 Core Principles

1. Nothing in this policy shall be construed to override the provisions of the Act. (In the event of any apparent inconsistency, provisions of the Act will prevail).
2. Councillors and Council Officers must not solicit, demand or request gifts, benefits or hospitality for themselves or another person by virtue of their position.
3. Monetary gifts of any value are not to be accepted (election donations excluded).
4. The preferred corporate standard, is that any offer of a gift, benefit or hospitality, irrespective of value, should be politely declined in the first instance.

Note further guidance:

- a) Council Officers involved with inspectorial, assessment or decision-making roles, must not under any circumstances, accept an offer of a gift, benefit or hospitality. Any offers received and then declined, must be recorded in the Departmental Gift Register.
- b) Councillors and Council Officers may experience situations where it is deemed inappropriate to decline an offer of a gift, benefit or hospitality due to specific circumstances, timing or cultural sensitivities and therefore such an offer will be accepted, subject to -

The Councillor or Council Officer assessing and determining that the acceptance of the gift, benefit or hospitality is not likely to create a real or perceived conflict of interest, presently or at a future date.

(Where the Councillor or Council Officer determines that such an offer will create a conflict of interest, the offer must unequivocally be declined).

5. All offers of gifts, benefits and hospitality accepted, returned or declined, regardless of value, must in the first instance, be recorded in the respective Departmental Gift Register, via the lodgement of a Gifts, Benefits and Hospitality Registration Form.
6. All offers of gifts, benefits and hospitality received, accepted or declined by Councillors and Council Officers (being senior or nominated officers) and having a value equal to or above \$50 (ie a non-token gift), will be recorded in the Corporate Gifts, Benefits and Hospitality Register that will be accessible on the Council website.
7. Full and proper adherence by Councillors and Council Officers with the requirements of this policy, is dependent upon such individuals applying a high level of care, in avoiding the likely creation of unwanted perceptions, whether real or contrived, by members of the Whitehorse community and others, regarding the activities, actions and conduct of a Councillor or a Council Officer.

9.3.7 (cont)

6.2 A simple distinction between gift offers

A gift offer is either a token or a non-token gift.

Token gift

An offer of a gift, benefit or hospitality that is offered as a courtesy or is of inconsequential or trivial value (less than \$50) to both the person making the offer and the individual.

- The combined total value of offers from the same individual or organisation in the last 12 months does not exceed \$50 (if it exceeds, it becomes a non-token-gift).

Token Gift - Policy Direction	Yes	No
Can the offer be accepted?	√	
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record offer in Corporate Gifts, Benefits and Hospitality Register?		√

Non-token gift

Defined as an offer of a gift, benefit or hospitality in value of or more than \$50.

- The existing Conflict of Interest Policy which applies only to Council Staff, states that non-token gifts should be politely declined.

Non-token Gift - Policy Direction	Yes	No
Councillors		
Can the offer be accepted?	√	
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record offer in Corporate Gifts, Benefits and Hospitality Register?	√	
Council Officers		
Can the offer be accepted?		√
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record offer in Corporate Gifts, Benefits and Hospitality Register?	√	

9.3.7
(cont)

6.3 Different types of organisational gifts

Councillors and Council Officers may be exposed to a range of circumstances where different types of gifts may be transacted. This may include:

6.3.1 Official

- From time to time individuals or organisations may offer gifts of goodwill to the Council (eg. a piece of artwork from Council's Sister City, Matsudo) and the CEO or relevant General Manager will ensure that any such official gift is recorded in the Corporate Gifts, Benefits and Hospitality Register.
- Councillors or Council Officers may be involved in conferences, community, cultural or industry events where official gifts are presented or exchanged; and it is reasonable for representatives of the Council to accept such gifts on its behalf.
- Official gifts are deemed to be Council property; however, where the item is not suitable for public display or the gift is of a personal nature to the recipient, the CEO will use their discretion as to the appropriate use of the official gift.

Official Gifts - Policy Direction	Yes	No
Can the offer be accepted?	√	
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?	√	

6.3.2 Appreciation

- Councillors and Council Officers must not accept a gift of appreciation with a value of more than \$50, but politely decline the offer explaining that it is against the Council's policy to accept such a gift.
- If such a gift is offered in an open or public forum and refusal would be obviously discourteous or acceptance would not cause any potential perceived or actual compromise or conflict of interest, the gift may be accepted, but is to be referred to the CEO or General Manager for a decision as to the appropriate treatment.
- Where a gift is received by the organisation (eg over the counter) without any sender's details, it is to be referred to the CEO for a decision as to the appropriate treatment.

Appreciation Gifts - Policy Direction	Yes	No
Can the offer be accepted, if value is equal to or less than \$50?	√	
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?		√

9.3.7 (cont)

Appreciation Gifts - Policy Direction (Cont.)	Yes	No
Can the offer be accepted, if value is more than \$50?		√
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?	√	

6.4 Hospitality

From time to time, Councillors and Council Officers may receive invitations of hospitality to attend various functions and events. Council Officers must obtain prior approval of relevant Manager or General Manager before accepting any offer. Invitations may include and be classified as follows:

6.4.1 Modest and networking opportunity

Where hospitality is only modest in nature (incidental refreshments at meetings, working lunches, community events or similar) and provides an opportunity to network or undertake business of a common purpose, it may be appropriate to accept such invitations.

- Notwithstanding the nature of this type of hospitality, it is the responsibility of the Councillor or Council Officer to be attentive to the cumulative value of any such offers and to avoid the likely creation of unwanted perceptions, whether real or contrived, by members of the Whitehorse community and others, regarding the activities, actions and conduct of a Councillor or a Council Officer.

Hospitality (Modest and Networking) - Policy Direction	Yes	No
Can the offer be accepted?	√	
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?		√

9.3.7
(cont)

6.4.2 Social, Cultural and Sporting Events

External sponsored events/tickets

Any offer of hospitality that is likely to compromise the impartiality of a Councillor or a Council Officer, or be perceived as a conflict of interest should be politely declined.

- Councillors are also encouraged to avoid potential perceptions being created either presently or at a future time, involving Councillor's patronage and/or regular attendance at events or close association with certain organisation/s.
- Council Officers are not to accept any offer of hospitality, associated with external sponsored events/tickets, excluding where 6.4.1 above applies.

Hospitality (Social, Cultural & Sporting) - Policy Direction	Yes	No
<i>Councillors</i>		
Can the offer be accepted, where no risk of Conflict of Interest?	√	
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?	√	
<i>Council Officers</i>		
Can the offer be accepted, where no risk of Conflict of Interest?		√
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?	√	
<i>Councillors and Council Officers</i>		
Can the offer be accepted, if there is risk of Conflict of Interest?		√
Is there a requirement to record offer in Departmental Gift Register?	√	
Is there a requirement to record the offer in Corporate Gifts, Benefits and Hospitality Register?	√	

9.3.7
(cont)

6.5 OTHER MATTERS

The Gifts, Benefits and Hospitality Policy does not apply in the following instances:

6.5.1 Council related events

The attendance and participation of Councillors and Council Officers at Council sponsored events is often an expectation of respective roles.

6.5.2 Council funded events/tickets

Councillors are offered the opportunity to attend theatre shows at the Whitehorse Centre and to attend Sporting Organisation events, and the full cost of the hospitality is paid by Council.

6.5.3 Where Payment or Reimbursement Made

In some circumstances, at the discretion and as approved by the Chief Executive Officer, a Councillor or Council Officer may attend the event, if the Council either fully reimburses the organisation for the full cost of the hospitality or if the Councillor or Council Officer personally pays for their own attendance.

7. PROCEDURAL REQUIREMENTS

When a Councillor or Council Officer is required to record an offer of a gift, benefit or hospitality, the following procedure shall be followed:

1. Within 7 days of the offer, complete a Council's Gifts, Benefits and Hospitality Registration Form and obtain relevant endorsement, as follows:
 - Councillors to Mayor (directly or via EA Mayor & Councillors);
 - Chief Executive Officer to Mayor (directly or via EA Mayor & Councillors);
 - General Managers to CEO;
 - Managers to respective General Managers;
 - Other officers to respective Manager.

It is expected that endorsed forms are forward to the respective Manager, in a timely and prompt manner.

2. Once endorsed, the completed registration form will proceed as follows:

Where value of gift, benefit or hospitality is < \$50

The completed form will be assigned to the respective Manager, who will ensure that the respective Departmental Gift Register is updated*.

Where value of gift, benefit or hospitality is equal to or > \$50

The completed form will be assigned to the respective Manager, who will ensure that the respective Departmental Gift Register is updated* and a copy forwarded to the Executive Manager Governance and Customer Service to update the Corporate Gifts, Benefits and Hospitality Register, as deemed appropriate**.

3. The Executive Manager Governance and Customer Service will arrange:
 - a) To update the Corporate Gifts, Benefits and Hospitality Register on Council's website, as required; and
 - b) On a half yearly basis (January and July) present a copy of the Departmental Gift Registers to a meeting of the Executive Management Team.

9.3.7

(cont)

4. At the end of each financial year, the Executive Manager Governance and Customer Service will arrange for a copy of all Departmental Gift Registers to be presented to Council's Audit Advisory Committee.

Notes:

- * *Respective Managers are required to conduct quarterly reviews of Departmental Gift Registers, in January, April, July and October each year (and initial and date register to evidence reviews).*
- ** *The Corporate Gifts, Benefits and Hospitality Register only captures entries for Councillors and Council Officers (ie senior or nominated officers, as defined by Act), and official gifts and appreciation gifts with a value equal to or greater than \$50.*

8. RELATED POLICIES

Conflict of Interest Policy (August 2018) - (applies only to Council Staff)

Employee Conduct Policy (October 2016) - (applies only to Council Staff)

Councillor Code of Conduct (Adopted 20 February 2017)

9. OTHER GUIDANCE

9.1 Provision in Local Government Act to disclose gifts received of or above \$500

Councillors and nominated Council Officers, when lodging half yearly ordinary returns are obliged to address section 8(7)(e) of the Act, which specifically requires -

“Particulars of any gift of or above the amount or value of \$500 received by you, either directly or indirectly, other than a gift received -

- i. From a person who is your relative (as defined in section 78(1) of the Act); or
- ii. As hospitality at an event or function you attended in an official capacity as the Mayor, a Councillor or a member of Council staff”.

(As applicable, Councillors and nominated officers should in the first instance complete a Gifts, Benefits and Hospitality Registration Form within 7 days of accepting such a gift and subsequently record relevant gifts in their next Ordinary Return).

9.2 Provision in Councillor Code of Conduct

Section 14. Gifts, Favours & Hospitality of the Code, specifies in part that –

“Part of the role of Councillor requires attendance at functions, receptions and visits. This may involve meeting or hosting people for different cultures. A councillor needs to be aware that:

- a) He or she should not accept directly or indirectly any fee, gift or benefit for themselves, family member or for any other person or body for anything done or action taken in pursuit of their Councillor duties; and “.

9.3 Ombudsman Victoria Guidelines

Public officers should never accept gifts offered in the following circumstances:

- Gifts of significant monetary value;
- A series of gifts with a significant cumulative value;
- Gifts given in the context of a regulatory, inspectorial, oversight or similar relationship;
- Gifts offered selectively to individuals within a work group;
- Gifts given in a secretive fashion.

(Reference: Ombudsman Victoria “Conflict of Interest in the Public Sector” March 2008)

9.3.7

(cont)

9.4 When encountered with a “bribe”

If a Councillor or Council Officer believes they have been offered a bribe, it is important that they immediately act to minimise any potential for negative consequences, by taking the following steps:

- a) Terminate the interaction with the person;
- b) Make a clear record of the events surrounding the specific situation;
- c) Report the matter –
 - A Councillor should report matter to the Mayor (who will consult with CEO);
 - A Council Officer should report matter to their respective General Manager and/or to CEO (where General Manager is making report).
- d) Where the circumstances, fall within the parameters of the *Protected Disclosures Act 2012*, a disclosure should be made in the appropriate manner.

9.5 Gift Test Document - Attachment 1

This attachment provides guidance to Councillors and Council Officers on whether to accept or decline an offer of a gift, benefit or hospitality.

10. POLICY REVIEW

This policy will be reviewed every two years.

Responsible Manager: Executive Manager Governance and Customer Service

Date Adopted: April 2019

9.3.7
(cont)


ATTACHMENT 1

**City of Whitehorse
Gifts, Benefits and Hospitality Policy**

The **GIFT** test is a good reminder of what to think about when deciding whether to accept or decline an offer of a gift, benefit or hospitality.

G	Giver	<i>Who is providing the gift, benefit or hospitality and what is their relationship to me?</i> Could the person or organisation benefit from a decision I make?
I	Influence	<i>Are they seeking to influence my decisions or actions?</i> Has the gift, benefit or hospitality been offered to me publically or privately? Does its timing coincide with a decision I am about to make?
F	Favour	<i>Are they seeking a favour in return for the gift, benefit or hospitality?</i> Has the gift, benefit or hospitality been offered honestly? Would accepting it create an obligation to return a favour?
T	Trust	<i>Would accepting the gift, benefit or hospitality diminish public trust?</i> How would the public view acceptance of this gift, benefit or hospitality? What would my colleagues, family or associates think?

APPENDIX 2



GIFTS, BENEFITS AND HOSPITALITY REGISTER

Date of Declaration	Name of Councillor / Council Officer (and Position held)	Date (GBH) received	Description of (GBH)	Value of GBH \$	Reason GBH was offered (if known)	Name of provider of GBH	Was GBH accepted? Y/N

9.3.8 Proposal to name unnamed right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn

SUMMARY

The purpose of this report is to seek Council endorsement to initiate community consultation on a proposal to name an unnamed right of way, in order to provide a property address to a new lot, created from a recently approved two lot subdivision, which abuts the right of way.

RECOMMENDATION

That Council:

- 1. Endorse the name “Gaff Lane” for the purposes of community consultation on its proposal to name the right of way abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn.***
 - 2. Receive a further report, following the completion of the community consultation process.***
-

BACKGROUND

The property owner of 7 Gordon Crescent, Blackburn contacted Council in December 2018, seeking to have the right of way abutting the rear of his property named.

The request for naming, stems from a VCAT decision in August 2018, which granted a permit that allows “Buildings and works to extend a dwelling when there are two dwellings on the lot, subdivide land into two lots and removal of vegetation”.

As the VCAT decision provides for the subdivision of the land into two lots, with one lot abutting the right of way without access to Gordon Crescent, the new lot will require the assignment of a property address.

DISCUSSION

Council has the power to name roads, subject to having due regard to the naming rules provided under the Geographic Place Names Act 1998.

The naming rules are guided by the following 12 general principles:

1. Ensuring public safety;
2. Recognising the public interest (both in the short and long term);
3. Linking the name to place (relevant to the local area);
4. Ensuring names are not duplicated;
5. Names must not be discriminatory;
6. Recognition and use of aboriginal languages in naming;
7. Dual names (not applicable to roads);
8. Using commemorative names (to commemorate an event, person or place);
9. Using commercial and business names (not to be used);
10. Language;
11. Directional names to be avoided; and
12. Assigning extent to a road, feature or locality.

The 12 general principles are designed to ensure that no ambiguity, confusion, errors or discrimination results from any naming, renaming or boundary change process.

9.3.8

(cont)

Integral to all naming processes, is the importance of community consultation. In order to identify some naming options, Council officers have made contact with the Whitehorse Historical Society and the Wurundjeri Cultural Heritage Aboriginal Corporation. To date, only the Whitehorse Historical Society has submitted three naming suggestions:

1. Janet Muir Gaff (nee Steel) (1860-1940) was a nurse in World War 1, who helped soldiers in the trenches keep warm by having rabbit skin vests made for them. Janet organised for rabbits to be sent to the UK, where the skins were made into vests for the soldiers.
2. James Cowley Morgan Fischer (1832-1913) was the leader of a sect known as the Fisherites and lived in Nunawading.
3. A number of the streets in the area have names of Generals.

Council officers carried out further research on the first two naming suggestions and found that Janet Muir Gaff and her family had a link with Gordon Crescent, Blackburn. A review of historical information has confirmed that the Steel family including Janet Muir Gaff and her young son, migrated to Australia in late 1891, from Glasgow Scotland. The Steel family settled in a large family home named Achernar in Gordon Crescent, Blackburn.

Janet Muir Gaff used the family home in Blackburn as a base, and worked as a nurse in Warracknabeal and Willaura, in western Victoria. In August 1915, Janet joined the Australian Army Nursing Service and worked for 12 months at the No 5 Australian General Hospital in St Kilda Road before leaving Australia to nurse in the Sea Transport Service.

Janet returned to Australia in 1919 and moved back into the family home with two sisters and a brother, in Gordon Crescent, Blackburn. In the early 1920s, the family moved to Oxford Street, Box Hill and in 1925 transferred to Rose Street, Box Hill. The Rose Street home, became the permanent home of Janet and her two sisters, until Janet's death on 7 September 1940.

Given the strong link and connection that Janet Muir Gaff had with Gordon Crescent, Blackburn; it is recommended that the name "Gaff Lane" be endorsed as Council's preferred name for the un-named right of way at the rear of properties fronting onto Gordon Crescent. This is an opportunity to again, link a name to a place and thus make the naming more meaningful. A location map of the subject right of way is provided as **Appendix 1**.

CONSULTATION

Council officers made contact with the Whitehorse Historical Society and the Wurundjeri Cultural Heritage Aboriginal Corporation to seek naming suggestions for the un-named lane.

At the time of preparing this report, the Whitehorse Historical Society had submitted three naming suggestions, but even after a further follow up, no response had been received from the Wurundjeri Cultural Heritage Aboriginal Corporation.

Council officers have made concerted efforts, but have not been successful in locating any living descendants of the late Janet Muir Gaff, in order to obtain family consent for the use of the name "Gaff" in Council's street naming proposal. Given the situation, further advice has been sought from the Office of Geographic Names and Council can proceed subject to including text in a public notice noting that Council has been unable to locate existing family members to seek permission to use the proposed name and calls for consent from the family or request family contact details from the community.

(cont)

There are no financial implications flowing from the preparation of this report.

It is vital that all properties in the municipality have an identifiable property address, in order to locate and to properly address correspondence for property owners/occupiers. In carrying out this responsibility, Council will ensure that due regard is given to the 12 general (naming) principles of the Office of Geographic Names.

Site Map of Unnamed Right of Way (Highlighted red)

Abutting 3 Clarke Street and the rear of 7-19 Gordon Crescent, Blackburn



9.3.9 Delegated Decisions March 2019

SUMMARY

The following activity was undertaken by officers under delegated authority during March 2019.

RECOMMENDATION

That the report of decisions made by officers under Instruments of Delegation for the month of March 2019 be noted.

DELEGATION	FUNCTION	Number for March 2018	Number for March 2019
Planning and Environment Act 1987	Delegated Decisions	86	127
	Strategic Planning Decisions	Nil	Nil
Telecommunications Act 1997		Nil	Nil
Subdivision Act 1988		17	17
Gaming Control Act 1991		Nil	Nil
Building Act 1993	Dispensations & Applications to Building Control Commission	52	41
Liquor Control Reform Act 1998	Objections and Prosecutions	1	1
Food Act 1984	Food Act Orders	4	2
Public Health & Wellbeing Act 2008	Improvement / Prohibition Notices	2	2
Local Government Act 1989	Temporary Rd. Closures	3	10
Other Delegations	CEO Signed Contracts between \$150,000 - \$750,000	Nil	4
	Property Sales and Leases	1	4
	Documents to which Council seal affixed	Nil	1
	Vendor Payments	1572	1506
	Parking Amendments	15	8
	Parking Infringements written off (not able to be collected)	314	191

9.3.9

(cont)

DELEGATED DECISIONS MADE ON PLANNING APPLICATIONS MARCH 2019

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.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1263	26-03-19	Application Lapsed	2 Harcourt Street Blackburn North Vic 3130	Central	Construction of two double storey dwellings, removal of and buildings and works within 4m of protected trees	Multiple Dwellings
WH/2018/906	04-03-19	Application Lapsed	4 Willurah Street Forest Hill Vic 3131	Morack	Buildings and works for the Construction of a dwelling and associated Tree Removal	Special Landscape Area
WH/2019/75	07-03-19	Application Lapsed	24 Chessell Street Mont Albert North Vic 3129	Elgar	Vegetation removal	VicSmart - Tree
WH/2005/496/C	22-03-19	Delegate Approval - S72 Amendment	490-524 Springvale Road Forest Hill Vic 3131	Morack	Amendment to WH/2005/496 (issued for use of land as a medical centre (with ancillary pharmacy), buildings and works to extend the existing building, reduction of car parking requirements and the removal of native vegetation) - seeking to update the internal arrangement of the premises, in order to better accommodate the changing business needs of the facility. This would include the removal of existing internal walls and the construction of new walls.	Permit Amendment
WH/2007/29/A	22-03-19	Delegate Approval - S72 Amendment	1 Trawool Street Box Hill North Vic 3129	Elgar	Amendment to plans endorsed under planning permit WH/2007/29 issued for the construction of a three storey building comprising 10 dwellings and a semi- basement car park.	Permit Amendment

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2013/266/B	27-03-19	Delegate Approval - S72 Amendment	4 Lalwa Street Blackburn Vic 3130	Central	Construction of a double storey dwelling	Permit Amendment
WH/2014/1000/A	20-03-19	Delegate Approval - S72 Amendment	31 Livingstone Road Vermont South Vic 3133	Morack	Construction of seven dwellings and removal of vegetation	Permit Amendment
WH/2014/1235/B	05-03-19	Delegate Approval - S72 Amendment	800 Station Street Box Hill North Vic 3129	Elgar	Development and use of a Child Care Centre, buildings and works in a Heritage Overlay and reduction in car parking requirements	Permit Amendment
WH/2014/567/A	18-03-19	Delegate Approval - S72 Amendment	88 Dorking Road Box Hill North Vic 3129	Elgar	Buildings and works within 4m of a protected tree in SLO9	Permit Amendment
WH/2014/816/A	15-03-19	Delegate Approval - S72 Amendment	36-38 Diosma Crescent Nunawading Vic 3131	Springfield	Construction of seven double storey dwellings	Permit Amendment
WH/2015/850/B	08-03-19	Delegate Approval - S72 Amendment	1/1 Wren Close Nunawading Vic 3131	Springfield	Construction of two (2) double storey dwellings	Permit Amendment
WH/2015/995/A	14-03-19	Delegate Approval - S72 Amendment	237 Hawthorn Road Vermont South Vic 3133	Morack	Construction of two double storey dwellings and buildings and works within 4 metres of protected vegetation	Permit Amendment
WH/2016/2/A	05-03-19	Delegate Approval - S72 Amendment	764 Canterbury Road Surrey Hills Vic 3127	Riversdale	Use and Development of Land for a Child Care Centre, Alteration of Access to a Road in a Road Zone, Category 1 and to Display Business Identification Signage	Permit Amendment
WH/2017/158/A	26-03-19	Delegate Approval - S72 Amendment	205 Springfield Road Blackburn North Vic 3130	Central	Construction of two (2) double storey dwellings	Permit Amendment
WH/2017/282/A	25-03-19	Delegate Approval - S72 Amendment	41 Robinlee Avenue Burwood East Vic 3151	Morack	Construction of two double storey dwellings	Permit Amendment
WH/2017/301/A	21-03-19	Delegate Approval - S72 Amendment	16 Laburnum Street Blackburn Vic 3130	Central	Removal of 4 protected trees under SLO9	Permit Amendment

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/15/A	22-03-19	Delegate Approval - S72 Amendment	10 Marlborough Street Mont Albert Vic 3127	Elgar	Buildings and works associated with the construction of a front fence and re-construction of a driveway including associated buildings and works within 4m of SLO9 trees.	Permit Amendment
WH/2017/456	28-03-19	Delegate NOD Issued	27 Mcghee Avenue Mitcham Vic 3132	Springfield	Construction of three two storey dwellings, removal of trees and buildings and works within trees protected under SLO9	Multiple Dwellings
WH/2017/895	01-03-19	Delegate NOD Issued	606 Elgar Road Box Hill North Vic 3129	Elgar	Use and development of the land for a residential building, alteration of access to a road in a road zone category 1, tree removal and works within 4m of trees	Residential (Other)
WH/2017/983	06-03-19	Delegate NOD Issued	424 Canterbury Road Forest Hill Vic 3131	Morack	Construction of three double storey dwellings, removal of trees and access to a Road Zone Category 1	Multiple Dwellings
WH/2018/1025	29-03-19	Delegate NOD Issued	27 Wilton Street Blackburn North Vic 3130	Central	Development of the land for two (2) double storey dwellings including associated buildings and works within 4 metres of protected trees and tree removal	Multiple Dwellings
WH/2018/105	19-03-19	Delegate NOD Issued	14 Nara Road Mitcham Vic 3132	Springfield	Construction of a first floor extension to the dwelling and associated buildings and works (including a swimming pool and verandah) within 4 metres of a protected tree	Special Landscape Area
WH/2018/1109	07-03-19	Delegate NOD Issued	289 Canterbury Road Forest Hill Vic 3131	Springfield	Change of use to an indoor recreation facility	Business
WH/2018/1141	15-03-19	Delegate NOD Issued	2/621 Whitehorse Road Mitcham Vic 3132	Springfield	To use the land as a warehouse (motor vehicles), business identification signs, alteration to Road Zone Category 1	Industrial
WH/2018/1279	18-03-19	Delegate NOD Issued	88 Watts Street Box Hill North Vic 3129	Elgar	Removal of three protected trees	Special Landscape Area
WH/2018/1280	07-03-19	Delegate NOD Issued	6 Efron Street Nunawading Vic 3131	Springfield	Buildings and works within 4 metres of protected trees and tree removal	Special Landscape Area

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1326	19-03-19	Delegate NOD Issued	3 Barkly Street Box Hill Vic 3128	Elgar	Construction of two (2) double storey dwellings on a lot and buildings and works within 4 metres of protected vegetation	Multiple Dwellings
WH/2018/1336	04-03-19	Delegate NOD Issued	3 Haughton Court Box Hill South Vic 3128	Riversdale	Removal of fourteen (14) trees	Special Landscape Area
WH/2018/296	06-03-19	Delegate NOD Issued	227 Canterbury Road Blackburn Vic 3130	Central	Construction of second dwelling on a lot, variation to access (Road Zone Category 1) and buildings and works within 4 metres and removal of trees protected under the SLO2	Multiple Dwellings
WH/2018/603	29-03-19	Delegate NOD Issued	11 Rothsay Avenue Burwood Vic 3125	Riversdale	Construction of Two (2) Double Storey Dwellings on a Lot and Removal of Vegetation	Multiple Dwellings
WH/2018/659	19-03-19	Delegate NOD Issued	20 Wreford Road Blackburn South Vic 3130	Central	Buildings and works (associated with the construction of a single dwelling) and tree removal within SLO9	Special Landscape Area
WH/2018/688	27-03-19	Delegate NOD Issued	452 Belmore Road Mont Albert North Vic 3129	Elgar	Construction of two double storey dwellings, buildings and works within 4 metres and removal of trees protected under the SLO9	Multiple Dwellings
WH/2018/798	25-03-19	Delegate NOD Issued	2 Woodhouse Grove Box Hill North Vic 3129	Elgar	Development of the land for two new dwellings and associated building and works within 4m of trees protected under the Significant Landscape Overlay.	Multiple Dwellings
WH/2018/829	06-03-19	Delegate NOD Issued	9 Eden Avenue Box Hill South Vic 3128	Riversdale	Construction of two double storey dwellings, buildings and works within 4 metres and removal of protected trees	Multiple Dwellings
WH/2017/1044	06-03-19	Delegate Permit Issued	3 Eden Court Forest Hill Vic 3131	Central	Construction of three double storey dwellings, removal of and buildings and works within 4 metres of protected trees and three lot subdivision	Multiple Dwellings
WH/2018/1049	06-03-19	Delegate Permit Issued	12 Silver Grove Nunawading Vic 3131	Springfield	removal of easement E1	Subdivision
WH/2018/1054	27-03-19	Delegate Permit Issued	3 Olympiad Crescent Box Hill North Vic 3129	Elgar	3 lot subdivision	Subdivision

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1080	14-03-19	Delegate Permit Issued	22 Greenwood Street Burwood Vic 3125	Riversdale	four lot subdivision	Subdivision
WH/2018/1106	18-03-19	Delegate Permit Issued	2 Patrick Street Box Hill North Vic 3129	Elgar	Three (3) lot subdivision	Subdivision
WH/2018/1119	28-03-19	Delegate Permit Issued	49 Tainton Road Burwood East Vic 3151	Morack	2 lot subdivision	Subdivision
WH/2018/1125	15-03-19	Delegate Permit Issued	692 Whitehorse Road Mont Albert Vic 3127	Elgar	Two (2) Lot subdivision	Subdivision
WH/2018/1128	27-03-19	Delegate Permit Issued	53 Broughton Road Surrey Hills Vic 3127	Riversdale	2 Lot Subdivision in accordance with development permit WH/2017/377	Subdivision
WH/2018/1147	25-03-19	Delegate Permit Issued	57 Lexton Road Box Hill North Vic 3129	Elgar	2 Lot Subdivision	Subdivision
WH/2018/1155	15-03-19	Delegate Permit Issued	11 Skene Street Burwood East Vic 3151	Riversdale	Two lot subdivision	Subdivision
WH/2018/1170	14-03-19	Delegate Permit Issued	19 Beddows Street Burwood Vic 3125	Riversdale	3 lot subdivision	Subdivision
WH/2018/1192	28-03-19	Delegate Permit Issued	14 Peter Street Box Hill North Vic 3129	Elgar	2 Lot subdivision	Subdivision
WH/2018/1206	19-03-19	Delegate Permit Issued	11 Summit Road Burwood Vic 3125	Riversdale	Subdivision of land into three lots	Subdivision
WH/2018/1225	26-03-19	Delegate Permit Issued	15a Nurlendi Road Vermont Vic 3133	Morack	Buildings and works for the construction of a dwelling, and variation of restrictive covenant PS715216Q	Single Dwelling < 300m2
WH/2018/1230	15-03-19	Delegate Permit Issued	11 Scott Grove Burwood Vic 3125	Riversdale	Two (2) lot subdivision and creation of easements	Subdivision
WH/2018/1259	06-03-19	Delegate Permit Issued	12 Zetland Road Mont Albert Vic 3127	Elgar	Removal from Title of the sewerage easement shown E-1 on LP75578	Subdivision
WH/2018/1316	14-03-19	Delegate Permit Issued	50 Broughton Road Surrey Hills Vic 3127	Riversdale	2 lot subdivision	Subdivision
WH/2018/1320	27-03-19	Delegate Permit Issued	7 Crest Grove Nunawading Vic 3131	Springfield	5 lot subdivision	Subdivision
WH/2018/1331	29-03-19	Delegate Permit Issued	1-7 Chapel Street Blackburn Vic 3130	Central	Alterations to building facade and display of business identification signage including front window graphics and pole sign	Advertising Sign

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1346	15-03-19	Delegate Permit Issued	32 Mill Avenue Forest Hill Vic 3131	Morack	Construction of two (2) dwellings on a lot and vegetation removal	Multiple Dwellings
WH/2018/1357	15-03-19	Delegate Permit Issued	6 Malvina Street Burwood Vic 3125	Riversdale	2 lot subdivision	Subdivision
WH/2018/1361	27-03-19	Delegate Permit Issued	80 Burwood Highway Burwood East Vic 3151	Riversdale	Buildings and works for the construction of six dwellings, alteration of access to a road zone category 1 and associated tree removal	Multiple Dwellings
WH/2018/1388	14-03-19	Delegate Permit Issued	61 Severn Street Box Hill North Vic 3129	Elgar	Nine (9) lot subdivision	Subdivision
WH/2018/1395	06-03-19	Delegate Permit Issued	16 Richmond Street Blackburn South Vic 3130	Riversdale	Proposed new dwelling with attached garage within an SBO	VicSmart - General Application
WH/2018/1408	18-03-19	Delegate Permit Issued	71 Churinga Avenue Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision
WH/2018/1409	14-03-19	Delegate Permit Issued	18 Foch Street Box Hill South Vic 3128	Riversdale	2 lot subdivision and common property	VicSmart - Subdivision
WH/2018/1413	20-03-19	Delegate Permit Issued	38-56 Orchard Grove Blackburn South Vic 3130	Central	Construct and display a business identification sign	Advertising Sign
WH/2018/192	21-03-19	Delegate Permit Issued	31 Inga Street Burwood East Vic 3151	Riversdale	Construction of two double storey dwellings	Multiple Dwellings
WH/2018/257	21-03-19	Delegate Permit Issued	1 Rosalind Crescent Blackburn Vic 3130	Central	Development of a Double Storey Dwelling Removal of Vegetation within the Significant Landscape Overlay - Schedule 2	Special Landscape Area
WH/2018/349	27-03-19	Delegate Permit Issued	8 Neville Street Box Hill South Vic 3128	Riversdale	The construction of two double storey dwellings on a lot, buildings and works within 4 metres of vegetation, vegetation removal	Multiple Dwellings
WH/2018/419	29-03-19	Delegate Permit Issued	22-24 Sugarloaf Close Burwood East Vic 3151	Riversdale	Removal of protected trees (14 trees), SLO9	Special Landscape Area
WH/2018/507	15-03-19	Delegate Permit Issued	249 Middleborough Road Box Hill South Vic 3128	Riversdale	Use of the land for the sale and consumption of liquor associated with a food and drink premises	Liquor Licence
WH/2018/588	21-03-19	Delegate Permit Issued	3 Gibson Street Box Hill South Vic 3128	Riversdale	Development of Two (2) Double Storey Dwellings on a Lot & Removal of Vegetation	Multiple Dwellings

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/649	08-03-19	Delegate Permit Issued	573a Elgar Road Mont Albert North Vic 3129	Elgar	Construction of two double storey dwellings, tree removal and alter road access to a Road Zone, Category 1.	Multiple Dwellings
WH/2018/884	18-03-19	Delegate Permit Issued	8 Cyril Street Box Hill South Vic 3128	Riversdale	2 lot subdivision	VicSmart - Subdivision
WH/2018/917	21-03-19	Delegate Permit Issued	23 Thornhill Drive Forest Hill Vic 3131	Morack	Buildings and works associated with the extension to an existing dwelling within 4m of protected trees (SLO9)	Special Landscape Area
WH/2018/925	27-03-19	Delegate Permit Issued	4 Fortune Street Box Hill North Vic 3129	Elgar	Subdivision of the land into four lots	Subdivision
WH/2018/946	18-03-19	Delegate Permit Issued	41 Packham Street Box Hill North Vic 3129	Elgar	Buildings and Works for the Construction of Two Dwellings and Associated Vegetation Removal	Multiple Dwellings
WH/2018/987	29-03-19	Delegate Permit Issued	1 Baird Court Blackburn South Vic 3130	Central	Removal of protected trees (15 trees), SLO9	Special Landscape Area
WH/2019/1	07-03-19	Delegate Permit Issued	6/23a Cook Road Mitcham Vic 3132	Springfield	Buildings and works for the construction of a first-floor mezzanine and storage area and use of the land for car sales	Change of Use
WH/2019/116	25-03-19	Delegate Permit Issued	4 Linlithgow Street Mitcham Vic 3132	Springfield	Removal of one tree	VicSmart - Tree
WH/2019/119	15-03-19	Delegate Permit Issued	9 Hannaslea Street Box Hill Vic 3128	Elgar	Externally Paint a Building within a Heritage Overlay	VicSmart - General Application
WH/2019/126	25-03-19	Delegate Permit Issued	8 Sunnyside Avenue Nunawading Vic 3131	Springfield	Two (2) lot subdivision	Subdivision
WH/2019/130	15-03-19	Delegate Permit Issued	3 Cromwell Court Blackburn Vic 3130	Springfield	Two Lot Subdivision	VicSmart - Subdivision
WH/2019/140	07-03-19	Delegate Permit Issued	10 Morack Road Vermont Vic 3133	Morack	Removal of one tree	VicSmart - Tree
WH/2019/142	14-03-19	Delegate Permit Issued	16 Donald Road Burwood Vic 3125	Riversdale	Vegetation removal	VicSmart - Tree
WH/2019/150	07-03-19	Delegate Permit Issued	3 Douglas Avenue Box Hill South Vic 3128	Riversdale	Remove 1 tree close to the boundary between 1 and 3 Douglas Avenue Box Hill. Tree is located at the backyard of 3 Douglas Avenue	VicSmart - Tree

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/159	27-03-19	Delegate Permit Issued	1/10a Donald Street Blackburn South Vic 3130	Central	Construct a front fence on a lot less than 300sqm	VicSmart - General Application
WH/2019/160	12-03-19	Delegate Permit Issued	16 Renmark Court Vermont South Vic 3133	Morack	Tree removal (x 3) in the SLO9	VicSmart - Tree
WH/2019/161	12-03-19	Delegate Permit Issued	16 Renmark Court Vermont South Vic 3133	Morack	Tree removal (x 3) in the SLO9.	VicSmart - Tree
WH/2019/162	12-03-19	Delegate Permit Issued	16 Renmark Court Vermont South Vic 3133	Morack	Tree removal (x 3) in the SLO9.	VicSmart - Tree
WH/2019/168	01-03-19	Delegate Permit Issued	12 St Georges Avenue Mont Albert Vic 3127	Elgar	Removal of one (1) tree within SLO9	VicSmart - Tree
WH/2019/181	22-03-19	Delegate Permit Issued	33 Harrison Street Box Hill North Vic 3129	Elgar	Two (2) lot subdivision	VicSmart - Subdivision
WH/2019/183	29-03-19	Delegate Permit Issued	17 Nicholi Walk Vermont South Vic 3133	Morack	Buildings and works (construct a front fence and install solar panel facility)	VicSmart - General Application
WH/2019/186	18-03-19	Delegate Permit Issued	78 Middleborough Road Burwood East Vic 3151	Riversdale	Reduction of car parking requirements	VicSmart - General Application
WH/2019/19	18-03-19	Delegate Permit Issued	21 Kildare Street Burwood Vic 3125	Riversdale	Subdivision of land into two (2) lots	Subdivision
WH/2019/191	18-03-19	Delegate Permit Issued	27 Orient Avenue Mitcham Vic 3132	Springfield	Removal of One Tree	VicSmart - Tree
WH/2019/192	19-03-19	Delegate Permit Issued	10 Catherine Street Box Hill Vic 3128	Elgar	Removal of one (1) tree	VicSmart - Tree
WH/2019/202	19-03-19	Delegate Permit Issued	450 Belmore Road Mont Albert North Vic 3129	Elgar	Removal of one (1) tree within SLO9	VicSmart - Tree
WH/2019/206	14-03-19	Delegate Permit Issued	2 Little Street Box Hill South Vic 3128	Riversdale	Vegetation removal	VicSmart - Tree
WH/2019/212	15-03-19	Delegate Permit Issued	3 Shepherd Street Surrey Hills Vic 3127	Riversdale	Removal of one (1) tree	VicSmart - Tree
WH/2019/221	26-03-19	Delegate Permit Issued	78 Brunswick Road Mitcham Vic 3132	Springfield	Two lot subdivision	VicSmart - Subdivision

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/226	28-03-19	Delegate Permit Issued	2 George Street Mont Albert Vic 3127	Elgar	Removal of one (1) tree within SLO9	VicSmart - Tree
WH/2019/236	18-03-19	Delegate Permit Issued	22 Baranbali Drive Vermont South Vic 3133	Morack	Removal of one (1) tree	VicSmart - Tree
WH/2019/243	28-03-19	Delegate Permit Issued	27 Farleigh Avenue Burwood Vic 3125	Riversdale	Removal of one (1) tree within SLO9	VicSmart - Tree
WH/2019/244	29-03-19	Delegate Permit Issued	4 Little Street Box Hill South Vic 3128	Riversdale	Removal of one (1) tree	VicSmart - Tree
WH/2019/245	29-03-19	Delegate Permit Issued	4 Little Street Box Hill South Vic 3128	Riversdale	Removal of one (1) tree	VicSmart - Tree
WH/2019/246	29-03-19	Delegate Permit Issued	4 Little Street Box Hill South Vic 3128	Riversdale	Removal of one (1) tree	VicSmart - Tree
WH/2019/247	29-03-19	Delegate Permit Issued	4 Little Street Box Hill South Vic 3128	Riversdale	Removal of one (1) tree	VicSmart - Tree
WH/2019/251	28-03-19	Delegate Permit Issued	4 Pope Road Blackburn Vic 3130	Central	Buildings and works within 4m of protected trees (shed)	VicSmart - General Application
WH/2019/278	29-03-19	Delegate Permit Issued	129 Windsor Crescent Mont Albert Vic 3127	Elgar	Removal of one (1) tree within SLO9	VicSmart - Tree
WH/2019/4	18-03-19	Delegate Permit Issued	42 Nurlendi Road Vermont Vic 3133	Morack	Buildings and works (retaining walls and landscaping) and construction of a front fence within 4m of a protected tree	Special Landscape Area
WH/2019/52	06-03-19	Delegate Permit Issued	28 Sandra Street Blackburn South Vic 3130	Central	Removal of two (2) trees	Special Landscape Area
WH/2018/1047	04-03-19	Delegate Refusal Issued	706 Station Street Box Hill Vic 3128	Elgar	Use and development of land for accommodation (residential hotel), reduction to the required car parking spaces and bicycle facilities, and alteration of access to a road in a Road Zone Category 1 (RDZ1)	Business
WH/2018/1071	12-03-19	Delegate Refusal Issued	12 Sandy Street Nunawading Vic 3131	Springfield	Development of Three Double Storey Dwellings on a Lot and Removal of Vegetation	Multiple Dwellings
WH/2018/1194	20-03-19	Delegate Refusal Issued	17 Oliver Avenue Blackburn Vic 3130	Central	Buildings and works to an existing dwelling, construct a fence, construct a fence within 4 metres of vegetation.	Special Landscape Area

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2018/1236	14-03-19	Delegate Refusal Issued	3 Carter Avenue Nunawading Vic 3131	Springfield	The construction of two double storey dwellings, buildings and works within 4 metres of vegetation and vegetation removal.	Multiple Dwellings
WH/2018/131	12-03-19	Delegate Refusal Issued	32 Tyne Street Box Hill North Vic 3129	Elgar	Development of the land for nine (9) double storey Dwellings, tree removal and works within 4m of protected trees (SLO9)	Multiple Dwellings
WH/2018/134	15-03-19	Delegate Refusal Issued	33 Moselle Street Mont Albert North Vic 3129	Elgar	Construction of two, two storey dwellings and removal of vegetation protected under SLO9	Multiple Dwellings
WH/2018/1359	29-03-19	Delegate Refusal Issued	16a Victoria Crescent Mont Albert Vic 3127	Elgar	Building and works to the existing substation to create a dwelling on a lot less than 300sqm, works within 4m of a tree in slo9 and reduction in statutory car parking requirements.	Single Dwelling < 300m2
WH/2018/333	05-03-19	Delegate Refusal Issued	35 Nymph Street Mitcham Vic 3132	Springfield	Removal of tree, installation of retaining wall and fence. deck around front of house	Vegetation Protection Overlay
WH/2018/427	22-03-19	Delegate Refusal Issued	3 Faye Street Burwood East Vic 3151	Morack	Construction of five double storey dwellings, removal of five trees and works within 4m of a tree	Multiple Dwellings
WH/2018/810	13-03-19	Delegate Refusal Issued	48 Whitehorse Road Blackburn Vic 3130	Central	Buildings and works for Construction of a five storey apartment building, basement, associated tree removal, and variation of access to Road Zone Category 1 (RDZ1)	Multiple Dwellings
WH/2018/826	05-03-19	Delegate Refusal Issued	17 Barrina Street Blackburn South Vic 3130	Central	Construction of two, two storey dwellings and removal of trees protected under SLO9	Multiple Dwellings
WH/2018/992	27-03-19	Delegate Refusal Issued	2/37 Brougham Street Box Hill Vic 3128	Elgar	Buildings and works for the construction of a 4 storey apartment building for two or more dwellings, removal of vegetation, and reduction to the car parking rate.	Multiple Dwellings
WH/2019/167	14-03-19	Delegate Refusal Issued	Lg01/ 21 Queen Street Blackburn Vic 3130	Central	Reduce a car parking requirement for a commercial property	VicSmart - General Application
WH/2019/177	15-03-19	Delegate Refusal Issued	12 Woodcrest Road Vermont Vic 3133	Morack	Remove one (1) tree	VicSmart - Tree
WH/2019/208	29-03-19	Delegate Refusal Issued	1 Lemon Grove Nunawading Vic 3131	Springfield	Removal of one tree	VicSmart - Tree

9.3.9
(cont)

Appl No.	Date	Decision	Street Address	Ward	Proposed Use or Development	Application Type
WH/2019/217	28-03-19	Delegate Refusal Issued	490-506 Whitehorse Road Mitcham Vic 3132	Springfield	Remove one tree	VicSmart - Tree
WH/2019/92	26-03-19	Delegate Refusal Issued	905/710 Station Street Box Hill Vic 3128	Elgar	Change of use from residential apartment to office (financial planning business)	Business
WH/2019/147	05-03-19	No Permit Required	14 Game Street Blackburn Vic 3130	Central	Vegetation removal	VicSmart - Tree
WH/2019/189	29-03-19	No Permit Required	189 Middleborough Road Box Hill South Vic 3128	Riversdale	For change of use and reduction in car parking	Change of Use
WH/2017/859/A	08-03-19	Withdrawn	121 Mount Pleasant Road Nunawading Vic 3131	Springfield	Development of two double storey dwellings, tree removal and buildings and works within 4m of protected trees.	Permit Amendment

BUILDING DISPENSATIONS/APPLICATIONS MARCH 2019

Address	Date	Ward	Result
1 Kathleen Street, Blackburn North	18-Mar-2019	Central	Consent Granted 77, 76
13 Bridgeford Avenue, Blackburn North	12-Mar-2019	Central	Consent Granted 89
18 Holland Road, Blackburn South	05-Mar-2019	Central	Consent Granted 79
34 Jessie Street, Blackburn North	25-Mar-2019	Central	Consent Granted 76
35 Raleigh Street, Forest Hill	26-Mar-2019	Central	Consent Granted 79
7 Princes Court, Blackburn South	07-Mar-2019	Central	Consent Granted 74
78 Holland Road, Blackburn South	19-Mar-2019	Central	Consent Granted 74,80
18 Holland Road, Blackburn South	05-Mar-2019	Central	Consent Refused 80
129 Windsor Crescent, Mont Albert	12-Mar-2019	Elgar	Consent Granted 74
5 Gilbert Street, Mont Albert	01-Mar-2019	Elgar	Consent Granted 74,79
6 Corlett Street, Mont Albert North	01-Mar-2019	Elgar	Consent Granted 74
16 Gordon Street, Mont Albert	14-Mar-2019	Elgar	Consent Refused 80
2/686 Whitehorse Road, Mont Albert	07-Mar-2019	Elgar	Consent Refused 80
21 Box Hill Crescent, Mont Albert North	18-Mar-2019	Elgar	Consent Refused 84
28 Standard Avenue, Box Hill	20-Mar-2019	Elgar	Consent Refused 81
321 Mont Albert Road, Mont Albert	01-Mar-2019	Elgar	Consent Refused 89
6 Corlett Street, Mont Albert North	01-Mar-2019	Elgar	Consent Refused 79
298 Burwood Highway, Burwood East	27-Mar-2019	Morack	Consent Granted 97
6 Ellad Close, Vermont	15-Mar-2019	Morack	Consent Granted 74,79
75 Stanley Road, Vermont South	07-Mar-2019	Morack	Consent Granted 79,76
182 Heatherdale Road, Vermont	01-Mar-2019	Morack	Consent Refused 74
116 Elgar Road, Box Hill South	14-Mar-2019	Riversdale	Consent Granted 79
3 Haughton Court, Box Hill South	19-Mar-2019	Riversdale	Consent Granted 74,83
49 Foch Street, Box Hill South	14-Mar-2019	Riversdale	Consent Granted 79
58 Monash Street, Box Hill South	12-Mar-2019	Riversdale	Consent Granted 89

9.3.9

(cont)

Address	Date	Ward	Result
848 Canterbury Road, Box Hill South	01-Mar-2019	Riversdale	Consent Granted 89
116 Elgar Road, Box Hill South	14-Mar-2019	Riversdale	Consent Refused 80
31 Donald Road, Burwood	26-Mar-2019	Riversdale	Consent Refused 74
10 Irene Crescent, Mitcham	05-Mar-2019	Springfield	Consent Granted 95
13 Sunshine Avenue, Mitcham	22-Mar-2019	Springfield	Consent Granted 79,76
3 Tunstall Avenue, Nunawading	22-Mar-2019	Springfield	Consent Granted 73
42 Mcculloch Street, Nunawading	12-Mar-2019	Springfield	Consent Granted 89
54 Scott Street, Vermont	29-Mar-2019	Springfield	Consent Refused 74

DELEGATED DECISIONS MADE ON STRATEGIC PLANNING MATTERS MARCH 2018

Under the Planning and Environment Act 1987: Nil

REGISTER OF CONTRACTS SIGNED BY CEO DELEGATION MARCH 2019

Contract Number	Service
30076/2	Traffic Survey Services
30076/3	Traffic Survey Services
30129	Walker Park Pavilion Redevelopment
30130	Morton Park Pavilion Redevelopment

REGISTER OF PROPERTY DOCUMENTS EXECUTED MARCH 2019

Property Address	Document Type	Document Detail
Leases		
53A Cochrane Street, Mitcham	Lease - Deed of Surrender	Lease - Deed of Surrender (Surrender Date: 4 January 2019)
96-106 Springvale Road, Nunawading	Lease	Electricity substation: Nunawading Hub
Fire Services Property Levy (FSPL)		
Fire Services Property Levy Quarterly Remittance	Vendor Payment Authorisation Form	State Revenue Office
Other		
Property Rates Refund to owner of 301 Burwood Highway, Burwood	Vendor Payment Authorisation Form	Rates refund due to granting of rate exemption for various occupancies leased to Deakin University

REGISTER OF DOCUMENTS AFFIXED WITH THE COUNCIL SEAL MARCH 2019

Instrument of Appointment and Authorisation under the Planning and Environment Act 1987:
John Guilfoyle and Alan Harrison 20.03.19

9.3.9

(cont)

PARKING RESTRICTIONS APPROVED BY DELEGATION MARCH 2019

Address:	Grenville Street, Box Hill North: from Willow Street to 16m north of Willow Street – west side
Previously:	1 'Works Zone, 7am to 5pm, Monday to Saturday' parking space
Now:	1 '2-Hour, 8am to 6pm, Monday to Friday' parking space
Address:	Willow Street, Box Hill North: from Grenville Street to 16m west of Grenville Street – north side
Previously:	1 'Works Zone, 7am to 5pm, Monday to Saturday' parking space
Now:	1 '2-Hour, 8am to 6pm, Monday to Friday' parking space
Address:	Cumming Street, Burwood: from 14m north of Highbury Road to 30m north of Highbury Road – west side
Previously:	2 '1/2-Hour, 7.30am to 9pm, Monday to Saturday' parking spaces
Now:	2 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
Address:	Sparks Avenue, Burwood: from 50m north of Highbury Road to 10m south of Cypress Avenue – east side
Previously:	24 'Unrestricted' parking spaces
Now:	24 temporary '2-Hour, 8am to 6pm, Monday to Saturday' parking spaces
Address:	Sparks Avenue, Burwood: from 15m north of Kulnine Avenue to 33m north of Kulnine Avenue – east side
Previously:	2 'Unrestricted' parking spaces
Now:	2 temporary 'No Stopping, 7am to 5pm, Monday to Friday & 9am to 12pm, Saturday' parking spaces
Address:	Evan Street, Box Hill North: from northern boundary of 5 Evan Street to 11m south of northern boundary of 5 Evan Street – west side
Previously:	2 'Unrestricted' parking spaces
Now:	2 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
Address:	Tyne Street, Box Hill North: from Eastern boundary of 53 Tyne Street to western boundary 53 Tyne Street Avenue – south side
Previously:	2 '2-Hour, 8am to 6pm, Monday to Friday' parking spaces
Now:	2 'Works Zone, 7am to 5pm, Monday to Saturday' parking spaces
Address:	Blackburn Road, Blackburn: from southern boundary of 22 Blackburn Road to northern boundary of 22 Blackburn Road – west side
Previously:	3 'No Stopping, 4pm to 7pm, Monday to Friday' parking spaces
Now:	3 'No Stopping, 4pm to 7pm, Monday to Friday & Works Zone, 7am to 4pm, Monday to Friday and 7am to 5pm, Saturday' parking spaces

9.3.9

(cont)

VENDOR PAYMENT SUMMARY – SUMS PAID DURING MARCH 2019

Date	Total Issued	Payments (direct debit, cheques or electronic funds transfer)	Transaction Type EFT/CHQ/DD
01.03.19	\$270,048.45	39	EFT
04.03.19	\$60.64	138	EFT
05.03.19	\$29,999.99	44	EFT
05.03.19	\$1,108,393.00	1	EFT
07.03.19	\$28,452.45	1	EFC
07.03.19	\$124,251.11	28	CHQ
07.03.19	\$4,426,942.69	83	EFT
08.03.19	\$150.00	403	EFT
14.03.19	\$15,648.22	2	EFC
14.03.19	\$85,193.30	18	CHQ
14.03.19	\$1,282,757.33	62	EFT
15.03.19	\$3,151.80	32	EFT
18.03.19	\$7,147,928.81	2	EFT
21.03.19	\$15,583.16	1	EFC
21.03.19	\$197,435.64	1	CHQ
21.03.19	\$3,789,465.50	1	EFT
26.03.19	\$22,073.70	20	EFT
28.03.19	\$5,050.00	56	EFT
28.03.19	\$16,735.44	54	EFC
28.03.19	\$20,683.05	1	CHQ
28.03.19	\$4,535,246.62	1	EFT
28.03.19	\$4,000.00	1	EFC
28.03.19	\$16,713.89	15	EFC
29.03.19	\$1,423,962.65	1	EFT
29.03.19	\$990.00	87	EFT
GROSS	\$24,570,917.44	1	
		479	
Monthly Lease Payments	36,207.01		
Direct Debit Payments	\$159,114.57		
CANCELLED PAYMENTS	-\$41603.06	-56	
NETT	\$24,724,635.96	1450	

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

10.1 Reports by Delegates

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

RECOMMENDATION

That the reports from delegates be received and noted.

**10.2 Recommendation from the Special Committee of Council
Meeting of 11 June 2019**

10.2.1 Diversity of Use of Sporting Pavilions

Moved by Cr Barker, Seconded by Cr Liu

That Council:

- 1. Approves an allocation of \$68,000 in the budget for the financial year 2019-2020, to undertake work to explore the opportunities to encourage and facilitate greater utilisation and diversity of uses of sporting pavilions including indoor sports and other community uses.***
- 2. The work is to include but not limited to benchmarking, needs assessment and demand, exploration of management models and promotional opportunities, costs, fees and charges, pavilion design elements and potentially site assessments***

CARRIED UNANIMOUSLY

RECOMMENDATION

That the recommendation from the Special Committee of Council Meeting of 11 June 2019 Item 10.2.1 be received and adopted.

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
15.04.18 6:30-7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 9.1.1 27 Barcelona Street, Box Hill 9.1.3 Implementation of the Sustainability Strategy 2016-2022: Energy Efficiency Capital Works Proposal 	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Ellis Cr Liu Cr Massoud Cr Munroe Cr Stennett	N Duff J Green N Brown T Wilkinson P Smith S Freud A De Fazio P Moore	Nil	Nil
16.04.19 8:00-8:30pm	Advisory Committee for the review of the Chief Executive Officer's Development <ul style="list-style-type: none"> CEO Recruitment Workshop 	Advisory Committee Members Cr Bennett (Mayor & Chair) Cr Massoud Cr Munroe Others Present Cr Barker Cr Cutts Cr Ellis Cr Liu	Nil	Nil	Nil
06.05.19 5:15 – 6:15pm	Advisory Committee for the review of the Chief Executive Officer's Development <ul style="list-style-type: none"> 	Cr Bennett (Mayor & Chair) Cr Massoud Cr Munroe	N Duff	Nil	Nil
06.05.19 6:30-9:30pm	Strategic Planning Session <ul style="list-style-type: none"> Audit Committee Quarterly Report Whitehorse Centre Design Competition Box Hill Vision 	Cr Bennett (Mayor & Chair) Cr Barker (arrived at 6:40pm) Cr Carr Cr Cutts Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	N Duff J Green N Brown T Wilkinson P Smith A De Fazio S Belmore K Marriott A Egan	Nil	Nil
13.05.19 5:30-6:00pm	Whitehorse Centre Quantity Surveyor	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Liu Cr Massoud (arrived at 5:40pm) Cr Munroe Cr Stennett	(ACEO) P Warner J Green N Brown T Wilkinson P Smith A De Fazio S Freud S Belmore	Nil	Nil

10.3
(cont)

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
13.05.19 6:30-9:45pm	Councillor Briefing Session <ul style="list-style-type: none"> • Special Committee 13 May 2019 • Noted list of public speakers • Other Business: Motions • Proposed Development • Draft Council Agenda 27 May 2019 	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	(ACEO) P Warner J Green N Brown T Wilkinson P Smith A De Fazio S Freud S Belmore L McGuiness I Kostopoulos K Marriot J Hansen A Egan V Mc Lean T Peak	Nil	Nil
20.05.19 5:00-6:00pm	Advisory Committee for the review of the Chief Executive Officer's Development <ul style="list-style-type: none"> • CEO Contract 	Advisory Committee Members Cr Bennett (Mayor & Chair) Cr Davenport Cr Massoud Cr Munroe Others Present Cr Barker Cr Cutts Cr Carr Cr Liu Cr Stennett	Nil	Nil	Nil
20.05.19 6:30-9:00pm	Major Projects Councillor Reference Group: Capital Works: Finance <ul style="list-style-type: none"> • Major Project Councillor Reference Group • Quarterly Project Progress Report • Capital Works Update • Quarterly Performance Report for Quarter Ending 31 March 2019 • Measures of Success Half Year Report 2018/19: Year 2: Council Plan 2017-2021 • Electoral Representation Review 	Cr Bennett (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Liu Cr Massoud Cr Munroe Cr Stennett	(ACEO) P Warner J Green N Brown T Wilkinson P Smith A De Fazio S Belmore M Ackland S Tierney S Cann S Smith T McGuckian R Anania	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

13 CLOSE MEETING