



City of Whitehorse

MINUTES

Special Committee of Council Meeting

Held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

on

Monday 13 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

Recording of Meeting and Disclaimer

Please note every Special Committee of Council Meeting (other than items deemed confidential under section 89(2) of the Local Government Act 1989) is being recorded and streamed live on Whitehorse City Council's website in accordance with Council's Live Streaming and Recording of Meetings Policy. A copy of the policy can also be viewed on Council's website.

The recording will be archived and made publicly available on Council's website within 48 hours after the meeting on www.whitehorse.vic.gov.au for a period of three years (or as otherwise agreed to by Council).

Live streaming allows everyone to watch and listen to the meeting in real time, giving you greater access to Council debate and decision making and encouraging openness and transparency.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of Whitehorse City Council. Council therefore accepts no liability for any defamatory remarks that are made during a meeting.



GUIDELINES SPECIAL COMMITTEE OF COUNCIL

OBJECTIVE

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

PURPOSE OF GUIDELINES

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

PROVISION FOR PUBLIC PARTICIPATION

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

Public Submissions:

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

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

No individual submission shall exceed three minutes.

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

Procedures for Public Submissions:

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

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

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

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

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

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

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

Public Comment:

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

ADOPTION AND AMENDMENT OF THESE GUIDELINES

These guidelines were adopted by resolution of Council dated 21 August 2017 and may be further amended by resolution of Council from time to time. The Chairperson at his or her discretion may vary procedures under these Guidelines, at any meeting of the Special Committee.

Meeting opened at 7.00pm

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

1 PRAYER

1a Prayer for Council

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

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

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

Amen.

1b Aboriginal Reconciliation Statement

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

2 WELCOME AND APOLOGIES

The Mayor welcomed all.

APOLOGIES:

Cr Ellis has previously sought and been granted leave of absence for tonight's Special Committee of Council Meeting 13 May 2019.

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed.

4 CONFIRMATION OF MINUTES

Minutes of the Special Committee of Council Meeting 08 April 2019.

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Carr

That the minutes of the Special Committee of Council Meeting 08 April 2019 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 PUBLIC SUBMISSIONS

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

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

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

- 5.1 Mr J Fotinatos, spoke on proposed Yarra Valley Water Sewerage Treatment Plant in Box Hill North

6 REPORTS FROM OFFICERS

6.1 INFRASTRUCTURE

6.1.1 Contractual Matter

The Committee considered an Officer report in regard to a Contractual matter, under item 9 Confidential Items.

7 OTHER BUSINESS

7.1 Diversity of Use of Sporting Pavilions

MOTION

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.*

AMENDMENT

Moved by Cr Munroe, Seconded by Cr Massoud

That Council:

- 1. Approves an allocation of \$68,000 in the budget for the financial year 2019-2020, for a resource to undertake planning work to explore the opportunities to encourage and facilitate greater community utilisation and diversity of use of sporting pavilions by community groups when not being used by sports clubs.*
- 2. Considers this work in the context of the development of pavilion guidelines (underway) and 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 site assessments.*

LOST

The Motion moved by Cr Barker, Seconded by Cr Liu was then put and
CARRIED UNANIMOUSLY

8 PUBLIC COMMENT

Nil

9 CONFIDENTIAL ITEMS

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Massoud

That in accordance with Section 89(2) (d) of the Local Government Act 1989 the Council should resolve to go into camera and close the meeting to the public as the matters to be dealt with relate to contractual matters.

CARRIED

The meeting was closed to the public at 7.45pm.

Attendance

Cr Stennett left the Chamber at 7.45pm and returned at 7.46pm

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Munroe, Seconded by Cr Massoud

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

CARRIED

The meeting was reopened to the public at 8.09pm.

9.1 Tender Evaluation (Contract 30142) Whitehorse Centre Lead Design Consultancy Services

Council considered a contractual item in camera at item 9. Whilst Council resolved to retain the report as a confidential item under Section 89(2)(d) of the Local Government Act 1989, Council resolved to make the adopted resolution (only) publically available.

That Council:

- 1. Accept the tender and sign the formal contract document for Contract 30142 for the Whitehorse Lead Design Consultancy Services received from Knott Black Pty Ltd (ABN [33 095 283 033](#)), of Level 9, [180 Russell Street Melbourne 3000](#), trading as BKK Architects, for the tendered amount of \$6,605,840 excluding GST. We acknowledge the tendered amount was within the nominated fee band and the project budget allowance for consultant fees as part of the total project budget of \$78,000,000 excluding GST.***
- 2. Retain the report passed in camera as a confidential item under Section 89(2)(d) of the Local Government Act 1989 and be placed in a separate Minute Book for Confidential Items.***
- 3. Make the adopted resolution (only) publically available.***

CARRIED

10 CLOSE MEETING

Meeting closed at 8.13pm

Confirmed this 11th day of June 2019

CHAIRPERSON