



City of Whitehorse

MINUTES

Council Meeting

Held in the
Council Chamber
Nunawading Civic Centre

379 Whitehorse Road Nunawading

on

Monday 17 May 2021

at 7:00pm

Members: Cr Munroe (Mayor), Cr Barker, Cr Carr (Deputy Mayor), Cr Cutts, Cr Davenport, Cr Lane, Cr Liu, Cr McNeill, Cr Massoud, Cr Skilbeck, Cr Stennett

Mr Simon McMillan
Chief Executive Officer

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Meeting opened at 7:00pm

Present: (Mayor) Cr Munroe, Cr Barker, Cr Carr (Deputy Mayor), Cr Cutts, Cr Davenport, Cr Lane, Cr Liu, Cr McNeill, Cr Massoud, Cr Stennett

Officers: S McMillan, J Green, T Johnson, S White, S Cann, C Altan, J Russell

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

"Whitehorse City Council acknowledges the Wurundjeri and all peoples of the Kulin Nation as the traditional custodians of the land. We pay our respects to their Elders past, present and emerging"

2 WELCOME AND APOLOGIES

The Mayor welcomed all.

APOLOGIES:

Cr Skilbeck has sought an apology for tonight's Council Meeting 17 May 2021.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr McNeill

That the apology from Cr Skilbeck be received and leave of absence be granted for tonight's Council Meeting 17 May 2021.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICT OF INTERESTS

None disclosed.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Council Meeting 19 April 2021, Council Meeting 21 April 2021 and Confidential Council Meeting 21 April 2021.

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Massoud

That the minutes of the Council Meeting 19 April 2021, Council Meeting 21 April 2021 and Confidential Council Meeting 21 April 2021 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

5 RESPONSES TO QUESTIONS

None submitted.

6 NOTICES OF MOTION

6.1 Notice of Motion No 142: Cr Davenport

MOTION

Moved by Cr Davenport, Seconded by Cr McNeill

That a report be prepared for Council that:

- 1. Notes Council's resolution dated 15 March 2010 which specifies that 60 percent of the predicted new Open Space Contributions received annually, be held within the Open Space Reserve for the purpose of acquiring open space and committed as opportunities arise.*
- 2. Details how the Open Space Reserve (for purchase and for upgrade, including innovative ways to create open space) can be used including what (if any) shortcomings there are in its use.*
- 3. Identifies the projects and the amount of money spent .from the Open Space Reserve (for purchase and for upgrade) since 1 July 2010.*
- 4. Provides a current balance held in the Open Space Reserve (For purchase and for upgrade).*
- 5. Outlines the early order of probable cost which would be required to address the remaining open space gap areas identified in the current Whitehorse Open Space Strategy.*
- 6. Discusses the impact of changing the existing Open Space Reserve funding split (For purchase and for upgrade).*

CARRIED UNANIMOUSLY

7 PETITIONS

None submitted.

8 URGENT BUSINESS

None submitted.

9 COUNCIL REPORTS

9.1 CITY DEVELOPMENT

Statutory Planning

9.1.1 Tree Assistance Fund Update

SUMMARY

The first round of the Tree Assistance Fund succeeded in supporting the care of trees identified by the Vegetation Protection Overlay (VPO) as significant to our community. From 124 applications, 42 were funded for works.

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr McNeill

That Council:

- 1. Continues to allocate funds for Tree Assistance Fund.***
- 2. Approves changes to the allocation process to make the fund more effective, and updates the Tree Assistance Fund Guidelines accordingly.***

CARRIED UNANIMOUSLY

BACKGROUND

At the Special Committee meeting of Council on 12 November 2018, it was resolved:

That Council:

- 1. Recognises that Whitehorse Residents are impacted by the significant tree register;*
- 2. Consider guidelines for providing grants to owners of properties which have a tree on the significant tree register to assist with maintenance of those trees;*
- 3. Refer the matter to the 2019/2020 Budget.*

In the 2019-20 Budget, Council approved \$40,000 for the current financial year to assist residents with maintenance of significant trees, being those trees covered by the Vegetation Protection Overlay (Schedules 1, 3 and 5) in the Whitehorse Planning Scheme. Council also approved funding (\$14,120 per annum, ongoing) for staff resources to administer the fund.

At Council's Meeting on 25 May 2020, it was resolved:

That Council:

- 1. Amend the Whitehorse Tree Assistance Fund Policy and Guidelines to have two Councillors on the 'Decision Panel'.*
- 2. Approves the Whitehorse Tree Assistance Fund Policy and Guidelines.*
- 3. Continues to allocate funds for Tree Assistance Fund.*

DISCUSSION

Whitehorse City Council recognises the value of our significant trees and in supporting and assisting the maintenance of significant trees within private gardens. The Tree Assistance Fund aims to provide funding to support such homeowners to access professional assistance in the care and maintenance of trees listed in the VPO (Schedules 1, 3 and 5). These trees are generally large in size and make a contribution to the local neighbourhood.

9.1.1

(cont)

The first round of the Tree Assistance Fund (TAF) received 124 applications and succeeded in raising the profile of large, old trees. The process of opening the fund facilitated many conversations with owners of the VPO trees providing insight into the various levels of care these trees had received before the fund. Some trees are well managed and some have received no attention since they were assessed for VPO status.

The allocation of funding was managed via a similar process to Council's Heritage Assistance Fund, whereby landowners are invited once a year to apply for funding. Notification of when applications should be made was provided through a direct mail-out to those properties covered by a VPO. Applicants were required to submit a quote for works from a suitably qualified arborist and the grant round remained open for six weeks to allow applicants time to obtain this. Unfortunately, this process was made more difficult last year due to the Covid-19 pandemic and associated restrictions.

A decision panel was established that included a mixture of officers, two arborists, two Councillors (McNeill and Stennett) and a community representative (from the Blackburn and District Tree Preservation Society). The Guidelines set out assessment criteria based on the value of the proposed works to the ongoing health of the tree and the tree's contribution to the neighbourhood.

The decision panel met again in April to review the process and discuss opportunities for improving the Tree Assistance Fund moving forward.

The following elements of the first round were successful:

- Council was able to support 42 owners to better manage their trees
- We were able to raise the profile of large trees and their value to the community
- We identified 3 trees that were dangerous that might have otherwise gone un-noticed
- We were able to reassure some residents that their significant trees were doing well

The following areas for improvement were identified:

- The application process created a burden on residents to obtain arborist quotes which some found hard to procure
- Quotes submitted in the applications were of varying quality making the evaluation process more difficult for the panel
- Applicants were unsure of works required and so were reliant on arborists who may have been aware of the grant funding
- The judging process was difficult as information submitted was not consistent
- There were a large number of applications, with limited funding

To make the next round more effective, the following changes are suggested:

- An Expression of Interest process be used instead of an application
- The number of Eols accepted be capped to manage demand
- A single consultant arborist conduct site visits to rank the Eol trees and provide a report to the Panel outlining the trees most in need, estimate of cost and most appropriate works
- Owners of the trees most in need will be notified of the funding available to them and the works they should seek assistance for
- Owners of trees not deemed most in need, notified of suggested works and timeframe so that even if they have not received funding, they may receive knowledge and reassurance.
- If trees are identified as dangerous, their removal could be expedited through this process (though funding is not available for removal)

This change to the TAF funding allocation process would give greater confidence that the most in need trees were being supported and Council's knowledge of the condition of the VPO trees would be improved incrementally each year through quality inspection data.

9.1.1

(cont)

CONSULTATION

The community consultation conducted during the period of the Planning Scheme Amendment relating to the Significant Landscape Overlay, schedule 9 identified the general recognition by the community that canopy trees are an asset that contributes to the broader community but that there is a financial cost involved in the management of particularly older trees.

Conversations with applicants during the inaugural round of the TAF highlighted the very different levels of care these large, significant trees are receiving. Positive feedback from applicants and potential applicants included gratitude regarding the potential funding and ability to help them manage their significant trees. Issues were raised around the timing of the grant process in relation to undertaking works on some tree species and the difficulty in obtaining an appropriate quote.

Feedback from the Panel included a need to improve the varying quality of the quotes received; including improving consistency to allow for a fairer evaluation process. There was also some possibility that quotes were overstating both urgency and scope of works required. The process also highlighted the quality of Council's records in relation to these listed trees and a need to improve the data as the fund progresses.

Once the round is entirely acquitted, a survey of the 42 successful applicants will be used to determine how we can improve that element of the process.

FINANCIAL IMPLICATIONS

The number of applications received indicates that there is high demand for assistance in the care of large trees. Creating an easier process for application could result in more applications than could potentially be processed or assessed with current staffing levels so the suggestion to cap the number of EoI received will help to manage this risk.

This year's financial outlay has been through the use of existing staff members in the Planning and Building Department with additional advice from the Department's consultant arborist and one of the Parks Wide Department's arborists. There is, however, sufficient allocated budget to allow for the arborist assessment process outlined.

	Budget	Projected Expenditure
Budget 20/21 financial year		
• Grant funding	\$40 000	\$40 000
• Arborist assessment of applications	\$10 560	\$1200
Budget 21/22 financial year		
• Grant funding	\$40 000	\$40 000
• Arborist assessment of applications	\$10 560	\$10 560

9.1.1

(cont)

POLICY IMPLICATIONS

The Council Vision 2013-2023 includes Strategic Direction #3 to protect and enhance our open spaces and natural environment. The value of the Urban Forest in supporting neighbourhood character, liveability and resilience is increasingly gaining recognition.

The value of large trees extends to the broader community but as trees age, their maintenance costs increase. Supporting homeowners to retain trees acknowledges the value they provide to the neighbourhood.

The tree canopy cover in Whitehorse is declining with some estimates suggesting a decline at the rate of 2.5% every 5 years. Tree protection controls in the form of the VPO are more inclusive than tree protection controls in some of our neighbouring municipalities, so assistance in tree maintenance will help reduce any burden to residents. The possibility of financial assistance may also give residents confidence in choosing larger tree species to plant in their gardens and thus support the Urban Forest of the future.

Currently there are approximately 800 properties in Whitehorse that are included in the VPO (Schedules 1, 3 and 5) with the first study of trees of significance carried out in 2006 and revisions conducted twice. Several of these properties have more than one listed tree. With grants capped at \$1000, the fund would have capacity to assist 5% of those households each year.

Limiting the eligibility for the funding to trees that are listed in the VPO (Schedules 1, 3 and 5) may create demand from residents for an update to the VPO to include more trees. This would provide greater protection to those trees and allow an opportunity to celebrate their contribution to the landscape.

Engineering and Environmental

9.1.2 Tender Evaluation (Contract 30267) Supply and Installation of External and Wayfinding Signage

SUMMARY

To consider tenders received for the supply and installation of external signage within the City of Whitehorse and to recommend the acceptance of a panel of four (4) contractors comprising:

- *Empire Signs and Graphics trading as Empire Signs Group;*
- *Consolidated Graphics Pty Ltd trading as Consolidated Signage;*
- *Croz Pty Ltd Itf The Alooi Family Trust & Bonza Watts Pty Ltd Itf The Brabner Family Trust trading as Sign Express; and*
- *Grand Ideas Pty Ltd trading as Signwave Blackburn;*

On a Schedule of Rates basis for an initial period of 3 years with an option to extend the Contract for a further 2 x 1 years at Council's discretion.

COUNCIL RESOLUTION

Moved by Cr Barker, Seconded by Cr Massoud

That Council:

1. ***Accept the tender and sign the formal contract document for Contract 30267 for the supply and installation of external and wayfinding signage received from:***
 - ***Empire Signs Group (ABN 48 837 876 542) of 9 Crichton Road, Kyabram Victoria 3620;***
 - ***Consolidated Signage (ABN 53 008 676 842) of 38 Sarton Road, Clayton Victoria 3168;***
 - ***Sign Express (ABN 32 283 469 955) of 14-16 Nellbern Road, Moorabbin Victoria 3194;***
 - ***Signwave Blackburn (ABN 72 153 827 626), of 5 Monomeeth Drive, Mitcham Victoria 3132;***

For the estimated tendered amount of \$1,012,900 (excluding GST) for the initial 3 year term of the Contract.
2. ***Authorise the Chief Executive Officer to extend the Contract for a further 2 x 1 years upon expiry of the initial 3 year term, subject to a review of the Contractor's performance and Council's business needs, in accordance with the contract provisions.***

CARRIED UNANIMOUSLY

BACKGROUND

The City of Whitehorse External Signage and Wayfinding Guidelines (the Guidelines) together with the Supply and Installation of External and Wayfinding Signage Contract (the Contract), have been developed to practically enable Council Officers to implement Council branded, external and wayfinding signage. This provides the community with external and wayfinding signage that clearly identifies Council infrastructure and services, whilst assisting with navigation throughout the municipality.

9.1.2

(cont)

The Guidelines and Contract are practical and straightforward to use. They simplify the procurement, manufacturing and installation process for the 16 no. templated sign types and follow a fixed price structure, and enable Council Officers to brand signage consistently - with a focus on Council managed infrastructure and services. Typically these sign types will be associated with Council managed parks, open space areas and reserves; neighbourhood shopping centres and activity centres; entry gateways into the municipality; and as wayfinding signage linking specific locations with destinations.

It is anticipated and similarly to the last Contract, that the contract will be used by many Council departments involved in the renewal, installation and / or maintenance of external and wayfinding signage.

To maximise the cost effectiveness and flexibility of signage works, it is considered appropriate to appoint a panel of contractors. A panel of contractors ensures that if multiple signage projects are being implemented simultaneously, the works can be shared and installed in a timely manner. Further, it allows for signage allocations to be given to the best suited contractor on the panel for the job at hand.

The Contract is structured as a Schedule of Rates Contract that can be used on an "as needs" basis - regardless of whether one or many signs are required. It replaces the previous Contract that has recently expired. The Contract term provides for an initial period of 3 years and will commence from the date of award and signing, and has an optional extension for a further 2 x 1 years at Council's discretion.

DISCUSSION

Tenders were advertised in The Age newspaper on Saturday 31 October 2020 and closed on Friday 20 November 2020. A total of eleven (11) conforming tenders were received.

The tenders were evaluated against the following criteria:

- The Tender Offer;
- Capability;
- Credibility; and
- Methodology and Delivery.

Occupational Health & Safety and Equal Opportunity as pass / fail were also assessed.

To assess the Tenders received, an assessment was completed that determined the rates for services frequently used by Council. Typical signage project scenarios were formulated with the tendered rates applied, and then multiplied by an estimated number of projects per year to confirm the pricing structure and suitability for use.

From the assessment undertaken, it is preferred for Council to appoint multiple contractors to ensure services can be delivered in a timely and efficient manner. The tenders received from *Empire Signs Group; Consolidated Signage; Sign Express and Signwave Blackburn* are considered to be the most beneficial to Council and it is recommended these contractors be appointed to the panel.

The recommended contractors are experienced in the provision of the specified signage types, and offer quality services that are consistent with the needs of Council.

They have successfully completed similar works for Whitehorse City Council or other similar organisations in the past; have provided quality sample panels for Council as part of their tender submission to demonstrate the quality of their work; and are considered to provide the best value for money for this Contract.

Reference checks have been undertaken with the recommended contractor's past clients as part of the tender evaluation process.

9.1.2

(cont)

CONSULTATION

There was no external community consultation required as part of the tender evaluation.

Internal stakeholder consultation was undertaken with Council Officers who have an interest or a need to use this type of Contract as part of their maintenance or capital works deliveries. This included stakeholders from City Works, ParksWide, Engineering and Environmental Services, Capital Works, Arts and Cultural Development and Major Projects – all of which have used the previous Contract and partake in renewal, installation and / or maintenance of external and wayfinding signage.

FINANCIAL IMPLICATIONS

The Contract is for the supply and installation of signage based on a Schedule of Rates basis. The rates are subject to a CPI adjustment on each anniversary of the Contract.

The total estimated expenditure under this Contract for the 3yr contract term is \$1,012,900 (excluding GST).

The total estimated expenditure inclusive of contingencies and associated Project Management Fees based on the initial 3 year contract term with the 2 x 1 year extensions exercised is \$1,485,550 (excluding GST)

The costs incurred under this Contract will be charged to the relevant recurrent Operating Budgets for signage maintenance and replacement and the relevant Capital Works Budgets for projects that include / require signage.

9.1.2

(cont)

A financial implications table has been prepared below:

	Estimated Expenditure (Excluding GST)
Year 1 (2021/2022)	\$ 357,000
Year 2 (2022/2023)	\$ 252,000
Year 3 (2023/2024)	\$ 237,000
(A) - Estimated Contract Expenditure (Over the initial 3 yr contract term)	\$ 846,000
Contingencies (15%)	\$ 126,900
Plus Project Management Fees	\$ 40,000
(B) - Total Estimated Contract Expenditure (Over the initial 3 yr contract term)	\$ 1,012,900
Optional Year 4 (2024/2025)	\$ 238,000
Optional Year 5 (2025/2026)	\$ 163,000
(C) - Estimated Contract Expenditure (Over the optional 2 yr extension)	\$ 401,000
Contingencies (15%)	\$ 60,150
Plus Project Management Fees	\$ 11,500
(D) - Total Estimated Contract Expenditure (Over the optional 2 yr extension)	\$ 472,650
(E) = (B) + (D) - Total Estimated Contract Expenditure over the initial 3 yr contract term including the optional 2 yr extension.	\$ 1,485,550

9.1.3 Alwyn Street, Mitcham - Traffic Conditions

SUMMARY

The purpose of this report is to provide Council with an update following the Motion adopted by Council at its meeting on 15 March 2021 in relation to traffic conditions along Alwyn Street, Mitcham. It is recommended that Council note the report and endorse Council officer's actions.

COUNCIL RESOLUTION

Moved by Cr Stennett, Seconded by Cr Cutts

That Council:

- 1. Note the actions undertaken by Council officers to address traffic conditions along Alwyn Street and nearby streets including Carween Avenue, Owen Street and Lucknow Street in response to the Motion of Council on 15 March 2021.***
- 2. Note that no further action is required.***

CARRIED UNANIMOUSLY

BACKGROUND

Council has received ongoing community concerns with regard to traffic conditions along Alwyn Street, Mitcham with particular concerns relating to heavy vehicle traffic along the street. Council received a resident petition on 14 September 2020 in relation to various issues along Alwyn Street, including traffic conditions, with officers providing a response to the lead petitioner addressing all the points raised in the petition.

At its meeting on 15 March 2021, Council carried a motion to resolve the following:

That a report be prepared in relation to:

- 1. The replacement of the existing signage (indicating unsuitability of large vehicles) near the entrance of Alwyn Street Mitcham (both ends of the road) with larger signs in a more prominent location on Mitcham and Rooks Road, visible to vehicles approaching Alwyn Street from both directions (advisory signs indicating unsuitability for large vehicles).*
- 2. Installing these advisory signs in prominent locations along Mitcham Road and Rooks Road near the intersection of these additional streets, subject to consultation with residents along Carween, Lucknow and Owen Streets Mitcham.*
- 3. Council requesting the Department of Transport carry out a review of the traffic light sequencing at nearby arterial road intersections to these local streets, such as Mitcham Road, Rooks Road and Canterbury Road to determine if improvements can be made to the flow of traffic, and reducing congestion which may be causing vehicles to travel down local streets.*

This report considers the three items adopted by Council relating to signage at the Rooks Road and Mitcham Road intersections with Alwyn Street, Carween Avenue, Owen Street and Lucknow Street and Council's advocacy to the Department of Transport (DoT) in relation to a review of the signal timing at the nearby arterial road intersections.

DISCUSSION

Council records indicate that Alwyn Street carries approximately 1,500 vehicles per day, which is considered acceptable for a local residential street that provides direct traffic access between Rooks Road and Mitcham Road and to several residential properties along the street and within the immediate area.

9.1.3

(cont)

Heavy vehicle traffic (typically small rigid trucks and above) along Alwyn Street accounts for approximately 5% or 75 heavy vehicle movements per day. This heavy vehicle traffic is considered acceptable for a local street and takes into account the legitimate need for trucks and service authority vehicles to access the street (and nearby local streets) to undertake deliveries of goods and services.

In order to address community concerns relating to heavy vehicle traffic along Alwyn Street, Council officers installed advisory signage in October 2019 at both the Rooks Road and Mitcham Road intersections with Alwyn Street to deter heavy vehicle traffic from using the street. This signage provides advanced warning to motorists before they enter Alwyn Street that there are “low tree branches” along the street and that it is “unsuitable for large vehicles”.

Arrangements have also been made to install the following signage, consistent with the Council motion:

- Larger additional signage at the Alwyn Street/Mitcham Road intersection advising ‘Low Tree Branches’ and ‘Unsuitable For Large Vehicles’,
- Replacement of the existing advisory sign at the Alwyn Street/Rooks Road intersection with larger signage advising ‘Low Tree Branches’ and ‘Unsuitable For Large Vehicles’,
- New advisory signage at the Mitcham Road and Rooks Road intersections with Carween Avenue, Owen Street and Lucknow Street advising ‘Low Tree Branches’ and ‘Unsuitable For Large Vehicles’.

In accordance with the Motion, Council officers have also written to the DoT requesting that it undertakes a review of the traffic signal timing at the intersections of Canterbury Road/Rooks Road and Canterbury Road/Mitcham Road, being arterial roads under its jurisdiction.

CONSULTATION

No community consultation is required for Council officers to arrange the installation of the advisory signage.

FINANCIAL IMPLICATIONS

The advisory signage will be supplied and installed within Council’s existing Capital Works budget.

POLICY IMPLICATIONS

No specific Council policies are applicable.

9.2 HUMAN SERVICES

9.2.1 Whitehorse 2040 Community Vision

ATTACHMENT

SUMMARY

The Local Government Act 2020 (Section 88) requires that a Council must maintain a Community Vision that is developed with its municipality for a period of at least the next 10 financial years. The Community Vision is required to be adopted by 31 October 2021.

The Whitehorse 2040 Community Vision is a whole-of community vision. The Vision is broader than Council business and service activities, and reflects the community's aspirations about the future of our Municipality. It has been developed by undertaking a thorough community engagement process as well as in partnership with a dedicated Community Panel who has been informed by outcomes of the extensive broad community engagement in addition to "experts" on a range of matters.

The Draft Whitehorse 2040 Community Vision was presented to Council by the panel in March 2021. At this time, Council received the Draft Community Vision and it has since been made available to the community for further viewing and comment with 121 views and 9 responses received.

The submissions have been considered and the Whitehorse 2040 Community Vision is now presented to Council for adoption, which provides Council and others in the community with a strategic direction and accompanying framework for the development of key strategic documents into the future.

The Whitehorse 2040 draft Community Vision is:

Whitehorse is a resilient community where everyone belongs.

We are active citizens who value our natural environment, history and diversity.

We embrace sustainability and innovation.

We are dynamic. We learn, grow and thrive.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Liu

That Council adopt the Whitehorse 2040 Community Vision.

CARRIED UNANIMOUSLY

BACKGROUND

The Local Government Act 2020 (Section 88) requires that a Council must maintain a Community Vision that is developed with its municipality for a period of at least the next 10 financial years. The Community Vision is required to be adopted by 31 October 2021.

The Whitehorse 2040 Community Vision has been developed through an extensive and thorough community engagement process and in partnership with a dedicated Community Panel who has been informed by the extensive broad community engagement outcomes as well as experts presenting on various, relevant matters.

The Draft Whitehorse 2040 Community Vision was presented to Council by the panel in March 2021. At this time, Council received the Draft Community Vision and it has since been made available to the community for further viewing and comment, with 121 views and 9 responses received.

9.2.1

(cont)

The submissions have been considered and the Whitehorse 2040 Community Vision is now presented to Council for adoption which then provides the strategic direction and accompanying framework for the development of key strategic documents into the future.

DISCUSSION

A community vision sets out the long-term aspirations of the community. The Whitehorse 2040 Community Vision is broader than Council business and service activities, and reflects the community's aspirations about the future of our Municipality. It was driven, developed and owned by the Whitehorse community in partnership with Council.

The Whitehorse 2040 Community Vision is a requirement of the Local Government Act 2020 which aims to create better and more effective connections between Council and the community, providing a shared vision to work towards.

Whitehorse 2040 Development Process

The process for developing the Community Vision was rigorous. The broad community engagement program was undertaken from 2 July to 13 December 2020 and worked to inform the panel and the final Vision.

The aim was to gather views from a broad cross-section of the Whitehorse community – those that live, work, study, play, run a business or visit the City of Whitehorse – to understand what their sentiments about Whitehorse and how they would like their community to be in the future.

From July to September 2020, engagement activities were limited to online activities and paper-based mail outs due to COVID-19 restrictions.

During November and December 2020 some place-based, face-to-face activities were also conducted. This included place-based pop-up engagement activities at Box Hill Central, Box Hill Gardens, Brentford Square, Burwood Brickworks and Whitehorse Farmers Market in Nunawading.

These engagement activities successfully reached 1,670 participants. The community feedback was collated and analysed and presented in a community report.

Subsequently a panel of 50 community members were selected (at random) as a demographic representation of the municipality, to answer the remit:

Imagine Whitehorse in 20 years' time. What do you hope our community will look like, and what do we need to prioritise to get there?

The panel met over four sessions and worked together to process the broad community engagement feedback, hear from a range of experts, deliberated and drafted the Vision.

Draft Vision

The Whitehorse 2040 draft Community Vision is:

Whitehorse is a resilient community where everyone belongs.

We are active citizens who value our natural environment, history and diversity.

We embrace sustainability and innovation.

We are dynamic. We learn, grow and thrive.

9.2.1

(cont)

The draft vision statement is accompanied by 7 themes and a series of key priorities within each (as per attachment 1). The 7 key themes are:

- *Diverse and Inclusive Community*
- *Movement and Public Spaces*
- *Innovation and Creativity*
- *Employment, Education and Skill Development*
- *Sustainable Climate and Environmental Care*
- *Whitehorse is an Empowered Collaborative Community*
- *Health and Wellbeing*

The Community Vision will provide the strategic direction and framework for development of key strategic corporate documents into the future (as per figure 1 below).

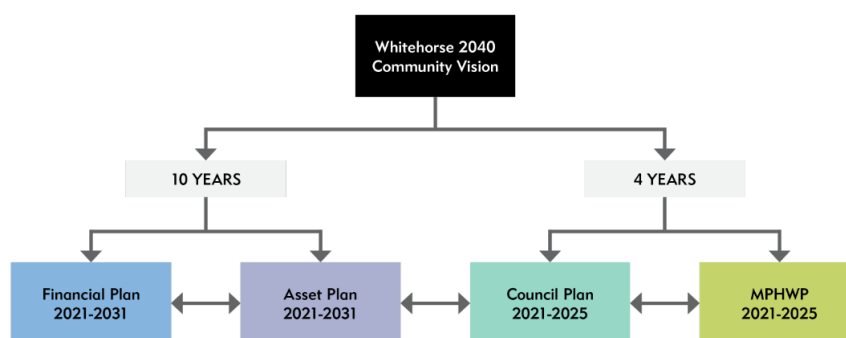


Figure 1: Council Strategic and Planning documents

Specifically, the Community Vision will help guide the Council Plan by setting out the Strategic directions and key priorities.

<i>Community Vision Levels</i>	<i>City of Whitehorse Council Plan 2021-2025</i>	<i>Local Government Act s. 90</i>
Community Vision Themes	Strategic Directions	Strategic Direction
Community Vision Key Priorities	Objectives	Strategic Objectives
	Strategies	Strategies
	Strategic Indicators	Strategic Indicators

9.2.1

(cont)

CONSULTATION

The Draft Whitehorse 2040 Community Vision was placed on public consultation from the 29th March until the 25th April.

Throughout this time, the survey was viewed 121 times and 9 responses were received.

The results from the 9 responses of the survey include:

- Average score for overall support was 4 out of 5
- Average score for support of themes 4 out of 5
- Average score for support of key priority areas 4 out of 5

Attachment 2 includes the full community feedback and officer responses.

FINANCIAL IMPLICATIONS

The cost of the development of the Whitehorse 2040 Community Vision to date is \$196,999.59.



	Expenditure
Consultants	134,995.24
Graphic Design	16,500.
Communications Collateral	8,658.38
Venue Hire	10,822.83
Catering	5,997.36
Community Panel	10,636.46
Social Media	4,289.32
Speakers	5,100.00
Total Expenditure	\$196,999.59

POLICY IMPLICATIONS

The endorsement of this vision will relate to the following strategic documents:

- Council Plan
- Financial Plan
- Asset Plan
- Whitehorse Health and Wellbeing Plan (incorporating a number of social plans within it eg. Disability, Diversity, Reconciliation, Positive Ageing, Community Participation, Youth, Children)

ATTACHMENT

- 1 Panel Report 
- 2 Community Feedback 

9.2.2 Tackling Ageism Together EveryAGE Counts in Melbourne's East

ATTACHMENT

SUMMARY

This report provides Council with information regarding the Eastern Metropolitan Region (EMR), Tackling Ageism Together EveryAGE Counts in Melbourne's East project (the Project). This regional action to tackle ageism commenced in 2019 with Inner East Primary Care Partnership (IEPCP) committing capacity to support the seven EMR local governments to address ageism via a joint project.

The City of Whitehorse has a higher proportion of older residents for all age groups over 60, in comparison with Greater Melbourne. In recognition that ageism can affect the health and wellbeing of older people, Whitehorse Council is working in partnership with other local governments in the EMR, the IEPCP and other project partner organisations to address ageism collaboratively via the Project. A priority action of the project is encouraging the member Councils and their communities to take action by signing The Pledge. This report invites the Mayor on behalf of Council to sign the EveryAGE Counts pledge to show support for tackling ageism in Whitehorse.

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr McNeill

That Council supports the Tackling Ageism Together EveryAGE Counts in Melbourne's East project by the Mayor signing the EveryAGE Counts organisational pledge on behalf of Council.

CARRIED

A Division was called.

Division

For

Cr Carr
Cr Cutts
Cr Lane
Cr Liu
Cr Massoud
Cr McNeill
Cr Munroe
Cr Stennett

Against

Cr Barker
Cr Davenport

On the results of the Division the motion was declared CARRIED

BACKGROUND

The City of Whitehorse has a higher proportion of older residents for all age groups over 60, in comparison with Greater Melbourne. In 2016, 22.4 per cent of the Whitehorse population were aged 60 years and over, which amounts to over 36,000 people. Whitehorse City Council supports the health and wellbeing of its community and a health and wellbeing issue which affects older people is ageism.

“Ageism is defined as prejudice expressed toward a person because of their age. It includes stereotyping, discrimination and mistreatment. Ageism essentially comes from negative attitudes and beliefs about what it means to be an older person. Ageism is a big problem which impacts the many older people living and working in the EMR.

9.2.2

(cont)

For older people ageism impacts confidence, quality of life, job prospects, health, and control over life decisions. Ageism can also deny society the enormous range of benefits that can flow, economically and socially, from the full participation of older people.”¹

DISCUSSION

Ageism

“Every second person in the world is believed to hold ageist attitudes – leading to poorer physical and mental health and reduced quality of life for older persons, costing societies billions of dollars each year, according to a new United Nations report on ageism”² In addition to ageism being acknowledged at a global level through this World Health Organisation report as well as declaring 2021-2030 the Decade of Healthy Ageing, it is also acknowledged as an issue in Australia at a national, state and regional level.

Nationally the Benevolent Society has rolled out the EveryAGE Counts Ageism campaign and in the Royal Commission into Aged Care (Final Report) Commissioner Briggs comments that ageism is a systemic problem in the Australian community that must be addressed. Moreover it states that the acceptance of poorer service provision in aged care reflects an undervaluing of the worth of older people, assumptions and stereotypes about older people and their capabilities, and ageism towards them.

In Victoria, the Municipal Association of Victoria (MAV) has recently committed to working with local government to support them to tackle ageism and in the Commission of Senior Victorians’ 2020 report ‘Ageing Well in a Changing World’, older people who were consulted reported facing ageism. Regionally ageism has been investigated within Eastern Community Legal Centre’s, Older People, Equity, Respect and Ageing project (OPERA) project, which focused on the prevention of Elder Abuse.

The project

To address ageism locally, Whitehorse Council collaborated with other local governments in the EMR, the IEPCP and other organisations to design and deliver the Project. This regional call to action to tackle ageism commenced in 2019 with the IEPCP committing capacity to support the seven EMR local governments to address ageism via a joint project.

The Project seeks to raise awareness about ageism, challenges the stereotypes of what it is to be older and encourages people to take action.

It has five key objectives:

1. *Raise awareness and educate people about elder ageism, its impacts and how to make positive change.*
2. *Ensure messaging is positive about older people and has a focus on tackling ageism, particularly challenging stereotypes of older people.*
3. *Leverage a strong coordinated regional approach to achieve greater impact.*
4. *Ensure it can be implemented easily and within existing resources.*
5. *Encourage people to take action via a range of ‘calls to action’.*

The project is a communications focused campaign, has three stages and targets Councillors, Council employees, external organisations and the community.

¹Activate Consulting, Tackling Ageism Together Every Age Counts in Melbourne’s East Ageism Communications Campaign vsn 3

² <https://www.who.int/news/item/18-03-2021-ageism-is-a-global-challenge-un>, accessed 23 April 2021

9.2.2

(cont)

Participation in the project “Provides EMR councils with a great opportunity to take a coordinated approach to tackling the serious issue of ageism in their municipalities and across the region and improve the health and wellbeing of their community”³

The Pledge

The Project aligns with the Benevolent Society’s EveryAGE Counts campaign which tackles ageism at a national level, by shifting social norms and positively influencing the way Australians think about ageing and older people. A key action of the regional work is encouraging organisations and individuals to sign the EveryAGE Counts pledge against ageism. There are two versions of the pledge – one for organisations to sign and one for individuals:

Individual:

‘I stand for a world without ageism where all people of all ages are valued and respected and their contributions are acknowledged. I commit to speak out and take action to ensure older people can participate on equal terms with others in all aspects of life.’

Organisational:

‘We stand for a world without ageism where all people of all ages are valued and respected and their contributions are acknowledged. We commit to speak out and take action to ensure older people can participate on equal terms with others in all aspects of life.’

The project seeks commitment from all Mayors in the EMR to sign the pledge which will then be promoted throughout the community. This strong coordinated regional approach is designed to achieve greater impact. It is intended that Cr Munroe (Mayor) sign the pledge and that this signing is promoted as part of the Tackling Ageism Together project. There is no set event where this is required to take place however the signing is expected to be promoted in June 2021 in line with the project timelines.

By signing the pledge, Council is helping to bring awareness to and leverage a strong coordinated regional approach, to addressing ageism across the EMR and in the Whitehorse community.

CONSULTATION

The Project has been developed collaboratively with input from both healthy ageing and communications staff across the seven local government areas in the EMR with leadership and support from the IEPCP. The project also has support from and links to the work of Eastern Community Legal Centre and the Benevolent Society’s EveryAGE Counts campaign.

FINANCIAL IMPLICATIONS

There are no additional financial implications. Activities are budgeted as part of existing operational budgets

POLICY IMPLICATIONS

The work of the Project supports the Whitehorse Health and Wellbeing Plan 2017-2021 and The Council Plan 2017-2021 Direction 1 – Support a healthy, vibrant, inclusive and diverse community.

ATTACHMENT

- 1 EveryAGE Counts Pledge 

³ Activate Consulting, Tackling Ageism Together Every Age Counts in Melbourne’s East Ageism Communications Campaign vsn 3)

9.3 CORPORATE

9.3.1 Quarterly Performance Report 2020-21: Quarter Three

ATTACHMENT

SUMMARY

The purpose of this report is to brief Council on the performance against the Council Plan 2017-2021 and the Annual Budget 2020-2021 for the quarter ended 31 March 2021.

COUNCIL RESOLUTION

Moved by Cr Lane, Seconded by Cr Massoud

That Council notes the Quarterly Performance Report for the quarter ended March 31, 2021 as attached.

CARRIED UNANIMOUSLY

BACKGROUND

Pursuant to section 97 *Local Government Act 2020*, the Quarterly Budget Performance Report provides a high level summary of Council's performance against major initiatives, initiatives, and services identified in the Annual Plan, which is part of the *Adopted Budget 2020-2021*. These are significant projects that will directly contribute to the achievement of the *Council Plan 2017-21* and have a major focus on the budget. They may include actions that are once-off in nature and/or lead to improvements in services.

The financial section of the Quarterly Performance Report for quarter ended 31 March 2021 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 2021. The financial section provides details and commentary on Council's year to date performance compared to budget, year-end projection, cash and other key balance sheet items.

DISCUSSION

Performance against Council Plan

The Annual Plan, which is part of the *Adopted Budget 2020-2021*, identifies 26 significant initiatives that contribute to the achievement of the strategic directions and goals of *Council Plan 2017-21*. Of the 26 initiatives being reported on this quarter, 2 have been completed, 19 are on track, 4 are to be monitored and 1 needs more work.

Performance against Annual Budget

The year to date financial result at 31 March was a surplus of \$52.63m, \$1.94m favourable to budget. Income was \$16.00m unfavourable to budget and expenditure was \$17.95 favourable to budget and these variances are predominantly due to service closures and reduced demand as a result of the COVID-19 pandemic restrictions. The year to date impact of the pandemic on Council's net result at 31 March was approximately \$9.00m, which included \$1.30m of hardship support (\$1.78m total hardship support has been provided in response to COVID-19).


9.3.1

(cont)

A major forecast review was completed by Council early in the financial year to assess the impact of the COVID-19 pandemic. This forecast was reported in the July to September Quarterly Performance Report and projected a full year surplus of \$11.80m., \$7.95m unfavourable to the adopted budget. Due to the significant impact of COVID-19, the major September forecast has been used as the new baseline for reporting for this financial year. The year to date result at 31 March was \$10.31m favourable to the major September forecast, which primarily reflects lower materials and services (\$7.35m) and employee costs (\$4.55m) due to a combination of timing differences and further cost reductions in response to the continuing impact of COVID on services and demand.

The 2020/21 Capital Works Program includes 164 projects and programs to be delivered over the financial year with an adopted budget of \$61.53m. As at 31 March, \$30.10m had been expected and the revised expected end of year forecast capital expenditure figure is \$66.54m.

ATTACHMENT

1 Q3 January - March 2021 

9.3.2 Bi-annual Audit and Risk Committee Update

ATTACHMENT

SUMMARY

This report provides an update on the Audit and Risk Committee activities from December 2020 to March 2021.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Davenport

That Council note the bi-annual Audit and Risk Committee update.

CARRIED UNANIMOUSLY

BACKGROUND

Under Section 54 (5) of the Local Government Act 2020 the Audit and Risk Committee must prepare a biannual report which the Chief Executive Officer tables at the next Council meeting. This is the first of these reports and covers two Audit and Risk Committee meetings since the formation of the new Council in November 2020.

DISCUSSION

The key objective and purpose of the Audit and Risk Committee is to *“Provide independent advice and assistance to the Chief Executive Officer and the Council on the City’s risk, control and compliance framework, and its external accountability and legislative compliance responsibilities”*.

Meetings of the Council’s Audit and Risk Committee were held on 7 December 2020 and 15 March 2021. All members of the Audit and Risk Committee were present together with the Chief Executive Officer and all General Managers and other officers as requested.

The purpose of this report is to brief the Council on the key proceedings and outcomes of the Committee’s activities, provide general commentary on key recommendations/observations received from the Auditor General and/or internal auditors, as well as provide opportunity for discussion and review of the audit program, risk management, compliance, litigation matters, fraud prevention and awareness program. Additionally, this will provide a forum for discussion between the Committee Chair, Councillors and Executive Officers regarding any other audits as required.

CONSULTATION

All the Audit and Risk Committee members were consulted.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

ATTACHMENT

1 Biannual Report December 2020 to March 2021 

9.3.3 Council Meeting Dates: July to September 2021

SUMMARY

The purpose of this report is to set meeting dates for the period July to September 2021. It is recommended that Council adopt the Meeting Cycle which provides for meetings to take place on Monday nights commencing at 7.00pm in the Council Chamber, Civic Centre, 379 Whitehorse Road Nunawading, as detailed in Appendix A to this report.

RECOMMENDATION

That:

- 1. Council receive the report and adopt the Meeting Cycle for the period July to September 2021 as detailed in Appendix A to this report.***
- 2. All meetings of the Council and Delegated Committee of Council will commence at 7.00pm in the Council Chamber, Civic Centre, 379 Whitehorse Road, Nunawading (or virtually as practical to ensure any appropriate health and social distancing measures which may be in place).***

COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr Cutts

That:

- 1. Council receive the report and adopt the Meeting Cycle for the period July to September 2021 as detailed in Appendix A to this report.***
- 2. All meetings of the Council and Delegated Committee of Council will commence at 7.00pm in the Council Chamber, Civic Centre, 379 Whitehorse Road, Nunawading (or virtually as practical to ensure any appropriate health and social distancing measures which may be in place).***
- 3. The Meeting Cycle July to September 2021 may be subject to change depending on the outcome of a review to be conducted by Council on the format of its preferred meeting cycle.***

CARRIED UNANIMOUSLY

BACKGROUND

Council previously determined its meeting schedule covering Council and Delegated Committee of Council meetings up to 30 June 2021. This report is to set meeting dates for the period July to September 2021 as listed in Appendix A to this report.

Meetings will take place on Monday nights and will be conducted in accordance with the meeting Charters and Council's Governance Rules 2020.

Meetings will be held in the Council Chamber Civic Centre, 379 Whitehorse Road Nunawading (or virtually as practical to ensure any appropriate health and social distancing measures which may be in place or at the direction of Victoria's Chief Health Officer).

FINANCIAL IMPLICATIONS

There are no financial implications associated with the preparation of this report.

9.3.3

(cont)

POLICY IMPLICATIONS

There are no policy implications associated with the preparation of this report, however it should be noted that section 61(2) of the Local Government Act 2020 states “*except as provided in this Act, and subject to the Governance Rules, the conduct of Council meetings is at the Council’s discretion.*”

APPENDIX A

WHITEHORSE CITY COUNCIL – PUBLIC MEETING CYCLE JULY TO SEPTEMBER 2021

July 2021	
Delegated Committee of Council Meeting	12
Council Meeting	19
August 2021	
Delegated Committee of Council Meeting	9
Council Meeting	16
September 2021	
Delegated Committee of Council Meeting	13
Council Meeting	20

- All meetings will be held on a Monday, in the Council Chamber, Civic Centre, 379 Whitehorse Road Nunawading (or virtually as practical to ensure any appropriate health and social distancing measures which may be in place.)
- Council is following the directions of Victoria’s Chief Health Officer, and following the Minister for Local Government’s Good Practice Guidelines in the conduct of its meetings.
- Additional meetings may be called as required and will be advertised via public notice on Council’s website.
- Meetings will be open to the public, unless Council resolves to close the meeting to the public to consider an item ‘in camera’ as per the provisions of the Local Government Act 2020.

9.3.4 Review of Mayoral and Councillor Allowances

FILE NUMBER: SF12/910

SUMMARY

Mayors and Councillors are entitled to receive an allowance whilst performing their duties as an elected official. Pursuant to section 39 of the Local Government Act 2020 allowances for the Mayor, Deputy Mayor and Councillors are provided in accordance with a Determination of the Victorian Independent Remuneration Tribunal under the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019.

Until the Victorian Independent Remuneration Tribunal makes its first determination on allowances, the allowances framework under the Local Government Act 1989 continues to apply, despite the repeal of those provisions. Council is required to review and determine the level of Mayoral and Councillor Allowances within the period of 6 months after a general election or by the next 30 June, whichever is later. A person has a right to make a submission under section 223 of the Local Government Act 1989 in respect of a review of allowances.

Council at its meeting 15 March 2021, resolved to give public notice in the Age newspaper and on Council's internet site as part of the public consultation on the proposed allowances and to call for submissions under section 223 of the Local Government Act 1989. At the close of the public consultation period on 19 April 2021, no submissions had been received.

COUNCIL RESOLUTION

Moved by Cr Lane, Seconded by Cr McNeill

That Council having complied with sections 74 and 223 of the Local Government Act 1989 set Mayoral and Councillor Allowances at the following amounts for the current Council term:

- Mayoral \$100,434 pa***
- Councillor \$31,444 pa***
- Plus an amount equivalent to the superannuation guarantee contribution (currently 9.5% - scheduled to increase to 10.0% from 1 July 2021)***

CARRIED UNANIMOUSLY

BACKGROUND

Mayors and Councillors are entitled to receive an allowance whilst performing their duties as an elected official. Pursuant to section 39 of the *Local Government Act 2020* (LGA 2020) allowances for the Mayor, Deputy Mayor and Councillors are provided in accordance with a Determination of the Victorian Independent Remuneration Tribunal (Remuneration Tribunal) under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

Until the Remuneration Tribunal makes its first determination on allowances, the allowances framework under the *Local Government Act 1989* (LGA 1989) continues to apply, despite the repeal of those provisions. Section 74(1) of the LGA 1989 requires Councils to “review and determine the level of Mayoral and Councillor Allowances within the period of six months after a general election or by the next 30 June, whichever is later.”

As a determination was unlikely to be made before 30 June 2021, Council was required to undertake a review of the allowances in accordance with section 74 of the LGA 1989. The allowance set will remain in effect for the full term of the Council, ie 2020-2024 subject to an annual review by the Minister for Local Government, or a Determination by the Victorian Independent Remuneration Tribunal.

9.3.4

(cont)

DISCUSSION

Allowances payable to Councillors are currently determined by councils in accordance with limits set by the Victorian Government. The Minister for Local Government is required to annually review the current amounts, limits and ranges of Mayoral and Councillor Allowances to determine whether an adjustment factor should be applied. In October 2020 the Minister for Local Government conducted this review under section 73B of the LGA 1989 and determined that no adjustment to allowances will be made in respect of all councils for 2021.

Whitehorse Council is a Category 3 – and the range for allowances are:

Part A

- Mayor up to \$100,434 pa
- Councillors \$13,123 pa - \$31,444 pa

Part B

- There is a legislative requirement for an amount equivalent to the superannuation guarantee – currently 9.5% to be paid in addition to the allowance.

To date, Whitehorse Council has paid the maximum amount of the allowance.

The Mayor is not entitled to receive a Councillor allowance if receiving the Mayoral allowance. Further, Council does not have to pay an allowance to a Councillor or Mayor who does not want to receive an allowance.

Councillors can enter into an arrangement to effectively sacrifice their remuneration before they derive these amounts. Such sacrifice arrangements can be made into a complying superannuation fund and be designated before the payment is made.

CONSULTATION

Council at its meeting held 15 March 2021 determined the limit of the Mayoral and Councillor Allowances and resolved to commence the public consultation process under section 223 of the LGA 1989, to receive and hear any community comment on these limits.

In accordance with section 223 of the LGA 1989, public notice was given on Council's internet site, in the Age Newspaper, and via Council's Your Say Whitehorse Platform on Wednesday 17 March 2021, inviting written submissions on the proposed allowances.

The public consultation closed on Monday 19 April 2021 at 5.00pm, no submissions were received.

FINANCIAL IMPLICATIONS

Budget allocation required to meet statutory requirements.

9.3.5 Update of Instrument of Delegation from Council to Council Staff

ATTACHMENT

SUMMARY

The purpose of this report is to recommend that Council updates its S6 Instrument of Delegation from Council to Council Staff pertaining to the Planning and Environment Act 1987 and Regulations; and other various other Acts and Regulations: Domestic Animals Act 1994, Environment Protection Act 1970, Food Act 1984, Heritage Act 2017, Local Government Act 1989, Residential Tenancies Act 1997, Road Management Act 2004, Road Management (General) Regulations 2016 and Road Management (Works and Infrastructure) Regulations 2015 and provided as Attachment 1.

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Carr

That Council in the exercise of the powers conferred by the legislation referred to in the instrument of delegation (provided as Attachment 1), resolves that –

- 1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.***
- 2. The Chief Executive Officer be authorised to sign the Instrument of Delegation***
- 3. The instrument of Delegation comes into force immediately upon execution.***
- 4. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.***
- 5. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt..***

CARRIED UNANIMOUSLY

BACKGROUND

The previous S6 Instruments of Delegation were authorised by Council on 24 August 2020.

The updated consolidated 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.

DISCUSSION

Under the *Local Government Act 2020*, there are two sources of powers of delegation:

- s11: Delegation of Council powers to the CEO or members of a delegated committee; and
- s47: Delegation of Council powers by the CEO to Council staff or members of a Community Asset Committee, as well as delegation of CEO powers to Council staff.

With respect to Council staff, the power of delegation under s11 is a power to delegate Council's powers under the *Local Government Act 2020* or any other Act (with specific exceptions) to the CEO, who may then sub-delegate those powers pursuant to s47 of the *Local Government Act 2020*.

9.3.5 (cont)

The *Planning and Environment Act*, the *Food Act* and others contain specific powers of delegation, do not contain an express power of sub-delegation. Therefore, it is assumed that the power of delegation cannot be sub-delegated. This means it is necessary for the delegation to come from Council to the staff members directly, and thus provided as an S6 - Instrument of Delegation from Council to members of Council staff.

The updated Instrument of Delegation is consistent with previous documents approved by Council, and provides for positional title changes at level 2 and 3 resulting from the adopted organisational structure review, and also takes account of a number of minor legislative changes that can be summarised as follows:

- s 36A, 36B, 38G(1), 38G(2) and 40F of the Food Act 1984 have been inserted. Pursuant to the Food Amendment Act 2020, these provisions will commence on 1 July 2021 unless proclaimed earlier;
- s181H of the Local Government Act 1989 (LGA 1989) has been removed. With the repeal of s181H(2) of the LGA 1989, the CEO may now sub-delegate the power to enter into an environmental upgrade agreement and declare and levy an environmental upgrade charge to a member of Council staff pursuant to s181H of the LGA 1989 and s47 of the Local Government Act 2020 (LGA 2020);
- updated the commencement date of the new provisions of the Residential Tenancies Act 1997 to 27 April 2021; and
- s42A of the Road Management Act 2004 has been updated. Removed reference to VicRoads and replaced it with Head, Transport of Victoria.

Accordingly, it is recommended that Council approve its updated S6 Instrument of Delegation document.

CONSULTATION

Given the general housekeeping nature of the identified changes and the tight timelines with the changeover of positional titles at level 2 and 3, there has been limited scope to consult with Managers and General Managers (now entitled Directors) in the preparation of this report.

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 Instrument of Delegation Council to Staff 

10 REPORTS FROM DELEGATES, DELEGATED COMMITTEE RECOMMENDATIONS AND RECORDS OF INFORMAL MEETINGS OF COUNCILLORS

10.1 Reports by Delegates

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

- 10.1.1 Cr Liu reported on her attendance at the following meetings
 - Whitehorse Business Group Board held on the 11 May 2021
 - Eastern Alliance for Greenhouse Action (EAGA) Steering Committee held on the 13 May 2021
- 10.1.2 Cr Massoud reported on her attendance at the following meetings:
 - Whitehorse Reconciliation Policy and Action Plan Advisory Committee held on the 13 May 2021.
 - Eastern Affordable Housing Alliance Association held on the 13 May 2021.
 - Audit and Risk Committee held on the 17 May 2021.
- 10.1.3 Cr Carr reported on her attendance at the Eastern Region Group meeting held on 23 April 2021.
- 10.1.4 Cr Barker reported on his attendance at the Domestic Animal Management Plan Advisory Committee meeting held on the 31 March 2021.
- 10.1.5 Cr Lane reported on his attendance at the following meetings:
 - Whitehorse Sports and Recreation Network held on the 18 March 2021.
 - Whitehorse Business Group Board held on the 13 April 2021.
 - Whitehorse Business Group Sponsorship Sub Committee held on the 28 April 2021.
 - Whitehorse Manningham Regional Library Corporation Audit Committee held on the 5 May 2021.
 - Whitehorse Business Group Board held on the 11 May 2021.
- 10.1.6 Cr Davenport reported on his attendance at the Metropolitan Transport Forum held on the 5 May 2021.
- 10.1.7 Mayor Cr Munroe reported on his attendance at the following meetings:
 - Eastern Region Group held on the 23 April 2021.
 - Municipal Association Victoria Regional meeting held on the 29 April 2021.

COUNCIL RESOLUTION

Moved by Cr Lane, Seconded by Cr Cutts

That the reports from delegates be received and noted.

CARRIED UNANIMOUSLY

10.2 Recommendation from the Delegated Committee of Council Meeting of 10 May 2021

None submitted

10.3 Records of Informal Meetings of Councillors

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
15.03.21 6:30-7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 9.3.1 Box Hill City Oval Redevelopment Update 9.4.2 Review of Mayor and Councillor Allowances 	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMCS) S Cann J Russell H Rowlands A McCarthy	Nil	Nil
21.03.21 9:00-5:00pm	Councillor Budget Workshop	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport (left at 4:34pm and did not return) Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMCS) S Cann J Blythe N Brown K Sinclair S Belmore T Peak C Gripps A Ghastine M Ackland J Neale S Morrison I Kostopoulos I Barnes M Kruh	Cr Davenport declared a conflict of interest in item 17.1 Parking Services Coverage	Having declared a conflict of interest in item 17.1 Parking Services Coverage, Cr Davenport left the meeting at 3:30pm, returning at 3:55pm.

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
22.03.21 6:30-8:30pm	Councillor Briefing Session <ul style="list-style-type: none"> Whitehorse Manningham Library Strategy 2021-2930 Whitehorse New Review Major Project Councillor Reference Group: Project Updates 	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMCS) S Cann J Russell T Johnson C Altan H Rowlands S Belmore M Ackland	Nil	Nil
12.04.21 6:30-9.40pm	Councillor Briefing Session <ul style="list-style-type: none"> Tackling Ageism Together EveryAGE Counts in Melbourne's East Delegated Committee Agenda: Other business Draft Whitehorse Urban Forest Strategy 2021-2031 Proposed Budget 2021/22 and Financial Report as at 28 February 2021 Enterprise Resource Planning Business Case and 2020-25 IT Strategy: Budget Submission Draft Eastern Region Group Strategic Plan and Development of the Advocacy Platform Woolworths Site Whitehorse Community Grants: Partnership Grants Progress Update: Local Governments Power Purchase Agreement Project Draft Council Agenda 12 April 2021 	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMCS) S Cann J Russell C Altan J Edge A Makedonskaya H Rowlands D Seddon M Hassan M Wells J Blythe T Peak M Ackland J Neale J Cushing P Cumming <u>Virtually</u> K Marriott A Egan I Barnes S Belmore K Sinclair J Chambers A Ghastine	Nil	Nil

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
19.04.21 6:30-7:00pm	Councillor Informal Briefing Session <ul style="list-style-type: none"> 9.1.1 12-14 Nelson Road Box Hill (CP 103026 4) 9.1.2 74 Main Street Blackburn 9.2.1 Whitehorse Urban Forest Strategy 9.3.1 Sportlink Redevelopment 9.3.3 Whitehorse Community Grants: Partnership Grants 9.4.3 Draft Revenue and Rating Plan 2021-2025 	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMHS) T Johnson (AGMCS) S Cann J Russell C Altan	Nil	Nil
21.04.21 8:15pm	Aqualink Nunawading (AQN) Tour and Feasibility Project Briefing	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck	S McMillan S White (AGMHS) T Johnson (AGMCS) S Cann K Sinclair J Chambers K Gasch A Williams	Nil	Nil
03.05.21 6:30- 10:10pm	Councillor Briefing Session <ul style="list-style-type: none"> Biannual Audit and Risk Committee Update Whitehorse Centre Design Development package Seasonal Sporting Allocations Review of Council's Meeting Cycle 	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Davenport Cr Lane Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMHS) T Johnson J Russell C Altan S Belmore S Price K Sinclair K Chandler R Johnson A McCarthy Virtual (AGMCS) S Cann	Nil	Nil

Meeting Date	Matter/s Discussed	Councillors Present	Officers Present	Disclosures of Conflict of Interest	Councillor /Officer attendance following disclosure
10.05.21 6:30-9:40pm	Councillor Briefing Session <ul style="list-style-type: none"> • Suburban Railway Loop Authority Update • Delegated Committee of Council 10 May 2021 • Metro Waste Group Presentation • Planning Policy Framework Translation • Quarterly Performance Report Q3 • 2021 Municipal Revaluation Update 	Cr Munroe (Mayor & Chair) Cr Barker Cr Carr Cr Cutts Cr Lane Cr Liu Cr McNeill Cr Massoud Cr Skilbeck Cr Stennett	S McMillan J Green S White (AGMHS) T Johnson (AGMCS) S Cann J Russell H Rowland I Kostopoulos A DaCampo L McGuinness K Marriott A Egan V McLean S Cann J Cushing T Peak R Johnson J Samy Virtually R Andresson C MacNaughtan I Kostopoulos	Nil	Nil

COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr McNeill

That the record of Informal Meetings of Councillors be received and noted.

CARRIED UNANIMOUSLY

11 REPORTS ON CONFERENCES/SEMINARS ATTENDANCE

- 11.1 Cr Davenport reported on his attendance at the Municipal Association of Victoria Technology: Digital Transformation and Innovation Conference held on the 28 April 2021.
- 11.2 Cr Cutts reported on her attendance at
- Australian Local Government Women's Association Victoria (ALGWA) Annual Conference, 1 May 2021.
- 11.3 Deputy Mayor Cr Carr reported on her attendance at the following conferences and seminars:
- Municipal Association of Victoria (MAV) Councillor Development Program: Social Media, held on the 22 and 29 April, 6 and 13 May 2021.
 - Department of Environment, Land, Water and Planning conference (DELWP) online Climate Change session.
 - Victorian Local Governance Association Gender Equality Act 2020 virtual session held on the 30 April 2021.
 - Australian Local Government Women's Association (ALGWA) Victoria Conference held from 30 April to 1 May 2021.
- 11.4 Cr Massoud reported her attendance at the following seminars and conferences:
- Department of Environment, Land, Water and Planning conference (DELWP) Your Council and Climate Change understanding the risks and learning to adapt held
 - Metro Waste - Advanced Waste Processing Webinar exploring the alternatives to Landfill held on the 26 April 2021.
 - Burwood Business Network Panel for International Women's Day: the Female Conditioned Tapping Unknown Potential and Opportunity in the Community.
 - Online Whitehorse Virtual Recycling Tour held recently.
 - Australian Local Government Women's Association Victoria Conference held from 30 April to 1 May 2021
- 11.5 Cr McNeill reported on her attendance at the following seminars and conferences:
- Sustainable Living Week Launch held on the 2 May 2021 at Box Hill Town Hall.
 - Metro Waste - Advanced Waste Processing Webinar exploring the Alternatives to Landfill held on the 26 April 2021.
- 11.6 Mayor Cr Munroe reported on his attendance at the following conferences and seminars:
- Sustainable Living Week Launch held on the 2 May 2021 at Box Hill Town Hall.
 - VLGA - Councillors, Gambling and the Public Health & Wellbeing Plan held on the 22 April 2021

COUNCIL RESOLUTION

Moved by Cr Massoud, Seconded by Cr Carr

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

CARRIED UNANIMOUSLY

12 CONFIDENTIAL REPORTS

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr McNeill

That in accordance with Section 61 (1) and 66 (2)(a) of the Local Government Act 2020 the Council should resolve to go into camera and close the meeting for the consideration of this item, as the matter to be discussed is confidential information for the purposes of section 3 (1) of the Local Government Act 2020, because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).

This ground applies because the matter concerns a land purchase by private treaty.

CARRIED UNANIMOUSLY

The meeting was closed to the public at 8.40pm.

COUNCIL RESOLUTION

Moved by Cr Barker, Seconded by Cr Liu

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

CARRIED UNANIMOUSLY

The meeting was reopened to the public at 8:56pm.

13 CLOSE MEETING

Meeting closed at 8:57pm

Confirmed this 28th day of June 2021

CHAIRPERSON