



# Whitehorse City Council

## AGENDA

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### Council Meeting

on

**Monday 27 March 2023 at 7.00pm**

**To be held in the  
Council Chamber  
Nunawading Civic Centre**

<b>Members:</b>	Cr Mark Lane	Mayor
	Cr Prue Cutts	Deputy Mayor
	Cr Blair Barker	
	Cr Raylene Carr	
	Cr Andrew Davenport	
	Cr Tina Liu	
	Cr Denise Massoud	
	Cr Amanda McNeill	
	Cr Andrew Munroe	
	Cr Trudy Skilbeck	
	Cr Ben Stennett	

Simon McMillan

Chief Executive Officer

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## **AGENDA**

### **1 WELCOME**

#### **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.**

#### **Aboriginal Reconciliation Statement**

"Whitehorse City Council acknowledges the Wurundjeri Woi-wurrung people of the Kulin Nation as the traditional owners of the land we are meeting on and we pay our respects to their Elders past, present and emerging and Aboriginal and Torres Strait Islanders from communities who may be present today."

### **2 APOLOGIES**

### **3 DISCLOSURE OF CONFLICT OF INTERESTS**

### **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Minutes of the Council Meeting 27 February 2023

#### **RECOMMENDATION**

That the minutes of the Council and Confidential Council Meeting 27 February 2023 having been circulated now be confirmed.

### **5 URGENT BUSINESS**

### **6 PUBLIC PRESENTATIONS**

### **7 PUBLIC QUESTION TIME**

## **8 PETITIONS AND JOINT LETTERS**

### **8.1 Implementation of Traffic Calming Devices - Ashlar Crescent, Blackburn**

#### **SUMMARY**

1. A petition titled Implementation of Traffic Calming Devices - Ashlar Crescent, Blackburn has been received and signed by 17 signatories in support of the petition.
2. The petition request is as follows:

*We the undersigned, being residents and ratepayers of the City of Whitehorse, request the Council to implement traffic calming device/s to assist in the aid of slowing the speed of vehicles within Ashlar Crescent, Blackburn.*

#### **RECOMMENDATION**

1. That the petition be received
2. That the petition be referred to the Director City Development for consideration and response.

## **9 NOTICES OF MOTION**

## **10 COUNCIL REPORTS**

## 10.1 Social Enterprise Policy

### ATTACHMENT

#### SUMMARY

Social Enterprises play an integral role in the provision of training and employment opportunities for members of the community who experience barriers to employment.

This Report seeks Council endorsement of the newly developed Whitehorse Social Enterprise Policy (Attachment 1) that articulates Council's commitment to support and guide the development of a robust and innovative Social Enterprise sector in Whitehorse. The Policy aims to create employment opportunities that will lead to enhanced social and economic outcomes for the community of Whitehorse.

It also seeks endorsement for an Expression of Interest process to offer lease agreements for the operation of Social Enterprises Cafes at Mont Albert Station Heritage Building, Nunawading Community Hub and the Harrow Street Car Park.

#### RECOMMENDATION

That Council:

1. Endorse the newly developed Whitehorse Social Enterprise Policy.
2. Endorse an expression of interest process to offer lease agreements for Social Enterprise Cafes at Mont Albert Station Heritage Building, Nunawading Community Hub and the Harrow Street Car Park.

#### Key Matters

The Whitehorse Social Enterprise Policy provides an overarching framework for Council to attract and support the development of a thriving and innovative social enterprise sector in the local area.

Being able to support social enterprise businesses to operate out of Council buildings will require appropriate future budget allocations to assist in meeting some or, where appropriate all, of the costs associated with:

- Planning and building permits, including consultant's fees
- Environmental Health permits and registration
- Fit out construction, design and quantity surveying
- Equipment and furniture provision

With regards to the Mont Albert Station Heritage Building Café, project timelines are influenced by the Level Crossing Removal Project (LXRP) including timing of the transfer of the property to Council and changes to the planning zone and heritage overlay. It is anticipated that the building will be

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handed to Council in August 2023, with the planning zone and heritage overlay adjusted as part of this process. Timelines for the Mont Albert Station Heritage Building may be extended if delays are encountered in the project works and or attaining Ministerial consent for the planning zone amendment.

**STRATEGIC ALIGNMENT**

The Social Enterprise Policy and intent to offer Councils facilities for the operation of social enterprise connects to multiple Council strategies and documents as outlined in the following table:

Strategic Document	Priority Area
Community Vision	Employment, Education and Skill Development: 4.1: Job creation and providing facilities to support local business and attract new business investment and innovation.
Council Plan	<ol style="list-style-type: none"><li>1. Innovation, Transformation and Creativity</li><li>2. A thriving local economy: business employment, education and skills</li><li>3. Develop our diverse and inclusive community</li></ol> <p>8.1.3 A diverse workforce with demographics reflective of the Whitehorse community</p>
Organisational Values	<ul style="list-style-type: none"><li>• Respect</li><li>• Excellence</li></ul>
Transformation Principles	<ul style="list-style-type: none"><li>• Great organisational culture</li><li>• Innovation and continuous improvement</li></ul>
Workforce Plan	<ul style="list-style-type: none"><li>• Increase diversity and inclusion</li></ul>
Gender Equality Action Plan	<ol style="list-style-type: none"><li>1. Recognise &amp; promote gender equality and diversity</li></ol>
Municipal Public Health and Wellbeing Plan	<ol style="list-style-type: none"><li>2. Healthy Relationships: Promote and encourage the Whitehorse Business community to create leadership and mentoring opportunities for women.</li></ol>

**10.1**  
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	10. Neighbourhood Liveability: Implement supports for small businesses to continue to attract and meet the needs of the community.
Disability Action Plan	Section 38: what must be addressed in Council's Disability Action Plan:  (b) reducing barriers to persons with a disability obtaining and maintaining employment;
Investment & Economic Development Strategy Extension 2020-2022 (draft)	Priority Area 1: Investment  Monitor and support innovation and emerging sectors
Procurement Policy	Social Sustainability 6.2.5 <ul style="list-style-type: none"><li>• Increase employment opportunities for Indigenous people, people with a disability, disadvantaged people and the long term unemployed</li></ul>

The Victorian Social Enterprise Strategy 2021 -2025 has also guided the development of the proposed policy.

**BACKGROUND**

Within the Australian Government context there is not a defined legal structure for social enterprises, however the Victorian Government defines Social Enterprises as organisations that:

- Are led by an economic, social, cultural or environmental mission, consistent with public or community benefit
- Derive a substantial portion of their income from trade (which distinguishes them from charities)
- Reinvest the majority of their profit / surplus in the fulfilment of their mission (Victorian Social Enterprise Strategy 2021 - 2025)

The Objectives of this Policy are to:

- Foster an environment where local Social Enterprises thrive.
- Advocate for Social Enterprises as an innovative response to social issues and as part of the diverse and inclusive local economy.
- Engage and support the local Social Enterprise sector through Councils operations and procurement opportunities



## **10.1**

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The Whitehorse Social Enterprise Policy supports Council's commitments to facilitate economic participation of:

- People with disability or lived experience of mental illness
- People from culturally and linguistically diverse communities including asylum seekers and refugees
- People who have experienced long term unemployment
- Aboriginal and Torres Strait Islander people
- Young people aged 16 -25 years

Potential outcomes for the participants include:

- Increased local employment opportunities
- Access to training opportunities and formal qualifications
- Increased community connection.

### **Local Social Enterprise Opportunities**

There are three immediate opportunities for Council in regard to supporting the establishment of social enterprises operating from Council facilities: Mont Albert Station Heritage Building, Nunawading Community Hub and the Harrow Street Car Park building.

#### **Mont Albert Station Heritage Building**

Ownership of the Mont Albert Station Heritage Building will be transferred from the State Government to Council in August 2023, as a shell only, through an agreement with Vic Track.

The Mont Albert Station Building will be relocated from its original position to 5 Beresford Street, Mont Albert. The building will be situated on the road reserve, which means that no lease or licence agreement with the State Government will be required.

Community engagement was undertaken in March 2022 by Council and separately by the LXP (December 2021 to February 2022) which identified that the community preference for the future use of the building is for it to be converted to a café. Further details of the engagement are contained in the Community Engagement Section of this report.

As this facility is provided to Council as a shell only, there is likely to be considerable work required to ensure that the Mont Albert Station Heritage Building is fit for purpose. Council has allocated \$100,000 in the 2023-2024 Capital Works budget towards fit out of the building.

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LXRP will undertake the following:

- Remove and relocate the building to 5 Beresford Street Mont Albert, so that it faces across the soon to be constructed plaza area
- Reinstall the heritage pressed metal wall linings in the building, where possible.
- Provide water and electricity connection to the site.
- Install a grease trap in the re-development of the Mont Albert Plaza.
- Change the planning zone to NRZ5 (local neighbourhood)
- Reassess the Heritage Overlay on the building.

### **Nunawading Community Hub**

Nunawading Community Hub was officially opened in 2020. It is a vibrant community venue, with over 6000 people accessing the premises each week to undertake a variety of activities.

A commercial kitchen was installed adjacent to the main dining area within the building. This kitchen was initially intended for use by Council's Home and Community Services, which did not eventuate. The commercial kitchen area remains an unused facility within the Nunawading Community Hub providing a vacant opportunity for a social enterprise café to operate from this site.

Associated current and some future budgetary considerations are detailed in the Financial and Resource Consideration section of this Report.

### **Harrow Street Car Park Building**

The Harrow Street Car Park building is located at 2-10 Harrow Street in Box Hill. The site offers a community space with office frontage, currently leased to Family Access Network; and 562 car parking spaces. A space for a future café was also created as part of this development creating a third opportunity for a social enterprise. Planning and building permits will be required.

### **Expression of Interest and Timelines**

In order to promote these three opportunities to appropriate social enterprise organisations a formal expression of interest process will be undertaken.

The expression of interest process will allow applicants to apply for one, two, or all of the specified locations.

## 10.1 (cont)

The indicative timelines for the Expression of Interest process:

Stage	Timeline
Expression of Interest documents finalised	March 2023
Expression of Interest opens	April 2023
Expression of Interest closes	May 2023
Evaluation and shortlisting of applications	June 2023
Shortlisting applications invitation to submit formal proposals	July 2023
Lease negotiations commence with preferred applicant	August 2023
Appointment of preferred applicant	TBC

## SUPPORTING REPORT DETAILS

### Legislative and Risk Implications

There is no legal obligation for Council to prioritise a Social Enterprise operating in a Council facility. In choosing to do so, Council must ensure compliance with all relevant legislation and standards relating to the building works and operation.

For example: Building Act 1993 and Building Regulations 2018, Victorian Local Government Act 2020 and Local Laws and the Food Act 1984 and Health and Wellbeing Act 2008.

The following table presents risk considerations for this initiative.

Risk	Impact	Mitigation Strategy
<b>Change to planning zone delayed (Mont Albert Station Project)</b>	Delays building works Delays café operations	Monitor the progress planning zone changes as part of the broader LXP project. Advocate to government
<b>Planning and Building Permits not obtained or delayed</b>	Delays in building works Delay in café operations	Work with appointed planning consultant to ensure all information required is provided. Monitor progression.
<b>Failure to attract Social Enterprises</b>	Café operations delayed	Review EOI process and promotion to further identify and remove potential barriers.

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<b>Social Enterprise does not deliver the desired outcomes</b>	People in the cohort groups do not receive access to employment and training opportunities Lease agreement is breached	A reporting schedule will be developed to monitor progress against the desired outcomes.
<b>Lease agreement terminated by Council or Social Enterprise</b>	Café will close New operator to be sourced through an EOI process	Commence EOI process for new operator

**Equity, Inclusion, and Human Rights Considerations**

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

Ensuring people have access to meaningful employment opportunities moves beyond legislative compliance to actively promoting the rights, health and wellbeing of the individual and working to improve the social and economic strength of the community.

**Community Engagement**

In relation to the Mont Albert Station project, Community consultation was undertaken by both Council (March 2022) and the LXP (December 2021 – February 2022) as part of the broader Mont Albert Station and Surrey Hills Station Project.

Council's consultation asked "*Which of the following things would you like to see developed on a deck above the train line?*" The top 5 responses were:

<b>Themes</b>	<b>Number of Responses</b>
Reuse of station building for a 'special' use	160
Café and outdoor seating/dining	120
Outdoor public space (for community events)	110
Casual seating	105
Outdoor grassed open space	95

## 10.1 (cont)

LXRP asked “*Do you have any ideas about how the old Mont Albert Station building could be repurposed?*” The top six responses were:

Themes	Number of Responses
Café / restaurant	221
Community centre	216
Museum	73
Retain location	70
Gallery	58
Shop	53

No further community engagement is planned to determine the future use of the Mont Albert Station Heritage Building as thorough community engagement has already taken place.

There has been no community engagement regarding the provision of a social enterprise café at Nunawading Community Hub or the Harrow Street Car Park building.

A communication plan to inform stakeholders and the community of Council’s intent to offer the three sites for the operations of social enterprise cafes will be developed.

### Financial and Resource Implications

The overall costs associated with the social enterprise café projects will be determined as a result of the expression of interest process, lease negotiations as well as the required works at each site.

It is proposed that Council offer the three identified premises at minimal rent, payable by Charities under the Property and Lease Policy. At the time of writing this Social Enterprise Policy document the minimal rent is \$100+GST unindexed for the lease term. The Social Enterprise Operator(s) will be required to pay all outgoing charges, these charges will be defined in the eventuating lease agreement(s). They will also be required to pay for permits or registration that will be held in their name and may be required to contribute to legal costs or other consultancy.

Further work required at each site and associated costs to facilitate the three Social Enterprise opportunities include:

- Undertaking building and planning processes ( approx.\$15,000 per site)
- Furniture and equipment fit out requirements, determined via the EOI process, and ideally being the responsibility of the Social Enterprise Provider,

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Council may choose to contribute using existing budget allocations to Community grants or other community partnerships/projects. However the level of Council's contribution will vary for each project dependent on a review of the financial capacity and need for support of the individual Social Enterprise

Council's Property and Lease Department budget has allowed for up to \$15,000 for the engagement of legal advice in the development of the Expression of Interest documentation, draft lease agreements and the matrices required for evaluation of applications.

Council has allocated a contribution of up to \$100,000 in the 2023-2024 Capital Works budget towards the fit out of the Mont Albert Station building.

### **Innovation and Continuous Improvement**

The newly developed Social Enterprise Policy provides the framework for Council to attract and support Social Enterprises in the municipality, creating new social and economic opportunities for Council and people in the community.

### **Collaboration**

Council Officers have undertaken site visits to social enterprise operations in Banyule, Darebin and Casey City Councils. Each visit builds understanding of operation needs and progress.

The Social Enterprise Policy and consideration of the three sites has been informed by an internal working group that includes representation from Community Engagement and Development, Project Development and Assets, Arts and Cultural Services, Major Transport Project Team, Planning and Building and Councils Property and Leases departments.

### **Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

### **Conclusion**

The introduction of the Social Enterprise Policy provides the overarching framework for Council to support the development of an innovative thriving Social Enterprise network in the Whitehorse Community. The Policy creates opportunities to reduce unemployment, and promote access to training for people who experience a range of barriers to employment as well as meeting Councils policy commitments and legislated obligations.

### **ATTACHMENT**

- 1 Social Enterprise Policy Document - Council Meeting 27 March 2023 - Final

## 10.2 Statutory Planning Service Review

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### SUMMARY

In accordance with the *Planning Environment Act 1987* section 13, Council is the responsible authority for the administration and enforcement of the Whitehorse Planning Scheme (WPS). The WPS is a legal document that specifies how land within the municipality can be used and developed.

Council makes decisions on planning applications to deliver use and development outcomes that affect where people live, work and play. Most planning application outcomes are determined by Council officers within the Statutory Planning Team under delegation that has been afforded to them by Council.

A Service Review of the Statutory Planning Service (the Service) has been completed to evaluate:

- Service focus and purpose
- Efficiency of service delivery
- Customer experience.

The Service needs to transform into a more customer centric, easily accessible, and transparent process for our community.

The Service Review has assessed options for achieving this outcome which has involved considering customer sentiment, service resourcing and known opportunities for improvement. The Service Review has captured operational improvements which will improve service communications, streamline internal processes, and better leverage technology.

The Service Review findings are summarised as:

- The Service is perceived as overly complex and difficult to navigate for the general community. This can be addressed through improvements to customer communications, establish staff training programs and more transparency for customers throughout the process.
- Currently Planning Forums add time to application processing. There is opportunity to reduce the average time to decision by changing the triggers for when a Forum is required. This would aim to ensure a Forum is conducted only when it would add value.
- The current model of service resourcing does not meet required statutory timelines consistently, which negatively affects the customer experience.
- Customer response and communication is inconsistent. This is affected by complex internal and external processes, and ineffective technology.
- Industry shortages of qualified urban planners and arboriculture specialists have impacted the ability of the service to recruit and retain key roles.

## 10.2

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- The Service resourcing structure and design affects the customers experience in relation to arboricultural planning matters and overall timeframes for decisions.

The objective of this report is to provide Council with considered options to enable a decision to be made on three elements:

1. The approach to delegated authority from Council to members of Council Staff.

The Service Review puts forward two options for amending delegations which aims to simplify five (5) current conditions focused on objector triggers. Both options have merit, and benchmarking indicated both are used effectively across different Victorian Councils.

2. The reason/s for which a Planning Forum is required.

The Service Review puts forward a recommendation to change the trigger for planning forums to align with delegations. This would create consistency for Officers and Councillors. Changing the number of objectors to align with the current council delegation's objector numbers (12 and 20 objector properties) may reduce the number of forums held for simple matters.

3. The level and model of service resourcing to achieve improved customer and community outcomes.

The service requires a sustained focus on customer service and continuous improvement which requires the attention of additional FTE required to implement sustained service performance improvement.

### RECOMMENDATION

That Council:

1. Note the findings of the Service Review.
2. Endorse the changes to the Conditions and Limitations (within the s6 Instrument of Delegation from Council to Members of Council Staff under the *Planning Environment Act 1987* Provisions - s 61(1), s 73, s 84(1) and s 96G(1)) from 8 (a-h) to 6 (a-e) as follows:
  - a) any application 'called in' by a Councillor, whereby a Councillor advises the Director City Development (DCD), Manager City Planning and Development (MCP&D), Assistant Manager Statutory Planning (AMSTP), Coordinator Strategic Planning, Team Leader Statutory Planning (CSTRP) or Principal Planner (PP) that the planning application must be reported to Council for determination;
  - b) any major development proposal or any other application where considered to be warranted by the delegate;
  - c) an application where it is considered by the delegate to be significant non-compliance with the relevant Council Policy, the Whitehorse Planning Scheme and/or any incorporated document to the planning scheme;



## 10.2 (cont)

- d) an application for a single dwelling, dwelling addition, multiple dwellings, accommodation, or non-residential use and/or development within a residential zone where there are 12 or more objector properties;
  - e) an application for non-residential use and/or development outside a residential zone where there are 20 or more objector properties.
3. Amend the definition that currently defines a trigger for convening a statutory planning forum to:
- An application for non-residential use and/or development where there are 20 or more objector properties; or
  - An application for residential use and/or development where there are 12 or more objector properties.
4. Endorse the transition of arboriculture assessment to an internal resourced model (Council direct employment of qualified Arborists), increase to organisational employee establishment by 5.20 FTE and refer the associated increase to budget funding of \$611,068 to the 2023/24 Budget Process.

### Key Matters

There are three key opportunities for change which could further improve the customer experience: 1) Delegations, 2) Planning Forums and 3) Service resourcing.

#### Delegations

An important part of Council's effective decision-making framework is the ability to delegate its powers to the Chief Executive Officer and to members of Council Staff directly, to ensure the continued day to day operations of transaction of Council business.

Instruments of Delegation represent the formal delegation of powers by Council under Section 11 of the *Local Government Act 2020* and enables the business of Council to be carried out efficiently, effectively and in line with Council approved policies.

The Schedule 6 Delegation (also known as the s6 Delegation) is the Instrument of Delegation from Council to Members of Council Staff. Various legislation is captured within the s6 Delegation of relevance to this report is the *Planning and Environment Act 1987*.

Council can also decide to place 'conditions or limitations' on a delegated power, duty, or function within a delegation. If a condition or limitation has been met, the matter is to be determined by Council at a Council meeting. Matters determined by Council allow for public comment, debate and decision-making which is an important part of the democratic process and consideration of localised planning issues. The conditions and/or limitation should ensure that the determination is made by the most appropriate process/position.

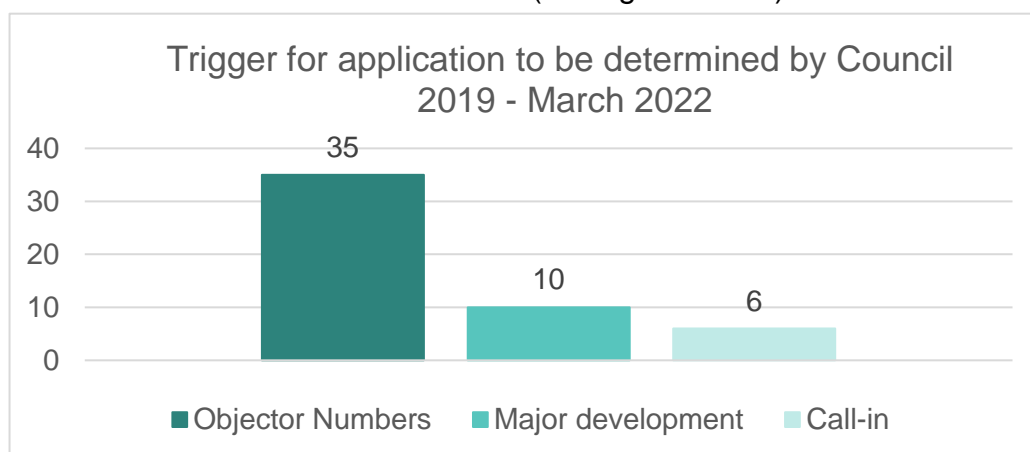
## 10.2 (cont)

Council currently has eight (8) conditions within the *Planning and Environment Act of 1987* Provisions - s 61(1), s 73, s 84(1) and s 96G(1). These are:

- a) Any application 'called in' by a councillor, whereby a councillor advises the director City Development, Manager City Planning and Development, Assistant Manager Statutory Planning, Coordinator Strategic Planning, Team Leader Statutory Planning, or Principal Planner that the planning application must be reported to council for determination;
- b) Any major development proposal or any other application were warranted by the delegate;
- c) An application where there is considered by the delegate to be significant non-compliance with the relevant council policy, the WPS and/or any incorporated document to the WPS;
- d) An application for a single dwelling or dwelling addition where there are 12 or more objector properties;
- e) An application for multiple dwellings where there are 12 or more objector properties;
- f) An application for accommodation where there are 12 or more objector properties;
- g) An application for non-residential use and/or development outside a residential zone where there are 20 or more objector properties; or
- h) An application for residential use and/or development within a residential zone where there are 12 or more objector properties.

The Service Review notes:

- Most Councils retain a condition regarding Councillor call-in (condition a above) and Officer escalation (condition b). The recommendation is to retain these conditions.
- Historically, Councillors and Officers have escalated matters to Council to be determined at a Council meeting that did not meet the minimum number of objectors.
- Overall, the number of objectors to an application is the most common reason for escalations to Council (see figure below).



## **10.2**

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- Officer escalations to Council use condition b (above) where the Officers have deemed the application is significant to the Whitehorse Community.
- Conditions that prescribe a 'number of objectors' (at any number) can influence behaviour and may not result in a process that is reflective of community sentiment.

### **Planning Forums**

A Planning Forum allows objectors and the applicant to discuss issues, with a Planning Officer present, with the aim to reach a resolution between parties that complies with the WPS. The ultimate intent of a Planning Forum is to improve planning application outcomes. The conditions which initiate a Planning Forum are set by a motion of Council (last updated at Whitehorse in 2014) and are commonplace in Victorian Local Government. Whitehorse City Council currently holds Planning Forums when five (5) objections are received. Current Council practice is that the Ward Councillor Chairs this forum and the applicant and planning officer are required, with invitations extended to objectors.

The Service Review found:

- Benchmarking undertaken during the Service Review found that other Councils use different approaches to determine trigger parameters for a Planning Forum. The notable differences were:
  - Number and type of objections to an application which trigger a Forum (1 – 20; or exclusions);
  - Councillor involvement (1 or 2 compulsory attendance, invitation only, no councillor involvement, chairing role);
  - Scheduling of forums (set date and time; or coordinated based on best availability).
- A Forum adds an estimated minimum of three (3) weeks to the planning application process (+15 statutory days) with further delays possible if scheduling difficulties arise (between all parties' applicant, objectors, Councillors).
- The table below provides a summary of the number of forums held between January 2021 and June 2022.

<b>Date range</b>	<b>Number of Planning Forums</b>
<b>2021 Jan-Jun</b>	18
<b>2021 July-Dec</b>	16
<b>2022 Jan-Jun</b>	13

## **10.2**

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- It is anticipated that under current parameters, the number of Forums will increase due to the increase in applications for multiple dwelling developments on previous one-dwelling-lots. This increases the number of adjoining properties which are potential objectors. It is prudent to consider this when determining the best mechanism to determine when a Forum should be convened.
- Removing objector number triggers for Forums could enable the Officers and Councillors to have the authority and autonomy to determine when a Forum is appropriate. This could enable:
  - Forums to be convened earlier.
  - Forum to be convened based on the qualities of the application and likelihood of improved outcome.
  - Statutory timelines being impacted only when absolutely required.
  - Quicker decision when the application is straightforward.
  - Note: Planners are required to formally consider all objections as part of the application assessment process, irrespective of if a Forum is convened.

### **Service resourcing**

The Service Review found there are risks in the current service model relating to the provision of arboriculture expertise and the level of resourcing within the service. In 2018 Council resolved to introduce new temporary tree controls within Whitehorse and referred additional resourcing associated with the controls to the 2017/18 Budget. Given the temporary nature of this planning control (yearly review of SLO9) and difficulty recruiting arborist specialty, this advice is currently contracted. Recently the Council has received an increase in community feedback on arboricultural advice in relation to planning matters, with community concern on the assessment of dangerous, dead, and dying trees.

There is a current industry shortage in qualified Urban Planners which can impact on service performance when the shortage impacts recruitment timelines and ability to fill these legislatively required roles.

There are two dimensions of service resourcing for consideration: planner workload and arboriculture model.

#### **Planner Workload**

The Review has set the target workload per planner per year at 90 applications. This target application workload is calculated based on benchmarking with other Councils and is at the higher end of the range. This reflects the high percentage of Vic Smart applications within the Service's annual figures and the proposed technological efficiencies to be gained.

## 10.2

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Benchmarking was conducted in October 2022 and illustrated that the average number of applications per Planner (1.0 FTE) per year ranged from 69.85-106.46 with Whitehorse averaging 104 applications per Planner per year. This workload calculation excludes secondary consents; amendments and other application adjustments planners also undertake as part of their roles.

To achieve the target workload will require changes to resourcing levels. The Service Review recommends that Council approve an increase of 4.0 FTE in the Service. These 4.0 FTE are currently in the Service as fixed term positions, and the Service has been operating with these temporary resources since 2018. This conversion of temporary to permanent roles would maintain the applications per year, per planner at 104.

The other Service Review recommendations will support further efficiencies (e.g., technology improvements) and filling of current vacant positions that would bring the planner workload closer to target. The target must be actively monitored, and further assessed once all vacant roles are filled and more efficient processes are embedded. To enable successful transformation of the service to the desired customer centric, accessible, and transparent outcomes, service resourcing modelling also includes the addition of a dedicated service improvement role (1.0FTE) to coordinate and enable the desired level of change.

### Arboriculture Model

Arboriculture advice to the Service is currently resourced using a panel contract and only two contractors are extensively used. The Service relies on an established trusted relationship with these contractors which poses a risk to service continuity if one of the contractors withdrew from service delivery.

In summary the key issues are:

- A recent increase in community feedback on the quality of current Arboriculture advice; particularly Officers (not qualified arborists) making decisions on dangerous trees. The perception is that Officers make decisions on dangerous, dead and/or dying, however, currently Officers only make decisions if it is assessed that the tree is dangerous and poses an immediate and serious safety risk.
- Significant dependency, and inherent operational service continuity risk, on current contractors (2) operating as sole traders. This poses risk to service interruption due to the lack of contractual or employment obligation.
- Council referred (notice of motion) permanent Arboriculture positions to the 17/18 budget process, where six (6) FTE was approved. Four (4) FTE (3.0 FTE arboriculture, 1.0 FTE enforcement) remain vacant due to uncertainty on tree controls (SLO9) continuing. It is anticipated to have updated direction on SLO9 in July 2023.

## 10.2

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- There is a difficulty in attracting Arborist skills to Council positions due to disparity in industry/private pay rates and conditions.
- It is considered that an internal arboriculture team would reduce Planner workload, by taking on the decision making relating to Planning Applications that are relating to single tree assessments (e.g., VicSmart applications). This could result in the application-per-planner workload target to be more achievable (as mentioned earlier in this report).

The functions of Planning and Arboriculture are connected and need to be considered together in terms of overall service resourcing and structural design. Benchmarking undertaken for the Service Review considered the resourcing levels and service models of five other councils, outlined below. Interestingly, Council 1 and 2 have internal arboriculture resources, and while their application-per-planner ratio remains comparable, their percentage complete within statutory time is higher than Whitehorse. It should also be noted that there are additional operational factors that impact timelines (e.g.: technology, local planning scheme, operational efficiency) many of which will be addressed in the Service Review recommendations.

### STRATEGIC ALIGNMENT

The Statutory Planning service is responsible for undertaking the role and duty of the Responsible Authority under the rules and regulations of the *Planning and Environment Act 1987*, the *Subdivision Act 1988* and associated legislation. This service makes land-use decisions which can support the achievement of the Council Plan 2021-25 strategic directions:

- Strategic Direction 2: A Thriving Local Economy; Business, Employment, Education and Skill Development
- Strategic Direction 4: Our Built Environment, movement and public places
- Strategic Direction 5: Sustainable Climate & Environmental Care

### BACKGROUND

Statutory Planning is the assessment of planning permit applications for new development proposals and changes to land use activities. This can range from large, complex, multi-story development, through to front fence alterations or individual tree removal on suburban blocks. Planning applications may include changes of use to buildings, including new small businesses, childcare, rooming houses, and health facilities.

Planning Applications and amendments accounts for the largest revenue, expenditure, community impact and staffing numbers. Statutory Planning also includes subdivisions, planning enforcement and tree education.

## **10.2**

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There have been significant changes in the WPS over the last decade, creating a higher volume of work across all Councils, which is exacerbated by an industry shortage of planning professionals. As the Service is consumer-driven, there is a need to enable a more dynamic and responsive service, able to provide prompt, robust advice, and information to our community. Over time, the need for arboriculture specialist support has increased due to changes in WPS tree controls.

The Service has undertaken improvements in recent years with the aim to improve the customer experience. A summary is outlined below:

- 2008 – Introduction of a departmental Continuous Improvement Officer to work on projects focused on improving efficiency and customer experience
- 2017 – Digitising paper-based systems to allow for customers to submit applications online.
- 2019 – Extensive update and improvement of the community-facing information on Council's website; including checklists and frequently asked questions.
- 2022 – Consolidated all internal processes on a centralised system (Pathway) to track and manage referrals. This should reduce time to decision.

### **Discussion and Options**

There are three (3) decision points for discussion in this report which are summarised in the following section under three headings: delegations, planning forums and service resources.

#### **Options: Delegations**

The Service Review puts forward two options for achieving the desired improved service and community outcomes which focus on simplifying five (5) current conditions around objectors. In assessing the feasibility of removing/amending the five (5) conditions around objectors, the review found this is change requiring new processes, adaptation of new ways of working and a focus on trust and professional judgement. The options (refined and transformed approach) are summarised in the table below:

**10.2**  
(cont)

	Refined Approach	Transformed Approach
<b>Approach description</b>	<ul style="list-style-type: none"> <li>Retaining the councillor call in, major development and non-compliant delegation conditions (a to c above)</li> <li>Two refined triggers based on number of objectors and type of application (residential and non-residential) i.e. combining conditions (d to g above) and changing condition h (above) from 12 objector properties to 20.</li> <li>Removing specific objector number triggers within conditions (d to h above)</li> </ul>	<ul style="list-style-type: none"> <li>Retaining the councillor call in, major development and non-compliant delegation conditions (a to c above)</li> <li>Removing specific objector number triggers within conditions (d to h above)</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Clear mechanism for applications to be determined by Council.</li> <li>Allows for some nuance between commercial and private applications (eg: 12 vs 20 objector numbers).</li> <li>Is familiar, established and understood by the community and Council.</li> <li>Refining of conditions increases simplicity</li> </ul>	<ul style="list-style-type: none"> <li>Enable Councillors and Officers to use their professional judgement on which applications are suitable to be determined by Council.</li> <li>The key advantage of this approach is the removal of straightforward applications that are within the WPS parameters (but may be unpopular) from becoming politicised at a Council meeting. Councillors commented that these applications can be particularly challenging, as they need to balance the community interests, but also are responsible for making decisions aligned with the WPS. These agendas can be at odds and put Councillors in a challenging position.</li> </ul>



**10.2**  
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<b>Risks</b>	<ul style="list-style-type: none"><li>• Applications that are straightforward (but perhaps unpopular) will continue to be determined by Council.</li><li>• Tension exists with Councillors balancing public interest with their role to administer decisions aligned with the WPS.</li><li>• Inefficient assessment of straightforward applications.</li><li>• Increased overall statutory days to decisions.</li></ul>	<ul style="list-style-type: none"><li>• Relies on strong trust between Councillors and the Planning team, with both parties needing to be well informed on applications, and the community interest in them.</li><li>• Perception of removing the importance of objectors and community input into the planning process.</li></ul>
<b>Dependencies</b>	<ul style="list-style-type: none"><li>• Detailed briefings on specific applications to ensure robust decision making.</li></ul>	<ul style="list-style-type: none"><li>• Ensure the flow of information between Councillors and Officers</li></ul>

**Options: Planning Forums**

The Service Review puts forward two options for ensuring Planning Forums meet their objectives which consider:

- Changing the number of objectors required to convene a planning forum to align with delegations (e.g., increase from 5 objections to 12/20 objector properties). This would increase the consistency of councillor involvement and provide alignment between forums and councillor meetings.
- Removing the prescription of number of objectors, and empowering Councillors and Officers to convene forums when their professional judgement assesses they will be beneficial. This would be a transformed approach and require change to processes, ways of working and strong trust in professional judgement.

**10.2**  
(cont)

The two options (refined and transformed approach) are summarised in the table below:

	<b>Refined Approach</b>	<b>Transformed Approach</b>
Description	<p>Change the trigger for Planning forums to:</p> <ul style="list-style-type: none"> <li>• An application for non-residential use and/or development where there are 20 or more objector properties; or</li> <li>• An application for residential use and/or development where there are 12 or more objector properties.</li> </ul>	<p>Change the trigger for Planning forums to:</p> <ul style="list-style-type: none"> <li>• An application (when advertised) receives objections that Councilors or Officers determine can be resolved by negotiation between parties in a Planning Forum; Officers and/or Councilors can convene a Forum</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>• There is clarity for applicants in when and why forums are called due to the trigger of 20 and 12 objections based on application type.</li> <li>• Is familiar and well understood by the community and Council.</li> <li>• Provides alignment between forums and the council meeting triggers</li> <li>• May reduce delays on processing applications with lower number of objectors</li> </ul>	<ul style="list-style-type: none"> <li>• Forums are only called when there are genuine opportunities for negotiation and improved outcomes.</li> <li>• Forums can be called when there is an issue of importance to discuss, irrespective of the number of objections.</li> <li>• Councilors and Officers can use their expertise and knowledge to determine the benefits of a forum.</li> <li>• Removes the delay on decisions that are likely to be refused.</li> <li>• Provides a streamlined approach to negotiation and considering objectors concerns.</li> <li>• Values objections based on their merit; not solely only volume.</li> </ul>
Risks	<ul style="list-style-type: none"> <li>• The process delays and time between objections being lodged and objections being addressed will continue to be &gt; 3 weeks.</li> </ul>	<ul style="list-style-type: none"> <li>• Perception of removing the importance of objectors and community input into the planning process.</li> <li>• Requires a change to current practice and will need to be managed accordingly with staff and Councilors.</li> </ul>

## 10.2 (cont)

### **Options: Service Resourcing**

The Service Review explored a range of options to change the service resourcing and model with the aim to improve the customer experience and reduce the average time taken to make a decision. This is reliant on the following factors:

- The workload of Planners (total applications divided by Planner FTE available for assessments);
- Process and technology efficiency;
- Efficiency of the provision of specialist advice particularly Arboriculture assessments. A particular issue to be address was the lack of qualified arborist support for dead, dying and dangerous tree assessments outside of business hours of 8am-5pm, weekdays.

There are two options outlined in the table below for consideration. Given the resourcing and recruitment challenges described in this report, there would be a need to maintain the current model with additional funding (Optimise) during any transition period to the recommended option (Transform).

	<b>Optimise Option</b>	<b>Transform Option</b>
Summary (same for both options)	<ul style="list-style-type: none"> <li>• Permanently adjust Planner resources by 4.0 FTE (convert long standing temporary roles).</li> <li>• Deliver customer &amp; operational efficiencies with an increased focus on customer service and continuous improvement function – increase 1.2 FTE.</li> </ul>	
Summary (Arboriculture model)	<ul style="list-style-type: none"> <li>• Continue to receive arboriculture advice through Contractors engaged under a panel contract</li> <li>• Dead, dying and dangerous tree assessments completed by qualified arborists. Additional funding provided to engage assessments outside of normal business hours.</li> </ul>	<ul style="list-style-type: none"> <li>• Create dedicated arboriculture team within City Planning &amp; Development to provide arboriculture advice to Planning and Planning Enforcement</li> <li>• Dead, dying and dangerous tree assessments completed by qualified arborists. Additional funding provided to engage assessments outside of normal business hours</li> </ul>

**10.2**  
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Summary of costs	<ul style="list-style-type: none"> <li>• Total increase + 1.20 FTE</li> <li>• Total increase to annual budget \$535k</li> </ul>	<ul style="list-style-type: none"> <li>• Total increase + 5.20 FTE</li> <li>• Total increase to annual budget \$611k</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>• Service delivered by contractors to an agreed service level as defined by contractual terms</li> <li>• Payment is only required for services delivered, cost able to fluctuate with service demand</li> <li>• Lower increase to organisational FTE</li> <li>• Additional funding supports weekend tree assessment by qualified arborists</li> </ul>	<ul style="list-style-type: none"> <li>• Provides consistent arbour services for applications and enforcement</li> <li>• Creates dedicated team who can directly respond to customer feedback and organisational need</li> <li>• Enhanced control over prioritisation of work and responsiveness</li> <li>• Additional funding supports weekend tree assessment by qualified arborists</li> </ul>
Risks	<ul style="list-style-type: none"> <li>• Dependency on contractors with limited loyalty to Council</li> <li>• Community perception of arbour expertise continues to be negative</li> <li>• Limited control over timeliness and quality within current contract</li> <li>• Increase to organisational FTE and headcount (+1.20)</li> </ul>	<ul style="list-style-type: none"> <li>• Challenges to recruit Arborist expertise at council rates</li> <li>• Managing change within service</li> <li>• Increase to organisational FTE and headcount (+5.20)</li> <li>• Internal staff time taken up with organisational employment obligations (meetings, customer correspondence, compliance training, paid leave etc.)</li> </ul>

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### **SUPPORTING REPORT DETAILS**

#### **Legislative and Risk Implications**

The Statutory Planning service is responsible for undertaking the role and duty of the Responsible Authority under the rules and regulations of the *Planning and Environment Act 1987*, the *Subdivision Act 1988* and associated legislation. The *Planning and Environment Act 1987* sets the legal framework for the planning system, each municipality in Victoria is covered by a planning scheme that regulates the use, development, and protection of the land.

The Planning and Environment Regulations 2015 set out requirements of the Responsible Authority in carrying out its duty including:

- Processing of permits;
- Certificates of compliance;
- Compensation;
- Enforcement and legal proceedings.

Risk implications were assessed against the following three criteria:

1. Community Experience and Outcomes– impact on accessibility, responsiveness, fairness, and equity.
2. Financial Sustainability – impact on long-term financial sustainability.
3. Operational Feasibility – impact on productivity, employees, and operations.

#### **Equity, Inclusion, and Human Rights Considerations**

In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.

The subject matter and recommendations of this report serve to enhance section 18 of the Human Rights Charter: The right to take part in public life. Improving the Service's communications by removing complex jargon and providing supporting service information in multiple ways increases accessibility for those:

- English is not a first language
- Have challenges processing overly complex information
- Enhances the ability of all to understand the service and effectively engage.

The report has no further legal ramifications or impacts in relation to Gender Equity or Child Safe Standards.

## 10.2 (cont)

### Community Engagement

The Service Review undertook internal and external consultation and engagement. A summary is provided in the table below:

Consultation	Method
<b>Statutory Planning Service Customers</b>	<ul style="list-style-type: none"> <li>Survey (1500 sent, response of 55)</li> </ul>
<b>Customer Feedback / Complaints</b>	<ul style="list-style-type: none"> <li>Reviewed existing customer feedback and case studies on the service</li> </ul>
<b>Metropolitan &amp; Regional Councils</b>	<ul style="list-style-type: none"> <li>Benchmarking conducted via email</li> <li>Consultation sessions</li> <li>Discussions on issues and best practice</li> </ul>
<b>Department of Energy, Environment and Climate Action</b>	<ul style="list-style-type: none"> <li>Meetings</li> <li>Sharing best practice resources</li> </ul>
<b>Councillor Feedback &amp; insight</b>	<ul style="list-style-type: none"> <li>Consultation forum</li> </ul>
<b>Executive Team</b>	<ul style="list-style-type: none"> <li>Briefings and presentations</li> </ul>
<b>Statutory Planning Service team</b>	<ul style="list-style-type: none"> <li>Workshops</li> <li>Surveys</li> <li>Meetings</li> </ul>
<b>Internal referring teams</b>	<ul style="list-style-type: none"> <li>Meetings &amp; workshops</li> </ul>

### Financial and Resource Implications

The service resourcing requirements have an implication for Council's approved employees (FTE) and ongoing organic budget.

Service Resource Option	Optimise	Transform
<b>Employee Resource Impact</b>	+1.20 FTE	+5.20 FTE
<b>Annual Budget Impact</b>	\$535,463	\$611,068

Decisions made in regards to the delegations and forums will have no material financial and resource impacts.

### Innovation and Continuous Improvement

The Service Review Program is designed to find the most appropriate way to ensure Council delivers services to the community in the most appropriate, effective and efficient way. This program of review seeks transformative change focused on improving outcomes for our customers and residents. This Service Review has established a suite of internal process improvement

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opportunities, which will serve to increase efficiency, remove “red tape” and improve the customer experience.

### **Collaboration**

The challenges faced by the Statutory Planning Service are not unique to Whitehorse City Council. As part of the Service Review, seven (7) Victorian Councils were engaged to understand their challenges and opportunities in service operation. The Service Review also engaged with the State Government via the Department of Energy, Environment and Climate Action (formerly DELWP) on their Better Planning Approvals project, resources and best practice guidance.

### **Conflict of Interest**

The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.

Council officers involved in the preparation of this report have no conflict of interest in this matter.

### **Conclusion**

The Service Review conducted by the Transformation Division recommends changes to the Service to improve the customer experience and its compliance to statutory timeframes.

The Service Review’s recommended approaches are:

#### Delegations

Change the five (conditions d to h) current trigger-based delegations into two trigger-based delegations for improved clarity and simplicity:

- New Condition d: An application for non-residential use and/or development where there are 20 or more objector properties; or
- New Condition e: An application for residential use and/or development where there are 12 or more objector properties.

#### Planning Forums

Change the conditions for triggering a forum to:

- An application for non-residential use and/or development where there are 20 or more objector properties; or
- An application for residential use and/or development where there are 12 or more objector properties.

#### Service Resourcing

Increase the service resourcing by 5.2 full-time equivalent (FTE) staff) to provide long term service continuity and ensure a sustained focus on customer service and continuous improvement.

### 10.3 Records of Informal Meetings of Councillors

#### RECOMMENDATION

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

Special Councillor Briefing 22 February 2023 – 6.30pm-7.27pm		
<b>Matter/s Discussed:</b> Tech Transformation in Local Government - Deloitte	<b>Councillors Present</b> Cr Lane (Mayor & Chair) Cr Cutts (Deputy Mayor) Cr Barker Cr Liu Cr Massoud Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett	<b>Officers Present</b> S McMillan S Cann S Sullivan S White
	<b>Others Present</b> R Jeffrey – Deloitte R Wildes – Deloitte D Gilbertson - Deloitte	
<b>Disclosures of Conflict of Interest</b>	None Disclosed	
<b>Councillor /Officer attendance following disclosure</b>	None Disclosed	

Councillor Informal Briefing 27 February 2023 – 6.30pm-6.52pm		
<b>Matter/s Discussed:</b> <ul style="list-style-type: none"> <li>Urgent Business</li> <li>Public Presentations</li> <li>Public Question</li> <li>Item 12.1 Aquatic Service Review</li> <li>Council Agenda Items 27 February 2023</li> </ul>	<b>Councillors Present</b> Cr Lane (Mayor & Chair) Cr Cutts (Deputy Mayor) Cr Barker Cr Carr Cr Davenport Cr Liu Cr Massoud Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett	<b>Officers Present</b> S McMillan J Green L Letic S Cann S White C Altan V Ferlaino M Hofsteter S Lozsan K Woods
<b>Disclosures of Conflict of Interest</b>	None Disclosed	
<b>Councillor /Officer attendance following disclosure</b>	None Disclosed	



**10.3**  
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<b>Councillor Briefing 5 March 2023 – 9.00pm-3.00pm</b>		
<b>Matter/s Discussed:</b>	<b>Councillors Present</b>	<b>Officers Present</b>
Draft budget for 2023/24 Financial Year	Cr Lane (Mayor & Chair) Cr Cutts (Deputy Mayor) Cr Barker Cr Carr Cr Davenport Cr Liu Cr Massoud Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett	S McMillan J Green L Letic S Cann S Sullivan S White C Clarke C Bolitho N Brown S Fotia A Ghastine Z Quinn
<b>Disclosures of Conflict of Interest</b>	None Disclosed	
<b>Councillor /Officer attendance following disclosure</b>	None Disclosed	

<b>Councillor Briefing 8 March 2023 – 6.30pm-7.30pm</b>		
<b>Matter/s Discussed:</b>	<b>Councillors Present</b>	<b>Officers Present</b>
Briefing from the North East Link Project - Urban Design Landscape Plan for central package of project.	Cr Lane (Mayor & Chair) Cr Cutts (Deputy Mayor) Cr Barker Cr McNeill Cr Munroe	S McMillan J Green I Kostopoulos A Da Campo L McGuinness
<b>Disclosures of Conflict of Interest</b>	None Disclosed	
<b>Councillor /Officer attendance following disclosure</b>	None Disclosed	

**10.3**  
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<b>Councillor Briefing 20 March 2023 – 6.30pm-10.00pm</b>		
<b>Matter/s Discussed:</b>	<b>Councillors Present</b>	<b>Officers Present</b>
<ol style="list-style-type: none"> <li>1. South East Metropolitan Advanced Waste Processing Project</li> <li>2. Proposal on Draft Sustainability Strategy 2030</li> <li>3. East Burwood Reserve Draft Masterplan Report</li> <li>4. Whitehorse 5 Star Food Safe Program</li> <li>5. Meals on Wheels Transition</li> <li>6. Council Agenda Items 27 March 2023</li> </ol>	<p>Cr Lane (Mayor &amp; Chair) Cr Cutts (Deputy Mayor) Cr Barker Cr Carr Cr Davenport Cr Liu (online) Cr Massoud Cr McNeill Cr Munroe Cr Skilbeck Cr Stennett</p>	<p>S McMillan S Cann J Green S Sullivan S White C Altan B Fenton M Hassan T Jenvey M Kagawa S Kinsey K Woods</p>
	<b>Others Present</b>	
	<ol style="list-style-type: none"> <li>1. T Frederico, SEMAWP Pty Ltd</li> <li>2. G Ashley, Hip V Hype Consultancy</li> <li>3. L Fraser, Fraser Design Collaborative</li> </ol>	
<b>Disclosures of Conflict of Interest</b>	<p>Councillor: Mark Lane left the Meeting at 9.48pm prior to the discussion of item 12.1 - Whitehorse Sport and Recreation Reference Group - Appointment of Members of the Draft Council Agenda and returned at 9.52pm after the conclusion of the matter.</p>	
<b>Councillor /Officer attendance following disclosure</b>	<p>Officer Simon McMillan left the Meeting at 9.53pm prior to the discussion of item 12.2 - CEO Employment matters of the Draft Council Agenda and did not return.</p>	

## **11 COUNCILLOR DELEGATE AND CONFERENCE / SEMINAR REPORTS**

### **11.1 Reports by Delegates**

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(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.

### **11.2 Reports on Conferences/Seminars Attendance**

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#### **RECOMMENDATION**

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

## **CLOSURE OF THE MEETING TO THE PUBLIC**

## **12 CONFIDENTIAL REPORTS**

That in accordance with the Section 66(2)(A) of the *Local Government Act 2020*, Council close the meeting to members of the public and adjourn for five minutes to allow the public to leave the Chamber prior to considering the following confidential matters:

### **12.1 Whitehorse Sport and Recreation Reference Group – Appointment of Members**

#### **RECOMMENDATION**

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 the following confidential items, as the matters to be discussed contain confidential information for the purposes of section 3(1) of the Local Government Act 2020:

**This ground applies because the matter concerns personal information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (Section 3(1)(f)).**

## 12.2 CEO Employment Matters

### **RECOMMENDATION**

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 the following confidential items, as the matters to be discussed contain confidential information for the purposes of section 3(1) of the Local Government Act 2020:

**This ground applies because the matter concerns personal information which if released would result in the unreasonable disclosure of information about any person or their personal affairs (Section 3(1)(f)).**

## 13 CLOSE MEETING