



WHITEHORSE  
CITY COUNCIL

# Whitehorse City Council

## MINUTES

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### **Council Meeting**

on

**Monday 13 May 2024 at 7.00pm**

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

Meeting opened at 7.00pm

**Present:** Cr Denise Massoud Mayor  
Cr Andrew Davenport Deputy Mayor  
Cr Blair Barker  
Cr Raylene Carr  
Cr Prue Cutts  
Cr Mark Lane  
Cr Tina Liu  
Cr Amanda McNeill  
Cr Andrew Munroe  
Cr Trudy Skilbeck  
Cr Ben Stennett

**Officers:** Simon McMillan Chief Executive Officer  
Jeff Green Director City Development  
Zoe Quinn Acting Director Community Services  
Siobhan Sullivan Executive Manager Transformation  
Steven White Director Infrastructure  
Vivien Ferlaino Manager Governance and Integrity  
Kerryn Woods Coordinator Governance

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## 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.**

### Acknowledgement of Country

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

Nil

## 3 Disclosure of Conflicts of Interest

Nil

## 4 Confirmation of Minutes of Previous Meeting

Minutes of the Council Meeting 29 April 2024

### **COUNCIL RESOLUTION**

Moved by Cr Skilbeck, Seconded by Cr Liu

That the minutes of the Council Meeting 29 April 2024 be confirmed.

**CARRIED UNANIMOUSLY**

## 5 Urgent Business

Nil

## 6 Public Presentations

### 6.1 D Sinclair, Box Hill – Blackburn South Cricket Club and Blackburn New Hope Football Club

Item 10.1 Mirrabooka Reserve Pavilion Development Update

### 6.1 Y Bowyer, Box Hill – Surrey Hills and Mont Albert Progress Association

Item 10.2 Significant Hedge Maintenance Policy 2024

## 7 Public Question Time

### 7.1 H Krejcar and H Barakat, Box Hill North

#### Question 1

Has Council lobbied the State Government in the past 6 months, regarding the vacant housing problem within the City of Whitehorse? What is Council doing to tackle the problem?

#### Response

Whitehorse City Council's Affordable Housing Policy 2023 outlines our commitment to advocating for measures that increase the supply of social and affordable housing in our city. As part of this commitment, 'Council will advocate for a review of the Victorian Government's Vacant Residential Property Tax (VRLT) to encourage greater conversion of vacant private accommodation into affordable housing'.

In early December 2023, Council advocated for enhancements to the VRLT, aligning with our Affordable Housing Policy objectives. Council emphasised the need to strengthen compliance and enforcement measures, proposing the introduction of mandatory annual declarations of occupancy status for property owners, based on successful models employed elsewhere. Council also highlighted the importance of random audits to verify self-reported information and proposed stronger penalties for non-compliance. To supplement Census information, we suggested alternative indicators of residential vacancy, such as water usage data. Our engagement also underscored the necessity of adequate resourcing for the management and monitoring of the VRLT, particularly in regard to audits and regulatory adherence.

To further our advocacy efforts, Council is currently finalising another letter to State Government, requesting information pertaining to the volume and distribution of vacant dwellings within Whitehorse, the methods employed by State Government to identify vacant dwellings, and initiatives currently being implemented by State Government to encourage the release of vacant dwellings for sale or rent and to prevent land banking practices. It is our aim that through collaborative efforts and proactive measures, we can effectively

address the challenges posed by vacant properties and contribute to a more equitable and sustainable housing situation in our region.

## 7.2 H Krejcar, B Krejcar and H Barakat, Box Hill North

### Question

Will Council lobby the State government in relation to:

1. Open green spaces, especially the Brickworks site?
2. Lack of response to Council's last submission, and if so how?
3. For a community meeting with Council and residents of the City of Whitehorse so that a transparent discussion regarding the significant changes the SRLA intends to bring the City of Whitehorse?

### Response

Council continues to strongly advocate to Suburban Rail Loop Authority (SRLA) as well as to local Members of Parliament and the Minister for Suburban Rail Loop. Particular focus has been paid in recent months (and will continue) regarding the need for significant increase in open space, including dialogue with Council about the potential of the Brickworks site to offer open space.

The position of Council is highlighted in a Statement on Council's website issued recently in response to SRLA's release of the Precinct Key Directions.

Council has asked, and will continually encourage, the SRLA to work in partnership with Council so that we can obtain the best community outcomes for Whitehorse. Council continues to ask for a detailed response from SRLA to the submissions made in response to the Precinct Discussion Paper and the draft Precinct Visions. To date, Council has only been provided with the Community Engagement Report produced by SRLA, however this does not provide the level of detail that Council requests to understand the rationale behind the SRLA directions and decisions.

Council has requested information about the proposed activities for the current round of SRLA community engagement. At this stage we are aware that information sessions have been arranged by SRLA, details of which can be found on the Big Build website.

## 7.3 B Krejcar, Box Hill North

### Question

Many residents within the City of Whitehorse are still unaware of the proposed changes by the Suburban Rail Loop Authority (SRLA) as detailed in The Sunday Age, 28th April 2024. As a consequence, letterbox leaflet dropping alone is not enough. Will Council continue to do community "pop-ups" especially on weekends, after hours, or



even electronically (i.e., Zoom meetings) to ensure many hardworking residents have the opportunity to attend and become informed and subsequently provide feedback on this significant issue?

### **Response**

Council is currently in the process of planning its own community engagement, which is proposed to include a pop up, in order to raise awareness of the proposed changes and to encourage the community to provide feedback to SRLA.

## **8 Petitions and Joint Letters**

### **8.1 Strabane Avenue - Tyrell St Crossover, Mont Albert North**

1. A petition requesting that the crossover requires assessment by Council has been received and signed by 130 signatories in support.
2. The petition request is as follows:  
*"We the undersigned, request that Council; Attend the site of Tyrell Street & Strabane Avenue, Mont Albert North to meet residents, discuss and assess the importance of the old pedestrian crossover. The crossover presented as vehicle driveway and had been used by Pedestrians & Cyclists for over 40 years."*

At the request of the head petitioner this item will be listed for consideration at the Council meeting to be held on Monday 27 May 2024.

## **9 Notices of Motion**

Nil

## **10 Council Reports**

## 10.1 Mirrabooka Reserve Pavilion Development Update

**Department** Leisure and Recreation Services  
Director Community Services

Attachment

### SUMMARY

Mirrabooka Reserve in Blackburn South is home to Blackburn New Hope Football Club and the Blackburn South Cricket Club, who with a combined membership of 700 players occupy the Mirrabooka Reserve Pavilion which is currently planned for renewal.

This report provides background information on the Mirrabooka Reserve site and planning undertaken to date towards the delivery of the Pavilion redevelopment.

### COUNCIL RESOLUTION

Moved by Cr Skilbeck, Seconded by Cr Lane

That Council

1. Notes the budget allocation for the Mirrabooka Reserve Pavilion redevelopment is \$7 million and that Concept Design option 1 presented in this report meets the budget threshold.
2. Notes that Concept Design Option 2 presents a better outcome for stakeholders and community through increased capacity and flexible use and is likely to exceed the current budget allocation.
3. Endorses Concept Design Option 2 to progress to detailed design and receive a further report on this design and the estimated cost.

**For:** Cr Carr, Cr Cutts, Cr Lane, Cr Liu, Cr Massoud, Cr McNeill, Cr Munroe, Cr Skilbeck, Cr Stennett (9)

**Against:** Cr Barker, Cr Davenport (2)

**CARRIED**

### Key Issues

#### Project Background

Mirrabooka Reserve in Blackburn South is an important sporting precinct situated across both Council and Department of Education (DoE) land and is located adjacent to Orchard Grove Primary School and Aurora School. It is home to the Blackburn New Hope Football Club (500+ playing members) in winter and the Blackburn South Cricket Club (200+ playing members) in summer as well as a number of other secondary user groups throughout the year.

## 10.1 (cont)

The site (as pictured below) consists of:

- Four sports fields (west, north and mid owned by DoE, south owned by Council), configured as six soccer fields in winter.
- Sports pavilion (approx. 300m<sup>2</sup>)
- 58 car spaces and one disabled car space
- Cricket training nets (three bays)
- Open space and natural vegetation



Figure 1. Mirrabooka Reserve Site Aerial Image, land ownership shown indicatively.

The need for a pavilion upgrade has been identified by the tenant clubs over a significant period of time as the existing facility is not adequate to support the club's participation growth. Both clubs utilise multiple ovals / soccer pitches concurrently for matches and training. This is most evident in winter when Blackburn New Hope hosts home matches for two or three female senior teams while managing concurrent fixtures of its ten male senior teams.

A budget of \$7 million has been allocated for this project consisting of contributions from the Australian Government (\$2M), State Government (\$3M) and Council capital works (\$2M).

Construction is expected to commence in late 2025 and is to be completed by the end of 2026. A temporary facility will be installed prior to commencement of the pavilion's construction for the sporting clubs to use to support ongoing training and competition.

## 10.1 (cont)

**STRATEGIC ALIGNMENT**

Redevelopment of the Mirrabooka Reserve pavilion aligns with the strategic directions of the Council Plan, in particular:

Strategic Direction 4, Movement, and public spaces,

4.1.1: Plan, build, renew and maintain community assets and facilities to meet current and future service needs in an environmentally, financially, and socially sustainable way.

Strategic Direction 6, Empowered Collaborative community,

6.1.2: Council will listen and be responsive to Community suggestions and feedback.

Strategic Direction 7, Health, and Wellbeing,

7.1.1: Provide accessible services and programs.

7.3.4: Promote participation in local sporting opportunities.

**BACKGROUND****Discussion and Options****Concept Design and Cost Estimate**

Two concept design options have been developed to inform the delivery of this project. Concept Design Option 1 (Attachment 1) has been developed taking stakeholder feedback into consideration and in line with the available budget.

Table 1 captures key functions and rooms included in this option and associated cost estimate.

*Table 1. Option 1 Key Functions and Rooms*

<b>Total Area</b>	<b>Social / Community Space</b>	<b>Change Rooms</b>	<b>Toilets</b>	<b>External Storage</b>	<b>Other</b>	<b>Total Cost Estimate</b>
922m <sup>2</sup> incl. covered outdoor area	100m <sup>2</sup> + kitchenette (3m <sup>2</sup> )	6 x Unisex 2 x Umpire with adjoining amenities	Male (16m <sup>2</sup> ) Female (16m <sup>2</sup> ) Accessible (6m <sup>2</sup> ) Public accessible (8m <sup>2</sup> )	2x 31m <sup>2</sup> 1x 10m <sup>2</sup>	Kiosk / Kitchen (30m <sup>2</sup> ) Social Storage (14m <sup>2</sup> ) First Aid (16m <sup>2</sup> )	\$7,000,000 excl. GST

This design includes internal operable walls to provide flexibility of use throughout the change rooms and social space, as well as external connections. This design approach has been implemented for pavilions at Bennettswood Reserve, Heatherdale Reserve and Springfield Park.

A timed public facing toilet is included within the building footprint for public precinct use, opening hours will be further explored during the design development. Male and female toilets provide flexible use during social room events and when the social room is not available.

The concept design includes an extended roof line to provide shade in summer and shelter during winter for parents, family, and the public.

## 10.1 (cont)

Drinking fountains, wash, and water bottle filling stations are to be considered for incorporation into the perimeter of the pavilion through the detailed design process.

A second option has been developed further noting stakeholder feedback particularly in relation to the size of the social space and to provide a better outcome for the broader community through additional social and flexible community space. This option is referred to as Concept Design Option 2 (Attachment 2).

Table 2 reflects space provision included in Concept Design Option 2 and an estimated cost of \$7,785,000 which exceeds the current project budget of \$7M.

Table 2. Option 2 Key Functions and Rooms

Total Area	Social / Community Space	Change Rooms	Toilets	External Storage	Other	Total Cost Estimate
1035m <sup>2</sup> incl. covered outdoor area	200m <sup>2</sup> + kitchenette (4m <sup>2</sup> ) that can be divided into two rooms of 160m <sup>2</sup> and 40m <sup>2</sup>	6 x Unisex 2 x Umpire with adjoining amenities	Male (16m <sup>2</sup> ) Female (16m <sup>2</sup> ) Accessible (6m <sup>2</sup> ) Public accessible (8m <sup>2</sup> )	2x 31m <sup>2</sup> 1x 8m <sup>2</sup>	Kiosk / Kitchen (30m <sup>2</sup> ) Social Storage (14m <sup>2</sup> ) Internal Storage (10m <sup>2</sup> ) First Aid (16m <sup>2</sup> )	\$7,785,000 excl. GST

There are a number of site constraints that have been taken into consideration with both design options and will need further assessment during detailed design process including the position and orientation of the sports ground to the east, site title boundary to the west, sloping ground to the south and car park entry road to the north.

### Whitehorse Football (Soccer) Participation

Football (Soccer) participation has steadily increased within Whitehorse Council over the recent years and is expected to continue to rise in popularity given recent success of the Australian female national team and hosting of the 2023 FIFA Women's World Cup.

The sport has already rebounded in full to pre-pandemic participation levels and Council officers have experienced a record amount of allocation requests from soccer clubs in the recent Winter 2024 seasonal allocations process.

### Temporary Amenities Update

For the clubs to continue to operate throughout the lifespan of this project, temporary change facilities are to be provided. Planning for these works is underway.

The project is on track for delivery before the end of June 2024 subject to permits approvals (building and planning).

## 10.1 (cont)

Refer to Attachment 4 and 5 for siting and design plans of the temporary change rooms.

### **Mirrabooka Reserve Joint Use Agreement Update**

The joint use agreement for the site is in negotiation with the Department of Education. Execution of the long-term agreement will provide certainty for Council and enable sports field and lighting upgrades to realise the full participation potential of the site supported by the scope of the upgraded pavilion. Information is included here as background information.

Further negotiation with DoE is being undertaken (including engagement with the schools in mid-April) and is at a draft stage before they formally issue the JUA to all parties (Orchard Grove Primary School, Aurora School, Minister for Education and Council) for review and execution in the future.

### **SUPPORTING REPORT DETAILS**

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

There are no legal or risk implications arising from the recommendation contained in this report.

#### **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*.

It is considered that the subject matter does not raise any human rights issues.

#### **Community Engagement**

Community engagement has been initiated on the Pavilion Development. In addition, the Mirrabooka Reserve and Orchard Grove precinct masterplan project consultation is currently open and will run until 6th May with the community pop up event held on 20 April.

The engagement survey considers the precinct masterplan and the pavilion development. <https://yoursay.whitehorse.vic.gov.au/blackburn-south>

The community consultation page has been established with two landing pages, so that community feedback can be separated for Masterplan and pavilion initiatives.

Precinct stakeholders have been consulted through the design and development process.

#### **Financial and Resource Implications**

The budget approved for the pavilion development is \$7 million, supported by \$5 million of external government funding (combined \$3 million State and \$2 million Federal) and \$2.0 million from Council.



## 10.1 (cont)

Cost plans have been received from the quantity surveyor for the two schemes which inform the costs shown in the following tables.

**Option 1 Cost Plan:**

<b>Probable Cost March 2024 (ex GST)</b>
\$7,000,000. Option 1 is expected will be in line with the budget allocation. To achieve budget the project will need to be tightly value managed throughout the design development phase.

**Cost Plan for Option 2:**

<b>Probable Cost March 2024 (ex GST)</b>
\$ 7,785,000. Option 2 exceed the budget allocation. To minimise project costs and additional budget requirements, the project will need to be tightly value managed throughout the design development phase.

**Innovation and Continuous Improvement****Modular Construction:**

Council officers have examined the opportunities for undertaking a modular construction methodology for this pavilion project. Modular construction is an alternative building methodology, which focuses on a fast track and standardised construction process to meet an immediate or emerging need. Modular design layouts are dependent on a standard grid system, which is determined by factory buildability and transport requirements to site. The modular fabrication reduces the time and disruption on site, but allowances need to be made for the offsite fabrication as part of the overall delivery program.

When applied to the Mirrabooka Pavilion project objectives, there would be advantages in reduced disruption through a shorter onsite assembly period. However, the neutral cost benefit, combined with the reduced lifecycle expectation for Modular buildings, and reduced flexibility options for community use raise significant concerns for this methodology.

Given the importance of the multi-purpose usage objective for both community and sporting activities through flexible and multi-use design, it is not considered advantageous to apply a modular construction methodology to this project.

**Consultation Page:**

The community consultation page has been established with two landing pages, so that community feedback can be separated for masterplan and pavilion initiatives.

## 10.1 (cont)

**Collaboration**

Precinct stakeholders have been consulted through the design development process.

**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**

In conclusion, Concept Design Option 2 presents a better outcome for stakeholders and community through increased capacity and flexible use and is likely to exceed the current budget allocation. It is recommended that Concept Design Option 2 progress to detailed design and at the appropriate time, a further report inclusive of estimated costs be presented for Council's consideration.

**ATTACHMENT**

- 1 Concept Plan Option 1 
- 2 Concept Plan Option 2 
- 3 0030013087 - Temporary Amenities 
- 4 2318\_03 A3 - Temporary Amenities 



## 10.2 Significant Hedge Maintenance Policy 2024

**Department** Community Safety  
Director City Development

Attachment

### SUMMARY

On 28 August 2023 Councillors requested further information and community consultation for an amended Significant Hedge Maintenance Policy (Policy). The original Policy was adopted by Whitehorse in 2021.

A review of the current Policy demonstrated that it has been effective and aligns with existing legislation, such as the Whitehorse City Council's Community Local Law 2014 and the Disability Discrimination Act 1992. However, there were two areas of improvement identified which were:

1. Defining a hedge as a cypress hedge.
2. Adding a section that property owners could make application to widen the footpath, at the full cost of the property owner.

### COUNCIL RESOLUTION

Moved by Cr McNeill, Seconded by Cr Barker

That Council adopts the Significant Hedge Maintenance Policy 2024.

**CARRIED UNANIMOUSLY**

### KEY MATTERS

By amending the current Policy to include the two identified improvements, the Policy can more effectively achieve its goals of ensuring safe and accessible pedestrian pathways while balancing the environmental and aesthetic benefits of hedges in the community by giving property owners options where hedges are encroaching the footpath and have complexities surrounding maintenance.

### SUPPORTING REPORT DETAILS

#### Legislative and Risk Implications

The policy is unique among Victorian Councils as benchmarking showed only one other identified specific hedge policy exists. Councils that were benchmarked managed hedges as overhanging vegetation under the Local Law and there were no options for footpath widening.

It is crucial to ensure that the Policy remains aligned with relevant legislation, such as the *Disability Discrimination Act 1992* and the Local Law. Failure to

## 10.2 (cont)

comply with legal requirements could expose Council to potential risk, legal challenges and liabilities.

### 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*.

It is considered that the subject matter does not raise any human rights issues.

### Community Engagement

Overall, the community consultation reflects a range of perspectives regarding the management of hedges and footpaths.

- 63% of submissions supported a permit system allowing property owners to widen footpaths where appropriate, at full cost of the property owner.
- 26% of respondents lived in Mont Albert
- 50% of submissions agreed that the draft Policy balances preserving the health of significant hedges while also keeping footpaths and public spaces accessible, however the other 50% of submissions did not agree with this statement.

Other key findings included:

1. **Safety Concerns:** Many respondents expressed concerns about hedges obstructing footpaths, making it difficult for pedestrians, especially those with mobility issues or disabilities, to navigate safely. Some argue that any deviation from a straight footpath poses a significant safety hazard and that maintaining clear footpaths should be a priority.
2. **Appreciation for the aesthetic value of hedges:** Several respondents highlight the beauty and value of hedges, emphasizing their importance in contributing to the character and charm of the neighbourhood.
3. **Environmental Concerns:** Acknowledgment of the environmental benefits provided by hedges and the importance of balancing preservation with safety and accessibility concerns.
4. **Permit Process:** Suggestions for a simplified, user-friendly permit process that facilitates easy application.

### Financial and Resource Implications

There are no financial or resource implications arising from the recommendation contained in this report.

### Innovation and Continuous Improvement

There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.

### Collaboration

No collaboration was required for this report.

**10.2 (cont)**

**Conflict of Interest**

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

**Conclusion**

Officer recommendation is that the Significant Hedge Maintenance Policy Draft is adopted by Council with an implementation date of 1 July 2024.

**ATTACHMENT**

- 1 Significant Hedge Maintenance Policy 2024 

### 10.3 Suburban Rail Loop - Draft Key Directions for Precinct Structure Plans

**Department** City Planning and Development  
Director City Development

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#### SUMMARY

The purpose of this report is to provide an update regarding the Suburban Rail Loop (SRL) Draft Key Directions for the Precinct Structure Plans (PSP).

On Sunday 28 April 2024 the Suburban Rail Loop Authority (SRLA) released Draft Key Directions for the six new SRL stations.

The SRLA has proposed a set of key directions for the broader precinct around each station that seek to address current and emerging challenges and meet the demand for greater housing choice and the needs of a growing population.

This report summarises the draft Key Directions for Box Hill and Burwood.

#### COUNCIL RESOLUTION

Moved by Cr Liu, Seconded by Cr Davenport

That Council note this report.

**CARRIED UNANIMOUSLY**

#### KEY MATTERS

The key matters relevant to this report are:

- The SRLA commenced the PSP process for each new SRL station with the public release of the 'Precinct Discussion Paper' in August 2023.
- Council considered a report regarding the Discussion Paper on 23 October 2023 and endorsed a submission that was subsequently lodged with the SRLA.
- In December 2023 the SRLA released the Draft Precinct Visions for Box Hill and Burwood.
- In February 2024 Council endorsed a submission to the Draft Precinct Visions which was lodged with the SRLA.
- The SRLA has now released draft Key Directions for each station precinct. The SRLA is inviting feedback until 30 June 2024.

#### STRATEGIC ALIGNMENT

The Council Plan calls for advocacy about transport, health, environmental, economic, social and wellbeing improvements. Council officers continue to have discussions with the SRLA about these matters as they relate to the PSP process.

## 10.3 (cont)

**Policy**

Extensive information has been provided to the SRLA regarding Council documents, including existing and draft structure plans. The documents are based on robust community engagement and Council officers have consistently stated that the SRLA should consider them as a reflection of the community and Council views.

**BACKGROUND**

The PSP process commenced with the release of the 'Precinct Discussion Paper' in mid-2023. Council endorsed a submission regarding the Discussion Paper at its meeting on 23 October 2023. While a verbal briefing was provided by the SRLA representatives to Councillors on 30 January 2024, no formal response to Council's previous submission has been received.

The Draft Precinct Visions were released for public comment in December 2023. Council endorsed a submission regarding the Precinct Visions at its meeting on 26 February 2024. No formal response to Council's submission has been received.

The Draft Key Directions were released on 28 April 2024 for public comment until 30 June 2024.

**Discussion and Options**

The release of the Draft Key Directions is the next step in developing the Precinct Plans around each of the SRL stations. The Draft Key Directions can be found online at <https://www.srleastvisions.com.au/>

Each of the six station precincts have the same key direction themes:

- Boosting the economy
- Enriching community
- Better connections
- Enhancing place
- Empowering sustainability

The following outlines the Draft Key Directions for Box Hill and Burwood prepared by the SRLA.

Box Hill**Boosting the Economy**

- Ensure the Box Hill Precinct will have enough office space to accommodate significant employment growth, especially near to the centre.
- Ensure sustainable growth of health and education services in the Precinct.
- Extend activity and services right across the Precinct to support local living.

10.3 (cont)

- Concentrate retail and entertainment uses in and around the Precinct Centre to support a vibrant and culturally diverse place.



10.3 (cont)

**Enriching community**

- Ensure community infrastructure supports the needs of residents and workers.
- Provide greater housing diversity to support local living.





10.3 (cont)

**Better connections**

- Reinforce existing strategic traffic corridors to direct private vehicles outside of the Precinct Centre
- Create a compact, urban centre that prioritises walking and cycling.
- Improve access and connectivity long Whitehorse Road.
- Enhance walking experience along Station Street.
- Enhance the transport interchange’s functionality and connectivity.
- Support public transport and active travel choices to reduce reliance on private vehicles.

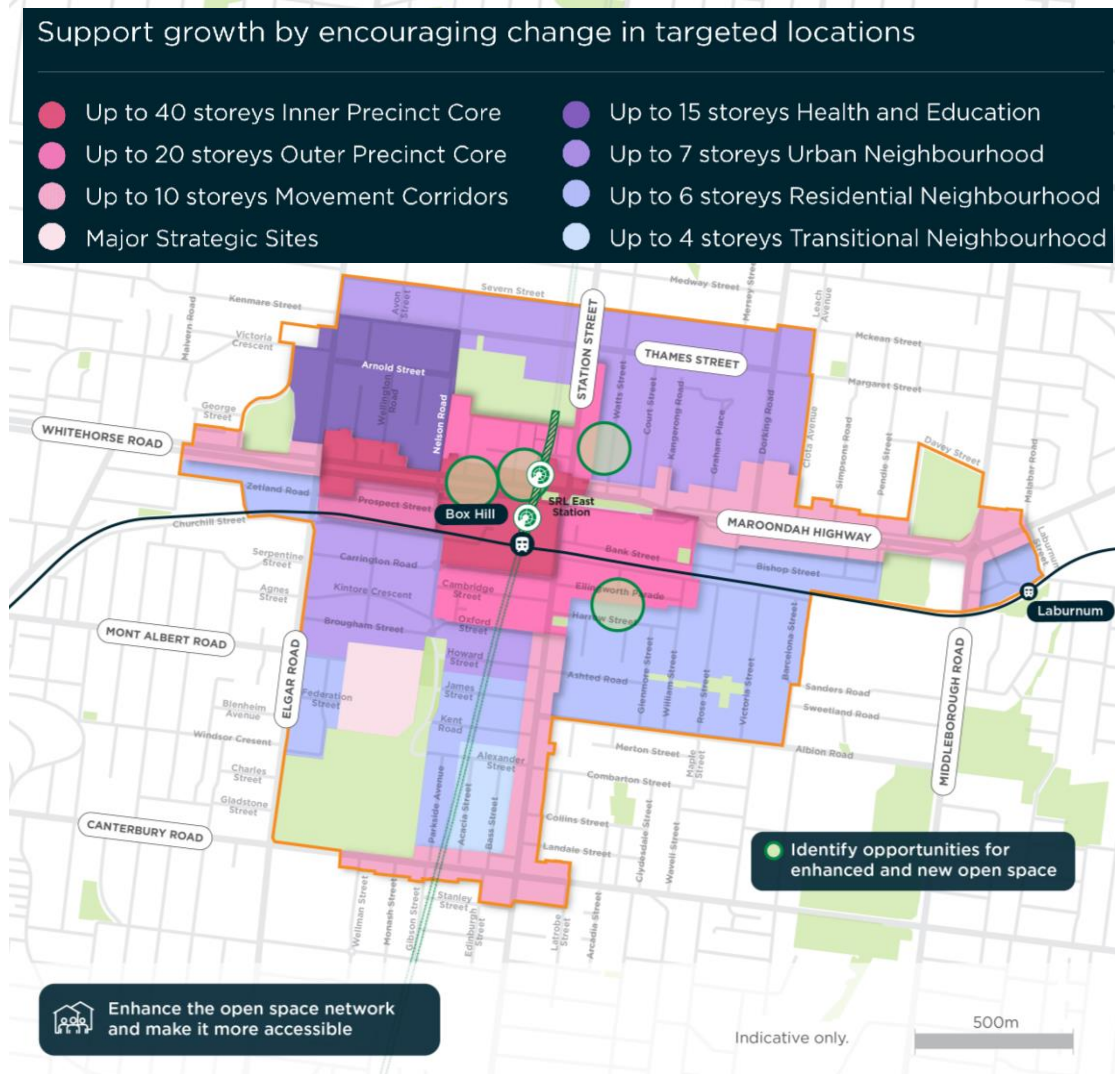




10.3 (cont)

**Enhancing place**

- Identify opportunities for enhanced and new open space.
- Support growth by encouraging change in targeted locations.
- Enhance the open space network and make it more accessible.



10.3 (cont)

**Empowering sustainability**

- New buildings should use sustainable practices such as lower carbon material and include renewable energy in their design.
- Future proof the precinct and plan for new energy technologies.
- Create a cool and green environment.
- Embed sustainable water management.



10.3 (cont)

Burwood

**Boosting the economy**

- Support and facilitate the growth of Deakin University's Burwood Campus.
- Create a mixed-use Precinct Centre around the SRL train station.
- Transform Burwood Highway and Highbury Road into areas with more retail and businesses.
- Create a network of high-amenity knowledge-based employment areas.





10.3 (cont)

**Enriching community**

- Ensure community infrastructure supports the needs of residents and workers, including multi-purpose hubs.
- Introduce greater housing diversity.



10.3 (cont)

**Better connections**

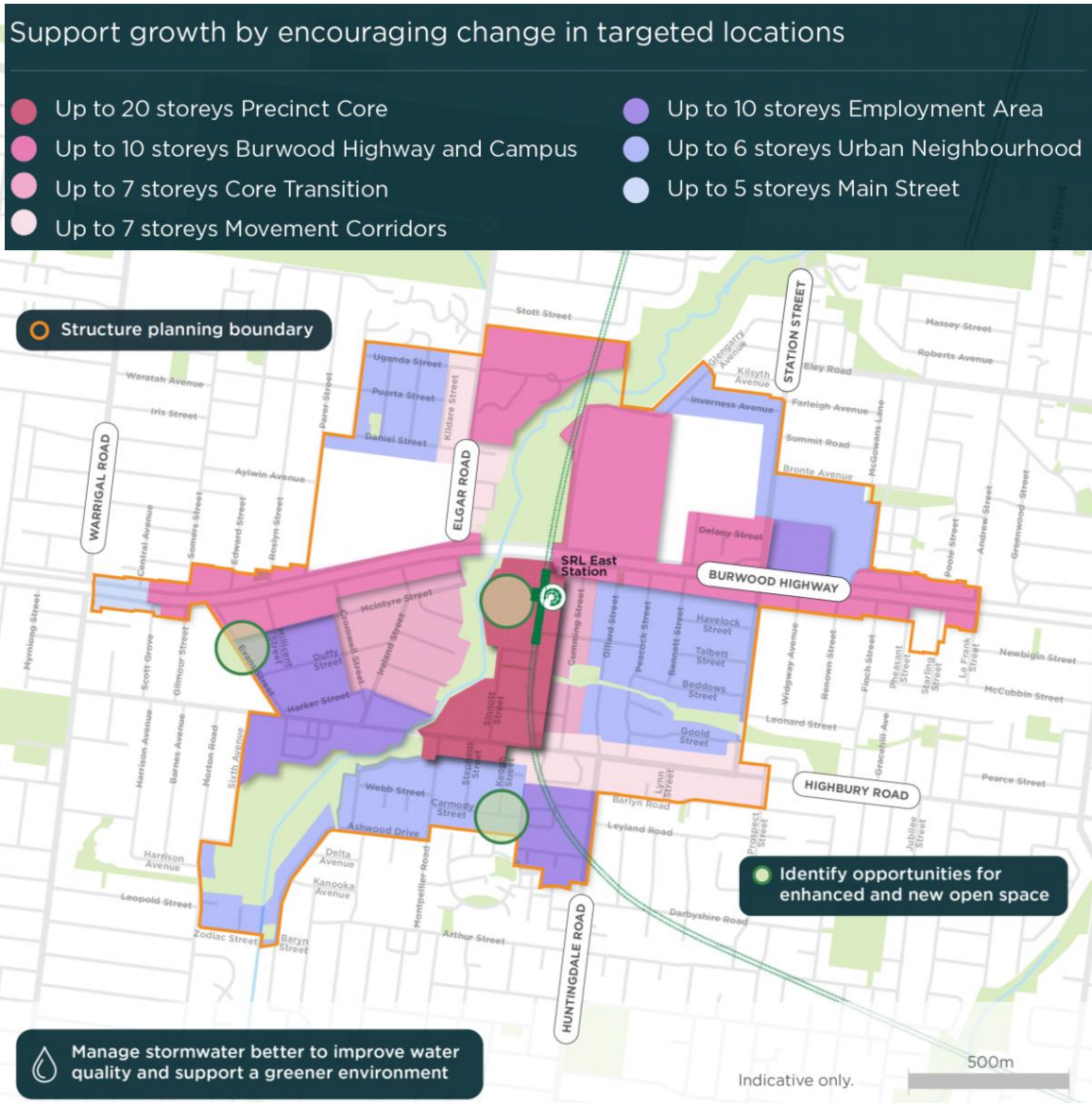
- Investigate improving walking, cycling and biodiversity connections along Gardiners Creek (KooyongKoot).
- Create a world class and well-integrated public transport interchange.
- Upgrade and connect transport routes, as well as improve walking and cycling paths.
- Support public transport and active travel choices to reduce reliance on private vehicles.



10.3 (cont)

**Enhancing place**

- Identify opportunities for enhanced and new open space.
- Support growth by encouraging change in targeted locations.
- Manage stormwater better to improve water quality and support a greener environment.

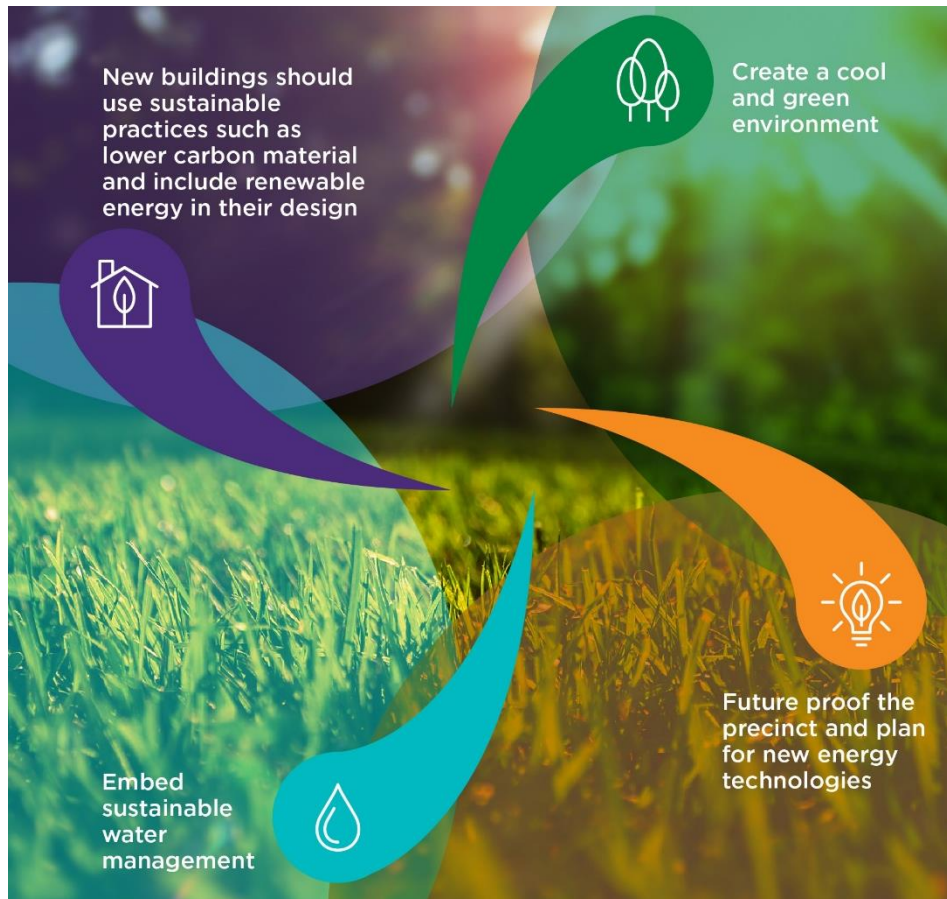




## 10.3 (cont)

**Empowering sustainability**

- New buildings should use sustainable practices such as lower carbon material and include renewable energy in their design.
- Future proof the precinct and plan for new energy technologies.
- Create a cool and green environment.
- Embed sustainable water management.



No further explanation or rationale has been provided by the SRLA to assist in understanding the draft Key Directions. From the maps provided, it would appear that the SRLA has focussed mostly on future building heights to underpin the *Enabling Place* theme, but with comparatively limited moves proposed for the other four themes. The SRLA's proposed building heights and intensity in traditional residential areas within the precincts anticipates significant growth and change as a result of the SRL project.

The draft Key Directions have only recently been released and are being reviewed by Council officers. A submission will be prepared for consideration at a future council meeting. Officers will also encourage community members to participate in the SRLA's engagement activities which are to be held over the coming months and can make their own submissions by the 30 June 2024 deadline.

10.3 (cont)

## **SUPPORTING REPORT DETAILS**

### **Legislative and Risk Implications**

The *Suburban Rail Loop Act (2021)* gave the Minister for SRL power to declare the areas within which PSPs are to be prepared, which are referred to as “SRL planning areas”. The Minister for SRL declared the SRL planning areas on 4 December 2023.

The SRLA became the Planning Authority under the *Planning and Environment Act (1987)* for the declared planning areas, which means that the SRLA can prepare the precinct structure plans and exhibit any planning scheme amendments. Council continues to be the Responsible Authority as well as a Planning Authority and will continue to assess planning permit applications.

Council has requested the SRLA to enter a partnership agreement to develop the Precinct Structure Plans. Given no formal response has been provided to Council and the SRLA are well advanced in the preparation of the PSPs, there are risks that Council will not be invited to participate nor have the views it expresses in submissions genuinely considered. This brings the potential for reputational risks between the SRLA and Council, as well as risks that the project outcomes may not meet Council’s or the community’s expectations and aspirations, potentially leaving an untenable legacy for the Whitehorse community.

### **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*. It is considered that the subject matter does not raise any human rights issues.

### **Community Engagement**

No community engagement was required for this report.

Council has previously undertaken extensive community engagement on the Draft Precinct Visions in lieu of the SRLA planning any such engagement in the first instance. The SRLA subsequently organised community engagement activities which Council welcomed.

In Council's submissions to the Discussion Paper and Draft Precinct Visions, Council requested that a specific report responding to Council’s submission be provided to Council ahead of, or with, further phases of the PSP process, as this would help Council to understand the awareness of the project and the community views, and the rationale for future proposals as the development of the PSPs evolve.

No report was made available prior to the release of the Draft Precinct Vision documents about the community engagement results from the previous phase on the Draft Discussion Paper. A generic phase one engagement report was made available in April 2024 prior to the release of the Draft Key Directions. This report provided a very high-level summary of the engagement undertaken by the SRLA and officers have again requested a detailed response to Council’s previous submissions to provide to Council.



10.3 (cont)

**Financial and Resource Implications**

There are no financial or resource implications arising from the recommendation contained in this report. Involvement on aspects of the SRL project is however requiring a significant additional demand on Council resources and budget and impacts multiple Departments within Council.

**Innovation and Continuous Improvement**

There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.

**Collaboration**

No collaboration was required for this report.

**Conflict of Interest**

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

**Conclusion**

The draft Key Directions have been released for public comment until June 2024. Council officers are reviewing the information released and will prepare a submission to be presented at a future council meeting. Officers also encourage community members to participate in the SRLA’s engagement activities which are to be held over the coming months. More information can be found at <https://bigbuild.vic.gov.au/projects/suburban-rail-loop/community/have-your-say> and <https://www.srleastvisions.com.au/>

SRLA’s timelines for the PSP process is below, which have shifted from the previously provided timeframes, where the PSPs were due to be exhibited in late 2024. Officers continue to have discussions with the SRLA about the PSP process and will update Council as necessary.



## 10.4 Proposed Adoption of Whitehorse Investment and Economic Development Strategy 2024-2028

**Department** Engineering and Investment  
Director City Development

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Attachment

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### SUMMARY

The purpose of this report is to consider the feedback from the recent Whitehorse Investment & Economic Development Strategy (I&EDS) public consultation period and seek adoption of the final document.

The I&EDS guides economic growth priorities with key economic development themes and actions for Council over the next five years.

Community consultation for the draft I&EDS commenced on Monday 12 February 2024 and concluded on Monday 11 March 2024 with several communication channels and platforms used to encourage members of the community to partake in consultation.

A detailed and considered approach was taken in developing the strategy over the past two years including multiple rounds of community consultation and engagement, including the creation of a Project Reference Group (PRG) comprising of key leaders in the business community.

The I&EDS has five key themes, which were identified from Stage 1 of the strategy's development. These five themes are:

- Supporting a Productive & Innovative Business Community
- Supporting Activity Centres & Employment Precincts
- Visitor Economy Growth
- Accessing a Skilled & "Job-Ready" Labour Force
- Enhancing Liveability Outcomes

The I&EDS provides an opportunity for Council to guide Whitehorse's economy through a holistic approach that encompasses initiatives and projects aligned with the five key themes while improving the quality of life for those living, working, studying, and visiting the City of Whitehorse.

## 10.4 (cont)

**COUNCIL RESOLUTION**

Moved by Cr Lane, Seconded by Cr Liu

That Council:

1. Acknowledges the feedback and engagement associated with the creation of the Investment and Economic Development Strategy including the most recent consultation period from 12 February to 11 March 2024.
2. Adopts the Investment and Economic Development Strategy 2024-2028.
3. Refers a budget allocation of up to \$175k to the 2025/2026 budget to facilitate the delivery of parts of the strategy. Proposed new initiatives include the Business Concierge, Investment and Attraction Facilitation Strategy, Placemaking Framework, and activity.
4. Notes that other key items and initiatives in future years will be subject to funding associated with the relevant budget processes.

**CARRIED UNANIMOUSLY**

**KEY MATTERS**

The expiry of the previous I&EDS came at a time of economic uncertainty and a changing landscape due to several macroeconomic context elements.

To understand the key themes, priorities and experiences from the business and wider community, various engagement activities occurred in 2022 (Stage 1 consultation) which identified five key themes that became the focal points for the I&EDS.

The development of the I&EDS was informed by Stage 1 of community consultation comprising of thorough consultation with industry representatives, community groups, businesses, Council, Government stakeholders and independent research and analysis.

**STRATEGIC ALIGNMENT**

The Investment and Economic Development Strategy 2024-2028 is aligned with the Whitehorse 2040 Community Vision and the Whitehorse City Council Plan 2021- 2025. The strategy supports Strategic Direction 2: *A thriving local economy with high quality accessible education opportunities* of the Council Plan.

**Policy**

The development and implementation of the Whitehorse I&EDS is aligned with varied Council plans and strategies, aimed at enhancing economic development, social and environmental outcomes. This includes the Disability Action Plan, Reconciliation Action Plan, Municipal Public Health and Wellbeing Plan and the Climate Response Strategy.

## 10.4 (cont)

**BACKGROUND**

Two stages of community engagement occurred over the past two years that significantly contributed to the creation and refinement of the I&EDS. Stage 1 comprised of workshops and engagement to understand the local issues and opportunities related to economic development. As a result of Stage 1, two reports were produced (Whitehorse Community and Industry Engagement Report and the Whitehorse Economic Analysis Report) and five key themes that were identified and were a focal point for the documents creation. Stage 2 sought feedback on the draft I&EDS.

The development of the strategy considered the following elements:

- The Macroeconomic context
  - Construction & Housing Market
  - Workforce Shortages
  - Global Economic Uncertainty
  - COVID-19 & Business Recovery
  - Cost of Living Pressures
  - Growth of Advanced Manufacturing
  - Climate Resilience
  - Growing Demand for Healthcare
  - Transition of Retail
  - Innovation and Technology
- Existing Council Strategic Documents
- Five key themes that were identified as a result of Stage 1 consultation:
  - Supporting a Productive & Innovative Business Community
  - Supporting Activity Centres & Employment Precincts
  - Visitor Economy Growth
  - Accessing a Skilled & “Job-Ready” Labour Force
  - Enhancing Liveability Outcomes

The I&EDS focuses on the future of business, industry, investment, employment and improving the quality of life for people living, working, studying, and visiting the City of Whitehorse.

**Discussion and Options**

The I&EDS supports the Whitehorse 2040 Community Vision and Council Plan 2021- 2025. The I&EDS provides the opportunity for a strategic and holistic approach to support the Whitehorse economy to be innovative, sustainable, and inclusive and a place where community and businesses thrive.

10.4 (cont)

## **SUPPORTING REPORT DETAILS**

### **Legislative and Risk Implications**

Council's role in relation to economic development is identified by the *Local Government Act 2020* specifically Part 2, Division 1, Section 8, Part 9(2c).

This section covers the Role and powers of a Council and the associated overarching governance principles and supporting principles.

The section specifically states that a Council must in the performance of its role give effect to several overarching governance principles including "*the economic, social and environmental sustainability of the municipal district*".

### **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*. A Gender Impact Assessment was conducted for the development of the I&EDS.

### **Community Engagement**

The I&EDS was developed over a two-year period by consultants Urban Enterprise. There were two stages of consultation associated with the creation of the I&EDS.

#### Stage 1 Community Engagement

Stage 1 was conducted in 2022, to understand the local issues and opportunities related to economic development.

Thorough consultation with industry representatives, businesses, community, Council, and other Government stakeholders occurred through a range of engagement activities including an online survey and forum, focus groups and precinct community pop-up sessions.

The online survey on Council's consultation platform, "Your Say", received 84 contributions.

A Project Reference Group (PRG) was established and comprised of representatives from a diverse group of industries including health care, education and training, professional services, local business groups and social assistance. PRG meetings were conducted in both stages of consultation.

At the conclusion of Stage 1 consultation, two reports were produced: Whitehorse Community and Industry Engagement report and the Whitehorse Economic Analysis Report.

## 10.4 (cont)

Stage 2 Community Engagement

Following extensive consultation in Stage 1, a draft I&EDS was produced encompassing five key themes which were identified from the engagement.

The second stage of consultation was conducted from 12 February to 11 March 2024 and sought feedback about the draft Investment and Economic Development Strategy 2024-2028 document.

A number of communication channels were used to encourage members of the business community and wider community to have their say about the draft strategy by completing a survey on "YourSay". The opportunity to participate in consultation was promoted through a range of corporate platforms and those managed by the Investment and Economic Development Unit. They included but were not limited to WBIZ website, Whitehorse News, direct email to trader's associations, Facebook pages, Down to Business eNewsletter and the distribution of approximately 1500 postcards in English and Simplified Chinese to encourage survey completion. Similarly, to Stage 1, consultation occurred with industry representatives, businesses, Council, and other Government stakeholders.

There was a total of 25 engagements associated with the consultation feedback from stakeholders included observations and suggestions that supported projects and key themes in the draft document. Some of the themes from the comments are as follows:

- Highlighting the need for small business support and making it easier to do business.
- The importance of community connectivity, liveability, and the value of retail centres/local shopping strips.
- Greater emphasis on sustainability and climate change.
- Highlighting employment pathways through partnerships and education opportunities.

Some of the themes that emerged from the comments in survey responses that do not support the I&EDS and are considered out of scope for the I&EDS include:

- Concerns regarding parking facilities and State planning decisions
- The subject of childcare facilities, access to school education and dedicated activity centres and programs for toddlers and children.
- Reluctance to support visitor economy in lieu of local community support.

10.4 (cont)

### **Financial and Resource Implications**

A budget allocation of up to \$175k to the 2025/2026 budget is proposed to facilitate the delivery of the elements of the strategy. Proposed new initiatives include the Business Concierge position, Investment and Attraction and Facilitation Strategy, Placemaking Framework, and activity.

Other key items and initiatives in future years will be subject to funding associated with the relevant budget processes.

### **Innovation and Continuous Improvement**

The Business Concierge (Better Approvals Project) would be funded through the first year of the strategy. It is anticipated that this project would result in significant customer experience improvements for businesses seeking to establish in Whitehorse.

### **Collaboration**

A PRG was established and comprised of representatives from a diverse group of industries including health care, education and training, professional services, local business groups and social assistance.

An internal working group was established at the start of the process with subject matter experts from throughout the organisation.

Notification of the strategy consultation was distributed to neighbouring Councils, State Government Authorities, and key networks.

### **Conflict of Interest**


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

### **Conclusion**

The proposed strategy has been developed through multiple stages of community engagement including industry representatives, the business and wider community, business groups and Council.

The I&EDS provides the opportunity for a strategic and holistic approach to support the Whitehorse economy to be innovative, sustainable, and inclusive and a place where community and businesses thrive.

## **ATTACHMENT**

- 1 Whitehorse Investment and Economic Development Strategy 2024-2028 

## 10.5 Contract 30504 - Bushland Maintenance and Monitoring

**Department** Parks and Natural Environment  
Director Infrastructure

Attachment

### SUMMARY

Council manages over 50 bushland parks and areas of biodiversity significance including high quality community valued assets such as Blackburn Lake Sanctuary, Yarran Dheran Nature Reserve, Antonio Park, and Bellbird Dell. Successful bushland management requires ongoing systematic programmed works to ensure the site values are maintained and any risks to community safety, including bushfires, are being actively managed. Council's Parks and Natural Environment Department manages these programs utilising both expert internal staff supplemented with external contractor resources.

A panel of suitably qualified and experienced contractors is required to ensure Council has the resources to effectively manage and monitor these bushland assets. The works under this Contract are directly aligned with Council Strategies including the Whitehorse Urban Forest Strategy 2021-2031, and the Whitehorse Integrated Water Management Strategy 2022-2042, and the resources available through this Contract will ensure Council is equipped to deliver on actions identified in these Strategies.

The previous Bushland Maintenance Services Contract has concluded, and this report is to consider tenders for the provision of Bushland Maintenance Services and to recommend the acceptance of the tenders received from a panel of service providers under a schedule of rates basis, as set out below. This Contract is for a period of five years, nominally commencing on 27 May 2024 with no option for further extension.

### COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Stennett

That Council:

1. Accepts the tender and signs the formal Contract document for Contract 30504 Bushland Maintenance Services received from:

#### Part A – Bushland Maintenance

- Envirotechniques Pty Ltd (ABN 59 061 469 369), of 147 Zig Zag Rd, North Eltham 3095;
- Practical Ecology Pty Ltd (ABN 88 082 911 377) of 2B Stott Street, Preston 3072;



## 10.5 (cont)

- Themeda Ecology Pty Ltd (ABN 33 681 411 296) of 19 Roberts Street, Northcote 3070;
- Acacia Environmental Management Pty Ltd (ABN 88 108 191 466) of 1726 Heidelberg-Kinglake Road, St Andrews 3761; and

Part B – Biodiversity and Ecological Monitoring

- Envirotechniques Pty Ltd (ABN 59 061 469 369), of 147 Zig Zag Rd, North Eltham 3095;
  - Practical Ecology Pty Ltd (ABN 88 082 911 377) of 2B Stott Street, Preston 3072;
  - Themeda Ecology Pty Ltd (ABN 33 681 411 296) of 19 Roberts Street, Northcote 3070;
  - Acacia Environmental Management Pty Ltd (ABN 88 108 191 466) of 1726 Heidelberg-Kinglake Road, St Andrews 3761;
  - Sundew Ecological Services (ABN 68 601 514 117) of 37 Derrimut Street, Albion 3020;
  - Felix Botanica Pty Ltd (ABN 84 171 259 468) of 27 Arbor Way, Carrum Downs 3021; and
2. Authorises the Director Infrastructure via the Chief Executive Officer's Instrument of Sub-Delegation to determine changes to the number and type of services allocated to the panel members for Contract 30504 Bushland Maintenance Services, subject to supplier performance and capacity for the duration of the Contract; and
3. Notes that the expenditure for Contract 30504 Bushland Maintenance Services will be undertaken from the relevant Council endorsed budgets and could be up to \$4 million including GST over the Contract term.

**CARRIED UNANIMOUSLY**

**KEY MATTERS**

Urban bushland reserves are constantly under pressure which can result in irreversible damage and a reduction in their ecological and community value. Successful bushland management requires the undertaking of regular, systematic, programmed works to ensure the site values are maintained and any risks to community safety, including bushfires, are being actively managed.

Biodiversity management is highly technical and requires expert skills and knowledge to ensure these precious natural areas are being appropriately maintained. Most sites have unique complexities that require a variety of techniques and management intervention to ensure appropriate biodiversity outcomes. Council undertakes these management programs through both internal staff and contractor resources to maximise efficiencies and be able to target specific requirements and direct accurate expertise into the appropriate areas.

## 10.5 (cont)

Whitehorse has a very active environmentally focussed community, and Council facilitates a large and active Parkland Advisory Committee volunteer program. These volunteers along with other community groups work closely with Council staff and contractors to ensure bushland reserves are being appropriately managed. This Contract aims to ensure this inclusive relationship continues by recommending contractors who have a strong history in community engagement and collaboration in addition to all the required environmental skills and attributes.

A previous Bushland Maintenance Services Contract successfully ran for several years and provided Council with the necessary skills and resources to effectively achieve biodiversity improvements across Council's Bushland assets in line with community expectations and best practice environmental management. A new Contract specification and Contract tender documentation was prepared, aimed at:

- Effectively managing Bushland and biodiversity assets.
- Maximising competition.
- Providing contractual means to manage contractor performance through three identified KPIs – service delivery, quality of service and administration.
- Attracting highly experienced and well-respected contractors and consultants within the Environmental Management and Monitoring sector.

The tender for Bushland Maintenance Services was divided into two categories to attract a broader section of respondents and gain best value for the resulting contract. The categories are:

Part A - Bushland Maintenance

Part B - Biodiversity and Ecological Monitoring

These categories seek to provide Council with the required expertise to manage the physical Bushland and biodiversity assets as directed, and suitably qualified ecological consultants to undertake regular monitoring of biodiversity assets. Monitoring of these assets is critical to ensure maintenance programs are effective, and strategic actions are being completed.

By engaging expert bushland regeneration contractors that are committed to providing high quality and cost-effective management of our reserves, Council is able to appropriately program and allocate resources where required to undertake positive works within financial constraints.

Endorsement of the Contract recommendation will enable Council to effectively maintain a continuation of services to manage our bushland reserves and biodiversity assets along with all associated monitoring.

10.5 (cont)

## **STRATEGIC ALIGNMENT**

This report aligns with:

- Whitehorse Community Vision 2040
- Whitehorse Council Plan 2021-2025
- Whitehorse Urban Forest Strategy 2021-2031
- Whitehorse Biodiversity Strategy 2014-2024
- Whitehorse Integrated Water Management Strategy 2022-2042

The Bushland Maintenance Services Contract assists Council to achieve actions identified in these strategies. Council manages over 50 Bushland sites and areas of biodiversity significance including Blackburn Lake Sanctuary, Yarran Dheran Nature Reserve, Antonio Park and Bellbird Dell amongst others, and is committed to preserving and enhancing these areas.

Many of Council's bushland assets are also associated with natural or artificial waterbodies including wetlands, dams, ponds, creeks, and rain gardens. This Contract will provide Council with the required resources to maintain these assets consistent with Council's Integrated Water Management Strategy 2022-2042.

## **Policy**

This report is consistent with Council's procurement policy and aligns with Council's commitment to social and environmental sustainability and support to local business.

Council's Procurement team has been consulted extensively to ensure that the procurement is compliant with the Procurement Policy.

## **Background**

Tenders for the Bushland Maintenance Services contract closed on 10 January 2024. Twelve tender submissions were received. Nine tender submissions were received for both parts of the contract, one tender submission for Part A only and two tender submissions for Part B only. One submission was identified to be non-compliant.

Six Submissions were considered best value and have been recommended for the panel across the two categories. The nominated contractors demonstrated significant experience managing and monitoring similar environments, indicated appropriately qualified and experienced staff to lead these services, and clearly identified they were resourced and equipped to adequately fulfill the requirements of the contract.

The tenders were evaluated against the following criteria:

- The Tender Offer (40%)
- Capability (30%)
- Credibility (20%)
- Social and Environmental sustainability (5%)
- Local Contents (5%), and
- Occupational Health & Safety and Equal Opportunity (Pass/Fail)

10.5 (cont)

## **SUPPORTING REPORT DETAILS**

### **Legislative and Risk Implications**

There are no legal or risk implications arising from the approval for this tender evaluation.

All the recommended tenderers meet all Occupational Health and Safety requirements and provided evidence including risk plans, insurances, policies, quality assurance and environmental plans. Reference checks substantiated the outcome of the evaluation panel.

### **Consultation**

Council's Procurement team have been consulted extensively to ensure that the procurement is compliant with the Procurement Policy.

Engagement with Council's Parkland Advisory Committees occurs regularly and will continue to ensure any outcomes of this report are communicated and are incorporated into site maintenance planning.

### **Collaboration**

No collaboration was undertaken as part of this tender after an assessment of the scope, locations, and quantities of services to be provided under the contract.

### **Financial and Resource Implications**

The Contract for Bushland Maintenance Services is a Schedule of Rates Contract. The rates are subject to a CPI adjustment on each anniversary of the Contract.

- Expenditure under the current Contract has been assessed to determine estimated future spend. The total spent under existing Contracts for the past three years plus two-year extension period (five years total) has been in excess of \$2 million.
- The current annual recurrent budgeted expenditure on contracted Bushland Maintenance and monitoring services for the 2023/24 financial year is approximately \$420,000.
- Based on the expenditure history and potential future programs required to achieve actions identified in the Council Plan, Urban Forest Strategy and Integrated Water Management Strategy, estimated future spend for the five years of this contract is up to \$4,000,000 including GST, subject to future budget allocations for the identified strategic actions.
- There is no minimum amount of work required to be offered to any contractor under this schedule of rates Contract. This gives Council flexibility in managing the workload across the contractors appointed to this panel based on the best cost outcome.
- The costs incurred under this Contract will be charged to the relevant endorsed recurrent budgets within the Parks and Natural Environment Department.

10.5 (cont)

### **Discussion and Options**

The Evaluation Panel examined the responses in detail in order to assess the respondents' level of acceptability against each criterion.

The recommended contractors clearly identified their knowledge and experience in managing similar projects to those required under this Contract. They each demonstrated Best Value through the combination of price and quality criteria and were able to justify that they will operate well under Council's specific direction. Particular attention was paid to the qualifications and experience of the contractors that will be undertaking the services in this Contract. The importance of having highly experienced and knowledgeable staff leading and undertaking the on-ground works under this Contract is significant. The recommended contractors all nominated suitably qualified staff that will be allocated to this Contract and were able to demonstrate they had the required resourcing and equipment as well as the scope to increase the allocation to this Contract if required.

The recommendation of four contractors for the Bushland Maintenance Services works panel will provide Council with a suitable coverage of contractor options and allows the Contract Manager to issue a quantity of works that will keep contractors engaged within current budget allocations.

The inclusion of sensitive tree removals under the Bushland Maintenance Services contract was considered and determined not to be required. The Tree Maintenance Services Contract was executed in November 2023 and contains suitable contractors who can deliver sensitive tree works in bushland reserves.

A five-year contract has been tendered to optimise tendering attractiveness while enabling Council to return to market for future testing within a reasonable timeframe. The proposed contractors reflected the level of credibility sought, pricing that is assessed as competitive across the open market and demonstrated capability to deliver services to the expectations of Council officers and the broader Whitehorse community.

It was noted during the evaluation process that tenderers who applied for both Parts of the tender focussed more on Part A. It therefore required questioning and interrogation of those tenders so that fair comparisons with tenderers that applied for Part B only could be made. To ensure Council has the appropriate resources to deliver monitoring requirements, the decision was made by the Tender Evaluation Panel to recommend the inclusion of the two contractors that applied for Part B only (Sundew Ecological Services and Felix Botanica) along with four contractors that can perform both parts (Envirotechniques, Practical Ecology, Acacia Environmental Management and Themeda Ecology). This will provide Council with a good level of choice when ordering works to ensure cost-effectiveness and flexibility to appropriately manage and monitor our bushland assets over the Contract period.

The Tender Evaluation Panel also considered financial sustainability and Social and Environmental impact for each of the tenderers.

10.5 (cont)

### **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**

It is recommended that Council appoints the nominated contractors for this Contract as outlined in this report. It is nominally intended that the contract commence from 27 May 2024.

### **ATTACHMENT**

- 1 Contract 30504 Bushland Maintenance Services C04 Weighted Attribute Evaluation Form

**Whitehorse City Council designates this attachment and the information contained in it as CONFIDENTIAL INFORMATION pursuant to Section 3 (1) ((g)(i)) of the *Local Government Act 2020*.**

- 2 FINAL - Tender Report - Bushland Maintenance Services - April 2024

**Whitehorse City Council designates this attachment and the information contained in it as CONFIDENTIAL INFORMATION pursuant to Section 3 (1) ((g)(i)) of the *Local Government Act 2020*.**

## 10.6 S11A Appointment of Authorised Officers under the Planning and Environment Act 1987

**Department** Governance and Integrity  
Director Corporate Services

Attachment

### SUMMARY

The appointment of authorised officers enables appropriate staff within the organisation to administer and enforce various Acts, Regulations or Council local laws in accordance with the powers granted to them under legislation or a local law.

Instruments of Appointment and Authorisation are prepared in accordance with advice from the Maddocks (Lawyers) Authorisations and Delegations Service, which Council subscribes to.

Whilst the appointment and authorisation of authorised officers under other relevant legislation is executed by the Chief Executive Officer under delegation, Maddocks recommend that officers enforcing the *Planning and Environment Act 1987* and the *Environment Protection Act 2017* be authorised by Council resolution.

Council is required to appoint persons as authorised officers for the purpose of enforcing the *Planning and Environment Act 1987*.

Authorisations are different from delegations whereby the appointment is made to a natural person that holds a statutory position giving the appointed officer the ability to undertake the necessary functions listed in the instrument. Delegations on the other hand are made to positions within Council.

The S11A Instrument is presented regularly to Council for the purposes of authorising new staff members who have commenced and removing staff members who have departed the organisation.

### COUNCIL RESOLUTION

Moved by Cr Carr, Seconded by Cr Munroe

That Council:

1. Appoints the officers named in the S11A Instrument of Appointment and Authorisation at Attachment 1 as Authorised Officers pursuant to section 147(4) of the *Planning and Environment Act 1987*; and
2. Authorises the Chief Executive Officer to sign the S11A Instrument of Appointment and Authorisation as approved above to come into force once executed and revoke the previous S11A Instrument of Appointment and Authorisation executed on 12 February 2024.

**CARRIED UNANIMOUSLY**



10.6 (cont)

### **KEY MATTERS**

An ‘*authorised officer*’ is a person, other than a Councillor, appointed by Council to carry out a compliance or enforcement function under legislation related to the functions and powers of the Council.

There are no legislative changes to the authorisation under the *Planning and Environment Act 1987*.

The instrument has been updated to reflect staff changes arising from new appointments and departures.

### **STRATEGIC ALIGNMENT**

The recommendation of this report accords with the Strategic Direction 1 of the Council Plan: *An innovative Council that is well led and governed*, through compliance with legislative requirements and regulations to achieve good governance and integrity.

#### **Policy**

There are no policy implications arising from the preparation of this report.

### **BACKGROUND**

Instruments of Appointment and Authorisation empower relevant staff to exercise the powers granted to authorised officers by legislation or a local law.

Instruments of Appointment and Authorisation prepared for Council's consideration are based on advice from the Maddocks Authorisations and Delegations in Depth Service.

#### **Discussion and Options**

Due to staff changes and movements, a review of appointed and authorised officers has been completed. The updated S11A Instrument of Appointment and Authorisation at Attachment 1 is presented for Council's consideration.

Failure to update the S11A Instrument of Appointment and Authorisation will impact the ability of the organisation to fulfil its statutory responsibilities.

### **SUPPORTING REPORT DETAILS**

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

1. Provisions relating to authorised officers continue to operate under the Local Government Act 1989. Equivalent provisions relating to authorised officers have not carried over to the Local Government Act 2020.
2. Authorisations are made pursuant to section 147(4) of the Planning and Environment Act 1987.

10.6 (cont)

### **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*.

It is considered that the subject matter does not raise any human rights issues.

### **Community Engagement**

No community engagement was required for this report.

### **Financial and Resource Implications**

There are no financial or resource implications arising from the recommendation contained in this report.

### **Innovation and Continuous Improvement**

There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.

### **Collaboration**

Collaboration was undertaken with the City Planning and Development department in drafting the S11A Instrument of Appointment and Authorisation at Attachment 1.

### **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**

In most cases, authorisations are approved by the Chief Executive Officer; however, authorisations under the *Planning and Environment Act 1987* are required to be issued by resolution of the Council.

It is recommended that Council resolves to authorise the Chief Executive Officer to execute the S11 Instrument of Appointment and Authorisation at Attachment 1.

## **ATTACHMENT**

- 1 S11A Instrument of Appointment and Authorisation - Planning and Environment - May 2024 

## 10.7 Records of Informal Meetings of Councillors

**Department** Governance and Integrity  
 Manager Governance and Integrity

### COUNCIL RESOLUTION

Moved by Cr Lane, Seconded by Cr Munroe

That Council receives and notes the Records of Informal Meetings of Councillors.

**CARRIED UNANIMOUSLY**

Pre-Council Meeting Briefing – 29 April 2024 – 6.30pm – 6.42pm		
Matter/s Discussed:	Councillors Present	Officers Present
<ul style="list-style-type: none"> <li>Council Agenda Items - 29 April 2024</li> </ul>	Cr Massoud (Mayor)	S McMillan
	Cr Davenport (Deputy Mayor)	S Cann
	Cr Barker	J Green
	Cr Cutts	L Letic
	Cr Lane	S White
	Cr Liu	V Ferlaino
	Cr McNeill	K Woods
	Cr Munroe	A Ghastine
	Cr Skilbeck	
	Cr Stennett	
	<b>Leave of Absence</b>	
Cr Carr		
<b>Others Present:</b> N/A		
<b>Disclosures of Conflict of Interest:</b> Nil		
<b>Councillor /Officer attendance following disclosure:</b> N/A		

## 10.7 (cont)

<b>Councillor Briefing – 06 May 2024 – 6.30pm – 9.40pm</b>		
<b>Matter/s Discussed:</b>	<b>Councillors Present</b>	<b>Officers Present</b>
1. Budget Update	Cr Massoud (Mayor)	S McMillan
2. Advocacy Prioritisation		S White
3. 2023/24 Capital Works Program – March Quarter Review	Cr Davenport (Deputy Mayor)	J Green
	Cr Barker	S Cann
4. Aqualink Nunawading Business Case	Cr Carr	Z Quinn
	Cr Cutts	A Ghastine
5. Draft Agenda 13 May 2024	Cr Lane	V Ferlino
	Cr Liu	F Nolan
	Cr McNeill	K Woods
	Cr Munroe	N Brown
	Cr Skilbeck	A Butterfield
	Cr Stennett	C Clarke
		L Routley
	<b>Leave of Absence</b>	
	Nil	
<b>Others Present:</b>		
<b>Item 1:</b> G Gray, A Sharman and B Tatterson (SMC Strategies)		
<b>Disclosures of Conflict of Interest: Nil</b>		
<b>Councillor /Officer attendance following disclosure: N/A</b>		

**11 Councillor Delegate and Conference / Seminar Reports****11.1 Reports by Delegates and Reports on Conferences / Seminars Attendance**

**Department** Governance and Integrity  
Manager Governance and Integrity

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Verbal reports from Councillors appointed as delegates to community organisations/committees/groups and attendance at conferences and seminars related to Council Business.

- Councillor Mark Lane attended the Whitehorse Business Group board meeting on 7 May 2024.
- Councillor Amanda McNeill attended the:
  - Metropolitan Transport Forum meeting on 1 May 2024, and
  - Victorian Local Government Association – Training Session on Public Presentations and Public Speaking 9 May 2024.
- Councillor Denise Massoud attended the:
  - Local Government Mayoral Advisory Panel and Forum 2 May 2024.
  - Eastern Regional Group of Councils Mayors Management Meeting – waste service charge 7 May 2024
  - Metropolitan East Municipal Association of Victoria Meeting – 9 May 2024

**COUNCIL RESOLUTION**

Moved by Cr Lane, Seconded by Cr Liu

That Council receives and notes the:

1. Reports from delegates, and;
2. Reports on conferences/seminars attendance.

**CARRIED UNANIMOUSLY**

**12 Confidential Reports**

Nil

**13 Close Meeting**

The Council Meeting was closed at 9.02pm.

*These minutes are circulated subject to confirmation by Council at the next Council Meeting to be held on 27 May 2024.*