WHITEHORSE
CITY COUNCIL

Whitehorse City Council

AGENDA

Council Meeting

on

Monday 28 July 2025 at 7:00 PM

To be held in the
Council Chamber
Nunawading Civic Centre

Members:	Cr Andrew Davenport	Mayor
	Cr Prue Cutts	Deputy Mayor
	Cr Peter Allan	
	Cr Blair Barker	
	Cr Daniel Griffiths	
	Cr Jarrod Gunn	
	Cr Kirsten Langford	
	Cr Jason Martin	
	Cr Kieran Simpson	
	Cr Ben Stennett	
	Cr Hayley Weller	

Recording of Meeting and Disclaimer

Please note every Council Meeting (other than items deemed confidential under section 3 (1) of the *Local Government Act 2020*) is being recorded and streamed live on Whitehorse City Council's website in accordance with Council's Live Streaming and Recording of Meetings Policy. A copy of the policy can also be viewed on Council's website.

The recording will be archived and made publicly available on Council's website within 48 hours after the meeting on www.whitehorse.vic.gov.au for a period of three years (or as otherwise agreed to by Council).
Live streaming allows everyone to watch and listen to the meeting in real time, giving you greater access to Council debate and decision making and encouraging openness and transparency.

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

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

TABLE OF CONTENTS

1 WELCOME 5
2 APOLOGIES 5
3 DISCLOSURE OF CONFLICTS OF INTEREST 5
4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING 5
5 URGENT BUSINESS 5
6 REQUESTS TO SPEAK 5
7 PUBLIC QUESTION TIME 5
8 PETITIONS 5
9 NOTICES OF MOTION 5
10 COUNCIL REPORTS 5
10.1 Whitehorse Open Space Strategy Adoption 6
10.2 Suburban Rail Loop Precinct Planning - Standing Advisory Committee Hearing Process Update 24
10.3 Community Grants 2025/26 36
10.4 Proposed Discontinuance of Road adjoining side/rear of 153-157 Springvale Road Nunawading 50
10.5 Municipal Association of Victoria State Council Motions 61
10.6 Records of Informal Meetings of Councillors 66
11 COUNCILLOR DELEGATE AND CONFERENCE / SEMINAR REPORTS 69
11.1 Reports by Delegates and Reports on Conferences / Seminars Attendance 69
CLOSURE OF THE MEETING TO THE PUBLIC 70
12 CONFIDENTIAL REPORTS 70
13 CLOSE MEETING 70

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.

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

3 Disclosure of Conflicts of Interest

4 Confirmation of Minutes of Previous Meeting

Minutes of the Council Meeting 14 July 2025

RECOMMENDATION

That the minutes of the Council Meeting 14 July 2025 be confirmed.

5 Urgent Business

6 Requests to Speak

7 Public Question Time

8 Petitions

9 Notices of Motion

10 Council Reports

10.1 Whitehorse Open Space Strategy Adoption

Department	Leisure and Recreation Services Director Community Services

Attachment

SUMMARY

Whitehorse City Council and its community value the contribution quality open space makes to the liveability of the City; research has identified there are measurable improvements to people's physical and mental health if they live near green open space and these spaces contribute to sustainable environments through urban cooling and protection of the natural biodiversity values.

Whitehorse City Council has prepared the final draft Open Space Strategy 2025 for its municipality. This will replace the 2007 Open Space Strategy once endorsed by Council. The Strategy is a comprehensive and forward thinking, while pragmatic, policy document that provides guidance on how to protect, optimise and grow the municipality's open space network to support a healthy and prosperous community in the face of social, environmental and economic challenges and increasing housing density as a result of ongoing planning reforms in the next 15 years.

The Whitehorse Open Space Strategy provides the strategic framework for Council to respond to the open spaces needs of the community now and into the future; especially in the context of urban growth, increased housing targets and an environment where State planning controls are rapidly evolving to facilitate housing delivery in metropolitan Melbourne and across the State. These planning reforms will continue to place pressure on the provision of, and access to, open space. Additional impacts on existing municipal open space will occur as housing densities and population increase through redevelopment across our suburbs, in key activity centres with good access to infrastructure and services, as well as State government Big Build Projects. The provision of private open space (i.e.: backyards and balconies) is also reducing with the planning reforms and changes to planning controls for development.

Recommendations in the Strategy include procuring land for additional open space, improving and protecting existing open spaces and managing uses of open space through municipal wide and precinct-based recommendations and guidelines. It facilitates innovative local solutions to maximise community use of open spaces such as on-demand lighting and improved path networks that facilitate equal accessibility by people of all ages and abilities to promote connectivity to nature and support social cohesion.

A total of approximately $477 million will be required to fund the proposed actions. Funding will be sourced through a combination of Council rates, external funding, and open space contributions via future budget allocation processes.

10.1 (cont)

To support the delivery of these actions, the Strategy has reviewed the open space contribution rate and proposes an increase, from the current 4% municipal-wide rate to 10.7% for the Box Hill area and 7.2% for the rest of the municipality. The setting of the contributions will be subject to a planning scheme amendment.

RECOMMENDATION

That Council:

1. Adopt the final draft Whitehorse Open Space Strategy 2025 (the Strategy) as shown in Attachment 1 and 2.
2. Adopt the proposed public open space contribution rates of 7.2% across the municipality and 10.7% in Box Hill that are needed to implement the Strategy.
3. Seek authorisation from the Minister for Planning (the Minister) under section 8A(2) of the *Planning and Environment Act 1987* to prepare an amendment to the Whitehorse Planning Scheme (the Scheme) to implement the Strategy by including the new public open space contribution rates in Item 2 in the schedule to Clause 53.01 of the Scheme and updating the associated planning policy and policy documents.
4. Authorise the Director City Development to update the amendment to meet any conditions of authorisation from the Minister, provided these are consistent with the intent of the amendment, prior to submitting the amendment to the Minister for exhibition.
5. Advise submitters to the Whitehorse Open Space Strategy 2025 consultation process of this Council decision.

KEY MATTERS

Achievements of Whitehorse Open Space Strategy 2007

The Whitehorse Open Space Strategy 2007 (the 2007 Strategy) has provided guidance to the development and use of open space over the past 15 years. Key achievements include:

- Purchase of land to create five new small local open spaces, being: Graham Bend in Box Hill, Oak Street Park in Surrey Hills, Chaucer Street Park in Box Hill South, Rowland Street Park in Mont Albert and Scott Grove Park in Burwood.
- Creation of a new Neighbourhood open space, Elmington Avenue Reserve, in Forest Hill as part of a land development process.
- Creation of a new Local open space and a new Urban civic open space as part of the Burwood Brickworks development.
- Creation of a new Small local open space, St Johns Avenue Park, in Mont Albert as part of a land development process.

10.1 (cont)

- Purchase of land to improve access to existing open space at 21 Wattle Valley Road, Mitcham and rear of 33 Nara Road, Mitcham.
- Developing and implementing masterplans for Box Hill Gardens and Elgar Park.
- Renewal and upgrade of 82 play spaces.

Whitehorse Open Space Strategy 2025

The Whitehorse Open Space Strategy 2025 (the Strategy) has been prepared based on community feedback from the two rounds of community consultation and the latest research and studies on open space planning.

During the first round of community engagement in 2022, more than 2000 community members shared their views on open space with Council including highlighting the need to protect nature and open spaces, the need for additional open spaces now, and as the population grows, and to provide facilities and amenities to cater for people of all ages, abilities and cultural background. The second round of community engagement on the draft Strategy received strong community support of the proposed recommendations and further insights to help refine the draft Strategy.

The Strategy will help Council navigate through the identified challenges of population growth and densification, changing demographic profile and lifestyle, climate change and financial constraints in the next 15 years whilst striving to protect and enhance Whitehorse's well distributed and high-quality open space network.

This is important for creating a livable city, fostering a cohesive and healthy community and leaving a great open space legacy for future generations to enjoy.

The Strategy will also ensure Whitehorse is well placed to contribute to regional planning outcomes in its partnership with the Eastern Region Group of Councils (ERG) and the shared commitment to regional collaboration in planning for connected open space, urban greening and biodiversity.

The primary focus of this Strategy is to optimise access to open space through the planning, development, design and management of publicly owned land that currently or in the future has potential to be set aside primarily for broad recreational use and/or nature conservation purposes.

As urban densities increase across metropolitan Melbourne there has been a greater focus on the value of the ancillary open spaces and how these complement and provide critical access and connectivity to the public open space network. The Ancillary open space in the Strategy includes:

- Streetscapes.
- Open space on schools and educational land.
- Transport corridors.
- Open space within community facilities.

10.1 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

Importance of Open Space

Since the preparation of the 2007 Strategy, extensive additional local and international research into the positive influence of open space on community health, wellbeing, and liveability. Research has identified there are measurable improvements to people's physical and mental health if they live near green open space.

Green open space also assists with urban cooling, making our urban communities more sustainable and liveable, and protects the natural biodiversity values. This is particularly important in the City of Whitehorse where many open spaces include native bushland that provides habitat for native plants and animals.

Based on the wide range of published research and the consultation undertaken for a range of open space strategies, public open space contributes to community health and wellbeing, and the natural and the urban character of the municipality. The community health and wellbeing benefits include:

- A place to relax and unwind
- Physical fitness and exercise
- Access to natural sunlight and fresh air, particularly during the winter to retain adequate levels of Vitamin D
- Social connection for the local community, friends and family which benefits everyone, and particularly those living tin lone households or dwellings without any private open space
- Protection for biodiversity values including native flora and fauna
- Children’s play including their physical, social and cognitive development
- Restorative influence of being in a natural space as a contrast to built form
- Mitigation of urban heat island effect, particularly in high density precincts where heat exhaustion can be particularly serious for the vulnerable including the frail and the elderly

Work has also been undertaken to measure the economic benefits of enhancing the open space network, including reduced pressure on the health system, lower energy costs for cooling, and increased property values near open spaces.

Key Strategy Outcomes

Summary Report

The Summary Report provides an overview of the key issues and recommendations from the Strategy and is the main document that the community and Council, outside of the open space planning area, will refer to.

10.1 (cont)

Technical Report

The Technical Report provides the research, detailed analysis, conclusions and recommendations including the Action Plan for the 16 precincts and the funding and monitoring framework. The key components of the Technical Report are summarised as below:

1. The Existing Open Space Network

The City of Whitehorse has approximately 349 open space reserves covering a total area of approximately 609.95 hectares of land area, which equates to 9.5 percent of the total land area of the municipality. If restricted open space is included, there are approximately 721.91 hectares of open space, which equates to 11.2 percent of the total land area of the municipality. Restricted refers to open space area available on a club membership or fee-paying basis and access may be restricted at certain times or at all times. This includes public golf courses, athletic tracks, tennis courts, bowling clubs and community gardens. The two public golf courses, Wattle Park Public Golf Course and Morack Public Golf, make up a large proportion of the restricted open space.

2. Victorian Government Changes to the Open Space Network

The Victorian Government has rezoned the undeveloped ngarrak nakorang wilam park (previously known as Healesville Freeway Reserve) to a combination of the Public Conservation and Resource Zone and the Public Park and Recreation Zone and is working with the community to enhance this open space. This is an approximately 35-hectare reserve that extends for 3.5 kilometres from Springvale Road to Burwood Road in Vermont South.

Major transport projects by the State Government are impacting either temporarily or permanently open spaces including Box Hill Gardens, Sinnott Street Reserve, Lorne Parade Reserve, Elgar Park, Eram Park and part of the Junction Road Reserve site. Council will continue to work with the State Government in relation to these matters to preserve open space as a priority.

3. Forecasted Changes and Open Space Gap Analysis

Trends in population growth and population characteristics inform how much open space will be needed in the future. Increasing development densities and climate change will influence the location, design and management of the open space.

Population growth and characteristics vary across different precincts and suburbs. Open space gap analysis takes into consideration the existing open space network and forecasted growth and changes in the next decade.

Instead of the traditional radial catchment distance, a ped(pedestrian) shed catchment method is adopted for the Strategy gap analysis. This method measures the walking distance along the street network, more accurately reflects the actual walking distances to open space, particularly where the access point into open space reserve is quite limited as is the case for many open spaces in the City of Whitehorse.

10.1 (cont)

It is important to note that the population growth associated with the Suburban Rail Loop (SRL) and the recently released Housing Targets including the Activity Centre plans have not been incorporated into the population inputs for this Strategy. This is due to several factors:

- **Differing Timeframes:** The Strategy is a 15-year plan that uses existing population forecasts to guide planning. The SRL-related growth and State Government housing targets have not been factored in because their timing and impacts remain uncertain and are likely to occur beyond the Strategy's 15 year planning horizon.
- **Current Forecast Basis**: The population figures used in the Strategy are based on the most recent ID Forecast data (baseline forecast). Until the Suburban Rail Loop Authority (SRLA) and the State Government release detailed, planning zone-level dwelling forecasts, these baseline figures must be maintained. Aggregated forecasts are unlikely to be accepted through a planning scheme amendment and potential planning panel process to include updated public open space contribution rates from the Strategy into the Whitehorse Planning Scheme (the Scheme).
- **Alignment Challenges**: Council's population forecaster has not yet incorporated State Government-led initiatives into their published data. Additionally, SRLA and Housing Target forecasts do not align with existing suburb or municipal boundaries. As a result, generating reliable suburb-level estimates require one of the following and would be subject to further resource allocation and project delays.
    - Council's population forecaster incorporating SRLA and/or Housing Targets data into future modelling.
    - Tailored population estimates using fit-for-purpose methodologies will be developed on a project-by-project basis.

As the planning context is changing rapidly and the impact of State Government initiatives are not yet clearly understood, it will be important to carefully monitor the population data and rate of change and undertake regular reviews of the Strategy to ensure it remains current. To stay adaptable, Council proposes a flexible approach to open space planning, based on current forecasts, SRL precinct projections, and housing targets. This ensures responsiveness to evolving policy while retaining a baseline. Work on Box Hill and Burwood SRL precincts is already underway with Council reviewing open space needs for the Box Hill and Burwood SRL precincts in response to the State's draft structure plans.

4. Provision of New and Expanded Open Space

On the basis of the open space needs assessment, the Strategy has identified where additional open space is required over a 15-year period for both the existing and forecast community.

It is anticipated that the additional open space in the City of Whitehorse will be acquired using a range of methods including:

10.1 (cont)

- As a land contribution as part of future subdivision for large development sites.
- Conversion of land owned by Whitehorse City Council or another government agency from its existing use to open space.
- Purchase of undeveloped land.
- Purchase of developed sites where no other opportunities are available.

Council will apply criteria included in the Technical Report, Section 5, to any future land that it converts or acquires for open space.

5. Open Space Design and Management Guidelines

Development of the new open space and upgrade / change to the existing open space will be guided by the open space design and management guidelines in Technical Report, Section 6. The guidelines also reflect the vision and principles set out in the Strategy.

6. Precinct Analysis and Recommendations

The City of Whitehorse has 16 different precincts and the analysis and planning for open space has been undertaken at the precinct level. The precinct boundaries are generally consistent with the suburb boundaries with the exception where Mont Albert North is combined with Balwyn North as one precinct.

Each of the precincts includes:

- Existing open space plan and a description of the existing open space.
- Open Space Hierarchy plan.
- Gap analysis plan including a description of how all the gap areas will be addressed.
- Summary of the existing community including a summary of the demographics and community survey outcomes.
- Analysis of the future change and open space needs for the precinct.
- Precinct recommendations including the Action Plan, which lists all the proposed new open spaces and actions for all the existing open space.

7. Funding and Open Space Contributions

Council recognises in its Integrated Council Plan 2025-2029 that open space is an essential part of the City’s infrastructure. The Strategy includes actions to acquire and develop new land for open space, and to expand and/or upgrade existing open space reserves. The funding framework contained in the Technical Report, will assist the Council to achieve these projects. Funding will need to be allocated in future budgets and sourced through a combination of Council rates, external funding and open space contributions.

10.1 (cont)

Current open space contribution rates

The *Subdivision Act 1988* and *Planning and Environment Act 1987* provides the statutory mechanisms for Council's public open space contributions. Council requires a public open space contribution at the time of subdivision to help pay for the open space needs generated by new development. The contribution is a percentage rate that is applied to the land area, or the site value of the land (or a combination of both). The site value takes into account the development potential of the land, including planning permits that have been issued.

The City of Whitehorse currently applies a mandatory public open space contribution rate of 4% across the municipality and a minimum of 4% on strategic sites, subject to negotiation of a development plan.

The current rate is included in the schedule to Clause 53.01 of the Whitehorse Planning Scheme and was introduced via Planning Scheme Amendment C99 in 2010 following adoption of and in accordance with the 2007 Strategy.

Proposed open space contribution rates

The 2025 Strategy follows the same method to calculate the revised contribution rates as that used in the 2007 Strategy. This is largely based on the fair apportionment of open space costs identified in the Strategy to the new population and to the existing population. This means that the open space contribution Council receives as a result of new development (upon subdivision) is intended to provide for the open space needs of those who will occupy the development.

Principles for calculating the new contribution rate are set out in Section 8 of the Technical Report. In undertaking a recalculation of the contribution rate, it is important to note the significant growth that is anticipated in Whitehorse over the life of the Strategy. This is notwithstanding the population projections associated with the SRL, the new Housing Targets and the Activity Centre Program plans that are not factored into the analysis for this Strategy (as noted above) and which may have significant impacts on the City's open space over the longer term. It is acknowledged that the separate planning processes for these State government initiatives need to address future open space.

Approximately $477 million will be required to fund the proposed actions in the Strategy over the next 15 years. The Strategy has reviewed the open space contribution rate and proposes to increase the current 4% municipal-wide rate to 7.2%, with a separate rate of 10.7% for Box Hill where much higher growth is anticipated. The forecast population change and open space needs assessment specifically for Box Hill was undertaken separately in 2019 due to the unique pressures and challenges for this area and this work has been incorporated into the 2025 Strategy.

The public open space reserve held by Council from open space contributions was approximately $72M June 2024. The reserve funds and the outstanding projects from the 2007 Strategy were taken into account in preparing the 2025 Strategy, and therefore in the calculation of the proposed

10.1 (cont)

contribution rates. The reserve cannot be viewed as a separate resource to 'discount' the total cost of approximately $477 million to deliver the proposed actions in the Strategy.

The collected contribution funds need to be strictly managed and must be spent on open space land acquisition and capital works within the City of Whitehorse. In broad terms, this includes open space establishment or expansion and park improvements but not like-for-like replacement and maintenance.

Options

- **Do nothing**: Retain the existing 4% contribution rate, with a minimum 4% rate for strategic sites.

Benefits	Issues
Resource efficient as a consistent rate is applied	Will not meet future open space needs of new population, and/or project delivery will be delayed as there will be a shortfall in funding for open space needs. This will place a greater financial burden on Council sources (eg: rates) and greater need to seek external funding to supplement the shortfall.
Limited scope for applicants to dispute the 'flat' rate which is applied to all land	A planning scheme amendment could be undertaken to update policy and document references only, but there would be an obvious contradiction in the rates proposed in new Strategy compared to the legacy rates in the schedule to Clause 53.01. This poses a risk at planning panel in defending policy updates that are contradictory to the rate
Same impact on developers (eg: in terms of profits and cost of housing and non-residential delivery as currently)	The strategic basis for rate would be outdated and not reflective of forecast growth or the open space context

10.1 (cont)

- **Apply new contribution rates:** Rates as proposed in the 2025 Strategy: 10.7% for Box Hill and 7.2% for the rest of the municipality.

Benefits	Issues
The open space needs of the community can be met over the next 15 years	The higher rate of 10.7% is applied to the whole Box Hill suburb, not just the Box Hill Metropolitan Activity Centre boundary.
This option addresses concerns about the financial burden on Council for open space delivery for new population and is in line with projected capital requirements	The potential that increased growth may occur immediately beyond the Box Hill suburb boundary where the contribution rate is lower, if the planning controls allow such growth.
The area of highest growth and open space needs, being Box Hill, is allocated a higher rate	Greater impact than currently on developers (eg: in terms of profits and cost of housing and non-residential delivery
The rate is strategically justifiable and defendable at a planning panel	The Minister for Planning may delay authorisation of the amendment or put conditions on authorisation of the amendment due to the SRL Project and/or housing targets
Provides a clear indication to State government on the needs for a growing middle suburb in the context of State policy	

8. Implementation, Monitoring and Reporting

Successful implementation of the Strategy requires senior leadership commitment across the organisation. Once adopted, a strategic 5-year open space implementation plan based on the recommendations and priorities contained in the Strategy will be prepared with a focus on Very High and High priority projects for inclusion in early implementation plans. The recommendations have been prioritised based on below considerations:

- The quantity and distribution of existing open space
- The extent of forecast change
- Existing urban context and proposed urban form
- The individual open space site assessments
- The hierarchy, role and character of the open space
- Community feedback.

10.1 (cont)

A monitoring and review process will identify how well the objectives, actions and recommendations of the Strategy are being met and to ensure that the Strategy remains on track. In particular this will involve monitoring the number of new open space reserves added to the open space network, the number of expanded reserves, the open space capital works program and the City of Whitehorse allocation of resources to achieve the Strategy as a whole-of-Council project and will involve six monthly monitoring and reporting.

Council uses its Annual Report to communicate the programs it delivers to a wide audience and includes notable achievements during the financial year. There is the opportunity to provide an overview of this Strategy's adoption and implementation in future Annual Reports.

Key Updates in The Final Draft Strategy

As the result of the 2nd round of community consultation, the following key updates have been made in the final draft Strategy to reflect the community feedback and sentiment.

- **Removal of the proposed new linear open space** between Cootamundra Walk West and East in Blackburn precinct.
- **Withdrawal of the proposed potential disposal of Roslyn Street Reserve** in the Burwood precinct. Instead, the reserve will now be subject to a major upgrade.
- Confirmation of the proposed **Public Open Space Contribution Rates** at 7.2% across the municipality and 10.7% within the Box Hill precinct in response to the final recommendations and based on the community consultation.
- **Former Box Hill Brickworks site:** Section 4 of the Strategy Technical Report has been updated to make reference to the community identifying the former Box Hill Brickworks as an opportunity site for future open space in the context of future change associated with the Suburban Rail Loop project.
- **Updated recommendation for Banksia Waratah Reserve** in the Burwood precinct**:** This recommendation is amended to reference the need to increase play equipment suitable for young children as part of the minor upgrade in addition to the picnic tables and seating.
- **Updated recommendation for Heatherdale Reserve** in the Mitcham precinct to prepare a landscape masterplan to guide the major upgrades and potential expansion of tennis facilities.
- **Updated recommendation for Kalang Park** in the Blackburn precinct: While some local residents raised concerns about the proposed major upgrade to Kalang Park, particularly its potential to increase visitation to the reserve and the Blackburn Creeklands, thereby impacting environmental values, the recommendation for the upgrade has been retained. This is to address the growing population in adjacent areas such as Box Hill and Blackburn. The recommendation has been strengthened to reinforce that any enhanced social and recreational

10.1 (cont)

facilities must be sensitively designed and implemented to avoid impacts on the biodiversity values of the creek corridor.

- **Included recognition of the role of volunteers in Advisory Committees** within the Implementation section of the Technical Report.
- **Stronger language across key themes**: Wording has been strengthened throughout the document to better reflect community sentiment and feedback, particularly in relation to population growth, broad community support for the Strategy's recommendations, and the importance of protecting natural green spaces.
- **Updated the Mont Albert and Surrey Hills precinct chapters in both the Strategy Technical Report and the Summary Report** to identify improved pedestrian connectivity to open space, and to clarify the intent behind the proposed new open space, expansion of existing open space, and facility upgrades, responding to community concerns about inadequate provision in these areas.

For more information on the second round of consultation process and detailed community feedback, please refer to Appendix Four Consultation Summary for the second round of Community Engagement.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	**Strategic Direction 1 - Community; Strategic Direction 2 – Built; Strategic Direction 4 - Natural** The Strategy will assist with delivering several themes of the Community Vision 2040 and the Strategic Directions of the Integrated Council Plan 2025-2029 including: Theme 1 - Diverse and Inclusive Community Theme 2 – Movement and Public Spaces Theme 5 – Sustainable Climate and Environmental Care Theme 6 – Whitehorse is an Empowered Collaborative Community Theme 7 – Health and Wellbeing Additionally, the Strategy is affiliated with a wide range of Council policies and together they will be delivering the overarching vision and strategic directions as outlined above. The policies include: **Whitehorse Urban Forest Strategy 2021-2031** Whitehorse City Council values the important contribution of trees and vegetation in making the municipality a vibrant place to live, work and visit. The open space strategy will assist in delivering the urban forest vision and actions.

10.1 (cont)

	Whitehorse Integrated Water Management Strategy 2022-2042 This Strategy aims to drive action and deliver on outcomes that are important to Whitehorse community including healthy parks and waterways, flood mitigation, urban cooling and increased biodiversity. The open space network plays a key role in achieving these outcomes. **Whitehorse Recreation Strategy 2015-2024** This strategy has been prepared to provide Council with a decision-making framework for recreation and sport for a period of 10 years. The recreation assets are mainly accommodated by parks and reserves such as sports fields, sports pavilions, trails and play spaces. These assets play an important role in providing different environments for physical activity. **Whitehorse Play Strategy 2011 / Play and Social Recreation Action Plan (in development)** This strategy is to provide Council with a framework for sustainable provision of its network of play spaces and social recreation facilities. Council is in the process of preparing the draft Play and Social Recreation Action Plan to replace the 2011 Play Strategy. The Open Space Strategy provides strategic guidance on appropriate opportunities within the open space network for play and social recreation facilities. **Domestic Animal Management Plan 2021-2025** The Whitehorse City Council Domestic Animal Management Plan 2021-2025 (DAMP) is to balance differing community expectations and guide the management of dogs in all public areas including in open space. The current DAMP provides clear direction including an action to review the existing dog off-lead areas and options for timed off-lead trials in existing on-lead parks. **Whitehorse Cycling Strategy 2016** The Whitehorse Cycling Strategy 2016 sets a vision of increasing cycling through creating a connected network of attractive, safe and inviting low stress streets and paths which are accessible to all and respects the needs of all users. Shared use paths are supported in open space where feasible particularly in encouraging people to exercise outdoors including walking, running, cycling and pram pushing.

10.1 (cont)

	Whitehorse Climate Response Strategy 2023-2030 This Strategy objectives and targets for Council's corporate operations, as well as how Council will support the community to reduce its emissions and adapt to climate change. Open space is influenced by the changing climate and has an important role to play in mitigating and adapting to its effects.
Financial and Resource Implications	The Strategy includes significant new actions for Council to implement over the next 15 years, with an estimated cost of $477 million in today's dollars. Of this, $217 million is proposed to be funded through public open space contributions, with the remaining $260 million to come from rates or other external funding sources. Many of these actions can be undertaken within existing staff resources others will require additional funding which will be considered as part of the Strategic Implementation Plan 1-5 years. Unfunded projects will form part of Council's annual budget process, to ensure they are assessed against the wider needs and priorities of the organisation and the community. The Strategy also proposes to update the Public Open Space Contributions rate in the Whitehorse Planning Scheme. The Public Open Space Contributions are a key funding source for Council to deliver the recommended open space projects and to acquire new land for open space. The new Strategy, once adopted, will support the subsequent planning scheme amendment process to include the new rate and associated planning policy updates. Funds to undertake the planning scheme amendment process including exhibition costs, planning panel costs, expert witnesses and representation at the panel are included in the Strategic Planning operational budget. This process is estimated to cost approximately $100,000.
Legislative and Risk Implications	Open Space is an issue of high interest to the community. The level of community engagement undertaken to date is considered to have met Council's aspirations as outlined in the Community Engagement Policy, which is a requirement under the *Local Government Act 2020*. The comprehensive engagement process undertaken is detailed in the Community Engagement section below with more detail provided in the technical report.

10.1 (cont)

	The process to implement the Strategy into the Whitehorse Planning Scheme has many variables (potential risks) that can impact the amendment outcome. This includes: strong strategic justification, exhibition being contingent on authorisation to commence the amendment and ultimately approval of the amendment needed from the Minister for Planning; matters raised in public submissions; independent advice from a planning panel that must be considered; and Council's decisions through the amendment process.
Equity, Inclusion, and Human Rights Considerations	In developing this report, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006* and *Gender Equality Act 2020*. Under the *Gender Equality Act 2020* Council has a duty to promote gender equality in new or revised policies/strategies/ programs and services with a direct and significant impact on the community. A gender impact assessment (Appendix Two to Technical Report) has been completed as part of the development of the strategy, summarising the consideration of key demographic groups including children, women, people with disabilities, and culturally and linguistically diverse (CALD) communities. It also outlines engagement with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and the Disability Advisory Committee. The community consultation summary report and feedback included in Section 7: Precinct Recommendations reflect the views and needs of people from diverse demographic and cultural backgrounds, with survey responses received from individuals originating from over 50 different countries. The survey also received responses from people who identified as Aboriginal and Torres Strait Islander, or as living with a disability, at a proportion higher than their representation within the broader Whitehorse community. This feedback has directly informed the Strategy's recommendations. Actions arising from the final strategy may also require individual assessments as part of further project work.

10.1 (cont)

Community Engagement	**Round 1. Community Consultation (17 September to 30 November 2022)** Round 1 consultation was an open-ended opportunity for the community to share feedback on how they currently use our open space network, what they value most, and what improvements they would like to see. A total of 2,250 surveys were completed during the consultation period. Key themes arising from the community include: • Open space is highly valued by the community for various reasons. • Concerns on the growing population and the impact to the existing open spaces including the space for recreation and environmental benefits. • Desire for contemporary and more diverse play and social recreation opportunities within our open spaces. • Desire for additional amenities to support ageing and vulnerable community members including additional public toilets and accessible path surface. **Round 2. Community Consultation (25 July and 30 August 2024)** Round 2 consultation aimed to invite community to view the draft Strategy documents including the 468-page Technical Report and the briefer 48-page Summary Report and provide feedback. The engagement process involved a range of consultation methods including the Your Say page, 11 pop-up sessions and meetings with community stakeholders. A total of 737 surveys were completed and 15 written submissions were received. The community showed overwhelmingly strong support to the proposed eight themes of actions including: • Create new public open space (96% support) • Maximise retention of existing mature canopy trees (92% support) • Protect and strengthen biodiversity values (89% support) • Increase the size of existing public open space or create more entry points (88% support)

	• Provide opportunities for everyone to access and enjoy public open space through improving the quality to make them more accessible and appealing with a range of social facilities. (87% support) • Implement sustainable water re-use and harvesting (85% support) • Encourage people to exercise outdoors to keep fit by providing a range of free public facilities. (78% support) • Encourage participation in organized sport by upgrading facilities to be more inclusive for everyone. (72% support) A series of community stakeholder meetings were held during both rounds of engagement, generating strong interest and support from a broad range of community groups. Many of these groups remained in regular contact with the project team, actively seeking updates on the project's progress. These included: • Elgar Contact • CROWAG • Parks Advisory Committees • Whitehorse Disability Advisory Committee • Domestic Animal Management Plan Advisory Committee • Environment and Sustainability Reference Group
Innovation and Continuous Improvement	The Strategy is informed by established open space planning methodology particularly in how Public Open Space Contributions are calculated in the Victorian context and the learnings from Planning Panel reports. The development of the Strategy also considers local and international best practice examples and the latest research studies of open space frameworks including: • Importance of winter sunlight access in open space study by City of Melbourne. • Melbourne Water and Parks Victoria's submissions to the Parliamentary Inquiry into Environmental Infrastructure for Growing Populations. • Research on physical and mental health and wellbeing benefits of open space.

<table>
<tr><td></td><td>

The Australian Park Life Project research which proposes a nationally harmonised framework for classifying open space functions and hierarchies.
Public open space hierarchy used overseas.

</td></tr>
<tr><td>Collaboration</td><td>The development of the Strategy involved extensive collaboration with internal and external stakeholders including:
<table>
<tr><th>Internal Subject Matter Experts</th><th>External Stakeholders</th></tr>
<tr><td>

Strategic and Statutory Planning
Parks and Natural Environment
Design and Construction
Active Communities (Sports)
Active Transport
Local Laws (Dog management)
Major Transport Projects
Sustainability

</td><td>

Parks Victoria
Melbourne Water
Department of Energy, Environment and Climate Action
Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation

</td></tr>
</table>
</td></tr>
<tr><td>Conflict of Interest</td><td>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.</td></tr>
</table>

ATTACHMENT

1 Whitehorse Open Space Strategy Summary Report
2 Whitehorse Open Space Strategy Technical Report
3 Whitehorse Open Space Strategy Appendices
4 Consultation Summary Report - Round Two

10.2 Suburban Rail Loop Precinct Planning - Standing Advisory Committee Hearing Process Update

Department	City Planning and Development Director City Development

Attachment

SUMMARY

The purpose of this report is to update Councillors on the forthcoming Suburban Rail Loop (SRL) East Precincts Standing Advisory Committee (Committee) Hearing for the SRL Box Hill and Burwood precincts and to consider the approval of additional budget allocation required for associated legal and expert costs.

Council has a key role in the Precinct Planning process to advocate for the best outcomes for the Whitehorse community. Funding is requested for the appointment of subject matter experts and legal advisors.

The hearing is expected to commence on the 27 August 2025 and could last around twelve to fourteen weeks.

Key matters Council will be responding to at the Hearing encompass the elements raised in Council's 'high level' submission lodged on the 22 April 2025. Since then a list of 'Specific Matters' has been released which defines the scope of matters for the Committee encompassing common issues and issues specific to Box Hill and Burwood.

Council engaged a legal team in early 2024 to commence preparation of its case and to make representation at the Hearings. Council has partnered with Bayside and Monash Councils to share costs and maximise efficiency where there are common issues.

An estimate of legal costs has been prepared for Whitehorse's participation in the Advisory Committee process. As the anticipated costs are expected to be up to $1,000,000 (covering legal advisors and experts) Council will need to consider these costs as an additional expenditure for the 2025/2026 financial year.

RECOMMENDATION

That Council:

1. Note the anticipated process for the Suburban Rail Loop East Precincts Standing Advisory Committee Hearings planned to commence on the 27 August 2025; and

2. Allocate additional funds in the 2025/2026 budget of $1,000,000 (ex GST) to resource experts and legal advisors appointed to assist Council to prepare a detailed submission and represent Council at the Advisory Committee Hearings.

10.2 (cont)

ABBREVIATIONS

Abbreviation	Definition
Committee	Suburban Rail Loop East Precincts Standing Advisory Committee
Hearing	Suburban Rail Loop East Precincts Standing Advisory Committee Hearing
PAD	Planning Area Declaration
PEAct	Planning and Environment Act 1987
Precinct	SRL Precinct: Box Hill. Burwood
SRL	Suburban Rail Loop
SRLA	Suburban Rail Loop Authority
SRLAct	Suburban Rail Loop Act 2021
WCC	Whitehorse City Council

KEY MATTERS

Context and action to date

On the 4 December 2023 the SRL Minister designated land around the SRL East stations as a Suburban Rail Loop planning area under the *Suburban Rail Loop Act 2021* (SRL Act) (referred to as the planning area declaration or PAD).

The SRLA-led draft structure plans and the draft amendments to the Whitehorse Planning Scheme area relate to smaller areas within the PADs for Burwood and Box Hill known as the 'structure planning area'. The draft SRL East structure plans and draft planning scheme amendments were on display for public consultation from 17 March to 22 April 2025. The SRLA has advised that a total of 817 submissions were received for the six precincts in SRL East from Box Hill to Cheltenham.

This major planning work and the substantial changes proposed to the planning controls is the subject of the forthcoming Hearings due to commence on 27 August 2025. Reports considered by Council over the last year and a half are listed below.

10.2 (cont)

Table 1: Past reports to Council on SRL precinct planning matters

Date of Report to Council	Matters addressed
23 October 2023	Submission to the SRLA on Council's response to the 'SRL Precincts Discussion Paper Cheltenham to Box Hill'. August 2023.
26 February 2024	Submission to the SRLA on Council's response to the 'draft Precinct Vision: Box Hill' and draft Precinct Vision: Burwood'.
24 June 2024	Submission to the SRLA on Council's response to the 'draft Precincts Key Directions' for Box Hill and Burwood
14 April 2025	Details of the high level submission to be submitted on the 22 April 2025 to the SRLA on the draft structure plans for Box Hill and Burwood and associated planning scheme amendments.

Since early 2024, when Council became aware of the likely timeframe and breadth of change anticipated with the SRL precincts, Council engaged a legal team, in partnership with Monash and Bayside City Councils to represent and share legal and expert witness costs. Procurement of these services has occurred in accordance with Council's Procurement Policy.

Early retention of legal and expert consultants has allowed Council to ensure availability of experienced professionals who were not otherwise committed or conflicted. It has, however, taken substantial time subsequent to the consultation period on the SRLA's draft amendment and structure plans to obtain anticipated costings for the hearings and the preparation work required by the legal team and experts.

Why is legal representation required for the SRL structure plan process?

The draft SRL structure plans for Box Hill and Burwood set the vision for housing, employment and community infrastructure and predict more than doubling of the population and workforce to 2041. The associated planning scheme amendment is substantial and encompasses changes to building heights, set backs and land use changes over a wide area which will have extensive and long lasting impacts on Council, its resources and the Whitehorse community.

Whilst the 14 April 2025 report to Council identified the key issues to be included in its high level submission[1] of the 22 April 2025, it also flagged a future report to Council to allocate additional budget for the more detailed arguments needed for the Hearings. The Hearings are Council's opportunity

[1] Whitehorse City Council. "Submission to the Suburban Rail Loop Authority on Am. GC248 Burwood Structure Planning area and Am.C255WHSE Box Hill Structure Planning". 22 April 2025

10.2 (cont)

to strongly advocate for improved outcomes for the Whitehorse community given the likely future social, environmental and infrastructure risks and impacts of the changes for the Burwood and Box Hill structure planning areas. This is a city shaping project and it's critical that Council uses this opportunity to advocate for the best possible outcomes for the community.

There is a high community value in preparing a comprehensive response given the risk that Council will be financially exposed into the future through obligations to deliver the very large number of projects and programs set out in the SRLA's draft structure plans and implementation plans.

Specific matters to be addressed at the Hearings and expertise of the Committee

The Victorian Government's Terms of Reference[2] for the Standing Advisory Committee provides (Attachment 1) that it will include a broad range of professional expertise in strategic and statutory land use planning, urban design and built form, planning law, infrastructure and transport planning and economic social and heritage matters.

The large, recently appointed Committee includes a lead Chair, eleven Deputy Chairs and eleven standing members. Further specialist advice may also be sought as the Committee considers necessary.

The technical breadth of the Committee also means that the Hearing will cover a large number of complex planning, community development, sustainability and financial matters. Details of the 'Specific matters for referral'[3] (Attachment 2) have been provided to Council and are based on the content of the submissions received. They encompass:

[2] Department of Transport and Planning "Suburban Rail Loop East Precincts Standing Advisory Committee. Terms of Reference" April 2025.

[3] Department of Transport and Planning "Suburban Rail Loop East Precincts Standing Advisory Committee. Specific Matters for Referral" 1 June 2025.

10.2 (cont)

Table 2: Specific matters to be addressed at the Hearings

Hearing stage and timing	Specific Matters to be addressed
General issues common to all 6 SRL precincts 25 August to the 19 September 2025	During this time, common matters to all precincts will be addressed including contaminated land, diversity and mix of housing types, floor space capacity, social and affordable housing, sustainability, transport (encouraging mode shift) and the Voluntary Public Benefit Uplift Framework and uplift calculation.
Box Hill precinct 29 September 2025 to the 24 October 2025	Box Hill matters include • Built Form: building heights, distribution and transition, set backs, floor area ratios • Urban design: pedestrian access and links, cycling access and infrastructure, public open space, overshadowing and shading (public), public realm safety, • Land use mix and capacity • Car parking availability and rates • Community infrastructure • Draft implementation plan • Strategic sites • Road and street network • Vegetation and ecology • Voluntary Public Benefit Uplift Framework
Burwood precinct 10 November 2025 to the 5 December 2025	Burwood matters include • Built Form: building heights, distribution and transition, floor area ratios • Urban design: pedestrian access and links, impacts on the Gardiners Creek, overshadowing and shading (public), public realm safety • Land use mix and capacity • Car parking availability and rates • Community infrastructure • Draft implementation plan • Precinct Zone: application to specific sites • Strategic sites • Public acquisition overlay; application to a specific site in the Burwood structure plan area • Road and street network

In response to the large number of complex planning, community development, sustainability and financial matters listed above, the following resources are required to properly represent Council and the Whitehorse community's interests at the Hearings:

10.2 (cont)

- a legal team with skills and capability with complex planning panel processes;
- a broad range of experts who are familiar with Whitehorse matters and have the capability to respond in detail to the key issues raised in its 22 April 2025 submission.

Ensuring Council's submission reflects Whitehorse's current priorities

To ensure Council's legal team has been comprehensively briefed on the Whitehorse community's current priorities, Council officers have undertaken the following actions since the project's inception:

Table 3: Ensuring the community's priorities are central at the Hearings

Time frame	Actions undertaken by Council to ensure alignment with community priorities	How this action will contribute to the Hearing process
From mid 2024 and ongoing	As the SRL precincts project has evolved, officers have worked closely with Council's legal team to procure experts and Barristers with detailed knowledge on local Whitehorse matters. (Refer also Table 1: Reports provided to Council on SRL precinct planning matters).	Preparing early for the Hearings has been important given their unpredictable timetabling, the need to engage legal and technical expertise as soon as possible and the complexity of the planning and financial matters to be addressed. Despite the unpredictable nature of the program, Council's legal team have been regularly briefed on local WCC priorities.
Early 2025	Council officers held internal workshops to capture innovative ideas, key issues and ensure that the impacts of the SRL precincts were understood across Council. 'The Vision for Burwood' and 'The Vision for Box Hill' final SRL documents were used as base line scenarios.	A summary of WCC priorities (that reflected WCC latest policy settings) assessed against the Vision documents was provided early-on to Council's legal team.
22 April 2025	Council submitted its 'high-level' submission to the Minister for the SRLA on the Box Hill and Burwood structure plans and planning scheme amendments	The 'high-level' submission will form the basis for Council's more detailed response at the Hearing.

10.2 (cont)

17 March - 30 April 2025	Alongside the SRLA led engagement, Council also led its own community engagement seeking responses on the structure plans and amendment.	Engagement outcomes[4] were provided to Council's legal team to ensure community sentiments were included in the preparations.

DISCUSSION, OPTIONS AND ANALYSIS

Whilst the legal and technical expert costs to Council of appearing at the Hearing are substantial, there is a value to Whitehorse and the community to strongly advocate for improved outcomes given the likely future financial, social, environmental and infrastructure risks and impacts. In response to the likelihood that there would be common issues across the 6 SRL precincts, Council has partnered with Bayside and Monash Councils in procuring its legal team. To date this has had substantial financial and administrative benefits in planning for the Hearings. The efficiencies are also evident in the Hearings timetable where 'General Issues' across all six precincts will be heard at the first session planned to run from late August to mid-September. (Refer Attachment 3: Future Time Frames).

In building on key matters raised in Council's 22 April 2025 submission, the following response is also intended:

Table 4: How Council intends to respond to key matters at the Hearing

Key matter raised in the 22 April 2025 Council's submission	How Council can respond
Stronger commitments from Government for financial resources for new open space (including the Box Hill brickworks site and the Lundgren chain reserve for example), community facilities and upgrades to existing facilities given the levels of anticipated growth due to the SRL project and the existing deficits.	Council has engaged experts in the fields of open space, community infrastructure, sporting facilities etc to quantify the gap in supply to 2041.
Stronger commitments from Government for financial resources for public domain upgrades including retrofitting local streets to include local stormwater management, tree canopy targets, walkability and community safety (day/ night) and upgrading key	Council has engaged experts in the fields of urban design and landscape architecture to assess whether liveability and sustainability outcomes can be achieved to 2041.

[4] Whitehorse City Council. "Yoursay summary. Whitehorse community survey and written responses to Am. GC248 Burwood Structure Planning area and Am.C255WHSE Box Hill Structure Planning". 19 May 2025.

10.2 (cont)

walkability corridors including the Gardiners Creek and Lundgren Chain from the anticipated growth due to the SRL project.	
The need to refine the planning outcomes in matters such as overshadowing of existing open space and the public domain, view lines and visual impacts.	Council has engaged experts in the fields of architecture and urban design to assess impacts of proposed heights on the neighbourhoods planned in the structure plans.
The potential impacts of removing the Box Hill parking overlay and the proposed Precinct Parking Plans for Box Hill and Burwood and the adequacy of parking provisions generally.	Council has engaged transport and planning experts to review parking provisions and forecast demands to ensure the weekly food shoppers, hospital visitors and workers, students attending the Box Hill Institute, the elderly and disabled have access to local parking.
The priority to upgrade/replace the Box Hill bus interchange and the priority to encourage mode shift from car to active and public transport at Box Hill and Burwood	Council has engaged transport experts to respond to this omission regarding the bus interchange, and if the public and active transport proposals are sufficient to encourage mode shift from use of private vehicles.
Lack of clarity on how much housing will be delivered and if that housing will be accessible to those with a low income, families, the elderly, key workers and students. The impacts of proposed planning controls on communities and their effectiveness in delivering whole communities (through the proposed public benefit scheme and planning controls)	Council has engaged economists, specialist planners and housing demand specialists to quantify how housing needs can be met and to assess the effectiveness of the Section 173 agreements and the Voluntary Public Benefit Uplift.
The need to protect tree canopy and a clear ‘pathway’ to enable future tree canopy targets	Council has engaged experts in the fields of urban design and landscape architecture to assess whether liveability and sustainability outcomes can be achieved.

10.2 (cont)

The risks to Council on its obligations listed in the Implementation Plans.	Council has engaged economists, specialist planners and other specialists to quantify the financial and administrative risks and obligations to Council

These actions demonstrate the importance for Council to provide a range of technical capabilities and experts framed within broad legal arguments for the Hearing.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	**Strategic Direction 2 - Built** The recently adopted Integrated **Council Plan 2025-2029** was developed with awareness of the SRL project and associated precinct planning led by the State Government and its impacts of population growth on the Box Hill and Burwood communities. "Objectives 2.3: Sustainable planning and infrastructure to respond to population change" is relevant to the impacts of SRL Box Hill and Burwood precincts in terms open space and community infrastructure planning and improved waterway management (Gardiners Creek). **Council Action Plan 2025/26** draws reference to the forthcoming Hearing: "Advocate for community needs in Suburban Rail Loop precinct structure planning process to ensure that the future needs of our community are considered". [5] **Plan for Victoria** references the SRL as a 'transformative' project which "will open up new job and housing opportunities" [6] in the precincts surrounding the stations through delivering housing targets and providing a new underground rail line.
Financial and Resource Implications	Legal and expert costs associated with the forthcoming Hearing will not be met by SRLA. As per a Memorandum of Understanding, Council receives funding from SRLA to support staff resources for the Suburban Rail Loop project, including precinct planning. In response, Whitehorse, Bayside and Monash Councils jointly appointed legal advisors in March 2024 and since then have progressed with jointly appointing experts from the fields of urban planning, urban design, open

[5] "Whitehorse City Council. Council Action Plan 2025/26". Page 5
[6] Victorian Department of Transport and Planning. "Plan for Victoria", 2025 V1.1, Page 32.

	space, recreation, community planning and traffic along with Barristers. Partnering with other Councils provides the opportunity to share costs and present a united position at the Hearing on key and common matters. Although the required funding is difficult to estimate, due to the length of hearing and depth of detail required by the Panel, the budget of approximately $1,000,000 is based on similar processes in the 2021 SRL Environment Effects Statement ($900,000) and from fee estimates provided so far. Council will need to consider these significant costs as an additional expenditure for the 2025/2026 financial year. It is proposed that the funding allocation will be referred to in Council's September 2025 budget forecast process. The funds are proposed to be managed through the Strategic Planning budget which currently has a minor contingency allocation of $100,000. Note: The procurement of Council's legal team meets the requirements of Council's 2021-2025 Procurement Policy where legal services are exempt: they are listed as unsuitable for tendering given they are procured through a 'fit for purpose' panel.
Legislative and Risk Implications	On the 1 June 2025 the Minister for Planning appointed a Standing Advisory Committee pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (PEAct) to provide advice on SRL precinct planning matters (including submissions received during the exhibition period) to the Minister for Planning. The technical breadth of the Committee and the specific matters recently referred to the Committee by the Minister suggests that the Hearings will cover a large number of very complex planning, community development, urban design, sustainability and financial matters. In response, a legal team with skills and capability with complex planning panel processes and a broad range of technical experts, who are familiar with Whitehorse matters and have the capability to respond in detail to the key matters raised in its 22 April 2025 submission is considered essential. There is a high community value in preparing a comprehensive response given the risk that Council will be financially exposed into the future through obligations to deliver the very large number of projects and programs set out in the SRLA's draft structure plans and implementation plans.

Equity, Inclusion, and Human Rights Considerations	Council undertook community engagement on the SRLA led planning scheme amendment between the 17 March and 30 April 2025 to ensure that key community issues were widely communicated and understood. To date, no human rights issues have been raised or identified.
Community Engagement	No further community engagement was required for this report as Council undertook community engagement between the 17 March and 30 April 2025 on the SRLA led structure plans and amendment.
Innovation and Continuous Improvement	WCC is committed to continuous improvement of its processes and policies. Officers have been innovative in their approach to a fast moving and complex 'whole of organisation' urban transformation project that has disrupted Council's 'Business as Usual' operations in a case where the SRLA is the planning authority. Preparing for and appearing at the Hearings provides Council the opportunity to defend its case for continuing to provide high-quality infrastructure and services into the future. This includes the provision of open space and community facilities, services for families and the elderly and a high-quality public domain. It is considered that more funds are needed from the State government to ensure high quality infrastructure and services are provided to meet SRL precinct growth into the future.
Collaboration	Responding to the SRLA led precinct planning matters has required extensive collaboration, internally across Council and with key external stakeholders including: • The SRLA, in terms of day to day project management, information exchange and alignments across the partner councils. This includes officer, CEO and Councillor levels of Whitehorse. • Partner councils, Bayside and Monash, in the preparation of material for the Hearing; • The Whitehorse community in terms of the Council led engagement on the SRL structure planning where total responses were 140 for Box Hill and 94 for Burwood to the surveys. Council's engagement included many conversations with the local community.

10.2 (cont)

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

ATTACHMENT

1 SRL East Precincts - Terms of Reference Inquiry and Advisory Committee, June 2025
2 SRL East Precincts - Specific matters for referral to Advisory Committee
3 SRL East Precincts - Future time frames

10.3 Community Grants 2025/26

Department	Community Development Director Community Services

Attachment

SUMMARY

The purpose of this report is to seek endorsement of the recommended funding allocations for the 2025/2026 Community Grants Program. This includes twelve categories that form the annual Community Cash Grants, and Discount Support Free Tipping (DSFT). The report also presents funding outcomes to note for the Discount Support Hall Hire (DSHH), which operates on a calendar year basis, and the Partnership Grants endorsed for 2025/2026 year. Grants for each category outlined in this report are managed though the SmartyGrants grant funding platform.

Additionally, this report seeks the endorsement of the recommendation to implement the 2025/2026 Social and Wellbeing Grant for a period of one year in consideration of matters to be explored in the upcoming Community Grants Policy Review.

Recommended Funding:

Overall recommended cash funding is $688,548.56 comprising:

1. Annual Cash Grants: $213,847.56 ($508.56 over budget*)
2. Partnership Grants: $474,701.00 (inclusive of Neighbourhood House and Social and Wellbeing Grants)
3. The value of $19,938.00 for Discount Support Free Tipping vouchers ($5,062.00 under budget)

**Refer budget adjustments outlined on Page 6*

RECOMMENDATION

That Council:

1. Adopts the funding allocation of $213,847.56 for the 2025/2026 Whitehorse Community Grants (annual cash grants) as outlined in 2025/2026 Community Grant Recommended Funding Report.
2. Adopts the voucher allocation to the value of $19,938.00 for the 2025/2026 Discount Support Free Tipping as outlined in 2025/2026 Community Grant Recommended Funding Report.
3. Notes discount value allocation of $389,666.92 for the 2025/2026 Discount Support Hall Hire received to date (as of June 17 2025).

10.3 (cont)

4. Notes funding allocation of $374,701.00 for the Neighbourhood House Partnership Grants for the 2025/2026 period.
5. Notes the maximum funding allocation of $100,000.00 for the Social and Wellbeing Partnership grants for the 2025/2026 period.
6. Adopts funding for the Social and Wellbeing Partnership grants in 2025/2026 for one year only (to open post-Council decision).

KEY MATTERS

- In 2022, the Victorian Auditor General's Office undertook an audit of local government Community Grants programs. Recommendations from the audit included that Councillors no longer assess and make recommendations on grant applications, prior to all grant recommendations being presented to Council for adoption.
- In February 2025 Council adopted the establishment of a new Social and Wellbeing Partnership Grant to launch in 2025 with a maximum budget of $100,000 (post adoption of the Integrated Council Plan 2025-2029). The grant aims to strengthen social inclusion, enhance health and wellbeing outcomes for vulnerable groups, and address service gaps through strategic, community-led initiatives. While the grant was originally intended to be funded over four years at up to $40,000 annually per application (indexed to the rate cap), a review of the overarching Community Grant Policy is currently underway. As such, it is recommended that the Social and Wellbeing Grant be issued for a one-year term initially, with future funding decisions to be informed by the outcomes of the policy review due in November 2025.
- Improved community engagement has resulted in 24 more applications submitted for the Community Annual Cash Grants compared with last year. Further improvements were also made to the application forms and assessment processes.

DISCUSSION, OPTIONS AND ANALYSIS

Purpose of the Community Grants Program

Council's Community Grants Program provides financial assistance to support not-for-profit, incorporated associations or other service delivery agencies within the City of Whitehorse to deliver programs, projects or initiatives to enhance the health and wellbeing of the Whitehorse community.

The Community Grants Program has four main objectives:

1. Strengthen the Whitehorse community through the support of a diverse range of activities, services and programs that are responsive to the community needs.
2. Create a resilient community that embraces the history and diversity of Whitehorse, as well as promoting learning, growing, thriving and inclusivity.

10.3 (cont)

3. Build the capacity of local organisations and strengthen partnerships within the Whitehorse community to support planned growth, collaboration and sustainability.
4. Provide a transparent and rigorous process, to support good governance and the appropriate distribution of public funds.

Context for the 2025/2026 Community Grants Program period

Applications for the Community Annual Cash Grants and Discount Support Free Tipping (DSFT) was open for 6 weeks, 24 February to 6 April 2025. Incorporated associations and not-for-profit organisations operating in the Whitehorse community submitted 207 applications across the annual Community Cash Grant and 19 applications for DSFT programs.

Applications for Discount Support Hall Hire (DSHH) are open all year, this report includes the total discounts allocated as of 17 June 2025. It is noted that DSHH operates on a calendar year, and 87 community organisations were supported through this program as of the period ending 17 June 2025.

Recommendations from the Partnerships Grants Program Review were adopted by Council in February 2024, which introduced a new purpose, structure and timelines to the Partnership Grants program.

1. Community Annual Cash Grants

Grant categories

The Community Annual Cash Grants consists of 12 different categories with various funding amounts as outlined in Table 1 below:

Table 1: Community Annual Cash Grants – Grant Categories

Grant Category and Maximum Funding Amount	Purpose
Small Equipment Grant **Up to $1,000**	Enables the purchase of small equipment to support the operation of community organisations, enabling them to deliver services, programs and initiatives that are aligned with the Whitehorse 2040 Community Vision.
Seed Funding Grant **Up to $3,000**	Provides organisations the opportunity to test new initiatives that respond to emerging community needs/trends.
Creativity Grant **Up to $3,000**	Supports delivery of arts and culture initiatives including festivals, activations and events. This includes the following subcategories:

10.3 (cont)

Subcategories: **Up to $1,000**	**Artists in School Program:** to assist with the employment of a professional artist or curator to work within the school on a specific artistic project. This grant category is uncapped. **Placemaking Grant:** opportunity for not-for-profit groups, including business associations, to host and deliver placemaking activations in Whitehorse's activity centres (e.g. Activation Pods, shopping malls, parks)
Diversity and Inclusion Grant **Up to $3,000**	This grant seeks to foster social inclusion and increase the participation of diverse communities across Whitehorse.
Environmental Sustainability Grant **Up to $3,000**	Support organisations to improve their sustainability practices and / or promote sustainability in the community.
Health and Wellbeing Grant **Up to $3,000** **Subcategory:** **Up to $400**	Focuses on improving the overall health and wellbeing of the community through a range of initiatives. For example healthy eating programs, active participation, mental health initiatives, supporting volunteers and vulnerable groups etc. This includes a subcategory: **Whitehorse Education Assistance Grant:** This grant supports families experiencing financial hardship and their young people (aged 10 – 25) to remain engaged in education and training.
Positive Ageing Grant **Up to $3,000** **Subcategory:** **Up to $1,000**	This grant focuses on programs, services and initiatives that support positive ageing in the community. For example initiatives to tackle ageism, social inclusion and digital inclusion. This includes the following subcategory: **Whitehorse Seniors Participation Grant:** This grant supports seniors' groups within the City of Whitehorse to provide participation opportunities that support the health and wellbeing of their members

10.3 (cont)

Major Grant Category **Up to $10,000**	The purpose of this grant is to support larger scale programs, services, projects, initiatives or activities that will significantly benefit the Whitehorse community and deliver positive health outcomes for Whitehorse.

A community organisation/group can only submit one application per category. If an organisation submits multiple applications for various categories, they must be for a different program, project or initiative.

Applications received

A total of 207 grant applications were submitted during the 6-week open period, which is an increase of 24 (13%) applications from the previous year. A series of information and grant writing training sessions were delivered in the lead up to grant closing period, along with individual support offered on request.

Assessment of grant applications

A structured, multi-stage assessment process was undertaken by Council Officers with relevant subject matter expertise to ensure a fair, transparent, and rigorous evaluation of all eligible applications, free from conflicts of interest and aligned with Council priorities. The assessment process has three stages, eligibility check, individual grant assessment and management panel. Different Council Officers are involved in the different stages of assessment in line with good governance practice.

The process undertaken to assess each application is summarised below, with the Community Grants Guidelines contained in Attachment 2.

Eligibility Check:

The eligibility check reviewed all applications against the published eligibility criteria in the Whitehorse Community Grants Guidelines. This process sought confirmation of the following information:

- Registration as an incorporated association and or not for profit / charitable organisation
- Public Liability Insurance
- Financial reports

Where this information could not be confirmed or was not provided organisations were deemed ‘ineligible’ and did not proceed to the next assessment stage. Outcome letters will include reasons for exclusion.

10.3 (cont)

Individual Assessment Phase:

A total of 17 Council Officers, selected based on their area of expertise, conducted assessments using a structured scoring matrix aligned with the Community Grants Guidelines and the Whitehorse Council Plan 2021–2025.

The Council Officers undertaking the eligibility process did not take part in the assessment process in alignment with the Conflict of Interest policy outlined on page 17.

All Officers were required to undertake Assessor training that detailed the assessment structure, conflict of interest and use of the Smarty Grants software. Officers were required to declare any potential conflicts of interest and excuse themselves where necessary to uphold the integrity of the process.

Assessments focused on key criteria, including alignment with Council priorities, community benefit, project planning, community impact, and financial viability. Officers independently reviewed and scored each application to ensure a consistent, fair, and transparent assessment process. Officers were required to provide commentary to support their scoring throughout the assessment form.

As part of continuous improvement, a new question was introduced to the application form*: "If you DO NOT receive the full funding amount requested, will this program/initiative still go ahead?"* This question enabled a clearer assessment of project viability under partial funding scenarios.

Some eligible applications did not receive funding recommendations based on the outcome of the assessment process. These decisions were guided by scoring against the grant criteria, including project alignment, feasibility, and community impact.

Review Panel

Following the Individual Assessment stage, a Review Panel of Senior Officers was convened to review all applications and provide final funding recommendations.

In addition to discussing the Assessors' individual evaluations, quality assurance steps were undertaken to scrutinise and cross-check the processes undertaken by each assessor and final assessments verified.

The total budget for the Annual Cash Grants was $206,118 as endorsed by Council. This budget was subsequently increased by $7,000 with the addition of a budgeted contingency for a celebratory event which due to staffing reduction would not be able to resourced and better used to fund more eligible grant applications. While there is a recommended small overspend $508.56, this can be offset by operational underspend in other categories.

The table below outlines the final outcome for each application by category, with a detailed breakdown of the outcome for individual applicants included in Attachment 1.

10.3 (cont)

Table 2: Final outcome for 2025/2026 Community Annual Cash Grant Applications

Grant Categories	Total in category	Ineligible	Eligible - No Funding Recommended	Eligible - Approved Part Funding	Eligible - Approved Full Funding
Artist in schools	8	2	2	1	3
Creativity Grant	15	7	3	5	0
Diversity & Inclusion	19	7	2	5	5
Education Assistance Grant	8	1	1	0	6
Environmental Sustainability Grant	4	0	2	0	2
Health & Wellbeing Grant	17	4	5	4	4
Major Grant	19	1	10	6	2
Placemaking Grant	4	1	0	0	3
Positive Ageing	17	1	4	12	0
Seed Funding	7	3	3	1	0
Seniors Participation Grant	31	9	1	1	20
Small Equipment Grant	58	19	8	13	18
TOTAL	**207**	**55**	**41**	**48**	**63**

Table 3 provides a summary of the number of applications received per category and the total amount of funding recommended. Further details outlining individual organisations/ groups impacted by these grant categories is contained in Attachment 1.

10.3 (cont)

Table 3: Community Annual Cash Grants by category – Listed by Applications received, Applications funded, and Total Funding Amount

Grant Category	Applications received	Applications funded	Total Funding Amount
Artist in Schools	8	4	26,327.00
Creativity	15	5	9,571.00
Diversity and Inclusion	19	10	24,792.00
Education Assistance	8	6	7,571.90
Environmental Sustainability	4	2	4,000.00
Health and Wellbeing	17	8	18,373.50
Major Grant	19	8	62,131.00
Placemaking	4	3	2,450.00
Positive Ageing	17	12	17,535.33
Seed Funding	7	1	1,200.00
Seniors Participation	31	21	14,230.00
Small Equipment	58	31	25,665.83
TOTAL	**207**	**111**	**$213,847.56**

2. Discount Support Free Tipping

The Discount Support - Free Tipping (DSFT) is a voucher-based grant provided to eligible not-for-profit and incorporated organisations, clubs and groups to assist with the cost associated with waste disposal. This grant provides vouchers for waste disposal at Council's Recycling and Waste Centre, with loads varying between the equivalent of a car boot up to one tonne of waste per voucher. The allocated vouchers are determined through an assessment process, which includes a demonstration of financial need.

In November 2023, Council resolved to add a new eligibility criterion: *Organisations that operate regionally across multiple government areas that have an annual surplus over $250,000 from the previous financial year will not be eligible for the Discount Support Free Tipping program.*

Further details outlining the number and cost of general and green waste discount vouchers allocated to individual organisations/ groups is contained in Attachment 1, with the table below providing a summary of the total:

Table 4: Discount Support – Free Tipping – Listed by Applications received, Applications funded, and Total Funding Amount

Grant Category	Applications received	Applications funded	Total Funding Amount
Discount Support Free Tipping	19	19	**$19,938.00**

10.3 (cont)

Of the 19 applications, 18 received the full quantity of vouchers requested. One regional organisation requested a large quantity of vouchers and did not receive the full amount requested, however did still receive the highest level of support among all applicants.

3. Discount Support Hall Hire

Discount Support Hall Hire (DSHH) provides a proportional discount in relation to the hall hire charges for 11 different Council owned and operated venues. While considered as part of the Community Grants Program and also managed using the SmaryGrant system, no physical funds are exchanged, rather a discounted hire rate is applied for these bookings.

There are three levels of Discount Support Hall Hire based on eligibility and group type:

- 90% discount for seniors' groups
- 75% discount for service clubs
- 50% discount for all other not for profit organisations or incorporated associations.

There are several variances in calculations for DSHH including the actual room or portion of the building booked in a venue, the number of bookings across the calendar year and the percentage discount applied to the application.

DSHH operates on a calendar year, and the summary contained in Table 5 outlined the applications received from 1 January to 17 June 2025. Council received 121 applications, with 89 applications approved to support 87 different organisations/ groups for a total amount of $389,666.92.

A detailed breakdown of the support provided for individual organisations/ groups is contained in Attachment 1.

10.3 (cont)

Table 5: Discount Support Hall Hire – Discounts allocated by Venue and Number of Organisations/ Groups.

No.	Council Venues	# Groups Supported	Discount Support Amount
1.	Blackburn North Community Hall	4	$22,270.47
2.	Blackburn South Hall	2	$22,850.00
3.	Box Hill Community Arts Centre	22	$72,075.13
4.	Box Hill Town Hall	22	$47,165.08
5.	East Burwood Hall	6	$39,490.82
6.	Eley Park Community Centre (including the Annex)	5	$28,595.04
7.	Forest Hill Hall	5	$29.253.48
8.	Horticultural Centre	10	$11,037.71
9.	Rentoul Hall*	3	$44,541.20
10.	The Round	5	$53,200.00
11.	Willis Room	5	$19,188.00
Total		**89**	**$389,666.92**

*Note that Rentoul Hall was only available for hire until March/April 2025 and groups using that venue were supported to be relocated to other venues.

4. Partnership Grants

Partnership Grants allow funding to be provided to not-for-profit organisations or incorporated associations to develop longer term health and wellbeing outcomes that benefit the Whitehorse community.

On 12 February 2024, Council endorsed a new purpose, structure and timelines to the Partnership Grants program, with Partnership Grants divided into two categories;

a. Neighbourhood House Partnership grants (maximum funding $45,000 per year indexed with rate cap) and

b. Social and Wellbeing Partnership grants (maximum funding $40,000 per year indexed with rate cap)

Neighbourhood House Partnership Grants

The Neighbourhood House Partnership Grants received a 12-month extension to their previous arrangements in April 2025 and will receive funding for the 2025/26 year based on this extension. A review of the Neighbourhood and Community Houses is currently in progress, with a revised funding model to be presented in the draft Community Grants Policy to Councillors later in 2025.

10.3 (cont)

Social and Wellbeing Grants

Social and Wellbeing Partnership grants respond directly to the needs of the communities with a focus on the most vulnerable and socially disadvantaged population groups.

Key consideration

The endorsed funding for the Social and Wellbeing Grant is for a maximum of $40,000 per year (per funded project within a $100k funding pool), indexed annually by the rate cap over a period of four years.

It is noted that a review of the Community Grant Policy is currently underway, with the draft policy containing recommendations for Council's adoption due to be presented in October 2025. This report will contain recommendations pertaining to optimal grant funding from Council to support the best outcomes for the community. Therefore, it is recommended that for 2025/26 the Social and Wellbeing Grant is issued for a one-year period only, with subsequent decisions regarding its extension to be made following the Community Grant Policy Review report.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	The 2025/26 Whitehorse Community Grants Program aligns with and is underpinned by the Whitehorse Community Vision 2040, the Whitehorse Council Plan 2021 – 2025 (Strategic Directions 1, 3 and 7), and the Whitehorse Municipal Health and Wellbeing Plan 2021 – 2025. A review of the Community Grants Policy is in progress and will align grant funding with the newly adopted Integrated Council Plan 2025 - 2029.
Financial and Resource Implications	The overall recommended cash funding for the Community Grants program for the 2025/2026 period is $688,548.56. It comprises: a. Annual Cash Grants: $213,847.56 b. Partnerships Grants: $474,701.00 (inclusive of Neighbourhood House and Social and Wellbeing Grants) Discount Support Free Tipping vouchers to the value $19,938.00
Legislative and Risk Implications	The Community Grants Program is transparent, auditable and administered in line with good governance practice. The online platform 'Smarty Grants' manages the documentation associated with the program. This software captures all user actions from the

	application, eligibility check, assessment, recommended funding amount, through to the acquittal phase. Inbuilt software also provides Officers with limited access to only the information and forms specific to their role in the Community Grants Program. All must assessors declare conflict of interest for each application. In the event of a conflict-of-interest declaration, the assessment is transferred to a different Council Officer. Further information of Conflict of Interest, please refer to the Conflict of Interest section of this table.
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*. Community Grant funding categories provide opportunities to address equity, inclusion and human rights inequalities in the community.
Community Engagement	Officers delivered nine sessions to assist the community with the Community Grants process, as follows: **Information Sessions** • 25 February, Civic Centre – 27 participants • 26 February, Box Hill Community Arts Centre with Mandarin Interpreter – 19 participants • 27 February, The Round – Seniors Grants applications – 31 participants • 27 February, Online – 35 participants **Grant Writing Workshops** • 3 March, The Round – 31 participants • 6 March, Online – 30 participants **Drop in Application Assistance Sessions** • 14 March, Box Hill Community Arts Centre – 7 participants • 21 March, Box Hill Community Arts Centre – 8 participants • 25 March, SportLink – 4 participants Assistance was also provided by Officers to community groups via email, over the phone and in-person meetings by **request**.

10.3 (cont)

Innovation and Continuous Improvement	Innovation and continuous improvement took place in the administering of the 2025/2026 Community Grants Program to have a bigger reach and impact on the health and wellbeing of the community. These included: **1. Enhanced communication** • Updating the Community Grants webpage, Community Grant Guidelines and Factsheets, for all Grant categories to allow for easier access to information and enhanced understanding. • Promoting Community Grants Program through WeChat for the first time. **2. Enhanced engagement** • Hosting a Grants Information Session at Box Hill Community Arts Centre with a Mandarin speaking interpreter to cater for the Chinese community. • Hosting a Grants Information Session at the Round specifically to cater for the senior community groups. • Including 2 drop-in application assistance sessions across community centres to assist and cater for more community members. • Expanding previous promotional opportunities to include presenting at the Positive Ageing Forum and using the electronic screens at the Nunawading Hub and Aqualinks. **3. Enhanced assessment process** • A new question was added to the application form — *"If you DO NOT receive the full funding amount requested, will this program/initiative still go ahead?"* — to improve decision-making transparency and assess project viability more effectively.
Collaboration	The 2025/2026 Community Grants Program involved collaboration with Officers from cross-Council departments for various processes.

10.3 (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. Assessing Officers undertook mandatory fraud and corruption training specific to community grants. All assessing Officers were required to complete a declaration of direct or indirect conflict of interest prior to assessing each individual grant. If a conflict of interest was identified, the Officer did not assess the grant application, and the application was given to another Officer to assess. All records of this are documented and can be traced on the Smarty Grants platform. A declaration of conflict of interest was also completed by each Officer on the Review Panel.

ATTACHMENT

1 25/26 Community Grant Recommended Funding Report
2 2025 Community Grants Guidelines

10.4 Proposed Discontinuance of Road adjoining side/rear of 153-157 Springvale Road Nunawading

Department	Property and Leasing Director City Development

Attachment

SUMMARY

Having received a request from the Property owner (of all lots at 153-159 Springvale Road Nunawading (Lots 1-4 LP 11153) to discontinue the adjoining road ('road') at the rear and side of 153-159 Springvale Road, Nunawading, Council Officers undertook non-binding preliminary consultation with the adjoining owner and preliminary due diligence investigations. There was no objection to the proposal to discontinue. The land if discontinued will be sold to the adjoining owner of 153-159 Springvale Road to purchase.

It is recommended that Council commence the road discontinuance in accordance with the *Local Government Act 1989*.

The due diligence process identified that a Yarra Valley Water (YVW) sewerage asset runs in a north/south direction parallel to Springvale Road and will require an easement for asset protection purposes.

In the opinion of Council Officers, it has been deemed that the road adjoining at the rear and side of 153-159 Springvale Road, Nunawading, is no longer required for public use based on the following assessment criteria:

- the nature and extent of the present and past use of the road;
- the likelihood of the road being required for ongoing and future use, both vehicle and pedestrian; and
- Section 9 of the *Road Management Act 2004*

Council Officers recommend that Council commence the statutory process to discontinue the road at the rear and side of 153-159 Springvale Road, Nunawading.

RECOMMENDATION

That Council:

1. Acknowledges that the section of road shown shaded in blue on the Location Plan below is no longer reasonably required for public use, and should be discontinued, with the road (if discontinued) to be offered to the adjoining owner of Lots 1-4 on LP 1153 for a price not

10.4 (cont)

less than that determined by an independent Valuation obtained by Council.

2. Commence Statutory procedures under section 206, schedule 10, clause 3 of the *Local Government Act 1989* to discontinue the road.

3. In accordance with sections 207A and 223 of the *Local Government Act 1989*, gives public notice of the proposed Discontinuance in The Age newspaper and on Council's website.

4. Authorises the Senior Advisor Property & Leasing to undertake the administrative procedures necessary to enable Council to perform its duties and carry out its functions and exercise its powers under section 223 of the *Local Government Act 1989* in relation to this matter.

5. Consider and hear any submissions, made in accordance with section 223 of the *Local Government Act 1989*, at the Council Meeting on 22 September 2025.

KEY MATTERS

Having received a request from the adjoining owner, the road at the rear and side of 153-159 Springvale Road Nunawading has been deemed to no longer be required for public use based on the following assessment criteria:

- the nature and extent of the present and past use of the road;
- the likelihood of the road being required for ongoing and future use, both vehicle and pedestrian; and
- Section 9 of the *Road Management Act 2004*

There is not a requirement to consult the landowners in the wider precinct regarding potential discontinuance as their titles are not on the Plan of Subdivision known as LP 11153. The owner of 153-159 Springvale Road owns all the lots abutting the road, and the road only services these four allotments and only these allotments have the potential of utilising it for any access. However, public consultation will be undertaken as per policy.

Road Discontinuances are undertaken in accordance with the *Local Government Act 1989* and not the *Local Government Act 2020*.

Relying on *Local Government Act 1989* circumvents the community engagement obligations contained within Council's Community Engagement Policy; however, Council's Public Transparency Policy still applies.

If Discontinued, Council intends to then sell the road to the adjoining owner of 153-159 Springvale Road Nunawading. If Council at a future date resolve to dispose of the land in this way, the sale price will be for a price not less than that determined by an independent valuation obtained by Council.

10.4 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

Overarching Governance Principles and Supporting Report Details

Policy

Whilst the proposed road Discontinuance will be undertaken in accordance with the *Local Government Act 1989* (LGA 1989), Council's "Discontinuance of Roads policy, May 2024" also applies. This policy is publicly available on the Council website.

Additionally, select sections of the State Government's "Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land" will also be applied by Council Officers.

Background

The road at the rear and side of 153-159 Springvale Road Nunawading is a formed gravel roadway which is not on Council's Road Register. (Refer Location Plan and Photographs #1, #2 & #3)

Location Plan: Road is shown hatched with red border.

10.4 (cont)

Photo 1 – Looking east down roadway from Springvale Road

Photo 2 – Looking north at the rear of 157-159 Springvale Road

10.4 (cont)

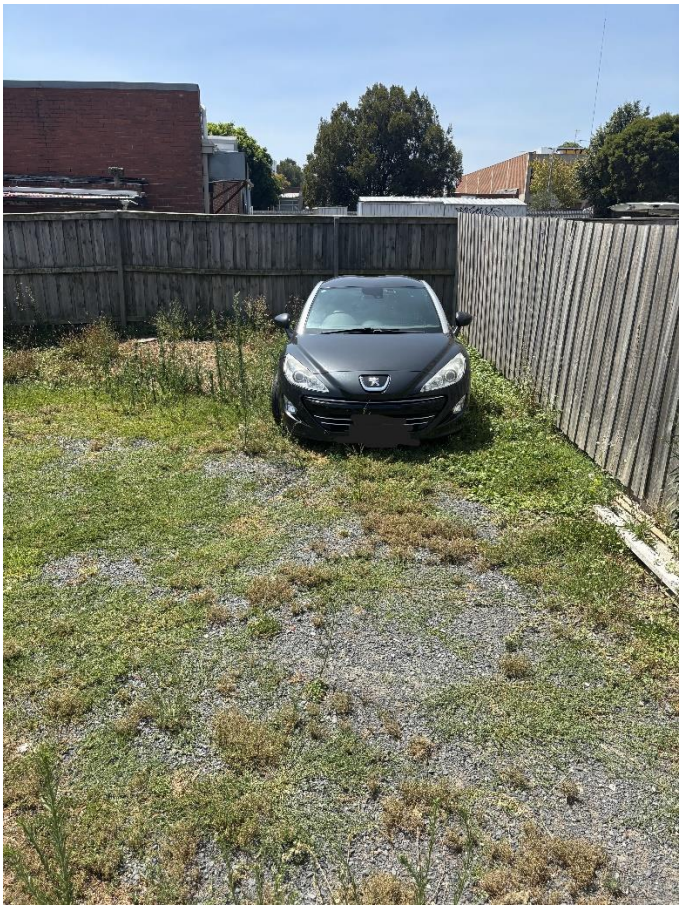

Photo 3 – Looking north at the rear of 153-155 Springvale Road

As the road is not on Council's Roads register, Council has no statutory obligations with respect to the care or maintenance of this road under the *Local Government Act 1989* and the *Roads Management Act 2004*.

The road services four allotments/properties only and is not used by a wider network of properties. The existing road title still records the road as being owned by the original Subdivider of the land, John Sampson of Station Street Box Hill, created by instrument 07/05/1923.

The Road's legal description is as follows:

Title Description: Volume 4691 Folio 020 Road R1 on LP11153

Registered Proprietor: John Sampson

In October 2024 Council received a Town Planning Permit application WH/2024/846 from the Proponent that included the road along with four adjoining properties; namely 153, 155, 157, and 159 Springvale Road, Nunawading, together with adjoining properties at 161-167Springvale Road and 5 Walkers Road, all owned by the same entity. The town planning permit application refers to the use and development of the land for motor car sales and servicing, including the construction of a two-level building with rear and internal car parking. Council requested further information from the applicant

10.4 (cont)

in February 2025 and has allowed an extension of time until 14 July 2025 for the information to be provided.

It is important to note, that the inclusion of the road in the Town Planning Permit application does not place any disposal obligations on Council when considering this discontinuance matter.

To establish if discontinuance of the road was viable, Council wrote to the property owner seeking their formal response on the proposed road discontinuance and to confirm if the Road was to be discontinued by Council, that they would participate in a sale and transfer based on terms and conditions established by Council. The owner confirmed that they would participate in a sale or transfer process.

During the Due Diligence stage, Council Officers confirmed on a site visit that the road was not accessible to adjacent owners.

In February 2025 Council Officers instructed a Valuer to provide a Valuation as per Council policy, using the 'before and after method'. The valuation amount was as outlined in the attached confidential valuation report. This will be the sale price to be nominated in the contract of sale should Council complete all steps associated with the road discontinuance process and resolve to discontinue and sell the land to the adjoining property owner. On 26th June 2025 the adjoining owner and intended purchaser of the roadway if discontinued executed a Heads of Agreement, inclusive of this purchase price (and subject to council completing the road discontinuance process and resolving to discontinue and sell the land to the adjoining owner).

If Council completes the statutory road discontinuance procedures, the land comprising the discontinued section of the road will, free of road encumbrance, be vested in Council as Freehold land, with Council, subject to Council resolution, then being entitled to sell the land to the property owner, subject to any service authority asset easements noted.

Prior to Council resolving to discontinue the road, Council will engage a Surveyor to prepare a title plan based on Title dimensions. Any future purchaser of the discontinued road will be responsible for the title consolidation requirements, including any additional surveying required to deal with any discrepancy in the dimensions of the land.

Discussion and Options

The recording of a road on Council's Road Register is not the only consideration regarding public use, the other considerations are as follows:

- the nature and extent of the present and past use of the road;
- the likelihood of the road being required for ongoing and future use, both vehicle and pedestrian; and
- Section 9 of the *Roads Management Act 2004*

Council Officers have assessed the road against these three considerations and believe that there are sufficient grounds for Council to complete the

10.4 (cont)

statutory procedures in accordance with the section 206 of the Local Government Act 1989.

Council Officers undertook a Dial Before You Dig report to consider which service authorities may have assets within the roadway, and reviewed its own Weave GIS mapping, to confirm that only a Whitehorse Council drainage pit lid and Yarra Valley Water sewer asset are located in the road. Council will not require an easement as the allotments have individual drainage points to Springvale Road. The Yarra Valley Water asset will require an Easement to be 'saved' on Title over the road after and following any road discontinuance, thereby granting proprietary interests in the road to the relevant asset owners. Under its Town Planning permit application, the property owner would also be required to resolve these issues.

Any 'saved' Easements that encumber the road after discontinuance were considered by the Valuer engaged by Council to complete the independent Valuation that established the future sale price.

SUPPORTING REPORT DETAILS

Legislative and Risk Implications

The discontinuance of roads by Council is undertaken in accordance with the *Local Government Act 1989* and not the *Local Government Act 2020*; consequently, Council is required to publish a Public Notice and consider any submissions relating to that Public Notice in accordance with section 223 of the *Local Government Act 1989*.

The section 223 process circumvents the community engagement obligations contained within Council's Community Engagement Policy; however, Council's Public Transparency Policy, which defines Council's commitment to the Public Transparency Principles as outlined in section 58 of the *Local Government Act 2020*, does apply. Public Notice will be placed in an advertisement in The Age newspaper and on the Council website (for 28 days) following approval of this proposal by council.

Additionally, the section 223 process must not only be "genuine" but must be seen to be "genuine" by the community.

Conclusion

Given that the Road at the rear and side of 153–159 Springvale Road, Nunawading is deemed to be no longer required for public use, Council Officers recommend that Council commence the statutory process to discontinue the road.

10.4 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	**Strategic Direction 3 - Economy** The proposed road discontinuance aligns with "Strategic Direction 3: Economy" in the Whitehorse City Council "Council Plan 2025-2029" (the Council Plan). The objectives of "Strategic Direction 3" relevant to this proposal include: Objective 3.1 A thriving local economy - Enable and support the creation of clean, safe and welcoming places to shop, access services, do business, exchange and visit; and Objective 3.4 A city that attracts investment and jobs - Facilitate strategic investment in activity centres, industrial and commercial areas. Facilitating the road discontinuance will allow more productive use of the land, improve amenity and lead to a redevelopment of the adjoining sites which will generate increased commercial activity and employment growth in the immediate precinct. **Strategic Direction 5 - Governance** Additionally, the proposed road Discontinuance aligns with "Strategic Direction 5": Governance, in the Council Plan, with the following objectives applying to the proposal: Objective 5.1: An open, transparent accountable and responsible Council – Deliver clear and transparent reporting and communications. Objective 5.3 A Council that actively engages with the community for genuine feedback and input – Provide tailored approaches to community engagement to listen and respond to a variety of community voices. Council's proposed discontinuance of the road gives affected parties the right and opportunity to make a submission and be heard in regard to the proposal.
Financial and Resource Implications	All expenses associated with the statutory process will be borne by the Property & Leasing 2025-2026 Recurrent Budget and these expenses are estimated to be approximately $5,000 + GST.

10.4 (cont)

Legislative and Risk Implications	The discontinuance process is undertaken having regard to the relevant sections of the Local Government Act 1989: • Section 206 - Power of Councils over roads; • Schedule 10, clause 3 - Power to discontinue roads; • 207A – Right to make a submission under section 223 where Council proposes to exercise any of its powers under Schedule 10 Clause 3; • 223 – Right to make submission and request to have their submission heard following publication of a public notice specifying the matter in which they have a right to make a submission, not less than 28 days after the public notice is published, the fact that a submitter can request to be heard in person at a time and date specified by Council or a Committee of Council; • Section 9 of the Road Management Act 2004 – which sets out the Rights of owners and occupiers of adjoining land 1. An owner or occupier of any land which adjoins a road is entitled as of right to access the road from that land. 2. Rights of access conferred by this section or at common law are subject to any restrictions, limitations or conditions which may be specified by or under this Act or any other Act or law. The discontinuance of roads by Council is undertaken in accordance with the *Local Government Act 1989* and not the *Local Government Act 2020*; consequently, Council is required to publish a Public Notice and consider any submissions relating to that Public Notice in accordance with section 223 of the *Local Government Act 1989*. The section 223 process circumvents the community engagement obligations contained within Council's Community Engagement Policy; however, Council's Public Transparency Policy, which defines Council's commitment to the Public Transparency Principles as outlined in section 58 of

	the *Local Government Act 2020*, does apply. Public Notice will be placed in an advertisement in The Age newspaper and on the Council website (for 28 days) following approval of this proposal by council. Additionally, the section 223 process must not only be "genuine" but must be seen to be "genuine" by the community. Having regard to complying with the above legislative requirements, there are no legal or risk implications arising from the recommendations 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	No community engagement was required for this report; however, this report seeks permission to commence a community engagement process in accordance with section 223 of the *Local Government Act 1989*. All necessary public authorities will need to be consulted in respect to the proposal, and as mentioned above, any required easements will need to be 'saved'. The statutory procedures under the *Local Government Act 1989* require Council to give public notice of its intention to discontinue the road, and to invite submissions from affected persons and the general public under section 223 of the *Local Government Act 1989*. The Public Notice of the proposed discontinuance will be given in The Age newspaper and published on Council's website. In addition, all nearby property owners and occupiers and land users will be advised of the proposal in writing, and informed of their right to make a submission under section 223 of the *Local Government Act 1989*. All and any submitters in relation to the proposal may request to be heard by a Committee of

10.4 (cont)

	Council, prior to a decision being made to proceed or otherwise not to proceed with the proposal. Key processes and timelines that are proposed, if agreed to by Council, are likely to be: 1. 29 July 2025: Public Notice advertisement and other notification given 2. 25 August 2025: Public Notice submissions close 3. 22 September 2025: Council Meeting to hear any submission/s (if required) 4. 13 October 2025: Council Meeting to consider final report an determine outcome.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendations contained in this report.
Collaboration	No collaboration was required for this report.
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.

ATTACHMENT

1 Valuation report - 153-163 Springvale Road, Nunawading

Whitehorse City Council designates this attachment and the information contained in it as Confidential Information pursuant to Section 3 (1) g(ii) of the *Local Government Act 2020.This ground applies because the matter concerns because disclosure may prejudice Council's commercial position by disclosure*

10.5 Municipal Association of Victoria State Council Motions

Department	Governance and Integrity Executive Manager Corporate Services

SUMMARY

The Municipal Association of Victoria (MAV) will hold its next State Council meeting on Friday, 10 October 2025. Councils are encouraged to put forward motions about issues that matter to communities across Victoria. If the majority of councils present at the meeting of State Council support a motion, it becomes an official resolution that helps shape the MAV's advocacy work and policy priorities.

All motions submitted to the MAV must be supported by a Council resolution, demonstrate strategic relevance, and align with the priorities outlined in the MAV Strategy 2024-2027 and/or address issues of statewide importance or broader relevance to the local government sector in Victoria.

The closing date for submitting motions is midnight on Monday 11 August 2025.

RECOMMENDATION

That Council endorse submitting the following three motions for consideration at the Municipal Association of Victoria (MAV) October 2025 meeting of the State Council:

1. Urban Densification

   Motion: That the MAV calls upon the State Government to:

   1. Investigate the impact of urban densification on the availability and quality of public open spaces, particularly in areas with low open space per person.
   2. Examine whether densification genuinely delivers affordable housing given high rates of population growth.
   3. Review the implications of government acquisition powers on public open space, highlighting the effect of compulsory acquisitions for infrastructure projects and their impact on local communities.
   4. Advocate for stronger protections and policies to preserve and expand public open spaces in middle and outer-ring suburbs, recognising the environmental, social, and health benefits these areas provide.
   5. Examine the impact of urban densification on physical and community infrastructure, such as schools, health services, drainage, and congestion on roads.

10.5 (cont)

6. Engage with relevant stakeholders, including community groups and planning bodies, to identify best practices and policy recommendations for maintaining and enhancing open spaces in the face of urban growth.

2. Illegal Tree Removal

   Motion: That the MAV calls on the State Government to significantly increase penalties for illegal tree removal across all relevant legislation.

3. Community Joint User Agreements

   Motion: That the MAV advocates to the State Government to simplify the process of creating Community Joint Use Agreements with the Department of Education to unlock public land for community use.

KEY MATTERS

The next MAV State Council meeting will be held on Friday, 10 October 2025. The three proposed Whitehorse Council motions are of broad significance to the sector and are important matters for debate and consideration at this meeting of the State Council.

The MAV in collaboration with local Members of Parliament, plays a key advocacy role in representing the interests of Whitehorse residents and ratepayers to the State Government.

Following Council's adoption of the motions, officers will seek and confirm support from the Eastern Regional Group of Councils.

The closing date for submitting motions is midnight Monday 11 August 2025.

DISCUSSION, OPTIONS AND ANALYSIS

Motion 1: Urban Densification

That the MAV calls upon the State Government to:

1. Investigate the impact of urban densification on the availability and quality of public open spaces, particularly in areas with low open space per person.
2. Examine whether densification genuinely delivers affordable housing given high rates of population growth.
3. Review the implications of government acquisition powers on public open space, highlighting the effect of compulsory acquisitions for infrastructure projects and their impact on local communities.
4. Advocate for stronger protections and policies to preserve and expand public open spaces in middle and outer-ring suburbs, recognising the environmental, social, and health benefits these areas provide.
5. Examine the impact of urban densification on physical and community infrastructure, such as schools, health services, drainage, and congestion on roads.

10.5 (cont)

6. Engage with relevant stakeholders, including community groups and planning bodies, to identify best practices and policy recommendations for maintaining and enhancing open spaces in the face of urban growth.

Motion Rationale:

As urban densification accelerates, it is critical to balance growth with the preservation of public open spaces and the demands placed on physical and community infrastructure. Open spaces are essential for community health, environmental sustainability, and social cohesion.

This motion seeks to ensure that the State Government proactively addresses these challenges and advocates for policies that protect and expand our precious open spaces for current and future generations.

Motion 2: Illegal Tree Removal

That the MAV calls on the State Government to significantly increase penalties for illegal tree removal across all relevant legislation.

Motion Rationale:

Illegal tree removal is a persistent and growing issue across Victoria, undermining environmental sustainability, neighbourhood character, urban forest strategies, and climate resilience efforts led by local governments.

Current penalties are often insufficient to deter unlawful behaviour and are frequently absorbed by developers or landowners as a cost of doing business. In many municipalities, mature canopy trees are being removed without approval to facilitate urban development, eroding public trust in planning controls and damaging biodiversity, habitat corridors, and the liveability of our communities.

This issue is of statewide significance because:

- Illegal tree removal is occurring in both metropolitan and regional areas, with similar impacts on community values and environmental assets.
- Local governments across Victoria are investing heavily in urban forest strategies and climate change mitigation measures, which are compromised by inadequate penalties for illegal tree removal.
- Inadequate penalties reduce the effectiveness of planning schemes designed to protect vegetation.
- The cumulative loss of canopy cover has direct implications for public health, heat mitigation, stormwater management, and Victoria’s emissions reduction targets.

10.5 (cont)

Motion 3: Community Joint Use Agreements

That the MAV advocates to the State Government to simplify the process of creating Community Joint Use Agreements with the Department of Education to unlock public land for community use.

Motion Rationale:

Simplifying the process for creating Community Joint Use Agreements would assist to result in increased access to sporting facilities to provide community access to essential sporting facilities as part of council commitments to improve the health and wellbeing of the community.

Unlocking underutilised sporting facilities sooner would be mutually beneficial because of Council investing in school upgrades.

This approach is a solution for Victoria's growing population given the limited land availability in many areas across Victoria to develop new sites.

Relationship to the MAV Strategic Plan 2024-2027:

All three motions link to *Priority 2: Connected Places in the MAV Strategic Plan* - this priority provides that the MAV will work with the local government sector to inspire people to collectively reinvent the public spaces at the heart of their communities, creating places that connect people to resources, opportunities, and to each other. We will strengthen the connection between people and the places they collectively inhabit through urban planning, transport, built forms, and the creation of a collaborative process by which we can shape our places to maximise shared value.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Strategic Direction 1 - Innovation, Transformation and Creativity; Strategic Direction 4 - Our Built Environment
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
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	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report.

10.5 (cont)

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. Noting that if Council adopt the motions, officers will seek and confirm support from the Eastern Regional Group of Councils.
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.

10.6 Records of Informal Meetings of Councillors

Department	Governance and Integrity Director Corporate Services

RECOMMENDATION

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

Online Meeting Briefing – 9 July 2025 – 7:05pm – 8.05pm		

Matter/s Discussed:
• Suburban Rail Loop Authority (SRLA) gave a presentation regarding open space matters relating to the following sites:
  • Box Hill Gardens, Box Hill
  • Court & Watts Street, Box Hill
  • Ellingworth Parade, Box Hill
  • Victoria Crescent, Box Hill
	Councillors Present
	Cr Andrew Davenport Mayor
	Cr Prue Cutts Deputy Mayor
	Cr Peter Allan
	Cr Jarrod Gunn
	Cr Daniel Griffiths
	Cr Kirsten Langford
	Cr Jason Martin
	Cr Kieran Simpson
	Cr Blair Barker
		Officers Present
		I Kostopoulos
		A Da Campo
		C MacNaughtan
		H Bainbridge

Others Present: SRLA Officers; Rebecca McHutchison, Lissa Van Camp Andrew Kelly		
Disclosures of Conflict of Interest: Nil		
Councillor /Officer attendance following disclosure: Nil		

10.6 (cont)

Pre Council Meeting Briefing – 14 July 2025 – 6:30pm – 6.37pm		
Matter/s Discussed: • Council Meeting Agenda – 14 July 2025	**Councillors Present** Cr Andrew Davenport Mayor Cr Prue Cutts Deputy Mayor Cr Peter Allan Cr Blair Barker Cr Jarrod Gunn Cr Daniel Griffiths Cr Kirsten Langford Cr Jason Martin Cr Kieran Simpson Cr Ben Stennett Cr Hayley Weller	**Officers Present** S McMillan S Cann I Kostopoulos L Letic S White F Nolan A Ghastine C Robinson K Woods A Wintle S Singh
Others Present: N/A		
Disclosures of Conflict of Interest: Nil		
Councillor attendance following disclosure: N/A		

Councillor Briefing – 18 July 2025 – 4.30pm – 5.15pm		
Matter/s Discussed: • Briefing on Suburban Rail Loop budget allocation sought for upcoming Minister's Standing Advisory Committee Hearing.	**Councillors Present** Cr Peter Allan Cr Blair Barker Cr Daniel Griffiths (arrived 4.36pm) Cr Kirsten Langford (arrived 4.50pm) Cr Jason Martin (left 5.05pm) Cr Kieran Simpson	**Officers Present** K Marriott A Egan A Blacket
Others Present: N/A		
Disclosures of Conflict of Interest: Nil		
Councillor /Officer attendance following disclosure: Nil		

10.6 (cont)

Councillor Briefing – 21 July 2025 – 6:30pm – 10.04pm		
Matter/s Discussed: 1. Tally Ho Major Activity Centre - consultation outcomes and draft structure plan update. 6.30-7.17pm 2. Youth Services New Operating Model Update 3. 2025/26 Councillor Capital Works Project Update 4. 2025 Community Satisfaction Survey Results 5. Councillor Requests - Demonstration of Power BI Data 6. Council Meeting Agenda – 28 July 2025	**Councillors Present** Cr Prue Cutts Deputy Mayor Cr Peter Allan Cr Blair Barker Cr Jarrod Gunn Cr Daniel Griffiths Cr Kirsten Langford Cr Jason Martin Cr Kieran Simpson Cr Ben Stennett Cr Hayley Weller	**Officers Present** S McMillan S Cann S White L Letic K Marriott F Nolan C Robinson K Woods E Outlaw T Gledhill L Morris A Foster A Egan
Others Present: 1. Rob McGauran, Principal, MGS Architects Audrey Lopez, Senior Urban Designer, MGS Architects		
Disclosures of Conflict of Interest: Cr Gunn declared a General Conflict of Interest in *Item 3.2 Community Grants 2025/26* as he is the Chairperson for Vermont South Neighbourhood House. Vermont South Neighbourhood House are a recipient of the Partnership Grant.		
Councillor attendance following disclosure: Cr Gunn left the meeting at 10.00pm for the discussion of item *10.3 Community Grants* on the Draft Council Agenda and returned after the conclusion of the discussion at 10.02pm		

11 Councillor Delegate and Conference / Seminar Reports

11.1 Reports by Delegates and Reports on Conferences / Seminars Attendance

Department Governance and Integrity
Director Corporate Services

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

RECOMMENDATION

That Council receives and notes the:

1. Reports from delegates, and;

2. Reports on conferences/seminars attendance.

CLOSURE OF THE MEETING TO THE PUBLIC

12 Confidential Reports

13 Close Meeting