WHITEHORSE
CITY COUNCIL

Whitehorse City Council

AGENDA

Council Meeting

on

Monday 13 October 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	Apology
	Cr Blair Barker	Online
	Cr Daniel Griffiths	
	Cr Jarrod Gunn	
	Cr Kirsten Langford	
	Cr Jason Martin	
	Cr Kieran Simpson	
	Cr Ben Stennett	
	Cr Hayley Weller	

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AGENDA

1 Welcome

Prayer for Council

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

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

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

Amen.

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

Cr Peter Allan, leave of absence granted at 14 July 2025 Council Meeting

Cr Blair Barker, attending online

3 Disclosure of Conflicts of Interest

4 Confirmation of Minutes of Previous Meeting

Minutes of the Council Meeting 22 September 2025

RECOMMENDATION

That the minutes of the Council Meeting 22 September 2025 be confirmed.

5 Urgent Business

6 Requests to Speak

7 Public Question Time

8 Petitions

9 Notices of Motion

9.1 Notice of Motion - Mandatory Glass (Purple) Bin

That Council:

1. Notes that to comply with the State Government's legislation Council is required to introduce in a Four Bin Kerbside Service from 1 July 2027:
   a. Victorian Government Circular Economy (Waste Reduction and Recycling) Act 2021 mandates Victorian councils to provide a four bin waste and recycling service to all households;
   b. Draft Household Waste and Recycling Service Standards (2024); and
   c. Victorian Policies: Recycling Victoria, A New Economy Policy, 2020 and the Recycled First Policy, 2020.
2. Notes that as part of a Four Bin Kerbside Service a mandatory glass bin recycling service is required for households.
3. Notes that there are financial penalties for not conforming with the legalisation to implement a glass bin recycling service.
4. Acknowledges that diverting waste from landfill is at the forefront of Council's waste management strategies and encouraging recycling is paramount.
5. Objects to the introduction of a glass bin recycling service in Whitehorse for the following reasons:
   a. The cost benefit of the service has not been established with implementation costs for Whitehorse residents estimated at over
   $4 million and annual ongoing costs estimated at an additional
   $1.3 million;
   b. The amount of glass in the current kerbside recycling bins is declining annually by 3% and will continue to as participation in the Container Deposit Scheme increases and glass packaging decreases;
   c. The Container Deposit Scheme provides the best alternative and cost-effective recycling option for source separation and expanding the scheme to other glass

containers will further reduce the amount of glass in kerbside bins, like proposed in New South Wales and South Australia from 2027; and

d. Introducing a fourth bin service requires the procurement of 55,000+ new bins and trucks, outweighing any environmental benefit of cleaner glass material.

6. Writes to the Minister for Environment and local members of State Parliament outlining Council's objection and seeking abandonment of the requirements to provide a glass bin recycling service.
7. Promotes Council's decision to object to a glass bin recycling service to Whitehorse residents through the website and social media.

9.2 Notice of Motion - Business Case Skybus

That Council:

1. Seek a report on the future use of Council car parks, including options for long term parking fee structures and potential partnerships with SkyBus.
2. Investigate the feasibility of a 'park & ride' arrangement or other partnership approaches with SkyBus.
3. Consider allocating funding to develop a business case for Council car parks to better accommodate long-term and airport parking.

10 Council Reports

10.1 Box Hill City Oval Management Options

Department	Leisure and Recreation Services Director Community Services

Attachment

UPDATE

Following the deferral of the Box Hill City Oval Management Options item on 22 September 2025, the following has been actioned to ensure that the stakeholder clubs have the opportunity to provide feedback to Council on the management model options, in advance of the 13 October Council Meeting.

- A detailed summary of all options was provided to both clubs.
- Meetings were held with both clubs to provide an overview of the options and the process to provide feedback in advance of the Council Meeting.
- Officers engaged with both Clubs throughout the feedback period.
- A joint submission was received from the Cricket and Football Clubs with amendments proposed to Option 1.
- The submission was reviewed, with a summary provided to Councillors for their information.
- Officers further discussed the proposal with the Cricket Club, to ensure an understanding on certain inclusions in advance of providing this update.

Following the review of the joint submission from the Cricket and Football Clubs, officers continue to support the recommendation for Option 1, noting the following:

- Whilst the seasonal allocation requests by the Club are reasonable, all seasonal allocations will be confirmed annually based on demonstrated club need, balancing stakeholder and community benefit, and may be subject to change should usage requirements vary over time.
- Council understands that the Clubs are proposing to sign a partnership MOU, which includes how they will share the 200sqm social room in West Pavilion (cricket 5 times per annum), and the gym. It is important to note that the Football Club will need to ensure that the MOU obligations do not limit their ability to serve the broader community, as will be agreed through their lease for these spaces.
- The Umpires Room in the West Pavilion will be seasonally allocated to ensure the appropriate amenity is provided year-round for gym users. It will be provided under the condition that it be made available to other

10.1 (cont)

bookings when required (eg. cricket). An alternate room for gym users will be made available where possible in this circumstance.

- Officers will investigate options to ensure the kiosk can be operated separately to the kitchen.
- The carpet and painting request will be assessed in line with Council review, programmed works and future budget.
- The Cricket Club will be permitted to hang honour boards and memorabilia in the South Pavilion 100sqm social space during the cricket season.
- The Cricket Club will be provided year-round access to the external storage space in West Pavilion.
- Cleaning responsibilities will be consistent with the seasonal hire of Council facilities.
- The request to deliver two separate shower/toilet spaces in the South Pavilion umpires/doctors' room to facilitate improved access and flexibility for umpires at a cost of up to $125,000 that can be accommodated within the total project budget. The recommendation below has been amended to reflect this.

SUMMARY

The purpose of this report is to discuss and confirm the future management model for the redeveloped Box Hill City Oval. Following this decision detailed engagement and negotiation with relevant stakeholders will occur ahead of the execution of agreements.

The Box Hill City Oval precinct will be undergoing significant redevelopment including reconstruction of the sportsfield, cricket nets, delivery of new West Pavilion, refurbishment of South Pavilion and other precinct improvements to support enhanced community benefits.

The combined project budget is in the order of $28 million, with significant contributions from all levels of Government. The project will commence in October 2025.

As a result of these redevelopment works, officers have assessed the most effective management model approach, designed to balance the need of the existing tenant sporting clubs and maximising diverse community access and usage of the facility and precinct.

RECOMMENDATION

That Council:

1. Endorse Council precinct management model option one as summarised in this report and as per the key terms outlined within the confidential attachment.

2. Authorises the Chief Executive Officer or delegate to negotiate and execute the agreements on behalf of Whitehorse City Council.
3. Note the inclusion of the amendment to the Pavilion design to accommodate the provision of enhanced umpire amenity in the South Pavilion at a cost of up to $125,000 that will be accommodated within total project budget.

KEY MATTERS

This report explores options for the future management of the facilities at Box Hill City Oval (BHCO) following their redevelopment. These options have been developed considering benchmarking, planning advice, current and future potential site usage and initial stakeholder engagement.

When developing and assessing options, the following principles have been considered:

1. *Community access and enjoyment*: The model will support the Council Plan by optimising utilisation and providing for more diverse community access.
2. *Sustainability*: Financial arrangements with stakeholder clubs and the community will represent a reasonable contribution to Council's cost to maintain the facility.
3. *Facility access and benefit*: The management model will provide for a level of facility access and benefit for existing stakeholders that is not less than the current provision and is consistent with allocations across Whitehorse.

DISCUSSION, OPTIONS AND ANALYSIS

Box Hill City Oval and User Groups

BHCO is situated on Crown Land in Box Hill and is managed by Whitehorse City Council. It is deemed a major sport and recreation facility and is an important site for cricket and Australian football in the area. It is the home venue of the Box Hill Hawks Football Club (BHHFC) and the Box Hill Cricket Club (BHCC).

The precinct is made up of:

- A sportsfield with a turf cricket wicket table (maintained by Council to highest AA classification)
- A bay of four synthetic cricket nets and similarly sized turf practice wickets
- The two-story Southern Pavilion, with dual social spaces, changerooms, other supporting amenities and an office space
- The Northern Pavilion, with social space, changerooms and other supporting amenities

10.1 (cont)

- Other supporting buildings including canteen, home coaches' box, away coaches box/curator shed and toilet block

Box Hill Hawks Football Club and Winter Usage

- Established in 1936 and commenced at City Oval in 1938
- Compete in the Victorian Football League (VFL) in both the male and female competitions (the highest level of AFL competition in Whitehorse, deemed as professional). The VFL program is partnered with Hawthorn Football Club of the Australian Football League (AFL)
- Other elite pathway programs regularly utilise the site (e.g. Eastern Ranges Under 18 Talent League teams)

Box Hill Cricket Club

- Established in 1890 and based at the site since 1937. The club has three Women's Premier Cricket teams, the highest standard of female cricket in Victoria (and only club in Whitehorse at this level). The club also has a joint community level women's team shared with Blackburn Cricket Club
- Field four men's teams in the Victorian Subdistrict Cricket Association
- Have two junior teams in the Cricket Southern Bayside Association, several representative teams, a Blasters foundation program as well as a partnership with East Box Hill Cricket Club hosting several junior teams.

Other User Groups

The venue supports several other users, including schools and holiday sporting programs.

Council also has a user agreement with Sports Education and Development Australia (SEDA) College for the use of the North Pavilion. SEDA College is an applied learning education provider partnering with sporting industry organisations to support students to attain sport and/or business diploma qualifications.

Site Redevelopment Overview

The precinct is subject to significant upgrades between now and 2027, primarily around the development of the new Western Pavilion, refurbishment of the Southern Pavilion, renewal of the oval surface and cricket nets and other wider precinct improvements. The overall budget for these projects is in the order of $28 million + GST and is funded with contributions from Council, Federal and State Governments and AFL Victoria.

The project sets out to greatly uplift the status of BHCO as a premier sporting precinct for the Whitehorse community. The redevelopment is expected to support improved delivery of state/regional level sporting activities of BHHFC and BHCC, while ensuring that the wider community has

10.1 (cont)

increased opportunity to access this public asset. It is intended that the precinct will be highly utilised in the future by many different users for a variety of different purposes

Current Management Model

Box Hill Hawks Football Club

BHHFC currently have an exclusive use lease for both levels of the Southern Pavilion. This arrangement followed a 2009 project that extended the upper story through contributions from Council and other organisations (including BHHFC, Hawthorn Football Club and AFL Victoria). Through this arrangement the club can book the two multipurpose rooms on the upper level including a commercial kitchen and bar (year-round), for a variety of events and functions. On the lower level, the club has office space and a board room for its administrative requirements, with use of additional facilities for matchday and training activities (including warmup zone / gym, changeroom and amenities).

In addition to the lease, BHHFC annually apply for a seasonal licence which permits use of the Northern Pavilion and the sportsfield. BHHFC receive an exclusive use licence for designated times from 1 April to 31 August each year, plus use for any finals during the month of September. The club have access to the sportsfield each weekday from 4pm – 8pm for training, and all-day Saturday and Sunday for matches. The Northern Pavilion is used only on match days, to accommodate the away team change and the umpires rooms.

Box Hill Cricket Club

BHCC access the site in summer through the seasonal licence process for usage of the North Pavilion and the sportsfield. BHCC receive a licence from 1 October to 28 February each year plus use for any finals during the month of March.

Currently, the club have access to the sportsfield and cricket nets, Tuesday to Friday from 4pm – 8pm for training, and all-day Saturday and Sunday for matches. The Northern pavilion is used by the club to house changerooms for their teams, plus they use the small multipurpose room for post-match / training social activities. The multipurpose room is serviced by a bar and a small kitchen.

SEDA College

SEDA College have a bespoke user licence with Council. The agreement permits annual use of the Northern Pavilion and sportsfield during school terms to run their education program.

Casual Bookings

Outside of club and SEDA allocated times (generally weekdays before 4pm and after 8pm) the site is available for casual bookings. Bookings are coordinated by Council's Leisure and Recreation Services Department.

10.1 (cont)

Bookable Spaces

Upon completion of the redevelopment project there will be an increased number of programmable spaces that can be accessed by stakeholder clubs and community. These include:

Western Pavilion

- 200sqm multipurpose room, serviced by a commercial kitchen and bar
    - Six flexible matchday/community meeting rooms (media, coaches boxes), designed to be used for small group meetings and activities
- Office space for administrative activities
- High performance gym/warmup activity area

Southern Pavilion

- 100sqm multipurpose room serviced by a small kitchen and bar area
- 200sqm multipurpose room serviced by a commercial kitchen and bar
- 100sqm community room / warm up zone with a kitchenette.

Maximising Community Outcomes at BHCO

With significant investment in the BHCO facility, there is a strong, shared commitment from Council and stakeholders to ensure it evolves as a vibrant, high-performing community asset. The upgraded precinct is designed to support a broad range of users and activities, encouraging greater community engagement and more diverse utilisation of the space.

The facility will cater to a wide variety of user groups, including local not-for-profit organisations, community groups, and sporting clubs. It will host grassroots to elite sporting competitions, inclusive programming for people with disabilities, and community events that celebrate and connect the local area.

The facility will continue to support the ongoing needs of tenant home clubs, providing a professional environment for training, matches, functions, athlete development, and administration. This includes elite talent pathway programs and high-performance activities.

Educational institutions will benefit from tailored access to high-performance spaces such as the gym and multi-purpose rooms, supporting applied learning, regular school sport, and physical education programs for both secondary and tertiary students. In addition to its community and sporting focus, BHCO is positioned to host a range of activities, from business functions to private events, further enhancing its value as a flexible and inclusive community venue. This use aligns with the current operations of the Southern pavilion.

10.1 (cont)

Stakeholder Engagement

Officers have held multiple discussions with BHHFC, BHCC and SEDA about their desired utilisation of the site post-redevelopment. These are outlined below and have been considered when developing the management options of this report.

BHHFC – seek a lease or similar arrangement in the new western facility comparable to their existing southern pavilion lease to support their high-performance program and have expressed a desire for an expansion of their community programming and event offerings.

BHCC – seek a seasonal licence arrangement in either pavilion equivalent to their current allocation ensuring that the club has a sense of ‘home’ like other seasonal clubs in Whitehorse (e.g. storage, appropriate spaces to show memorabilia). BHCC favour the use of the western pavilion, whilst also being open to utilising the southern pavilion.

SEDA - seek to return to the precinct post-redevelopment on broadly equivalent terms to their existing annual licence agreement

Precinct Management Considerations and Options

Once developed, the precinct’s two significant buildings require a new management approach to maximise their value for stakeholders and to engage the wider community.

Planning Considerations

Uses not carried out by or on behalf of Council and not deemed ancillary to the primary activity of the site (sporting) require planning approval. There is an existing ‘place of assembly’ planning permit related to the usage of the Southern Pavilion, particularly in relation to events and functions.

A planning consultant was commissioned to consider possible planning implications associated with proposed activities and indicated planning approval would be required for the following (but not limited to):

- Private functions (parties, weddings, conferences) require 'Place of Assembly' approvals
- Arrangements with tertiary or other education providers require 'Education Centre' approvals
- Medical centres, gym facilities or education services offered outside of a tenant club’s core program (e.g. commercial 'high performance' consultations) require their own planning approval considerations

Benchmarking

While it is generally uncommon for facilities supporting high-level Australian football to be shared seasonally with high-level cricket, officers benchmarked a number of equivalent facilities (shared high-level sport on Crown land) when considering management options for this report (details provided in the confidential attachment).

10.1 (cont)

It has been found that these arrangements generally replicate the current arrangement found at BHCO with a combination of leases supporting offices and function rooms primarily managed year-round by football clubs, as well as seasonal licences awarded for changerooms, and other facilities uses that support more typical matchday/training activities.

Box Hill City Oval - Management Model Options

The following three management model options are briefly summarised below and have been developed considering the factors above.

Please note that all options see the Box City Oval Precinct managed by Council in the best interests of the broader community, with different mechanisms and allocations considered in each option.

Additional detail regarding the specifics of each option, including key terms and financial considerations are included in the confidential attachment.

Option One: Council Management of Precinct

- Annual lease for BHHFC of the west pavilion (excluding majority of small meeting rooms)
- BHHFC seasonal licence of southern pavilion (changerooms & warm up zone only)
- BHCC seasonal licence of southern pavilion (100sqm function space as ‘home’, changerooms & warm up zone)
- All other bookable spaces managed by Council

This option would see a multi-year lease offered to BHHFC for spaces within the new western pavilion (e.g. multi-purpose room, gym and office) with seasonal allocation for small meeting rooms, change rooms and oval. Council would manage the activation of the precinct through the lease, licences and community bookings (short and long term).

Benefits of this model include:

- Leverages BHHFC presence at the site and their dedicated staffing resources through an agreement that will be structured to encourage utilisation by the broader community.
- Is similar to current arrangements with increased club contributions and accountability for community access (in essence swapping existing arrangements from south to west pavilion)
- Reduces the financial risk to Council considering projected fixed lease returns
- BHHFC are well positioned to manage the gym to provide use and benefit to local clubs and school groups (non-commercial) and take on financial responsibility and liability for the equipment
- BHCC would be provided with seasonal tenancy in the south pavilion and could make the facility a home, while having access to the west

10.1 (cont)

pavilion 5 times per annum, without having to manage and activate the facility itself during summer

- Council would directly manage and allocate to the community the programmable space at both peak and off-peak times in the southern pavilion (200sqm function room) as well as the rest of the building outside of club use and the majority of the meeting rooms spaces in the west pavilion.

Risks of this model include:

- Approval for planning and Department of Energy, Environment and Climate Action (Crown) required for several proposed uses
- Realising the maximum amount of community outcomes from the west pavilion (200sqm space and gym) relies substantially upon the lease holder to drive utilisation, while managing their own competing priorities as a professional sporting organisation
- Lease management of a premier public asset reduces Council's direct influence of community outcomes, relying upon strong relationships and performance measures to ensure objectives are being met

Option Two: Council Management of Precinct

- Seasonal license of west and south pavilions (BHHFC in winter / BHCC in summer)
- All other bookable spaces managed by Council (when not seasonally allocated)

This option would see both pavilions managed by Council with tenant clubs provided with seasonal licences in their competition seasons for the facility footprints required to support their activities (e.g. midweek training nights and weekend competition days).

Appropriate allocations would be made based on Club and facility requirements, considering all available spaces at the time. The allocations would be made seasonally with flexibility offered to increase their bookings as and when required, at the discretion of Council.

Council would manage all other times outside of the licenced hours. This could be managed yearly under Council’s Sporting Facilities Guide or bespoke licences could be developed to support minor variations to typical terms upon negotiation.

Benefits of this model include:

- Council has direct control to influence community outcomes across the site, rather than relying upon others to enable these on Council's behalf
- Appropriate allocation of spaces based on needs will help ensure utilisation of spaces are maximised.

10.1 (cont)

- BHCC get seasonal access to the new western pavilion as per their preference
- Increased Council resourcing to support this model may support improved capacity in Council's leisure facilities team and therefore provide for benefits for other Council facilities in time
- Shorter tenure of agreements (e.g. seasonal) provides flexibility for Council to amend its approach in future to best serve the community
- Approval process of planning and DEECA (Crown) not required for most uses as on behalf of Council (any education licence would need approval)

Risks of this model include:

- Council takes on risk related to programming, revenue generation and resourcing perspectives
- Opportunities limited due to the occupation of the site for sporting activities of tenant clubs in the vast majority of the peak booking times
- The provision of catering for the 200sqm space in the west will be compromised with the inability to a secure dedicated catering service for Council, BHHFC and BHCC seasonally. Multiple parties delivering catering is sub optimal and a single catering contract for all parties will increase costs for Clubs and limited their associated activities.
- Council takes on operations and liability for the gym, including managing the logistics of supporting a high performance tenants
- Model is a significant variation to the existing arrangements at the site, and represents less access for BHHFC than is currently provided
- Short term agreements may also reduce long-term commitment to the site by stakeholders, as there are limited barriers to exit licence agreements

Option Three: Council Management of Precinct

- Seasonal licence of western pavilion (BHHFC in winter/BHCC in summer)
- Lease of south pavilion (BHHFC existing arrangement)
- All other bookable spaces managed by Council (when not seasonally allocated)

This option would see the continuation of the existing arrangement, in that a new lease would be negotiated with BHHFC for the southern pavilion top floor, with a formal arrangement also executed for the office space in the western pavilion (due to the relocation of required office infrastructure).

The remaining spaces of both buildings would revert to Council for management with seasonal licences awarded to both clubs in their

10.1 (cont)

respective competition seasons for the western pavilion (and the southern pavilion bottom floor changerooms and warmup as required).

Benefits of this model include:

- Council has direct control to influence community outcomes rather than relying upon others to enable these on Council's behalf
- Increased Council resourcing to support this model may support improved capacity in Council's leisure facilities team and therefore provide for benefits for other Council facilities in time
- While not BHHFC's stated preferred model, the club would continue to have autonomy over a space for their broader activities (through Southern Pavilion) and be no worse off than their current arrangement
- BHCC get seasonal access to the new western pavilion as per their preference
- Approval process of planning and DEECA (Crown) not required for most uses as on behalf of Council or covered by existing permit for southern pavilion (any education licence would need approval)

Risks of this model include:

- Council takes on risk from programming, revenue generation and resourcing perspectives with opportunities somewhat limited due to the occupation of the site for sporting activities of tenant clubs in the vast majority of the peak booking times
- Council takes on operations and liability for the gym, including managing the logistics of supporting a high performance tenant
- Adds operational complexity across both buildings for BHHFC as the office space is in west and the primary operations of Club at times will be in south

Financial Comparison of Options

Additional detail relating to the financial outcomes for each option are included in the confidential attachment.

Recommendation

Following comparison of the proposed models against the stated principles, and consideration of benefits and risks, it is recommended that option one be endorsed as the preferred approach to managing BHCO.

This option provides a balanced and effective way to maximise the value of the site as a public asset, while still providing Council oversight and the ability to maximise community outcomes in partnership with the stakeholders of the site.

Key terms with BHHFC include incentivising broader community activation on site, and a lease management approach with agreed planning and ongoing engagement with Council as the precinct manager. This approach

10.1 (cont)

reduces the risks outlined above and increases the accountability of BHHFC to deliver community activation in line with Council and community expectation.

Additional detail relating to current fees and charges, benchmarking, key terms and financial impacts are included in the confidential attachment.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Council Plan: Strategic Direction 1 - Community; Strategic Direction 2 - Built The activation of Box Hill City Oval and other sport and recreation facilities align closely with the strategic priorities of the Whitehorse Integrated Council Plan 2025-2029. The management of the site for increased community use supports the following objectives within the above strategic directions: - Objective 1.3: A healthy and active community - Objective 2.2: Well-used community facilities and shared spaces
Financial and Resource Implications	Discussion of financial and resource implications of the different management model options is provided within the confidential attachment.
Legislative and Risk Implications	A summary of risk implications for each of the management model options is contained within this report.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues. A Gender Impact Assessment was completed as part of the planning for the precinct, with recommendations considered in the design of the projects.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	There are a number of innovation matters contained within the report, as we seek to maximise the precinct for broad community benefit.

10.1 (cont)

Collaboration	Officers have engaged with numerous stakeholders regarding the Box Hill City Oval redevelopment project. External stakeholders include: • Box Hill Hawks Football Club • Box Hill Cricket Club • Victorian Government • Federal Government • AFL Victoria • Cricket Victoria Specifically, around the management options, Officers have engaged with: • Box Hill Hawks Football Club • Box Hill Cricket Club • SEDA College
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 BHCO Management Options - Confidential Attachment - Additional Information

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 it contains confidential business information*

10.2 Emission Reduction Projects for Reallocated Carbon Offset Budget 2025/26

Department	City Services Director Infrastructure

SUMMARY

On 26 May 2025, Council resolved to reallocate funds from purchasing carbon offsets to direct emission reduction projects as part of the Climate Response Strategy 2023–2030 target to aspire for net zero corporate emissions.

The allocated funding for 2025/26, based on the calculated emissions from 2023/24, is $240,000.

The proposed projects for 2025/26 are based on preliminary findings from the Gas to Electric Business Case (Action 5a of the Climate Response Plan 2023–2026). The Business Case identifies priority opportunities to transition Council sites from gas to electric systems, reduce greenhouse gas emissions, improve operational efficiency, and support long-term financial sustainability.

The proposed projects align with the Whitehorse Integrated Council Plan 2025–2029, particularly Strategic Direction 4: Natural – objective: an environmentally sustainable and climate resilient City.

It is recommended to commence gas-to-electric conversion projects in 2025/26utilising the $240,000 budget allocation as outlined in Table 1 and Table 2 below.

RECOMMENDATION

That Council endorse the proposed list of emission reduction projects for 2025/26 as outlined in Table 1 and Table 2 of this report.

KEY MATTERS

Background – Carbon Offsets and Carbon Neutrality

On 26 May 2025, Council considered a report on ‘Carbon Offsets and Carbon Neutrality’ and resolved that Council:

1. *Notes that this report is in response to the resolution on 3 February 2025 for Notice of Motion No 3.*
2. *Amends the Climate Response Strategy to:*
    a. *Not purchase carbon offsets*
    b. *Replace the objective to be a Carbon Neutral Organisation under the Climate Active Scheme with ‘Aspire towards a net-zero emission Organisation’*

10.2 (cont)

3. *Continues to monitor and report on Council's corporate greenhouse gas emissions following best practice, including scope 3 emissions (i.e. indirect greenhouse gas emissions throughout council's value chain that are not directly owned or controlled by the council).*
4. *Annually allocates an amount of funding to projects to reduce Council's corporate greenhouse gas emissions (as outlined in Option 2 in this report), and local environment and biodiversity projects (as outlined in Option 3 in this report). This variable amount will apply the current year's prevailing market value of the carbon offset purchasing approach employed in 2022/2023 to the quantity of council's corporate greenhouse gas emissions of the current financial year.*
5. *Assigns funds as described in 4 to specific projects subject to council authorisation through a report to council with consideration to business cases including opportunity costs.*

Points 2 and 3 have been implemented and point 4 will form part of Council's future budget considerations.

This report is in response to item 5, seeking Council to endorse specific projects for 2025/26 in lieu of purchasing carbon offsets.

Background – Council's Corporate Emissions

As presented in the 26 May 2025 Council Report, Council's reportable corporate emissions for 2023/24, including Scope 3 emissions, was 19,182 tonnes of carbon dioxide equivalent (tCO_2-e). This calculation was based on the Climate Active methodology, noting Council is no longer seeking certification under this program.

Using an estimated cost of carbon offsets, the Budget for 2025/26 was developed and includes $240,000. As per the 26 May 2025 resolution, this amount is to provide for direct emission reduction, local environment and biodiversity projects.

In 2023/24, direct emissions (Scope 1 and 2) were attributed to natural gas (14.2%), electricity (12.3%) and fleet and plant fuel (6.6%). On 1 July 2024, Council transitioned to 100% renewable electricity via the Victorian Energy Collaboration which effectively eliminates emissions from electricity. Reducing natural gas use is now a key focus for Council moving towards the aspirational net zero target, supported by the Gas to Electric Business Case.

Action 5c of the Climate Response Plan 2023–2026, is to develop Council's Emission Reduction Plan in 2025/26. This project is underway and will present pathways to address Council's other corporate greenhouse emission sources, including through local environment and biodiversity projects.

10.2 (cont)

Gas to Electric Business Case Overview

Action 5a of the Climate Response Plan 2023–2026 is to develop a Gas to Electric Business Case. It provides a detailed assessment of Council's gas consuming sites with the key objectives to:

- Decarbonise by eliminating gas usage and reducing emissions.
- Improve energy efficiency through electrification and renewable energy integration.
- Deliver financial sustainability with cost-effective solutions and long-term savings.
- Maintain regulatory compliance with evolving energy requirements.

The scope of the Business Case includes:

- Assets: Mains gas-connected buildings.
- Retrofit and replacement: Gas systems replaced with electric alternatives via the asset renewal program.
- Energy supply: Integration of renewable electricity generation, including solar PV expansion where feasible.
- Phased delivery: Multi-year implementation to 2040 or sooner, aligned with annual Capital Works program reviews.

Gas to Electric Business Case Preliminary Findings

This report presents the proposed emission reduction projects for the 2025/26 financial year. The projects are based on preliminary findings from the Gas to Electric Business Case.

Projects have been selected and prioritised based on:

- Alignment with Council's strategic objectives and the end-of-life replacement of gas equipment.
- Estimated delivery of measurable reductions in greenhouse gas emissions.
- Readiness for delivery and operational feasibility.
- Ability to generate community and stakeholder benefits.
- Long term financial sustainability based on progressive phase out of natural gas.

Preliminary findings identify opportunities to electrify gas-fuelled sites for heating, hot water, and cooking. A bespoke gas to electric roadmap tool has been developed to guide project selections, with recommendations based on:

- Equipment age
- Maintenance and operational costs

10.2 (cont)

- Energy costs (gas and electricity)
- Capital costs, including infrastructure, solar PV and contingency

Aqualink Nunawading was excluded from the Business Case due to its age, where there is separate project considering options for this facility. Some sites, such as the Civic Centre are not immediately feasible and will be deferred for detailed design and managed through the long-term asset plan of this facility. There are significant complexities and cost associated with the transition from gas to electric for Aqualink Box Hill that will require further consideration also.

Initial findings include:

- Approximately $27.9M capital cost projected to 2040 to fully electrify gas-consuming sites, including Aqualink Box Hill ($5.8M) the Civic Centre ($4.5M), and Box Hill Town Hall ($1.5M). This includes contingency allowances and estimated project management fees.
- If all sites are converted to electric, the estimated net annual emissions will reduce from 1,577 tCO_2-e in 2026 to 62 tCO2-e by 2040 (excluding refrigerants).
- Electrification should be prioritised by equipment nearing the end-of-life and if works are done on a site, to look at taking the whole site off gas.
- Higher short-term capital costs associated to electrification are offset by long-term savings from lower operational and maintenance costs.
- Further planning is required for sites with capacity constraints or complex heat pump installations.

The Business Case highlights the need to embed electrification in new builds and refurbishments. For example, the Box Hill City Oval, Vermon Reserve Pavilion, Mirrabooka Reserve Pavilion projects have all been designed to be fully electric.

Further consideration will be given to what funds should be allocated to replace gas appliances as standalone projects and what appliances will be replaced as part of the renewal of facilities.

Recommended Projects for 2025/26

Table 1 outlines the recommended and prioritised projects for 2025/26, including estimated capital cost, estimated emissions reduction, and cost-effectiveness over the life of the new electric equipment.

Allocated contingency allowances are based on individual site requirements including potential electrification infrastructure upgrade costs and excludes project management fees as this oversight is covered by existing operational resources.

10.2 (cont)

Table 1: Proposed projects to be designed and delivered in 2025/26.

No.	Site	Scope	Equipment Replaced	Net Project Costs excl. contingency	Net Annual Reduction (tCO_2-e)
1	Blackburn North Neighbourhood House	Full works	Gas heating & hot water	$42,000	2.81
2	Burgess Family Centre	Full works	Gas heating & gas cooking	$51,800	2.45
3	Parks Nursery & Horticultural Centre - Potting Shed	Full works	Gas heating plus preliminary investigation into hot water to heat the greenhouse	$197,000 ($185,000 allocated towards electrification infrastructure costs for the full site)	2.64 (26.4 if greenhouse is included)
TOTAL Project Cost only				$290,800	
TOTAL Project Cost incl. contingency allowance				$311,960	

Table 2: Projects to be designed in 2025/26 for budget estimation and future delivery.

No.	Site	Scope	Equipment Replaced	Design Cost	Net Annual Reduction (tCO_2-e)
4	Nunawading Community Hub*	Design only	Gas heating & hot water*	$67,800	16.19
5	Sportlink Vermont South*	Design only	Gas hot water*	$25,900	6.21
6	Kalang Park* Pavilion*	Design only	Gas heating & hot water*	$55,000	2.25
TOTAL Design Cost				$148,700	

* Gas cooking equipment is excluded from the project scope, as its replacement falls under the responsibility of the tenants. For assets where the cooking equipment is managed by the tenants, it will be replaced with electric alternatives at the end of its life.

10.2 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

Project Selection Process for Carbon Offset Funds

For 2025/26, it is proposed to prioritise gas-to-electric conversion projects to support long-term net zero and climate response goals. With a $240,000 allocation, this funding will allow commencing transitioning away from gas, focusing on deliverable projects while laying the foundation for a broader, methodical emissions reduction program.

Local environmental and biodiversity projects have not been included in the 2025/26 project list, as further investigation is required to undertake a robust comparative benefits analysis. Accordingly, priority has been allocated to projects supported by detailed analysis within the Gas to Electric Business Case.

Discussion of selected projects

As shown in Table 1 and 2 above, the recommended projects to commence in 2025/26 include:

1. Blackburn North Neighbourhood House
    - Full works - Design and construct
    - Replace gas heating and hot water
    - Equipment is nearing end of life and there is an opportunity to remove the gas connection to this site.
2. Burgess Family Centre
    - Full works - Design and construct
    - Replace gas heating and hot water
    - Equipment is nearing end of life and there is an opportunity to remove the gas connection to this site.
3. Parks Nursery & Horticultural Centre site

    Potting Shed
    - Full works – Design and construct
    - Replace gas radiant heaters in the potting shed.
    - Equipment is nearing end of life.
    - The net capital cost includes the estimated $185,000 electrification infrastructure cost required to fully electrify the site.

    Greenhouse
    - Preliminary investigation
    - Replace boiler that heats the greenhouse to further evaluate electricity load requirements for the entire site.
    - There is potential for significant emission reductions for this site, subject to design.

10.2 (cont)

4. Nunawading Community Hub
    - Design only
    - Design for replacement of gas heating and hot water.
    - Despite building construction completed in 2020, there is potential for significant emission reductions for this site. Gas cooking is excluded, as its replacement is the responsibility of the tenants.
5. Sportlink Vermont South
    - Design only
    - Design for replacement of gas hot water.
    - Equipment is nearing end of life and there is opportunity to eliminate most of the gas use. Gas cooking is excluded, as its replacement is the responsibility of the tenants.
6. Kalang Park Pavilion
    - Design only
    - Design for replacement of gas heating and hot water.
    - Equipment is nearing end of life and there is opportunity to eliminate most of the gas use. Gas cooking is excluded, as its replacement is the responsibility of the tenant clubs.

The selected sites prioritise end-of-life equipment and deliver measurable, permanent reductions. Projects were assessed for emissions reduction, cost-effectiveness, readiness, community benefit, and feasibility. Internal stakeholders were engaged to confirm scope, timelines, and resource requirements.

Total net capital costs presented in Table 1 and 2 include contingency allowance, where required. Projects completed are subject to final spend and available budget as works are completed. The Nunawading Community Hub, Sportlink Vermont South and Kalang Park Pavilion are listed as potential projects based on this.

Benefits of this approach include:

- Permanent emissions reductions
- Avoids reactive asset replacement and ongoing gas costs
- Demonstrates tangible progress toward net zero
- Higher upfront costs are offset by lifetime savings and reduced maintenance.

Consideration of future projects

An Emissions Reduction Plan is being developed for Council operations. The Plan is to work towards reducing emissions including energy efficiency, electrification, renewable energy and fleet opportunities.

10.2 (cont)

Future projects for 2026/27 will be informed by the design work listed in Table 2, and further development of the Business Cases and Emissions Reduction Plan to be considered by Council later in 2025/26.

Options Analysis

Table 3 summarises the high-level options available for Council to consider.

Table 3: **Key options for Council consideration.**

Option Description	Key Consideration
Option 1 (recommended) - Endorse all proposed projects	• Maximise direct emission reductions by implementing the proposed projects in Tables 1 and 2. • Support and commence gas to electric transition. • Aligns with 26 May 2025 Council resolution with full allocation and delivery of relocated carbon offset budget of $240,000. • Any projects unable to be completed in 2025/26 will form the basis of the 2026/27 project list.
Option 2 – Endorse part of proposed projects	• Support and commence gas to electric transition by choosing a selection of projects from Table 1. • Delay progress towards strategy target and efficiencies with minimal commitment and momentum. • Reallocate unspent 2025/26 budget towards 2026/27 and/or future year's projects.
Option 3 – Hold and defer	• Do not utilise allocated funds towards proposed projects from Table 1 and 2. • Hold $240,000 allocated for 2025/26 and defer project selection decision to 2026/27 aligning with Council's Emission Reduction Plan currently in development.

10.2 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	The proposed emission reduction projects directly align with the Whitehorse Integrated Council Plan 2025–2029: Strategic Direction 4 – Natural Objective – An environmentally sustainable and climate resilient City. Strategies: • Take local action to address current and future climate challenges. • Plan for and deliver sustainable and climate-resilient infrastructure. • The projects and approach are consistent with the Climate Response Strategy targets of: • Source 100% renewable electricity for Council operations by 2025. • Aspire to achieve net zero corporate emissions. • Aspire for net zero community emissions by 2040. The Strategy contributes to Victoria's legislated net zero target by 2045 and Australia's commitment to net zero by 2050.
Financial and Resource Implications	$240,000 is allocated towards direct emission reduction, local environment and biodiversity projects in the 2025/26 budget diverted from the cessation of purchasing carbon offsets.
Legislative and Risk Implications	The following legislative requirements are applicable to this Report: The *Victorian Climate Change Act 2017* requires local governments to consider climate change when undertaking this public health and wellbeing planning. The *Victorian Public Health and Wellbeing Act 2008* requires local governments to have regard to climate change then preparing municipal public health and wellbeing plans. The *Local Government Act 2020* contains overarching principles that must be considered by councils, including: • Under 9(2)(b) Councils are required to give priority to achieving the best outcomes for the municipal community, including future generations.

	• Under 9(2)(c) Councils are required to promote the economic, social and environmental sustainability of the municipal district, including human centric and planning for climate change risks. • Under 9(2)(h) regional, state, and national plans and policies are to be taken into account during Council's strategic planning. The proposed list of emission reduction projects aligns with Council's Strategic Risk 3 – 'Changes to climate impacting Council's ability to deliver services to the community and manage Council assets in a restricted financial environment'.
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.
Innovation and Continuous Improvement	Supports adoption of reliable technologies and best-practice sustainability initiatives, including full transition away from fossil fuels.
Collaboration	No external collaboration was required for this report. Council has engaged WSP Australia Pty Ltd for the development of the Gas to Electric Business Case.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

10.3 North East Link - Urban Design and Landscape Plan submission for Tram Road to Springvale Road

Department	Engineering and Investment Director City Development

Attachment

SUMMARY

North East Link Program (NELP) has recently exhibited the Urban Design and Landscape Plan (UDLP) for Tram Road to Springvale Road section of the Eastern Freeway. This package is also known as the Eastern Package.

Significant areas of the open space and landscape corridor within the City of Whitehorse are impacted by the designs in the UDLP, on both the southern and northern sides of the Eastern Freeway.

The UDLP includes the schematic proposals for the above ground works, as well as the integrated landscape and urban design elements. It generally outlines the schematics for:

- The Freeway widening and noise walls.
- Pedestrian and cycling paths and bridges across the freeway and across the Koonung Creek.
- Planting species and soft landscape elements and key landscape themes.
- Other proposed design and construction information.

The Attachments to the UDLP Report focus on Architecture and Urban Design; Landscape Design; Perspective Visualisations of the project design ideas; and a snapshot Overshadowing and Overlooking Assessment. Refer to Attachment 1, Figures 1 to 9.

Council officers have considered the UDLP Reports and Assessments. There are elements of the UDLP that are consistent with Council's advocacy position and are supported. It is however considered that a number of amendments should be made in order to minimise the social, environmental, infrastructure and amenity impacts of the project, and provide appropriate offsets to the Whitehorse community.

The key issues for Council to note include the social, environmental and amenity impacts resulting from:

- Extensive loss of existing vegetation within the City of Whitehorse.
- A significant loss of public open space in the Eram Park precinct. (Attachment 2).
- A lack of general open space improvements in Eram Park, Slater Reserve and Junction Road Reserve. Refer Attachment 1, Figures 4, 5 and 9.
- Limited enhancements to walking / cycling paths, landscape assets and other infrastructure.

10.3 (cont)

A submission has been drafted for Council's consideration that addresses the issues above and makes recommendations that enable the transport goals of the North East Link (NEL) project to be achieved while also balancing the needs of the Whitehorse community (Attachment 3).

RECOMMENDATION

That Council:

1. Notes the exhibited North East Link (NEL) Urban Design and Landscape Plan (UDLP) for the Tram Road to Springvale Road package.
2. Endorses the draft Whitehorse City Council Submission, North East Link Urban Design and Landscape Plan, Tram Road to Springvale Road (as per Attachment 3), that seeks amendments to the UDLP including, but not limited to:
    a. Reduction in the footprint of the Eastern Freeway widening.
    b. Provide significant enhancements to public open space and the landscape corridor, particularly within the Junction Road Reserve and Eram Park precincts.
    c. Upgrade the Koonung Creek Trail (KCT) in its entirety - within and outside of the NEL project boundary; with full resurfacing works and on-demand lighting.
    d. Install community infrastructure such as seats, wayfinding signage, bike repair stations, drinking fountains.
    e. Improve the safety, accessibility and amenity of the underpasses and at-grade pedestrian crossings at Tram Road, Middleborough Road, Surrey Road / Blackburn Road, and Springvale Road.
    f. Provide further information to Council to enable a full understanding of project impacts, including but not limited to:
        i. Flood modelling and mitigation measures for all packages within the City of Whitehorse.
        ii. All season overshadowing impacts to private open spaces, public infrastructure areas and pinch points.
        iii. Evidence of meeting public lighting standards along the shared use paths.
        iv. Evidence that the noise, air quality and other environmental concerns of residents have been addressed.
        v. Increase the tree canopy replacement rate for every tree removed within the City of Whitehorse.

10.3 (cont)

KEY MATTERS

The Victorian Government is designing and constructing North East Link to connect the M80 Ring Road in Greensborough to the Eastern Freeway in Bulleen. As part of the project, the Eastern Freeway will be upgraded.

As an overview:

- The project delivery is divided into various packages and the UDLP that is the subject of this report only covers the area between Tram Road, Box Hill North and Springvale Road, Nunawading.
- The UDLP was placed on public exhibition from 1 September to 28 September, 2025.
- The proposed road, landscape and urban design works are schematically outlined in the UDLP.

It is Council Officers opinion that the UDLP includes design responses that are supported, particularly:

- The retention of high-amenity and valued segments of the Koonung Creek Trail, such as between Slater Reserve and Junction Road Reserve.
- Thoughtfulness in the design of pedestrian and cycling bridges and their integration with navigation nodes.
- The presentation of pedestrian focussed spaces.
- The engagement and reference to caring and connection to Country.

It is however considered that the UDLP falls short of addressing the adverse impacts of the project on the Whitehorse community, including:

- Loss of vegetation and natural environment.
- Reduction in usable open space; particularly in the Eram Park and Junction Road Reserve precincts. Refer Attachment 2.
- Amenity impacts to residential properties and community infrastructure due to the increase and scale of the noise walls.
- Proposed “partial” reconstruction of the Koonung Creek Trail and other associated path networks. Refer Attachment 1, Figure 4.
- Potential impacts to assets with unresolved flood mitigation measures and water volumes due to the proposed works.
- Lack of integrated landscape, asset and environmental improvements; within and beyond the project boundary. Refer Attachment 1, Figure 4.

The draft submission calls for:

- Council to continue to work with the Victorian Government to refine the designs and incorporate the changes outlined in the submission.

10.3 (cont)

- NELP to work with Council and the Whitehorse community to fully minimise the impacts on the community.
- NELP to commit to implementing the legacy projects outlined in the submission that will contribute to mitigating the open space impacts.

DISCUSSION, OPTIONS AND ANALYSIS

Council resolved at its meeting on the 11 December 2017, to oppose the Victorian Government's selected alignment of the project that included the Eastern Freeway. The project was approved in 2019 following the Environmental Effects Statement (EES) process and was followed in 2023 with the exhibition of the UDLP for the Burke Road to Tram Road package.

Council resolved not to support the previously exhibited UDLP for the Burke Road to Tram Road package. Following the submission, and with continued advocacy, Council has been able to influence significant draft amendments to the designs that will have positive outcomes for the Whitehorse community, including redesign of the Valda Wetlands and surrounding areas.

Discussion and Options

The Tram Road to Springvale Road UDLP was placed on public exhibition for 28 calendar days from 1 to 28 September 2025.

A Council Officer submission was lodged and NELP was advised the submission would require formal endorsement from Council. Until endorsement, the submission is the opinion of Council officers and not that of Council.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Strategic Directions – Community, Built & Natural. The submission outlines the strategic directions contained in the Whitehorse City Council Integrated Council Plan 2025-2029 and encourages NELP incorporate them into their project planning, design and construction deliverables. **Policy** Several Council Strategies and Policies influenced the submission, including but not limited to: Whitehorse Open Space Strategy 2025; Whitehorse Recreation Strategy 2015-2024; Whitehorse Play Space Strategy 2011; Urban Forest Strategy 2021-2031; Integrated Water Management Strategy 2022-2042; Health and Wellbeing Plan 2025-2026; Cycling Strategy 2016, Whitehorse Integrated Transport Strategy 2011.

10.3 (cont)

Financial and Resource Implications	There are no immediate financial / resource implications. As the project develops, Council will need to consider implications for land and assets that are modified, lost or gained.
Legislative and Risk Implications	There are some risk implications arising from the information in the UDLP and the draft Submission: • There are reputational risks if the submission is inconsistent with the opinions of the impacted community. The submission is therefore based, as much as possible, on the themes and feedback received directly from community members, endorsed Council policies and strategies, and engagement undertaken during the EES phase of the project. • The is the risk that the project will result in adverse impacts including: - A decrease in open space areas with no guarantee of replacements within the City of Whitehorse. - Challenges meeting the targets outlined in Council's Urban Forest Strategy - given the significant tree removals associated with this project as well as other Victorian Government projects in Whitehorse. - Maintenance difficulties resulting from the piecemeal approach to replacing pedestrian and cycle paths. - Information about flood modelling across the whole of project has not been provided to Council. Risks to Council's drainage system assets, parklands, walking / cycling paths, as well as residential properties and waterways are therefore unknown. Council Officers continue to ask for this information from NELP. - Risk in not having legacy projects delivered to offset the NEL impacts. The draft submission therefore clearly outlines the list of recommendations that Council is seeking, particularly at Junction Road Reserve; Eram Park and Slater Reserve. • There are potential resource risks depending on the number and type of assets that NELP are seeking Council to manage in the future.

10.3 (cont)

Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	Council conducted extensive community engagement during the EES phase of the NEL project. This, together with information Council receives from residents and community groups, and the outcomes of engagement conducted during the development of Council policies, has enabled officers to understand the community views and incorporate them into the submission.
Innovation and Continuous Improvement	Council officers have incorporated the learnings from previous UDLPs to enable streamlined communication, project management, advocacy and technical design expertise in the drafting of the submission.
Collaboration	Council's Major Transport Projects team hosted workshops with internal stakeholders to inform the submission.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Supporting plans and images
2 Council land gain and loss assessment
3 Draft Council submission

10.4 Principle Approval 2024/25 Annual Financial Statements and Performance Statements

Department	Finance
	Director Corporate Services

Attachment

SUMMARY

The Annual Report contains audited annual Financial Statements and the audited Performance Statement. The Council must consider the Annual Report at a meeting of Council by no later than 31 October 2025.

The Annual Financial Statements and Performance Statement, as attached, is forwarded to approve in principle. Upon completion of the audit, these reports will be included in the Annual Report.

External auditors, RSD Audit, has discussed the following documents attached to this report with the Audit and Risk committee on 17 September 2025:

- Annual Financial Statements for the year ended 30 June 2025;
- Performance Statement for the year ended 30 June 2025;
- Closing Report;
- Final Management Letter and
- Management Representation Letter.

At the time of writing this report no subsequent events have occurred after balance date that require disclosure in the financial report. A further declaration from the Principal Accounting Officer will be required by VAGO prior to certification of the 2024/25 Annual Financial Statements.

RECOMMENDATION

That:

1. Council receives the reports.
2. The Annual Financial Statements and Performance Statement for 2024/25 be approved in principle;
3. The Principal Accounting Officer be authorised to make minor amendments to the Annual Financial Statements and Performance Statement for 2024/25 to meet the Victorian Auditor General's requirements;
4. Cr Griffiths and Cr Allan be authorised to certify the Annual Financial Statements and Performance Statement for 2024/25 in their final form;

10.4 (cont)

5. The Chief Executive Officer be authorised to certify the Annual Financial Statements and Performance Statement for 2024/25 in their final form;
6. The final audited Annual Financial Statements and audited Performance Statement for 2024/25 to be included in the Annual Report to be considered at a meeting of Council by no later than 31 October 2025;
7. Officers and RSD Audit (audit service providers of the Victorian Auditor General's Office) are thanked for their efforts in the timely and quality production of the financial statements and performance statement; and
8. Victorian Auditor General's Office intend to provide an unmodified opinion of the financial statement and performance statement.

KEY MATTERS

The Council is required under Section 99 of the *Local Government Act 2020* to complete an annual report in respect of each financial year.

The Council cannot submit the financial statements or the performance statement to its auditor unless it has passed a resolution giving its approval in principle to the financial statement and performance statement.

The Financial Statements and Performance Statement are required to be certified by Council's Principal accounting officer, by two Councillors on behalf of Council and the Chief Executive Officer prior to Council's Auditor signing the Audit Report.

The Audit and Risk Committee has discussed the Annual Financial Statements and Performance Statement with representatives of the Victorian Auditor General's office on 17th September 2025.

DISCUSSION, OPTIONS AND ANALYSIS

The Financial and Performance Statements are an annual requirement as part of the Financial Year-end activities and have been prepared in accordance with the legislation.

The legislation requires Council to resolve to approve in principle the annual financial statements and performance statement prior to these statements being forwarded to the Victorian Auditor General's Office.

The Victorian Auditor General's Office, audit service provider, RSD Audit, conducted the final phase of the audit process from 11 August to 2 September 2025. In conjunction with the audit, the Victorian Auditor General's Office requires copies of Council resolutions to authorise the signing and approval in principle of the statements.

10.4 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Integrated Council Plan 2025-2029 5.1 – An open, transparent, accountable and responsible Council 5.4 – A Council that is well governed, efficient and financially sustainable Strategies
Financial and Resource Implications	Victorian Auditor General's remuneration for auditing the Financial Statements, Performance Statement and grant acquittals is $74,000.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report. Section 100 of *Local Government Act 2020* requires a meeting to consider the annual report. The Council must consider the annual report at a meeting of Council by 31 October 2025.
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.
Innovation and Continuous Improvement	Business Improvement Opportunities identified by RSD Audit may be considered to continually improve the processes and procedures across the Council.
Collaboration	The Annual Financial Report and Performance Statement was discussed amongst RSD Audit, Council Officers and the Audit and Risk Committee on 17 September 2025.

10.4 (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. Section 100 of *Local Government Act 2020* requires a meeting to consider the Annual Report. The Council must consider the Annual Report at a meeting of Council by 31 October 2025. Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 24-25 Whitehorse City Council Financial Statements
2 24-25 Whitehorse City Council Performance Statement
3 24-25 Whitehorse City Council Closing Report
4 24-25 Whitehorse City Council Final Management Letter
5 24-25 Whitehorse City Council Management Representation Letter

10.5 Whitehorse Asset Plan 2025-2035 Council Adoption

Department	Project Delivery and Assets Director Infrastructure

Attachment

SUMMARY

The Whitehorse City Council Asset Plan 2025 (Asset Plan) provides a strategic framework for managing the Council's extensive and diverse asset portfolio, ensuring assets are maintained, renewed, and expanded to meet the needs of the community now and into the future.

The Asset Plan underpins the Council Plan, Financial Plan and Capital works Program.

RECOMMENDATION

That Council adopt the Whitehorse Asset Plan 2025-2035

KEY MATTERS

The Asset Plan has been presented previously to Council on two separate occasions (March 31, July 7, September 15 Council Briefings) and has gone through several renditions.

The key principles of the Plan are as follows:

- Council faces five key challenges in managing community assets: a growing population that increases demand for infrastructure and open spaces, rising service expectations requiring smarter asset planning and prioritisation, ageing infrastructure that needs significant investment to remain safe and functional, financial pressures from rate capping, inflation, and shifting government responsibilities, and climate resilient city impacts, including extreme weather and biodiversity loss.

- A set of updated guiding principles were developed in collaboration with the Whitehorse community through the 2024 Shaping Whitehorse community engagement process. Council worked directly with the community panel to ensure their views and aspirations were considered in reviewing the set of guiding principles for the future financial and asset management decisions faced by Council.

- An Asset Management Decision Making Framework was created to support the approach of the guiding principles. It will ensure that all asset management decisions are transparent, aligned with community priorities and Council objectives and every asset within the Council portfolio

10.5 (cont)

contributes to a resilient, vibrant, interconnected and thriving municipality, while safeguarding long-term sustainability and value.

- The affordability assessments made in the Financial Plan and the outputs from the six Asset Management Plans have set out the expenditure requirements for our assets over the next 10 years. These projections represent the investment that is required to maintain our existing levels of service. The costs represented include both capital and operational expenditure.

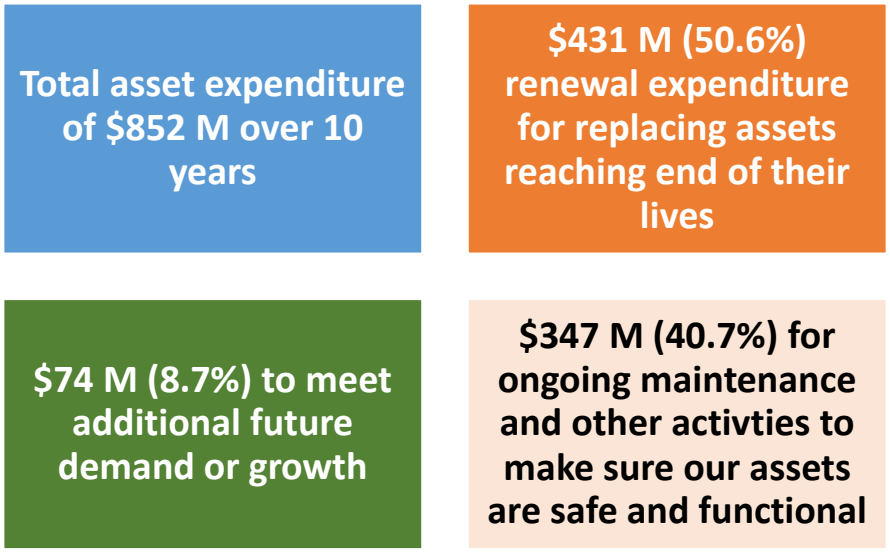
DISCUSSION, OPTIONS AND ANALYSIS

The content of the Asset Plan has been developed in conjunction with a wide range of stakeholders. Namely members of the Strategic Asset Steering Committee (SASC), the Integrated Planning Coordination Group, as well as key managers and team leaders. The Executive Leadership Team have reviewed and endorsed the Plan.

The timing of the Plan's completion and adoption has coincided with the scheduled Council Meeting date of October 13, 2025.

Adoption of this Plan will ensure that Council fulfils its legislative obligations to have an Asset Plan developed and adopted by October 31, 2025.

In summary Council has planned for:



Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Built, We aspire to develop safe, accessible, and attractive public spaces and infrastructure that meet community needs and adapt to growth. The delivery of services to the community is guided by the Community Vision, Council Plan, Financial Plan, strategies, and policies. These also drive Council's approach to asset management, and this

10.5 (cont)

	Asset Plan is an important part of Council's integrated planning and reporting framework. The Council Plan makes a commitment to outcomes and priority initiatives across several strategic objectives. Effective asset management supports the outcomes of the Council Plan and the delivery of sustainable services. The Asset Plan is intrinsically linked with the forecasts and projections outlined in Council's Financial Plan. Ongoing affordability and financial sustainability are Council's key objectives. The Financial Plan in combination with the Asset Plan supports Council in achieving this aim.
Financial and Resource Implications	The projected expenditure requirements for our Council's assets over the next 10 years have been determined based on the affordability assessments made in the Financial Plan and the projected costs from the six Asset Management Plans. These projections represent the investment that is required to maintain our existing levels of service.
Legislative and Risk Implications	Adoption of this Plan will ensure that Council fulfils its legislative obligations to have an Asset Plan developed and adopted by October 31, 2025.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	As per the *Local Government Act 2020*, deliberative engagement was undertaken to ensure the Whitehorse community has had genuine opportunities to participate in the development of the strategic plans and the Annual Budget 2025/26. A dedicated Community Panel was established in early 2024 by way of the Shaping Whitehorse Broad and Deliberative Engagement processes that sought the communities view on how Council should best manage their asset infrastructure both now and into the future. These findings are found in Section 5.0 (Community Engagement Outcomes). The Shaping Whitehorse Community Engagement Panel has also provided input into the Asset Plan by way of reviewing the '10 Guiding Principles for Sustainable Financial and Asset Management Decisions' which can be found in Section 6.0 (Guiding Principles and Priorities).

10.5 (cont)

Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	The content of the Asset Plan has been developed in conjunction with a wide range of stakeholders. Namely members of the Strategic Asset Steering Committee (SASC), the Integrated Planning Coordination Group, as well as select managers and team leaders of the following departments… - Communities, Engagement & Integrated Planning - Leisure & Recreation Services - Project Delivery & Assets - Property & Leasing - Engineering & Investment - City Services - Parks & Natural Environment - Health & Family Services - Transformation (Strategic Property) - Finance - City Planning & Development
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 WCC Asset Plan 2025 Edition Version 1.0 For Council Adoption

10.6 Adoption of 2025-2035 Financial Plan

Department	Finance
	Manager Finance and Corporate Performance

Attachment

SUMMARY

Under the *Local Government Act 2020*, Council is required to develop and adopt a Financial Plan covering a minimum period of 10 financial years. This long-term plan provides a strategic framework for managing Council's financial resources and ensuring sustainability over the decade ahead.

The Financial Plan forms a key component of Council's Integrated Planning Framework, which aligns activities and resources with the aspirations, needs, and expectations of the Whitehorse community. It has been developed alongside the Integrated Council Plan 2025-2029 (incorporating the Municipal Public Health and Wellbeing Plan), and Asset Plan 2025-2035 in collaboration with the Whitehorse community through the 2024 Shaping Whitehorse community engagement process.

RECOMMENDATION

That Council adopts the Whitehorse Financial Plan 2025-2035

KEY MATTERS

Council is required to adopt and keep in force a Financial Plan for at least the next 10 years in accordance with section 91 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*. This Plan must be adopted by Council before the 31st October following a general Council election and has effect from 1 July 2025.

The Plan builds on the foundations of the 2025-26 Budget (plus 3 consecutive years) and extends key assumptions and parameters over a 10-year horizon. It includes performance indicators, financial forecasts, and overview of each component. The Plan is reviewed annually to reflect changing economic conditions and community priorities.

The Financial Plan 2025-2035 provides a long-term view of the intended resources and funding sources to deliver Council services, initiatives and capital works projects over the next 10 years. It provides a financially sustainable outlook and includes:

- Statements describing the financial and human (employee) resources to give effect to the Integrated Council Plan 2025-2029 and other strategic plans of Council over the next 10 financial years

10.6 (cont)

- Information about the decisions, financial strategies and assumptions that underpin the financial projections
- Financial policy statements and performance indicators; and
- Other contextual information that has influenced development of the Financial Plan.

The Financial Plan has been developed in the context of the strategic planning principles (section 89), financial management principles (section 101), and deliberative community engagement requirements (section 91) of the Act.

DISCUSSION, OPTIONS AND ANALYSIS

The Financial Plan 2025–2035 has been developed in accordance with the *Local Government Act 2020* and the L*ocal Government (Planning and Reporting) Regulations 2020*. It provides a strategic framework for Council's financial decision-making over the next decade, supporting long-term sustainability, service delivery, and infrastructure investment.

Council's long-term planning strategy is focused on creating a sustainable financial environment to enable Council to continue to provide the community with high quality services and infrastructure into the medium and long term. The Financial Plan is reviewed each year and formally published every four years, in line with the *Local Government Act 2020*.

The Financial Plan is a continuation of Council's responsible financial program and aims to:

- Balance the community's needs and ensuring that Council continues to be financially sustainable in the long term
- Increase Council's commitment to sustainable asset renewal and maintenance of the community's assets
- Maintain a strong cash position for financial sustainability
- Achieve efficiencies through targeted savings and an ongoing commitment to contain costs
- Include rate and fee increases that are both manageable and sustainable; and
- Provide a framework to deliver balanced budgets including work toward achieving sustainable annual underlying surpluses.

Councillors were briefed on the Financial Plan, which presented numerous financial and strategic options for consideration. These sessions supported informed discussion around long-term priorities, cost pressures, and financial sustainability. Councillor Engagement sessions were also held to seek additional feedback and input, helping to shape the direction of the Plan.

As a result of these discussions and inputs, the following outlines the options considered that informed the preparation of the Financial Plan.

10.6 (cont)

Financial Plan options

Two options were presented to Councillors over several briefings for consideration. Each model was based on tailored assumptions and parameters and reflected different approaches to managing Council's long-term financial sustainability.

1. Constrained operating

This option reflects a disciplined and fiscally responsible approach to financial management.

Average underlying expenditure is projected to remain below average underlying revenue growth across the 10-year horizon. From 2030 to 2035 (Years 5 to 10 of the Plan), underlying expenditure is expected to remain within the limit of the rate cap, currently assumed at approximately 2.5%. While this approach supports financial stability and cost containment, it also presents limitations. It restricts Council's capacity to expand services or respond flexibly to emerging community needs, particularly in the context of rising costs for construction, materials, and service delivery. Strategic investment may be constrained unless alternative funding sources are identified.

The option incorporates Council's adopted four-year budget (2025–26 to 2028–29), along with projections and assumptions for the subsequent three years. All elements have been developed in alignment with established financial parameters, the budget principles endorsed in the 2025-26 Budget, and the Integrated Planning Framework as required under the Local Government Act.

Furthermore, this option includes the following parameters to support the objectives of the Financial Plan and guide Council's financial strategy over the next decade:

- Maintain a minimum unrestricted cash balance of $50 million (escalated annually) over the 10-year plan to ensure liquidity, meet short-term obligations, and support long-term financial sustainability.
- Aim to maintain a low financial sustainability risk rating (green) under VAGO's indicators, acknowledging that some indicators may reflect medium risk (amber) at times over the 10-year period. Council remains committed to sound financial management, responsible budgeting, and strategic planning to support service delivery and infrastructure investment within acceptable risk levels.

As part of the annual budget development process, the budget principles will be updated to reflect the evolving assumptions of the 10-Year Financial Plan including a balanced approach to rate cap, expenditure and revenue growth that supports long-term financial sustainability.

10.6 (cont)

2. Moderate growth (alternative option)

This scenario presents a more flexible approach to financial planning, with average underlying expenditure growth of 3.2% over the 10-year period, remaining below the projected average revenue growth of 3.3%. It allows Council greater capacity to respond to community expectations and adapt to cost pressures while maintaining a surplus position. Moderate Growth provides a more realistic reflection of cost trends, particularly in service delivery and supports long-term sustainability within a broader financial envelope.

The option incorporates Council's adopted four-year budget (2025–26 to 2028–29), along with projections and assumptions for the subsequent three years. All elements have been developed in alignment with established financial parameters, the budget principles endorsed in the 2025-26 Budget, and the Integrated Planning Framework as required under the Local Government Act.

In addition to the above, this option includes the following parameters to support the objectives of the Financial Plan and guide Council's financial strategy over the next decade:

- Maintain a minimum unrestricted cash balance of $50 million (escalated annually) over the 10-year plan to ensure liquidity, meet short-term obligations, and support long-term financial sustainability.
- Aim to maintain a low financial sustainability risk rating (green) under VAGO's indicators, acknowledging that some indicators may reflect medium risk (amber) at times over the 10-year period. Council remains committed to sound financial management, responsible budgeting, and strategic planning to support service delivery and infrastructure investment within acceptable risk levels.

As part of the annual budget development process, the budget principles will be updated to reflect the evolving assumptions of the 10-Year Financial Plan including a balanced approach to rate cap, expenditure and revenue growth that supports long-term financial sustainability.

The Moderate growth scenario presents a viable alternative that balances financial responsibility with enhanced strategic capacity.

Conclusion

Following detailed analysis and engagement with Councillors, the Constrained Operating option has been used to inform the preparation of the Financial Plan 2025–2035 (Attachment 1). This scenario provides a balanced approach to financial sustainability and service continuity, while acknowledging the limitations imposed by the Victorian rate cap.

The Financial Plan will be reviewed annually to ensure it remains responsive to changing economic conditions, community expectations, and emerging strategic priorities.

10.6 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	This report and Financial Plan contributes to Council's strategic objectives contained in the Integrated Council Plan 2025-2029, by considering: Strategic Direction 5 – Governance Objective 5.4: A Council that is well governed, efficient and financially sustainable. The Financial Plan is driven by the content of a range of strategic documents and policies prepared by Council including: • Whitehorse Community Vision 2040 • Whitehorse Integrated Council Plan 2025 - 2029 • Asset Plan 2025-2035 • Budget 2025/26 (plus 3 consecutive years)
Financial and Resource Implications	The Financial Plan 2025–2035 provides Council's financial and resource requirement projections for the next 10 financial years, including delivery of the Integrated Council Plan 2025-2029 over the next four years. These projections are based on a set of assumptions and reflect Council decisions, strategies and other influencing factors, both internal and external, at a point in time. It aims to ensure that Council remains financially sustainable for the longer term. The Financial Plan will be reviewed and updated alongside Council's annual budget process.
Legislative and Risk Implications	Council is required to adopt and keep in force a Financial Plan for at least the next 10 years in accordance with section 91 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*. This Plan must be adopted by Council before the 31st October following a general Council election and has effect from 1 July 2025.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.

Community Engagement	The Financial Plan 2025-2035 has been developed in accordance with the Local Government Act 2020 and Councils Community Engagement Policy, specifically the requirements to undertake deliberative community engagement. Community engagement on the Financial Plan was conducted as part of Shaping Whitehorse, the deliberative community engagement process undertaken to inform the 2025-2029 key strategic planning documents. These documents affect everybody in Whitehorse and guide the day-to-day and long-term decisions of Council. The process of Shaping Whitehorse involved both broad and deliberative community engagement and was an important legislative input in the review and development of Council's strategic documents, including the Financial Plan. The 2024 Shaping Whitehorse community engagement process provided the community panel with an opportunity to review and refine the "10 Guiding Principles for Sustainable Financial and Asset Management Decisions", ensuring that the Community's views and aspirations were considered in the approach taken towards future financial and asset management decisions faced by Council. The Guiding Principles have been further refined in the Financial Plan and support Council's long term financial planning objectives, in particular the following principle were amended: **Principle 9** - Council will raise and utilise funds in an ethical and equitable manner, exploring innovative and strategic funding opportunities. **Principle 10** - Council will apply a systematic approach to measuring success and reporting on outcomes, ensuring accountability and continuous improvement. See Attachment - 1 Financial Plan 2025-2035 section Guiding Principles.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.

10.6 (cont)

Collaboration	The Financial Plan has been developed in conjunction with a wide range of stakeholders across the organisation including Integration Planning Coordination Group and Project Delivery and Assets.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Whitehorse Financial Plan 2025-2035

10.7 Amended Road Management Plan

Department	City Services Director Infrastructure

Attachment

SUMMARY

The purpose of this report is to consider the adoption of the amended Road Management Plan as a result of giving notice of the proposed amendment in accordance with the provisions of the *Road Management Act 2004*.

A total of 119 public submissions were received resulting in a change since the public notice was given with the intervention level for the vertical displacement of footpaths changed from the proposed level of 25mm to 20mm. In addition, there was a change made to note that currently inspections of footpaths and kerbs are done on foot, and subject to further review this may change to a technology solution using cameras on a vehicle. Other feedback from the community has been noted by Council for consideration in future budget allocations to footpaths and roads.

It is recommended that Council adopts the Road Management Plan as provided in (Attachment 1) and give notice of its adoption. It is proposed that the amended Road Management Plan take effect from 10 November 2025.

RECOMMENDATION

That Council:

1. Adopts the amended Road Management Plan as included as (Attachment 1) to this report in accordance with the requirements of section 54 (6) of the *Road Management Act 2004* and Part 3, Division 2, of the *Road Management (General) Regulations 2016*.
2. Endorses the amendments made to the Road Management Plan to take effect from 10 November 2025.
3. Provides notice of the adoption of the amended Road Management Plan in 'The Age' newspaper, the Victoria Government Gazette, and Council's website.

KEY MATTERS

Background

Council is a Road Management Authority under the *Road Management Act 2004*. The Act prescribes the role of Road Management Authorities. For Council to meet its obligations, a Road Management Plan (RMP) is desirable. A RMP details how, and by what standards and priorities, Council will inspect, repair, and maintain its public roads and pathways in the context of available budgetary and other resources. The RMP is most often used as

10.7 (cont)

a legal defence in relation to trips on footpaths, followed by the condition of the road pavement.

The RMP has been reviewed every four years, in accordance with the requirements of the *Road Management (General) Regulations 2016*. The RMP was last amended on 17 August 2015. The RMP is required to be reviewed within 12 months of a council election.

Council's insurer, MAV Insurance (MAVI) recently developed and has provided a standard template for all councils to use with suggested standards based on benchmarking and legal and insurance advice. The proposed amendments to Council's RMP are in accordance with this template and are substantial enough to trigger the public exhibition requirements and inviting submissions.

At its meeting on 12 May 2025, Council endorsed a draft of the amended Road Management Plan for the purpose of giving public notice and of inviting public submissions on the proposed amendment.

Proposed Amendments

The changes between the current (2015) and the proposed version of the RMP (12 May 2025) that was released for public submissions, are summarised in the following attachments:

- Attachment 3 – Part 1 - RMP 2025 amendments - General
- Attachment 4 – Part 2 – RMP 2025 amendments - Inspection Frequencies
- Attachment 5 – Part 3 - RMP 2025 amendments – Intervention Levels and Timeframes

In summary, the change recommended for Council to adopt following the consultation period is a footpath defect intervention level of 20mm, rather than the 25mm proposed in the consultation document.

(Attachment 6) provides a summary of the changes from the current Road Management Plan (2015) to the proposed amended Road Management Plan (2025).

Community Engagement

Community engagement on the draft amended RMP was undertaken from Monday 26 May 2025 to 5pm Wednesday 25 June 2025. A copy of the Community Engagement Report is provided in (Attachment 2).

The community engagement included:

- Engagement project on Your Say Whitehorse.
- Promotion of Your Say Whitehorse on Facebook and on Council's website.
- Public notices on 29 May 2025 in 'The Age' newspaper and the Victoria Government Gazette.
- Presentations to advisory groups and community groups.

119 submissions were received, including:

- Email submissions – total 5 (4 respondents)

10.7 (cont)

- Group submission – total 1
- Council Meetings Requests to Speak – total 4 (3 respondents)
- Your Say Whitehorse – total 109 submissions

Proposed Amended Road Management Plan

The proposed amended RMP includes standards that can be met within existing allocated resources. Under the Road Management Act and Regulations, Council is required to decide standards in the RMP in the context of available budgetary and other resources.

Based on community feedback and further consideration, a change is recommended from the version provided to Council on 12 May 2025 to change the intervention level for the vertical displacement of footpaths from the proposed level of 25mm to 20mm. Other feedback from the community is to be noted for consideration in future budget allocations to footpaths and roads.

The proposed amended RMP is included as (Attachment 1) to this report.

DISCUSSION, OPTIONS AND ANALYSIS

Feedback was sought from the community on all aspects of the proposed amended RMP, including the specific areas of:

- How significant road and footpath damage should be before Council steps in (including potholes).
- Timeframes for repairing these issues either reported by the community, or through proactive council monitoring.
- Funding allocation for Road Management Plan activities and associated consequences.

Comments on specific areas of the RMP are provided below:

Vertical displacements of footpaths and timeframes to repair

Question 1 of the community survey was:
How much of a height difference (vertical displacement) in a footpath is needed before the Council is committed to repair it within the specified timeframe?

The responses were:

- Less than 15mm (longer time to repair and more cost, due to more defects needing repair) – 31%
- 15mm to 20mm – 40%
- 20mm to 25mm - 14%
- 25mm to 30mm (shorter time to repair and less cost, due to less defects needing repair) – 15%

Question 3 of the community survey was:
The proposed timeframe to repair footpaths is within 5 working days for defects over 40mm, and all defects to be repaired within 6 months for high-use footpaths, 9 months for moderate-use footpaths, and 12 months for all other footpaths. Do you think this is:
The responses were:

10.7 (cont)

- Reasonable 39%
- Too long and should be done quicker – 61%

Question 6 of the community survey, any other feedback, included 13 comments raising concerns with the impact that changes to the standards would have on the safety of footpaths and roads, with a further 7 comments provided with concerns about accessibility for vulnerable residents. There were also comments provided in emails and other submissions on this topic.

Council Officer Comments:

- The RMP is most often used as a legal defence in relation to trips on footpaths.
- Current intervention level is 15mm.
- Legal advice and advice from MAVI is that this is too low. A 'reasonable' level of intervention is between 20mm and 30mm.
- In the draft version (12 May 2025) it was proposed to change this to 25mm.
- Increasing the intervention level will mean that there will be less defects under the RMP and therefore the defects will be repaired faster.
- The current standard, proposed standard (12 May 2025), and the MAVI suggested standard for footpaths is provided in the following tables:

Current standard:

Defect Type	Description / Intervention Level	Repair timeframes		
		Cat 1	Cat 2	Cat 3
Vertical Displacement	Vertical Displacement >15 mm in height (Note all displacements for all categories of footpath >40 mm repaired within 5 working days)	12 months	12 months	12 months

Proposed standard (12 May 2025):

Defect Type	Description / Intervention Level	Repair timeframes		
		Cat 1	Cat 2	Cat 3
Vertical Displacement	Vertical Displacement >25 mm in height (Note all displacements for all categories of footpath >40 mm repaired within 5 working days)	6 months	9 months	12 months

MAVI suggested standard:

Defect Type	Description / Intervention Level	Repair timeframes		
		Cat 1	Cat 2	Cat 3
Vertical Displacement	Vertical Displacement between 20 mm and 30 mm in height (MAVI no reference to a tiered timeframe like greater than 40mm but this can be done)	2 weeks to 1 month		2 weeks to 3 months

10.7 (cont)

Discussion:

Based on the feedback received and further consideration, it is proposed to change the intervention level for vertical displacements of footpaths from the proposed level of 25mm to 20mm. 20mm is still within the MAVI suggested standard and very close to the current standard of 15mm. The slight change will mean the repair timeframes can be reduced as proposed.

The timeframe of 12 months that is proposed for the repair of category 3 footpaths is for 100% of repairs to be completed within this timeframe. Typically, this timeframe is well surpassed. There are 34 infrastructure work areas, and as a sample, all repairs in the last two work areas that were completed were all done within 3-4 months. It is rare that a repair will not be done in that timeframe. However, this may occur if footpath replacement works are scheduled in the next few months, and it would be more efficient to wait as the repair will be removed when a new footpath is constructed.

The tiered approach to repair greater than 40mm vertical displacements in 5 working days ensures high risk hazards are prioritised with rapid repair.

Size of potholes and timeframes to repair

Question 2 of the community survey was:

The proposed size of a pothole that 'may cause an incident, damage or injury' is considered to be more than 70mm in depth and more than 300mm in diameter. Do you think:

The responses were:

- This size should be decreased (longer time to repair and more cost, due to more defects needing repair) – 63%
- This size is reasonable – 27%
- This size should be increased (shorter time to repair and less cost, due to less defects needing repair) – 10%

Question 4 of the community survey was:

The proposed timeframe to repair potholes is within 2 weeks for high-use and moderate-use roads, and 3 weeks for all other roads. Do you think this is:

The responses were:

- Reasonable 42%
- Too long and should be done quicker (more costly to achieve) – 58%

Question 6 of the community survey, any other feedback, included 13 comments raising concerns with the impact that changes to the standards would have on the safety of footpaths and roads, with a further 9 comments provided with concerns about road surface conditions. The specific examples provided of roads with poor surfaces were State Government arterial roads (Mitcham Road and Springvale Road). There were also comments provided in emails and other submissions on this topic.

10.7 (cont)

Council Officer Comments:

- There is no change proposed to the intervention level or repair timeframes for potholes.
- The proposed intervention level of greater than 70mm in depth and 300mm in diameter is typical for road authorities to adopt. These are the potholes that may cause damage or injury.

Discussion:

Smaller potholes that are reported to Council will be assessed as a reactive request and the decision on the urgency of the repair will be made based on managing the condition of the road rather than the risk associated with possible claims of damage or injury.

Typically, Council will repair all potholes in the road regardless of size, as this is best practice from an asset management perspective. It is much more cost effective to repair a small pothole hole, compared to leaving it until it becomes a larger pothole and considerably more expensive to repair.

In the past 12 months, all potholes regardless of size that were reported to Council were repaired on average within 2 weeks. The longest time taken was 6 weeks considering the complexities and time required to arrange traffic management. Keeping up this standard of maintenance would meet the community expectations of repairing smaller potholes and meeting the expected timeframes. The times when repairs may take longer than 2 weeks for smaller type potholes may be due to Council's asphalt truck not being available, staff not being available or asphalt not being available.

Funding allocation for Road Management Plan activities and associated consequences

Question 5 of the community survey was:
For Council to change standards from what is proposed, do you think Council should:

The responses were:

- Maintain spending, it is about right – 20.5%
- Slightly increase spending on footpaths and roads and reduce spending in other areas – 44.5%
- Significantly increase spending on footpaths and roads and reduce spending in other service areas – 35%

Question 6 of the community survey, any other feedback, included 9 comments on budget and spending concerns. Most of these comments were to prioritise funding for roads and footpaths and to divert funding from non-core services or projects. There were also comments provided in emails and other submissions on this topic.

Council Officer Comments:

- The proposed amended RMP has been prepared under the constraint of no additional resources after consideration of the cost and benefit and the provision of all other Council services.

10.7 (cont)

- The current operating budget for the inspection, repair and maintenance of Council's roads is approximately $1 million, and for pathways is $1.2 million.
- A specific example of cost is Council has a permanent full-time officer (Band 3) to inspect footpaths and kerb and channel. These are inspected by foot. There are around 1,170 kilometres of footpath. The inspector is at capacity with the current frequency of inspection, which is three years for category 3. If this was reduced to 12 or 24 months, Council would need to employ an additional staff member.
- If additional funding is to be allocated to road assets, it is recommended that it be provided to capital works renewal. An increase of funding in road renewal (resurfacing) will have the impact of improving the overall condition of the roads, so there will be less potholes to attend to. An increase of funding in footpath renewal (replacements) will have the impact of improving the overall condition of footpaths, so there will be less displacements to attend to.

Discussion:

It is recommended to at least maintain the current level of funding for footpaths and roads. It is considered that the risk can be adequately managed, while continuing to address concerns raised by residents over the condition of these assets.

Any decision by Council to increase the level of funding for footpaths and roads should be considered and prioritised against the funding requirements for all other Council services as part of a budget development process.

Method and Frequency of Programmed Inspections

Discussion:

There was feedback received during consultation around the method and frequency of programmed inspections.

The draft RMP that was provided for public submissions included reference that inspections for footpaths and kerbs are conducted on foot. It is now proposed to update this to include:

Subject to a review, the inspections conducted on foot may change to a technology solution using cameras on a vehicle like a quad bike for the accurate recording of specific defects.

The daft RMP includes an inspection frequency of Category 3 roads, footpaths, kerb and channel, and shared and bicycle pathways of 3 years. It is recommended to maintain this frequency of inspection. An inspection frequency of 3 years is considered appropriate considering the typically good ground conditions under the footpaths and roads. Typically, defects are due to damage not deterioration. 3 years or even 12 months is too long if there is damage. Damage can be due to tree roots, authority works, or heavy vehicles. Damage is typically picked up in a reactive request reported by Council staff or the community. The timeframe for reactive requests is 10 working days.

10.7 (cont)

Retaining current RMP intervention levels and increasing inspections and decreasing repair response times

The Road Management Act provides for Council to determine its policy and standards for inspection frequencies, intervention levels and response timeframes related to its road assets. This policy is the RMP. If Council maintains its road assets in accordance with those standards, an incident related to a defect does not constitute a wrongful exercise or failure unless the policy is so unreasonable that no road authority in that road authority's position acting reasonably could have made that policy.

The recommended RMP has been developed to present a responsible and reasonable approach to road assets in Whitehorse based on the type of ground conditions, type of road and footpath use, community expectations and available resources.

The existing RMP contains inspection frequencies and repair timeframes that have been assessed with MAVI to be too long. Inspection frequencies are recommended to be more frequent and repair timeframes to be quicker. The recommended RMP has been developed to achieve this by balancing the intervention levels for roads and footpath defects.

Intervention levels have been prepared recognising actual precedent that supports a 25mm intervention level (in the case of Lombardi v Holroyd City Council) where the judge stated *"I do not accept that a plainly visible step of 25 millimetres in a footpath is correctly regarded as high risk or unacceptable risk. It is desirable that even obvious steps of 25 millimetres in footpaths be avoided and eliminated if possible; but that is not to say that the failure of a Council to detect and eliminate all such risk is negligent".*

The recommended RMP proposes a footpath intervention lower than this standard at 20mm with improved responsiveness for repairs of defects.

The report to Council on 12 May 2025, where Council resolved to consult on an amended RMP, included details on why intervention levels and inspection frequencies are recommended for change. The report noted that in the case of footpaths, the majority of the defects requiring intervention are reported to Council as a reactive request, rather than being identified by programmed inspections. These defects typically relate to damage, not deterioration. The defects (that are primarily reported by residents) are triaged as a priority reactive request. The proposed RMP does not alter the service standards for this type of reactive response to a request.

The recommended RMP shown in (Attachment 1) is able to be complied with utilising existing resources and budget allocations. To implement a higher standard than shown in Attachment 1 would require additional funding that has not been foreshadowed in future budgets or resource plans.

MAVI has advised that the elements of Whitehorse's existing RMP that pose the greatest potential public safety and consequential liability risk to Council are the repair timeframes for High Category Footpaths and adjacent Kerb and Channels and inspection vantage points for Kerb and Channel

10.7 (cont)

inspections. If these remain unchanged Council will continue to have a systemic liability risk at the RMP level.

Risk implications and general comments regarding staying at 15mm footpath intervention level from MAVI:

- Policy intervention levels and inspection frequencies currently have no impact on premiums. Premiums and deductables are a function of member and scheme claims history.
- A 15mm intervention level poses little or no RMA s103 policy risk as it is beyond the conservative end of a “reasonable” intervention range. It is highly unlikely that a Plaintiff solicitor could successfully argue that a 15mm intervention level is “unreasonable”.
- There is actual precedent that supports a 25mm intervention level (in the case of Lombardi v Holroyd City Council) where the judge stated “I do not accept that a plainly visible step of 25 millimetres in a footpath is correctly regarded as high risk or unacceptable risk. It is desirable that even obvious steps of 25 millimetres in footpaths be avoided and eliminated if possible; but that is not to say that the failure of a Council to detect and eliminate all such risk is negligent”. On this basis, the recommended 20mm intervention level could not be argued to be “unreasonable”.
- Council’s litigation risk lies in compliance with policy, knowledge/awareness of hazards, and care. 15mm is a “high bar” and 50% lower than the top end of “reasonable” range. Risk becomes a function of Council’s ability to deliver on its policy obligations consistently and confidently over the long term. To say this another way - Are you confident that your inspectors are never going to miss a 16mm defect?

For Council to adopt a RMP with the current 15mm footpath intervention level and more frequent inspection frequencies and more timely response timeframe the following would be required:

- Resource: increase in inspection resources of one inspector, estimated at $100k per annum to meet the new standard.
- Works: increase in physical works undertaken by contractors of $100k per annum to meet the new repair timelines.

If the 15mm intervention level is retained and there is no proposed change in inspection frequencies, the only difference in managing footpaths is the intervention timeframe. Typically, defects are repaired well ahead of nominated response time so overall there would not effectively be an operational change to the current process.

However, cost implications may arise due to the ever-increasing number of insurance claims. The insurance premium is based on claims history. An increase in successful claims would likely result in an escalation in premiums as well ongoing cost escalation in contractual works to repair the defects.

10.7 (cont)

Information on claims history

- In 2024/25 insurance claim costs across the sector increased from $23m to $57m.
- Reinsurance costs across the sector have increased by 11%.
- Council receives insurance claims relating to a variety of instances including third party damage, vandalism, tree roots, vehicle accidents, in addition to injury and property damage relating to road assets.
- We do not separately report insurance claims relating to road assets. Our current RMP has been effective in defending claims relating to road assets, and the proposed amended RMP is an improvement on the current RMP.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Strategic Direction 2 – Built Objective 2.1 Safe and accessible public places Objective 2.4 A desirable and well-presented City The proposed amended RMP is integrated with Council's Asset Management Policy, and Whitehorse Asset Plan. In accordance with the Asset Management Policy, Council has a Road Asset Management Plan and Drainage Asset Management Plan. Both Asset Management Plans integrate with the RMP to detail the management of local roads and pathways. The RMP is a policy for safe and accessible places and to ensure a desirable and well-presented City. It prescribes minimum standards for management and maintenance of road related assets.
Financial and Resource Implications	The type of road assets and the inspection, maintenance and repair standards included in the proposed amended RMP directly relate to Council budget allocations. Budget implications were taken into account in preparing the proposed amended plan. The recommended RMP can be delivered within the existing budgets and resources allocated by Council. If a decision to modify the intervention levels, inspection frequencies and repair timeframes from what is recommended was made, this would require a change to the resourcing and budget requirements.
Legislative and Risk Implications	The proposed amended RMP is prepared in accordance with Part 4, Division 5 (sections 49 to 55) of the Road Management Act 2004 (the 'RMA')

	and the Road Management (General) Regulations 2016. In preparing the proposed amended RMP, Council is to make a considered policy decision under and for the purposes of section 39 of the Act, in relation to the performance of Council's road management functions. The proposed amended RMP reflects the purposes and objectives of Council as a road authority under the Road Management Act and is consistent with the role of Council as specified under the Local Government Act 2020. The RMP provides Council with a legal "Policy Defence" in civil liability against claims (and other relevant defences) of negligence or breach of statutory duty arising from the standard and condition of the roads and road related infrastructure that are under Council's administration. An effective and efficient RMP that Council complies with can minimise community risk, minimise public liability claims and minimise insurance premiums.
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 Engagement	Details of the community engagement undertaken are provided in the report and (Attachment 2). The submissions are to be considered by Council prior to adopting the amended RMP.
Innovation and Continuous Improvement	Innovation and continuous improvement have been considered through the amendment of the RMP.
Collaboration	The proposed amended RMP has been prepared in consultation with relevant Council teams, and with advice from Council's insurers.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

10.7 (cont)

ATTACHMENT

1 Proposed Amended RMP 2025
2 Community Engagement Report
3 Part 1 RMP 2025 amendments - General
4 Part 2 RMP 2025 amendments - Inspection Standards
5 Part 3 RMP 2025 amendments - Intervention Levels and Timeframes
6 Summary of Changes to RMP 2015 to 2025

10.8 Brentford Square Shopping Centre: Declaration of Special Charges for Marketing and Promotion and Infrastructure Purposes

Department	Communications, Advocacy and Investment Director Corporate Services

Attachment

SUMMARY

On 9 April 2025, Council received a request from the Brentford Square Traders' Association to renew the current Special Charge Schemes (the Schemes) for the Brentford Square Shopping Centre for a further five years.

These Schemes have been in operation at the Centre since 1994, providing an ongoing mechanism for investment in marketing, promotion, and infrastructure improvements.

Following consultation, sufficient 'in principle' support was demonstrated, providing a strong basis to commence the statutory process for renewal.

At its Ordinary Council Meeting on 10 June 2025, Council resolved to give notice of its intention to declare two Special Charge Schemes for the Brentford Square Shopping Centre.

The statutory process has now been completed. Council received six submissions during the consultation period (four in support and two objections). These submissions were considered at the Ordinary Council Meeting on 25 August 2025, at which Council resolved to proceed with the declarations in accordance with sections 163 and 223 of the *Local Government Act 1989*.

It is now recommended that Council formally declare two related, but otherwise separate, Special Charges for the Brentford Square Shopping Centre: one for marketing and promotion, and the other for physical infrastructure purposes. Both are consistent with the Brentford Square Traders' Association Business Plan 2026-2030 and with Council's previous considerations of the matter.

RECOMMENDATION

That Council:

1. Having complied with the requirements of the *Local Government Act 1989* (Act), including sections 163A, 163B and 223 of the Act (and having received four statutory submissions and two objections and having made no alteration (whether pursuant to requirements in the Act or otherwise) to the Proposed Declarations of Special Charges for which public notice was previously given, hereby declares the following Special Charges (respectively, Declarations and Special Charges).

10.8 (cont)

2. Under section 163(1) of the Act, the Special Charge is declared for the purposes of defraying expenses to be incurred by Council in, administratively only and subject always to the approval and direction of Council, providing funds to the body operating and known as the Brentford Square Traders' Association Incorporated (Traders' Association) with such funds to be used for the purposes of the promotion, marketing, business development and the appointment of a part time Shopping Centre Coordinator (Coordinator) as well as infrastructure provisions in the Centre as agreed to between Council and the Traders' Association (Schemes) all of which are associated with the encouragement of retail and commercial activity and economic development in the Brentford Square Shopping Centre (Centre).
3. Base the Special Charges on geographic criteria having regard to the location of those rateable properties in the area of the Schemes that are presently (or are reasonably capable of) being used for commercial, retail or professional purposes, with the addresses of such rateable properties being more particularly described and listed in column 2 of the table forming the Brentford Square Rateable Properties and Charges FY 2025-2026 attached to these Declarations, which rateable properties are otherwise shown as being situated within the highlighted areas enclosed by continuous thick aqua line on the plan forming the Brentford Square Shopping Centre Boundary Map to these Declarations.
4. In performing its functions and exercising its powers to encourage retail, commercial activity, and economic development within the declared area, determines that the total Special Charges to be raised will be $66,726 per annum ($52,228 for marketing and promotion, and $14,498 for infrastructure), totalling $333,630 over the five-year period of the Schemes, being the full cost of these functions and powers, with annual amounts (after the first year) to be adjusted in line with movements in the Consumer Price Index (CPI).
5. Declare the Special Charges for:
    a. The period commencing on 1 January 2026 and ending on 31 December 2030, being a period of five years.
    b. The area containing all the rateable land known as the Brentford Square Shopping Centre, as otherwise shown as being situated within the highlighted areas enclosed by continuous thick aqua line on the plan forming the Brentford Square Shopping Centre Boundary Map attached to these Declarations.
    c. All the rateable land described and listed in column 2 of the table forming Brentford Square Rateable Properties and Charges FY 2025-2026 attached to these Declarations.
6. Levy the Special Charges as follows:
    a. The first year comprises the total respective amounts that are set out in columns 3 - 5 of the table forming Brentford Square

Rateable Properties and Charges FY 2025-2026 attached to these Declarations; and

b. Each subsequent year will comprise the amounts that were payable in the immediate previous year, adjusted in accordance with movements in the CPI (but shall not be less than the amount payable in the immediately preceding year).

7. In making these Declarations, it is considered that there will be a special benefit to the persons required to pay the Special Charges (being the owners and the occupiers of the properties listed in column 2 of the table forming the Brentford Square Rateable Properties and Charges FY 2025-2026 attached to these Declarations) in that there will be a special benefit over and above that available to persons who are not subject to the Special Charges, and directly and indirectly the viability of the Centre as a commercial, retail and professional area will be enhanced through increased economic activity due to the following:

   a. Improved marketing and promotion for the Centre as a whole, increasing the public awareness, profile, image and perception of the Centre and attracting increased patronage to the Centre;

   b. All businesses will benefit from having an experienced centre management team coordinating activities for their mutual advantage and acting as a single liaison point, lobbyist and spokesperson to represent local business within the Centre and deal with various arms of government (Federal, State and Local); and

   c. The value and the use, occupation and enjoyment of the properties and the individual businesses in the Scheme area will be maintained or enhanced through increased economic activity.

   d. Provision and maintenance of physical infrastructure for the Brentford Square Shopping Centre such as CCTV cameras and electronic signage as agreed to between Council and the Association.

8. In making these Declarations, determines that only the properties included in the Scheme area will derive a relevant special benefit from the imposition of the Special Charges, and that no wider special benefits or community benefits are to be taken into account. It is further determined, for the purposes of sections 163(2)(a), 163(2A) and 163(2B) of the Act, that the estimated proportion of the total benefits of the Schemes (including all special and community benefits) that will accrue as special benefits to all persons liable to pay the Special Charges is in a benefit ratio of one to one (100%).

9. Having regard to the preceding parts of these Declarations, determines that the Special Charges will be levied by sending notices to the owners or occupiers of properties included in the Schemes, requiring payment of the initial Special Charges set out in columns 3–5 of the *Brentford Square Rateable Properties and*

10.8 (cont)

Charges FY 2025–2026 (attached to these Declarations), and of subsequent Special Charges under the Schemes, in full by the date specified in the notices (being not less than 30 days after issue), or, if the owner or occupier elects, by four instalments (with the final instalment adjusted as necessary) by the dates fixed by the Minister under section 167(2) of the Act as published in the Government Gazette, and further declares that interest shall be charged on all late payments of the Special Charges in accordance with section 172 of the Act, as set from time to time by Council.

10. Authorise the Traders' Association to administer the proceeds of the Special Charges on behalf of Council on the express condition that the Traders' Association maintains and renews its funding agreement with Council for the period of the Special Charges.
11. Will not give incentives for the payment of Special Charges paid before the due date.
12. Notes these Declarations will expire if the Special Charges are not levied to each person liable to pay it within 12 months after the day on which the declarations to which the Special Charges relate are made.
13. Give notice to all owners and occupiers of the properties included in the Schemes of the decision to declare and levy the Special Charges and the Economic Development Officer be authorised to carry out all other procedures necessary for the Special Charges to be levied.

KEY MATTERS

In April 2025, the Brentford Square Traders' Association sought to renew the two Special Charge Schemes (Schemes) for Brentford Square Shopping Centre (the Centre), which have been in operation for the past 5 years and are due to expire on 31 December 2025. It is proposed that the Schemes would raise approximately $66,726 per annum ($52,228 for marketing and promotion and $14,498 for infrastructure provisions) thus raising in total an amount of $333,630 over the five-year period.

DISCUSSION, OPTIONS AND ANALYSIS

Following the giving of public notice and consultation with property owners, occupiers, and business operators within the Scheme area, six submissions were received during the statutory consultation period, which closed at 5pm on Friday, 25 July 2025. Of these, four expressed support for the renewal of the Schemes and two raised objections.

At its Ordinary Meeting on 25 August 2025, Council resolved to give notice of its intention to declare a renewal of the Special Charge Schemes. The purpose of the renewal is to defray expenses incurred by Council in providing funds to the Association for promotion, marketing, infrastructure improvements, business development, and the engagement of a part-time Shopping Centre Coordinator, as agreed between Council and the Association.

10.8 (cont)

The renewal of the Schemes does not propose any increase in the level of charges, with the budget aligned to the 2025/26 financial year.

Benefits of the Special Charge Schemes

Special Charge Schemes are considered an investment fund for the benefit of the local business community, rather than a levy imposed by Council. They provide shopping centres with a sustainable method for achieving outcomes through long-term business planning.

Benefits of a Marketing and Promotions Special Charge include:

- Supporting a coordinated management approach for advertising, promotion, networking, communications, business development initiatives, and advocacy on behalf of the shopping centre.
- Contributing to the creation of a more professional and vibrant business environment.
- Ensuring coordination of marketing activities, which would be unlikely to occur if businesses acted in isolation.

Benefits of an Infrastructure Special Charge include:

- Enhancing economic activity through the provision and maintenance of improved physical infrastructure such as lighting, security, signage, fixed decorations, logos, murals, and audio systems.
- Improving the physical environment of the shopping centre, which in turn helps foster a professional and vibrant business setting.

Having considered all submissions received and the benefits of the Special Charge Schemes, Councillors are asked to consider the following options in relation to the renewal of the Special Charge Schemes at Brentford Square Shopping Centre:

Option 1
Resolve to proceed with the declaration of the renewal of the Schemes, in accordance with section 163 of the *Local Government Act 1989*, for the purpose of supporting marketing, promotions, infrastructure, business development, and the engagement of a part-time Marketing team.

Option 2:
Resolves not to proceed with the declaration of the renewal of the Schemes, acknowledging that the Association will need to seek alternative funding sources to maintain current activities and initiatives.

10.8 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	**Whitehorse Investment and Economic Development Strategy 2024-2028** Theme 2: Supporting Activity Centres and Employment Precincts 2.3 Special Rate and Charge Schemes Facilitate the feasibility, review and renewal of retail Special Rate and Charge schemes (for activity centres) as per the Special Rate and Charge Scheme in Commercial Precincts and Centres Policy 2014.
Financial and Resource Implications	The preparation, raising and ongoing administration of the Special Charge Schemes is covered within Council's annual budget.
Legislative and Risk Implications	Legal Consideration The statutory process provides the affected ratepayers and property owners and occupiers and community generally, with the opportunity to make a submission and/or an objection to the Council on the proposed Schemes. Council is required to consider any submissions and take into account any objections in accordance with sections 163A, 163B and 223 of The *Local Government Act 1989*, prior to making a final decision with respect to the declaration of a Special Charge Scheme for any Shopping Centre or Precinct.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	To declare a Special Charge Scheme, Council is required to comply with the statutory process under the *Local Government Act 1989* and *Local Government Act 2020*. The statutory process provides the community with the opportunity to make a submission and/or an objection to Council on the proposed Scheme. Council will consider any submissions and take into account and objections in accordance with the *Local Government Act 1989* and *Local*

	Government Act 2020 prior to making a final decision. A best practice approach has been adopted in consulting with stakeholders to ensure there is a broad level of understanding and support with what is being proposed and the process that is being undertaken. This includes reviewing the current schemes and facilitating genuine engagement with traders and property owners when developing the five-year business plan. For the proposed Schemes a survey was prepared and occupiers were invited to a meeting of the Brentford Square Traders' Association to review the current schemes and inform the Traders' Association five-year business plan and the activities that the Schemes will fund. Correspondence was also sent to property occupiers to inform them of the Business Association's request to renew the Special Charge Schemes and invite them to comment on the proposed schemes in the official notice of intention letter.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendations in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Brentford Square Shopping Centre Boundary Map
2 Brentford Square Rateable Properties and Charges FY 2025-2026

10.9 Development Contribution Plan Update

Department	City Planning and Development Director City Development

Attachment

SUMMARY

At the 10 July 2023 meeting Council adopted the Whitehorse Development Contributions Plan (DCP) 2023 and also noted an ongoing budget commitment required to administer the Whitehorse DCP.

The Whitehorse DCP applies to all land in the municipality and was introduced into the Whitehorse Planning Scheme on 21 December 2023.

The DCP has now been in operation for almost 20 months and has resulted in the collection of $1,219,802 to the end of the 24/25 Financial Year. To date 8 projects have had their full DCP income estimate allocated, and 2 have had partial allocation of the DCP income estimate.

To enable the DCP, processes, procedures and policies have been developed and implemented. The DCP has been administered by the Development Contributions Officer (appointed as a 2 year full-time role), supported by the Development Contributions Administration Officer (appointed as an ongoing part-time role). Both roles were approved as part of the 10 July 2023 Council decision on the DCP, which noted that for effective operation, the DCP needed to be properly resourced, and the DCP officer would be required permanently. By committing to the implementation of a DCP within the municipality, Council both committed to the delivery of these projects and to the management of the overlay and fund.

The role of the Development Contributions Officer was anticipated for review once the DCP had been implemented and was operational. This position is due to conclude in March 2026. Based on the experience with the DCP and its implementation so far, it is considered that the DC Officer as a full-time role is essential to the ongoing and proper operation of the DCP.

The Whitehorse DCP states that the DCP should be reviewed on a regular basis (approximately every 4 years) to ensure the information in the DCP is reasonably consistent with estimates of growth, future development and project needs and costs. There are many factors which impact these estimates. In addition, current strategic work which is in progress, including the Whitehorse Flood Mapping Strategy, the Tally Ho Structure Plan, the Suburban Rail Loop / SRL precinct planning and Activity Centre Program is likely to be relevant to the DCP in terms of projects which may be able to be considered for inclusion in the DCP and/or population, demographic and economic context of the Whitehorse DCP. Given the current status of these projects, potential infrastructure contributions legislative changes and the fact that our DCP is still in its early implementation it is recommended that a

10.9 (cont)

review is not commenced until the 2026/2027 financial year. The DC Officer will be a critical resource for this review.

RECOMMENDATION

That Council:

1. Note the update on implementation of the Whitehorse Development Contributions Plan (DCP).
2. Commence a review of the Development Contribution Plan in the 2026/2027 year.
3. Notes the tasks and responsibilities involved in administering the DCP and commits to the ongoing cost of employing a Development Contributions Officer required for the implementation and management of the Whitehorse DCP.

KEY MATTERS

- The Development Contributions Plan (DCP) has been in operation in the Whitehorse Planning Scheme for approximately 20 months and has resulted in $1,219,801.71 levied to the end of the 24/25 Financial Year towards provision of necessary infrastructure for the community.
- The DCP must be reported to the Minister for Planning annually and in accordance with the *Planning and Environment Act 1987* and the relevant Ministerial Guidelines.
- The DCP must deliver projects set out in the DCP over a 20 year period. The project list in the DCP (refer attachment 1) does not cover all of the capital works that Council will undertake. Rather, it includes those projects that were sufficiently planned and costed when the DCP was prepared. Most of the DCP projects are derived from the 10 year capital works plan.
- As circumstances change and new strategic work is undertaken, there will be further capital works projects (for example relating to drainage works, road improvements and major facility provisions) that could be included in the DCP project list. It is therefore appropriate to review the DCP to ensure that it accurately reflects the infrastructure needs of our growing residents and workers. A review approximately every 4 years is generally considered appropriate. It is also important that these reviews are properly resourced.
- In order to properly implement and manage the DCP it is important that the contribution scheme be suitably resourced. The Development Contribution Officer (DC Officer) is engaged for a 2 year period to March 2026, and the ongoing nature of the role is due for assessment as envisaged when the DCP and Amendment C241 to implement the DCP into the Whitehorse Planning Scheme were adopted at the Whitehorse

10.9 (cont)

Council meeting on 10 July 2023. The benefits associated with the DC Officer role warrant this being an ongoing full-time role.

DISCUSSION, OPTIONS AND ANALYSIS

The DCP mechanism has been in place in the Whitehorse Planning Scheme since gazettal of Amendment C241 on 21 December 2023. The Amendment applied a Development Contributions Plan Overlay (DCPO) to the entire municipality and set levies for development generally on a suburb basis. The levy amounts are adjusted annually.

The DCP collects contributions from development towards providing necessary infrastructure. The DCP levies that apply to development comprise two parts: the Development Infrastructure Levy (DIL) and the Community Infrastructure Levy (CIL), however the CIL only applies to residential development.

The *Whitehorse Development Contributions Plan, October 2023* includes a list of 133 projects that need to be delivered under the Plan over a 20 year period to 2043.The estimated total capital expenditure on these projects is $211,555,000 (at 2022 rates) and the DCP anticipates that levies collected from development will fund approximately 15% [$31M] of the total cost of the DCP projects.

The DCP is an Incorporated Document in the planning scheme and should it need updating, this will require a full planning scheme amendment. It is recommended that the DCP be reviewed as needed, typically every 4 years. The independent Panel for Amendment C241 had recommended that the first review occur in 3 years from the DCP coming into effect taking into account strategic work that was in progress at the time and the possibility that they would result in additional projects eligible for inclusion in the DCP. It is noted however that some of the key strategies which would lead to further projects within the DCP have been delayed.

How are we tracking?

As at 30 June 2025, the DCP has achieved the following:

Year	**Community Infrastructure Levy Collected**	**Development Infrastructure Levy Collected**	**Total DCP Levy Collected**
23/24 (6 month period following gazettal of the DCP)	$478,557.00	$43,332.91	$521,889.91
24/25	$697,048.00	$863.80	$697,911.80
Total	***$1,175,605.00***	***$44,196.71***	***$1,219,801.71***

The levies received have been fully allocated each financial year to applicable, completed DCP projects.

10.9 (cont)

To date 8 projects have had their full DCP income estimate allocated, and 2 have had partial allocation of the DCP income estimate. Projects with their full DCP income estimate allocated include the Heatherdale Reserve Pavillion Refurbishment, Vermont South Club Rooms, Strathdon House carpark, Sydenham Lane reconstruction, and Kerr Lane reconstruction.

DCP Ministerial Reporting has been completed each year and submitted to the Department of Transport and Planning as required by *the Planning and Environment Act 1987* and outlined in the Ministerial Direction - *Preparation and content and reporting requirements for Development Contributions Plans*. This report is also presented in the Whitehorse Annual Report.

To enable the smooth operation of the DCP a DCP Working Group and DCP Steering Group have both been convened to develop and agree upon policies, processes and procedures. These are internal working groups.

One of the processes that has been put in place provides notification to building surveyors of developments that they have been assigned to, for which a DCP levy will be required to be paid. If these levies are not paid as required, additional follow up processes have been developed, with enforcement being available as a last resort.

It is noted that the rate at which the DCP contributions accumulate is entirely dependent on the timing of building permits being sought for development and the type and scale of development proposed. The annual forecast of $500,000 per annum in contributions for Council budget preparation is therefore purely theoretical.

Benefits of regularly reviewing the DCP

The DCP is approximately 20 months into the first review period.

Future review of the DCP would enable Council to do the following:

1. Include new infrastructure projects in the DCP project list from strategic work completed since the DCP was prepared. For example, the Whitehorse Flood Mapping Strategy (in progress) and other strategic work such as the Tally Ho Structure Plan and potentially the Suburban Rail Loop (SRL) precinct planning and Activity Centre Program, may have major infrastructure projects that could be included in the DCP. Doing so would also allow Council to collect an appropriate level of contribution from developments and deliver the required infrastructure in a timely way to meet the growing needs of Whitehorse community and businesses.

   It is noted that since preparation of the DCP, completion of the flood modelling for Whitehorse has been delayed and is still with Melbourne Water for review. This data is needed to complete the Whitehorse Flood Mapping Strategy. This data and the strategy may result in significant drainage improvements and upgrades that may be appropriate to add to the DCP project list.

   Any new projects that have been added to the Capital Works Program, and appropriately planned, will also be able to be added to the DCP.

10.9 (cont)

2. Review any existing DCP projects both in terms of scope and estimated cost, and to confirm whether the projects will proceed as planned. It is noted that the majority of projects contained in the DCP were derived from Council's 10 year capital works plan. Projects included in the DCP need to have a sufficient level of detail.
3. Include updated population and dwelling forecasts, as well as updated projections for non-residential development which are used to calculate the total demand for infrastructure which in turn is used to calculate the infrastructure levy payable for each infrastructure project.
4. It is expected that the SRL precinct growth alone will contribute to a significant increase in residential, retail and commercial development within Box Hill and Burwood areas. Parallel to this, the outcomes of the State government's Activity Centres Program for Blackburn, Nunawading and Mitcham will also require adjustment to forecasts. Whilst the state government has indicated this may be addressed by a state level control; no further detail has been made available (this information was due in March 2025).
5. To make any changes needed in the DCP and/or in the DCPO schedule. Implementation of the DCP has highlighted that the DCPO would benefit from minor updates to give greater clarity.
6. Take in to account any changes needed to the DCP as a result of future reform of infrastructure contribution mechanisms. Review of the infrastructure contribution mechanisms in Victoria has been underway for some time however no details of a future mechanism have been released. One indicator is that a new infrastructure contributions mechanism for each of the 10 pilot centres in the Activity Centres Program has been proposed to apply from 1 January 2027.
7. Recalculate the DCP levies to ensure that development contributes fairly to the cost of infrastructure.

Scope of future DCP review

The DCP should be reviewed on a regular basis to ensure the information in the DCP is reasonably consistent with estimates of future development and project needs and costs. However, it should be expected that future conditions will to some extent depart from the estimates generated for the DCP. Where it is found that the DCP estimates and assumptions significantly depart from the conditions, a more comprehensive review of the DCP may be required

The future DCP review should consider:

1. The existing DCP Project List and changes to infrastructure needs
    - The status of projects – those completed, underway, scheduled for commencement on hold or no longer proceeding.

10.9 (cont)

- Do we need to include new projects? E.g. projects identified as part of SRL, activity centres program, the Whitehorse Flood Mapping Strategy and the Community Infrastructure Plan.

2. DCP Systems and Processes:
   - Can we improve the management of DCP data? Systems currently utilised are independent and manual updates are required to incorporate DCP information. Are these the most appropriate systems and are they suitable for reporting and auditing purposes?
   - Are the processes and procedures that have been put in place appropriate and adequate and are any changes required?
3. Development Conditions: The consideration and update of the population, demographic and economic context of the Whitehorse DCP, particularly in light of projects such as SRL and activity centres as well as Planning Reforms including the local government housing target to 2050 as outlined in the Whitehorse Planning Scheme.

Resources to implement the DCP

At the 10 July 2023 meeting, it was resolved that Council:

> *Notes the overall ongoing budget commitment required to administer the Whitehorse Development Contributions Plan, 2023, and commits to the identified ongoing cost of employing a DCP Officer and a DCP Administration Officer required for the implementation of the Whitehorse DCP.*

In March 2024, following introduction of the DCP in December 2023, the Development Contributions Officer (DC Officer) was engaged for a 2 year period. This is a full-time, Band 6 position which has been responsible in broad terms for:

- The daily administration, management and reporting of the Whitehorse DCP
- Development and refinement of systems to collect and administer the DCP levies
- Maintaining development contributions records
- Maintaining knowledge of current legislation, policy and procedures that impact upon all aspects of the DCP planning and implementation.
- Annual DCP levy indexation and adjustment.
- Annual DCP funding allocation.
- Compliance with statutory requirements such as annual Ministerial Reporting.
- Informing strategic and financial planning.

10.9 (cont)

- Decision-making on and interpretation of DCP matters and applicant disputes.
- Coordinating the preparation of infrastructure agreements to ensure all development contributions processes are in line with council's internal policies and procedures.

These responsibilities are ongoing and are part of the commitment that Council has made when putting in place a DCP.

The DC Officer works closely with various areas within Council, but particularly with the Finance Department, Capital Works Unit and Statutory Planning.

The Development Contributions Administration Officer (DC Administration Officer) is permanent, part-time (0.4 FTE), Band 4 role. The role fundamentally supports the activities of the DC Officer in implementing the DCP particularly in relation to the lodgement and receipting of DCP invoice applications.

The report to Council on 10 July 2023 acknowledges that the role and tasks of the DC Officer would require reassessment once the DCP had been in operation for a period and the demands of the DCP were better understood. The first 2 years of the role will conclude in March 2026. Based on the experience with the DCP and its implementation so far, it is considered that the DC Officer as a full-time, Band 6 role is essential to the ongoing and proper operation of the DCP. The ongoing cost to Council for this role would be $134,287.89 per annum (including on-costs); in line with new Enterprise Agreement.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Preparation of the DCP was a key budget initiative of Council and was included as an action in the previous Council Plan. The planning scheme amendment gave statutory effect to the DCP and implementation of the DCP and the collection of levies and their allocation to projects is now part of Council's normal operations. In the current Council Plan, the DCP aligns with Strategic Direction 2 "Built" and Objective 2.3 in the Action Plan 25/26: "Sustainable planning and infrastructure to respond to population change".
Financial and Resource Implications	Funding for future review of the DCP will be considered as part of future budget processes if needed. The costs associated with a planning scheme amendment arising from the review will be included in the Strategic Planning operational budget in the appropriate year following the DCP review.

10.9 (cont)

	The current ongoing cost associated with the DCP Officer is $129,150 per annum (including on-costs). The new Enterprise Agreement will increase pay rates to staff in Bands 5 – 8 from 1 February 2026, after which the role would be $134,287.89 (including on-costs).
Legislative and Risk Implications	The legislative and risk implications arising from the recommendation contained in this report relate to the need to properly resource the implementation, management, monitoring and review of the DCP in order to meet Council's statutory obligations. This includes: • Appropriately resourcing the management of the DCP with suitably qualified and experienced staff in City Planning and Development, Finance and Capital Works. • Ensuring appropriate systems are in place to operate the DCP. This could include the implementation of an integrated software package to maintain the disparate components of the DCP which could be readily reviewed and accessed for audit purposes. • Meeting Ministerial reporting requirements • Coordinating legal matters in relation to the DCP • Maintaining the integrity of the DCP process and data. • Allocating funds for review of the DCP, if needed (typically every 4 years).
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues. The planning scheme amendment to introduce the DCP provided the opportunity for the community (including the development community) to fully participate in the process. Equally any future amendment following review of the DCP would afford the community the same opportunity. Development contributions are an accepted part of the planning system and help to ensure equity in the cost of providing necessary infrastructure by attributing a proportion of these costs to new development. Collecting contributions from new

	developments that generate the demand for additional infrastructure is appropriate and fair.
Community Engagement	No community engagement was required for this report.
Innovation and Continuous Improvement	Ongoing engagement of a DC Officer and regular review of the DCP itself is central to continuous improvement in implementation of the DCP.
Collaboration	No collaboration was required for this report.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Development Contribution Plan Project List

10.10 Council Meeting Dates 2026

Department	Governance and Integrity Director Corporate Services

Attachment

SUMMARY

In accordance with the *Local Government Act 2020* and Council's Governance Rules, Council is required to fix the date, time and place of Council Meetings and provide notice of the schedule of Ordinary or Special Council Meetings.

Three options have been developed for Council consideration for the 2026 Council Meeting schedule.

Options presented include:

- 3 weekly Council Meeting cycle (recommended option) (Attachment 1)
- Fortnightly cycle (Attachment 2) and;
- Monthly Meeting cycle (Attachment 3)

Option One, (3 weekly cycle) is the recommended option that provides for optimal Councillor Professional development and briefing opportunities on the non-Council Meeting evenings.

RECOMMENDATION

That Council:

1. Adopts the following Council Meeting dates for the 2026 calendar year for Whitehorse City Council, with meetings commencing at 7.00 pm:

Month	Day/Date
February	Monday 2 Monday 23
March	Monday 16 Monday 30
April	Monday 20
May	Monday 11
June	Monday 1 Monday 22
July	Monday 13

10.10 (cont)

August	Monday 3 Monday 24
September	Monday 14
October	Monday 5 Monday 26
November	Wednesday 11 **election of the Mayor and Deputy Mayor* Monday 16
December	Monday 7

2. Notes that all Council meetings in the table above will be held at the Whitehorse Civic Centre, 379-399 Whitehorse Road, Nunawading.

KEY MATTERS

The proposed Council Meeting dates and options have been drafted taking into consideration:

- Victorian Public Holidays for 2026
- The expected dates for the Australian Local Government Association (ALGA) National General Assembly, which Whitehorse Councillors may attend.
- Pattern of Council meetings to best accommodate for Councillor Professional development (Training which is required by all Councillors at least once each year section 33A of the *Local Government Act 2020*) and Councillor briefings
- Where there are 5 Mondays in a month, a break with no Meetings or Briefings scheduled unless there is a public holiday in that month.

In the recommended option there are a total of 16 Ordinary Meetings and 1 Council Meeting to Elect the Mayor and Deputy Mayor.

Three options have been developed for Council to consider for the 2026 meeting schedule.

DISCUSSION, OPTIONS AND ANALYSIS

Options Summary

	Option 1	Option 2	Option 3
Total Meetings	17	22	12
Council meeting Pattern	Every Third Monday	Fortnightly	Monthly

10.10 (cont)

Option 1 (Attachment 1)

This option provides for the holding of a Council meeting every third Monday.

- The three-weekly pattern accommodates a number Monday public holidays with 1 exception in March where there would be a 4-week gap and a 2-week gap respectively.
- If there are 5 Mondays in a month, there would be a night with no Meetings or Briefings scheduled unless there is a public holiday in that month.
- No meeting scheduled in January, to accommodate the traditional holiday period.
- This option allows for 16 Ordinary Meetings and 1 Statutory Meeting to elect the Mayor.
- Council meetings over the last twelve months have been 1.72 hours in length. Moving from fortnightly to a three weekly cycle should have a small impact on the length of Council meetings with an additional 10-30 minutes estimated.
- This first year of Council after a General Election requires a number of Polices and Plans to be adopted within legislative timeframes normally within 12 months after an election, this will taper off in years 2-4 of this term.

Option 2 (Attachment 2)

This option provides for the holding of 2 Ordinary Council Meetings per month, with the following exceptions:

- No meeting in January, to accommodate the traditional holiday period
- The first Meeting in June to be held on a Tuesday due to the Public Holiday
- 1 meeting to be held in December, to accommodate the traditional holiday period
- A third meeting in November for the Mayoral Election
- This option allows for 21 Ordinary Meetings and 1 Statutory Meeting to elect the Mayor.

This option is similar to for the Council Meeting cycle in 2025.

Option 3 (Attachment 3)

Option 3 proposes monthly meetings similar to neighbouring Councils. This cycle includes 11 Ordinary Council Meetings and 1 Statutory Council Meeting to elect the Mayor and Deputy Mayor.

Meetings would be held on the 3rd Monday of each month with the following exceptions

10.10 (cont)

- Meetings in March and June to be held on the 4th Monday of the month due to the public holidays
- 1 Meeting in December will be in week 2 on the 14th to accommodate the holiday period

The schedule of Ordinary Meetings is significantly less meetings than Council's previous schedules.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services. **Objective 5.1: An Open, Transparent, accountable and responsible Council**
Financial and Resource Implications	Council Meetings are funded within the annual operational budget. There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	Pursuant to s 60 of the Local Government Act 2020 (the Act), Council is required to adopt and apply Governance Rules which describe the way it will conduct Council meetings and make decisions. The Rules outline the requirements to set Ordinary and Unscheduled Meetings, the procedures for Council Meetings and set the rules of behaviour for those participating and present at the meeting. Pursuant to s 33A of the *Local Government Act 2020* , a Councillor must complete professional development training annually to ensure that the Councillor understands their role and responsibilities. The Local Government (Governance and Integrity) Regulations 2020 regulation 6A, prescribes the matters that must be covered as part of Councillor induction and professional development training. These are: • working together in a Council • decision making, integrity and accountability • community representation • strategic planning and financial management • conduct

10.10 (cont)

	• land use planning • the training may also include any other matters the Chief Executive Officer considers will support councillors in the performance of their role. Factoring and scheduling Councillor training on available Monday evenings will allow Council to fulfil its legislative obligations.
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.
Innovation and Continuous Improvement	All three options have factored ways of working differently and accommodating Councillor development and time for briefing sessions to provide Councillors with deeper understanding of complex matters. If Council determines option 1 or 3 Council will be enabling a new cycle of Council Meetings.
Collaboration	Officers collaborated with other Council's and departments within Council to ensure enough Council Meetings will be held based on reports they anticipate will need Council decisions in 2026.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Option 1 - Council Meeting Dates 2026 - 3 weekly - Recommended
2 Option 2 - Council Meeting Dates 2026 - Fortnightly
3 Option 3 - Council Meeting Dates 2026 - Monthly

10.11 Proposed Discontinuance and sale of Road adjoining side/rear of 153-159 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.

Council Officers recommended that Council commence the road discontinuance in accordance with the *Local Government Act 1989* (the LGA 1989).

Council published a public notice on its website in accordance with section 223 of the LGA 1989.

Additionally, a copy of the abovementioned public notice was published, as a courtesy, in The Age newspaper.

Council officers wrote to the immediately abutting property owners to make them aware of the proposed discontinuance.

Council officers wrote to Yarra Valley Water who were the only utility authority with assets within the roadway. They have advised of a request for a 3.05 metre easement across the rear affected section of roadway which has been incorporated into the requisite title plan included below.

In the opinion of Council Officers, it has been deemed that the road adjoining 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 having published a public notice in accordance with section 223 of the LGA 1989 and having received no submissions relating to that public notice; that Council discontinue 153-159 Springvale Road, Nunawading.

10.11 (cont)

RECOMMENDATION

That Council:

1. Being of the opinion that the section of road adjoining 153-159 Springvale Road, Nunawading (the Road); shown as shaded blue with red border on the Location Plan below is no longer reasonably required as a road for public use and noting no submissions were received, resolves to discontinue the road in accordance with section 206, clause 3 of schedule 10 of the *Local Government Act 1989* (the LGA 1989).
2. Authorises that a notice be published in the Victoria Government Gazette.
3. Acknowledges that section 207C of the Local Government Act 1989 (the LGA 1989) protects and/or saves the assets of public authorities held in the road proposed for discontinuance.
4. Authorises that the land from the road discontinuance be sold to the adjoining owner of (Lots 1-4 on LP 11153) at the price of $470,000 exclusive of GST as determined by the independent valuation obtained by Council.
5. Authorises the Chief Executive Officer to sign all documents relating to the road proposed for discontinuance and also authorise the affixing of the Council seal, if required, to any documents relating to the road proposed for discontinuance.

KEY MATTERS

At its meeting held on Monday 28 July 2025 Council acknowledged that the section of road adjoining 153-159 Springvale Road, Nunawading (the Road); shown with red border and blue shading on the Location Plan below is no longer reasonably required for public use.

Council resolved to commence statutory procedures under section 206, schedule 10, clause 3 of the *Local Government Act 1989* (the LGA 1989) to discontinue the Road.

10.11 (cont)

Plan #1 Location Plan:



In accordance with sections 207A and 223 of the LGA 1989, Council gave public notice of the proposed discontinuance in The Age newspaper and on Council's website.

The Senior Advisor Property & Leasing was authorised to write to the adjoining owners impacted by the proposed road discontinuance advising that they could make a written submission relating to the proposed discontinuance.

Council received no submissions.

Council provided a time for any submitters to be heard and consider any submissions, made in accordance with section 223 of the LGA 1989, at its Council meeting to held on Monday 22 September 2025 but no submissions were received as noted which required this matter to be considered on that date.

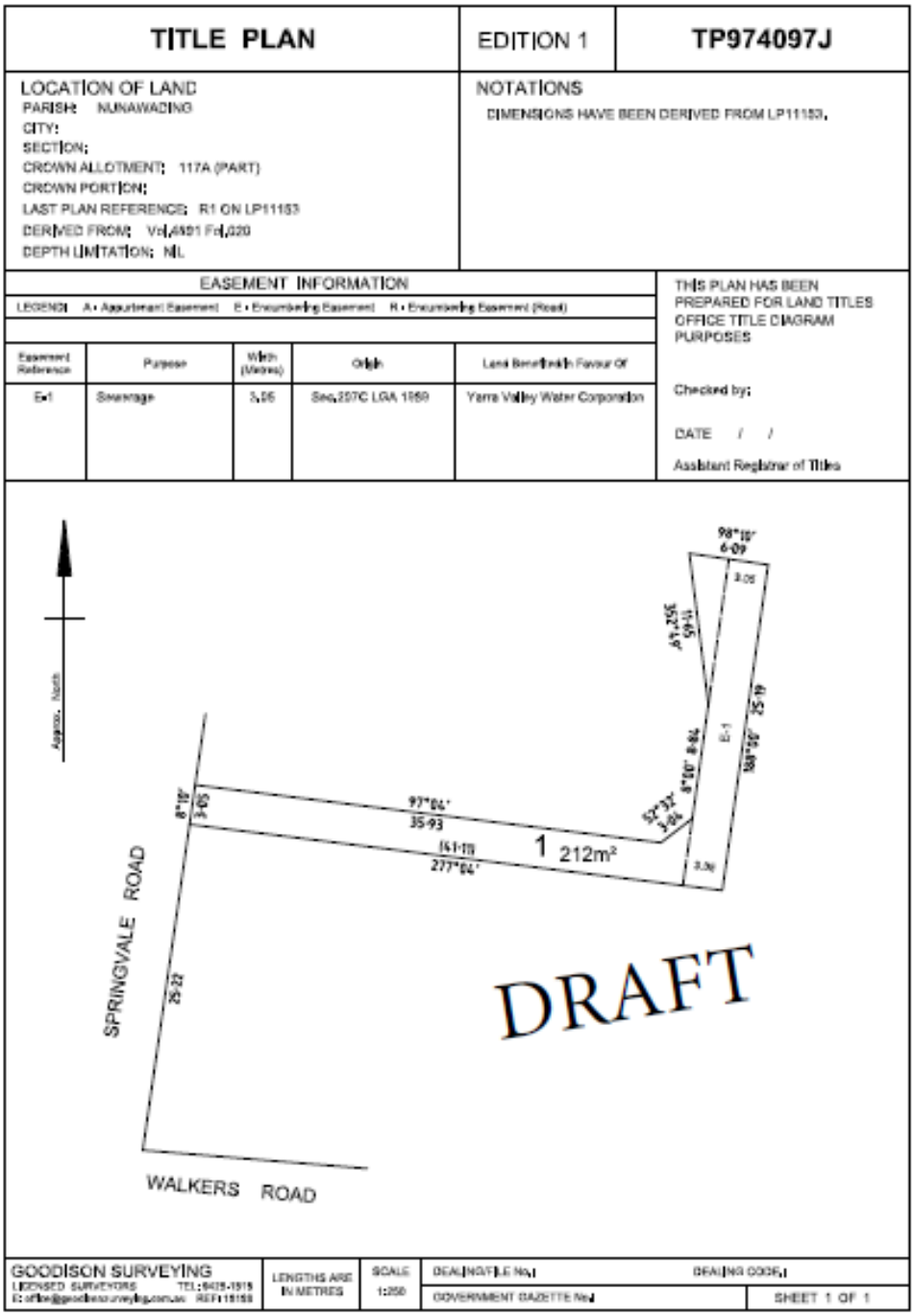
Council has completed all of its statutory obligations in accordance with section 223 of the LGA 1989 and Council can resolve to discontinue the road and publish a notice in the Victorian Government Gazette.

The "draft" Title Plan prepared by Goodison Surveying shown as "Title Plan" shows the land that will be offered to the adjoining owner.

Please note that once Council resolves to discontinue the road and the adjoining owner and Council have entered a contract based on the valuation as purchase price, the watermark draft will be removed from the Title Plan, and the Title Plan can be lodged at Land Registry.

10.11 (cont)

Plan #2 Title Plan



BACKGROUND

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* (the LGA 1989) and the *Roads Management Act 2004 (*RMA 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

10.11 (cont)

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

The fact that the road is not 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 RMA 2004.

Council Officers assessed the Road against these three considerations and believe that there are sufficient grounds for Council to complete the statutory procedures in accordance with the section 206 of the LGA 1989.

The required public notice was published in the Age Newspaper on Tuesday 29th July and on Council's website for a minimum of four weeks and the submission period closed on Monday 25 August 2025.

As stated above Council received no submissions or requests to be heard regarding this proposed road discontinuance and sale and was not required to consider any submissions at the time notified in the public notice being at its meeting held on Monday 22 September 2025.

DISCUSSION, OPTIONS AND ANALYSIS

This Council report is the final report relating to the road discontinuance and is seeking a resolution from Council to:

- Discontinue the road in accordance with section 206 and clause 3 of schedule 10 of the LGA 1989;
- Authorise the publication of a notice in the Victoria Government Gazette; and
- Acknowledge that section 207C of the LGA 1989 protects and/or saves the assets of public authorities held in the road proposed for discontinuance.

Once Council resolves to discontinue the road, Council Officers with assistance from Goodison Surveying and Council's Lawyers will commence the road extinguishment at Land Registry.

Additionally, Council Officers will commence disposal, at the valuation amount, with the adjoining owner of the discontinued road.

10.11 (cont)

Conclusion

Given that the Road adjoining the rear/side of 153-159 Springvale Road Nunawading is deemed to be no longer required for public use, and Council has completed its statutory obligations in accordance with section 223 of the LGA 1989; Council Officers recommend that Council resolves to discontinue the Road.

If Council resolves to discontinue the Road, Council Officers will publish a notice in the Victorian Government Gazette and commence disposal, at the valuation amount, with the adjoining owner of the discontinued road.

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.

10.11 (cont)

	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. Independent valuation firm Herron Todd White have valued the 212m2 of road proposed for discontinuance at Four Hundred and Seventy Thousand Dollars ($470,000) excluding GST. Refer Attachment #1: Valuation Certificate dated 16th September 2025.
Legislative and Risk Implications	The discontinuance process was undertaken having regard to the relevant sections of the Local Government Act 1989 (the LGA 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.

10.11 (cont)

	The proposed discontinuance of this road by Council was undertaken in accordance with the *Local Government Act 1989* (the LGA 1989) and not the *Local Government Act 2020*; consequently, Council was 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 LGA 1989). **No submissions were received.** The section 223 process overrides the community engagement obligations contained within Council's Community Engagement Policy as the road is not owned by Council; 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 was placed in an advertisement in The Age newspaper and on the Council website (for 28 days) following approval by council at it 28 July 2025 meeting.** **Council has fully completed its community engagement obligations in accordance with section 223 of the LGA 1989.** Please note that Council ultimately has the right not to discontinue the Road; however, Council Officers recommend that Council resolve to discontinue the Road and sell the roadway to the adjoining owner. Having complied 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 specific community engagement was required for this report as the property was not owned by Council and was a roadway; however, Council officers undertook a community engagement process in accordance with section 223 of the *Local Government Act 1989* (the LGA 1989).

	All necessary public authorities with assets in the land were consulted in respect to the proposal, and the required sewerage easement in favour of Yarra Valley water will need to be 'saved' on the Title Plan upon Publication in the Victorian Government Gazette. The statutory procedures under the *Local Government Act 1989* (the LGA 1989) required 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 LGA 1989). This has been completed**.** The Public Notice of the proposed discontinuance was given in The Age newspaper and published on Council's website. In addition, all nearby property owners and occupiers and land users were advised of the proposal in writing, and informed of their right to make a submission under section 223 of the *Local Government Act 1989* (the LGA 1989) *and* or request to be heard by a Committee of Council, prior to a decision being made to proceed or otherwise not to proceed with the proposal. **No submissions were received and no parties requested to be heard by Council in relation to this matter.** 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 in the Age on Council's website and via email/letter 2. 25 August 2025:Public Notice submissions closed 3. 22 September 2025: Council Meeting to hear any submission/s (if required) **Not required as no submissions received** 4. 13 October 2025: Council Meeting to consider final report and 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.

10.11 (cont)

Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Certificate of Valuation Roadway rear side 153-159 Springvale Road Nunawading

10.12 Audit and Risk Committee Bi-Annual Report - April to September 2025

Department	Governance and Integrity Executive Manager Corporate Services

Attachment

SUMMARY

Whitehorse City Council has established an Audit and Risk Committee (Committee) pursuant to section 53 of the *Local Government Act 2020* (Act).

The Audit and Risk Committee Charter (Charter) and section 54(5) of the Act, requires the Committee to:

- Prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
- Provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at a Council meeting.

The Committee at its meeting held Wednesday, 17 September 2025 approved the attached biannual report to Council for the period April to September 2025, contingent upon the inclusion of updated information for the September 2025 Committee meeting.

RECOMMENDATION

That Council note the Audit and Risk Committee Biannual Report for the period April to September 2025.

KEY MATTERS / HIGHLIGHTS

The Internal Auditor, HLB Mann Judd, presented the following reports at the May and August 2025 meetings:

- Review of Risk Management Framework ISO 31000:2018 (incl. Risk Awareness Survey);
- Review of Procurement and Tendering; and
- Review of all open internal audit actions that were presented to the Committee in December 2024.

A total of eight findings were identified across the above reports. There was no high risk rated finding reported. Across all projects, the Committee is comfortable with the reporting received and actions being taken by management to address findings. Implementation status is monitored at every meeting.

10.12 (cont)

- An additional review, requested by Council at its meeting on 3 March 2025, was undertaken on Audit and Reconciliation of Equitable Cost Sharing for the Private Use of Council Vehicles Report, with the report tabled at the August 2025 meeting and provided to Councillors.
- The Strategic Internal Audit Plan (SIAP) for 2025/26 was endorsed by the Committee at the May 2025 meeting.
- The External Auditor, RSD Audit, presented the Interim Management Letter in May 2025, and the annual financial report and performance statement together with Final Management Letter in September 2025.
- The Committee received organisational updates and monitors announcements and guidelines that impact Council operations on various matters including planning reform, housing targets, challenges with Victoria's Big Build, Enterprise Agreement, financial sustainability, with a focus around cost shifting, infrastructure requirements, rate cap and revenue generation, and staff changes.
- The Committee's role has been focussed on the oversight of program governance and risk management.

DISCUSSION, OPTIONS AND ANALYSIS

The primary role of the Committee is to support Council in discharging its oversight responsibilities related to financial and performance reporting, risk management, fraud and corruption prevention systems and controls, maintenance of a sound internal control environment, assurance activities including internal and external audit, and Council's performance regarding compliance with its policies and legislative and regulatory requirements.

The Committee is an advisory committee with no delegated authority or decision-making abilities.

In accordance with section 54(1) of the Act, Council must prepare and approve a Charter. The Charter must specify the functions and responsibilities of the Committee including the following:

1. Monitor the compliance of Council policies and procedures with;
    a) The overarching governance principles; and
    b) This Act and the regulations and any Ministerial directions.
2. Monitor Council financial and performance reporting;
3. Monitor and provide advice on risk management and fraud prevention systems and controls; and oversee internal and external audit functions.

The Committee comprises of five members: three independent members and two Councillors, appointed by Council. As per the Charter, the Committee meets five times a year.

The agenda for all meetings was in accordance with the Audit and Risk Committee Work Plan 2024/25 (Work Plan), which was developed, discussed and approved by the Committee. The Work Plan is the primary tool used to track completion of responsibilities in the Charter.

10.12 (cont)

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Governance, Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services. The Audit and Risk Committee (ARC) supports the strategic direction of Governance by providing independent oversight that strengthens accountability, transparency, and ethical decision-making. It plays a key role in reviewing governance frameworks, monitoring risk management and internal controls, and ensuring accurate financial and performance reporting. Through its assurance and advisory functions, the ARC promotes continuous improvement, supports executive accountability, and upholds strong leadership values aligned with legislative and organisational expectations.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report.
Legislative and Risk Implications	Under Section 54(5) of the Act, the Committee must: • Prepare a biannual audit and risk report that describes the activities of the ARC and includes its findings and recommendations; and • Provide a copy of the biannual audit and risk report to the CEO for tabling at the next Council meeting. There are no other 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.

10.12 (cont)

Innovation and Continuous Improvement	Internal and external audit raise matters, including areas for improvements, for management to address and action. The Committee monitors the implementation of management actions to address findings at subsequent Committee meetings until they are resolved.
Collaboration	All members of the ARC were consulted in the preparation of this report.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Biannual Audit and Risk Committee Report to Council - April to September 2025

10.13 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.

Pre Council Meeting Briefing – 22 September 2025 – 6.30pm to 6.41pm		
Matter/s Discussed: - Council Meeting Agenda	**Councillors Present**	**Officers Present**
	Cr Andrew Davenport (Mayor) Cr 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	S McMillan S Cann S White L Letic J Green A Ghastine V Ferlaino E Outlaw A Wintle T Gledhill C Clarke
Others Present: N/A		
Disclosures of Conflict of Interest: Cr Gunn – *10.4 Draft Community Grants and Discounts Policy 2025-2029* Cr Griffiths – *10.4 Draft Community Grants and Discounts Policy 2025-2029*		
Councillor /Officer attendance following disclosure: Cr Gunn & Cr Griffiths left the room at 6.38pm prior to the discussion and did not return.		

10.13 (cont)

Optional Briefing Discuss Options for Former Box Hill Brickworks site – 25 September 2025 – 5pm to 5.58pm		
Matter/s Discussed: - Discuss Options for Former Box Hill Brickworks site	**Councillors Present** Cr Andrew Davenport (Mayor) Cr Peter Allan Cr Blair Barker Cr Jarrod Gunn Cr Daniel Griffiths Cr Kirsten Langford Cr Jason Martin Cr Kieran Simpson Cr Hayley Weller	**Officers Present** Simon McMillan Kim Marriott
Others Present: N/A		
Disclosures of Conflict of Interest: N/A		
Councillor /Officer attendance following disclosure: N/A		

Councillor Briefing – 06 October 2025 – 6.30pm to 9.20pm		
Matter/s Discussed: – The Round Report: Year 2 Performance with Catering Consideration – Strategic Property Program – Draft Council Meeting Agenda	**Councillors Present** Cr Andrew Davenport (Mayor) Cr Cutts (Deputy Mayor) 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 J Green A Ghastine F Nolan S Price V Ferlaino A Wintle (7.30pm)
Others Present: N/A		
Disclosures of Conflict of Interest: CEO for Item *12.2 CEO Employment Matters Committee*		
Councillor /Officer attendance following disclosure: Item 12.2 not discussed in review of draft Agenda.		

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

12.1 CEO Employment Matters

RECOMMENDATION

That in accordance with Section 61(1) and 66(2)(a) of the *Local Government Act 2020*, Council closes the Meeting to members of the public and adjourns for five minutes to consider the following items:

12.1 CEO Employment Matters

This report is designated as Confidential Information in accordance with Section 3(1)(f) of the *Local Government Act 2020, because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. This ground applies because the matter concerns personal contractual matters.*

13 Close Meeting