



Whitehorse City Council

MINUTES

Council Meeting

on

Monday 2 February 2026 at 7:00 PM

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



Meeting opened at 7:00pm

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

Officers:	Simon McMillan	Chief Executive Officer
	Stuart Cann	Director Corporate Services
	Jeff Green	Director City Development
	Lisa Letic	Director Community Services
	Steven White	Director Infrastructure
	Siobhan Sullivan	Executive Manager Transformation
	Vivien Ferlaino	Manager Governance and Integrity
	Sarah Candeland	Coordinator Governance
	Alex Wintle	Senior Governance Officer
	Jenna Moore	Council Business Officer

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1 Welcome**Prayer for Council**

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

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

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

Amen.

Acknowledgement of Country

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

2 Apologies

Cr Peter Allan was an apology as per his leave of absence granted at the 24 November 2025 Council Meeting.

3 Disclosure of Conflicts of Interest

Nil

4 Confirmation of Minutes of Previous Meeting

Minutes of the Council Meeting 08 December 2025.

COUNCIL RESOLUTION

Moved by Cr Weller, Seconded by Cr Simpson

That the minutes of the Council Meeting 08 December 2025 be confirmed.

CARRIED UNANIMOUSLY

5 Urgent Business

Nil

10.1 (cont)

6 Requests to Speak

6.1 Anne Makhijani, Vermont

7 Public Question Time

Nil

8 Petitions

Nil

9 Notices of Motion

9.1 Notice of Motion - Soft Plastic Recycling

Submitted by Cr Kieran Simpson

MOTION

Moved by Cr Simpson, Seconded by Cr Cutts

That Council receives a report into the establishment of a trial soft plastics recycling service including:

1. Options and costs for collection and recycling, and;
2. Options for collection points, including at the Whitehorse Recycling and Waste Centre.

Cr Griffiths moved an amendment that was not accepted by the mover and seconder.

AMENDMENT

Moved by Cr Griffiths, Seconded by Cr Gunn

That Council receives a report into the establishment of a soft plastics recycling service including:

1. Options and costs for collection and recycling, and;
2. Options for collection points, including at the Whitehorse Recycling and Waste Centre

CARRIED

Voted FOR the amendment: Cr Cutts, Cr Davenport, Cr Gunn, Cr Langford, Cr Simpson, Cr Stennett, Cr Weller (7)

Voted AGAINST the amendment: Cr Barker, Cr Griffiths, Cr Martin (3)

The amendment was then incorporated into the substantive motion.

COUNCIL RESOLUTION

10.1 (cont)

Moved by Cr Simpson, Seconded by Cr Cutts

That Council receives a report into the establishment of a soft plastics recycling service including:

1. Options and costs for collection and recycling, and;
2. Options for collection points, including at the Whitehorse Recycling and Waste Centre.

CARRIED

Voted FOR the item: Cr Cutts, Cr Davenport, Cr Gunn, Cr Langford, Cr Simpson, Cr Stennett, Cr Weller, Cr Martin (8)

Voted AGAINST the item: Cr Barker, Cr Griffiths (2)

Spoke to item: Cr Simpson, Cr Cutts, Cr Barker, Cr Martin, Cr Weller, Cr Stennett, Cr Davenport, Cr Griffiths, Cr Gunn (9)

10.1 (cont)

9.2 Notice of Motion - CCTV Libraries

Submitted by Cr Andrew Davenport

MOTION

Moved by Cr Davenport, Seconded by Cr Weller

That Council:

1. Notes increased level of safety incidents at Whitehorse Libraries;
2. Notes that no CCTV is available;
3. Notes that CCTV can act as a deterrent to harassment and socially unacceptable behaviour, and;
4. Seeks a report from Officers that discusses immediately allocating \$50K from Whitehorse Council surplus to the Whitehorse Manningham Regional Library Corporation to install CCTV cameras in high-risk locations.

Cr Gunn moved an amendment that was accepted by the mover and seconder and incorporated into the substantive motion.

MOTION

Moved by Cr Davenport, Seconded by Cr Weller

That Council:

1. Notes increased level of safety incidents at Whitehorse Libraries;
2. Notes that no CCTV is available;
3. Notes that CCTV can act as a deterrent to harassment and socially unacceptable behaviour, and;
4. Seeks a report from Officers that discusses immediately allocating \$50K from Whitehorse Council surplus to the Whitehorse Manningham Regional Library Corporation to install CCTV cameras in high-risk locations within Whitehorse Council Libraries.

Cr Stennett moved an amendment that was not accepted by the mover and seconder.

AMENDMENT

Moved by Cr Stennett, Seconded by Cr Griffiths

5. Write to Manningham City Council seeking its interest in contribution towards the installation of CCTV cameras in high-risk locations within Manningham Council Libraries.

CARRIED

10.1 (cont)

Voted FOR the amendment: Cr Griffiths, Cr Gunn, Cr Simpson, Cr Stennett, Cr Cutts, Cr Martin (6)

Voted AGAINST the amendment: Cr Weller, Cr Davenport, Cr Langford, Cr Barker (4)

The amendment was then incorporated into the substantive motion.

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Weller

That Council:

1. Notes increased level of safety incidents at Whitehorse Libraries;
2. Notes that no CCTV is available;
3. Notes that CCTV can act as a deterrent to harassment and socially unacceptable behaviour, and;
4. Seeks a report from Officers that discusses immediately allocating \$50K from Whitehorse Council surplus to the Whitehorse Manningham Regional Library Corporation to install CCTV cameras in high-risk locations.
5. Write to Manningham City Council seeking its interest in contribution towards the installation of CCTV cameras in high-risk locations within Manningham Council Libraries.

CARRIED UNANIMOUSLY

Spoke to item: Cr Davenport, Cr Weller, Cr Martin, Cr Barker, Cr Simpson, Cr Gunn, Cr Stennett (7)

10.1 (cont)

10 Council Reports

10.1 Draft Bennettswood Reserve Master Plan Endorsement for Round 2 Community Consultation

Department	Leisure and Recreation Services Manager Leisure and Recreation
Attachment	

SUMMARY

This report seeks Council endorsement of the Draft Bennettswood Reserve Master Plan (**the Master Plan**) to proceed to Round 2 community and stakeholder engagement.

The Master Plan sets a clear 15-year vision for improvements at Bennettswood Reserve, shaped by community feedback, technical investigation, and site-specific opportunities and constraints.

The Master Plan responds to extensive community engagement in 2024. Feedback was received from a wide range of reserve user groups, residents, the broader Whitehorse community, council staff, and key stakeholders including Deakin University.

The Master Plan is consistent with Council's strategic frameworks, including the Whitehorse Open Space Strategy and Draft Play and Social Recreation Action Plan currently in development.

Subject to Council endorsement, the Master Plan will be released for public consultation in March - April 2026, allowing the community and stakeholders to provide feedback that will inform the final Draft Bennettswood Reserve Master Plan for Council consideration later in 2026.

Cr Davenport moved a motion that differed from the recommendation as printed in the Agenda.

MOTION

Moved by Cr Davenport, Seconded by Cr Barker

That Council endorses the Draft Bennettswood Reserve Master Plan, subject to the following amendments, and approves its release for Round 2 community and stakeholder consultation:

1. Remove the proposed outdoor fitness equipment and extend the table tennis area;
2. Remove the proposed signage elements, referenced in Draft Master Plan as P3 and P4, and;

10.1 (cont)

3. Remove references to potential funding sources from the Draft Master Plan.

Cr Martin asked to vote in parts and the Mayor agreed.

PART 1

That Council endorses the Draft Bennettswood Reserve Master Plan, subject to the following amendments, and approves its release for Round 2 community and stakeholder consultation:

1. Remove the proposed outdoor fitness equipment and extend the table tennis area;
--

CARRIED

Voted FOR the item: Cr Griffiths, Cr Gunn, Cr Davenport, Cr Simpson, Cr Langford, Cr Barker, Cr Stennett (7)

Voted AGAINST the item: Cr Weller, Cr Cutts, Cr Martin (3)

A Division was called by Cr Simpson**Division**

For	Against
Cr Barker	Cr Cutts
Cr Davenport	Cr Gunn
Cr Griffiths	Cr Martin
Cr Langford	Cr Simpson
Cr Stennett	Cr Weller

On the results of the Division the motion was declared EQUAL

In accordance with section 63 of the governance rules 'In the event of a tied vote, the Chair must exercise a casting vote'. The Mayor voted FOR the motion and declared the motion CARRIED.

PART 2

That Council endorses the Draft Bennettswood Reserve Master Plan, subject to the following amendments, and approves its release for Round 2 community and stakeholder consultation:

2. Remove the proposed signage elements, referenced in Draft Master Plan as P3 and P4, and;

LOST

Voted FOR the item: Cr Davenport, Cr Barker, Cr Stennett (3)

Voted AGAINST the item: Cr Weller, Cr Griffiths, Cr Gunn, Cr Simpson, Cr Langford, Cr Cutts, Cr Martin (7)

10.1 (cont)

PART 3

That Council endorses the Draft Bennettswood Reserve Master Plan, subject to the following amendments, and approves its release for Round 2 community and stakeholder consultation:

3. Remove references to potential funding sources from the Draft Master Plan.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Barker

That Council endorses the Draft Bennettswood Reserve Master Plan, subject to the following amendments, and approves its release for Round 2 community and stakeholder consultation:

1. Remove the proposed outdoor fitness equipment and extend the table tennis area;
2. Remove references to potential funding sources from the Draft Master Plan.

CARRIED

Spoke to item: Cr Davenport, Cr Barker, Cr Cutts, Cr Simpson, Cr Gunn (5)

10.2 Contract 30315 and Contract 30320 Extension - Provision of Landfill Services

Department	City Services
	Director Infrastructure
<hr/>	
Attachment	

SUMMARY

Landfills are required to dispose of waste collected by Council's kerbside garbage service and to dispose of waste from the Whitehorse Recycling and Waste Centre.

This report considers the extension of the contracts for Provision of Landfill Services which is a collective procurement arrangement administered by the Department of Environment Energy and Climate Action (DEECA). The DEECA reference for the arrangement is No. 2020-23. The Council references are Contract 30315 for disposal of kerbside garbage, and Contract 30320 for disposal of waste from the Whitehorse Recycling and Waste Centre.

The initial term of both contracts under the arrangement was 1 April 2021 to 31 March 2025, with an option for two, two-year extensions. The contract was extended to 31 March 2027. This report is to consider extending the contract for a further two years from 1 April 2027 to 31 March 2029.

Council officers along with DEECA, as part of the collective procurement user group, have agreed to recommending that participating councils extend the arrangement and have negotiated revised landfill disposal rates. Council approval is now sought to extend the Contracts and for the estimated expenditure for the contract extension period.

The term of the proposed extension is two years from 1 April 2027 to 31 March 2029, except for the contract with Veolia Recycling and Recovery Pty Ltd which is limited from 1 April 2027 to 30 June 2027 due to limited available space and planned closure of the landfill.

Further arrangements will be considered beyond this time if Council cannot commence disposal of waste under the Advanced Waste Disposal Contract with the South East Metropolitan Advanced Waste Processing Pty Ltd collaborative contract, currently scheduled for 2029.

10.2 (cont)

COUNCIL RESOLUTION

Moved by Cr Martin, Seconded by Cr Weller

That Council approves the extension of Provision of Landfill Services which is a collective procurement arrangement administered by Department of Environment Energy and Climate Action (DEECA), DEECA reference No. 2020-23, for the period from 1 April 2027 to 31 March 2029, for the following services:

1. For disposal of kerbside garbage with Cleanaway Pty Ltd (ABN 79 000 164 938) and Veolia Recycling and Recovery Pty Ltd (ABN 70 002 902 650) using a common gate fee to be administered by DEECA (Council Contract 30315). The contract with Veolia Recycling and Recovery Pty Ltd is limited from 1 April 2027 to 30 June 2027; and
2. For disposal of waste from the Whitehorse Recycling and Waste Centre with Heidelberg Materials Australia Resource Recovery Pty Ltd (ABN 59 006 299 832) and Cleanaway Pty Ltd (ABN 79 000 164 938) (Council Contract 30320).

CARRIED UNANIMOUSLY

Spoke to item: Cr Martin, Cr Weller, Cr Barker, Cr Simpson (4)

10.3 Sale of Land - Part Former Laneway Adjacent to 25 Bentley Street, Surrey Hills

Department	Property and Leasing Director City Development
Attachment	

SUMMARY

At its meeting on 27 October 2025, Council resolved to publish notice of its intent to sell a section of former roadway (Lot 1 on LP13101) for a price of \$75,000 plus GST and commence a community engagement process in respect of the proposed sale pursuant to Section 114 of the *Local Government Act 2020*.

The land, which is part of a former laneway discontinued by Council in 2017, measures 1.7m wide x 44.2m long and has an area of approximately 75m², has a narrow 1.7m frontage to Bentley Street. Given its shape, location, and fact that this narrow strip is not required for current or future community purposes, officers consider that its best use is to be sold and incorporated in the adjoining owner's property with Council directing sale proceeds to more effective community benefit.

The owners of the adjacent property at 25 Bentley Street have agreed in-principle to purchase the land at a market value which has been determined by independent valuation, in line with Council policy and Local Government Best Practice Guidelines.

By the conclusion of Council's engagement period, eight community comments were received in relation to the proposal, with none of those objecting to the proposal.

Council Officers have now undertaken all statutory processes in accordance with section 114 of the *Local Government Act 2020* and Council is now required to make a decision as to the sale of the land to the adjoining property owner as outlined above.

10.3 (cont)

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Simpson

That Council:

1. Having complied with the requirements of the Local Government Act 2020 determines that the 75m² section of former laneway known as Lot 3 on TP954305 (the Land) is no longer reasonably required for Council purposes;
2. Resolves to sell the Land for the amount of \$75,000 + GST by private treaty to the adjacent owner at 25 Bentley Street, Surrey Hills, and;
3. Authorises the Director City Development to finalise and execute the Contract of Sale and any associated documentation and undertake all actions to complete the sale.

CARRIED UNANIMOUSLY

Spoke to item: Cr Cutts, Cr Simpson (2)

10.4 Delegation under the Planning and Environment Act 1987

Department	Governance and Integrity
	Manager Engineering and Investment

Attachment

SUMMARY

Recent amendments to the *Planning and Environment Act 1987* have introduced new and amended planning powers requiring an updated delegation structure. In response to these legislative changes, Council's lawyers have reviewed and provided an updated delegation's package to include a new s6A Instrument of Delegation, designed to enable Council to delegate the relevant new or amended powers to Council staff.

To ensure legislative compliance and to maintain continuity of planning decision-making, it is recommended that Council adopt the new s6A Instrument of Delegation as at Attachment 1 and the amended s6 Instrument of Delegation as at Attachment 2. This will also prepare Council for the 2026 integration of these provisions into the standard Planning delegation referred to as the s6 Delegation from Council to Staff.

Cr Griffiths moved a motion that differed from the recommendation as printed in the Agenda

MOTION

Moved by Cr Griffiths, Seconded by Cr Gunn

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the attached instruments of delegation, Whitehorse City Council (Council) resolves that:
 - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instruments of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
 - i. With an amendment to the s6 Instrument of Delegation such that a Councillor call-in of an application may only occur where valid planning and/or legal grounds are provided.
 - b) These instruments come into force immediately upon this resolution being made and are to be signed by the Council's Chief Executive Officer;

10.4 (cont)

- c) On the coming into force of the instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked, and;
- d) The duties and functions set out in the instruments must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

2. Resolves that a planning consultation forum must be convened for a planning application where there are 10 or more objector properties other than for a 'deemed to comply' application.
3. Seeks a report evaluating alternative decision-making frameworks for planning applications, specifically comparing whether applications that currently meet the objector number threshold to go to a Council meeting determination should instead be determined by:
 - a) An Independent Panel model (with independent technical experts and community representatives), focused on permit conditions.
 - b) An Internal Review Panel model (with senior Council officers), focused on permit conditions.
 - c) Model based on set criteria to be determined.

Cr Stennett foreshadowed moving an alternate motion if this motion was lost to move the officer recommendation as printed in the Agenda

Cr Stennett moved an amendment to change the number of objectors in part 2 from 10 to 5, this amendment was accepted by the mover and seconder.

Cr Stennett requested to move a further amendment to remove part 1(a)(i), this amendment was not accepted by the Mayor.

Cr Simpson foreshadowed moving an alternate motion if this motion was lost to move the officer recommendation as printed in the Agenda with an amended part 2.

MOTION

Moved by Cr Griffiths, Seconded by Cr Gunn

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the attached instruments of delegation, Whitehorse City Council (Council) resolves that:
 - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instruments of Delegation to members of Council staff, the powers, duties and functions set out in that

10.4 (cont)

<p>instrument, subject to the conditions and limitations specified in that Instrument;</p> <p>ii. With an amendment to the s6 Instrument of Delegation such that a Councillor call-in of an application may only occur where valid planning and/or legal grounds are provided.</p> <p>b) These instruments come into force immediately upon this resolution being made and are to be signed by the Council's Chief Executive Officer;</p> <p>c) On the coming into force of the instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked, and;</p> <p>d) The duties and functions set out in the instruments must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.</p> <p>2. Resolves that a planning consultation forum must be convened for a planning application where there are 5 (five) or more objector properties other than for a 'deemed to comply' application.</p> <p>3. Seeks a report evaluating alternative decision-making frameworks for planning applications, specifically comparing whether applications that currently meet the objector number threshold to go to a Council meeting determination should instead be determined by:</p> <p>a) An Independent Panel model (with independent technical experts and community representatives), focused on permit conditions.</p> <p>b) An Internal Review Panel model (with senior Council officers), focused on permit conditions.</p> <p>c) Model based on set criteria to be determined.</p>	LOST
Voted FOR the item: Cr Griffiths (1)	
Voted AGAINST the item: Cr Weller, Cr Gunn, Cr Davenport, Cr Simpson, Cr Langford, Cr Barker, Cr Stennett, Cr Cutts, Cr Martin (9)	
ADJOURNMENT	
<p>The Mayor called a ten-minute adjournment from 9.06pm until 9.16pm as the meeting had exceed the 2 hour duration.</p> <p>The meeting re-commenced at 9.16pm with all councillors in attendance.</p>	
<i>Cr Simpson moved a motion as printed in the Agenda.</i>	

10.4 (cont)

COUNCIL RESOLUTION

Moved by Cr Simpson, Seconded by Cr Stennett

That Council

1. In the exercise of the powers conferred by the legislation referred to in the attached instruments of delegation, Whitehorse City Council (Council) resolves that:
 - a) There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instruments of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
 - b) These instruments come into force immediately upon this resolution being made and are to be signed by the Council's Chief Executive Officer;
 - c) On the coming into force of the instruments all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked, and;
 - d) The duties and functions set out in the instruments must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. Resolves that a planning consultation forum must be convened for:
 - a) An application for non-residential use and/or development where there are 20 or more objectors properties; or
 - b) An application for residential use and/or development where there are 5 (five) or more objector properties other than for a 'deemed to comply' application.

CARRIED

Voted FOR the item: Cr Weller, Cr Griffiths, Cr Gunn, Cr Davenport, Cr Simpson, Cr Langford, Cr Stennett, Cr Cutts, Cr Martin (9)

Voted AGAINST the item: Cr Barker (1)

Spoke to item: Cr Griffiths, Cr Gunn, Cr Stennett, Cr Simpson, Cr Davenport, Cr Martin (6)

10.5 Statutory Planning Report November 2025

Department	City Development
	Director City Development

Attachment

SUMMARY

At the 25 August 2025 Council Meeting, Council adopted a Motion which requires:

That Council:

- 2. Receives a noting report each month at Council Meetings on town planning applications lodged, dealt with under delegation by Council officers and under consideration by VCAT (or other authority i.e. State Planning Minister)*

This report includes the following for noting by Council:

Report	November
Applications lodged (for the month)	99
Applications determined under officer delegation (for the month)	69
Matters currently under consideration by VCAT	6
Other Matters under consideration by the state government within Whitehorse	0

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Simpson

That Council receives and notes the Statutory Planning report for the month of November 2025.

CARRIED UNANIMOUSLY

Spoke to item: Cr Cutts, Cr Simpson (2)

10.6 Records of Informal Meetings of Councillors

Department	Governance and Integrity
	Director Corporate Services

Attachment

SUMMARY

This report presents the Records of Informal Meetings of Councillors held since the last Council Meeting. In line with the *Local Government Act 2020* and Council's Governance Rules, noting these Records promotes transparency, supports informed decision-making and ensures any conflicts of interest are publicly disclosed.

Records of Informal Meetings of Councillors are non-decision-making briefings used to share information and discuss matters that may later come before Council. Reporting these Records is standard governance practice and forms part of Council's public accountability framework.

COUNCIL RESOLUTION

Moved by Cr Griffiths, Seconded by Cr Weller

That Council notes the Records of Informal Meetings of Councillors attached to the report.

CARRIED UNANIMOUSLY

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

Department	Governance
	Coordinator Governance

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

COUNCIL RESOLUTION

Moved by Cr Cutts, Seconded by Cr Gunn

That Council receives and notes the:

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

CARRIED UNANIMOUSLY

Councillor	Organisation/ Committee/Group	Date of Attendance
Deputy Mayor Simpson	Environment and Sustainability Advisory Committee	10 December 2025
	Eastern Region Group of Councils (ERG)	15 December 2025
Councillor Davenport	Whitehorse Manningham Regional Library Corporation	17 December 2025
Councillor Weller	Whitehorse Manningham Regional Library Corporation	17 December 2025
Councillor Cutts	Arts & Cultural Advisory Committee	17 December 2025
Mayor Langford	Eastern Region Group of Councils (ERG)	15 December 2025

12 Confidential Reports

Nil

13 Close Meeting

The open Council Meeting was closed at 9.32pm.

*These minutes are circulated subject to confirmation by Council
at the next Council Meeting to be held on 23 February 2026.*