WHITEHORSE
CITY COUNCIL

Whitehorse City Council

AGENDA

Council Meeting

on

Monday 23 February 2026 at 7:00 PM

To be held in the
Council Chamber
Nunawading Civic Centre

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

3 Disclosure of Conflicts of Interest

4 Confirmation of Minutes of Previous Meeting

Minutes of the Council Meeting 02 February 2026

RECOMMENDATION

That the minutes of the Council Meeting 02 February 2026 be confirmed.

5 Urgent Business

6 Requests to Speak

7 Public Question Time

8 Petitions

8.1 Ongoing Residential Noise and Disturbance Issues in the Deakin University Area

The following petition/joint letter was received on 7 February 2026 and includes 17 signatures. The petition seeks Council's support to

"Escalate residential concerns regarding Deakin University students, Deakin University to improve safety, cleanliness, and noise management in our street, particularly during overnight hours. Our community simply seeks a safe, clean and respectful living environment."

Key issues include:

- Food delivery at all hours (day and night)
- Persistent late-night noise
- Residential amenity concerns
- Ongoing littering

RECOMMENDATION

That Council:

1. Receives the petition and refers it to the relevant Director for appropriate consideration and response, and;
2. Notifies the Head Petitioner of the outcome of this resolution.

8.2 Construction of Outdoor Netball Courts, Walker Park

The following petition was received on 17 February 2026 and includes 1176 signatures. The Petition requests Council to

"Fund the feasibility, design and installation of outdoor netball courts at Walker Park for the Nunawading club and the Mitcham Football and Netball club. Absent this support there will continue to be no local facilities for the two clubs 20-plus teams and 250 current players to train, hampering our ability to grow the clubs and attract new members. Our netballers need these facilities, and we urge the council to act now."

RECOMMENDATION

That Council:

1. Receives the petition and refers it to the relevant Director for appropriate consideration and response, and;
2. Notifies the Head Petitioner of the outcome of this resolution.

9 Notices of Motion

9.1 Notice of Motion - Neighbourhood Houses

Submitted by Cr Peter Allan

That Council:

1. Supports Neighbourhood Houses Victoria and the local Network of Inner East Community Houses in their campaign “Keep Our Doors Open” with the State Government to increase funding by 25% and to restore the Neighbourhood House Co-Ordination Program (NHCP), noting that the NHCP has failed to keep pace with indexation;
2. Advocates for the above organisations by writing to the relevant Minister for the Department of Families, Fairness and Housing, local State MP’s from the Government and Opposition and Greens expressing Council’s support for increased funding of Neighbourhood Houses, and;
3. Advises the above organisations of our support.

9.2 Notice of Motion - Library Opening Hours

Submitted by Cr Andrew Davenport

That Council receives a report which outlines:

1. Options to introduce an open library between hours 8:00 AM-10:00 PM every day using a similar model as Warrandyte Open Library.
2. Consideration of referral to the 2026/2027 budget an amount which could implement an open library at one of City of Whitehorse library branches.

10 Council Reports

10.1 Aqualink Nunawading Concept Design and Community Consultation

Department	Major Projects
	Director Infrastructure

Attachment

SUMMARY

The purpose of this report is to seek Council approval for funding to allow the next steps in a redevelopment option for Aqualink Nunawading (AQN) to be undertaken.

This report presents the Business Case, shown in Attachment 1, for the redevelopment of AQN. The Business Case provides details on redevelopment options including a service needs assessment and cost modelling, and describes a recommended option, known as 'Option 3A' as outlined in this report at the existing site.

The report recommends that Council allocates funding in the 10 Year Capital Works Budget to provide for procurement of Consultants to undertake the Concept/Schematic Design and Community Consultation phase of the redevelopment across two financial years, being 2026/2027 and 2027/2028. This design work and community consultation is a prerequisite for advocating for external funding to support Council's commitment to a facility redevelopment.

To redevelop AQN within a timeframe that aligns with the current condition assessment of the facility and to mitigate against the risk of a critical failure, a project delivery program with a 2032 delivery timeframe has been developed as outlined in the report. To meet this program the lead design consultant procurement is scheduled to occur by July 2026, with Concept / Schematic Design and Community Consultation commencing in September 2026.

RECOMMENDATION

That Council:

1. Notes the findings of the Aqualink Nunawading Business Case as shown in Attachment 1;
2. Endorses to proceed with Option 3A as the basis for a redevelopment preferred option as described in the Business Case for the purpose of progressing the planning and community consultation work for the redevelopment of Aqualink Nunawading;
3. Approves an allocation of $2,500,000 of funds across the 2026/2027 and 2027/2028 Budgets to progress with the Concept / Schematic Design and Community Consultation, and;
4. Endorses Procurement Option A as outlined in the report to engage the Lead Design Consultant for the full project with hold points to allow Council to exit the contract if required.

10.1 (cont)

KEY MATTERS

The AQN facility has played a central role in supporting the health, wellbeing and social connection of the Whitehorse community for more than 60 years. Since opening in the 1960s, the site has continuously provided accessible aquatic and recreation services, supporting generations of residents to learn to swim, maintain physical activity, rehabilitate from injury, connect socially and improve overall health outcomes. Several Olympians have also graduated from the facility. For many community members, AQN is not only a recreation facility, but a long-standing and trusted part of Whitehorse's health and wellbeing infrastructure.

Over this extended period, the facility has evolved to meet changing community needs and has consistently supported Council objectives relating to physical activity participation, water safety, preventative health, ageing well, inclusion and community connection. AQN continues to serve a broad and diverse user base, including children and families, older adults, culturally diverse communities, people with disability, schools, clubs and individuals managing chronic health conditions. Its role in providing affordable, locally accessible opportunities for physical activity is particularly important in addressing community health priorities such as physical inactivity, social isolation and increasing demand for preventative health services.

However, the facility is now approaching the end of its useful life and does not meet the diverse needs of the community. The scale of the facility and ongoing provision of services requires forward planning to mitigate the risks of a future failure and to provide services to support community health, wellbeing and connection. To commence this planning process, the development of a Business Case to allow Council to consider future options was approved and completed in early 2025.

The Business Case was developed in accordance with the State Government's Department of Treasury and Finance guidelines to maximise alignment and appropriateness for grant funding opportunities. It was informed by existing user stakeholders and expert consultants.

The Business Case options include a base case of 'do nothing' and retire the facility in 2032 and three contemporary replacement options designed to deliver future service and program options to satisfy the health and wellbeing needs of the community across aquatic and dry fitness programs. These options range in value from $16M to $130M in 2024 project costs* and are summarised in Attachment 2.

*The Business Case was completed in early 2025 and costs are based on 2024 cost data at the time.

10.1 (cont)

Option 1 Base Case (Do nothing)

Do nothing, operate the facility until the point of closure 2032 then demolish and return to parkland.

Option 2 Contemporary replacement

A new ‘like for like’ option that replaces the existing facility features to current day standards of accessibility and inclusion.

Option 3 Contemporary with a stronger social dimension

A new facility that offers expanded flexible social and program areas and amenity that expands a range of activities. Also supports activities of both local clubs.

Option 4 Contemporary with a stronger aquatic and health focus

A new facility that offers multiple wet and dry facilities that cater to health and fitness activities and supports local sport club training alongside social spaces.

Option 5 Aspirational

A facility with leading edge wet and dry facilities alongside expansive, flexible social and program areas and amenity. Ability to host competitions for up to 500 visitors and offers regional focus to health and aquatic activities.

Options 3 and 4 were combined to become the recommended **Option 3A**.

The Business Case for redevelopment of the AQN facility was prepared based on utilising the current Fraser Place site.

10.1 (cont)

The Business Case assessed the capital and operating cost impacts of:

Option 1: Base Case
Do nothing, operate the facility until the point of closure expected in 2032 then demolish and return to parkland. Capital value: approximately $16M to demolish and rebuild as parkland.
Option 2: Like-for-like
A new 'like for like' option that replaces the existing facility service offering and features with improvements only to current day standards of accessibility and inclusion. Capital value: $83,215,276 Operating Performance: $45,582 annual surplus (based upon a ten-year average).
Option 3A: Contemporary hybrid
A Contemporary Hybrid option that was developed during the Business Case process to accommodate increased aquatic, health and social dimensions. Capital value: $106,796,536 Operating Performance: $313,069 annual surplus (based upon a ten-year average)
Option 5: Aspirational Facility
A facility with leading edge wet and dry facilities alongside expansive, flexible social and program areas and amenity offering a regional focus to health and aquatic activities. Capital value: $129,828,705 Operating Performance: $265,332 annual surplus (based upon a ten-year average)

Figures in the above table are reflective of 2024 dollars.

Note: For the purposes of this Council Report, the Operating Performance is calculated by way of:

- Total Income less Total Expenses, less a Sinking Fund Allocation. The figure quoted for each option is an average over a 10-year period.
- For additional details refer to Appendix K of the Business Case.

10.1 (cont)

The Business Case recommends Option 3A as the best outcome in terms of service requirements and cost. A redeveloped AQN would provide a timely and considered opportunity to renew a long-standing community health asset and ensure it continues to meet the evolving needs of the Whitehorse community. A contemporary, well-designed facility would enable the continued delivery of aquatic, fitness and wellbeing services in a safe, accessible and inclusive environment, supporting increased participation across all ages and abilities.

Option 3A would see Council respond to changing demographics, contemporary service standards and growing demand for preventative health and wellbeing programs, while preserving the site's established role as a trusted and accessible community destination.

If planning for the redevelopment of AQN is to progress, work is needed to take the Business Case recommendations through the Concept/Schematic Design and Community Consultation phase.

The next project phase would develop a design to deliver the future service provision at AQN while further assessing and mitigating risks associated with cost (construction and operational: energy, utilisation, resource), site (planning, parking and access) and address community feedback.

At the completion of this phase, Council would be in a position to consider how to progress with the redevelopment project. Should the project proceed, subject to Council approval, future steps would include Design Development, Tender for Redevelopment, and ultimately approval to proceed to Construction.

Included in the project program is a strategy for Project Advocacy to seek grant funding for the capital costs of the facility following completion of the Concept / Schematic Design Phase, and subject to further approval from Council.

The Business Case recommended option is known as Option 3A and includes:

- 50m 8 lane indoor pool
- 800sqm Learn-to-swim pool
- 250sqm Leisure water and toddler pool
- 750sqm Warm Water Pool
- 900sqm gym
- 4 x group fitness rooms
- Swim club facilities
- Café
- Allied Health spaces

10.1 (cont)

The Concept / Schematic Design work would progress the project and result in:

- Further development of the project requirements and spatial configuration
- Community consultation
- Assessment of surrounding physical conditions that would influence the project outcomes
- More defined project costing
- More advanced project program

This work will require a budget allocation in 2026/27 and 2027/2028 and could be funded from a provision in the Capital Works 10-year Program. The work will inform a future Council decision for funding to proceed with the detailed planning and construction phase to deliver the new facility by 2032.

It is estimated that a budget amount of $2,500,000 excluding GST is required to enable the Concept / Schematic Design Phase and Community Consultation work to be completed in 2027/2028, based on the AQN facility remaining at its current Fraser Place site.

This initial work package is the first stage of an overall Lead Design Consultancy, estimated at up to $10M to prepare the required documentation for tendering and construction. The detailed design works will be informed by the outcomes of the community consultation. Delivery methods will be explored, and it is anticipated that a form of design and construction contract, to minimise design risks and costs, will be implemented.

Site Options

A number of sites were assessed for suitability for a future AQN facility. The assessment resulted in the current site being identified as the preferred location.

10.1 (cont)

Category	Descriptor	Fraser Place	Other sites
Community / Stakeholder Outcomes			
Minimise Disruption to Community Areas	• Other sites can have existing AQN open until completion of new facility. • Fraser Place will close pool with existing members displaced.	Lesser Outcome	Better Outcome
Precinct Place Making Ability	• Other sites can be a destination hub if collocated with sporting, arts, cultural or recreation. • Fraser Place is limited as recreation/sporting area.	Lesser Outcome	Better Outcome
Neighbourhood Effects	• Other sites to consider residential neighbours & operating hours • Fraser Place well established in the area (over 60 years)	Equal	Equal
Community Catchment and Visibility	• Other sites could provide for major road an in major activities district. • Fraser Place within existing residential area.	Lesser Outcome	Better Outcome
Public and Active Transport Access	• Other sites could have multiple PT options. • Fraser Place bus only.	Lesser Outcome	Better Outcome
Financial			
Ongoing Operational Financial Performance	• All sites have numerous cost issues with existing facility upkeep and other sunk costs. • Consider the income potential post redevelopment.	Lesser Potential	Better Potential
Total Cost to Deliver	• Other sites have higher car park infrastructure costs with new pool. • Fraser Place considers loss of income while closed and operating loss currently while open.	Overall cost less	Overall cost more

Other sites assessed:

- Current Civic Centre site
- Silver Grove, Nunawading

AQN's current site in Fraser Place presents no timeline implications or interdependencies with other Council projects or decisions. The AQN facility could be redeveloped on its current site by 2032 as outlined in the Business Case. However, would require the decommissioning of the current site/disruption of service for up to 2 years to allow for the new construction.

10.1 (cont)

The Civic Centre site is not currently available as it is occupied by the Civic Centre and the Nunawading Library. A decision to relocate the Civic Centre and Library would be required for this site to be a viable option to Fraser Place.

Silver Grove, Nunawading is a recreation reserve that was used for community facilities which moved to the Nunawading Community Hub. The site was deemed unsuitable due to the size constraints.

Financial Position

As part of Council's 10-year Capital Works Plan, AQN is a strategic project with an allowance in future years. Council has not yet determined a funding model for the project. There is sufficient budget capacity in the future allowance to accommodate the estimated $2.5M identified in this report with future Council decisions required for further budget allocations and work following this initial stage.

A draft project delivery program has been developed which aligns with the Business Case findings and three previous building condition audits, all of which have identified an anticipated critical failure point of 2032 (when costs to maintain the facility are excessive/unreasonable and/or a component of the facility fails requiring a long term closure to undertake expensive repairs if possible). Taking this into account, the budget analysis table below outlines the anticipated financial commitment against the draft delivery program and the phases of work (noting these costs are based on the unescalated anticipated total project cost of $106M (2024).

Project Delivery Phase	Anticipated Capital Works Cost (2024)	Financial Year
Council Report Business Case Approval	$0	2025-26
Council Report LDC Procurement	$500,000	2026-27
Schematic Design Community Consultation	$2,000,000	2027-28
Design Development Tender for Construction Tender Approval	$7,000,000	2028-29
Construction	$20,000,000	2029-30
Construction	$35,000,000	2030-31
Construction Complete Handover Defects Period	$40,000,000	2031-32
Defects Period	$1,500,000	2032-33
Total Project Cost	$106,000,000* *Unescalated total cost	

10.1 (cont)

The Business Case notes that the recommended Option 3A is currently projected to cost $106M (2024 costs) with an escalated cost of $142M in 2032. At this time, Council has not determined a budget or funding options for a total project budget of $142M (2032 costs), and this will need to be developed as part of the next phase of design and consultation, including advocacy for external funding contributions. The cost escalation factor used in the Business Case was 4.5% based on industry cost benchmarks at the time and State Government Business Case template.

The current 10 Year Financial Plan includes a provision for Aqualink Nunawading. The escalated value of this budget provision is $123M in 2032, based on a financial escalation of 3%.

Option 3A is considered to be achievable within the 10 Year Financial Plan, subject to Council's agreed financial commitment and any grant funding requirements. Option 1 and Option 2 could result in funding being released for other purposes. Option 5 would require reconsideration of funding priorities and deletion/deferral of other foreshadowed projects.

The next phase of work would confirm project costs in accordance with the Council's budget at the time of construction, Council's financial commitment and external funding requirements.

Displacement Costs

The budget estimates identified above do not consider any costs that may be required due to the facility being unavailable to current users during the construction phase, likely to be up to 24 months. Costs associated with operating the facility would not be incurred while the facility is being redeveloped and these also have not been included in any current estimates. This would be confirmed during the next project phase.

Next Phase of Work & Procurement Strategy

This Report is seeking Council approval to allocate funding to undertake the following phases of work. Following the allocation of funding, the next Council decision point would be to accept a tender for the Lead Design Consultant.

- Procurement of a Lead Design Consultant (Architect), with work to be undertaken August 2026 to May 2027.

<u>Recommended Procurement Option A</u>

For the purposes of the Lead Design Consultant Contract, the recommended option is to appoint the Consultant for the full project delivery, with strategic hold points in the Contract. The first hold point would be the completion of Concept / Schematic Design and Community Consultation. The Contract can be prepared to allow for hold points with opt out clauses for Council, which safeguards Council in terms of risk management should future phases of the project not proceed.

10.1 (cont)

This procurement method provides for project continuity if Council proceeds with the project and can align with any decision to cancel, modify or change the project scope, delivery methodology, timing or budget should this be required.

Alternative Procurement Option B

Appoint the Lead Design Consultant for the single-phase Concept / Schematic Design and Community Consultation only. This method limits Council's cost commitment if project faces challenges, however, will result in a lack of continuity of the project and has significantly increased risk in time and cost delays, resulting in a higher cost and longer time to Council to deliver the project. A separate and additional procurement process would be required for future stages with no guarantee of continuity of the Lead Design team. This procurement methodology is not recommended.

Other Consultants

Other Consultants directly associated with delivery of the Concept/Schematic Design phase to be engaged directly by Council, with work to be undertaken August 2026 to May 2027:

- Building Surveyor
- Quantity Surveyor
- Probity Advisor

Concept/Schematic Design to a level of design resolution suitable for Community Consultation, with work to be undertaken July 2027 to April 2028 (timeframe includes community consultation and updates following community consultation).

A Cost Plan (prepared by a suitably qualified Quantity Surveyor), with work to be undertaken July 2027 to April 2028.

Community Consultation, held over two stages, Round 1 proposed for October/November 2027 and Round 2 proposed for February 2028.

Project Management fees to fund the Council staff delivering this project.

This report is recommending Council allocates the following funds to deliver the scope of work listed above:

- $500,000 2026/27 Financial Year
- $2,000,000 2027/28 Financial Year

Further stages of the project delivery would be subject to future Council approval and funded by future Council budgets.

10.1 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

The stage of Concept / Schematic Design will include engaging a Lead Design Consultant (Architect) and Consultants to inform the design and develop material that can be used for Community Consultation.

This will include:

- Lead Design team (Architects and Design Consultants)
  - Services consultants:
    - Mechanical Engineer
    - Electrical Engineer
    - Hydraulic Engineer
    - Fire services Engineer
  - Aquatic Engineer
  - Structural Engineer
  - Traffic Engineer
  - Landscape Architect
  - Geotechnical Engineer
  - Arborist and/or Ecologist
  - Hazardous Materials Audit (Division 6 report)
  - Access Consultant
  - ESD Consultant
  - Town Planning Consultant
  - Formalise Communications Strategy and Engagement Plan
  - Any other minor engagements that may be required (services trace, feature survey, geotechnical survey etc)
- Quantity Surveyor
- Building Surveyor
- Probity Advisor
- Community Engagement Consultant

The Lead Design Consultant's scope of works would require a Concept/Schematic Design to be developed including:

- Review of the existing Business Case Concept Design for Option 3A.
- Research and development on innovative delivery strategies of Aquatic Facilities.
- Provide an updated design to be called the Schematic Design for Community Consultation with considerations to the design elements in liaison with the consultants nominated above, including services considerations, early Environmentally Sustainable Design (ESD) concepts, and universal access considerations.
- Identifying risks and risk mitigation measures to ensure site, construction and future operational risks are identified and addressed.

10.1 (cont)

- Review and update the existing Gender Impact Assessment.
- Provide floor plans for the Design, suitable for use as part of the Community Consultation process.
- Allowance for meetings and community engagement sessions.
- Provide renders (with optional flythroughs) of the Design suitable for use as part of the Community Consultation process.

The Engagement Consultant would be an external consultant who will assist the internal Community Engagement team to deliver the consultation sessions with community.

The Community Engagement would be undertaken in two stages.

- Stage 1 – refining the elements of AQN based on the Concept Design
- Stage 2 – this is what we heard, here is the final Concept / Schematic Design, has everything been captured?

The funding amount is based on the following inclusions:

Consultant Discipline	Cost (excl GST) (for Procurement, Concept/Schematic Design & Community Consultation Phases only)
Lead Design Team	$1,200,000
Quantity Surveyor	$75,000
Building Surveyor	$25,000
Probity Advisor	$25,000
Community Engagement Consultant	$250,000
Project Management fees	$300,000
Community Consultation	$200,000
Site assessments (Geotech, contamination, land survey, services trace etc.)	$50,000
Contingency	$375,000
Total Anticipated Costs	$2,500,000 (excl GST)

Maintenance of Existing Facility

Noting that whilst the construction works for the project are not presented for approval at this point, any delay or prevention of the project is likely to result in significant repair/renewal works to be completed by Council to keep AQN

10.1 (cont)

functional. Items that are currently known to be issues are shown below, with a budget required to complete these maintenance works. These costs are significant expenses for a building that is outdated and likely beyond repair.

An additional short term expenditure of $2.5M would be required to keep the facility running should a redevelopment option not proceed.

Item	Budget Allocation	Timing	Comments
Roof renewal above 50m lap pool	$700,000-$1,000,000	2029	Shutdown required
Lighting Upgrade	$35,000	2026	After hours work; no shutdown required
Switchboard Upgrade	$70,000	TBA	Gas to Electric transition
Family Change Renewal	$75,000	TBA	Should be done asap and proposed as part of the Leisure Strategy – Optimised In-House Management Model actions. It is expected that the updating of changerooms will improve user experience resulting in retaining and attracting members and improving the operational cost outcome over the next 4 years.
Refurbishment of Male & Female Changerooms	$500,000	TBA	Should be done asap and proposed as part of the Leisure Strategy – Optimised In-House Management Model actions. It is expected that the updating of changerooms will improve user experience resulting in retaining and attracting members and improving the operational cost outcome over the next 4 years.
Pool Plant Maintenance	$800,000	Scheduled between 2026 - 2029	Items & Costs from AQN Asset Register Report 2024 for works scheduled between 2026 and 2029

10.1 (cont)

Timing & Risk

The existing facility has undergone multiple structural & services infrastructure assessments in the last five years. The overarching assessment remains constant that the facility is anticipated to reach critical failure by 2032.

The four central aspects of likely failure requiring intervention are:

- Pool Plant Failure
- Pool Concourse Failure
- Pool Shell Structural Failure
- Heating, Ventilation and Cooling (HVAC) System Failure

The risk to Council is that any failure of the above renders the existing facility inoperable.

Council Officers have prepared a detailed delivery programme for the redevelopment of AQN. To achieve construction completion in 2032, procurement for the concept/schematic design & community consultation phases need to occur in 2026.

An outline summary of the project timeline is included below for information.

AQN Project Delivery Phase	Financial Year
Council Report/Business Case Approval – THIS REPORT	2025-2026
Council Report/Procurement of Lead Design Consultant	2026-2027
Concept/Schematic Design & Community Consultation	2027-2028
Design Development/Tender for Construction/Tender Approval	2028-2029
Construction	2029-2031
Construction Complete/Handover to Operate/Defects Period	2031-2032
Defects Period/Project Complete	2032-2033

10.1 (cont)

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. This project will contribute to Whitehorse's built environment and provision of infrastructure assets that contribute to the municipality's health and wellbeing, as well as social. It will contribute to the provision of assets that meet accessibility and ESD requirements.
Financial and Resource Implications	The financial implications of the Concept/Schematic Design & Community Consultation Phase are $2,500,000. Decisions about funding the ultimate project will be informed by the Concept/Schematic Design & Community Consultation Phase outcomes. The 10 Year Financial Plan includes a provision of $123M in 2032 for AQN.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report. The next phase of the project would seek to identify and mitigate project and operational risks. There a range of assumptions, based on best available information at this time, contained in the Business Case relating to utilisation of the future facility, operating costs associated with the facility and constructions costs and methods.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	This phase of the project includes two rounds of Community Consultation.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report, however the ultimate redevelopment, if approved, would bring a raft of improvements and efficiencies to what is an ageing and outdated facility. The project team will be looking to implement an innovative design solution that provides significant cost benefit to Council.

10.1 (cont)

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

ATTACHMENT

1 Aqualink Nunawading Business Case
2 Aqualink Nunawading Redevelopment Options

10.2 Leisure Strategy - Optimised In-house Management Model for Aqualinks

Department	Leisure and Recreation Services Director Community Services

Attachment

SUMMARY

This report seeks Council's endorsement to adopt the Leisure Services Optimisation Report (Optimisation Report) which has been developed to guide the future management of Council's sport, recreation and leisure facilities. Following Council's decision in August 2025 to retain an in-house model, the Optimisation Report sets out how Council can strengthen performance, improve customer experience, protect financial sustainability and ensure facilities continue to deliver strong community outcomes.

The Optimisation Report brings together detailed analysis, industry benchmarking, community feedback and operational insights and identifies practical actions that will lift performance across Aqualink Box Hill and Nunawading, Sportlink, Nunawading Community Hub and Council's leased and licensed sport, recreation and leisure assets. The actions focus on improving presentation, customer experience, asset condition, workforce capability, agility in decision-making, marketing effectiveness and accountability. Collectively, these actions aim to best position Council to retain members, support modest and sustainable growth, and maximise the community benefit of Council-owned facilities.

The objective of this Report is to provide Council with a clear, evidence-based case for optimisation and outline the key issues identified and the recommended actions to address current and emerging challenges in a coherent and transparent framework to guide decision-making, investment and performance monitoring under an optimised in-house management model.

RECOMMENDATION

That Council:

1. Endorses the Leisure Optimisation Report (Attachment 1), including the actions, directions and implementation measures contained within the report; and
2. Notes that the operational and capital financial allocations required to implement the endorsed actions will be included in the draft 2026/27 Budget for Council endorsement in June 2026, and that longer-term capital requirements will be reflected in the 10-year Capital Works Plan as part of Council's forward planning processes.

10.2 (cont)

KEY MATTERS

In August 2025, Council resolved to retain an optimised in-house management model for leisure facilities, following demonstrated improvements in financial performance and operational capability. This decision created a clear requirement to ensure Council's facilities are managed to contemporary industry standards and best practice, as would have been expected of an external specialist contractor. The attached Optimisation Report responds directly to this requirement by identifying actions that strengthen performance, governance and delivery under the in-house model.

Need to align with best practice and industry standards

The leisure and aquatic sector is highly competitive and customer driven. Industry benchmarking and customer research consistently demonstrate that facilities that do not continue to evolve in areas such as cleanliness, asset condition, programming and customer experience, suffer from a gradual erosion of customer satisfaction, loyalty and visitation.

Broadening the scope of leisure facility activation

A significant consideration in this report is the proposed shift from a facilities focus limited to Aqualink Box Hill and Nunawading, Sportlink and the Nunawading Community Hub, to a broader, more strategic approach to activating all Council-owned, leased and licensed sport, recreation and leisure assets. This presents a long-term opportunity for Council to build internal capability, improve consistency, and better leverage its substantial investment in community infrastructure. Broadening the scope of activation supports stronger community outcomes, improved utilisation and more consistent performance across the municipality.

Introducing Active Whitehorse

The establishment of the Active Whitehorse brand creates a clearer and more contemporary department identity, and in time an external brand that better reflects Council's commitment to physical activity, wellbeing, access and community participation. This Optimisation Report considers this shift by defining how Active Whitehorse will operate in practice across Council's sport, recreation and leisure facilities.

The report sets out an integrated framework to guide consistent service delivery, asset stewardship and financial sustainability, while also laying the foundation for a strong facilities-focused identity and the development of the Active Whitehorse Strategy with enhanced accountability and reporting to Council.

Financial performance and reinvestment

At the August 2025 Council Meeting, it was demonstrated that recent initiatives and operational changes had improved the projected 10-year financial performance of the Aqualink facilities by approximately $17.3 million, when compared to historic in-house management. This projection

10.2 (cont)

included the required investment to protect and grow performance over the period.

Key highlights of the improved operational performance relate to sustained growth in facility attendances and memberships, as shown in the following graphs.

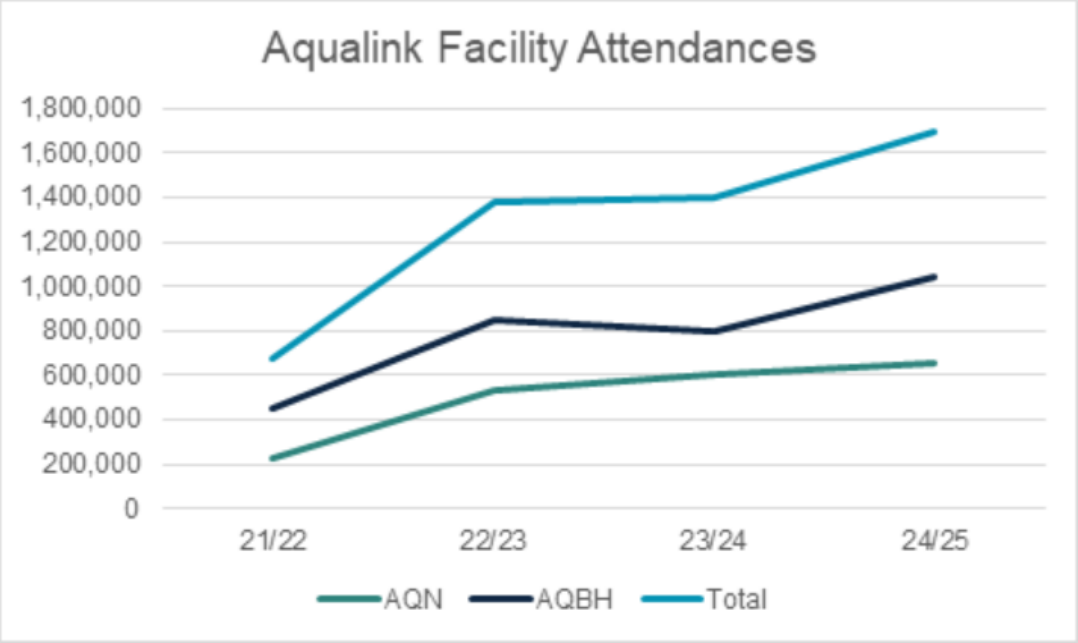


Figure 1: Aqualink Combined Total Annual Facility Attendances

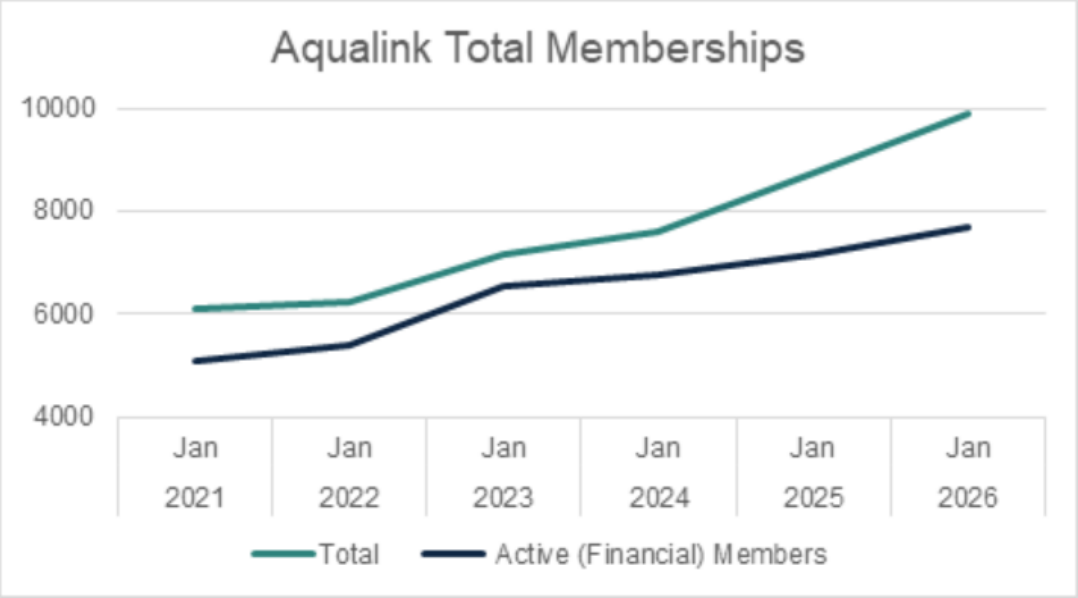


Figure 2: Aqualink Combined Total Membership

The noted improvements provide a strong foundation for future success, however, achieving sustained performance and enhanced community outcomes will be require targeted reinvestment.

The Optimisation Report identifies opportunities for a small portion of savings created through recent initiatives to be reinvested to protect and

10.2 (cont)

grow revenue, improve service quality and ensure assets remain fit-for-purpose. Importantly, many of the proposed actions are non-financial and focus on governance, accountability, capability and agility.

Financial modelling includes the investment required to implement and sustain the Optimisation Report Actions, as shown in the following table. Investment is modest, with a net operating investment of $125,500 in Year 1 (refer to the final column of the table) and supports the significantly improved financial performance, which is projected to be $19.3m over 10 years.

Financial Investment for Leisure Optimisation Actions Implementation

Item / Action	Gross Cost ($)	Offsets ($)	Budget Impact ($)
1.3 Optimise Aqualink Operating Hours	$53,000 Per annum	$115,000 Revenue uplift per annum	($62,000) Per annum
1.4 Daytime cleaning of the Aqualink facilities	$101,500 Per annum	$0	$101,500 Per annum
1.5 Capital renewal of Gym Equipment *	$435,000 2026/27	$435,000 Future funding brought forward	$0
1.6 Attendance monitoring technology *	$15,000 2026/27	$0	$15,000 2026/27
2.2 New Active Whitehorse uniforms *	$70,000 2026/27	$20,000 Current budget	$50,000 2026/27
3.3 Increased marketing resourcing	$104,000 Per annum	$65,000 Current budget	$39,000 Per annum
4.3 Immediate capital investment for Aqualink facilities *	$492,000 2026/27	$492,000 Future funding brought forward	$0
5.2 Active Whitehorse strategy *	$90,000 2026/27	*$40,000 (potential funding LSIF)*	$90,000 2026/27
5.3 Membership Pricing Strategy	$0	$108,000 Revenue uplift per annum	($108,000) Per annum

* One-off expenditure within 2026/27 year

Figure 3: Budget impact associated with implementation of optimisation actions

Strategic alignment, risk and community

The actions outlined in the Optimisation Report align with Council's broader strategic objectives, including health and wellbeing, financial sustainability, community inclusion and responsible asset management. The primary risk of inaction is a gradual decline in customer satisfaction, increased complaints, higher reactive maintenance costs and erosion of Council's strong market position. Conversely, acting on the Optimisation Report supports improved community experiences, protects Council's investment, strengthens accountability and positions Council to respond to emerging community needs and opportunities.

10.2 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

The Optimisation Report is structured around five Strategic Outcomes, which were developed to clearly articulate what success looks like for Council's sport, recreation and leisure facilities and to provide a consistent framework for decision-making, investment and accountability. Each action within the report supports one or more of these outcomes, recognising that improvements in areas such as customer experience, asset condition, workforce capability and agility are interconnected and mutually reinforcing.

Importantly, the report shifts the focus from a facility-by-facility approach to a broader, more strategic model of facility activation. While Aqualink Box Hill and Nunawading remain central, the Optimisation Report establishes a framework that also encompasses Sportlink, Nunawading Community Hub, and Council's leased and licensed sport, recreation and leisure assets. This creates a long-term opportunity for Council to build internal capability, improve consistency, and maximise the value of its significant investment in community infrastructure.

Accountability, Data and Continuous Improvement

A core feature of the Optimisation Report is the introduction of a strengthened accountability and reporting framework. This ensures that optimisation is not a one-off exercise, but an ongoing, data-driven process. Actions are explicitly linked to the Strategic Outcomes and supported by defined KPIs, customer research, benchmarking and annual reporting to Council. This approach provides transparency, enables performance to be actively managed, and ensures decisions are informed by evidence rather than assumptions.

Options Considered

The Optimisation Report outlines alternate options for a number of actions, such as different delivery models or implementation approaches. These options have been included to ensure Council is fully informed of potential pathways and risks.

Strategic Outcomes & Actions

Following is a summary of outcomes and related actions, with further insights, including costs and benefits outlined within the attached Optimisation Report.

Outcome 1: Strong Customer and Community Outcomes

This outcome focuses on ensuring Council's leisure facilities deliver welcoming, inclusive and high-quality experiences that maximise participation, improve access and respond to community needs. Actions include:

- Community Outreach Program: Activate off-peak capacity to improve access, inclusion and wellbeing outcomes for priority and under-represented community groups.

10.2 (cont)

- Customer Satisfaction, Loyalty and Recommendation Research: Use independent, benchmarked research to understand drivers of satisfaction, loyalty and advocacy and inform continuous service improvement.
- Optimised Aqualink Operating Hours: Adjust operating hours to better align with community health and fitness (gym) demand, improve access and reduce peak congestion.
- Employ Daytime Cleaners for Aqualink Facilities: Improve cleanliness, presentation and hygiene during peak usage periods to enhance customer experience and address a key driver of customer satisfaction.
- Adoption of Renewal Principles and Plan for Gym Equipment: Ensure a consistent, contemporary and competitive fitness offering across facilities through structured and planned equipment renewal.
- Attendance Monitoring Technology: Improve visibility of attendance and usage patterns in non-membership facilities to support evidence-based operational, resourcing and investment decisions.

Outcome 2: A Capable, Supported and Future-Focused Workforce

This outcome recognises that a skilled, supported and well-led workforce is essential to delivering consistent service quality, innovation and long-term organisational resilience. Actions include:

- Active Whitehorse Facilities Team Structure: Strengthen leadership depth, capability and resilience to support expanded scope and strategic delivery.
- New Leisure Facilities Team Uniform: Introduce a contemporary uniform to support staff pride, professionalism and support the launch the Active Whitehorse brand.

Outcome 3: Agility and Innovation as Enablers

This outcome enables all others by ensuring Council's operations can respond quickly to community needs, adopt best practice and continuously improve performance. Actions include:

- Broaden Scope of the Leisure Facilities Team: Expand the team's remit to include activation, oversight and optimisation of all Council sport, recreation and leisure facilities, supporting a more integrated and responsive operating model.
- Enhance team agility and empowerment: Remove operational inhibitors to enable timely recruitment, procurement and program decisions.
- Increase Marketing Resourcing: Strengthen in-house leisure marketing capability to support data-informed decision-making,

10.2 (cont)

protect visitation and enable responsive promotion of programs, services and facilities.

- Shared Services and Regional Collaboration: Explore shared service opportunities to improve efficiency, resilience and access to specialist expertise.

Outcome 4: Well-Maintained, Safe and Fit-for-Purpose Assets

This outcome ensures Council's leisure facilities are proactively maintained and renewed to protect asset value, support safety and deliver facilities the community is proud to use. Actions include:

- Service Level Agreements (SLA): Establishing SLA between Council's Active Whitehorse and Facilities Maintenance Departments will ensure collaboration, clear service expectations, performance measures and reporting for leisure facilities to improve planning, coordination, responsiveness and transparency of work across teams.
- 10-Year Capital and Asset Planning: Implement long-term, facility-specific capital and renewal planning for all facilities to support proactive investment, reduce reactive maintenance and align funding with asset condition and service demand.
- Immediate Capital Investment: Undertake targeted short- and medium-term capital works to address priority renewal gaps that impact customer experience, safety and operational reliability, particularly at Aqualink Nunawading while redevelopment options are considered.

Outcome 5: Financial Sustainability, Performance and Accountability

This outcome ensures Council's in-house management model is financially sustainable, transparent and accountable, with performance actively monitored and improved over time. Actions include:

- Accountability and Performance Reporting Framework: Implement clear KPIs and annual reporting to Council across community, operational and financial domains.
- Active Whitehorse Strategy: Develop a unified leisure and recreation strategy to guide activation, investment and performance across all facilities.
- Membership Pricing Strategy: Progress pricing and structural changes to support sustainability, simplicity and market alignment.

Updates to Optimisation Report

The below updates have been made to the Optimisation Report since it was provided to Councillors for feedback at the Strategy Meeting held on 19 January 2025:

- Outcome 1: Added KPIs for marketing activities

10.2 (cont)

- Action 1.3: Added paragraph explaining the benefits of variable open hours by day and area
- Action 4.1: Added introduction paragraph to better define the parties to the Service Level Agreement.
- Action 5.1: Included quarterly KPI reporting within action
- Appendix 1: Open Hours Benchmarking
- Appendix 2: Fees and Charges Benchmarking

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	Community, We aim to foster a connected, inclusive, safe and active community where everyone feels a sense of belonging. Built: We aspire to develop safe, accessible, and attractive public spaces and infrastructure that meet community needs and adapt to growth. Governance: Strong governance will be achieved through transparent, accountable management and the efficient and financially sustainable delivery of valuable core services.
Financial and Resource Implications	Financial analysis indicates that material financial improvements will be realised through the implementation of the Optimisation Report actions. Further detail is provided in the financial table included in section 5 of Attachment 1 – Optimisation Report. The operational and capital financial allocations required to implement the endorsed actions will be included in the draft 2026/27 Budget for Council endorsement in June 2026, and the longer-term capital requirements will be reflected in the 10-year Capital Works Plan as part of Council's forward planning and approval processes.
Legislative and Risk Implications	Risks of implementation include: • Staff change management • Financial exposure where additional revenue is projected to generate a positive return • Shift in market conditions • Community expectations • Policy and procedural alignment Risks of non-implementation include:

	• Stagnation and inefficiency • Customer dissatisfaction • Underutilisation of assets • Deterioration of assets, and delays in maintenance • Leadership capability gaps Further detail on the risks of implementation and non-implementation is provided in Attachment 1 - Optimisation Report
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues.
Community Engagement	Earlier community engagement, including broad engagement as part of the service review was completed in 2022, customer and community engagement in 2023, and tailored stakeholder and staff engagement has been completed over the course of the project.
Innovation and Continuous Improvement	Various innovations and improvements have already been implemented following the Service Review, as outlined within this and earlier reports. The Optimisation Report describes other innovations and improvements to be implemented as a part of the endorsed actions.
Collaboration	Collaboration has included industry experts and cross-department subject matter expert engagement to help inform the report recommendations.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Leisure Services Optimisation Report
2 Consultant Report Leisure Optimisation

10.3 Whitehorse Thematic Environmental History

Department	City Planning and Development Director City Development

Attachment

SUMMARY

Thematic Environmental Histories provide a broad historical overview of an area. They are an essential tool in heritage planning, forming the foundation for the identification and assessment of individual properties or places within a heritage study.

Two Thematic Environmental Histories (TEHs) currently operate under the Whitehorse Planning Scheme. These histories are contained within the *City of Whitehorse Heritage Review* (Allom Lovell, 1999) and the *City of Whitehorse Post-1945 Heritage Study* (Built Heritage, 2016). The TEH contained in the 2016 *Post-1945 Heritage Study* added to the breadth of historical themes needed to describe Whitehorse's historical context.

Council's adopted Whitehorse Heritage Framework Plan 2020 identified maintaining two separate TEHs as undesirable and recommended preparing a single TEH as a priority. In response, Council commissioned the *City of Whitehorse Thematic Environmental History* (GJM Heritage, 2023), which consolidates the two existing histories into a single, contemporary reference.

The consolidated Thematic Environmental History (TEH) will improve clarity and accessibility for planners, consultants and the community. It will also simplify future updates and support a more efficient and cohesive approach to heritage management.

This report recommends that Council adopt the draft *City of Whitehorse Thematic Environmental History (Consolidated)*, prepared by GJM Heritage, dated 14 July 2023 and:

- Seek authorisation from the Minister for Planning to prepare an amendment to the Whitehorse Planning Scheme to implement the adopted *City of Whitehorse Thematic Environmental History* (GJM Heritage, 2023)
- Apply to the Minister for Planning to exempt the Whitehorse City Council from the notice requirements of the Act.

10.3 (cont)

RECOMMENDATION

That Council:

1. Adopt the draft *City of Whitehorse Thematic Environmental History (Consolidated)*, prepared by GJM Heritage, dated 14 July 2023 as shown in Attachment 1;

2. As Planning Authority, seek authorisation from the Minister for Planning (the Minister) under section 16 F (1) of the *Planning and Environment Act 1987* (the Act) to prepare an amendment to the Whitehorse Planning Scheme to implement the adopted *City of Whitehorse Thematic Environmental History* (GJM Heritage, 2023) by:

   a) Amending the Policy documents referenced at clause 15.03-1L (Heritage Conservation), by inserting the following text (in bold):

      - **City of Whitehorse Thematic Environmental History (GJM Heritage, 2023)**
      - City of Whitehorse Heritage Review, **(Volume 2 Parts 1 and 2, Volume 3 and Volume 4),** (Allom Lovell & Associates, 1999).
      - City of Whitehorse Post-1945 Heritage Study, **(Sections A, B, C, E, F and G)**, (Built Heritage, 2016).

   b) Amending clause 1.0 of the Schedule to clause 72.08 (Background Documents) by inserting the following text (in bold):

      - **City of Whitehorse Thematic Environmental History (GJM Heritage, 2023)**
      - City of Whitehorse Heritage Review, **(Volume 2 Parts 1 and 2, Volume 3 and Volume 4),** (Allom Lovell & Associates, 1999).
      - City of Whitehorse Post-1945 Heritage Study, **(Sections A, B, C, E, F and G)**, (Built Heritage, 2016).

3. Apply to the Minister for Planning under section 20(1) of the Act to exempt the Whitehorse City Council from the notice requirements of section 19 1(a), (b), 2 and 3 of the Act, and;

4. Authorise the Director City Development to update the amendment to meet any conditions of authorisation from the Minister and to make minor changes, provided these are consistent with the intent of the amendment, prior to submitting the amendment to the Minister for exhibition.

10.3 (cont)

KEY MATTERS

- The consolidation of the 1999 and 2016 TEHs is a priority action identified in the Council Adopted 2020 Heritage Framework Plan.
- The consolidated TEH integrates, restructures and updates both documents to align with Heritage Victoria's *Framework of Historical Themes*.
- A single consolidated TEH will eliminate duplication, improve clarity, and strengthen the strategic foundation for heritage identification and assessment.
- The draft consolidated TEH prepared by GJM Heritage (June 2023) meets contemporary best-practice heritage planning standards and will assist Council in meeting its obligations under the *Planning and Environment Act 1987* and policy in the Whitehorse Planning Scheme.
- The consolidated TEH would be implemented by applying to the Minister for Planning to exempt the Council from the usual amendment notice requirements, as officers consider this to be a fairly administrative update.

BACKGROUND

Whitehorse Heritage Framework plan 2020

The *Whitehorse Heritage Framework Plan 2020* (the Plan), prepared by Coleman Architects Pty Ltd (dated 25 August 2020), provides a strategic approach to heritage planning across the municipality over a 10 year period. Its purpose is to:

- Assess the current status of heritage protection
- Identify gaps and areas for improvement
- Outline opportunities to enhance the identification, management, and promotion of heritage assets
- Identify and prioritise future heritage work in the municipality.

The Plan also sets priorities for future heritage work to ensure planning and decision-making are coordinated, consistent, and aligned with best-practice standards.

Council adopted the Plan on 21 September 2020 and resolved to prioritise tasks 1, 2, and 3 of the Heritage Framework Plan.

Priority Task 2 recommends consolidating and updating Whitehorse's 1999 and 2016 Thematic Environmental Histories (TEHs) in accordance with the *Framework of Historical Themes* (Heritage Victoria, 2010). It is standard practice to apply the Heritage Victoria framework when preparing TEHs.

10.3 (cont)

Existing Thematic Environmental Histories

The two thematic studies referenced in Whitehorse's 2020 Heritage Framework Plan are:

- **1999**: Thematic History in Volume 1 of the four-volume *City of Whitehorse Heritage Review* (Allom Lovell and Associates, April 1999); and
- **2016**: Thematic Environmental History in Section D of the *City of Whitehorse Post-1945 Heritage Study* (Built Heritage Pty Ltd, adopted 27 June 2016).

Although the 1999 TEH predates Heritage Victoria's framework, it addresses comparable themes, but in a different format. The 2016 TEH applies the framework directly.

Both the 1999 and 2016 studies are listed as Background Documents in the Schedule to Clause 72.08 of the Whitehorse Planning Scheme.

DISCUSSION, OPTIONS AND ANALYSIS

Purpose of Thematic Environmental Histories

TEHs identify the key historical themes that have shaped the municipality's development, land use patterns and cultural identity. They are essential strategic tools that underpin the identification, assessment and justification of heritage places within the planning system.

A consolidated TEH provides:

- A consistent and contemporary thematic structure;
- Stronger strategic support for heritage assessments; and
- A clearer reference for planners, consultants and the community.

Draft City of Whitehorse Thematic Environmental History (Consolidated) - 2023

The *draft City of Whitehorse Thematic Environmental History (Consolidated)*, prepared by GJM Heritage, dated 14 July 2023 was prepared in response to Task 2 of the Heritage Framework Plan. Refer to Attachment 1.

The document integrates the 2016 TEH with the earlier 1999 thematic history and restructures the content to align with Heritage Victoria's *Framework of Historical Themes*.

The consolidated TEH:

- Reflects contemporary heritage planning standards;
- Provides a comprehensive and coherent strategic basis for heritage work; and
- Supports efficient, transparent and consistent heritage management across the municipality.

10.3 (cont)

Provisions of the *Planning and Environment Act 1987*

Section 20(1) of the Act provides for the Council to apply to the Minister for Planning to exempt the Whitehorse City Council from the notice requirements of section 19 1(a), (b), 2 and 3 of the Act.

In considering the Council's application for exemption from the notice requirements, Section 20(2) indicates that the Minister must be satisfied that compliance with the notice requirements is not warranted, or that the interests of Victoria or any part of Victoria make such an exemption appropriate.

Council's application to the Minister will submit that compliance with the notice requirements is not warranted because the amendment:

- Will not impose any additional planning restrictions on landowners, and;
- Will enhance the operation of the planning scheme, streamline future updates, and support a more efficient and cohesive approach to heritage management.

Should Council endorse the recommendations in this report, officers will prepare and submit the required documentation in accordance with the Act, including compliance with relevant Ministerial directions and guidelines.

Approved changes to the *Planning and Environment Act 1987*

The *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025* (amendment Act) came into effect on 25 November 2025. The amendment Act provides the framework for the *Planning Amendment (Better Decisions Made Faster) Bill 2025*, the details of which were reported to Council at its meeting on 10 November 2025.

Part 7 of the amendment Act makes changes to the planning scheme amendment process. Of relevance to this report, part 7 establishes a pathway for 'low impact' amendments. What constitutes a 'low-impact amendment' will be determined by the Minister or prescribed by the regulations, noting that at the time of writing this report the regulations had not yet been updated to include a working definition of a 'low impact amendment'.

The proposed amendment to implement the *City of Whitehorse Thematic Environmental History* (GJM Heritage, 2023) is expected to meet the criteria for a "low-impact amendment." If this is confirmed, and the Minister does not respond to Council's request for authorisation within 10 business days, Council will be permitted to prepare the amendment without authorisation.

10.3 (cont)

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 report broadly responds to Objective 2.4 of the *Integrated Council Plan 2025-2029*: "*A desirable and well-presented City*." More specifically this report responds to the overarching *Whitehorse 2040 Community Vision*: "…We are active citizens who value our natural environment, **history** and diversity [emphasis added]. …" The TEH responds directly to Clause 02.03-5 of the Municipal Planning Statement in the Whitehorse Planning Scheme: "*Preserve and maintain a range of buildings, features and precincts of historical and cultural significance as examples of the City's origins and how it has developed over time.*"
Financial and Resource Implications	The Council will need to pay the statutory fee of **$546.30** for the Minister to consider Council's request to approve the amendment in accordance with section 35 of the Act.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report. If Council were not to progress this document it would leave the two TEH's that are currently in place rather than updating to one consolidated TEH.
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, however the draft TEH was reviewed by the former Heritage Steering Committee which had no comments or changes.
Innovation and Continuous Improvement	The consolidated document brings our current TEH's in line with best practice and State government guidelines. The consolidated TEH also will improve the clarity and accessibility of the document, will simplify future updates and support Council's approach to heritage management.

10.3 (cont)

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

ATTACHMENT

1 City of Whitehorse, Thematic Environmental History (Consolidated), Final Draft, GJM Heritage,14 July 2023

10.4 Review of Potential Heritage Places in Whitehorse

Department	City Planning and Development Director City Development

SUMMARY

The purpose of this report is to respond to the Notice of Motion and subsequent resolution at the Council meeting on 8 December 2025:

> *That Council receives a report in February 2026 advising on the timing and resourcing required to complete a review of Priority A and Priority B places from the City of Whitehorse Post 1945 Heritage Study and the City of Whitehorse Heritage Review 2012.*

The Potential Heritage List comprises individual properties and precincts that have been identified largely in the previously commissioned heritage studies.

This report provides a summary of the Potential Heritage List arising from these and previous studies, and the timing and resourcing required to complete a review of Priority A and Priority B places included on the Potential Heritage List.

After further refinement of the Potential Heritage List there are 51 Priority A and 68 Priority B individual places and 9 Priority A and 4 Priority B precincts included on the Potential Heritage List. Of these Priority A places, 45[1] individual and 5 precincts have been assessed in the Draft City of Whitehorse Heritage Review 2024, which is the subject of a separate report for consideration by Council.

It is estimated that it will cost $300,000 and take approximately 18 months to complete an investigation of the remaining Priority A and Priority B places.

[1]Note: 48 individual places were assessed and citations prepared as part of the Draft City of Whitehorse Heritage Review 2024 however 1 of these was added to a precinct and 2 places have since been demolished and have been removed from the Potential Heritage List.

RECOMMENDATION

That Council:

1. Approves the allocation of $300,000 to complete a review of 82 Priority A and Priority B places, including precincts, contained in the Potential Heritage List, with $250,000 allocated to the 2026/2027 budget, and $50,000 to the 2027/28 budget.
2. Notes that a complete investigation of 82 Priority A and Priority B places will take approximately 18 months.

10.4 (cont)

KEY MATTERS

Heritage places and objects are an important part of the identity of Whitehorse City Council and contribute to the character and liveability of the municipality. This is especially critical in the context of projected future population growth and the significant planning reforms introduced by the State Government to facilitate housing growth. These factors are likely to put more pressure on heritage assets in the municipality.

Councils are responsible for locally significant heritage places and are obliged under the objectives of the *Planning and Environment Act 1987* and the Whitehorse Planning Scheme (the planning scheme) to identify and conserve heritage places. Additionally, the Whitehorse Heritage Framework Plan (the Framework) adopted in September 2020, is noted in the planning scheme as the tool to guide Whitehorse's further strategic work. One of the tasks included in the Framework is to continue to assess and resolve the Potential Heritage List.

The Potential Heritage List comprises individual properties and precincts identified in previously commissioned heritage reports. The Potential Heritage List has been further reviewed recently and the number of properties on the list reduced.

Following this review, the Potential Heritage List (including places assessed in the Draft City of Whitehorse Heritage Review 2024) currently consists of:

Priority	Individual Places	Precincts
A	51	9
B	68	4
C	34*	1
Total	**153**	**14#**

* This figure for Priority C places has undergone minor adjustment from the figure of 32 Priority C individual places reported at the 23 June 2025 Council meeting. This minor change is as a result of the most recent review of the PHL discussed in this report.

The Precincts consist of a total of 160 individual places that are contributory (115 in Priority A or Priority B precincts) and 52 which are non-contributory.

Of the Priority A and B places included on the PHL, 45[1] individual places and 5 precincts have been further investigated and had draft citations prepared as an output of the Draft City of Whitehorse Heritage Review 2024 (which is the subject of a separate report for consideration by Council). The remaining 74 Priority A and B individual places, and 8 Priority A and B precincts require detailed investigation and, for those considered significant, citation preparation to support a future planning scheme amendment.

This report focuses on the places on the Potential Heritage List for which a detailed investigation has not been undertaken as part of the Draft City of

10.4 (cont)

Whitehorse Heritage Review 2024 (subject to a separate Council report) and as summarised in the table below:

Priority	Individual Places	Precincts
A	6	4
B	68	4
C	34*	1
Total	**108**	**9**

* This figure for Priority C places has undergone minor adjustment from the figure of 32 Priority C individual places reported at the 23 June 2025 Council meeting. This minor change is as a result of the most recent review of the PHL discussed in this report.

In response to the Notice of Motion which specifically requests "advice on the timing and resourcing required to complete a review of **Priority A** and **Priority B** places" approval is sought from Council for a future budget allocation of $300,000 to complete the review of the 82 identified Priority A and B places and precincts. It is expected that the review will take approximately 18 months, subject to the availability of consultants to undertake the work, therefore funding is required for the 2026/2027 and 2027/2028 financial years ($250,000 and $50,000 respectively). Alternatively the project could be staged, and therefore budgeted, over a longer period.

> Staffing required to facilitate the review can be accommodated within current operational budget.[1]*Note: 48 individual places were assessed and citations prepared as part of the Draft City of Whitehorse Heritage Review 2024 however 1 of these was added to the precinct and 2 places have since been demolished and have been removed from the Potential Heritage List.*

DISCUSSION, OPTIONS AND ANALYSIS

Background

In response to a Notice of Motion at the 16 December 2024 Council meeting, a report was presented to the 23 June 2025 meeting providing an overview of heritage in Whitehorse, the adopted Whitehorse Heritage Framework Plan 2020 (the Framework), the status of 'Priority C' places and a summary of related legal advice.

At the meeting of 23 June 2025, Council:

- *Noted the tasks within the Framework adopted by Council on 21 September 2020 including to continue to assess and resolve the Potential Heritage List.*
- *Acknowledged its obligations under the adopted Framework, the Planning and Environment Act 1987 (the Act) and the Whitehorse Planning Scheme (the Scheme).*

On 8 December 2025, arising from a Notice of Motion it was resolved:

- *That Council receives a report in February 2026 advising on the timing and resourcing required to complete a review of Priority A and*

10.4 (cont)

Priority B places from the City of Whitehorse Post 1945 Heritage Study and the City of Whitehorse Heritage Review 2012.

This report responds to that Motion.

Analysis

Whitehorse values its heritage and has included over 250 individual heritage properties and 16 precincts in a Heritage Overlay. Thirteen heritage studies have been completed in Whitehorse over the past 35 years signalling Council's ongoing commitment to protecting heritage places in the municipality.

The Potential Heritage List comprises individual properties and precincts that have been identified largely in the previously commissioned heritage studies. In this way, the Potential Heritage List has always been a 'living list' where places are added or removed over time as new information emerges.

The list of potential heritage places was reviewed and consolidated in recent studies, including the Whitehorse Heritage Review 2012 and the City of Whitehorse Post-1945 Heritage Study. The Potential Heritage List has been further refined in the Draft City of Whitehorse Heritage Review 2024, which is the subject of a separate report for consideration by Council.

Places on the Potential Heritage List are graded:

- Priority A – Highest priority for further assessment. Those regarded as being potentially of a high level of significance and most likely to meet the thresholds for inclusion in the Heritage Overlay.
- Priority B – High priority for further assessment. Those regarded as being of sufficient significance to be a probable candidate for inclusion in the Heritage Overlay.
- Priority C – Moderate Priority for further assessment. Good examples of their type and possible candidates for inclusion in the Heritage Overlay.

Individual properties and precincts on the Potential Heritage List require further investigation to determine their significance for inclusion in the Heritage Overlay in the planning scheme. The list currently has no statutory weight in planning decisions.

Funding is required to undertake the detailed investigations to determine the significance of these properties and precincts.

This report primarily focuses on the Potential Heritage List Priority A and Priority B places in direct response to the Notice of Motion which requests "advice on the timing and resourcing required to complete a review of **Priority A** and **Priority B** places". Priority C places that have been identified and included on our Potential Heritage List are not included for additional work at this time.

A further detailed and critical review of the Potential Heritage List has been undertaken by Council's Heritage Advisor and Council officers in recent

10.4 (cont)

months. This review has been undertaken primarily to consolidate the Potential Heritage List in order to allow more accurate quantification of the remaining work required to complete detailed investigation of the Priority A and Priority B places.

As a result, the number of properties on the Potential Heritage List has been significantly reduced. Considerations in reviewing the list included:

- Demolition of or significant alterations to buildings over time.
- Further investigation, which has identified that the thresholds required for inclusion of a place in the Heritage Overlay (HO) is unlikely to be met.
- The integrity of a precinct and whether this has diminished with changes in the precinct over time.

Following the review, the Potential Heritage List currently consists of:

Priority	Individual Places			Precincts		
	With citation	No citation	Total	With citation	No Citation	Total
A	45	6	51	5	4	9
B	0	68	68	0	4	4
C	0	34	34	0	1	1
Total	45	108	**153**	5	9	**14**

Of the 119 individual places and 13 precincts identified as Priority A and B, 45 individual places and 5 precincts have draft citations prepared as an output of the Draft City of Whitehorse Heritage Review 2024 (to be considered in a separate report to Council). The remaining 74 individual places, and 8 precincts identified as Priority A and B require detailed investigation to determine their significance and have citations prepared.

This report focuses on the places on the Potential Heritage List for which a detailed investigation has not been undertaken as part of the Draft City of Whitehorse Heritage Review 2024 (subject to a separate Council report) and as summarised in the table below:

Priority	Individual Places	Precincts
A	6	4
B	68	4
C	34*	1
Total	**108**	**9**

* This figure for Priority C places has undergone minor adjustment from the figure of 32 Priority C individual places reported at the 23 June 2025 Council meeting. This minor change is as a result of the most recent review of the PHL discussed in this report.

The refinement of the Potential Heritage List discussed in this report, will also progress the decision to include the List on the Whitehorse Website.

10.4 (cont)

Investigations have determined that it is feasible to include this information on Land Information Certificates (LIC). System changes required to facilitate notification on the LIC are currently being identified.

Communication with landowners is recommended prior to this information being available on the website and LICs. It is anticipated that this will be able to be progressed this financial year.

Resources

Funding was previously allocated to assist in addressing the Potential Heritage List that had been developed up to and including the places identified in the City of Whitehorse Post - 1945 Heritage Study and this resulted in the Draft City of Whitehorse Heritage Review 2024. Further funding is now required to complete a full investigation of the remaining Priority A and Priority B places (individual and precincts) which are included in the current Potential Heritage List.

It is anticipated that the staffing required to facilitate the review can be accommodated within current operational budget. Consultants will need to be engaged to undertake the detailed investigation of the Priority A and B places. The work would include fieldwork, preparation of draft citations, finalisation of citations, Councillor briefings and drafting a Planning Scheme Amendment.

A project to prepare a brief and to complete the review of Priority A and Priority B places can commence immediately subject to funding being allocated. However, the timing required to complete the review and citation preparation will be dependent upon consultant availability. The work would be expected to take approximately 18 months to complete, and cost approximately $300,000. It is anticipated that $250,000 will be required in the 26/27 budget and $50,000 in the 27/28 budget.

Following investigation of the Priority A and Priority B places, further costs will be associated with the planning scheme amendment process should Council decide to proceed with an amendment. This funding allocation will be required to be quantified and identified in a future budget.

Subject to Council's approval of funding, a further report will be prepared for Council following the investigation of the Priority A and Priority B places.

Options

The following options are provided to Council in this matter:

1. **Resolution of Priority A and B places:** Council approves the allocation of $300,000 to complete a review (including preparation of citations as required) for Priority A and B places (individual and precincts) on the Potential Heritage List. This is the recommended option as it will progress the investigation of those places identified of heritage significance which have the highest likelihood for inclusion in the Heritage Overlay. This in turn progresses important work to preserve the character and liveability of the municipality. Under this option, consideration of additional funding for Priority C places would be deferred to a later date.

10.4 (cont)

2. **Staged approach to resolution of the Potential Heritage List:**

   2.1. Council approves the allocation of a reduced amount of funding to allow review and preparation of citations for Priority A places only (individual and precincts) with a view to progressing a planning scheme amendment for the finalised Priority A places (subject to a future decision by Council). Under this option, consideration of additional funding for Priority B and C places would be deferred to a later date. The allocation required to progress Priority A places only is $50,000.

   Or

   2.2. Council approves the allocation of a reduced amount of funding to allow review and preparation of citations for Priority A and Priority B individual places only with a view to progressing a planning scheme amendment for the finalised Priority A and Priority B individual places (subject to a future decision by Council). Under this option additional funding for Priority A and Priority B precincts and Priority C individual places and precincts would be deferred to a later date. The allocation required to progress Priority A and Priority B individual places is $250,000.

3. **Resolution of Priority A, B and C Places:** Council allocates $400,000 to allow review and finalisation of citations for Priority A, B and C places (individual and precincts) on the Potential Heritage List. This option provides for the resolution of the current Potential Heritage List consisting of places identified up to and including the Draft City of Whitehorse Heritage Review 2024.

4. **Acknowledgment of Potential Heritage List:** Council notes the updated Potential Heritage List (comprising 153 individual places and 14 precincts) without further funding allocated toward investigation of the Potential Heritage List. This is the least preferred option as it does not progress the resolution of any of the places identified of heritage interest in accordance with Council's obligations and increases the risk that these places will be lost, negatively affecting the character and liveability of the municipality. This option also does not meet the requirements for further strategic work set out in the planning scheme, which is guided by the Heritage Framework Plan.

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. Reviewing our heritage places and working towards applying a Heritage Overlay assists in preserving the character and historical significance of places, enhancing community identity. Further, it:

	• Protects the aesthetic integrity of the area amidst future developments, improving visual appeal • Contributes to community pride and identity by valuing historical significance • Encourages respect for cultural heritage and fosters engagement in the built environment • Ensures new developments are sensitive to significant historical sites, promoting integrated urban planning • Helps maintain valuable history and distinctive architectural features, keeping the built environment visually diverse and interesting.
Financial and Resource Implications	Funding of $300,000 is sought to complete a review of Priority A and Priority B places included on the Potential Heritage List. It is anticipated that $250,000 will be required in the 26/27 budget, and $50,000 in the 27/28 budget. In addition, it should be noted, that following finalisation of the Priority A and Priority B places, further costs will be associated with the related planning scheme amendment process and allocation would be required to be quantified and identified in a future budget.There are no further resource implications as it is anticipated that the staffing required to facilitate the review can be accommodated within the current operational budget.
Legislative and Risk Implications	The Council is obligated under Sections 4 and 12 of the *Planning and Environment Act 1987* (the Act) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
Equity, Inclusion, and Human Rights Considerations	It is considered that the subject matter does not raise any human rights issues. Heritage controls applied through a planning scheme operate within a lawful framework and are consistent with the *Victoria Charter of Human Rights and Responsibilities Act 2006* (the charter). Section 20 of the charter requires that *a person must not be deprived of that person's property other than in accordance with law*.

10.4 (cont)

Community Engagement	No community engagement was required for this report, however it is recommended that a clear communication strategy is developed to inform landowners.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendations contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract to provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates. Council officers involved in the preparation of this report have no conflict of interest in this matter.

10.5 City of Whitehorse Heritage Review 2024

Department	City Planning and Development Director City Development

Attachment

SUMMARY

The purpose of this report is to seek Council's approval to request authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whitehorse Planning Scheme. The proposed amendment seeks to apply the Heritage Overlay to 42 of the individual properties and 3 of the precincts identified as having heritage significance in Volumes 1 and 2 of the draft *City of Whitehorse Heritage Review 2024*, prepared by Built Heritage Pty Ltd.

This request is the first statutory step in implementing the findings of the Heritage Review. If authorisation is granted, affected property owners, occupiers, and relevant State agencies will be formally notified and invited to make submissions during a public exhibition period.

The Heritage Review was commissioned to address gaps in heritage protection and ensure compliance with Council's statutory obligations under the *Planning and Environment Act 1987* (the Act). The review involved a rigorous two-stage process: (1) a desktop assessment and (2) detailed site inspections and preparation of citations for individual places and precincts. Each citation includes a Statement of Significance prepared in accordance with Planning Practice Note 1 and the Burra Charter principles, ensuring a robust and defensible basis for heritage controls.

Council has three options:

- **Proceed with the amendment process**, strengthening heritage protection and providing certainty for property owners and the community; or
- **Not Endorse the Recommendation,** which would leave identified heritage places unprotected, expose Council to criticism for not meeting statutory obligations, and risk ongoing loss of heritage significance and future inefficiencies.
- **Defer or limit action**, which risks the loss of heritage assets and inconsistency with Council's adopted Heritage Framework Plan.

The recommended approach to proceed with the amendment process will reinforce Council's commitment to conserving places of cultural and historical significance, align with strategic objectives and meet statutory responsibilities.

10.5 (cont)

RECOMMENDATION

That Council:

1. Adopt *Volumes 1 and 2 of the draft City of Whitehorse Heritage Review 2024*, shown in Attachment 1.
2. As Planning Authority, seek authorisation from the Minister for Planning (the Minister) under section 16F (1) of the *Planning and Environment Act 1987* to prepare and exhibit an amendment to the Whitehorse Planning Scheme to apply the Heritage Overlay to 42 of the individual properties and 3 of the precincts cited in *Volumes 1 and 2 of the draft City of Whitehorse Heritage Review 2024*, excluding the following places and groups:
   a) 20 Naughton Grove, Blackburn (demolished)
   b) 2 Peter Avenue, Blackburn North (demolished)
   c) 355–357 Whitehorse Road, Nunawading
   d) 18 Gilmour Street, Burwood
   e) 27-29 Carrington Court, Burwood East (Former Tally Ho Boys' Village Chapel)
   f) Orana Peace Memorial Home group, comprising 14-18, 17 and 27 Livingstone Close, Burwood
   g) Blue Flame Project group, comprising 2, 4, 6, 7 and 8 Shalimar Court, 1, 2, 3, 6, 7, 8 and 9 Parkleigh Court, and 3 and 5 Fortescue Grove, Vermont South.
3. Authorise the Director City Development to update the amendment to meet any conditions of authorisation from the Minister and to make minor changes, provided these are consistent with the intent of the amendment, prior to submitting the amendment to the Minister for exhibition.

KEY MATTERS

- **Statutory compliance:** The proposed amendment gives effect to the objectives of the *Planning and Environment Act 1987* and the Victoria Planning Provisions, particularly the requirement to conserve places of cultural and historical significance.
- **Strategic alignment:** The amendment directly implements the priorities and actions of the *Whitehorse Heritage Framework 2020*. The amendment process allows for submissions and independent hearing if required. Opportunities for Council to decide on whether to apply the Heritage Overlay occur post exhibition and post panel reporting.

10.5 (cont)

- **Evidence base:** The Heritage Review has been prepared by a heritage expert using a rigorous, transparent and best-practice methodology consistent with the State Government's *Planning Practice Note 1: Applying the Heritage Overlay* and the Burra Charter.
- **Community Engagement:** Community participation and independent analysis are central to the amendment process and ensure decisions are informed, balanced and transparent. The process includes opportunities for the community to make submissions and be heard by Council.
- **Community and property owner impacts:** Heritage controls regulate development but do not remove property rights; permit pathways allow for reasonable use and adaptation of land.
- **Risk management:** Failure to proceed may result in loss of heritage assets and weaken Council's strategic position at future Planning Panels Victoria (PPV) hearings or VCAT proceedings.
- **Financial implications:** There are no direct financial implications for Council arising from seeking Ministerial authorisation; future costs will be considered as part of the amendment process.

BACKGROUND

Whitehorse Heritage Framework 2020

On 21 September 2020 Council resolved to:

- *"Adopt the Heritage Framework Plan 2020;* and
- *Undertake work on tasks 1, 2 and 3 of the Heritage Framework Plan 2020 as a priority".*

Task 1, being review of the existing heritage precinct maps has been completed.

Task 2, updating the Thematic Environmental History, has also been completed and will be considered by Council as a separate item on the current (23 February 2026) agenda.

Task 3 is to undertake a desktop review of the potential heritage list to establish scope of further study. An initial review of the 'potential heritage list' has been undertaken and resulted in the removal of places that have either been demolished or substantially altered since they were originally identified.

Further review of the 'potential heritage list' has been completed and will be considered by Council as a separate item on the current (23 February 2026) agenda.

City of Whitehorse Heritage Review 2024

Preparation of the City of Whitehorse Heritage Review 2024 (or Heritage Review 2024) followed the initial review of the 'potential heritage list' and

10.5 (cont)

forms part of the work undertaken under task 3 of the *Whitehorse Heritage Framework Plan 2020.*

Preparation of the Heritage Review 2024 involved an assessment of places that remained on the potential heritage list in appendices D and F of the *Whitehorse Heritage Review* (2012) and Appendix 2 of the *City of Whitehorse Post-1945 Heritage Study* (2016).

Preparation of the Heritage Review 2024 involved two stages:

Stage 1: desktop assessment of individual places and precincts/groups identified by the potential heritage list.

Stage 2: detailed site inspections and preparation of citations for places and precincts identified at stage 1.

It is noted that the consultant's fee proposal for preparation of the Heritage Review 2024 allowed for the preparation of citations for 48 individual places and four precincts.

The 48 individual citations that were subsequently prepared, were prioritised according to intactness, rarity, architectural merit, historical importance and under-representation.

One of the (48) sites initially considered as an individually significant place, 30 Box Hill Crescent, Mont Albert North, was *more appropriately considered as a precinct or group listing* and consequently moved into the 'Swedish Prefabricated Houses' Group.

The final draft of the Heritage Review 2024 recommends application of the Heritage Overlay to **47** individual places and **5** precinct/groups (refer attachment 3). However, for reasons discussed below, it is recommended that **5** individual places and **2** precinct/groups be removed from the amendment process (refer recommendation 2), which would result in application of the Heritage Overlay to **42** individual places and **3** precinct/groups.

Appendix F of the Heritage Review 2024 provides a summary of all properties considered by the review. It includes:

- the properties for which a citation was prepared, which are highlighted in yellow (refer attachment 2)
- properties considered as high priority for further assessment as part of future study
- properties considered potentially significant, pending further investigation
- properties previously considered potentially significant but are now no longer considered as candidates for further investigation,

The properties identified for further investigation/study at Appendix F Heritage Review 2024 are included as part of the review of the potential heritage list which will be considered by Council as a separate item on the current (23 February 2026) agenda.

10.5 (cont)

The Heritage Review 2024 has been prepared in accordance with the State Government's *Planning Practice Note 1: Applying the Heritage Overlay*. It includes citations in the required format which ensures transparency, consistency and defensibility.

Application of the Heritage Overlay as proposed would require a planning permit for any demolition and for any buildings and works that could impact the heritage value of a place. Planning permit applications under the Heritage Overlay must consider Council's Heritage Policy at clause 15.03-1L of the planning scheme.

Activity since preparation of the final draft of the Heritage Review 2024

Demolition

The following two properties cited by the Heritage Review 2024 as having individual heritage significance have been demolished since the review was prepared and should therefore be removed from the amendment process:

- Blackburn House (post-WW2), 20 Naughton Grove, Blackburn
- House (Federation), 2 Peter Avenue, Blackburn North

[refer recommendations 2a) and b)]

Uniting Church 355–357 Whitehorse Road, Nunawading

The Heritage Review 2024 includes an individual citation for the Uniting Church at 355–357 Whitehorse Road, Nunawading.

At its meeting on 27 October 2025, Council considered a recommendation to request an interim Heritage Overlay and to seek authorisation to exhibit a permanent Heritage Overlay for the property at 355–357 Whitehorse Road, Nunawading.

The request was sought because the property was on the market as a redevelopment site, which posed a threat to the identified heritage value of the church.

Following its deliberations, Council resolved not to pursue the application of a Heritage Overlay for the site. The church must now be removed from the amendment process whilst the October resolution remains Council's formal position [refer recommendation 2c)].

18 Gilmour Street, Burwood

The Heritage Review 2024 includes an individual citation for the house at 18 Gilmour Street, Burwood.

At its meeting on 14 December 2015 Council considered an officer report which summarised submissions and provided recommendations in response to the exhibition of Amendment C172 to the Whitehorse Planning Scheme.

Amendment C172 sought to apply the Heritage Overlay to twenty-seven places identified in the *City of Whitehorse Post 1945 Heritage Study.*

10.5 (cont)

The house at 18 Gilmour Street, Burwood, was one of the twenty-seven places identified in the Post 1945 Study and was included in the exhibition of Amendment C172.

Council subsequently resolved to remove 18 Gilmour Street, Burwood from Amendment C172.

Whilst the December 2015 Council resolution remains Council's adopted position it is necessary to remove 18 Gilmour Street, Burwood from the amendment process [refer recommendation 2d)].

Former Tally Ho Boys' Village Chapel at 27-29 Carrington Court, Burwood East

The Heritage Review 2024 includes an individual citation for the former Tally Ho Boys' Village Chapel at 27-29 Carrington Court, Burwood East and recommends application of the heritage overlay to the property.

Application of the heritage overlay to this property was also proposed as part of Amendment C157 to the Whitehorse Planning Scheme. This amendment was considered by an independent planning panel which found that the former chapel did not meet the threshold of local heritage significance and recommended it be removed from the amendment.

The recommendations of the panel were considered by Council at its meeting on 20 July 2015 and the Council resolved to uphold the panel's recommendation to remove the former chapel from Amendment C157.

Whilst the July 2015 Council resolution remains Council's adopted position it is necessary to remove the Former Tally Ho Boys' Village Chapel at 27-29 Carrington Court, Burwood East from the amendment process [refer recommendation 2e)].

Orana Peace Memorial Home (remnants)

The Heritage Review 2024 includes a group citation for surviving elements of the Orana Peace Memorial Home at 14-18, 17 and 27 Livingstone Close, Burwood.

Application of the heritage overlay to this same group (HO251) was also proposed as part of Amendment C157 to the Whitehorse Planning Scheme. The independent planning panel which considered this amendment recommended that the boundary of the proposed Heritage Overlay to this group be amended to exclude 19-25 and 27 Livingstone Close.

Council's consideration of the panel recommendations on 20 July 2015 resolved to remove the proposed Heritage Overlay in its entirety.

Whilst the July 2015 Council resolution remains Council's adopted position it is necessary to remove the Orana Peace Memorial Home at 14-18, 17 and 27 Livingstone Close, Burwood from the amendment process [refer recommendation 2f)].

10.5 (cont)

Blue Flame Project – former Display Village

The Heritage Review 2024 includes a group citation for various properties fronting Shalimar Court, Parkleigh Court and Fortescue Grove, Vermont South.

Application of the heritage overlay to these properties was also proposed as part of Amendment C164 to the Whitehorse Planning Scheme. The independent planning panel which considered this amendment supported the proposed application of the Heritage Overlay to these properties.

Council's consideration of the panel recommendations on 16 March 2015 resolved to abandon Amendment C164.

Whilst the July 2015 Council resolution remains Council's adopted position, it is necessary to remove the Blue Flame Project from the amendment process [refer recommendation 2g)].

Approved changes to the *Planning and Environment Act 1987*

The *Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025* (amendment Act) came into effect on 25 November 2025. The amendment Act provides the framework for the *Planning Amendment (Better Decisions Made Faster) Bill 2025*, the details of which were reported to Council at its meeting on 10 November 2025.

Among other things, the amendment Act has established a pathway under the *Planning and Environment Act 1987* for 'low impact' amendments. What constitutes a 'low-impact amendment' will be determined by the Minister or prescribed by the regulations, noting that at the time of writing this report the regulations had not yet been updated to include a working definition of a 'low impact amendment'. Councils can however recommend that an amendment be deemed 'low impact' when submitting amendment documentation to the Minister for authorisation.

Preliminary advice received from the Department of Transport and Planning indicates that given its 'scope and nature' the 'proposed amendment would not be considered low impact'.

The amendment would therefore be subject to the standard planning panel processes.

The Amendment Process

The planning scheme amendment process is a highly structured and transparent statutory pathway designed to ensure that any proposed changes, such as the introduction of new heritage controls, are properly justified, publicly exhibited, open to community input and subject to independent review, before the Minister for Planning makes the final decision.

This report, seeking Council's approval to request Ministerial authorisation to prepare and exhibit the amendment, represents the first formal step in the amendment process.

10.5 (cont)

DISCUSSION, OPTIONS AND ANALYSIS

Statutory and Policy Context

The *Planning and Environment Act 1987* (the Act) establishes the statutory framework for regulating land use and development in Victoria. Land use planning is a residual power of the States, exercised in Victoria through the Act and the Victoria Planning Provisions.

The Act sets out clear objectives for planning in Victoria, including the obligation:

> *"To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value."*

At the local level, this objective is primarily implemented through the Heritage Overlay (Clause 43.01) of the Victoria Planning Provisions. The Heritage Overlay is the established and endorsed mechanism for identifying, managing and protecting places of local heritage significance within planning schemes.

Heritage Protection and Property Impacts

It is common for concerns to be raised by individual property owners when a Heritage Overlay is proposed. Submissions and community feedback typically focus on the following issues:

- **Perceived restrictions on property rights**, including limitations on demolition, redevelopment or external alterations.
- **Financial implications**, such as potential increases in maintenance or construction costs and perceived impacts on property values.
- **Disagreement with heritage significance**, including whether a place or area warrants statutory heritage protection.

These matters are discussed below.

Property Rights and Reasonable Use of Land

Heritage protection serves a clear public purpose: the conservation of places of cultural and historical significance for the benefit of current and future generations. This purpose is embedded in the Act and reflects long-standing community expectations and State planning policy.

While the Heritage Overlay introduces permit requirements for certain works, it does not remove ownership, nor does it prevent the reasonable use or ongoing occupation of land. The planning permit process allows for flexibility and case-by-case assessment to ensure proposed development does not adversely impact on the heritage significance of a place.

Heritage controls applied through a planning scheme operate within a lawful framework and are consistent with the *Victoria Charter of Human Rights and Responsibilities Act 2006* (the charter). Section 20 of the charter requires

10.5 (cont)

that *a person must not be deprived of that person's property other than in accordance with law*.

Recommendations by Planning Panels Victoria and decisions of VCAT consistently confirm that heritage controls are a lawful, legitimate and proportionate exercise of planning power. Panels have consistently concluded that the Heritage Overlay does not remove ownership or prevent the reasonable use of land; rather, it regulates development through a permit process to ensure that heritage values are properly considered.

VCAT has similarly held that requiring a permit, or even refusing demolition of a heritage building, does not amount to an acquisition of property but is a standard and lawful form of land-use regulation. The Victorian Supreme Court in *Dustday Investments Pty Ltd v Minister for Planning* reinforces this position, confirming that heritage controls operate “in accordance with law” and that planning authorities may prioritise community heritage outcomes over private economic preferences.

Evidence Base and Best-Practice Assessment

The Heritage Review 2024 provides the evidentiary basis for the proposed application of the Heritage Overlay. The review directly implements key priorities and recommendations of the Whitehorse Heritage Framework 2020, including the following:

- **Addressing gaps in heritage protection**
  An initial assessment was undertaken of places and precincts previously identified as having potential heritage significance. Following detailed assessment, the review recommends applying the Heritage Overlay to 47 individual places and five precincts.
- **Recognition of post-war heritage**
  Consistent with State and local policy directions, particular attention has been given to under-represented post-1945 heritage, including modernist houses, welfare institutions and industrial sites. This broadens the thematic representation of Whitehorse’s heritage.
- **Rigorous methodology and citations**
  The review has been prepared in accordance with Planning Practice Note 1 (PPN01) and includes citations in the required format: What is significant? How is it significant? Why is it significant? This ensures transparency, consistency and defensibility.
- **Use of group and thematic listings**
  Group listings for places that are geographically dispersed but thematically linked have been introduced (for example, Small Homes Service Houses and Swedish Prefabricated Houses). This reflects best-practice heritage assessment and improves clarity and efficiency.
- **Strategic justification and compliance**
  Comparative analysis, which draws on other similar places within the municipality to substantiate the significance of each and recognised

10.5 (cont)

heritage criteria have been applied, ensuring alignment with State policy and established heritage assessment practice.

Options and Implications

Option 1: Endorse the Recommendation (Preferred Option)

Endorsing the recommendation would give effect to the Act's objectives, implement State and local planning policy, and address identified gaps in heritage protection. It would provide certainty for property owners, decision-makers and the wider community through a clear statutory framework.

Option 2: Not Endorse the Recommendation

If Council does not endorse the recommendation:

- Identified heritage places would remain unprotected under the planning scheme.
- Council may be exposed to criticism for failing to implement mandatory statutory objectives.
- Incremental loss of heritage significance may occur through demolition or inappropriate alteration.
- Heritage assessments may need to be repeated in the future, resulting in inefficiencies and additional cost to Council.

Option 3: Defer or Limit the Application of the Heritage Overlay

Council could choose to defer implementation or apply the Heritage Overlay to a reduced number of places. While this may address some individual concerns in the short term, it would not resolve the identified strategic gaps and may undermine the consistency and credibility of Council's heritage framework. It also raises the question of why some properties are prioritised over others for inclusion in a Heritage Overlay.

Conclusion

The application of the Heritage Overlay, as informed by the City of Whitehorse Heritage Review 2024, represents a balanced and evidence-based response to statutory obligations, community expectations and best-practice planning. While heritage controls can raise concerns for individual property owners, the planning system provides fairness to all parties, rigour and flexibility, providing safeguards to ensure reasonable use of land while achieving broader public benefits.

10.5 (cont)

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. Built, We aspire to develop safe, accessible, and attractive public spaces and infrastructure that meet community needs and adapt to growth. Reviewing our heritage places and working towards applying a Heritage Overlay assists in preserving the character and historical significance of places, enhancing community identity. Further, it: • Protects the aesthetic integrity of the area amidst future developments, improving visual appeal • Contributes to community pride and identity by valuing historical significance • Encourages respect for cultural heritage and fosters engagement in the built environment • Ensures new developments are sensitive to significant historical sites, promoting integrated urban planning Helps maintain valuable history and distinctive architectural features, keeping the built environment visually diverse and interesting.
Financial and Resource Implications	There are not financial and resource implications for this proposal other than statutory fees for the amendment process, and potential legal representation at a future Panel hearing.
Legislative and Risk Implications	Council is obligated under sections 4 and 12 of the *Planning and Environment Act 1987* to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
Equity, Inclusion, and Human Rights Considerations	The subject matter does not raise any human rights issues. Heritage controls applied through a planning scheme operate within a lawful framework and are consistent with the *Victoria Charter of Human Rights and Responsibilities Act 2006* (the charter). Section 20 of the charter requires that *a person must not be deprived of that person's property other than in accordance with law*.

10.5 (cont)

Community Engagement	No community engagement was required for this report. Public exhibition of the amendment would provide opportunity for interested persons / groups to make a submission on the proposed amendment. All submissions made on the amendment are required to be reported to Council for consideration. If necessary, submitters could also be heard by an independent panel.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 City of Whitehorse Heritage Review 2024 Volume 1 Draft 18 June 2024, Built Heritage
2 City of Whitehorse Heritage Review 2024 Volume 2 Draft 18 June 2024, Built Heritage
3 City of Whitehorse Heritage Review 2024 - list of properties with a citation

10.6 Australian Local Government Association - Motion to National General Assembly

Department	Governance and Integrity Director Community Services

Attachment

SUMMARY

The Australian Local Government Association (ALGA) National General Assembly (NGA) is being held in Canberra from 23 - 25 June 2026. The NGA is held annually to consider matters of national significance impacting the local government sector.

Member Councils can submit motions for consideration by the ALGA NGA. If supported by the member councils, motions become resolutions, informing advocacy and policy positions of the ALGA. All motions submitted to the ALGA are required to have a council resolution and must align with the NGA's theme, which for 2026 is 'Stronger Together: Resilient, Productive, United.'

The proposed NGA motion relates to the establishment of a National Social Prescribing Framework and is set out in this report under Key Matters and is also provided at Attachment 1 for ease of reference.

Motions must be submitted to ALGA by 27 February 2026.

RECOMMENDATION

That Council

1. Endorse the motion to the Australian Local Government Association, National General Assembly 2026 as at Attachment 1 to the report to be submitted by the closing date of 27 February 2026.
2. Notes that a Council representative is expected to attend the National General Assembly and, if required, speak to the motion during debate.

KEY MATTERS

The ALGA has issued guidance through the 2026 NGA Discussion Paper to assist councils in preparing motions that are suitable for inclusion in the NGA Business Papers.

Under this guidance, motions must:

- Address matters of national significance that impact local government.

10.6 (cont)

- Call on the Australian Government to take action.
- Avoid duplication of existing ALGA policy positions unless seeking to strengthen, update or progress those positions in response to emerging issues.
- Be clear and concise, using language that can be debated and resolved by the Assembly.
- Demonstrate alignment with the NGA theme particularly where motions encourage collaboration, resilience and productivity outcomes across communities.

The Discussion Paper also notes that motions are more likely to be supported where they:

- Can be reasonably supported by a majority of councils.
- Are framed in a way that supports collective advocacy rather than individual council interests.
- Clearly articulate the role of the Australian Government, rather than requesting actions that sit primarily within state or local government responsibilities.

The proposed motion below has been drafted to meet these criteria.

Title: National Social Prescribing Framework

The Motion (94 words):

This National General Assembly calls on the Australian Government to partner with the Australian Local Government Association to establish a National Social Prescribing Framework. This framework must provide sustainable federal funding for a skilled Link Worker workforce embedded within local government community infrastructure, such as libraries and community centres. By formalising non-medical referral pathways between primary care and local social assets, the Government can address the social determinants of health. This structural reform is essential to reduce the burden on the national healthcare system, combat loneliness, and improve health equity across all Australian communities.

National Objective (100 words):

The objective is to enhance the collaboration and coordination across Australian Government and local government by integrating local government's social infrastructure into a national social model of health. While the Australian Government manages clinical health funding, Local Government provides the essential spaces – parks, hubs, and community programs – where health and social connection occur. By creating a standardised, national system for social and community-based care and funding Link Workers to operate within Council assets, the Federal Government can "unlock" existing local investments to address the non-

10.6 (cont)

medical drivers of poor health, reduce pressure on the health system and improve national health outcomes.

Key Arguments (150 words):

1. **Systemic Efficiency:** Social prescribing addresses the 20% of GP consultations that are for non-medical social issues, allowing clinical resources to be redirected toward acute medical needs.
2. **Structural Equity:** Federal funding for Link Workers ensures that access to preventative care is not determined by a resident's postcode, providing a consistent national service standard.
3. **Evidence-Based ROI:** International and local social prescribing pilot trials show that connecting patients to social support significantly improves mental health outcomes and reduces long-term healthcare expenditure.
4. **Leveraging Existing Assets:** Councils already manage thousands of community ‘health enablers’. A national framework formalizes these assets as part of a recognized, integrated health care neighbourhood.
5. **Policy Alignment:** This motion delivers on the National Preventive Health Strategy 2021–2030 by focusing on upstream factors, such as social isolation and community resilience, and aligns with the Measuring What Matters (Wellbeing Budget) national agenda.

DISCUSSION, OPTIONS AND ANALYSIS

Councils participate in the NGA motions process to advocate on issues of national significance, influence Australian Government policy, and strengthen the local government sector’s voice through advocacy.

Option 1 — Endorse the NGA Motion (Recommended)

- Approves submission of the proposed motion to the 2026 NGA.
- Enables Council to participate in national advocacy through ALGA.
- Aligns with NGA motion guidelines and the 2026 theme.

Option 2 — Amend the NGA Motion

- Council may request minor changes before submission.
- Any amendments must continue to meet NGA criteria, including national relevance and a clear call to action for the Australian Government.

Option 3 — Do Not Endorse a NGA Motion

- Council does not submit a motion to the 2026 NGA.
- Council’s position will not be represented in the NGA motions process.

The proposed motion meets the NGA guidelines, addresses an issue of national significance and aligns with the 2026 NGA theme.

10.6 (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.
Financial and Resource Implications	There are no financial or resource implications arising from the recommendation contained in this report. The motion seeks Australian Government contribution to support the delivery of a nationally relevant framework. Any future financial implications for Council would be subject to separate consideration, funding agreements and Council approval.
Legislative and Risk Implications	Endorsing the motion is consistent with Council's advocacy role and does not create any legislative obligations or commitments. Any future delivery or participation in a Framework would be subject to compliance with relevant legislation and separate Council approval. The risks associated with endorsing the motion are low. The motion is advisory in nature and seeks Australian Government contribution only. Any operational, financial or reputational risks associated with future program delivery would be assessed and managed through a separate Council decision-making process.
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	Participation in national advocacy forums supports continuous improvement by strengthening Council's future policy and service decisions.
Collaboration	Relevant internal departments have been consulted in the preparation of this report.

10.6 (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 ALGA June 2026 Motion - National Social Prescribing Framework

10.7 Statutory Planning Report December 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	
Applications lodged (for the month)	102
Applications determined under officer delegation (for the month)	105
Matters currently under consideration by VCAT	7
Other Matters under consideration by the state government within Whitehorse	1

RECOMMENDATION

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

ATTACHMENT

1 Councillor Reporting Lodgements - December
2 Councillor Reporting Delegated Decisions - December
3 Councillor Reporting VCAT - December
4 Councillor Reporting Ministerial Permits - December

10.8 Whitehorse Library CCTV

Department	Communities, Engagement and Integrated Planning Director Community Services

SUMMARY

At its meeting of 2 February 2026, Council resolved to note increased level of safety incidents at Whitehorse Libraries; that no CCTV is currently available and that CCTV can act as a deterrent to harassment and socially unacceptable behavior. Further it sought a report from Officers that discusses immediately allocating $50K from Whitehorse Council surplus to the Whitehorse Manningham Regional Library Corporation to install Closed Circuit Television (CCTV) cameras in high-risk locations.

This report responds to the resolution and makes several detailed recommendations that recognises Council's Procurement Policy requirements.

RECOMMENDATION

That Council:

1. Approves an exemption from Council's Procurement Policy to enable WMRLC to administer quotations and coordinate installation of CCTV equipment on Council's behalf, noting that Council will maintain oversight of the process and retain all decision-making authority throughout procurement and installation.
2. Confirms that all procurement activities undertaken for this project must comply with Council's Procurement Policy, with Council retaining responsibility for:
    - Issuing the purchase order;
    - Approving the preferred supplier;
    - Entering into any contract or agreement (if required), and;
    - Paying the supplier directly.
3. Notes that the supplier invoice will be issued to Council, ensuring Council's entitlement to the GST input tax credit, and that the completed CCTV system will be recognised as a Council-owned asset.
4. Allocates up to $50,000 from the current financial year surplus to fund the project.

10.8 (cont)

KEY MATTERS

Whitehorse's library services are delivered in partnership with Manningham City Council by the Whitehorse Manningham Regional Library Corporation (WMRLC).

At its meeting 17 December 2025, the WMRLC Board considered a draft CCTV Policy to manage any camera surveillance systems that may be installed in recognition that the number of incidents occurring at the libraries had increased 20% compared to the previous year.

The library management team have received feedback expressing disappointment at the lack of available CCTV footage to assist in the identification of offenders from Victoria Police, Unions, Staff and victims of the incidents.

DISCUSSION, OPTIONS AND ANALYSIS

The number of serious incidents at WMRLC libraries have increased 20% over the previous year, these incidents include theft, physical and verbal assaults and child safety issues. Although the library staff are well trained and respond appropriately to any incident arises, and they endeavour to provide a safe and comfortable environment for patrons and the community; incidents do occur and the provision of CCTV may act as a deterrent and will provide data as evidence if a serious incident occurs that requires investigation.

Council provides annual operational funding to the WMRLC under the WMRLC Agreement. This funding supports day-to-day library service delivery. Separately, Council retains responsibility for all infrastructure associated with the four Council-owned library buildings.

The installation of CCTV across these facilities constitutes a capital investment in Council-owned infrastructure and is therefore a Council responsibility. While Council will fund the project, it is operationally more efficient for WMRLC to manage the procurement, installation, operation, and ongoing data governance of the system, given their day-to-day management of the library network and their oversight of privacy, security and operational requirements.

Although WMRLC will manage the system once installed, the CCTV infrastructure remains a Council asset, as it is funded by Council, affixed to Council buildings, and under Council's long-term control. Accordingly, Council is responsible for recognising, capitalising and depreciating the asset in its financial statements. WMRLC cannot capitalise these works, though any ongoing software, licensing or monitoring costs incurred by WMRLC would be treated as operating expenses for the Corporation.

To maintain probity and ensure compliance with Council's Procurement Policy, it is proposed that WMRLC administer the quotation and installation processes, while Council retains all purchasing authority. Council will issue the purchase order, approve the supplier selection, pay the supplier directly, and receive invoices addressed to Council. This approach ensures Council

10.8 (cont)

remains eligible to claim the associated GST input tax credit and maintains clear governance and accountability for the asset.

As part of procurement administration, WMRLC must submit to Council all quotations, procurement assessments, risk documentation and any other compliance evidence for Council review and approval. Council will not issue a purchase order until all required documentation has been received and validated.

It is proposed that up to $50,000 (excluding GST) be allocated from Council's 2025/26 financial year surplus to deliver this project. The project would see the installation of CCTV cameras in Whitehorse libraries at key entry and exit points and other strategic locations. The number and location of sites within the libraries will be based on current operating arrangements and future proofing as much as reasonable. If Council was to consider alternate operating models such as extended hour arrangements, additional hardware may be required and would be assessed as part of a future project.

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. Whitehorse's library services are delivered by the Whitehorse Manningham Regional Library Corporation through a partnership with Manningham City Council. The installation of CCTV at the Whitehorse Libraries managed by WMRLC is aligned with the Library Plan 2025 – 2029 Strategic Goal 2: Inspiring places: Our libraries are safe, trusted public spaces where people come to learn, connect, get support, and find inspiration. The provision of Library Services is a key action under Council's strategic Direction "Built" and Strategic Direction "Community" highlights the objective 1.4 *A community where people feel safe.*
Financial and Resource Implications	This report proposes that Council allocate up to $50,000 from the current financial year surplus to fund the project. Ongoing operational costs will be borne by WMLC.
Legislative and Risk Implications	The use of Closed-Circuit Television (CCTV) is primarily regulated by the *Surveillance Devices Act 1999 (Vic)*, the *Privacy and Data Protection Act 2014 (Vic)* (for public sector agencies), and the Information Privacy Principles (IPPs).

10.8 (cont)

	The Office of the Victorian Information Commissioner (OVIC) provides advice and document *Guiding Principles for Surveillance*. (2022) The WMRLC will be requested to review their policy against the legislation and principles before implementation. WMRLC will be responsible for the use of the CCTV and responsible for the collection, management, storage and disposal of associated data in accordance with legislation.
Equity, Inclusion, and Human Rights Considerations	The *Charter of Human Rights and Responsibilities Act 2006* requires that surveillance must not arbitrarily or unlawfully interfere with an individual's right to privacy. While CCTV is recognized as a tool for public safety, its deployment must balance this objective against the fundamental right to be free from unwarranted surveillance. Compliance with legislation listed above will support compliance with the Charter.
Community Engagement	No community engagement has been undertaken in the preparation of this report however the WMRLC Management report that Victoria Police, the Corporations Health and Safety Representatives (HSRs) and Union (ASU) have all raised concerns about the absence of camera surveillance. Victims of crime and victims of behavioural incidents have expressed disappointment at the lack of available CCTV footage to assist in the identification of offenders.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	WMRLC have provided assistance in obtaining quotes and information to support 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.

10.9 Proposed Sale of Land - Part Former Laneway Adjacent 28 Merton Street, Box Hill

Department	Property and Leasing
	Director City Development

Attachment

SUMMARY

Council officers have reached agreement in-principle with the property owner of 28 Merton Street, Box Hill regarding the potential acquisition of a section of former roadway which had been previously discontinued by Council in 2008, and which is currently incorporated within their fenced boundary.

At the time of the discontinuance, the sale of the subject land to the then adjacent owner was not completed, with title to the land remaining in Council ownership.

The subject land, measuring 15.24m long x 2.24 metres wide and having an area of approximately 34m2, is located to the rear of the applicant's property, so has no frontage to Merton Street or connection to other parts of the road network. Given its small size, isolated location and that the land 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 28 Merton Street have agreed in-principle to purchase the land at a market value which has been determined by independent valuation, subject to Council completing statutory processes pursuant to section 114 of the *Local Government Act 2020* (the Act).

It is recommended that Council proceed to publish notice of its intention to sell the land to the owner of the adjacent property at 28 Merton Street, Box Hill, and commence a community engagement process in accordance with the provisions of section 114 of the Act.

RECOMMENDATION

That Council:

1. Being of the opinion that the section of former road known as Lot 6 on PS614956K is not required for municipal or community use, resolves to publish notice of its intention to sell the land to the adjacent owner of (Lot 27 on LP2914) for a price of $50,000 +GST, and commence a community engagement process pursuant to *Section 114 of the Local Government Act 2020*.
2. Authorises the CEO or delegate to sign a Heads of Agreement in relation to the proposed sale.
3. At the conclusion of the engagement process, receive a further report which incorporates Community feedback received, to consider whether the land should or should not be sold.

10.9 (cont)

KEY MATTERS

At its Council meeting on 20 October 2008, Council resolved to sell land comprising a former Right of Way and two former linear reserves bound by Merton Street, Combarton Street and Maple Street, Box Hill in accordance with section 189 of the Act. The former road had earlier been discontinued as a road by publication of a notice in the Government Gazette on 28 August 2008 on the basis that Council had determined that it was not reasonably required as a road for public use.

Following the discontinuance of the laneway, the sale and transfer of the subject section adjacent to 28 Merton Street was not completed with the then owners, resulting in the land remaining vested in Council. At that time, Council undertook to obtain title to the unsold sections of land.

The subject land, measuring 15.24m long x 2.24 metres wide and having an area of approximately 34m2, is entirely fenced within boundary of 28 Merton Street, being maintained by that property and forming part of their rear yard. The land, known as Lot 6 on PS614956K (Certificate of Title Volume 11102 Folio 116), is zoned General Residential Zone 1, in line with neighbouring residential properties.

In recent months, the current owners of the adjacent property at 28 Merton Street have expressed interest in acquiring the section of former road, agreeing in-principle to purchase the land at the market value as determined by independent valuation, and subject to Council completing all statutory community engagement requirements and passing resolution to sell the land.

Given the subject land is effectively landlocked and not accessible to the community, nor is it considered to be reasonably required for broader community access or use into the future, officers consider that its best and most practical use is for it to be sold and incorporated in the adjoining owner’s property. The value held in the land could then be used for more effective community benefit. The current proposal to sell the land reaffirms Council’s 2008 resolution that the land be sold to adjacent properties by private treaty.

It is therefore recommended that Council proceed by publishing notice of its intention to sell land and undertake a community engagement process in accordance with the section 114 of the *Local Government Act 2020* (the Act).

It is also recommended that Council enter into a Heads of Agreement to clearly document the agreed commercial terms of the proposed land sale, provide certainty to all parties, pending the completion of Council’s required statutory community engagement processes. A copy of the Heads of Agreement is shown as Confidential Attachment 2.

10.9 (cont)

Plan #1 – Location Plan



The subject land is bound in blue line.

Plan #2 – Aerial Plan



The subject land is bound in blue line.

DISCUSSION, OPTIONS AND ANALYSIS

The subject land is not of sufficient size nor is it appropriately located for community access or use. Sale of the land to the adjacent owner would allow proceeds realised from the sale to directed for more effective community benefit. This option reaffirms Council's resolution of 2008.

10.9 (cont)

As holder of the title, Council is entitled to reclaim possession of the land, however given that the land's location does not provide any alternate community usage opportunities, this would not be considered a practical outcome at this time.

It is therefore recommended that Council proceed to give notice of its intent to sell the land to the adjacent owner and undertake a community engagement process in line with its Community Engagement Policy, in line with the requirements of the Act.

Alignment to Best Practice Guidelines

Council land sales are undertaken in line with the Local Government Best Practice Guidelines for the Sale or Exchange of Land (the Best Practice Guidelines).

Though the Best Practice Guidelines generally require local government land sales be undertaken by competitive process (such as auction, public tender or expressions of interest) there are a number of circumstances under which it is acceptable and more appropriate to sell by private treaty, including:

- Rear laneways and rights-of-way;
- Disused/closed roads, and;
- Allotments in inappropriate subdivisions.

Under such circumstances, prospective purchasers of this type of land may include owners of adjacent properties, as is the case with this proposal.

Community Engagement obligations relating to the sale of Council land

Section 114 of the Act requires that before selling or exchanging land, Council must at least 4 weeks prior to selling or exchanging land publish notice of intention to do so on the Council's Internet site, undertake a community engagement process in accordance with its Community Engagement Policy and obtain a valuation of the land which is made not more than 6 months prior to the sale or exchange of that land.

Whitehorse City Council's Community Engagement Policy 2025-29 specifies a Participatory engagement (Consult) process as the suitable level of engagement for the selling of Council land.

Accordingly, Council's proposed engagement process would include:

- Notice of Intention to Sell being published in The Age newspaper and on Council's website.
- Direct letters sent to nearby property owners to notify of the proposal.

The 'Have Your Say' section on Council's webpage would include an opportunity for interested parties to provide their feedback in relation to the proposal.

10.9 (cont)

At the conclusion of the engagement process, a report would be submitted to a future Council meeting, summarising key themes of any feedback received and seeking Council decision on whether the land will or will not be sold to the adjacent owner for the price and terms outlined.

Overarching Governance Principles and Supporting Report Details

Strategic Alignment	**Strategic Direction 5 – Governance** The proposed land sale aligns with Strategic Direction 5 in the Council Plan, with the following objectives applying to this 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. This proposal, which seeks to realise the most effective community benefit through the sale of the subject land, demonstrates a commitment to responsible and sustainable financial management and strong advocacy, facilitating Council's ability to secure the resources for today and the future, needed to fulfil community priorities.
Financial and Resource Implications	Under section 114(2)(c) of the *Local Government Act 2020,* before a council sells or exchanges land, it must obtain a valuation of the land which is made not more than 6 months prior to the sale or exchange of that land. The land has been valued by independent valuation firm Herron Todd White at Fifty Thousand Dollars $50,000) excluding GST and would be sold at that price accordingly. Refer Attachment 1: Confidential Valuation Report dated 15 December 2025. All expenses related to the statutory process will be borne by the Property & Leasing 2025-2026 Recurrent Budget and these expenses are estimated to be approximately $7,500 + GST.
Legislative and Risk Implications	There are no legal or risk implications arising from the recommendation contained in this report as the process is undertaken in accordance with all statutory requirements.

10.9 (cont)

Equity, Inclusion, and Human Rights Considerations	In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*. It is considered that the subject matter does not raise any human rights issues.
Community Engagement	No community engagement was required for this report, however this report seeks Council endorsement to commence a community engagement process pursuant to the requirements of section 114 of the *Local Government Act 2020*. The Act requires that before selling land, Council has a requirement to publish notice of its intention to do so and undertake a community engagement process in accordance with its Community Engagement Policy. Accordingly, it is proposed that Council's notice of intention to sell the land be published in the Age newspaper and on its website, and that community be provided with an opportunity to have their say on the proposal. Following the conclusion of the engagement process, a further report incorporating community submissions will be presented to a later Council meeting for a Council decision as to whether the land should or should not be sold.
Innovation and Continuous Improvement	There are no Innovation and Continuous Improvement matters arising from the recommendation contained in this report.
Collaboration	No collaboration was required for this report.
Conflict of Interest	Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENT

1 Confidential Valuation Report - Land adjacent 28 Merton Street, Box Hill

Whitehorse City Council designates this attachment and the information contained in it as Confidential Information pursuant to Section 3 (1) (a) of the *Local Government Act 2020.This ground applies because the matter concerns Council business*

10.9 (cont)

information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

2 Confidential Draft Heads of Agreement - 28 Merton

Whitehorse City Council designates this attachment and the information contained in it as Confidential Information pursuant to Section 3 (1) (a) of the *Local Government Act 2020.This ground applies because the matter concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.*

10.10 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.

RECOMMENDATION

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

ATTACHMENT

1 Pre Council Meeting Briefing - 2 February 2026
2 Mandatory Professional Development - 9 February 2026
3 Strategy Meeting - 16 February 2026

11 Councillor Delegate and Conference / Seminar Reports

11.1 Reports by Delegates and Reports on Conferences / Seminars Attendance

Department	Governance
	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

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 Open Space Acquisition Opportunities

This report is designated as Confidential Information in accordance with Section 3(1)(a) of the *Local Government Act 2020, because it is Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. This ground applies because the matter concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released*

13 Close Meeting