



City of Whitehorse

AGENDA

Special Committee of Council Meeting

To be held in the
Council Chamber
Whitehorse Civic Centre

379 Whitehorse Road Nunawading

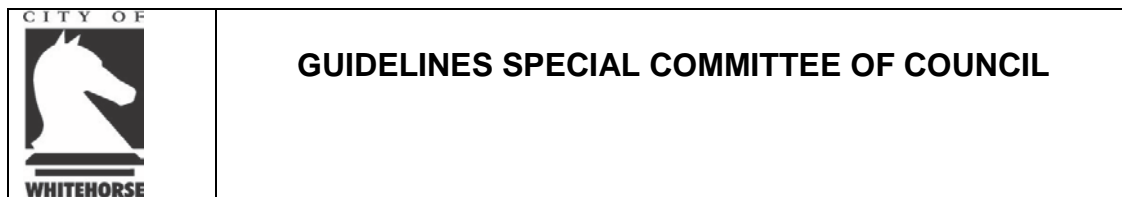
on

Monday 9 May 2016

at 8.00 p.m.

Members: Cr Philip Daw (Mayor), Cr Bill Bennett,
Cr Raylene Carr, Cr Robert Chong AM,
Cr Andrew Davenport, Cr Helen Harris OAM,
Cr Sharon Ellis, Cr Denise Massoud,
Cr Andrew Munroe, Cr Ben Stennett

Ms Noelene Duff
Chief Executive Officer



OBJECTIVE

To enhance the consultative process and facilitate public participation and involvement of the community in Council decision making in accordance with Council's Corporate Plan strategies – good governance.

PURPOSE OF GUIDELINES

To facilitate public participation and involvement in meetings of the Special Committee. These Guidelines complement Council's Meeting Procedures and Common Seal Local Law 2013.

PROVISION FOR PUBLIC PARTICIPATION

(The information below refers to 'General' submissions. Please refer to Page 2 of these guidelines for information on submissions under section 223 of the Local Government Act 1989 heard at Special Committee of Council meetings).

The public has two opportunities to participate in this meeting – either by a submission which may be heard at the start of the meeting, (i.e. **Public Submissions**, refer below) or if the item is on the agenda, immediately prior to consideration of the item, and by **Public Comment** later in the meeting. There is no public interjection during the meeting and speakers are heard in an orderly manner.

Public Submissions:

A submission may be made on any matter, providing it is not in contravention of Council's Meeting Procedures and Common Seal Local Law 2013.

A maximum of 10 speakers will be permitted to make a submission and they will be determined in order of registration.

No individual submission shall exceed three minutes.

Where submissions have been made, under the provisions of any statutory process, further submissions shall not be heard, unless the matter is listed as an item of business on the Special Committee of Council agenda.

Procedures for Public Submissions:

Persons wishing to make a submission to the Special Committee on matters other than land planning matters must directly notify the Committee Clerk, Civic Services Department by 4pm on the day of the meeting and register to speak, by telephoning 9262-6337. The person who registers to speak shall be the person who will make the submission to the Special Committee.

Persons wishing to make a submission to the Special Committee on any land use planning matter must directly notify the Committee Clerk, Civic Services Department, at least five working days prior to the day of the meeting and register to speak by telephoning 9262-6337. The person who registers to speak, shall be the person who will make the submission to the Special Committee.

At the time of registering to speak, that person must indicate whether he or she will be speaking in support of or opposition to any planning permit application or Planning Scheme Amendment (or proposed planning permit application or proposed Planning Scheme Amendment). The Special Committee must not listen to or read anything said by that person unless it is satisfied that, at least four working days before the day of the Special Committee Meeting, a member of Council staff has contacted the person(s) whose interests are inimical to the person who has registered to speak (eg has contacted the planning permit applicant if the person who has registered to speak has indicated that he or she will speak in opposition to the grant of a planning permit application) and invited the first-mentioned person (or a person authorised by

him or her) to also register by 4pm on the day of the meeting to attend the Special Committee Meeting and speak.

Persons wishing to table written material must provide 15 copies to the Committee Clerk prior to the commencement of the meeting to enable distribution to Councillors prior to the start of the meeting. No material will be distributed during the meeting by any person, including Council staff.

Requests to speak will be registered strictly in the order of receipt. Speakers for topics not listed on the Special Committee Agenda for the meeting will be heard first, then speakers who wish to cover more than one topic (3 minutes in total, not 3 minutes per topic).

In instances where a number of persons wish to address the Special Committee on the same matter, the Chairperson at his or her discretion may request they nominate a speaker/speakers to represent them.

In accordance with Clause 48.5 of Council's Meeting Procedures and Common Seal Local Law 2013. It is not necessary for Standing Orders to be suspended to allow a person to address the Special Committee, subject to compliance with these Guidelines.

Public Comment:

After the "Other Business" Section of the meeting has concluded, the Mayor will invite members of the gallery to indicate by show of hands if they wish to make a comment. *Only matters pertaining to this evening's meeting are to be commented on, (i.e. a Council Officer report or presentation, and any "Other Business" matters) and a 3 minute period per speaker applies. A maximum period of 15 minutes shall be provided for public comment. The Mayor will call individuals forward to be heard and they should begin by clearly stating their name. This is a period for comment, not questions or debate and there is no opportunity for any further* **Public Submissions**

ADOPTION AND AMENDMENT OF THESE GUIDELINES

These guidelines were adopted by resolution of Council dated 19 August 2013 and may be further amended by resolution of Council from time to time. The Chairperson at his or her discretion may vary procedures under these Guidelines, at any meeting of the Special Committee.

SUBMISSIONS UNDER S223 OF THE LOCAL GOVERNMENT ACT 1989

A person who makes a written submission under section 223 of the *Local Government Act* 1989 may also request to be heard by a Committee of Council appointed to consider and hear submissions.

Council at its meeting held 15 March 2016 considered a report on Council Land; at that meeting Council authorised giving public notice of Council's Intention to Sell Land Located at 517-521 Station Street Box Hill, in accordance with Sections 189 and 223 of the Local Government Act 1989 (the Act).

In that report the Special Committee of Council meeting to be held Monday 9 May 2016 at 8.00pm was identified as the Special Committee Meeting to hear and consider any submissions.

Two people have requested to be heard in support of their written submission on Proposed Sale of Land known as 517-521 Station Street Box Hill in accordance with Sections 189 and 223 of the Act.

In line with statutory requirements these speakers have up to five minutes for their verbal submission.

1 PRAYER

1a 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.

1b Aboriginal Reconciliation Statement

"In the spirit of reconciliation we acknowledge the Wurundjeri as the traditional owners of the land on which we are gathered."

2 WELCOME AND APOLOGIES

3 DISCLOSURE OF CONFLICT OF INTERESTS

4 CONFIRMATION OF MINUTES

Minutes of the Special Committee of Council Meeting 11 April 2016.

RECOMMENDATION

That the minutes of the Special Committee of Council Meeting 11 April 2016 having been circulated now be confirmed.

5 PUBLIC SUBMISSIONS

Interested parties who wish to address the Special Committee of Council during the Public Submissions period of the Special Committee Meeting must register with the Civic Services Department by telephoning 9262 6337 by 4pm on the day of the meeting.

Persons speaking will be identified and recorded for Council Minutes and become part of a permanent record of the Council. Please indicate if you do not wish your name to be recorded.

Persons wishing to make a submission to the Special Committee on any land use planning matter must directly notify the Committee Clerk, Civic Services Department, at least five working days prior to the day of the meeting and register to speak by telephoning 9262-6337.

5.1 General Submissions (Other speakers up to 3 minutes each speaker)

5.2 Proposed Sale of Land known as 517-521 Station Street Box Hill (Submissions under section 223 of the Local Government Act 1989 up to 5 minutes each speaker)

Refer to Agenda Item 6.2 & Attachment 2

- **Mr William Orange**
Submission 1
- **Ms Marta Pirnat**
Submission 7

6 REPORTS FROM OFFICERS

6.1 Whitehorse Youth Representative Committee 2015 Annual Report 5

Presenters: Frank Perrone, Team Leader Youth Services
Jacqueline Piper, Youth Participation Worker
Lauren Daw, Whitehorse Youth Representative Committee (WYRC)
Shriya Gupta, (WYRC)
Zara Wearne, (WYRC)
Powerpoint Presentation

6.2 Proposed Sale of Land Known as 517-521 Station Street Box Hill 8

6.1 Whitehorse Youth Representative Committee 2015 Annual Report

FILE NUMBER: 16/47112
ATTACHMENT

SUMMARY

The Whitehorse Youth Representative Committee plays an important role in representing the interests of young people in the municipality. This report provides a summary of the outcomes and achievements of the 2015 Whitehorse Youth Representative Committee.

RECOMMENDATION

That Council acknowledge the work of the 2015 Whitehorse Youth Representative Committee and endorse the Committee's initial action plans for 2016.

BACKGROUND

The Whitehorse Youth Representative Committee (WYRC) was established in 2002 to provide a formal link between young people and Whitehorse City Council. The key objectives of the Committee are to develop a positive profile of young people in the community, consult with the broader youth population, report to Council on the aspirations of young people and to assist in the creation of new opportunities for young people to be involved in their community.

There are a number of important benefits for young people to be involved in the WYRC. These include a greater understanding of local government, the development of leadership and project management skills and a greater connection with their local community.

WYRC representatives are selected through a nomination process that is promoted to schools, youth service providers, clubs and through local and social media. Due consideration is given to the selection process to ensure a diversity of gender, age, background and life experiences of young people. If deemed appropriate young people can remain on the Committee for a maximum 2 year period.

2015 COMMITTEE REPORT

The 2015 WYRC consisted of 13 young people who delivered a diverse range of activities, events and projects. The Committee was coordinated by Council's Youth Participation Officer and supported by Council's School Focused Youth Services Officer.

The WYRC events and activities in 2015 included the following:

Training, Induction and Team Building

- ***WYRC members were inducted into the committee and made aware of Whitehorse City Council and relevant policies / processes. WYRC members also had the opportunity to meet the Mayor.***
- ***Training with external facilitator, Kate Wilde from 'The Workshop' covered the areas of leadership skills, consultative processes, community engagement strategies, advocacy and public speaking.***
- ***Team building activity provided the opportunity to develop team cohesion.***

6.1

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Events and activities

- ***Municipal Youth Forum: The WYRC organised and facilitated the Municipal Youth Forum at the Box Hill Town Hall on Friday 4th September, 2015. The Youth Forum focused on the youth issues of mental health, body image and bullying. These issues were identified in Council's Youth Plan 2014 - 2018 as having an impact on the wellbeing of many young people in our community. The forum included: a key note address by the youth organisation, 'Project Rockit' on strategies to address bullying / cyber bullying; and interactive workshops addressing the issues of mental health (by Headspace Hawthorn), body image (by The Butterfly Foundation) and bullying (by Project Rockit).***
- ***A number of youth service providers were present at the forum and provided young people with information and resources on youth services and supports. Approximately 170 young people attended from 6 schools. Council's Youth Services and the WYRC utilised instagram for the first time as a means to engage and interact with young people. By participating in the forum and the workshops, young people were provided with the opportunity to develop skills and enhance their knowledge on the issues of mental health, body image and bullying***
- ***Spring Festival: Planning and facilitation of 'youth area' at Whitehorse City Council's annual Spring Festival featuring a range of 'youth friendly' activities and incorporated the 'youth stage' that was facilitated by the FReeZa Youth Committee.***
- ***IDAHOT Day: An International Day Against Homophobia (IDAHOT Day) event was planned and facilitated in the Box Hill mall with an information stall educating the community about LGBTIQ (lesbian, gay, bisexual, transgender, intersex and queer) issues.***
- ***Young Person of the Month Award nominations: The WYRC reviewed and endorsed the young people nominated for the award recognising and celebrating the efforts and achievements of young people in Whitehorse.***
- ***Youth articles in Whitehorse News: WYRC members undertook the role of writing articles for Council's publication Whitehorse News 'youth services' page which included stories on youth homelessness, unemployment and study stress.***

Youth Conference

- ***WYRC members attended the annual Halogen Foundation Youth Leadership Conference to develop a greater understanding of issues impacting on young people and to foster strong leadership values.***

For further information on the events, initiatives and activities undertaken by the WYRC please refer to the WYRC 2015 Annual Report (refer to Attachment 1).

6.1
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COMMITTEE PLANS FOR 2016

Recruitment for the 2016 WYRC has been successful with 11 members currently in place which includes a number of young people continuing from 2015. The newly recruited committee has participated in an induction program looking at the role of the committee within Council. Members have already undertaken training with external facilitator, Kate Wilde. At this stage, the activities the committee will consider undertaking / implementing in 2016 include:

- Advocate for the best interests of young people.
- Organise and implement the Whitehorse Municipal Youth Forum on issue/s pertinent to young people as identified in the Municipal Youth Plan 2014 – 2018.
- Participation and input into Council's Community Youth Services Awareness Project. The project will develop a comprehensive communications strategy in providing information regarding all existing services, supports, programs and events, activities and facilities available to young people.

The Youth Services Team is encouraged that the 2016 WYRC members, like their predecessors, will make an active and positive contribution to the community in Whitehorse. The members are appreciative that Council sponsors opportunities that advance their development as young leaders in the community.

Council's Youth Services Team, particularly the Youth Participation Officer will continue to support the 2016 WYRC and will work towards developing and implementing the Committee's plans and aspirations.

POLICY IMPLICATIONS

The role of the Whitehorse Youth Representative Committee is consistent with strategies contained in the Whitehorse Municipal Youth Plan 2014 - 2018. Such strategies focus on youth advocacy and leadership development. The WYRC works in collaboration with the Youth Services Team and Council as a whole to ensure the goals and actions of the Youth Plan are successfully implemented.

CONSULTATION

The Whitehorse Youth Representative Committee with the assistance the Youth Services team adopt consultative processes in the planning and facilitation of activities for young people and in the investigation of issues pertinent of the lives to young people in the community.

FINANCIAL IMPLICATIONS

The cost of the activities undertaken by the WYRC is incorporated within Council's Youth Services annual budget.

6.2 Proposed Sale of Land Known as 517-521 Station Street Box Hill

FILE NUMBER: SF15/172189
ATTACHMENT

SUMMARY

Council resolved on 15 March 2016 to commence the statutory procedures under section 189 and section 223 of the Local Government Act 1989 to sell the Council owned land known 517-521 Station Street Box Hill via a public procurement process.

A public notice of Council's proposal was placed in The Age on Saturday 19 March 2016 and on Council's website. Council received seven (7) written submissions by the closing date of Wednesday 20 April 2016.

RECOMMENDATION

That Special Committee having noted the written submissions and having heard two submitters speak in support of their submissions, refer all submissions to the Ordinary Meeting of Council to be held on Monday 16 May 2016 for further consideration and for final decision.

BACKGROUND

The current use of 519-521 Station Street, Box Hill is a sealed at-grade car park with 163 spaces and associated infrastructure such as flood-lighting and ticket machines.

While 517 Station Street, Box Hill is currently known as Central Box Hill Children's Services Centre and is a 35-place service operated by Council.

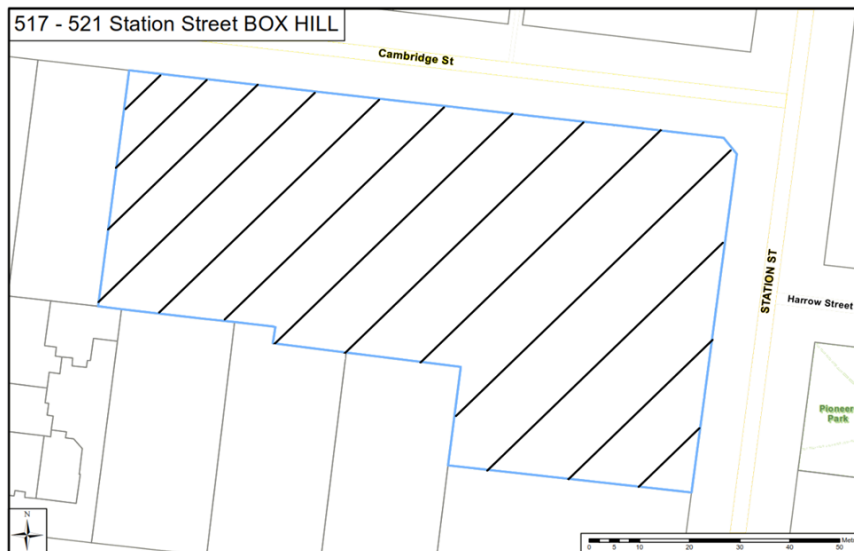
CONSULTATION

The consultation timetable for 517-521 Station Street, Box Hill included the following dates:

Statutory advertisements (Public Notice):	The Age Saturday 19 March 2016
Closing date for submissions:	Wednesday 20 April 2016
Meeting to hear submissions:	Monday 9 May 2016 (This meeting)

6.2
(cont)

Site Plan displayed in Public Notice:



The Key Sale Terms as contained in the public notice are as follows:

"The Proposal is for Council to sell the Land to the successful proponent pursuant to a public procurement process, on the following terms:

1. *The price shall be no less than the valuation of the Land held by Council;*
2. *The deposit payable under the contract of sale will be 20% of the price;*
3. *The sale will be conditional on the purchaser procuring a combined planning scheme amendment to rezone the Land to Mixed Use Zone and an environmental audit overlay, and a planning permit for the development of the Land in accordance with agreed concept plans (together '**Planning Approval**'), pursuant to section 96A of the Planning and Environment Act 1987 (**P&E Act**), within 16 months from the day of sale;*
4. *Settlement will be due on the date that is 30 days after the issue of the Planning Approval;*
5. *The purchaser must lease back to Council that part of the Land used as a car park and childcare, for a term expiring on the later of 9 months after settlement of the contract of sale and 31 December 2017, and for a rent of \$1 for the term;*
6. *As a condition of sale, the purchaser must enter into an agreement pursuant to section 173 of the P&E Act in respect of the Land to be registered on the title to the Land, which will, amongst other things, require the purchaser to:*
 - 6.1 *Develop the Land in accordance with the planning permit;*
 - 6.2 *Substantially commence the Project within 3 years from settlement of the contract of sale (subject to any extensions granted);*
 - 6.3 *Practically complete the Project within 7 years from settlement of the contract of sale (subject to any extensions granted); and*
 - 6.4 *Covenant to use a specified part of the Land for childcare (at least 80 places) until at least 5 years after completion of the childcare facility space.*

6.2

(cont)

In reference to the existing public car parking, Council proposes to provide alternate Council owned public car parking in a location nearby.”

DISCUSSION

The following seven (7) written submissions were received:

No	Name	Summary of Submission
1	Mr. William Orange	<ul style="list-style-type: none"> Existing trees including what is thought to be a Kurrajong tree brought by seed from Portland Disused well located on site Retention of existing trees within any proposed development Compel a future developer to contribute toward alternate car parking
2	Mr. Sean Kirwan	<ul style="list-style-type: none"> Risk of serious car accidents on Station Street Regular traffic blockages around Alexander Road and Canterbury Road The old brickworks in an inappropriate place for public car parking
3	Ms. Gillean Puddy	<ul style="list-style-type: none"> Box Hill is a regional centre Existing parking is insufficient for people wishing to uses services such as visiting doctors and specialists, Town Hall functions, Centrelink, shopping, library and children's' services Epworth hospital now caters for many local people and vast numbers of country people Severe shortage of parking which needs to be addressed immediately
4	Mr. Howard Tankey	<ul style="list-style-type: none"> The concept of having high intensity development-preferably a mix of residential, education and recreation-near major transport hubs makes perfect sense Change needs to be explained empathetically and thoroughly. The building should have car parking spaces equivalent to the existing car park, as easily accessible as the existing space and at a similar cost The car parking available to the tenants should be quite separate, inaccessible to the casual car parker, and limited along the lines of residential developments closer to the city
5	Ms. Anne Tan	<ul style="list-style-type: none"> Concerned about the infrastructure surrounding Box Hill Central The number of apartments and the lack of public infrastructure is absolutely concerning Believes that Council should address downstream impacts before issuing building permits Congestion and the lack of parking are a consequence of the issuing of building permits No tangible improvement to the infrastructure within the vicinity of Box Hill Central area The sale of the car park adds to frustration The parking issue hurts nearby businesses as it discourages customers from visiting restaurants or shops
6	Mr. Bruce Smith	<ul style="list-style-type: none"> Parking in the Box Hill shopping district is becoming difficult Council's decision to halve the parking requirements of new residential apartments to discourage car ownership is flawed
7	Ms. Marta Pirnat	<ul style="list-style-type: none"> Has been using the car park for the past 20 years Selling of this car park makes no sense Where are people going to park in the future? Infrastructure is not meeting demand

6.2
(cont)

The full text of the submissions is attached (Refer Attachment 2).

Two submitters, namely Mr. Orange and Ms. Pirnat, requested to be heard in support of their submission.

In addition to the public consultation undertaken in accordance with the LGA, Council has undertaken the following:

- Prior to the Expression of Interest (EOI) process a November 2015 mail-out to approximately 190 surrounding businesses and nearby residents;
- An extensive marketing campaign associated with the EOI which involved a large on site board and both print and internet advertising;
- A March 2016 mail-out to approximately 190 surrounding businesses and nearby residents; and
- The Mayor announced in Council's Whitehorse Leader column dated 2 May 2016 that if Council proceeds with the sale of Cambridge Street car park then a replacement multi-deck car park would be located in Harrow Street and would provide over 300 public car spaces.

NB: This commitment is conditional on Council resolving to proceed with the sale.

Both the November and March mail-outs above contained the following:

"At no point will there be a reduction in the number of public car spaces available in this part of central Box Hill"

Additionally, Key Sale Term #5 contained within the 19 March 2016 Public Notice states the following:

"The purchaser must lease back to Council that part of the Land used as a car park and childcare, for a term expiring on the later of 9 months after settlement of the contract of sale and 31 December 2017, and for a rent of \$1 for the term."

The one reason why this Key Sale Term was included was that if Council resolved to sell then this extra time would ensure that central Box Hill does not incur a short-term loss of car parking during construction of the alternative car parking space.

Council has given these commitments that if the proposal to sell Cambridge Street car park proceeds it will ensure that there is no reduction to public parking as a result.

7 OTHER BUSINESS

8 PUBLIC COMMENT

Persons speaking will be identified and recorded for Council Minutes and become part of a permanent record of the Council. Please indicate if you do not wish your name to be recorded.

9 CONFIDENTIAL ITEMS

Nil

10 CLOSE MEETING