



City of Whitehorse

MINUTES

Special Committee of Council Meeting

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

379 Whitehorse Road Nunawading

on

Monday 11 May 2015

at 8.00 p.m.

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

Ms Noelene Duff
Chief Executive Officer



GUIDELINES SPECIAL COMMITTEE OF COUNCIL

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 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.

Meeting opened at 8.00pm

Present: Cr Munroe (Mayor & Chairperson), Cr Bennett, Cr Carr, Cr Chong AM,
Cr Davenport, Cr Daw, Cr Ellis, Cr Harris OAM, Cr Massoud, Cr Stennett

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

The Mayor welcomed all.

APOLOGIES: Nil

3 DISCLOSURE OF CONFLICT OF INTERESTS

Nil

4 CONFIRMATION OF MINUTES

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Bennett

That the minutes of the Special Committee of Council Meeting 13 April 2015 and Confidential Minutes of Special Committee of Council Meeting 13 April 2015 having been circulated now be confirmed.

CARRIED UNANIMOUSLY

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 Rabbi James Kennard the Principal from Mt Scopus Memorial College spoke in opposition to post 1945 heritage in relation to Mt Scopus.
- 5.2 Nina Scott from North Balwyn spoke in opposition to the replacement of small gravel paths with bitumen or cement.
- 5.3 John Allen from Mont Albert North spoke in opposition to the replacement of small gravel paths with bitumen or cement.
- 5.4 Keith Maytum, Mont Albert North spoke in opposition to the replacement of small gravel paths with bitumen or cement.
- 5.5 Chris Hilton from Surrey Hills spoke in opposition to Amendment C169 to introduce a new heritage overlay – 730 Canterbury Road Surrey Hills.
- 5.6 Elizabeth Meredith spoke on behalf of WERA Community Group in opposition to Amendment C169 to introduce a new heritage overlay – 730 Canterbury Road Surrey Hills.
- 5.7 Melissa Pellegrini from Surrey Hills spoke in opposition to Amendment C169 to introduce a new heritage overlay – 730 Canterbury Road Surrey Hills.
- 5.8 Philip Derham from Surrey Hills spoke in opposition C169 to introduce a new heritage overlay – 730 Canterbury Road Surrey Hills.
- 5.9 David Berry a Representative from the Blackburn & District Tree Preservation Society spoke in opposition to the Draft Budget item 2012-4175 Winfield and Tie Street Bike Paths to Koonung Trail – Construction.

PROCEDURAL MOTION

Suspension of Standing Orders

Moved by Cr Davenport, Seconded by Cr Daw

That Standing Orders be suspended to allow an additional speaker to be heard under Public Submissions.

CARRIED

- 5.10 Peter Harkness, North Balwyn spoke in opposition to the replacement of small gravel paths with bitumen or cement.

PROCEDURAL MOTION

Resumption of Standing Orders

Moved by Cr Davenport, Seconded by Cr Harris

That Standing Orders be resumed.

CARRIED UNANIMOUSLY

6 REPORTS FROM OFFICERS

6.1 Essential Services Commission Rate Capping

FILE NUMBER: SF15/290
ATTACHMENT

SUMMARY

This report is in response to Council's submission to the Essential Services Commission consultation paper on local government rate capping & variation framework released in April 2015.

SPECIAL COMMITTEE COUNCIL RESOLUTION

Moved by Cr Bennett, Seconded by Cr Daw

That Council:

- 1. Receives and notes the report and endorses the attached submission to the Essential Services Commission on Rate Capping in Local Government.***
- 2. Reinforces its committed Council policy position, unanimously adopted at its meeting held on 12 May 2014, "... expressing its opposition to any policy proposal to regulate councils rate increases to the Consumer Price Index or reference to a third party for approval."***

CARRIED UNANIMOUSLY

BACKGROUND

In January 2015, the Andrews Labor Government announced its intention to act on its state election commitment to cap council rates at CPI inflation levels. The rate capping policy will be implemented for the 2016-17 financial year.

DISCUSSION

In January 2015, the Essential Services Commission received terms of reference to consider and report on the development of a state-wide capping and variation framework for council rates. The Essential Services Commission is required to complete its final report by 31 October 2015.

The Essential Services Commission has been asked to design a framework that meets the Government's commitment to cap annual council rate increases as well as to develop a workable process to assess any proposals by councils for above cap increases ("variation process"). Its stated intention is that the proposed framework will lead to future rates that are efficient, stable and reflective of community needs and demands, without compromising councils' autonomy or financial sustainability.

Council has drafted a submission in response to the consultation paper and this is attached.

FINANCIAL IMPLICATIONS

Preparation of the attached submission incurred no direct cost other than officer time.

7 OTHER BUSINESS

7.1 City of Monash Differential Rate for Business Community

MOTION

Moved by Cr Daw, Seconded by Cr Davenport

That the City of Whitehorse Council:

- 1. Write to the City of Monash expressing concern at its budget decision to introduce a higher differential rate for its business community than other sectors of its community.***
- 2. Advocate that such a proposal has the risk of encouraging some of these businesses to relocate their commercial activities from the City of Monash and the eastern region of councils into municipalities where the cost of doing business is more sympathetic and cost effective.***

LOST

A division was called

Division

For

Cr Daw
Cr Davenport

Against

Cr Bennett
Cr Carr
Cr Chong
Cr Ellis
Cr Harris
Cr Massoud
Cr Munroe
Cr Stennett

On the results of the Division the motion was declared LOST

7.2 Right-hand Turn Lane Whitehorse Road (West-Bound) into Dunlavin Road

MOTION

Moved by Cr Stennett, Seconded by Cr Daw

That Council write to the Minister for Transport, Parliamentary Secretary and Vic Roads:

- 1. Expressing concern at the ongoing dangerous situation presented by the narrow right-hand turn lane from Whitehorse Road (Westbound) into Dunlavin Road.***
- 2. Note previous correspondence between Council and Vic Roads, in which Council requested a review of the width of the lane compared to Vic Roads standards, and a reply from Vic Roads confirming the width of the lane was well below these standards.***
- 3. Requesting urgent remedial works to widen the lane to Vic Roads own standards.***

CARRIED UNANIMOUSLY

7.3 Controlled Pedestrian Crossing Across Springvale Road Nunawading (adjacent to Spencer Street)

MOTION

Moved by Cr Stennett, Seconded By Cr Daw

That Council:

- 1. Notes previous correspondence between Council and the former Minister for Roads in which Council requested a controlled pedestrian crossing across Springvale Road, Nunawading, adjacent to Spencer Street between the two bus stops on either side of the road.***
- 2. Write to the State Government requesting a controlled pedestrian crossing be built across Springvale Road to improve safety and access to public transport.***

CARRIED UNANIMOUSLY

7.4 160 Whitehorse Road Blackburn (Lexus Site) – Joining Surrey Road and Blackburn Road through the site

MOTION

Moved by Cr Stennett, Seconded by Cr Massoud

That Council write to the State Government requesting their intervention to reserve a section of 160 Whitehorse Road, Blackburn (the Lexus site) for the purpose of joining Surrey Road and Blackburn Road across Whitehorse Road through the site.

CARRIED UNANIMOUSLY

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.

Nil

9 CONFIDENTIAL ITEMS

Nil

10 CLOSE MEETING

Meeting Closed at 9.16pm

Confirmed this 9th day of June 2015

CHAIRPERSON