



City of Whitehorse

MINUTES

Special Committee of Council Meeting

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

379 Whitehorse Road Nunawading

on

Tuesday 9 June 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 information below refers to 'General' submissions. Please refer to Page 2 of these Guidelines for information on submissions on Council's Proposed Budget 2015/16 heard at 9 June 2015 meeting of the Special Committee of Council).

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 (ie General) 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 (General) 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 ON COUNCIL'S 2015-16 PROPOSED BUDGET**

A person who makes a written submission on Council's 2015-16 Proposed Budget may also request to be heard by a Committee of Council appointed to consider and hear submissions.

Council at its meeting held 13 April 2015 determined that pursuant to section 223 (1) (b) of the *Local Government Act 1989*, the Special Committee of Council hear any submissions received in relation to the Proposed Budget 2015/16 on Tuesday 9 June 2015 at 8.00pm.

Ten people requested to speak in support of their written submission on Council's 2015/16 Proposed Budget; in line with statutory requirements these speakers had up to five minutes for their verbal submission.

Meeting opened at 8.00pm

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

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

Cr Stennett has sought a leave of absence for tonight's meeting.

SPECIAL COMMITTEE RESOLUTION

Moved by Cr Daw, Seconded by Cr Massoud

That the apology from Cr Stennett be received for tonight's meeting and that leave of absence be granted.

CARRIED UNANIMOUSLY

3 DISCLOSURE OF CONFLICT OF INTERESTS

None Disclosed

4 CONFIRMATION OF MINUTES

SPECIAL COMMITTEE RESOLUTION

Moved by Cr Bennett, Seconded by Cr Harris

That the minutes of the Special Committee of Council Meeting 11 May 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 General Submissions (Other Speakers – up to 3 minutes each speaker)

- 5.1.1 A resident of Surrey Hills, spoke in opposition to Planning Scheme Amendment C157
- 5.1.2 Ray Johnson from Vermont South spoke in opposition to the proposed development at 99 Morack Rd
- 5.1.3 Russell Lloyd from Vermont South spoke in opposition to the proposed development at 99 Morack Rd
- 5.1.4 Chris Stock from Vermont South spoke in opposition to the proposed development at 99 Morack Rd
- 5.1.5 Alan Goode from Mitcham registered to speak on the environment but made no appearance
- 5.1.6 Rick Finlay from Nunawading spoke in opposition to proposed carpark expansions of Whitehorse Centre Redevelopment – Current Option 2

5.2 2015-16 Proposed Budget Submissions (Speakers – up to 5 minutes each submitter)

Refer to Report Item 6.1 and Attachment 1

The following speakers were heard by the Special Committee of Council:

- **Mr John White – Cameron Close Residents Association**
Submission 1
- **Mr David Berry – Blackburn and District Tree Preservation Society Inc.**
Submission 15
- **Mr Colin Carter – Whitehorse Ratepayers and Residents Association Inc.**
Submission 46
- **Mr Kenneth Weeks**
Submission 7
- **Mr Chris Trueman**
Submission 14
- **Mr Michael Hassett**
Submission 4 &16
- **Mr Roy Farthing**
Submission 34
- **Mr Roy Lloyd**
Submission 40
- **Mr Roger Wheeler**
Submission 44
- **Mr Colin Carter**
Submission 54

6 REPORTS FROM OFFICERS

6.1 2015/16 Annual Budget Consultation

ATTACHMENT

SUMMARY

Council resolved on 13 April 2015 to adopt and advertise its proposed budget and to call for submissions under Section 223 of the Local Government Act 1989. A public notice was placed in *The Age* on Wednesday 15 April 2015, with additional advertising in the *Whitehorse Column* in the *Leader Newspaper*. Copies of the Proposed Budget were available at the three Council service centres (Nunawading, Forest Hill and Box Hill), Libraries and on Council's website. Council received 62 written submissions by the closing date of 5.00pm Wednesday 13 May 2015. Eight submissions were received after the closing date.

RECOMMENDATION

That Special Committee:

- 1. Hear those who wish to speak in support of their written submission***
- 2. Consider the written submissions as part of Council's deliberations in adopting the Annual Budget 2015/16.***

SPECIAL COMMITTEE OF COUNCIL RESOLUTION

Moved by Cr Davenport, Seconded by Cr Bennett

That the Special Committee having heard those who wished to speak in support of their written submission, consider the written submissions as part of Council's deliberations in adopting the 2015/2016 Annual Budget at the Ordinary Meeting of Council to be held on Monday 22 June 2015.

CARRIED UNANIMOUSLY

BACKGROUND

The Proposed Budget 2015/16 has been carefully prepared following community consultation throughout the year and is guided by priorities outlined in key strategic documents – including the revised *Council Plan 2015-2019* and *Draft Strategic Resource Plan* and other major plans and strategies. Consultation is a major area of focus for the City of Whitehorse. Consultation on the Proposed Budget 2015/16 included:

- Annual Residents' Survey including Budget specific questions mailed to 1,600 randomly selected residences in October 2014.
- Councillor Budget Committee chaired by the Mayor which included all Councillors and met monthly from December.
- Review and consideration of early Budget submissions.
- Two community information sessions held in March 2015 to discuss the development of Whitehorse's Proposed Budget 2015/16.
- A number of other Council consultations held throughout the year impacting on the development of the Proposed Budget 2015/16 including the *Arts and Cultural Strategy 2014-2022* and the *Recreation Strategy 2015-2024*.

6.1
(cont)

Council was required under Sections 126 and 127 of the *Local Government Act 1989* to seek written public comment on the Proposed Budget 2015/16. Council was required to give public notice that the proposed document will be made available for inspection for 28 days and that Council will receive submissions made under Section 223 of the *Local Government Act 1989* in respect of the budget. A person who has made a written submission may also request to be heard by a Committee of Council appointed to consider and hear submissions.

Advertisements giving advance notice of the availability of the Proposed Budget 2015/16 document were placed in Council's column in the Whitehorse Leader. A public notice advising that the Proposed Budget 2015/16 was available for inspection was placed in The Age on Wednesday 15 April 2015. Copies of the Proposed Budget document were placed in three Council Service Centres (Nunawading, Forest Hill and Box Hill), each of the libraries, and on Council's website on 14 April 2015. In addition, there was coverage in Council's weekly column in the Whitehorse Leader plus a special feature on the Proposed Budget in the May 2015 Whitehorse News and various other press releases.

Council at its meeting of 13 April 2015 gave notice that it had prepared a Proposed Budget and invited written submissions. Council also resolved that the Special Committee of the Council hear anyone who wishes to speak in support of their written submission in accordance with Section 223 of the *Local Government Act 1989*. The closing time for submissions was 5.00pm Wednesday 13 May 2015.

DISCUSSION

Public submissions – Proposed Budget 2015/16

Council has received 62 formal submissions/comments on the Proposed Budget 2015/16 and 8 late submissions which are also included. There are 10 people that have requested to speak in support of their submission at the Special Committee meeting.

Submissions were received from the following:

	Name	Issue(s) Raised
1	Mr J. White Manager, Cameron Close Residents Association	Differential Rates for retirement villages
2	Mr B. Hewett	Dog registration costs
3	Mr G. White President, West of Elgar Residents' Association	Tree protection
4	Mr M. Hassett (#1)	Tree protection
5	Mrs H. Oldfield	Tree protection and the tree education program
6	Ms G. Chambers Ladies' Probus Club of Nunawading Inc.	Picnic tables and chairs at Blackburn Lake Sanctuary should be replaced or repaired
7	Mr K. Weeks	Elgar Park lake, rate increase and the Whitehorse Centre redevelopment
8	Mr C. Heysen Box Hill United Pythagoras Soccer Club	Requests Council support for improved training facilities at Sparks Reserve
9	Ms A. Mason President, U3A Nunawading	Supports Nunawading Community Hub redevelopment
10	Mr L. Glen	Supports Council's objection and response to proposed rate capping

	Name	Issue(s) Raised
11	Ms J. Laws	Importance of bicycle infrastructure
12	Mr P. Carter	Bicycle path infrastructure and Whitehorse Centre redevelopment
13	Mr G. Stone	Bicycle path infrastructure and Whitehorse Centre redevelopment
14	Mr C. Trueman	Bicycle infrastructure, Whitehorse Centre redevelopment and environmental sustainability
15	Mr D. Berry, Blackburn and District Tree Preservation Society Inc.	Tree protection, tree education program, public open space, bicycle path infrastructure and the Whitehorse Centre redevelopment
16	Mr M. Hassett (#2)	Rate increase, reNEWal fund/major projects, bicycle strategy/infrastructure and other capital expenditure
17	Mr W. Orange	Capital Works Program, bicycle path infrastructure, Box Hill Gardens and the Whitehorse Centre redevelopment
18	Ms R. Spillane	Possum nights, Council spending, funding of special interest groups, Whitehorse calendar, rate increase
19	Mr G. Harkin	Rate increase/capping, Council services/spending, Matsudo sister-city relationship costs
20	Mr M. Friendship	Rate increase/capping, reNEWal major projects, high density development
21	Mr S. Ziemer	Efficiency/cost savings, rate increase, reNEWal major projects, Council services/spending, events
22	Mr B. Hickey	Rate increase, high density developments, Council services/spending
23	Mr and Mrs Ward	Rate increase, Whitehorse Centre redevelopment, Sportlink sign, capital works projects and the Traffic Art initiative
24	Mr and Mrs G. O'Callaghan	Rate increase/capping, bin costs, efficiency/cost reductions, accountability and the Whitehorse Centre redevelopment
25	Ms G. Tan	Rate increase, reNEWal projects
26	Mr R. Spencer	Rate increase/capping
27	Mr Couzens and Ms Filmer	Rate increase, Whitehorse Centre redevelopment, Aqualink subsidisation, capital works projects, Bennettswood Reserve Pavilion redevelopment
28	Mr B. Pell	Rate increase, reNEWal major projects, use of Council reserves, fireworks, bicycle path infrastructure
29	Mr J. Abiad	Rate increase, Whitehorse Centre redevelopment, sustainability rebates, bin costs, capital works projects
30	Ms P. Taranto	Rate increase/capping, Councillor pay, high density housing
31	Miss P. Tan	Rate increase, Whitehorse Centre redevelopment, high density development, Council vehicles, employee costs, capital works projects
32	Mrs K. Cummings	Rate increase, reNEWal major projects, budget consultation, cost shifting, LTFP rate increase, Council services/spending, Whitehorse News/Calendar, capital works projects
33	Ms M. MacLean	Residential parking permits, rate increase/capping, Whitehorse Centre redevelopment, capital works

	Name	Issue(s) Raised
34	Mr R. Farthing	Rate increase, high density development, reNEWal major projects
35	Mr D. Phizacklea	Rate increase/capping, reNEWal major projects, Council services/spending, cost shifting, salaries, community grants, road infrastructure works
36	Mr L. Taylor	Rate increase, reNEWal major projects, senior officer remuneration, footpath and street maintenance, Council trees
37	Mr A. De Havilland	Rate increase, reNEWal fund
38	Ms. D. Langham	Rate increase, high density development, fireworks/festivals, differential rate for retirement villages
39	Mr D. Knowles	Rate increase, reNEWal major projects, recreation space, support of sporting clubs, tree protection, capital works projects, Traffic Art initiative, employee costs
40	Mr R. Lloyd	Rate increase/capping, reNEWal major projects, use of borrowings, surpluses
41	Mr B. Ruck	Rate increase, Whitehorse Centre redevelopment
42	Mr and Mrs Forbes	Council spending, Whitehorse Centre redevelopment, rate capping, accountability, cost shifting
43	Ms M. Mayberry	Rate increase, reNEWal major projects, Aqualink leisure centres
44	Mr R. Wheeler	Rate increase, Whitehorse redevelopment
45	Mr R. Brooks	Rate increase/capping, Council spending
46	Whitehorse Ratepayers and Residents Association Inc.	Rate increase, Whitehorse Centre redevelopment, carbon tax rebate, budget document presentation, budget process/consultation, asset management, leisure facilities, Council services/spending, Community Laws, continuous improvement/efficiency, playground upgrades
47	Name withheld	Rate increase, reNEWal fund, LTFP rate increase, bicycle path infrastructure, efficiency, infrastructure renewal spending
48	Mr and Mrs Fischer	Rate increase, reNEWal fund, Council spending, executive salaries, civic centre improvements
49	Mr and Mrs Thurbon	Rate increase, reNEWal major projects, high density development
50	Mr L. Walker	Rate increase, reNEWal major projects, Traffic Art initiative, Council services/spending
51	Mr R. Friday	Bicycle path infrastructure and facilities for cyclists
52	Mr P. Harkness	Bicycle path infrastructure
53	Mr and Mrs Tyson	Rate increase, reNEWal major projects, supplementary rates
54	Mr C. Carter	Resident dissatisfaction, rate increase/capping, Whitehorse Centre redevelopment,
55	Ms T. Matthews	Rate increase, Whitehorse Centre redevelopment, efficiency, Matsudo costs, salaries, Council spending, tree protection, high density development
56	Ms S. Smith	Rate increase/capping, reNEWal major projects, use of borrowings, Family Day Care, Council services, green waste collection, budget consultation
57	Ms S. Ryan	Rate increase, reNEWal major projects, communication of budget

	Name	Issue(s) Raised
58	Mr and Mrs Easton	Rate increase, reNEWal major projects, Council services/spending, efficiency/cost savings, Blackburn Lake Sanctuary works
59	Mr I. Craig	Rate increase/capping, Whitehorse Centre redevelopment, Council spending
60	Mr and Mrs Ayling	Rate increase, Whitehorse Centre redevelopment
61	Mr D. Winkler	Rate increase, Whitehorse Centre redevelopment, Council spending
62	Ms S. Partridge	ReNEWal major projects

Submission received after the closing date

63	Mr A. Sayle	Whitehorse Centre redevelopment, loss of green spaces, car parking
64	Mr J. Kozlowski	Rate increase, reNEWal major projects, Aqualink and Box Hill central footpath redevelopments
65	Mr P. Olney	Supports WRARA submission, rate increase, Whitehorse Centre redevelopment
66	Mr C. Lloyd	Whitehorse Centre redevelopment, Nunawading Primary School site, lack of sporting facilities
67	Ms A. Swann	Winfield Rd and Tie St Bike Paths to Koonung Creek Trail Construction
68	Mr G. Stone (#2)	Winfield Rd and Tie St Bike Paths to Koonung Creek Trail Construction
69	Mr and Mrs Sturdy	Winfield Rd and Tie St Bike Paths to Koonung Creek Trail Construction
70	Mr and Mrs Seymour	Rate increase, Whitehorse Centre redevelopment

The full text of the submissions are attached.

The following people have requested to speak to their submissions:

	Name
1	Mr John White, Manager, Cameron Close Residents' Association
2	Mr David Berry, Blackburn and District Tree Preservation Society Inc.
3	Mr Colin Carter, Secretary, Whitehorse Ratepayers and Residents Association Inc.
4	Mr Kenneth Weeks
5	Mr Chris Trueman
6	Mr Michael Hassett
7	Mr Roy Farthing
8	Mr Roy Lloyd
9	Mr Roger Wheeler
10	Mr Colin Carter

7 OTHER BUSINESS

7.1 Whitehorse Centre Redevelopment Community Consultation

Moved by Cr Davenport, Seconded by Cr Bennett

MOTION

That the results of the Whitehorse Centre Redevelopment Community Consultation which closed on 29 May 2015 be classified as non-confidential and placed on the Council's website by 24 June 2015.

LOST

A division was called

Division

For

Cr Bennett
Cr Davenport

Against

Cr Carr
Cr Chong
Cr Daw
Cr Ellis
Cr Harris
Cr Massoud
Cr Munroe

On the results of the Division the motion was declared LOST

7.2 Draft Trans Pacific Partnership Agreement

Moved by Cr Harris, Seconded by Cr Ellis

MOTION

That Council resolve to:

1. *Call on the Commonwealth Trade Minister to release the draft Trans Pacific Partnership (TPP) agreement for public consultation and parliamentary consideration prior to it being agreed to by Cabinet.*
2. *Request that the Trade Minister ensure that the TPP agreement does not contain Investor-State Dispute Settlement (ISDS) clauses which could:*
 - a) *Enable a foreign investor to sue governments for damages over policy, laws or regulations at the local government level.*
 - b) *Restrict local government policies which encourage local employment, support local economic and industry development and encourage good employment practices and initiatives.*
 - c) *Restrict local government policies which encourage good environmental practices and initiatives.*
 - d) *Restrict local government supply and regulation of services or require the commercialisation of services.*
 - e) *Prevent local government procurement policy from giving preference to local suppliers.*
2. *Propose to Council's delegate to the ALGA conference 2015 to support motions that are tabled at that conference that propose similar actions as outlined in points 1 and 2.*
4. *Send this resolution as a submission to the Commonwealth Trade Minister.*

CARRIED UNANIMOUSLY

7.3 Commonwealth Financial Assistance Grants

Moved by Cr Carr, Seconded by Cr Daw

MOTION

That Council:

1. *Write to the Federal Member for Deakin seeking his support to advocate to the Federal Government to:*
 - a. *Cease forthwith the freeze on the indexation of Commonwealth Financial Assistance Grants,*
 - b. *Restore the indexation of the grants (FAGs) to Local Government to pre 2014 Federal Budget levels*
2. *Support the proposed Motions supporting the restoration of indexation to the Financial Assistance Grants, listed for the Annual Australian Local Government General Assembly to be held from 14 to 17 June 2015*

CARRIED

A division was called

Division

For

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

Against

Cr Davenport

On the results of the Division the motion was declared **CARRIED**

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 10.00pm

Confirmed this 13th day of July 2015

CHAIRPERSON