



Agenda

Scheduled Council Meeting

Tuesday 21 July 2026 at 6pm

Council Chamber,
25 Ferres Boulevard, South Morang



**City of
Whittlesea**

Councillors

Cr Lawrie Cox, Mayor	Ganbul Gulinj Ward
Cr Blair Colwell, Deputy Mayor	Mill Park Ward
Cr Deb Gunn	Painted Hills Ward
Cr Michael Labrador	Lalor Ward
Cr Jarrod Lappin	Mernda Ward
Cr David Lenberg	Epping Ward
Cr Aidan McLindon	Kirrip Ward
Cr Christine Stow	North Ward
Cr Martin Taylor	South Morang Ward
Cr Chaman Tiwari	Thomastown Ward
Cr Daniela Zinni	Bundoora Ward

Executive Leadership Team

Debbie Wood	Acting Chief Executive Officer
Emma Appleton	Director Planning & Development
Agata Chmielewski	Director Community Wellbeing
Sarah Renner	Director Customer & Corporate Services
Arashdeep Singh	Acting Director Infrastructure & Environment
Janine Morgan	Executive Manager Public Affairs
Tony Dunleavy	Acting Executive Manager Office of Council & CEO

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Note:

At the Chair's discretion, the meeting may be closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*. The provision which is likely to be relied upon to enable closure is set out in each item. These reports are not available for public distribution.

Question Time:

Council will hold public question time for up to 30 minutes at each Scheduled Council Meeting to allow for public questions, petitions or joint letters from our community to be read out by the Chief Executive Officers delegate and responses will be provided by the Chief Executive Officer.

Questions are required to be submitted in writing no later than 12 noon on the day prior to a Scheduled Council Meeting.

Priority will be given to questions or statements that relate to agenda items. Any questions submitted after 12 noon the day prior will be held over to the following Council Meeting.

The Public Question form can be downloaded from Council's website. Refer:

<https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council is committed to ensuring that all residents and ratepayers of the municipality may contribute to Council's democratic process and therefore, if you have special requirements, please telephone Council's Governance Team prior to any Council Meeting on (03) 9217 2170.

1 Opening

1.1 Meeting Opening and Introductions

The Chair, Cr Lawrie Cox will open the meeting and introduce the Councillors and Acting Chief Executive Officer:

Cr Blair Colwell, Deputy Mayor

Cr Deb Gunn

Cr Michael Labrador

Cr Jarrod Lappin

Cr David Lenberg

Cr Aidan McLindon

Cr Christine Stow

Cr Martin Taylor

Cr Chaman Tiwari

Cr Daniela Zinni

Debbie Wood, *Acting Chief Executive Officer*

The Acting Chief Executive Officer, Debbie Wood will introduce members of the Executive Leadership Team:

Emma Appleton, *Director Planning and Development;*

Agata Chmielewski, *Director Community Wellbeing;*

Sarah Renner, *Director Customer and Corporate Services;*

Arashdeep Singh, *Acting Director Infrastructure and Environment;*

Janine Morgan, *Executive Manager Public Affairs;* and

Tony Dunleavy, *Acting Executive Manager Office of Council and CEO.*

1.2 Apologies

1.3 Acknowledgement of Traditional Owners Statement

The Chair will read the following statement:

“On behalf of Council, I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan and Taungurung People as the Traditional Owners of lands within the City of Whittlesea.

I would also like to acknowledge Elders past, present and emerging.”

1.4 Diversity and Good Governance Statement

The Chair will read the following statement:

“At the City of Whittlesea we are proud of our diversity and the many cultures, faiths and beliefs that make up our community. We strive to be an inclusive welcoming City that fosters active participation, wellbeing and connection to each other and this land. We commit as a Council to making informed decisions to benefit the people of the City of Whittlesea now and into the future, to support our community’s vision of A Place For All.”

1.5 Acknowledgements

2 Declarations of Conflict of Interest

3 Confirmation of Minutes of Previous Meeting/s

Recommendation

THAT Council confirm the minutes of the following preceding meetings, as circulated:

- 1. Hearing of Submissions Committee meeting held on 11 June 2026.**
- 2. Scheduled Council meeting held on 16 June 2026.**

4 Public Questions, Petitions and Joint Letters

4.1 Public Question Time

4.2 Petitions

4.2.1 Petition - Nature Strip Tree at 22 Paringa Avenue South Morang

A petition has been received from 33 residents requesting Council urgently remove the Council planted eucalyptus tree and associated root system located on the nature strip at 22 Paringa Avenue South Morang, as the tree presents ongoing and unacceptable safety risk to residents, visitors and the wider community, falling nut, leaves and branches have created hazardous conditions on the footpath, driveway and surrounding areas resulting in multiple slips and injuries.

Recommendation

THAT Council:

- 1. Note the petition.**
- 2. Refer the matter to the Acting Chief Executive Officer for consideration by the relevant department.**

4.2.2 Petition - Floodlights at Riverine Recreation Reserve

A petition has been received from 16 residents requesting the installation of floodlights at the Riverine Recreation Reserve fenced dog park, Mudstone Street, Wollert.

Since its commissioning, the park has evolved into a vital social and physical hub for locals and their pets. During winter months, the utility of the park drops significantly after 5.00pm, with residents working standard business hours being forced to either exercise their dogs entirely in the dark or avoid the park altogether. We believe energy-efficient solar LED floodlights with an automated timer would be a cost-effective and sustainable solution in two salient ways:

- Increased safety and security; and
- Enhanced accessibility and community well-being.

Recommendation

THAT Council:

- 1. Note the petition.**
- 2. Refer the matter to the Acting Chief Executive Officer for consideration by the relevant department.**

4.3 Joint Letters

No Joint Letters

5 Officers' Reports

5.1 Doreen RSL Lease Proposal for Brookwood Community Centre

Director/Executive Manager: Director Community Wellbeing
Director Planning & Development

Report Author: Manager Strategic Property & Portfolio Development

In Attendance: Manager Strategic Property & Portfolio Development

Attachment 1 has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

Executive Summary

At the Council meeting on 21 April 2026, Council considered a proposal for the future use of Brookwood Community Centre as a permanent base for the Doreen RSL following a \$1.6 million federal funding commitment.

Council resolved to undertake community consultation on the proposal to lease the Hazel Glen Room, community office and adjoining corridor of Brookwood Community Centre to Doreen RSL, subject to operational restrictions and evidence of the organisation's financial and operational capacity to manage the lease.

The statutory notice of intention to lease was given on 4 May 2026 on Council's website and in accordance with Council's Community Engagement Policy. Submissions were invited from the community with 418 online responses recognised. 254 written submissions were received with 43 submitters requesting to be heard in person or by proxy at a Hearing of Submission Committee meeting. The Hearing of Submissions Committee meeting was held on 11 June 2026 at the Council offices where 30 submitters spoke to their submission. Overall, 104 supported the proposal and 314 opposed the proposal.

This report provides the background, consultation process, engagement outcomes and key themes raised by the community. The findings are presented for Council's consideration in determining whether to proceed with the proposed lease.

Officers' Recommendation

THAT Council:

- 1. In accordance with section 115 of the *Local Government Act 2020*:
 - a. by giving public notice of intention to lease part of Brookwood Community Centre at 25 Hazel Glen Drive, Doreen to the Doreen RSL;**
 - b. having received and considered 418 submissions in response to the public notice; and**
 - c. by hearing submitters that requested to be heard at the Hearing of Submissions Committee Meeting held on 11 June 2026;**resolve not to lease any part of the premises at 25 Hazel Glen Drive, Doreen being Brookwood Community Centre to the Doreen RSL.**
- 2. Approve the Acting Chief Executive Officer to write to the Department of Veteran's Affairs as the federal government funding agency for this election commitment requesting that they decouple the \$1.6 million funding from the Brookwood Community Centre.**
- 3. Work with the Doreen RSL Committee and the Department of Veterans' Affairs to identify and assess alternative sites that may support the long-term needs of the Doreen RSL.**
- 4. Note officers will notify all submitters who have made a written submission of Council's decision and the reason for that decision.**

Background / Key Information

On 29 April 2025, a \$1.6 million Federal Government funding commitment was made in relation to a proposal to establish a permanent base for the Doreen RSL at the Council-owned Brookwood Community Centre on Hazel Glen Drive, Doreen, subject to a Council decision.

Brookwood Community Centre is a multi-use community facility in Doreen, located within a largely residential area. The Centre offers three flexible spaces for meetings and gatherings, supported by a community kitchen and a 23-bay car park, and is available for community hire seven days a week. The facility currently hosts a variety of casual bookings as well as nine regular hirers:

- Dance Power, a regular dance business, hiring rooms four days per week.
- Doreen Baptist Church, a weekly faith-based services and community support.
- Friends Dancing, a social dance group.
- Supported Playgroup (Smalltalk).
- Positive Ageing, a Council-run exercise program.
- Kelly Mini Sports.
- Zumba Dance Class.
- Chair Exercise.
- OMNI Doreen, a men's discussion group.

A privately operated café, leased until 31 July 2029, operates from a separate entrance while sharing access to the Centre's toilet facilities. The site is situated close to surrounding residential properties.

Doreen RSL seeks a permanent, exclusive use space to function as a 10B veterans' support and community facility, enabling the delivery of services, programs and commemorative activities within the municipality. RSL Victoria Branch By-Law 10B is the governing rulebook for incorporated RSL Sub-Branches that do not conduct gaming activities. It sets out how a Sub-Branch is established, governed, managed and operated.

At the Council Meeting of 21 April 2026, Council resolved to undertake community consultation on Option B which proposed that Doreen RSL be provided with exclusive use of the Hazel Glen Room, community office and adjoining corridor under a lease. The arrangement included operational restrictions prohibiting alcohol sales, food sales during adjoining café operating hours, outdoor alfresco or smoking areas, gaming facilities, and use of screens for wagering-related content. Required modifications were to be delivered within the allocated federal funding envelope at no cost to Council.

A detailed business plan and evidence was also requested, demonstrating that the Doreen RSL has the operational capacity and financial resources to operate, deliver, fund and manage the obligations associated with a lease arrangement.

In accordance with the resolution, a community engagement process was undertaken between 4 May 2026 to 31 May 2026. This included:

- Notice of intention to lease and supporting information on Council website.
- Letterbox drop to 470 residents within a 500m radius.
- Email to 1,593 registered users of the Engage Whittlesea platform.
- Two posts on Council's social channels.
- A letter to all regular hirers.
- Flyer displayed onsite.
- A letter to Doreen RSL.

The process generated a significant number of submissions from residents, user groups and other interested parties, providing a robust indication of community sentiment regarding the proposal.

Doreen RSL submitted a business plan and supporting documentation on 27 May 2026. The business plan focused on Option D; exclusive occupancy of the whole facility, excluding the cafe, with alcohol sales permitted.

Submissions

A total of 418 online responses were verified and of these 254 provided a written submission. Overall, 104 supported the proposal and 314 opposed the proposal see Figure 1. One duplicate submission was identified and removed from the analysis.

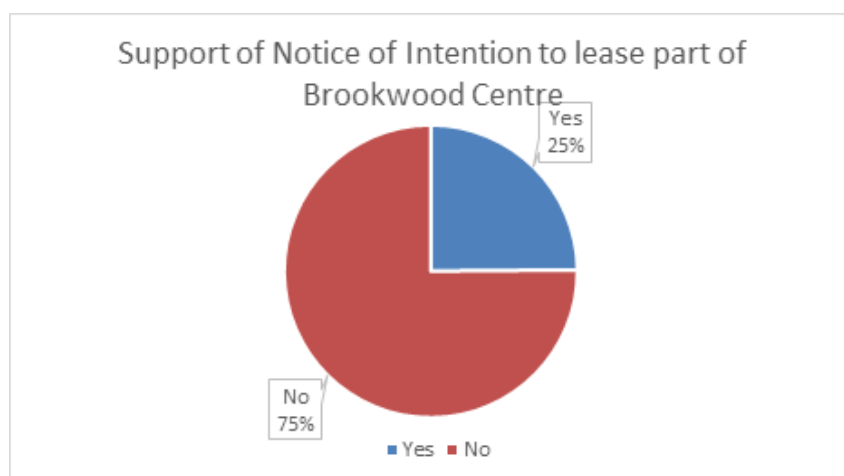


Figure 1: Percentage breakdown of support and opposition to the proposal

Figure 2 shows what connections people had to Brookwood Community Centre broken down by support for or against the proposal. 'Other' connections included RSL members, veterans, occasional users of space, friends or family of user groups, community members who would like to use facility in future.

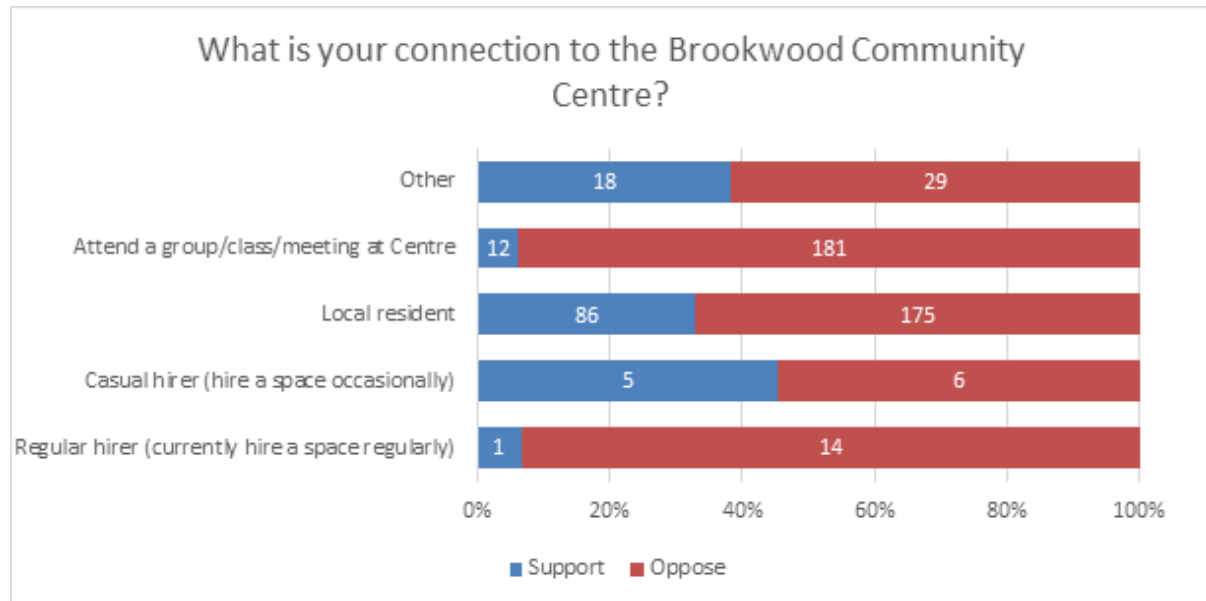


Figure 2: Submitters connections to Brookwood Community Centre by support or opposition

Written submissions summary

A summary of all the written submissions received in support of and in opposition to the proposal is provided in Figure 3 and Figure 4, ranked from the most frequently raised themes to the least frequently raised themes. The full list of submissions is included at Attachment 1.

Submissions in support of the proposal

Submission theme (summary)	Number of written submissions supporting the theme	Percentage of written submissions supporting the theme (n=43)
Support for veterans and families - Recognition of military service - Social connection and wellbeing are important - Community responsibility to support veterans	37	93%
RSL needs a permanent home - Requested for many years - Is required for future growth - A stable base for service delivery	34	85%

Submission theme (summary)	Number of written submissions supporting the theme	Percentage of written submissions supporting the theme (n=43)
Required for service delivery - Welfare support - Commemorative activities - Volunteer programs - Community events / initiatives	31	78%
Long term community investment - Activation and increased use - Stronger community presence - Certainty for the RSL	18	45%
Shared use may work - Brookwood is large enough - Users can co-exist, and shared use arrangements can be managed	16	40%

Figure 3: Submissions received in support of the proposal ranked from the most frequently raised

Of the 43 written submissions supporting the proposal, seven (16% of supportive submissions) expressly advocated for Option D. These submissions requested a dedicated and secure long-term facility for the Doreen RSL, citing the need to provide certainty for veterans' services and ongoing operations.

Submissions in opposition of the proposal

Opposition to the proposal Submission themes	Number of written submissions supporting the theme	Percentage of written submissions supporting the theme (n=211)
It's a community facility - Facility is for the community - A place that fosters belonging and social connection - A valuable local asset	163	82%
Support for RSL, but not at Brookwood CC - Veterans deserve support - The RSL performs valuable work - The RSL needs a permanent home	158	79%

Opposition to the proposal Submission themes	Number of written submissions supporting the theme	Percentage of written submissions supporting the theme (n=211)
Community use and access impacts • Reduced access to facilities • Loss of flexible spaces • Reduced availability for users • Perceived prioritisation of RSL	143	72%
Impact on children and families • Children's development • Family wellbeing and social inclusion • Limited alternative activities in area	135	68%
Impact on Dance Power and existing users • Potential displacement Dance Power • Difficulty finding alternative venues • Disruption to children and families	128	64%
Brookwood not considered fit for purpose • Building size and limited facilities • Parking constraints • Shared use conflicts • Long term sustainability	97	49%
Consultation and decision-making process • Lack of transparent consultation • How alternatives were assessed • Perceived predetermined outcome	52	26%

Figure 4: Submissions received in opposition to the proposal ranked from the most frequently raised

The opposing submissions largely focused on Brookwood Community Centre being an inappropriate venue for the Doreen RSL activities. They cited a high level of community use, detrimental impact on existing users, children and families. Many of these submissions advocated for retention of existing community uses at Brookwood Community Centre and simultaneously expressed support for an alternative site for the Doreen RSL.

Hearing of verbal submissions

On 11 June 2026 at 6pm, a Hearing of Submissions Committee Meeting was held for representative Councillors to hear from those submitters who wished to be heard in person. 30 submitters spoke to their submission.

There being no further questions, the Chair formally closed the Hearing of Submissions meeting at 8.07pm. The minutes are included at Attachment 2.

The sentiment voiced by submitters at the Hearing of Submissions Meeting have been captured within the submission summary above. Further consideration has been given below to the factors raised by speakers and included for completeness.

Verbal submissions heard were generally consistent with the themes and issues raised through the written submissions. Submitters speaking in support highlighted the need for the Doreen RSL to secure a permanent home, the importance of supporting veterans and their families, and the benefits of a stable base from which to deliver services.

Those speaking in opposition largely focused on retaining Brookwood Community Centre as a shared community facility, preserving access for existing users, particularly Dance Power, and maintaining programs and activities that support children, families and broader community wellbeing. A number of submitters also reiterated that while they supported the Doreen RSL and the services it provides, they did not consider Brookwood Community Centre to be an appropriate location.

Some submitters raised concerns that there was insufficient information available to adequately assess and determine the potential impacts of the proposal on local residents and the surrounding area. Concerns were expressed regarding the absence of detail on traffic management, parking demand, noise impacts, operational restrictions and measures to mitigate adverse effects on residential amenity. Some submitters also noted a lack of clarity regarding any limitations that may apply to future activities associated with the RSL.

RSL members, when speaking to their submissions, advised that the information circulated as part of the consultation represented maximum anticipated attendance numbers, event frequency and operating hours, rather than typical day-to-day usage. The RSL indicated that actual use of the facility would be significantly lower than the scenarios presented. Representatives also spoke to their desire for a substantial tenure outcome comprising exclusive occupation of a Council facility, a long-term permanent home and a peppercorn lease arrangement.

Collectively, these requests represent a significant commitment of a public asset and require careful consideration of costs, impacts on existing and future community users, equity principles and alternative accommodation pathways available to the organisation.

Doreen RSL Business Plan

On 27 May 2026 the Doreen RSL submitted the following documents:

- Cover letter.
- Business plan.

- Financial capacity and sustainability statement.
- Audited financial statement.
- Statement of financial assurance.
- Funding capacity for additional facility works.
- Commitment to regulatory compliance.
- Noise amenity management plan.
- Statement of operational transition.
- Letters of support from ANZAC House and RSL Victoria Region 1.

The cover letter notes that the documentation is intended to support Option D as Option B does not provide scope for a viable business or revenue model. Under Option D, the Doreen RSL proposes exclusive occupancy of the facility, working in partnership with Council to retain shared-use spaces while implementing appropriate controls relating to alcohol service, operating hours, parking, access, noise management and security.

Based on the information provided, officers are satisfied that the Doreen RSL has the experience, governance arrangements and financial capacity to expand its activities, fund limited works beyond that of the grant and obtain the necessary permits and licences at a facility. It is noted that the Doreen RSL has not included any lease rental costs within its projected expenditure, and its capacity to meet rental obligations remains unclear.

Doreen RSL acknowledged the issues raised through consultation and committed to working with Council and the community to ensure the responsible operation of the facility, including equitable access, good governance, community safety, and appropriate management of amenity impacts.

Notwithstanding Doreen RSL's advice that Option B does not provide scope for a viable business or revenue model, Council's community consultation process was undertaken on Option B. Any consideration of Option D, or a materially different shared-use arrangement, would represent a departure from the proposal that was the subject of community consultation and would require further consideration of appropriate consultation and decision-making processes.

In summary, the consultation demonstrated a high level of community interest, with 104 submissions supporting the proposal and 314 submissions opposing it. Supporting submissions focused on the need to provide a permanent home for the Doreen RSL and support for veterans and their families, opposing submissions largely centred on retaining Brookwood Community Centre as a shared community facility and preserving access for existing users.

The assessment has given significant weight to the consultation outcome data, which demonstrates a clear community sentiment. Doreen RSL has advised that the consulted option does not provide a viable business model and this, coupled with the consultation outcomes, demonstrates limited support for the current proposal.

Council's role in facility provision

Any proposal that would provide exclusive occupation of a community facility must be carefully considered against competing community needs, existing usage patterns, strategic priorities and the broader public interest.

Council recognises the importance of the RSL Sub-Branch and the valuable contribution it makes to veterans and the broader community. While Council may have historically explored opportunities to support community organisations find a home, such decisions were likely made in a different context. As the City has grown and community expectations for access to shared facilities have increased, Council must ensure that community assets are managed equitably and deliver the greatest benefit to the broadest range of residents. In this context, identifying and securing a dedicated facility for the exclusive use of a single organisation would represent a level of support that extends beyond Council's usual role and responsibilities, particularly where it limits access for other community groups or displaces existing users.

While Council remains committed to supporting the Doreen RSL Sub-Branch and exploring reasonable opportunities to assist its ongoing operation, the provision of a Council-owned facility should not be viewed as the sole solution. Alternative pathways may be available, including securing commercial premises, investigating Crown Land opportunities, pursuing further external funding, establishing new partnerships, or undertaking an expression of interest process to the private market to identify premises that meet the Doreen RSL's operational requirements.

Consideration could also be given to approaching Nillumbik Shire Council, recognising that the Doreen community extends across municipal boundaries and that the RSL's membership and service catchments are not limited.

The role of Department of Veterans' Affairs (DVA)

DVA is the Australian Government agency responsible for delivering services, programs and support to veterans, serving members, and their families. DVA may provide grants, funding programs, welfare support and policy guidance, but it does not govern or manage local RSL Sub-Branches.

The role of Department of Anzac House

Anzac House is the headquarters of RSL Victoria and is responsible for overseeing Victorian RSL Sub-Branches. It provides governance, compliance, welfare, membership and operational support, and ensures Sub-Branches comply with RSL Victoria's constitution, by-laws and policies.

Should it be determined not to proceed with the proposal, it is recommended that Council continue to support the Doreen RSL by advocating to the Department of Veterans' Affairs to decouple the \$1.6 million funding from the Brookwood Community Centre, supporting the identification and assessment of suitable sites, exploring other approaches to securing an appropriate long-term facility, assisting with grant applications, and continuing to partner with the Doreen RSL on community and commemorative activities.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

High Performing Organisation

We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

Considerations of *Local Government Act (2020)* Principles

Community Consultation and Engagement

Council has met its statutory obligations under section 115 of the *Local Government Act 2020* with regard to community engagement including publishing a notice of intention to lease information on Council website, correspondence to residents, regular hirers and registered users of the Engage Whittlesea platform and social media posts. All submitters will be advised of the Council decision and the reason for that decision following the Council meeting.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- (c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
- (d) The municipal community is to be engaged in strategic planning and strategic decision making.
- (e) Innovation and continuous improvement is to be pursued.
- (g) The ongoing financial viability of the Council is to be ensured.

- (i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.
- (b) Council information must be publicly available unless
- (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or
 - (ii) public availability of the information would be contrary to the public interest.
- (c) Council information must be understandable and accessible to members of the municipal community.
- (d) Public awareness of the availability of Council information must be facilitated.

Council Policy Considerations**Environmental Sustainability Considerations**

No implications.

Social, Cultural and Health

No implications.

Economic

Should the lease proceed the income from the Brookwood Community Centre will be impacted. The current annual income is \$57,820.42, with a breakdown:

- The Hazel Glen Room - \$25,290.07 per annum.
- The Community Room - \$24,822.35 per annum.
- Casual bookings - \$7,708 per annum.

It is further noted that the Doreen RSL's full proposal, being option D is estimated to cost \$3.1 million, exceeding the available election funding by approximately \$1.5 million.

Legal, Resource and Strategic Risk Implications

No implications.

Implementation Strategy**Communication**

Following the Council decision, all submitters will be advised of the decision and the reason for that decision. To support transparency with the broader community, a brief consultation outcomes report summarising the engagement process, key themes raised, and Council's response will be published on Council's Engage platform. This will ensure participants and interested community members can readily access the results of the consultation and understand how community feedback informed the assessment and recommendations.

Critical Dates

- Notify submitters of the Council decision – July 2026.
- Notify Doreen RSL of the Council decision – July 2026.
- Notify Department of Veteran Affairs and the Federal Government of the Council decision – July 2026.
- Update Council's Engage Whittlesea platform including a consultation outcomes report – July 2026.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Brookwood Community Centre Submissions [5.1.1 - 853 pages]
2. Minutes HOS - 11 June 2026 [5.1.2 - 6 pages]

Minutes

Hearing of Submissions Committee Meeting

Thursday 11 June 2026 at 6pm

Council Chamber,
25 Ferres Boulevard, South Morang



**City of
Whittlesea**

MINUTES - Hearing of Submissions Committee Meeting 11 June 2026



Attendance

Councillors

Cr Blair Colwell, Deputy Mayor
 Cr Michael Labrador
 Cr Jarrod Lappin
 Cr Martin Taylor

Officers

Debbie Wood, Acting Chief Executive Officer
 Emma Appleton, Director Planning & Development
 Agata Chmielewski, Director Community Wellbeing
 Jordan Glancy, Acting Director Customer & Corporate Services
 Arashdeep Singh, Acting Director Infrastructure & Environment
 Janine Morgan, Executive Manager Public Affairs
 Jacinta Stevens, Executive Manager Office of Council & CEO

Apologies

Cr Christine Stow

Nomination to Chair Meeting

The Acting Chief Executive Officer opened the meeting at 6pm and welcomed those in attendance.

Before proceeding, the Acting Chief Executive Officer invited Councillors to nominate as chair for this Hearing of Submissions Committee meeting.

Cr Colwell nominated himself. As there were no further nominations, the Acting Chief Executive Officer put Cr Colwell's nomination to a vote.

VOTING		
FOR	AGAINST	ABSTAINED (vote against the motion)
Cr Colwell Cr Labrador Cr Lappin Cr Taylor	Nil	Nil

Voting was Carried Unanimously. Deputy Mayor, Cr Colwell assumed the Chair.

MINUTES - Hearing of Submissions Committee Meeting 11 June 2026

**Acknowledgement of Traditional Owners Statement**

The Chair opened the meeting by reading the following statement:

"On behalf of Council, I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan and Taungurung People as the Traditional Owners of lands within the City of Whittlesea.

I would also like to acknowledge Elders past, present and emerging."

Disclosure of Conflicts of Interest

The Chair asked those in attendance the following question: *"Does any Councillor or Officer have a conflict of interest in any matter on the agenda today?"*

Nil

MINUTES - Hearing of Submissions Committee Meeting 11 June 2026



Order of Business

1 Reports from Officers	5
1.1 Doreen RSL Lease Proposal for Brookwood Community Centre	5
2 Close Meeting	6

UNCONFIRMED

MINUTES - Hearing of Submissions Committee Meeting 11 June 2026



1 Reports from Officers

1.1 Doreen RSL Lease Proposal for Brookwood Community Centre

Director/Executive Manager: Director Planning & Development

Report Author: Amanda Allen, Manager Strategic Property & Portfolio Development

In Attendance: Amanda Allen, Manager Strategic Property & Portfolio Development
Anthony Traill, Manager Active Places & Communities

Executive Summary

The purpose of this report is for the Hearing of Submissions Committee (the Committee) to hear all submitters who wish to speak in support of their written submission received by Council regarding the proposal to lease to Doreen RSL part of the premises at 25 Hazel Glen Drive, Doreen (Brookwood Community Centre).

Submitters who presented

In accordance with Council's Governance Rules, Chapter 3, Sub-clause 3.5, members of the public were invited to present their verbal submission. The following submitters attended the meeting to speak to their submissions:

- | | |
|--|---|
| 1. Ellen Marsden | 16. John Edmonds |
| 2. Karley O'Dwyer | 17. Michelle Sanders (daughter spoke on her behalf) |
| 3. Annessa Nikolaou | 18. Miriam Mollema |
| 4. Lola Nikolaou | 19. Kate O'Halloran |
| 5. Matthew Luczek (Annessa spoke on behalf of Matthew) | 20. Jaimie Yates |
| 6. Emma Gardiner (Annessa spoke on behalf of Matthew) | 21. Emily Collett |
| 7. Ethan White | 22. Travis Drake |
| 8. Belinda Reginato (on behalf of Reginato family) | 23. Wes Wridgway |
| 9. Danielle Stewart | 24. Kev Blacker |
| 10. Mario Cattapan | 25. Samantha Barratt |
| 11. Jessica Cutler | 26. Phil Wood (Wes spoke on behalf of Phil) |
| 12. Harjinder Singh | 27. Gareth Newman Ward |
| 13. Bikram Sekhon | 28. Simon Clouting |
| 14. Ruby Lee de Krester | 29. Brendon Agpasa |
| 15. Gavin de Krester | 30. Bethany Setter |

MINUTES - Hearing of Submissions Committee Meeting 11 June 2026



2 Close Meeting

There being no further business the Chair formally closed the Hearing of Submissions Committee meeting at 8:07pm.

Confirmed this 21st day of July 2026.

UNCONFIRMED

5.2 Garden Road Development Plan Amendment

Director/Executive Manager: Director Planning & Development

Report Author: Strategic Planner Graduate

In Attendance: Senior Strategic Planner
Strategic Planner Graduate

Executive Summary

The purpose of this report is to discuss the assessment and exhibition outcomes of the proposed amendment to the Garden Road Development Plan (Development Plan amendment) and seek approval of the Development Plan amendment as it applies to the proposed use of the land at 31A Yellow Brick Road, Doreen (refer Attachment 1).

The Garden Road Development Plan (Development Plan) was first approved in 2005. It provides a framework to guide the future use and development of land and implements the aims and objectives of the Mernda Strategy Plan (amended 2016). The Development Plan is bound by Yan Yean Road to the east, Garden Road to the west, Bridge Inn Road to the north, and the Vacluse Development Plan area to the south. Yan Yean Road acts as the Local Government Area boundary between the City of Whittlesea and the Nillumbik Shire Council to the east, as shown in the Suburb Context Map (refer Attachment 2).

The Development Plan area has mostly been subdivided and developed in accordance with the Development Plan, comprising of residential subdivision, and the Doreen Neighbourhood Activity Centre (Doreen NAC) located at the intersection of Bridge Inn Road and Yan Yean Road.

In the most recent amendment to the Garden Road Development Plan approved in 2019, the land use designation for the subject site at 31A Yellow Brick Road, Doreen was changed from “Low Density Residential Development” to “Swim Centre and Medical Centre”. These uses are permissible within the General Residential Zone that applies to the site.

The proposed Development Plan amendment prepared and submitted by Tract Consultants on behalf of the landowner at 31A Yellow Brick Road, Doreen, seeks to change the land use designation of the subject site from “Swim Centre and Medical Centre” to “Non-residential uses permissible within the General Residential Zone” (refer Attachment 1). The proposed change in land use designation would enable a wider range of uses to be considered for the subject site beyond a Swim Centre and Medical Centre. Refer to Attachment 3 for a detailed list of non-residential uses which are permissible within the General Residential Zone.

The draft Development Plan amendment underwent non-statutory exhibition between 8 April 2026 to 6 May 2026. The supporting documents submitted by Tract Consultants with the Development Plan amendment, were made available upon request. Owners and occupiers in the surrounding area and relevant agencies were notified and given an opportunity to provide feedback on the proposal. A total of four submissions were received from adjacent landowners and residents as well as relevant agencies. Two of the submitters raised concerns about amenity and privacy impacts and this has been addressed through an update to several performance measures as outlined in the report below and in the Engagement Report (refer Attachment 4).

The Development Plan amendment has been prepared in accordance with Schedule 5 to the Development Plan Overlay (DPO5) at Clause 43.04 of the Whittlesea Planning Scheme. It responds to all relevant requirements within the DPO5 and allows the Development Plan to remain responsive to road network upgrades and market demand for non-residential land uses which impact the feasibility of the subject site being developed. As such, this report recommends that Council approve the proposed amendment to the Garden Road Development Plan.

Officers' Recommendation

THAT Council:

- 1. Note the proposed amendment to the Garden Road Development Plan at Attachment 1 which proposes to amend the land use designation for the site at 31A Yellow Brick Road, Doreen from "Swim Centre and Medical Centre" to "Non-residential uses permissible within the General Residential Zone".**
- 2. Note the outcomes of the non-statutory exhibition process as detailed in the Engagement Report at Attachment 4.**
- 3. Approve the proposed amendment to the Garden Road Development Plan in the form contained at Attachment 1.**
- 4. Note that Council officers will notify the submitters and proponent of this resolution.**

Background / Key Information

Site Context

The proposed amendment to the Garden Road Development Plan (Development Plan amendment) affects an existing lot at 31A Yellow Brick Road, Doreen (refer Attachment 1). The subject site is in private ownership and has a total area of approximately 0.43 hectares and is the only vacant lot remaining to be developed within the Development Plan area. The subject site is bound by Yan Yean Road to the east, Activity Way to the north, Yellow Brick Road and a residential lot to the west, and residential lots to the south (refer to the Local Context Map at Attachment 5 for further detail).

More broadly, the subject site sits within the Garden Road Development Plan (amended 2019). The Development Plan area is bound by Yan Yean Road to the east, Garden Road to the west, Bridge Inn Road to the north, and the Vaucluse Development Plan area approximately 500 metres south of Bridge Inn Road. Yan Yean Road currently forms the Local Government Area boundary between the City of Whittlesea and Nillumbik Shire Council to the east (refer to Suburb Context Map at Attachment 2 for further detail).

The majority of the Development Plan area has already been subdivided and developed in accordance with the Development Plan, comprising of standard density residential development, with smaller pockets of medium density housing in the north, and low-density residential housing located in the south-east corner of the Development Plan area. An electrical transmission easement runs across the north-western corner of the site, with an electricity substation adjoining the southern boundary of the transmission easement.

The surrounding road network has substantially changed since the Development Plan was initially approved in 2005. This has included the addition of a left in/left out intersection at Activity Way and Yan Yean Road, introduced in 2010. Other notable additions include the Doreen Neighbourhood Activity Centre (NAC) which is comprised of convenience restaurants, a carwash, a medical clinic, a childcare centre, a tyre fitting shop and a service station.

The Development Plan Process at City of Whittlesea

The subject land is affected by Schedule 5 of the Development Plan Overlay (DPO5), which is the principal planning tool applied to the older structure plan areas that originally converted rural land to urban use in Whittlesea Township, Mernda, Doreen, South Morang, Wollert, Epping, and Epping North.

Schedule 5 of the Development Plan Overlay implements the requirements of the Mernda Strategy Plan. The Development Plan Overlay requires a Development Plan to be prepared and approved by Council prior to a planning permit application for subdivision or buildings or works being approved for the land.

The Development Plan process is explained further at Attachment 6 and the location of Development Plans in the planning document hierarchy is shown at Attachment 7.

Council in its role as the responsible authority for administering the Whittlesea Planning Scheme, is required to assess and determine whether the proposed amendment to the Development Plan satisfies the requirements of the scheme.

Planning Context

General Residential Zone – Schedule 1

The subject site is zoned General Residential Zone – Schedule 1 (GRZ1) of the Whittlesea Planning Scheme. The primary purpose of the GRZ1 is to provide a diversity of housing types and housing growth, particularly in locations offering good access to services and transport. The zone also allows for educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The proposed Development Plan amendment seeks to change the land use designation of the subject site from “Swim Centre and Medical Centre” to “Non-residential uses as permissible within the GRZ”. Before deciding on an application for the use and development of land for a non-residential purpose, the responsible authority must consider whether the use is appropriately located as determined by the decision guidelines at Clause 32.08-14 of the Whittlesea Planning Scheme.

Incorporated Plan Overlay – Schedule 1 (IPO1) – Mernda Strategy Plan

The IPO1 applies the Mernda Strategy Plan (MSP) to the precinct. The subject site is located within Precinct 2B of the MSP area, which has been identified for a combination of low-density and standard density residential housing. The MSP further designates a “Local Convenience Centre” node at the corner of Bridge Inn Road and Yan Yean Road, which has since been developed into the Doreen NAC north of the subject site. Since the adoption of the MSP in 2008, the surrounding context has changed significantly with the low-density housing designation in the Development Plan no longer being required given that the ultimate extent of Yan Yean Road upon completion of the Yan Yean Road Stage 2 upgrade works will provide a buffer to Green Wedge land in Nillumbik Shire Council to the east (refer to Attachment 8 for the Project Map).

Development Plan Overlay – Schedule 5 (DPO5) – Mernda Development Plan

The DPO5 applies to the subject site and requires the approval of a Development Plan to guide the future use and development of land within the precinct. Council in its role as the responsible authority for administering the Whittlesea Planning Scheme must determine whether the proposed Development Plan or any subsequent amendments to the Development Plan satisfies the requirements of the DPO5 schedule.

Any planning permit issued must be generally in accordance with the relevant Development Plan approved under DPO5.

Development Contributions Plan Overlay – Schedule 6 (DCPO6) – Mernda Precinct 2B Development Contributions Plan

The DCPO6 provides that development contributions are payable upon all developable land on any given development site within the precinct and summarises the costs and contributions applicable to Precinct 2B of the Mernda Strategy Plan Development Contributions Plan 2008. Development contributions are payable at the time of subdivision (or stages thereof), prior to a Statement of Compliance being issued.

Vegetation Protection Overlay – Schedule 1 (VPO1) – Significant Vegetation (River Redgum Grassy Woodland)

The purpose of the VPO1 is to protect and retain significant native vegetation, including River Red Gums, Black Box, White Box, Grey Box, Yellow box and various native grasses. There are a number of semi-mature River Red Gums present on the subject site with low retention value due to their poor health. A planning permit has already been granted to remove, destroy and lop vegetation on the subject site under this control.

Specific Controls Overlay – Schedule 13 (SCO13) – Yan Yean Road (Kurrag Road to Bridge Inn Road) (Stage 2) Upgrade Project Incorporated Document, May 2021

The SCO13 applies specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances. Only a small portion of the subject site along its eastern boundary is impacted by the SCO13, which applies the *Yan Yean Road (Kurrag Road to Bridge Inn Road) (Stage 2) Upgrade Project Incorporated Document, May 2021*. The SCO13 exempts the requirement for a planning permit for works undertaken in accordance with the Incorporated Document. The Department of Transport and Planning has confirmed that land within the subject site impacted by SCO13 is not required for road widening however it may be required for laydown activities during construction. This control is considered to have no impact on the outcome sought in the Development Plan amendment.

Road Network

The initial Development Plan approved in 2005 identified a road network comprised of a grid-based subdivision pattern, a boulevard road treatment along the electrical transmission easement running across the north-western corner of the Development Plan area and proposed no direct access to Bridge Inn Road and Yan Yean Road. This road network was updated in later amendments, which changed the road alignment along the electrical transmission easement, and in 2010 introduced a left in/left out intersection at Activity Way and Yan Yean Road.

In a 2012 amendment to the Development Plan, the north-eastern corner of the Development Plan area was changed to Mixed Use Zone – Schedule 2 (MUZ2), to permit the development of the Doreen NAC. Service lanes were permitted off Yan Yean and Bridge Inn Roads to provide access to the NAC precinct in the north-east corner of the Development Plan area.

As outlined, the Yan Yean Road Upgrade Stage 2 works (undertaken by the State Government) will affect Yan Yean Road directly adjacent the subject site to the east, and the intersection of Activity Way and Yan Yean Road to the north-east of the site. These works are shown on the Project Map at Attachment 8. In addition to the road widening and re-alignment of Yan Yean Road adjacent to the eastern boundary of the subject site, the state government will create a new shared path along the western side of Yan Yean Road and deliver a full access intersection with traffic lights at Yan Yean Road and Activity Way. The new intersection will reinforce the status of Activity Way as a gateway to the Development Plan area and foster safe and efficient access to the subject site.

Development Plan Amendment Proposal

The Development Plan amendment seeks to change the land use designation for the subject site at 31A Yellow Brick Road, Doreen from “Swim Centre and Medical Centre” to “Non-residential uses as permissible under the General Residential Zone” (refer Attachment 1).

The original land use designation for the subject site under the 2005 Development Plan was “Low density residential”, which was designed to provide a gradual transition from urban land within the Development Plan area to green wedge land in Nillumbik Shire Council, and allowed for the retention of existing rural dwellings within larger allotments. This land use designation was changed to “Swim Centre and Medical Centre” in the 2019 amendment to the Development Plan. The “Swim Centre and Medical Centre” land use designation was determined to be appropriate because of the site’s location adjacent to the Doreen NAC to the north, and the direct access to the site from Yan Yean Road via Activity Way. The left in left out intersection at Activity Way and Yan Yean Road is the only access to the Development Plan area from Yan Yean Road, and acts as a gateway to the Development Plan area from the east. As noted above, this intersection will be upgraded to full access with signalisation as part of the Yan Yean Road Upgrade Stage 2 works.

There is an existing permit on the subject site for the use and development of the land for a Medical Centre and Restricted Recreational Facilities (Swimming Pool and Gym), in line with the existing land use designation in the Development Plan. Notably, this permit has been extended and/or amended multiple times since it was first approved in 2019, and the subject site has since passed into different ownership. Despite the permit approval, the subject site remains undeveloped.

The change in land use designation from “Swim Centre and Medical Centre” to “Non-residential uses as permissible under the General Residential Zone” has been sought because there has been no market demand from Swim Centre operators to locate on this site since the land use was permitted in 2019. As such, the Development Plan amendment seeks to permit a broader range of non-residential uses, to facilitate the appropriate and timely development of the site.

The following list provides some of the possible non-residential uses permissible within the General Residential Zone, which could be permitted by the proposed change in land use. This includes childcare centre, place of worship, car wash, convenience restaurant, convenience shop, food and drinks premises, gymnasium, leisure and recreation, market, medical centre, place of assembly, plant nursery, service station, swim school, and take away food premises.

The Development Plan amendment also proposes additional design guidance for the subject site, provided as an addendum to the Development Plan, which begins at page 42 of the draft Development Plan amendment (refer to Attachment 1). This additional design guidance has been included to minimise the potential impact of the proposed non-residential uses on the adjoining residential lots to the west and south of the site and responds to the planned Yan Yean Road Stage 2 upgrade works adjacent to the site.

Non-Statutory Exhibition

Although there is no statutory requirement to advertise the Development Plan amendment, the City of Whittlesea undertakes non-statutory exhibition as part of its established notification practices to affected and adjoining properties and relevant agencies.

This is to ensure that any owners and occupiers impacted by the proposal, and agencies with relevant expertise can provide comment on the proposal as part of Council’s decision-making process, noting that any future planning permit considered generally in accordance with the Development Plan is not required to be further exhibited to the community.

The non-statutory exhibition included direct notification to 46 property owners and occupiers in the vicinity of the subject site together with relevant government agencies including the Department of Transport and Planning, Environment Protection Agency Victoria, and Nillumbik Shire Council. During the exhibition period, the draft Development Plan amendment was made available on the City of Whittlesea’s website. The proponent submitted several supporting documents, which have been summarised within the draft Development Plan amendment. These supporting documents were made available upon request over the course of non-statutory exhibition.

Council officers have considered the submissions received and responded to the relevant submitter concerns. Submissions and subsequent changes to the draft Development Plan amendment have been summarised below and in the Engagement Report included at Attachment 4.

Submissions

The draft Development Plan amendment received four submissions over the course of non-statutory exhibition. Submissions were received from Nillumbik Shire Council and the DTP, expressing support for the Development Plan amendment. The Environment Protection Agency Victoria did not make a submission.

Two submissions were received from property owners and occupiers in the vicinity of the subject site, raising concerns with the draft Development Plan amendment. The submissions were similarly worded, and expressed the following concerns:

1. Negative impacts on the amenity and privacy of adjacent residential properties due to non-residential uses having longer operating hours, increased noise, lighting, or visual bulk of built form and overlooking compared to the existing land-use designation (“Swim Centre and Medical Centre”).
2. Increased car parking demand from potential non-residential uses, reducing the number of on-street car spaces available for residents around the subject site.
3. Increased traffic movements associated with potential non-residential land uses, which would decrease the safety of the local street network surrounding the subject site.
4. Loss of the existing community-focused land use (“Swim Centre and Medical Centre”), which was compatible with the adjacent residential lots and met a community need.

These concerns have been assessed, and recommendations have been made in response to submitter concerns, as outlined in the following sections.

Amenity and Privacy at the Residential Interface

The proposed change in land use designation does not guarantee that future non-residential uses will have greater privacy and amenity impacts than the “Swim Centre and Medical Centre” land use that is currently permitted under the approved Garden Road Development Plan (amended 2019). There will be a further assessment at the planning permit stage which will consider whether the proposed land use and development is acceptable. The planning permit assessment will consider the performance measures provided in the Development Plan (discussed in more detail below), local planning policy within the Whittlesea Planning Scheme relating to specific land uses (for example, Clause 19.02 -1L Medical Centres), and the decision guidelines in the General Residential Zone relevant to non-residential use and development (Clause 32.08-14 Decision Guidelines).

These policy and decisions guidelines have been designed to minimise adverse amenity and privacy impacts and ensure that non-residential uses are compatible with adjacent residential properties.

To assist with subsequent planning permit assessments, the following performance measures have been added to the draft Development Plan amendment to manage potential amenity and privacy impacts at the residential interfaces in response to submitter concerns:

- “The design and siting of buildings should use the slope, as much as practicable, to minimise any building’s presence and potential amenity impacts to the surrounding area” (p. 6/10 of the Addendum to the Development Plan).
- Development along the residential interfaces must “consider how they provide an appropriate transition” from non-residential to residential uses (p. 6/10 of the Addendum to the Development Plan).
- “Lighting is to be baffled / managed at the transition to the residential interfaces” (p. 6/10 of the Addendum to the Development Plan).
- “The location of loading and waste storage areas should minimise any potential unreasonable amenity impacts to surrounding residential properties.” (p. 6/10 of the Addendum to the Development Plan).

The submissions also raised increased operating hours as a concern, but it is highly unlikely that a future non-residential land use would have longer operating hours than the ancillary gymnasium permitted on the subject site under the current approved Garden Road Development Plan (2019). As such, it is not anticipated that the proposed change in land-use designation will result in increased operating hours.

Car parking

Car parking will largely be managed at the planning permit stage. The on-street car parking capacity of the local road network will be considered at the planning permit stage, should the applicant apply for a reduction to the statutory car parking rate. The following performance measure has been added to the Development Plan amendment to guide future assessment at the planning permit stage: “Any future planning permit application will need to demonstrate that an appropriate level of car parking can be provided on the site.” (p. 8/10 of the Addendum to the Development Plan).

Traffic Safety and Road Network

The proposed land use change will not necessarily increase traffic movements within the local road network around the subject site compared to the existing “Swim Centre and Medical Centre” use.

Any potential increase in traffic movements will be accommodated by the signalisation of the Activity Way and Yan Yean Road intersection under the Stage 2 Yan Yean Road upgrade works, which will improve safety and traffic flow adjacent to the subject site entrance. The latest plans for these works can be found in Attachment 8, and construction is already underway along Yan Yean Road adjacent to the subject site.

Land use and Community Need

The change in land use designation, from “Swim Centre and Medical Centre” to “Non-residential uses as permissible under the General Residential Zone” has been proposed by the proponent because there has been no market interest to date in delivering a Swim Centre. By allowing a broader range of non-residential land-uses, the proposed amendment does not preclude the site being developed for other community-focused land uses such as a medical centre or other community infrastructure. Council officers are confident that compatible land-use outcomes can be achieved via performance measures in the Development Plan amendment which manage the transition between non-residential and residential uses.

Discussion

The Development Plan amendment will enable the orderly development of the subject site at 31A Yellow Brick Road, Doreen, with the change in the designation of land use. The Development Plan amendment also responds to the need to manage the transition from non-residential to residential uses, via performance measures designed to minimise potential adverse impacts on residential amenity and privacy for adjacent residential properties.

The Development Plan amendment takes the form of an Addendum to the approved Garden Road Development Plan (amended 2019) and includes an assessment against the requirements of Schedule 5 to the Development Plan Overlay. It is recommended that the Development Plan amendment, as provided at Attachment 1, is approved by Council.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

Liveable Neighbourhoods

Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Response:

The Development Plan amendment aligns with Whittlesea 2040 by facilitating the use and development of the site with non-residential uses that provide an appropriate interface to surrounding residential uses.

Strong Local Economy

Our City is a smart choice for innovation, business growth and industry as well as supporting local businesses to be successful, enabling opportunities for local work and education.

Response:

The proposed Development Plan amendment allows for the land at the subject site to be used and developed for a broader range of non-residential uses that can contribute to the delivery of services and facilities for the community.

Considerations of *Local Government Act (2020)* Principles

Financial Management

The proponent has paid a statutory fee to Council for the assessment of the Development Plan amendment.

Community Consultation and Engagement

The draft Development Plan amendment was exhibited to landowners and occupiers within the vicinity of the subject site, and relevant authorities between 8 April 2026 to 6 May 2026. Council officers have considered the submissions received, which are detailed in the report above and in the Engagement Report at Attachment 4. Submitters to the draft plan will be notified about any Council decision made in relation to this matter.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (d) The municipal community is to be engaged in strategic planning and strategic decision making.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

No implications.

Economic

It is expected that the approval of the Development Plan amendment will have a positive economic effect as it will facilitate the delivery of commercial uses, which will result in additional employment and economic opportunities for the community.

Legal, Resource and Strategic Risk Implications

In accordance with Section 149 of the *Planning and Environment Act 1987* a specified person may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of a decision made by Council.

Planning Policy AssessmentPlanning Policy Framework

The Development Plan amendment is generally consistent with the provisions and objectives of the Planning Policy Framework of the Whittlesea Planning Scheme, including:

- Clause 11.02-2S – Structure planning: Orderly planning will be achieved with the preparation and implementation of the Development Plan.
- Clause 13.04-1S- Contaminated and Potentially Contaminated Land: a Preliminary Site Investigation has been prepared for the land and has confirmed that land is suitable for the intended use.
- Clause 15.01-1S – Urban design: The Development Plan will ensure that future residential development is of high amenity for future residents with the inclusion of Performance Measures.

Development Plan Overlay – Schedule 5 (DPO5)

The proposal accords with the requirements of DPO5 including the matters outlined in the schedule that a Development Plan must address. These matters have been satisfactorily responded to in the Development Plan amendment and supporting documents. The plan also responds to updated policy and guidelines introduced since the previous amendment of the Development Plan in 2019.

State Government Planning Strategies

The proposed Development Plan amendment is consistent with Plan for Victoria 2025, which outlines the importance of *Pillar 2: Accessible Jobs and Services*. By facilitating a broader range of non-residential uses, the Development Plan amendment ensures that the subject site contributes to the delivery of services and employment opportunities for the community.

Implementation Strategy**Communication**

The Council decision will be communicated to the proponent and the submitters.

Critical Dates

- The proponent first initiated discussions with Council officers regarding the Development Plan amendment in November 2025.
- The draft Development Plan amendment was re-submitted several times over January – March 2026 in response to Council officer feedback.

- The draft Development Plan amendment was re-submitted in March 2026 in preparation for exhibition.
- The draft Development Plan amendment was placed on non-statutory exhibition from 8 April 2026 to 6 May 2026.
- A revised draft Development Plan amendment responding to Council officer recommendations post-exhibition was submitted in June 2026.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. Draft amendment to the Garden Road Development Plan [5.2.1 - 52 pages]
2. Suburb Context Map Proposed amendment to the Garden Road Development Plan [5.2.2 - 1 page]
3. List of potential non residential land uses Proposed amendment to the Garden [5.2.3 - 1 page]
4. Engagement Report Proposed amendment to the Garden Road Development Plan [5.2.4 - 8 pages]
5. Local Context Map Proposed amendment to the Garden Road Development Plan [5.2.5 - 1 page]
6. Development Plan Process for Council Proposed amendment to the Garden Road Development Plan [5.2.6 - 1 page]
7. Planning Document Hierarchy Proposed amendment to the Garden Road Development Plan [5.2.7 - 1 page]
8. Project Map for Yan Yean Road upgrade works Stage 2 Proposed amendment to the Garden Road Development [5.2.8 - 1 page]

**YAN YEAN ROAD
DOREEN, Lots 1-6, 10-12 & 17-19
on LP 3700**

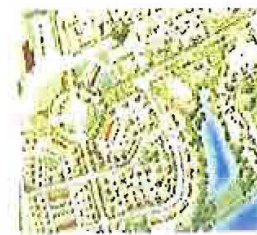
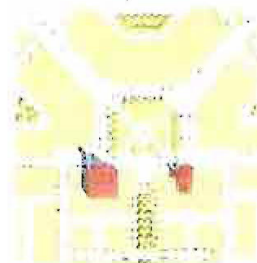


*Bosco Jonson
Pty Ltd*

GARDEN ROAD DEVELOPMENT PLAN



Prepared by Bosco Jonson Pty Ltd,
71 Palmerston Crescent, South Melb
for Wilbow Corporation Pty Ltd.
1 July 2005. Our Ref: 4181 000



Garden Road Development Plan – (Amended)

The Amendment to the Development Plan was approved by the City of Whittlesea on 15 August 2006, and amended on 22 June 2010, 17 April 2012, 31 August 2017 and 2 April 2019 in accordance with Clause 43.04 Schedule 5 of the Whittlesea Planning Scheme.

2 April 2019:
Signature of the Responsible Authority

Garden Road Development Plan, Yan Yean Road Doreen

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Attachments: Enviroplan Vegetation Report
 Typical road cross sections, (extracts from Mernda Strategy Plan)

Garden Road Development Plan, Yan Yean Road Doreen

PLANS

- 1 MERNDA STRATEGY PLAN
- 2 LOCAL CONTEXT PLAN (Precinct 2B)
- 3 SITE ANALYSIS PLAN
- 4 DESIGN CONCEPT PLAN (Refer note below)

Note

The Design Concept Plan (Plan 4) should be read in conjunction with section 12 of this document which details a response to matters raised at the 19 April 2005 Council Meeting.

Garden Road Development Plan, Yan Yean Road Doreen

1. INTRODUCTION

This Development Plan application has been prepared on behalf of Wilbow Corporation Pty Ltd for the purpose of seeking planning approval for a residential subdivision. The subject land is zoned for residential use, however before consideration of a planning permit application can commence, a Development Plan is required to be approved. The purpose of this plan is to provide the basis for the determination of an application for permit for the subdivision of the land.

The Development Plan area has a coverage of approx 25 ha (the subject land), of which 6.1 ha is land owned by Wilbow Corporation.

The role of the development plan is to provide the master plan for the ongoing development of land, against which the issue of planning permits (or permit) for subdivision are considered.

To this end, the Whittlesea Planning Scheme requires that the Development Plan includes sufficient information to demonstrate that subdivision of the land may proceed in an integrated manner with existing and future development

The City of Whittlesea has recently granted approval of a Development Plan to develop approx 15 ha of land owned by Wilbow Corporation located immediately south of the subject land, on the northwest corner of the intersection of Yan Yean Road and Orchard Road. This estate is now known as "Vaucluse". A planning permit for subdivision has also been issued for this project.

In the preparation of this Development Plan a site analysis has been provided, and has identified key site features and attributes. The urban design principles, as expressed in the Mernda Strategy Plan, have been fully considered in establishing the detailed urban form for the subdivision and development of this land.

Garden Road Development Plan, Yan Yean Road Doreen

2. THE SUBJECT LAND

The land defined in this Development Plan comprises 12 lots on LP 3700 as follows:
Lots 1-6, Lots 10-12 & Lots 17-19.

The subject land is located in Doreen and is bounded by Garden Road to the west, Yan Yean Road to the east, and Bridge Inn Road to the north. Total Development Plan area is approximately 25 ha.

Current ownership by Wilbow Corp within this area comprises three separate titles which together occupy an area of approx 6.1 ha. The Certificates of Titles which make up the current ownership are described as:

Volume 0283 Folio 695 – (lot 18)
Volume 8475 Folio 392 – (lot 11)
Volume 0262 Folio 544 – (lot 19)

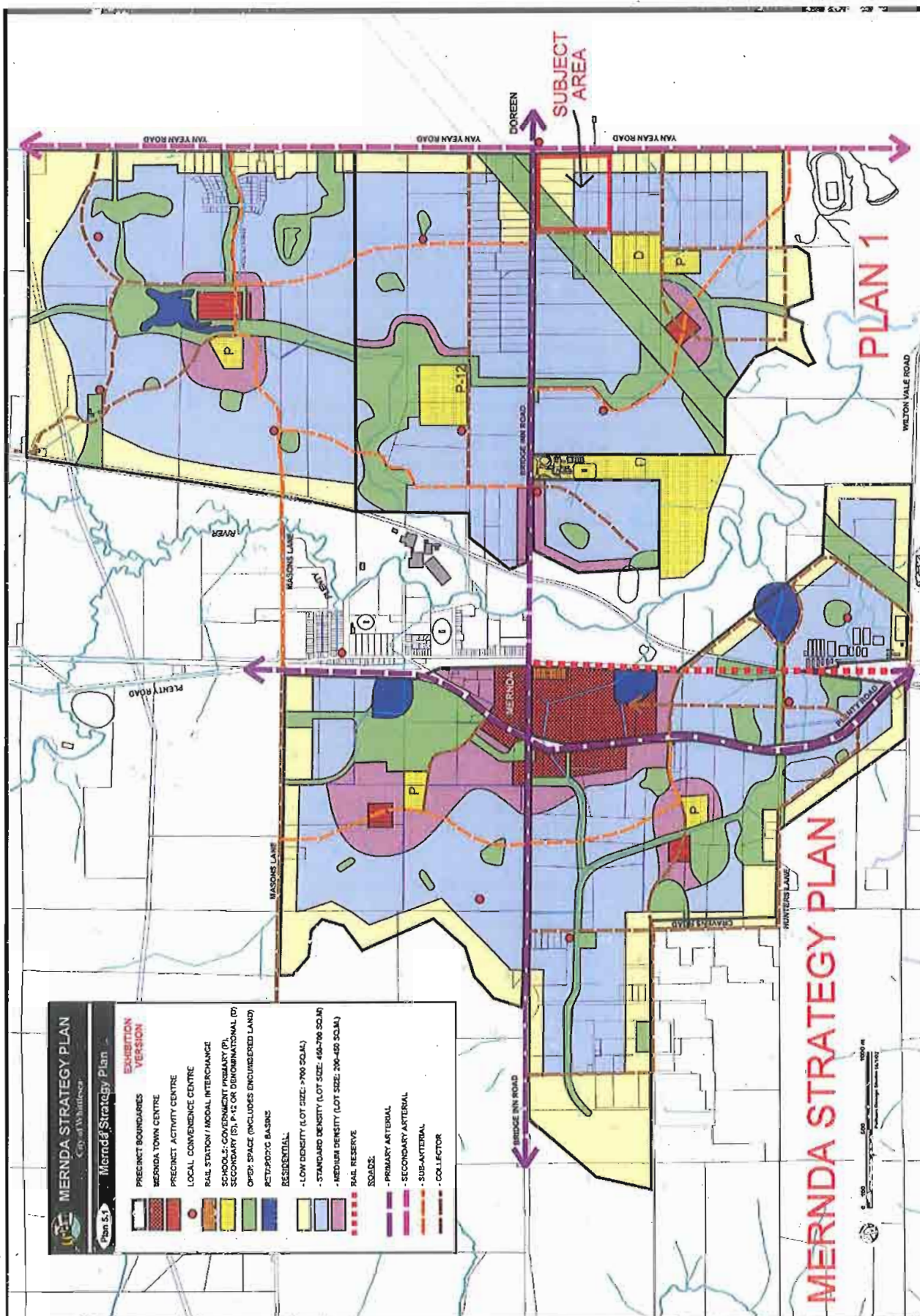
3. SITE CONTEXT AND ANALYSIS

The subject land is located within the area defined by the Mernda Strategy Plan. (Refer Plan 1)

More particularly the land is within the area which is identified as Precinct 2B within the strategy, and is in the south eastern portion of the Mernda growth area.

This development plan has been prepared with reference to the overall planning framework which comprises:

- the principles of the Plenty Valley Strategic Plan;
- the principles of the Mernda Strategy Plan (subject to Ministerial approval)
- the provisions of the Whittlesea Planning Scheme



Garden Road Development Plan, Yan Yean Road Doreen

3.1 Site Context

Regional Context

The land is located on the eastern side of the Mernda Strategy Plan area. It is approximately 25km from the Melbourne CBD and is accessed by Plenty Road & Yan Yean Road. Plenty Road has a direct connection to the metropolitan ring road.

The site has ready access to large commercial centres at Epping Plaza (13km to the south west) and Mill Park Plaza (9km to the south).

The area also has good access to the Whittlesea Municipal Centre, to Latrobe University and to RMIT campuses at Bundoora to the south. The site also has close proximity to the Hume Freeway and the associated employment regions of Epping & Craigieburn.

Local Context

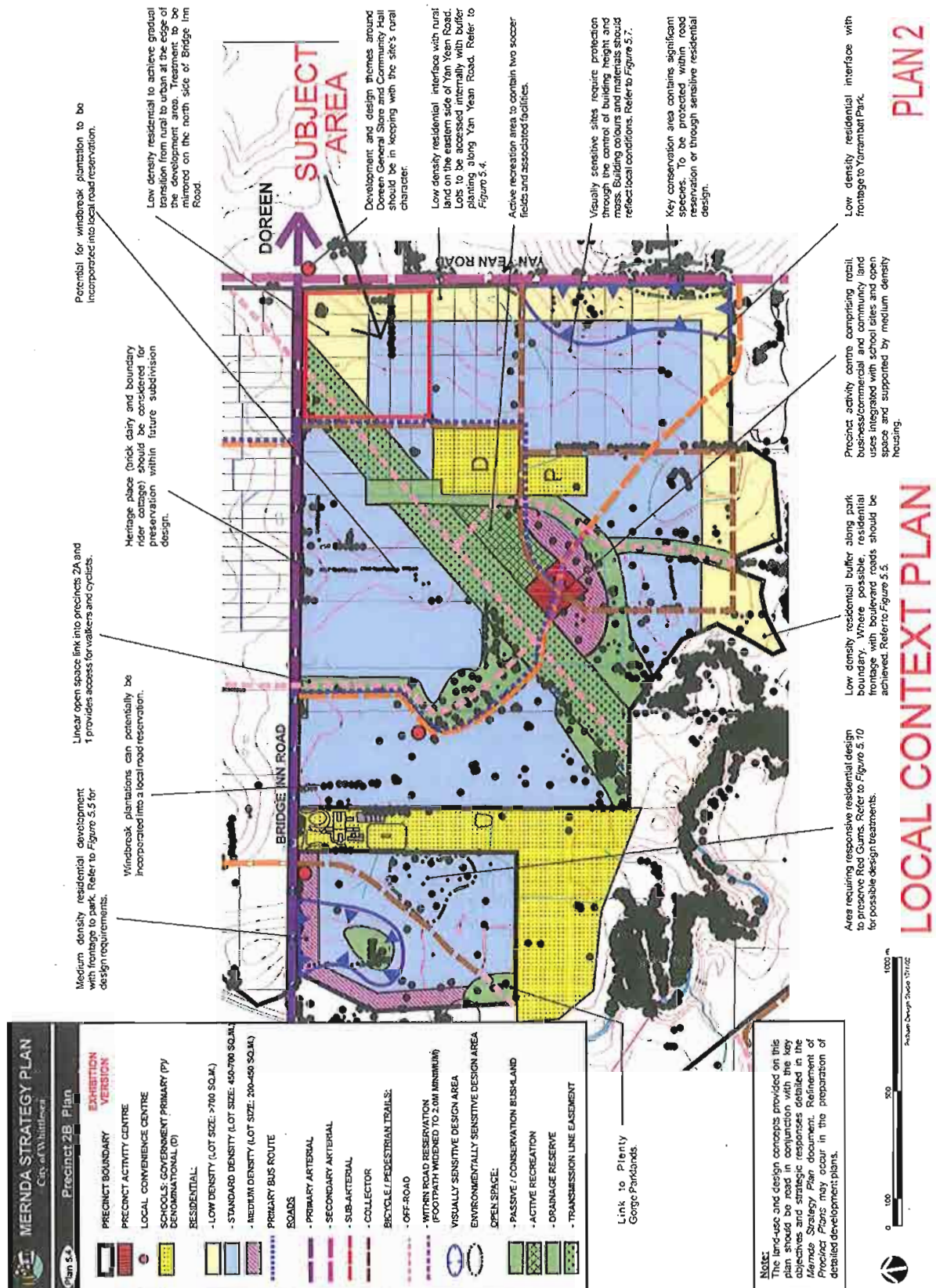
The land is located on the south-west corner of Bridge Inn Road and Yan Yean Road, Doreen. It is located approximately 3km east of the proposed Mernda town centre.

Proximate to the site on the corner of Yan Yean Road and Doctor's Gully Road is the Doreen General Store and the Doreen Recreational Reserve.

Approximately 3km to the north is the newly established Laurimar Park housing development, 2km to the south is Yarrambat Park and Golf Course.

The Plenty Valley Christian School is located approximately 1km south of the subject land on the east side of Yan Yean Road.

Refer local context Plan 2 (Precinct 2B)



Garden Road Development Plan, Yan Yean Road Doreen

3.2 Site Analysis (Refer – Site Analysis - Plan 3)**Location**

The subject land is located on Bridge Inn Road and is partly encumbered by the existing Electricity Transmission Easement running diagonally through the north-west corner.

On the western boundary of the site, Garden Road (currently unconstructed) has been identified in the Mernda Strategy Plan as a future primary bus route, providing a link from Bridge Inn Road to the activity centre proposed within precinct 2B.

Yan Yean Road forms the eastern boundary of the subject land, and is envisioned as a future secondary arterial within the Mernda Strategy Plan.

The context of the land in relation to the development proposed in Precinct 2B is shown in the plan attached. (Plan 2)

Topography

On the eastern side of the subject land, the terrain mostly falls to the west at approx 1 in 20. The remaining portions of the site are generally flat.

Vegetation

The land contains exotic pasture grass species and has been used for a considerable period of time for stock grazing purposes and various agricultural use. There are various stands of cypress pine trees located partially along the ownership boundaries, together with other non-indigenous trees scattered near the existing dwellings. Investigative work regarding this site was recently completed by Enviroplan, a copy of the report is appended to this document.

The investigation concluded that there was no indigenous vegetation required for retention within the subject area.

The Vegetation Protection Overlay that applies to the subject land specifies in the schedule to the overlay (VPO1) that no permit is required to remove vegetation which is not native vegetation.



Garden Road Development Plan, Yan Yean Road Doreen

Site Improvements

There are five existing dwellings within the Development Plan area, and these are proposed for retention within individual allotments as part of future subdivision of the subject land.

Please refer to the Site Analysis Plan for the location of these dwellings.

Access

Vehicular access provision to the land is currently available from Bridge Inn Road, Yan Yean Road and Garden Road.

Bridge Inn Road and Yan Yean Road have sealed road pavements, each providing single lane undivided carriageways. Garden Road is unmade however an existing track provides a connection with Bridge Inn Road to the subject land. As shown in the Precinct 2B plan, Garden Road is envisaged to be developed as a primary bus route and collector road connection between the future Precinct 2B activity centre and Bridge Inn Road.

It is also to be noted that the Wilbow Project "Vaucluse" which abuts the southern boundary of the subject land, will provide a north-south connection midway along the southern boundary of the Development Plan. This connection is intended to facilitate localised traffic only.

Views

Significant views from the site are generally limited to the eastern area of the land. The predominant views are to the north and to the west.

Garden Road Development Plan, Yan Yean Road Doreen

SITE PHOTOS



Yan Yean Road
looking south from the site frontage



Southern boundary of
site from Yan Yean Road



Looking towards site from Bridge Inn Road
and Garden Road corner



Garden Road looking
south from Bridge Inn Rd

Garden Road Development Plan, Yan Yean Road Doreen

4 DEVELOPMENT PLAN

4.1 Urban Design Vision

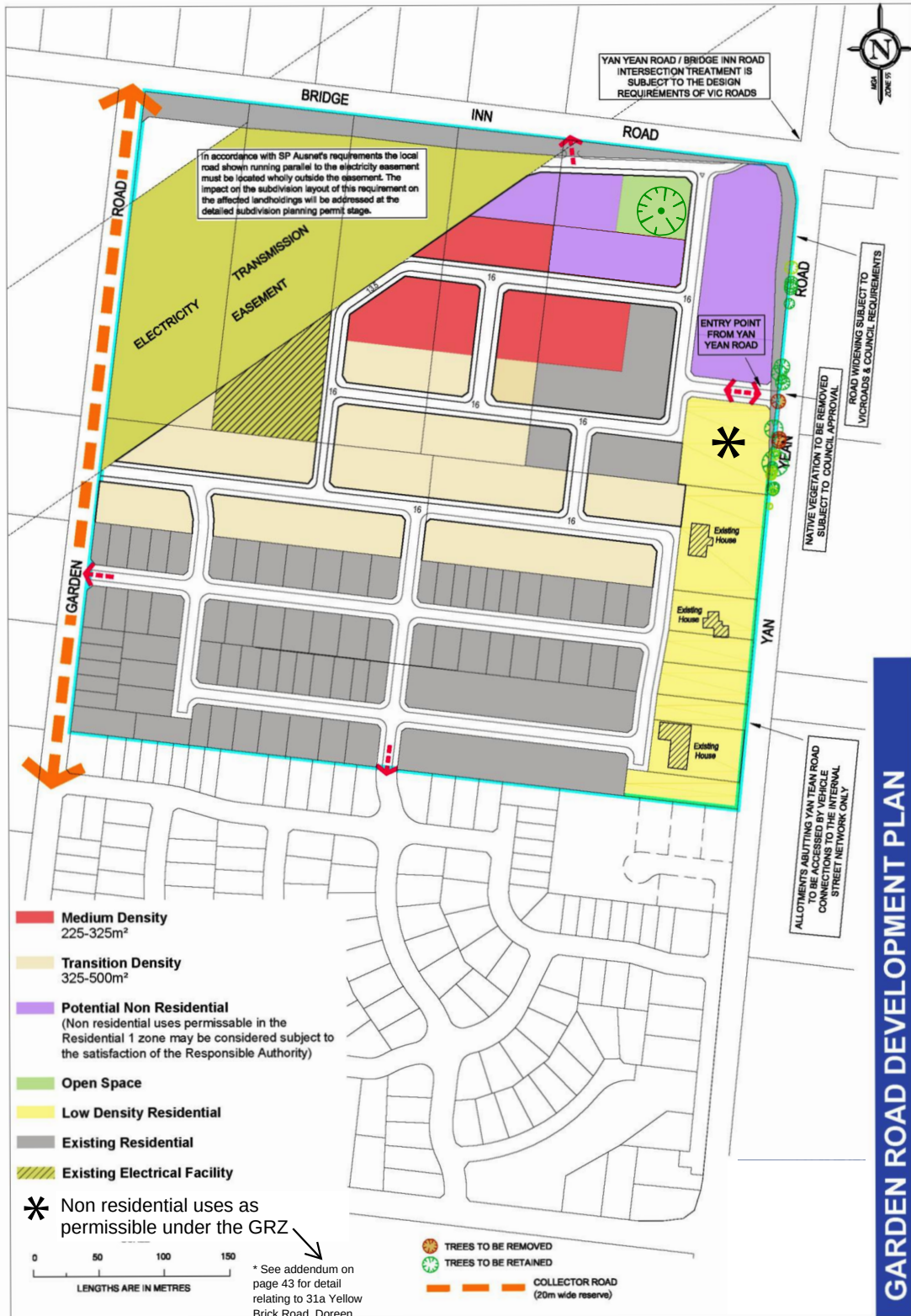
The proposed Development Plan has been prepared in order to reflect the objectives of the Mernda Strategy Plan, and to incorporate design principles that respond to site specific characteristics.

The vision and design for this proposed development therefore has been influenced significantly by these parameters, in particular the retention of the existing dwellings to achieve a low density interface along the Yan Yean Rd boundary.

The Development Plan also seeks to provide a design that ensures an outcome that is appropriate given the context of the site within the Mernda Precinct 2B plan, and the key features within the immediate vicinity such as the proposed schools, public open space, and the future Precinct 2B Activity Centre.

The following design principles detail the basis for the form of the proposed layout, and the approach taken in order to achieve a development that is both compatible with the site attributes as well as the future pattern of urbanization of the Mernda region.

- To provide a design that responds to the topography of the site, and to enable independent development of each landholding.
- To provide a street network that facilitates ease of connectivity for both traffic and pedestrian movement, while providing integration with future abutting development.
- To offer a range of lot sizes to suit the current market demands while giving consideration to the site context within the future Mernda Strategy Plan objectives.



Garden Road Development Plan, Yan Yean Road Doreen

4.2 Design Objectives

Site responsive design

The design layout seeks to avoid insensitive subdivision form and gives recognition to the need to provide good connectivity at each boundary interface. The design is also structured to cater for individual land ownerships and retention of dwellings if required.

The layout provides for excellent pedestrian and vehicle movement, while also ensuring allotment orientation that facilitates opportunities for good solar accessibility.

Street Network

The proposed street layout creates a permeable and legible network that enables several points of access between land holdings and the existing road system.

The major point of access being the connection to Garden Road on the western boundary to facilitate access to Bridge Inn Road and for movement between the subject site and the future activity centre.

Future residential interface along the proposed parkland within the electricity easement has been allocated, with linkages to the northern area of the Development Plan. A local connection to the south to link with the future Wilbow "Vaucluse" estate is also provided.

Allotments abutting Yan Yean Road will only be accessible from the internal road system, and any existing vehicle access will be removed. Roads shown abutting Yan Yean Road are currently intended for internal network connection only, however upon approval from Council and Vic Roads, the traffic function may possibly change to that of externally accessed service road.

Proposed road widths are detailed in the attachment at the rear of this document and have been obtained from Figure 5.8 of the Mernda Strategy Plan.

Garden Road Development Plan, Yan Yean Road Doreen

Diversity of lot sizes

The proposed Development Plan incorporates a mix of lots sizes to allow a diversity of household types and sizes.

While it is acknowledged that lots sizes should reflect the desires of the MSP, it is also pointed out that Key Direction No1 of the Melbourne 2030 strategy, and recommendations by a recent Panel Report advising on the MSP have indicated that an overall density of dwellings should be targeted towards 15 lots/ha.

The proposed Development Plan shows a gross density of approx 11 lots/ha with the objective of providing lot sizes that are appropriate to the current market demands for housing in the region at this point in time. This density figure also takes into account the large lots abutting Yan Yean Road and those required for the retention of existing dwellings.

Public Open Space

The proposed Development Plan allocates public open space in accordance with the Mernda Strategy Plan (Precinct 2B), in particular the parkland located over the electricity transmission easement.

Additional public open space has been shown in the north-east corner to allow for a large tree to be retained as required under section 5.3 of the Mernda Strategy Plan and also in accordance with the council's *Red Gum Protection Policy (1997)*.

Garden Road Development Plan, Yan Yean Road Doreen

Housing Design Guidelines

Wilbow Corporation is the developer of land contained within this Development Plan, and is an experienced developer of the highest integrity. It is Wilbow's intention to create a neighbourhood providing a high standard of housing design with recognition given to interest, variety and compatibility within the streetscape.

Wilbow is currently producing building design guidelines for development proposed within this area. A copy of these guidelines will be provided with the planning permit application documentation.

It is intended that all new dwellings will satisfy the requirements of the guidelines, however it should be noted that this requirement only applies to land within the Development Plan that is under the ownership of Wilbow Corporation.

Garden Road Development Plan, Yan Yean Road Doreen

5 MERNDA STRATEGY PLAN

The Plenty Valley Strategy Plan was approved by the State Government in 1989/90. This strategy sought to resolve long standing issues associated with the urban fringe development in the Plenty Valley. Those issues included the coordination of infrastructure provision, the definition of urban growth boundaries, environmental and cultural preservation, local economic development and employment.

Whilst the Plenty Valley Strategic Plan provides an overall development framework the Whittlesea Planning Scheme requires that a more comprehensive local structure plan be prepared and incorporated before the subdivision and development of land can proceed. The Mernda Strategy Plan is the local structure plan for the Mernda/Doreen area.

The Mernda Strategy Plan builds on the foundation established by the Plenty Valley Strategic Plan, and aims to meet the objectives of sustainable development. It proposes a vision for a series of communities which will become more than new residential estates grafted onto the metropolitan periphery. It proposes, in addition to meeting future housing needs, that the Mernda development will foster economic development, environmental preservation and social progress.

It should be noted that Wilbow Corporation as a promoter of economic and environmentally sustainable development supports these objectives.

The subject land is within the area affected by the Mernda Strategy Plan. It is located within the area identified as Precinct 2B in the strategy. This precinct is bounded on the north by Bridge Inn Road and on the east by Yan Yean Road.

Principal characteristics of Precinct 2B include:

- A major power line easement traverses the precinct from south west to north east. This land has been identified as a major linear parkway incorporating an off-road pedestrian/bicycle trail.

Garden Road Development Plan, Yan Yean Road Doreen

- A "Precinct Activity Centre" is proposed to be established adjacent to and to the south east of the linear parkway. It is proposed that this centre will contain retail, business and community land uses. These uses are to be integrated with school sites and open space, and to be complemented by medium density housing.
- School sites are designated for both a government primary school and a denominational school proximate to the activity centre and to the linear parkway.
- Sub-arterial and collector roads are proposed which provide access to the activity centre and which connect with areas beyond this precinct.

Particular characteristics of Precinct 2B which relate more directly to the subject land include:

- The provision for low-density development abutting Yan Yean Road to provide an interface with rural land to the east. Access to these lots is to be provided internally from the development with buffer planting provided along Yan Yean Road.
- Standard density development to be provided on the balance of the subject land.
- Garden Road is designated as a future "collector" road. In addition it has been identified as a principle bus route.
- Yan Yean Road is designated as a "secondary arterial" road.
- Bridge Inn Road allocated for "primary arterial" road.

Refer to attachment at the rear of this document for details on proposed road widths as derived from Figure 5.8 of the Mernda Strategy Plan.

Garden Road Development Plan, Yan Yean Road Doreen

6 PLANNING CONTROLS

The use and development of the subject land is controlled by the Whittlesea Planning Scheme. It is through the planning scheme that strategic land use within the Whittlesea municipality is given effect.

The land is appropriately zoned for development and policies within the scheme support its development.

The land is within and bordered on its eastern boundary by the recently established "Urban Growth Boundary"

6.1 Current Zoning

The subject land is currently within a Residential 1 zone. The purpose of this zone is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for residential development at a range of densities with a variety of dwellings to meet the housing needs of all households.

To encourage residential development that respects the neighbourhood character.

In appropriate locations, to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs.

The land adjoining the subject site is also zoned Residential 1.

The area opposite the land on the east side of Yan Yean Road is located in the Nillumbik Shire and is outside the recently defined "Urban Growth Boundary".

Garden Road Development Plan, Yan Yean Road Doreen

6.2 Overlay Controls

Development Plan Overlay.

A Development Plan Overlay applies to the land. It requires that a permit must not be granted to use land until a development plan has been prepared to the satisfaction of the Responsible Authority. The overlay specifies how this plan is to be developed and what it is required to include.

The purpose of this overlay is also to exempt a planning permit application from notice and review provided it is in general accordance with an approved Development Plan.

Schedule 5 to the Development Plan Overlay states that the Responsible Authority may grant a permit for subdivision, use or development prior to approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, use or development will not prejudice the future use or development of the land for the purpose of the zone or any other aspect of the Municipal Strategic Statement.

Section 2 of the Overlay schedule sets out the matters which the Development Plan must show. These matters are addressed in the Development Plan Design Concept which is the basis for this submission. This plan fulfils the necessary requirements for adoption as the Development Plan under the provisions of the Overlay.

Incorporated Plan Overlay

An Incorporated Plan Overlay applies to the land. It requires that a permit must not be granted to use land until an incorporated plan has been included within the scheme. The overlay specifies how this plan is to be developed and what it is required to include.

Schedule 1 to the Incorporated Plan Overlay (Mernda Incorporated Plan) applies particularly to the subject land. It provides that the Responsible Authority may grant a permit for subdivision, use or development prior to approval of a development plan provided that the Responsible Authority is satisfied that the

Garden Road Development Plan, Yan Yean Road Doreen

subdivision, use or development will not prejudice the future use or development of the land for the purpose of the zone or any other aspect of the Municipal Strategic Statement. At the present time there is no approved incorporated plan for the area including the subject land.

The Mernda Strategy Plan is the subject of Amendment C30 to the Whittlesea Planning Scheme. The amendment has passed through its exhibition stage and a Panel has been appointed to hear submissions and to report on the proposal. Upon completion of statutory processes it is intended that this plan will become the incorporated plan effective under the overlay control.

It is noted that the planning controls do not prevent the consideration of development and indeed Council has recently approved a development proposal for land to the south known as the Orchard Park Estate. In addition, approval by Council has recently been given to the Development Plan application for the Wilbow estate known as "Vaucluse", abutting the southern boundary of the subject land.

It is considered that the present proposal is equally justifiable and its approval should not be delayed.

Vegetation Protection Overlay

A Vegetation Protection Overlay applies to the land. It requires that a permit must be obtained to remove vegetation specified in the schedule to the overlay. The schedule provides that no permit is required to remove vegetation which is not native vegetation.

Garden Road Development Plan, Yan Yean Road Doreen

7 PLANNING POLICIES

7.1 State Planning Policy

Metropolitan Strategy – Melbourne 2030

The Minister for Planning released the Metropolitan Strategy – *Melbourne 2030 – Planning for Sustainable Growth* on 8th October 2002.

The development of the subject land is consistent with the Melbourne 2030 strategy. In particular the following key policy directions established by the strategy are relevant to and supportive of the development now proposed.

- a) The development supports the principle of better managing urban growth. It is a parcel of undeveloped land within the defined urban growth boundary. Its development is a logical extension of the established urban area and it can be serviced and supported with community services and infrastructure.
- b) The development supports the direction of creating a great place to be. The development of the subject land will promote good urban design and will create a liveable and attractive residential precinct which will strengthen the established community in this area.
- c) The development of the subject land supports the principle of creating a fairer city. It will result in the establishment of well located affordable housing. It will contribute to the development of a stronger, more sustainable community.
- d) The development will contribute to the creation of a greener city. It proposes to develop for residential purposes a parcel of land which will integrate with substantial areas of future open space. Significantly it will also provide for the enhancement and improvement in quality of public open space areas through infrastructure levy contributions. (Subject to development contributions agreement with Wilbow Corporation)

Garden Road Development Plan, Yan Yean Road Doreen

Melbourne 2030 emphasises the promotion of neighbourhood design. It advocates the application of neighbourhood principles in the creation or review of growth area development plans, in structure plans for new areas and in planning for the improvement or redevelopment of existing areas.

Principles identified for sustainable neighbourhood structure include:

- Compact format with walkable distance between housing and neighbourhood centre facilities,
- Mix of uses clustered in neighbourhood centre including schools, health and community facilities,
- Mix of housing types to meet a range of needs and aspirations of residents,
- Higher density development within centres,
- Open space to meet a variety of needs and links to open space networks,
- Environmentally friendly development.

The proposed development is entirely consistent with the intent of the metropolitan strategy, and achieves this by virtue of its integration within strategic local planning policy. The proposal also seeks to establish the variety and mix of housing of which the policy direction advocates.

State Planning Policy Framework

The State Planning Policy Framework outlines strategic policy matters which must be considered when relevant planning decisions are made.

The Principles for Land Use and Development Planning are contained in Clause 11.03 of the Planning Scheme and include:

"seven statements of general principles that elaborate upon the objectives of planning in Victoria and describe the factors that influence good decision-making in land use and development planning. A planning authority preparing amendments to a planning scheme to a responsible authority administering a scheme must consider these

Garden Road Development Plan, Yan Yean Road Doreen

overarching and interlocking principles as well as relevant specific policies in Clause 14 to 19"

In so far as the proposed development is concerned it is considered that it is consistent with relevant State policy directives.

The State Planning Policy Framework issues of relevance and which support the development of the Wilbow land can be found at:

Clause 14 (Settlement)

The objective of this clause is to ensure that a sufficient supply of land is available for recreational, commercial, industrial, institutional and other public uses to accommodate projected growth.

Clause 18 (Infrastructure)

The objective of Clause 18.09 (Water Supply, Sewerage and Drainage) is:

- *To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*

Yarra Valley Water, the service provider for sewer and water to this area has indicated that these services can be provided. It is understood that details of provision are close to resolution as a consequence of consultation between Council, developers and the authority.

Garden Road Development Plan, Yan Yean Road Doreen

7.2 Local Planning Policy

Local Planning Policy is found in Clause 22 of the planning scheme and is to be read in conjunction with the Municipal Strategic Statement (MSS) of Council (Ref Clause 21).

The MSS identifies the need to plan for a diverse series of residential communities that have a unique identity and sense of place, cater for segments of the housing market and respect and incorporate local environmental and cultural features (Ref Clause 21.06-1). The Mernda/Doreen area of which the subject land is part, is one of Council's preferred growth areas.

There are a number of local policies which also impact on the development of the subject land. These include:

Subdivision Design Policy.

Subdivision Design Policy is defined in Clause 22.04 of the Whittlesea Planning Scheme.

The proposal for the development of the subject land accords with the above policy requirements. It provides for the creation of a variety of allotment sizes. The proposal has been designed to integrate with the future development of surrounding land and establishes a layout which provides for a high degree of accessibility and connectivity.

Garden Road Development Plan, Yan Yean Road Doreen

Development Contributions Plan Policy

The policy proposes that Development Contribution Plans will be prepared and incorporated into the planning scheme.

It is policy that:

- *The basis for calculating development contributions will be the same for all residential development. The needs generated by and the types of items expected for infill development or rural residential development are likely to be different however from traditional suburban development. The particular needs and expectations will be the subject of each development plan.*
- *Apportionment of costs for required items of infrastructure will be calculated across an identified planning unit with some specified exceptions.*
- *Regard will be given to the viability of the project and the potential impacts on housing affordability.*
- *Development contributions are seen as one funding source. Council will recognise its own responsibility in contributing to effective servicing of communities.*
- *Priority should be given to items, which are required to provide basic services and amenity at the local level.*
- *Contributions should mainly be made for capital items.*
- *Items expected to be provided by developers as a matter of course will not be included as development contributions.*
- *Contributions will be levied for both development infrastructure and community infrastructure. Council's preferred method of funding community infrastructure will be via negotiated agreement with developers.*

Garden Road Development Plan, Yan Yean Road Doreen

- *The costs should be fairly apportioned between developments, landowners, new and existing development in relation to the degree to which each is assessed as contributing to the need for each item of infrastructure.*
- *Land value calculations should be based on the type of development or use for which land is suitable and the potential for such use or development to be realised.*

The matter of developer contributions is noted and the developer's responsibilities as required by the Planning Scheme will be observed.

The proposed development of the subject land is not precluded by the Development Contributions Plan Policy.

Garden Road Development Plan, Yan Yean Road Doreen

8 ECOLOGY AND ARCHAEOLOGY**Flora and Fauna, and Archaeological Assessment**

An independent vegetation assessment of the subject area was recently completed by Enviroplan, a copy of the report is appended to this document.

It is concluded that the subject land does not contain any significant indigenous vegetation, and cannot be considered as supporting any indigenous habitat.

Prior investigation of flora, fauna and archaeological matters in this region was carried out by Biosis Research for the draft Yarrambat Local Structure Plan (since abandoned) prepared in 2000.

It is noted, and on advice accepted, that there are no flora, fauna or archaeological impediments to the development of the subject land.

9 ROADS AND TRANSPORT

The Council's key transport objective is to put in place an efficient, equitable and environmentally sustainable transportation system that reduces car dependence, encourages walking and cycling for local trips and contributes to the economic competitiveness of the municipality.

To achieve this objective in the area to which the Mernda Strategy Plan applies, Whittlesea Council has identified strategic responses. These responses relate specifically to the following issues:

- Road hierarchy
- Streetscape themes
- Cycling/walking
- Public transport

It is considered, on assessing these matters that the development proposed for the subject land satisfies the principles set out in the Mernda Strategy plan. Insofar as these matters relate to the subject land the proposed development plan responds as follows:

Garden Road Development Plan, Yan Yean Road Doreen

Road Hierarchy

The Mernda Strategy Plan establishes a road hierarchy which will apply to all roads within this area. It contains details of the profiles of the different road types identified and adopted by Council which are applicable to this area. An extract of the road profiles relevant to this Development Plan (Figure 5.8 of the MSP) is appended to this document.

Yan Yean Road onto which the subject land abuts has been identified as a "Secondary Arterial" road. This road will ultimately accommodate a two lane carriageway with a central turning lane provided at intersections. It will also provide for shared off-pavement pedestrian/bicycle lanes.

The upgrading of Yan Yean Road can be accommodated within the existing road reservation. As a consequence no provision has been made for widening affecting the subject land.

Garden Road, which abuts the western boundary of subject land, is identified in the MSP as a "Collector" road and a "Primary Bus Route", providing connectivity to the proposed schools and local activity centre. It is understood that this road will contain a lower order two lane pavement with pedestrian paths on each side, and that the development of this road can be accommodated within the existing reservation width.

As Garden Road will ultimately function in a capacity that gives benefit to a region exceeding the subject land, it is expected that the costs associated with the construction of this road should be derived from the landowners within this Development Plan and also those on the west side of Garden Road.

Bridge Inn Road is intended for future primary arterial capacity and will provide for major transportation accessibility to the future Mernda Town Centre.

Road types in the proposed Development Plan are all within the category "Local road – Access street". Each of these roads will contain a two way road pavement in accordance with the requirements of the strategy plan.

Garden Road Development Plan, Yan Yean Road Doreen

Cycling/Walking

The road pattern proposed in the development plan for the subject land has been designed to limit the possibility of non-local "through" traffic movement whilst providing a high level of accessibility within the development.

The proposed design enables a high level of pedestrian and bicycle connectivity, providing accessibility to future open space networks within the Precinct 2B Plan, in particular the linear park system within the electricity transmission easement.

Public Transport

The Mernda Strategy Plan provides that bus routes should follow arterial and collector roads. They should provide links between focal points such as precinct activity centres and the proposed rail station which is to be established at the Mernda Town Centre.

The subject land is bounded on each of its eastern, and western boundaries by roads which will serve this function. The effect of this configuration is that every allotment established within this development will be located less than 300m from a proposed bus route.

Garden Road Development Plan, Yan Yean Road Doreen

10 DEVELOPER CONTRIBUTIONS

Council Contributions

Council policy requires the payment of contributions to ensure the provision of infrastructure relevant to the development and servicing of the subject land.

Clause 22.11 of the Whittlesea Planning Scheme establishes principles for the determination of contributions for development within the Whittlesea municipality.

The Mernda Strategy Plan proposes an Infrastructure Charge Plan which itemises infrastructure necessary for the development of the Mernda community. This plan itemises the contributions required.

The developer of the subject land will be required to meet its responsibilities in terms of the payment of infrastructure levies established.

Authority Contributions

Yarra Valley Water will require contributions for lots created for both sewer and water reticulation. These levies will be paid by the developer in arrangement with the service authority.

Melbourne Water will require payment of contributions from the developer to meet the costs of construction of main drain works, waterway improvements and flood mitigation works. The developer will enter into arrangements with Melbourne Water to satisfy its responsibilities.

Electricity Supply

The developer will enter into agreements with the relevant service authority for the provision of supply to development on the subject land.

Garden Road Development Plan, Yan Yean Road Doreen

11 INFRASTRUCTURE

The following information is based on advice from the applicant's engineering consultant.

Water

The authority responsible for supply of water to the proposed development is Yarra Valley Water.

Development will be connected to a reticulated supply. A supply is immediately available from an existing 450mm diameter main located in Yan Yean Road.

Sewer

The authority responsible for sewer reticulation to service the subject land is Yarra Valley Water.

Provision will be made for the sewerage of all lots in the proposed subdivision.

Sewer reticulation can be made available by extension of mains from the south in conjunction with the proposed Wilbow "Vaucluse" and Villawood developments.

Correspondence from Yarra Valley Water has been forwarded to council to confirm that there are no requirements for a future rising main to be located within the area of the Garden Road Development Plan. Further information regarding this matter can be obtained from Mr Paul Curtis at YVW on 9872 1658.

Garden Road Development Plan, Yan Yean Road Doreen

Drainage & Water Sensitive Design

The subject land is within the Melbourne Water Doreen Drainage Scheme for which permanent and/or temporary drainage outlets will be made available in conjunction with staged developments.

During construction best practice site management practices will be implemented to reduce sediment export from the site to drainage lines.

In adopting a focus towards sustainability of water usage, land developed by Wilbow Corporation in this Development Plan will require all dwellings to incorporate a rainwater tank for the purpose of garden irrigation in order to contribute towards conservation of potable water.

Details of this requirement will accompany the planning permit application documentation.

Information Technology

Clause 22.13 of the Whittlesea Planning Scheme requires the provision of a conduit network to facilitate the installation of advanced telecommunications services.

Conduits are to be laid in accordance with Council's *Planning Guidelines for Conduits for Optical Fibre Services*. It is intended that a conduit network concept plan will be supplied for approval during the detailed design phase after the receipt of the electrical design plans on which it will be based.

Electricity Supply

TXU Pty Ltd advise that supply can be made available by extension of the existing supply in Bridge Inn Road.

Gas, Telephone

Gas and telephone facilities can be made available in conjunction with staged development.

SUMMARY: Subject to development of land to the south, all services are economically available.

Garden Road Development Plan, Yan Yean Road Doreen

12 RESPONSE TO COUNCIL RECOMMENDATIONS

Following the formal consideration of the Garden Road Development Plan (GRDP) at the 19 April 2005 Council Meeting, the following requirements are noted in order to enable approval of the GRDP, and where relevant, must be responded to as part of all planning permit applications within the extent of the GRDP.

- 1(a) SPI Powernet requires that road reserves located within the electricity transmission easement be limited to a maximum length of 100m.
- 1(b) Road reserves within the electricity transmission easement shall have the nature strip portion outside of the easement to accommodate allotment services.
- 1(c) Yarra Valley Water has advised that they do not require a future rising main (sewer) to be located within the GRDP. Refer to section 11 of this document under "Infrastructure" for further details.
- 1(d) Direct property vehicular access onto Yan Yean Road will be prohibited. The requirement for the preparation of a Section 173 Agreement will be placed on subdivision permits incorporating allotments with direct property abuttal to Yan Yean Road, which will prohibit vehicular access for these allotments onto Yan Yean Road.
- 1(e) The ultimate treatment, alignment and land take requirements for the intersection of Bridge Inn Road and Yan Yean Road will require further discussion and resolution between Vic Roads and Council. The ultimate intersection layout may have an impact on the allotment layout and street design for the properties in the vicinity of this intersection. These issues must be reviewed and addressed as part of subdivision permit applications for the properties in proximity to this intersection.
- 1(f) The proposed subdivision layout covering properties 930-940 Bridge Inn Road as depicted on Plan 4 of the GRDP is tentative only and is subject to resolution of the Bridge Inn Road / Yan Yean Road ultimate alignments, intersection treatment and associated land take requirements.

Garden Road Development Plan, Yan Yean Road Doreen

- 1(g) Prior to the issue of a subdivision planning permit for any of the land contained within the Garden Road Development Plan area, a Section 173 Agreement shall be entered into between council and the relevant applicant in order to define the shared responsibilities for the construction cost of Garden Road and it's intersection with Bridge Inn Road (including splay requirements).

In order to provide an equitable solution, landholders whose properties abut both sides of Garden Road must be included within the shared contributions agreement.

The applicable contribution value shall be agreed upon through negotiation between individual landholders and the City of Whittlesea.

- 1(h) Local roads within the GRDP shall have a minimum reserve width of 16m with a 7.2m wide pavement. Flexibility exists to vary these requirements for roads abutting the transmission easement, and the low density interface lots along Yan Yean Road subject to the approval of council.
- 1(i) Identification of collector roads and nominated reserve widths are noted on Plan 4 of the GRDP.
- 1(j) Landscape plans submitted as part of the subdivision permit requirements shall include the design and provision for a landscape buffer treatment for boundaries of allotments directly abutting Yan Yean Road.
- 1(k) An application for a permit to subdivide land within the GRDP requires the identification and assessment of all relevant native vegetation.

Garden Road Development Plan, Yan Yean Road Doreen

Attachments

3 June 2004

Mr Michael Goldthorp
Wilbow Corporation Pty. Ltd.
123 Camberwell Road
HAWTHORN EAST VIC 3123

Dear Mr Goldthorp

Preliminary environmental advice for land proposed for residential subdivision by Wilbow Corp: Corner of Yan Yean and Bridge Inn Roads (twelve lots), Doreen.

Introduction

Following on from your instructions to under take a preliminary indigenous habitat inspection of two sections of land proposed for residential subdivision (Subject Land and Secondary Land) on the corner of Yan Yean and Bridge Inn Roads, Doreen, I undertook a field inspection on Saturday May 29 and present the following opinion and recommendations. My opinion is based on direct observations during the field inspection and brief examination of selected relevant biodiversity databases and does not in any way represent a formal flora and fauna assessment as might be required by the Local Authority.

Description of the land

As the two sections of land (Subject Land and Secondary Land) are virtually identical in respect to their indigenous habitat values, I have described them as one.

The land consists of 12 rectangular allotments or paddocks approximately 2 ha each. It is bounded to the east by Yan Yean Road, to the north by Bridge Inn Road, to the west by the unmade Garden Road and to the south it directly adjoins a similar block of land that has been subject to a previous flora and fauna assessment (Foreman and Gibson 2003).

Several of the allotments are currently used exclusively for residential purposes, one is apparently a commercial nursery with extensive glasshouses and others combined residential and agricultural uses or are exclusively agricultural. The primary agricultural practice is stock grazing (ie. Cattle, Horses, Alpacas and Sheep).

Description of the Vegetation

Beyond the houses and their associated exotic and native gardens, the land is exotic pasture comprising exotic pasture grass species, volunteer exotics (various families) and some indigenous grasses.

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The composition and structure of these exotic pastures varies widely between paddocks as a reflection of the differing grazing regimes, stock types and historical disturbances. However, due to the near complete lack of remnants of the original (indigenous) Plains Grassy Woodland EVC 55 (Oates and Taranto 2002), the vegetation is described in general terms across all paddocks.

The components of the vegetation can be broadly divided into six groups: (1) perennial exotic monocots, (2) annual or biennial exotic grasses, (3) annual and perennial exotic forbs, (4) indigenous perennial monocots, (5) woody exotic shrubs and (6) indigenous trees (mainly Red Gum). (See Appendix 1 for a list of vascular flora observed during inspection and used in the text).

The dominant perennial exotic monocots are mainly medium (to 1 m high) tussock forming grasses and include: Brown-top Bent, Cocksfoot, Toowoomba Canary-grass, Fog Grass, Paspalum and Chilean Needle-grass. The first three of these may have been established with fertilizer at some stage in the past. The non tussock-forming grass, Couch is also commonly present, especially where grazing pressure is low. The sedge, Drain Flat-sedge, is found scattered throughout, especially in areas with poor drainage.

The dominant annual or biennial exotic grasses are also medium (to 1 m high) tussock forming grasses and include: Sea Barley Grass, Wimmera Rye-grass, Soft Brome and Wild Oats. Only the Rye-grass may have been deliberately introduced for pasture development.

The annual and perennial exotic forbs, all volunteer or weedy species generally < 1 m high, include: Ribwort, Cat's Ear, Spear Thistle, Onion Grass (geophyte), Clovers (various), Cape Weed, Docks (various), Small Nettle and Small-flower Mellow.

The indigenous perennial monocots include medium tussock grasses such as Common Tussock-grass and Velvet Wallaby-grass and rushes such as Finger Rush that are also indicative of degraded pastures with poor drainage.

The woody exotic shrubs, mainly confined to fencelines, small fenced-out shelter belts or other areas not frequently subject to grazing, include: Sweet Briar, Blackberries, Cherry Plum, Radiata Pine, African Box-thorn and several species of Cupressaceae that are commonly used as shelter belts such as Monterey Cypress.

The only indigenous trees (or large shrubs) include Red Gum, Blackwood and Black Wattle and are mainly located on the property margins adjoining roadside verges. The wattles were also present in a couple of places fenced-out from stock, although it wasn't clear whether these were revegetation plantings or spontaneous regeneration.

The only area that supports any indigenous vegetation of note is the narrow roadside verge along Yan Yean Road on the land's eastern margin. In this area, right on the fenceline, small patches of the following indigenous trees, shrubs and understorey species can be found: Kangaroo Grass, Weeping Grass, Australian Sheep's Burr, Spear-grass, Mat-rush, Yellow Box and Blackwood.

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Biosites data bases

The land supports no known or documented Sites of (Biological) Significance in the State Government's Biosites database (DNRE 2002a).

Conclusions/Recommendations

Overall the area cannot be portrayed as supporting any indigenous habitat, especially as it is framed under Victoria's Native Vegetation Management Framework (DNRE 2002b) and thus a planning permit to remove indigenous vegetation will not be required. Consequently, there would be no need to undertake further flora and fauna survey on this land. However, there may be a requirement under the Planning Scheme to require a planning permit to remove trees and shrubs, especially the larger indigenous Red Gums that are scattered throughout the property. Therefore, you may need to build the management of these trees into your planning for the residential subdivision. As I see the options, you could either configure the subdivision to avoid removing these tree altogether or apply to have some or all of them removed – a process that may require input of an arborist.

Depending on Local Authority's environmental policies, you maybe required to avoid or minimize damage to the remnant vegetation present along Yan Yean Road, an issue that may also need to be incorporated into your development planning.

If you require any further information, or wish to discuss any elements of this letter, please contact me on (03) 9840 9173, email: paul.foreman@manningham.vic.gov.au

Yours sincerely



Paul Foreman
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Unit of Manningham City Council

References:

DNRE (2002a) Biosites – Sites of Biodiversity Significance in Port Phillip and Westernport region of Victoria. Department of Natural Resources and Environment, Melbourne.

DNRE (2002a) Victoria's Native Vegetation Management – A Framework for Action. Department of Natural Resources and Environment, Melbourne.

Foreman, P. W, and Gibson, M. (2003). Vegetation, flora and fauna assessment of proposed residential subdivision Cnr Orchard and Yan Yean Roads, Doreen. Unpublished report for the Wilbow Corporation by the Centre for Environmental Management and EnviroPlan and Doncaster, Melbourne.

Oates, A., and Taranto, M. (2001) *Vegetation mapping of the Port Phillip and Westernport region*. Arthur Rylah Institute for Environmental Research, Department of Natural Resources and Environment.

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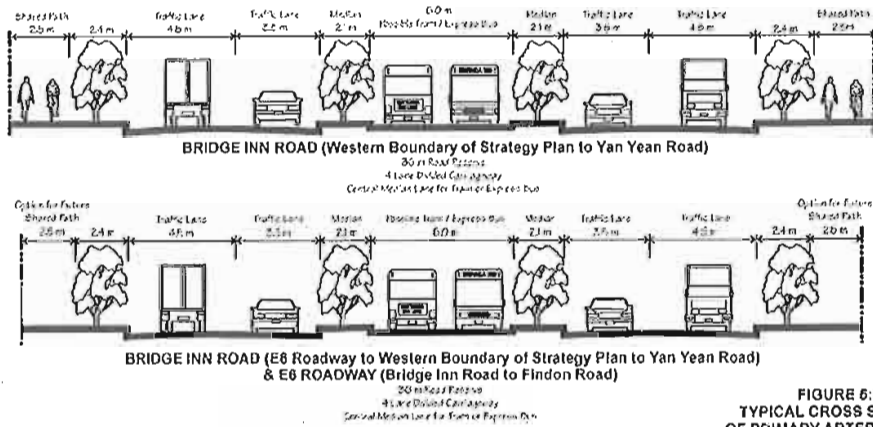
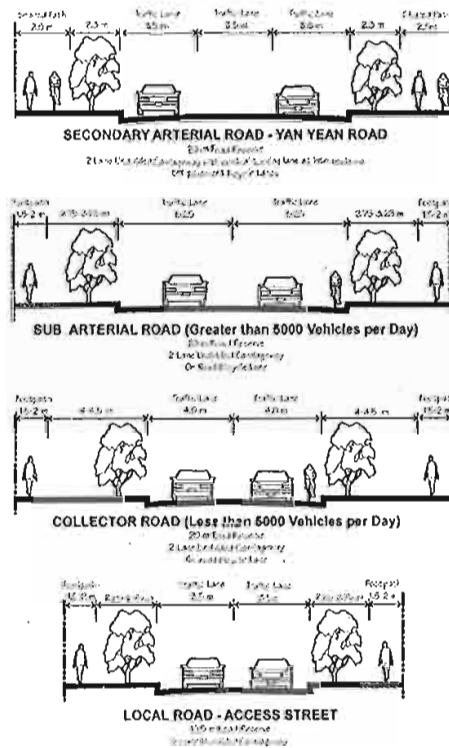
Appendix 1: of plant names referred to in the text plus other species observed during inspection.

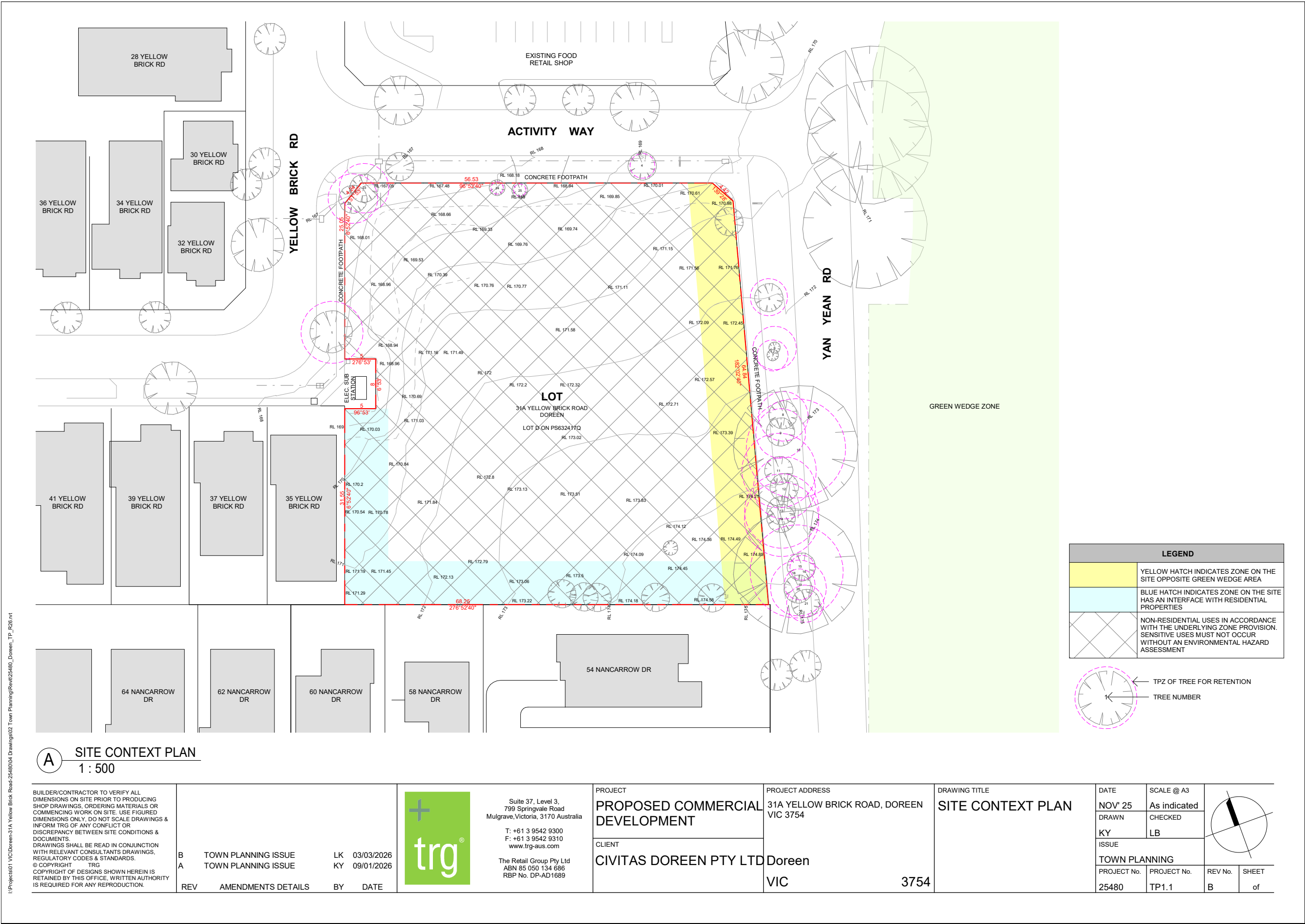
ORIGIN – indigenous or exotic (*); VROT –Victorian rare or threatened species.

ORIGIN	NAME	COMMONNAME	VROTS
*	<i>Agrostis capillaris</i> s.l.	Brown-top Bent	-
*	<i>Allium vineale</i>	Crow Garlic	-
*	<i>Arctotheca calendula</i>	Cape Weed	-
*	<i>Asparagus asparagoides</i>	Bridal Creeper	-
*	<i>Avena</i> spp.	Wild Oats	--
*	<i>Bromus hordeaceus</i> ssp. <i>hordeaceus</i>	Soft Brome	-
*	<i>Chenopodium album</i>	Fat Hen	-
*	<i>Cirsium vulgare</i>	Spear Thistle	-
*	<i>Criteton maritimum</i>	Sea Barley-grass	-
*	<i>Cupressus macrocarpa</i>	Monterey Cypress	-
*	<i>Cupressus</i> spp.	Cypress	-
*	<i>Cynodon dactylon</i> var. <i>dactylon</i>	Couch	-
*	<i>Cyperus eragrostis</i>	Drain Flat-sedge	-
*	<i>Dactylis glomerata</i>	Cocksfoot	-
*	<i>Ehrharta erecta</i> var. <i>erecta</i>	Panic Veldt-grass	-
*	<i>Ehrharta longiflora</i>	Annual Veldt-grass	-
*	<i>Holcus lanatus</i>	Yorkshire Fog	-
*	<i>Hypochoeris radicata</i>	Cat's Ear	-
*	<i>Lepidium africanum</i>	Common Peppergrass	-
*	<i>Lolium rigidum</i>	Wimmera Rye-grass	-
*	<i>Lycium ferocissimum</i>	African Box-thorn	-
*	<i>Malva parviflora</i>	Small-flower Mallow	-
*	<i>Nassella neesiana</i>	Chilean Needle-grass	-
*	<i>Paspalum dilatatum</i>	Paspalum	-
*	<i>Phalaris aquatica</i>	Toowoomba Canary-grass	-
*	<i>Pinus radiata</i> var. <i>radiata</i>	Radiata Pine	-
*	<i>Plantago lanceolata</i>	Ribwort	-
*	<i>Prunus cerasifera</i>	Cherry Plum	-
*	<i>Romulea rosea</i>	Onion Grass	-
*	<i>Rosa rubiginosa</i>	Sweet Briar	-
*	<i>Rubus fruticosus</i> spp. agg.	Blackberry	-
*	<i>Rumex crispus</i>	Curled Dock	-
*	<i>Rumex pulcher</i> ssp. <i>pulcher</i>	Fiddle Dock	-
*	<i>Setaria</i> spp. (naturalised)	Pigeon Grass	-
*	<i>Trifolium angustifolium</i> var. <i>angustifolium</i>	Narrow-leaf Clover	-
*	<i>Trifolium</i> spp.	Clover	-
*	<i>Trifolium subterraneum</i>	Subterranean Clover	-
*	<i>Urtica urens</i>	Small Nettle	-
*	<i>Watsonia</i> spp.	Watsonia	-
	<i>Acacia mearnsii</i>	Black Wattle	
	<i>Acacia melanoxylon</i>	Blackwood	
	<i>Acaena ovina</i>	Australian Sheep's Burr	
	<i>Austrodanthonia pilosa</i>	Velvet Wallaby-grass	
	<i>Austrodanthonia</i> spp.	Wallaby Grass	
	<i>Austrostipa</i> spp.	Spear Grass	
	<i>Eucalyptus camaldulensis</i>	River Red-gum	
	<i>Eucalyptus melliodora</i>	Yellow Box	
	<i>Juncus</i> spp.	Rush	
	<i>Juncus subsecundus</i>	Finger Rush	
	<i>Lomandra</i> spp.	Mat-rush	
	<i>Microlaena stipoides</i> var. <i>stipoides</i>	Weeping Grass	
	<i>Poa labillardierei</i>	Common Tussock-grass	
	<i>Themeda triandra</i>	Kangaroo Grass	

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TYPICAL ROAD CROSS SECTIONS

FIGURE 5.8:
TYPICAL CROSS SECTIONS
OF PRIMARY ARTERIAL ROADSFIGURE 5.8 (PART 2):
TYPICAL CROSS SECTIONS
OF PRIMARY ARTERIAL ROADS



ADDENDUM TO THE GARDEN ROAD DEVELOPMENT PLAN (GRDP)

Applicable to the land at 31a Yellow Brick Rd, Doreen

This section of the Garden Road Development Plan (GRPD) applies to the land at 31a Yellow Brick Road, Doreen (formally recognised as Lot D on Plan of Subdivision 632417Q). It is referred to as 'the Site' in this section of the GRDP.

The Site is identified on the plan prepared by TRG Architects (TP1.1).

This Addendum should be read in conjunction with the GRDP.

Introduction

The Site is one of the final remaining undeveloped parcels of land within the GRPD, noting that the majority of land affected has been developed. The Site has remained vacant for some years, with a number of proposals for its development having been progressed and later abandoned.

The Site is located at a key gateway to the GRPD area, being located at the corner of Activity Way (which provides access into the precinct) and Yan Yean Road. It is noted that the *Yan Yean Road Duplication Project – Stage 2* will signalise this intersection, further reenforcing its key role as a vehicular and pedestrian gateway into the precinct. It is also located in an area that transitions from the Doreen Neighbourhood Activity Centre (Doreen NAC), an identified Neighbourhood Activity Centre within the *Whittlesea Planning Scheme*, the Green Wedge (located opposite to the east) as well as now established residential areas to the west and south.

In the initial version of the GRPD, the Site was indicated as being suitable for low density residential uses. Given the substantial size of the Site and location proximate to the Doreen NAC, this was later amended to allow for commercial uses. Specifically, the GRPD designated the Site for a 'Medical Centre and Swim School'.

A permit was issued under this land use designation, but there has since been insufficient demand from swim school operators, resulting in this use being economically unfeasible.

To provide flexibility, an amendment to the Development Plan is required, allowing land uses permissible under the General Residential Zone (GRZ).

List of possible uses

The GRZ applicable to the Site seeks to facilitate residential uses, as well as some non-residential uses. Notably, one of the purposes of the GRZ is too:

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

The addendum to the GRDP seeks to allow non residential uses as allowed by the GRZ. The below provides a list of some of the possible uses permissible within the GRZ, that could be allowed under this land-use designation:

- Child Care Centre.
- Place of Worship.
- Car wash.
- Convenience restaurant.
- Convenience shop.

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- Food and drinks premises.
- Gymnasium (already approved to be located on the Site).
- Leisure and recreation.
- Market.
- Medical Centre (already approved to be located on the Site).
- Place of assembly.
- Plant nursery.
- Service station.
- Swim School (already approved to be located on the Site).
- Take away food premises.

Note that this list is not exhaustive, and permissible uses within the GRZ may be altered in future planning scheme amendments that change the permissible uses within the GRZ.

Relevant policy context

The Site is affected by the following planning controls

- Zone:
 - General Residential Zone – Schedule 1 (GRZ1).
- Overlays:
 - Development Plan Overlay – Schedule 5 (DPO5).
 - Specific Controls Overlay – Schedule 13 (SCO13).
 - Vegetation Protection Overlay – Schedule 1 (VPO1).
 - Incorporated Plan Overlay – Schedule 1 (IPO1).
 - Development Contributions Overlay – Schedule 6 (DCPO6).

The following provisions of the Municipal Planning Strategy (MPS), Planning Policy Framework (PPF) and Particular Provisions are relevant:

Municipal Planning Strategy (MPS)

The MPS provides a summary of the overarching strategic policy directions of the municipality. It provides the foundation for local policy based on the municipality's location, regional context, history and key attributes.

The relevant policies as contained within the MPS are summarised below:

- **Clause 00 – Purpose and Vision** acknowledged the Traditional Owners as custodians of country, outlines the purpose of the planning scheme and vision for Victoria.
- **Clause 02.03-1 (Settlement – Activity Centres)** – Council seeks to support activity centres by providing for a number of major and neighbourhood activity centres each with its own role and function.
- **Clause 02.03-7 (Economic Development)** – Council aims to plan for the employment growth in the municipality by increasing the choice and location of land available for employment generating activities particularly in locations with easy access to residential areas.
- **Clause 02.04 (Strategic Framework Plans)** identifies the Doreen NAC as one of the NACs within the municipality.

Planning Policy Framework (PPF)

The PPF contains statewide, regional and local planning policies which articulate the land use and development outcomes sought by the planning scheme. The relevant policies as contained in the PPF are set out below:

- **Clauses 11.03-1S, 11.03-1R and 11.03-1L (Activity Centres)** – this encourages development within activity centres that is suitable for the role of the centre. It also seeks to encourage walking, cycling and public transport to access activity centres, support the diversification of uses within centres to ensure they provide relevant amenities and services for residents in the surrounding area, create vibrant centres and locate small scale services (such as medical centres) within local centres.
- **Clause 12.01-1L (River Red Gum protection)** seeks to retain and provide for the long-term viability of River Red Gums. Relevant strategies include to maximise the protection and incorporation of mature River Red Gums into the design of development of subdivision, site trees within open space and road reserves and ensure development does not threaten the life expectancy of the trees. River Red Gums are located along the Yan Yean Road reserve at the frontage of the Site.
- **Clause 13.02-1S (Bushfire Planning)** applies to any land within a designated bushfire prone area. The policy seeks to ensure that the protection of human life is the priority for planning within these areas, whilst policies also seek to reduce risk to people and buildings from fire. Relevant bushfire protection measures should be implemented to minimise any potential risk for new development.
- **Clauses 15.01-1S and 15.01-1L (Urban Design)** – encourages design development to orient toward rather than away from the street and include landscaped setbacks in locations along existing and planned arterial roads. It discourages visually dominant car parks in developments, encourages signage to minimise any detrimental impacts to the surrounding area, and to ensure good public realm outcomes encourage walking, cycling and public transport use.
- **Clause 15.01-1L (Signs)** seeks to encourage signage that is well designed and has a scale responsive to its context. Designs should not dominate the landscape, be integrated into the design of buildings, avoid obscuring major view lines and not create visual clutter.
- **Clause 15.02-2S (Building Design)** seeks to ensure that the design of buildings responds positively to their local context.
- **Clause 15.01-2L (Environmentally sustainable development)** – seeks to achieve best practice in environmentally sustainable development from the design stage through to construction and operation.
- **Clauses 17.01-1S, 17.01-1R and 17.01-1L (Diversified economy)** seek to facilitate economic growth and diversification of economic sectors. This includes facilitating opportunities for employment close to where people live, including within a range of sectors (such as health)
- **Clauses 18.01-1S and 18.01-1L (Land use and transport planning)** seek to integrate land use and transport. This includes ensuring transport infrastructure is not encroached or detrimental by proposals that may impact on their operation. It also seeks to design neighbourhoods and development to encourage more trips taken by active and sustainable transport modes over private vehicle travel.
- **Clauses 18.02-1S (Walking), 18.02-2S (Cycling) and 18.02-2L (Sustainable Personal Transport)** seek to encourage active and sustainable forms of transport over private vehicle transport.

There are also a number of provisions specifically related to specific uses. These will be relevant if an application for these specific uses are sought in future. These include:

- **Clause 19.02-1S (Health Facilities), Clause 19.02-1R (Health Precincts – Metropolitan Melbourne) and Clause 19.02-1L (Medical Centres).**
- **Clause 19.02-2S (Education Facilities), Clause 19.02-2R (Education Precincts – Metropolitan Melbourne) and Clause 19.02-2L (Child Care Centres).**
- **Clause 19.02-3S (Social and Cultural Infrastructure) and Clause 19.02-4L (Social and Cultural Infrastructure).**

Response to DPO5 requirements

The DPO5 includes requirements for the following matters to be provided *to the satisfaction* of the Responsible Authority.

DPO requirement	Response
<i>Generally in accordance with the Mernda Strategy Plan and associated Precinct Plans. A written report must be submitted addressing how the Development Plan responds to and applies the design principles and key objectives of the relevant plans.</i>	The amended GRPD is consistent with the Mernda Strategy Plan (MSP) and associated Precinct Plan for Precinct 2B. The following is noted: • The Doreen NAC acts as a key node for the Precinct 2B. Allowing a greater range of non-residential needs adjacent to the centre enables community participation and further economic development and employment within precinct, as well as contributing to the 'self containment' of the precinct. • The Site remains large enough to ensure the provision of a landscaped character to the east, noting that the large trees along Yan Yean Road are required to be retained. These provide a visual buffer to the green wedge area opposite. • Any vehicle access to the Site must not be provided from Yan Yean Road, ensuring consistency with the MSP which requires lots to be internally accessed. • The use of the Site for non-residential uses continues to ensure land use and transport is integrated. This is given the ease of access to Yan Yean Road (via Activity Way) will minimise any potential traffic impacts to quieter, residential streets designed for smaller numbers of vehicles. • The previous designation for the Site (and other land along Yan Yean Road) to provide 'low density' development to integrate with the Green Wedge precinct opposite is no longer considered the only way to achieve a suitable transition to the green wedge. Since the creation of the MSP, the Doreen Business Precinct has been constructed to the north of the Site and includes a high density of buildings and uses. Furthermore, the Yan Yean Road duplication project has further exaggerated the sense of separation between land within and outside of the urban growth boundary, as the large road will act as a key separator between urban and rural land uses. This has already been recognised through the previous designation of the Site for non residential uses. • The Site is not identified as being within a visually sensitive design area, or within a key view line. • Matters relating to detailed design, such as the design of buildings, water sensitive urban design features, etc will be resolved through subsequent planning permit applications.

Protection and enhancement of identified conservation areas. An environmental assessment of the flora, fauna and habitat significance of the land must be submitted which includes recommended actions for management, revegetation and restoration of conservation and vegetation protection areas and the links between such areas. The assessment should be guided by the broader environmental assessment recommendations completed as part of the Mernda Strategy Plan.

The Arboricultural Assessment & Report prepared by Treemap Arboriculture (February 2025) assessed the seven trees present on Site in addition to 21 street trees.

The existing trees on the Site are young or semi matures specimens of *Eucalyptus camaldulensis* (River Red Gum) with a low retention value. The trees are not considered to be native vegetation that requires a planning permit to remove pursuant to Clause 52.17 – Native Vegetation, but will require a planning permit to remove under the Vegetation Protection Overlay – Schedule 1 (VPO1).

Retention and integration of individual and stands of mature trees, particularly indigenous River Red Gums. An arboricultural survey of all existing trees on the land and their condition, health and integrity must be submitted including appropriate measures for the long term preservation of the tree(s) having regard to their proposed open space or development context. A tree protection strategy must also be submitted to ensure that trees (including canopy and root system) are not damaged during subdivision construction.

This is not relevant, as there are no mature trees on the Site.

A 'Net Gain' assessment of any native vegetation to be removed having regard to the background document Victoria's Native Vegetation Management – A Framework for Action including the location of any necessary offsets.

The Arboricultural Assessment & Report prepared by Treemap Arboriculture (February 2025) has not found there to be native vegetation on Site that requires a planning permit to remove pursuant to Clause 52.17 (Native Vegetation).

Recognition of important landscape views and vistas. A visual impact assessment must be submitted for those areas identified as 'visually sensitive' in the Precinct Plans forming part of the Mernda Strategy Plan. The assessment must provide design and siting measures

The Site is not located within a visually sensitive area and therefore does not require retention of important landscape views and vistas.

to enhance or promote the landscape character objectives for the area and reduce the impact of the proposed subdivision on significant views.

Provision of appropriate transition and interface design treatments between designated land uses identified in the Mernda Strategy Plan. Design concept plans for the interface between residential areas and the following land uses must be submitted:

- ***Adjacent or opposite land zoned Rural and Environmental Rural.***
- ***High voltage power transmission line easements.***
- ***Mernda town centre and other precinct activity centres.***
- ***The existing rail reserve and Melbourne Water 'pipe track' reservation.***
- ***Identified cultural heritage places.***
- ***Low density residential areas.***
- ***Primary and Secondary arterial roads.***
- ***Major open space reserves.***

Any redevelopment of the Site can accommodate an appropriate transition between the various adjacent land uses. This will be achieved by:

- Retaining the existing trees along the Yan Yean Road frontage, to assist in providing a landscaped buffer to the green wedge area on the opposite side of the road. The provision of a landscaped buffer between the buildings / car park and road reserve will further enhance this landscaped buffer.
- The treatment of built form along Activity Way and Yan Yean Road should be considered to provide visual interest. Windows should also be oriented to provide outlooks to the street.
- Providing a landscaped setbacks to the southern and western boundaries, (adjoining the residential properties), where possible, to provide softening of any built form or car parking to adjoining residential dwellings.
- The design and siting of buildings should use the slope, as much as practicable, to minimise any building's presence and potential amenity impacts to the surrounding area.
- Any uses proposed within the southern portion of the Site should consider how they provide an appropriate transition from the non-residential area in the north to the residential area in the south.
- Lighting is to be baffled / managed at the transition to the residential interfaces.
- The location of loading and waste storage areas should minimise any potential unreasonable amenity impacts to surrounding residential properties.

Any future planning permit application will need to demonstrate how it achieves a transition to the adjoining green wedge and residential land.

Provision of appropriate transition and interface design treatments between designated land uses and the existing or proposed Plenty Gorge Parklands which incorporates a boulevard road adjacent to the parklands and the design of lots such that no common boundary abuts the parklands.

This is not relevant, as the Site is located 1.8km from the Plenty Gorge Parklands.

A landscape strategy for the area adjacent to the existing or proposed Plenty Gorge Parklands including plans which:

- *show all existing vegetation including native grasses;*
- *show where the removal of noxious weeds is required;*
- *indicate the extent of proposed impervious services;*
- *demonstrate how proposed landscaping will complement the parklands;*
- *guide species selection and indicates numbers of plants, with emphasis on the selection of indigenous vegetation; and*
- *provide for local soils to be used for earthworks, to prevent the spread of soil borne diseases.*

This is not relevant, as the Site is not located within proximity to the Plenty Gorge Parklands (approximately 1.8km to the south west).

Conservation and protection of Aboriginal and European cultural heritage places. A detailed archaeological survey and heritage assessment must be submitted which includes recommendations for the protection, restoration and interpretation of significant individual sites and, where appropriate, design measures to sensitively integrate sites into the proposed town centre or open space network. Aboriginal Archaeological survey work should be conducted in collaboration with the Wurundjeri Tribal Council and the Kulin Nation Regional Cultural Heritage Program and have regard to the previous investigations undertaken by Ellender (1994).

A Cultural Heritage Management Plan (CHMP) has been prepared for the Site by Benchmark Heritage Management, reference 16621.

BHM found that the Site has been disturbed; however, there remains some potential for Aboriginal Cultural Heritage Places (ACHP) below the surface. This could include stone artefact deposits. There are no scarred trees present on the land.

The CHMP includes three conditions that seek to manage the finding of any artefacts during construction. These are:

1. Requiring that a Cultural Heritage Awareness Induction is provided by Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) for all Site workers and contractors prior to their involvement in ground disturbance works.
2. Providing a hardcopy of the CHMP on Site during works.
3. WWCHAC conducting one Site inspection during ground disturbance works in order to audit works and ensure compliance with conditions and contingency plans in the CHMP.

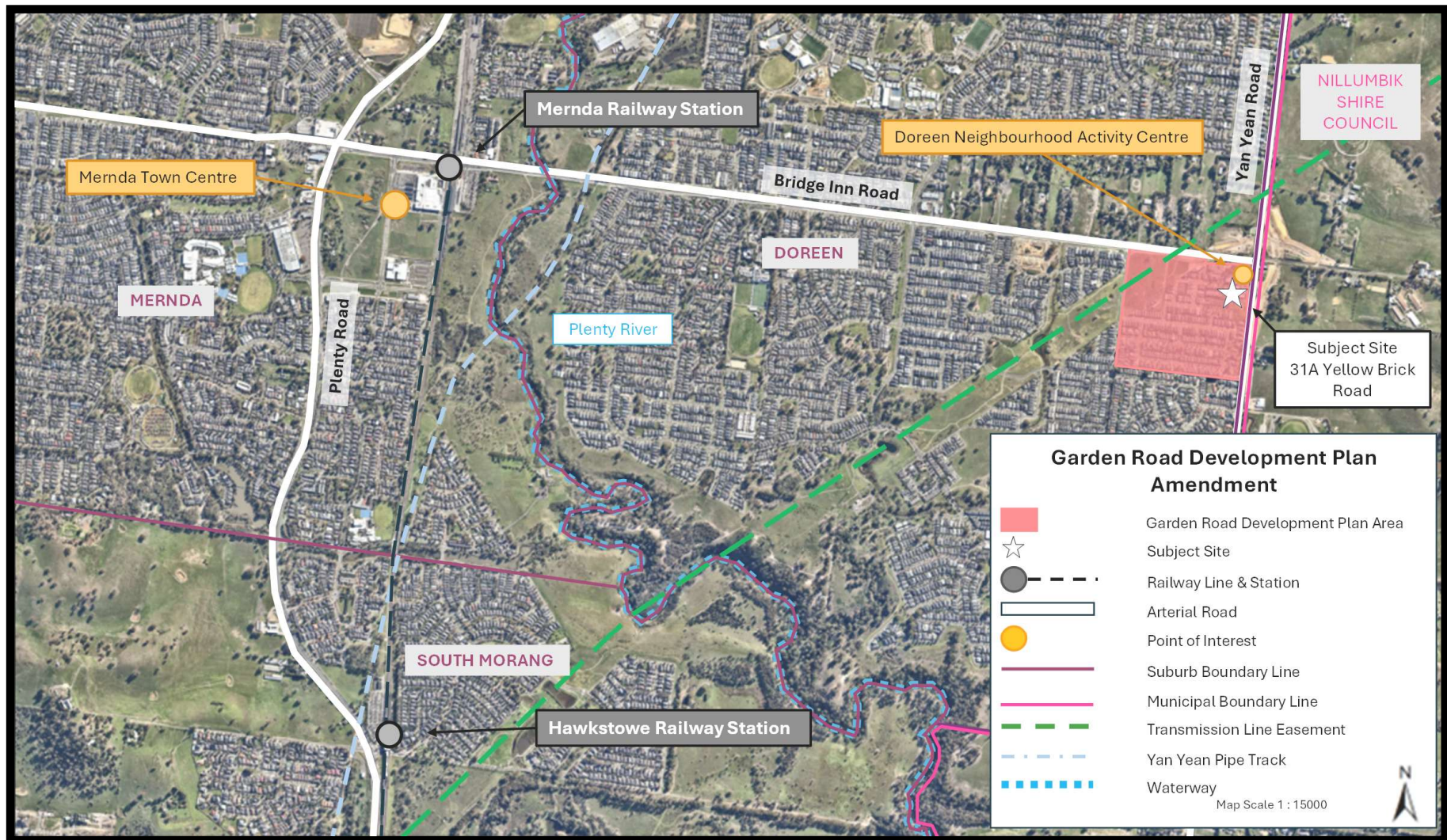
The Site is vacant and does not have any identified European cultural heritage places.

<i>Application of the principles of water sensitive urban design (WSUD). A stormwater management plan must be prepared and submitted which provides for the protection of natural systems, integration of stormwater treatment into the landscape, protection of water quality (particularly in relation to the Plenty River and its tributaries), and reduction of run-off and peak flows. The plan must have regard to the particular WSUD principles set out in the Mernda Strategy Plan.</i>	Stormwater management and WSUD strategies can be resolved through any subsequent planning permit applications. Any future development or subdivision of the Site must address planning policy relating to WSUD and integrated water management.
<i>Opportunities for a diverse range of allotment densities and dwelling types. A statement of housing outcomes, population and lot yield targets must be submitted.</i>	This is not applicable, as the Site is being designated for non-residential (rather than residential uses).
<i>Provision of a road network providing a high degree of connectivity and external and internal permeability. A functional road layout plan must be submitted showing typical road cross sections and integration with the existing and proposed arterial road network. The plan should further provide for any public bus network which may be required within the Development Plan area; the provision of land for road widening where identified in the Mernda Strategy Plan; and a bicycle and pedestrian network plan (which includes links to adjoining land and networks).</i>	The Site is not of a sufficient size to require the provision of an internal road network. The Site is currently provided with vehicle access from Activity Way. Access is not permitted to be provided from Yan Yean Road as per the GRPD. Vehicle access will continue to be provided from Activity Way with regard to the location of the nearby intersections. The intersection of Activity Way and Yan Yean Road is currently being upgraded as part of Stage 2 – Yan Yean Road Duplication. Any future planning permit application will need to demonstrate how the proposal integrates with the latest plans of the upgrade, including connections with future pedestrian and shared paths and the relocated bus stop. Any future planning permit application will need to demonstrate that an appropriate level of car parking is provided on the Site.
<i>A landscape concept plan for all open space areas.</i>	This is not relevant, as the Site does not include any public open space areas. Landscaping for any future development can be dealt with through any planning permit application.
<i>A street tree concept plan.</i>	This is not relevant, as the Site will not accommodate a street network.

	Any requirements for street tree planting along street frontages can be dealt with through any future planning permit application.
<i>Precinct activity centre design concept plans.</i>	This is not relevant, as the Site is not a precinct activity centre and does not require a concept plan to be prepared with the Development Plan amendment. The design of any future buildings will be resolved through a future planning permit application.
<i>A conduit network concept plan to facilitate the future installation of advanced telecommunications services through optical fibre cabling.</i>	This is not relevant, as the Site is located within an already constructed subdivision which has connection to telecommunications services.
<i>A development contributions plan and open space land budget.</i>	Development contributions are required by the Development Contributions Plan – Schedules 5 and 6 (DCPO5 and DCPO6) applicable. The contributions for the Site have already been paid as part of the delivery of the broader subdivision. The Site is not required to provide any open space within the GRDP.
<i>An environmental audit identifying any environmental hazards or contamination on the land and proposed treatments, if any; or a qualified statement indicating the absence of such hazards or contamination.</i>	A Preliminary Site Investigation (PSI) prepared by Automated Environmental (dated 15 May 2026) has found that the Site has historically been used as rural and agricultural land. These uses have a low likelihood of causing contamination to land in accordance with DTP's Planning Practice Note 30 – Potentially Contaminated Land. The soil investigation found that potential contaminants of concerns were not above the adopted assessment criteria. Should a sensitive use be proposed, the PSI recommended that additional confirmation will be required regarding the site's suitability for the proposed use.
<i>The location of any detention tanks, drainage retarding basins or other utility infrastructure required to service the neighbourhood.</i>	This is not applicable, as the broader stormwater strategy for the surrounding area has been dealt with through the subdivision of the land.
<i>The stages, if any, by which the development of the land is proposed to proceed.</i>	Development of the Site is anticipated to occur in two stages. The first stage of development will involve construction of a building on the southern side of the Site. There is currently an approved planning permit for a Swim Centre, Medical Centre, and Gymnasium for this southern portion of the site. Considering the difficulty in securing a swim centre operator, this is proposed to be amended to

a Medical Centre and gymnasium. Note that this land use amendment is subject to planning approval.

The second stage of the development will involve the development of the northern half of the Site (adjoining Activity Way). This remains subject to a planning permit application process.



Potential Non-Residential Uses Permissible under the General Residential Zone

The following list provides some of the possible non-residential uses permissible within the General Residential Zone, which could be permitted by the proposed change in land use pending further assessment at the planning permit stage. This includes:

- childcare centre
- place of worship
- car wash
- convenience restaurant
- convenience shop
- food and drinks premises
- gymnasium
- leisure and recreation
- market
- medical centre
- place of assembly
- plant nursery
- service station
- swim school
- take away food premises.



**Proposed amendment to the Garden Road
Development Plan (November 2025)**

Engagement Report

A place for all



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Introduction

This engagement report has been prepared to describe Council Officers' consideration of, and decisions made in respect of, any submissions or comments in response to the non-statutory exhibition of the proposed Development Plan. This report is not a statutory requirement under the *Planning and Environment Act 1987* (the *Act*). Rather, the preparation of the engagement report demonstrates a consistent approach to statutory exhibition undertaken for other strategic planning processes as set out in the *Act*.

Outline of the public engagement undertaken

The draft Development Plan amendment was exhibited to affected and adjoining landowners and occupiers within the surrounding precinct and relevant authorities from 8/05/2026 to 6/05/2026. Details of the proposed Development Plan amendment were also placed on Council's website and a letter was mailed to the affected landowners and occupiers.

There is no statutory requirement under the *Act* to advertise the Development Plan amendment. However, the City of Whittlesea undertakes non-statutory exhibition as part of its established notification practices to affected and adjoining properties and relevant agencies, in accordance with the transparency requirements of the *Local Government Act 2020*. This is to ensure that any landowners and occupiers impacted by the proposal, and agencies with relevant expertise, can provide comment on the draft Development Plan amendment for Council's consideration. Providing notice in accordance with the *Local Government Act 2020* has been commented on favourably by VCAT members.

Any future planning permit applications lodged on the land would not be publicly exhibited where they are generally in accordance with an approved Development Plan. The non-statutory exhibition of the Development Plan provides an opportunity for persons potentially impacted by the proposal to have a say on the matter.

Formal notification was provided by mail to 46 property owners and occupiers, and to the following agencies and referral authorities:

- The Department of Transport and Planning
- EPA Victoria
- Nillumbik Shire Council



Information about the outcomes of that public engagement

Four submissions were received during the non-statutory exhibition period, with two submissions received from affected owner/occupiers and two submission from relevant agencies. Council officers have considered the submissions received, assessed and responded to the submitter concerns in the table below.

The submissions and the personal information included in the submissions are collected by City of Whittlesea for the purposes of this planning process. Privacy Collection Notices are included in letters that are sent as part of the exhibition. Where requests from submitters are received to withhold personal information, these details will not be disclosed in this engagement report. However, submissions may be shared with the relevant parties to further progress consideration of a Development Plan. City of Whittlesea are obliged to handle personal information and maintain privacy rights for individuals in accordance with the *Privacy and Data Protection Act 2014*.

Summary and Officers response to submissions received

Council officers have considered the submissions received, assessed and responded to the submitter concerns in the table below.

Submission	Officer Response	Summary Response
1. Department of Transport and Planning		
No objections to the proposed amendment.	Not applicable.	Noted
2. Nillumbik Shire Council		
No objections to the proposed amendment.	Not applicable.	Noted
3. Resident submission 1 & 2		



Negative impacts on the amenity and privacy of adjacent residential lots due to non-residential uses having longer operating hours, increased noise, lighting, or greater visual bulk of built form and overlooking compared to the existing land-use designation (Swim Centre and Medical Centre).	It is highly unlikely that a future non-residential land use would have longer operating hours than the ancillary gymnasium permitted on the subject site under the current approved Garden Road Development Plan (2019). In terms of potential amenity issues raised, such as lighting, noise, and visual bulk and overlooking, there have been further performance measures included in the Development Plan to manage potential impacts.	Change made regarding built form, lighting, noise from waste and loading Noted regarding concern about longer operating hours.
Increased car parking demand from potential non-residential uses will reduce the number of on-street car parking available for residents around the subject site.	Car parking will primarily be managed at the planning permit application stage, where the applicant will have the right to apply for a permit for a reduction to the statutory car parking rate. Given the lack of on-street car parking available within the local road network, further guidance has been included within the Development Plan amendment to ensure that an appropriate level of parking can be accommodated on the subject site.	Change made
Increased traffic movements associated with potential non-residential land uses would decrease the safety of the local street network surrounding the subject site.	There is no guarantee that the use developed on the subject site will have a greater volume of traffic than the existing 'Swim Centre and Medical Centre' land use, although this is a possibility. Any potential increase in traffic movements will be accommodated by the signalisation of the Activity Way and Yan Yean Road	Noted.



	intersection under the Stage 2 Yan Yean Road upgrade works, which will improve safety and traffic flow adjacent to the subject site entrance.	
Loss of the existing community-focused land use (Swim Centre and Medical Centre), which was compatible with the adjacent residential lots and met a community need.	The amendment is being sought because the Swim Centre component of the land use designation is not economically viable to develop on the site. This is evidenced by the fact that the site has remained vacant since it was originally subdivided despite multiple development proposals being progressed and later abandoned. So even if the land use were to remain unchanged, it is unlikely that the site will be developed as per the “Swim Centre and Medical Centre” use. There is risk here that the land use designation becomes a constraint that prevents the site being developed in the future, which is not in the best interest of Council or the community. There is no guarantee that the potential future land uses are not community focused and do not meet a community need. There is existing legal precedent (Jocelyn Meadows VCAT decision) which establishes that a Development Plan can’t remove the discretion afforded within the provisions of the zone – essentially	Noted.



	that the DP can't make a determination about which discretionary uses will be permitted on the site. Inversely, it is unlikely that a refusal based on the "Non-residential uses as permissible under the GRZ" land use would not be supported at VCAT.	
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Changes proposed to the exhibited Development Plan

The following table describes the changes to the Development Plan that are recommended in response to submissions or comments received in response to exhibition, and an explanation of the recommendation:

Recommendation	Amendment to Development Plan
Provide additional guidance in the Development Plan amendment to minimise potential amenity and privacy impacts from built form and overlooking.	The following performance measures have been added to the Development Plan amendment: • "The design and siting of buildings should use the slope, as much as practicable, to minimise any building's presence and potential amenity impacts to the surrounding area" (p. 6/10). • Development along the residential interfaces must "consider how they provide an appropriate transition" from non-residential to residential uses (p. 6/10 of the Addendum to the Development Plan).
Provide additional guidance in the Development Plan amendment to minimise potential amenity and privacy impacts from noise and lighting.	The following performance measures have been added to the Development Plan amendment: • "Lighting is to be baffled / managed at the transition to the residential interfaces" (p. 6/10 of the Addendum to the Development Plan). • Development along the residential interfaces must "consider how they provide an appropriate transition" from non-residential to residential uses (p.



	6/10 of the Addendum to the Development Plan). “The location of loading and waste storage areas is to be considered to minimise any potential unreasonable amenity impacts to surrounding residential properties.” (p. 6/10 of the Addendum to the Development Plan).
Provide additional guidance in the Development Plan amendment regarding car parking impacts on surrounding local road network.	The following performance measure has been added to the Development Plan amendment: “Any future planning permit application will need to demonstrate that an appropriate level of car parking can be provided on the Site.” (p. 8/10 of the Addendum to the Development Plan).
Managing land use compatibility	This will be managed via the above addition regarding managing the transition to the residential interface.

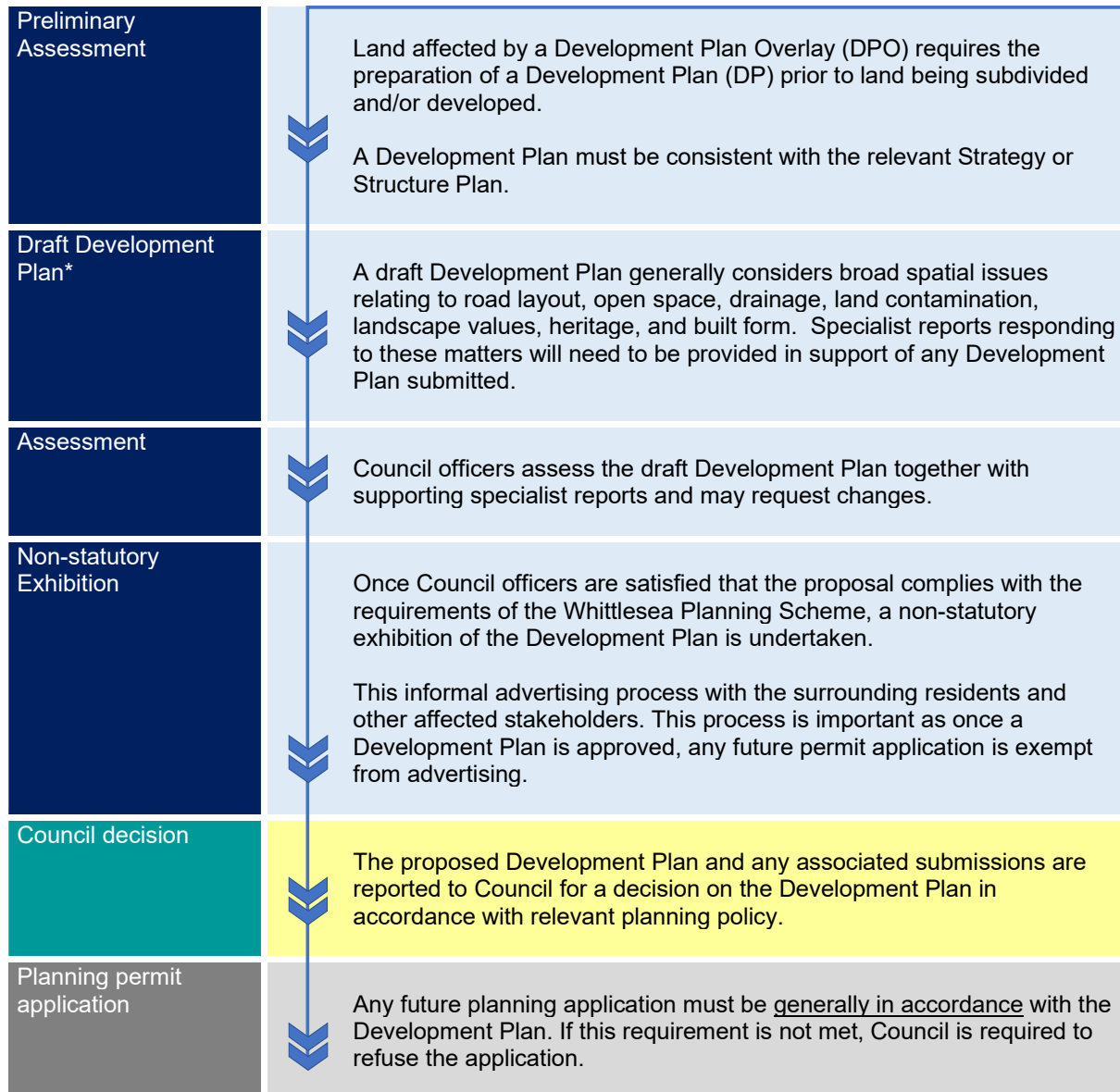
The proposed change in land use designation results in a broad land-use term (i.e., “Non-residential uses as permissible under the General Residential Zone”), which offers flexibility in land use outcomes for the subject site. As a result, there is no guarantee that the future land use and development on the site will result in greater amenity and privacy impacts compared to the current “Swim Centre and Medical Centre” land use designation. The specific land-use and development applied for will be assessed at the planning permit stage, and any future planning permit application will need to be generally in accordance with the performance measures included in the approved Development Plan.

The Development Plan amendment does not have the ability to guarantee what these outcomes will look like, but potential privacy and amenity impacts will be managed via performance measures which are designed to inform development outcomes to ensure that future land use and development are compatible with the residential properties interfacing with the subject site. The recommended performance measures to be added to the Development Plan amendment are summarised in the table above.

This engagement report, along with the Council Report and other attachments, will be made publicly available in the Scheduled Council Meeting Agenda on the council website prior to and following the relevant Council Meeting.



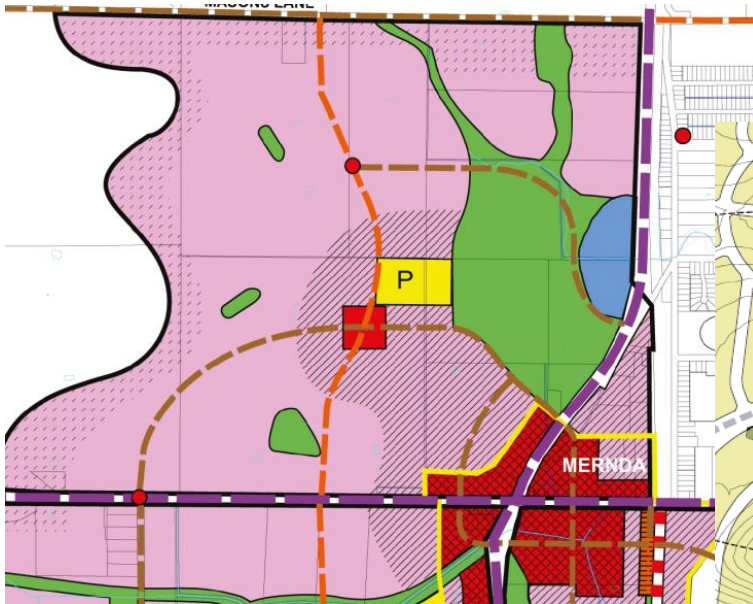
Development Plan Process



*Note: Applications may also be made to amend an approved Development Plan. The assessment of applications to amend a Development Plan follows the same process.

Planning Document Hierarchy

Strategy / Structure Plans



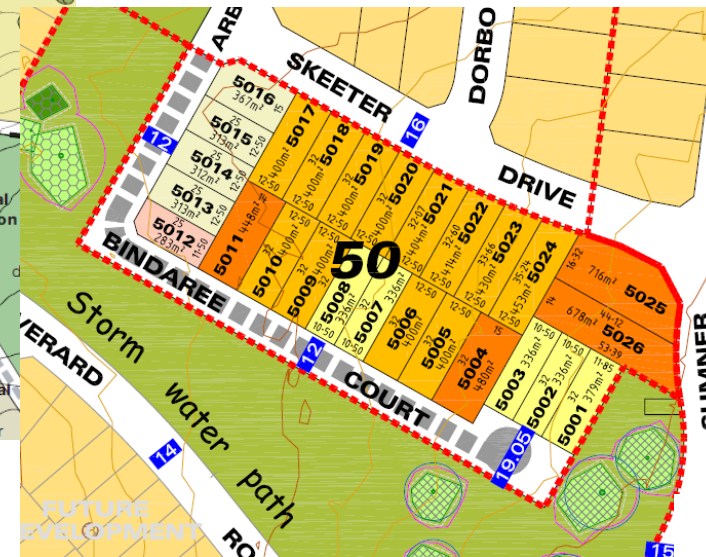
High level strategic plans to guide land use and development of a large precinct, suburb or township. Identifies the regional road network and location of parks, schools, town centres at a high level.

Development Plans



Strategic plans to guide land use and development for a smaller precinct. Identifies the local street network and location of parks, schools, shops and other facilities.

Planning Permit (Subdivision)



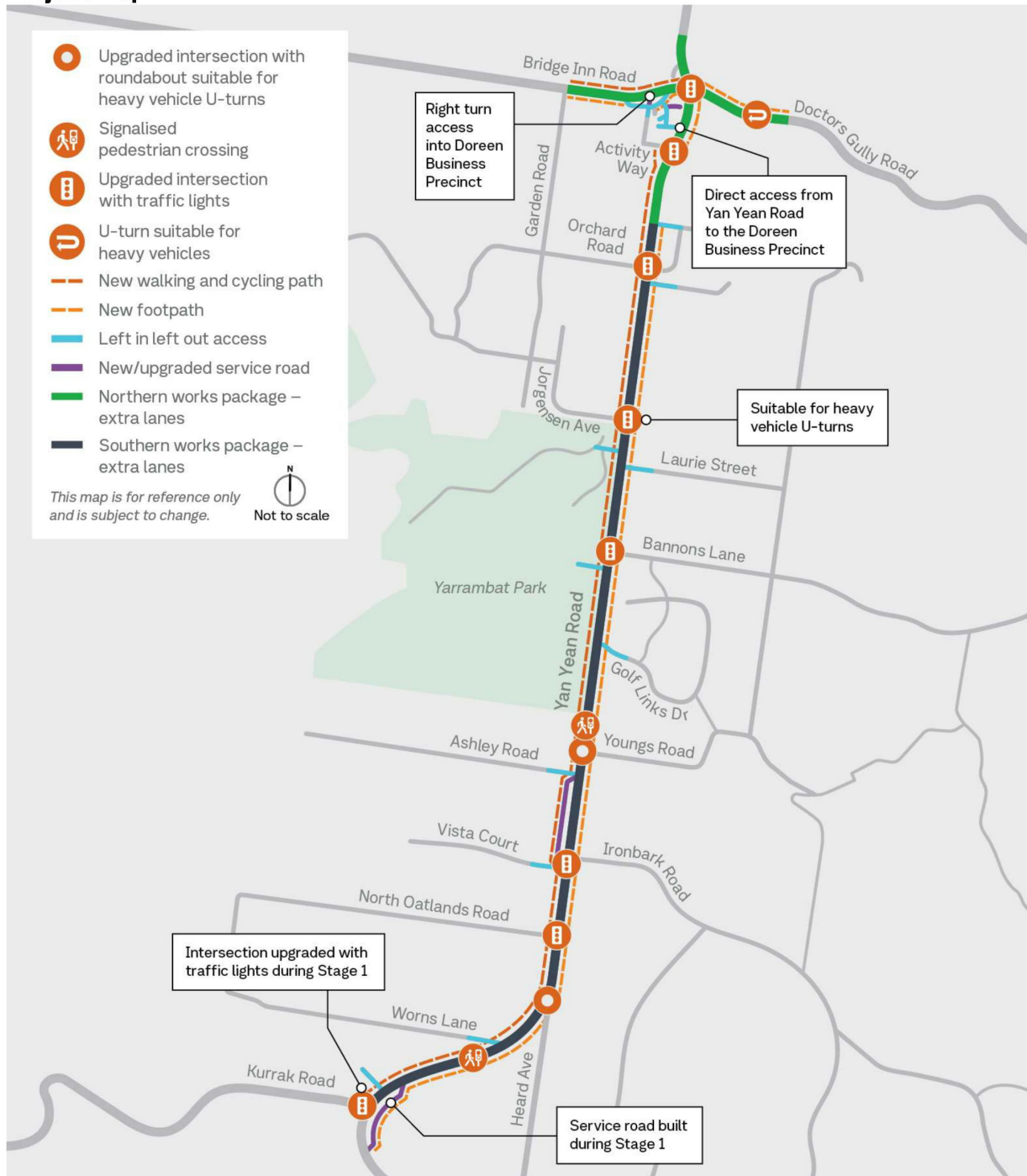
Statutory approval to subdivide land. The Subdivision Plan is the statutory plan which shows the proposed subdivision layout including road reserves, open space reserves, residential and commercial lots. The permit will also identify native vegetation which can be removed.

Building Permits



Statutory approval to construct a building such as a dwelling.

Project map



5.3 Contract 2026-5: Arboricultural Services

Director/Executive Manager: Acting Director Infrastructure & Environment

Report Author: Unit Manager Parks & City Forest
Coordinator Trees Management

In Attendance: Manager Maintenance & Operations
Unit Manager Parks & City Forest

These attachments have been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that they contain private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Executive Summary

This report summarises the evaluation of the tender submissions received for Contract No. CT2026-5, Arboricultural Services.

In March 2025, Council parted ways with its historic, and long-term tree maintenance provider, and entered into a 12-month bridging Contract to trial a more sustainable model of service delivery across the tree pruning and maintenance services within the City of Whittlesea.

Following the success of that trial, Council went to market in March 2026 to secure its long-term tree providers, utilising an unbundled contract management model that split the historic contract into four separate portions. Those portions are as follows:

Portion A – Inspections.

Portion B – Zone Pruning.

Portion C – Reactive Pruning including, Customer Request response, tree removal and stump removal works and after-hours/storm clean-up response.

Portion D - Electrical Line Pruning.

Following a competitive Request for Tender (RFT) process, Council is seeking to appoint qualified and experienced contractors for the provision of Arboricultural Services under Contract No. CT2026-5 for an initial six year period commencing on 1 September 2026, plus optional extensions of up to four years (two x two years) for a lump sum and Schedule of Rate (SoR) price as detailed in the officer recommendation, noting future extensions will be in accordance with approved budget allocations.

This report provides information on the diligent and thorough evaluation of the RFT process based on the following scope required under the proposed contract, and is based on probity principles, Council's procurement policy and Best Value principles.

On 11 March 2026, the RFT was publicly released for a period of five weeks. At the date and time of closing, 4pm on 14 April 2026, submissions were received from 13 suppliers in total.

Prior to the closure of the RFT, the evaluation panel completed and signed the Tender Probitity and Evaluation Plan (TPEP), including the agreed weightings and methodology, and engaged RSM Australia Pty Ltd (RSM) as Council's probity advisor to oversee the end-to-end RFT process.

Full details of the RFT evaluation process are outlined in the body of this report, and confidential pricing information can be found in Confidential Attachment 1 – Tender Evaluation Summary to this report.

Officers' Recommendation

THAT Council:

- 1. Resolve to award Contract No. CT2026-5 Arboricultural Services – Portion A to Urban Amenity Pty Ltd for the provision of Inspections at a cost of \$8,318,819.65 (excl. GST) for the entire Contract term. This sum is inclusive of the initial six years commencing 1 September 2026, plus the optional extension of up to four years (two x two years).**
- 2. Resolve to award Contract No. CT2026-5 Arboricultural Services – Portion B to The Tree Company Arboricultural Services Pty Ltd for the provision of Zone Pruning at a cost of \$29,541,397.58 (excl. GST) for the entire contract term. This sum is inclusive of the initial six years commencing 1 September 2026, plus the optional extension of up to four years (two x two years).**
- 3. Resolve to award Contract No. CT2026-5 Arboricultural Services – Portion C to The Tree Company Arboricultural Services Pty Ltd for the provision of Reactive Pruning at a cost of \$40,915,537.27 (excl. GST) for the entire Contract term. This sum is inclusive of the initial six years commencing 1 September 2026, plus the optional extension of up to four years (two x two years).**

- 4. Resolve to award Contract No. CT2026-5 Arboricultural Services – Portion D to Lucas and Co. Pty Ltd for the provision of Electrical Line Pruning at a cost of \$10,074,464.68 (excl. GST) for the entire Contract term. This sum is inclusive of the initial six years commencing 1 September 2026, plus the optional extension of up to four years (two x two years).**
- 5. Authorise the Acting Chief Executive Officer (A/CEO) to sign and execute the Contract on behalf of Council.**
- 6. Authorise the Chief Executive Officer (CEO) to approve any Contract optional extension periods up to four years subject to future approved budget allocations and satisfactory performance of the contractors.**

Background / Key Information

The City of Whittlesea manages 120,000 street trees across a diverse range of neighbourhood types including established, rural, and growth areas. Attractive tree-lined streets are valued by the community and are an important part of the City's liveability.

Street trees provide a wealth of benefits to the community including shade, amenity, habitat for wildlife, and streetscape beautification. They also reduce air pollution and stormwater flows, and the amount of heat that radiates from buildings, footpaths, and roads on hot days. More importantly, street trees are an important element of place-making, creating a unique sense of place, as well as a unique brand of liveability for the municipality.

Historically, the City of Whittlesea trees were maintained by a single external service provider who provided all tree maintenance including tree inspections, tree pruning, and tree removal. The single-service provider model had been utilised by the City of Whittlesea without material change from 2002 until 2025.

In late 2024, Council determined that transitioning to an alternate contract model would support a more flexible, scalable, and competitive service delivery environment than the sole provider approach. That shift reflects a forward-looking approach aimed at enhancing market engagement, improving service outcomes, and delivering greater long-term value for Council and the community.

The revised model also supports greater operational efficiency, encourages innovation in service delivery, and positions Council to achieve improved value and responsiveness over the long term without reliance on any single delivery arrangement.

In reviewing the historic operating model, Council officers opted to unbundle the tree maintenance offering into its core components and return to market for 12-month bridging contracts in order to test the sustainability of a new operating model.

The unbundled components are as follows:

- Inspections.
- Zone Pruning.
- Reactive Pruning, tree removal, and stump removal works, including an after-hours/storm clean-up response.
- Electrical Line Pruning.

The 12-month pilot program was designed to inform Council's approach to procuring its long-term tree maintenance services.

The pilot program demonstrated strong performance across key service and operational metrics including a 58% increase in work completion rates (58% more work was completed), an 81% decrease in overdue customer requests, and a 90% improvement in the number of customer requests being performed within Council's mandated service level agreement. The pilot program also delivered measurable financial efficiencies, resulting in significant cost savings for Council while simultaneously improving service quality. Collectively, these outcomes highlight the effectiveness of the pilot in supporting more responsive, efficient, and value-driven service for the community.

With the success of the pilot program, Council proceeded to market to procure the long-term tree maintenance services using an unbundled delivery approach. This model is intended to embed the demonstrated benefits of the pilot, supporting improved service performance, increased flexibility, and the delivery of best value to the community.

Invitation to Tender

On 11 March 2026, Council proceeded to market via a public tender process and invited public tendering across the four separate portions of Contract CT2026-5 Arboricultural Services. Those portions were separated as follows:

- Portion A: Inspections.
- Portion B: Zone Pruning.
- Portion C: Reactive Pruning.
- Portion D: Electrical Line Pruning.

Portion A provides Council with dedicated resources to perform Council's routine tree inspection program, in line with Council's Street Tree Management Plan, to ensure all public street trees are inspected no less than once in every two-year period. This dedicated resource will also perform all reactive tree request inspections. Portion A accounts for approximately 9% of the total contracted service spend.

Portion B provides Council with dedicated resources to perform Council's routine zone pruning program. The routine inspections of Portion A assess Council's trees for safety, and amenity, in line with Council's agreed clearance rates within the Street Tree Management Plan. Where trees are deemed in need of intervention, those trees form Council's zone pruning program. Portion B accounts for approximately 33% of the total contracted service spend.

Portion C provides Council with dedicated resources to perform Council's reactive works, including attending to Council's customer requests, storm cleanup responses, afterhours service support, and tree removals, where needed. Portion C accounts for approximately 46% of the total contracted service spend.

Portion D provides Council with dedicated resources to perform Council's electrical line pruning works, in accordance with Council's legislative obligations under the *Electrical Safety Act 1998*. Electrical line pruning occurs across four months each year, typically beginning in April. Portion D accounts for approximately 11% of the total contracted service spend.

Council's public tender closed 14 April 2026. A total of thirteen suppliers submitted for one or more portions across Contract CT2026-5.

Evaluation Process

A Tender Evaluation Panel (Panel) was formed to assess the tender submissions and to recommend preferred contractors to undertake the works. The Panel composition was as follows:

Name, Position and Department	Primary Roles and Responsibilities
Procurement (Non-Voting) (Mandatory and Financial)	
Procurement Chair	• Chair all tender related meetings including panel meetings, tenderer presentations, etc. • Ensure all procedural, probity and documentary requirements have been met by the panellists. Issue clarifications and receive responses • Coordinate best and final offer (if required) • Coordinate independent financial assessment of shortlisted tenderers (if required) • Undertake conformance/mandatory assessment and price analysis of tenders
Voting Members (Non-Financial)	
Lead Evaluator	• Co-develop evaluation criteria/ weightings • Score tenderers against non-financial criteria • Develop/prepare clarifications • Arrange and conduct reference checks • Draft evaluation report to Council • Agree to mandatory assessment
Evaluator	• Co-develop evaluation criteria/ weightings • Score tenderers against non-financial criteria • Develop/prepare clarifications • Arrange and conduct reference checks • Draft evaluation report to Council • Agree to mandatory assessment
Evaluator	• Co-develop evaluation criteria/ weightings • Agree to mandatory assessment • Score tenderers against non-financial criteria • Sign off support of draft report to Council

Name, Position and Department	Primary Roles and Responsibilities
Specialist (Non-Voting) (Financial)	
Specialist Non-voting	• Undertake conformance/ mandatory assessment and price analysis of tenders • Advise the Panel as subject matter experts on subjects within their field of work • Assist with assessment of technical aspects of tenders
Subject Matter Experts (Non-Voting)	
SMEs	• Advise the Panel as subject matter experts on subjects within their field of work • Assist with assessment of technical aspects of tenders

Noting the value of the total contract, a senior procurement officer and an independent external probity advisor (RSM) were also present during the evaluation to provide procurement and probity guidance and support to the Panel.

The tendered submissions were evaluated against the evaluation criteria outlined in **Table 1** below. This criterion was endorsed through the TPEP by the Panel prior to releasing the RFT and was included in the RFT documentation.

Table 1: Evaluation Criteria

Criteria		Scoring Description /Weighting
Non-Financial	CAPABILITY	Sub-Total (40%)
	Previous experience of a similar scope and scale	15%
	Experience, skills and qualifications of nominated staff	15%
	Methodology to support the successful delivery of the works	10%
	CAPACITY	Sub-Total (15%)
	Company resourcing including staffing levels, organisational structure/systems and equipment/machinery to ensure Councils reporting and delivery timeframes are met	15%
	SUSTAINABILITY	Sub-Total (5%)
	Social, Environmental, Economic Benefits	5%
Financial	PRICE	Sub-Total (40%)
	TOTAL	100%

No member of the Panel held any conflict of interest in relation to this tender evaluation. Any matters raised were discussed with the Probity Advisor and determined to be consistent with business-as-usual (BAU) activities, with no impact on the integrity of the process.

Consistent with the evaluation methodology narrated in the TPEP, the evaluation was separated into Mandatory Criteria, Non-Financial Criteria, and Financial Criteria.

Non-Financial Criteria was assessed by only the Voting Members of the Panel, whereas Mandatory and Financial Criteria was assessed separately by Council Procurement and Specialist (non-voting) staff. This section of the report summarises the weighted scoring and respondent rankings emanating from the evaluation of tender submissions.

Tendered submissions evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation.

Table of Respondents

Tenderer ID	Portion A: Inspections	Portion B: Zone Pruning	Portion C: Reactive Pruning	Portion D: Electrical Line Pruning
A	X			
B	X			
C	X			
D	X			
E	X			
F		X	X	
G		X	X	
H		X	X	
I		X	X	X
J		X	X	X
K		X	X	X
L		X	X	
M			X	

It should be noted that the following respondents were deemed to be non-compliant by the Voting Members of the Panel due to the outlined reasons and hence the Voting Members agreed to not include them in the overall assessment.

Separable Portion A: Inspections

ID	Reasons why tender was set aside from further evaluation
E	This tender was deemed not sufficiently competitive due to their submitted pricing schedule.

Separable Portion B: Zone Pruning

ID	Reasons why tender was set aside from further evaluation
J	Tender submission received an agreed score below 50% for non-price criterion (Capability). Tenderer did not demonstrate allocation of staffing to service this Portion. Methodology provided was inconsistent with the requirements of Portion B. Thus, the Panel agreed to remove the tenderer from further consideration.
L	This tender was deemed not sufficiently competitive due to their submitted pricing schedule.

Separable Portion C: Reactive Pruning

ID	Reasons why tender was set aside from further evaluation
J	Tenderer received an agreed score below 50% for non-price criterion (Capability). Tenderer did not demonstrate allocation of staffing to service this Portion. Methodology provided was inconsistent with the requirements of Portion C.
L	Tenderer received an agreed score below 50% for non-price criterion (Capability). Emergency response methodology was not included.
M	Tenderer did not provide lump sum pricing in conformance with the specification requirements.

Separable Portion D: Electrical Line Pruning

ID	Reasons why tender was set aside from further evaluation
J	Tenderer received an agreed score below 50% for non-price criterion (Capability). Tenderer failed to adhere to Council's specified methodology, timeframes and provided a non-conforming schedule of works.

Table of Compliant Respondents

Tenderer ID	Portion A: Inspections	Portion B: Zone Pruning	Portion C: Reactive Pruning	Portion D: Electrical Line Pruning
A	X			
B	X			
C	X			
D	X			
F		X	X	
G		X	X	
H		X	X	
I		X	X	X
K		X	X	X

Non-Financial Criteria Scoring

Non-financial scoring was undertaken individually by each Voting Member of the Panel who conducted an assessment of supplier submissions and scored them accordingly against each of the non-financial criteria, using the below scoring scale:

Score	Score Summary	Weighting Assessment Criteria
0	Not acceptable	Has not met any reasonable criteria
1-2	May not be acceptable	Has not met many minimum requirements. "Very poor"
3-4	May not be acceptable	Has not met some requirements. "Poor"
5	Acceptable	Has met all requirements
6-7	Acceptable	Has met all requirements and exceeded some. "Good"
8-9	Acceptable	Met all requirements and exceeded most. "Very good"
10	Acceptable	Has well exceeded all requirements. "Excellent"

Financial Criteria Scoring

Financial scoring and cost modelling was undertaken by the TEP Procurement and Specialist (non-voting) staff by assessing respondent submissions to the relevant Lump Sum/SoR's. Council officers used a price model to rank submissions. This price model was used specifically for evaluation purposes and not a direct estimate of expected spend across the life of the Contract.

The methodology produced an indicative annual sum cost for each respondent. This amount was then multiplied by the total contract duration (including the two x two years extension options) to derive a whole-of-term tenderer price. The resulting total was applied to the pre-determined formula for financial scoring purposes, which is:

$$(\text{Lowest Tendered Lump Sum} / \text{Respondent Tendered Lump Sum}) \times 40$$

Sustainability and Local Content Bonus Scoring

Within the TPEP, and in accordance with Council's Procurement Policy, the tender included a provision for Preference Bonuses to be applied in the following scenarios to the respondent's achieved weighted consolidated score:

- a local or indigenous business (5% preference); and
- and any businesses that demonstrates other desirable sustainability practices and outcomes (up to an additional 5% preference).

Bonus scoring was applied to six tenderers for being local (three tenderers did not qualify for a local bonus*) and all tenderers received bonus scoring for sustainability practices.

*A local business is defined as one where the operational business premises are physically located within the municipal borders of the Northern Councils Alliance members.

Final Consolidated Scores

The tables below display the overall scores of each submission, inclusive of non-financial, financial and bonus scores.

Portion A: Inspections

Respondent	Overall Score	Rank
A	80.08	1
B	67.27	2
C	66.27	3
D	54.62	4

Portion B: Zone Pruning

Respondent	Overall Score	Rank
G	83.56	1
F	78.48	2
K	73.28	3
I	72.14	4
H	67.40	5

Portion C: Reactive Pruning

Respondent	Overall Score	Rank
G	86.13	1
F	78.48	2
I	72.71	3
K	62.38	4
H	61	5

Portion D: Electrical Line Pruning

Respondent	Overall Score	Rank
K	87.44	1
I	86.32	2

Reference checks

Reference checks were conducted by voting and non-voting members in line with the engagement requirements, which was undertaken as part of Stage 4 of the TPEP and with only the preferred tenderers: Urban Amenity Pty Ltd (Portion A), The Tree Company Arboricultural Services Pty Ltd (Portion B and Portion C) and Lucas Tree Services (Portion D).

Full details of all questions asked, and a summary of the responses can be found in Confidential Attachment 2 – Reference Checks.

Preferred Tenderer

Following completion of reference checks, no additional risks or concerns were identified in relation to the preferred tenderers. All feedback received was consistent with the information provided in the tender submissions and supported the capability and capacity claims of the preferred tenderers. The TEP reconvened to review the outcomes of the reference checks and confirmed that the overall assessment remained unchanged. On this basis, the panel formally agreed to proceed with the recommendation to award contracts to the preferred tenderers.

The TPEP recommend the first ranked tenderer for each of the four portions of Contract CT2026-5 being:

- **Portion A** – Urban Amenity Pty Ltd.
- **Portion B** – The Tree Company Arboricultural Services Pty Ltd.
- **Portion C** – The Tree Company Arboricultural Services Pty Ltd.
- **Portion D** – Lucas and Co. Pty Ltd.

These companies have stood out throughout the tender submission evaluation, interview/clarifications stage and reference checking, presenting best value to the community.

Probity

RSM was engaged as the Independent Probity Advisor to oversee the procurement process. RSM attended evaluation meetings and did not identify any material probity issues or instances of non-compliance with the probity advice provided. The Probity Advisor observed that the procurement was conducted in accordance with the approved Tender Probity and Evaluation Plan and Council's Procurement Policy.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

Liveable Neighbourhoods

Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Sustainable Environment

We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

Considerations of *Local Government Act (2020)* Principles

Financial Management

Sufficient funding for this Contract is available in the budget for the financial year 2026-27. Council's long-term budget has forecast sufficient amounts to reflect this contract value, noting that future funds will be subject to the annual budget review process.

All Contract sums include an annual prediction of 3% CPI and 7% asset growth.

Community Consultation and Engagement

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- (c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
- (e) Innovation and continuous improvement is to be pursued.
- (g) The ongoing financial viability of the Council is to be ensured.
- (i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.
- (b) Council information must be publicly available unless—
 - (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or
 - (ii) public availability of the information would be contrary to the public interest.
- (c) Council information must be understandable and accessible to members of the municipal community.

Council Policy Considerations**Environmental Sustainability Considerations**

Tenderers were required to demonstrate their commitment to social and environmentally sustainable work practices such as independently certified environmental management systems and sustainable procurement monitoring.

Social, Cultural and Health

Well maintained parks and open space throughout the municipality fosters improved health and wellbeing outcomes, promotes both active and passive recreation, and enhances social cohesion and connectedness.

Economic

This service Contract will potentially enable new employment opportunities for residents of Whittlesea (estimating a minimum of eight positions) including social benefit suppliers, in line with social procurement requirements.

Legal, Resource and Strategic Risk Implications

Contractors must comply with, and ensure that its employees, subcontractors and agents comply with, any Acts, Regulations, Local Laws and By-Laws applicable to the performance of this Contract's services. The contractors' responsibilities extend to include any statutory requirements that may be specific to Local Government entities.

Implementation Strategy**Communication**

No new communications are required for the implementation of this Contract.

Critical Dates

The initial Contract term will commence on 1 September 2026 and end on 30 June 2032.

Options exist to extend the Contract up to 30 June 2036. Should an extension be required beyond that date a separate report will be brought to Council for consideration and approval.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Confidential Tender Evaluation Summary Contract 2026-5 [5.3.1 - 16 pages]
2. CONFIDENTIAL REDACTED - Reference Checks [5.3.2 - 7 pages]
3. CONFIDENTIAL REDACTED - Price Growth Prediction Model [5.3.3 - 3 pages]
4. CONFIDENTIAL REDACTED - Lump Sum and SoR Pricing Table [5.3.4 - 8 pages]

5.4 Contract 2025-49: Asset Management Information System (AMIS)

Director/Executive Manager: Acting Director Infrastructure & Environment

Report Author: AMIS Project Manager

In Attendance: Manager Assets & Facilities
AMIS Project Manager

This attachment has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Executive Summary

The purpose of this report is to seek Council's approval to award Contract No. 2025-49 Asset Management Information System (AMIS).

With over 550,000 infrastructure and non-infrastructure assets valued at more than \$5.34B, Council relies on its AMIS as a critical business platform to support the governance, management, and stewardship of assets throughout their lifecycle. The system maintains asset information, supports financial and statutory reporting requirements, informs strategic planning and investment decisions, and facilitates the delivery of maintenance and operational activities.

The AMIS plays a key role in enabling Council to meet its obligations under the *Local Government Act 2020*, applicable Australian Accounting Standards, and recognised asset management frameworks, including the ISO 55000 Asset Management Standards. Accurate, reliable, and accessible asset information is fundamental to supporting financial sustainability, risk management, service planning, and the achievement of community outcomes.

The current contract, Contract No. CT121367 – Asset Management System Project, commenced on 1 October 2014. Since its commencement, significant advancements have occurred in asset management technology, system functionality, data analytics, integration capabilities, cybersecurity requirements, and legislative and reporting obligations.

To ensure Council continues to utilise a contemporary, fit-for-purpose solution that meets current and future organisational needs, a competitive market testing process was undertaken.

The procurement process was conducted in accordance with Council's Procurement Policy and Procedures and relevant legislative requirements, ensuring fairness, transparency, probity, and value for money. Through a structured public Request for Tender (RFT) process and rigorous evaluation methodology, Council assessed market solutions against defined functional, technical, financial, and operational criteria.

As a result of this process, Council identified the preferred solution that best meets its current and future business requirements while supporting effective asset management, statutory compliance, financial sustainability, and informed decision-making. The recommended solution represents the best overall value outcome for Council and the community, ensuring the ongoing stewardship of public assets and resources.

Following the completion of the RFT, Council seeks to appoint a suitably qualified and experienced contractor to provide AMIS, implementation services, and ongoing support under Contract No. 2025-49 (Contract). The Contract is proposed for an initial term of five years commencing on 1 August 2026, with an option to extend for a further period of up to five years. The Contract value is detailed in the Officer Recommendation. Any future extension of the Contract will be subject to Council's operational requirements, contractor performance, and the availability of approved budget allocations.

The services to be performed by the contractor will include but are not limited to:

- Provision of a Cloud-based Asset Management Information System, including:
 - Asset Register.
 - Asset Financials.
 - Asset Lifecycle Forecaster.
 - Asset Maintenance and Works Management.

The Contract requires the contractors to implement services to configure the system, migrate data, integrate with other corporate systems, and train system administrators and service users.

Procurement Process, Evaluation Outcome and Selection Rationale

Following a competitive procurement process, Council commenced procurement through an Expression of Interest (EOI), which attracted 14 submissions. The Tender Evaluation Panel (TEP) assessed all submissions against the approved evaluation criteria and shortlisted seven suitably qualified and experienced respondents to participate in the RFT.

Following a comprehensive evaluation of the RFT submissions against the published criteria, the recommended tenderer, Asset Vision, achieved an overall score of 76.35, compared with the highest-scoring tenderer at 76.37. Given the negligible variance of 0.02 points between the two leading submissions, the TEP undertook a more detailed assessment of value for money, service capability, risk, and contractual compliance. This assessment included an independent legal and contractual risk review undertaken by Maddocks lawyers, and a financial review conducted by Equifax.

The detailed assessment concluded that Asset Vision presented the lower overall risk profile and demonstrated a stronger capacity to meet Council's contractual, governance, and compliance requirements. In addition, the submission provided enhanced value through its service offering and demonstrated a mature and innovative approach to strategic asset management. Key strengths included the ability to align with Council's Community Plan, Asset Plan and Long-Term Financial Plan, advanced scenario-based capital investment planning capabilities, and the utilisation of artificial intelligence technologies to support continuous and rolling condition assessments of road infrastructure and ancillary assets.

Referee checks further reinforced the TEP's assessment of the preferred tenderer's capability, capacity, and performance history, highlighting a strong record of accomplishment of successfully delivering comparable services and maintaining collaborative, professional, and trusted client relationships.

Based on the overall evaluation, including the detailed assessment of risk, value for money, service capability, contractual compliance, and referee feedback, the TEP concluded that Asset Vision represents the best overall outcome for Council and is therefore recommended as the preferred tenderer.

Full details of the RFT evaluation process are outlined in the body of this report, and confidential pricing information can be found in confidential attachment.

In accordance with the *Local Government Act 2020*, this procurement process did not meet the collaborative procurement requirements due to the specific and unique requirements of Council.

Officers' Recommendation

THAT Council:

- 1. Resolve to award Contract No. 2025-49 to Asset Vision Pty Ltd for the implementation and provision of a Cloud-based Asset Management Information System at a cost of \$1,548,800 (excl. GST) for an initial period of five years commencing 1 August 2026.**

- 2. Authorise the Acting Chief Executive Officer to sign and execute the Contract on behalf of Council for the initial period of five years.**
- 3. Resolve to approve the option for a contract extension up to a total of five additional years at a cost of \$1,453,047 (excl. GST) pro rata, subject to available and approved budget.**
- 4. Authorise the Chief Executive Officer to approve optional contract extension up to a total of five additional years subject to future approved budget allocations and satisfactory performance.**

Background / Key Information

Council is required to manage information about its assets in compliance with regulation and guidance including:

- the *Local Government Act 2020*;
- that Act's planning and reporting regulations;
- the *Road Management Act 2004*;
- ISO 55000 series asset management standards; and
- Australian Accounting Standards Board standards relating to assets.

AMIS is required for achieving outcomes to comply with regulatory requirements and to meet community expectations.

This Contract replaces Contract No. CT121367 – Asset Management System Project, which is due to expire on 30 September 2027. The current contract has been extended for three years past its original expiry date to facilitate procurement and implementation of a new solution.

Publicly Advertised Request for Expressions of Interest

On 1 July 2025, a publicly advertised EOI invited submissions from suitably experienced and qualified organisations seeking to provide and implement a cloud-based AMIS, resulting in 14 vendor submissions. Following a detailed evaluation against the established selection criteria, the TEP shortlisted seven respondents and recommended they be invited to participate in the subsequent RFT process.

Request For Tender

On 22 January 2026, Council invited the seven recommended vendors to tender. The RFT, which closed on 27 February 2026, sought detailed and comprehensive submissions from the vendors describing their AMIS solutions. A total of six tender submissions were received, with one invited tenderer formally advising Council in writing that they did not intend to submit a tender. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

Evaluation Process

The AMIS TEP was formed to evaluate EOI submissions and recommend the vendors to be invited to tender. The same constituted Panel, consisting of six voting members, assessed the RFT submissions to recommend a preferred contractor to provide the services.

A Senior Procurement Officer and an external Probity Advisor from RSM Australia were present during the entire evaluation process to provide guidance and support to the Panel. The tendered submissions were evaluated against the evaluation criteria outlined in Table 1 below.

These criteria were documented in the Tender Probity and Evaluation Plan (TPEP) approved by the Chief Executive Officer prior to releasing the RFT and were included in the RFT documentation.

Table 1: Evaluation Criteria

Criteria	Weighting
Price	30%
Capability	45%
Capacity	20%
Sustainability	5%
Total	100%
Risk Mitigation	• Financial Checks • Reference Checks • Risk Assessment

No member of the TEP declared any conflict of interest in relation to this Tender evaluation.

Tendered submissions evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred the reasons are detailed in the confidential attachment.

The two competitive tenderers were ranked extremely closely on all criteria. The TEP engaged in a detailed risk assessment to determine the tenderer whose solution presented the greater certainty of successful outcomes for Council and community. As part of this assessment, Council engaged Equifax's Corporate Scorecard service to undertake an independent financial assessment of Tenderer B and Asset Vision (as outlined in Table 2b below), which confirmed that both tenderers have the financial capacity to deliver the contract.

As a result of the evaluation outlined in Table 2b and the risk assessment, the TEP determined that Asset Vision offers the best value for money, strongest collaborative relationship, and most efficient path to match system configuration to developing business needs.

The TEP recommends that Council awards Contract No. 2025-49 to Tenderer Asset Vision.

Table 2a Summary of Tender Evaluation Scores – non-competitive tenders

ID	Tenderer	Conforming	Competitive	Score*	Overall Ranking (qualitative + quantitative)
A	Tenderer 1	Yes	No	33.15%	3
D	Tenderer 4	Yes	No	18.90%	6

ID	Tenderer	Conforming	Competitive	Score*	Overall Ranking (qualitative + quantitative)
E	Tenderer 5	Yes	No	21.18%	5
F	Tenderer 6	Yes	No	24.94%	4

* non-competitive tender scoring does not include price evaluation

Table 2b Summary of Tender Evaluation Scores – competitive tenders

ID	Tenderer	Conforming	Competitive	Score*	Overall Ranking (qualitative + quantitative)
B	Tenderer 2	Yes	Yes	76.37%	1
C	Asset Vision	Yes	Yes	76.35%	2

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

High Performing Organisation

The AMIS is an essential tool to manage the lifecycle of over 550,000 infrastructure and non-infrastructure assets on behalf of the community. The procurement and implementation of an effective solution ensures strong governance over financial assets as well as ensuring that the condition of physical assets is monitored through formal processes, and assets are maintained to achieve optimal value and enable Council to deliver services safely to the City of Whittlesea.

Considerations of *Local Government Act (2020)* Principles

Financial Management

Sufficient funding for year one of the contract is available in the Assets and Facilities Operational Budget.

Sufficient funding is forecast for years 2 to 10 of the Contract is forecasted in the Information Services Operational Draft Budget.

Community Consultation and Engagement

In accordance with the *Local Government Act 2020*, consideration was given as to whether there were any opportunities to collaborate with other Councils and public bodies or to use any existing collaborative procurement arrangements.

Before commencing the procurement, Council confirmed that there were no Victorian councils of a comparable size or asset complexity preparing for a market approach to procure an AMIS during the same period, hence there were no opportunities for collaboration.

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

Other *Local Government Act (2020)* Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations

An effective AMIS is critical to monitoring the performance of assets contributing to the environmental sustainability of the City, including natural assets such as trees, gardens and water, and assets that are required to sustain and support those natural assets.

Social, Cultural and Health

Council utilises the AMIS to ensure the usability, safety and suitability of assets used by community members for social and cultural events, and to support healthy living. These assets include buildings and facilities, parks and open space, and sporting facilities.

Economic

The proposed AMIS will deliver significant economic and organisational benefits by improving asset information, financial forecasting, lifecycle planning, and evidence-based decision-making. Through seamless integration with Council's core corporate systems, the AMIS will establish a single source of truth for asset information, improve operational efficiency, facilitate regulatory and reporting compliance, automate business processes, and enhance data governance.

Legal, Resource and Strategic Risk Implications

Council engaged Maddocks lawyers to undertake an independent legal review of the two highest ranked tenderers proposed contractual departures including advice on whether proposed terms for the supply of an AMIS represent a fair and balanced allocation of risk, and whether they adequately address Council's operational, regulatory and commercial requirements.

Maddocks lawyers provided the TEP with a comprehensive comparative assessment of each tenderer's contractual responses and associated risk profile.

This assessment enabled the TEP to determine which submission presented the most acceptable level of contractual and commercial risk while demonstrating the capacity to meet the requirements of the Contract.

Probity

Council appointed RSM Australia Pty Ltd as the independent probity advisor to oversee the procurement process for AMIS. RSM provided independent advice and assurance throughout the EOI, RFT and evaluation stages to ensure compliance with legislative requirements, Council's Procurement Policy and Procedures, and recognised probity principles.

RSM Australia reviewed key procurement activities, monitored evaluation processes, and provided guidance regarding confidentiality, conflicts of interest, fairness, transparency, and equitable treatment of tenderers.

RSM Australia has provided written confirmation noting the following:

- Attendance and participation in all evaluation meetings
- No material probity issues or instances of non-compliance with the probity advice provided
- Conformance with Council's procurement policy and approved Tender Probity and Evaluation Plan.

Implementation Strategy**Communication**

Within five business days of Council's decision, all tenderers will be formally advised of the outcome of the procurement process and provided with the opportunity to receive feedback on their submission at a mutually agreeable time.

During this period, the successful tenderer will also be issued with the Contract documentation for review and execution, following which the contract will be finalised in accordance with Council's procurement and governance requirements.

Critical Dates

The initial contract term will commence on 1 August 2026 and end on 31 July 2031.

Options exist to extend the contract up to 31 July 2036.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Confidential Tender Evaluation Summary - Contract 2025-49 [5.4.1 - 9 pages]

5.5 Contract 2024-78: Road and other Civil Works Panel Contract Tender Evaluation

Director/Executive Manager: Acting Director Infrastructure & Environment

Report Author: Coordinator Civil Infrastructure Renewal

In Attendance: Manager Capital Delivery
Unit Manager Engineering Design Construction
Coordinator Civil Infrastructure Renewal

These attachments have been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that they contain private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Executive Summary

The purpose of this report is to seek Council's approval to award Contract No. 2024-78 Road and Other Civil Works Panel Contract.

Following a competitive Request for Tender (RFT) process, Council is seeking to appoint qualified and experienced contractors to non-exclusive panels for the provision of road and civil infrastructure works under Contract No. 2024-78 – Road and Other Civil Works Panel Contract for an initial period of four years commencing on 3 August 2026, plus an option to extend the contract for up to two years, subject to satisfactory performance and future approved budget allocations.

This report provides information on the diligent and thorough evaluation of the RFT process based on the following scope required under the proposed contract, and based on the probity principles, Council's procurement policy and Best Value principles.

The proposed Panel Contract will support the delivery of Council's annual Local Road Resurfacing and Local Road Rehabilitation Programs, as well as a broad range of civil infrastructure projects across the municipality.

These projects include car park renewals, drainage and stormwater infrastructure upgrades, Water Sensitive Urban Design (WSUD) renewal works, bus shelter installations, disability access improvements, disability parking bays and kerb ramp upgrades, bicycle facilities, public lighting upgrades, traffic management and traffic control devices, roadside hazard protection, road safety barrier installation and maintenance.

The panel will also support the delivery of footpath renewal works, Safe Routes to School initiatives, missing path links, and other transport and civil infrastructure projects such as shared paths, pedestrian operated signals and roundabouts.

The RFT was structured across the following Parts and Categories:

- Part A - Asphaltting and Ancillary Works.
- Part B - Road Reconstruction and other Civil Works, comprising:
 - Category 1 - Road, Car Park and Associated Works;
 - Category 2 - Civil Works; and
 - Category 3 - Prequalification Works.
- Part C - Road Safety Barriers.

On 14 November 2025, the RFT was publicly released for a period of 9 weeks. At the time of closing, 21 January 2026, 35 tender submissions were received with several tenderers applying for one or more Parts and Categories of the Contract. The following table outlines the number of applications for each Part and/or Category:

Summary	Number of Submissions
Part A - Asphaltting and Ancillary Works	15
Part B - Category 1 - Road, Car Park and Associated Works	24
Part B - Category 2 - Civil Works	22
Part B - Category 3 - Prequalification Works	11
Part C - Road Safety Barriers	8
Submission for an unrelated Tender*	1

**One tenderer inadvertently submitted documents for a different tender. As the submission did not relate to this RFT, it was deemed non-conforming and was excluded from further evaluation.*

Prior to the closure of the RFT the evaluation panel completed and signed the Tender Probity and Evaluation Plan (TPEP), including the agreed weightings and methodology, and engaged RSM Australia as Council's probity advisor to oversee the end-to-end RFT process.

Full details of the RFT evaluation process are outlined in the body of this report, and confidential pricing information can be found in Confidential Attachments to this report.

In accordance with the *Local Government Act 2020*, consideration was given to the use of collaborative procurement arrangements. However, a standalone public tender process was undertaken due to the specific operational and service delivery requirements of Council's road and civil infrastructure programs.

The panel structure, schedule of rates framework and delivery requirements were developed to align with Council's established delivery model and operational needs.

Accordingly, undertaking a standalone tender process provided Council with the flexibility to establish a panel arrangement tailored to its requirements while maintaining strong market competition and achieving best value outcomes for the community.

Officers' Recommendation

THAT Council:

- 1. Resolve to award Contract No. 2024-78 Road and Other Civil Works Panel Contract and establish the contractors panel listed below for the provision of road and civil infrastructure works at an estimated cost of approximately \$88 million (excl. GST) for an initial period of four years commencing on 3 August 2026, plus an optional extension of up to two years at an estimated cost of approximately \$44 million (excl. GST).**

Part A: Asphaltting and Ancillary Works

- **Asphaltech (Vic) Pty Ltd**
- **Boral Resources (Vic) Pty Ltd**
- **Downer EDI Works Pty Ltd**
- **R.A.B.S Paving Services Pty Ltd**

Part B: Category 1 – Road, Car Park and Associated Works

- **Axis Infrastructure Pty Ltd**
- **GP Bluestone Pty Ltd**
- **Metro Asphalt Pty Ltd**
- **MIEPOL Pty Ltd**
- **V. Crete Concrete Contractors Pty Ltd**
- **Viscaria Pty Ltd**

Part B: Category 2 – Civil Works

- **Axis Infrastructure Pty Ltd**
- **GP Bluestone PTY LTD**
- **Metro Asphalt Pty Ltd**
- **V. Crete Concrete Contractors Pty Ltd**
- **Viscaria Pty Ltd**

Part C: Road Safety Barriers

- **Barrier Design Pty Ltd**
- **West Pacific Group Pty Ltd**

- 2. Authorise the Acting Chief Executive Officer (A/CEO) to sign and execute the contract documentation on behalf of Council.**
- 3. Authorise the Chief Executive Officer (CEO) to approve any contract optional extension periods up to two years, subject to future approved budget allocations and satisfactory performance of contractors.**
- 4. Authorise the CEO to approve contract variations and undertake other contract administration matters in accordance with the CEO's delegated authority.**
- 5. Note that no appointments are recommended for Part B Category 3 – Prequalification Works - Department of Transport and Planning (DTP), as no tenderers satisfied the mandatory Department of Transport and Planning (DTP) Roadworks R3 Prequalification requirement specified within the tender documentation.**

Background / Key Information

The proposed Panel Contract will replace the existing panel contracts for the Supply of Asphalt Works & Materials, Supply of Road Drainage and Associated Street Lighting Works, and Supply of Roadside Hazard Protection Works. These contracts expired on 30 June 2026 following the completion of their initial terms and all available extension options. These contracts have supported the delivery of Council's annual Local Road Resurfacing and Local Road Rehabilitation Programs, together with a range of civil infrastructure projects across the municipality. The proposed new Panel Contract is scheduled to commence on 3 August 2026.

The establishment of the proposed Panel Contract will ensure continuity of service delivery while providing greater contractor availability, competitive pricing, and operational flexibility to support the efficient delivery of Council's infrastructure programs.

The Contract is structured as a non-exclusive panel arrangement and will primarily operate under a Schedule of Rates pricing framework. The Contract includes annual Schedule of Rates indexation and provisions to manage changes in bituminous product pricing.

The panel arrangement provides Council with flexibility to engage suitably qualified contractors through Schedule of Rates work orders, project-specific lump sum quotations and other procurement mechanisms provided for under the Contract up to a value of \$1 million. Any individual projects exceeding this threshold will continue to be procured via a public tender procurement process.

Invitation to Tender

In accordance with Council's Procurement Policy, Council publicly invited tenders on 14 November 2025. Following requests from tenderers for additional time to prepare submissions, the tender closing date was extended by one month to maximise market participation and competition. The tender closed on 20 January 2026.

The RFT sought submissions from suitably qualified and experienced contractors for appointment to a non-exclusive panel arrangement for the delivery of road resurfacing, road and civil infrastructure works, and road safety barrier works across the various Parts and Categories of the Contract.

The RFT required tenderers to submit Schedule of Rates pricing for the relevant Parts and Categories. The submitted Schedule of Rates form the basis of the Contract and will be used to facilitate the delivery of future works throughout the contract term.

The tendered prices and a summary of the evaluation are detailed in the Confidential Attachments to this report.

Evaluation Process

A Tender Evaluation Panel (Panel) was formed to assess the RFT submissions and to recommend the preferred panel contractor/s to undertake the works for the specific Parts and/or Categories. The Panel consisted of three voting members, one of which was substituted during the evaluation process due to personal leave.

A senior procurement officer and Probity Advisor, RSM Australia, were present during the evaluation to provide procurement and probity guidance and support to the Panel.

The evaluation was undertaken in accordance with the requirements of the RFT and the approved TPEP. The tendered submissions were evaluated against the evaluation criteria outlined in Table 1 below. This criteria was endorsed through the TPEP by the Panel prior to releasing the RFT and was included in the RFT documentation.

Table 1 – Evaluation Criteria

Criteria	Weighting
Price	60%
Capability	15%
Capacity	15%
Sustainability	10%
References, Risk and Value for Money Assessment	Acceptable/Unacceptable
Total	100%

Preference Bonus

In addition to the weighted evaluation criteria outlined in Table 1, the following preference bonuses in accordance with Council's Procurement Policy were applied during the evaluation, where applicable:

- Local or Indigenous Business: 5% preference.
- Sustainability: Up to an additional 5% preference for tenderers demonstrating desirable sustainability practices and outcomes.

No member of the Panel declared any actual conflict of interest in relation to this tender evaluation.

Tender submissions assessed as non-conforming or not sufficiently competitive were set aside from further evaluation. Details of these submissions and the reasons for exclusion are contained within the Confidential Attachments to this report.

Evaluation Outcome

Part A - Asphaltting and Ancillary Works

As a result of the evaluation summarised in Table 2a below, the Panel recommends the appointment of the following tenderers to the Part A – Asphaltting and Ancillary Works under Contract No. 2024-78 Road and Other Civil Works Panel Contract:

- Asphaltech (Vic) Pty Ltd
- Boral Resources (Vic) Pty Ltd
- Downer EDI Works Pty Ltd
- R.A.B.S Paving Services Pty Ltd

Table 2a

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer A (R.A.B.S Paving Services Pty Ltd)	Yes	Yes	89.02	Rank 4
Tenderer B (Downer EDI Works Pty Ltd)	Yes	Yes	99.21	Rank 1
Tenderer C (Asphaltech (Vic) Pty Ltd)	Yes	Yes	93.21	Rank 2
Tenderer D	Yes	Yes	82.32	Rank 7
Tenderer E (Boral Resources (VIC) Pty Ltd)	Yes	Yes	90.10	Rank 3
Tenderer F	Yes	Yes	83.79	Rank 5
Tenderer G	Yes	Yes	83.16	Rank 6
Tenderer H	Yes	Yes	75.58	Rank 10
Tenderer I	Yes	Yes	78.69	Rank 8
Tenderer J	Yes	Yes	66.00	Rank 12
Tenderer K	Yes	Yes	69.05	Rank 11
Tenderer L	Yes	Yes	77.80	Rank 9

The evaluation report is provided as Confidential Attachment – A.

The evaluation concluded that the recommended tenderers demonstrated the strongest overall combination of pricing competitiveness, capability, capacity, sustainability outcomes and acceptable risk profiles relevant to the requirements of Part A – Asphaltting and Ancillary Works.

The appointment of four contractors will provide Council with increased delivery capacity, contractor availability, market competition and operational flexibility to support the delivery of future asphalt resurfacing and associated works programs.

The recommended panel structure will also provide greater resilience in responding to changing workload demands and program delivery requirements throughout the term of the Contract.

The Panel is satisfied that the recommended tenderers possess the necessary experience, resources, systems and technical capability to successfully deliver the Contract requirements and represent the best value for money outcome for Council.

Part B - Road Reconstruction and other Civil Works, Category 1 - Road, Car Park and Associated Works

As a result of the evaluation summarised in Table 2b1 below, the Panel recommends the appointment of the following tenderers to the Part B Category 1 – Road, Car Park and Associated Works under Contract No. 2024-78 – Road and Other Civil Works Panel Contract.

- Metro Asphalt Pty Ltd
- GP Bluestone Pty Ltd
- V. Crete Concrete Contractors Pty Ltd
- MIEPOL Pty Ltd
- Viscaria Pty Ltd
- Axis Infrastructure Pty Ltd

Table 2b1

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer C (MIEPOL Pty Ltd)	Yes	Yes	86.32	Rank 4
Tenderer D (Metro Asphalt Pty Ltd)	Yes	Yes	96.10	Rank 1
Tenderer E (GP Bluestone Pty Ltd)	Yes	Yes	90.31	Rank 2
Tenderer F (Viscaria Pty Ltd)	Yes	Yes	82.90	Rank 5
Tenderer G (V. Crete Concrete Contractors Pty Ltd)	Yes	Yes	86.47	Rank 3
Tenderer H	Yes	Yes	79.77	Rank 8
Tenderer I	Yes	Yes	70.38	Rank 11
Tenderer J (Axis Infrastructure Pty Ltd)	Yes	Yes	81.22	Rank 6
Tenderer K	Yes	Yes	80.77	Rank 7
Tenderer L	Yes	Yes	73.21	Rank 10

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer M	Yes	Yes	64.27	Rank 13
Tenderer N	Yes	Yes	74.64	Rank 9
Tenderer O	Yes	Yes	64.86	Rank 12
Tenderer P	Yes	Yes	61.26	Rank 14

The evaluation report is provided as Confidential Attachment – B1.

Based on the outcomes of the evaluation process, recommended tenderers demonstrated the strongest overall combination of pricing, capability, capacity, sustainability outcomes, and acceptable risk profiles in accordance with the approved evaluation methodology.

The appointment of six contractors will provide Council with increased delivery capacity, contractor availability, market competition and operational flexibility to support the delivery of future road, car park and associated civil infrastructure works under Category 1. The recommended panel structure will also provide greater resilience in responding to changing workload demands and program delivery requirements throughout the term of the Contract.

The Panel is satisfied that the recommended tenderers possess the necessary experience, resources, systems and technical capability to successfully deliver the Contract requirements and represent the best value for money outcome for Council.

Part B - Road Reconstruction and other Civil Works, Category 2 Civil Works

As a result of the evaluation summarised in Table 2b2 below, the Panel recommends the appointment of the following tenderers to the Part B Category 2 - Civil Works under Contract No. 2024-78 – Road and Other Civil Works Panel Contract.

- Metro Asphalt Pty Ltd
- GP Bluestone Pty Ltd
- V. Crete Concrete Contractors Pty Ltd
- Viscaria Pty Ltd
- Axis Infrastructure Pty Ltd

Table 2b2

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer C (Metro Asphalt Pty Ltd)	Yes	Yes	100.19	1
Tenderer D (GP Bluestone Pty Ltd)	Yes	Yes	94.30	2

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer E (Viscaria Pty Ltd)	Yes	Yes	89.00	4
Tenderer F (V. Crete Concrete Contractors Pty Ltd)	Yes	Yes	90.70	3
Tenderer G	Yes	Yes	84.55	6
Tenderer H (Axis Infrastructure Pty Ltd)	Yes	Yes	88.82	5
Tenderer I	Yes	Yes	83.01	7
Tenderer J	Yes	Yes	74.89	10
Tenderer K	Yes	Yes	66.78	13
Tenderer L	Yes	Yes	78.59	8
Tenderer M	Yes	Yes	69.12	12
Tenderer N	Yes	Yes	69.50	11
Tenderer O	Yes	Yes	78.11	9

The evaluation report is provided as Confidential Attachment B – 2.

The evaluation concluded that recommended tenderers demonstrated the strongest overall combination of pricing competitiveness, capability, capacity, sustainability outcomes and acceptable risk profiles relevant to the requirements of Part B Category 2 – Civil Works.

The appointment of five contractors will provide Council with increased delivery capacity, contractor availability, market competition and operational flexibility to support the delivery of future civil infrastructure projects and programs throughout the term of the Contract.

The Panel is satisfied that the recommended tenderers possess the necessary experience, resources and technical capability to successfully deliver the Contract requirements and represent the best value for money outcome for Council.

Part B - Road Reconstruction and other Civil Works, Category 3 Prequalification Works

No tenderers were recommended for appointment to Part B Category 3 – Prequalification Works, as none of the submissions satisfied the mandatory Department of Transport and Planning (DTP) Roadworks R3 Prequalification requirement specified in the RFT.

Part C – Road Safety Barriers

As a result of the evaluation summarised in Table 2C below, the Panel recommends the appointment of the following tenderers to the Part C – Road Safety Barriers under Contract No. 2024-78 Road and Other Civil Works Panel Contract Panel.

- Barrier Designs Pty Ltd
- West Pacific Group Pty Ltd

Table C

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer A (Barrier Designs Pty Ltd)	Yes	Yes	99.74	Rank 1
Tenderer B	Yes	Yes	77.70	Rank 2
Tenderer C (West Pacific Group Pty Ltd)	Yes	Yes	75.07	Rank 3
Tenderer D	Yes	Yes	60.91	Rank 5
Tenderer E	Yes	Yes	65.15	Rank 4

The evaluation report is provided as Confidential Attachment – C.

The evaluation concluded that recommended tenderers demonstrated the strongest overall value for money outcome for Council, having regard to pricing, capability, capacity, sustainability outcomes and acceptable risk profiles relevant to the requirements of Part C – Road Safety Barriers.

While Tenderer B achieved a competitive evaluation outcome and was ranked second overall, the Panel did not recommend its appointment to the panel. Tenderer B demonstrated limited direct experience delivering road safety barrier installation and maintenance works as the principal contractor and proposed to rely substantially on specialist subcontractors for delivery of key components of the Contract, including the recommended tenderers. This reliance was considered to present a delivery risk relative to submissions that demonstrated stronger in-house capability.

Having regard to the specialist nature of the Contract requirements and the comparative strength of the recommended submissions, the Panel determined that the appointment of recommended tenderers represented the best value for money outcome for Council.

The Panel is satisfied that the recommended tenderers possess the necessary experience, resources and technical capability to successfully deliver the Contract requirements and represent the best value for money outcome for Council.

Probity

In accordance with Council's Procurement Policy, RSM was engaged as the Independent Probity Advisor to oversee the procurement process and attended key evaluation activities in an observational capacity. No material probity issues or instances of non-compliance were identified during the course of these observations. The Probity Advisor noted that the procurement was conducted in a manner consistent with the approved TPEP and Council's Procurement Policy.

At the conclusion of the evaluation process, the Probity Advisor issued a written independent report, which concluded that the process was undertaken in a fair, transparent and consistent manner, and that the evaluation outcomes were supported by the information documented through the evaluation process.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

Sustainable Environment

We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

High Performing Organisation

We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

Considerations of *Local Government Act (2020)* Principles**Financial Management**

The estimated contract value is approximately \$132 million (excluding GST) over the maximum potential six-year contract term. The contract is a non-exclusive panel arrangement and does not commit Council to any minimum expenditure with any or all panel contractors.

Funding for works delivered under this contract will be subject to current and future Council budget approvals and will be drawn from the relevant approved capital works budgets, including the Local Road Resurfacing Program, Local Road Reconstruction and Rehabilitation Program, Footpath Renewal Program, Kerb and Channel Renewal Program, Road Safety and Traffic Improvement Programs, and other relevant civil infrastructure projects and programs.

Sufficient funding is available within the current approved budget to support commencement of the contract. Future expenditure will be subject to annual Council budget approval processes.

Community Consultation and Engagement

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

Other Principles for Consideration**Overarching Governance Principles and Supporting Principles**

- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- (c) The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
- (e) Innovation and continuous improvement is to be pursued.
- (g) The ongoing financial viability of the Council is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.
- (b) Council information must be publicly available unless—
 - (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or
 - (ii) public availability of the information would be contrary to the public interest.
- (c) Council information must be understandable and accessible to members of the municipal community.

Council Policy Considerations**Environmental Sustainability Considerations**

The recommended contractor panels demonstrated satisfactory environmental management systems and sustainability initiatives that support Council's environmental objectives. This included the use of recycled and sustainable construction materials where appropriate, implementation of site-specific environmental management plans, waste minimisation initiatives, resource efficiency measures and practices aimed at reducing environmental impacts during project delivery.

Social, Cultural and Health

The delivery and maintenance of road and civil infrastructure throughout the municipality contributes to improved community safety, accessibility and connectivity. Investment in infrastructure such as roads, shared paths, footpaths, drainage systems and car parks supports active and passive recreation, encourages sustainable transport options and enhances access to community facilities and services.

These outcomes contribute to improved health and wellbeing, increased social participation and a more connected and inclusive community.

Economic

Council's Procurement Policy encourages local economic participation and as such applies a preference bonus to those Local Businesses. A number of the recommended contractors qualified for the Local Business preference, however most of the recommended tenderers demonstrated a commitment to supporting local suppliers and subcontractors where commercially and operationally feasible.

The contract supports the delivery of Council's road and civil infrastructure projects. The works delivered under the contract may create opportunities for local businesses and workers to participate in project delivery, contributing to local economic activity.

Legal, Resource and Strategic Risk Implications

The proposed panel arrangement will assist Council in managing delivery and market capacity risks associated with future road and civil infrastructure programs. Risks associated with individual projects and work packages will continue to be managed through normal contract administration, procurement and project management processes.

Implementation Strategy**Communication**

Following Council's decision, all tenderers will be notified of the outcome of the tender process in accordance with Council's procurement procedures.

The successful tenderers will be invited to execute the contract documentation and participate in contract commencement activities. Communication with residents and other stakeholders affected by specific projects delivered under the contract will be undertaken as required on a project-by-project basis.

Critical Dates

The initial contract term is proposed to commence on 3 August 2026 and conclude on 2 August 2030. Options exist to extend the contract up to 2 August 2032.

Panel Operation and Work Allocation

The contract is a non-exclusive panel arrangement. Appointment to the panel does not guarantee any minimum volume or value of work to any contractor.

For Council's annual road renewal, footpath renewal and other routine civil infrastructure programs, works may be allocated directly to panel members having regard to factors including contractor capability, capacity, availability, ongoing performance, project requirements and value for money considerations.

For larger and/or more complex civil infrastructure projects, Council may seek project-specific quotations from one or more suitably qualified panel members in accordance with the provisions of the Contract and Council's Procurement Policy.

The use of multiple panel members provides Council with flexibility to manage workloads, respond to urgent works, maintain service continuity, encourage ongoing competition, reduce reliance on individual contractors and deliver best value outcomes to the community throughout the contract term.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Confidential Attachment A Tender Evaluation Summary Part A [5.5.1 - 9 pages]
2. CONFIDENTIAL REDACTED - Part A – Asphaltting and Ancillary Works - Schedule of Rates Appendices [5.5.2 - 71 pages]
3. CONFIDENTIAL REDACTED - Confidential Attachment B1 Tender Evaluation Summary Part B Cate [5.5.3 - 12 pages]
4. CONFIDENTIAL REDACTED - Part B - Category 1 - Road, Carpark & Associated Works - Schedule of Rates Appendices [5.5.4 - 340 pages]
5. CONFIDENTIAL REDACTED - Confidential Attachment B2 Tender Evaluation Summary Part B Cate [5.5.5 - 11 pages]
6. CONFIDENTIAL REDACTED - Part B - Category 2 - Civil Works - Schedule of Rates Appendices [5.5.6 - 218 pages]
7. CONFIDENTIAL REDACTED - Confidential Attachment B3 Tender Evaluation Summary Part B Cate [5.5.7 - 3 pages]
8. CONFIDENTIAL REDACTED - Confidential Attachment C Tender Evaluation Summary Part C [5.5.8 - 7 pages]
9. CONFIDENTIAL REDACTED - Part C – Road Safety Barriers - Schedule of Rates Appendices [5.5.9 - 13 pages]

5.6 Contract 2026-30: Construction of Derby Meadows Kindergarten

Director/Executive Manager: Acting Director Infrastructure & Environment

Report Author: Senior Project Manager

In Attendance: Manager Capital Delivery
Unit Manager Community Infrastructure Delivery

Attachment 1 has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Executive Summary

This report summarises the evaluation of the tender submissions received for Contract No. 2026-30, Construction of Derby Meadows Kindergarten, Epping.

The Tender Evaluation Panel advises that:

- 19 tenders were received.
- The recommended tenderer offered the most competitive submission, achieving the highest overall score. They were deemed to offer the best value for money based on their demonstrated capability and capacity to deliver the project in accordance with Council's specified scope and quality requirements.

Prior to the closure of the Request for Tender (RFT) the evaluation panel completed and signed the Tender Probity and Evaluation Plan (TPEP).

Full details of the RFT evaluation process are outlined in the body of this report, and confidential pricing information can be found in Confidential Attachment to this report.

Officers' Recommendation

THAT Council:

1. **Resolve to award Contract No. 2026-30 to 2Construct Pty Ltd for the provision of Construction of Derby Meadows Kindergarten at a cost of \$6,369,469 (excl. GST) subject to the following conditions:**
 - a. **Contractor providing contract security and proof of currency for insurance cover as required in the tender documents.**

- b. Price variations to be in accordance with the provisions as set out in the conditions of contract.**
- 2. Approve the funding arrangements as detailed in Attachment 1.**
- 3. Authorise the Acting Chief Executive Officer to sign and execute the contract on behalf of Council.**

Background / Key Information

The purpose of this report is to seek approval for the award of Contract No. 2026-30 for the Construction of Derby Meadows Kindergarten in Epping.

The contract will deliver the demolition of two existing buildings and construction of an integrated facility. This includes two multipurpose rooms, activity rooms, consulting rooms, planning offices for emergency management and maternal child and health, staff room, carpark, external landscaping, associated works for services connections and regulatory signage.

The existing preschool was closed at the end of 2025. Families were given the option to move to Epping Preschool for the 2026 and 2027 kindergarten years, with the understanding that the service would be closed until the new facility is complete. Maternal Child Health services were relocated to Epping Community Services Hub.

Invitation to Tender

In accordance with Council's Procurement Policy, public tenders were invited on 14 April 2026 and closed on 14 May 2026, seeking suitability experienced and qualified contractors to provide construction services.

A Request for Tender was publicly released and attracted a strong response; 19 competitive submissions were received.

The tendered prices and a summary of the evaluation are detailed in the confidential attachment to this report.

Evaluation Process

A tender evaluation panel (Panel) was formed to assess the RFT submissions and to recommend a preferred contractor to undertake the works. The Panel consisted of three voting members.

A senior procurement officer was present during the evaluation to provide procurement and probity guidance and support to the panel. The tendered submissions were evaluated against the evaluation criteria outlined in below. This criterion was set through a formal Tender Probity and Evaluation Plan designed specifically for this tender process. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	60%
Capability	15%
Capacity	15%
Sustainability	10%
Total	100%

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tendered submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred, the reasons for that and the resulting outcomes are detailed in the confidential attachment.

No member of the Tender Evaluation Panel declared any conflict of interest in relation to this tender evaluation.

The evaluation outcome is shown below. The Tender Evaluation Panel recommends that Council award Contract No. 2026-30 to Tenderer H.

Table 2

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer A	No	N/A	N/A	N/A
Tenderer B	Yes	No	N/A	N/A
Tenderer C	Yes	No	N/A	N/A
Tenderer D	Yes	Yes	83.23	3
Tenderer E	No	N/A	N/A	N/A
Tenderer F	No	N/A	N/A	N/A
Tenderer G	Yes	No	N/A	N/A
Tenderer H 2Construct Pty Ltd	Yes	Yes	84.80	1
Tenderer I	Yes	Yes	80.24	4
Tenderer J	Yes	No	N/A	N/A
Tenderer K	Yes	Yes	74.78	6
Tenderer L	No	N/A	N/A	N/A
Tenderer M	Yes	Yes	75.76	5
Tenderer N	Yes	Yes	84.33	2
Tenderer O	Yes	Yes	71.61	8
Tenderer P	No	N/A	N/A	N/A
Tenderer Q	Yes	Yes	72.58	7
Tenderer R	Yes	No	N/A	N/A
Tenderer S	Yes	No	N/A	N/A

The preferred tenderer is the highest ranked and was selected based on offering the best overall value to Council, demonstrating a strong understanding of the project objectives, scope requirements, and operational needs of the Early Years facility. Their submission provided a well-considered methodology, an experienced project team, and a clear delivery strategy that instilled confidence in their ability to successfully complete the works within the required timeframe and budget.

Refer to the confidential attachment (3.4.1) for further details of the evaluation of all tenders.

Probity

In accordance with Council's Procurement Policy an independent Probity Advisor and/or Probity Auditor was not engaged in the process as the value of the contract doesn't require external probity to be engaged. Probity assurance for the tender evaluation process was undertaken by the independent procurement officer, who chaired the Tender Evaluation Panel.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

Connected Communities

We work to foster an inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported.

Liveable Neighbourhoods

Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Strong Local Economy

Our City is a smart choice for innovation, business growth and industry as well as supporting local businesses to be successful, enabling opportunities for local work and education.

Sustainable Environment

We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

Considerations of *Local Government Act (2020)* Principles

Financial Management

Sufficient funding for this contract is available in the capital program budget for the Derby Meadows Kindergarten project. This project is supported by a \$4.5 million contribution from the Victorian Government.

Community Consultation and Engagement

In accordance with the *Local Government Act 2020*, consideration was given as to whether there were any opportunities to collaborate with other councils and public bodies or to use any existing collaborative procurement arrangements. However, this project did not meet the requirements of collaborative procurement as the contract relates to a State Government grant funded project.

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- (c) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.
- (b) Council information must be publicly available unless—
 - (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or
 - (ii) public availability of the information would be contrary to the public interest.

Council Policy Considerations

Environmental Sustainability Considerations

The contract management includes Key Performance Indicators that relate to the management of the environment during construction including waste management throughout the contract. A comprehensive Environmental Management Plan will be prepared and implemented during the construction phase. Given the significant trees on site, tree protection zones will be established throughout construction.

Social, Cultural and Health

The contract management will include Key Performance Indicators that relate to Occupational Health & Safety, traffic and pedestrian management to ensure a safe work site is maintained throughout the contract.

The contract also includes safety in design requirements to ensure that the design addresses safety issues during the construction phase and the ongoing operation of the facility. The new centre will deliver social, cultural and health benefits for the local community.

Economic

While a detailed economic benefit assessment has not been undertaken for this project, the investment is expected to generate meaningful employment outcomes. This includes direct construction related jobs, indirect flow-on employment in related industries and local trades, and induced employment generated through increased local spending. Beyond the construction period, the facility will also create ongoing roles, including MCH nurses, Early Years educators and support staff.

Legal, Resource and Strategic Risk Implications

Awarding this contract will enable Council to provide the community with adequate and safe community infrastructure that meet current needs of the community and increase community participation.

Implementation Strategy

Communication

There is no requirement to communicate the contract award decision of this report to the community beyond the Council minutes. However, information regarding the proposed works will be provided to community via Council's communication channels and direct communication will be established by project team with all relevant stakeholders.

Critical Dates

It is anticipated that the project will commence in September 2026 with a timeline for completion of 12 months.

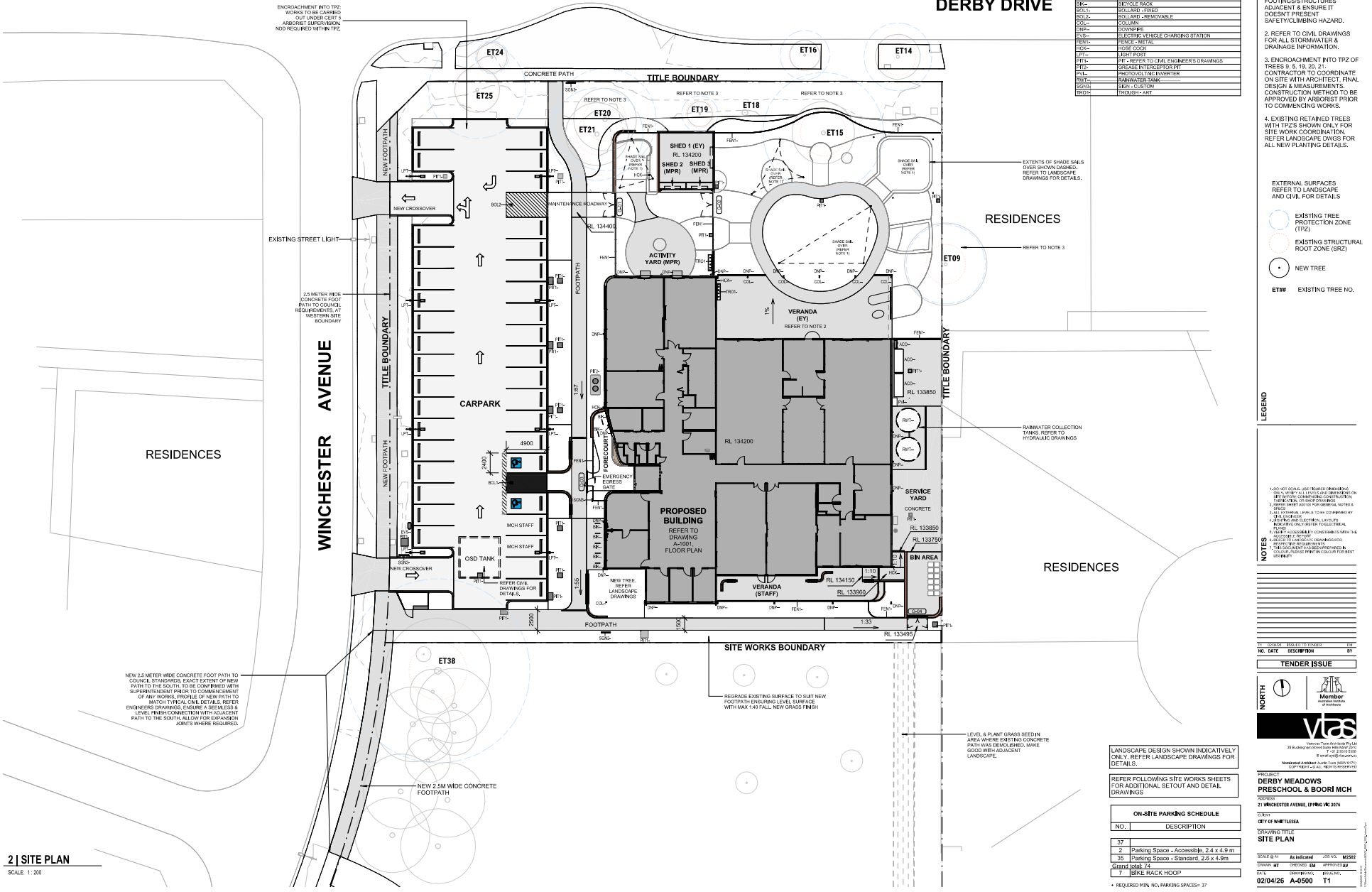
Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Confidential Tender Evaluation Summary - Contract 2026-30 [5.6.1 - 10 pages]
2. Derby Meadows Kindergarten - Site Plan [5.6.2 - 1 page]
3. Derby Meadows Kindergarten - Floor Plan [5.6.3 - 1 page]
4. Derby Meadows Kindergarten - External Perspective [5.6.4 - 1 page]
5. Derby Meadows Kindergarten - Internal Perspective [5.6.5 - 1 page]



2 | SITE PLAN
SCALE: 1:200

DRAWING SHEET LEGEND	
CODE	DESCRIPTION
ACC-	ARK CONDITIONER
ARC-	ARK COVER
BOL-	BOLLARD
BOL+	BOLLARD - REMOVABLE
COL-	COLUMN
CON-	CONCRETE
EVS-	ELECTRIC VEHICLE CHARGING STATION
FENC-	FENCE - METAL
FENC+	FENCE - WOOD
LPT-	LIGHT POST
PI-	PI - REFER TO CIVIL ENGINEER'S DRAWINGS
PIE-	GREASE INTERCEPTOR PIT
PIV-	PROPOSED INVERT
RWT-	RAINWATER TANK
SDS-	SEWER
TRCH-	TROUGH - ART

- NOTES:
1. STAND-ALONE SHADE SAILS TO BE DESIGNED AND CONSTRUCTED BY CONTRACTOR. ENSURE ADEQUATE STRUCTURAL CLEARANCE FROM FOOTINGS/STRUCTURES ADJACENT & ENSURE IT DOESN'T PRESENT SAFETY/CLIMBING HAZARD.
 2. REFER TO CIVIL DRAWINGS FOR ALL STORMWATER & DRAINAGE INFORMATION.
 3. ENROACHMENT INTO TPZ OF TREES 9, 5, 19, 20, 21. CONTRACTOR TO COORDINATE ON SITE WITH ARCHITECT. FINAL DESIGN & MEASUREMENTS. CONSTRUCTION METHOD TO BE APPROVED BY ARBORIST PRIOR TO COMMENCING WORKS.
 4. EXISTING RETAINED TREES WITH TPZ'S SHOWN ONLY FOR SITE WORK COORDINATION. REFER LANDSCAPE DIMS FOR ALL NEW PLANTING DETAILS.

EXTERNAL SURFACES
REFER TO LANDSCAPE
AND CIVIL FOR DETAILS

- EXISTING TREE PROTECTION ZONE (TPZ)
- EXISTING STRUCTURAL ROOT ZONE (SRZ)
- NEW TREE
- ET# EXISTING TREE NO.

LEGEND

- NOTES
1. DO NOT SCALE. USE DIMENSIONS INDICATED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 3. SPECIES MUST BE APPROVED BY THE COUNCIL.
 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
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 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
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 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

TENDER ISSUE



PROJECT
DERBY MEADOWS
PRESCHOOL & BOORI MCH

2025/26
21 WINCHESTER AVENUE, SPRING VIC 3015

TO: CITY OF WHITELSEA

DRAWING TITLE

SITE PLAN

SCALE: 1:200

DATE: 02/04/26

BY: T1

LANDSCAPE DESIGN SHOWN INDICATIVELY
ONLY. REFER LANDSCAPE DRAWINGS FOR
DETAILS.

REFER FOLLOWING SITE WORKS SHEETS
FOR ADDITIONAL SETOUT AND DETAIL
DRAWINGS

ON-SITE PARKING SCHEDULE

NO. DESCRIPTION

37

2 Parking Spaces - Accessible, 2.4 x 4.9 m

35 Parking Spaces - Standard, 2.6 x 4.9m

Grand Total: 72

7 BICYCLE RACK HOOP

* REQUIRED MIN. NO. PARKING SPACES = 37





LEGEND

NOTES

- 1. DO NOT SCALE, USE DIMENSIONS INDICATED.
- 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.
- 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE DERBY MEADOWS PRESCHOOL & BOORI MCH DESIGN & CONSTRUCTION SPECIFICATIONS.

NO.	DATE	DESCRIPTION	BY
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TENDER ISSUE



PROJECT
DERBY MEADOWS
PRESCHOOL & BOORI MCH
21 WINDHESTER AVENUE, EPPING VIC 3076

CITY OF WHITELSEA
DRAWING TITLE
PERSPECTIVES

SCALE: 1:1	DATE: 02/04/26	BY: A-9000	REV: T1
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LEGEND

NOTES

[illegible]

5.7 Contract 2026-35: Construction of Dalton Road Kindergarten

Director/Executive Manager: Acting Director Infrastructure & Environment

Report Author: Acting Coordinator Major Works

In Attendance: Manager Capital Delivery

Attachment 1 has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Executive Summary

This report summarises the evaluation of the tender submissions received for Contract No. 2026-35, Construction of Dalton Road Kindergarten, Thomastown.

The Tender Evaluation Panel advises that:

- 17 tenders were received.
- The recommended tenderer offered the most competitive submission, achieving the highest overall score. They were deemed to offer the best value for money based on their demonstrated capability and capacity to deliver the project in accordance with Council's specified scope and quality requirements.

Prior to the closure of the Request for Tender (RFT) the evaluation panel completed and signed the Tender Probity and Evaluation Plan (TPEP).

Full details of the RFT evaluation process are outlined in the body of this report, and confidential pricing information can be found in Confidential Attachment to this report.

Officers' Recommendation

THAT Council:

1. **Resolve to award Contract No. 2026-35 to Constructive Group Pty Ltd for the provision of Construction Services of Dalton Road Kindergarten at a cost of \$5,523,050.00 (excl. GST) subject to the following conditions:**
 - a. **Contractor providing contract security and proof of currency for insurance cover as required in the tender documents.**

- b. Price variations to be in accordance with the provisions as set out in the conditions of contract.**
- 2. Approve the funding arrangements as detailed in Attachment 1.**
- 3. Authorise the Acting Chief Executive Officer to sign and execute the contract on behalf of Council.**

Background / Key Information

The purpose of this report is to seek approval for the award of Contract No. 2026-35 for the redevelopment of the Dalton Road Kindergarten and Maternal and Child Health (MCH) facility in Thomastown.

The redevelopment will deliver an integrated Early Years purpose-built facility to support the growing local community, improving access to early childhood education and Maternal and Child Health services.

This report provides information on the diligent and thorough evaluation of the Request for Tender (RFT) process for the scope of work required under the proposed contract, and based on the probity principles, Council's procurement policy and Best Value principles.

The scope of work under the proposed contract is construction of a new building that will co-locate two kindergarten program rooms, three MCH consult rooms, a multipurpose space with kitchen facilities, staff amenities, and a public foyer with associated amenities. The project also includes all necessary fittings and furniture, with existing items reused where appropriate. Supporting works include IT, security and access control systems, car park upgrades, bicycle parking, accessible pathways, fencing and landscaping works.

To maintain service continuity during construction, Maternal and Child Health services will relocate to leased consulting rooms in Thomastown from July 2026, while the kindergarten service has relocated to the Spring Street Kindergarten in Thomastown. Both services will continue to operate from these locations until the new facility is complete.

Invitation to Tender

In accordance with Council's Procurement Policy, public tenders were invited on 30 April 2026 and closed on 28 May 2026, seeking suitably experienced and qualified contractors to provide construction services.

A Request for Tender was publicly released for a period of four weeks and attracted a strong response; 17 competitive submissions were received.

The tendered prices and a summary of the evaluation are detailed in the confidential attachment to this report.

Evaluation Process

A tender evaluation panel (Panel) was formed to assess the RFT submissions and to recommend a preferred contractor to undertake the works. The Panel consisted of three voting members.

A senior procurement officer was present during the evaluation to provide procurement and probity guidance and support to the panel. The tendered submissions were evaluated against the evaluation criteria outlined in below. This criterion was set through a formal Tender Probity and Evaluation Plan designed specifically for this tender process. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	55%
Capability	20%
Capacity	15%
Sustainability	10%
Total	100%

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tendered submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred, the reasons for that and the resulting outcomes are detailed in the confidential attachment.

No member of the Tender Evaluation Panel declared any conflict of interest in relation to this tender evaluation.

The evaluation outcome is shown below. The Tender Evaluation Panel recommends that Council award Contract No. 2026-35 to Tenderer F.

Table 2

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer A	No	Yes	Set aside	
Tenderer B	No	Yes	Set aside	
Tenderer C	Yes	Yes	74.34	6
Tenderer D	Yes	Yes	75.33	4
Tenderer E	Yes	Yes	69.91	8
Tenderer F (Constructive Group Pty Ltd)	Yes	Yes	85.13	1
Tenderer G	Yes	Yes	74.07	7

Tenderer	Conforming	Competitive	Score	Overall Ranking (qualitative + quantitative)
Tenderer H	No	Yes	Set aside	
Tenderer I	Yes	Yes	84.49	2
Tenderer J	No	Yes	Set aside	
Tenderer K	Yes	Yes	74.87	5
Tenderer L	Yes	Yes	75.37	3
Tenderer M	No	Yes	Set aside	
Tenderer N	Yes	Yes	68.06	9
Tenderer O	No	Yes	Set aside	
Tenderer P	No	Yes	Set aside	
Tenderer Q	No	No	Set aside	

The preferred tenderer is the highest ranked and was selected based on their demonstrated capability and capacity to deliver the project in line with Council's specified scope and quality requirements.

Refer to the confidential attachment (3.5.1) for further details of the evaluation of all tenders.

Probity

In accordance with Council's Procurement Policy an independent Probity Advisor and/or Probity Auditor was not engaged in the process as the value of the contract doesn't require external probity to be engaged. Probity assurance for the tender evaluation process was undertaken by the independent procurement officer, who chaired the Tender Evaluation Panel.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

Connected Communities

We work to foster an inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported.

Liveable Neighbourhoods

Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Strong Local Economy

Our City is a smart choice for innovation, business growth and industry as well as supporting local businesses to be successful, enabling opportunities for local work and education.

Sustainable Environment

We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

Considerations of *Local Government Act (2020)* Principles**Financial Management**

Sufficient funding for this contract is available in the capital program budget for the Dalton Road Kindergarten Redevelopment project and is supported by a \$4.5 million contribution from the Victorian government.

Community Consultation and Engagement

In accordance with the *Local Government Act 2020*, consideration was given as to whether there were any opportunities to collaborate with other Councils and public bodies or to use any existing collaborative procurement arrangements. However, this project did not meet the requirements of collaborative procurement as the contract relates to a State Government grant funded project.

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

Other Principles for Consideration**Overarching Governance Principles and Supporting Principles**

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
- (i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.
- (b) Council information must be publicly available unless—
 - (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or
 - (ii) public availability of the information would be contrary to the public interest.

Council Policy Considerations

Environmental Sustainability Considerations

The contract management includes Key Performance Indicators that relate to the management of the environment during construction including waste management throughout the contract. A comprehensive Environmental Management Plan will be prepared and implemented during the construction phase. Given the significant trees on site, tree protection zones will be established throughout construction.

Social, Cultural and Health

The contract management will include Key Performance Indicators for Occupational Health & Safety, as well as traffic and pedestrian management to ensure a safe work site is maintained throughout the contract. The contract also includes safety in design requirements to ensure that the design addresses safety issues during the construction phase and the ongoing operation of the facility. The integrated Early Years centre will deliver social, cultural and health benefits for the local community.

Economic

While a detailed economic benefit assessment has not been undertaken for this project, the investment is expected to generate meaningful employment outcomes. This includes direct construction related jobs, indirect flow-on employment in related industries and local trades, and induced employment generated through increased local spending. Beyond the construction period, the facility will also create ongoing roles, including MCH nurses, early years educators and support staff.

Legal, Resource and Strategic Risk Implications

Awarding this contract will enable Council to provide the community with adequate and safe community infrastructure that meets current needs of the community and will increase community participation.

Implementation Strategy

Communication

There is no requirement to communicate the contract award decision of this report to the community beyond the Council minutes. However, information regarding the proposed works will be provided to community via Council's communication channels and direct communication will be established by the project team with all relevant stakeholders.

Critical Dates

It is anticipated that the project will commence in September 2026 with a timeline for completion of 12 months.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Confidential Tender Evaluation Summary Contract 2026-35 [5.7.1 - 10 pages]
2. Dalton Road Kinderarten Redevelopment - Site Plan [5.7.2 - 1 page]
3. Dalton Road Kinderarten Redevelopment - Elevations [5.7.3 - 2 pages]
4. Dalton Road Kindergarten Redevelopment - Simple Floor Plan [5.7.4 - 1 page]

THIS DRAWING IS COPYRIGHT AND SHALL REMAIN THE PROPERTY OF BOOM ARCHITECTS

GENERAL NOTES:

CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE DRAWING.

CONTRACTOR TO PROTECT TREES FROM CONSTRUCTION ACTIVITIES. PROVIDE TREE PROTECTION MEASURES IN ACCORDANCE WITH PROJECT SPECIFICATION AND ARBORIST REPORT.

ALL WASTE SOIL DISPOSAL TO BE UNDERTAKEN IN ACCORDANCE WITH THE WASTE SOIL REPORT.

CONTRACTOR TO ALLOW FOR ON-GOING USE OF SURROUNDING FOOTPATHS DURING CONSTRUCTION.

NO CROSSFALLS TO BE STEEPER THAN 1:100 ON ALL PATHS.

LEGEND

TITLE BOUNDARY/ PROVISIONAL SITE POSSESSION AREA

EXISTING TREES TO BE RETAINED

FENC1/ FENC2 NEW FENCE, REFER ARCHITECTURAL SCHEDULES

G1, G2, G3, G4, G5 & G6 NEW GATES, REFER ARCHITECTURALS SCHEDULES

NEW CARPARK

FOR
TENDER PURPOSES
ONLY
NOT FOR CONSTRUCTION

Date	Change Name	RevID
25/05/19	PROGRESS ISSUE	A
25/05/30	SCHEMATIC APPROVAL	B
25/07/14	PROGRESS ISSUE	C
25/10/06	STORE INCREASED	D
25/12/15	SCHEMATIC DESIGN AS APPROVED	E
26/01/22	DD ISSUE 1 - WIP	F
26/02/06	DD ISSUE 2 - WIP	G
26/02/26	DD 80% ISSUE	H
26/03/10	SITE PLAN CHANGES AS REQUESTED BY AS	I
26/03/20	SITE PLAN CHANGES/ DD 90% ISSUE	J
28/04/26	TENDER ISSUE	T1

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DALTON RD KINDERGARTEN

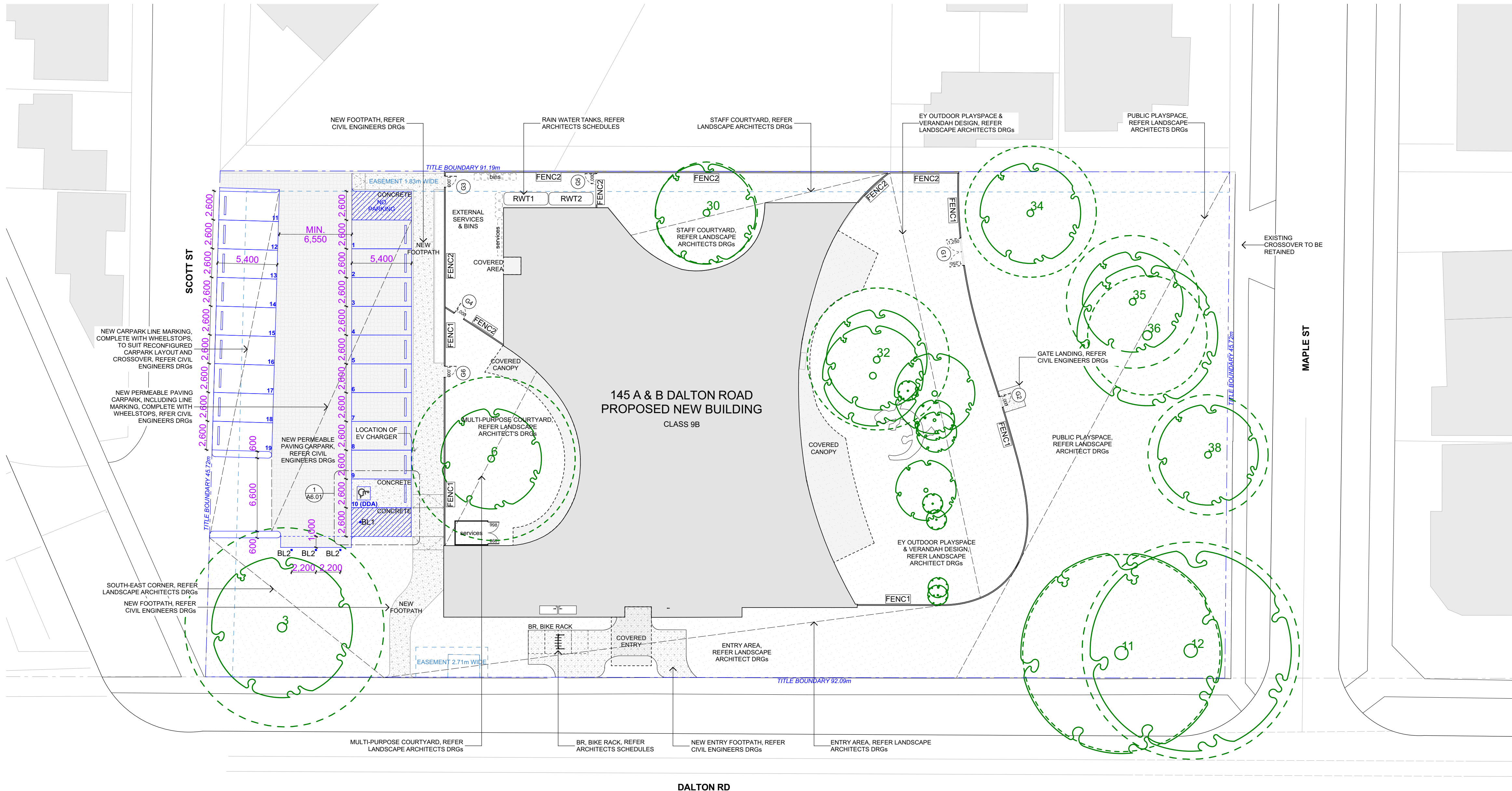
145 A & B Dalton Rd, Thomastown, VIC 3074

Status: FOR TENDER
Project number: 240703

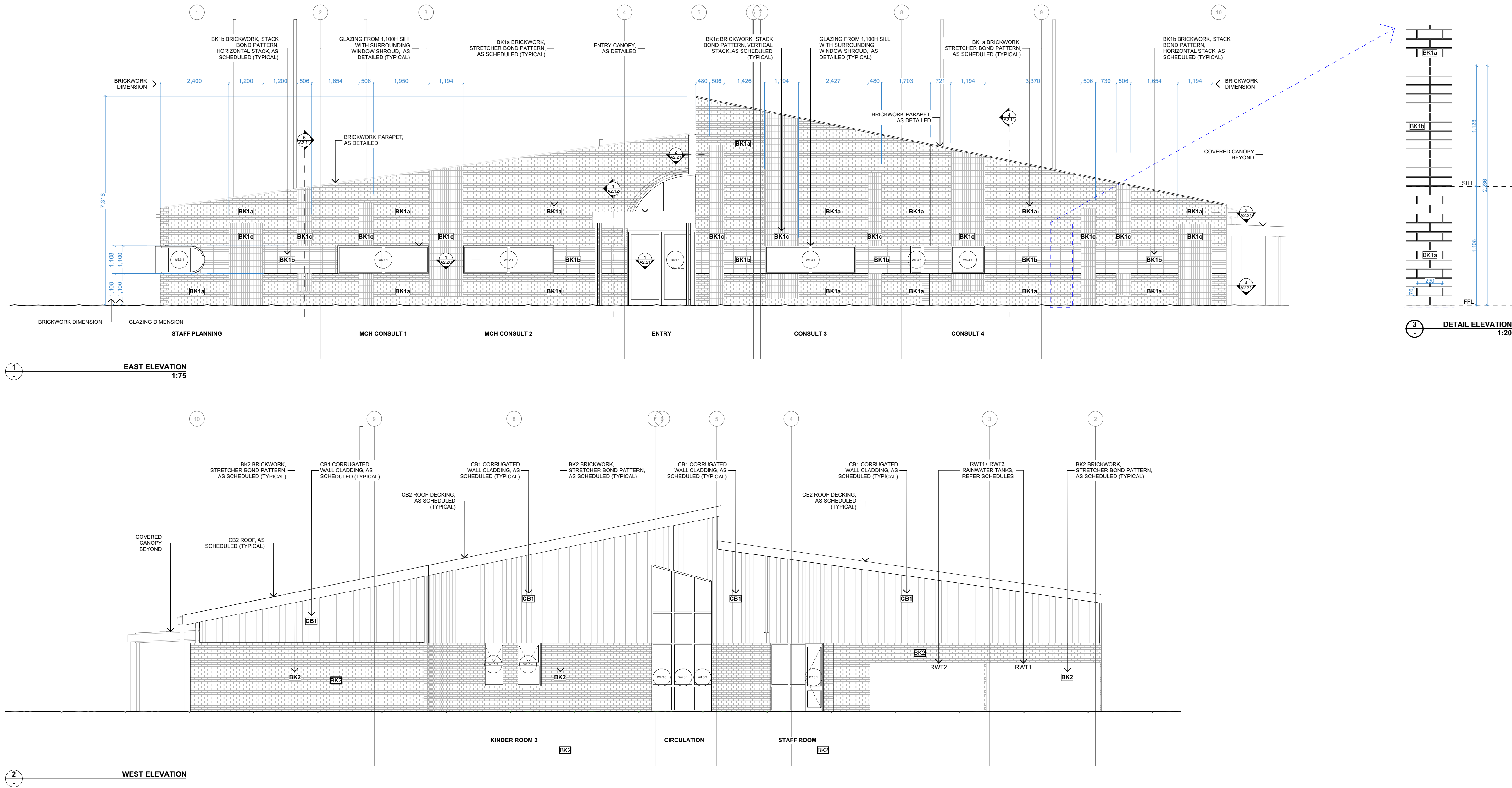
Date generated: 28/04/2026
Scale: 1:200
Format: A1
Drawn: EG
Approved: RB

Drawing title: PROPOSED SITE PLAN

Drawing number: A1.02
Revision: T1



SITE PLAN
1:200



FOR
TENDER PURPOSES
ONLY
NOT FOR CONSTRUCTION

Date	Change Name	Rev ID
25/06/17	DESIGN DEVELOPMENT	/
25/07/14	PROGRESS ISSUE	A
25/11/25	CANOPY ADDED	B
25/12/15	SCHEMATIC DESIGN AS APPROVED	C
26/01/22	DD ISSUE 1 - WIP	D
26/02/06	DD ISSUE 2 - WIP	E
26/02/26	DD 90% ISSUE	F
26/03/20	DD 90% ISSUE	G
28/04/26	TENDER ISSUE	T1

4
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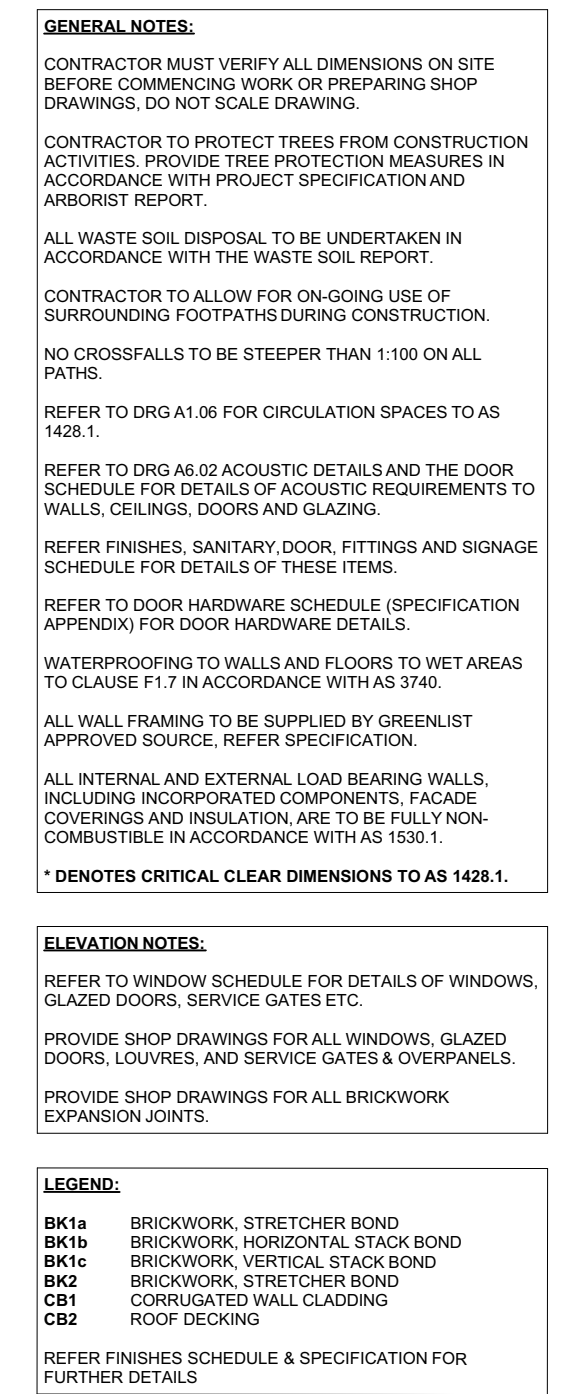
145 A & B Dalton Rd, Thomastown, VIC 3074

Status: FOR TENDER Project number: 240703

Date generated: 28/04/2026 Scale: 1:20 Format: A1 Drawn: EG Approved: RB

Drawing title: ELEVATIONS

Drawing number: A2.00 Revision: T1



Date	Change Name	RevID
25/05/19	PROGRESS ISSUE	A
25/05/30	SCHEMATIC APPROVAL	B
25/06/17	DESIGN DEVELOPMENT	C
25/07/14	PROGRESS ISSUE	D
25/11/25	CANOPY ADDED	E
25/12/15	SCHEMATIC DESIGN AS APPROVED	F
26/01/22	DO ISSUE 1 - WIP	G
26/02/26	DO 80% ISSUE	H
26/03/20	DO 90% ISSUE	I
28/04/26	TENDER ISSUE	T1



DALTON RD KINDERGARTEN
145 A & B Dalton Rd, Thomastown, VIC 3074

Status

FOR TENDER

Project number

240703

Date generated

28/04/2026

Scale

1:75,
1:100,
1:20

Format

A1

Drawn

EG

Approved

RB

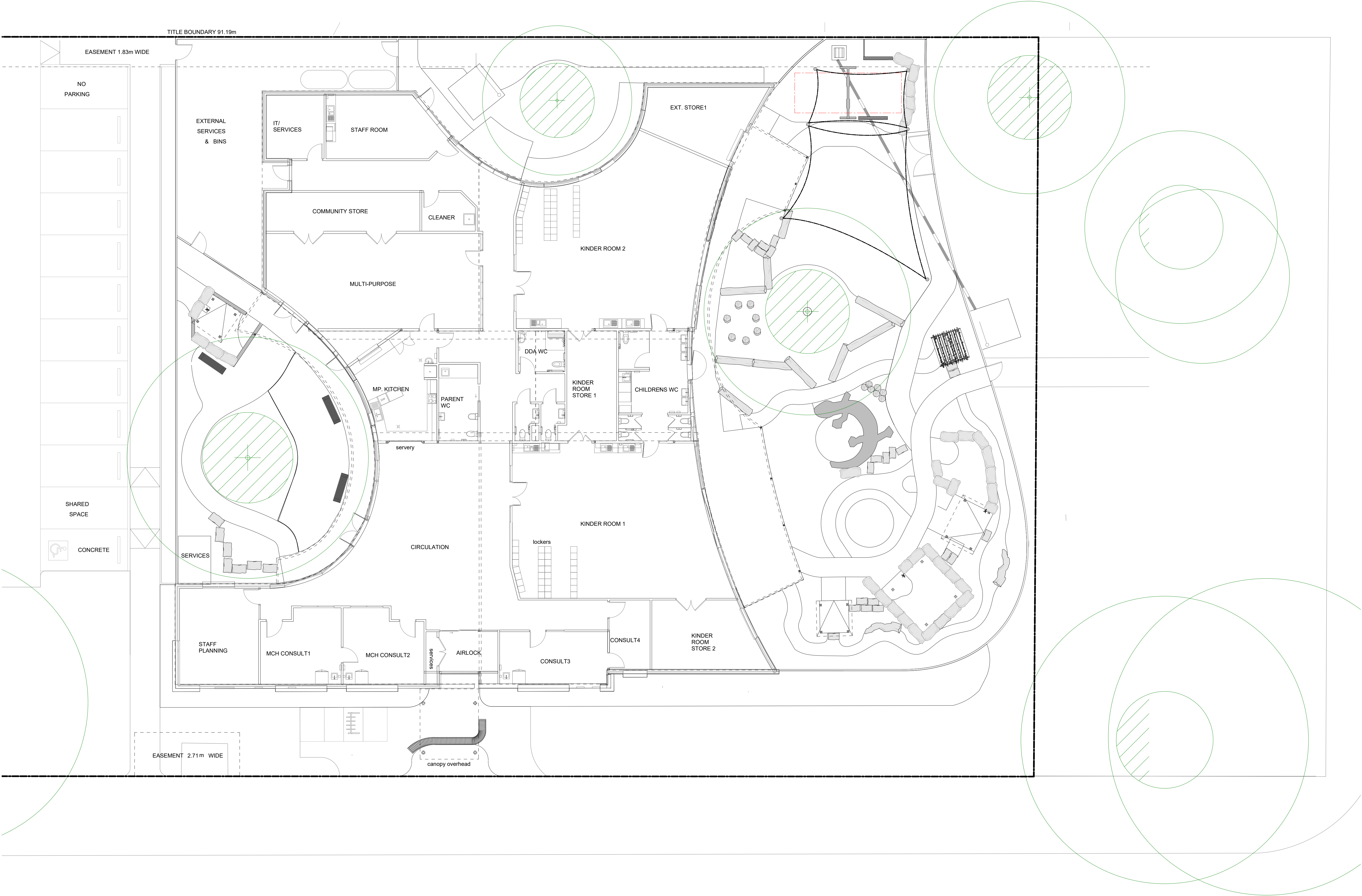
Drawing title

ELEVATIONS

Drawing number Revision

A2.01 **T1**





5.8 Contract Variation 2022-34: MAV Parks and Playground Equipment

Director/Executive Manager: Acting Director Infrastructure & Environment

Report Author: Acting Unit Manager Parks Development

In Attendance: Manager Capital Delivery

This attachment has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—

- (i) relates to trade secrets; or
- (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

Executive Summary

Contract 2022-34 allows Council to purchase park and playground equipment through a MAV panel of approved suppliers, for the delivery of the annual park and playground renewal program. Council purchases of park and playground equipment through this contract significantly reduces the lead time for the delivery of park and playground renewal projects. The rates provided by playground suppliers through the MAV panel contract are very competitive due to their bulk purchasing power, saving Council up to 14% on equipment cost.

This report proposes that Contract 2022-34 for MAV Parks and Playground Equipment – D060125 is varied to accommodate purchases of park and playground equipment intended to be delivered during the 2026-27 financial year (up to 31 January 2027). The current contract has a financial cap of \$2,181,818.18 (excluding GST) and is due to expire on the 31 January 2027. This cap is proposed to be increased from \$2,181,818.18 to \$3,078,181.82 (excluding GST) to accommodate purchases of park and playground equipment up to 31 January 2027. A new MAV panel contract is planned to be established for the purchases of park and playground equipment following this date.

Officers' Recommendation

THAT Council:

- 1. Resolve to exercise the final 12-month optional extension period to access the MAV panel contract for Parks and Playground Equipment – D060125, Contract No. 2022-34 for the period 31 January 2026 to 31 January 2027, bringing the contract end date to 31 January 2027.**
- 2. Resolve to increase the contract cap from \$2,181,818.18 (excluding GST) to \$3,078.181.82 (excluding GST) for the MAV panel contract for Parks and Playground Equipment – D060125, Contract No. 2022-34.**
- 3. Resolve the Acting Chief Executive Officer to issue a letter to MAV to extend the contract term to 31 January 2027.**

Background / Key Information

Contract 2022-34 allows Council to purchase park and playground equipment through a MAV panel of approved suppliers, for the delivery of the annual park and playground renewal program. Council purchases of park and playground equipment through this contract significantly reduces the lead time for the delivery of park and playground renewal projects. The rates provided by playground suppliers through the MAV panel contract are very competitive due to their bulk purchasing power, saving Council up to 14% on equipment cost.

The upcoming 2026-27 park and playground renewal program has been significantly increased to accommodate the delivery of replacement playgrounds as part of the successfully awarded Stage 1 Pick Your Park grant program, as well as significant purchases of playground equipment for two municipal sized playground projects.

Selection of play equipment takes place during the design phase of the park and playground projects, and takes into consideration a variety of factors including:

- Project budgets and cost.
- Products that are compatible with existing equipment and surrounding areas.
- Aesthetics.
- Materials.
- Play value.
- Demographics and age profile and;
- Safety, including the Australian Standards for playgrounds.

As of 23 April 2026, the total expenditure against this contract is approximately \$1.5M (excluding GST), with the full cap of \$2,181,818.18 (excluding GST) expected to be committed by 30 June 2026. This demonstrates effective use of the contract to deliver best value for the community for the nine locally sized parks and four larger parks (two of which are municipal sized park upgrades).

Contract 2022-34 was awarded under delegated approval on 9 June 2022 for an initial term between 1 April 2022 and 31 January 2025, with options for extensions of 12 months + 12 months (total of two years), with an end date of 31 January 2027. In September 2024, the Chief Executive Officer approved the first 12-month extension (from 31 January 2025 to 31 January 2026). In May 2025, the Chief Executive Officer approved a financial variation under delegation to increase the contract cap from \$1,818,181.82 to \$2,181,818.18 (excluding GST) due to the increasing number of playgrounds listed for renewal; and also approved the final 12-month extension of the contract to 31 January 2027.

It is proposed that contract 2022-34 for MAV Parks and Playground Equipment – D060125 is further varied to accommodate purchases of park and playground equipment proposed to be delivered during the 2026-27 financial year (up to 31 January 2027). The current contract has a financial cap of \$2,181,818.18 (excluding GST) and is due to expire on 31 January 2027. This cap is proposed to be increased to \$3,078,181.82 (excluding GST) to accommodate purchases of playground equipment up to 31 January 2027. A new MAV panel contract is planned to be established for the purchases of playground equipment after this date.

During the contract period to date the various contractors appointed, have performed satisfactorily and the MAV panel contract continues to represent value for money against the services provided.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

High Performing Organisation

We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

Considerations of *Local Government Act (2020)* Principles

Financial Management

Sufficient funding for this contract is available in the 2025-26 and 2026-27 Playground Renewal Program.

Community Consultation and Engagement

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made, and actions taken in accordance with the relevant law.
- (e) Innovation and continuous improvement is to be pursued.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations

The selection of playground equipment will consider a range of issues including sustainable sources, durability, recycling of materials, etc.

Social, Cultural and Health

Playgrounds are an important element of the Open Space Plan and provide play opportunities to children for their physical and social health benefit.

Economic

The rates provided by suppliers through the MAV panel contract are very competitive due to their bulk purchasing power, saving Council up to 14% on equipment cost.

Legal, Resource and Strategic Risk Implications

Playground equipment has a limited life and requires programmed renewal to ensure they meet Australian Standards and safety requirements.

Implementation Strategy

Communication

There is no requirement to communicate the contract award decision of this report to the community beyond the Council minutes. However, information regarding the project and the proposed works will be provided via Council's communication channels and to relevant stakeholders that may be impacted by the works.

Critical Dates

Purchasing of park and playground equipment for the 2026-27 Playground Renewal Program is scheduled between August 2026 to December 2026.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. CONFIDENTIAL REDACTED - Confidential Contract Variation 2022-34 [5.8.1 - 2 pages]

5.9 Governance Report

Director/Executive Manager: Acting Executive Manager Office of Council & CEO

Report Author: Unit Manager Council Governance

Executive Summary

In accordance with best practice, good governance principles, transparent and accountable reporting, officers deem it appropriate to consolidate governance and administrative reports into one standing report to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters. This also ensures compliance with the requirements of the *Local Government Act 2020*, Council's Governance Rules and related regulations.

The purpose of this report is to provide information and endorsement for the following governance related matters:

- Summary Minutes of 26 May 2026 Audit and Risk Committee (ARC) meeting; and
- Revised and Final 2026 Revaluation and General Rates Levy.

Further information on the above listed matters is located within the body of this report.

Officers' Recommendation

THAT Council:

1. **Note the Governance Report for July 2026.**
2. **Note the 26 May 2026 Audit and Risk Committee unconfirmed summary of minutes at Attachment 1.**
3. **Note the total General Rates levied for the 2026-27 financial year is \$211,410,417, representing an increase of \$80,124 from the estimated General Rates of \$211,330,293 adopted as part of the 2026-27 Budget, reflecting the application of the revised and final 2026 revaluation data provided by the Valuer General Victoria.**

Background / Key Information**Summary Minutes of 26 May 2026 Audit and Risk Committee (ARC) Meeting**

The ARC, an independent advisory committee of Council, has the responsibility of reporting to the Council and offering expert advice and recommendations on matters brought before it. The ARC fulfills this role by monitoring, reviewing, and providing guidance on issues relating to financial matters, risks and supporting the Council in meeting its governance obligations to the community.

The ARC discussed the following matters at the scheduled meeting of 26 May 2026:

- The 2026-2027 Annual Work Plan of the Audit and Risk Committee.
- The quarterly Risk Management Report detailing actions associated with the review of the Risk Management Framework, risk treatment plans for both strategic and operational risk along with Business Continuity activities, and occupational health and safety performance activities.
- The 2025-2026 valuation of Council's stormwater drainage assets.
- Corporate Performance Report.
- The annual update on the operation and oversight of Council's delegations.
- The revised Governance Compliance Framework.
- The Internal Assurance Report outlining the progress of the Assurance Audit Plan.
- The progress of the 2025-26 Annual Internal Audit Program, including one completed internal audit report, and actions arising from previous audits.
- The 2026-2027 Annual Internal Audit Plan.
- The draft Interim Management Letter for the financial year ended 30 June 2026.
- Compliance and governance matters as detailed in the ARC's Annual Work Plan.
- The implementation of the Clinical Governance Committee and the development of the Clinical Governance Framework.

To provide transparency and to comply with the requirements of the ARC's Charter, the unconfirmed meeting summary minutes is provided at Attachment 1 for noting by Council.

Revised and Final 2026 Revaluation and General Rates Levy

At its meeting on 16 June 2026, Council adopted the 2026-27 Budget, including estimated General Rates income of \$211,330,293 (refer Item 4.1.1(c)).

The annual General Rates levy is determined using the revaluation values certified by the Valuer-General Victoria. Rates modelling undertaken during preparation of the 2026-27 Budget was based on valuation information provided by the Valuer General Victoria, with the resulting estimated General Rates incorporated into the adopted Budget.

Consistent with legislative requirements, the 2026-27 General Rates were struck on 1 July 2026 using the revised and final 2026 revaluation data certified by the Valuer General Victoria. Application of the revised and final certified valuation data resulted in a total General Rates levy of \$211,410,417, representing an increase of \$80,124 compared with the estimated General Rates included in the adopted Budget.

The adjustment reflects the statutory application of the revised and final certified valuation data in levying rates and does not alter Council's adopted rating strategy or the approved rate increase. The final General Rates levy remains compliant with the rate cap prescribed under the *Local Government Act 2020*.

Accordingly, officers are requesting that Council note the final General Rates levy for the 2026-27 financial year.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2025-2029:

High Performing Organisation

We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

Considerations of *Local Government Act (2020)* Principles

Financial Management

Not applicable.

Community Consultation and Engagement

There is no community consultation or engagement required for this report.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.
- (b) Council information must be publicly available unless—
 - (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or

- (ii) public availability of the information would be contrary to the public interest.
- (c) Council information must be understandable and accessible to members of the municipal community.

Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

No implications.

Economic

No implications.

Legal, Resource and Strategic Risk Implications

No implications.

Implementation Strategy

Communication

Not applicable.

Critical Dates

There are no other critical dates associated with the report.

Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

Attachments

1. Draft Summary Minutes ARC 26 May 2026 Meeting [5.9.1 - 13 pages]

Unconfirmed

Summary Minutes

Audit and Risk Committee

Tuesday 26 May 2026 at 1pm

Council Chamber,
25 Ferres Boulevard, South Morang



**City of
Whittlesea**

SUMMARY MINUTES – Audit and Risk Committee Meeting 26 May 2026



Attendees

Present

Members

Independent

Bruce Potgieter, Chairperson

Lisa Tripodi

Suzie Thoraval (*attended at 1:04pm*)

Councillors

Cr Martin Taylor (*left at 3:54pm and returned at 4:06pm*)

Cr David Lenberg (*left at 4:01pm*)

Council Officers:

Debbie Wood, Acting Chief Executive Officer

Sarah Renner, Director Customer and Corporate Services

Aaron Gerrard, Chief Financial Officer

Jacinta Stevens, Executive Manager Office of Council and CEO

Bobbie Bright, Unit Manager Governance Compliance

Monitor:

Steven Kingshott

Invited Guests:

Wayne Brooker, Coordinator Risk and Insurance (Item 5.1)

Emma Appleton, Director Planning and Environment (Item 5.2 & 9.2)

Andrew Mason, Manager Emergency Management & Regulatory Programs (Item 5.2)

Adrian Napoleone, Manager ePMO & Change (Item 6.1)

Rahul Shah, Unit Manager Financial Strategy and Performance (Item 6.1)

Jim Karabinis, Manager Assets and Facilities (Item 6.2)

Daniel Chapman, Unit Manager Asset Management (Item 6.2)

Fawaaz Price, Unit Manager Statutory Planning (Item 9.2)

Phoebe Maprock, Unit Manager Financial Compliance and Control (Item 10.1)

Agata Chmielewski, Director Community Wellbeing (Item 11.2 & 12.2)

Stephen McKay, Manager Community Strengthening (Item 11.2)

Lisa Raywood, Manager Aging Well (Item 11.2)

Amelia Ryan, Manager Children and Families (Item 11.2 & 12.2)

Wendy Smith, Unit Manager Children and Family Health (Item 12.2)

External Attendees:

Jordan McFadden, Director – Aster Advisory (*attended at 1:15pm and left at 4:08pm*)

Graham Noriskin, Director – Aster Advisory (*attended at 1:15pm and left at 2:20pm*)

Nick Walter, Partner – HLB Mann Judd (*attended at 3:43pm and left at 3:49pm*)

Hui Ping Teoh, Manager – HLB Mann Judd (*attended at 3:43pm and left at 3:49pm*)

Minutes

Adreana Latimer, FOI / Privacy Officer

Apologies

Ricardo Ramos, Manager Building and Planning

SUMMARY MINUTES – Audit and Risk Committee Meeting 26 May 2026

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1 In-Camera Discussion

The meeting commenced at 1:03pm with members of the Audit and Risk Committee and the Monitor only.

In-camera session with the Monitor, Internal Auditors, Acting CEO and Executive Manager Office of Council & CEO commenced at 1:15pm.

Welcome

All other officers and external attendees joined the meeting from 1:32pm.

Prior to the meeting commencing, all attendees were advised that the meeting would be recorded to assist with preparing the minutes. There was discussion about the purpose of the recording and ensuring full and frank discussion. The Committee was advised that recordings are used only for preparing the minutes and are then deleted.

The Chair opened the formal section of the meeting, welcoming all attendees.

Suzie Thoraval mentioned she had provided an email requesting an additional appointment be added to the Personal Interest Register.

Apologies

Ricardo Ramos, Manager Building and Planning.

Conflict of Interest

No conflicts of interest were disclosed.

2 Previous Meeting

2.1 Confirmation of Minutes of Previous Meeting

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide the Audit and Risk Committee with the meeting minutes from the 9 December 2025 Committee meeting for confirmation.

Committee Resolution

The 24 February 2025 Committee meeting minutes be confirmed.

Moved: Lisa Tripodi

Second: Suzie Thoraval

CARRIED

SUMMARY MINUTES – Audit and Risk Committee Meeting 26 May 2026



2.2 Matters Arising from Previous Meetings

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to update the Audit and Risk Committee on the status of actions arising from previous meetings, detailing those that have been completed and those currently in progress.

Committee Resolution

The Audit and Risk Committee noted the status of actions arising from previous Audit and Risk Committee meetings at Attachment 1 to the report.

CARRIED

3 Audit & Risk Committee Work Plan

3.1 Progress of Annual Work Plan

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide a comprehensive update on the status and progress of the Annual Work Plan (AWP) and to provide confirmation that all planned activities to date have been reported and reviewed in alignment with the AWP.

Committee Resolution

The Audit and Risk Committee noted the status of the Annual Work Plan, as detailed in Attachment 1 to the report.

CARRIED

3.2 Review of Annual Work Plan

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to present the Committee the 2026-2027 Annual Work Plan for their adoption.

Committee Resolution

The Audit and Risk Committee adopt the 2026-2027 Annual Work Plan at Attachment 1.

CARRIED

SUMMARY MINUTES – Audit and Risk Committee Meeting 26 May 2026



4 CEO's Update

Responsible Officer: Chief Executive Officer

This report has been designated as confidential in accordance with sections 66(5) and 3(1) of the Local Government Act 2020 on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The report contains information regarding potential regulatory proceedings.

Purpose

The purpose of this report is to provide the Committee with a verbal CEO's update and quarterly CEO questionnaire.

Committee Resolution

The Audit and Risk Committee noted the CEO questionnaire at Attachment 1 and the verbal update provided by the CEO.

CARRIED

5 Risk Management

5.1 Risk Management Report – Quarter Ending 31 March 2026

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Coordinator Risk and Insurance

Purpose

The purpose of this report is to update the Audit and Risk Committee (Committee) on the status of risk management activities during the quarter ending 31 March 2026.

Committee Resolution

The Audit and Risk Committee noted:

1. Actions associated with the review of the Risk Management Framework.
2. The status of the risk treatment plans as at 31 March 2026.
3. Risk Management activities associated with emerging risks.
4. The Business Continuity activities undertaken and those scheduled for 2026.
5. The Occupational Health and Safety performance activities undertaken during the reporting period.

CARRIED

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5.2 Presentation on Directorate Risk Profile

Director/Executive Manager: Director Planning & Development

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to verbally present the Strategic Risk 2 – Emergency Management.

Committee Resolution

The Audit and Risk Committee noted the verbal presentation provided in relation to the Strategic Risk 2 – Emergency Management.

CARRIED

6 Financial and Performance Reporting

Note: 6.2 Corporate Performance Reporting was presented before 6.1 Asset Valuation Reporting as per the Agenda.

6.1 Asset Valuation Reporting

Director/Executive Manager: Director Customer & Corporate Services

Report Author: Manager Assets & Facilities

Purpose

The purpose of this report is to present the 2025-2026 valuation of Council's stormwater drainage assets.

Committee Resolution

The Audit and Risk Committee:

1. **Approve** Note the stormwater valuation outcome for 2025–26 financial reporting purposes, noting alignment with industry guidance, accounting standards, and independent external audit review.
2. Note the progressive drainage condition audit program will continue as planned and based on available funds, to further strengthen valuation confidence, improve remaining useful life assumptions, and support risk-based renewal planning across the broader network.
3. Note the current review of Council's Asset Policy considers inclusion of WSUD assets for future valuation cycles, ensuring broader stormwater asset recognition and improved long-term asset planning.

CARRIED

SUMMARY MINUTES – Audit and Risk Committee Meeting 26 May 2026



6.2 Corporate Performance Report

Director/Executive Manager: Director Customer & Corporate Services

Report Author: Unit Manager Financial Strategy and Performance

Purpose

The purpose of this report is to present the Corporate Performance Report for the quarter ended 31 March 2026 to the Committee for information.

Committee Resolution

The Audit and Risk Committee noted the Corporate Performance Report for the period ended 31 March 2025 at Attachment 1.

CARRIED

7 Systems of Internal Control

7.1 Review of Instruments of Delegation

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide the annual update on the operation and oversight of Council's delegations as required under the Committee's AWP.

Committee Resolution

The Audit and Risk Committee noted the Instrument of Delegation update as outlined in the body of the report.

CARRIED

7.2 Governance Compliance Framework

Director/Executive Manager: Director Customer and Corporate Services

Report Author: Chief Customer Officer

Purpose

The purpose of this report is to present the revised Governance Compliance Management Framework (Framework) to the Committee for their review and feedback.

Committee Resolution

The Audit and Risk Committee reviewed the revised Governance Compliance Management Framework at Attachment 1 and provided feedback.

CARRIED

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8 Internal Assurance

8.1 Internal Assurance Report

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide an update on the progress of the Assurance Audit Plan.

Committee Resolution

The Audit and Risk Committee noted the update on the Assurance Audit Program outlined in the body of this report.

CARRIED

9 Internal Audit

9.1 Internal Audit Plan Delivery Status Report

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

This report updates the Audit and Risk Committee (Committee) on the status of internal audit activities for the 2025-26 program.

Committee Resolution

The Audit and Risk Committee noted the Internal Audit Plan Delivery Status Report at Attachment 1.

CARRIED

9.2 Internal Audit Reports on Completed Reviews

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to present the Committee with the completed Planning Permit Management Audit Report for review and acknowledgment.

Committee Resolution

The Audit and Risk Committee noted:

1. The Internal Audit Reports on completed reviews.
2. The internal audit report of Planning Permit Management at Attachment 1.

CARRIED

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9.3 Internal Audit Open Actions Report

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide an update on the progress of audit actions.

Matters Discussed

The report was taken as read.

Committee Resolution

The Audit and Risk Committee noted the Internal Audit Open Actions Report.

CARRIED

9.4 2026-2027 Annual Internal Audit Plan

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to present the Committee with the 2026-2027 Annual Internal Audit Plan to seek the Committee's feedback and endorsement.

Committee Resolution

The Audit and Risk Committee:

1. **Noted the 2026-2027 Internal Audit Plan Report.**
2. **Provided feedback on the 2026-2027 Internal Audit Plan where necessary.**
3. **Endorsed the 2026-2027 Internal Audit Plan.**

CARRIED

10 External Audit Report

10.1 External Audit Report

Director/Executive Manager: Director Customer and Corporate Services

Report Author: Unit Manager Financial Compliance and Control

Purpose

The purpose of this report is to present the Draft Interim Management Letter for the year ending 30 June 2026 to the Committee for noting.

Committee Resolution

The Audit and Risk Committee noted the Draft Interim Management Letter for the year ending 30 June 2026.

CARRIED

SUMMARY MINUTES – Audit and Risk Committee Meeting 26 May 2026



11 Compliance

11.1 Review Key Personnel Expenses

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide the Audit and Risk Committee with an update on detailed account of expenses and reimbursements for the Chief Executive Officer, the CEO's Executive Assistance, Councillor and the Monitor for the period 1 January to 31 March 2026.

Committee Resolution

The Audit & Risk Committee noted:

1. The Chief Executive Officer and Executive Assistant expenses incurred during the period of 1 January to 31 March 2026 as detailed in Table 1 of the report.
2. Reimbursements and expenses incurred during the reporting period as detailed within the Table 2 – Councillor Expenses of the report.
3. The Councillors expenses incurred during the period of 1 January to 31 March 2026 as detailed in Table 3 of the report.
4. The information is being presented in accordance with section 40(2) of the *Local Government Act 2020*.

CARRIED

11.2 Clinical Governance Committee

Director/Executive Manager: Director Community Wellbeing

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to provide the Committee with an update on the implementation of the Clinical Governance Committee, the development of the Clinical Governance Framework, and two identified priorities to improve Council's clinical governance practices.

Committee Resolution

The Audit and Risk Committee noted the report for information only.

CARRIED

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12 Governance

12.1 Integrity Body Reports

Director/Executive Manager: Executive Manager Office of Council & CEO

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to present the Audit and Risk Committee with an overview of integrity body publications from January to March 2026, highlighting key findings relevant to local government and sector-specific issues.

Committee Resolution

The Audit and Risk Committee noted the integrity body report for the period January to March 2026 at Attachment 1.

CARRIED

Note: The meeting was paused at 4:01pm due to no longer having the minimum quorum requirements as both Councillors were longer in attendance. The meeting resumed at 4:06pm when Councillor Taylor rejoined the meeting.

12.2 Auditor-General Report On: Enhanced Maternal and Child Health Program Performance

Director/Executive Manager: Director Community Wellbeing

Report Author: Compliance and Governance Officer

Purpose

The purpose of this report is to inform the Committee of the Victorian Auditor-General's Office (VAGO) performance audit, *Enhanced Maternal and Child Health program performance*, tabled out of session in the Victorian Parliament on 30 April 2026 for noting.

Committee Resolution

The Audit & Risk Committee noted the Victorian Auditor General's Office audit, the *Enhanced Maternal and Child Health program performance*, tabled in Victorian Parliament on 29 April 2026.

CARRIED

13 Other Matters

The following other matters were discussed:

- The return of the questions on notice process for the financial reports in the September meeting only.
- Integrity Body Report enhancements and the impact of reporting requirements.

14 Meeting Reflection

There was no meeting reflection.

The Chair closed the meeting at 4:19 pm.

6 Notices of Motion

No Notices of Motion

7 Urgent Business

8 Reports from Councillors and Acting CEO Update

9 Tabled Reports

No reports

10 Confidential Business

Under section 66(2) of the *Local Government Act 2020* a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the *Local Government Act 2020*.

Recommendation

THAT the meeting be closed to the public for the purpose of considering details relating to confidential matters in accordance with Section 66(2)(a) of the *Local Government Act 2020* as detailed.

10.1 CEO Employment Matters - CEO Contract

11 Closure