



Agenda

Scheduled Council Meeting

Monday 6 December 2021 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Monday 6 December 2021 at 6:30 pm for the transaction of the following business.

In accordance with section 394 of the *Local Government Act 2020* this meeting will be held remotely online and will be [livestreamed via Council’s website](https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/).

**C Lloyd**

**Chief Executive Officer**

Administrators

Lydia Wilson Chair of Council

Peita Duncan Administrator

Chris Eddy Administrator

On 19 June 2020 the Acting Minister for Local Government appointed the Panel of Administrators for the City of Whittlesea and appointed Ms Lydia Wilson as Chair of the Panel. The Panel of Administrators comprises of Ms Lydia Wilson, Ms Peita Duncan and Mr Chris Eddy who will undertake the duties of the Council of the City of Whittlesea until the October 2024 Local Government Election.

Senior Officers

Craig Lloyd Chief Executive Officer

Frank Joyce Executive Manager Governance & Strategy

Kate McCaughey Director Community Wellbeing

Mark Montague Acting Director Corporate Services

Janine Morgan Executive Manager Public Affairs

Justin O’Meara Director Planning & Development

Debbie Wood Director Infrastructure & Environment

Order of Business

The Chief Executive Officer submits the following business:

[1 Opening 6](#_Toc89355275)

[1.1 Meeting Opening and Introductions 6](#_Toc89355276)

[1.2 Acknowledgement of Traditional Owners Statement 6](#_Toc89355277)

[1.3 Attendance 6](#_Toc89355278)

[2 Declarations of Conflict of Interest 7](#_Toc89355279)

[3 Confirmation of Minutes of Previous Meeting/s 7](#_Toc89355280)

[4 Public Questions, Petitions and Joint Letters 8](#_Toc89355281)

[4.1 Public Question Time 8](#_Toc89355282)

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[4.3.1 Joint Letter - Request for removal of Street Trees corner Strathoon Crescent & Vista Way – South Morang 8](#_Toc89355285)

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[5.1 Connected Communities 9](#_Toc89355287)

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[5.1.2 Provision of leisure, aquatics and sports court facilities in Mernda 14](#_Toc89355289)

[5.1.3 Leisure Centres COVID-19 contract variation and proposed extension 33](#_Toc89355290)

[5.1.4 Complaints Policy 40](#_Toc89355291)

[5.1.5 Proposal to lease 1F Ashline Street Wollert for affordable housing 44](#_Toc89355292)

[5.1.6 Maternal and Child Health Sector Advocacy 53](#_Toc89355293)

[5.2 Livable Neighbourhoods 62](#_Toc89355294)

[5.2.1 Tender evaluation - 2021-12: Supply of Roadside Hazard Protection Works 62](#_Toc89355295)

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[5.2.3 Planning Scheme Amendment C256 Interim Heritage Overlay on 90 and 100 Bindts Road, Wollert – Exhibition outcomes and next steps 81](#_Toc89355297)

[5.2.4 Granite Hills Major Community Park 90](#_Toc89355298)

[5.3 Strong Local Economy 102](#_Toc89355299)

[5.4 Sustainable Environment 102](#_Toc89355300)

[5.5 High Performing Organisation 102](#_Toc89355301)

[6 Notices of Motion 102](#_Toc89355302)

[8 Reports from Council Representatives and CEO Update 102](#_Toc89355303)

[9 Confidential Business 103](#_Toc89355304)

[9.1 Confidential Connected Communities 103](#_Toc89355305)

[9.1.1 Kindergarten Reform Options Paper 103](#_Toc89355306)

[9.2 Confidential Liveable Neighbourhoods 103](#_Toc89355307)

[9.2.1 Compulsory Land Acquisition 103](#_Toc89355308)

[9.3 Confidential Strong Local Economy 103](#_Toc89355309)

[9.3.0 Confidential Strong Local Economy - Nil 103](#_Toc89355310)

[9.4 Confidential Sustainable Environment 104](#_Toc89355311)

[9.4.0 Confidential Sustainable Environment - Nil 104](#_Toc89355312)

[9.5 Confidential High Performing Organisation 104](#_Toc89355313)

[9.5.0 Confidential High Performing Organisation - Nil 104](#_Toc89355314)

[9.6 Confidential Notice of Motion 104](#_Toc89355315)

**Note:**

At the Chair of Council’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:**

During the meeting, the Chief Executive Officer will answer questions from residents and ratepayers. Questions are required to be submitted in writing prior to the advertised commencement time of a Scheduled Council Meeting. It is preferred to receive any questions by 3.30pm unless this unreasonably prevents or hinders you from participating. A Question Time form can be downloaded from Council’s website and copies of the form are available at the meeting. Refer: <https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council will hold public question time for up to 30 minutes at each Scheduled Council Meeting to allow members of the public to present the questions they have submitted to Council. When Council Meetings are held remotely by electronic means in accordance with Section 394 of the *Local Government Act 2020,* members of the public will be unable to present their questions, however the Chief Executive Officer will read out and answer questions from residents and ratepayers.

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 the Governance Team prior to any Council Meeting on (03) 9217 2294.

**1 Opening**

**1.1 Meeting Opening and Introductions**

The Chair of Council, Lydia Wilson will open the meeting and introduce the Administrators and Chief Executive Officer:

Administrator, Ms Peita Duncan;

Administrator, Mr Chris Eddy; and

Chief Executive Officer, Mr Craig Lloyd.

The Chief Executive Officer, Craig Lloyd will introduce members of the Executive Leadership Team:

Executive Manager Governance and Strategy, Mr Frank Joyce;

Director Community Wellbeing, Ms Kate McCaughey;

Acting Director Corporate Services, Mr Mark Montague;

Executive Manager Public Affairs, Ms Janine Morgan;

Director Planning and Development, Mr Justin O’Meara; and

Director Infrastructure and Environment, Ms Debbie Wood.

Following the Introductions, the Chief Executive Officer, Craig Lloyd will then read the following prayer:

Almighty God, we ask for your blessing upon this council to make informed and good decisions to benefit the people of the City of Whittlesea.

Our father who art in heaven, hallowed be thy name, Thy kingdom come, Thy will be done in earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive them that trespass against us; and lead us not into temptation but deliver us from evil, For thine is the kingdom, the power and the glory, for ever and ever.

Amen

**1.2 Acknowledgement of Traditional Owners Statement**

The Chair of Council, Lydia Wilson will read the following statement:

“On behalf of the City of Whittlesea I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan as the Traditional Owners of this place.

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

**1.3 Attendance**

**2 Declarations of Conflict of Interest**

**3 Confirmation of Minutes of Previous Meeting/s**

**Recommendation**

**THAT the following Minutes of the preceding meeting as circulated, be confirmed:**

**Scheduled Meeting of Council held 8 November 2021**

**4 Public Questions, Petitions and Joint Letters**

**4.1 Public Question Time**

**4.2 Petitions**

Nil Petitions

**4.3 Joint Letters**

4.3.1 Joint Letter - Request for removal of Street Trees corner Strathoon Crescent & Vista Way – South Morang

**4.3.1 Joint Letter - Request for removal of Street Trees corner Strathoon Crescent & Vista Way – South Morang**

**Responsible Officer** Director Infrastructure & Environment

A joint letter has been received from four residents requesting the removal of street trees on the corner of Strathoon Crescent and Vista Way, South Morang:

*“We wish to support the need to remove the trees in Strathoon Court on the corner of Vista Way and Strathoon.*

*These trees are causing us huge problems and a visit from an arborist, however well intentioned, is simply no solution. The trees are dangerous and they must go. The trees from 43 Vista Way and over at 45 are causing enormous grief to residents.*

*There are trees which also affect others and these are notes on this petition.*

*Trees cast shadows on roof making solar panels pointless.*

*Trees constantly drop leaves on roof and gutters. It is costing us enormous fees for guttering and removal.*

*Falling branches are dangerous. It is a matter of time when a serious accident will occur.*

*We never asked for these trees and believed if they were creating danger they would be removed.*

*The trees are lifting footpaths and potential damage to under ground pipes.*

*We urge you to finally remove these trees.*

*We the under signed are rate payers and we want action taken, we are tired of being ignored.”*

**Recommendation**

**THAT Council receive the joint letter from four residents requesting the removal of street trees on the corner of Strathoon Crescent and Vista Way, South Morang, and that a report be presented to the Council Meeting on 31 January 2022 in relation to the matter.**

**5 Officers' Reports**

**5.1 Connected Communities**

5.1.1 17-19 Johnsons Road, Mernda - Sale of Council Land

**5.1.1 17-19 Johnsons Road, Mernda - Sale of Council Land**

**Responsible Officer** Acting Director Corporate Services

**Officer** Consultant

**Attachments**

1. CONFIDENTIAL REDACTED - Confidential Option Details [**5.1.1.1** - 3 pages]
2. Location Plan [**5.1.1.2** - 1 page]
3. Aerial Photo [**5.1.1.3** - 1 page]
4. Council Report 2 August 2021 [**5.1.1.4** - 27 pages]

This attachment has been designated as confidential by the Acting Director Corporate Services, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and 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.  In particular the attachment contains sensitive financial information which would diminish Council’s position in these negotiations.

**Proposal**

The property located at 17-19 Johnsons Road, Mernda, was purchased by Council from the State Government with the strategic intent of selling the property at a future point in time for a return to be reinvested back into community infrastructure.

It is proposed that Council develop and subdivide the site into 35 lots, with 32 of these to be sold on the open market and the remaining 3 lots to be reserved for sale and/or lease, via an expression of interest, to a registered housing organisation to undertake an Affordable Housing development in accordance with Council’s Social Affordable Housing (SAH) Policy.

**Recommendation**

**That following the completion of the community engagement process in accordance with Section 114(2)(b) of the *Local Government Act 2020* (Act) and in accordance with Council’s Community Engagement Policy, and subject to Council first fulfilling the requirements of section 114(2)(a) and (c) of the Act (in relation to, respectively, the giving of public notice and the obtaining of a valuation) Council:**

1. **Sell the Council-owned property known as 17-19 Johnsons Road, Mernda (subject property) in order to achieve the following outcomes –** 
   1. **to develop, construct, subdivide and sell the subject property in accordance with the approved 35 lot plan of subdivision;**
   2. **to confine the sale of the subject property to the sale on the open market (by public sale, public auction or via an expression of interest process) of 32 of the 35 lots that will be developed (lots to be sold);**
2. **Authorise the Chief Executive Officer;**
   1. **in relation to the lots to be sold, on behalf of Council, to appoint selling agents and to offer the lots to be sold by either public sale, public auction or via an expressions of interest process upon and subject to whatever terms and conditions the Chief Executive Officer considers are appropriate, including in relation to the persons to whom the lots are to be sold and the prices to be paid and the settlement periods for the lots to be sold;**
   2. **to reserve the remaining 3 of the 35 lots for sale and/or lease to a suitable housing provider as determined by Council and otherwise in accordance with Council’s Social Affordable Housing Policy (affordable housing allocation) and furthermore, in relation to the affordable housing allocation, to provide a report to Council by mid-2022, advising the most appropriate method to facilitate affordable housing on these lots, either by sale (at full market value or at a discounted market value) or by a long-term lease to a suitable housing provider in accordance with Council’s Social Affordable Housing Policy; and**
   3. **in relation to the lots to be sold (other than the affordable housing allocation) and the matter generally, to carry out all and any other legal and administrative procedures necessary to enable Council to give effect to this resolution, including to sign all and any documents on behalf of Council.**

**Brief Overview**

The property located at 17-19 Johnsons Road, Mernda, was purchased by Council from the State Government with the strategic intent of selling the property at a future point in time for a return to be reinvested back into community infrastructure.

It is proposed that Council develop and subdivide the site into 35 lots, with 32 of these to be sold on the open market and the remaining 3 lots to be reserved for sale and/or lease, via an expression of interest, to a registered housing organisation to undertake an Affordable Housing development in accordance with Council’s Social Affordable Housing (SAH) Policy. Key Information,

**Option one** is to on-sell the property undeveloped on the open market to a purchaser / developer who will be required to develop the site in accordance with the approved plan of subdivision.

**Option two** is for Council to develop the site in accordance with the approved plan of subdivision and sell-off each individual lot on the open market. This is the recommended option as it presents the best return on investment for Council.

**Community Consultation and Engagement**

A community engagement process in accordance with Section 115 of *the Local Government Act 2020* and in accordance with Council’s Community Engagement Policy has been undertaken and included placing all the information on the proposals on Council’s website (Hive) via an engagement page, together with contact details for a Council officer who could answer additional queries. A letterbox drop was also undertaken to surrounding properties.

Following the community consultation and engagement process, nine (9) submissions were received.

In relation to the question “How much do you support the sale of land at 17-19 Johnsons Road Mernda?”

5 “strongly support”

1 “neither support nor oppose”; and

3 “strongly oppose”.

In relation to the question as to the number of lots proposed for social housing,

5 agreed with “3 lots”;

1 stated more than “3 lots”; and

3 wanted less than “3 lots”.

Some of the comments received were:

* “I live in the next street and I don't mind if this land sells however I would like to see the supporting infrastructure in the playgrounds also upgrade a Wombat reserve and at the Footy Oval.”
* “I am looking for land to build an accessible home near public transport. This is the perfect location.”
* “The traffic impact will be horrendous. Johnsons/Schotters/Hazel Glen Drive cannot cope with any more traffic.”
* “Community housing is important to support disadvantaged people in the area.”.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**High performing organisation**We engage effectively with the community, deliver efficient and effective services and initiatives, make decision in the best interest of our community and deliver value to our community

This project will result in additional funding available to Council, outside the usual revenue sources, to assist in funding priority programs and projects that will benefit the community.

**Considerations**

**Environmental**

This proposal makes available additional housing resources within the Mernda area and contributes to housing affordability.

**Social, Cultural and Health**

Officers have taken the opportunity to assess the development and its ability to support the outcomes of Council’s SAH policy. An allocation of three lots is proposed to be reserved for affordable housing. An expression of interest process is proposed to be undertaken to offer the three lots for sale and/or lease to a suitable housing provider as determined by Council.

**Economic**

Option 2 will require Council to engage with and employ businesses to construct the infrastructure needed for this residential development. This proposal will result in 35 new families residing within the Mernda area, which will provide additional economic activity to local businesses.

**Financial Implications**

Option 2 (where Council develops and sells the lots) provides the more advantageous financial return to Council. This option will allow more funds to be reinvested back into community infrastructure.

**Link to Strategic Risk**

**Strategic Risk** *Financial Sustainability - Inability to meet current and future expenditure*

Strategic property purchases and development are an alternative source of cashflow that Council has identified to meet the financial constraints associated with rate capping. Council’s return on investment from this project is intended to be reinvested back into community infrastructure.

**Implementation Strategy**

**Communication**

All details on the Option 2 will be communicated on Council’s website (Hive) via an information page. The information page will include contact details for a Council Officer who can respond to community enquiries on this project.

**Critical Dates**

No critical dates exist in relation to this proposal or project, other than ensuring a financial gain be returned to Council for proposed reinvestment back into community infrastructure, and to support the objectives of Council’s SAH Policy.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

The community consultation process did not result in substantial opposition to Council’s proposals to sell the subject property (subdivided lots) and/or allocating three lots to social affordable housing.

Following the consideration of various sales options, the preferred option is for Council to develop, construct and subdivide the site in accordance with the approved 35 lot plan of subdivision (Option 2 from Attachment 1). Further, it is proposed that Council sell 32 of the 35 lots on the open market and reserve three lots for “Affordable Housing” in accordance with Council’s SAH Policy.

5.1.2 Provision of leisure, aquatics and sports court facilities in Mernda

**5.1.2 Provision of leisure, aquatics and sports court facilities in Mernda**

**Responsible Officer** Director Community Wellbeing

**Officer** Senior Leisure Planner

**Attachments**

1. CONFIDENTIAL REDACTED - MACPS Pool Options Analysis Paper [**5.1.2.1** - 28 pages]
2. Project Background and Proposal Detail [**5.1.2.2** - 17 pages]

This attachment has been designated as confidential by the Director Community Wellbeing, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and 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 attachment contains information regarding budget estimates and sensitive financial and operational information that may impact on future tender processes.  

**Proposal**

This report outlines a proposal for a major new leisure, aquatic and sports court facility to be located at the Mernda Sports Hub precinct, on Plenty Road, Mernda (the Project). The proposed Project represents one of the municipality’s most significant single investments in social and health infrastructure to date, and has been developed to:

* Enhance the quality of life for all residents as a place to exercise, get healthy, connect and have fun;
* Improve health and wellbeing outcomes – particularly where the municipality performs lower than metropolitan counterparts (refer **Attachment Two**);
* Create a welcoming sense of place and community pride as the cornerstone use of the Mernda Sports Hub precinct; and
* Function at a local, municipal and regional level.

The Project comprises a number of key components including:

* **Sports courts:** 
  + Six indoor sports courts (including show court)
  + Eight outdoor floodlit netball courts
* **Aquatic and leisure:**
  + 50-metre multipurpose pool (with boom wall)
  + Warm water program pool, teaching pool, leisure pool, spa, steam and sauna
  + Gymnasium, group fitness, program rooms, occasional care
  + Health consulting and wellness suites
* **Shared:** 
  + Environmental design features such as all electric building, efficient heating, cooling and water treatment systems, maximising thermal efficiency, rainwater harvesting and re-use and use of sustainable and circular economy materials through construction.
  + Other features will include a café, family change village and changing places stations.

The Project design and construction cost is estimated as a high-level figure at around $113.4 million.

**Attachment One** providesindependent advice and has informed the proposed Project facility scope through investigations of capital cost, income, expenditure, performance, accessibility, demand and benchmarking.  **Attachment Two** provides background information and a more detailed Project description.

Advocacy and partnerships will be actively pursued to attract external funding from potential Project partners, and opportunities for the community to continue be involved will continue throughout the Project, including establishment of a Community and Stakeholder Reference Group in 2022 (post the detailed Business Case phase).

**Recommendation**

**That Council:**

1. **Endorse the project scope for a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) as described in Table Four of this report which, subject to a detailed Business Case and further design analysis, will likely include:**
   1. **A 50-metre multipurpose pool with boom wall;**
   2. **Warm water program pool, teaching pool, leisure pool, spa, steam and sauna;**
   3. **Gymnasium, group fitness, program rooms;**
   4. **Health consulting and wellness suites; and**
   5. **Six indoor sports courts (including show court) and eight outdoor floodlit netball courts.**
2. **Note a detailed Business Case for a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) will be developed based on the project scope outlined in Table Four of this report and will be presented to Council for consideration mid-2022.**
3. **Note the high-level estimated design and construction cost for a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) is $113.4 million (refer Attachment One and summarised in Table Eight of this report), and is also subject to a detailed Business Case and further design analysis.**
4. **Note a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) is proposed to be delivered via a single stage construction method which will be investigated through the detailed Business Case process.**
5. **Note the report titled ‘Mernda Aquatic Centre Planning Study - Pool Option Analysis’ (Attachment One, confidential).**
6. **Note the report titled ‘Project background and proposal detail: Aquatic, leisure and sports court facilities at Mernda Sports Hub’ (Attachment Two).**
7. **Note the guiding principles for major leisure and aquatic facilities outlined in Table One of this report.**
8. **Note the sports courts component of the leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) is an advocacy priority for Council in the 2022 federal government election.**
9. **Note external funding opportunities will actively pursued for the leisure, aquatic and sports court facility at the Mernda Sports Hub (Plenty Road, Mernda), including enhanced advocacy approaches to maximise financial contributions to the project from other sources.**
10. **Explore integrated leisure and community facility approaches within future growth corridor infrastructure planning, including linkages with future town centres, activity precincts and neighbouring municipalities.**
11. **Note that a Community and Stakeholder Reference Group will be established in 2022 to inform future planning for the leisure, aquatic and sports courts facility at the Mernda Sports Hub (Plenty Road, Mernda) during the design development stage.**
12. **Thank the community and project stakeholders for their contribution to date in regards to planning for the leisure, aquatic and sports court facility at the Mernda Sports Hub (Plenty Road, Mernda).**

**Brief Overview**

This report outlines a proposal for a major new aquatic, leisure and sports courts centre to be located at the Mernda Sports Hub, Plenty Road, Mernda. The proposal:

* Provides opportunities for participation in recreation, leisure and sporting activities;
* Fosters positive physical and mental wellbeing benefits to realise Whittlesea 2040 social and health outcomes for the community over many decades;
* Aims to create a vibrant, welcoming and innovative health and wellbeing hub for the whole municipality.

This report and associated attachments provide further detail regarding the proposed scope (**Attachment Two**) for aquatic, leisure and sports court facilities at the Mernda Sports Hub.

The recently released *Victoria’s Infrastructure Strategy 2021-2051* also identifies aquatic and leisure centres play a key role in improving the quality of life within communities. To this end Recommendation 73 of Infrastructure Victoria’s report identifies that a new aquatic centre is required within the City of Whittlesea within the next five years.

**Key Information**

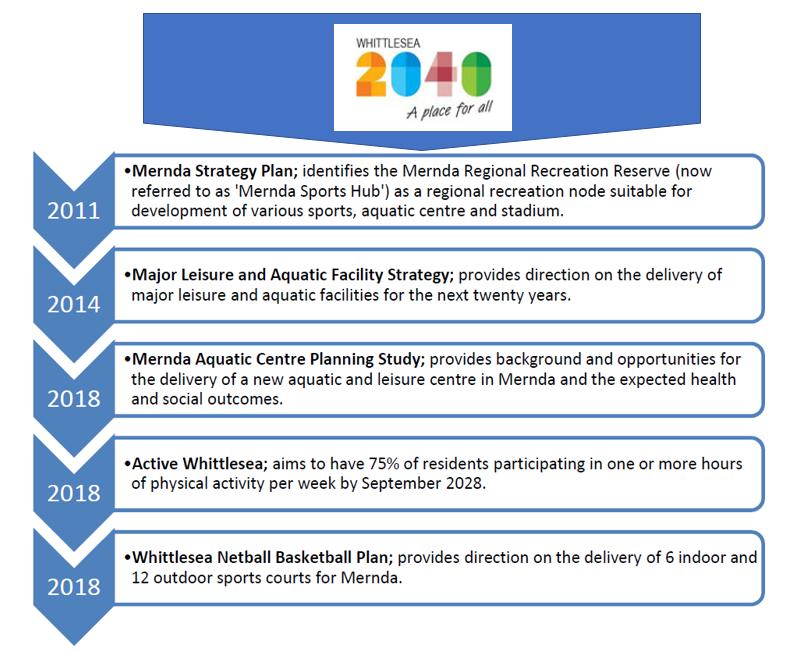
**Background**

In December 2020, Council resolved to:

* Undertake a feasibility and comparative analysis for project options for the aquatic and leisure facilities proposed for Mernda, including consideration of a 25-metre lap swimming pool and a 50-metre lap swimming pool; and also
* Consolidate opportunities for the project to enhance Council’s existing strategic planning in the area, specifically the future Mernda Town Centre.

This resolution built on extensive research and strategic planning (see **Figure One** below); multiple options analysis; and four community consultation initiatives undertaken to inform this Project (2013, 2017, 2018 and 2020).

Throughout 2021 Council has continued feasibility analysis including Project scope and location opportunities. Strategic links to the Mernda Town Centre were explored, including a potential co-location within this precinct. These investigations identified that whilst co-location within the Town Centre had considerable benefits (such as proximity to the Mernda train station and greater accessibility for people without a car); this option was unfeasible at the current time due to a number of factors including cost, impact on functionality, availability of suitable land and timing of other projects within Council’s long term capital works program.



***Figure 1: Council endorsed strategic plans***

**Broader project outcomes: health and wellbeing**

**Attachment Two** provides an overview on the role of aquatic and leisure centres within communities and the important value they provide in realising health and social wellbeing outcomes. For this reason, a number of recent municipal aquatic and leisure facilities have been identified as wellness or wellbeing centres. Research identifies that aquatic and leisure centres play an important role in:

* Reducing the risk of chronic disease and prevalence of mental illness (results in both personal and systemic benefits);
* Reducing the incidence of drowning;
* Developing social capital and connection (particularly for people involved in group activities);
* Improving productivity and reduction in absenteeism;
* Creating local employment opportunities (throughout construction and operation), as well as on-going social procurement and targeted employment opportunities.

Aquatic and leisure centres’ role in fostering health and social outcomes identifies the importance of maximising these benefits when planning for the delivery of new facilities. To assist with decision making and to guide assessment of potential options, four guiding principles were established to inform the Major Leisure and Aquatic Facility Strategy 2014 (‘MLAFS’). Some of these principles have been refined to assist with analysis of the Project and are summarised in **Table One** below.

|  |  |
| --- | --- |
| **Guiding principle** | **Description** |
| **Maximising social and health benefits** | * Centres should become a meeting place for the community and create a sense of belonging. * Centres should provide facilities and programs that reflect the community profile. |
| **Accessible, equitable and safe** | * The majority of residents in new suburbs should have reasonable proximity to aquatic and leisure facilities. * Services that encourage use by all sectors of the community – including universal and targeted programs. * Targeted programs maximise use by community members that have traditionally been the least likely to use an aquatic and leisure facility and resulting in improved physical and mental health for some of our most disadvantaged residents. * Physical and cultural safety in facility and service design is paramount. |
| **Affordable** | * Development of facilities needs to be affordable for Council given the many competing demands for infrastructure. * Pricing strategies should make use of the centre affordable for all members of the community and particularly those on low incomes. |
| **Viable** | * Facilities need to have a sufficient range of commercial activities to ensure financial performance is close to break-even. |

***Table 1: Guiding principles for Project options assessment***

**Broader project outcomes: place-making and building strong communities**

*“Placemaking builds stronger, livelier, more liveable communities - but that’s just part of the story. Numerous medical leaders have also shown that Placemaking can play a huge role in promoting better health for all …”*

(Project for Public Places, [Great Communities Grow at the Intersection of Health and Design (pps.org)](https://www.pps.org/article/great-communities-grow-at-the-intersection-of-health-and-design), 2015).

In addition, it is acknowledged within the industry that aquatic and leisure facilities play a role in encouraging a sense of community pride, an uplift in public amenity and increased security in surrounding locale (by providing secure areas for recreation and socialisation). Hence, the Major Leisure and Aquatic Facility Strategy’s (2014) vision identifies:

*“…That aquatic and leisure facilities are easily accessible by residents, are a meeting place and make a significant contribution to the physical and mental wellbeing of the City of Whittlesea community.”*

Place-making and how these proposed aquatic, leisure and sports courts facilities are configured within the broader Mernda Sports Hub will therefore be vital in realising a sense of place in which people come to connect, recreate and dwell – not only to meet transactional needs (e.g. learn to swim, get fit etc), but to enjoy a sense of wellbeing and community connection. For example, landscaping and site context for the facility will be vital in order to achieve lasting opportunities for the facility to host larger crowds (such as picnics on hot evenings, summer concert series or inter-school competitions). In addition, active encouragement and prioritisation of active and sustainable transport options to the site will also be important. A review of the draft Mernda Sports Hub master plan is required and will facilitate opportunities to consolidate and synergise place-making for the broader precinct.

**Victoria’s Infrastructure Strategy 2021-2051**

The importance of health and wellbeing outcomes and placemaking is supported by Victoria’s Infrastructure Strategy 2021-2051; which recognises that aquatic and leisure centres play a key role in improving the quality of life within communities. Recommendation 73 of this report identifies that a new aquatic centre is required within the City of Whittlesea within the next five years. It also identifies the need for funding for libraries and aquatic centres in growth areas, and states:

*“Each of the seven growth are municipalities should receive up to $200,000 for aquatic centre planning and $100,000 for library planning. The Victorian Government should fund up to one-third of the cost of new facilities, capped at $20 million for aquatic centres and $10 million for libraries, with councils to provide funding for the remaining capital costs and operational expenses. Flexible funding could support staged approaches to delivery, where preferred by councils. This investment supports growth area councils to address provision, service and access gaps for this essential infrastructure”. (pp204,* [Victoria’s infrastructure strategy 2021-2051](https://urldefense.com/v3/__https:/www.infrastructurevictoria.com.au/wp-content/uploads/2021/08/1.-Victorias-infrastructure-strategy-2021-2051-Vol-1.pdf__;!!FEfCfsIi8c9YeDm7lQ!dVC1qGhvDb0Q5BfBm1bj7u4o0hx5-DxN_04qx53cwopK9vqv_33SBcpkqrZ_RSArRvGnE3Bd4y1wzDXYDg$)*).*

The strategy was developed by Infrastructure Victoria which is an independent advisory body to the Victorian Government.

**Project proposal: Key components**

In line with Council’s December 2020 resolution, Council engaged independent consultants, Sport and Leisure Solutions and Warren Green Consulting to compare three lap swimming pool options:

1. 8-lane 25-metre lap swimming pool; depth profile of 1.1 metres to 1.5 metres.
2. 8-lane 50-metre FINA lap swimming pool; depth profile of 1.35 metres to 2.0 metres.
3. 8-lane 50-metre multipurpose lap swimming pool; depth profile of 1.1 metres to 1.8 metres.

Note: FINA means ‘Federation Internationale De Natation Amateur’, with the English translation being the ‘International Swimming Federation’.

This independent advice is provided as a confidential attachment as the*Mernda Aquatic Centre Planning Study Pool Options Analysis*(**Attachment One**); **Table Two** provides a comparative analysis of the advantages and disadvantages of the three lap swimming options listed above; further detail is provided in **Attachment One.**

| **Pool Depth** | **Advantages** | **Disadvantages** |
| --- | --- | --- |
| **Option 1**   * 8 lane 25-metre pool * Depth profile of 1.1 m to 1.5 m. | * Lower cost option to construct * Better financial performance * Shallower water facilitates whole of community access, including families, children, water walkers and users who have lower levels of swimming skill and confidence (the hot day “bobbers.” * Safer access for children, water walkers and users who have lower levels of swimming skill and confidence and those with a disability * Appropriate for water-based fitness classes such as aqua aerobics * Better transition for the learn to swim program * Depth and temperature appropriate for lower-level swim lessons * Services lap swimming requirements – to a lesser extent than the 50m pool options * Service swim club requirements for lower-tier swim club * Suitable for small primary school carnivals and short course club activities * Service the needs of the “hot day bobbers.” * Diving blocks are permissible for supervised (lessons, squad and competition) use at the deep end. | * Not suitable for water polo * Shallow water throughout presents some risk of injury from diving * Not suitable for regional or national events * Not suitable for water polo * No diving will be permitted from diving blocks at the shallow end in competition. Therefore no 50m relays. All diving will need to occur at the deep end. * No recreation/play diving * There will be some issues with supervising * Lack of deep water might reduce use by teenagers * It does not comply with RLSS guidelines for safe pool operation unless diving blocks are removed when not in use. |
| **Option 2**   * 8lane FINA compliant 50-metre pool * Depth profile of 1.35 m – 2.0 m with pool boom | * The pool complies with FINA requirements for major swimming events and is suitable for school carnivals and events. However, additional amenities, spectator facilities, and competition facilities will be required for regional, state, national, and international events. * Enable use of diving blocks unsupervised (training and competition) at both ends of the pool * Provides recreational (unsupervised) use of diving block at the deep end. * Provides deep water for use by teenagers * Better services requirements for squad participants swim club members and dedicated lap swimmers * Suitable for water polo training and games * Suitable for swim club activities | * More expensive to construct * High cost to operate * Not accessible for people with low levels of swimming skill and confidence – more comfortable in shallow water * Limits whole of community use including lower use by water walkers and users who have lower levels of swimming skill and confidence and those with a disability * More costly to build and heat than the 25 m pool * Greater water and chemical usage than the 25 m pool option * Higher safety risk for operator and Council, which may necessitate the deployment of additional staff to supervise patrons * Provides a poor transition for the learn to swim pool * Not suitable for lower levels swim lessons * Not suitable for water-based programs such as aqua aerobics * Potentially significant increase in facility infrastructure requirements, including additional amenities, spectator facilities, and competition facilities. If the intention is to use for competition. |
| **Option 3**   * 8 lane multipurpose 50 m Pool * 1.1 m to 1.8 m with pool boom | * Shallower water facilitates whole of community access, including families, children, water walkers and users who have lower levels of swimming skill and confidence (the hot day “bobbers.” * Safer access for children, water walkers and users who have lower levels of swimming skill and confidence and those with a disability * Suitable for school carnivals and club events. * Services lap swimming requirements * Suitable for swim club activities * Service the needs of the “hot day bobbers.” * Diving blocks are permissible for supervised (lessons, squad and competition) use at the deep end. * Better transition for the learn to swim program   Appropriate for water-based fitness classes such as aqua aerobics   * Depth and temperature appropriate for lower-level swim lessons | * More expensive to construct * High cost to operate * It will not be possible to conduct major events at the Centre (i.e. non-compliant for state, national and internal events but compliant for school carnivals and swim club meets). * Not suitable for water polo * No diving is permitted from diving blocks at the shallow end in competition. Therefore no 50m relays. All diving will need to occur at the deep end. * No recreation/play diving * There will be some issues with supervising people diving into shallow water |

***Table 2. Comparative table for three lap swimming pool options for the Project.***

The independent advice detailed in **Attachment One** has informed the proposed Project facility scope through investigations of capital cost, income, expenditure, performance, accessibility, demand and benchmarking – for both the aquatics and sports courts components. Each component plays a different role in supporting crucial community health outcomes, as summarised in **Table Three** and **Table Four** below.

| **Component** | **Key inputs / activities** | **Profile** |
| --- | --- | --- |
| **Aquatics and leisure** | * A variety of pools will be available to support opportunities for lap swimming, warm water exercise, play for all ages, learn to swim and relaxation (spa, sauna, steam). * Once built, it would be the only 50-metre pool within the municipality. * A state-of-the-art gym and program rooms will support residents and visitors with a range of skills and ability levels to improve their physical health and fitness. | * The proposed scope of facilities will primarily respond to the diverse existing and future community needs of Mernda and Doreen. * The proposed 50-metre multipurpose pool will provide programmable space suitable to capture the broad health outcomes sought on a municipal level. |
| **Sports courts** | * Comprises one show court multi-lined for netball and basketball to attract major events and showcase matches. * An additional five indoor multipurpose sports courts and eight outdoor floodlit netball courts. * The new facility will become the home of netball for the municipality. * Once built, the sports courts will be the largest facility of its kind within the City of Whittlesea and neighbouring municipalities. | * As a regional netball facility, the Project will provide significant participation opportunities for our netballers (96% of participants are female) from grassroots to elite pathway programs, much closer to home. * The courts will also support the growth of basketball and sports such as badminton and volleyball across the City of Whittlesea and surrounding municipalities. |

***Table 3: Key activities and profile of proposed project components***

The guiding principles detailed in **Table One** (affordable, viable, accessible, equitable and safe, maximising social and health benefits) are imperative in the decision-making process when considering facility scope for the Project. In particular, the inclusion of a 50-metre multipurpose pool:

* Provides for improved accessibility outcomes and opportunities for additional and flexible programming achieved through the depth profile, water temperature and additional space within the 50-metre multipurpose pool.
* Combines the aspects of both the 25-metre pool and the 50-metre FINA compliant pool. To this end it therefore facilitates whole of community use through its shallower depth profile, whilst at the same time providing all the benefits of the FINA pool except for conducting state and national swimming events and facilitating water polo training and competition.

|  |  |  |  |
| --- | --- | --- | --- |
| **Component** | **Facility** | **Indicative Scope** | **Use / activities** |
| **Aquatics** | Multipurpose Pool | 8-lane 50-metre with boom wall | * Lap swimming (casual, training and carnivals) * Gentle warm water exercise and aqua classes * Learn to swim programs * Aqua walking and jogging * Water play for toddlers and young children * Deeper water play for older children, youth and adults * Leisure, relaxation and rehabilitation |
| Warm Water Program Pool | 300 m2 + ramp |
| Teaching Pool | 125 m2 + ramp |
| Leisure Pool | 350 m2 incl. ramp |
| Spa, steam and sauna | n/a |
| **Health and Fitness** | Gymnasium | 600 m2 | * Weight and cardio training * Variety of group fitness programs * Holistic health focus (via allied health partnerships) |
| Group fitness room | 220 m2 |
| Program room #2 | 150 m2 |
| Program room #3 | 80 m2 |
| Occasional care / program room #4 | 190 m2 |
| Health consulting / wellness suites | 150 m2 |
| **Sports Courts** | Multipurpose sports courts | 5 | * Significant growth in local netball and basketball clubs and associations * Increase opportunity for other sports such as volleyball and badminton * Capacity to attract special events |
| Netball and basketball show court | 1 |
| Permanent seating | 500 |
| Capacity for temporary seating | Up to 1500 |
| Outdoor floodlit netball courts | 8 |

***Table 4: Proposed Project scope to proceed to detailed Business Case development***

**Project proposal: Next steps and connecting key tasks to outcomes**

**Figure Two** provides an overview of the methodology and considerations to date to inform the proposed facility scope. Once the key Project elements have been confirmed (i.e. the project scope detailed in this report), an important next step will be to finalise the detailed Business Case, design and associated costs.

|  |  |  |  |
| --- | --- | --- | --- |
| **OUTPUT** | **Proposed scope of aquatic, leisure and sports court facilities at Mernda Sports Hub site** | | |
|  |  |  |  |
| **FURTHER RESEARCH** | **Community Consultation** | **Expert advice** | **Industry trends and benchmarking** |
|  | Cost and affordability  Transport connectivity  Accessibility | Functionality  Design  Cost | Aquatic and leisure centres moving to roles as ‘prevention hospitals’  Flexibility in programming |
|  |  |  |  |
| **EVIDENCE BASE** | **Community need and profile** | **Catchment and demand analysis** | **Policy and strategy** |
|  | High levels of sedentary behaviour  Growing older cohort and rising annual birth rates  Culturally diverse community  High rates of heart disease in CoW | Travel is a barrier to access  A growing catchment population  13 indoor and 18 outdoor sports courts needed in Mernda  Netballers and basketballers leaving CoW to play | Whittlesea 2040  Whittlesea Netball Basketball Plan 2019  Mernda Aquatic Centre Planning Study  Major Leisure and Aquatic Facility Strategy |
|  |  |  |  |
| **OUTCOME** | **Improved community health outcomes** | **Improved access to suitable and affordable facilities and programs** | **Fiscally responsible environment** |

***Figure 2. Methodology and considerations to inform proposed scope of facilities in Mernda.***

**Community Consultation and Engagement**

Four consultation processes undertaken since 2013 have shown significant community support for the facility with key priorities identified as cost and affordability, safety, transport connectivity and accessibility. A summary of consultation outcomes is provided in **Attachment Two.**

A Communications and Engagement Plan will be developed to prioritise further opportunity for community input into components such as facility design and name; further detail is provided in **Attachment Two.**

A key element of the Communications and Engagement Plan will be the establishment of a Community and Stakeholder Reference Group to provide a consultation forum on key stages of the Project. Members of the Community and Stakeholder Reference Group should represent the diverse culture, skills and experiences within the communities of Mernda and Doreen as well as lived experiences of the wider municipality (such as people living with disabilities, older people, young people, culturally and linguistically diverse communities etc) and project partners.

Additionally, planning for and strengthening Council’s advocacy approach to attract external funding for the Project is imperative. This includes opportunities throughout the upcoming state and federal election cycles, as well as future strategic partnerships with potential funding partners.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**Connected communities**We work to foster and inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported

The provision of aquatic and leisure facilities within the municipality strongly aligns with the Whittlesea 2040 strategic priority of ‘Connected Community’ as the provision of sport and recreation infrastructure supports the key directions of encouraging a socially cohesive, participating and healthy and safe community. This Project is identified in two key initiatives in the Community Plan 2021-2025 (incorporating the Municipal Public Health and Wellbeing Plan):

1. Commence construction of a leisure and wellbeing facility in Mernda; and
2. Build additional outdoor netball courts in a number of neighbourhoods including Epping, Doreen, Mill Park, Whittlesea, South Morang and Mernda.

The Community Plan Action Plan 2021-22 includes an action to advocate for a regional indoor netball basketball centre. Community Plan consultation identified that to help recovery from COVID-19, the community asked Council to focus on:

* Health promotion, emphasising mental health and wellbeing; natural environments and green open space; connected walking and cycling paths and trails, safety in public places and opportunities for social connection and exercise.
* Community connections, including supporting vulnerable people and providing facilities and spaces for groups of people to meet

The proposed facility also aligns with the Council endorsed policy and strategy outlined in **Figure One** and includes:

* *A Voice for All,* Community Engagement Policy 2021
* Mernda Strategy Plan 2011 (amended 2016)
* Major Leisure and Aquatic Facilities Strategy 2014
* Whittlesea Netball and Basketball Plan 2019
* Active Whittlesea Policy 2019
* Mernda Regional Recreation Reserve Master Plan 2011 (draft)
* Zero Net Emissions Plan 2022
* Whittlesea Water for All 2020 – 2030
* Greening Whittlesea City Forest Strategy 2020-2040.

As earlier outlined, Victoria’s Infrastructure Strategy 2021-2051 recognises the importance of aquatic and leisure centres in improving the physical and mental health and wellbeing; each swimming pool visit generates $26 in health benefits. Recommendation 73 of the Strategy identifies that a new aquatic centre is required within the City of Whittlesea within the next five years, and that municipalities should receive State Government funding for up to one third of project capital cost (capped at $20 million) to support addressing the essential infrastructure gap in growth areas.

Additionally, there are significant opportunities to explore a shared approach and partnership with neighbouring municipalities (i.e City of Hume and Mitchell Shire) when considering the planning and delivery of future growth corridor infrastructure planning, including the integration of leisure facilities within a town centre precinct.

**Table Five** below provides an overview of Council resolutions and endorsements to date regarding the Project.

| **Date** | **Summary** |
| --- | --- |
| 2011 | Mernda Strategy Plan endorsed; identifies site as regional recreation node suitable for development of various sports, aquatic centre and stadium. |
| 2014 | Major Leisure and Aquatic Facility Strategy endorsed; development of an aquatic centre is a key recommendation. |
| February 2019 | Council endorsed two facility options for further development through a detailed business case; both facility options varied in the scale of the aquatic and dry components with neither including the provision of a 50-metre pool. |
| March 2019 | An item of Urgent Business was endorsed which sought the preparation of a report back to Council of indicative costs for inclusion of a 50-metre competition pool. |
| July 2019 | Council resolved to receive a petition with 1621 signatures calling for Council to review the need for a 50-metre competition sized pool rather than the lesser aquatic options being considered. |
| August 2019 | Council resolved to note the report on 50-metre pool costings and advice the head petitioner accordingly. |
| December 2019 | Council endorsed the Whittlesea Netball Basketball Plan which recommends the construction of six indoor sports courts and eight outdoor netball courts at the Mernda Sports Hub site as short-term high priority projects, with an additional four outdoor courts as a long-term priority project. |
| December 2019 | Council resolved to undertake further community consultation regarding aquatic and leisure facilities at Mernda and in particular whether to:   * Extend the pool to 50-metres; * Incorporate large scale water play (such as water slides and outdoor activities); and * Include netball and basketball courts in stage one of the project. |
| December 2020 | Council resolved to:   * Undertake a feasibility and comparative analysis for two facility options; a 25-metre pool option and a 50-metre FINA compliant competition pool. * Consolidate opportunities for the project to enhance strategic planning in the area (i.e. linkages with Mernda Town Centre). |

***Table 5. Summary of Council decisions to date for the Project.***

**Considerations**

**Environmental**

The implementation of environmentally sustainable and universal design principles are key priorities as the Project progresses through development of the detailed Business Case and design phases. This is important not only to reduce future operating costs of the facility, but to realise Council’s endorsed sustainability policy including:

* Implementation of the Zero Net Emissions Plan 2022.
* Target to reduce Council potable water consumption by a further 20 per cent (on a kilolitre per capita basis) by 2030; Whittlesea Water for All 2020 - 2030.
* Greening Whittlesea canopy cover targets (20% canopy cover).

An integrated approach to sustainability in the business case, design, delivery and facility operation will be embedded to ensure carbon footprint, water use and operating costs are minimised; further detailed in **Table Six.**

|  |  |
| --- | --- |
| **Sustainability initiative / priority** | **Example / opportunity** |
| Setting a measurable key performance target. | Net Positive Energy Building, Passive House, 6-Star Green Star Building or Green Star Communities when looking at the Mernda Sports Hub precinct. |
| Maximising opportunities for renewable and alternate energy systems on a precinct level. | Geo-thermal, solar panels, wind technology, battery storage, EV charging infrastructure. |
| Use of existing and emerging technologies in efficient energy infrastructure. | All electric building, heating and cooling systems, water treatment operations, plant/mechanical, insulation, passive design, glazing of windows and doors, maximising thermal efficiency etc. |
| Reduction in construction waste and increase recycling and repurposing. | Rock removed to enable construction is crushed and utilised in sub-base for internal road network and facility, using Circular economy materials for construction.  Use of sustainable / recycled materials in all aspects of construction, including roads, footpaths etc. |
| Reducing potable water consumption and ensuring water sensitive urban design outcomes. | Rainwater harvesting and re-use, rainwater tanks, passive irrigation of landscaping, treatment and reuse of storm water, water efficient fittings and fixtures. |
| Reducing Urban Heat Island Effect. | Increased tree canopy, ensuring solar reflective materials, alternatives to asphalt, solar PV canopies over parking areas. |

***Table 6.  Summary of sustainability initiatives and opportunities for project to be further explored.***

Sustainable design key criteria will be further refined through the detailed Business Case development. This will be informed by consultation with the Cities of Darebin, Kingston and Brimbank; who are municipalities with recent experience in planning and delivering for aquatic and leisure facilities with exemplary sustainability outcomes.

The environmental footprint of a 50-metre pool is higher than that of a 25-metre pool as evidenced by the estimated comparative annual utilities costs for each option ($350,000 p.a. for a 25-metre pool versus $640,000 p.a. for a 50-metre pool). When comparing the 25-metre pool option to the 50-metre pool options, **Attachment One** noted the 50-metre pools have a larger water volume that requires increased gas, electricity, water and pool chemicals and, by extension, will increase the centre's environmental impact. Similarly, the larger pool halls will require additional energy for heating and circulation of air and result in an increased environmental footprint.

**Social, Cultural and Health**

The proposed facilities, services and programs will provide a safe and inclusive space to encourage use and employment for communities who may experience barriers to participate, such as women and girls, older adults, people with a disability and culturally and linguistically diverse residents.

Accessibility is a key criterion through design development, including consideration of ramps into all pools, reduced paths of travel for users with lower mobility, accessible and family change village including changing places stations, and investigating pricing options to ensure accessibility for all through affordability.

**Economic**

**Local impact**

An Impact Statement derived from Council’s economic projections program EconomyID identifies that an investment of $113.4 million into the building construction industry would create an additional 430 jobs located in the City of Whittlesea. **Table Seven** provides a breakdown of direct, industrial and consumption jobs forecast.

|  |  |  |
| --- | --- | --- |
| **Type** | **Description** | **No. of jobs created** |
| Direct | Local building construction sector | 135 |
| Indirect | Intermediate industries | 241 |
| Indirect | Consumption impacts | 54 |
| **TOTAL** | | **430** |

***Table 7: Breakdown of local job creation as a result of project investment.***

Employment impacts are not limited to the local economy; industrial and consumption effects would flow outside the region to the broader economy and are anticipated to create an additional 354 jobs within Australia.

The business case will also explore opportunities for Council to harness greater social procurement outcomes through local employment programs as part of future management tender processes (i.e. including local employment targets aimed at increasing employment opportunities for local residents such as young people, Aboriginal people, people with a disability and culturally and linguistically diverse residents etc).

**Broader economic impacts**

A KPMG report also noted the economic impact of such facilities in their 2020 report, *The Value of Community Sport and Active Recreation Infrastructure*, commissioned by Sport and Recreation Victoria which identified the value of sport and active recreation infrastructure across the State annually; summarised in **Figure Three** below.



**Figure 3: *The Value of Community Sport and Active Recreation Infrastructure,* KPMG 2020**

**Financial Implications**

A summary of the financial implications of the proposed Project facility scope is identified in **Table Eight** below. Further detail is provided in **Attachment One.**

|  |  |  |
| --- | --- | --- |
| **Item** | **Amount** | **Note** |
| **Capital Cost** | $113,406,000 | Provided by Quantity Surveyor based on concept sketches. |
|  | | |
| **Income** (pa) | $5,060,000 | Assumptions on casual fees, memberships and lane hire. |
| **Expenditure** (pa) | $5,045,000 | Assumptions on utilities, cleaning, wages and plant services / maintenance. |
| **Net performance (per annum)** | + $15,000 | Operational / post construction |

***Table 8: Summary of estimated financial forecasts for proposed project scope.***

Financial implications will be further explored through the business case and design development. Further investigation is required to understand the full scope and cost of civil and supporting infrastructure such as services connection, roads, car parking, water management and any latent ground conditions (i.e. rock). Similarly, assumptions have been made regarding operating financials based on benchmarking with like facilities in the State relating to items such as wages, fees, management structure, cleaning and utilities.

As outlined above, Council’s advocacy approach will guide opportunities to procure external funding to the Project. It is proposed that Council continue to pursue advocacy and partnership opportunities to attract external funding for the Project.

**Link to Strategic Risk**

**Strategic Risks:**

*Financial Sustainability - Inability to meet current and future expenditure  
  
Service Delivery - Inability to plan for and provide critical community services and infrastructure impacting on community wellbeing*

The provision and scope of aquatic, leisure and sports facilities can significantly impact on the physical and mental health and wellbeing of the community. Under provision of suitable facilities will decrease the number of programs and services available to the community. As a barrier to participation, a decrease in opportunities to partake in such programs and services creates challenges in promoting equitable access.

The capital delivery and ongoing operational costs of aquatic, leisure and sporting facilities is expensive and requires extensive planning to ensure affordability for Council. Indeed, this proposal represents one of the largest single investments in health and social infrastructure by Council to date. A detailed Business Case is required to further understand the cost implications of the proposed Project. The construction sector is facing rapidly escalating costs at present which may continue to impact on this Project; and hence careful planning will be central to managing this risk.

**Implementation Strategy**

**Communication**

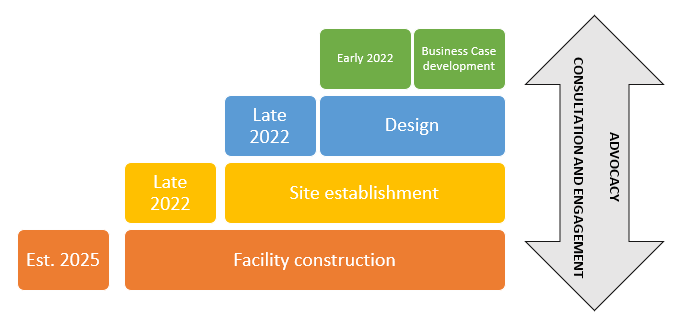
A Communications and Engagement Plan will be developed to identify key stakeholders and the most effective communication and engagement methods for each stakeholder including key messages for project phases; further detailed in **Attachment Two**.

**Critical Dates**

The sports courts component of the Project is a Council advocacy priority for the upcoming 2022 federal and state government elections. The Federal election must be held no later than May 2022 and the State election is scheduled for November 2022.

The proposed Project commencement is 2024/25 with a likely completion date of 2027/28; these dates are in line with Council’s current long-term financial plan. **Figure Four** below summarises the key Project phases and their anticipated commencement timelines; subject to change and refinement as the Project progresses.

Project completion is estimated for six years’ time, with ongoing community involvement in the Project will be prioritised, as will advocacy efforts and the strengthening of partnerships to attract external funding from potential Project partners.



**Figure 4. Upcoming project phases and anticipated commencement dates.**

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

Finalising the scope and provision of future aquatic, leisure and sports courts facilities is a decision of considerable importance to Council and the local community. Such facilities have an inter-generational impact and represent a major investment in infrastructure and services.

The final detailed Business Case will be informed by:

* Further analysis and evidence of local community health and wellbeing needs and trends.
* Best practice research and expertise relating to public health prevention planning; includes the role of aquatic and leisure centres transitioning from fitness centres to a holistic community focus on prevention of chronic illness.
* Optimising leisure, aquatic and sporting design and operational models and approaches (with site context).
* Capital and recurrent facility cost.
* Financial and environmental feasibility and sustainability; and
* Community feedback.

Importantly, Council’s focus on building strong and collaborative partnerships with the community and future funding partners is imperative to the success of the Project.

5.1.3 Leisure Centres COVID-19 contract variation and proposed extension

**5.1.3 Leisure Centres COVID-19 contract variation and proposed extension**

**Responsible Officer** Director Community Wellbeing

**Officer** Team Leader Major Leisure Facilities

**Attachments**

1. CONFIDENTIAL REDACTED - Contract No's 2020-059 and 2020-141 variation details [**5.1.3.1** - 3 pages]

 This attachment has been designated as confidential by the Director Community Wellbeing, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and 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.  
In particular, the attachment contains ￼information regarding commercially confidential tender pricing and negotiated variations to contract rates.

**Proposal**

It is proposed that two existing contracts for the operation of Council’s aquatic and leisure facilities be extended to suit operational requirements. A contract extension is provided for within the current contract provisions. These contracts include:

* Contract number 2021-141 for the Management and Operation of Thomastown Recreation and Aquatic Centre; and
* Contract number 2020-059 for the Management and Operation of Mill Park Leisure and Whittlesea Swim Centre.

It is also proposed that the current contracts be varied to address the impacts of COVID-19 closures and restrictions.

**Recommendation**

**That Council:**

1. **Approve a variation of $ 326,431 (excluding GST) making a revised contract sum of -$457,416 (excluding GST) for Contract No 2020-141 for Management and Operation of Thomastown Aquatic and Recreation Centre as a result of interruptions to business operations due to COVID-19 closures and restrictions during the extended COVID-19 lockdown period in 2021.**
2. **Approve a variation of $ 41,446 (excluding GST) making a revised contract sum of -$1,055,495 (excluding GST) for Contract No. 2020-059 for Management and Operation of Mill Park Leisure and Whittlesea Swim Centre** **as a result of interruptions to business operations due to COVID-19 closures and restrictions during the extended COVID-19 lockdown period in 2021.**
3. **Approve an extension of the Contract No. 2020-141 for the Management and Operation of Thomastown Aquatic and Recreation Centre to have an end date of 30 June 2024, subject to receiving a revised budget (guaranteed and non-guaranteed) from Belgravia Leisure, via a report for endorsement by Council in early 2022.**
4. **Approve an extension of the Contract No. 2020-059 for the Management and Operation of Mill Park Leisure and Whittlesea Swim Centre to have an end date of 30 June 2024, subject to receiving a revised (guaranteed and non-guaranteed) from Belgravia Leisure, via a report for endorsement by Council in early 2022. The extension of Contract No. 2020-059 will also include a trial for the Whittlesea Swim Centre season which includes free entry for this facility** **and an evaluation process at the end of each season, subject to contractual agreement with Belgravia Leisure.**

**Brief Overview**

Both leisure centre contracts have been awarded to Belgravia Leisure and commenced on 1 November 2020 (Contract No. 2020-059, Mill Park Leisure and Whittlesea Swim Centre) and 1 July 2021 (Contract No. 2020-141, Thomastown Aquatic and Recreation Centre).

The contracts have been performed to a high level to date whilst the centres have been operational. A financial variation to these contracts is required due to interruption to business operations during COVID-19 closures and restrictions in 2021. A contract extension to 30 June 2024 is proposed for Mill Park and Thomastown leisure centres, as well as the Whittlesea Swim Centre. Contract extension options for both contracts are available within existing provisions to 30 June 2024. A notification of extension is required to be given by 1 January 2022.

**Key Information**

Belgravia Leisure (Belgravia) manage Council’s aquatic and leisure facilities under the following contracts:

* Contract number 2020-141 Management and Operation of Thomastown Recreation and Aquatic Centre (TRAC) - commenced 1 July 2021.
* Contract number 2020-059 Management and Operation of Mill Park Leisure and Whittlesea Swim Centre - commenced 1 November 2020.

Both contracts have both a guaranteed and a non-guaranteed financial performance threshold. While the non-guaranteed budget is the likely net performance and the working contract sum, the guaranteed sum is the ultimate contract sum and liability for both parties.

**Table One** below outlines the financial responsibilities of both parties in relation to the guaranteed and non-guaranteed sums.

|  |  |  |
| --- | --- | --- |
|  | **Contractor** | **Council** |
| Positive to non-guaranteed Sum | 50% | 50% |
| Sum between non-guaranteed and guaranteed |  | 100% |
| Negative to guaranteed sum | 100% |  |

**Table One: Financial responsibilities summary**

Although the Contractor is responsible for any negative variances to the guaranteed sum in normal operating circumstances, the following clause found in both contracts outlines Council’s obligations regarding disruption to normal operating circumstances:

*Council will give favourable consideration to variations based on financial impacts of a change to the opening date or any impacts upon operations during the opening. Additionally, Council will accept fair and reasonable variations as a consequence of COVID-19 restrictions and impacts on operations.*

Variation Claims  
Due to COVID-19 lockdowns both Mill Park Leisure and TRAC have been closed for 79% of the first four months of the year.

**Table Two** below shows the total number of closure days at both centres due to Lockdown 5 (15 July to 27 July 2021) and Lockdown 6 (5 August 2021 to 29 October 2021).

|  | **Open** | **Closed** | **Total** |
| --- | --- | --- | --- |
| **July** | 19 | 12 | 31 |
| **August** | 5 | 25 | 30 |
| **September** | 0 | 30 | 30 |
| **October** | 2 | 29 | 31 |
| **Total days** | **26** | **96** | **122** |

**Table two: Number of closure days due to lockdowns in 2021**

With the facilities closed and income restricted, Belgravia have been unable to meet the budgeted targets that will enable them to achieve either the guaranteed or non-guaranteed contract sums at year end.

Officers have worked closely with Belgravia to significantly reduce expenditure during closures, however a base level has been required to maintain the building in an operational state, pay utilities and support a minimal staff presence to perform pool plant maintenance and water testing as well as ensure security and safety checks are performed.

Prior to Lockdowns 5 and 6, and despite a delayed start to the opening of Mill Park Leisure, Belgravia were performing well above the contract targets, achieving 2910 members against a target of 1718 and 2022 learn to swim enrolments against a target of 889.

As such, Belgravia’s strong performance at Mill Park Leisure has ensured that high levels of income earned outside of lockdowns significantly offsets losses.

Belgravia have outlined that they are willing to apply income earned due to their enhanced performance to expenditure incurred due to lockdowns rather than claim any type of profit share, however, cannot carry the net losses.

Performance at TRAC has not been as strong as Mill Park Leisure due to a general decline of the business patronage prior to handover to Belgravia on 1 July 2021; as well as a lack of ability to build the business during closures. Belgravia will continue to focus on membership and enrolment growth at TRAC and their success at Mill Park Leisure provides some assurance of achieving this.

A detailed summary of the rational and breakdown of the requested variations is provided in the confidential attachment to this report (**Attachment One**).

Contract Extension  
The initial term of both contracts is currently scheduled to end on 30 June 2022.

Options exist to extend both contracts up to 30 June 2024. Extension of the contracts to 30 June 2024 is proposed due to the significant business disruption caused by COVID-19 limitations, and the operator’s subsequent lack of opportunity to develop and grow the business as planned.

The original intent of the short-term nature of both contracts was twofold:

* To align the end dates of each contract to facilitate combining all facilities under one contract in the longer term.
* To allow Mill Park Leisure to re-open and the business to establish to a level that would provide data to inform a longer-term tender.

The tender process for these current contracts identified Belgravia as the current industry leader in leisure facility management. With strong financial backing, Belgravia also represented the lowest financial risk to Council in the recovery from COVID-19.

Over the term of the current contracts, despite the delayed opening of Mill Park Leisure and COVID-19 limitations, Belgravia Leisure have proven their ability to operate the Centres to a high level and even exceed targets.

A two-year extension to the contracts is anticipated to allow Belgravia to grow and develop the businesses post COVID and provide quality data to inform the tender for a longer-term and combined contract to commence from 1 July 2025.

Officers will work with Belgravia to prepare a guaranteed and non-guaranteed budget for both contracts for the period 1 July 2021 to 30 June 2024 and will report back to Council for endorsement early in the new year.

Whittlesea Swim Centre Entry Fees

In response to the impacts of COVID-19 on our community, Council could consider fully subsidising entry fees at Whittlesea Swim Centre for the remainder of the 2021/22 season. A number of Councils across Victoria, including neighbouring Shires of Mitchell and Murrindindi, have made entry free at their outdoor pools in recent years. Free usage of Whittlesea Swim Centre would encourage broader community usage and assist local children in the practice of lifesaving swimming skills. Large scale leisure centre closures over the past two years have seen a general decrease in children’s aquatic competence leading to an increase in the risk of drowning incidents.

In addition, the Whittlesea Swim Centre is only available to the community on a seasonal basis compared to Council’s other aquatic facilities which are open year-round. During the off-season when the Whittlesea Swim Centre is closed, local community members need to travel further to access aquatic services.

Council currently subsidises the operation of Whittlesea Swim Centre by approximately $180,000 - $200,000 per annum. The average seasonal income from entry fees taken over the past 5 years is $52,955. A further contract variation to Belgravia Leisure for income loss will be monitored and negotiated. Officers are aware of examples from other Councils where the waiving of entry fees contributed to a rise in income from secondary spend and had less effect on the bottom line. It is anticipated that the Whittlesea Swim Centre component of contract number 2020-059 is relatively small; and therefore variation of the contract to allow free entry is not assessed to constitute a probity issue from a contractual perspective.

**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.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**Connected communities**We work to foster and inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported.

Leisure centres provide important opportunities for the community to be connected, active and supported to improve their health and wellbeing.

**Considerations**

**Environmental**

No implications.

**Social, Cultural and Health**

Belgravia Leisure are working to an endorsed Active Whittlesea Plan that outlines strategies and actions to address key social, cultural and health benefits as a key component of the contracts.

**Economic**

Belgravia Leisure employ over 100 local people which directly contributes to the local economy. The social value of aquatic and leisure facilities also contributes significant economic benefit to the community.

**Financial Implications**

Contract variations

Additional funding to support the variation of these contracts is sought as detailed in the confidential attachment (**Attachment One**).

Contract extensions

Officers will work with Belgravia to prepare a guaranteed and non-guaranteed budget for both contracts for the period 1 July 2021 to 30 June 2024, and will report back to Council for endorsement in the new year (no later than the third quarter of the 2021/22 financial year). Strong performance of the contractor to date shall be factored during guaranteed and non-guaranteed budget preparation discussions.

Preparation of an acceptable guaranteed and non-guaranteed budget for both contracts shall involve these arrangements being within Council’s endorsed long term financial plan. Free entry to the Whittlesea Swim Centre is not accounted for in the current endorsed long term financial plan.

Whittlesea Swim Centre entry fees

Council currently subsidises the operation of Whittlesea Swim Centre by approximately $180,000 - $200,000 per annum. The average seasonal income from entry fees taken over the past 5 years is $52,955. A further contract variation to Belgravia Leisure for income loss will be monitored and negotiated and assessed as part of an annual evaluation.

**Link to Strategic Risk**

**Strategic Risk**

*Service Delivery - Inability to plan for and provide critical community services and infrastructure impacting on community wellbeing*

*Contractor Management - Failure to manage contractors to deliver agreed outcomes*

Leisure centres provide essential opportunities for the community to participate in activities for the benefit of their physical and mental wellbeing. By supporting Belgravia through this difficult operating environment, we are maintaining a strong partnership and ensuring that the centres are accessible, relevant and operating to a high standard.

**Implementation Strategy**

**Communication**

Formal contract variation and extension documentation will be completed and executed in due course.

Officers will work with Belgravia to communicate the extension to customers and residents once finalised.

**Critical Dates**

The contracts commenced on 1 November 2020 (Contract No. 2020-059) and 1 July 2021 (Contract No. 2020-141) and the current approved end date for both is 30 June 2022.

Options exist to extend the contracts up to 30 June 2024. Under the current contracts, Council is required to provide a notification of extension to the contractor by 1 January 2022.

The 2021/2022 season for the Whittlesea Swim Centre is 1 November 2021 to 31 March 2022.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

Variations and extension of the following contracts is sought in accordance with the contract’s terms and conditions and Councils’ applicable policy and procedures for:

* Contract No. 2020-141 Management and Operation of Thomastown Recreation and Aquatic Centre (TRAC)
* Contract No. 2020-059 Management and Operation of Mill Park Leisure and Whittlesea Swim Centre (including introduction of free entry for the Whittlesea Swim Centre).

A report will be presented to Council for endorsement early in 2022 which outlines a guaranteed and non-guaranteed budget for both contracts for the period 1 July 2021 to 30 June 2024.

5.1.4 Complaints Policy

**5.1.4 Complaints Policy**

**Responsible Officer** Acting Director Corporate Services

**Officer** Senior Customer Service Advisor

**Attachments**

1. Complaints Policy [**5.1.4.1** - 7 pages]

**Proposal**

Following review and engagement with our community, Council’s updated Complaints Policy is presented to Council for adoption.

**Recommendation**

**That Council adopt the Complaints Policy (Attachment 1) to align to requirements of the *Local Government Act 2020* and recommendations from the Victorian Ombudsman.**

**Brief Overview**

Council’s Complaints ines our commitment to being accessible and responsive to determining the outcome of complaints quickly and creating a culture that encourages feedback.

The adoption of Council’s Complaints Policy is also a requirement of the *Local Government Act 2020* and is required to be adopted by 31 December 2021.

**Key Information**

Council provides an extensive range of services to our community. We value our customers and are committed to providing a high standard of service and ensuring consistency in service delivery.

If our service falls short, or we make a mistake, we encourage our customers to contact us directly so we can resolve the issue promptly. We regard complaints as an opportunity to improve our practices and procedures.

Council’s Complaints Policy aims to put in place an open and transparent customer complaint handling system to ensure complaints are handled fairly and objectively. The Policy has been updated to reflect the latest recommendations from the Victorian Ombudsman’s “Councils and complaints – A good practice guide” 2nd edition.

**Community Consultation and Engagement**

Community consultation was undertaken for a five-week period commencing 20 October 2021 via the following channels:

|  |  |
| --- | --- |
| **Channel** | **Approach/use** |
| Media | Media release issued to local papers |
| Website | News item  Hive – policy and submission form included |
| Social media | Social media post explaining opportunity to contribute. |
| Direct mail | To regular complainants as appropriate |
| Print advertising | Included in local media advertising |

In total there were two submissions received in consultation that related specifically to the Complaints Policy.

The two submissions received were focused on the importance of a process for following through and resolving complaints, whilst another highlighted social media as a more accessible way to lodge a complaint. Both were noted.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**High performing organisation**  
We engage effectively with the community, deliver efficient and effective services and initiatives, make decision in the best interest of our community and deliver value to our community.

Community consultation and engagement carried out provided an opportunity for the community to provide feedback on Council’s draft Complaints Policy.

**Considerations**

**Environmental**

No implications

**Social, Cultural and Health**

An effective complaints policy helps develop a safe and inclusive community and promotes respect for diverse values, abilities, beliefs, cultural practices and ways of living.

**Economic**

The aim of this Policy is to ensure complaints are dealt with in a timely and consistent manner. The community will have access to the Complaints Policy via the City of Whittlesea website where they can learn what to expect should they need to lodge a complaint.

Community education should help the objective to deal with complaints efficiently and effectively.

**Financial Implications**

No implications

**Link to Strategic Risk**

*Community and Stakeholder Engagement - Ineffective stakeholder engagement resulting in compromised community outcomes and/or non-achievement of Council's strategic direction*

A robust complaint handling framework enables effective and consistent management of complaints and provides data to inform service refinements and improvements.

Council’s Complaints Policy is our commitment to being accessible and responsive to determining the outcome of complaints quickly and creating a culture that encourages feedback.

**Implementation Strategy**

**Communication**

Once endorsed, the Complaints Policy will be uploaded to the City of Whittlesea website. It will replace the current Complaints Policy.

**Critical Dates**

* Community consultation was undertaken between 20 October and 24 November 2021.
* Under the *Local Government Act 2020* the Complaints Policy must be adopted by Council before 31 December 2021.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

Council’s Complaints Policy takes into consideration Council’s legislative obligations and aims to put in place an open and transparent customer complaint handling system to ensure complaints are handled fairly and objectively.

5.1.5 Proposal to lease 1F Ashline Street Wollert for affordable housing

**5.1.5 Proposal to lease 1F Ashline Street Wollert for affordable housing**

**Responsible Officer** Director Planning & Development

**Officer** Social Policy and Planning Officer

**Attachments** Nil

**Proposal**

Conduct further community engagement on the *Local Homes for Local People* proposal to lease 1F Ashline Street, Wollert, for affordable housing, to enable the community and stakeholders to be involved in discussions about this proposal and provide feedback.

**Recommendation**

**That Council:**

1. **Conduct further community engagement on the proposal to lease 1F Ashline Street, Wollert, for affordable housing, in accordance with Council’s Community Engagement Policy 2021.**
2. **Invite community members that responded to the first phase of consultation, to take part in community engagement activities in 2022.**
3. **Present the outcomes of the community engagement process at a subsequent Council meeting in 2022 to inform the consideration of leasing 1F Ashline Street, Wollert, for the purpose of delivering Affordable Housing.**

**Brief Overview**

As part of considering the lease of 1F Ashline Street, Wollert for affordable housing, consultation with the community, local service providers and other key stakeholders, was conducted between September and October 2021. A large volume of feedback was raised throughout the consultation process. The main themes from the consultation feedback to date are summarised in this report. Due to the COVID-19 pandemic lockdown requirements, Council was unable to undertake additional community engagement activities in response to these matters. Community members and stakeholders provided feedback that the consultation should be extended to allow for further information and additional opportunities to provide input.

It is recommended that to appropriately respond to community feedback and ensure the consultation findings are representative of the community and key stakeholders, further community engagement be undertaken in 2022.

Community members will be invited to participate in discussions about this proposal and provide feedback.

Following further community engagement, the consultation outcomes will be presented at a future Council meeting to inform the consideration of leasing 1F Ashline Street, Wollert, for the purpose of delivering affordable housing.

**Key Information**

There is an opportunity for Council to make a meaningful contribution to increasing affordable housing in Wollert through a long-term lease arrangement with a community housing organisation.

At its meeting on 6 September 2021, Council resolved to:

1. Consider the lease of 1F Ashline Street, Wollert, in accordance with Section 115

of the Local Government Act 2020, to a community housing organisation for the

purpose of delivering affordable housing.

1. Commence a process of community engagement on the proposal to lease 1F

Ashline Street, Wollert, in accordance with Council’s Community Engagement

Policy 2021.

1. Present the outcomes of the community engagement process at the December

2021 Council meeting to inform the consideration of leasing 1F Ashline Street,

Wollert, to deliver affordable housing.

These recommendations were adopted in response to current evidence and extensive community feedback that there is a significant shortfall in affordable housing across the municipality.

There are currently around 3,800 households (4.8%) with an unmet need for affordable housing in the City of Whittlesea. This gap will continue to increase with the growing population. Only 0.3% of rental properties were affordable for very low-income households in 2020. In the Epping North/Wollert Area, there were no (0.0%) rental properties available for very low-income households over this period. The rate of affordable housing provision in Wollert is far lower than average (0.7% of households, compared with 2.6% for Greater Melbourne).[[1]](#footnote-1)

**Site Overview - 1F Ashline Street, Wollert**

* Vacant 5,000 m2 serviced parcel
* Zoned General Residential 1
* There is no significant vegetation on the site
* Surrounded by residential development and located opposite the new Wollert East P-12 school

**Key considerations**

* The proximity to Wollert East Primary School offers an ideal opportunity for the location of affordable housing. The tenant cohort selected for this housing is likely to include households who would most benefit from living near the school, for example, families with school-aged children. The school is categorised as an ‘inclusive school’, meaning it has extra provisions to cater for students with disabilities and additional needs.
* The planning provisions for the site allows for buildings of up to three storeys (approx. 11m). In keeping with the residential built form of the area, the development would primarily be one or two-storey dwellings on the two residential streets, with the possibility of using some of the land for three-storey housing on Highpark Drive facing the school.
* As the site was vested to Council as part of a development contribution, it is recommended the land be leased, not sold.
* The site was initially set aside for a community facility. The community facility has since been relocated and is under construction on the adjoining Wollert East school site. The land has become available for alternate community use, such as affordable housing.
* The site is a single title, and no further subdivision would be required as part of a leasehold development.

**Community Consultation and Engagement**

Consultation with the community, local service providers and other key stakeholders was conducted between September and October 2021 on the proposal to lease 1F Ashline Street, Wollert, for affordable housing. This included direct correspondence to surrounding residents and property owners, an online community information session, and the opportunity for community and stakeholders to participate in a consultation survey. Information about the proposal and the community engagement activities were promoted via Council’s communication channels and on Council’s community engagement website.

A large volume of feedback was raised during the consultation. Due to the COVID-19 pandemic lockdown requirements, Council was unable to undertake additional community engagement activities in response to this feedback and concerns, particularly as face-to-face consultation was not allowed under COVID-19 restrictions. Community members and stakeholders provided feedback that the consultation should be extended to allow for further information and additional opportunities to provide input.

To appropriately respond to community feedback and ensure the consultation findings are representative of the Wollert community and key stakeholders, it is recommended that further community engagement be undertaken in 2022 to enable the community to participate in discussions about this proposal and provide feedback.

Opportunities for the community and key stakeholders to participate in this engagement process will be promoted in early 2022 via Council’s communication channels.

Following further community engagement, the detailed outcomes of the community consultation will be presented to a subsequent Council meeting to inform the consideration of leasing this property for affordable housing.

**Community feedback to date**

The main themes from the consultation feedback to date are summarised below. Additional community engagement would further explore and respond to these matters to inform the recommendations presented to Council.

**The significant need for affordable housing in this area**

Respondents reported that there is a significant need for high-quality affordable housing in this area and more broadly in the municipality due to high rental costs, rising house prices and the long waiting list for social housing. This included support for the provision of affordable housing in addressing a human right to have safe, appropriate and accessible housing. The impact of the pandemic on housing security and was raised as a significant issue and re-enforcing the need for affordable housing options.

Respondents highlighted the need for affordable housing for families, particularly those with a single income, women and children from the area who are escaping family violence, older women and Aboriginal and Torres Strait Islander Peoples.

Local housing service providers who responded to the survey emphasised the significant need for more affordable housing in Wollert and provided commentary that good quality affordable housing results in families having an improved life, contributing to their community, improved outcomes for the children and society as a whole. These respondents highlighted that more affordable housing is critical for addressing homelessness in this community.

In contrast, some respondents questioned the need for affordable housing in this area and suggested that it should be located in other suburbs.

**Suitability of this site for affordable housing**

There was contrasting commentary about the suitability of this property for affordable housing in terms of its proximity to schools, transport and services. Many respondents questioned the suitability while a small number of respondents support the use of this site due to its location. Local service providers stated that the proximity to a school, services and transport would reduce barriers for residents of the housing and that the site is well located to address local affordable housing needs.

**Size and design of the housing**

The impact of developing the site for housing particularly the size and design of any future building. Respondents expressed concerns about three-storey dwellings and the impact of higher density housing in the area, given the surrounding neighbourhood is predominantly one and two-storeys. The option to provide a mix of private and affordable housing on this site was raised. The need to maintain the existing neighbourhood character and aesthetic was important to many respondents.

Respondents expressed that affordable housing should be high-quality, well integrated into the neighbourhood and lower density, to prevent stigmatisation of future residents.

**Car parking and traffic**

The need for adequate car parking for the housing has been raised. There is concern that the housing would increase the traffic in the area, particularly given the impact of additional traffic when the Wollert East Primary School is open.

**Impact on the value of surrounding properties**

Respondents reported significant concerns that the housing would devalue the surrounding properties in the area due to the perception that housing would not fit the current aesthetic, the impact of public perception of affordable housing developments including the people who would live there and the tenancy management.

**Crime and anti-social behaviour**

Respondents reported concerns that the people who would live in the housing may increase crime, anti-social behaviour and threaten the safety of residents.

**Changing the proposed use of the site from a community facility to housing**

The rationale for changing the proposed use of this site from a community centre was questioned and respondents expressed opposition to the change in use from the initial plan for this property.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**Connected communities**We work to foster an inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported

Whittlesea 2040: *A place for all* reflects the long-term vision for the City of Whittlesea and highlights both the community’s aspirations for a range of housing types and the Council’s commitment to delivering housing for diverse needs. The Community Plan 2021-2025 includes a key initiative to *‘Deliver more affordable and accessible homes in the municipality’*, under Goal 2: *Liveable neighbourhoods.* This proposal is an opportunity for Council to deliver on this key initiative by facilitating new affordable housing on suitable Council-land.

This proposal responds to the Council’s commitment under the City of Whittlesea *Social and Affordable Housing Policy 2012*, which states that Council *‘actively encourages and facilitates the provision of affordable, accessible and appropriate housing for very low, low and moderate income households across the municipality.*’ Key action areas for Council identified in the Policy are to increase the supply of social and affordable housing.

The Policy includes six key areas for Council action:

* Plan for social and affordable housing
* Increase the supply of social housing
* Increase affordable private rental housing for low income households
* Increase the access to affordable house purchase for moderate income households
* Develop housing that matches the needs of the diverse population
* Address the needs of people faced with a housing crisis

The Policy recognises that *‘every person has a right to affordable, adequate and appropriate housing to enable their participation and sense of belonging in community life.’*

The Whittlesea Planning Scheme, which implements the existing Policy, states: *“Council aims to achieve the inclusion of 5% social housing and 10% affordable housing in the structure planning of any established or greenfield housing development.”*

Council’s efforts in facilitating social and affordable housing are underpinned by a human rights framework and local government’s obligations under the *Victorian Charter of Human Rights and Responsibilities Act 2006*, reflecting that the provision of adequate housing is an essential human need and right.

The key documents that intersect with Council’s SAH Policy are:

|  |  |
| --- | --- |
| Whittlesea 2040 Vision: *A place for all*  Community Plan 2021 - 2025  Council Plan Update 2017 – 2021  Community Building Policy and Strategy  Housing Diversity Strategy 2013-33  Whittlesea Planning Scheme and (WPS) Municipal Strategic Statement (MMS) | Health & Wellbeing Partnership Plan 2017-21  Municipal Pandemic Readiness and Recovery Plan  Disability Action Plan 2017 – 2021  Stretch Reconciliation Action Plan 2017-20  Positive Ageing Strategy 2016 -2025 |
|
|

**Considerations**

**Environmental**

There are no environmental considerations for the proposal to conduct further community engagement.

The site at 1F Ashline Street, Wollert, is currently vacant and zoned for residential purposes. If the Council decides to lease the land for affordable housing, plans for the proposed housing would be prepared in partnership with a community housing organisation. The plans will be required to comply with relevant planning scheme requirements which will ensure the design is suitable within the built environment and addresses potential amenity impacts on surrounding residents. The plans will also be required to meet relevant Environmental Sustainable Design requirements.

**Social, Cultural and Health**

Affordable, safe and appropriate housing is critical to health, wellbeing and social and economic security. Within Australia, and overseas there is research that demonstrates the positive benefits of long-term, safe, and secure affordable housing. The benefit is to the tenant, to the community, and to the economy measured through reduced demand on health services and greater participation in education and the workforce. [[2]](#footnote-2)

Affordable housing is an essential part of the housing system in Australia. It provides housing for vulnerable people, as well as key workers with low and moderate incomes, whose jobs are essential to the functioning and liveability of the municipality, including childcare, health care and aged care workers, hospitality and retail staff, service industry staff and delivery personnel.

Many people from the City of Whittlesea, including the Epping North-Wollert area, cannot find housing in the private market, and the current provision of affordable housing does not meet demand.

Evidence shows that housing affordability is a significant issue for residents, with many households on lower incomes unable to afford rental properties and high proportions of households experiencing housing stress. For example, in the City of Whittlesea:

* One third of households renting are experiencing housing stress (33.8%). For people with low and very low incomes, this rate is much higher (69% and 90%, respectively).
* 22.8% of households are classified as having very low incomes.
* Only 0.3% of rental properties were affordable for very low-income households in the 12 months to Dec 2020.
* Overall, 16% of households experience housing stress which impacts people’s health and wellbeing and diminishes the local economy. 1

The lease of property at 1F Ashline Street, Wollert, to a community housing organisation would deliver additional affordable housing dwellings in Wollert, which currently has no affordable rentals for households with very low incomes and significantly lower than average access to affordable housing (0.7% of households, compared with 2.6% for Greater Melbourne). Additional affordable housing will deliver a significant community benefit and address a critical undersupply by providing local homes for local people.

If the Council decides to lease the land, Council would work closely with the community housing organisation to ensure the development and ongoing management of the housing is a success for existing and new residents, and there is a planned approach to community development that seeks to build positive community connections between the people living in the housing and the surrounding neighbourhood.

**Economic**

Research from Australia shows there are *‘economic and social costs in unmet housing need, with these accruing at individual household and community levels. Social and affordable housing generally improves social and economic outcomes for its beneficiaries, including in the domains of social inclusion, education and skills, employment, health and mental health, safety and security, and empowerment. Securely housing people who are homeless or at risk of homelessness produces whole-of-government cost savings, especially in the areas of health and justice.*’ [[3]](#footnote-3)

The economic impacts of a particular housing development on this site would depend on a range of factors, such as the type of housing provided and the housing service model.

**Financial Implications**

Existing resources will be used to conduct further community engagement activities.

**Link to Strategic Risk**

**Strategic Risk** *Not linked to the risks within the Strategic Risk Register*

Under the adopted City of Whittlesea *Social and Affordable Housing Policy 2012*, the Council recognises that access to affordable and appropriate housing is a human right and a basic need. The provision of social and affordable housing and related support services are therefore considered critical community infrastructure and services. Council has legislated responsibilities for housing-related matters under the *Local Government Act 2020* and *Planning and Environment Act (1987),* such as land-use planning, social and physical infrastructure planning and development, building controls, community consultation and engagement, and advocacy.

This proposal responds to recent community consultation findings that show there is a significant need for affordable housing and housing services in the municipality.

The process of community engagement is summarised under the consultation section of this report. Through the consultation to date, a large volume of feedback was raised. Due to the COVID-19 pandemic lockdown requirements, officers were unable to provide an appropriate level of engagement on this proposal. It is recommended that further community engagement be conducted in 2022, aligned with Council’s commitments under the *Community Engagement Policy 2021*.

**Implementation Strategy**

**Communication**

Opportunities for the community and key stakeholders to participate in this engagement process will be promoted in early 2022 via Council’s communication channels, including on the project website. Direct correspondence will be sent to surrounding residents and property owners, and the project mailing list.

**Critical Dates**

* Conduct further community engagement activities in 2022.
* Present the outcomes of the community engagement process to a future meeting in 2022, to inform the consideration of leasing 1F Ashline Street, Wollert, to deliver affordable housing.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act, 2020* and Rule 47 of the Governance Rules 2021, officers providing advice to the 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.

**Conclusion**

A large volume of feedback was raised during the consultation for this proposal. Due to the COVID-19 pandemic lockdown requirements, Council was unable to undertake additional community engagement activities in response to this feedback. Community members and stakeholders provided feedback that the consultation should be extended to allow for further information and additional opportunities to provide input. In order to appropriately respond to community feedback and ensure the consultation findings are representative of the Wollert community, it is recommended that further community engagement be undertaken in 2022.

Opportunities for the community and key stakeholders to participate in this engagement process will be promoted in early 2022. This will include opportunities for community members who were part of the first phase of consultation to participate in further discussions and provide feedback.

Following further community engagement, the detailed consultation outcomes will be presented at a future Council meeting to inform the consideration of leasing 1F Ashline Street, Wollert, for the purpose of delivering affordable housing.

5.1.6 Maternal and Child Health Sector Advocacy

**5.1.6 Maternal and Child Health Sector Advocacy**

**Responsible Officer** Director Community Wellbeing

**Officer** Manager Children & Families

**Attachments**

1. Interface Councils Draft MCH Advocacy Paper FINAL 24 November 2021 [**5.1.6.1** - 8 pages]

**Proposal**

The Interface Councils Group has undertaken research to document pressures experienced by the Maternal and Child Health (MCH) services. The process has also identified opportunities and practical initiatives to improve outcomes for MCH services, particularly in municipalities experiencing considerable population growth.

It is proposed that Council endorses a suite of advocacy ‘asks’ to address issues relating to the funding and provision of MCH services as a ‘Tier 2 - Ongoing Advocacy Priority’ within Council’s operational advocacy framework.

**Recommendation**

**That Council:**

1. **Endorse the draft Interface Councils Maternal and Child Health Issues Paper, November 2021 (Attachment One)**
2. **Endorse the advocacy ‘asks’ outlined in the draft Interface Councils Maternal and Child Health Issues Paper, November 2021 (Attachment One, and Table Two of this report) as part of Council’s advocacy program.**
3. **Note the Municipal Association of Victoria’s Maternal and Child Health service advocacy priorities (Table three of this report).**
4. **Note Department of Health and the Municipal Association of Victoria have committed to review of the Key Age and Stage Framework, with the review timeframes yet to be released.**

**Brief Overview**

The Interface Councils group have commissioned a draft *Interface Councils Maternal and Child Health Issues Paper*, *November 2021* (Issues Paper, **Attachment One**) outlining current Maternal and Child Health (MCH) sector challenges. The Issues Paper includes a suite of practical initiatives that would assist with planning and delivery of the service. These issues are summarised in **Table One** below and also form the basis of suggested collective advocacy initiatives (summarised in **Table Two**) to be pursued by The Agenda Group on behalf of, and with, the Interface Councils group.

The Agenda Group are a consultancy engaged by the Interface Councils to support and progress agreed advocacy issues with federal and state government.

**Key Information**

**Background**

***Maternal and Child Health (MCH) services in the City of Whittlesea***

The MCH service is jointly funded by local governments and the Department of Health (DH) through a Memorandum of Understanding (MOU). The MOU outlines the partnership arrangements for Victorian MCH service planning, funding, and provision.

The Maternal and Child Health service in the City of Whittlesea provides a vital service to over 21,000 parents and children per year. As a growth area and a municipality with strong diversity, the scale and scope of this service is broad. The following service statistics demonstrate the breadth and volume of this service and relate to the service delivered between June 2020 and July 2021:

∙             3,111 new babies were born in the municipality

∙             21,140 children aged 0-6 years were enrolled in the MCH service

∙             1195 people became parents for the first time

∙             324 Aboriginal children (50 babies were enrolled in the service)

∙             24,007 Key Age and Stage visits were delivered

∙             Over 70 staff at 51.34 EFT deliver and support the MCH service.

***Emerging Issues***

In response to a multitude of recent pressures and challenges experienced in the MCH service, the Interface Councils group has commissioned the development of an Issues Paper that outlines the sector challenges. This Issues Paper represents the experiences of the Interface Councils being the Cities of Whittlesea, Melton, Hume, Cardinia, Mornington Peninsula, Nillumbik, Wyndham, Casey, Mitchell and Yarra Ranges. This Paper is intended to be used to inform advocacy activities undertaken by The Agenda Group on behalf of, and with the Interface Councils group.

The Issues Paper outlines the stressors reported across all Interface Councils, and are grouped into 6 primary themes which are summarised in **Table One** below.

| **Key issue** | **Description** |
| --- | --- |
| ***Shortages in the MCH workforce*** | * Shortages in the availability of qualified Maternal and Child Health nurses given competing EBA conditions across Councils and with the hospital sector, and the redeployment of nurses to support COVID responses. * Demographic challenges of the existing workforce, including peaks at each end of the age spectrum leading to both an ageing and retiring workforce and a workforce with high levels of maternity leave uptake. * Fatigue from the ongoing adjustments to the mode of delivery in response to COVID restrictions and increased sick leave in response to COVID-like symptoms or attending exposure sites. |
| ***Key Age and Stage Framework (KAS)*** | * The current allocation of 6.75 hours per child has not increased within the past 10 years and is not reflective of the current complexities of families and scope creep in the KAS appointments. * Additional demands have been placed on KAS Framework such as Autism Spectrum Disorder (ASD) assessments, psychosocial assessment at 4 weeks, Nutrition and development program, breastfeeding clinics, which are not matched by additional funding. * The expansion of issues and problems MCH staff are required to assess and respond to per consultation now includes incidence of family violence, mental health problems and financial burdens, equating to additional information gathering and reporting within a KAS consultation. * The Department of Health has committed to undertaking a review of the KAS framework alongside the Municipal Association of Victoria (MAV). The review timeframe has not been released. |
| ***Gaps in funding across the entirety of the MCH model*** | * The Enhanced MCH program, which works with vulnerable families, is only funded to provide service until a child is 3 years of age, leaving a gap in support for children over 3 years of age * Reliance on the MCH program to bridge the gaps where there are long waitlists for targeted supports such as mental health, family support, family violence, OT, speech therapy. These needs are more pronounced in growth areas where these services are not well established. * A lack of funding built into the management, administrative and clinical support of the program adding pressure to the high-quality leadership of the service. * A lack of funding for IT infrastructure such as for laptops and devices. * Lack of capital funding to upgrade and expand MCH facilities. |
| ***Child Development Information System (CDIS)*** | * The Child Development Information System (CDIS) database is the state-wide service client record system. * There are challenges within the existing CDIS system to generate critical reports, assess family/ client need and disengagement and to provide useable data to inform service review and improvement. Some of these include: a high level of manual functions; and absence of customer focused add-ons such as online appointment booking functions. |
| ***Population growth across the growth area councils*** | * Increases in births compounds the already strained service and has resulted in increased waiting lists for MCH services as well as support services. |
| ***COVID impacts*** | * A significant increase in the numbers of families experiencing significant vulnerabilities and requiring more support from the service than previous years. * A backlog of appointments due to the prioritisation of younger babies during COVID, meaning children over 2 years of age were not seen nor developmental issues identified early. |

**Table One: Key issues summary**

***Interface Councils Advocacy***

The Issues Paper identified a number of advocacy focus areas (or ‘asks’) reflecting the key issues described above. It is proposed that a detailed advocacy plan calling for service model improvements be developed by The Agenda Group to raise with the Victorian Government. Advocacy asks are summarised **Table Two** below. The items of paramount importance (i.e. those which are seen to most effectively address the current stressors), in the City of Whittlesea are the:

* Review of the workforce challenges and development of a workforce strategy
* Review of the KAS framework
* Development of a new IT infrastructure system, and
* Release of the funding boost to cover the backlog of cases resultant from COVID.

|  |  |  |
| --- | --- | --- |
| **CoW identified**  **Priority** | **Advocacy focus areas**  **(‘asks’)** | **Description** |
|  | ***MCH workforce*** | * An urgent review of the MCH workforce to develop a workforce strategy |
|  | ***New IT infrastructure system*** | * Further funding for a new IT infrastructure system, to replace the outdated CDIS database |
|  | ***KAS framework*** | * A review of the KAS framework in light of the expanding list of programs and issues that are now included in a consultation |
|  | ***Infrastructure funding*** | * Specific funding for the delivery of MCH infrastructure, aligned to the delivery of kindergarten * The inclusion of MCH consulting rooms in all Kindergarten on School Site projects |
|  | ***Addressing the longer-term impact of COVID*** | * An immediate funding boost to cover the backlog of cases resultant from COVID\*. (\*Note: *Council were notified in September 2021 of additional funding for this purpose, as of November 2021 advice on the quantum or timing of the release of these funds has not been received)* * A recruitment drive (or fast track MCH training programs) of trained nurses to address immediate workforce pressures. * A funded scholarship program * Consideration of funding professionals with different qualifications to work in the service to address workforce shortages. |
|  | ***Targeted programs for children and families with additional needs*** | * Additional funding for targeted programsfor children and families identified through general KAS consultations in need of extra support from other health and wellbeing services (mental health, family support, family violence, speech therapy, NDIS) |
|  | ***A revised funding model*** | * Future funding allocations consider population growth projections, as opposed to historical demand for MCH services |

**Table 2: Advocacy ‘asks’ summary**

***MAV Advocacy***

An improved MCH operating model is also an advocacy priority for the MAV, with their focus over the past 12 months being around issues with a State-wide (and mostly pandemic related) lens and are summarised in **Table Three** below.

|  |  |
| --- | --- |
| **MAV Advocacy priorities over past 12 months** | **MAV advocacy priorities for 2022** |
| * COVID response issues * Service demand and workforce pressures * MOU renegotiation * CDIS implementation and education. | * Review of the MCH framework * Development of MCH specific clinical guidelines * Continuity of care in relation to communication and discharge summaries * MCH leadership support resources. |

**Table 3: MAV Advocacy priority issues for MCH services**

***Relationship to Council advocacy***

Council’s July 2021 considered an advocacy framework summarised in **Figure One** on the next page.



**Figure 1: City of Whittlesea operational advocacy tiers**

The Issues Paper challenges and advocacy ‘asks’ align to Council’s advocacy framework as a ‘tier 2 priority’ within this framework. These priorities represent the challenges unique to growth area Councils and a tailored advocacy approach to the needs in these municipalities, which is required in addition to the MAV State-wide advocacy approach.

It is recommended that Council endorse the inclusion of this advocacy position to be integrated into existing advocacy activities and discussions with local MPs and relevant Ministers. In addition, it is proposed that Council works with the Interface Councils group who will lead the advocacy coordination on this item across all Interface Councils.

**Community Consultation and Engagement**

The development of this report has been informed by the following consultation and engagement activities:

* **External:**
  + The Interface Councils’ CEO and Human Services Directors Working Groups
  + Inclusion on the ongoing agenda for the Community services advocacy working group
* **Internal:** 
  + Engagement with Council’s Maternal and Child Health team
  + Engagement with Council’s Senior Advocacy Advisor.

Following endorsement, Council will take a two-pronged approach to this item:

* Work through the Interface Councils Group to lead the collective interface advocacy activities in this space,
* Develop an advocacy plan to undertake localised activities and leverage localised discussions on this item.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**Connected communities**

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

Identifying and advocating for sector improvements in the MCH program supports the development of a healthy community to have access to a locally responsive, accessible and high-quality service.

**Considerations**

**Environmental**

There are no significant environmental considerations related to this report.

**Social, Cultural and Health**

Undertaking advocacy to address the sector challenges and make improvements to the MCH program model will support positive social and health outcomes for recipients of this service.

**Economic**

Long term economic impacts are derived from a positive start in life. Improvements to the MCH program that allow adequate resourcing to support positive health outcomes, well-position children for the best start in life.

**Financial Implications**

Advocacy activities occur within existing operational staff budgets, and as part of the Interface Councils Group, of which Council is a member. SOCOM is the secretariat of this group, and Council contributes $37,000 per annum for membership to this group. Contributions from each member Council resources SOCOM to undertake various activities on behalf of this group, such as election and advocacy campaigns, convening working groups and social media and communications work. SOCOM and The Agenda Group have recently merged, and this work is now occurring under the banner of ‘The Agenda Group’.

The Memorandum of Understanding between the Victorian Government and MAV on behalf of Local Government outlines the funding model for the Maternal and Child Health service. The model is primarily delivered through the Universal and Enhanced program streams. The Universal program is jointly funded by the Victorian Government and local government and is intended to be funded equally by each party. The enhanced model is funded by the Victorian government and funding has increased over the past several years to make this service fully funded.

Whilst the funding model is intended to be as outlined above, in practice, the increase in costs of delivering the service such as staff salaries is growing at a faster rate than the funding is increasing, leading to Council bearing the additional costs.

**Link to Strategic Risk**

Community and Stakeholder Engagement - Ineffective stakeholder engagement resulting in compromised community outcomes and/or non-achievement of Councils strategic direction*.*

Ineffective engagement with stakeholders such as funding bodies (Victorian Government Department of Health) to inform of current service sector challenges and advocate for improvement and change could result in compromised community outcomes as the Maternal Child Health program struggles to overcome the challenges and pressure points outlined in this report.

**Implementation Strategy**

**Communication**

Endorsement of this advocacy position will inform upcoming discussions with local MPs and relevant Ministers and to incorporate this matter into pre-budget discussions in December 2021 and January 2022.

**Critical Dates**

Further detail on the timeframes and description of advocacy activities are expected from The Agenda Group in the near future (and will be communicated with Council as soon as available).

In addition, the dates below outline the existing advocacy timeframes for Council’s current advocacy priorities, this matter will be included into these discussions:

* **November 2021- Jan/February 2022** - Meetings with MP and relevant Ministers
* **December 2021/January 2022** - Pre-budget submissions
* **December 2021-April 2022** - Inform and engage community.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

The MCH Service is a free universal primary health service for all Victorian families with children from birth to school age. The service is provided through a partnership model with the aim to promote and optimise health, wellbeing, safety, development and learning outcomes for children and their families. The current sector challenges and pressures require immediate attention from the Victorian government to ensure the program continues to respond to the ever-evolving needs of community, particularly in a time where this service provides critical care in the rebuilding of community post pandemic. Council will continue operational measures to address the current challenges and is working with the Interface Councils Group to address more systemic issues.

**5.2 Livable Neighbourhoods**

5.2.1 Tender evaluation - 2021-12: Supply of Roadside Hazard Protection Works

**5.2.1 Tender evaluation - 2021-12: Supply of Roadside Hazard Protection Works**

**Responsible Officer** Director Infrastructure & Environment

**Officer** Project Manager

**Attachments** **1. Confidential Attachment**

1. CONFIDENTIAL REDACTED - 2021-12 Tender Evaluation Summary [**5.2.1.1** - 10 pages]

This attachment has been designated as confidential by the Director Infrastructure & Environment, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and 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.

In particular, the attachment contains tender amounts submitted by tenderers and tender evaluation scoring prepared by Council officers. It also contains details of credit and reference checks about the tenderers provided to Council in confidence. The release of this information could reasonably be expected to prejudice the commercial position of the persons who supplied the information or to confer a commercial advantage on a third party.

**Proposal**

It is recommended that contract number 2021-12 for Supply of Roadside Hazard Protection Works:

* is awarded to Barrier Designs;
* for the tendered schedule of rates with total expenditure limited to $2,500,000 (excluding GST); and
* for a term from 1/1/2022 to 31/12/2024 with extension options to 31/12/2026.

**Recommendation**

**That Council:**

1. **Accept the tender submitted by Barrier Designs for the schedule of rates detailed in the confidential attachment for the following contract:**

**Number:** **2021-12**

**Title:** **Supply of Roadside Hazard Protection Works**

**Term:** **1/1/2022 to 31/12/2024**

**Options:** **Term extensions up to 31/12/2026 (only to be exercised if**  **separately approved by Council)**

**Value:** **Total expenditure is limited to a maximum of $2,500,000 (excluding**   
 **GST), unless otherwise approved by Council**

**subject to the following conditions:**

* 1. **Tenderer to provide proof of currency of insurance cover as required in the tender documents.**
  2. **Price variations to be in accordance with the provisions as set out in the tender documents.**

1. **Approve the funding arrangements detailed in the confidential attachment.**

**Brief Overview**

The tender evaluation panel advises that:

* 5 tenders were received; and
* the recommended tender was the highest ranked and is considered best value.

**Key Information**

**Background**

The purpose of this contract is to engage a contractor to undertake the installation, maintenance and asset recording of roadside hazard barriers along roadsides in high-risk settings within the City of Whittlesea.

Tenders for the contract closed on 21 September 2021. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**Evaluation**

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

A Tender Probity & Evaluation Plan was designed specifically for this tender process, and it was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

|  |  |
| --- | --- |
| **Criteria** | **Weighting** |
| Price | 60% |
| Capability | 20% |
| Capacity | 15% |
| Impact | 5% |

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. Tender 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 outcome are detailed in the confidential attachment.

The evaluation outcome was as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Tenderer** | **Conforming** | **Competitive** | **Score** | **Rank** |
| Tenderer A  Barrier Designs | Yes | Yes | 94.8 | 1 |
| Tenderer B | Yes | Yes | 76.2 | 2 |
| Tenderer C | No | Yes | NA | - |
| Tenderer D | Yes | No | NA | - |
| Tenderer E | Yes | No | NA | - |

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

**Community Consultation and Engagement**

This contract has been developed by Council’s Capital Delivery Department in conjunction with representatives from Operations & Maintenance Department, Urban Design & Transport Department and the Asset & Facilities Management teams to support barrier programs across the organisation. The consolidated program and a bulk supply contract will provide savings over the period of the contract as well as improved data collection for Council’s asset management system (Assetic), which will guide future renewal and maintenance programs.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**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.

Ensure that the road networks protective barriers are correctly maintained, and a co-ordinated and consistent asset management system is employed by the City of Whittlesea.

It will also improve the ability of Council to supply and install roadside barriers as part of projects approved in the New Works Program.

**Considerations**

**Environmental**

See details in confidential attachment.

**Social, Cultural and Health**

The contract management will include KPI’s regarding traffic management, site safety, Occupational Health and Safety and response times to ensure a safe roadside environment is maintained for road users.

**Economic**

Barrier Designs will undertake all maintenance and installation works for roadside barriers within the City of Whittlesea. This will ensure that Council can maintain its network of roadside barriers by providing a safe environment for all road users in high-risk settings and aid in the prevention of serious road incidents.

An assessment of all barrier sites will be undertaken as part of the initial period to identify the condition, age and compliance of the current barriers to establish a rolling maintenance and replacement program.

The contract services must comply with regulatory requirements as defined in the Road Management Act. As such the contract has a defined set of KPI’s which will be measured via surveillance audits as well as contract meetings to discuss the performance and ongoing services to ensure delivery with the requirements.

**Financial Implications**

Works undertaken under this contract will be funded from various Council’s New Works (Capital) Programs and the Operational (maintenance) programs.

**Link to Strategic Risk**

**Strategic Risk** *Service Delivery - Inability to plan for and provide critical community services and infrastructure impacting on community wellbeing*

Awarding this contract will enhance Council’s ability to respond quickly to maintenance and installation of roadside barriers to protect roadside hazards. This will ensure that community expectations regarding road safety can be met and Council can maintain best practice for asset management and data recording.

**Implementation Strategy**

**Communication**

There is no requirement to communicate the decision of this report to the community. However individual items of work may require information to be provided to the community.

**Critical Dates**

The current supply contract for roadside hazard protection works expires at the end of the 2021 calendar year.

The new contract is planned to commence on 1 January 2022.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

The tender from Barrier Designs was determined to be best value and it is considered that this company can perform the contract to the required standards.

5.2.2 11 Ruth Street, Lalor

**5.2.2 11 Ruth Street, Lalor**

**Responsible Officer** Director Planning & Development

**Officer** Planning Officer

**Attachments**

1. 720054- 11 Ruth LALOR- Locality Maps [**5.2.2.1** - 2 pages]
2. 720054- 11 Ruth LALOR- Architectural Plans [**5.2.2.2** - 12 pages]

**Applicant** **Planning & Design P/L**

**Council Policy** **16.01-1L Housing Supply in Established Areas**

**Zoning** **General Residential Zone (Schedule 5)**

**Overlay** **Development Contributions Plan Overlay (Schedule 3)**

**Special Building Overlay**

**Referral** **Melbourne Water**

**Objections** **Nine objections**

**Proposal**

The application seeks approval for the construction of three dwellings. The existing dwelling and associated structures will be demolished

Details of the proposed development are outlined in the following table:

|  | **Height/Scale** | **Number of Bedrooms** | **Setbacks** | **Private Open Space** | **Car Parking** | **Maximum Height** |
| --- | --- | --- | --- | --- | --- | --- |
| Dwelling No. 1 | Two- storey | Two bedrooms | **North (front)** - 7.675m  **Side (east)** - 5.41m  **West (side)** - 3.5m | 40m2 | One car space (shared garage) | 7.035m |
| Dwelling No. 2 | Two- storey | Two bedrooms | **East (side)** - Built to boundary  **South (rear)** - 5.15m | 40m2 | One car space (shared garage) | 7.035m |
| Dwelling No. 3 | Two- store | Two bedrooms | **South (rear)** -5.55m  **West (side)** - 0.02m | 40m2 | One car space (Single garage) | 7.035m |

**Recommendation**

**THAT Council resolve to Refuse Planning Application No. 720054 and issue a Refusal to Grant a Planning Permit for the construction of Three Dwellings on the following grounds:**

1. **The proposal does not appropriately respond to the neighbourhood character objectives sought by Schedule 5 to Clause 32.08 – General Residential Zone;**
2. **The proposal fails to appropriately respond to the Policy Framework of the Whittlesea Planning Scheme as follows:**
3. **The development does not comply with the policy at Clause 16.01-1L – Housing supply in Established Areas;**
4. **The scale, separation, built form and landscaping opportunities is inconsistent with the key design principles outlined for Suburban Residential change area of the Housing Diversity Strategy.**
5. **The proposal does not comply with the following Objectives and Standards of Clause 55 of the Whittlesea Planning Scheme:**
6. **B1 Neighbourhood Character;**
7. **B2 Residential Policy;**
8. **B13 Landscaping;**
9. **B15 Parking Location;**
10. **B23 Internal Views;**
11. **B25 Accessibility;**
12. **B26 Dwelling Entry;**
13. **B31 Design Detail**

**Brief Overview**

The proposal seeks approval for the construction of three double storey dwellings at 11 Ruth Street, Lalor. The three dwellings will all contain two bedrooms and a covered parking space.

Notification of the application was undertaken and nine objections have been received. Grounds of objection relate to noise, traffic and parking concerns, privacy and amenity impacts, drainage issues and neighbourhood character.

The proposal does not adequately respond to the context of the site and the relevant local housing policy.

**Site and Surrounding Area**

The site is a residential property located on the south side of Ruth Street in Lalor, 200 metres from Dalton Road. The site contains as 15.54 metres to Ruth Street, an average depth of 34.37 metres and a total site area of 536.75 metres.

The site currently contains a single dwelling, with a pitched tiled roof, and a single carport. Access to the dwelling is obtained from a crossover from the north and a driveway which extends down the western side boundary. Minimal landscaping is located within the front setback behind a low fence. A shed is positioned in the south eastern corner to the rear of the dwelling.

The surrounding area is characterised by single storey dwellings, consistently finished in brick veneer, with pitched tiled roofs. Secondary additions and detached outbuildings to the side and rear of dwellings are common. Front fences, if present, are consistently low in overall height, however, vary in transparency and construction materials. Landscaping is present within both front setbacks and rear secluded open space.

The site is located immediately north of Lalor Secondary School and approximately 150 metres west of Lalor Primary School. Directly north is Ruth Street and single storey detached dwellings. Single storey detached dwellings are again located to the immediate east and west fronting Ruth Street. A five unit development at number 27 is the only multi dwelling development located on Ruth Street.

Other examples of medium density within proximity to the site include 27 Ruth Street (Developed with five Dwellings), 14 Blackburn Street (Developed with two dwellings), 15 Blackburn Street (Developed with three dwellings), 19-21 Blackburn Street (Developed with three dwellings) to the west of Ruth Street and 32 Maxwell Street (Developed with three dwellings.

The site is located within proximity to the following sites, services and infrastructure:

* Bus Route No. 556 – Northland SC via Keon Park (200 metres east along Dalton Road);
* Lalor Secondary College (Immediately abutting to the south);
* Lalor Primary School (Approximately 150m west);
* Lalor Plaza Shopping Centre (Approximately 670m south east);
* Lalor Shopping Precinct (Approximately 1km west); and
* Lalor Train Station (Approximately 1.1km north west).

**Restrictions and Easements**

The site is formally described as Lot 50 on Plan of Subdivision 096542

The Certificate of Title for the property shows that the site is not affected by any encumbrances or restrictions.

A 1.8m wide drainage easement runs along the southern rear boundary of the site.

**Public Notification**

Advertising of the application has resulted in 9 objections being received. The grounds of objection can be summarised as follows:

* Over congestion of local streets and loss of on street car parking;
* Increased noise associated with the development;
* Flood and drainage issues;
* Amenity impacts if all dwellings are occupied by renters;
* Proposal would result in a loss of privacy;
* Unreasonable overshadowing to adjoining residences including to solar panels;
* Dwelling redesigned to accommodate residents with disabilities to be demolished;
* Double storey-built form is inconsistent with existing neighbourhood character;
* Noise and waste impacts during construction;
* Development will lead to overpopulation of the area.

A response to the grounds of objection will be provided later in this report.

**Engagement**

Concerns with the proposal were raised directly with the applicant. Discussions were not specifically held with objectors due to the concerns and recommendations of the Building and Planning Department.

**Housing Diversity Strategy**

The Housing Diversity Strategy (HDS) was introduced into the Whittlesea Planning Scheme by Planning Scheme Amendment C181, gazetted on 22 October 2015. The HDS provides a strategic framework for future residential development in the established areas of the municipality for the next 20 years. It aims to guide the future location and diversity of housing stock and identifies areas of housing growth and change, including areas where future housing growth will not be supported. In general, it aims to encourage higher residential densities and a diversity of housing types and sizes into areas within convenient walking distance to public transport and activity centres.

The HDS is a reference document in the Planning Scheme.

The site is within a Suburban Residential change area, which recognises areas typically a fifteen minute plus walk to public transport and activity centres. The preferred housing types are noted as detached dwellings, dual occupancies and duplexes. The Suburban Residential change area has a number of Key Design Principles, including:

* Low building heights to reflect the existing suburban scale and character;
* Front setback to allow for significant landscaping and large canopy trees to create a sense of openness to the street;
* Increased side and rear setbacks to provide for building separation and landscaping;
* Standard site coverage to facilitate landscaping opportunities;
* An increased area of private open space to allow for significant landscaping;
* Large canopy tree in the front setback; and
* Extra-large canopy tree in the rear setback. A response to Council’s Housing Diversity Strategy is provided in the table below.

**Assessment Against Clause 55 of the Whittlesea Planning Scheme**

The following table provides details on whether the proposal complies with the requirements of Clause 55 of the Whittlesea Planning Scheme. Under these provisions a development:

* Must meet all of the objectives
* Should meet all of the standards

If Council is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

|  | ✓ - **Compliance × - Non compliance** | **Objectives** | **Standards** | **Comments** |
| --- | --- | --- | --- | --- |
| B1 | Neighbourhood Character | x | x | The existing neighbourhood character contains predominately single storey detached dwellings. The surrounding dwellings consistently include; double or triple fronted facades, pitched roofs, brick facades, concrete roof tiles and landscaping within front setbacks.  Within the immediate streetscape of Ruth Street, low scale development that provides a sense of openness forms the dominant character of the area. Many of the single dwellings have generous secluded open spaces to the rear.  In addition to consideration of the above context, Schedule 5 to the General Residential Zone contains the following neighbourhood character objectives:   * To support a preferred neighbourhood character where landscaping is the prominent feature of development. * To maintain a sense of openness and separation between built form by providing generous setbacks and ensuring sensitive transitions in height from existing dwellings. * To encourage contemporary building designs with variation and breaks in building form to soften the visual bulk of development through elements such as eaves, hipped or gabled roof forms and setbacks at upper floors. * To improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks to soften the visual impact of development. * To encourage functional secluded private open space at the rear of the dwelling through its orientation and design.   While the development incorporates hipped tiled roof forms with eaves and brick facades at ground floor, the proposal does not adequately respond to the existing character.  The double storey built form is a departure from the predominately single storey character of the area. There has been no separation provided between the first floor of dwellings 2 and 3. These dwellings are visually dominant when viewed from the secluded private open space of neighbouring properties. This presents significant visual bulk to the rear of the site and fails to provide a sense of space and separation.  Furthermore, there has been no separation of built form across the three dwellings at ground floor level. This continuous built form exacerbates the bulky appearance of the development and fails to present as a sensitive transition when considering the existing and preferred neighbourhood character.  The lack of separation at ground floor results in limited landscaping opportunities. Visual bulk from the built form massing is the predominant feature of the site which is not consistent with the neighbourhood character objective which seeks landscaping to be the predominate feature. This will be discussed further in Standard B13 – Landscaping.  The development does not appropriately respond to the existing and preferred neighbourhood character. Significant alterations would be required as to achieve an outcome that meets the objective of Standard B1. |
| B2 | Residential Policy | x | x | The site is located within a General Residential Zone (Schedule 5) and is within a Suburban Residential Change Area as identified in the Housing Diversity Strategy 2013-2033 (HDS).  The HDS sets out key design principles for residential development within Suburban Residential Change Areas.  The proposal is inconsistent with the preferred housing typology identified by the HDS, which encourages detached dwellings and dual occupancy/duplex development within the Suburban Residential Change Area. The HDS seeks to encourage developments within the Suburban Residential Change Area to have low built form to respect the character, have greater built form separation and large/ extra- large canopy trees. The proposal does not respect these principles nor the preferred housing typology.  Double storey developments are present within proximity to the site however are the minority housing typology, with single storey dwellings which include generous setbacks and secluded private opens space the predominate feature.  Clause 16.01-1L (Housing Supply in Established Areas) applies to the development of two or more dwellings in the established areas of the municipality. This Clause contains strategies for achieving development that contributes positively to the neighbourhood character of the area whilst achieving a high level of amenity. Strategies for achieving this include to encourage development that:   * Achieves generous setbacks where a sense of space and separation between dwellings is part of the preferred neighbourhood character; * Provides an articulated building form to avoid visual bulk; * Provides landscaping along driveways that is not impacted by vehicle manoeuvres; * Integrates overlooking screening (where required) with the building design to reduce visual bulk and to maximise access to daylight, natural ventilation and outlook for habitable rooms;   Whilst the development meets technical compliance with setback objectives, the extent of built form across the site is of concern. As mentioned, the development fails to appropriately provide a sense of visual break between the dwellings at both ground and first floor. The development also provides boundary to boundary built form to the dwellings at the rear and is dominating when viewed from the streetscape. The building form and absence of appropriate separation leads to a distinct lack of articulation between the dwellings further worsening the developments bulky appearance.  Minimal landscaping along the accessways has been provided however the turning circles from the garages demonstrate that vehicles would conflict with these areas. In particular the car spaces to dwellings 1 and 2 are shown to crossover landscaped areas along the western boundary and it is unlikely any meaningful landscaping would establish in these areas as a result. This same area has been identified as the location of rubbish bins which would further inhibit a cars ability to appropriately enter and exit the site in a forward motion.  In addition to the housing character and amenity strategies identified above, Clause 16.01-1L (Housing Supply in Established Areas) also encourages:   * Encourages a greater diversity of housing types and dwelling size including both smaller and larger dwellings; and * Encourage accessible and adaptable housing that includes dwellings containing a kitchen, bedroom, shower, toilet and wash basin at ground level that is usable by everyone regardless of their age and abilities.   The proposed housing mix relies on three dwellings of almost identical internal amenity. The size of these dwellings vary little in size with Dwelling one only 7sqm’s larger than the dwellings to the rear. Of the three dwellings, all are provided with two bedrooms which are provided on the first floor. The dwellings have not been designed to ensure access to people regardless of their age and abilities.  The proposal does not adequately respond to the objectives of Standard B2 and in particular the Housing Diversity Strategy and Clause 16.01-1L of the Whittlesea Planning Scheme. |
| B3 | Dwelling Diversity | N/A | N/A | Only applicable to developments of ten (10) or more dwellings |
| B4 | Infrastructure | √ | √ | The proposal satisfies this standard and objective. |
| B5 | Integration with the street | √ | √ | The proposal appropriately integrates with the street. |
| B6 | Street setback | √ | √ | The proposed setback of 7.675 metres satisfies the requirements of this standard. |
| B7 | Building height | √ | √ | The building height of 7.035 meters is within the maximum allowable height. |
| B8 | Site coverage | √ | √ | The development has a site coverage of 37.94% which is less than the standard which allows for a site coverage of no more than 60%. |
| B9 | Permeability | √ | √ | Permeable area of 45.15% which meets the standard requiring a minimum 20% permeability. |
| B10 | Energy efficiency | x | x | This objective seeks to ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.  Dwelling Nos. 2 and 3 have not been provided with any north facing windows to habitable rooms. This leads to poor internal amenity for future residents and reduced energy efficiency for the dwellings.  The shadow diagram provided also shows the development will impact the sunlight access to existing solar panels to the property adjoining to the east of the site.  This outcome is considered inappropriate and fails to comply with the requirements of Standard B10. |
| B11 | Open space | N/A | N/A | Only applicable if public or communal open space is to be provided on site or adjacent to the development. |
| B12 | Safety | √ | √ | The proposal satisfies this standard and objective |
| B13 | Landscaping | x | x | Schedule 5 to the General Residential Zone contains additional landscaping requirements. The development must provide at least one canopy tree in both the front and rear setbacks. Each canopy tree must achieve a minimum six metres mature height and be accommodated in a permeable area of at least 5 metres by 5 metres, that does not contain driveways or car parking.  The development proposes canopy trees in both the front and rear setback. However, the canopy tree to the rear is not accommodated by a pervious area of 5 metres by 5 metres.  As mentioned, Schedule 5 to the General Residential Zone contains the following neighbourhood character objectives relating to landscaping:   * To support a preferred neighbourhood character where landscaping is the prominent feature of development. * To improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks to soften the visual impact of development.   The provision of substantial landscaping is a characteristic of this zone and is intended to reduce the visual bulk associated with infill developments. The bulky appearance of the development can be attributed to a lack of appropriate landscaping between built form as to soften the transition between existing dwellings.  The landscaping as part of this development is considered poor and does not appropriately respond to the objectives and requirements of Standard B13. |
| B14 | Access | √ | √ | The proposal provides only one single crossover therefore meeting this requirement. |
| B15 | Parking location | x | x | This objective seeks to provide convenient parking for resident and visitor vehicles; and to protect residents from vehicular noise within developments. Car parking facilities are required to be reasonably close and convenient to dwellings; and be secure.  The proposed shared garage for Dwelling Nos. 1 and 2 is not considered satisfactory as it does not provide residents with secure parking locations. The shared garage is likely to lead to ownership concerns as these locations will be considered common property when subdivided.  Furthermore, the location of the shared garage to Dwelling 1 is inconvenient for residences as there is no immediate access provided to the dwelling from the garage. The shared garage limits opportunity to provide access to private property from within the car spaces.  The parking locations are considered to provide a poor outcome for future residents and does not meet the objectives at Standard B16. |
| B17 | Side and rear setbacks | √ | √ | The proposal provides adequate setbacks on all side. |
| B18 | Walls on boundaries | √ | √ | Walls on boundary are provided at an appropriate length. |
| B19 | Daylight to existing windows | √ | √ | The proposal complies with this standard and objective. |
| B20 | North-facing windows | √ | √ | The proposal complies with this standard and objective. |
| B21 | Overshadowing open space | √ | √ | The proposal complies with this standard and objective. |
| B22 | Overlooking | √ | √ | The proposal complies with this standard and objective. |
| B23 | Internal views | x | x | The purpose of this standard is to limit views into the secluded private open space and habitable room windows of dwellings and residential building within a development  The first-floor windows to bed 2 of Dwelling 2 and bedrooms to Dwelling 3 are not obscured appropriately as to avoid internal view concerns within the development, this could be resolved through conditions on any permit issued, however this also may be to the detriment of future occupants of the dwellings by creating poor internal amenity. |
| B24 | Noise impacts | √ | √ | The proposal complies with this standard and objective. |
| B25 | Accessibility | x | x | This objective seeks to encourage the consideration of the needs of people with limited mobility in the design of developments.  The Dwellings all provide bedrooms at first floor and is not considered accessible to people with mobility concerns. The Dwellings are also not designed as to be easily convertible as an open plan ground floor layout has been proposed. |
| B26 | Dwelling entry | x | x | This objective seeks to provide each dwelling with its own sense of identity. In this regard, entries to dwellings are required to be visible and easily identifiable from streets and other public areas.  The entry to Dwelling 2 is located away from public realm and is not easily identifiable, with only the entrance and no other part of the building visible from the internal accessway. The development also has a continuous built form to the rear with minimal windows facing the internal accessway which further impacts the ability to provide a sense of dwelling identity.  The built form of the development impacts the ability to provide each dwelling with an appropriate level of identity and as such does not meet the objectives of Standard B26. |
| B27 | Daylight to new windows | √ | √ | The proposal complies with this standard and objective. |
| B28 | Private open space | √ | √ | Private open space of 40sqm has been provided to all three dwellings and meets the objective of this standard. |
| B29 | Solar access to open space | √ | √ | While the private open space is not located to the north of the dwellings, due to the orientation of the lot, it can be considered appropriate to have them located as proposed. |
| B30 | Storage | √ | √ | The proposal complies with this standard and objective. |
| B31 | Design detail | x | x | As discussed earlier in this report, the continuous built form along the ground floor of the dwellings and the lack of meaningful separation along the first floors of the dwellings presents as visually bulky and is a non-responsive development to the existing and preferred character of Ruth Street.  The proposal is considered ambitious in its bulky design with limited separation. In particular the following:   * Dwellings 2 and 3 to the rear to not provide acceptable first floor separation and built form articulation. * The continuous ground floor built form and lack of landscaping is a poor outcome in the context of the surrounding neighbourhood.   The design has not responded to the existing low scale neighbourhood character nor has it satisfactorily responded to the preferred neighbourhood objectives stipulated in Schedule 5 of the General Residential Zone. |
| B32 | Front fences | √ | √ | The proposal complies with this standard and objective. |
| B33 | Common property | √ | √ | The proposal complies with this standard and objective. |
| B34 | Site services | √ | √ | The proposal complies with this standard and objective. |

**Car Parking**

Clause 52.06 of the Whittlesea Planning Scheme prescribes the rate and design standards for car parking spaces required on site. Pursuant to this clause the following car spaces are required.

| **Dwelling No.** | **No. of bedrooms** | **Car spaces required** | **Car spaces provided** | **Complies** |
| --- | --- | --- | --- | --- |
| 1 | 2 | 1 | 1 | √ |
| 2 | 2 | 1 | 1 | √ |
| 3 | 2 | 1 | 1 | √ |

Garages should be at least 6.0m long and 3.5m wide for a single space and 5.5m wide for a double space (measured inside the garage or carport). An open space should be at least 4.9m long and 2.6m wide. The proposal complies with these requirements, although noted that the shared garage is problematic and consistent with an overdevelopment of the site.

**Development Contributions Plan**

The site is affected by the Development Contributions Plan Overlay. Pursuant to Clause 45.06 of the Whittlesea Planning Scheme, the Development Contributions Plan Overlay enables the levying of contributions for the provision of works, services and facilities prior to development commencing. Schedule 3 to the overlay requires development contributions for drainage infrastructure for medium density residential development at a rate of $2.19 per square metre of the total site area. This rate is subject to the Consumer Price Index at the time of payment. This requirement must be included as a condition on any planning permit that is issued.

**Comments on Grounds of Objection**

1. **Over congestion of local streets and loss of on street car parking**

The development does not propose any additional crossovers which could impact on the availability of on street car parking. Furthermore, the development has been provided with the required amount of onsite car parking spaces as discussed above.

The increase in traffic is still within the scope of what is reasonable for a residential area. However, the issue of traffic is closely related to the infrastructure and ability of the street itself to accommodate substantial rather than incremental increases in density. This is recognised by the Whittlesea Housing Diversity Strategy which does not support substantial change in this area.

1. **Increased noise associated with the development;**

The noise generated by this proposal is acceptable for a residential zoned area.

1. **Flood and drainage issues;**

Internal drainage mechanisms are typically dealt through conditions on any permit issued which would require the submission of a professionally prepared drainage design including the use of an on-site detention system for the internal drainage and method of disposal of stormwater from all roofed and sealed areas. These internal drainage works must be completed to Council’s satisfaction prior to occupying any building on site. Furthermore, the application was referred to the relevant floodplain authority in which had no objection to the proposal.

1. **Amenity impacts if all dwellings are occupied by renters;**

This is not a relevant planning consideration.

1. **Proposal would result in a loss of privacy;**

The proposal includes measures to address overlooking in accordance with Standard B22 – Overlooking of Clause 55 - ResCode of the Whittlesea Planning Scheme.

1. **Unreasonable overshadowing to adjoining residences;**

As discussed elsewhere in the report, the proposal will have a minor impact on the access to solar energy and this is not supported, in particular the site to the east.

1. **Dwelling redesigned to accommodate residents with disabilities to be demolished;**

This concern is not clear, however noted that the design of the dwellings limits the ability to accommodate people with limited mobility.

1. **Double storey-built form is inconsistent with existing neighbourhood character;**

As discussed earlier in this report, visual bulk from the built form massing is the predominant feature of the proposal which is not consistent with character of Ruth Street. The proposal does not adequately respond to the established or preferred neighbourhood character.

1. **Noise and waste impacts during construction;**

Construction impacts are a short-term matter than can be managed through permit conditions, under Local Laws and the Building Regulations.

1. **Development will lead to overpopulation of the area**

Clause 16.01-1S- Housing Supply of the Whittlesea Planning Scheme seeks to identify opportunities for increased residential densities to consolidate urban development. Whilst this particular development is not supported, it is considered suitable for a more modest medium density development.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

The proposal does not appropriately respond to the relevant Planning Policy Framework, including Clause 16.01-1L- Housing Supply of Established Areas and Clause 55 (ResCode). The proposed development does not demonstrate an acceptable level of compliance with the relevant requirements of the Whittlesea Planning Scheme predominately due to its visual bulk, inability to achieve landscape as its predominate feature and lack of built form separation. As such, refusal of the application is recommended.

5.2.3 Planning Scheme Amendment C256 Interim Heritage Overlay on 90 and 100 Bindts Road, Wollert – Exhibition outcomes and next steps

**5.2.3 Planning Scheme Amendment C256 Interim Heritage Overlay on 90 and 100 Bindts Road, Wollert – Exhibition outcomes and next steps**

**Responsible Officer** Director Planning & Development

**Officer** Strategic Planner

**Attachments**

1. C245wsea Exhibited Map [**5.2.3.1** - 1 page]
2. C245wsea Post Exhibition Map [**5.2.3.2** - 1 page]

**Proposal**

This report recommends that Council write to the Minister for Planning to request a 12 month extension of Amendment C256 Interim Heritage Overlay for 90 Bindts Road, Wollert, which expires on 29 January 2022. It also informs Council of the outcome of the statutory exhibition of Amendment C245 Heritage Overlay for 90 and 100 Bindts Road and the next steps in the process.

Amendment C256 interim heritage controls are in place while the permanent heritage controls proposed by Amendment C245 are progressed.  Amendment C245 seeks to apply the Heritage Overlay (HO204) to land at 90 Bindts Road, Wollert, which is identified as having heritage value, and to correct an identification error for an existing Heritage Overlay that applies at 100 Bindts Road, Wollert (HO161). Two submissions were received, both of which challenged the extent of the curtilage of the Heritage Overlay. One submission has been resolved; however, Council officers are continuing to negotiate with the remaining submitter to try to resolve the submission to Amendment C245.

In the meantime, it is important to ensure that the heritage significance of the site is protected. Officers are recommending that Council request an extension to Amendment C256 interim heritage controls before they expire in January 2022.

**Recommendation**

**That Council:**

1. **Write to the Minister for Planning to request an extension to Amendment C256wsea Interim Heritage Overlay for 90 Bindts Road, Wollert which expires on 29 January 2022;**
2. **Authorise Council officers to continue to negotiate with the submitter to resolve the remaining submission to Amendment C245;**
3. **Advise the submitters of 1. and 2. above.**

**Brief Overview**

Amendment C245 seeks to apply the Heritage Overlay (HO) on a permanent basis to a place of local heritage significance (Ewert’s Farm) at 90 Bindts Road, Wollert, and to correct an identification error of a heritage place to which the HO already applies at 100 Bindts Road (Bindts Farm).

Council resolved on 5 May 2020 to seek Authorisation of Amendment C245, which was granted by the Minister for Planning on 18 December 2020.

On 16 July 2020, the Minister for Planning also approved interim heritage controls to 90 Bindts Road, Wollert, which was at risk of demolition, via Amendment C243. The interim controls were applied for a period of 12 months to provide protection while the permanent controls are being progressed via Amendment C245. These interim controls have since been extended for an additional 12 months via Amendment C256, which now expire in January 2022.

Amendment C245 was exhibited between 21 January 2021 and 5 March 2021. Two submissions were received; one from the Department of Transport (DoT) and one from Urbis on behalf of the landowner of 90 and 100 Bindts Road, Wollert. Both submissions challenged the extent of the curtilage of the proposed HO. The DoT submission has been resolved, however, Council officers are continuing to negotiate on the remaining landowner submission.

To ensure the heritage significance of the site is protected, it is recommended that:

* A request be made to the Minister for Planning to extend Amendment C256 Interim HO for 90 Bindts Road, Wollert which expires on 29 January 2022; and
* Council officers are authorised to continue negotiating with the submitter to resolve the submission to Amendment C245, as appropriate.

**Key Information**

**Background**

* Amendment C245 proposes to apply the HO to the Ewert Farm Complex at 90 Bindts Road, Wollert, which has been identified as having local heritage significance. It also seeks to correct an identification error of a heritage place to which the HO (HO161) already applies at 100 Bindts Road (Bindts Farm).
* These sites are the subject of a current planning permit application for a multi lot subdivision (116 lots including 1 super lot) at 40-100 Bindts Road, Wollert, in the Quarry Hills Precinct Structure Plan (PSP) area. The application (Application no. 718008) is under consideration by Council.
* Council officers sought interim heritage controls for 90 Bindts Road via Amendment C243 after two requests were received to demolish the dwelling and outbuildings on the site.
* Amendment C243 Interim HO was approved by the Minister for Planning for 12 months on 16 July 2020. C256 extended these interim controls for a further 12 months, until 29 January 2022. The interim controls provide protection to the site while the permanent HO controls are being progressed by Amendment C245.
* Amendment C245 for the permanent HO controls obtained Authorisation from the Minister for Planning on 18 December 2020. The Amendment was subsequently placed on statutory exhibition for approximately six weeks from 21 January 2021 to 5 March 2021. Two submissions were received which are discussed further in this report.

**Site Context**

The properties at 90 and 100 Bindts Road are adjacent lots located on the eastern side of Bindts Road, Wollert, within the Quarry Hills Precinct Structure Plan (PSP).

**Planning Context**

Under the Planning and Environment Act 1987, Council as the Planning Authority must give effect to the objectives of planning in Victoria, including: “to conserve and enhance those buildings, areas or other places which are of…historical or otherwise special cultural value” (section 4(b)).

Council must also undertake local heritage studies to identify places of interest and appropriately apply the HO to places identified as having local (or higher) significance. The application of the HO is the only statutory mechanism for conserving locally significant heritage places.

Whittlesea Planning Scheme:

* Clause 15 (Built Environment and Heritage) identifies the Local Planning Policy objective to recognise the role of heritage in “delivering liveable and sustainable cities, towns and neighbourhoods.”
* Clause 15.03-1S (Heritage conservation) compels Local Governments to “Identify, assess and document places of natural and cultural heritage as a basis for their inclusion in the planning scheme.”
* Clause 22.04-2 (Heritage Conservation Policy) identifies the Local Planning Policy objective is “To identify, protect and maintain the integrity and character of Whittlesea’s heritage places.”
* The Quarry Hills PSP identifies ‘potential European heritage sites’ at 90 and 100 Bindts Road and includes heritage requirements and guidelines to minimise impacts of new development on heritage places including dry stone walls.

**Amendment**

Amendment C256 Interim HO for 90 Bindts Road, Wollert expires on 29 January 2022. It provides interim protection to the site while the permanent HO controls proposed by Amendment C245 are progressed.

Amendment C245 seeks to apply a permanent HO under Clause 43.01 of the Whittlesea Planning Scheme to part of 90 Bindts Road, Wollert known as Ewert’s Farm, as shown in **Attachment 1**. It also seeks to amend the Schedule to Clause 43.01 for existing HO161 at 100 Bindts Road, and include an updated Statement of Significance to correct an error in identification. HO161 at 100 Bindts Road, which was previously thought to be Ewert’s Farm is in error and is now to be re-titled as Bindts Farm.

Application of the HO to 90 Bindts Road will provide permanent heritage protection over the site and, together with the correction to HO161 at 100 Bindts Road, will ensure that any proposals for these sites do not adversely or irreversibly alter a place’s heritage value. Standard planning permit requirements are set out in Clause 43.01 of the Whittlesea Planning Scheme for all places to which the HO applies. This generally requires a permit to subdivide, demolish, construct a building or construct or carry out works within the HO.

The extent of the area affected by the HO is shown on the Planning Scheme map for each place. This is commonly referred to as the ‘curtilage’. A Statement of Significance is provided for each of the sites, which acts as a reference for each heritage place which identifies the site’s contributing features. It is used to inform the Amendment process as well as to guide the assessment of future applications against the heritage criteria identified for the site.

**Community Consultation and Engagement**

Amendment C245 was placed on exhibition for approximately six weeks from 21 January – 5 March 2021.

Letters were sent to the affected property owners and occupiers, the Minister for Planning, and all prescribed Ministers. The letters contained the Amendment notice, and information on where they could download the specific heritage citation reports. A notice was also placed in the Government Gazette, the Age Newspaper and on the City of Whittlesea website, and Amendment documentation was made available for viewing at the Council Office.

Two submissions were received in response to the exhibition process, both were in relation to the proposed HO204 on 90 Bindts Road:

* **Submission 1** from the Department of Transport (DoT), opposed the HO being applied to the section of 90 Bindts Road which is affected by a Public Acquisition Overlay (PAO).
* **Submission 2** on behalf of the landowner of 90 and 100 Bindts Road Wollert, opposed the extent of the proposed HO on 90 Bindts Road.

As is common practice in Amendment processes, Council officers contacted all submitters with a view to discussing the detail of submissions and to ascertain whether there was any potential to resolve the issues raised.

The submissions are discussed in more detail later in the report.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**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.

Amendments C256 and C245 meet the objectives set out in Whittlesea 2040 and the Council Plan. Specifically, the Amendment will achieve the above goal and key direction through the recognition, appreciation and protection of places identified as local heritage significance in the municipality.

**Considerations**

**Response to Amendment C245 Submissions**

**Submission 1** from DoT opposed the HO being applied to the section of 90 Bindts Road which is affected by a Public Acquisition Overlay (PAO) that has been set aside for the Outer Metropolitan Ring / E6 transport corridor which runs along the front of the site, parallel to Bindts Road. A narrow portion of the proposed HO extends into the PAO area to protect the dry stone wall (DSW) that runs along the southern boundary of the site.

Council sought specialist heritage advice regarding this submission. The heritage advice confirmed that the removal of the section of the HO affected by the PAO would be acceptable on the basis that this section of DSW is of less significance than those which are proximate to the farmhouse. The DSW is still afforded some protection by Clause 52.33 of the Whittlesea Planning Scheme, which deals with the conservation of DSW in their own right. In the event that DoT seeks a planning permit to remove the DSW, this would trigger a requirement to consider relocating sections of DSW rather than simply demolishing them to make way for the road.

On this basis, officers recommend that the HO curtilage be amended to remove the section of the HO that is affected by the PAO. DoT have agreed to withdraw their submission based on the post exhibition Heritage Overlay curtilage outlined in **Attachment 2**.

**Submission 2** was made on behalf of the landowner of 90 and 100 Bindts Road, Wollert. While acknowledging the heritage significance of the site, they opposed the extent of the proposed HO on 90 Bindts Road. The matters raised in the submission can be summarised as follows:

* The proposed HO204 should be limited to the general area of the farmhouse and outbuildings.
* The HO does not take into consideration the anticipated development envisaged by the Quarry Hills PSP.
* The extent of the proposed HO creates additional complexity in developing the site. The HO affects land reserved by a PAO for the future transport corridor.
* The retention of the DSW along the southern boundary would interfere with planned vehicle access which would impact adjoining lots.
* The inclusion of the Statements of Significance as Incorporated Documents is contrary to Planning Practice Note 13, Incorporated and Background Documents.

Further specialist heritage advice was also sought to inform consideration of the matters raised in this submission. This advice has recommended that no reduction in the HO204 extent should be applied in response to this submission, notwithstanding the proposed removal of the section of the HO affected by the PAO, and agreed in response to Submission 1. The heritage specialist’s justification for retaining the curtilage is outlined as follows:

* The proposed HO curtilage is based on the significance of the heritage features outlined in the Statement of Significance. It is important to provide a suitable curtilage around the heritage buildings and features to ensure an appropriate setting for them, and to consider the potential impacts of new development so as to ensure their heritage significance is not compromised by future development that may surround it. This will ensure the ultimate development of the site integrates with, and respects, the identified heritage features.
* The proposed HO curtilage has taken into consideration the anticipated development envisaged by the Quarry Hills PSP. The PSP identifies 90 Bindts Road as a potential heritage place and includes a requirement for the subdivision to consider the heritage elements and ensure heritage becomes a prominent feature of the urban structure. It should be noted that the original curtilage sought for the site through the interim HO (Amendment C243) originally covered the entire area to the west of Darebin Creek, whereas the curtilage proposed for permanent protection through Amendment C245 is significantly reduced, as shown in **Attachment 1** to take into consideration the anticipated development envisaged for the site. The curtilage proposed under C245 strikes an appropriate balance. Note: In approving C243 interim HO, the Minister for Planning used the amended curtilage proposed under C245 permanent controls.
* The presence of the HO will not prohibit development; but rather adds a statutory trigger to ensure the significance of heritage features on the site are taken into consideration as part of the planning assessment process. Notwithstanding, additional complexity is not a valid reason against the application or extent of the HO, as Council has an obligation to protect heritage in the municipality.
* The PAO matter has been resolved. Removal of the section of the HO affected by the PAO is acceptable on the basis that this section of DSW is of less significance than the DSW located closest to the farmhouse. Further, DSW are is still afforded some protection under Clause 52.33 of the Whittlesea Planning Scheme.
* The HO over the remaining section of the DSW on the southern boundary of the site is appropriate and does not preclude incursions into the DSW for vehicular access envisaged by the PSP. In such circumstances, it would trigger a requirement to consider relocating sections of DSW rather than simply demolishing them.
* The requirement to include the Statements of Significance as incorporated documents in the Planning Scheme was introduced on 31 July 2018 via Amendment VC148 and is set out in Planning Practice Note 1, the Ministerial Direction on the Form and Content of Planning Schemes and Clause 43.01-5 of the Whittlesea Planning Scheme. This is now considered best practice.

On this basis, Council officers do not support any further reduction to HO204 other than that proposed in **Attachment 2.** Council officers have had ongoing discussions with Submitter 2, and while many of the points raised above are acknowledged, their primary concern is the extent to which the proposed HO204 will impact the current planning application, notwithstanding the interim HO is already in place. They have indicated that they are open to withdrawing their submission, should the heritage matters be generally resolved. However, with the application for 40 -100 Bindts Road, Wollert (Application no. 718008), under active consideration by Council and noting that revised plans were recently submitted to Council on 2 September 2021, it is appropriate to provide some additional time to allow these negotiations to advance. Council officers will continue to negotiate with this submitter to resolve their submission.

In the event this submission is unresolved, and in line with statutory process, Council would be required to request that the Minister for Planning appoint an Independent Planning Panel to consider and make recommendations on the unresolved submission.

It is noted that the submitter also requested that the extent of the HO be limited to the general area of the farmhouse and outbuildings, as proposed in their current planning application. Regardless of whether a permit is issued for the current application, it would be premature for Council to reduce the HO curtilage proposed by Amendment C245 to reflect the outcomes of the planning permit. It is not unusual for planning permits to lapse or change throughout their life. Therefore, it would not be appropriate to modify the proposed HO204 until the permit has been acted upon and the subdivision and subsequent development are complete.

On the basis of the above, Council officers recommend that the HO curtilage be amended only to remove the section of the HO that is affected by the PAO.

**Expiry of Amendment C256 Interim HO**

As noted above, the C256 interim heritage controls are currently in place while the permanent HO controls proposed by C245 are being progressed. However, the interim HO controls will expire on 29 January 2022.

Negotiations with the remaining submitter are ongoing, and officers are hopeful the submission can be resolved. Given additional time is required to resolve the submission, it is recommended that Council request an extension to Amendment C256 interim heritage controls.

Officers have discussed the matter of extending the interim controls with DELWP who have indicated in principle support, given officers have been actively engaging with the submitter in the hope of resolving the submission to avoid a Planning Panel. Officers have also discussed the matter with Submitter 2.

**Financial Implications**

No implications

**Link to Strategic Risk**

*Not linked to the risks within the Strategic Risk Register*

**Implementation Strategy**

**Communication**

The submitters will be notified of Council’s resolution.

**Critical Dates**

In accordance with Ministerial Direction No. 15: The Planning Scheme Amendment Process, Council must make a decision within 60 business days of the closing date of submissions, being 1 June 2021. Council officers sought an exemption from the Department of Environment, Land, Water and Planning (DELWP) to allow Council to continue to negotiate with the remaining submitter to avoid a potential Planning Panel. The request for an exemption was granted on 29 April 2021.

The Amendment C256 interim heritage controls will expire on 29 January 2022. An extension will ensure that the interim controls applied to the site do not expire, and the heritage place remains protected while the permanent controls under Amendment C245 are progressed.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

Amendment C256wsea Interim Heritage Overlay for 90 Bindts Road, Wollert expires on 29 January 2022. It provides interim protection to the site while permanent heritage controls are being progressed.

Amendment C245wsea seeks to apply the Heritage Overlay on a permanent basis to Ewert’s Farm at 90 Bindts Road, Wollert, and to correct an identification error of a heritage place to which the Heritage Overlay already applies at 100 Bindts Road (Bindts Farm).

Two submissions were received to Amendment C245, both of which related to the extent of the curtilage of the Heritage Overlay. One submission has been resolved to remove the section of the Heritage Overlay that is affected by the Public Acquisition Overlay, as recommended in **Attachment 2** of this report. However, no further reduction is recommended to HO204 in relation to the other submission. Council officers are continuing to negotiate with the remaining submitter to resolve the submission.

It is recommended that Council request an extension of Amendment C256wsea interim heritage controls for 90 Bindts Road, Wollert, which expire on 29 January 2022. It is also recommended that Council officers are authorised to continue negotiating with the submitter to resolve the submission to Amendment C245wsea.

5.2.4 Granite Hills Major Community Park

**5.2.4 Granite Hills Major Community Park**

**Responsible Officer** Director Infrastructure & Environment

**Officer** Senior Landscape Architect

**Attachments**

1. Granite Hills Concept [**5.2.4.1** - 5 pages]
2. Granite Hills Options Analysis [**5.2.4.2** - 3 pages]
3. Granite Hills- Participation and Engagement Findings Report [**5.2.4.3** - 28 pages]

**Proposal**

Continue development of Granite Hills Major Community Park in accordance with the Project Business Case and feedback from the community consultation and engagement process.

**Recommendation**

**That Council:**

1. **Support the recommendations of the Granite Hills Major Community Consultation Findings Report**
2. **Support the recommendation of the business case for the Granite Hills Major Community Park**

**Brief Overview**

* Community consultation for the Granite Hills Major Community Park concept design was undertaken between August to September 2021. The feedback collated from the consultation will inform the final design of the major community park.
* A business case has been prepared for the Granite Hills Major Community Park for endorsement.

**Key Information**

Granite Hills Major Community Park is located within the Quarry Hills Regional Parkland in South Morang (bordering Mernda). Quarry Hills Regional Parkland is one of the defining landscape features of the municipality and contributes significantly to the character of the City’s growth suburbs. The expansive hills are a striking visual feature within the landscape and are a common point of reference for the two emerging communities of South Morang and Mernda.

Quarry Hills Regional Parkland is rich in Aboriginal cultural heritage and accommodates a diverse range of ecological communities, remnant vegetation, wildlife habitats and geological attributes.

Over the last 14 years, the residential community to the north, south and east have grown around Quarry Hills Regional Parkland, which has better defined the park boundary. Quarry Hills Regional Parkland will eventually equate to 2.25% of the municipality’s land area, with a total area of 1100 hectares. Currently 430 hectares of the Quarry Hills Regional Parkland is public open space.

In 2019, a landscape master plan for the Parkland was developed to guide future land planning of the site. The vision set out in the master plan includes:

* Improving public access and use of the parkland
* Provision of iconic regional-level park and playground facilities
* Increasing public use and perception of the parkland
* Protection and enhancement of existing park biodiversity and cultural heritage values.

Stage 1 of the master plan involves the development of the Granite Hills Major Community Park and a connecting trails network. The connecting trails network will be delivered as a separate project, with funding already secured from the State Government.

The Granite Hills Major Community Park will provide a new park and play space and act as the gateway to the broader Quarry Hills Regional Parkland. The concept design presented to the community included the following:

* Play equipment for varying ages and abilities
* Nature play
* Water play (non-reticulated system)
* 50 metre flying fox
* Giant slides
* Lawn maze
* Open air barbecue and pavilion for social gathering
* Barbecue and picnic facilities
* Walking tracks
* Boardwalk and wetlands
* Landscaping
* Nature Amphitheatre
* Public Toilets and Changing Places facility
* Bus drop-off and car parking for 100 vehicles
* Interpretive signage
* Connecting trails network

To view the concept plan, refer to Attachment 1.

**Business Case**

**The problem**

The community do not recognise Quarry Hills Regional Parklands as a publicly accessible open space. The future uses are constrained due to poor vehicular and pedestrian access, limited play and recreation opportunities and a lack of utility services for amenities.

**Opportunity**

The Granite Hills Major Community Park will provide passive recreation opportunities for the community and provide a gateway to the broader Quarry Hills Regional parklands.

**Summary of Options**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Key Attractor** | **Access Road & Services** | **Estimate** |
| **Option 1A**  Construct Granite Hills major Community Park with playground, car park, public toilets, etc. | Giant Slides | Standard access road and utility services for Granite Hills major Community Park only | **Park - $6,816,218** |
| **Option 1B**  Construct Granite Hills Major Community Park with playground, public toilets, etc. | Giant Slides | Enhanced access road and utility services for future use and access into the parklands | **Park - $6,816,218**  **Enhanced Road & Services - $2,625,985** |
| **Option 2A**  Construct Granite Hills major Community Park with playground, car park, public toilets, etc. | Sculpture garden (max 3 sculptures) | Standard access road and utility services for Granite Hills major Community Park only | **Park - $7,939,703** |
| **Option 2B**  Construct Granite Hills Major Community Park with playground, car park, public toilets, etc. | Sculpture garden (max 3 sculptures) | Enhanced access road and utility services for future use and access into the parklands | **Park - $7,939,703**  **Enhanced Road & Services - $2,000,003** |

To view cost analysis - Refer to attachment 2

Option 2B is the recommended option and includes:

* The preferred scope for the Granite Hills Major Community Park, playground, enhanced car park and public toilet;
* The giant slide as a feature attractor; and
* Enhanced access road and utility services to support future uses of the parklands and improved access (to be funded separately).

**Key attractor**

For the estimated cost of $600,000, the sculpture garden would only be able to deliver 3 sculptures. The remainder of the sculpture garden would be required to be delivered over time, meaning it would not be an immediate drawcard. The giant slide which has an estimated costs of $300,000 would have immediate impact. Unlike the giant slide, the sculpture garden is also not required to be constructed at the Major Community Park, having the ability to be planned as future works in another section of Quarry Hills Regional Parklands. For these reasons, it is recommended to proceed with the giant slide as the key attractor.

**Access road, car park and utility services**

The proposed car park at the Granite Hills Major Community Park is recommended to be enhanced from a spray seal surface to an asphalt surface. This will reduce wear from turning vehicles, support greater vehicle numbers and provide a more resilient and long- lasting surface. The enhanced access road will allow for the widening and upgrading of the access road for heavy vehicle user (i.e., buses, emergency vehicles, maintenance trucks, etc). Designing and constructing major utility services beneath or adjacent to the enhanced road will also accommodate and promote future Quarry Hills Regional Parkland uses, including the proposed Aboriginal Gathering Place.

**Recommendation**

Developing Granite Hills as a Major Community Park within the Quarry Hills Regional Parklands will provide regional level facilities that encourage informal and unstructured recreation activities and use of open space in a high-quality landscape setting. The Park will be the gateway to Quarry Hills Reginal Parkland and build upon the distinctive geology, topography, historical and biodiversity value of the area, encouraging both children and adults to be more active, social, and to spend time outdoors. The giant slide will act as the main visitor attractor to draw visitors to the site and the access road and utility services infrastructure will enable the park to continue to expand for future uses, including the proposed Aboriginal Gathering Place.

**Community Consultation and Engagement**

The purpose of the community engagement was to ensure the design of the park is responsive and reflective of the ancient and modern cultural identity of the site; and confirm the type of play style and facilities the community would prefer in the final design. The community engagement process helped Council identify and build a picture of the unique cultural identity of the site including the themes, stories, cultural practice, and individual characteristics associated with it. It also helped Council learn about the community’s existing relationship with the space and understand the type of play activities that are appropriate in the park. A range of methods were undertaken to engage with and gain feedback from the community. Due to the COVID 19 restrictions from July 2021, in-person or onsite pop-up sessions were not able to be held. The consultation process therefore focused on the following methods for receiving feedback:

* Online survey
* Q&A tool
* Feedback via phone
* Feedback via email

A broad age range participated in the consultation process including children, young people, and adults. There was a total of 8,644 visits to the online engagement page and a total of 254 formal responses.

The consultation was broadly promoted through letter box drops, site signage, social media updates, publications in local newspapers and information distributed to community groups and local schools. Participants were invited to provide feedback through Council's online engagement page - Hive, direct email and via phone.

The below table summarises the participation rates:

|  |  |
| --- | --- |
| **Participation** | |
| Number of visitors to the HIVE page | 8,644 |
| Number of online surveys completed | 186 |
| Number of questions asked through the Q&A tool | 56 |
| Number of people who engaged through social media | 10,334 |
| Number of people who provided feedback through direct phone call | 4 |
| Number of people who provided feedback through direct email | 8 |

**Summary of Findings:**

* People currently visit the site to walk, run and hike. They enjoy accessing Quarry Hills because of the habitat, natural environment, and scenic lookouts.
* It is important for users to continue to have walking paths, but to have facilities such as toilets and play equipment which broaden the use and allow a longer stay in the Parklands.
* 69% of participants are happy with the design with their favourite elements including:
  + Toilets
  + Flying fox
  + Hill to hill trail
  + Nature play area
  + Water play
  + Slide mountain
* There is strong support for the play equipment shown in the concept design.
* 97% of participants believe that the implementation of Granite Hills Park will attract people to visit the area.
* Once Constructed, 95% of participants will use the proposed connecting trails.
* Many community members are concerned for the protection of the flora and fauna of the site.
* Many local community members are concerned about the impact of traffic on the local road network.
* Majority of participants believe the design should focus on Indigenous values and use of natural materials.

For further information- refer attachment 3.

**Evaluation of Key Themes:**

**Play equipment**

The community was incredibly supportive of the proposed play equipment and emphasised the need to encourage nature play and to utilise natural and recycled materials. The play elements requested by the community currently not shown in the design will be considered as part of the final design.

There was strong sentiment from the community to not use metal in the construction of the slides. Different material options can be investigated; however, metal is the most common material used in giant slides due to its durability and structural capacity for longer slide lengths.

**Supporting facilities**

Many participants emphasised the need for additional shelters, bins, fenced play areas, etc. This can be further considered in the detailed design phase of the project.

**Education of Cultural Heritage Values**

The community highlighted the need to design with cultural heritage values in numerous ways (e.g., through language, art, interpretive signage, etc). Council can continue to work with Cultural heritage advisors and signage consultants for the integration of Cultural heritage values into the final design of Granite Hills.

Cultural heritage values will also need to be further considered in the Quarry Hills connecting trails projects and Future Direction Plans.

**Connecting trails**

There was strong support for the connecting trails with users stating that they would use all trail networks. Participants would like rest stops and viewing points, along with the provision of bins to be further considered.

**Traffic management**

Many local and neighbouring residents voiced their concerns on the impact of traffic on the surrounding residential catchment including increased traffic to Hunters Road, Cravens Road, Waterview Drive, etc. They also raised concerns on the existing and proposed carparks in the landscape master plan (Topaz Grove, Atrium Reserve and Gravlier Way). While further traffic management measures in these carparks can be considered in the detailed design of the Granite Hills Major Community Park, an additional traffic impact assessment will be required to identify broader implications in the surrounding road network and measures to manage these impacts.

**Enhancement and protection to flora and fauna**

Respondents also highlighted their concern for the flora and fauna, requesting further information for Council’s plans to protect habitat. While short-term actions can be undertaken as part of the implementation of Granite Hills Park, further consideration of protection of flora and fauna will need to be assessed as part of the Quarry Hills Future Direction Plan.

**Management of anti-social behaviour**

Many users were concerned about the management and regulation to dog on leash requirements and the illegal access of trail bikes. Participant were also concerned about anti-social behaviour which currently occurs in the Gravlier Way car park and the risk of it occurring in the future car park facilities. Measures such as lighting, signage and boom gates will be used to discourage anti-social behaviour in these areas, however further measures may be required throughout the Quarry Hills Parklands. This will be further considered as part of the Parkland’s operational plan in the Quarry Hills Future Direction Plan.

**Active recreation facilities**

Many participants requested more active recreation elements to be included in Granite Hills Major Community Park. In the master planning for new park, the inclusion of active recreation facilities was considered, however due to the unique character of the Quarry Hills Regional Parkland and its natural features, it was considered that active recreation facilities will be better placed in nearby active recreation reserves where they can be supported by other associated infrastructure. The focus of the Quarry Hills Regional Parkland is centered on facilities that encourage engagement with nature and passive recreation activities, such as hiking, walking, jogging, etc.

**Green Links**

Participants highlighted the need to connect Quarry Hills with surrounding areas and open spaces. As this is outside of the scope of Granite Hills Park and the implementation of the proposed connecting trails, this will be required to be reviewed as part of the Quarry Hills Future Direction Plan.

**Recommendations**

**Community Consultation**

A series of recommendations have been developed from the consultation findings. These will be considered in the detailed design phase of the project and in the Quarry Hills Future Directions Plan. See below table for a summary.

|  |  |  |
| --- | --- | --- |
| **Item** | **Recommendation** | **Priority** |
| Play equipment | Develop final playground design for Granite Hills with priority of the following:   * Slides/ giant slides * Flying fox * Water play * Climbing elements (climbing frames, ropes courses/ climbing walls) * Swings * Trampolines * Monkey bars   Ensure that the play equipment caters to all ages, is accessible and has an emphasis on nature play with the use of natural and recycled materials. | Short term - 3-6 months |
| Investigate the incorporation of skate-able/ rideable elements. | Short term - 3-6 months |
| Investigate other materials for the giant slides as part of the detailed design. | Short term - 3-6 months |
| Supporting facilities | Incorporate more shelters and bins into the final design of Granite Hills Major Community Park. | Short term - 3-6 months |
| Education of cultural Heritage Values | To share the knowledge of the Aboriginal cultural and history at Granite Hills Major Community Park, incorporate the following items into the final design:   * Using Aboriginal names in the local Aboriginal (Woi Wurrung) language * Interpretive signage with information about local Aboriginal history and culture specific to the area * Interactive play equipment that represents aboriginal culture or history * Integration of Indigenous artwork through the site * Educational trail with information about native flora and fauna | Short term- 3-6 months |
| Once the Quarry Hills Cultural Values assessment is complete, implement interpretive signage along the connecting trail network to educate the community on the Cultural heritage of the site. | Short term - 6-9 months |
| As part of the Quarry Hills Future Direction Plan and with response to the Quarry Hills Cultural values assessment, undertake the process to change the name of Quarry Hills and Granite Hills to Aboriginal names in the local Woi Wurrung language. | Medium term- 1- 2 years |
| Connecting Trails | Proceed with the design of the connecting trail network to the proposed alignment. Trail design to further consider scenic viewing points, seating, and bins | Short term - 6-9 months |
| Consider that all entry points to the trail network are accessible and have sufficient parking facilities. | Short term - 6-9 months |
| Traffic Management | Undertake a Traffic Assessment which benchmarks the parking provision against other large-scale urban conservation reserves, and which reviews the impact of increased traffic on the surrounding road network. This should be undertaking alongside the detailed design for Granite Hills Major Community Park and the Quarry Hills Future Direction Plan. Consider measures to address any impacts. | Short term - 3-6 months |
| Enhancement & protection flora and fauna | Consider further actions that can be undertaken as part of the implantation pf Granite Hills Major Community Park to improve and protect the flora and fauna of the site (e.g., improvements to habitat for wetlands, access to water for kangaroos currently accessing Granite Hills dams, protection of conservation areas around Granite Hills, etc). | Short term- 3 to 6 months |
| As part of the Quarry Hills Future Directions Plan, review management practices to improve and protect the flora and fauna of the site (e.g., protection of Kangaroos, enhancement of native vegetation, etc). | Medium term- 6 to 12 months |
| Parkland Management | In conjunction with the planning and development of the Aboriginal Gathering Place project, consider appropriate operational methods and opening times for the Granite Hills Major Community Park. This is to include a range of management methods to discouraging anti-social behaviour. | Short term- 6-9 months |
| Consider the following items for review in the Quarry Hills Future Directions Plan (currently in development)   * Management of dogs to be on lead within the Parklands * Trail bikes | Short term- 6-12 months |
| Green Links | Review opportunities for green links to connecting Parklands e.g., Plenty Gorge, Merri Creek, etc as part of the Quarry Hills Future Directions Plan. | Medium term 12 months |

**Business Case**

Recommendation to proceed with Option 1B as follows:

* Design and construction of a regional scale playground with giant slide attractor to meet functional brief requirements.
* Spaces for small and large-scale events including irrigated lawn, large shelters, barbeques, and picnic facilities.
* Public toilets with Changing Places facilities.
* Wetland or sustainable water treatment.
* Enhanced access road and service utility infrastructure including wider access roads and deeper road pavements to promote future Quarry Hills Regional Parkland uses, including the proposed Aboriginal Gathering Place.

Project cost: $9,422,203

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:  
**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.

Well planned accessible open space is proven to have preventative health benefits including opportunities for the community to socially undertake physical activities. The W2040 Liveable Neighbourhoods Goal includes an indicator to increase Use of Open Spaces. Providing new types of facilities and increased accessibility to those facilities is particularly important to consider during this period of COVID-19 recovery.

**Considerations**

**Financial Implications**

The following budget has been allocated in the 4 Year New Works Program for the development of the Granite Hills Major Community Park.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year** | **Proposed Budget\* (Excl. GST):** | | | **Fund Source** |
| **Internal:** | **External:** | **Total** |
| **2020-21** | $500,000.00 | - | $500,000.00 | Council |
| **2021-22** | $1,000,000.00 | $1,000,000.00 | $2,000,000.00 | GSF |
| **2022-23** | $1,000,000.00 | $1,500,000.00 | $2,500,000.00 | GSF |
| **2023-24** | $1,000,000.00 | - | $1,000,000.00 | Council |
| **2024-25** | $1,800,000.00 | - | $1,800,000.00 | Council |
| **Total** | **$5,300,000.00** | **$2,500,000.00** | **$7,800,000.00** |  |

The scope of this project has not been significantly changed by the outcome of the consultation phase and can continue to be delivered within the forecast budget. Items from the consultation that are outside of the scope of the Granite Hills Major Community Park project will be further considered in the Quarry Hills Future Directions Plan.

A separate budget (of up to $2.6M) is required for the design and construction of the enhanced access road and service utility for future use of the Parklands, including the Aboriginal Gathering Place. These works need to occur at the same time as the road works and utility service infrastructure for Granite Hills Major Community Park, to ensure that the site caters for future use.

**Link to Strategic Risk**

**Strategic Risk** *Service Delivery - Inability to plan for and provide critical community services and infrastructure impacting on community wellbeing*

The City of Whittlesea’s Open Space Strategy identifies the Quarry Hills land area as a regional park, suitable to be developed with facilities such as the Granite Hills Major Community Park. The community has provided support for this.

**Implementation Strategy**

**Critical Dates**

The Granite Hills Major Community Park was successful in receiving $2.5M grant funding from the State Government’s Growing Suburbs Fund. There are critical dates associated with the Growing Suburbs Grant, however COVID-19 restrictions have impacted these milestones. The table below shows the proposed revised grant milestones.

|  |  |
| --- | --- |
| **GSF Milestone** | **Revised GSF Milestones** |
| Planning Permit | 28 February 2022 |
| Construction contractor award | 26 August 2022 |
| Commence construction | 29 October 2022 |
| Construction complete | 28 September 2023 |

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, 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.

**Conclusion**

Developing the Granite Hills as a Major Community Park within the Quarry Hills Regional Parklands will provide regional level facilities that encourage informal and unstructured recreation activities and use of open space in a high-quality landscape setting. The Park will build upon the distinctive geology, topography, historical and biodiversity value of the area, encouraging both children and adults to be more active, social, and to spend time outdoors. The giant slide will act as the main visitor attractor to draw visitors to the site and the access road and utility services infrastructure will enable the park to continue to expand for future uses.

By supporting the recommendations of the Consultation Findings Report, the community’s feedback will be included in the detail design phase of the Granite Hills Major Community Park, reflecting the positive community sentiment of the concept plan’s ability to meet the current and future needs of the community.

**5.3 Strong Local Economy**

Nil

**5.4 Sustainable Environment**

Nil

**5.5 High Performing Organisation**

Nil

**6 Notices of Motion**

Nil

**7 Urgent Business**

Nil

**8 Reports from Council Representatives and CEO Update**

**9 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 Chair of Council recommends that the meeting be closed to the public for the purpose of considering details relating to the following confidential matters in accordance with Section 66(2)(a) of the *Local Government Act 2020* as detailed.**

**9.1 Confidential Connected Communities**

9.1.1 Kindergarten Reform Options Paper

**9.1.1 Kindergarten Reform Options Paper**

**Responsible Officer** Director Community Wellbeing

**Officer** Community Infrastructure Project Coordinator

This report has been designated as confidential by the Director Community Wellbeing, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and 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.  In particular the report contains information regarding proposed partnership negotiations and capital projects that require further consultation and investigation before they can be announced.

**9.2 Confidential Liveable Neighbourhoods**

9.2.1 Compulsory Land Acquisition

**9.2.1 Compulsory Land Acquisition**

**Responsible Officer** Acting Director Corporate Services

**Officer** Consultant

This report has been designated as confidential by the Acting Director Corporate Services, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and 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.   In particular the report contains information that prematurely discloses Council’s intentions and diminishes the strength of Council’s position in these negotiations.

**9.3 Confidential Strong Local Economy**

9.3.0 Confidential Strong Local Economy - Nil

Nil Reports

**9.4 Confidential Sustainable Environment**

9.4.0 Confidential Sustainable Environment - Nil

Nil Reports

**9.5 Confidential High Performing Organisation**

9.5.0 Confidential High Performing Organisation - Nil

Nil Reports

**9.6 Confidential Notice of Motion**

Nil

1. Housing.id, Housing monitor for City of Whittlesea, https://housing.id.com.au/whittlesea accessed November 2021 [↑](#footnote-ref-1)
2. C.Nygaard, *Social and Affordable Housing as Social Infrastructure* (2019), Swinburne University of Technology,<https://www.communityhousing.com.au/wp-content/uploads/2019/11/Social-and-affordable-housing-as-social-infrastructure-FINAL.pdf?x12261> [↑](#footnote-ref-2)
3. Davison, J., Brackertz, N. and Alves, T. (2021) Return on investment for social housing in the ACT, report prepared for ACT Shelter, Australian Housing and Urban Research Institute, Melbourne. <https://www.ahuri.edu.au/sites/default/files/documents/2021-09/AHURI-Prof-Services-Return-on-investment-for-social-housing-in-the-ACT.pdf> [↑](#footnote-ref-3)