

Agenda

Scheduled Council Meeting

Monday 21 November 2022 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Monday 21 November 2022 at 6:30 pm for the transaction of the following business.

This meeting will be held in the Council Chamber at Civic Centre, 25 Ferres Boulevard, South Morang 3752 and will be [livestreamed via Council's website](#).

C Lloyd
Chief Executive Officer

Administrators

Lydia Wilson	Chair of Council
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Peita Duncan	Administrator
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Chris Eddy	Administrator
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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
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Kate McCaughey	Director Community Wellbeing
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Justin O'Meara	Director Planning & Development
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Sarah Renner	Director Customer & Corporate Services
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Debbie Wood	Director Infrastructure & Environment
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Frank Joyce	Executive Manager Governance & Strategy
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Janine Morgan	Executive Manager Public Affairs
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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.

Priority will be given to questions or statements that relate to Agenda items and those submitted prior to 12pm on the day of the Council Meeting. Any questions submitted after 12pm on the day may be read if there is sufficient time and otherwise, will be carried-over to the next Council Meeting..

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.

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:

Director Community Wellbeing, Ms Kate McCaughey;
Director Planning and Development, Mr Justin O'Meara;
Director Corporate & Customer Services, Ms Sarah Renner;
Director Infrastructure and Environment, Ms Debbie Wood;
Executive Manager Governance and Strategy, Mr Frank Joyce; and
Executive Manager Public Affairs, Ms Janine Morgan.

1.2 Acknowledgement of Traditional Owners Statement

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

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

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

1.3 Diversity Statement

The Chair of Council to read the following statement:

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

1.4 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 on 17 October 2022.

4 Public Questions, Petitions and Joint Letters

4.1 Public Question Time

4.2 Petitions

4.2.1 Petition - Request to upgrade Mansfield Park, Epping

A petition has been received from 13 residents requesting Council upgrade the playground at Mansfield Park, Epping.

Recommendation

THAT Council receive the petition from 13 residents requesting Council upgrade the playground at Mansfield Park, Epping and write to the signatories to inform them that:

- 1. A meeting with the Head Petitioner will be organised with Coordinator Open Space Planning and Capital Delivery team.**
- 2. A report to Council will be prepared for the March Council Meeting, advising of the outcome of analysis, needs and issues and provide a recommendation.**
- 3. Signatories will be advised of Council's decision following the Council Meeting.**

4.2.2 Petition- Request to plant olive trees - Kalorama Place, Thomastown

A petition has been received from 12 residents requesting that Council plant olive trees on the nature strips in Kalorama Place, Thomastown, as done so in surrounding streets.

Recommendation

THAT Council receive the petition from 12 residents of Kalorama Place, Thomastown on 27 October 2022, requesting planting olive trees on the street nature strips and note that

- The trees along Kalorama Place, Thomastown will be reassessed by an independent Arboricultural Consultant, to determine their health and useful life expectancy.**
- There will be further site analysis carried out, to determine if there are any other planting opportunities in the nature strips in Kalorama Place, Thomastown.**
- A report to Council will be prepared for the 21 February 2023 Council Meeting, advising how the petitioners concerns have been addressed.**
- Signatories will be advised of Council's decision following the Council Meeting.**

4.3 Joint Letters

4.3.1 Joint Letter - Edgar's Creek

A joint letter has been received from 13 students from Thomastown Primary School regarding the poor health and condition of Edgar's Creek.

Recommendation

THAT Council receive the joint letter from 13 students at Thomastown Primary School regarding Edgar's Creek, and note that a report to Council will be prepared for the 21 March 2023 Council Meeting.

5 Officers' Reports

5.1 Connected Communities

5.1.1 Ageing Well Continuous Improvement Program

Responsible Officer	Director Community Wellbeing
Author	Lence Markovska, Manager Ageing Well
In Attendance	Lence Markovska, Manager Ageing Well
Attachments	No Attachments

Purpose

The purpose of this report is to:

- Provide an update on Council's Ageing Well Service considering wider Commonwealth Aged Care Reform and sector reform; and
- Seek endorsement of the **Ageing Well Continuous Improvement Program** as summarised in **Table 3** of this report.

Brief Overview

Aged care sector reform has been ongoing over the past decade. Like many Victorian Councils, the City of Whittlesea has continued to review opportunities and issues presented as a result of Commonwealth and State Government reform initiatives and our local operating context. This report outlines proposed responses, service direction and next steps for planning and continuous improvement for the Ageing Well service which is encapsulated in the **Ageing Well Continuous Improvement Program (version 2.0)** and summarised in Table 3 of this report.

Recommendation

THAT Council:

1. **Continue to deliver aged care services including in-home and positive ageing programs as described in the Ageing Well Continuous Improvement Program (version 2.0) and Table 3 of this report.**
2. **Note the City of Whittlesea Ageing Well Continuous Improvement Program decision making factors and issues summarised in Table 3 of this report.**

Key Information

Council's Ageing Well services

City of Whittlesea's Ageing Well Department (Ageing Well) provides a range of Commonwealth Home Support Program (CHSP), Home and Community Care Program for Younger People (HACC PYP) and Council subsidised aged care services for our ageing population, and:

- Has an effective full-time (EFT) staff of 95.7
- Supports approximately 15,000 clients annually;
- Supports 84 senior citizen clubs; and
- In 2021/22 delivered more than 95,000 hours of service (source: 2021/22 Client Data Dashboard).

City of Whittlesea's Ageing Well Department aims to:

- Support residents' sense of identity and ability to live independently in their own homes and participate in community life for as long they can and wish to do so
- Deliver timely, high quality home care support services that supports the older person's individual goals, preferences and choices; and
- Focus on wellness.

Table 1 - A summary of the Ageing Well service

SERVICE	CHSP*		HACC PYP**		TOTAL	
	No. Clients	No. Hours	No. Clients	No. Hours	Total Clients	Total Hours
HOME CARE	1451	31591	108	2222	1559	33813
PERSONAL CARE	371	13818	46	1682	417	15499
RESPIRE CARE	87	2063	6	273	93	2336
FOOD SERVICES	223	18749	15	1034	238	19783
PROPERTY MAINT	1433	5511	75	433	1508	5944
SOCIAL SUPPORT GROUP	72	7390			72	7390
INDIVIDUAL SOCIAL SUPPORT	328	10847	1	3	329	10850
					4216	95615
REGIONAL ASSESSMENT SERVICE					1592	6105

SERVICE	CHSP*	HACC PYP**	TOTAL	
POSITIVE AGEING TEAM LEAP membership			1030	
SENIOR CITIZEN GROUPS (84 Registered groups)			8200	
*CHSP= Commonwealth Home Support Programme **HACC PYP= Home and Community Care Program for Younger People				

Our 50+ population

Living our lives 50 + years A Positive Ageing Strategy for the Whittlesea Municipality 2016-2025, is one of many strategies and plans developed by Council that contribute to making Whittlesea municipality a vibrant, inclusive, active and healthy community. The Positive Ageing Strategy articulates the need for a greater focus on 'ageing' and 'ageing well' from individuals, Council, organisations and the community as a whole.

The Strategy promotes the many opportunities that an ageing population brings to a society and the vast benefits for individuals and the community when people continue to be active, healthy and participate in the community as they age.

2021 census and forecast Local demographic data identifies approximately 28.6% of the total population of the City of Whittlesea or 65,433 people were aged 50+ years – the target group for Council's Positive Ageing Strategy. In the past five years we have seen an increase in the number of older workers and pre-retirees (50 to 59 years an increase of 3,177 people) and seniors (70 to 84 years an increase of 40,570 people). As a rapidly growing municipality, the proportion of residents 50+ years will increase significantly from 65,433 in 2021, to 112,691 in 2041.

This increase is primarily attributed to 'population ageing' however it also includes new residents moving into the area. Our residents aged 50+ reflect the diversity seen in our community. A feature is the ageing of the wave of migrants who made the suburbs of Whittlesea their home in the 1950's and 1960's. The most common (non-English) language groups for residents 50+ years include Italian, Macedonian, Greek, Arabic, Vietnamese and Maltese.

The socio-economic makeup of residents 50+ years in the Whittlesea municipality includes higher rates of disadvantage characteristics (disabilities, low income, lone person households, not proficient in English) than the total population. Residents 50 + years are more likely to live in the areas with the 'highest disadvantage'. Across all of these population characteristics there are more females than males.

Current Arrangements

CHSP and HACC-PYP (predominantly Commonwealth and State funded services)

Under the current arrangements the City of Whittlesea is funded to deliver set targets under each service and service sub type for which funding is received.

Council's contract for CHSP funding is until 30 June 2023. Recent communication from the Commonwealth Department of Health has confirmed that the Australian Government is returning to the timeframe put forward by the Royal Commission in Aged Care Quality and Safety (Royal Commission) to deliver a reformed and improved in-home aged care program by 1 July 2024. It is confirmed that Council will receive an extension for the current contract to 30 June 2024. The new Support at Home program will replace the Commonwealth Home Support Programme (CHSP), Home Care Package (HCP) Program, and the Short-Term Restorative Care (STRC) Program. Thereafter, organisations such as the City of Whittlesea, who continue to provide services will need to operate under the Support at Home model. Details of these arrangements are yet to be confirmed.

Regional Assessment Service (RAS)

The RAS completes assessments for anyone who needs to access basic government funded in home support. To receive a RAS assessment, you must be aged 65 years and over, or aged 50 years and over for Aboriginal and Torres Strait Islander people. Council's contract for the RAS is until 30 June 2023 at which point the sector is expected to move to a single assessment workforce. The details of this are yet to be confirmed.

Positive Ageing (predominantly Council funded services)

Council's Positive Ageing service delivers a range of programs across the following key areas:

- Active Ageing
- Digital Literacy and Lifelong Learning
- Health and Wellbeing programs, and
- Connected and Safe Communities.

There are currently 1030 members of the Let Everyone Actively Participate (LEAP) Program which offers a variety of activities across the four key areas above. This includes bus trips, weekly LEAP Golf Program, weekly exercise class programs and a social Twilight Program. The program also delivers a range of information sessions on topics including Elder Abuse, Health and Wellbeing training and education.

In addition to program delivery, the team supports 84 Senior Citizen Groups from a range of cultural backgrounds and special interest groups. Council provides financial assistance through the Senior Citizen grants which are due to be updated to align with Council's broader new community grants framework in the next financial year.

Proposed Arrangements – City of Whittlesea Ageing Well Continuous Improvement Program

In response to a changing aged services environment, Council has developed the City of Whittlesea Ageing Well Continuous Improvement Program which reinforces Council's commitment to provide aged services and outlines how Council will continue to deliver these important services to our community in a changing landscape.

The program has been developed taking into consideration the uncertainty around the proposed Commonwealth's Aged Care Reform Agenda and sector wide reforms to allow us to provide certainty to our staff and clients. The program ensures we can continue to provide access to vulnerable clients in the community and that our services are timely, of high quality and that we remain efficient.

The Ageing Well Continuous Improvement Program (version 2.0):

The program includes all elements of the Ageing Well service including State, Federal and Council funded services.

- It means that while we continue to deliver our core services, Council will work with staff, partners, clients and carers to improve how we operate and serve our community effectively. By continuing to focus on identifying and implementing enhancements to our services, we will continue to be as competitive as possible.
- The program has identified planned action types which are summarised in **Table 2** below.
- It includes both a current and proposed future state for all existing service types and has been developed to transform key elements of the services' operating model, improve financial viability, address new funding model risk and respond to emerging opportunities and community need. A summary of the **Ageing Well Continuous Improvement Program (version 2.0)** is outlined in **Table 3**. It is anticipated that the program will continue to evolve as additional sector reform information becomes available.

Table 2: Ageing Well Continuous Improvement Program – planned action types

Type of planned action	Description
Continue and Adapt	Continue to deliver the service and adapt in line with the aged care reform
Review Model	Undertake a review to determine future model and/or if we're best placed to continue delivering the service
No Proposed Change	This activity is funded and Council is optimally placed to deliver this service/ program
Exit	Exit from delivery of service

Table 3: Ageing Well Continuous Improvement program summary (version 2.0)

Predominant Funding Source	Service Type	Planned Action	Indicative Timeframe
Department of Families, Fairness and Housing (DFFH)	HACC Assessment and Care Coordination	Continue and Adapt	In Progress
	Community Care (HC, PC, RC)	Continue and Adapt	In Progress
	Property Maintenance	Continue and Adapt	In Progress
	Flexible Service Response	Continue and Adapt	In Progress
	Meals	Continue and Adapt	In Progress
	Volunteer Coordination	Continue and Adapt	March 2023
	Volunteer Coordination - Other	Continue and Adapt	March 2023
	SSR VPR/Emergency & heat planning	No Proposed change	N/A
	Service System Resourcing	No Proposed change	N/A
	Seniors Festival	No Proposed change	N/A
Commonwealth Department of Health	CHSP Domestic Assistance	Continue and Adapt	May 2023
	CHSP Personal Care	Continue and Adapt	May 2023
	CHSP Social Support Individual	Continue and Adapt	In Progress
	CHSP Flexible Respite	Review Model	March 2023
	CHSP Home Maintenance (hours)	Continue and Adapt	In progress
	CHSP Home Modifications (cost)	Continue and Adapt	December 2022
	CHSP Specialist Support (A&S)	Exit	June 2023
	CHSP Meals	Continue and Adapt	March 2023

Predominant Funding Source	Service Type	Planned Action	Indicative Timeframe
	CHSP Social Support - Group	Continue and Adapt	In Progress
	CHSP Centre-based Respite	Review Model	March 2023
	CHSP Sector Support and Development	Continue and Adapt	June 2023
Commonwealth Department of Health	Regional Assessment Service	Review	June 2023
City of Whittlesea	Positive Ageing: LEAP Program	Continue and Adapt	December 2022
	Positive Ageing: Senior Citizen Club Support	Review	N/A

Community Consultation and Engagement

Customer Experience Survey 2021

An Ageing Well Customer Experience Survey was conducted at the end of 2021. The survey was completed by 723 clients of which:

- 73.6% of respondents identified as Female
- 58% of respondents are aged over 80
- 51.6% of respondents speak a language other than English

The responses reflected the quality of the service as experienced by the customer with the highest rating responses noted below:

- 96.8% of the respondents Agree/Strongly agree that they are always treated with respect and dignity
- 99.5% of the respondents Agree/Strongly Agree they feel comfortable and safe when services are provided
- 91.3% of the respondents Agree/Strongly Agree they feel comfortable telling the workers what is important to them
- 88.3% of the respondents Agree/Strongly Agree they feel they receive high quality care and services
- 89.6% of the respondents Agree/Strongly Agree the services are well run by the City of Whittlesea

Staff and other stakeholder engagement

Regular engagement has occurred with the following:

- Commonwealth and State Government representatives on the Aged Care Reform project. Agencies have indicated interest in being updated, but not participating in the project.
- Ageing Well leadership team have been briefed, consulted and fed into the Ageing Well Continuous Improvement Program.
- Ageing Well staff were consulted through a recent organisational re-alignment process regarding team structure.
- Ageing Well staff have been engaged in ongoing program design and service optimisation activities.

Benchmarking

Council consulted with other neighbouring Council in relation to their plans regarding service delivery. This benchmarking identified a range of responses to aged care sector reform as befitting the particular social, economic, financial and environmental circumstances of each municipal district, as well as associated policy priorities.

Alignment to Community Plan, Policies or Strategies**Whittlesea 2040 Connected Communities goal**

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

High performing organisation

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

Community Plan 2021-2025

This report addresses the following Community Plan 2021-2025 initiatives:

- **Connected Communities:** Deliver a Connected Communities Strategy that will enhance social inclusion, civic participation, health, wellbeing, and safety and reflect and celebrate the diversity of religions, cultures, heritages, abilities, ages, gender and sexual orientation which make City of Whittlesea a place for all.
- **Community Plan Action Plan 2021-2022:** Aged Care Reform– Undertake service planning to ensure our older residents' transition well to the national market-based aged care and disability system.
- **High Performing Organisation:** Undertake service planning to drive innovation, improvement, equity, efficiency, and service excellence with a focus on customer experience.

- Note: once adopted, the Connected Communities and High Performing Organisation Strategies will supersede the existing Positive Ageing Strategy; and incorporate key initiatives of the proposed Ageing Well Continuous Improvement program.

Other Council strategic documents

- Positive Ageing Strategy for the Whittlesea Municipality 2016 – 2025
- Positive Ageing Policy 2016
- Integrated Planning Framework 2021

Considerations**Social, Cultural and Health**

Opportunities for ageing well are understood to be closely connected to the social and built environment in which one lives. Structural and social factors including income, housing, transport, cultural background, gender, connectedness to family, community and access to support services when required, have an influence on a person's capacity to age well. By recognizing and understanding the impact of these factors Council, through its roles of advocate, facilitator and provider – can play a role in developing the Whittlesea municipality as an age-friendly city. As highlighted above, the municipality will experience a growth in 50+ years population numbers and of many of our residents in this age cohort have a relatively low-socio economic status.

In addition to community care services, Council provides a range of services and infrastructure to support the health and wellbeing of older residents. Local government activities can be understood to promote the equitable access, inclusion and participation of older people in the social, civic and economic activities of their local communities (such as volunteering opportunities etc).

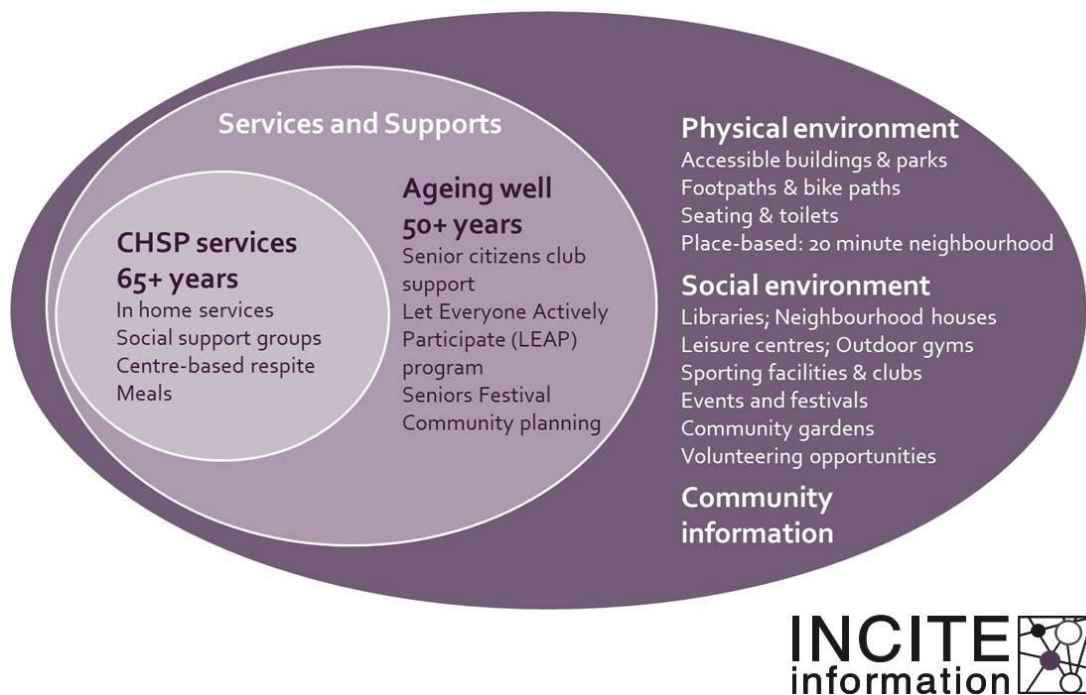


Figure 1: Council's services & infrastructure to support the health and wellbeing of older people (Source: Incite Information, 2021)

The range of services, support and infrastructure provided by Council to support the health and wellbeing of older residents in Whittlesea is presented in **Figure 1** above.

Financial Implications

The 2021 Incite Information *Aged Care Reform Briefing Paper* noted that Council's current delivery of community care services includes substantial ratepayer subsidy estimating Council contribution of approximately \$6.9 million for the delivery of the current suite of service in 2020/21 and 2021/22.

Link to Strategic Risk

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

Reputation: City of Whittlesea has a positive reputation as a service provider of Aged Care Services. The feedback through the Ageing Well Customer Experience Survey conducted in 2021 is testament to how much the service is valued by the clients.

Service security: By continuing as a service provider, there is a guarantee that the service will be provided to City of Whittlesea residents. CHSP providers are funded for a region and may therefore chose not to deliver services to residents in the City of Whittlesea or some parts of the municipality.

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

Council's resourcing model for service delivery contributes to the cost of service provision. A review of the model and supporting systems and infrastructure continues to be undertaken to reduce costs and duplication of effort.

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

The Commonwealth Government has assumed responsibility for aged care service provision. In 2015 it was understood that the Commonwealth's reform process would provide certainty to Council and the community by July 2018. The Commonwealth subsequently extended this to June 2019, then June 2020, June 2022 and most recently to June 2023. These delays have resulted in a protracted period of uncertainty for residents, staff and the community regarding Council's future role in aged care delivery. The Ageing Well Continuous Improvement Plan addresses this risk.

Strategic Risk Governance - Ineffective Council governance resulting in legislative non-compliance; breaches of duties of a Council; breaches of duties of a Councillor

Other Risks

Population growth: the number of older residents living in City of Whittlesea is expected to increase substantially with an accompanying growth in demand for aged care services.

Diversity: 70% of residents aged 65+ years are born overseas and individuals in the CALD community may experience access issues due to language/cultural barriers and the need for culturally appropriate services.

Northern Metropolitan Region (NMR) funding: Under the current arrangements, CHSP funding is allocated to funding regions. The CHSP funding received by Council is for the Northern Metropolitan Region (NMR) and as the fund holder, Council uses these funds to deliver services to residents of the municipality. If Council decided to transition from delivering a particular service, the CHSP funding relinquished by Council would go into a broader pool of funding for the NMR and would not guarantee that the service Council transitioned from would be provided specifically for City of Whittlesea residents.

Implementation Strategy

Communication

We will reiterate our commitment to deliver the services in **Table 1**. A communication plan will be implemented as the program is rolled out including:

- Communication with clients, staff and key stakeholders; and
- Use of internal and external communication channels.

Critical Dates

Key dates for key contractual arrangements are summarised in **Table 4** below.

Table 4: key contractual arrangement dates

Contract	Contract expiry date
Commonwealth CHSP	30 June 2023
Commonwealth RAS	30 June 2023
State Government HACC PYP	TBC

Declaration of Conflict of Interest

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

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

Conclusion

Aged care sector reform has been ongoing over the past decade. Like many Victorian Councils, the City of Whittlesea has continued to review opportunities and issues presented as a result of Commonwealth and State Government reform initiatives and our local operating context. This report outlines proposed responses, service direction and next steps for planning and continuous improvement for Council's Ageing Well service.

The Ageing Well Continuous Improvement Program summarised in **Table 3** of this report provides a roadmap for how Council's Ageing Well services will continue to realise opportunities, address challenges, meet community need (for some of our most vulnerable residents) and enhance sustainability of the service.

Council is committed to remain in service provision and the program will continue to evolve as new information becomes available and as milestones are realised.

5.2 Liveable Neighborhoods

5.2.1 Planning Scheme Amendment C245: Heritage Overlay on 90 and 150C (formerly 100) Bindts Road, Wollert - Exhibition outcomes and request for Panel

Responsible Officer	Director Planning & Development
Author	Denise Turner, Coordinator Planning Policy and Implementation
In Attendance	Julie Paget, Strategic Planner

Attachments

1. C 245 wsea Map - 90 Bindts Rd - as exhibited [5.2.1.1 - 1 page]
2. C 245 wsea Map - 90 Bindts Rd - post exhibition [5.2.1.2 - 1 page]

Purpose

This report provides an update on the outcome of exhibition of Amendment C245 which seeks to apply and amend heritage controls at 90 and 150C (formerly 100) Bindts Road, Wollert.

It recommends that Council request the Minister for Planning appoint a Planning Panel to consider the unresolved submission to Amendment C245, for permanent heritage controls.

The report also recommends Council request the Minister for Planning to grant an extension to Amendment C245; and undertake a *Section 20 Part A* Amendment to extend the Interim Heritage Overlay at 90 Bindts Road, Wollert (HO204).

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 (Bindts Farm) at 150C Bindts Road, Wollert.

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 an Interim HO to 90 Bindts Road, Wollert which was at risk of demolition (Amendment C243). The interim controls were applied for a period of 12 months to provide protection while the permanent HO controls could be progressed via Amendment C245. The interim controls have since been extended twice more via Amendment C256 and Amendment C263 and are due to expire on 21 January 2023.

Amendment C245 was placed on exhibition 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 150C Bindts Road, Wollert. Both submissions challenged the extent of the curtilage of the proposed Heritage Overlay. The DoT submission has been resolved; however, the landowner submission remains unresolved.

This report recommends that Council request the Minister for Planning convene a Planning Panel to consider the unresolved submission in line with the statutory process. It also recommends the Chief Executive Officer be authorised to allow officers to continue to negotiate with the submitter to resolve the submission prior to Panel, in line with this report.

In the meantime, it is important to ensure that the heritage significance of the site is protected. It is recommended that Council request the Minister for Planning grant an extension to Amendment C245 which is due to lapse on 21 January 2023; and undertake a *Section 20 Part A* Planning Scheme Amendment to extend the Interim HO at 90 Bindts Road, Wollert (HO204) which also expires on 21 January 2023. This is discussed further under the Critical Dates section.

Recommendation

THAT Council:

- 1. Request the Minister for Planning appoint a Planning Panel to consider the unresolved submission to Amendment C245wsea**
- 2. Adopt the officer recommendations outlined in this report, in relation to the submissions received to Amendment C245wsea, as the basis for the Council position at the Planning Panel Hearing**
- 3. Authorise the Chief Executive Officer to allow officers to continue to negotiate with the submitter to resolve the outstanding submission, prior to the commencement of any Planning Panel Hearing**
- 4. Authorise the Chief Executive Officer, in the event the outstanding submission is resolved, to cancel the request for a Planning Panel**

5. **Authorise the Chief Executive Officer to appoint officers to represent Council and instruct any legal representation at the Directions Hearing or Panel Hearing conducted in respect to the Amendment**
6. **Request that the Minister for Planning grant an extension to Amendment C245wsea which is due to lapse on 21 January 2023, in accordance with section 30 (1)(a) of the Planning and Environment Act 1987**
7. **Request that the Minister for Planning undertake a *Section 20 Part A* Planning Scheme Amendment to extend the Heritage Overlay at 90 Bindts Road, Wollert (HO204) which expires on 21 January 2023, and**
8. **Advise the submitters of Council's decision as outlined in points 1. to 7. above**

Key Information

Background

Amendment C245 proposes to apply the Heritage Overlay (HO) to the Ewert's 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 150C Bindts Road, (Bindts Farm) Wollert.

The two sites are included in a recently adopted Planning Permit Application PLN-37466 for a multi lot subdivision (116 lots including 1 super lot) at 40-150C (formerly 40 -100) Bindts Road, Wollert, in the Quarry Hills Precinct Structure Plan (PSP) area.

Since Amendment C245 was first initiated, lots 100, 130 and 150 – 152 have been consolidated to form 150C Bindts Road, Wollert.

Officers sought interim heritage controls for 90 Bindts Road via Amendment C243 after two requests were received to demolish the dwelling and associated outbuildings.

Amendment C243 Interim HO was approved by the Minister for Planning for 12 months on 16 July 2020 while the permanent controls could be progressed via Amendment C245. The interim controls were extended for 12 months via Amendment C256, and for an additional 12 months via Amendment C263. These interim controls will expire on 21 January 2023.

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.

A report to Council on 6 December 2021 seeking an extension to the Interim HO, already outlined the exhibition outcomes and submissions received in relation to the permanent heritage controls proposed by Amendment C245. Some of this information is provided again, with a further update on matters to inform the proposed request for a Planning Panel to be appointed.

Site Context

The properties at 90 and 150C Bindts Road are adjacent lots located on the eastern side of Bindts Road, Wollert, within the Quarry Hills Precinct Structure Plan.

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.

The following clauses within the Whittlesea Planning Scheme are relevant:

- 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 150C Bindts Road and includes heritage requirements and guidelines to minimise impacts of new development on heritage places including dry stone walls.

Amendment C245 and Statutory Exhibition

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. The extent of the proposed HO (at exhibition) is shown in Attachment 1.

The Amendment also seeks to amend the Schedule to Clause 43.01 for the existing HO161 at 150C Bindts Road, and to include an updated Statement of Significance to correct an error in identification of the heritage place. HO161 was incorrectly identified as Ewert's Farm but is now recognised as Bindts Farm.

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 150C Bindts Road, Wollert. Both submissions challenged the extent of the curtilage of the proposed HO. The DoT submission was able to be resolved, however, Council officers are continuing to negotiate with the remaining landowner submitter.

Application of the HO to 90 Bindts Road will provide permanent heritage protection over the site, and together with the correction to HO161 at 150C Bindts Road, will ensure that any proposals for these sites do not adversely or irreversibly alter their 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 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 being the Minister for Energy, Environment and Climate Change, the Minister for Agriculture, the Minister for Water and the Minister for Resources, in line with statutory requirements. The letters contained the Amendment notice and information regarding 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 exhibited amendment, and both were in relation to the proposed curtilage (HO204) for 90 Bindts Road:

- **Submission 1** from the 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 150C 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.

Since the matter was reported to Council on 6 December 2021, officers have continued to engage with Submitter 2 in relation to their submission to Amendment C245 and the assessment of their Planning Application, which was granted conditional approval on 16 May 2022. Further discussions are scheduled to discuss with Submitter 2, their preferred approach for a blanket approval for lots affected by the HO. This approach may not be possible, although officers are hopeful an alternative, suitable solution may still be negotiated.

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.

The Amendment meets the objectives of Whittlesea 2040 and the Council Plan. Specifically, the Amendment will achieve its 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, and that the DSW is still afforded protection by Clause 52.33 of the Whittlesea Planning Scheme, which deals specifically with the conservation of DSW.

Should DoT seek a planning permit to remove the DSW, Clause 52.33 would trigger a requirement to consider relocating sections of DSW rather than simply demolishing it to make way for the road. On this basis, officers recommend the 'exhibited' HO curtilage shown in Attachment 1 be amended to remove the thin section of the HO that is affected by the PAO. DoT have agreed to withdraw their submission based on the proposed 'post exhibition' HO curtilage map shown in Attachment 2.

Submission 2 was made on behalf of the landowner of 90 and 150C 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 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 thin section of the HO affected by the PAO, as 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, 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 also be noted that the original curtilage sought for the site through the Interim HO (Amendment C243) originally covered the entire area of the site, to the west of Darebin Creek. Whereas the curtilage proposed for permanent protection through Amendment C245 (at exhibition) is significantly reduced, as shown in Attachment 1, to take into consideration the anticipated development envisaged for the site. The curtilage proposed under C245 therefore strikes an appropriate balance.
- 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 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 some sections of DSW rather than simply demolishing them, but it would not prohibit planned vehicle access to adjoining lots.
- 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 (post exhibition) which removes the thin section of the HO affected by the PAO. Council officers have had ongoing discussions with Submitter 2, and while many of the points raised above are acknowledged, the primary concern is the extent to which proposed HO204 will impact the approval of their current planning application, notwithstanding the Interim HO is already in place.

Officers met with Submitter 2 on 27 April 2021 to discuss their submission, including the implications of the proposed HO on their application which was under active consideration by Council. They indicated they would be open to withdrawing their submission, should the heritage matters be generally resolved, and the planning permit approved. On that basis, Council resolved on 6 December 2021 to seek an extension to Amendment C256 Interim HO and allow officers to continue to negotiate with the submitter to resolve the submission to Amendment C245, rather than request a Planning Panel at that time. This provided additional time to allow consideration and assessment of the planning application and further engagement with the submitter.

Planning Application PLN-37466 was ultimately presented to the 16 May 2022 Council meeting, and Council resolved to grant conditional approval.

Council officers met with the Submitter again on 27 July 2022 to discuss their position following approval of the permit, and whether they were prepared to withdraw their submission. They expressed ongoing concerns regarding the extent of the HO due to the additional complexity it creates for future purchasers and sought for the HO to be limited to the general area of the farmhouse and outbuildings only. Alternatively, they sought further discussion with officers regarding a potential amended permit which would grant blanket approval for lots affected by the HO, without the submission of detailed plans to guide the development on the affected lots.

Firstly, it would be premature for Council to reduce the HO curtilage proposed by Amendment C245 to reflect the outcomes of the approved 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 of the site are complete to ensure the heritage values of the site are protected.

Secondly, the submitters preferred approach for a blanket approval for lots affected by the HO, may not be appropriate without the submission of detailed plans for each of the affected lots. Without such plans the application is incomplete, and a proper assessment cannot be undertaken to inform Council's decision under the HO. Consideration is being given to other potential solutions.

At the time of writing, negotiations are ongoing. However, given the Interim HO expires on 21 January 2023, and Amendment C245 will lapse on the same date unless an extension is granted (discussed further below), Council needs to progress its consideration of the Amendment. In particular, to seek the necessary requests from the Minister for Planning to ensure the heritage significance of the site is protected while the Amendment is progressed, and in line with statutory processes, request appointment of a Planning Panel to consider and make recommendations on the unresolved submission.

In the event the submission is resolved after the 21 November 2022 Council meeting, but prior to a Planning Panel Hearing, a recommendation has been included in this report to authorise the Chief Executive Officer to cancel the request for Planning Panel. Amendment C245 would then be reported to a subsequent Council meeting to recommend adoption of the Amendment with the reduced 'post exhibition' curtilage, shown in Attachment 2.

Financial Implications

The cost of conducting the Panel Hearing will be borne by Council as the Planning Authority that initiated the Amendment, in accordance with the Planning and Environment Act 1987. These costs will be covered by the Strategic Futures operational budget for 2022/2023.

All parties attending the Panel Hearing will cover their own costs.

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

21 January 2023 - Amendment C245 will lapse on this date. An Amendment lapses two years after notice of an amendment is published in the Government Gazette, unless it is adopted or a longer period has been allowed by the Minister. As notice of Amendment C245 was published on 21 January 2021, it is due to lapse on 21 January 2023. A request will therefore need to be made to the Minister for Planning to grant an extension to this period, in accordance with section 30 (1)(a) of the *Planning and Environment Act 1987*. A recommendation has been included to formalise this request.

21 January 2023 - Amendment C263 interim heritage controls will expire on this date. A *Section 20 Part A* Planning Scheme Amendment to extend the Interim HO at 90 Bindts Road Wollert (HO204) will need to be made to the Minister for Planning to ensure the heritage place remains protected while the permanent controls under Amendment C245 are being progressed. A recommendation has been included to formalise this request.

End of November 2022 – The Department of Environment, Land, Water and Planning (DELWP) have indicated the above requests to extend Amendment C245 and Amendment C263 must be received by the Minister for Planning by no later than the end of November if they are to be extended before 21 January 2023. DELWP officers have indicated in principle support as Council has been actively seeking to resolve the submission.

Pre-set Planning Panel Dates – In line with statutory requirements, pre-set Planning Panel dates have been set. These dates have since been pushed back to allow additional time for negotiations to occur, to seek to resolve the submission and avoid a Planning Panel. The new dates are:

- Directions Hearing – the week of 13 February 2023.
- Panel Hearing – the week of 13 March 2023.

Next Steps

Negotiations with the submitter are ongoing, with hope of resolving the submission prior to a Planning Panel.

Declaration of Conflict of Interest

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

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

Conclusion

Amendment C245 seeks to apply the Heritage Overlay on a permanent basis to Ewert's Farm (HO204) at 90 Bindts Road, Wollert, and to correct an identification error of a heritage place to which the Heritage Overlay already applies (HO161) at 150C Bindts Road, Wollert (Bindts Farm).

Following exhibition of the Amendment, two submissions were received, both of which related to the extent of the curtilage of the Heritage Overlay for HO204. One submission has been resolved to remove the Heritage Overlay from that part of the site that is affected by the Public Acquisition Overlay, as shown in Attachment 2 of this report. However, no further reduction to the Heritage Overlay is recommended in relation to the other submission.

It is recommended that Council resolve to request the Minister for Planning appoint a Planning Panel to consider the unresolved submission to the Amendment.

Notwithstanding the appointment of a Planning Panel, it is recommended that Council authorise the Chief Executive Officer to appoint officers to continue to negotiate and resolve issues with the remaining submitter, as appropriate, prior to the commencement of any Panel Hearing.

It is also recommended that Council request the Minister for Planning grant an extension to Amendment C245; and undertake a *Section 20 Part A* Amendment to extend the Interim Heritage Overlay at 90 Bindts Road, Wollert (HO204) to ensure the heritage significance of the site is protected.

5.2.2 Telecommunication Facility at 54 Main Street Thomastown

Responsible Officer Director Planning & Development

Author Lachlan Yuill, Planning Officer

In Attendance Lachlan Yuill, Planning Officer

Attachments

1. Locality Maps [5.2.2.1 - 2 pages]
2. Plans [5.2.2.2 - 3 pages]
3. EME Report [5.2.2.3 - 3 pages]

Applicant Mark Baade – SAQ Consulting

Zoning Public Park & Recreation Zone

Overlay Development Contributions Plan Overlay
Heritage Overlay
Land Subject to Inundation Overlay

Referral N/A

Objections Two Objections including one petition

Purpose

The application proposes the construction of a telecommunications facility within the Thomastown Main Street Recreation Reserve at 52W Main Street, Thomastown. The facility is proposed to be located south of the northern oval, adjacent to the car parking area approximately 80 metres southeast from the nearest residential area and approximately 50 metres from the Thomastown Secondary College to the west.

The facility consists of a 30-metre-tall monopole and a four bay equipment cabinet. The monopole is proposed to provide both 4G and 5G telecommunications services with the provision of three 4G panel antennas and six 5G panel antennas. The equipment cabinet will be located slightly south of the proposed tower and has a total height of 2.32 metres and covers a total area of 2 square metres.

Brief Overview

The proposal seeks approval for the construction of a telecommunications facility on Council property at 52W Main Street, Thomastown. As the proposal is located on Council land it is being reported to Council for a decision.

Notification of the application was undertaken, and two objections were received. One of the objections was a petition containing 146 signatures. The grounds of the two objections related to human health and safety.

The proposal is consistent with the objectives of the relevant Planning Policy and decision guidelines of the Whittlesea Planning Scheme and approval of the application is recommended.

Recommendation

THAT Council approve Planning Application No PLN-37256 and issue a Notice of Decision to Grant a Permit for the use and development of a telecommunications facility in accordance with the endorsed plans and subject to the following conditions:

- 1. The use and development as shown on the endorsed plan must not be altered without the written consent of the Responsible Authority.**
- 2. Once buildings and works have commenced, they must be completed to the satisfaction of the Responsible Authority.**
- 3. Prior to the commencement of any buildings and works, consultation with relevant stakeholders must be undertaken to eliminate impacts on any organised sporting or community events within the Thomastown Main Street Reserve to the satisfaction of the Responsible Authority.**
- 4. All operational equipment must comply with the Australian Communications and Media Authority (ACMA), Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and Electromagnetic Energy & Radiation requirements. A telecommunication equipment operational report must be prepared by a suitably qualified person demonstrating compliance with these requirements upon request to the satisfaction of the Responsible Authority.**
- 5. The telecommunications cabinets and equipment must be visually maintained and kept free from vandalism and graffiti to the satisfaction of the Responsible Authority.**
- 6. The telecommunications facility must be finished in muted and/or natural colours.**
- 7. Any landscaped areas surrounding the housing units must be maintained regularly to the satisfaction of the Responsible Authority.**
- 8. The monopole must be built in a way so that it can support the future co-location of equipment from additional carriers/operators to the satisfaction of the Responsible Authority.**

- 9. No additional structures can be placed on the monopole other than those exempt under the Telecommunications (low impact facilities) Determination 1997 unless with the written consent of the Responsible Authority.**
- 10. Any communications infrastructure decommissioned and no longer required at the telecommunications facility must be removed from the site within one month of being decommissioned and no longer required to the satisfaction of the Responsible Authority.**
- 11. If the telecommunications facility hereby approved becomes redundant, all above ground infrastructure associated with the telecommunication facility must be removed and the area reinstated to the satisfaction of the Responsible Authority. All works to comply with this condition must be completed within three months of the facility ceasing to operate and must be at the expense of the permit holder.**
- 12. The use and development must be managed to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected through the:**
 - a. Transport of materials, goods or commodities to or from the land; and**
 - b. Appearance of the building, works or materials.**
- 13. No native vegetation (including groundcovers and grasses) is to be removed, destroyed or lopped for the construction of the monopole and associated infrastructure unless otherwise exempt from requiring planning permission under the provisions of the Whittlesea Planning Scheme.**
- 14. Upon completion of the buildings and works, the site must be cleared of all excess and unused building materials and debris to the satisfaction of the Responsible Authority.**
- 15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.**
- 16. This permit will expire if one of the following circumstances applies:**
 - a. The development is not commenced within two years from the date of this permit**
 - b. the development is not completed within four years from the date of this permit.**
 - c. the use does not start within two years after completion of the development; or**
 - d. the use is discontinued for a period of two years.**

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires; within six months of the permit expiry for the commencement of use and / or development; or within 12 months of the permit expiry for the completion of development.

Site and Surrounding Area

The Thomastown Main Street Recreation Reserve contains two outdoor football and cricket ovals, the Thomastown Recreation and Aquatic Centre, Thomastown Library and other minor recreational spaces. The site has an area of 11.05 hectares and is located on the north side of Main Street Thomastown.

The area surrounding the reserve is characterised by standard density residential development. The Thomastown Secondary College immediately abuts the site to the west while the Edgars Creek travels along the east of the site intersecting a portion of the site toward the south.

A local commercial complex along Edgars Road is located approximately 430 metres to the west of the site while the Thomastown Train Station and High Street shopping strip is located 500 metres to the east.

Restrictions and Easements

The Certificate of Title for the property shows that the site is not affected by any encumbrances or restrictions. A drainage easement associated with Edgars Creek travels through a section on the east of the site.

Public Notification

Notification of the application resulted in two objections, which included one objection being a petition. The petition contained a total of 146 signatures. The grounds of the two objections related to human health and safety.

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

Community Consultation and Engagement

Community consultation and engagement occurred by the notification of the planning permit application and a community consultation meeting with the objectors.

Notification of the proposal occurred by a sign placed on site. The sign and letters to adjoining property owners and occupants invited the community to view and comment on the proposal.

Upon review of the objections, a community consultation meeting occurred with the objector and head of the petition. Both were invited to a meeting held in person at Council offices on the 4 October 2022 to discuss the proposal and concerns. Council officers have acknowledged the concerns of them and included conditions to address issues.

Planning Controls and Assessment

The following State Planning Policies, Local Planning Policies and particular provisions of the Whittlesea Planning Scheme (the Scheme) are considered relevant to this application.

Planning Policy Framework

Clause 19.03-4S – Telecommunications

The objective of this state policy is to facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

Comments:

The telecommunications facility is considered consistent with the objective and strategies of this state policy as it facilitates the ongoing provision of telecommunications services within an established area. This facility ensures essential telecommunications services are available for the Thomastown and Lalor area which will provide for a better service for local businesses, dwellings, schools and community facilities. The location of this facility ensures the surrounding community has ongoing reliable access to telecommunications.

Clause 36.02 – Public Park and Recreation Zone

The purpose of this zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas for public recreation and open space.*
- *To protect and conserve areas of significance where appropriate.*
- *To provide for commercial uses where appropriate.*

Pursuant to Clause 36.02-2 a **permit is required** for the use of land as a telecommunications facility. The proposal is consistent with the zone by providing commercial uses in a location which does not impact upon recreational uses.

Clause 43.01 – Heritage Overlay Schedule 61

The purpose of this overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

The schedule 61 to the Heritage Overlay relates to the Westgarthtown Heritage Area. The proposed telecommunications facility is located outside the Heritage Overlay and therefore an assessment against this provision is not applicable.

Clause 44.04 – Land Subject to Inundation Overlay

The purpose of this overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*
- *To minimise the potential flood risk to life, health and safety associated with development.*
- *To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989.*
- *To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.*
- *To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.*

The Land subject to inundation overlay applies to the land within an around the Edgars Creek. The proposed telecommunications facility is located outside of this overlay and therefore not a consideration of this application.

Clause 52.19 – Telecommunications Facility

The purpose of this planning provision is:

- *To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.*
- *To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.*
- *To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.*

Pursuant to Clause 52.19-1 a **permit is required** to construct a building or construct or carry out works for a Telecommunications facility.

Assessment:

The proposal is consistent with the purpose of the Public Park and Recreation Zone and Clause 52.19 – Telecommunications Facility as it enables the provision of additional telecommunications services to the area and the location of the facility is not foreseen to impact on the function of the recreation reserve.

The proposal has been assessed against the four principles of design, siting, construction and operation of telecommunications facilities and is consistent with the *Code of Practice for Telecommunications Facilities in Victoria 2004*. The nature of a monopole facility limits the ability to entirely screen and eliminate from view, the pole has been located to the western boundary of the site away from significant views within the reserve.

Principle 1

A Telecommunications facility should be sited to minimise visual impact.

The heritage areas associated with Westgarthtown and Graffs Farm are located along the eastern boundary of the site. The siting of the facility to the western boundary of the site ensures no unreasonable visual impacts on these existing heritage spaces.

The pole is located approximately 80 metres from the closest residential site. Large trees and vegetation cover the area between the facility and the closest residential properties. This ensures the tower will have no adverse visual impact on nearby dwellings. Additionally, the vegetation screens the telecommunication equipment at ground level. To further minimise the visual impact associated with the monopole, a condition will be imposed requiring the pole to be finished in a muted and or natural colour palette.

Principle 2

Telecommunications facilities should be co-located wherever practical.

The application has been accompanied by a site analysis detailing existing facilities and communications coverage. The report has not identified any existing infrastructure of which the proposed facility could be co-located and identified a significant absence of 5G coverage around the subject site. The closest telecommunications facility is located approximately 1.37 kilometres from the proposed location. There is evidently a significant need for the provision of a telecommunications facility to provide the essential service to the Thomastown community. The proposed location represents orderly placement and will provide for additional telecommunication services to the area.

The location of the facility will provide a community benefit to the established suburbs of Thomastown and Lalor. The residents, businesses, community facilities and schools operating within these areas will benefit from the additional service provided. Lastly the facility will allow for the future co-location of additional carriers as required.

Principle 3

Health standards for exposure to radio emissions will be met.

The telecommunications facility has been designed and must be installed so that the maximum human exposure levels to radio frequency emissions comply with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, ARPANSA, May 2002.

The Australian Communications & Media Authority (ACMA) sets the allowable exposure limits for telecommunications facility within Australia. The facility proposed reaches a maximum of only 2.1% of the 100% allowable Electromagnetic Energy (EME) exposure at 1.5 metres above ground. The telecommunications facility is well below the acceptable ACMA limit.

Principle 4

Disturbance and risk relating to siting and construction should be minimised.

No vegetation is required to be removed for the placement of the tower. Conditions will be imposed to ensure no vegetation is removed without appropriate consent.

The construction activities associated with the proposal might impact recreational sporting activities and events, a condition will be imposed requiring consultation between relevant stakeholders is undertaken to determine appropriate construction periods to eliminate any impact on organised sporting events.

Development Contributions Plan

Clause 45.06 - Development Contributions Plan Overlay Schedule 3

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 industrial and commercial development at a rate per square metre of additional impervious floor area. The construction of a telecommunications facility is exempt from this overlay and as such no payment is applicable.

Comments on Grounds of Objection

1. Health and safety

The electromagnetic energy (EME) levels emitted are considered low. Under the subject proposal, at 1.5m above the ground the levels are estimated to be only 2.1% of the maximum radiation exposure limit (100%) allowed and mandated by the Australian Communications & Media Authority (ACMA).

The proposed facility is required to always comply with the relevant Radiation Protection Standard and once operational must have this compliance certified by an accredited person. Any additional infrastructure added to the facility at a later date (such as a second carrier) would require the EME report (and associated mandatory compliance requirements) to be re-visited and re-certified.

Declaration of Conflict of Interest

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

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

Conclusion

On balance, the proposal for the use and development of a telecommunications facility is consistent with the Public Park and Recreation Zone, the relevant Particular Provisions, and the decision guidelines of Clause 52.19 – Telecommunications Facility of the Whittlesea Planning Scheme. Telecommunications facilities are an essential service which will provide a benefit to the wider community.

A recommendation for approval is based on the above assessment of the application against the relevant requirements of the Whittlesea Planning Scheme. It is therefore recommended that a Planning Permit be issued.

5.2.3 Gorge Road Shops Streetscape Draft Concept Community Engagement

Responsible Officer	Director Infrastructure & Environment
Author	Andrew Chau, Senior Landscape Architect
In Attendance	Adrian Napoleone, Unit Manager Parks Development Andrew Chau, Senior Landscape Architect

Attachments

1. Gorge Road Workbook 22 10 05 LR edited [5.2.3.1 - 51 pages]

Purpose

The purpose of this report is to seek Council endorsement for the draft Gorge Road Concept Plan to be placed on public exhibition and consultation.

Brief Overview

- The Gorge Road shops streetscape in South Morang has been identified as a high-priority site in the *Town Centre Revitalisation Program*, an Executive Leadership Team (ELT) endorsed revitalisation program of local and neighbourhood centres.
- Outcomes from the initial community consultation and engagement indicates both traders and the broader community want to see change at the shops, particularly for improved safety and aesthetics.
- A draft concept plan has been developed with consideration of community and stakeholder engagement activities and feedback.
- The draft concept plan requires additional input from the community and stakeholders to refine and further develop for construction.
- The draft concept will be amended with consideration of trader and property owner consultation prior to broader community consultation.

Recommendation

THAT Council:

1. Endorse the draft Gorge Road Concept Plan for public exhibition and consultation.
2. Approve the commencement of consultation and engagement activities for the draft Gorge Road Concept Plan for the period between 24 November – 18 December 2022.

Key Information

Background

The City of Whittlesea established the *Town Centre Revitalisation Program 2021-2025 (TCRP)* to have a structured approach to the revitalisation of local and neighbourhood centres. The program addressed a key action in the *Council Action Plan* and was endorsed by ELT. The TCRP identifies the Gorge Road Shops as a high-priority site, with the opportunity to improve social spaces, walkability and connectivity, safety and greening.

Gorge Road Shops are the de facto gateway to the City of Whittlesea and South Morang from the east. Gorge Road is the only connecting road over Plenty Gorge at South Morang, with the next closest road to the north being Bridge Inn Road in Mernda, and the closest southern connection being the Metropolitan Ring Road, Bundoora.

The project site is bound by Gorge Road, Reid Street, Plenty Road and Reid Street Park. Both Gorge Road and Plenty Road are managed by the Department of Transport, however Reid Street and the Reid Street Park are managed by Council. The angled car parking on Gorge Road is managed by Council, however any functional changes to the parking will need to be approved by the Department of Transport.

The Gorge Road Shops are comprised of a variety of businesses, from take away restaurants to professional services such as real estate and healthcare. The hospitality businesses offer outdoor dining, with some providing additional weather protection with umbrellas or retractable awning screens. Council installed additional temporary seating and planting bookending the shops, funded by the State Government's 2020 COVID Safe Outdoor Activation Fund. No significant capital improvement has occurred in the area for over a decade. Refer Attachment 1 for site analysis and draft design.

Opportunities

Tree Canopy cover

The Gorge Road Shops streetscape upgrade is a prime opportunity to assist in achieving the increased tree canopy cover outlined in the *Greening Whittlesea – City Forest Strategy*. The draft design proposes lining the shop front with new canopy trees to create an improved pedestrian and outdoor retail space.

Improved road user safety

It is a common occurrence that vehicles travelling eastbound on Gorge Road turn right over the double median line into an angled parking bay. This item was frequently raised by the community during the consultation and engagement process. A total of 109 illegal turns into the parking bays have been captured in the traffic video footage recorded for the traffic audits on two weekdays between 7.30am and 9.00pm. Twenty-three were captured on a Saturday between 7.30am and 2.30pm. This movement is illegal and poses a risk to road users as well as causing traffic congestion. As Gorge Road does not have sufficient width for a median strip, the best long term mitigation option is to reconfigure the parking bays to eliminate this turn movement.

Improved pedestrian environment

Another item raised frequently by the community was the fact that the Gorge Road Shops streetscape has not had any significant capital improvement for over a decade and that this space is now outdated and rundown. The upgrade program is an opportunity to significantly improve the function of the streetscape, creating more outdoor useable space for the traders and an environment that is more attractive for pedestrians and visitors.

Key Ideas

Idea 1 - Convert Angled Parking to Parallel Parking (Stage 1)

Converting the angled parking to parallel parking along Gorge Road resolves many of the existing traffic issues, as well as liberating substantial space for public realm upgrades. Initial investigation suggests that the loss of 12 car parks along the Gorge Road frontage (from 22 spaces to 10 spaces) can be offset by additional and safer carparking at the rear of the Gorge Road Shops (Reid Street car park). Overall, there will be a net increase of 12 car parks (16%) at the completion of Stage 2 of this improvement program.

Idea 2 - Create Linear Garden Bed with Trees (Stage 1)

The conversion of parking from angled to parallel will provide greater public realm space along the Gorge Road Shop frontage that will allow for substantial tree planting. A linear garden bed will provide soil volumes free from compaction. The trees will provide shade and amenity in this north facing landscape.

Idea 3A – Minor upgrade to gravel car park in Reid Street Car Park (Stage 1)

The existing informal gravel car park at the rear of the Gorge Road Shops (Reid Street car park) is formalised into a more efficient asphalt car park, providing an offset to any car parks lost from Gorge Road.

Existing car parks:

- 72 Public (22 Front + 33 Rear + 10 Informal on gravel + 7 Kindergarten)
- 15 Private

Proposed car parks:

- 69 Public (10 Front + 52 Rear + 7 Kindergarten)
- 15 Private

Idea 3B – Major upgrade & consolidation of Reid Street Car Park (Stage 2)

The existing Reid Street car park at the rear of the Gorge Road Shops (including the informal gravel car park and kindergarten car park) are consolidated into a more spatially efficient carpark that provides additional car parking within a smaller footprint, as summarised below.

Proposed car parks:

- 84 Public (10 Front + 74 Rear) - net increase of 12 additional public car parks in precinct (i.e., 16% increase)
- 15 Private

Idea 4 – Minibus Drop Off (Stage 2)

Improvements to the Reid Street car park layout can allow for a minibus drop off for use by the Mill Park Community House Adult Training & Support Service (ATSS) and other community groups. Additional waiting and movement space can also be accommodated for pedestrians between the Reid Street car park and the western boundary of the site.

Idea 5 – Water Sensitive Urban Design Raingarden (Stage 2)

Because the site falls to the south, the new portion of the consolidated Reid Street car park can drain to a water sensitive urban design raingarden, which will filter contaminants from the stormwater and slow runoff into the stormwater system. The location of the raingarden adjacent to the existing trees will improve water infiltration to the root zone.

Idea 6 - Decommission Kindergarten Carpark in Reid Street (Stage 2)

The consolidation of the car parks allows for the removal of the existing kindergarten carpark (7 spaces), which is separately accessed from Reid Street. This car park can be converted into a forecourt to the kindergarten. See Idea 3B.

Idea 7 - New Linear Path Access (Stage 2)

The consolidation of the Reid Street car park allows for a more direct north-south connection between the existing shops, the Reid Street car park, the kindergarten and the existing playground.

Idea 8 - Retain & Protect Existing Trees

The existing canopy trees in Reid Street park provide significant amenity value. The design proposed will limit disturbance to the existing canopy trees in Reid Street Park.

Discussion points

Car Parking and Traffic

The proposed improvement plan identifies significant change to the car parking arrangement on Gorge Road with a reduction in car parks of 12 (i.e., from 22 to 10) due to the change from angled parking to parallel parking bays. The traffic and parking audit shows that the Gorge Road parking bays are rarely at capacity, which supports the reduction in car parking bays. As most visitors are from the local community, they are familiar with the Reid Street car park and would adapt to the changed parking configuration.

Upon completion of the improvement works, the proposed consolidation of the Reid Street car park to include the current gravel car park and kindergarten car park will increase the net overall number of car parks by 12 (or 16%) compared to the existing number of public car parks in the Gorge Road Shops precinct. This means the loss of the 12 angled car parks on Gorge Street can be accommodated in the reconfigured Reid Street Car Park along with an additional 12 car parks above the existing precinct car park numbers.

Reid Street Park (Stage 3)

The proposed improvement plan incorporates the amalgamation of the three parking lots at the rear of the Gorge Road shops. This will involve the extension of the larger carpark into Reid Street Park and the removal of the car park in front of the kindergarten. This arrangement allows for a new play space that is better integrated into the park and increases park frontage to Reid Street. The proposal results in an overall increase in useable public open space in the precinct, ie:

- Existing Reid Street Park loses approximately 250 square metres (7% of park area)
- Gorge Road Streetscape gains 350 square metres
- Overall, there is a net gain of 100 square metres of public open space in the precinct.

Community Consultation and Engagement

Phase 1 consultation and engagement activities for the Gorge Road Shops were held over 53 days, from 17 March to 8 May 2022. Activities included virtual workshops, In-person listening posts at the Gorge Road Shops and in-person meetings with traders.

The aim for the phase 1 community consultation was to gather insights and impressions of the existing Gorge Road Shops environment. A wide spectrum of the community was involved in the consultation, providing comments on Council's social media channel, in person and through the Engage Whittlesea webpage. Most respondents indicated a desire to change the Gorge Road Shops precinct to improve convenience, safety and aesthetics.

Traders and business owners recognised the need to upgrade the streetscape, resolve car parking issues in the area and potentially increase exposure. However, traders also expressed concern with potential short-term disruption to trading during any construction works.

This information has informed the development of a draft concept plan.

Phase 2 of the consultation and engagement plan is to occur shortly after the Council Meeting and aims to collect feedback on the draft concept plan to further refine and finalise the design. Phase 2 consultation will continue the discussion with traders and property owners in the first instance, to proactively seek feedback and identify key issues of the concept plan. This may require minor adjustments to the concept plan. Following that, broader consultation will be undertaken with the broader community.

Phase 3 of the consultation and engagement plan will be undertaken upon completion of the design plans and will help inform the community and traders of the final design plan for improvement works, including details of the construction timing.

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.

Sustainable environment

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

The Gorge Road Shops Improvement Plan aligns with the key directions outlined in the Liveable Neighbourhoods Goal in the Whittlesea 2040 plan. An objective of the project is to create a well-designed and vibrant town centre directly affecting the priority indicator *Use of town centres*.

The Gorge Road Shops Improvement Plan aligns with the key directions outlined in the Sustainable Environment Goal in the Whittlesea 2040 plan. Priority indicators affected by this project includes, *Use of open space*, and *Tree canopy cover*.

Considerations

Environmental

The draft Gorge Road Shops Concept proposes multiple items that will assist with the environmental goals of Council, including more trees, low planting and water sensitive urban design.

Social, Cultural and Health

The draft Gorge Road Shops Concept Plan aims to improve the pedestrian spaces in front of the shops and to consolidate the Reid Street car park. This will create better social spaces for the community at the Gorge Road Shops and increase the useable open space in the Reid Street Park behind the shops.

Phase 2 of the community consultation is an effective way to demonstrate Council's genuine desire to seek effective and informed discussions on the proposed improvements to the issues raised by the community in Phase 1 of the community consultation process.

Economic

The draft Gorge Road Shops Concept aims to increase the outdoor space at the front of the shops, which allows greater opportunity for traders to increase footpath trading. The upgraded space will also lift the exposure of the shops in creating a welcoming space.

Financial Implications

Stage 1 – Gorge Road Shops Streetscape Improvement

This proposed project budget for Stage 1 of the improvement works (Gorge Road Shops Streetscape upgrade) is approximately \$914,029 as stated below:

2022/23 Financial Year (approved)

- \$425,000 - Growing Suburbs Fund for the Gorge Road Shops Improvement
- \$64,029 – Council Capital Budget
- Sub Total = \$489,029

2023/24 Financial Year (proposed)

- \$425,000 – Council Capital Budget

Total Stage 1 budget = \$914,029

Stage 2 – Reid Street Car Park Upgrade

The proposed project budget for Stage 2 of the improvement works (Reid Street Car Park) will be costed in detail once the design is further progressed. However, at this stage, a high-level cost estimate for these works is stated below:

2024/25+ Financial Year (proposed)

- \$500,000 – Council Capital Budget

Stage 3 – Reid Street Park Upgrade

While this report makes recommendations for the improvement of the adjoining Reid Street Park, a separate master plan will be prepared for this park and presented to Council.

To support the redevelopment of this park, Council has been successful in receiving a State Government grant as follows:

2023/24+ Financial Year

- \$200,000 - Living Local Suburban Grant for the Reid Street Park Improvement (approved)
- \$200,000 – Council Capital Budget (proposed)
- Total = \$400,000

Link to Strategic Risk

Strategic Risk *Life Cycle Asset Management - Failure to effectively plan for the construction, on-going maintenance and renewal of Council's assets*

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

The Gorge Road shops has not had any improvement works in over a decade. The community has identified this deficit as well as the run-down state of the footpaths and planting. This project will help address this deficit and successfully plan for the renewal of these assets.

Implementation Strategy

Communication

The Gorge Road Shop project has a communications plan developed with consideration of the developed engagement plans. A variety of methods will be implemented to ensure effective communication of the draft concept plan including social media posts, articles in print and online media, site signage, direct mail and direct communications with traders and property owners.

Critical Dates

Phase 2 Community consultation:

- 24 November – 18 December 2022

Growing Suburbs Fund Milestone:

- Final designs, costings, land access – 20 December 2022
- Construction contractor appointed – 5 May 2023
- Construction commencement – 31 May 2023

Declaration of Conflict of Interest

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

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

Conclusion

The Gorge Road Shops streetscape has been identified as a high priority for upgrade and renewal as part of an endorsed revitalisation program. In addition, interested community members and stakeholders have communicated their desire to see improvements in safety and aesthetics in the precinct.

The Gorge Road Draft Concept is a direct response to the first phase of consultation and engagement. Further consultation is required to ensure the concept design meets the expectations and needs of the community and traders.

This report recommends that Council endorse the draft Gorge Road Shop Streetscape Concept Plan for exhibition and approve the commencement of Phase 2 consultation and engagement activities.

5.2.4 Draft - Quarry Hills Parklands Future Directions Plan

Responsible Officer	Director Infrastructure & Environment
Author	Susan Hecker, Unit Manager Landscape and Open Space Planning
In Attendance	Susan Hecker, Unit Manager Landscape & Open Space Planning

Attachments

1. Attachment 1 - Summary of QH FDP Draft [5.2.4.1 - 24 pages]

Purpose

The purpose of this report is to:

- Inform Council on the preparation of the draft Quarry Hills Future Directions Plan
- Seek endorsement on the draft Quarry Hills Future Direction Plan summary

(Attachment 1) to be placed on community consultation, to be conducted from the 28th of November 2022 to the 20th of January 2023.

Brief Overview

- Quarry Hills Parklands is one of the defining landscape features of the municipality and contributes strongly to the character of the Mernda and Wollert growth corridor. The Parklands is Council's largest park currently at 330Ha and when completed will form 2.25% of the municipality.
- The Council endorsed Open Space Strategy 2016 identifies Quarry Hills Parklands as a Regional Park, classified as Conservation Reserve.
- The Quarry Hills Parklands Strategic Plan 2000 is now 22 years old and requires a more definitive and visionary plan to meet community needs and Council's W2040 goals.
- This report includes an update of the Quarry Hills Future Directions Plan draft, which has been informed by the Wurundjeri Woi-wurrung Cultural Values Study and seeks support to progress to community engagement.

Recommendation

THAT Council endorse the Draft Future Direction Plan (Attachment 1) for public consultation from the 28th of November 2022 to the 20th of January 2023.

Key Information

The Council endorsed Open Space Strategy 2016 has identified Quarry Hills Parkland as a Regional Park, categorised as Conservation Reserve. It plays a critical role in open space provision and the broader green network linking the City of Whittlesea Open Space Network and creek corridors with the four major parklands; Darebin Parkland, Plenty Gorge Parklands, Yan Yean Reservoir Parklands and the Grassy Eucalypt Woodland Reserve. Quarry Hills Regional Parklands is home to the Habitat House Environmental Education Centre, Granite Hills Community Park (currently in design stage) and the proposed Aboriginal Gathering Place.

Operating as a destination park, the parklands will include facilities and activities which promote and encourage use of open space by the local community, and residents and workers of the City of Whittlesea and across Melbourne. The Council endorsed Quarry Hills Parklands Strategy Plan 2000 has successfully guided and reinforced the 2010 masterplan in early assembly of the park. However, the Strategic Plan is now outdated and was developed without consultation with the Traditional Custodians, Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation. The importance and complexity of the parklands requires an ambitious agenda which will recognise the cultural history, environmental potential and define the park's future state.

In addition, in July 2022 Council endorsed the business case for the establishment of an Aboriginal Gathering Place (Gathering Place) in City of Whittlesea to be located within the Quarry Hills Parkland. A Gathering Place has been a key priority of the local Aboriginal community for over 20 years and remains the key objective of the Aboriginal-led Whittlesea Reconciliation Group. The local Aboriginal community identifies the need for a Gathering Place to facilitate healing for local communities as well as connection to culture. The Gathering Place model has been shown to improve the complex health and wellbeing issues faced by Aboriginal communities, as well as providing a range of benefits for non-Aboriginal people. Council is using a self-determination model to develop the Gathering Place project and has established the Whittlesea Aboriginal Gathering Place Advisory Group (WAGPAG) to inform and guide implementation. WAGPAG membership includes local Aboriginal community members, Traditional Owners and senior Council staff.

DELWP (Department of Land, Water and Planning) are funding the preparation of the Future Directions Plan and Cultural Values Study through the Suburban Parks Grants Program. Quarry Hills Parklands is identified as a Regional Parkland of significance in the Victorian State Government's Open Space Strategy for Metropolitan Melbourne 2021 'Open Space for Everyone' (OSFE). The OSFE vision is 'Melbourne is a city in nature with a flourishing and valued network of public open space that is shared and accessible by everyone'.

Drivers for change

The key drivers for development of the Future Directions Plan and need for the expanded Parkland include:

- Protection and enhancement of natural systems.
- Improve community health and wellbeing.
- Protection and enhancement of cultural values.
- Aboriginal reconciliation, empowerment and connection.
- Climate change mitigation.
- Distribution and access to open space.
- Population growth.

Draft Future Directions Plan

Once finalised, the Future Directions Plan (The Plan) will set out a new vision and objectives which are articulated through the key themes of People, Place, Environment and Economy. The Plan includes principles informed by the values and significance of the landscape, the traditional owners, and the long-term initiatives that Council has set out to protect and enhance open space for the community. To inform the development of this longer-term plan, a consultation process will be undertaken to get feedback on these key themes, issues and associated opportunities for action moving forward.

In addition, it should be noted that the implementation of the Plan (once developed) will be dependent on additional funding from other levels of government and will also occur over a multi-year, long term timeframe about 20 years.

Vision

Quarry Hills Regional Parklands is a rich and inspiring destination of unique natural and cultural landscapes, valued for the ecological, spiritual, historical and living connections it provides to Aboriginal people and the broader community.

Quarry Hills Regional Parklands is a place of active reconciliation, storytelling and healing, where community can explore and celebrate the unique cultural and ecological significance of the landscape and Aboriginal people can practice connection to country.

Quarry Hills Regional Parklands is a special place of recreation, protection and renewal, a place to learn, explore culture, art and environment, and to connect with the exceptional natural and curated features of the parkland for all generations to come.

Objectives

- The creation of 1100 hectares of Parkland which will be valued for its ancient and ongoing Wurundjeri Woi-wurrung connection and the opportunities for exchange of knowledge.
- Council commits to enabling self-determination for Traditional Owners, to return cultural practices on Country, to Traditional Owners;
- Quarry Hills Regional Parklands will be regenerated to ecological health and vitality, to underpin the health and wellbeing of the community and to achieve a culturally healthy country.
- Quarry Hills Regional Parklands will provide rich cultural and landscape experiences for the community, a place for exploration, reconciliation, healing and learning.
- Develop a governance model where Council and Traditional Owners are partners in the future direction of the Parklands.
- Work in partnership with local Aboriginal and non-Aboriginal community members to care for, activate and enhance community experience of the Parklands and environment.

Future Direction Statements

People - Quarry Hills Regional Parklands will be a destination for connection to nature, a place to experience rich cultural and community activities, explore, play and learn, and a place of wellbeing and healing.

Place - Quarry Hills Regional Parklands will connect seamlessly to its surroundings through the creation of green links to the regional trail network.

Economy - Quarry Hills Regional Parklands will be economically sustainable and contribute to the local economy. Drawing on its unique natural and cultural values, it will become a place of learning and a destination attracting people from across Melbourne.

Environment - Quarry Hills Regional Parklands will be regenerated to ecological health. The Darebin Creek and other waterways, rich and varied geological formations, topography, increased woodland forest, outstanding viewpoints and significant biodiversity of flora and fauna will all be enhanced.

Actions

To achieve the Future Direction statements and objectives, around 80 actions have been proposed (including actions from the Cultural Values Study). Given the size and complexity of the parklands, further planning will be required to implement the Future Directions Plan. This may include continued assemblage planning, development of the governance model (including a self-determination model for governance of the Gathering Place as endorsed by Council in July 2022), an arts and culture framework, precinct planning, park management, and flora and fauna planning.

Community Consultation and Engagement

Consultation with the Department of Land, Water and Planning (DELWP), the community and the Wurundjeri are integral to the development of the Future Directions Plan. The Governance Structure and Partnership Advisory group comprised of Council officers, DELWP and Wurundjeri Elders has facilitated a collaborative approach to the development of the Future Direction Plan.

A detailed community engagement plan has been developed with two phases; targeted stakeholder consultation, and municipality wide consultation. Initial consultation was undertaken with internal stakeholders including the Quarry Hills Parklands Project Control and Project Working Groups during the analysis phase.

Phase one of the consultation was undertaken with diverse representation from a range of targeted stakeholders both within and outside of the municipality. This includes Department of Environment, Land, Water and Planning (DELWP), Council Committees, Whittlesea Aboriginal Gathering Place Advisory Group, Aboriginal Networks and Groups in City of Whittlesea, Aboriginal Community Controlled Organisations delivering services to CoW residents, and Local Custodians (Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation).

The targeted stakeholder consultation was in the form of two online workshops. The purpose of this engagement was to assist Council to identify values, issues and opportunities of the Parkland, and identifying the key components of the vision for the Quarry Hills Parkland.

The findings from the focus group workshop were:

- Values of uniqueness, healthy and diverse habitats, ecological sustainability, inclusive connection to environment, cultural values, storytelling and protection of cultural sites.
- Issues of the importance of connectivity and prioritisation of ownership along the creek corridor, the lack of connectivity and access to open space.

- Opportunities included supporting community connection and stewardship of the park, recognition and acknowledgement of Wurundjeri culture, and development of the Quarry Hills Parklands as a tourism destination including providing opportunities for social enterprise and local jobs.
- The key components of a vision identified include, the prioritisation of land assembly along the waterways, celebration of re-vegetation and restoration, establishment of a friends group for the park, highlighting the partnership and work with Wurundjeri and enhance the traditional owner presence on site.

Further community consultation was requested by two workshop attendees and landowners which was undertaken in October. The public consultation as phase two of the consultation, is scheduled for late November to January 2022. The purpose of this consultation is to ensure the Quarry Hills Future Directions plan is responsive and reflective of community values and that it will be appropriately servicing the growing community.

Alignment to Community Plan, Policies or Strategies

The Future Directions Plan includes objectives that align 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

Liveable neighbourhoods

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

Strong local economy

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

Sustainable environment

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

High performing organisation

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

Well planned accessible open space is proven to have preventative health benefits including opportunities for the community to socially interact and undertake physical activities. The W2040 Liveable Neighbourhoods Goal includes an indicator to increase Use of Open Spaces.

Council endorsed strategic plans in the below documents are referenced to the development of the Draft Future Directions Plan:

- Whittlesea 2040
- Sustainable Environment Strategy 2022
- Climate Ready Whittlesea
- Open Space Strategy 2016-2026
- Environmental Sustainability Strategy 2012 – 2022
- Green Wedge Management Plan 2022
- Greening Whittlesea Strategy 2020-2040
- Biodiversity Strategy 2019
- Quarry Hills Parklands Strategy Plan 2000
- Quarry Hills Parkland Masterplan 2009
- Quarry Hills Landscape Masterplan 2019
- Strong Local Economy strategy 2022 - 2026
- Open Space Strategy for Metropolitan Melbourne 2021 'Open Space for Everyone'
- Aboriginal Gathering Place Business Case July 2022

Considerations

Environmental

The Quarry Hills Parklands Future Direction plan aims to regenerate the ecological health of the parkland. The plan also addresses the need for care and protection of the Darebin Creek and other waterways, rich and varied geological formations, topography, increased forest, outstanding viewpoints and significant biodiversity and fauna.

Social, Cultural and Health

The Quarry Hills Future Direction Plan aims to provide gateways into the parkland, connecting seamlessly into its surroundings, through the creation of green links to the regional trail network. The Plan aims to develop the parklands as a destination for connection to nature, a place to experience rich cultural and community activities, explore, play and learn, and a place of wellbeing and healing.

Economic

Once finalised, the Quarry Hills Parklands Future Direction plan aims to create an economically sustainable parkland that contributes to the local economy with a plan that enhances the vision by drawing on its unique natural and cultural values, to become a place of learning, a destination, attracting people from across Melbourne.

Financial Implications

The implementation of the plan and the priority actions once approved will have varying financial impact and will be considered through Council's budget process, partnerships and grant opportunities.

Link to Strategic Risk

Strategic Risk *Climate Change* - Failure to mitigate or adapt to the risks of climate change

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

Strategic Risk *Health, Safety and Welfare* - Failure of safety and risk management systems resulting in serious injury or harm to staff or member of public

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

The City of Whittlesea is experiencing increased urbanisation and planning is required to plan for critical community services and facilities. The City of Whittlesea Open Space Strategy identifies Quarry Hills Parklands as a Regional Park suitable to be developed with facilities to service as a regional parkland.

Implementation Strategy

Communication

There are critical dates associated with the Quarry Hills Future Directions Plan Summary document consultation

- November: Landowner consultation
- 28th November 2022– 20th January 2023: Public consultation (Pre-promotion will be undertaken from 21st to 28th November 2022)

Critical Dates

There are critical dates associated with the Quarry Hills Future Directions Plan and Suburban Parks Program milestones:

- 21 November 2022: Council meeting
- February 2023: Finalise Future Directions Plan
- April 2023: Seek Council endorsement
- May 2023: Formal Launch

Declaration of Conflict of Interest

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

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

Conclusion

This report provides council with an update on the Future Directions Plan and the need for a new vision for the Quarry Hills Regional Parkland. The Future Direction Plan aims to protect significant ecological and cultural values and provide significant open space for both the growing population of Whittlesea and for visitors across greater Melbourne.

Through the planning scheme and partnerships, Council will ultimately deliver a regional parkland of 1100 hectares to be achieved by 2040. The Plan will guide Council in delivering upon the vision of a premier park in the City of Whittlesea and will contribute to the network of green spaces for greater Melbourne.

The Plan provides a vision for the park and strategic direction which will guide its future landscape and infrastructure development, eco-tourism opportunities, and economic and environmental sustainability.

5.2.5 Joint Letter - Road Upgrade, Milky Lane - Wildwood Road, Whittlesea

Responsible Officer	Director Infrastructure & Environment
Author	Michael Lamers, Unit Manager Traffic and Transport
In Attendance	Arashdeep Singh, Manager Urban Design & Transport

Attachments

1. Attachment 1 - Locality Plan [5.2.5.1 - 1 page]
2. Attachment 2 - Traffic Volumes [5.2.5.2 - 1 page]

Purpose

The purpose of this report is to consider a joint letter from 11 residents requesting the upgrade of Milky Lane and Wildwood Road, Whittlesea.

Brief Overview

11 residents of Milky Lane, Wildwood Road and other adjacent, nearby roads submitted a joint letter to Council, requesting that Milky Lane and Wildwood Road be upgraded. Previous discussions with Council officers have focused on a request for the road to be sealed.

In support of the request, the residents raised concerns regarding increased traffic, especially in the past decade, and heavy vehicles, increased use of the eastern end of Milky Road when the Whittlesea Show occurs and the narrow winding carriageway in the Milky Lane section.

At the Council meeting held on Monday, 15 August 2022, Council resolved to receive the joint letter, and requested a report on this matter be prepared for consideration at the Council Meeting on 21 November 2022.

Recommendation

THAT Council In relation to Joint Letter - Road Upgrade, Milky Lane - Wildwood Road, Whittlesea:

1. Note that the sealing of Milky Lane and Wildwood Road is not currently necessary.
2. Continue to maintain the road as per the requirements of the road management plan.
3. Advise residents of this decision and the reasoning for this decision.

Key Information

ROAD NETWORK AND LAND USE

Milky Lane and Wildwood Road provide a 5.8km connection between Wallan - Whittlesea Road and Whittlesea – Yea Road, approximately 2.0km north of the Whittlesea township (see *Attachment 1*).

The western section of Wildwood Road is sealed for 1.8km, between Wallan – Whittlesea Road and 270m west of Dalls Road; the remainder of Wildwood Road and Milky Lane is gravel.

For the purposes of this report, discussion focuses on the gravel sections of Milky Lane and Wildwood Road.

Both Milky Lane and Wildwood Road were originally established to provide access to farming properties in the area. Most of the original broad acre properties have been subdivided into farmlets or large rural residential properties.

The gravel section of Milky Lane and Wildwood Road provides the primary access road to approximately 20 properties, with additional properties located off Dalls Road, Lachlan Lane and Goding Court who are also required to use the Wildwood Road to gain property access.

A default, rural area 100km/h speed limit is applicable to Milky Lane and Wildwood Road. Both roads were originally constructed to a rural, gravel surface standard. The traffic use of Milky Lane and Wildwood Road has progressively increased as development has occurred, and as Milky Lane and Wildwood Road provide an alternative route for east-west traffic avoiding the Whittlesea township. Traffic details are discussed below.

Gravel roads are upgraded to a sealed road when needed. This is a function of the benefits of road safety, traffic operational and overall needs of the community in terms of amenity when compared to the cost to the community for the upgrade.

In developing areas, sealing of a road is often a planning permit condition, i.e., required to be funded the developer. However, development in and surrounding Milky Lane and Wildwood Road occurred prior to the current planning permit process and therefore upgrading the road was not required. It will be Council's responsibility to upgrade the road into the future, if that is what is determined.

CARRIAGEWAY DETAILS

The horizontal and vertical alignment of the 1.7km gravel section of Wildwood Road between Wallan - Whittlesea Road and Lachlan Lane is straight and flat; the 2.4km gravel section between Lachlan Lane and Whittlesea – Yea Road is gently winding and mildly undulating, except for a 90° bend at the Yan Yean Aqueduct and a sharp crest approximately 750 metres south of Lachlan Lane.

The gravel carriageway varies in width between 5.0 metres to 8.0 metres and has firm grassy verges which provide adequate width for two-way traffic.

ROAD SAFETY

The Department of Transport (formerly VicRoads) road crash data indicates one (1) casualty crash has occurred on Milky Lane – Wildwood Road in the past five years. This was on 18 May 2018, this incident was recorded as a *serious injury* crash, ie. the injured party required hospitalisation.

The one reported crash over a 5.8km length of road over five years equates to a crash rate of 0.036 per km per year.

Comparison has been made with Masons Road, Mernda – Wollert, which has a crash rate of 0.156 crashes per km per year for the overall road, a crash rate five times higher, which places Milky Lane and Wildwood Road at the lower end of the crash scale.

Despite the crash rate, a road safety audit was conducted on Milky Lane and Wildwood Road in 2019. The audit recommended some minor amendments to advisory and warning signs, installation of additional guideposts and alignment markers. All the recommendations have been completed.

TRAFFIC CONDITIONS

Traffic surveys have been conducted on Milky Lane – Wildwood Road many times since the 1970s (summary in *Attachment 2*), these indicate:

- A gradual overall increase in traffic over the years.
In quantitative terms, the traffic volume has gone from 80 to 120 vehicles per day (vpd) in the 1970s to 200 to 250 vpd in 2022.
- A noticeable higher traffic volume on the sealed section of road.
- Only one “Show Weekend” survey has been conducted; this was in 1995 and indicated 524vpd on the eastern sealed section of the road.

This overall traffic volume is not surprising when viewed in context of the increase in development since the 1970s, higher vehicle ownership rates, numbers of licenced drivers in the community and a more mobile community in the 2020s.

Traffic speeds vary with generally:

- Lower speeds on the winding, undulating, gravel sections of the road - high 40s km/h, average; mid to high 50s km/h, 85thile*.
- Medium speeds on the straight flat gravel sections – mid to high 60s km/h, average; mid to high 80s km/h, 85thile)
- Higher speeds on the straight, flat sealed sections – mid 70s km/h, average; high 80s to low 90s km/h, 85thile).

* The speed at which 85% of traffic is travelling at, or below and is a factor used in determining the safe operating speed of a road.

ROAD PAVEMENT CONDITION

The condition of the gravel pavement when compared to some other gravel roads in Whittlesea and throughout Victoria is generally good. As with any gravel road, the surface does slowly deteriorate between grading, which is currently scheduled on a quarterly basis.

OPTIONS ANALYSIS

The following options for Milky Lane and Wildwood Road were assessed over a 30-year asset life:

- Existing conditions
- Sealing of the gravel road

Existing Conditions

Existing Conditions was used as a comparison to determine the likely outcome in the absence of sealing of the road proceeding.

There are no additional up-front capital costs to Council with this option, however an ongoing level of maintenance is required to meet the current needs. The grading regime is currently applied like other gravel roads within the municipality, and costs approximately \$30,000 per year, although every third year an additional \$15,000 is required for replacement gravel pavement material. The 30-year maintenance cost is approximately \$1.05M.

Sealing of the Gravel Road

Sealing of gravel road will improve the overall level of service on Milky Lane and Wildwood Road and reduces the need for routine maintenance. This could be either a spray seal or full depth pavement construction.

Spray Seal

The cost to spray seal the gravel road, although full pavement would still be required at the Plenty River to avoid overland water flows stripping the spray seal, would cost approximately \$3.5M.

Full Construction

The full construction of Milky Lane – Wild Road is estimated at approximately \$15 million. It is likely that this level of construction would be warranted rather than the spray seal option to facilitate the expected increased level of traffic demand (in terms of volume and heavy vehicles) if the road was sealed. The full construction of the road includes a full depth pavement make up, properly constructed shoulders and improvements to drainage.

The increased traffic demand is expected if Milky Lane – Wildwood Road were sealed as the road would become an alternative route for arterial road traffic between Wallan - Whittlesea Road and Whittlesea – Yea Road. Council officers predict an up to ten-fold increase in traffic.

A lesser standard of sealing would result in the additional traffic imposing an unacceptable level of stress on the existing road pavement. This could result in a need for continual, expensive maintenance, an ultimate re-build and community criticism.

A Special Charge Scheme where costs are apportioned to all parties based on the 'special benefit' has not been considered as the costs to residents of special charges scheme would be prohibitive.

Options Summary

Milky Lane and Wildwood Road are local Council roads with traffic speeds and volumes proportionate to the required service levels of the roads. The current routine maintenance regime provides an adequate level of safety and service.

The recommendations in a road safety audit conducted in 2018 have been completed and are an adequate response to minimise any road safety risks on these roads.

The level of expenditure required to adequately upgrade the roads is not proportionate to the level of benefit that would be afforded to the broader Community.

Community Consultation and Engagement

As the signatories of the joint letter are a fair representation of the community impacted by the recommendations of this report no specific community consultation or engagement has been conducted by Council officers.

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.

Considerations

Environmental

No implications

Social, Cultural and Health

No implications

Economic

No implications

Financial Implications

The cost to continue with the current maintenance regime is included in the annual budget process.

Link to Strategic Risk

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

Strategic Risk Life Cycle Asset Management - *Failure to effectively plan for the construction, on-going maintenance and renewal of Council's assets*

Maintenance of rural roads is critical in providing the service to the local communities. If these roads are not maintained at the required levels, it may lead to service level drops and create risk of major deterioration requiring greater investments for bringing the assets back to service level.

Implementation Strategy

Communication

Not applicable.

Critical Dates

There are no critical dates associated with the recommendations.

Declaration of Conflict of Interest

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

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

Conclusion

Milky Lane and Wildwood Road are local Council roads with traffic speeds and volumes proportionate to the required service levels of the roads. The current routine maintenance regime provides an adequate level of safety and service.

The recommendations in a road safety audit conducted in 2018 have been completed and are an adequate response to minimise any road safety risks on these roads.

The level of expenditure required to adequately upgrade the roads is not proportionate to the level of benefit that would be afforded to the broader Community.

5.2.6 Petition - Request to Extend Footpath Along Whittlesea - Yea Road, Whittlesea

Responsible Officer	Director Infrastructure & Environment
Author	Michael Lamers, Unit Manager Traffic and Transport
In Attendance	Michael Lamers, Unit Manager Traffic and Transport

Attachments

1. Attachment 1 - Locality Plan [5.2.6.1 - 1 page]
2. Attachment 2 - Location of Shared Path [5.2.6.2 - 1 page]

Purpose

The purpose of this report is to consider a petition from 14 residents requesting an extension to the footpath on Whittlesea – Yea Road, Whittlesea.

Brief Overview

Fourteen residents of Cordell Court, Whittlesea signed a petition requesting the footpath on Whittlesea – Yea Road to be extended from Jennifer Court to Cordell Court.

In support of the request, the residents raised the following:

- *The path is needed for residents to be able to walk to local kindergartens, schools, work, shops, medical facilities, library, etc. and to enable residents of Cordell Court to be a connected part of the Whittlesea community, as opposed to being disconnected.*
- *The residents will use a path to exercise rather than driving to a suitable location, thus enhancing resident's efforts to be sustainable and take advantage of the environmental benefits of walking.*
- *Currently pedestrians, including young school children, are walking on the shoulder of the main road, or through the grass which can be in wet, muddy conditions and dangerous due to slip hazard, snakes in the grass or being adjacent to fast moving traffic.*
- *These issues are particularly of concern for residents without access to a motor vehicle and/or who are in a wheelchair or have a pram.*

At the Council meeting held on Monday, 17 October 2022, Council resolved to receive the petition, and requested that a report on this matter be prepared for consideration at the Council Meeting on 12 December 2022.

Recommendation

THAT Council in relation to the petition requesting to Extend Footpath Along Whittlesea - Yea Road, between Jennifer Court to Cordell Court Whittlesea:

- 1. Refer the construction of a footpath on Whittlesea – Yea Road between Jennifer Court and Cordell Court as a project for consideration as part of the 2023/2024 financial year budget process.**
- 2. Advise the head petitioner and petitioners of Council's decision.**

Key Information

ROAD & PATH NETWORK AND LAND USE

Whittlesea - Yea Road is a declared arterial road owned and maintained by the Department of Transport (DoT) with the primary function to provide a transport connection between the northern Melbourne metropolitan area and rural townships further north.

Whittlesea - Yea Road between Jennifer Court (Ridge Road) and Cordell Court is rural in nature with wide verges especially on the eastern side and has no footpaths on either side of the road (refer to Attachment 3).

Cordell Court services nine properties and has a footpath constructed along one side of the court. The missing section of footpath in Whittlesea- Yea Road, between Cordell Court and Jennifer Court (Ridge Road), is about 380 metres in length.

The petitioners' request is to construct an all-weather path to connect Cordell Court residents to the rest of the township via an active travel network (refer to Attachment 1 & 2). The petition details that the path would provide health benefits, connection to amenities and provide an all weather safe travel path for children and residents with wheelchairs.

The request is considered reasonable and accords with community expectations for access to basic facilities and services in the Whittlesea township.

Council constructs footpaths within the municipality as part of its missing links program, informed by a prioritisation matrix. The matrix takes into consideration access to open space, schools, places of activity, public transport, and connection to services. This section of footpath has previously been included in the missing links list for future programs. However, as per the prioritisation matrix it ranks as a low priority within the program and under the current funding allocation is not likely to be delivered until the medium to long term.

There is a continuous footpath connection from Jennifer Court / Ridge Road to the centre of the township.

ROAD SAFETY

The Department of Transport (formerly VicRoads) road crash data base indicates that there have not been any casualty crashes on this section of Whittlesea – Yea Road in the past five years.

The speed limit on this section of road changes from 60km/h to 80km/h approximately 200 metres south of Cordell Court (60km/h to the south; 80km/h to the north). The speed limits are considered appropriate having regard to the extent and type of development, as well as the safety and operational function of the road.

Whilst traffic conditions (detailed below) are considered reasonable, the risk to pedestrians walking along the road shoulder, is in the high to medium range.

TRAFFIC CONDITIONS

Vehicle

Traffic surveys conducted on Whittlesea – Yea Road between Cordell Court and Ridge Road indicate that traffic conditions have not varied to a tangible extent over the past few years; results are summarised in the table:

Date	Daily Traffic	Speed (km/h)		% / no. Over	
		Average	85 th percentile ¹	60km/h	80km/h
Dec 2017	5974	74	81	98.1 / 5860	16.1 / 961
Feb 2019	6097	73	79	96.5 / 5884	7.4 / 451

1. The speed at which 85% of traffic is travelling at, or below and is a factor used in determining the safe operating speed of a road.

The traffic conditions are consistent and reasonable having regard to the primary traffic function of and speed limits on Whittlesea – Yea Road.

Pedestrian

The number of pedestrians and cyclists currently walking or riding to and from Cordell Court has not been determined. Due to the current inadequate infrastructure (road shoulder, grassy verge, open drain, often damp or muddy), it is reasonable to presume that current usage is low and there is a latent demand for a safe, all weather path.

Community Consultation and Engagement

The signatories of the petition are a very good representation of the community effected by the recommendations of this report; therefore, no specific or additional community consultation or engagement has been conducted.

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

Liveable neighbourhoods

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

Strong local economy

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

Sustainable environment

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

High performing organisation

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

A footpath will enhance the connection of the Cordell Court residential neighbourhood to the broader community, improve access to employment and education, reduce dependency on motor vehicles and is in the best overall interest of the community.

Considerations

Environmental

Positive implications through the reduction in transport emissions associated with more trips undertaken by active travel modes (walking and cycling)

Social, Cultural and Health

Positive implications via the health benefits associated with more people walking and cycling.

Economic

No implications

Financial Implications

The design and construction of a 380 metre long, 2.5 metre wide shared (cycle and pedestrian) path between Cordell Court and Ridge Road will have an approximate cost of \$162,000 (ex GST).

Link to Strategic Risk

Strategic Risk *Climate Change - Failure to mitigate or adapt to the risks of climate change*

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

Strategic Risk *Health, Safety and Welfare - Failure of safety and risk management systems resulting in serious injury or harm to staff or member of public*

The omission of a path at this location restricts access for the Cordell Court community to the active transport network and its links to community services and opportunities. The City of Whittlesea may also fail to take an opportunity to reduce risks faced by the community when walking along the gravel road shoulder of Whittlesea – Yea Road in an 80km/h speed zone.

Implementation Strategy**Communication**

The Chief Petitioner will be notified in writing of Council's decision.

Critical Dates

There are no critical dates associated with this project.

Declaration of Conflict of Interest

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

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

Conclusion

There is a need for a path to be provided along the Whittlesea – Yea Road between Cordell Court and Jennifer Court to provide safe, continuous, all-weather access for pedestrians and cyclists of Cordell Court to access services and facilities in the Whittlesea township.

This project is included in the Missing Footpath Links Program; however, it ranks as a low priority within the program and is currently scheduled to be delivered in the medium to long term. It is recommended that the 2023/2024 budget consider funding for delivery of this project in a more timely manner.

The estimated cost to provide 380 metres of shared path is approximately \$162,000.

5.3 Strong Local Economy

No reports

5.4 Sustainable Environment

5.4.1 Sustainable Environment Strategy suite

Responsible Officer	Director Infrastructure & Environment
Author	Danelle Ayres, Senior Sustainable Environment Specialist
In Attendance	Amanda Dodd, Manager Sustainable Environment

Attachments

1. Sustainable Environment Strategy 2022-2023 [5.4.1.1 - 19 pages]
2. Climate Change Plan 2022-2023 [5.4.1.2 - 25 pages]
3. Sustainable Environment Action Plan 2022-2023 [5.4.1.3 - 11 pages]

Purpose

The report seeks that Council adopt the Sustainable Environment Strategy 2022–2032 and the Climate Change Plan 2022-2032, to guide commitments and decision-making toward the Whittlesea 2040 Sustainable Environment Goal over the next 10 years.

The report also seeks that Council endorse the Sustainable Environment Action Plan 2022–2024 noting that actions will be subject to Council’s annual budget processes. The Action Plan will be reported against and updated every two years for the life of the Sustainable Environment Strategy 2022–2032.

Brief Overview

Following the final stage of consultation, the City of Whittlesea’s Sustainable Environment Strategy Suite has been further refined and is ready to be considered for adoption. The Sustainable Environment Strategy Suite includes three documents:

- Sustainable Environment Strategy 2022-2032
- Climate Change Plan 2022-2032
- Sustainable Environment Action Plan 2022-2024

The Sustainable Environment Strategy 2022-2032 (SES) and Sustainable Environment Action Plan 2022-2024 (SEAP), and the Climate Change Plan 2022-2032 (CCP) have been developed under Council's new Integrated Planning Framework. The Framework is made up of four levels:

1. Level 1: Vision - Council's overarching vision *Whittlesea 2040: a place for all*.
2. Level 2: Strategy - Council's seven key strategies and their action plans. This is where the SES and SEAP sit.
3. Level 3: Approach - Comprises the long-term plans and the detailed analysis and rationale for each key focus area, for instance the CCP is the long-term plan, rationale and evidence base behind the Climate Change focus area in the SES.
4. Level 4: Operations – Operational programs, guidelines and technical documents.

The Sustainable Environment Strategy (SES) at level 2 has synthesised Council's endorsed positions from the Rethinking Waste Plan 2021-2030, Greening Whittlesea - City Forest Strategy 2020-2040, Whittlesea Water For All – Our Water Strategy 2020-2030, and the Biodiversity Strategy 2019-2029; and incorporates work on the CCP presented for adoption as part of this suite, and the draft Green Wedge Management Plan 2022-2032. Likewise, previously committed actions and emerging actions from these Plans have been synthesised into the Sustainable Environment Action Plan (SEAP).

The Climate Change Plan (CCP) at level 3 will guide Council's work and partnerships with community to transition our city to net zero emissions by 2036, and to a climate resilient future.

Upon adoption of these three documents, and the draft Green Wedge Management Plan currently being finalised, the Sustainable Environment Strategy Suite of strategic documents will be complete.

The SES, SEAP, and CCP were released for their final stage of community consultation between 6th September and the 4th October 2022.

Recommendation

THAT Council resolves to:

1. **Adopt the Sustainable Environment Strategy 2022-2032.**
2. **Adopt the Climate Change Plan 2022-2032.**
3. **Endorse the Sustainable Environment Strategy Action Plan 2022-2024, noting actions will be subject to consideration during Council's annual budget processes.**
4. **Thank stakeholders who have been involved in the development of the Sustainable Environment Strategy suite and advise them of Council's decision.**

Key Information

The Sustainable Environment Strategy 2022-2032 (SES) is the second strategy to be developed under Council's Integrated Planning Framework. The SES outlines the City of Whittlesea's contribution toward securing a sustainable, net zero emissions, and climate resilient future for all; and aligns to key directions for enabling Whittlesea's Sustainable Environment as envisioned by *Whittlesea 2040: A place for all*.

The Strategy is informed by the following:

- Themes and opportunities highlighted in the Sustainable Environment Strategy Discussion Paper, which alongside extensive research and Community Plan feedback, combined and synthesised Council's recently endorsed positions from the Rethinking Waste Plan 2021-2030, Greening Whittlesea - City Forest Strategy 2020-2040, Whittlesea Water For All – Our Water Strategy 2020-2030, and the Biodiversity Strategy 2019-2029. It incorporates the emerging work on the Climate Change Plan 2022-2032 and the Green Wedge Management Plan 2022-2032.
- Submissions received during the final stages of community consultation (refer to community consultation and engagement section of this report).

The Strategy will undergo a mid-term review after five years to ensure Council's long-term plan for action is responsive to the needs of the changing community and environment.

The Sustainable Environment Action Plan 2022-2024 will accompany the SES as a standalone document, enabling review and update every two years and to be reported against annually. It is intended to seek endorsement of the Action Plan with relevant actions requiring budget approval to form part of Council's budget considerations and approval processes.

This Action Plan has been compiled following feedback received during the community consultation and engagement process and engagement with departments across Council. It includes actions within existing resources/activities and proposed new initiatives which are prioritised and arranged under three key directions and nine outcomes, providing a clear pathway which steps us toward achieving "The sustainable environment we want" (page 8, SES). The SEAP considered feedback from the internal consultation phase in June 2022, and the recent final community consultation phase. The SEAP primarily references actions from the Community Plan and level 3 documents.

Our built and natural environments and climate are changing rapidly. The tools to address these challenges such as new innovations in technologies, methods and materials are also changing. Therefore, while remaining true to the course of our vision toward a Sustainable Environment for all, the SEAP has a life cycle of two years. Previously committed actions through Council's level 3 Plans will be reviewed and revised as each two-year plan is created.

The Climate Change Plan 2022-2032 (CCP) provides a roadmap that guides the Whittlesea community and Council to take integrated climate change action to achieve its overarching vision:

By 2036, the City of Whittlesea is a net zero emissions municipality, and our communities, businesses, and environments are resilient to the changing climate. Our transition to net zero and climate resilience is collaborative, inclusive, and equitable.

Building upon the substantial body of work of Council's corporate emissions reduction and climate resilience initiatives to date, the new CCP strives to further improve Council's performance and advance the goal for community climate change action.

Alongside the Sustainable Environment Strategy, the Climate Change Plan will also undergo a mid-term review after five years to remain responsive to the needs of the changing climate and community.

By bringing together the existing suite of climate change related strategic planning documents, the new CCP is aligned to the SES and SEAP and will form a comprehensive plan for Council's approach to climate change action.

Community Consultation and Engagement

The development of the SES and SEAP are a synthesis of the past four years of Council's environmental work. Each key focus area represents extensive research and community consultation and engagement which has been undertaken to develop the emerging and endorsed suite of environment plans (level 3 documents). For the development of each level 3 plan, there were numerous engagement activities such as:

- pop-up events;
- focus groups for community, institutional stakeholders, business, and youth;
- a community reference panel for water;
- online surveys;
- online engagement e.g. social pinpoint activities; and
- consultation activities embedded into key community events such as Super Kids Sunday and the Bugged Out Festival in 2019.

Consultation and engagement for the development of the CCP occurred between March and September 2021 with more than 800 contributions shaping its development.

During the 2021 Community Plan consultation efforts, the broad community was consulted on the Sustainable Environment goal and climate change, directly informing the development of the SES, while reflecting and reaffirming current community sentiments.

Staff consultation was also undertaken on the Sustainable Environment Discussion Paper in February 2022 and the draft SES, SEAP and CCP documents in June 2022. The final phase of community consultation occurred from 6 September to 4 October 2022 and the community was invited to reconfirm the synthesised approach and provide feedback on the SES, SEAP and CCP documents in full.

The final stage of consultation on all three documents promoted the work broadly, and received 86 contributions through the following activities:

- Five pop-up engagement events across the municipality, which aligned with the Planting Trees for Jubilee Project and other Council-wide engagement such as the Glass Recycling and Whittlesea Park Masterplan.
- Closed the feedback loop sending email invitations to over 400 people who were invited to or attended focus groups (community, businesses and youth) and institutional stakeholder workshops
- Email invitations to Traditional Owners of the Wurundjeri Land Council and Taungurung Land and Waters Council.
- Attendance at the September Youth Advisory Committee meeting and email invitations to the Whittlesea Youth Environment Action Group.
- More than 4500 residents, schools, community and environment groups, and businesses were invited to participate via internal networks and newsletters such as business e-newsletters, local area networks, Teachers' Environment Network and Living Green e-news.
- Promoted broadly in Council's Local Scoop and Staff Matters newsletters as well as Council's online communication channels.

Council's online engagement page dedicated to the SES, SEAP and the Climate Change Plan attracted more than 800 'clicks', 394 total downloads and 84 contributions through a survey and interactive online activities. Two further contributions were provided via email.

The overarching sentiments were supportive of all documents and are summarised as follows:

Sustainable Environment Strategy 2022-2032 analysis:

- *Community benefits interactive activity*– Of the 15 community benefits listed in the SES, respondents ranked their most important as Clean and healthy waterways (37), Protected landscapes and biodiversity (28), Clean city (24), noting that people most often voted for tangible and visible community benefits. All community benefits listed received at least six votes, and no new benefits were suggested.

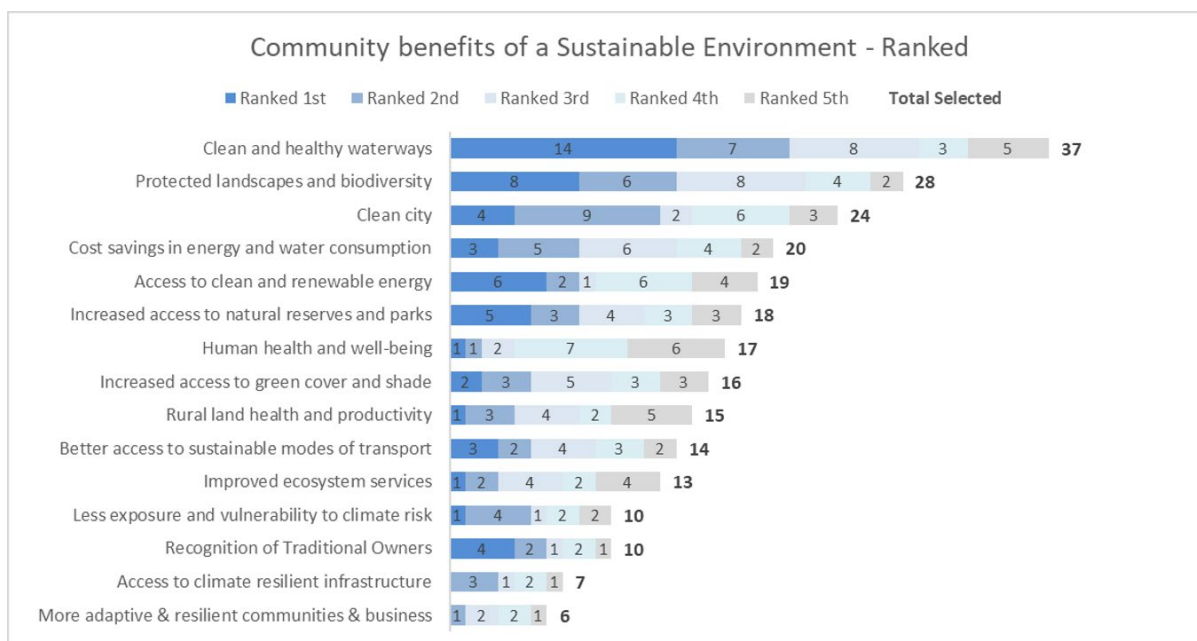


Table 1. Ranking of community benefits of a sustainable environment activity

- *Challenges interactive activity* - Of the comments provided, most mentioned housing development as an important local challenge. Water quality issues were also front of mind, as well as limited access to resources and support for community action e.g., litter clean ups for school students.

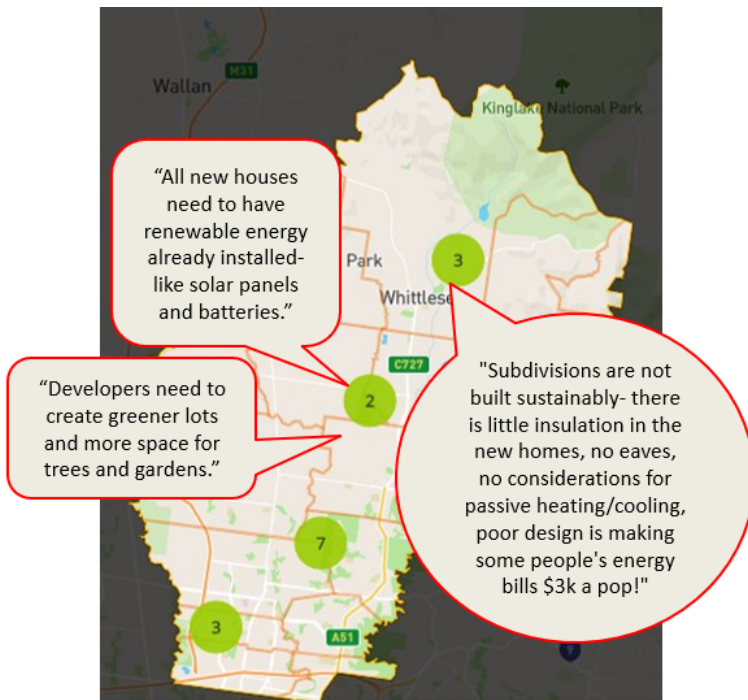


Image 1. Example of comments from social pinpoint activity on challenges

- *Survey analysis* - Of the 15 respondents to the SES component of the survey, most agree with the Outcomes/Benefits and Focus Areas of the SES (n-12). Two comments from those who strongly agree with the SES also pointed out the risk of "motherhood statements" and need for more detail. Comment from one who disagreed with Outcomes/Benefits focused on the length of time it will take to achieve them.

"The strategies will be a good start. Action should be sped up as mother earth cannot wait any longer."

(Online survey respondent)

Climate Change Plan 2022-2032 survey analysis:

- Ten people completed the Climate Change Plan section of the survey, expressing more mixed feelings. Half (n-5) either agreed or strongly agreed with the overarching visions and pillars of the plan. Two neither agreed nor disagreed and stated concerns for needing financial assistance for residents to make sustainable changes.

*"I find it hard to follow looking at the current subdivisions and houses on top of each other and you the Council talk about greening." and
"Make it faster, thanks."*

(Two online survey respondents)

Sustainable Environment Action Plan 2022-2024 feedback analysis (survey and emails):

- 13 people completed the Sustainable Environment Action Plan section of the survey, of which six respondents strongly agreed with the action plan. Comments from those agreeing and strongly agreeing ask for more detail to be provided in the plan. There were some concerns around the large number of actions and Council's capacity to deliver.
- Feedback resulted in the following changes to the Action Plan:
 - One new action relating to the creation of a policy position on composting toilets.
"Consider a policy position on composting toilets as part of the next review of the Domestic Wastewater Management Plan."
 - An action from Council Advocacy plan being included.
"Advocate for funding to undertake a feasibility study to provide rural areas access to alternative water supply within Whittlesea and neighbouring municipalities."
 - An action relating to the creation of a corporate environment committee.
"Establish a corporate Environmental Sustainability Committee to support sustainable environment initiatives and embed climate change responses into Council decision making."
 - An action to take steps towards one of Council's Community Plan initiatives.
"Investigate options for introducing a local resource recovery shop."
- Some feedback related to project ideas that forms part of other Integrated Planning Framework strategies currently under development;
 - A new idea to create a sensory park for neurodiverse adults, to be referred to Liveable Neighbourhoods strategy.
 - An idea to place barbeques and toilets along nature walk areas, to be referred to Liveable Neighbourhoods strategy.
- The remaining feedback relate to improving biodiversity, water, city forest, waste and recycling and community empowerment outcomes. These will be addressed through the implementation of the services and projects of Council. For example;
 - The suggestion *"Encouraging locals for kitchen garden and trees providing free seedlings"* (Online survey respondent) will be referred to Environmental Education Officers for consideration in the planning of environmental education and community empowerment programming.
 - The suggestion to include biodiversity offsets alongside carbon sequestration offsets will be considered during program development.
 - The suggestion of *"monitoring of compliance with permit conditions for biodiversity outcomes"* will be considered in the delivery of the outcome indicators for the strategy.

All three documents have been enriched through the final consultation phase. For example, the SES document has been updated in the community empowerment sections to be more inclusive, the challenges and focus area sections have been strengthened to better highlight the key themes arising through consultation such as the challenges of urbanisation, limited environmental stewardship and resources. Gaps have also been addressed such as the importance of waterways and biodiversity monitoring; and corrections or updates were made to improve accuracy and clarity.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

Sustainable environment

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

All three documents are linked to the following Council policies, plans and strategies; and State and Federal Legislation.

City of Whittlesea:

- Whittlesea 2040: A Place for All
- Community Plan 2021-2025
- Strong Local Economy Strategy 2022-2026
- Rethinking Waste Plan 2021-2030
- Greening Whittlesea City Forest Strategy 2020-2040
- Whittlesea Water for All – Our Water Strategy 2020-2030
- Biodiversity Strategy 2019-2029
- Zero Net Emissions Plan 2022
- Light Vehicle Policy 2022
- Climate Ready Whittlesea 2017
- Open Space Strategy 2016
- Corporate Strategic Risk Register
- Walking and Cycling Plan 2022-2027 (under development)
- Climate Change Risk Assessment (under development)
- Climate Change Plan 2022-2032 (under development)
- Green Wedge Management Plan 2022-2032 (under development)
- Environment Sustainability Strategy 2012-2022 (closing out)

Regional:

- Northern Alliance for Greenhouse Action (NAGA). Most relevant policies include NAGA's Strategic Plan 2020-2025 and Towards Zero Net Emissions for the NAGA Region 2009.
- Council Alliance for a Sustainable Built Environment (CASBE). Current collaborative projects include the Elevating Environmentally Sustainable Design (ESD) Planning Policy Amendment project and the Sustainable Subdivisions Framework trial (2020-2022).
- Greater Melbourne Regional Climate Change Adaptation Strategy 2021

State:

Biodiversity

- Victoria's Environment – Biodiversity 2037 (2017)
- The Melbourne Strategic Assessment and the Biodiversity Conservation Strategy for Melbourne's Growth Corridors 2013
- Catchment and Land Protection Act 1994
- Flora and Fauna Guarantee Act 1988

City Forest

- Living Melbourne: Our Metropolitan Urban Forest 2019
- Trees for Cooler and Greener Streetscapes – Guidelines for Streetscape Planning and Design 2019

Green Wedge

- Planning and Environment Act 1987 (legislative requirements on the Urban Growth Boundary)

Water

- The Healthy Waterways Strategy 2018
- The Integrated Water Management Framework for Victoria 2017
- Water for Victoria 2016
- Water Act 1989

Climate Change

- Victoria's Gas Substitution Roadmap 2022
- Victoria's Climate Change Adaptation Action Plans 2022 for seven systems (the natural environment, the built environment, the water cycle, primary production, transport, health and human services, education and training)
- Victoria's Climate Change Strategy 2021
- Victoria's Renewable Energy Action Plan 2017

- Victoria's Climate Change Adaptation Plan 2017-2020
- Climate Change Act 2017
- Renewable Energy (Jobs and Investment) Act 2017
- Victoria's Climate Change Framework 2016

Waste and Recycling

- Circular Economy (Waste Reduction and Recycling) Bill 2021
- The Victorian Plastic Bag Ban 2019
- The Recycling Victoria Policy 2020
- The Victorian Container Deposit Scheme 2023
- The Single-use Plastics Ban 2023

General and other

- Open Space Strategy for Metropolitan Melbourne – Open Space for Everyone 2021
- Victorian Traditional Owner Cultural Landscapes Strategy 2021
- Local Government Act 2020
- Pupangarli Marnmarnepu 'Owning Our Future' Aboriginal Self-Determination reform Strategy 2020-2025
- Victorian Public Health and Wellbeing Plan 2019-2023
- Victoria Aboriginal Affairs Framework 2018-2023
- Environment Protection Act 2017
- Plan Melbourne 2017-2050
- Planning and Environment Act 1987
- Gender Equity Act 2020

Federal:

- Climate Change Bill 2022
- The National Soil Strategy 2021
- Powering Australia 2021
- National Climate Resilience and Adaptation Strategy 2021-2025
- Australia's Long-term Emissions Reduction Plan 2021 (published under the previous Australian Government)
- Future Fuels and Vehicles Strategy 2021 (published under the previous Australian Government)
- The Recycling and Waste Reduction Bill 2020
- Technology Investment Roadmap: First Low Emissions Technology Statement 2020
- Australia's Strategy for Nature 2019-2030
- National Hydrogen Strategy 2019
- National Energy Productivity Plan 2015-2030
- National Greenhouse and Energy Reporting Act 2007 and the Safeguard Mechanism

- The Environment Protection and Biodiversity Conservation Act 1999
- The National Strategy for Ecologically Sustainable Development 1992
- The National Water Initiative

Considerations

Environmental

The SES synthesises and streamlines Council's endorsed positions from the Rethinking Waste Plan, Greening Whittlesea - City Forest Strategy, Whittlesea Water for All – Our Water Strategy, Biodiversity Strategy and the emerging work of the Green Wedge Management and Climate Change Plans. It aligns and contributes to the Sustainable Environment key directions as outlined in Council's vision *Whittlesea 2040: A Place for All*, including: Valued natural landscapes and biodiversity; Climate ready; and Leaders in clean, sustainable living.

The SEAP sets out Council's commitments to deliver on the SES for the next two years. The CCP maps out Council's plan to transition our city to a net zero emissions and climate resilient place for all, which also contributes to the global climate action efforts to avoid catastrophic climate change. Upon adoption, the Sustainable Environment Strategy Suite will provide an integrated effective approach to drive council wide sustainability and climate action outcomes across all services and operations.

Social, Cultural and Health

The SES recognises the importance of our environment for community, and the impacts of climate change on human health and wellbeing. It aims to deliver not only environmental outcomes, but also social, cultural and health benefits for our community by protecting our environment and the ecosystem services it provides.

Particular attention has been taken to improving access to canopy cover for vulnerable communities and supporting them to mitigate heat risk. It also features a focus area for community empowerment, which is committed to supporting residents, businesses, and communities to take sustainable action, building environmental skills for people of all ages, genders, abilities and stages in life; and improving Traditional Owner engagement.

The CCP acknowledges the significant health impacts of climate change and how this places significant risks on vulnerable communities and women. The CCP emphasises our responses to climate risk, which will enhance community resilience and promote human health and wellbeing.

Economic

The Sustainable Environment Strategy Suite and associated actions aim to protect and enhance our environment and respond to the climate change challenge. Its implementation will contribute to:

- 1) managing and enhancing Council's tree assets with an amenity value in excess of \$600 million;
- 2) reducing potential climate change risks such as loss and damage of properties and infrastructure, increased maintenance and repair costs; and loss of human life;
- 3) supporting local economy and providing local employment opportunities such as promotion of circular economy and creation of local green jobs.

Financial Implications

The SEAP includes actions that Council has already committed to for the delivery of Council's endorsed long-term plans. These include:

- Biodiversity Strategy 2019-2029
- Greening Whittlesea - City Forest Strategy 2020-2040
- Whittlesea Water For All - Our Water Strategy 2020-2030
- Rethinking Waste Plan 2021-2030

Most of the new actions to support the emerging draft Green Wedge Management Plan 2022-2032 and Climate Change Plan 2022-2032, can be managed within operating budgets by realigning priorities. However, some actions are subject to new funding. If funding is not obtained for actions, they will be moved into future years' action plans.

External funding will also be sought to support the delivery of actions when suitable. Where actions are proposed to be delivered alongside capital works projects, the environmental contribution (e.g. solar panels or integrated water management solutions) will be considered as part of the project brief and/or business case.

To align with our previous Net Zero Organisational Commitment, there may be a need to increase our carbon offset budget to align with the industry standard of Climate Active Certification. This will be subject to a separate briefing once the roadmap to Certification is complete.

As the threats from extreme weather events increase in the changing climate, not addressing climate mitigation and adaptation as an organisation and community is likely to increase financial risks for our assets and community.

Link to Strategic Risk

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

Increased climate risk facing Council and our community have significant financial implications. A net-zero pathway that the SES, CCP and SEAP take can reduce multiple climate change risks and bring down long term mitigation costs and economic losses.

Strategic Risk *Climate Change - Failure to mitigate or adapt to the risks of climate change*

Council has important climate change adaptation responsibilities through its duty of care under Victoria legislation, including the Climate Change Act 2017, Local Government Act 2020 and Planning and Environment Act 1987. Our actions in the next decade will shape what a 2040 future will look like for our community.

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

The development of the SES, CCP and SEAP are committed activities within the Integrated Planning Framework, which action Whittlesea 2040 goals and guide the delivery of a wide range of Council assets, services and operations essential for community wellbeing.

Implementation Strategy

Communication

Once adopted, the SES, CCP and SEAP will be promoted broadly to the Whittlesea community and stakeholders who have participated will be informed where possible, closing the feedback loop. Stakeholders will also be invited to a launch early 2023, to celebrate and commence a collaborative journey to creating a sustainable environment, as we step together toward net-zero emissions and a more resilient community.

Critical Dates

All three documents, namely the Sustainable Environment Strategy 2022-2032, Sustainable Environment Action Plan 2022-2024 and the Climate Change Plan 2022-2032 are planned to be adopted together, and a formal launch and celebration will happen early 2023.

Declaration of Conflict of Interest

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

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

Conclusion

The Sustainable Environment Strategy 2022-2032, Climate Change Plan 2022-2032 and the Sustainable Environment Action Plan 2022-2024 have been informed by extensive research and consultation with community, business, internal and external institutional partners.

The adoption of the Sustainable Environment Strategy 2022-2032 and Climate Change Plan 2022-2032 and endorsement of the Sustainable Environment Action Plan 2022-2024 is sought, noting that actions will be subject to Council's annual budget processes.

Stakeholders who have been involved in the development of the Sustainable Environment Strategy suite of documents will be thanked and advised of Council's decision.

5.4.2 City of Whittlesea Climate Pledges

Responsible Officer	Director Infrastructure & Environment
Author	Danelle Ayres, Senior Sustainable Environment Officer
In Attendance	Amanda Dodd, Manager Sustainable Environment
Attachments	No Attachments

Purpose

To gain Council's support for the City of Whittlesea to participate in two climate pledge programs:

- the Victorian Government's council emissions reduction pledge; and
- the Cities Power Partnership Program.

Brief Overview

Council is strengthening its commitment to climate action through the newly adopted Climate Change Plan 2022-2032. The overarching vision for the Climate Change Plan is to achieve zero-net emissions by 2036, and ensure our communities, businesses, and environments are resilient to the changing climate. This proposal to participate in the Victorian Government's council emissions reduction pledge, and the Cities Power Partnership Program will strengthen this work through broad-scale promotion, networking, resources, and being part of state and national climate action efforts. Both programs are free to join and have no ongoing or annual fees.

The Victorian Government's council emissions reduction pledge under the Climate Change Act 2017, collectively demonstrates the significant contributions of individual councils to reducing Victoria's emissions. The voluntary pledges are actions that will reduce emissions related to the performance of a council's powers and duties under the Local Government Act 2020. Council pledges are collated under Victoria's Climate Change Strategy, which outlines the state's pathway for reducing emissions and building resilience to the impacts of climate change. Currently there are 21 councils that have made pledges.

The Cities Power Partnership is a national program run by the Climate Council. It aims to provide local governments with the tools, knowledge and connections to take meaningful action on climate change and capitalise on the global shift to a clean economy.

It is the largest local government climate program in Australia with over 145 member councils (38 in Victoria) representing over 60 per cent of Australia's population.

The work of the Climate Council promotes independent research and policy proposals based on the best available climate science.

Through an online collaboration platform called 'Council Connect', the program connects councils throughout Australia to share knowledge and best practice on climate and clean energy solutions. It also helps councils to promote and celebrate their successes through media and events, including an annual national awards program.

The proposed memberships to the Cities Power Partnership and the Victorian Government's council emissions reduction pledges presents opportunities for Council to strengthen its efforts in working toward the 2036 net-zero emissions target by expanding Council's networks, promoting climate action efforts, and strengthening access to resources and the latest climate science. It will also support Council to demonstrate leadership in working with other local governments to address climate change.

Both programs require Council to pledge climate action across the areas of renewable energy, energy efficiency, sustainable transport, collaboration and advocacy (or work together and influence). Council is already delivering actions that could be counted towards these pledges and is further strengthening its commitment through the adoption of the Climate Change Plan 2022-2032. Whilst the Victorian Government program requires a copy of Council's Climate Change Plan, and the climate related actions in the Sustainable Environment Action Plan 2022-2024, the Cities Power Partnership Program requires five pledges or actions to be delivered within the next five years. Therefore, it is recommended that Council selects already committed and resourced actions from the Community Plan and Sustainable Environment Action Plan 2022-2024 for the five pledges, for example:

Corporate emissions reduction pledges:	Pledge action area
1. Continue to replace our streetlights with energy efficiency bulbs (<i>Community Plan 22/23</i>)	Energy efficiency
2. Continue participating in the Victorian Energy Collaboration Power Purchase Agreement for 100% renewable electricity	Renewable energy
Supporting community-wide emissions reduction pledges:	
3. Support our business community to improve the sustainability of their facilities using Environmental Upgrade Agreements (<i>Community Plan 22/23</i>)	Energy efficiency

4. Continue to partner with the Council Alliance for Sustainable Built Environment (CASBE) to advocate for increased standards to achieve zero emissions and climate resilient developments	Collaboration Advocacy
5. Complete community wide EV Transition Plan and commence implementation	Sustainable transport Collaboration

Council will be required to identify its Cities Power Partnership pledged commitments within six months of joining the program.

Recommendation

THAT Council resolves to join the Cities Power Partnership program and the Victorian Government's council emissions reduction pledge program.

Key Information

Participation in both the Cities Power Partnership program and the Victorian Government's council emissions reduction pledge are free to join with no ongoing or annual fees. Each pledge proposed in this report is a committed and resourced action under the recently adopted Climate Change Plan 2022-2032 and the Sustainable Environment Action Plan 2022-2024. Participation in the Cities Power Partnership is a recommendation of Council's Zero-net Emissions Plan 2022.

Council can submit its pledges to either of the programs at any time. Now is the ideal time to join and promote these collective emissions reduction efforts across the community. Promotion can occur alongside the adoption and launch of the new Sustainable Environment Strategy Suite and Climate Change Plan.

To join both programs, a letter is required from the Chair of Administrators. Specific pledges to the Cities Power Partnership Program must be identified within six months of joining. The Victorian Government's council emissions reduction pledge requires Council to pledge its planned climate actions for the next five years (2021-2025). For both programs, Council will pledge actions outlined within the Climate Change Plan 2022-2032 and Sustainable Environment Action Plan 2022-2024.

Council will also be required to report its emission reduction progress and share knowledge with other councils. As the recommended actions pledges will be reported regularly as part of Council's reporting systems, it is anticipated that the time required to report across both programs will be minimal.

Community Consultation and Engagement

Extensive consultation has occurred through the development of the Sustainable Environment Strategy 2022-2032 and the Climate Change Plan 2022-2032, in the form of focus groups, pop-up engagements, online engagement, surveys, invitations to provide comment on documents.

Consultation specific to the development of the Climate Change Plan 2022-2032 attracted more than 800 contributions from community members and businesses provided a strong understanding of the community's concerns and priorities regarding climate action.

Membership to both the Cities Power Partnership and the Victorian Government's council emissions reduction pledges will be promoted alongside the adoption of the Sustainable Environment Strategy Suite and the Climate Change Plan.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

Sustainable environment

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

Local Government

- Whittlesea 2040: a place for all – Goal 4: Sustainable Environment
- Sustainable Environment Strategy 2022-2032 – Key Focus Area: Climate Change; Sustainable Environment Action Plan 2022-2024
- Climate Change Plan 2022-2032

State

- Victoria's Climate Change Adaptation Action Plans 2022 for seven systems (the natural environment, the built environment, the water cycle, primary production, transport, health and human services, education, and training)
- Victoria's Climate Change Strategy 2021
- Victoria's Renewable Energy Action Plan 2017
- Victoria's Climate Change Adaptation Plan 2017-2020
- Climate Change Act 2017
- Local Government Act 2020
- Victoria's Climate Change Framework 2016

Considerations

Environmental

Greater access to partnership opportunities and networks will improve sustainable and environmental efficiency outcomes, for example, regional partnership projects are likely to result in broad-scale emissions reduction efforts.

Broad-scale communications will improve community and industry support for climate action, supporting a shared responsibility for collective climate action.

Participation will strengthen Council's opportunities to participate in key networks and partnerships across Australia and improve organisation capacity through greater access to resources and the latest climate science.

Social, Cultural and Health

Addressing and responding to the threat of climate change will benefit the health and wellbeing of our residents.

Economic

Greater access to resources, partnership opportunities and networks will improve financial and strategic efficiencies to climate action.

Financial Implications

There is no cost to undertake the pledges. The costs of delivery of the pledges for 2022-23 are included in the current budget. The delivery of future actions will be subject to the annual budget process, aligned with the Sustainable Environment Action Plan.

Link to Strategic Risk

Strategic Risk *Climate Change - Failure to mitigate or adapt to the risks of climate change*

Participation in these programs will improve Council's capacity and capabilities to mitigate and adapt to the risks and impacts of climate change through increased access to resources, professional development, the latest climate science information, and greater access to sector wide networks and partnership opportunities.

Implementation Strategy

Communication

Council's involvement in the Cities Power Partnership and the Victorian Government's emissions reduction pledges will be celebrated as part of the launch of the Sustainable Environment Strategy 2022-2032, the Climate Change Plan 2022-2032 and the Sustainable Environment Action Plan 2022-2024 in early 2023.

Critical Dates

It is anticipated that participation in both programs will be celebrated early 2023, alongside the promotion and launch of the Sustainable Environment Strategy 2022-2032, Climate Change Plan 2022-2032, and Sustainable Environment Action Plan 2022-2024.

Declaration of Conflict of Interest

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

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

Conclusion

Council is strengthening its commitment to climate action through adoption of the Sustainable Environment Strategy 2022-2032 and Climate Change Plan 2022-2032, and endorsement of the Sustainable Environment Action Plan 2022-2024. This proposal to participate in the Victorian Government's council emissions reduction pledge, and the Cities Power Partnership Program will strengthen this work through broad-scale promotion, networking, resources, and being part of state and national climate action efforts.

Participation in these programs leverages work and action Council is already committed to achieving. Furthermore, participation will bolster Council's leadership in climate action by amplifying climate action efforts across the sector and community.

It is sought that the City of Whittlesea join both the Cities Power Partnership program and the Victorian Government's council emissions reduction pledge program.

5.5 High Performing Organisation

5.5.1 Quarterly Corporate Performance Report - Quarter 1

Responsible Officer	Director Customer & Corporate Services
Author	Rahul Shah, Unit Manager Financial Strategy
In Attendance	Aaron Gerrard, Acting Chief Financial Officer

Attachments

1. Corporate Performance Report [5.5.1.1 - 22 pages]
2. 2021-2025 Performance Snapshot A 4 Q 1 July- Sept 2022 [5.5.1.2 - 1 page]
3. Capital Works Quarter 1 Project Adjustments [5.5.1.3 - 1 page]
4. Capital Grants Status Update September 2022 [5.5.1.4 - 2 pages]
5. Reserves September 2022 [5.5.1.5 - 2 pages]

Purpose

That Council notes the Quarterly Corporate Performance Report for the period ended 30 September 2022 (Attachment 1).

Recommendation

THAT Council:

1. notes the Quarterly Corporate Performance Report for September 2022 (Attachment 1);
2. notes the outcome of the 2022-23 Quarter 1 Forecast Review;
3. notes the progress made against the key actions included in the Community Plan Action Plan 2022-23 as highlighted in the Quarter 1 Performance Snapshot (Attachment 2);
4. notes the good governance actions over the past quarter;
5. notes the Capital Works Program Performance for the period ended 30 September 2022;
6. endorses the proposed capital budget adjustments as listed in the Proposed Capital Budget Adjustments (Attachment 3);
7. notes the status of the infrastructure grants for the period ended September 2022 as outlined in Grants Status Update (Attachment 4);
8. notes the Financial Performance for the period ended 30 September 2022;
9. resolves on establishment of a new reserve 'Aboriginal Gathering Place Reserve' and make a transfer to the reserve of \$6 million from the 'Strategic Investment Reserve';
10. resolves to establish a new reserve 'Strategic Operational Projects Reserve' and make a transfer to the reserve of \$2,373,276; and
11. resolves to transfer \$10 million from 2021-22 accounting surplus to the 'Regional Aquatic and Sports Reserve'.

Brief Overview

Community Plan Action Plan

- 114 of the 125 key actions included in the Community Plan Action Plan for delivery in the 2022-2023 financial year are reported on track.
- Three of the 15 ongoing key actions included in the Community Plan Action Plan 2021-2022 have now been completed.

Good Governance

In addition to conducting regular Council Meetings, Council has updated the Governance Rules, Risk Management Framework and Policy, and completed personal interest returns to enhance governance at the City of Whittlesea.

Capital Works

- Council adopted the 2022-23 Capital Works Program on 27 June 2022 with a budget of \$51.67 million. The Capital Works Annual Budget also includes 2021-22 carry forwards of \$23.87 million providing a total budget amount of \$75.54 million.
- Year to date Capital Works actual expenditure is \$9.71 million against year to date Annual Budget of \$6.77 million, which is a variance of \$2.95 million.

The table below includes a summary of the Capital Works program.

	Capital Works Budget \$'000
Adopted Budget 2022-23	51,670
Additional Carry forwards from 2021-22	23,865
Annual Budget	75,535
Anticipated Carry Forwards 2022-23	-
Budget Adjustments	1,808
End of year forecast at Quarter 1	77,343

Financial Performance

- For the three months ended 30 September 2022, Council recorded an operating surplus of \$159.32 million, which is (\$0.57 million) unfavourable to the year to date budget.
- This surplus is reported based on the Australian Accounting Standards and includes all revenue recognised in the financial period, including gifted assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the operating surplus is not a cash surplus; therefore, it does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment.

Key Information

Introduction

The Quarterly Performance Report for the period ended September 2022 has been prepared in accordance with Australian Accounting Standards. This report is designed to identify major variances against the September year to date budget. The year to date and Annual Budget referred to in this report reflects the budget approved by Council on 27 June 2022.

The attached report (Attachment 1) includes a comprehensive summary of:

- Community Plan Action Plan 2022-2023 to 30 September 2022;
- Good Governance actions to 30 September 2022;
- 2022-23 Capital Works Program to 30 September 2022; and
- Council's financial performance to 30 September 2022.

To comply with the Local Government Act 2020 (the Act), the report includes the following comparisons for the three months ended 30 September 2022:

- actual and budgeted operating revenues and expenses;
- actual and budgeted capital revenues and expenses;
- actual movements in the balance sheet; and
- actual movements in the cash flow statement.

Community Plan Performance

The Community Plan 2021-2025 includes 61 key initiatives. 125 related key actions are included in the Community Plan Action Plan for delivery in the 2022-2023 financial year. This iteration of quarterly reporting is presented by exception only.

Of the 125 key actions included in the Community Plan Action Plan 2022-2023:

- 114 actions are reported as "On Track"
- Nine actions are reported "Monitor"
- Two actions are reported "Off Track".

Of the 15 ongoing key actions included in the Community Plan Action Plan for delivery in the 2021-2022 financial year, three actions have now been completed.

Please refer to Attachment 1 for more detailed Community Plan Action Plan performance information and exceptions reporting, and Attachment 2 for the Quarter 1 Performance Snapshot.

Good Governance

Council is committed to good governance and undertakes actions for continuous improvement throughout the year. Governance processes are designed to ensure accountability, transparency, responsiveness, lawfulness, equality and inclusiveness. Key achievements this quarter to improving our governance included:

- Governance Rules that outline the conduct of Council Meetings and formal decision-making processes were reviewed, updated and endorsed at the Council Meeting on 26 September 2022.
- Council Meetings are undertaken monthly to facilitate Council decision-making, with an additional Council meeting conducted on 5 September 2022 for the Sustainable Environment Strategy suite, Council Meeting schedule update and interim activation of the Mernda town centre.
- The Audit and Risk Committee, which consists of two Administrators and four independent members met on 1 and 12 September 2022. These meetings were conducted to consider and monitor Council financial and performance reporting, risk management and fraud prevention systems and controls, and compliance with the overarching governance principles. The 2021-2022 Annual Financial Report and Annual Performance Statements were endorsed at the Audit and Risk Committee Meeting on 1 September 2022.
- Personal Interest Returns were completed by Administrators, the CEO and Council Officers nominated by the Chief Executive Officer to assist in monitoring for potential conflicts of interest.
- The Risk Framework and Policy were updated to reflect changes within the organisation and to align to the Australian Standard.
- Council's Financial Delegations were also increased so that they remain practical in the changing commercial landscape.

Capital Program

Council adopted the 2022-23 Capital Works Program on 27 June 2022 with a budget of \$51.67 million. The Capital Works Annual Budget also includes 2021-22 carry forwards of \$23.87 million providing a total budget amount of \$75.54 million.

The financial expenditure performance of the Capital Works Program to 30 September 2022 is detailed below:

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Annual Budget \$'000	Quarter 1 Forecast \$'000
Property	2,622	1,140	(1,482)	3,965	10,027	10,674
Plant and equipment	333	351	18	5,609	6,383	6,683
Infrastructure	6,757	5,276	(1,482)	42,096	59,125	59,985
	9,712	6,766	(2,946)	51,670	75,535	77,343
Represented by:						
New assets	5,047	2,897	(2,150)	21,258	32,374	32,674
Asset renewal	2,285	1,804	(481)	19,823	25,087	26,157
Asset expansion	87	65	(22)	250	443	443
Asset upgrade	2,293	2,000	(293)	10,338	17,631	18,068
Total Capital works	9,712	6,766	(2,946)	51,670	75,535	77,343

As at the end of September 2022, capital expenditure of \$9.71 million was \$2.95 million ahead of budget. The variance is mainly due to road and footpath works progressing ahead of schedule and an unbudgeted land acquisition of 1781 Donnybrook Road, Woodstock. Forecast estimates expenditure of \$77.34 million against the Annual Budget of \$75.54 million, which is \$1.81 million over the Annual Budget.

Infrastructure Grants

A summary of recent infrastructure grants outcomes is included in the Capital Grants Status Update September 2022 (Attachment 4). A total of \$6.85 million in applications have been successful to date this financial year. Applications to the value of \$2.22 million are awaiting outcomes/announcements and \$5.8 million of applications were unsuccessful.

Financial Performance

The Financial Performance Report for the period ended 30 September 2022 includes the following financial statements included in the Corporate Performance Report (Attachment 1):

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Cash Flows;
- Statement of Capital Works; and
- Summary of Reserves.

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Quarter 1 Forecast \$'000
Operating					
Income	220,123	222,313	(2,190)	386,698	390,135
Expenditure	60,799	62,423	1,624	245,390	252,728
Surplus (deficit)	159,324	159,890	(566)	141,308	137,406
Capital and other revenue					
Share of other comprehensive income of associate accounted for using the equity method	-	-	-	-	-
Capital non-recurrent grants	-	-	-	(6,926)	(10,666)
Developer contributions	(20,269)	(20,081)	(188)	(122,789)	(122,789)
Adjusted underlying surplus	139,055	139,809	(754)	11,593	3,951

For the three months ended 30 September 2022, Council has recorded an operating surplus of \$159.32 million, which is (\$0.57 million) unfavourable to the year to date budget.

The forecast for the year ending 30 June 2023 is expected to have an operating surplus of \$137.41 million, which is \$3.9 million favourable to Adopted Budget. Further detail and analysis on key financial variances is included in Attachment 1 to this report.

This surplus is reported based on the Australian Accounting Standards and includes all revenue recognised in the financial period, including gifted subdivisional assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the operating surplus is not a cash surplus; therefore, it does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment.

The operating result is a key figure to assess Council's financial performance. Although Council is a not-for-profit organisation, it should still generate a surplus to ensure future financial sustainability.

Reserves

Council's 2021-22 accounting surplus of \$12.37 million is to be transferred into two newly created reserves:

- Regional Aquatic and Sports Reserve (\$10 million) to help fund the delivery of a new regional state-of-the-art centre to support the City of Whittlesea community to lead healthy and active lifestyles; and

- Strategic Operational Projects Reserve (\$2,373,276) to ensure Council has sufficient funds to deliver against a number of endorsed Council strategies and various activities that have been identified as part of the transformation required for City of Whittlesea.

Council will establish a new reserve 'Aboriginal Gathering Place Reserve' and make a transfer to the reserve of \$6 million from the 'Strategic Investment Reserve' to support enhanced outcomes, increase connection to culture, and facilitate healing for Aboriginal people.

Community Consultation and Engagement

The Community were extensively engaged and consulted in developing the 2022-23 Community Plan actions and budget.

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

Considerations

Environmental

Reporting against the Community Plan Action Plan 2022-2023 identifies key progress made from an environmental perspective, for example the key actions under the sustainable environment goal.

Social, Cultural and Health

Reporting against the Community Plan Action Plan 2022-2023 identifies key progress made from a social, cultural and health perspective, for example the key actions under the connected community and liveable neighbourhoods goals.

Economic

Reporting against the Community Plan Action Plan 2022-2023 identifies key progress made from an economic perspective, for example the key actions under the strong local economy goal.

Financial Implications

All matters raised in this report, which have a financial implication, have been reflected in the Corporate Performance Report for the quarter ended 30 September 2022 (Attachment 1).

Link to Strategic Risk

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

This report provides Council with an oversight of the City of Whittlesea's key financial information and performance obligations to enable monitoring and to ensure City of Whittlesea's financial position is sustainable.

Strategic Risk *Governance - Ineffective governance of Council's operations and activities resulting in either a legislative or policy breach*

This report provides Council with oversight of Council's key corporate and financial information to enable regular monitoring and to ensure that Council's financial position remains sustainable.

Implementation Strategy

This report is intended to go to:

- a Council meeting on 21 November 2022; and
- an Audit and Risk Committee meeting on 1 December 2022.

Declaration of Conflict of Interest

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

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

Conclusion

For the three months ended 30 September 2022, Council's operating surplus showed an unfavourable year to date variance of (\$0.57 million) against Adopted Budget. Council's Capital Works program was \$2.95 million over budget. Of the 125 key actions included in the Community Plan Action Plan 2022-2023, 114 actions are reported "On Track".

5.5.2 Scheduled Council Meetings 2023

Responsible Officer	Executive Manager Governance & Strategy
Author	Amanda Marijanovic, Coordinator Governance Administration
In Attendance	Frank Joyce, Executive Manager Governance & Strategy
Attachments	No Attachments

Purpose

The purpose of this report is for Council to adopt the proposed Council Meeting schedule for 2023, including three Council Meetings being held in local community centres.

Brief Overview

Council Meetings are conducted monthly so that Council can make formal decisions and to give the community an opportunity to participate in this decision-making process. Each year Council must adopt the proposed schedule for the following year and advise the community of this schedule.

It is proposed that Council Meetings are conducted on the third Tuesday of the month commencing in February 2023, with the exception of the June meeting to be held on 27 June 2023

It is proposed that three Council Meetings be conducted in Community Centres throughout the municipality to enable greater public participation and allow a Community Forum to occur prior to the Council Meeting.

It is also proposed that in the event that a Community Forum and Council Meeting cannot take place at a Community Centre, that it will be undertaken in the Council Chamber at the standard time of 6.30pm.

Recommendation

THAT Council:

1. Adopt the Council Meeting schedule for 2023 as follows:

Date	Venue	Commencement Time
21 February 2023	Whittlesea Community Activity Centre 57 Laurel Street, Whittlesea	7:30pm (Community forum to be held prior to meeting)
21 March 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
18 April 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
16 May 2023	Barry Road Community Activity Centre 36 Barry Road, Thomastown	7:30pm (Community forum to be held prior to meeting)
27 June 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
18 July 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
15 August 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
19 September 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
17 October 2023	Galada Community Centre 10A Forum Way, Epping	7:30pm (Community forum to be held prior to meeting)
21 November 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm
19 December 2023	Council Chamber, Council Offices, 25 Ferres Boulevard, South Morang	6:30pm

2. Resolve that in the event that a Council Meeting is unable to take place at a community venue the meeting will be held at the Council Chamber and the meeting will commence at 6.30pm.
3. Give public notice of the Council Meeting schedule for 2023.

Key Information

Council Meetings are conducted throughout the year so that Council can make formal decisions and to give the community an opportunity to participate in this decision-making process on issues that affect the community. Council Meetings also provide the community with the ability to participate in Council Meetings through Public Question Time.

At the City of Whittlesea, Council Meetings are conducted monthly in accordance with the Governance Rules. It is proposed that for 2023, Council Meetings will be held on the third Tuesday of the month commencing in February. With the exception of the June meeting which is scheduled to be held 27 June 2023 due to the Australian Local Government Association National General Assembly likely to be 20 June 2023.

To increase community participation in the meetings, it is also proposed for three meetings throughout the year, to be held in community venues outside the Council Chamber and a Community Forum to occur prior to the Council Meeting. The Whittlesea, Barry Road and Galada Community Centres are proposed so that community members from across the municipality have the ability to participate in meetings.

The three Council Meetings to be held at Community Centres are proposed to commence at 7.30pm so that a Community Forum can be undertaken prior to the Council Meeting. The winter months have been avoided when scheduling Council Meetings in the Community to decrease the risk of the Community Forum needing to be cancelled due to inclement weather. In the event that a Council Meeting is unable to take place at the community venue, it is proposed that the meeting be held at the Council Chamber and commence at 6.30pm, as it is unlikely that a Community Forum will also occur.

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

In accordance with the *Local Government Act 2020* and Council's Governance Rules, Council is required to set the date, time and place of Scheduled Council Meetings and that reasonable notice be provided to the public. In accordance with Council's Public Transparency Policy 2020, Scheduled Council Meetings promote openness and transparency in Council decision-making processes and promotes greater understanding and awareness by the community of how Council's decisions are made.

Considerations

Environmental

No implications

Social, Cultural and Health

No implications

Economic

No implications

Financial Implications

The cost is included in the relevant operating budget.

Link to Strategic Risk

Strategic Risk *Governance - Ineffective governance of Council's operations and activities resulting in either a legislative or policy breach*

Regular Council meetings promote open and transparent decision making and civic engagement.

Implementation Strategy

Communication

Council will provide public notice of Council's meeting schedule on Council's website and the schedule will be promoted through Council's social media and Local Scoop Magazine. Members of the community will be encouraged to attend Council meetings in person or watch by live-stream or recording at their convenience.

Critical Dates

The Council meeting schedule for 2023 should be adopted by 12 December 2022 which is the final Council meeting scheduled for 2022.

Declaration of Conflict of Interest

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

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

Conclusion

It is recommended that the schedule of Council Meetings for 2023 be adopted and advertised to the public. The schedule of meeting dates will facilitate Council's decision making processes by ensuring that regular meetings are held and that Council meetings are promoted to the public.

6 Notices of Motion

No Notices of Motion

7 Urgent Business

No Urgent Business

8 Reports from Council Representatives and CEO Update

9 Confidential Business

9.0.0 Close Meeting to the Public

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

Nil Reports

9.2 Confidential Liveable Neighbourhoods

Nil Reports

9.3 Confidential Strong Local Economy

Nil Reports

9.4 Confidential Sustainable Environment

Nil Reports

9.5 Confidential High Performing Organisation

Nil Reports

9.6 Confidential Notices of Motion

Nil Confidential Notices of Motion

12 Closure