



Agenda

Scheduled Council Meeting

Tuesday 21 March 2023 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday 21 March 2023 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](https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/).

**C Lloyd**

**Chief Executive Officer**

Administrators

Lydia Wilson Chair of Council

Peita Duncan Administrator

Christian Zahra Administrator

On 19 June 2020 the Acting Minister for Local Government appointed the Panel of Administrators for the City of Whittlesea and appointed Lydia Wilson as Chair of the Panel. The Panel of Administrators comprises of Lydia Wilson, Peita Duncan and Christian Zahra 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

Justin O’Meara Director Planning & Development

Sarah Renner Director Customer & Corporate Services

Debbie Wood Director Infrastructure & Environment

Anthony Traill Interim Director Community Wellbeing

Frank Joyce Executive Manager Strategy & Insights

Janine Morgan Executive Manager Public Affairs

Sarah Rowe Interim Executive Manager Office of Council & CEO

Order of Business

The Chief Executive Officer submits the following business:

[1 Opening 6](#_Toc129879454)

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[1.2 Acknowledgement of Traditional Owners Statement 6](#_Toc129879456)

[1.3 Diversity Statement 6](#_Toc129879457)

[1.4 Attendance 6](#_Toc129879458)

[2 Declarations of Conflict of Interest 7](#_Toc129879459)

[3 Confirmation of Minutes of Previous Meeting/s 7](#_Toc129879460)

[4 Public Questions, Petitions and Joint Letters 8](#_Toc129879461)

[4.1 Public Question Time 8](#_Toc129879462)

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[5.1.1 Audit & Risk Committee Report on Activity 9](#_Toc129879468)

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[5.1.3 Audit and Risk Committee Minutes, Charter, Remuneration and Tenure of Chair 21](#_Toc129879470)

[5.1.4 Motions for MAV State Council Meeting and National Assembly 2023 27](#_Toc129879471)

[5.2 Connected Communities 38](#_Toc129879472)

[5.2.1 Petition - Request to upgrade Mansfield Park, Epping 38](#_Toc129879473)

[5.2.2 Petition - Request for Olive Trees to be planted in Kalorama Place, Thomastown 43](#_Toc129879474)

[5.2.3 Casa D'Abruzzo Lease 46](#_Toc129879475)

[5.3 Liveable Neighborhoods 52](#_Toc129879476)

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[5.3.2 307 Bridge Inn Road & 390 Masons Road, Mernda Planning Scheme Amendment 59](#_Toc129879478)

[5.4 Strong Local Economy 69](#_Toc129879479)

[5.5 Sustainable Environment 69](#_Toc129879480)

[6 Notices of Motion 70](#_Toc129879481)

[7 Urgent Business 70](#_Toc129879482)

[8 Reports from Council Representatives and CEO Update 70](#_Toc129879483)

[9 Confidential Business 70](#_Toc129879484)

[9.1 Confidential Connected Communities 70](#_Toc129879485)

[9.2 Confidential Liveable Neighbourhoods 70](#_Toc129879486)

[9.3 Confidential Strong Local Economy 70](#_Toc129879487)

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[9.5 Confidential High Performing Organisation 70](#_Toc129879489)

[9.6 Confidential Notices of Motion 70](#_Toc129879490)

[12 Closure 70](#_Toc129879491)

**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 2170.

**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, Peita Duncan;

Administrator, Christian Zahra; and

Chief Executive Officer, Craig Lloyd.

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

Director Planning and Development, Justin O’Meara;

Director Corporate and Customer Services, Sarah Renner;

Director Infrastructure and Environment, Debbie Wood;

Interim Director Community Wellbeing, Anthony Traill;

Executive Manager Strategy and Insights, Frank Joyce;

Executive Manager Public Affairs, Janine Morgan; and

Interim Executive Manager Office of Council and CEO, Sarah Rowe.

**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, Lydia Wilson will read the following statement:

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

**1.4 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 21 February 2023.**

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

**4.1 Public Question Time**

**4.2 Petitions**

5.2.1

**4.2.1 Petition - Wingspan Avenue, South Morang**

A petition has been received from 25 residents requesting the following:

‘Assess the mess that is created by the trees planted in front of our houses. These trees cause a massive mess at the front of the house and even in our backyard as the leaves travel from the front of our house to the back. We have to clean these areas every day because of the mess that has been created by these trees. This issue is getting out of hand, it is not practical for us (especially the elderly residents) to have to clean the front and back of our house every day. Not only that but, the leaves that fall from these trees even fly into the gutters which results in them becoming blocked. We request that you take action to eliminate this issue.’

**Recommendation**

**THAT Council note the petition from 25 residents requesting Council assess the mess that is created by the street trees along Wingspan Avenue and 1045-1063 Plenty Road, South Morang and write to the signatories to inform them that:**

1. **The trees along the street were previously assessed and comply with the City of Whittlesea’s Street Tree Management Plan.**
2. **A meeting with the Head Petitioner will be organised with the Director Infrastructure and Environment (or representative) on site, to understand their concerns and any further rationale for their request.**
3. **An independent Arboricultural assessment will be prepared in relation to residents’ concerns, following the site meeting as well as a review of current street sweeping frequency.**
4. **A report to Council will be prepared for the June 2023 Council Meeting, advising how the petitioners concerns have been addressed, in consultation with Director Infrastructure and Environment. All signatories will be advised of Council’s decision following the June Council Meeting.**

**4.3 Joint Letters**

No Joint Letters

**5 Officers' Reports**

**5.1 High Performing Organisation**

5.1.1 Audit & Risk Committee Report on Activity

**5.1.1 Audit & Risk Committee Report on Activity**

**Responsible Officer** Executive Manager Strategy& Insights

**In Attendance** Frank Joyce, Executive Manager Strategy & Insights

**External in Attendance** Geoff Harry, Independent Chair of Audit and Risk Committee

**Attachments**

1. ARC Six Monthly Activity Report to Council Feb 2023 [**5.1.1.1** - 6 pages]

**Purpose**

The Audit and Risk Committee has prepared a biannual report on its activities to provide Council with a summary of matters that the Committee has addressed during the six-month period, between October 2022 and March 2023, to discharge its Charter responsibilities.

**Recommendation**

**THAT Council note the Audit and Risk Committee’s Report on Activity for the six-month period, between October 2022 and March 2023; incorporating meetings held on 1 December 2022 and 16 February 2023.**

**Key Information**

The Audit & Risk Committee is an independent advisory committee of Council and its role is to report to Council and provide appropriate advice and recommendations on matters presented to it. It acts in this capacity by monitoring, reviewing and advising on issues within its scope of responsibility and assisting Council’s governance obligations to its community.

The Committee meets five times each year, in February, May, August, September and November.

In accordance with Section 54(5) of the *Local Government Act 2020*, the Audit and Risk Committee is required to prepare a biannual report on its activities. At its 12 November 2020 meeting, the Audit & Risk Committee determined that it would prepare a report for Council on its activities following 31 March and 30 September each year.

The Committee Activity Report provides Council with information on the progress of its Annual Work Plan, which contains the activities it will monitor and review to ensure it complies with its requirements under the Committee Charter.

The report contains details of discussions and recommendations made relating to its key activities of risk management, financial and performance reporting, systems of internal control, internal assurance, internal audit, external audit, compliance and governance.

Following the Audit and Risk Committee meeting held on 16 February 2023, a report has been prepared by the Committee on its activities for the six month period, between October 2022 and March 2023. The report is attached. The Audit and Risk Committee Chairperson will attend the Council meeting to discuss the report.

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

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

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

The establishment of the Audit & Risk Committee and the reports it receives are reflective of Council’s commitment to the implementation of good governance principles. The Committee provides advice to Council to assist with fulfilling its oversight responsibilities for the financial and non-financial reporting process, internal controls, the audit process, risk management and Council’s process for monitoring compliance with legislation and regulations and the Code of Conduct.

**Link to Strategic Risk**

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

The Audit & Risk Committee assists Council in monitoring its governance requirements and provides advice to Council to assist with fulfilling its oversight responsibilities.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020* and Rule 47 of the Governance Rules 2021, officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.

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

**Conclusion**

In accordance with the requirements of the *Local Government Act 2020*, Council is provided with a copy of the Audit & Risk Committee’s Report on Activities for the six-month period October 2022 to March 2023.

5.1.2 Proposed Budget 2023-2024 and Proposed Community Plan Action Plan 2023-2024

**5.1.2 Proposed Budget 2023-2024 and Proposed Community Plan Action Plan 2023-2024**

**Responsible Officer** Director Customer & Corporate Services

**Author** Aaron Gerrard, Acting Chief Financial Officer

**In Attendance** Aaron Gerrard, Acting Chief Financial Officer

**Attachments**

1. City of Whittlesea Proposed Budget 2023-24 [**5.1.2.1** - 54 pages]
2. Proposed Community Plan Action Plan NEW v 6 singles [**5.1.2.2** - 8 pages]
3. Fees And Charges 2023-24 [**5.1.2.3** - 60 pages]

**Purpose**

The purpose of this report is for Council to consider the Proposed Budget 2023-2024 (the ‘Proposed Budget’, Attachment 1), and the Proposed Community Plan Action Plan 2023-2024 (the ‘Proposed Action Plan’, Attachment 2) which have been prepared in accordance with the requirements of the *Local Government Act 2020*.

The Proposed Budget and Proposed Action Plan have been developed to align to community priorities identified through consultation and Council’s key strategic directions. It is recommended that the proposed budget and yearly action plan be endorsed for community consultation for a four-week period, and a Committee of Council be established to consider submissions from the community.

**Brief Overview**

* This responsible Proposed Budget and Proposed Action Plan have been carefully designed to support the immediate needs of our community and ensure we are financially sustainable into the future.
* They have been crafted with consideration for the increasing financial pressures being felt as a result of inflation, consecutive interest rate rises and escalating costs of living with the objective of identifying opportunities for continuous improvement and operational savings.
* Both the Proposed Budget and the Proposed Action Plan have been designed to align to Council’s strategic directions and reflect community priorities identified through consultation undertaken in August-September and December 2022.
* The Proposed Budget is $372.69 million, which includes an operating budget of $294.85 million and a capital works program of $77.83 million to provide essential infrastructure and improve roads and facilities around the city.
* Average rates in 2023-2024 are proposed to increase by 3.5 per cent, in line with the rate cap set by the Victorian Government under the Fair Go Rates System.
* For the first time, the Proposed Budget (Section 5) includes targets for service performance and financial indicators aligned to the Local Government Performance Reporting Framework.
* This Budget proposes Council continue to subsidise waste charges by 22.4% at a cost of $6.7 million, specifically the State Government Landfill Levy in recognition of the economic pressures on households and businesses.
* The Proposed Budget for Open Space Management is $18.41 million and includes six new dedicated resources to continue to manage and maintain Council’s parks and open space assets.
* This Budget includes a significant increase in funding for a comprehensive new community grants program including additional funding for Senior Citizen Clubs.
* The Proposed Action Plan includes 56 key priority actions in addition to our ongoing service delivery across Council’s five overarching goals of Connected Community, Strong Local Economy, Sustainable Environment, Liveable Neighbourhoods, and a High Performing Organisation which support our Whittlesea 2040 vision of *A Place for All*.
* The Proposed Budget and the Proposed Action Plan will be advertised on Wednesday 29 March 2023, allowing public comments and submissions to be received up until 5pm Tuesday 25 April 2023.
* The final Budget 2023-24 and Community Plan Action Plan 2023-2024 are scheduled to be considered for adoption by Council at a Council Meeting to be held on Tuesday 27 June 2023, following consideration of any submissions by Council.

**Recommendation**

**THAT Council:**

1. **Endorse the Proposed Budget 2023-2024 (the ‘Proposed Budget’, Attachment 1), and the Proposed Community Plan Action Plan 2023-2024 (the ‘Proposed Action Plan’, Attachment 2) and the Proposed Fees and Charges Schedule (the ‘Proposed Fees and Charges Schedule’, Attachment 3) to be released for consultation from Wednesday 29 March 2023 to Tuesday 25 April 2023, 5pm;**
2. **Note that the Proposed Budget and the Proposed Action Plan will be available for inspection via the City of Whittlesea’s online engagement platform engage.whittlesea.vic.gov.au;**
3. **Proactively seek and promote opportunities for public feedback on the Proposed Budget and the Proposed Action Plan during the consultation period including community pop up sessions;**
4. **Establish an Advisory Committee of Council to consider submissions on the Proposed Budget and the Proposed Action Plan, providing an opportunity for those who would like to speak in support of their submission to be heard in person, comprising of Administrator \_\_\_\_\_\_\_\_\_\_ and Administrator \_\_\_\_\_\_\_\_\_\_; and**
5. **Note the Advisory Committee will provide recommendations to Council at the Council Meeting to be held on Tuesday 27 June 2023.**

**Key Information**

The Proposed Budget has been carefully drafted to ensure it supports our community’s immediate needs while ensuring long-term financial sustainability.

Council will continue to deliver 147 services to our community including kerbside waste collection, home support services and maternal and child health. The Proposed Budget provides for this ongoing service delivery, the upgrade of our existing facilities and assets, ensures we maintain and protect our natural environment and open spaces, and deliver new infrastructure projects that will accommodate our rapidly growing diverse community.

In 2023-2024 Council will spend $372.69 million to deliver community services and invest in essential new infrastructure. This includes a $77.83 million capital works program.

**Background**

The Proposed Budget (Attachment 1) has been prepared on the principles of responsible financial management to ensure Council maintains long-term financial sustainability.

It has been designed with consideration of the very real impact increasing costs are having such as interest rate rises and inflation.

Over the 12 months to the December 2022 quarter inflation rose by 7.8%, and this has placed significant pressures on Council through contracts linked to Consumer Price Index (CPI) and escalating costs for the delivery of our capital works program related to materials and labour supply issues. To ensure our financial sustainability, officers have proactively identified significant operational savings in the development of the budget.

Additionally, Council has scaled up support for those experiencing financial hardship. Assistance is provided in the form of payments of rates and charges (including deferrals, payment plans, and waivers of interest and collection costs). Other assistance is also provided in the form of food and material aid through our multiple community support agencies and partners.

The City of Whittlesea is also the first council in Australia to sign up for the Thriving Communities Partnership which is across-sector collaboration with the goal that everybody has fair access to the modern essential services they need to thrive in contemporary Australia: including utilities, financial services, telecommunications, and transport.

Council continues to subsidise State/Federal contracted services, such as Aged Care services, noting how critical these services are to some of the most vulnerable members of our community.

Council has significantly increased funding for community grants to foster community connection, wellbeing, vibrant events and provide tangible support for local volunteers. This includes an increase of 80% in grants for Senior Citizen Clubs, and the inclusion of the State Emergency Service organisation into our Emergency Services Grants.

The Proposed Budget invests in the resources needed to support critical service delivery for our growing population, whilst continuing to drive efficiencies. Population projections are for unprecedented growth, with the number of people calling the City of Whittlesea home expected to increase by 19.5% by 2030; more than 6,000 new residents each year.

The rate cap continues to have a significant ongoing impact on Council’s ability to keep pace with the service delivery and infrastructure requirements of our growing community. Through rigorous budgeting and identifying operational efficiencies Council can continue to deliver our critical services within an average rate increase of 3.5 per cent in line with the Victorian Government’s Fair Go Rates System. Council is cognisant of cost pressures on individuals and businesses and despite higher inflation rates of 7.8% as at the December 2022 quarter, Council will not be seeking a variation to the rate cap for the 2023-2024 year and is proposing to increase the majority of non-statutory fees and charges by no more than 3.5 per cent.

**Waste charges**

In 2018-2019 the City of Whittlesea introduced the itemisation of waste charges on rates notices to provide transparency on the costs associated with this service provision. The cost of providing waste services continues to increase each year due to various factors including the Victorian Government’s Landfill Levy and the requirement to transition to a four-bin collection system in line with the Victorian Government’s, Recycling Victoria Strategy. The City of Whittlesea introduced kerbside glass collection in 2022 but waived all associated charges to help the community transition to the new service.

Historically, Council has subsidised the cost of the provision of kerbside waste collection services to rate payers in our municipality, including the increasing State Government’s Landfill Levy.

Given the current economic climate and increasing cost of living pressures being experienced by our community, Council proposes in 2023-2024 to continue to subsidise waste charges by 22.4% at a cost of $6.7 million.

Waste charges in 2023-2024 are proposed to increase by 20% or $30.55 per household which will mean a total charge of $183.30 for the average residential household, noting the inclusion of the fee for glass collection service this year, in line with the Victorian Government Circular Economy Plan.

Council is proposing to continue to subsidise the State Government mandated Landfill Levy; instead of passing on the full charge of $86.30, Council proposes to charge $11.85 for the average household. Waste charges provide for a weekly garbage collection, fortnightly recycling, and monthly glass bin collection for residential households. A food and garden waste bin is optional for eligible properties at an additional $105.15 per annum.

Waste charges for commercial properties are proposed to be $222.75 with a subsidised landfill levy of $16.50. This provides for a weekly garbage and fortnightly recycling kerbside collection.

The City of Whittlesea’s waste charges remain significantly less than other Victorian councils who are facing similar cost pressures. To continue to be financially responsible and to ensure we can continue to meet the growing demands of our community for infrastructure and services, the City of Whittlesea is aiming to move towards a zero-subsidy model by 2025-2026; subject to the easing of economic pressures on our community.

**Budget highlights**

Key highlights from Council's Proposed Budget include:

* operating revenue of $278.87 million (excluding developer contributions, non-monetary assets and non-recurrent capital grants);
* operating expenditure of $294.85 million;
* opening libraries at the Mernda Town Centre and Kirrip Community Centre in Wollert;
* increasing funding for community grants by 33% to $2.69 million;
* launching a Whittlesea Services Hub in Whittlesea township to make it easier for residents in the northern part of the municipality to communicate and transact with Council;
* developing a one-stop-shop customer portal to make it easier for customers to interact with Council online;
* delivering a multi-faceted program to tackle illegal rubbish dumping and improve local amenity especially in new communities;
* finalising the renewed Epping Central Structure Plan to ensure the precinct continues to thrive as an employment, housing, retail, health and education hub; and
* Council is undertaking a review of the Local Law to ensure it is consistent with other legislation and manages current and/or emerging issues. The focus of this review will be on improving clarity, accountability, accessibility, transparency, safety and amenity. Community engagement is currently open and will conclude in July 2023.

**Capital works**

Our Proposed Budget delivers a focused $77.83 million capital works program that reflects the ongoing challenges to the supply and availability of labour and materials and invests in planning for shovel-ready projects to maximise our opportunities for grant funding in future years.

Highlights include:

* commencing the design and site preparation of the Regional Aquatic and Sport Centre;
* continuing the construction of Granite Hills Major Community Park;
* commencing construction of the Aboriginal Gathering Place;
* completing foundational infrastructure for development of the Quarry Hills precinct including drainage and trails;
* commencing construction of a community activity centre in Patterson Drive, Donnybrook;
* commencing the Peter Hopper Lake upgrade in Mill Park;
* continuing construction of the Whittlesea Public Gardens in Lalor;
* completing the synthetic soccer pitch replacement at Harvest Home Road, Epping;
* providing connecting pathways through Whittlesea Park in Whittlesea township;
* local road restoration and resurfacing; and
* ongoing programs to upgrade playgrounds and landscaping.

**Local Government Performance Reporting Framework (LGPRF) – Target Indicators**

Under the *Local Government (Planning and Reporting) Regulations 2020*, Council is setting targets for nominated service performance and financial indicators for the first time. In setting the targets, Council considered guidance provided by the Department of Jobs, Skills, Industry and Regions (Local Government Victoria), local government benchmarks, Council’s historical performance, relevant emerging trends as well as operational improvements likely to have a beneficial impact on the performance.

**Proposed Community Plan Action Plan 2023-2024**

The Proposed Action Plan comprises 56 key actions for the year along with the 147 services already being delivered through Council’s strategic planning framework, including our Community Plan 2021-2025. The Action Plan covers all five goals under our Whittlesea 2040 vision of *A Place for All*; Connected Community, Liveable Neighbourhoods, Strong Local Economy, Sustainable Environment and High-Performing Organisation.

**Community Consultation and Engagement**

In 2021 the feedback of more than 1500 people and 26 community organisations helped shape our Community Plan 2021-2025. The Proposed Community Plan Action Plan 2023-2024 is the year three annual supplement of the Community Plan 2021-2025 and draws on this community feedback.

During August-September and December 2022, community members were invited to provide input on what they felt should be the focus for Council for the 2023-2024 financial year.

Our community told us their priorities were clean streets and spaces, local events, festivals, markets, sports and recreation facilities, local shops and businesses, safe/friendly neighbourhoods, cycling and walking paths, parks, open spaces, playgrounds, roads and road connections, community facilities, and accessing public transport. This has been reflected in the Proposed Budget and Proposed Action Plan.

We will be seeking feedback from community on the Proposed Budget and the Proposed Action Plan for a four-week community consultation period from Wednesday 29 March 2023 to Tuesday 25 April 2023, 5pm.

An Advisory Committee of Council will be established to consider submissions on the Proposed Budget and the Proposed Action Plan and hear from members of the public who wish to speak to their submissions.

Based on the feedback from community consultation and after consideration of all submissions, the Advisory Committee may make recommendations to Council at the Council Meeting on Tuesday 27 June 2023.

**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.

The Proposed Budget is a key tool to plan and manage Council’s financial sustainability.

The Proposed Action Plan articulates the key actions Council prioritises for delivery in the

financial year 2023-2024; it serves the purpose of specifying the program of work with a view towards implementing the Community Plan 2021-2025 effectively.

**Considerations**

The Proposed Budget and the Proposed Action Plan incorporates priority actions identified across all the consideration areas discussed below, as well as many of Council’s strategies and plans. For example, the Proposed Action Plan includes actions from the Investment Attraction Plan, the Rethinking Waste Plan and the Integrated Water Management Plan.

**Environmental**

The Proposed Budget and the Proposed Action Plan prioritises the City of Whittlesea’s key actions in the environmental space for the financial year 2023-2024, in line with the community vision articulated in ‘Whittlesea 2040 *A Place for All*’, and the Community Plan 2021-2025.

**Social, Cultural and Health**

The Proposed Budget and the Proposed Action Plan prioritises the City of Whittlesea’s key actions in the social, cultural and health space for the financial year 2023-2024.

**Economic**

The Proposed Budget and the Proposed Action Plan prioritises the City of Whittlesea’s key actions in the economic space for the financial year 2023-2024.

**Financial Implications**

In 2023-2024 Council will spend $372.69 million to deliver 147 community services and invest in essential infrastructure.

This includes a focused $77.83 million capital works program, with projects to build and upgrade community centres, sporting facilities, playgrounds, roads, bike paths and footpaths across our new and established areas.

**Link to Strategic Risk**

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

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

Under the *Local Government Act 2020*, Council is obliged to develop a Budget and a Council Plan in any given financial year. Failure to do so would result in legislative breach, ineffective governance, and potentially poorer outcomes for our community. The Budget is a key tool to manage Council's financial sustainability.

**Implementation Strategy**

**Communication**

A comprehensive communications campaign will promote the opportunity for community to provide their feedback and make a submission on the Proposed Budget 2023-2024 and Action Plan. This multi-channel campaign will include our digital engagement platform Explore.Whittlesea.vic.gov.au and Councils website, social media, local print and broadcast media, e-newsletters Local Scoop newsletter for households and businesses and targeted communications with community groups and local networks.

An Advisory Committee to Council will consider community submissions regarding the Proposed Budget and the Proposed Action Plan and hear community members who wish to present their submission in person.

**Critical Dates**

* Community consultation to inform drafts was undertaken in August-September and December 2022.
* Council to consider Proposed Budget 2023-2024 and Proposed Community Plan Action Plan 2023-2024 be released for community consultation at Council Meeting on 21 March 2023.
* Consultation is proposed from Wednesday 29 March 2023 to Tuesday 25 April 2023, 5pm.
* Advisory Committee will meet to consider community feedback and submissions on 1 June 2023.
* The Budget 2023-2024 and the Community Plan Action Plan 2023-2024 will be considered for endorsement by Council at a Council Meeting to be held on Tuesday 27 June 2023 following consideration of community feedback and any submissions to Council.

**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 has carefully developed a responsible and financially sustainable budget that delivers operational savings and puts the City of Whittlesea in a strong financial position to continue to provide for the immediate and future needs of our rapidly growing community.

It is a budget that is sensitive to the impact increasing costs of living are having on our community.

This community-focused budget delivers on the ground funding boosts directly to where they can make an immediate impact such as grants and funding for senior citizen groups.

It seeks to lessen the burden on the family budget by continuing our subsidy of the State Government Landfill Levy and proposes to keep the majority of fees and charges aligned to the 3.5% rate cap.

It invests in the people needed to continue to deliver critical services for a growing municipality and maintains the focus on continuous improvement and driving efficiencies.

The Proposed Community Plan Action Plan includes 56 key actions across all five Council goals areas, as the key delivery priorities beyond Council’s valued community services for the financial year 2023-2024.

Residents and other interested members of our community are invited to make comments and submissions on the Proposed Budget and the Proposed Action Plan.

5.1.3 Audit and Risk Committee Minutes, Charter, Remuneration and Tenure of Chair

**5.1.3 Audit and Risk Committee Minutes, Charter, Remuneration and Tenure of Chair**

**Responsible Officer** Executive Manager Strategy & Insights

**Author** Nicole North-Vanner, Corporate Assurance Advisor

**Attachments**

1. ARC Charter to Council for approval March 2023 [**5.1.3.1** - 6 pages]
2. ARC Meeting Minutes December 2022 Confirmed [**5.1.3.2** - 32 pages]
3. ARC Meeting Minutes 16 February 2023 Unconfirmed [**5.1.3.3** - 30 pages]

**Purpose**

The Audit & Risk Committee Charter (**Charter**), Audit & Risk Committee (**Committee**) membership, and independent member fees have been reviewed and require Council approval, and the Committee Performance Survey results and the most recent Committee meeting minutes from 1 December 2022 and 16 February 2023 are attached for noting.

**Brief Overview**

**Charter Review**

Council has established an independent Committee under a Charter to support and advise Council in fulfilling its responsibilities related to external financial and performance reporting, maintenance of strong and effective governance and control frameworks, management of key risks and Council’s compliance with legislation and regulation. The Committee has a prime responsibility in overseeing and monitoring Council’s various audit processes. The Charter was reviewed by management and the Committee to make improvements to align with better governance practices and to avoid a potential continuity risk of rotating Committee members. The proposed updated Charter is attached.

**Committee Continuity of Skills**

The Committee acknowledges the significant contribution to the Committee the Chairperson, Geoff Harry has provided over the last six years. The Charter requires a review of the Committee’s continuity, skills, and experience balance, towards the end of an independent member’s term, and the Chairperson’s six-year term is due to conclude in September 2023. The proposed changes to the Charter enable Council to appoint an independent member to the Committee for a third term to reduce the continuity risk.

Therefore, it is also recommended that the Chairperson, Geoff Harry’s appointment be extended for a final term until 30 September 2026.

**Independent Member Remuneration Review**

In reviewing the Charter, an opportunity also exists to review the remuneration paid to independent members of the Committee. Management reviewed the fees payable to independent members and recommend an increase to the fees payable to the Chair and independent members following benchmarking of other Council’s independent member fees and considering five meetings per annum.

**Committee Performance Survey**

In October 2022, 12 people including six Committee Members and six contributors were invited to participate in the Survey, with 11 responses received.

The Survey results were pleasing and indicate a clear majority of respondents are satisfied with all aspects of Committee performance.

**Minutes of Meetings**

The confirmed Committee meeting minutes from 1 December 2022 and unconfirmed meeting minutes from 16 February 2023 are attached for noting. The minutes are attached.

**Recommendation**

**THAT Council:**

1. **Approve the Audit and Risk Committee Charter which reflects changes recommended by the Audit and Risk Committee in September 2022.**
2. **Extend Geoff Harry’s appointment as Chair of the Audit & Risk Committee, commencing 1 October 2023 for a three-year term ending 30 September 2026.**
3. **Set Audit and Risk Committee independent membership fees as $12,000 per annum (Chairperson) and $8,500 per annum (member) effective 1 July 2023.**
4. **Note the Committee Performance Results reviewed by the Committee at its meeting 1 December 2022.**
5. **Note the minutes of the Audit and Risk Committee meetings held 1 December 2022 (confirmed) and 16 February 2023 (unconfirmed).**

**Key Information**

**Audit and Risk Committee Charter**

Council must prepare and approve an Audit & Risk Committee Charter and review it every two years. The Charter governs the Committee’s functions and responsibilities including monitoring Council’s compliance, financial performance, risk management and fraud prevention systems, and internal and external audit functions.

The Committee reviewed the Charter in September 2022 and recommends the following changes to further improve governance practices:

* Enable Council’s discretion to reappoint an independent member for a third term of up to three years if deemed appropriate to maintain an orderly rotation or to retain a specific skill set
* Ensure that Council considers gender equity in membership appointment and review decisions
* Remove requirement to monitor Council’s Code of Conduct
* Remove reference to resolving disagreements between management and the external auditor
* Enable an Acting Chair to be appointed from the independent members if the Chair is absent for a meeting
* Clarify that Council Officers and subject matter experts may attend meetings in an advisory capacity
* Empower the Chief Executive Officer, in conjunction with the Chair, to approve virtual participation
* Embed responsibilities for the Committee to review Council’s risk appetite and mitigating actions relating to significant claims against Council
* Clarify the role and functions of the Committee in reviewing the internal auditor’s appointment and performance
* Expand the Committee’s ability to engage an external consultant to evaluate its performance
* Clarify that Committee members will complete a declaration of Personal Interests biannually and that a Register of Interests will be included in Committee agendas, enabling members to continually monitor for potential conflicts of interest.

The Charter including proposed changes is attached to this report.

**Proposed extension of Chairperson Geoff Harry’s membership**

The Committee acknowledges the experience and significant contribution to the Committee the Chairperson, Geoff Harry has provided over the last six years. The Charter requires a review of the Committee’s continuity, skills, and experience balance, towards the end of an independent member’s term, and the Chairperson Geoff Harry’s six-year term is due to conclude in September 2023. It is recognised that the Committee Chair role is pivotal to the Committee’s effectiveness and with the other three independent Committee members having been appointed to the Committee in the last year, this creates a continuity risk ahead of the 2024 election of Councillors. The proposed changes to the Charter enable Council to appoint an independent member to the Committee for a third term to reduce the continuity risk. Therefore, it is also recommended that the Chairperson, Geoff Harry’s appointment be extended for a final term until 30 September 2026.

**Proposed fee-increase for independent members of the Committee**

The Charter requires the remuneration paid to independent Committee members is to be reviewed by Council periodically. Council’s current fee is $8,000 per annum ($1,600 per meeting) for independent members and $10,000 per annum ($2,000 per meeting) for the Chair. These fees were last reviewed in October 2021.

The Committee's role and Committee member responsibilities have been steadily increasing since the introduction of the *Act*, which placed greater focus and scrutiny over compliance, audit, risk management and prudent financial management. In particular, the Chair’s role is pivotal to the Committee’s success and is expected to perform a greater amount of administration and stakeholder management, which needs to be recognised through remuneration.

Since the last review of the fees in October 2021, the Committee has committed to conducting five meetings per annum, however the annual fee has not increased. Benchmarking of the fees paid to fourteen other Councils identified that the average paid as $1,635 per meeting for the independent members and $2,121 per meeting for the Chair.

It is proposed that, effective 1 July 2023, remuneration be increased to $8,500 per annum ($1,700 per meeting) for independent members and $12,000 per annum ($2,400 per meeting) for the Chair. This increase will better reflect the time, commitment, responsibilities and level of knowledge and skills required by Council’s Audit and Risk Committee and the five meetings conducted per annum.

**Community Consultation and Engagement**

The Committee was consulted on the Charter review, which resulted in the proposed update to the Charter for Council’s consideration.

Benchmarking of 14 other Councils has been undertaken to consider the remuneration to the independent members.

**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.

The Charter review is aligned with High Performing Organisation, as it provides a framework for good governance and the monitoring of risk management, fraud and corruption control practices, and compliance with the Overarching Governance Principles, which together demonstrate decision-making integrity.

**Considerations**

**Environmental**

No implications

**Social, Cultural and Health**

No implications

**Economic**

No implications

**Financial Implications**

Facilitation of the Committee and payment of independent members is included within the existing 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*

The Charter sets out the framework enabling the Committee to monitor and oversee the effectiveness of Council’s governance, risk, and compliance functions.

**Implementation Strategy**

**Communication**

If the changes to the Charter are approved, the updated Charter will be provided to the Committee and used to govern the Committee’s operations. If the changes to remuneration are endorsed, Independent members will be notified of the increase to remuneration effective 1 July 2023. If the extension to tenure of Independent Chair is endorsed, Geoff Harry would be formally notified.

**Critical Dates**

The Charter is required to be reviewed and approved by Council every two years and while the Charter is not due for review until October 2023, a review was desirable to avoid a membership risk. If endorsed the next Charter review would be due by March 2025.

The Charter requires a review of the Committee’s continuity, skills, and experience balance, towards the end of an independent member’s term, and the Chairperson Geoff Harry’s six-year term is due to conclude in September 2023.

The remuneration increases for Independent Committee members would come into effect from 1 July 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 Charter amendments will ensure the Committee can effectively discharge its role and functions to monitor and oversee Council’s risk and compliance activities.

The Committee performance has been assessed and deemed to be very positive with majority of respondents to the survey confirming high level of satisfaction with all aspects of the Committee performance. Following benchmarking and considering the roles and requirements of independent members and the Chair, a remuneration increase is recommended and an extension of the current Independent Chair’s tenure is recommended.

5.1.4 Motions for MAV State Council Meeting and National Assembly 2023

**5.1.4 Motions for MAV State Council Meeting and National Assembly 2023**

**Responsible Officer** Interim Executive Manager Office of Council & CEO

**Author** Sarah Rowe, Interim Executive Manager Office of Council & CEO

**Attachments** No attachments

**Purpose**

That Council notes the following motions submitted to the MAV State Council Meeting on 19 May 2023 and support the proposed motions to the Australian Local Government Association National General Assembly on 13 – 16 June 2023.

**Brief Overview**

The MAV State Council meets twice a year and considers proposed motions from member Councils. It is proposed that Council submit four motions to the State Council meeting scheduled to be held on 19 May 2023. Motions were discussed at a Council Briefing held on Thursday 9 March and submitted by the due date of Monday 20 March 2023.

The Australian Local Government Association National General Assembly (NGA) considers motions from local government across Australia. It is proposed to submit three motions to the NGA scheduled to be held on 13 – 16 June 2023. Submissions of motions are due 24 March 2023.

**Recommendation**

**THAT Council:**

1. **Note the following motions were submitted for consideration at the MAV State Council Meeting on 19 May 2023:**
   1. **Reform the funding models for social and affordable housing and the planning system to ensure it consistently facilitates new social and affordable housing development;**
   2. **Development of a state-wide illegal dumping campaign focusing on cultural and linguistically communities;**
   3. **Seeking a variation to landfill levy to support - Community clean days and Water sensitive urban design clean outs.**
2. **Support the submission of the following motions for consideration at the Australian Local Government Association National General Assembly on 13 – 16 June 2023:**
   1. **Reform the funding models for social and affordable housing and the planning system to ensure it consistently facilitates new social and affordable housing development;**
   2. **Aged care program support and funding; and**
   3. **Electronic Vehicle (EV) Infrastructure.**

**Key Information**

The motions align with and promote Council’s operational priorities and ongoing advocacy efforts to other levels of government.

**MAV motions**

The motions, if adopted by the MAV, will further Council’s advocacy efforts with other levels of government aimed at:

* Reform the funding models for social and affordable housing and the planning system to ensure it consistently facilitates new social and affordable housing development;
* Development of a state-wide illegal dumping campaign focusing on cultural and linguistically communities;
* Seeking a variation to landfill levy to support - Community clean days and Water sensitive urban design clean outs.

Council submitted the following four motions to the MAV State Council Meeting to be held on 19 May 2023:

**Reform the funding models for social and affordable housing and the planning system to ensure it consistently facilitates new social and affordable housing development.**

*Motion:*

That the MAV State Council advocates to the Victorian State Government to:

* Implement mandatory contributions via the planning system that require the provision of land and/or dwellings for social and affordable housing as part of new residential development, and
* Provide permanent and ongoing funding to address the critical shortage of social and affordable housing.

*Council’s rationale for the motion:*

Victoria has the lowest supply of social housing in Australia. It accounts for just 2.9 per cent of all households in the State, significantly lower when compared to the national average of 4.2 per cent. The State has also seen a decline in the proportion of households in social housing since 2014 when it accounted for 3.5 per cent of all households.

Victoria has a significant demand for social and affordable housing. There are a total of 64,168 applicants on the Victorian Housing Register. Of these applicants, 36,223 are priority applicants in most need of housing. This includes people experiencing homelessness and people experiencing family violence.

Many local governments across the State are committed to facilitating new social and affordable housing; however, planning legislation currently limits the policy levers available to them. In most cases, they must negotiate a voluntary social and affordable housing contribution agreement with developers on an individual basis.

A Council may only apply voluntary agreements on an ad-hoc basis (mainly during rezoning processes), and these are both time and resource intensive for Council and Developers, which severely limit their efficacy.

A system that includes mandatory contributions toward new social and affordable housing would provide certainty and clarity for landowners, developers and planners. Mandatory contributions could require provision of land and/or dwellings for social and affordable housing.

A permanent funding commitment from the State Government would provide certainty for all parties and ensure sustained growth in the sector to address critical supply shortages.

**Development of a state-wide illegal dumping campaign focusing on cultural and linguistically communities.**

*Motion:*

That the MAV State Council advocates to the State Government to develop a state-wide communications campaign materials relating to the issue of illegal dumping, including development of specific material for culturally and linguistically diverse communities.

*Council’s rationale for the motion:*

In 2019/2020 Victorian Councils spent $89 million responding to the dumping of illegal waste. ([Waste crime costing VIC councils millions each year - Keep Victoria Beautiful | KVB](https://www.kvb.org.au/waste-crime-costing-vic-councils-millions-each-year/)). Illegal dumping is widely occurring across the state, with many hotspots located within new and growing communities, green wedges and the public reserve system.

The sheer scale of the problem means that multi-facetted behaviour change approaches are needed to address the problem. While many large-scale dumps are clearly a result of organised criminal activities which the Environment Protection Authority has established programs to resolve, there is a range of smaller scale but widespread dumping that is occurring due to:

* Misunderstanding of Council free or affordable waste services and community sentiment that legal waste disposal is too expensive;
* Perception that small scale illegal dumping activity is acceptable;
* Community sentiment that nature strip dumping is ‘gifting’ material for re-use; and
* Inequitable access to municipal waste services (e.g., not owning a car or trailer).

The motion will support all communities to understand what waste services are available to them, in culturally and linguistically appropriate language.

The proposal would be able to leverage off the successful development of consistent communications material prepared by the State Government relating to the Four Bin Service.

The development of the campaign material should take a Whole of Government approach, focusing on the roles and responsibilities of Local Government, the Environment Protection Authority (EPA), Recycling Victoria and Sustainability Victoria.

**Seeking a variation to landfill levy – Community clean days**

*Motion:*

Provide a mechanism for Councils to seek dispensation for payment of the landfill levy where this dispensation advances the strategic aim of the landfill levy.

*Council’s rationale for the motion:*

Currently Councils are responsible for paying the landfill levy when communities utilise services of Council, such as the Hard Waste Service or tip vouchers. This means that limits and caps must be placed on the accessibility of these services for our community to meet budget needs.

To address the issue of illegal dumping, our communities need more access to free and affordable resource recovery and disposal locations.

Recently, after the significant flooding that occurred across the state, the State Government allowed temporary relief from the payment of the levy.

Council requests that dispensation to the payment of the levy can be made relating to targeted and specific days that address community barriers to participation in the service “e.g., Half price landfill day, bonus hard waste days” without being burdened by additional costs. In these situations, material that is possible to be diverted from landfill will be facilitated, thus meeting the overall objectives of the levy.

Reimbursement for the payment of the landfill levy for any large scale illegal dumped rubbish collected by Councils should be provided. This would assist in reducing the cost of addressing the illegal dumping issue across municipalities. Councils are not the polluter in this example and therefore should not be penalised for dealing with the issue. This should occur where Council has been directed by the EPA to clean up the land due to a failure to hold the polluter accountable.

**Seeking a variation to landfill levy – Water sensitive urban design clean outs**

*Proposed motion:*

That the State Government creates a mechanism to allow for dispensation of the landfill levy for the disposal of contaminated sediments from urban wetlands and Water Sensitive Design Urban (WSUD) assets.

*Council’s rationale for the motion:*

Councils and Melbourne Water are responsible for maintenance of constructed wetlands and water sensitive urban design assets, created during development to manage waterway health.

Many of these assets, including sediment basins, wetlands, bioretention basins and gross pollutant traps are a critical part of the defence system for our natural waterways and the Bay. These assets require regular clean out due the volume of sediment and contaminated material from the catchment. Despite the stated environmental goals of this infrastructure, when they are cleaned out Council is charged the landfill levy. In some cases, this increases the cost of clean out and resetting by hundreds of thousands of dollars.

This cost reduces Council’s overall ability to adequately maintain these assets.

Functioning waterbodies and wetlands are known to be able to capture and store carbon. Given the environmental purpose of these assets and the broad environmental benefits for them functioning at full capacity, reducing financial barriers to having well maintained and functioning assets is important.

Given the toxic loads of materials coming out of our residential and industrial areas, most of the sediments within these assets are highly contaminated and are not allowed to be used for purposes other than disposal in an authorised landfill site.

By providing dispensation for the payment of the levy in these circumstance advances the overall environmental and climate goals of the levy.

**Proposed Australian Local Government Association motions**

The proposed motions, if adopted by the Australian Local Government Association, will further Council’s advocacy efforts with other levels of government aimed at:

other levels of government aimed at:

* Reform the funding models for social and affordable housing and the planning system to ensure it consistently facilitates new social and affordable housing development;
* Advocating for aged care program support and funding; and
* Electronic Vehicle (EV) Infrastructure.

Therefore, it is proposed that Council submit the following motions to the Australian Local Government Association 2023 National General Assembly being held on 13 - 16 June 2023:

**Reform the funding models for social and affordable housing and the planning system to ensure it consistently facilitates new social and affordable housing development.**

*Proposed motion:*

This National General Assembly calls on the Australian Government to reform the funding models for social and affordable housing and State planning systems to ensure they consistently facilitate new social and affordable housing development.

*National objective:*

Affordable housing is a key pillar of a fair and equitable society. It can help reduce poverty and enhance equality of opportunity, social inclusion and mobility.

Decreasing housing affordability, long-term shortfalls in the supply of social housing and increasing demand for affordable housing are significant issues for all levels of government.

According to the Australian Council of Social Services, over one million lower income households are paying housing costs which exceed the commonly used affordability benchmark of 30 per cent of household income. The majority of those in housing stress are private renters. Rising rent levels have also increased the pressure on public housing and crisis accommodation services and contributed to the current rate of homelessness.

National policy settings are not favouring investment in social and affordable housing and exacerbate housing affordability including tax incentives such as capital gains discounts and negative gearing.

The Federal Government can take national leadership for setting a framework that can be applied across all states and planning systems.

*Summary of key arguments:*

Australia has historically low levels of social housing. According to the 2021 census the proportion of dwellings that are social housing has dropped from 4.9 per cent in 1981 to 3.8 per cent in 2021.

Supply of social housing in Australia is low compared to similar countries. In England 17 per cent of households live in social housing, 9 per cent in Ireland, 6 per cent in the European Union (median), 4.2 per cent in Canada and 4 per cent in New Zealand.

Australia’s low supply is not indicative of low demand. The Productivity Commission reported as of June 2021 there are 216,846 applicants on social housing waitlists across the country. Further, 58 per cent of people renting from a private landlord are spending more than 30 per cent of their gross weekly income on housing costs. This is only likely to grow as rents increase across the nation.

Increasing supply in Australia is difficult under the current system. Government investment is low, securing private sector investment or contributions is difficult and the current tax regime does not support investment in social housing.

The Federal Government needs to take leadership and reform the system. A permanent funding commitment from Federal and State Governments would provide certainty and ensure sustained growth in the sector to address critical supply shortages.

A system that includes mandatory contributions toward new social and affordable housing would unlock private investment and provide certainty and clarity for landowners, developers and planners. Mandatory contributions could require provision of land and/or dwellings for social and affordable housing.

**Advocating for aged care program support and funding.**

*Proposed motion:*

This National General Assembly calls on the Australian Government to:

* Ensure providers have access to block/flexible funding to provide timely access to service as part of the In-Home Aged Care Program; and
* Establish a framework and provide appropriate incentives for providers to take on a lead role for care management (care partner).

*National objective:*

The new In-Home Aged care program seeks to address the issues outlined in the Royal Commission into Aged Care Quality and Safety (the Royal Commission), to better support older Australians. Wait times for care are too long, administration fees are too high, program arrangements are confusing, services are not always well targeted, and older Australians do not always get the help they need to support their independence. In addressing these issues, we should ensure that we do not inadvertently create others.

*Summary of key arguments:*

The proposed In-Home Aged Care Program will see a shift from block funding to unit price funding. Services will be delivered on an activity-based funding basis. The prices for these activities will be set by the Government and will cover the full cost of delivering that service. Payments to providers will be made once services have been delivered. The list of services is not comprehensive e.g., it excludes case management and rostering.

Under the proposed arrangement, service providers would have access to an additional pool of funds on top of an individual’s budget to facilitate minor tops ups without needing a reassessment (set at around 25 per cent of the total cost of their clients’ budgets each quarter). It would be up to the provider how this pool is spent across their clients, based on guidance about how to prioritise needs.

Planning for and retaining a sufficient level of qualified staff without the certainly of funding will be challenging and is likely to drive providers out of the market and reduce the number of providers and therefore consumer choice.

Consultation to date has referred to concepts such as care management functions, care partner role and care/service coordination. It will be important to define these concepts clearly and to outline the scope of practice of each. In addition, appropriate incentives would need to be put in place for providers to take on a lead role for care management in multi-provider support plan arrangements. Key considerations include:

* Appropriate remuneration for care management (grant type approach that can be drawn down upon).
* Established protocols/framework to support a multi-provider environment that amongst other things outlines sharing of proportionate risks in relation to clinical/ support services. This should also include a clear articulation of roles and responsibilities of the lead provider in circumstances where the care and support of the consumer is at risk of being compromised.
* Agreed information sharing arrangements between providers and how this will be facilitated by government. We would suggest that government invest in existing databases via MAC or Services Australia rather than develop additional ICT.
* Sufficient care management hours to cover case conferencing, reviews, follow-ups, care escalation etc.
* Secondary consultation and support via the assessment services to providers where acuity/complexity is high.

**Electric Vehicle (EV) Infrastructure**

*Proposed motion:*

This National General Assembly calls on the Australian Government to support the transition to electric vehicles including personal e-mobility devices to help communities transition to lower carbon lifestyles.

*National objective:*

On-road transport contributes 16 per cent of the total national emissions profile. Supporting the rapid transition to electric vehicles and personal mobility devices, provides a tangible solution to reducing this emissions profile.

However, we need to ensure that the transition occurs equitability for all Australians. We need to ensure we take the one-in a generation opportunity this opportunity provides us – supporting people to shift out of single occupant cars, to e-bikes, e-scooters, public transport and car-share. This mode shift will reduce the pressure on our road networks and support more compact and liveable cities and towns.

*Summary of key arguments:*

Electric vehicles, including personal e-mobility devices, are important to help communities transition to lower carbon lifestyles.

Currently there is an inconsistent supply of EV vehicles particularly heavy vehicles to support major services of Council to transition – such as the waste service. The Commonwealth Government could support Councils with access to these vehicles by incentivising importation of suitable trucks and equipment.

While the Commonwealth has provided investment to support public charging infrastructure, via the ARENA program, it is not occurring at a sufficient scale to address community expectations for charging.

The Government is aware that within the community, there is a need for chargers at key locations such as train stations and activity centres. At a community level, it is anticipated that charging of electric vehicles would be done from home. However, it is unclear how this will occur for people with additional barriers such as renters and within certain houses and development types. This includes apartments, medium density sites, properties without off-street parking.

Funding should be made available to ensure the housing built, owned and facilitated by the Commonwealth and State Government has equitable access to EV charging – thus reducing this barrier to vulnerable communities.

Investment into walking and cycling networks is going to be critical to supporting the transition to personal e-mobility. The Commonwealth Government can help address lag in delivering key infrastructure, such safe and separated walking and cycling networks across the nation. Connecting people using walking and cycling to major employment areas, train stations and airports. Delivery of an integrated safe network is critical to support lower on-road emissions.

**Community Consultation and Engagement**

Council has been engaging with community on the issues mentioned above that have informed Council’s strategic and/or advisory work. For example, the local community have affirmed the need for Council to play a role in delivering affordable housing through the development of the Whittlesea 2040 Community Visions A Place for all.

Findings from the Whittlesea 2040 consultation showed that the community want better access to affordable, quality homes for diverse households. Responses highlighted the need for a variety of housing options, including cheaper and high-quality housing and having more social housing options.

Additionally, waste related issues and opportunities for EV have been identified through consultation for the Rethinking Waste Plan and Sustainable Environment Strategy.

**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**

Investment into EV Infrastructure and providing dispensation for levies, advances the overall environment and climate goals.

**Social, Cultural and Health**

Access to social and affordable housing is imperative to meet the needs of population growth and minimise critical housing supply shortages and poverty.

**Economic**

Additional support to In Home Aged Care Program enhances the availability of support delivered by providers.

**Financial Implications**

Seeking a variation to landfill for Councils will support Council to implement more proactive measures and activities to support environmental benefits.

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

**Implementation Strategy**

**Critical Dates**

Motions mentioned above were discussed and supported at a Council Briefing on Thursday 9 March 2023.

Submissions of MAV motions closed at midnight on 20 March 2023.

Submissions of LGA motions closes at midnight on Friday 24 March 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**

It is recommended that Council note the motions submitted to the MAV State Council meeting and support the proposed motions for submission to Australian Local Government Association 2023 National General Assembly.

**5.2 Connected Communities**

5.2.1 Petition - Request to upgrade Mansfield Park, Epping

**5.2.1 Petition - Request to upgrade Mansfield Park, Epping**

**Responsible Officer** Director Infrastructure & Environment

**Author** Tara Jolfaei, Coordinator Open Space Planning

**In Attendance** Arashdeep Singh, Manager Urban Design & Transport

**Attachments**

1. Attachment 1 - Mansfield PG North [**5.2.1.1** - 1 page]
2. Attachment 2 - Mansfield PG East [**5.2.1.2** - 1 page]
3. Attachment 3 - Mansfield PG South [**5.2.1.3** - 1 page]
4. Attachment 4 - Mansfield PG West [**5.2.1.4** - 1 page]
5. 20230309 115848 [**5.2.1.5** - 1 page]
6. 20230309 115804 [**5.2.1.6** - 1 page]
7. 20230309 115632 [**5.2.1.7** - 1 page]
8. 20230309 115610 [**5.2.1.8** - 1 page]

**Purpose**

The purpose of this report is to consider a petition received from 13 residents requesting that Council upgrades the playground at Mansfield Park in Epping.

**Brief Overview**

A petition was received by Council on 9 November 2022 requesting that Council upgrades the playground at Mansfield Park in Epping. The petition was signed by 13 residents.

Following an assessment, it is proposed that Council undertakes a maintenance refresh of the playground in Mansfield Park in the 2022-2023 financial year to address wear and tear.

An upgrade of the playground in Mansfield Park is scheduled for the 2026-2027 financial year as part of Council’s prioritised Playground Renewal Program.

**Recommendation**

**THAT Council in response to the petition received from 13 residents requesting an upgrade of the playground in Mansfield Park, Epping:**

1. **Schedule a maintenance refresh of the playground in Mansfield Park in the 2022-2023 financial year to address wear and tear.**
2. **Schedule the upgrade of the playground in Mansfield Park for the 2026-2027 financial year as part of Council’s prioritised Playground Renewal Program.**
3. **Notifies and meets with the Head Petitioner to advise of Council’s decision.**

**Key Information**

Site Context and Background

Mansfield Park is located on Mansfield Street in Epping. The 0.8-hectare passive recreation reserve includes walking paths, a seating area, picnic table and a playground that was installed in 2008.

The City of Whittlesea Open Space Strategy (‘Open Space Strategy’) classifies Mansfield Park as a local open space. The Open Space Strategy specifies that local open spaces should have sufficient space for two activities such as a minor playground and should be between 0.26 and 0.99 hectares in size.

Local open spaces are designed to serve the immediate neighbourhood within a 300-metre walking catchment. The walking catchment for Mansfield Park is estimated to serve 250 to 300 households which is estimated at 500 to 800 people.

Park and Playground Renewal Program

Council’s Park and Playground Renewal Program guides the renewal of play spaces and parks within the City of Whittlesea, so they continue to meet community expectations. Playground renewal is prioritised based on age, condition audits and maintenance inspections.

The playground in Mansfield Park was installed in 2008 and is programmed for renewal in the 2026-2027 financial year.

Playground assessment

All playgrounds and parks in the City of Whittlesea are inspected quarterly to ensure they continue to meet current Australian Standards and regulations.

The Playground Equipment Inventory and Maintenance Assessment conducted in November 2022 rated the overall condition of the playground in Mansfield Park as ‘Good’, which means the asset is functional and does not require early when assessed against other Council playgrounds.

Council officers inspected the playground area at Mansfield Park in November 2022 and March 2023 and noted the playground equipment is showing wear and tear. In addition, opportunities were identified to increase shade and upgrade to seating.

To ensure the playground at Mansfield Park is best placed to meet community expectations over the next three years, when it will be replaced, Council will complete a maintenance refresh to:

* Secure the handgrip on the spring rider to prevent rotation
* Replace a post on the swing set
* Sand and stain all timber surfaces (playground equipment, posts, seats, and benches)
* Replace the damaged climbing unit net
* Eliminate tripping hazards by fixing loose and broken tiles near the playground
* Top up mulch and refresh playground surface
* Seek opportunities to increase shade, particularly the playground and the existing seating area.

**Community Consultation and Engagement**

A meeting with the Head Petitioner on 14 December 2022 was attended by Council officers.

The following points were raised by the Head Petitioner at the meeting:

* The playground is not aesthetically pleasing or engaging for young children
* The timber has worn out in high use areas and can result in splinters
* The park lacks social engagement from a local community perspective
* The park does not meet the local demand and as a result people are traveling to other parks and playgrounds in the area.

The petitioners will be notified of the outcome of Council’s decision.

**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.  
  
**Sustainable environment**We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change  
  
**High performing organisation**We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

**Considerations**

**Environmental**

No implications.

**Social, Cultural and Health**

Upgrading the playground at Mansfield Park in Epping will create a more enjoyable outdoor space for the community and encourage children and families to spend more time outdoors and participate in physical activity. This has physical and mental health benefits.

**Economic**

The proposed playground works can serve as a community gathering space and activities, which can positively benefit the surrounding area.

**Financial Implications**

The cost of the refresh proposed in this report will be funded from the 2022/23 capital works budget and playground renewal will be from the 2026-2027 financial year budget.

**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*

An upgrade of the playground at Mansfield Park is scheduled for the 2026-2027 financial year as part of the playground renewal program. The Playground Asset Renewal Program will be reviewed as part of the preparation of the Open Space Plan under the umbrella of the Liveable Neighbourhoods Strategy.

**Implementation Strategy**

**Communication**

Petitioners will be advised of Council’s decision.

**Critical Dates**

There are no critical dates associated with this report.

**Declaration of Conflict of Interest**

Under Section 130 of the *Local Government Act 2020*officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.  
  
The Responsible Officers 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 petition by 13 residents requesting an upgrade to the playground in Mansfield Park was considered. Following an investigation, it is proposed that Council undertakes a refresh of the playground in the 2022-2023 financial year and upgrades the playground in the 2026-2027 financial year.

5.2.2 Petition - Request for Olive Trees to be planted in Kalorama Place, Thomastown

**5.2.2 Petition - Request for Olive Trees to be planted in Kalorama Place, Thomastown**

**Responsible Officer** Director Infrastructure & Environment

**Author** Michael Hobbs, Coordinator Parks & City Forest Business Improvement

**Attachments** No attachments

**Purpose**

The purpose of this report is to consider a petition received from 12 residents requesting that Council plants olive trees at Kalorama Place, Thomastown.

**Brief Overview**

A petition was received by Council on 27 October 2022 requesting olive trees be planted as street trees in Kalorama Place, Thomastown. The petition was signed by 12 residents.

An independent arborist report was commissioned to assess 11 existing street trees and recommended the removal of four trees due to their poor condition. These were removed in February 2023.

Council Officers further surveyed the street and identified six vacant planting sites for planting of olive trees as part of Council’s annual planting program.

**Recommendation**

**THAT Council in response to the petition received from 12 residents of Kalorama Place, Thomastown on 27 October 2022:**

1. **Notes that following an independent arborist report, four trees were removed from Kalorama Place, Thomastown in February 2023 for structural and condition reasons.**
2. **Plants ten olive trees at Kalorama Place, Thomastown as part of the 2022-2023 financial year annual planting program. Six olive trees will be planted in vacant planting sites and four will replace trees removed in February 2023.**
3. **Notifies the 12 residents of Council’s decision to plant ten olive trees** **in Kalorama Place as part of the 2022-2023 financial year annual planting program, in response to their request*.***

**Key Information**

A petition was received by Council on 27 October 2022 from 12 residents of Kalorama Place, Thomastown requesting that olive trees be planted as street trees. An independent arborist was commissioned to inspect existing trees for structure and condition.

Eleven trees were assessed, including two trees that were not on Council’s asset database. It is thought that these two trees were planted by residents. The two trees identified will be added to Council’s database and are not proposed for removal. The arborist report recommended the removal of four trees, with one representing an immediate risk to property. The removal of the four trees was completed in early February 2023.

Olive trees are not on Council’s approved planting list. However, it is considered in this case that outcomes of the Greening Whittlesea Strategy can be achieved as the olive trees are consistent with the character of the local neighbourhood and will preserve and enhance the neighbourhood’s distinctiveness.

The lead petitioner was contacted by telephone on 28 November 2022 and emailed on 20 December 2022 advising of the arborist assessment outcomes, timeframes for tree removal and replanting and Council’s meeting process. Tree removal was completed in early February 2023 and tree planting will occur as part of the 2022-2023 financial year planting program.

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

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

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

The planting of olive trees often reflects a cultural desire for a Mediterranean character to the streetscape and we support celebrating the diversity of the City of Whittlesea.

**Considerations**

**Environmental**

The trees will be of limited benefit to achieving canopy targets of the Greening Whittlesea Strategy.

**Social, Cultural and Health**

Approval of this request will demonstrate the customer first principal of not allowing process to compromise customer service.

**Economic**

No implications

**Financial Implications**

The cost is included in the current budget.

**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

There is a risk that full canopy cover will not be achieved in the street to align with the Greening Whittlesea goals.

**Implementation Strategy**

**Communication**

The lead petitioner has been advised of Council timeframes and dates of the annual planting program.

**Critical Dates**

Tree removal was completed in early February 2023.

Tree planting will occur as part of the 2022-2023 financial year annual planting program.

**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 petition by 12 residents of Kalorama Place, Thomastown was considered. Following an independent arborist report, four existing trees in Kalorama Place were removed for structural and condition reasons. These will be replaced with olive trees as part of Council’s annual planting program and a further six olive trees will be planted in vacant planting sites.

5.2.3 Casa D'Abruzzo Lease

**5.2.3 Casa D'Abruzzo Lease**

**Responsible Officer** Interim Director Community Wellbeing

**Author** Andrew George, Unit Manager Leisure & Recreation

**In Attendance** Amelia Ryan, Acting Manager Active & Creative Communities

**Attachments** No attachments

**Purpose**

The purpose of this report is to present a proposal and seek endorsement to enter into a funding agreement contractual arrangement with the Casa D’Abruzzo Club that provides Council all-inclusive access to the rectangular pitches and supporting amenities for programming community sport.

**Brief Overview**

Council’s 20-year licence with the Casa D’Abruzzo Club for use of two soccer pitches and supporting amenities at 55 O’Herns Rd, Epping expired in February 2023. Council and the Casa D’Abruzzo Club have entered into a holding over period on the same terms until 31 March 2023 whilst the proposal for a new licence and funding agreement is considered by Council.

A proposal has been developed with the Casa D’Abruzzo Club which would afford Council an all-inclusive, no fee, twenty-year licence for community use and programming of the rectangular facilities. Under this arrangement, Council will also continue to contribute to the ongoing maintenance of the pitches over the twenty-year licence agreement at an estimated cost of $600,000 over the term of the licence and would enter into a funding agreement that outlines a $3.01 million contribution from Council to support capital upgrades at the site which will be delivered by the Casa D’Abruzzo Club.

Council’s use of the Casa D’Abruzzo Club site will meet community need for rectangular pitches in the area, not only for Epping City Football Club (ECFC) which has 270 participants but also other local sports clubs and community groups. Rectangular fields can also support many growing minority sports as a programming option.

Council currently allocates this facility to ECFC as a secondary site, with the primary site 500 metres away at Duffy Street Reserve which has one pitch and supporting amenities. ECFC have indicated that the use of this site would meet the needs of the club in relation to their catchment of players. In testing other available sites, the club indicated sites south of Duffy Street would impact the club as many of their members come from north of the facility in Wollert.

**Recommendation**

**THAT Council:**

1. **Endorses** **an all-inclusive, no fee, 20-year licence for community use and programming of the soccer facilities at the Casa D’Abruzzo Club.**
2. **Endorses a funding agreement with Casa D’Abruzzo to the value of $3,610,000 over twenty years which includes $3,010,000 for capital upgrades and $600,000 for ongoing maintenance of the pitches and surrounds.**
3. **Authorises the Chief Executive Officer to execute the licence and funding agreement in accordance with this resolution.**

**Key Information**

**Historical and current licence arrangements:**

In February 2003, Council entered into a 20-year licence agreement with the Casa D’Abruzzo Social Club (the Casa D’Abruzzo Club), relating to the management and maintenance of the two soccer pitches at 55 O’Herns Rd, Epping.

The Casa D’Abruzzo Club is an Italian Social Club that has been operating for over 35 years and provides entertainment, dining, function spaces for hire, and local sporting facilities including for Bocce, Soccer, Tennis and Billiards. The facility also has Electronic Gaming Machines (EGMs). Direct access to the soccer facilities has been built from the street.

The current licence between Council and the Casa D’Abruzzo Social Club, for soccer fields access, expired in February 2023 and is currently in a holding over period to 31 March 2023 whilst a proposal for a new licence and funding commitment is considered by Council.

Under this existing licence arrangement Council’s responsibilities at the Casa D’Abruzzo Club included:

* Renovating the pitches and other related infrastructure including sports lighting in 2002/03. These pitches and floodlighting are now at the end of life and require capital upgrades.
* All mowing and maintenance of the pitches, the immediate surrounds and related infrastructure.
* Ground allocation to a responsible and appropriate community-based soccer club. The facility has been allocated to Epping City Soccer Club (ECFC) during the period of the licence.
* Monitoring and regulating the use of the soccer facilities by the soccer club.

**Community Need:**

The Epping/Wollert corridor continues to have strong demand and participation in Soccer provision. A number of existing facilities are at, or exceeding, capacity and cannot support the forecast demand for soccer and require upgrades to the playing surfaces, training lights and the clubrooms to cater for increased participation. The proposed arrangements at the Casa D’Abruzzo Club would contribute to meeting community need for rectangular pitches in the Epping/ Wollert area.

The Epping City Football Club (ECFC) have been using the two pitches at the Casa D’Abruzzo Club as one of the two venues used by the Club for the past 20 years and cater for 270 players. There is ongoing demand for access to pitches in the area by other clubs and community groups due to increasing participation rates.

The proposed funding agreement includes funding towards a synthetic pitch and floodlighting to increase the capacity of the site to help cater for this demand.

**Proposed capital renewal and upgrades:**

An in-principle agreement has been developed with the Casa D’Abruzzo Club whereby Council would contribute $3.01 million towards works at the Club to ensure its suitability for use by the community, in exchange for the no-fee 20 year licence to support community use of the facilities. Under this agreement, Council would continue to contribute towards grounds maintenance over the terms of a new licence. This is estimated to cost $600,000 over the term of the twenty-year licence. The upgrades would include:

* Installation of a synthetic pitch in place of the current natural pitch,
* Update to 100 lux lighting at two pitches,
* Works to change rooms to ensure female friendly,
* Electronic scoreboards, storage, tree root barriers.

Under this agreement Council would make a contribution to the Club who would be responsible for the delivery of all works, within first five years of this agreement, excluding the tree root barrier works which will be delivered by Council.

**Other works at the site:**

The Casa D’Abruzzo Club are currently constructing two new competition standard indoor basketball / netball courts which includes a new social room which will be accessible by ECFC as well as new landscaping with a spectator shelter between the pavilion and soccer pitch as part of their $16 million redevelopment.

The current changerooms utilised by the soccer are aged and do not meet Council’s minimum standards stipulated in Council’s Sporting and Community Pavilion Guidelines with the soccer changerooms not included in the scope of the current upgrade taking place as part of the Stadium works.

Access to any change facilities as part of the stadium works are yet to be determined and are to compliment the soccer specific change facilities onsite. The synthetic pitch and lighting are proposed to both increase the capacity of the site as well as the flexibility in being able to host night matches and alternate sports.

The City of Whittlesea Soccer Strategy (2018) identified as a priority action supporting Epping City Soccer Club in negotiating a licence extension and facility improvements at the Casa D’Abruzzo Club. The findings of the soccer strategy will be further reviewed in regards to the number of facilities and clubs with current growth in participation in the Southwest of the municipality in comparison to future requirements for soccer provision in the Northwest corridor.

Additionally, the State Government have recently developed a Fair Access Policy Roadmap which requires all local governments in Victoria to have gender equitable access and use policies (or equivalent) in place for community sports infrastructure by July 2024 to facilitate increased participation in sport by Women and Girls. Further business planning will be undertaken with ECFC regarding alignment with this policy.

**Community Consultation and Engagement**

Council Officers have worked closely with Casa D’Abruzzo to develop this proposal being consider by Council tonight and supported a short term over holding of current agreement to allow this to be considered.

Consultation with ECFC has confirmed that they would like to continue accessing the facilities at the Casa D’Abruzzo Club due to the proximity of the site to the Club’s membership base.

ECFC have confirmed that proposed facility alternatives do not meet their needs, in particular the distance of potential available venues to a large component of ECFC’s membership base.

Football Victoria have also been updated on licence discussions for ground allocations for ECFC for the 2023 season as fixturing of games at this venue is not possible without a licence in place. Football Victoria will also support Council plan future participation demand and current capacity of surrounding facilities in the Epping/Wollert area.

**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

* City of Whittlesea Soccer Strategy (2018) - Support Epping City Football Club in negotiating a licence extension and facility improvements at Casa D’Abruzzo Club. A number of existing facilities are at, or exceeding, capacity and cannot support the forecast demand and require upgrades to the playing surfaces, training lights and the clubrooms to cater for increased participation. This strategy outlines the benefits of synthetic pitches in providing substantial benefits in regard to volume of use and weather tolerance.
* State Government Fair Access Policy Roadmap –This policy seeks that all local governments in Victoria have gender equitable access and use policies (or equivalent) in place for community sports infrastructure.
* Findings from analysis regarding soccer provision within the western corridor of the municipality will also be incorporated into Council’s long term Community Infrastructure Strategy to be completed by late 2023.

**Considerations**

**Environmental**

Environmental considerations regarding the installation of tree barriers along the site’s Miller Street boundary were considered to ensure that the trees remain onsite but do not damage the pitches.

**Social, Cultural and Health**

Provision of appropriate facilities encourages community sports participation, and health and wellbeing outcomes. Work will be undertaken with ECFC regarding the Club’s commitment to deliver on the new State Government Fair Access Policy regarding gender equity in access and use of community sports infrastructure and increasing the Club’s number of Women and Girl’s teams. ECFC cater for a large number of participants to the Northwest of the municipality in Wollert where the Club’s current facilities at Duffy Street Reserve and Casa D’Abruzzo Club are easily accessible, with the agreement and upgrades at Casa D’Abruzzo Club also proposed to support other local demand for rectangular pitches.

**Economic**

No implications

**Financial Implications**

Council has jointly developed this proposal with the Casa D’Abruzzo Club to contribute $3.01 million for upgrades including the development of a new synthetic pitch, update floodlighting and changerooms and minor supporting infrastructure upgrades.

The continuation of Council undertaking grounds maintenance is proposed to cost per $30,000 per annum or $600,000 over the life of the agreement.

**Link to Strategic Risk**

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

Ensure provision of appropriate sports facilities for the community.

**Implementation Strategy**

**Communication**

Council’s decision regarding the status of the licence will be communicated to both Casa D’Abruzzo Club and ECFC.

**Critical Dates**

The overholding period for the current agreement expires on 31 March 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**

This report outlines recent discussions with both the Casa D’Abruzzo Club and ECFC regarding the proposed new licence and funding agreement for use of the two rectangular pitches and supporting infrastructure at the Casa D’Abruzzo Club. It outlines the current usage by ECFC and proposed facility upgrades onsite to renew existing infrastructure and invest in capital that will increase sporting participation for our municipality.

The report recommends entering into an all-inclusive, no fee 20- year licence for community use and programming of the soccer facilities at the Casa D’Abruzzo Club with Council continuing maintenance and a Council contribution of $3.01 million to the renewal and upgrade of facilities at the site.

**5.3 Liveable Neighborhoods**

5.3.1 Northern Trails 2022 Strategy - Endorsement

**5.3.1 Northern Trails 2022 Strategy - Endorsement**

**Responsible Officer** Director Infrastructure & Environment

**Author** Russell Tricker, Senior Transport Planner

**In Attendance** Arashdeep Singh, Manager Urban Design & Transport

**Attachments**

1. North Trails Strategy 07.02.2023 [**5.3.1.1** - 116 pages]
2. Appendix A Strategic Framework 10.11.2022 [**5.3.1.2** - 20 pages]
3. Appendix B trail improvement projects 02.02.2023 [**5.3.1.3** - 31 pages]
4. Appendix C Cost Benefit Analysis 02.02.2023 [**5.3.1.4** - 45 pages]

**Purpose**

To seek Council endorsement of the Northern Trails 2022 strategy.

**Brief Overview**

The Northern Trails 2022 strategy (Attachment 1) has been prepared to identify high priority trails across Melbourne’s northern region and to advocate for the expansion and development of strategic priority trails.

Northern Trails 2022 requires formal Council endorsement to give effect to its implementation.

**Recommendation**

**THAT Council endorses the Northern Trails 2022 strategy.**

**Key Information**

The Northern Trails 2022 strategy (‘the strategy’) has been prepared to establish a strategic framework for the planning and development of regional trails in the northern Melbourne region for the next 10 years and beyond. It replaces the Northern Regional Trails Strategy 2016.

The Victorian Trails Strategy 2014-2024 defines a trail as: “an established path, route or track which often traverses natural areas and is used by people for non-motorised recreation, such as walking, running, cycling, mountain biking and horse riding.”

Key characteristics of a trail include:

* Multiple potential user groups
* An off-road location
* A relatively long and continuous length

The strategy focusses on ‘regional trails’, which are defined as higher order trails that have a regional scale, purpose and/or impact. Other key defining characteristics of regional trails are:

* Connecting regionally important locations
* Integrated with a network of other regional and local trails
* Recreation opportunities that are both accessible and attractive to a group of users of a regional scale and/or distribution
* Economic benefit of regional importance (including promoting economic development and/or tourism)
* Ease of access by the community living and working within the region, as well as by visitors

The delivery of projects identified in the 2016 Northern Regional Trails Strategy and significant ongoing Victorian Government infrastructure projects have necessitated a review of the strategy to account for changing circumstances and priorities.

The strategy has been developed by a consortium of six Councils, covering the local government areas of Banyule, Darebin, Hume, Merri-bek, Nillumbik and the City of Whittlesea on the traditional lands of the Wurundjeri – Woi wurrung and Taungurung people of the Kulin Nation.

The strategy identifies priority projects for each of the six local government areas as well as top priorities for the overall region. These have been identified through community and stakeholder consultation and assessed according to the following criteria:

1. Contribution to an integrated and connected network
2. Encouraging use by spatial location (proximity to population centres and transport hubs)
3. Potential health benefits
4. Contribution to community health and well-being
5. Contribution to uniqueness and the quality of the natural environment
6. Encouraging diversity of use through facility quality and maximising useability
7. Strategic alignment with other plans, policies and strategies
8. Ease of implementation

The application of the criteria and community consultation has resulted in a priority list of ten unfunded trail projects for the City of Whittlesea, as shown in Table 1.

Table 1. Priority unfunded trail projects in the City of Whittlesea

|  |  |  |
| --- | --- | --- |
| **Number** | **Trail** | **Section** |
| 1 | Whittlesea Shared Trail | Mernda to Whittlesea |
| 2 | Merri Creek Trail | Cooper Street to O'Herns Road |
| 3 | Merri Creek Trail | O'Herns Road to Craigieburn Road |
| 4 | Merri Creek Trail | Craigieburn Road to Summerhill Road |
| 5 | Yan Yean Pipe Track | Bridge Inn Road to Yan Yean Reservoir |
| 6 | Merri Creek Trail | Summerhill Road to Donnybrook Road |
| 7 | Yan Yean Pipe Track | Childs Road to McDonalds Road |
| 8 | Darebin Creek Trail | Epping Station to Greenbrook Road |
| 9 | EastWest Power Easement Trail | Holt Parade to Darebin Creek Trail |
| 10 | Yan Yean Pipe Track | Metropolitan Ring Road Trail to Darebin Creek Trail |

Source: Northern Trails 2022 strategy – Appendix C

The strategy is high level covering a large study area and contains multiple recommended actions dealing with complex sites. Many of the action items will require further investigations prior to being realised, including to ensure that any proposed construction works are in alignment with all relevant authority and land manager acts, strategies, plans and policies.

The strategy also provides information and recommendations associated with trail infrastructure, trail management and trail marketing.

The strategy working group (officers from the six consortium Councils) and steering group (Directors from the six Councils) have overseen the development of the strategy. Beyond the endorsement of the strategy by all Councils, both groups will continue to operate with a key focus on facilitating advocacy around funding opportunities and to monitor and evaluate the success of the strategy.

**Community Consultation and Engagement**

The consortium of participating Councils engaged with their respective communities in August 2021. This exercise assisted with shaping and influencing new and updated actions for the refreshed strategy. It also provided a snapshot of how people use trails across the region, why people use the trails and what factors would encourage higher usage. This exercise identified that the two largest uses of the trails are for cycling (52% of respondents) and walking (23% of respondents). Potential trail users would be motivated most by improved connectivity between trails (77% of respondents).

Council approved a consortium proposal to conduct a second round of community engagement in August 2022. Banyule City Council, in partnership with the five other local governments, hosted an online region-wide questionnaire to seek feedback on the draft strategy. The page was linked from Council’s Engage Whittlesea page and was promoted to our community through social media, existing community contacts, advisory groups and key stakeholders. This provided our community with the opportunity to comment on the proposed top ten priority projects in Whittlesea and on the draft strategy.

There were 13 submissions made in relation to the proposed priorities in the City of Whittlesea, which were supportive in relation to the approach, noting the small sample size. These responses also indicated that improved connections and safety were of high importance to the community.

Based on the overall feedback across the region, the consortium of member Councils did not believe that major revisions or changes to the strategy were required.

A sample of community comments captured during the August 2022 consultation process are provided below:

*‘An off-road, shared trail on the former railway line in Whittlesea Shire is important for linking communities, safety away from traffic.’* (Community survey respondent)

*‘The more people can ride safely, the less on the roads and the health benefits.’* (Community survey respondent)

*‘I think the Yan Yean Reservoir connection is long over due as a fantastic recreational destination for the Whittlesea bike path network.’* (Community survey respondent)

*‘Aside from affordable recreation for families in a very picturesque location, these links also provide a sustainable alternative way to commute to Mernda station by bike instead of parking at station.’* (Community survey respondent)

**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.

Integrated Transport Strategy 2014, Walking and Cycling Plan 2022, Open Space Strategy 2016, Quarry Hills Regional Parkland Landscape Master Plan 2019.

**Considerations**

**Environmental**

A high-quality regional trail network encourages people to choose to walk or cycle to destinations, rather than using motorised transport modes. This results in reduced vehicle numbers on roads, which reduces air pollutants, noise pollution and congestion issues.

**Social, Cultural and Health**

Regional trails create spaces for people to exercise with others, facilitating community connection and health benefits. Approximately half of the respondents to a questionnaire undertaken as a part the strategy update indicated that they regularly use the regional trail network with friends and family.

The VicHealth Indicators Survey 2015 identifies ‘physical activity and sedentary behaviour’ as one of five key public health indicators. The top self-directed physical activities that Victorians participate in are all activities highly suited to regional trails including walking (51.2%), jogging/running (14%) and cycling (11.8%).

**Economic**

A Cost Benefit Analysis (CBA) has been undertaken as part of the strategy refresh to quantify the benefits of trail investment. The analysis indicates a Benefit Cost Ratio (BCR) of 1.6, suggesting that benefits directly attributable to projects will be around 1.6 times the level of investment.

The cost to the community of ill health is very large, and a portion of this can be attributed to physical inactivity. Mental illness also has an associated economic cost, which includes the costs from lost productivity and absence from the workforce. Regular participation in physical activity has been shown to improve mental and physical health, and regional trails are a direct way to invest in improving that participation.

Demand forecasts undertaken as part of the analysis estimate that use of the Northern Regional Trail Network will increase by around 33 per cent once the entire planned network is delivered. Around two thirds of this uplift would be associated with existing users accessing trails more frequently, and one third of the estimated uplift is associated with new users.

A Cost Benefit Analysis (CBA) has been undertaken as part of the strategy refresh to quantify the benefits of trail investment. The analysis indicates a Benefit Cost Ratio (BCR) of 1.6, suggesting that benefits directly attributable to projects will be around 1.6 times the level of investment.

**Financial Implications**

The Northern Trails 2022 strategy will be a key advocacy document to attract funding to deliver the Northern Region Trail Network over the next decade and beyond.

**Link to Strategic Risk**

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

If the Northern Trails 2022 strategy is not endorsed, this will reduce the ability for Council to effectively advocate for funding to plan, design and construct identified trail improvement projects. This could result in missed opportunities to deliver important infrastructure which will impact negatively on community wellbeing and will fail to deliver active transport recreational opportunities in Council’s growth areas.

**Implementation Strategy**

**Communication**

Once endorsed, the Northern Trails 2022 strategy will be made publicly available on Council’s website.

**Critical Dates**

N/A

**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 Northern Trails 2022 is a regional trails strategy prepared to establish a framework for the planning and development of regional trails in Melbourne’s north for the next 10 years and beyond.

The strategy has identified priorities for the northern region across trail improvements, marketing, management and infrastructure.

The endorsed strategy will provide Council with the ability to effectively advocate for funding to undertake identified trail improvements in the City of Whittlesea, which will create improved connectivity and recreational opportunities for residents, both within the municipality and the broader northern region.

5.3.2 307 Bridge Inn Road & 390 Masons Road, Mernda Planning Scheme Amendment

**5.3.2 307 Bridge Inn Road & 390 Masons Road, Mernda Planning Scheme Amendment**

**Responsible Officer** Director Planning & Development

**Author** Stephen Parker, Strategic Planner Projects & Infrastructure

**In Attendance** Stephen Parker, Strategic Planner Projects & Infrastructure

**Attachments**

1. Attachment 1 Subject site and context [**5.3.2.1** - 1 page]
2. Attachment 2 Quarry Hills assemblage [**5.3.2.2** - 1 page]
3. Attachment 3 Quarry Hills Masterplan [**5.3.2.3** - 1 page]
4. Attachment 4 Proposed zones [**5.3.2.4** - 2 pages]

**Purpose**

The purpose of this report is to seek Council’s approval to request authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to rezone land at 307 Bridge Inn Road and 390 Masons Road, Mernda. It is proposed to rezone the nominated portions of these properties within the Urban Growth Boundary (UGB) from the Farming Zone to the General Residential Zone (Schedule 1). In addition, it is proposed to apply the Development Plan Overlay (Schedule 27) and the Vegetation Protection Overlay (Schedule 1) to the land proposed to be rezoned.

The proposed amendment will facilitate the use and development of the sites as part of the ongoing planning of the Mernda West precinct and associated assemblage of land for the Quarry Hills Regional Parkland.

**Brief Overview**

The proposal facilitates development of land within the Urban Growth Boundary for urban purposes and implements the strategic framework associated with the assemblage of the Quarry Hills Regional Parkland in Mernda West.

The *Quarry Hills Bushland Park Master Plan* (2009) is a Council endorsed master plan which provides a vision for the future design and management of this regional park. The park has been created as a result of progressive urban development surrounding the Quarry Hills, where subdivision has been permitted within the Urban Growth Boundary (generally up to the 185-metre contour). The land above this contour is dedicated to open space and conservation. Note that this plan is currently being updated as part of preparing the *Quarry Hills Parklands Future Directions Plan* which recently underwent community consultation.

The owners of 307 Bridge Inn Road and 390 Masons Road , Mernda (*refer Attachment 1*) have requested that Council prepare a Planning Scheme Amendment to rezone the nominated portion of the land within the Urban Growth Boundary for residential development. As part of this request the remainder of the land outside the nominated portions (in the Green Wedge Zone and Farming Zone) will be transferred to Council to continue the assemblage of the Quarry Hills Regional Parkland (*refer Attachment 2*).

Prior to the planning scheme amendment request, the proponents entered into a   
Section 173 Agreement with Council. The agreement confirms that Council has identified that the nominated portion of the subject land is suitable for development for residential purposes, and that its development will achieve a net community benefit if the non-urban portion of the land is vested in Council for incorporation into the Quarry Hills Regional Parkland (*refer Attachment 3*). The agreement also seeks to facilitate the development of the nominated portion of the Subject Land for residential purposes, through the payment of Development Contributions. As there is no requirement to pay the Growth Area Infrastructure Contribution (GAIC), the parties to the agreement have also agreed that it is appropriate for the owner of the land to pay an Equivalent GAIC Contribution for the provision of State Infrastructure, to be calculated as though the residential portion of the land is liable to pay the GAIC.

This report recommends that Council apply to the Minister for Planning for authorisation to prepare the Planning Scheme Amendment. The rezoning of the land and the application of the Development Plan Overlay and Vegetation Protection Overlay will align the portion of the land within the Urban Growth Boundary with the planning framework applied to the surrounding Mernda Strategy Plan area.

**Recommendation**

**THAT Council:**

1. **Seek authorisation from the Minister for Planning to prepare and exhibit an Amendment to the Whittlesea Planning Scheme that seeks to alter the planning controls on part of the land at 307 Bridge Inn Road and 390 Masons Road, Mernda as follows:**
2. **Rezone the nominated portions of the land that is Farming Zone to General Residential Zone (Schedule 1) in accordance with Attachment 4.**
3. **Apply the Development Plan Overlay (Schedule 27) and Vegetation Protection Overlay (Schedule 1) to the land proposed to be rezoned.**
4. **Advise the owners of 307 Bridge Inn Road and 390 Masons Road, Mernda of Council’s decision.**

**Key Information**

**Amendment Proposal**

The Amendment proposes to rezone a nominated portion of the subject site within the UGB from Farming Zone to the General Residential Zone to enable development for residential purposes consistent with the North Growth Corridor Plan (Growth Areas Authority (GAA), 2012).

In addition, it is proposed to apply the Development Plan Overlay (Schedule 27) and the Vegetation Protection Overlay (Schedule 1) to the land proposed to be rezoned. This will ensure logical, coherent development of the site, noting that the proposed planning controls would align with the planning framework established for surrounding areas under the Mernda Strategy Plan.

Protection and consideration of the landscape will be managed under the newly applied Development Plan Overlay and Vegetation Protection Overlay. The Development Plan assessment will consider appropriate interfaces to the Quarry Hills, ensuring its protection from urban encroachment.

Land to be transferred to the Quarry Hills Regional Park will be retained in the Green Wedge Zone.

**Background**

The subject sites (*refer Attachment 1)* were partially brought into the Urban Growth Boundary (UGB) with the gazettal of VC68 which expanded the UGB around Melbourne’s growth areas in 2010. The zoning remained non-urban with the intention it could be rezoned for urban use subject to further strategic planning.

The Quarry Hills Regional Parkland was first proposed in the *South Morang Local Structure Plan* (SMLSP), approved in February 1997. The subdivision of land within the SMLSP facilitated the transfer of the first landholding for the Quarry Hills Parkland to Council. The parkland has since been determined a regional park due to its environmental and cultural significance, as well as the major facilities to be provided. The *North Growth Corridor Plan* (GAA, 2012) and draft *Northern Metro Land Use Framework Plan* (Department of Environment, Land, Water and Planning, 2021) recognises the Quarry Hills Parkland as regional open space.

Quarry Hills Regional Parkland has been master-planned by Council to expand the existing Quarry Hills Bushland Park ensuring vital recreation, habitat and biodiversity facilities are protected and enhanced. The transfer of Quarry Hills Parkland from private ownership to Council ownership has been linked to the rezoning of land brought into the UGB in the 2010 expansion. As the UGB is determined by the 185m contour line, rather than property boundary, most properties feature land both inside and outside of the UGB. As landowners seek the rezoning of the urban portion of their properties, the non-urban portion is transferred to Council for use in the Quarry Hills Regional Parkland. This is secured via a Section 173 Agreement.

The parkland currently comprises 330 hectares in Council ownership, with the ultimate size being potentially 1,100 hectares by 2040. The parkland will also contribute to Department of Transport and Planning’s strategy for establishing a Grassy Eucalypt Woodland Protected Area (MSA 2021).

**Site Context**

The subject sites are located between Bridge Inn Road and Masons Road, Mernda, west of the Mernda Town Centre and east of Darebin Creek. The sites are currently used for farming, largely grazing. To the south and east of the sites, the land is residential and was developed in accordance with the Mernda Strategy Plan. Land to the north and west is in the Green Wedge. The two sites are bisected by the urban growth boundary which runs along the 185m contour line. The sites total approximately 56 hectares in area, 21 hectares of which is proposed to be rezoned for residential development. The balance of 35 hectares is proposed to be transferred to Council for the Quarry Hills Regional Parkland.

**Planning Context**

VC68 (*Delivering Melbourne’s Newest Sustainable Communities*) expanded the UGB around Melbourne’s growth areas, identifying non-urban land and land potentially suitable for urban development. This was considered necessary because *Melbourne @ 5 million* identified that an additional 600,000 dwellings would need to be accommodated within Melbourne over the following 20 years. The subject land was included in this amendment.

As such, the proposed amendment will deliver new residential development in line with *Plan Melbourne* objectives.

The application of the Development Plan Overlay (Schedule 27) and Vegetation Protection Overlay (Schedule 1) will align the subject land with the planning framework that applies to the surrounding Mernda Strategy Plan area.

The Vegetation Protection Overlay has been applied to the adjacent Mernda Strategy Plan area to ensure that adequate consideration is given to the preservation of remnant vegetation in a development context.

The Development Plan Overlay provides the opportunity to demonstrate the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land. If a development plan has been prepared to the satisfaction of the responsible authority, a permit application is exempt from notice and review. Schedule 27 to the Development Plan Overlay provides for consideration of the strategic context which includes the *Quarry Hills Bushland Park Masterplan*, and existing, adjacent development plans approved in accordance with the Mernda Strategy Plan. The Schedule to the Development Plan Overlay is the same planning control applied to other similar sites in Mernda West.

**The creation of a lot in two zones**

Whilst the amendment does not address subdivision of the land, the future vesting of the land with Council would result in the creation of a lot in more than one zone. The amendment, if gazetted, would result in a small section of the ultimate Quarry Hills land being retained in the Farming Zone, whereas the remainder of the land would be Green Wedge Zone. The situation has arisen because, in early negotiations with the landowner, Council officers advised they would need maintenance access to the Quarry Hills Parkland from the Bridge Inn Road and Masons Road frontages. This has resulted in a small portion of the urban land on the southwestern and north-western boundaries (*refer Attachment 4*) being proposed for retention in the Farming Zone to allow for access to the remainder of the Quarry Hills Parkland.

This outcome is acceptable as the two zones, Farming Zone and Green Wedge Zone, are both non-urban zones and have similar purposes. Also, pursuant to Clause 64.03 of the Whittlesea Planning Scheme, a proposed subdivision may create a lot where the lot extends into more than one zone if the lot is created to provide access to a road.

Whilst this outcome is acceptable for the current Amendment, the ultimate zoning of this part of the site will be further investigated as part of a future process which considers other similar zoning anomalies near the Urban Growth Boundary. It is premature to undertake this process until the proposed Amendment is approved, the quantum of land is known and the land is in public ownership.

**Community Consultation and Engagement**

Should authorisation to prepare the amendment be granted by the Minister for Planning, the proposed Planning Scheme Amendment will be required to undergo a standard exhibition process, including a 28-day notification period to Prescribed Ministers, potentially affected landowners and agencies. During this exhibition period the community will have an opportunity to provide comment on the Amendment.

It is relevant to note that the proposed amendment represents the further implementation of the State Government decision to move the UGB in 2010, as well as longstanding Council policy with respect to the assemblage of the Quarry Hills Regional Parkland.

The owner of the subject property negotiated the rezoning with Council officers, culminating in the drafting and finalisation of the aforementioned S173 Agreement.

**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 proposed Planning Scheme Amendment will implement planning controls to guide and deliver a coherent and logically planned residential development which is consistent with neighbouring developments. The transfer of the balance land to Council will continue the delivery of the *Quarry Hills Bushland Park Masterplan*.

The proposed Planning Scheme Amendment is generally consistent with the provisions and objectives of the Planning Policy Framework of the Whittlesea Planning Scheme as follows:

**Council Policy and Strategy**

The Quarry Hills Regional Parkland is referenced in the following Council strategies and plans:

* South Morang Local Structure Plan
* Open Space Strategy (2016)
* Green Wedge Management Plan (2023)
* Environmental Sustainability Strategy (2013)
* Quarry Hills Bushland Park Masterplan (2009) and draft Quarry Hills Parkland Future Directions Plan.

**Considerations**

**Planning Assessment**

Municipal Planning Strategy

* Clause 02.03-1 of the Whittlesea Planning Scheme (Settlement – Urban growth) seeks to protect the non-urban breaks between growth areas, to reinforce the urban growth boundary while protecting environmental assets.

*Response:* In rezoning the land, a hard border between urban and Green Wedge land is implemented with protection of the green wedge land a prime consideration.

* Clause 02.03-9 of the Whittlesea Planning Scheme (Settlement – Open space) seeks to facilitate the assembly of the Quarry Hills Regional Parkland.

*Response:* In facilitating the proposed rezoning of part of the subject site, Council will be transferred the balance of 35 hectares of land for the Quarry Hills Regional Parkland.

Planning Policy Framework

* Clause 11.01-1L of the Whittlesea Planning Scheme (Green wedge areas) seeks to define boundaries that preserve the integrity of both rural and urban areas.

*Response:* The amendment supports a natural, landscape-based boundary to urban growth, including use of identified open space, such as Quarry Hills Regional Parkland.

* Clause 11.02-3S of the Whittlesea Planning Scheme (Sequencing of development) seeks to require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport, and roads.

*Response*: If the amendment is gazetted, the payment of equivalent Development Contributions and Growth Area Infrastructure Contribution will be secured via Section 173 Agreement between Council and the landowner.

* Clause 16.01-1S of the Whittlesea Planning Scheme (Housing supply) seeks to ensure an appropriate quantity, quality and type of housing is provided.

*Response:* The proposed rezoning will facilitate 21 hectares of additional residential land in the growth area of Mernda. The preparation of a Development Plan in accordance with DPO27 will guide the delivery of high-quality residential development and neighbourhood design.

State Government Strategies

The Amendment is consistent with and implements:

* The *North Growth Corridor Plan* which identifies the urban land for residential and the non-urban land for open space as part of the Quarry Hills Regional Park.
* *Plan Melbourne* which identifies the Quarry Hills Regional Park.
* *Draft Northern Metro Land Use Framework Plan*.

**Environmental Issues**

In accordance with Ministerial Direction No.1 and Planning Practice Note 30, a Preliminary Site Investigation (PSI) in the form of a Potential for Contamination Risk Assessment report was undertaken to determine the risk of land contamination on the site. The report noted the site’s historical use for agriculture, which has a potential to contribute to contamination. In this instance the use has largely been grazing and none of the “high or medium risk” ancillary uses associated with agriculture have occurred on the site.

A Flora and Fauna Assessment has identified three River Red Gums within the urban part of 390 Masons Road. Further detailed assessment will occur during the Development Plan process, with Development Plan Overlay Schedule 27, when applied, requiring an arboricultural survey of the site and protection of River Red Gums in public open space.

**Landfill Buffer Distance**

During December 2022 theEnvironment Protection Authority (EPA) commenced exhibition of new guidelines on separation distances from industry and landfill buffers, to address the amenity impacts of odour and dust.

Council officers have identified that the proposed landfill odour buffer requirements have the potential to impact the subject sites due to their proximity to the municipal (putrescible) landfill at 55 Bridge Inn Road, Wollert. The new guidelines propose expanding the odour buffer distance from 500m to 1,500m. Currently the subject sites are clear of this expanded distance, however, future landfill expansion to the east has the potential to bring the subject sites to within the 1,000m to 1,500m range. Under the draft guidelines, such a distance between a sensitive use and a landfill would require further investigation for odour risk.

It is currently proposed that the EPA guidelines will be finalised in mid-2023 following consideration of submissions to the consultation process. Once finalised, it is intended that the guidelines will be referenced in the Victoria Planning Provisions. This would mean that planning decision makers will be required to consider the guidelines as relevant.

Council officers are working with the EPA to understand how the transition will be managed for planning processes such as this amendment. It is also likely that the Minister for Planning will form a view on when the draft guidelines are applied, and that this will inform the progress of the amendment.

The draft guidelines are subject to consultation, further deliberation, and the outcome of the process is uncertain. Given the strategic significance of this amendment it is not considered appropriate to delay the amendment process at this point.

Should the EPA process advance, any decisions or outcomes can be taken into account in subsequent phases of the amendment process. It is considered necessary, in this context, to include the operators of the Landfill in the notification of this Amendment.

**Discussion**

The proposed Amendment will facilitate the development of land located inside the Urban Growth Boundary for residential purposes, delivering on the intention of the 2010 UGB expansion and the *North Growth Corridor Plan.* The application of the Development Plan Overlay and Vegetation Protection Overlay will be consistent with the planning controls applied to neighbouring properties already under development. This will ensure a coherent and logically planned precinct.

The rezoning will also allow Council to deliver on the strategic implementation of the Quarry Hills Regional Parkland Masterplan. A further 35 hectares will be added into public ownership under the proposed amendment.

During negotiations for the rezoning, land transfer and associated S173 Agreement, the landowner requested that they be allowed to continue to use the transferred land for farming. In consultation with Council’s Parks Officers, this was approved in the interim, as the integration of the land into the Quarry Hills Regional Parkland would be subject to implementation timeframes for the Masterplan. Clauses allowing for this arrangement were included in the Section 173 Agreement executed by the landowner and Council.

**Financial Implications**

Any fees associated with the submission of the amendment for authorisation by the Minister for Planning will be paid by the proponent.

**Link to Strategic Risk**

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

If the Planning Scheme Amendment does not progress, land identified for inclusion in the Quarry Hills Regional Parkland would not be transferred to Council ownership, affecting the delivery of the Quarry Hills Bushland Park Masterplan.

**Implementation Strategy**

**Critical Dates**

If Council resolves to seek authorisation from the Minister for Planning, Council officers will lodge the amendment documents with the Department of Transport and Planning.

Pursuant to Ministerial Direction No. 15, the following timeframes apply to planning scheme amendments:

* If within 10 days business days of receiving an application for authorisation, the Minister for Planning has not notified the Council of their decision, Council may prepare the amendment without authorisation.
* Once authorisation is granted, Council is required to exhibit the Amendment within 40 days of that decision. The exhibition period is 28 days.
* Following exhibition, Council has 60 days to resolve to adopt, abandon, or refer the Amendment to an independent Planning Panel.
* If adopted, Council must advise the Minister for Planning within 10 days of that decision.

The use of the land to be rezoned for residential purposes has already been strategically identified and the amendment is largely administrative. For past amendments in Mernda West that had a similar purpose, Council has been exempted from notification.

As such, should the Minister for Planning grant authorisation, it is proposed to limit the exhibition of the amendment to owners and occupiers of properties directly adjacent to the subject land. In response to the EPA’s proposed draft buffer distances, it is also considered appropriate to notify the operators of the Landfill at 45 - 135 Bridge Inn Road, Wollert.

**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 proposed Planning Scheme Amendment to rezone the nominated portions of the subject land for residential purposes and to apply the Development Plan Overlay and Vegetation Protection Overlay is considered to be strategically sound.

The Amendment will deliver benefits in both increased housing supply and implementing the assemblage of the Quarry Hills Regional Parkland.

A Section 173 Agreement has already been entered into with the owner of the land, detailing the requirement to pay Development Contributions to fund local infrastructure, as well as an Equivalent GAIC payment to fund higher order (state or regional) infrastructure, should the Amendment be approved.

As such, this report recommends that Council resolve to seek authorisation from the Minister for Planning for preparation and exhibition of the amendment.

**5.4 Strong Local Economy**

No reports

**5.5 Sustainable Environment**

No Reports

**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**

No Reports

**9.2 Confidential Liveable Neighbourhoods**

No Reports

**9.3 Confidential Strong Local Economy**

No Reports

**9.4 Confidential Sustainable Environment**

No Reports

**9.5 Confidential High Performing Organisation**

No Reports

**9.6 Confidential Notices of Motion**

No Confidential Notices of Motion

**12 Closure**