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Agenda

Scheduled Council Meeting

Tuesday 19 March 2024 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday 19 March 2024 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 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 AM 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

Emma Appleton Director Planning & Development

Agata Chmielewski Director Community Wellbeing

Sarah Renner Director Customer & Corporate Services

Debbie Wood Director Infrastructure & Environment

Janine Morgan Executive Manager Public Affairs

Jacinta Stevens Executive Manager Office of Council & CEO

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**Note:**

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

**Question Time:**

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

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

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

The Public Question form can be downloaded from Council’s website. Refer: <https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council is committed to ensuring that all residents and ratepayers of the municipality may contribute to Council’s democratic process and therefore, if you have special requirements, please telephone 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:

Emma Appleton, Director Planning and Development;

Agata Chmielewski, Director Community Wellbeing;

Sarah Renner, Director Corporate and Customer Services;

Debbie Wood, Director Infrastructure and Environment;

Janine Morgan, Executive Manager Public Affairs; and

Jacinta Stevens, Executive Manager Office of Council and CEO.

**1.2 Apologies**

**1.3 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.”*

**1.4 Diversity and Good Governance 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.*”

**1.5 Acknowledgements**

**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 20 February 2024**

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

**4.1 Public Question Time**

**4.2 Petitions**

No Petitions

**4.3 Joint Letters**

No Joint Letters

**5 Officers' Reports**

5.1 Q2 Community Grants Update

**5.1 Q2 Community Grants Update**

**Director/Executive Manager:** Director Customer & Corporate Services

**Report Author:** Manager EPMO & Change

**In Attendance:** Manager EPMO & Change

# Executive Summary

This report is to provide an update on the grant applications in Q2 2023-2024 as part of the community grants program.

Please refer to Attachment 1 which provides an updated report for the:

1. Approved Community Grants; and
2. Funding Agreements issued to date.

# Officers’ Recommendation

**THAT Council note the:**

**1.** **Community grants overview of applications which details grants approved for funding, including Funding Agreements issued to date as referred to in Attachment 1**.

**2.** **Grant Management Steering Group approved $200,000 for another round of Community Relief for food and other essential materials (for example, baby needs, sanitation etc).**

# Background / Key Information

For the Q2 2023-2024 period (1 October 2023 to 31 December 2023), a total of 113 applications were received.

Attachment 1 highlights and details:

* The approval rate of grants for this quarter is 47%, up from 27% in the last quarter because of running community information workshops to increase awareness of the grant application process.
* Grants approved for various categories, for example individuals, small, medium and large grants.
* Four-year Funding Agreements approved for four organisations.
* Senior citizen groups that have received grant funding to date this financial year.

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

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The 2024-25 budget incorporates an allocation for Council approved grants.

Community Consultation and Engagement

During this period, the following workshops were also organised for the community:

* Thursday 5 October – Presentation to staff in Community Hubs to support their understanding of grants for community members in their area;
* Thursday 26 October – Grant Writing Workshop conducted in Epping Memorial Hall;
* Monday 30 October – Meeting with Country Fire Authority (CFA) groups regarding Smarty Grants;
* Wednesday 8 November – Senior Citizens Workshop conducted in the Great Hall;
* Tuesday 28 November – Community Grant Information Session in collaboration with CDO conducted at Kirrip Community Centre; and
* Wednesday 29 November – Grant Writing Workshop conducted at Mernda Village.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

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

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

The grant applications capture information on key target groups for the grant.

Economic

No implications.

**Legal, Resource and Strategic Risk Implications**

No implications.

# Implementation Strategy

Communication

This report outlines the community grant applications that have been approved during Q2 FY2024.

# Declaration of Conflict of Interest

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

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

# Attachments

1. Q2 Grants Overview Report [**5.1.1** - 9 pages]

5.2 Proposed discontinuance and sale of road adjoining 370 Vearings Road, Wollert

**5.2 Proposed Discontinuance and Sale of Road adjoining 370 Vearings Road, Wollert**

**Director/Executive Manager:** Director Customer & Corporate Services

**Report Author:** Property Advisor

**In Attendance:** Unit Manager Strategic Property

# Executive Summary

The purpose of this report is to seek Council’s approval to finalise the statutory procedures under the *Local Government Act 1989* and *Local Government Act 2020* for the discontinuance and sale of a section of road reserve in Kesenay Road, Wollert (Attachment 1).

The section of existing road concerned is labelled ‘A’ on the proposed model advertising plan (Attachment 2) and is part of existing Road R2 on registered plan of subdivision no. PS 805009U registered in Council’s name contained in certificate of title Volume 12329 Folio 842.

Council received a request from the owner of 370B Vearings Road, Wollert to acquire this unconstructed section of road reserve on the south western corner of Kesenay Road and Gazeas Way abutting their property in exchange for a new road reserve shown as the cross-hatched area labelled ‘B’ on the proposed model advertising plan (Attachment 2), being part of lot S3 on the same registered plan of subdivision PS 805009U, registered in the name of the owner of 370B Vearings Road, Wollert.

The proposed swap of the existing road to be discontinued for the new road reserve will be secured by a binding, unconditional and irrevocable bank guarantee in favour of Council that secures payment to Council of the full market value of the existing road to be held until the stage 3 plan of lot S3 has registered and the new road reserve is vested in Council.

Commencement of the statutory procedures for the proposed discontinuance and sale of the section of road reserve was approved by Council’s Chief Executive Officer, under delegation on 13 February 2023.The statutory procedures commenced on 16 January 2024 with public notice of the proposal being given in the Whittlesea Review newspaper and on Council’s website for the duration of the 28-day submission period.

The notice period ended on 13 February 2024 with no submissions having been received.

# Officers’ Recommendation

**THAT Council:**

1. **Note that no submissions were received in response to Council having given public notice of a proposal to discontinue the section of road reserve adjoining 370B Vearings Road, Wollert labelled as ’A’ on the proposed model advertising plan (Attachment 2).**
2. **Note that the road reserve is no longer required for road purposes.**
3. **Resolve to discontinue and sell the road reserve and publish a notice in the Victoria Government Gazette, in accordance with section 206 and clause 3(a) of Schedule 10 to the *Local Government Act 1989* and section 114 of the *Local Government Act 2020*.**
4. **Resolve that the land from the road reserve be sold by private treaty to the owner of 370B Vearings Road Wollert, pursuant to section 206 and clause 3(b) of Schedule 10 to the *Local Government Act 1989* and section 114 of the *Local Government Act 2020* in exchange for the new road reserve shown as the cross-hatched area labelled ‘B’ on the proposed model advertising plan (Attachment 2), there being an equality of exchange. It directs that any easements, rights or interests required to be created or saved over the road reserve by any public authority be done so and not be affected by the discontinuance and sale of the road reserve.**
5. **Note that the owner has agreed to pay all legal costs, disbursements and GST relating to the statutory processes undertaken by Council.**
6. **Authorise the Chief Executive Officer, or any such person to whom the Chief Executive Officer sub-delegates, to sign all documents relating to the sale of the land from the discontinued road reserve to the owner of 370B Vearings Road, Wollert and any other action required to affect the proposed land exchange.**

# Background / Key Information

Council received a request from the owner of 370B Vearings Road, Wollert for the discontinuance and sale of an unconstructed section of road reserve on the south western corner of Kesenay Road and Gazeas Way abutting their property shown hatched and marked ‘A’ on the proposed model advertising title plan (Attachment 2) in exchange for a new road reserve shown as the cross-hatched area labelled ‘B’ on the same plan , there being an equality of exchange.

The proposed swap of the section of the existing road to be discontinued for the new road reserve will be secured by a binding, unconditional and irrevocable bank guarantee in favour of Council that secures payment to Council of the full market value of the existing road to be held until the stage 3 plan of lot S3 has registered and the new road is vested in Council.

The owner of 370B Vearings Road, Wollert is seeking to acquire the land to assist in a future residential development of lot S3, has made this application and has agreed in writing to cover all costs incurred by Council in undertaking this process.

On 13 February 2023, Council’s Chief Executive Officer, under delegation, approved the commencement of the statutory processes under the *Local Government Act 1989* and *Local Government Act 2020* to discontinue and sell the unconstructed road reserve of 46 sq.m labelled ‘A’ on the proposed title plan (Attachment 2) to the owner at market value and by private treaty.

The statutory procedures commenced on 16 January 2024 with public notice of the proposal being given in the Whittlesea Review newspaper and on Council’s website for the duration of the 28-day submission period.

No submissions were received and the road reserve area of 46 sq.m is considered to no longer be reasonably required as a road or for public use.

# 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 of *Local Government Act (2020)* Principles

**Financial Management**

In accordance with section 114(c) of the *Local Government Act 2020*, Council has obtained the required valuation of the road to be discontinued and exchanged. Council’s consultant valuer has placed a value of $30,000.00 (excluding GST) on the 46 m2 of existing road to be discontinued and Council’s reasonable costs associated with undertaking the discontinuance have been estimated to be $23,054.40 (inclusive of GST).

The owner of 370B Vearings Road has agreed to acquire the existing road to be discontinued in exchange for the new road reserve (which Council’s consultant valuer has assessed its market value as $33,000.00 (excluding GST) on the 51m2 of land) and to also meet all of Council’s reasonable costs associated with undertaking the discontinuance. The owner of 370B Vearings Road will also be required to provide a binding, unconditional and irrevocable bank guarantee in favour of Council that secures payment to Council of the full market value of the existing road which will remain in place until the stage 3 plan of lot S3 has registered and the new road reserve is vested in Council. This plan of subdivision is anticipated to be registered sometime this year.

The owner of 370B Vearings Road will also be required to relocate existing APA gas mains as a condition of the proposed land exchange.

Community Consultation and Engagement

The following statutory authorities have been advised of the proposed discontinuance of the road reserve and have been asked to respond to the question of whether they have any existing assets in the road reserve, which should be saved under section 207C of the *Local Government Act 1989*:

1. Whittlesea City Council;

2. Yarra Valley Water Limited;

3. SP AusNet;

4. NBN Co VicTAS;

5. APA Networks Thomastown; and

6. Telstra Corporation.

Council’s Asset Management Team, SP AusNet and APA Networks Thomastown have advised that they do not hold any objections to the Proposal.

Yarra Valley Water Limited has advised that it has no objections to the Proposal, provided that in due course, the new owner of the discontinued road reserve satisfies Yarra Valley Water Limited’s requirements regarding relocating two water mains located within the road reserve area.

NBN Co VicTAS did not respond to Council’s correspondence regarding assets in or above the Road prior to the requested deadline. Council is proceeding on the basis that NBN Co VicTAS does not have any right, power or interest which it wishes to be saved under section 207C of the Act.

Public notice of the proposal was given in the Whittlesea Review newspaper and on Council’s website on 16 January 2024 with the submission period closing on 13 February 2024. No submissions were received.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

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

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

No implications.

Economic

No implications.

**Legal, Resource and Strategic Risk Implications**

No implications.

# Implementation Strategy

Communication

If Council resolves to discontinue the road marked ‘A’ on the proposed model advertising plan, the proposed discontinuance will be published in the Victoria Government Gazette.

Critical Dates

A notice will be published in Government Gazette to follow meeting.

# Declaration of Conflict of Interest

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

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

# Attachments

1. Location Map [**5.2.1** - 1 page]
2. Advertising Plan [**5.2.2** - 1 page]

5.3 Contract 2023-77 - Variation for Salesforce eCRM and Customer Portal Implementation

**5.3 Contract 2023-77 - Variation for Salesforce eCRM and Customer Portal Implementation**

**Director/Executive Manager:** Director Customer & Corporate Services

**Report Author:** Manager CX/DX Program

**In Attendance:** Manager CX/DX Program

This attachment has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular, the attachment contains information regarding detailed commercial in confidence cost amounts to deliver Council’s digital transformation to better serve the community.

# Executive Summary

On 7 July 2023, Council officers entered into a contract (2023-77) with Ennovative Pty Ltd (Ennovative) for the provision of a Salesforce eCRM and Customer Portal.

Between July 2023 and November 2023, a proof of concept was undertaken which enabled Ennovative to form a deeper understanding of the complexities of Council’s existing technology environment.

To fully realise the benefit to community in terms of simplification, standardisation and efficiency, it is proposed to vary the implementation time from 1 year to over 2 years and vary the contract scope to include:

1. The development of a permit issuing process to support the implementation of new Local Laws on 1 July 2024 and the ability to take upfront payments online;
2. The creation of a Youth Councillor portal (to be added to the already scoped Councillor portal);
3. The development of a module that supports proactive works (not just reactive responses to customer requests/reports/complaints);
4. The development of a debtors and rates module;
5. Some exploratory work into capturing/integrating all outbound customer communications against the customer record in Salesforce; and
6. Some preparatory work exploring whether Generative Artificial Intelligence can provide improved first contact resolution for customers and efficiencies for customer service officers.

# Officers’ Recommendation

**THAT Council:**

1. **Resolve to extend contract 2023-77 with Ennovative Pty Ltd for the provision of a Salesforce eCRM and Customer Portal until 30 June 2025 at a cost of $984,400 (excl. GST) bringing the cumulative contract value to $2,472,692 (excl. GST).**
2. **Note the Strategic Technology Reserve accommodates the CX/DX Program costs including this requested variation for the Ennovative contract.**
3. **Note the executed contract allows for contract extensions to 31 December 2025.**
4. **Note the funding arrangements detailed in the confidential attachment.**
5. **Authorise the Chief Executive Officer to execute the contract variation and approve payments to an amount not exceeding the cumulative contract value of $2,472,692 (excl. GST).**

# Background / Key Information

Council's Customer Experience/Digital Experience (CX/DX) Program is a significant transformational project to drive simplification, standardisation and efficiency for customer and community interactions.

The CX/DX Program commenced in December 2022 and has an aspirational portfolio of deliverables to embed by June 2024. The key focus areas are to:

1. Upgrade the website to a contemporary platform.
2. Upgrade the telephony platform to a cloud based ominichannel solution.
3. Migrate Service request management from Civica Authority to the Salesforce Service Cloud.
4. Migrate e-Services from Civica Authority to Salesforce Community Cloud (self-service portal).
5. Implement a Master Data Management approach that will support a single view of customer through a combination of technology, enterprise principles and governance.
6. Support the cultural transition to a customer centric organisation through customer experience standards, training, customer driven metrics and embedding "the voice of customer" in the design of council's service delivery.
7. Build a regional Customer Service hub to improve customer accessibility in our northern region of our Municipality in Whittlesea Township.

The program has made substantial progress during 2023 and early 2024 and is proving an effective vehicle for delivery.

* The new telephony platform has been delivered and is driving improved customer experience and coaching consistency across all contact centre teams.
* The new Customer Experience standards have been embedded driving First Contact Resolution and improved performance transparency.
* The Whittlesea Customer Service Hub opened in August 2023 and supports regional customers with their property planning, financial interactions and other customer service needs.
* A proof of concept for new service request management and customer self-service portal in Salesforce ran successfully and received positive feedback from customers and council staff.
* The new website platform is under development and the new menu navigation has been tested and refined with customers and the content is currently being migrated from the old to the new site.
* A post interaction feedback survey has been infield for over 12 months providing weekly feedback on key customer experience metrics to all service delivery teams driving continuous improvement.
* Council's service catalogue has been reduced to 200 main service types from over 900 through standardisation and simplication for better community navigation and resolution.

Phase 1 implementation by June 2024 will include:

1. Co-designing and implementing 200 service request workflows in Salesforce enabling the deactivation of Authority CRM.
2. Integrating Salesforce to the telephony platform for seamless omnichannel operations.
3. Automating customer and third party notifications reducing manual follow-up tasks.
4. Embedding consistent Service Level Agreements and escalation processes across all service delivery teams.
5. Activating a mobile application that supports on the spot reporting, updating and closing service requests via mobile devices (Salesforce One).
6. Replacing Authority e-Services with a customer self-service portal that integrates with our new Website and drives self-service for ~200 services.
7. Activating a payment gateway to process payments "up front" for permit applications.
8. Migrating the Knowledge Base to Salesforce, integrating with the website to support both customer facing and internal teams with intuitive service assistance.
9. Extending the current Online Planning Portal to include Post Certificate Engineering approvals.
10. Migrating the current Hard Waste booking form into the new customer portal.

The Contract Manager advises that:

* The contract provides Digital Transformation initiatives to ensure that the community can access services through a self-service digital platform.
* The contract has performed satisfactorily to date.
* A financial variation is required for an increase in scoped deliverables and an improved understanding of the cost to deliver post a Proof of Concept and Discovery phase.
* Extension options are available until 31 December 2025.
* This contract is budgeted for under the Strategic Technology Reserve budget.

The contract has performed satisfactorily to date, however, a variation is now required for delivering additional scope, providing ongoing enhancements into FY2024-25 and technical support post go live periods. Further details of the requested variation are provided in the confidential attachment.

The contractor's prices have been checked and are considered competitive.

# 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 CX/DX program delivers directly to support two Key Initiatives:

* + - Our community finds it easy to interact with Council.
    - Our decisions are informed and made in the best interest of community now and for future generations.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

Sufficient funding for this contract is available in the budget within the Strategic Technology Reserve.

**Community Consultation and Engagement**

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

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

(e) Innovation and continuous improvement is to be pursued.

(g) The ongoing financial viability of the Council is to be ensured.

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

No implications**.**

Economic

No implications**.**

**Legal, Resource and Strategic Risk Implications**

No implications**.**

# Implementation Strategy

Communication

The program has support from a change officer in the EPMO and the Public Affairs team. A communications program is under development to prepare internal and external stakeholders for the changes.

Critical Dates

The contract commenced on 1 July 2023 and the current approved end date is 30 June 2024. It is proposed that the contract is extended until 30 June 2025.

# Declaration of Conflict of Interest

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

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

# Attachments

1. CONFIDENTIAL REDACTED - 2023 77 Confidential Contract Variation Details Feb 2024 [**5.3.1** - 2 pages]

5.4 Proposed Budget 2024-25 and Proposed Community Plan Action Plan 2024-25

**5.4 Proposed Budget 2024-25 and Proposed Community Plan Action Plan 2024-25**

**Director/Executive Manager:** Director Customer & Corporate Services

**Report Author:** Unit Manager Financial Strategy & Performance

**In Attendance:** Chief Financial Officer

# Executive Summary

The purpose of this report is for Council to consider the Proposed Budget 2024-25 (the ‘Proposed Budget’, Attachment 1), and the Proposed Community Plan Action Plan 2024-25 (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 two-week period, and a Hearing of Submissions Committee of Council be established to consider submissions from the community.

# Officers’ Recommendation

**THAT Council:**

**1.** **Endorse the:**

**a)** **Proposed Budget 2024-25 and Proposed Fees and Charges Schedule at Attachment 1.**

**b)** **Proposed Community Plan Action Plan 2024-25 at Attachment 2 to be released for further community consultation on Thursday 21 March 2024 until 5pm Friday 5 April 2024.**

**2.** **Note the Proposed Budget, Proposed Action Plan and Proposed Fees and Charges Schedule will be made publicly available for review via the City of Whittlesea’s online engagement platform engage.whittlesea.vic.gov.au, Council’s customer service centres and libraries.**

**3.** **Note officers will proactively seek and promote opportunities for public feedback on the Proposed Budget and Proposed Action Plan during the consultation period including community pop up sessions across the municipality.**

**4.** **Note in developing the proposed Budget and Action Plan engagement was undertaken in the second half of 2023, and in accordance with Council’s engagement policy.**

**5.** **Resolve to establish a Hearing of Submissions Committee comprising of Chair Administrator Wilson and Administrator Zahra for the purpose of hearing two minute verbal submissions from community members relating to the Proposed Budget and/or Proposed Action Plan on 6 May 2024 at 6pm in the** **Council Chamber at Civic Centre, 25 Ferres Boulevard, South Morang.**

**6.** **Note the Hearing of Submissions Committee will provide recommendations, based on written and verbal submissions, to Council at its Scheduled Council Meeting on Tuesday 21 May 2024.**

# Background / 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 2024-25 Council will spend $422.71 million to deliver community services and invest in essential new infrastructure. This includes a $107.5 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.

As at December 2023 quarter inflation was 4.1%, 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 challenges. To ensure our financial sustainability, officers have proactively identified significant operational savings in the development of the budget.

Additionally, Council has continued 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.

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 continued it’s significant funding for community grants to foster community connection, wellbeing, vibrant events and provide tangible support for local volunteers at an amount of $2.69 million.

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 13.8% by 2028; 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 2.75 per cent in line with the Victorian Government’s Fair Go Rates System.

Determining how much each property pays involves determining the total amount of rate revenue required and dividing this across the total value of all properties in the municipality to establish a rate in the dollar. The rate in the dollar is then applied to each individual property’s value to calculate its rates.

Council is cognisant of cost pressures on individuals and businesses and despite higher inflation rates of 4.1% as at the December 2023 quarter, Council will not be seeking a variation to the rate cap for the 2024-25 year and is proposing to increase the majority of non-statutory fees and charges by no more than 2.75 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.

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 2024-25 to continue to subsidise waste charges by 22.8% at a cost of $1.86 million.

Waste charges in 2024-25 are proposed to increase by 20% or $36.60 per household which will mean a total charge of $219.90 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 $89.40, Council proposes to charge $14.20 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 $267.30 with a subsidised landfill levy of $19.80. This provides for a weekly garbage and fortnightly recycling kerbside collection.

The City of Whittlesea is working towards implementing the Minister’s Good Practice Guidelines for Local Government Service Rates and Charges, whilst understanding the implication of these guidelines on future annual budgets.

**Budget Highlights**

Key highlights from Council's Proposed Budget include:

* Operating revenue of $458.44 million (including developer contributions, non-monetary assets and non-recurrent capital grants).
* Operating expenditure of $315.21 million.
* Adjusted underlying deficit of $13.71 million (excluding developer contributions, non-monetary assets and non-recurrent capital grants). Council anticipates being in a surplus position once reserve funding for operating expenditure is taken into consideration.
* Continue investing in essential services for our community such as:
  + Waste, recycling and environment $38 million.
  + Family, children, youth and aged services $25 million.
  + Parks and open space $22 million.
  + Roads and footpaths $20 million.
  + Supporting local business and communities $16 million.
  + Leisure, recreation and community facilities $10 million.
* Continue building and maintaining essential roads and infrastructure and investing in new facilities such as libraries, community activity centres, parks and playgrounds.
* Increase community emergency resilience and preparedness, including at-risk people and communities.
* Improve access to Prevention of Violence Against Women programs, services, and resources, including among culturally and linguistically diverse community groups.
* Continue to collaborate with partners to advocate and prevent gambling harm.
* Partner with community housing organisations to plan and commence delivering affordable homes on Ashline Street, Wollert.
* Encourage and promote active travel through the production of maps and improved signage.
* Investigate the need for supporting businesses to undertake inclusive recruitment and employment.
* Continue to deliver a Work Ready volunteer program for qualified and newly arrived migrants.
* Develop and implement a waste diversion plan.
* Continue to Implement the Gender Equality Action Plan to ensure a safe and equal workplace and progress towards becoming an Employer of Choice.

**Capital Works**

Our Proposed Budget delivers a focused $107.5 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:

* Commence construction of the Regional Sports Precinct.
* Continue the construction of the Granite Hills Major Community Park.
* Complete the construction of the Aboriginal Gathering Place.
* Continue the construction of Patterson Drive community activity centre in Donnybrook.
* Complete design and commence construction of West Wollert Community Centre.
* Continue the upgrade of Peter Hopper Lake in Mill Park.
* Commence construction of the Doreen Splash Park and Playground.
* Delivery of local road restoration and resurfacing.
* Ongoing programs to upgrade playgrounds and landscaping.

**Proposed Community Plan Action Plan 2024-25**

The Proposed Action Plan comprises 59 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.

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

Under the *Local Government (Planning and Reporting) Regulations 2020*, Council is setting targets for four service performance indicators:

1. G2 - Governance – Consultation and engagement
2. SP2 - Statutory Planning – Service standard
3. R2 - Roads – Condition
4. WC5 - Waste management – Waste diversion

And four financial indicators:

1. E2 - Financial efficiency – Expenditure
2. S1 - Financial stability – Rates concentration
3. L1 - Financial liquidity – Working capital
4. O5 - Financial obligations – Asset renewal

In setting these 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, providing a link between the budget and the annual 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, 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 enabler to plan and manage Council’s financial sustainability. The Proposed Action Plan articulates the key actions Council prioritises for delivery in the financial year 2024-25; it serves the purpose of specifying the program of work with a view towards implementing the Community Plan 2021-2025 effectively.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The cost is included in the current budget.

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 2024-25 is the last year of the Community Plan 2021-2025 and draws on this community feedback.

Throughout July-August 2023 Council asked the community to tell us what was important to them to help shape the 2024-25 Budget and Community Plan Action Plan. More than 500 people shared their thoughts both online and at 14 community-based pop-ups.

Our community told us their priorities were health services, roads, public safety, sports and recreation facilities, education and learning opportunities, waste management, community facilities, events/arts and festivals, affordable housing, access to local shops, shared use paths, biodiversity, support for local businesses, climate change, and local employment.

We again checked in with the community during September and October to confirm the priorities identified.

The feedback from both these phases of consultation has been used to help shape the Proposed Budget and Proposed Action Plan.

Following Council endorsement, we will be conducting a further check-in with the community to ensure the resultant Proposed Budget and Proposed Action Plan aligns with community priorities. The community will be invited to lodge formal submissions between Thursday 21 March 2024 to Friday 5 April 2024.

A Hearing of Submissions Committeeof 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 Hearing of Submissions Committee may make recommendations to Council at the Council Meeting on Tuesday 21 May 2024.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

(g) The ongoing financial viability of the Council is to be ensured.

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations (including Climate Emergency)

The Proposed Budget and the Proposed Action Plan prioritises the City of Whittlesea’s key actions in the environmental space for the financial year 2024-25, 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 2024-25.

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 2024-25.

**Legal, Resource and Strategic Risk Implications**

No implications.

# 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 and Proposed 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.

The Hearing of Submissions 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 July-August 2023 and September-October 2023.
* Council to consider the Proposed Budget and Proposed Action Plan to be released for further community consultation at Council Meeting on Tuesday 19 March 2024.
* Consultation is proposed from Thursday 21 March 2024 to Friday 5 April 2024, 5pm.
* The Hearing of Submissions Committee will meet to consider community feedback and submissions on Monday 6 May 2024.
* The Budget 2024-25 and the Community Plan Action Plan 2024-25 will be considered for endorsement by Council at a Council Meeting to be held on Tuesday 21 May 2024 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.

# Attachments

1. Proposed Budget 2024-25 [**5.4.1** - 102 pages]
2. Proposed Community Plan Action Plan 2024-25 [**5.4.2** - 7 pages]

5.5 Ageing Well Service Opportunities

**5.5 Ageing Well Service Opportunities**

**Director/Executive Manager:** Director Community Wellbeing

**Report Author:** Manager Ageing Well

**In Attendance:** Manager Ageing Well

# Executive Summary

The purpose of this report is to seek endorsement for Council to become an approved provider of the Commonwealth Government’s Home Care Packages Program for older people.

Council currently delivers the Commonwealth Home Support Program (CHSP) which provides basic, entry level services. The Home Care Packages Program provides tailored support for older people with more complex needs than those receiving support through CHSP.

It is prudent and timely for Council to become a Home Care Package (HCP) provider to:

1. Offer continuity of care for clients who currently need to change providers once they require a higher level of care than that provided by CHSP delivered by Council.
2. Meet the higher care needs of existing clients who have refused a HCP because they prefer to remain with Council as their preferred provider.
3. Expand Council’s ability to deliver enhanced and innovative service offerings for older residents in the municipality by July 2025 in line with commencement of the updated Support at Home Program.
4. Receive enhanced levels of support from the Commonwealth Government to adapt and evolve Council’ services in response to aged care reforms.

If Council becomes a HCP provider, the CHSP program will continue to be delivered. Together with the HCP program (until its transition to the Support at Home Program) it will enable Council to provide a comprehensive suite of in-home care and services to support older adults to remain independent for as long as possible.

Local government authorities are exempt from being assessed by the Aged Care Quality and Safety Commission for suitability to become a HCP approved provider. Council will only be required to submit a notification of the intention to provide HCP.

# Officers’ Recommendation

**THAT Council endorse the submission of a notification to the Aged Care Quality and Safety Commission for Council to become an approved provider of Home Care Packages for older adults.**

# Background / Key Information

**Current aged care services delivered by Council**

Council currently delivers the following services for older residents as part of the Commonwealth Home Support Program (CHSP):

|  |  |
| --- | --- |
| * Social Support Individual | * Social Support Groups |
| * Domestic Assistance | * Centre based respite |
| * Personal Care | * Home Maintenance |
| * Delivered Meals | * Home Modifications |
| * Allied Health & Therapy | * Flexible Respite |

Once a person requires a higher level of support at home than the entry-level CHSP, they transition to a Home Care Package (HCP). A challenge for Council’s CHSP clients is that once they transition to a HCP they must change providers.

**Aged Care Reform**

The Commonwealth Government has been implementing a multi-year reform of the aged care system since 2021.

A key element of the reform impacting Council will be the transition of the CHSP program that Council delivers to a new single Support at Home Program.

The Commonwealth Government has recently announced that CHSP will not transition to the new Support at Home Program before 1 July 2027. Home Care Packages (HCP) and Short-Term Restorative Care (STRC) will transition from 1 July 2025, two years earlier than CHSP.

For CHSP only providers such as Council, these key reforms constitute significant governance and operational changes that will come into effect before transitioning to the new Support at Home Program.

However, a new Aged Care Act and Strengthened Aged Care Quality Standards are scheduled to take effect from 1 July 2024 which will require all providers at all levels of care to be nationally registered based to provide funded aged care services. Despite only providing entry level care, Council will need to make the same governance and operational changes at the same time as HCP providers.

Additionally, Council officers anticipate that further operational changes will come into effect with the introduction of the Support at Home Program of which the details are currently unknown. This will give HCP providers a competitive advantage over CHSP providers who won’t be transitioning to the new Support at Home Program until two years later.

**Community Benefits**

The key community benefit of Council becoming a HCP provider is continuity of care for clients. Currently Councils’ CHSP clients must change providers once they require a higher level of care and transition to a Home Care Package.

As illustrated in **Table 1**, of the 1,133 clients discharged from Council’s CHSP service in 2023, 30% (323) of discharges were clients who moved to Home Care Packages.

Anecdotal evidence suggests that approximately the same number of clients refused a Home Care Package despite their eligibility so that they could continue to receive services from Council. The reasons are that Council is their preferred provider and/or for continuity of care.

If Council provides HCP’s, clients will be able to continue to receive services from Council and receive a higher level of care once they require it. Clients will also have access to an extended range of care services in their homes, as well as care management if required.

**Table 1**

**The process of becoming a HCP provider**

Local government authorities are deemed Government organisations under section 63B (2) of the *Aged Care Quality and Safety Commission Act 2018* which means they are exempt from being assessed by the Commission for suitability when becoming an approved HCP provider. However, they are required to submit a notification (Attachment 1) to provide aged care.

Once this notification has been received and the organisation is taken to be an approved provider, it must meet the regulatory responsibilities of an approved provider as set out in the Aged Care Act, Commission Act, *Aged Care Quality and Safety Commission Rules* 2018 (Commission Rules) and associated principles.

Completion of the notification to provide aged care will require Council to nominate key personnel. Key personnel will be required to make a declaration verifying they comprehend and agree to their duties and obligations, submit national police check and statutory declaration form. Key personnel include governing persons, executive management and other persons who are likely to be responsible for the day-to-day operations of the funded aged care services.

# Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**High Performing Organisation**A key direction in Council’s High Performing Organisation Strategy 2023-2028 is driving better community outcomes. Becoming a HCP provider will facilitate the provision of more tailored and needed services to keep older adults independent for as long as possible in their own homes.

This also aligns with the overarching governance principles in the *Local Government Act 2020* which outlines the importance of achieving the best outcomes for the community.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The cost of delivering HCP is full recoverable from the Commonwealth Government. The funding covers the cost of the care service as well as any costs associated with managing the HCP for the client.

The introduction of HCP will be paced and scaled to ensure no additional cost to Council.

Community Consultation and Engagement

The proposal presented in this report draws on Council’s discharge data and client feedback and consultation received through the Ageing Well Experience Survey and Client Journey Mapping outlined in the Social, Cultural and Health section of this report.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

(b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Public Transparency Principles

N/A

# Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

Feedback received in the 2023 Ageing Well Customer Experience Survey and consumer focus groups undertaken as part of a Client Journey Mapping process indicated that client experience of services and on delivery of services could be enhanced through the provision of more tailored services to address individual assessed needs. Currently CHSP services are geared to provide basic entry level services compared to HCP where services can be tailored around client complexity levels.

Community members can continue to receive services from Council as they transition from CHSP services to HCP. They will have more access to enhanced service offerings such as care management and an extended range of services.

Economic

Becoming a HCP provider will enable Council to test fee for service models at a scale commensurate with Council’s capacity and capability. Council would have options to pace growth and commence delivery on an incremental basis and/or stage activation of HCP subject to financial modelling, recruitment to key roles and establishment of key processes/systems. Unit pricing for HCP services is higher than for the same services under CHSP and Council is in control of the number of clients that are accepted into the service.

**Legal, Resource and Strategic Risk Implications**

***Implications of not becoming an approved Home Care Package provider***

If Council does not become a HCP provider and continues delivering CHSP only, it is not certain how the new single assessment and referral process may impact the number of referrals Council receives. Preference may go to providers who provide both CHSP and HCP.

Provider governance obligations under the new Aged Care Act will be the same for all providers, however, Council will not be engaged in the process of development and roll-out

of changes. Approved HCP providers have more opportunity to engage with the Commonwealth Government and adapt to changes earlier.

***Responsibilities of approved Home Care Package providers***

As government organisations (under section 63B (2) of the *Aged Care Quality and Safety Commission Act 2018*), local governments are exempt from being assessed by the Aged Care Quality & Safety Commission for suitability when becoming an approved provider. Council would be required to submit a notification to provide aged care. Once this notification is received and Council is an approved provider, it must meet the regulatory responsibilities of an approved provider as set out in the Aged Care Act, Commission Act, *Aged Care Quality and Safety Commission Rules* 2018 (Commission Rules) and associated principles.

If Council does not become a HCP provider and continues delivering CHSP only, the likely impacts are:

* Uncertainty with the Single Assessment and referral process – it will impact on the number of referrals received as preference may go to HCP providers who will be first to transition to the Support at home program
* Council lagging behind HCP providers in relation to value proposition/modelling of the service delivery
* Council not being engaged in the process of development and roll out of the Support at Home program

Changes to the process for registering as a HCP provider in the future are unknown at this stage.

# Implementation Strategy

Communication

Subject to the outcome of the notification process, an implementation and communications plan will be developed to ensure Council communicates that it is a HCP provider to key stakeholders and the community. If successful in becoming a HCP provider Council officers will:

* Ensure a HCP outlet is created in My Aged Care
* communicate this information to the assessment bodies (initially the Aged Care Assessment Service and then the Single Assessment Agency when it becomes operational)
* Advise current CHSP clients of the change in status
* Undertake a marketing campaign in line with the capacity of the program to accept and support HCP clients

Critical Dates

Council would need to notify the Aged Care Quality and Safety Commission notification of its intention to provide aged care before the new Aged Care Act comes into effect on 1 July 2024.

Registration to become a HCP provider will change over time, and it is unknown what this will be.

Delaying becoming a HCP provider provides a risk to Council of lagging behind HCP providers in relation to value proposition/modelling of service delivery, new registration obligations and statutory requirements.

March – April 2024

The Department of Health will undertake a deeming process over the next couple of months. Definitive dates have not been provided. Through this process all current providers of Commonwealth funded aged care services will be deemed into the Support at Home for the services that they are currently registered in. If Council is not a registered HCP provider prior to the deeming, Council will be required to register as a HCP provider under the new (yet unknown) process.

# Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020*officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.  
  
The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

# Attachments

1. HCP govt organisation form [**5.5.1** - 19 pages]

5.6 Sport Fair Access Policy

**5.6 Sport Fair Access Policy**

**Director/Executive Manager:** Director Community Wellbeing

**Report Author:** Coordinator West Community Hubs

**In Attendance:** Acting Manager Active & Creative Communities

# Executive Summary

This report seeks Council endorsement to release the draft City of Whittlesea Fair Access Policy (the Policy) for stakeholder and community consultation.

The draft Policy responds to the [Fair Access in Sport Policy Roadmap](https://haveyoursay.portphillip.vic.gov.au/download_file/view/5986/2173) developed by the Victorian [Office for Women in Sport and Recreation](https://sport.vic.gov.au/our-work/participation/women-and-girls-sport/office-women-sport-and-recreation) to support gender equitable access and utilisation of community sports infrastructure in Victoria.

The Roadmap directive is that from 1 July 2024, all Victorian councils will need to have endorsed gender equitable access and use policies to be considered eligible to receive Victorian Government sporting infrastructure funding.

The draft Policy applies to community sports facilities where Council is the owner, land manager and/or operator of the facility.

# Officers’ Recommendation

**THAT Council:**

1. **Endorse the draft Fair Access Policy at Attachment 1 to be released for stakeholder and community consultation for the period 20 March 2024 to 30 April 2024.**
2. **Resolve to refer the draft Fair Access Policy to the Youth Council for feedback prior to the final Policy coming back to Council for adoption.**
3. **Note that to meet the Victorian Government’s community sporting infrastructure funding eligibility timeframe of 1 July 2024, the Fair Access Policy will be presented to Council for formal adoption at its 18 June 2024 Council meeting.**
4. **Note a Fair Access Roadmap and Action Plan will be developed over the coming months in consultation with key stakeholders to operationalise the Fair Access Policy.**

# Background / Key Information

Sport participation has important individual and community benefits, including physical and mental wellbeing and creating a sense of belonging and connection with community.

The 2023 State of Play survey undertaken by the Office of Women in Sport and Recreation found that 90% of Women and 66% of men believe gender equity in sport is still an issue that needs to be addressed.

Sport participation in the City of Whittlesea reflects broader trends of lower participation by individuals identifying as female. The *Sport Participation Trends Across Victorian Local Government Areas* *2019-2021* report outlines that the City of Whittlesea is ranked 73 out of 79 local government areas for women and girl’s participation in organised sport.

Higher participation rates are evident in sports traditionally undertaken by women and girls, including calisthenics, softball and athletics. Across several sports, female participation in the City of Whittlesea in 2023 was significantly lower than male participation and lower than state averages, including:

* Australian Rules Football 16.91% (AFL Victoria 17%)
* Football 15.44% (Football Victoria 21%)
* Cricket 11.39% (Cricket Victoria 27%)
* Basketball 34.7%

**Victorian Government Fair Access Policy Roadmap**

The Victorian Government has developed a Fair Access Policy Roadmap to support gender equitable access and use policies in place for community sports infrastructure. It is designed for local governments, sport and recreation organisations and other groups which manage publicly owned community sports infrastructure.

The Fair Access Policy Roadmap aligns with Victoria’s *Gender Equality Act 2020* and aims to ensure that women and girls can fully participate in and enjoy the benefits of community sport, with fair opportunity and access to their local facilities.

Gender equitable access and use policies are required to be endorsed by Victorian councils by 1 July 2024 in order to have continued eligibility for Victorian Government sports infrastructure funding.

**Guiding Principles**

The directive for the Fair Access Policy Roadmap is that “females receive a fair share of access to the highest quality facilities at the best and most popular times. Usage policies need to consider not just competition time, but training times, and the distribution between traditional competition and other participation opportunities, as well as different sports.”

In consultation with representatives from local government and the sport and recreation sector, the Victorian Government has developed six Fair Access Principles to guide policy development:

1. Community sports infrastructure and environments are genuinely welcoming, safe, and inclusive.

2. Women and girls can fully participate in all aspects of community sport and active. recreation, including as a player, coach, administrator, official, volunteer and spectator

3. Women and girls will have equitable access to and use and use of community sport infrastructure.

4. Women and girls should be equitably represented in leadership and governance roles.

5. Encourage and support all user groups who access and use community sport infrastructure to understand, adopt and implement gender equitable access and use practices.

6. Prioritise access, use and support to all user groups who demonstrate an ongoing commitment to gender equitable access and use of allocated community sport infrastructure.

**Council Obligations**

The draft Fair Access Policy (the draft Policy) formalises Council’s commitment to gender equality outcomes in sport and recreation planning, policy development, service delivery, facility allocation and programming.

The draft Policy applies to community sports facilities where Council is the owner, land manager and/or operator of the facility.

The City of Whittlesea Fair Access Policy and subsequent action plans will:

* Guide future sporting infrastructure development with a focus on access for all.
* Provide safe inclusive spaces within sporting clubs were everyone feels welcomed.
* Incorporate fair access principles into Council policies and strategies.
* Comply with the *Gender Equality Act 2020,* and the broader Victorian gender equality strategy and action plan 2023 – 2027.

Council acknowledges:

* The disadvantaged position some individuals have had in the sport and recreation sector because of their gender.
* That achieving gender equality will require diverse approaches for women, men, trans and gender diverse people to achieve similar outcomes for people of all genders.

Council will:

* Engage fairly and equitably with all staff, governance working groups, state sporting organisations, regional sport assemblies (where applicable) and members of our sport and recreation community, regardless of their gender, in a positive, respectful, and constructive manner.
* Engage in the process of Gender Impact Assessments to assess the implications for women, men, trans and gender diverse people of any planned action, including policies and communications. This is a strategy for making all voices, concerns and experiences an integral dimension of the design, implementation, monitoring of policies and programs.
* Review and update Lease and License and Service Level Agreements and incorporate fair access practices and principles where applicable.
* Undertake actions outlined in the City of Whittlesea Fair Access Roadmap.

Council officers will provide support, education and training for sporting clubs around equity and participation requirements, responsibilities and safe environments, as well as how to undertake gender audit and develop Gender Equity Action Plans.

**Sporting Club Obligations**

The draft Policy requires sporting clubs to undertake gender equity audits and develop gender equity action plans to increase sport participation by women and girls as players, coaches and committee members.

Sporting Clubs are required to:

* Outline how they comply with the Fair Access Policy as part of the seasonal or annual application process based on consultation with club members.
* Undertake a Gender Equity Audit in consultation with Council Officers.
* Incorporate actions developed through the Gender Equity Audit to develop an action plan and report annually on progress.
* Work with sporting associations to ensure fixtures comply with the Fair Access Policy.
* Comply with the Fair Access action plan timelines to ensure ongoing access to ground allocations, and infrastructure.

Sporting clubs will be required to report to Council annually on how they are responding to the Fair Access Policy and report on implementation of their Gender Equity Action Plans. Sporting clubs that cannot demonstrate progress will not receive priority for ground/facility allocations, capital works projects, funding or subsidies for facility allocations.

# 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.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The cost of implementing the Fair Access Policy is included in Council’s existing budget.

Community Consultation and Engagement

Council officers will engage with sporting clubs, sporting associations and the community over a four-week period following Council endorsement of the draft Fair Access Policy, as follows:

1. Correspondence will be sent to all sporting clubs using Council-owned or managed facilities and state sporting associations. The correspondence will detail requirements to meet the State Government directive, impact of non-conformance on infrastructure funding and potential actions that will promote safe, equitable and healthy sporting clubs for all.
2. An information session will be delivered for impacted sporting clubs and state sporting associations in April 2024 detailing support to be provided to sporting clubs by Council and actions required to be undertaken by clubs and sporting associations.
3. Community consultation will be undertaken through user and non-user surveys, information booths at community events and direct correspondence to established networks.

The final Fair Access Policy will be informed by stakeholder and community consultation and be presented for Council endorsement at the 18 June 2024 Council meeting.

For sport infrastructure which is not owned or managed by Council, such as commercial sporting facilities or private clubs, the Office for Women in Sport and Recreation will consult with and support relevant State Government departments in education and training.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

(b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Public Transparency Principles

(c) Council information must be understandable and accessible to members of the municipal community.

# Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

The Fair Access Policy Roadmap has been developed to address one of six recommendations from the independent Inquiry into Women and Girls in Sport and Active Recreation commissioned by the Victorian Government in 2015.

The report identified extensive gender inequality in Victorian sports and recreation participation and leadership in a sector that is predominantly male-centric and dominated.

The draft Fair Access Policy links the requirements of the *Gender Equality Act 2020* with cultural and operational levers for change, to ensure that community members identifying as women and girls in the City of Whittlesea can fully participate in and enjoy the benefits of community sport, with fair opportunity and access to their local facilities.

Economic

No implications.

**Legal, Resource and Strategic Risk Implications**

Financial Sustainability - Inability to meet current and future expenditure

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

From 1 July 2024, Victorian councils are required to have an endorsed gender equitable access and use policy to remain eligible for Victorian Government funding for community sports infrastructure.

# Implementation Strategy

Communication

Once the final Fair Access Policy is endorsed by Council, Council’s existing channels will be used to inform the community and key stakeholders. The initial communication roll out will include written communication to established networks and Government partners and in person information sessions with sporting clubs and associations.

Critical Dates

1 July 2024: All councils required to have an endorsed Fair Access Policy to continue to be eligible for Victorian Government sports infrastructure funding.

# Declaration of Conflict of Interest

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

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

# Attachments

1. Fair Access Policy [**5.6.1** - 7 pages]

5.7 Award of Tender - 2023-73 Management and Operation Mill Park Leisure, Thomastown Recreation and Aquatic Centre and Whittlesea Swim Centre

**5.7 Award of Tender - 2023-73 Management and Operation of Mill Park Leisure, Thomastown Recreation and Aquatic Centre and Whittlesea Swim Centre**

**Director/Executive Manager:** Director Community Wellbeing

**Report Author:** Coordinator Leisure Contracts

**In Attendance:** Acting Manager Active & Creative Communities

 This attachment has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the attachment contains information regarding confidential commercial arrangements. As well as on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—  
(i) relates to trade secrets; or  
(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

# Executive Summary

This report presents the evaluation of two tender submissions received for Contract 2023-73, Management and Operation of Mill Park Leisure, Thomastown Recreation and Aquatic Centre and Whittlesea Swim Centre.

The tender evaluation panel advises that:

* Two tenders were received.
* The recommended tender was the highest ranked.
* Collaborative tendering was not undertaken in relation to this procurement because it relates to a unique need for the City of Whittlesea.

# Officers’ Recommendation

**THAT Council:**

1. **Resolve to award the following contract to Belgravia Leisure:**

**Number: 2023-73**

**Title:** **Management and Operation of Mill Park Leisure, Thomastown Recreation and Aquatic Centre and Whittlesea Swim Centre**

**Cost:** **A net guaranteed sum return of $6,349,479 (excluding GST)**

**Term: 1 July 2024 to 30 June 2029**

1. **Confer delegation on the Chief Executive Officer to sign and execute the contract on behalf of Council, and to authorise optional contract extensions, subject to satisfactory performance of Belgravia Leisure, on behalf of Council subject to the following conditions:**
2. **The contractor providing contract security and proof of currency for insurance cover as required in the tender documents.**
3. **Price variations to be in accordance with the provisions as set out in the conditions of contract.**
4. **Approve the financial arrangements for contract 2023-73 Management and Operation of Mill Park Leisure, Thomastown Recreation and Aquatic Centre and Whittlesea Swim Centre detailed in Confidential Attachment 1.**
5. **Endorse the establishment of a new ‘Aquatic and Leisure Centre Capital Improvement Reserve’. The Reserve will comprise Council’s share of any operational surplus received from Contract 2023-73 and will be used to fund capital expenditure at Council’s aquatic and leisure facilities.**

# Background / Key Information

The purpose of this contract is for the Management and Operation of Mill Park Leisure, Thomastown Recreation and Aquatic Centre and Whittlesea Swim Centre.

These three facilities provide the City of Whittlesea community and visitors with opportunities to participate in a range of high quality, inclusive, innovative, and safe aquatic, recreation and wellness programs and services where health and wellbeing outcomes are maximised.

The current contracts, one for Thomastown Recreation and Aquatic Centre and another for Mill Park Leisure and Whittlesea Swim Centre, commenced during Covid closures and the reopening of Mill Park Leisure. These contracts come at a cost to Council of $782,204 across the contract terms, excluding variations and profit share.

Tenders for the contract closed on 5 December 2023. The tendered prices and a summary of the evaluation are detailed in Confidential Attachment 1.

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

A Tender Probity and Evaluation Plan was designed specifically for this tender process and was authorised by the CEO prior to this tender being advertised. All tenders received were evaluated in accordance the Plan.

An external Probity Advisor was appointed by Council to oversee the evaluation process to ensure that the evaluation was completed in accordance with the Tender Probity and Evaluation Plan and to ensure probity requirements were met.

The evaluation involved scoring of conforming and competitive tenders according to pre-determined criteria and weightings:

* Price 30%
* Capability 20%
* Capacity 45%
* Sustainability 5%

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

Only tenders that were conforming and competitive were fully scored. No tender submissions were evaluated as non-conforming or not sufficiently competitive.

The evaluation outcome was as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Tenderer** | **Conforming** | **Competitive** | **Score** | **Rank** |
| Tenderer A  Belgravia Leisure | Yes | Yes | 88 | 1 |
| Tenderer B | Yes | Yes | 85.2 | 2 |

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

# Considerations of *Local Government Act (2020)* Principles

Financial Management

Council will receive a net guaranteed sum return of $6,349,479 over FY2024-25 to   
FY2029-30, equating to approximately $1.2 million per financial year.

If the forecast budget, as detailed in the Contract, is not achieved, the cost will be borne by Belgravia Leisure.

If the budget is exceeded the surplus will be shared between Council and Belgravia leisure at a 50%-50% split.

Community Consultation and Engagement

Community consultation and engagement was not required for this item as it relates to confidential commercial arrangements and contractual obligations.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

1. Council decisions are to be made and actions taken in accordance with the relevant

law.

Public Transparency Principles

1. Council decision making processes must be transparent except when the Council is

dealing with information that is confidential by virtue of the *Local Government Act* or

any other Act.

# Council Policy Considerations

Environmental Sustainability Considerations

Appropriate operational systems will ensure Council’s assets are maintained to deliver quality facilities which maximise community participation and satisfaction. Energy-efficient practices, waste reduction, and eco-friendly programs will be adopted.

Belgravia Leisure’s sustainability team will complete light (lux) assessments, power use audits, sustainability audits (certified Green Impact auditor on staff) to ensure that the buildings, the operations teams and the customers activities within each facility are all working together to achieve the best outcomes for sustainability and reduction of emissions.

Social, Cultural and Health

Leisure centres provide important opportunities for the community to be connected, active and supported to improve their health and wellbeing. They provide affordable, accessible, equitable and inclusive opportunities to the community with inclusive programs focussing on vulnerable cohorts.

Delivery of social, cultural and health benefits are a key component of the contract. Measurable targets will be set related to equity, access and inclusion, participation, health and wellbeing with a focus on specific cohorts, for example, older adults, people with a disability, females, children, youth, LGBTQIA+ and people from Culturally and Linguistically Diverse (CALD) backgrounds.

Belgravia Leisure will partner with community organisations and Council to ensure strategic alignment and collaboration on programs.

Economic

Belgravia Leisure employs over 300 employees, with 66% residing in the City of Whittlesea.

Aquatic and leisure facilities contribute economic benefit by decreasing levels of acute and chronic illness.

**Legal, Resource and Strategic Risk Implications**

No implications.

# Implementation Strategy

Communication

Council’s channels will be used to inform the community about the new contract as part of ongoing promotion of the aquatic and leisure centres.

Critical Dates

The initial contract term will commence on 1 July 2024 and end on 30 June 2029.

Options are available to Council to extend the contract for up to three years post the expiry of the initial contract term. A report will be presented to Council before exercising any extensions.

# Declaration of Conflict of Interest

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

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

# Attachments

1. CONFIDENTIAL REDACTED - Attachment 2023 73 Confidential Tender Evaluation Summary [**5.7.1** - 5 pages]

5.8 Regional Sports Precinct - Stadium and Outdoor Netball Courts

**5.8 Regional Sports Precinct - Stadium and Outdoor Netball Courts**

**Director/Executive Manager:** Director Infrastructure & Environment

**Report Author:** Manager Priority Projects/Active & Creative Communities

**In Attendance:** Manager Priority Projects/Active & Creative Communities

# Executive Summary

The purpose of this report is to present the concept design for the Regional Sports Precinct at Mernda for endorsement and outline the proposed approach for delivery and funding of the stadium and outdoor netball courts precinct.

In line with the July 2022 Council report, a staged delivery of the Regional Sports Precinct is proposed to maximise external funding opportunities; reduce the financial and delivery impact on Council’s operating environment; and better position Council to ensure it can continue to invest in capital projects across the municipality.

# Officers’ Recommendation

**THAT Council:**

**1.** **Note the progress of the Regional Sports Precinct design of the stadium and netball courts since Council’s adoption of the business case at its meeting of 18 July 2022.**

**2.** **Approve the Regional Sports Precinct stadium and outdoor netball court concept design (Attachment 1), which proposes to deliver, four indoor multipurpose courts, up to eight outdoor netball courts (pending the outcome of a future tender process), car parking, landscaping, wetland and associated infrastructure.**

**3.** **Acknowledge Netball Victoria and Basketball Victoria in contributing to the development of the Regional Sports Precinct stadium and netball courts concept design.**

**4.** **Note officers will commence a public tender process for an early works package including the benching of site, removal of rock, retaining walls, construction of car park and earth berming to the southern corner to form the wetlands water retention zone.**

**5.** **Note in accordance with Council’s resolution of 18 July 2022, a community stakeholder group has been established to test our design operationally as we progress to detailed design.**

**6.** **Note the Request for Tender process and Officer recommendation for the early works construction contract award, will be presented to Council at its scheduled August 2024 meeting for approval.**

# Background / Key Information

**Background & Context**

A significant amount of planning, research, options analysis and community and stakeholder consultation has been undertaken over the past ten years to ensure a sports court, aquatic and leisure facility in Mernda meets community needs and expectations and that Council’s investment delivers maximum community benefit.

In July 2022, Council endorsed a business case that was prepared by external consultants Deloitte (with input from other external experts) to provide Council with a robust and independent project assessment.

The business case specifically proposed a staged delivery, which prioritised the construction of the indoor and outdoor sports courts due to community demand for courts already far exceeding capacity. The Whittlesea Netball Basketball Plan, 2019 (WNBP) found that there is a significant shortage of suitable indoor and outdoor sports courts in the municipality with approximately half of registered netball and basketball players having to leave the City of Whittlesea to participate in their sport. In Mernda and Doreen specifically, the WNBP identified that an additional 13 indoor courts and up to 18 floodlit outdoor netball courts are required to meet recommended facility provision ratios. The Regional Sports Precinct will significantly increase much-needed netball and basketball participation opportunities.

Since the business case adoption, Council has engaged the service of Donald Cant Watts Corke to provide project management services, Currie & Brown as the quantity surveyor and Cox Architecture as the principal design consultant.

**Design**

During the initial design phase, it was determined to deliver the project stages within two separate building envelopes either side of a central car park within the sports precinct. This has multiple benefits in simplifying the design of each stage, segregating active operations during future construction stages and enabling east/west and north/south trail connections which enhances the precinct for multiple community uses.

To ensure the concept design was compliant with state association facility guidelines, Netball Victoria and Basketball Victoria both provided subject matter expertise into the development of the concept design.

The architectural response acknowledges the unique landscape character of Mernda defined by rolling hills, gullies of the Plenty River, rocky basalt outcrops, ancient Redgum woodlands and grassy plains.

The following project design principles have been developed to guide the project team not only through building design, but also community outcomes more broadly.

* Mernda Community Hub
* Design With Country
* A Place to Belong
* Active and Healthy
* A Level Playing Field
* Mernda Green

**Updating the Community**

A community steering group of key stakeholders from Netball Victoria, Basketball Victoria, a local school, a local netball player, and a local person with a disability has been established to test our design operationally as we progress to detailed design.

Informing local and adjacent residents of the project timelines has commenced and will continue throughout the construction works planned in the precinct.

Council has established a project specific webpage which will provide regular updates so the community can be fully informed of the project status and design as we progress through the upcoming construction phases of the project.

**Works and Timelines**

Council has already progressed delivery of the intersection works at Plenty Road and Everton Drive to support the ingress and egress of the community to sports precinct.

As the concept design has been completed, an early works package to establish the site for water management and integration to the intersection works is proposed to be tendered in May 2024.

The early works package will deliver the site benching, rock removal, car park, retaining walls and earth berming to the southern corner to form the wetlands water retention zone.

The stadium and outdoor courts detailed design and tender documentation will continue to be developed by our principal consultant, Cox Architecture, ready for a public tender process late 2024 with a construction contract award anticipated in the first half of 2025.

# Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

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

The provision of sporting facilities within the municipality strongly aligns with the Whittlesea 2040 strategic priority of ‘Connected Community’ as the provision of sport and recreation infrastructure supports the key directions of encouraging a socially cohesive, participating and healthy and safe community.

The Community Plan Action Plan 2022-23 includes actions to:

* Increase provision of netball facilities to support increased female participation in sport and recreation;
* Develop a Fair Access Policy Implementation Plan to increase participation, equality and inclusion in local sports and recreation, specifically among women and girls; and
* Commence design and site preparations of the regional aquatics and sports centre in Mernda.

The proposed facility also aligns with the following Council-endorsed policies and key strategy documents:

* Whittlesea 2040: A Place for All, 2019
* Community Plan 2021-2015
* Mernda Strategy Plan 2011 (amended 2016)
* Mernda Regional Recreation Reserve Master Plan, 2011 (draft)
* Whittlesea Netball and Basketball Plan 2019-2041
* Regional Aquatic and Sports Centre Business Case 2022
* Active Whittlesea Policy, 2019
* Zero Net Emissions Plan 2022

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The cost is included in the current budget.

Council has engaged the services of quantity surveyor Currie and Brown to provide cost opinions throughout all stages of design.

The project has sourced $10M funding from the Victorian Government for the Stadium and Netball Courts, and a further commitment of $10M has been allocated to a future Aquatic facility.

Community Consultation and Engagement

Community engagement informed the development of a thorough business case and sporting associations guided the development of the concept design. Specifically, netball to ensure this stadium and outdoor courts combined was classified a regional venue according to the Netball Victoria facility hierarchy requirements.

Local and adjacent residents to Everton drive were engaged onsite in January to discuss the intersection works and the upcoming sporting infrastructure.

Now a concept design has been completed the community steering committee to operationally test the design through detailed design has been established.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

(b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations

An internal sustainability working group has been established to guide the environmental and water management scope items within the project.

Social, Cultural and Health

There are many social, cultural and health benefits to this project which have been outlined in the approved business case.

Economic

The economic benefits to this project have been outlined in the approved business case.

**Legal, Resource and Strategic Risk Implications**

No implications.

# Implementation Strategy

Communication

The Council project webpage will be updated with designs and construction timelines communicated in this report.

Critical Dates

* Tender early works – May 2024
* Contract award – August 2024

# Declaration of Conflict of Interest

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

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

# Attachments

1. Regional Sports Precinct - Stadium and Outdoor Netball Courts Concept - Attachment 1 [**5.8.1** - 15 pages]

5.9 2023-139 Construction of Patterson Drive Community Centre Tender Evaluation

**5.9 2023-139 Construction of Patterson Drive Community Centre Tender Evaluation**

**Director/Executive** **Manager:** Director Infrastructure & Environment

**Report** **Author:** Coordinator New Works

**In** **Attendance:** Unit Manager Community Infrastructure Delivery

 This attachment has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that—  
(i) relates to trade secrets;or  
(ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

# Executive Summary

This report summaries the evaluation of the tender submissions received for the award of Contract Number 2023-139 for the construction of Patterson Drive Community Centre at 183 Olivine Boulevard, Donnybrook.

The tender evaluation panel advises that:

* Six tender submissions were received.
* The recommended tender was the highest ranked and is considered best value as they demonstrated the ability to deliver this project in accordance with Council’s specified requirements.

# Officers’ Recommendation

**THAT Council:**

1. **Resolve to award the following contract to Melbcon Pty Ltd:**

**Number:** **2023-139**

**Title:** **Construction of Patterson Drive Community Centre**

**Cost:** **A lump sum of $10,455,044.00 (excluding GST)**

**subject to the following conditions:**

1. **Contractor providing contract security and proof of currency for insurance cover as required in the tender documents.**
2. **Price variations to be in accordance with the provisions as set out in the conditions of contract.**
3. **Approve the funding arrangements for the Construction of Patterson Drive Community Centre as detailed in the confidential attachment.**
4. **Authorise the Chief Executive Officer to sign and execute the contract on behalf of Council and to authorise any contract variations, subject to satisfactory performance.**

# Background / Key Information

The purpose of this contract is for the construction of the Patterson Drive Community Centre at 183 Olivine Boulevard, Donnybrook. This facility will deliver essential community services to Donnybrook residents and will be known as the Murnong Community Centre when it opens in the coming years. This facility will include a two-room kindergarten, maternal and child health, a large community hall, meeting rooms, a community lounge and a mini branch library.

Tenders for the contract closed on Friday 15 December 2023. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

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

A Tender Probity and Evaluation Plan was designed specifically for this tender process and it was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan.

An external Probity Advisor was appointed by Council to oversee the evaluation process to ensure that the evaluation was completed in accordance with the plan and to ensure probity requirements were met.

The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

* Price 50%
* Capability 23%
* Capacity 20%
* Sustainability 7%

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

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

The evaluation outcome was as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Tenderer** | **Conforming** | **Competitive** | **Score** | **Rank** |
| Tenderer A  Melbcon Pty Ltd | Yes | Yes | 86.9 | 1 |
| Tenderer B | Yes | Yes | 83.4 | 2 |
| Tenderer C | Yes | Yes | 81.0 | 3 |
| Tenderer D | Yes | Yes | 80.0 | 4 |
| Tenderer E | Yes | Yes | 70.6 | 5 |
| Tenderer F | No | No | N/A | 6 |

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

# 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.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

Sufficient funding for this contract is available in the capital program for construction of the Patterson Drive Community Centre, Donnybrook. This includes grants from the Victorian Government’s Building Blocks Program, the Growing Suburbs Fund, the Living Libraries Infrastructure Program and the Changing Places Program.

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

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

1. Council decisions are to be made and actions taken in accordance with the relevant law.

(g) The ongoing financial viability of the Council is to be ensured.  
(i) The transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations

The contract management includes key performance indicators that relate to the

management of environment, waste and sustainability measures throughout the contract.

Social, Cultural and Health

The contract includes key performance indicators that relate to Occupational Health & Safety, traffic and pedestrian management to ensure a safe work site is maintained throughout the contract.

Economic

The capital expenditure during the development of the facility will contribute to a short-term economic impact, while the future operation, maintenance and visitation to the facility will provide long term economic benefits to the region.

**Legal, Resource and Strategic Risk Implications**

Service Delivery - Inability to plan for and provide critical community services

and infrastructure impacting on community wellbeing. The delivery of this facility will meet important service needs for the community as outlined in Council’s service strategies.

Contractor Management - Failure to manage contractors to deliver agreed outcomes. Suitably qualified and experienced Council staff will oversee the construction activities. The project will be delivered by a contractor with a proven record of delivering projects of a similar scale and complexity.

# Implementation Strategy

Communication

There is no requirement to communicate the contract award decision of this report to the

community beyond the Council minutes. However, information regarding the proposed

works will be provided via Council’s social media communication channels and also to

relevant stakeholders.

Critical Dates

It is anticipated that construction activity will commence in April 2024 with completion planned in mid to late 2025.

# Declaration of Conflict of Interest

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

the conflict.

The Responsible Officer reviewing this report, having made enquiries with relevant

members of staff, reports that no disclosable interests have been raised in relation to this

Report.

# Attachments

1. CONFIDENTIAL REDACTED - 2023 139 NEW Confidential Tender Evaluation Summary Rev 1 [**5.9.1** - 7 pages]

5.10 Planning Scheme Amendment c272 - Wollert Waste and Recovery Hub - Authorisation

**5.10 Planning Scheme Amendment c272 - Wollert Waste and Recovery Hub - Authorisation**

**Director/Executive Manager:** Director Planning & Development

**Report Author:** Senior Strategic Planner

**In Attendance:** Senior Strategic Planner

# Executive Summary

The purpose of this report is to seek Council approval to request authorisation from the Minister for Planning to prepare and exhibit a planning scheme amendment. The amendment would rezone an area of approximately 310 Hectares of land at 45 - 135 Bridge Inn Road, Wollert from Green Wedge Zone to Special Use Zone Schedule 12, to facilitate the use of the land for waste and resource recovery purposes and extend the existing use of the land for extractive industry (quarry) and landfill.

The site is identified as a state significant waste and resource recovery hub in the *State-wide Waste and Resource Recovery Infrastructure Plan 2018* (SWRRIP). Extending the use of the land from a landfill and quarry site to include a waste and resource recovery centre would divert and repurpose recyclable materials, ensuring that valuable landfill airspace is preserved, and delivering services that prioritise the efficient use of resources.

The amendment will ensure that the planning controls reflect the current and planned use of the site. Key environmental and amenity issues have been addressed by technical reports and information submitted to support amendment. Further, the draft planning controls ensure that detailed assessments will occur at the planning permit stage of the process.

Should the Minister for Planning grant authorisation, the planning scheme amendment will be publicly exhibited to owners and occupiers surrounding the site, prescribed Ministers and relevant government agencies. The outcomes of the exhibition will be reported to Council.

Although the site is located within the green wedge, the amendment does not have the effect of repurposing green wedge land from its primary environmental, landscape, recreational, and agricultural function. In terms of the subject site, this has already occurred due to the utilisation of stone resources and consequent conversion of parts of the site to landfill operations. The current Green Wedge Zone does not adequately reflect the existing and historic quarry and landfill uses that operate on the site.

Rezoning part of the land to Special Use Zone would have the effect of consolidating the existing landfill and quarry uses, and the future resource recovery use, within the boundaries of the site.

The current zoning of the land applies a prohibitive condition which prevents the operation of a waste and resource recovery centre on the site. The proposed amendment will provide bespoke planning controls to facilitate the use and development of a waste and resource recovery centre. The waste and resource recovery centre will result in a net decrease of waste being sent to landfill, which is consistent with the principles of a circular economy.

Importantly, planning permits are required for any future use of the site, allowing a detailed and proposal-specific assessment of any use at the planning permit stage. This will ensure that the impacts of any proposal are managed appropriately. Part of the land which contains conservation values will be retained in the Green Wedge Zone.

# Officers’ Recommendation

**THAT Council:**

1. **Seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C272 to the Whittlesea Planning Scheme affecting land at 45-135 Bridge Inn Road Wollert to facilitate the use and development of expanded resource recovery and recycling activities at the site complimentary to the existing landfill and extractive industry uses. The amendment proposes to:** 
   1. **Rezone approximately 310 Hectares of land at 45 – 135 Bridge Inn Road Wollert from Green Wedge Zone to the Special Use Zone Schedule 12, as shown in Attachment 2 (note that part of the land protected for conservation purposes is to remain Green Wedge Zone).**
   2. **Remove the Environmental Significance Overlay Schedule 1 and Environmental Significance Overlay Schedule 5 from the part of the land that has been used as a quarry and landfill at 45-135 Bridge Inn Rd, Wollert, as shown in Attachment 2 (note that the Environmental Significance Overlay Schedule 5 is to be retained on part of the land with identified conservation values).**
   3. **Include ‘Schedule 12 to the Special Use Zone- Wollert Resource and Recovery Hub’ in the Schedule to Clause 51.02- Metropolitan Green Wedge Land: Core Planning Provision.**
2. **Note that should the Minister for Planning authorise Council to exhibit the amendment, any submissions received during the exhibition period will be reported to Council for consideration at a future Council meeting.**
3. **Advise the landowner at 45-135 Bridge Inn Road, Wollert of Council’s decision.**

# Background / Key Information

Hanson Landfill Services Pty Ltd (Hanson) has requested that Council commence a planning scheme amendment to rezone land at 45 –135 Bridge Inn Road Wollert from Green Wedge Zone to Special Use Zone (Schedule 12), to facilitate the use and development of expanded resource recovery and recycling activities within the site. The site is currently used as a landfill, quarry and associated activities. Part of the site is also a protected conservation area. A site context plan has been provided at *Attachment 1.*

The site is an identified state significant waste and resource recovery hub in the S*tate-wide Waste and Resource Recovery Infrastructure Plan 2018* (SWRRIP). Hubs of state importance have the following attributes:

* Provide a service to the local area, one or more regions, and Victoria.
* May receive consolidated material streams from both local and regional hubs.
* May undertake higher order recovery, reprocessing, or managing residual waste.
* Can be made up of one facility or several facilities that support each other.

The SWRRIP notes the following in relation to the facility:

* The Hanson Landfill is well located on the urban fringe of Melbourne and close to major transport routes.
* The Metropolitan Implementation Plan identified potential for the hub to expand resource recovery activities to meet the needs of the surrounding growth areas including establishing a resource recovery centre.
* It is important that urban planning allows adequate buffers and planning controls to protect the amenity of surrounding communities and prevents establishing incompatible uses that could impact on the functionality of the site or area over the long term.

Hanson are proposing to develop a waste and resource recovery facility on the site which would divert and repurpose recyclable materials, consistent with the goals and objectives of the SWRRIP.

The site is currently zoned Green Wedge Zone (GWZ), which limits materials recycling capability by preventing the collection, dismantling, storing, recycling or selling of used or scrap construction and demolition materials. The intention for the amendment is that tailored controls will be applied via Schedule 12 to the Special Use Zone (SUZ12) which will facilitate expanded materials recycling and resource recovery activities. These controls will need to address potential impacts of the proposed uses on amenity, human health, and environmental protection.

In this regard, Hanson has submitted a range of technical assessments to support the amendment, and Council Officers have engaged with the Department of Transport and Planning (DTP), the Environment Protection Authority (EPA), and Sustainability Victoria in reviewing the documentation at an early stage in the amendment discussion. The outcome of this pre-amendment engagement has informed the drafting of SUZ12.

**Site Context**

The subject site is located at 45-135 Bridge Inn Road Wollert and currently is a land fill and quarry (refer to *Attachment 1*). The site has an overall area of 346 hectares and is located at the north-eastern corner of Bridge Inn Road and Epping-Kilmore Road, Wollert. The main access to the site is by an intersection on the north side of Bridge Inn Road. To facilitate the use and development of expanded resource recovery and recycling activities at the site, this intersection will need to be upgraded and signalised. Plans to upgrade and signalise this intersection are well progressed, with construction anticipated to commence in late 2024 or early 2025. The signalisation of this intersection will be funded by the landowner. A second existing access is also provided to the site which supports the quarry operations on the land.

The surrounding land uses comprise:

* Future E6 Road reservation which runs along the western boundary of the subject site.
* Wollert Precinct Structure Plan to the west and south-west, which is zoned Urban Growth Zone Schedule 5 (UGZ5). The Precinct Structure Plan includes both employment land and residential land. When the Wollert Precinct Structure Plan (PSP) was approved, buffers were applied to ensure that residential uses would be separated from the landfill by approximately 500 metres.
* Apex Quarries to the south, zoned GWZ and Farming Zone (FZ) (90 Bridge Inn Road, Wollert).
* Privately owned land and residence to the south, zoned GWZ (270 Bindts Rd, Wollert).
* The Darebin Creek and a Council owned property at 185 Bridge Inn Road which is to be incorporated into the Quarry Hill Parklands.
* A rural property at 235 Bridge Inn Road, Mernda to the east which is zoned Green Wedge Zone.
* Winery to the south-east, zoned Green Wedge Zone (280 Bridge Inn Road, Wollert).
* Rural properties are located opposite the site to the north (accessed via Masons Road and Epping-Kilmore Road). These sites are currently being used for agricultural purposes.

**Planning Context**

The current zoning of the land is Green Wedge Zone, with a narrow strip of land along the western boundary zoned Urban Growth Zone Schedule 5 (Wollert PSP). The site is affected by a number of overlays, as follows:

* The Environmental Significance Overlays Schedule 1 (River Redgum Grassy Woodland Native Habitat Area) and Schedule 5 (River Redgum and Grassy Woodlands) currently affect the majority of the site, with the exception of a small portion of land along the southern and western boundary of the land. The location of these overlays would be adjusted via the proposed amendment to remove them from the majority of the work authority areas within the site, which have been developed or have approvals to be developed.
* The Public Acquisition Overlay Schedule 6 affects the western boundary of the site along the alignment of the proposed E6 transport corridor.
* The Public Acquisition Overlay Schedule 2 affects the western frontage of Bridge Inn Road for future road widening.
* A Heritage Overlay (Schedule 39) affects a small portion of the site for the protection of Schulz Farm ‘Ivy Bank’. The overlay protects a bluestone and weatherboard house, bluestone pigpens, bluestone barn paving, drystone walled milking shed, mud and lathed barn, cypress windrows, pines, and bluestone walled dam.
* The Rural Floodway Overlay affects land directly adjacent to Darebin Creek.

Two historic planning permits have been issued for the site, which allow for the existing landfill and quarry uses. These are as follows:

* Permit 701889 was issued on 9 May 1994 (and amended a number of times, last amended in 2019). The permit allows “use and development for the purpose of an engineered landfill progressively rehabilitating quarried land and waste transfer station.”
* Permit 704900 was issued on 8 July 1999 and allows “extractive industry and ancillary uses and development… and removal of native vegetation”. This permit applies to all the land north of Bridge Inn Road.

**Amendment Proposal**

The proposed amendment will apply planning controls to facilitate the use of the site for a waste and resource recovery hub as a part of the landfill operations and manage the potential amenity impacts of the proposal.

The amendment proposes the following changes to the Whittlesea Planning Scheme:

* Inserts Schedule 12 to Clause 37.01 Special Use Zone (SUZ12) and rezones part of the land from GWZ to SUZ12. SUZ12 includes land use and development controls that facilitate the development of land for waste and recycling purposes and protects existing uses on the land, being a landfill and quarry.
* Deletes Schedule 1 to Clause 42.01 Environmental Significance Overlay (ESO1) from part of the land within the amendment area to better align the planning controls with the existing quarry and landfill operations of the site.
* Deletes Schedule 5 to Clause 42.01 Environmental Significance Overlay (ESO5) from part of the land within the amendment area to better align the planning controls with the existing quarry and landfill operations of the site.
* Amends the Schedule to Clause 51.02 Metropolitan Green Wedge Land: Core Planning Provisions to include the new SUZ12.This is required to remove the prohibitions of this provision to facilitate intended uses, such as Manufacturing sales and Material recycling, on land zoned SUZ12.

The current and proposed planning controls for the site are depicted in Attachment 2.

The amendment seeks to rezone part of the land from Green Wedge Zone to Special Use Zone Schedule 12 (SUZ12). The Special Use Zone allows for development of land for uses that are specific and bespoke to an area and should be applied when a standard zone, or combination of zones, overlays and local policies cannot give effect to the desired objectives requirements for a particular site. Given the site’s designation as a hub of state significance within the SWIRRP, the Special Use Zone is required to facilitate the outcomes sought by the SWIRRP while also prohibiting inappropriate industrial uses that would otherwise be allowed within a standard Industrial Zone.

The Special Use Zone schedule will contain elements that combine to protect the amenity of surrounding communities and provide for environmental safeguards. The Special Use Zone schedule has been drafted to require planning approvals for any use associated with the resource and recovery hub. Therefore, the future uses of the site would still be subject to additional assessments and requirements at the planning permit stage.

In this regard, SUZ12 proposes the following (refer to *Attachment 3* for draft Schedule):

* Table of Uses (Sections 1, 2 and 3);
* Application Requirements for land use proposals;
* Application Requirements for buildings and works;
* Decision Guidelines for land use, subdivision, and buildings and works; and
* A Site Framework Plan that identifies the part of the site to be used for landfill and quarry (Precinct 1) and the part of the site to be used for resource management and resource recovery (Precinct 2), referenced in the Table of Uses.

The amendment proposes to remove notice and review rights for planning permit applications for materials recycling, transfer station or solid fuel depot within the identified ‘Resource Management and Recovery Precinct’. Public notice of an application for any of these uses would not be undertaken and there would be no opportunity to appeal a Council decision to the Victorian Civil and Administrative Tribunal for surrounding residents. The intent of this is to streamline these applications consistent with the strategic intention for this part of the site.

The amendment addresses the protection of flora and fauna and other ecological values within the site by retaining the ‘vegetation offset area’ within the current Green Wedge Zone and the Environment Significance Overlay over areas identified as having ecological significance. The Site Framework Plan in SUZ12 also identifies a landscape buffer around the edges of the site. Part of the site containing a vegetation offset along the Darebin Creek will be retained in the Green Wedge Zone, in recognition of its conservation values.

With respect to other environmental matters, the EPA has been consulted extensively during the consideration of the proposed amendment, in accordance with the requirements of Ministerial Direction 19 (MD19). MD19 requires that planning authorities seek the views of the EPA in the preparation of planning scheme amendments where the use or development of land may have significant impacts on the environment, amenity and human health due to pollution and waste. The EPA were broadly supportive of the proposed planning scheme amendment, subject to application requirements being included in the proposed SUZ12 to ensure further assessment is undertaken at the planning permit stage. This is to ensure a proposal-specific response to mitigate any impacts on the environment, surrounding amenity and human health.

The draft Explanatory Report notes that the amendment will facilitate the efficient development of land that currently manages metropolitan Melbourne’s waste. The amendment will increase the resource recovery options available to the local community and the City of Whittlesea.

Section 3AA of the *Planning and Environment Act 1987* requires a planning scheme amendment that amends or inserts an urban growth boundary, or an amendment which, on its commencement, will have the effect of allowing green wedge land to be subdivided into more lots or smaller lots than what would have been allowed under the planning scheme prior to the amendment, to be ratified by the Victorian Parliament. It is not proposed that the amendment implement a change to the boundaries of the Metropolitan Green Wedge, as the proposed schedule to the Special Use Zone would maintain the existing Green Wedge Zone minimum subdivision size at 40 hectares. As such, the amendment would not be subject to the requirements of Section 3AA of the *Planning and Environment Act 1987* (Metropolitan Green Wedge Protection).

**Planning Assessment**

A detailed assessment of the proposed planning scheme amendment has been undertaken against the current planning controls and relevant state and local policy.

The following key issues have been addressed during the preparation of the proposed planning scheme amendment. The Special Use Zone schedule has been prepared to address and resolve the issues identified throughout the assessment process.

A summary of the key issues is as follows:

* The protection of flora and fauna within the site. The proposed planning scheme amendment addresses this by retaining the Environment Significance Overlay in areas of identified ecological significance, as informed by the flora and fauna assessment that accompanies the planning scheme amendment. In addition, SUZ12 includes bespoke planning controls that include future application requirements for any use or development onsite.
* The potential for any adverse impacts as a result of noise from future uses and development on the site. EPA’s senior scientist has provided support for the rezoning of the land if effective planning controls are in place to address the risk. SUZ12 includes controls to further assess and mitigate this risk at the planning permit stage.
* The potential for any adverse impacts to air quality, including through odour emissions from any future use or development of the site. The EPA’s senior scientist has provided support for the rezoning of the land if effective planning controls are in place to address the risk. SUZ12 includes controls to further assess and mitigate this risk at the planning permit stage.
* The requirement to mitigate and address any landfill gas or land contamination risks. The SUZ12 includes bespoke planning controls to manage any adverse risks, which have been informed through the preparation of a Preliminary Site Investigation (PSI) accompanying the amendment.
* Stormwater Management requirements for any future development on site. A Stormwater Management Plan for development will be required by way of application requirement within SUZ12.
* The removal of the Environmental Significance Overlay (ESO) from part of the site. The ESO will be removed in areas that have experienced significant ground disturbance as a result of the existing landfill and quarry operations on the site. The planning assessment has determined that there is no ecological value where these activities have occurred. However, areas of ecological importance have been identified in parts of the site through the planning assessment. The ESO will be retained in areas containing ecological value, allowing for the ongoing protection of these areas.

The site will continue to comply with the Landfill Buffer and Industry Separation guidelines in accordance with the EPA’s requirements. It is noted that the EPA is currently reviewing the Industry Separation Guidelines and Landfill Buffer Guidelines. Whilst the proposed amendment would not be impacted by any proposed changes to the Landfill Buffer Guidelines, it is possible that the changes to the Industry Separation Guidelines may result in the requirement to provide a larger buffer between the recycling facility and any nearby sensitive uses during the course of the planning scheme amendment.

**Rationale for recommendation**

The proposed Planning Scheme Amendment is strategically justified, noting the site has been identified as a state significant waste and resource recovery hub in the S*tate-wide Waste and Resource Recovery Infrastructure Plan 2018* (SWRRIP)*.*

The site is currently zoned entirely Green Wedge Zone. The stated purpose of the Green Wedge Zone is to support agricultural uses and to protect the environmental and cultural values of green wedge areas. The current and proposed uses at the site are not well aligned with this purpose. Where a standard zone, or a combination of zone and overlay cannot give effect to a particular outcome sought for a site, the Special Use Zone should be applied. The Special Use Zone is the appropriate zone as it provides tailored planning controls that facilitate a recycling and resource hub on the site whilst also responding to the surrounding Green Wedge context. Tailored planning controls can respond to and manage the potential for adverse environmental and amenity impacts on the surrounding land, including land contamination, air quality, odour, noise, vegetation and other human health impacts, whilst also allowing for uses associated with a resource and recovery hub. This will enable the amendment process to commence.

A detailed assessment of the proposed planning scheme amendment against the relevant Ministerial Directions, Planning Practice Notes and State and Local Planning Policy has been undertaken. The assessment has demonstrated that the proposed amendment is appropriate and resolves potential amenity and environmental concerns. The amendment does not preclude the requirement to obtain future planning approvals for uses associated with the resource and recovery hub and therefore a detailed proposal specific assessment can be undertaken at the planning permit stage.

# Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

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

The proposed waste and resource recovery hub is identified as a significant contributor to Victoria’s waste and recycling infrastructure over the next 30 years. The *Statewide Waste and Resource Recovery Infrastructure Plan Victoria* identifies that such hubs can support employment and industrial activities to create additional job opportunities.

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

The Sustainable Environment Strategy 2022-2023 supports the outcomes sought by the *Rethinking Waste 2021-2030 Plan*, which identified priorities to enhance resource recovery systems and support a move towards a circular economy. The proposed waste and resource recovery hub will increase the recovery of waste, which will both protect the environment and build an economy that is circular – one that maximises the productive use and reuse of valuable resources.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The exhibition of the amendment will attract a cost to Council. The cost is included in the current budget.

Community Consultation and Engagement

A number of stakeholders are potentially affected by this Planning Scheme Amendment and future development. Some preliminary engagement has occurred with agency stakeholders.

As part of the Amendment process, notice will be given to surrounding residents and affected agencies. Pursuant to Section 19 of the *Planning and Environment Act 1987*, a planning authority must give notice of its preparation of an amendment to a planning scheme to:

* the owners and occupiers of land that it believes to be materially affected by the amendment;
* every Minister, public authority and municipal council it believes may be materially affected by the amendment; and
* Prescribed Ministers.

The form of this notice must be given in accordance with the regulations.

As part of the notification process, affected landowners and interested parties will have the opportunity to make written submissions to Council expressing their views on the proposed planning scheme amendment. Council officers will review and consider all submissions received as part of the planning scheme amendment assessment process during the public notice period.

Once the public notice period is completed, Council will consider whether any changes to the proposed planning scheme amendment should be made as a result of any submissions received. If there are matters not able to be resolved, Council may seek the appointment of an independent planning panel and refer any submissions to the panel for consideration.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

(b) Priority is to be given to achieving the best outcomes for the municipal community, including future generations.

Public Transparency Principles

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

# Council Policy Considerations

Environmental Sustainability Considerations

The amendment proposal has considered Environmentally Sustainable Considerations to

ensure that the future development of the land is sustainable in accordance with current

planning policy.

The amendment is aligned to Council’s Sustainable Environment Strategy 2022-2032, which recognises the City of Whittlesea’s commitment to increasing the volume of waste that is diverted from landfill by enhancing resource recovery systems.

Social, Cultural and Health

The amendment has considered health implications. A Human Health Risk Assessment has been prepared to support the amendment and the proposed SUZ12 includes bespoke planning controls to ensure that the future use and development of the site does not pose a risk to human health.

Cultural heritage will be managed in accordance with legislative framework under the Aboriginal Heritage Act 2006. A Cultural Heritage Management Plan will be required to be prepared at the planning permit stage for any high impact activity in accordance with the requirements of the Aboriginal Heritage Act 2006.

Economic

The amendment will have a positive economic impact by facilitating the development of the site in accordance with its designation as a resource recovery hub of state importance.

**Legal, Resource and Strategic Risk Implications**

No implications.

# Implementation Strategy

Communication

A number of stakeholders are potentially affected by this Planning Scheme Amendment and future development. Some preliminary engagement has occurred with key stakeholders, including DTP, EPA and Sustainability Victoria.

As part of the Amendment process, notice will be given to surrounding owners and occupiers, prescribed Ministers, relevant government agencies and community groups.

Critical Dates

This report is intended to go to a Council meeting on 19 March 2024.

**Next Steps**

If Council accepts the recommendation to seek authorisation from the Minister for Planning to prepare the Planning Scheme Amendment, the amendment documents will be lodged with Department of Transport and Planning for consideration by the Minister for Planning.

Once consent is provided for preparation of the amendment, Council is required to exhibit the Amendment within 40 days of that decision. The exhibition period will be for 28 days.

Prescribed Ministers, Referral Agencies, and owner/occupiers of land that may be materially affected, will be notified.

Following the exhibition of the Amendment a report will be presented to Council to consider the outcomes of the exhibition including any submissions received.

# Declaration of Conflict of Interest

Under Section 130 of the *Local Government Act 2020* officers providing advice to Council are required to disclose any conflict of interest they have in a matter and explain the nature of the conflict.  
   
The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

# Attachments

1. Attachment 1- Site Context Plan [**5.10.1** - 3 pages]
2. Attachment 2- Existing and Proposed Planning Controls [**5.10.2** - 2 pages]
3. Attachment 3- Draft SUZ Schedule [**5.10.3** - 7 pages]

5.11 Unconfirmed Minutes of the Audit and Risk Committee

**5.11 Unconfirmed Minutes of the Audit and Risk Committee**

**Director/Executive** **Manager:** Executive Manager Office of Council & CEO

**Report** **Author:** Unit Manager Governance

**In** **Attendance:** Executive Manager Office of Council & CEO

# Executive Summary

The Audit and Risk Committee (ARC), an independent advisory committee of Council, held their scheduled quarterly meeting on 13 February 2024 and the following matters were considered:

* The quarterly Risk Management Report including the revised Risk Management Framework seeking ARC’s feedback and results of the business continuity live exercises.
* The quarterly Corporate Performance Report including a summary of Council’s progress in completing Community Plan actions, good governance actions, 2023-2024 capital works program items and Council's financial performance to 31 December 2023.
* Progress of the Internal Audit program including completed audit reports, audit scopes and actions arising from previous audits.
* The draft external audit strategy for the financial year ending 30 June2024.
* Compliance and governance matters as detailed in the ARC annual work plan.

To provide transparency and to comply with the requirements of the ARC Charter, the unconfirmed meeting minutes is provided at Attachment 1 for the noting of Council.

# Officers’ Recommendation

**THAT Council note the 13 February 2024 unconfirmed minutes of the Audit and Risk Committee at Attachment 1 to this report.**

# Background / Key Information

The ARC was established pursuant to *Section 53 of the Local Government Act 2020* (*the Act*) to support Council in discharging its oversight responsibilities relating to:

* financial and performance reporting;
* risk management;
* fraud prevention systems and control;
* maintenance of a sound internal control environment;
* compliance with its policies and legislative and regulatory requirements; and
* assurance activities including internal and external audit.

The ARC acts in this capacity by monitoring, reviewing, endorsing, and advising on the above matters as set out within its Charter. This Charter has been developed in accordance with *Section 54 of the Act and* sets out the Committee’s purpose, its remit, structure, and key operational processes.

The Committee has no executive authority and no delegated financial responsibilities and is therefore independent of management.

The unconfirmed minutes at Attachment 1 provide the Council with information on the agenda items ARC considered and provided feedback or advice on, at its 13 February 2024 meeting.

# 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 establishment of the ARC and the reports it receives for consideration and oversight is one of Council’s commitments in implementing and providing good governance.

# Considerations of *Local Government Act (2020)* Principles

Financial Management

The costs relating to ARC are included in the current budget.

In compliance with the requirements set out in the *Act* and to support Council in discharging its oversight responsibilities, each ARC agenda contains a financial and performance report for their consideration.

Community Consultation and Engagement

No community consultation and engagement is required for the publication of the unconfirmed ARC minutes.

# Other Principles for Consideration

**Overarching Governance Principles and Supporting Principles**

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

Public Transparency Principles

(b) Council information must be publicly available unless— (i) the information is confidential by virtue of the *Local Government Act* or any other Act; or (ii) public availability of the information would be contrary to the public interest.

(c) Council information must be understandable and accessible to members of the municipal community.

# Council Policy Considerations

Environmental Sustainability Considerations

No implications.

Social, Cultural and Health

No implications.

Economic

No implications.

**Legal, Resource and Strategic Risk Implications**

In compliance with the requirements set out in the *Act* and to support Council in discharging its oversight responsibilities, each ARC agenda contains updates on risk management inclusive of resource and strategic risk implications, legal implications, and compliance for their consideration.

# Implementation Strategy

Communication

Not applicable.

**Critical Dates**

The ARC Charter specifies the unconfirmed minutes are provided to the Council as the next possible meeting.

The next meeting of the ARC is scheduled for 14 May 2024.

# Declaration of Conflict of Interest

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

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

# Attachments

1. Unconfirmed Minutes of the Audit and Committee - 13 February 2024 [**5.11.1** - 27 pages]

5.12 Informal Meetings of Administrators

**5.12 Informal Meetings of Administrators**

**Director/Executive Manager:** Executive Manager Office of Council & CEO

**Report Author:** Coordinator Governance Administration

**In attendance:** Executive Manager Office of Council & CEO

# Executive Summary

Chapter 5 of the Council Governance Rules requires a summary of the matters discussed at a meeting of Councillors (Administrators) that:

* is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors (Administrators);
* is attended by at least one member of Council staff; and
* is not a Council meeting or Delegated Committee meeting.

The summary of matters discussed at the meeting must be:

* tabled at the next convenient Council meeting; and
* recorded in the minutes of that Council meeting.

The record of Informal Meetings of Councillors (Administrators) at Attachment 1 is reported to Council in accordance with this requirement.

# Officers’ Recommendation

**THAT Council note the record of Informal Meetings of Administrators at Attachment 1.**

# Attachments

1. Informal Meetings of Administrators report [**5.12.1** - 3 pages]

**6 Notices of Motion**

6.1 Change to Council Meeting Time

**6.1 Change to Council Meeting Time**

**Administrator: Christian Zahra**

**NoM No: 2024/01**

Please take notice that it is my intention to move the following motion at the Scheduled Meeting of Council to be held on Tuesday 19 March 2024 at 6:30pm:

# Motion

**THAT Council resolve:**

1. **That all future Council Meetings and Unscheduled Council Meetings commence at 6:00pm.**
2. **A notice is to be published on the City of Whittlesea Council website page ‘Meetings – Agendas and Minutes’ advising the public of the amended Council Meeting commencement time.**

**Notice Received:** 7 March 2024

**Notice Given to Administrators:** 7 March 2024

**Date of Meeting:** 19 March 2024

**PREAMBLE**

In accordance with clause 9 of Council’s Governance Rules, Council may alter the date, time or place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public.

Commencing Council meetings at 6:00pm rather than 6:30pm is sensible from an administrative perspective when Administrators and officers are ready to commence earlier. Further, it reduces the wait time for officers who are presenting reports listed on the Council meeting agenda.

**7 Urgent Business**

No Urgent Business

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

**9 Confidential Business**

**9.1.0 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.**

9.1Q2**9.1 Special Rates and Charges Scheme Audit Report Findings and Recommendations**

**10 Closure**