



***City of*
Whittlesea**

A G E N D A

OF ORDINARY COUNCIL MEETING

HELD ON

TUESDAY 2 OCTOBER 2018

AT 6.30PM

SUMMONS

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday, 2 October 2018 in Council Chamber, 25 Ferres Boulevard, South Morang at 6.30pm for the transaction of the following business.

**S OVERLAND
CHIEF EXECUTIVE OFFICER**

COUNCILLORS

KRIS PAVLIDIS	MAYOR, SOUTH WEST WARD
LAWRIE COX	SOUTH WEST WARD
STEVAN KOZMEVSKI	SOUTH WEST WARD
CAZ MONTELEONE	SOUTH WEST WARD
EMILIA LISA STERJOVA	DEPUTY MAYOR, NORTH WARD
TOM JOSEPH	NORTH WARD
RICKY KIRKHAM	NORTH WARD
SAM ALESSI	SOUTH EAST WARD
ALAHNA DESIATO	SOUTH EAST WARD
NORM KELLY	SOUTH EAST WARD
MARY LALIOS	SOUTH EAST WARD

SENIOR OFFICERS

SIMON OVERLAND

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

BEN HARRIES

ACTING DIRECTOR CITY TRANSPORT &
PRESENTATION

HELEN SUI

DIRECTOR CORPORATE SERVICES

LIANA THOMPSON

DIRECTOR PARTNERSHIPS, PLANNING &
ENGAGEMENT

MICHAEL TONTA

MANAGER GOVERNANCE

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Note:

At Council's discretion, the meeting may be closed in accordance with Section 89 of the Local Government Act 1989. The provision which is likely to be relied upon to enable closure is set out in each item. These reports are not available for public distribution.

Question Time:

During the meeting, Council will answer questions from residents and ratepayers. Questions should be submitted in writing no later than 3pm on the day of the ordinary Council Meeting unless this unreasonably prevents or hinders you from participating. A Question Time form can be downloaded from Council's website and copies of the form are available at the meeting. Refer: <https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council 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 9217 2294.

Large Attachments:

Where large attachments form part of the Report, due to the size of the attachments – a copy has not been provided in the Agenda document

Copies of these attachments are available for inspection by the public at the following locations:

- a) Council offices at 25 Ferres Boulevard, South Morang; and
- b) Council's internet site – <http://cam.whittlesea.vic.gov.au/>

1. OPENING

1.1 MEETING OPENING AND PRAYER

The Chief Executive Officer will open the meeting with the reading of the prayers:

Almighty God, we humbly beseech thee, to vouchsafe thy blessing upon this council. Direct and prosper its deliberations to the advancement of thy glory and the true welfare of the people of the Whittlesea City Council.

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

Amen

1.2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT

The Mayor will read the following Acknowledgement of Traditional Owners Statement.

On behalf of the Whittlesea City Council I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan as the traditional owners of this place.

1.3 PRESENT

2. APOLOGIES

3. DECLARATIONS OF INTEREST

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Ordinary Meeting of Council held 4 September 2018

5. QUESTIONS, PETITIONS AND JOINT LETTERS

5.1 QUESTIONS TO COUNCILLORS

5.2 PETITIONS

NIL REPORTS

5.3 JOINT LETTERS

NIL REPORTS

6. OFFICERS' REPORTS

6.1 PARTNERSHIPS, PLANNING & ENGAGEMENT

6.1.1 1 CURRAJONG STREET THOMASTOWN - CONSTRUCTION OF SIX DWELLINGS

Attachments:

- 1 Locality Maps [↓](#)
- 2 Development Plans [↓](#)

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Senior Planner

APPLICANT: Hung Cam Thich

COUNCIL POLICY: 22.11 - Development Contribution Plan Policy

ZONING: Residential Growth Zone

OVERLAY: Development Contributions Plan Overlay – Schedule 3; and Special Building Overlay (partial)

REFERRAL: Melbourne Water

OBJECTIONS: Four Objections, including a Petition with 17 Signatories

RECOMMENDATION SUMMARY

That Council resolve to approve Planning Application No. 717459 and issue a Notice of Decision to Grant a Planning Permit, for the construction of six dwellings, at 1 Currajong Street Thomastown.

KEY FACTS AND / OR ISSUES

- It is proposed to construct five triple storey and one double storey dwellings on the site. The proposal also sought to reduce the one required on-site visitor car parking space, however Planning Scheme Amendment VC148, gazetted on 31 July 2018, removed this requirement. The dwellings will be sited along the length of the site, with vehicle access to each associated garage from the unnamed road along the southern side boundary.
- Notification of the application was undertaken and four objections, including one petition with 17 signatories have been received. The main grounds of objection include; the excessive number of dwellings, the triple storey nature of the dwellings, which does not accord with the existing neighbourhood character, overlooking into the adjoining land to the north of the site, overshadowing the adjoining land to the north of the site, the lack of available on-street car parking, the lack of sufficient verge to accommodate waste collection, excessive noise and decreasing property values.
- The proposal is appropriately located within a Residential Growth Zone, where increased densities are encouraged, and accords with the purposes and design standards of Clause 52.06 – Car Parking as well as the objectives and standards of Clause 55 – ResCode of the Whittlesea Planning Scheme. The overall height of the development, number of car parking spaces and proposed waste collection are all acceptable, therefore the application should be approved.

REPORT**SITE AND SURROUNDING AREA**

The site is a residential property located on the western side of Currajong Street in Thomastown, 170m east of Thomastown train station and shopping precinct(see *Attachment 1*).

The site contains a 15.2m frontage to Currajong Street, a 42.7m frontage to the unnamed road and a total site area of 650.3m². The site is relatively flat.

The site currently contains a single storey rendered dwelling with a pitched tiled roof. Vehicle access to the dwelling is obtained from a single width crossover and accessway along the southern side boundary (R.O.W.). A low rendered front fence encloses the site, while landscaping within the front setback is sparse, consisting of mainly low shrubs.

The surrounding area is characterised by single storey dwellings, finished in brick veneer, render or weatherboards with pitched tiled roofs. Secondary additions and detached outbuildings are present along side and rear boundaries. Front fences, if present, are consistently low in overall height, however vary in transparency and construction materials. Landscaping is present within front setbacks and more significant in rear secluded private open spaces, including established canopy trees.

Directly to the north of the site is a two dwelling development. Directly to the east of the site is Currajong Street and a four dwelling development. Directly to the south of the site is an unnamed road and single dwelling developments fronting The Boulevard. Finally, directly to the west of the site is a single dwelling development fronting Fir Street.

Medium density developments are located at; 2, 3, 4, 5 and 16 Currajong Street, 36 and 74 The Boulevard, 8 Quandong Street and 3, 9 and 11 French Street.

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

- The Boulevard Strip Shopping Centre (100m south-west);
- Thomastown Train Station (170m west);
- Bus Route 570 – Thomastown to RMIT Bundoora (200m south);
- Lalor Shopping Centre (400m north);
- Thomastown Primary School (500m south-west);
- Main Street Reserve (800m west);
- Nick Ascenzo Reserve (900m east); and
- Lalor Secondary College (1.2km north-east).

RESTRICTIONS AND EASEMENTS

The site is formally described as Lot No. 115 on Plan of Subdivision No. 013478.

The site is not covered by any Section 173 Agreements, however is covered by Restrictive Covenant Nos. 2448748 and A607706.

Restrictive Covenant No. 2448748 prohibits excavation, except for the purposes of a building, and manufacturing. The proposal does not breach Restrictive Covenant No. 2448748.

Restrictive Covenant No. A607706 requires each dwelling to have a floor area of not less than 79.0m². All five dwellings will have floor areas in excess of 99.0m², therefore the proposal does not breach Restrictive Covenant No. A607706.

A 1.8m wide drainage and sewerage easement runs along the western rear boundary of the site.

PROPOSAL

The application seeks approval for the construction of six dwellings (see *Attachment 2*). The existing dwelling and associated structures will be demolished.

Further details of the proposal are outlined in the following table:-

Dwelling No.	Height / Scale	No. of Bedrooms	Setbacks	Secluded Private Open Space	Car Parking
Dwelling No. 1	Triple Storey	2	6.0m front (east) 3.4m side (north) 3.0m side (south)	10m ²	Single Garage
Dwelling No. 2	Triple Storey	2	3.4m side (north) 3.0m side (south)	9m ²	Single Garage
Dwelling No. 3	Triple Storey	2	3.4m side (north) 3.0m side (south)	9m ²	Single Garage
Dwelling No. 4	Triple Storey	2	3.4m side (north) 3.0m side (south)	9m ²	Single Garage
Dwelling No. 5	Triple Storey	2	3.4m side (north) 3.0m side (south)	9m ²	Single Garage
Dwelling No. 6	Double Storey	3	1.9m rear (west) 0m side (north) 3.4m side (south)	40m ²	Double Garage

PUBLIC NOTIFICATION

Advertising of the application has resulted in four objections, including one petition with 17 signatories, being received. The grounds of objection can be summarised as follows:-

1. The excessive number of dwellings;
2. The triple storey nature of the dwellings, which does not accord with the existing neighbourhood character;
3. Overlooking into the adjoining land to the north of the site;
4. Overshadowing the adjoining land to the north of the site;
5. The lack of available on-street car parking;
6. The lack of sufficient verge to accommodate waste collection;
7. Excessive noise; and
8. Decreasing property values.

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

HOUSING DIVERSITY STRATEGY

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

The HDS is a reference document in the Planning Scheme.

The site is within a Neighbourhood Renewal change area, which recognises areas close to services and facilities. In this instance the site is only some 100m north-east of The Boulevard commercial area and 170m to the Thomastown train station. The preferred housing types are noted as townhouses, multi-units, and small scale apartments.

The Neighbourhood Renewal change area has a number of Key Design Principles, including:

- A range of medium building heights;
- Building heights that achieve passive surveillance;
- Building heights that are of a human scale and integrate well with existing housing stock;
- Reduced front setbacks to encourage activation to the street while still allowing space for low level landscaping;
- Medium to higher site coverage to balance increased density and landscaping opportunities;
- Usable private open space, balconies and communal shared spaces; and
- Landscaping to complement medium to higher density built form.

ASSESSMENT AGAINST CLAUSE 55 OF THE WHITTLESEA PLANNING SCHEME

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

- Must meet all of the objectives; and
- Should meet all of the standards.

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

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B1	Neighbourhood Character	✓	✓	<p>The existing neighbourhood character is dominated by single storey dwellings and consistently includes; attached built form, double or triple fronted facades, pitched roofs, minimal landscaping in front setbacks and canopy trees in rear secluded private open spaces.</p> <p>The preferred neighbourhood character for the area is addressed in Clause 21.09-2 – Housing Diversity of the Local Planning Policy Framework and in Council's Housing</p>

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
				<p>Diversity Strategy as detailed earlier in this report.</p> <p>Elements of the proposal accord with both the existing and preferred neighbourhood character.</p> <p>The overall layout of the development is similar to the medium density development directly across the street at 2 Currajong Street, with Dwelling No. 1 fronting onto Currajong Street and subsequent dwellings fronting onto and having vehicle access from the side boundaries / unnamed road. The attached nature of the development is consistent with other medium density developments in the immediate area. Dwelling No. 1 will contain a double fronted façade and landscaping opportunities are present within the street setback and secluded private open space of Dwelling No. 6.</p> <p>The double and triple storey dwelling heights are inconsistent with the dominant single storey built form, however the development is well articulated. The development will have a flat roof, which varies from the pitched roofs in the immediate area; however this is a modern take on medium density developments.</p> <p>The double and triple storey dwelling heights are of a human scale, are a gradual transition from the dominant single storey form and will maintain passive surveillance of the area. A variation to the street setback requirements of Clause 55 is sought, however opportunities for the provision of a canopy tree have been maintained. Finally, the site coverage ratios, usability of the balconies / secluded private open space and landscaping opportunities within the rear easement are all acceptable and consistent with Council's Housing Diversity Strategy.</p>
B2	Residential Policy	✓	✓	<p>The site is located within a Residential Growth Zone and is within a Neighbourhood Renewal Change Area of Council's Housing Diversity Strategy.</p> <p>The number of dwellings, siting and massing of the built form and design of the dwellings is consistent with the zoning of the site and Council's Housing Diversity Strategy.</p>
B3	Dwelling Diversity	N/A	N/A	Only applicable in developments of ten or more dwellings.
B4	Infrastructure	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B5	Integration with the Street	✓	✓	
B6	Street Setback	✓	x	Standard B6 requires a street setback of 7.6m. Dwelling No. 1 will be setback 6.0m from Currajong Street, which will allow for the provision of several canopy trees and is consistent with the purposes of both the Residential Growth Zone and Council's Housing Diversity Strategy, therefore the proposed street setback is acceptable.
B7	Building Height	✓	✓	Dwelling Nos. 1 - 5 will have overall heights of 9.5m, while Dwelling No. 6 will have an overall height of 6.7m, both of which are well below the 13.5m overall height requirement for the Residential Growth Zone.
B8	Site Coverage	✓	✓	
B9	Permeability	✓	✓	
B10	Energy Efficiency	✓	✓	
B11	Open Space	N/A	N/A	
B12	Safety	✓	✓	
B13	Landscaping	✓	Condition	A Landscape plan should be submitted as a condition should a permit be issued.
B14	Access	✓	x	One extra wide crossover will provide vehicle access to five single width garages and one double width garage. The width of this crossover exceeds 33.0% of the unnamed road frontage, however this is acceptable based on the zoning of the land and the interface with a laneway / fences.
B15	Parking Location	✓	✓	
B17	Side and Rear Setbacks	✓	✓	
B18	Walls on Boundaries	✓	✓	
B19	Daylight to Existing Windows	✓	✓	
B20	North-facing Windows	N/A	N/A	
B21	Overshadowing Open Space	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B22	Overlooking	✓	Condition	The use of planter boxes for the balconies of Dwelling Nos. 2 – 5 to address overlooking is a high quality design response, however a cross-section must be provided to demonstrate the height and width of the nominated planter boxes satisfies the requirements of Standard B22, which should form a condition should a permit be issued.
B23	Internal Views	N/A	N/A	
B24	Noise Impacts	✓	✓	The noise generated by the proposed development is considered acceptable for a residential zoned area.
B25	Accessibility	✓	✓	
B26	Dwelling Entry	✓	✓	
B27	Daylight to New Windows	✓	✓	
B28	Private Open Space	✓	✓	
B29	Solar Access to Open Space	✓	✓	
B30	Storage	✓	✓	
B31	Design Detail	✓	✓	
B32	Front Fences	N/A	N/A	
B33	Common Property	✓	✓	
B34	Site Services	✓	x	<p>Council's Waste Management and Resource Recovery Strategy (The Strategy) sets out the requirements for the storage and collection of waste for medium density development. The Strategy assesses medium density developments in four separate categories; between one and five dwellings, six or more dwellings, apartment buildings and mixed use developments. The Strategy also states developments of six or more dwellings are required to provide on-site waste collection services within the confines of the development, unless permitted otherwise by officers.</p> <p>The proposal seeks kerbside collection by Council given the corner nature of the site, direct access from the laneway and impracticality of requiring collection on-site. The Strategy states the placement of 120 - 240L bins on the kerbside for greater than</p>

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
				<p>11.0m is discouraged as bins lined up next to each other on the kerbside create a sight distance and visibility issue for vehicles exiting the property.</p> <p>A length of 12.1m is required for the collection of waste and recycling bins for the proposal, which can be accommodated within the 15.2m Currajong Street frontage. This 12.1m length is marginally over the 11.0m requirement of the Strategy, however when you take into account that there is no crossover or driveway to the site due to the laneway and that vehicles will have to slow at the laneway before entering Currajong Street, adequate sight distance will be maintained through the ability of being able to use the entire 15m frontage. Additionally, it is noted that the site is within the Residential Growth Zone where increased densities are encouraged.</p> <p>The storage area of Garage No. 1 must also be increased to provide storage for waste and recycling bins, which should be addressed as a condition of permit.</p>

CAR PARKING

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

Dwelling No.	No. of Bedrooms	Car Spaces Required	Car Spaces Provided	Complies
1	2	1	1	Yes
2	2	1	1	Yes
3	2	1	1	Yes
4	2	1	1	Yes
5	2	1	1	Yes
6	3	2	2	Yes

The proposal must also comply with the following Design Standards:-

Requirements	Compliance	Comment
Number of Car Parking Spaces Required Under Table 1	✓	
Design Standard 1 – Accessways	✓	
Design Standard 2 – Car Parking Spaces (dimensions)	✓	
Design Standard 3 – Gradients	N/A	
Design Standard 4 – Mechanical Parking	N/A	
Design Standard 5 – Urban Design	✓	
Design Standard 6 – Safety	✓	
Design Standard 7 – Landscaping	✓	

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 3

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

SPECIAL BUILDING OVERLAY

The application was referred to Melbourne Water who offered no objection to the application and did not require any conditions should a permit be issued.

COMMENTS ON GROUNDS OF OBJECTION

1. The excessive number of dwellings;

Six dwellings is an appropriate response for a Residential Growth Zone and Neighbourhood Renewal Change Area. The site is well located in close proximity to commercial and community infrastructure as well as the Thomastown train station and surrounding bus network.

2. The triple storey nature of the dwellings, which does not accord with the existing neighbourhood character;

Double and triple storey dwellings within an area dominated by single storey dwellings is an acceptable level of change. The Residential Growth Zone contains an overall height limit of 13.5m, which can accommodate up to four storeys. The Victorian Civil and Administrative Tribunal (VCAT) have consistently upheld this position.

3. Overlooking into the adjoining land to the north of the site;

The use of planter boxes for the balconies of Dwelling Nos. 2 – 5 to address overlooking is a high quality design response, however a cross-section must be provided to demonstrate the height and width of the nominated planter boxes satisfies the requirements of Standard B22 – Overlooking of Clause 55 - ResCode, which should form a condition should a permit be issued.

All other first and second floor windows along the northern façade will be screened with obscure glazing or windows sill heights of 1.7m in accordance with Standard B22 – Overlooking of Clause 55 – ResCode.

4. Overshadowing the adjoining land to the north of the site;

The shadow diagrams submitted as part of the application indicate that the proposed development will not cast any shadows on the adjoining land to the north of the site. It is also noted shadows on land to the north is not possible in the southern hemisphere.

5. The lack of available on-street car parking;

The required number of car parking spaces for residents and visitors has been provided in accordance with the Whittlesea Planning Scheme.

Planning Scheme Amendment VC148, gazetted on 31 July 2018, amended the number of car parking spaces required for visitors to the site. As the site is located within the Principal Public Transport Network, i.e. within walking distance to Thomastown train station, no visitor car parking is required to be provided on site.

The lack of sufficient verge to accommodate waste collection;

Council's Waste Management and Resource Recovery Strategy (The Strategy) sets out the requirements for the storage and collection of waste for medium density development. The Strategy assesses medium density developments in four separate categories; between one and five dwellings, six or more dwellings, apartment buildings and mixed use developments. The Strategy also states developments of six or more dwellings are required to provide on-site waste collection services within the confines of the development, unless permitted otherwise by Council's relevant Department's (Planning, Transportation and Waste Management).

The proposal seeks kerbside collection by Council. The Strategy states the placement of 120 - 240L bins on the kerbside for greater than 11.0m is not acceptable as bins lined up next to each other on the kerbside create a sight distance and visibility issue for vehicles exiting the property.

A length of 12.1m is required for the collection of waste and recycling bins, which can be accommodated within the 15.2m Currajong Street frontage. This 12.1m length is marginally over the 11.0m requirement of the Strategy, which is acceptable for a Residential Growth Zone.

6. Excessive noise;

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

7. Decreasing property values.

VCAT has determined on many occasions that property values are not a relevant planning consideration.

DECLARATIONS OF CONFLICTS OF INTEREST

Under Section 80C of the *Local Government Act 1989*, Officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The application has been assessed against the Whittlesea Planning Scheme and in particular the objectives and standards of Clause 44.05, Clause 52.06, Clause 55 and the State and Local Planning Policy Frameworks, including the Housing Diversity Strategy. The proposal demonstrates a satisfactory level of compliance, subject to minor modifications. While the proposal will significantly change the existing character of the area, it is considered that the proposal will not have a detrimental impact on the character of the neighbourhood and on existing surrounding residential properties. Accordingly, approval of the application is recommended.

RECOMMENDATION

THAT Council resolve to approve Planning Application No. 717459 and issue a Notice of Decision to Grant a Permit, for the construction of six dwellings in accordance with the endorsed plans, at 1 Currajong Street Thomastown, and subject to the following conditions:-

Payments Required

1. Prior to the endorsement of the plans required under Condition No. 2 of this Permit, the Permit Holder must pay to Council a contribution for drainage pursuant to Clause 45.06 of the Whittlesea Planning Scheme. The drainage contribution will be subject to the Consumer Price Index (CPI) applicable at the time of payment.

Plans Required

2. Before the development hereby permitted starts, one (1) digital copy of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this Permit. The plans must be generally in accordance with Ref. No. 17-1498, Revision No. A, dated 11.05.18, by Beyond Design Group, but modified to show:-
 - (a) A cross-section to demonstrate the planter boxes for the balconies of Dwelling Nos. 2 – 5 comply with Standard B22 – Overlooking of the Whittlesea Planning Scheme;
 - (b) An area for the storage of waste and recycling bins within the garage associated with Dwelling No. 1; and
 - (c) A Landscape Plan in accordance with Condition No. 3 of this Permit.

3. Concurrent with the endorsement of plans under Condition No. 2 and before the development hereby permitted commences, one (1) digital copy of a Landscape Plan, prepared by a suitably qualified (or experienced) Landscape Designer, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this Permit. The Landscape Plan must show:-
 - (a) A survey of all existing vegetation and natural features;
 - (b) The area or areas set aside for landscaping;
 - (c) A schedule of all proposed trees, shrubs / small trees and ground cover;
 - (d) The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - (e) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
 - (f) Appropriate irrigation systems;
 - (g) The provision of canopy trees within the front and rear setbacks.

Layout Not Altered

4. The development allowed by this Permit and shown on the plans and / or schedules endorsed to accompany this Permit must not be amended for any reason without the consent of the Responsible Authority.
5. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Landscaping

6. Prior to the occupation of the dwellings hereby approved, landscaping works shown on the endorsed plan must be completed and then maintained to the satisfaction of the Responsible Authority.

Actions Before Use Commences

7. Prior to the occupation of the dwellings hereby approved, the car parking areas and access ways must be drained, fully sealed and constructed with asphalt, interlocking paving bricks, coloured concrete or other similar materials to the satisfaction of the Responsible Authority.

In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.

8. Vehicular access to the site must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will be using the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused or redundant crossing(s) must be removed and replaced with concrete kerb, channel and naturestrip to the satisfaction of the Responsible Authority. All vehicle crossing works are to be carried out with Council supervision under a Road Opening Permit.
9. The Permit Holder must be responsible to meet all costs associated with reinstatement and / or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The

Permit Holder shall be responsible for obtaining prior specific written approval for any works involving the alteration of Council or other Public Authority assets.

10. Prior to occupation of any dwelling on the subject site, a letter box and house number to the satisfaction of the Responsible Authority must be provided for each dwelling.
11. At all times during the construction phase of the development, the Permit Holder must take measures to ensure that pedestrians are able to use with safety any footpath along the boundaries of the site.
12. Upon completion of all buildings and works authorised by this Permit, the Permit Holder must notify the Responsible Authority of the satisfactory completion of the development and compliance with all relevant conditions.

Infrastructure

13. Before starting any buildings or works, engineering plans showing a properly prepared design (with computations) for the internal drainage and method of disposal of stormwater from all roofed and sealed areas, including the use of an on-site detention system (if required), must be submitted to Council for approval. These internal drainage works must be completed to Council's satisfaction prior to using or occupying any building on the site.
14. Prior to the occupation of the dwellings hereby approved, the permit holder is required to construct at no cost to Council, drainage works between the subject site and the Council nominated point of discharge. Such drainage works must be designed by a qualified engineer and submitted to and approved by Council. Computations will also be required to demonstrate that the drainage system will not be overloaded by the new development. Construction of the drainage system must be carried out in accordance with Council specifications and under Council supervision.
15. Prior to the occupation of the dwellings hereby approved, reticulated (water, sewerage, gas and electricity) services must be constructed and available to the satisfaction of the Responsible Authority.

General Amenity – Construction Works

16. Prior to commencement of any works, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The plan must include details in relation to:-
 - (a) Vehicle access to the site;
 - (b) Parking of construction vehicles; and
 - (c) Storage of materials / goods.
17. Prior to commencement of any works, the permit holder must contact Council's Infrastructure Protection Unit on 9401 5532 to arrange a site inspection to ensure all requirements of the Construction Management Plan have been completed to the satisfaction of the Responsible Authority.
18. Any litter generated by building activities on the site shall be collected and stored in an appropriate enclosure which complies with Council's Code of Practice for building/development sites. The enclosures shall be regularly emptied and maintained such that no litter overspills onto adjoining land. Prior

to occupation and/or use of the building, all litter shall be completely removed from the site.

19. During the construction phase, a truck wheel washing facility or similar device must be installed and used to the satisfaction of the Responsible Authority so that vehicles leaving the site do not deposit mud or other materials on roadways. Any mud or other materials deposited on roadways as a result of construction works on the site must be cleaned to the satisfaction of the Responsible Authority within two hours of it being deposited.

Permit Expiry

20. In accordance with the Planning and Environment Act 1987, a permit for the development expires if:-
 - (a) The approved development does not start within 2 years of the date of this permit; or
 - (b) The approved development is not completed within 4 years of the date of this permit.

The Responsible Authority may extend the periods referred to above if a request is made in writing. This request must be made before or within 6 months after the permit expiry date where the development has not yet started and within 12 months after the permit expiry date where the development allowed by the permit has lawfully started before the permit expires.

Notes

Advanced Trees

An advanced tree under this Permit shall generally constitute the following:-

- Evergreen – minimum container size 45 litre spring ring, calliper at ground level 50mm.
- Deciduous – minimum calliper at ground level 65mm, minimum height 2 metres.

Easements

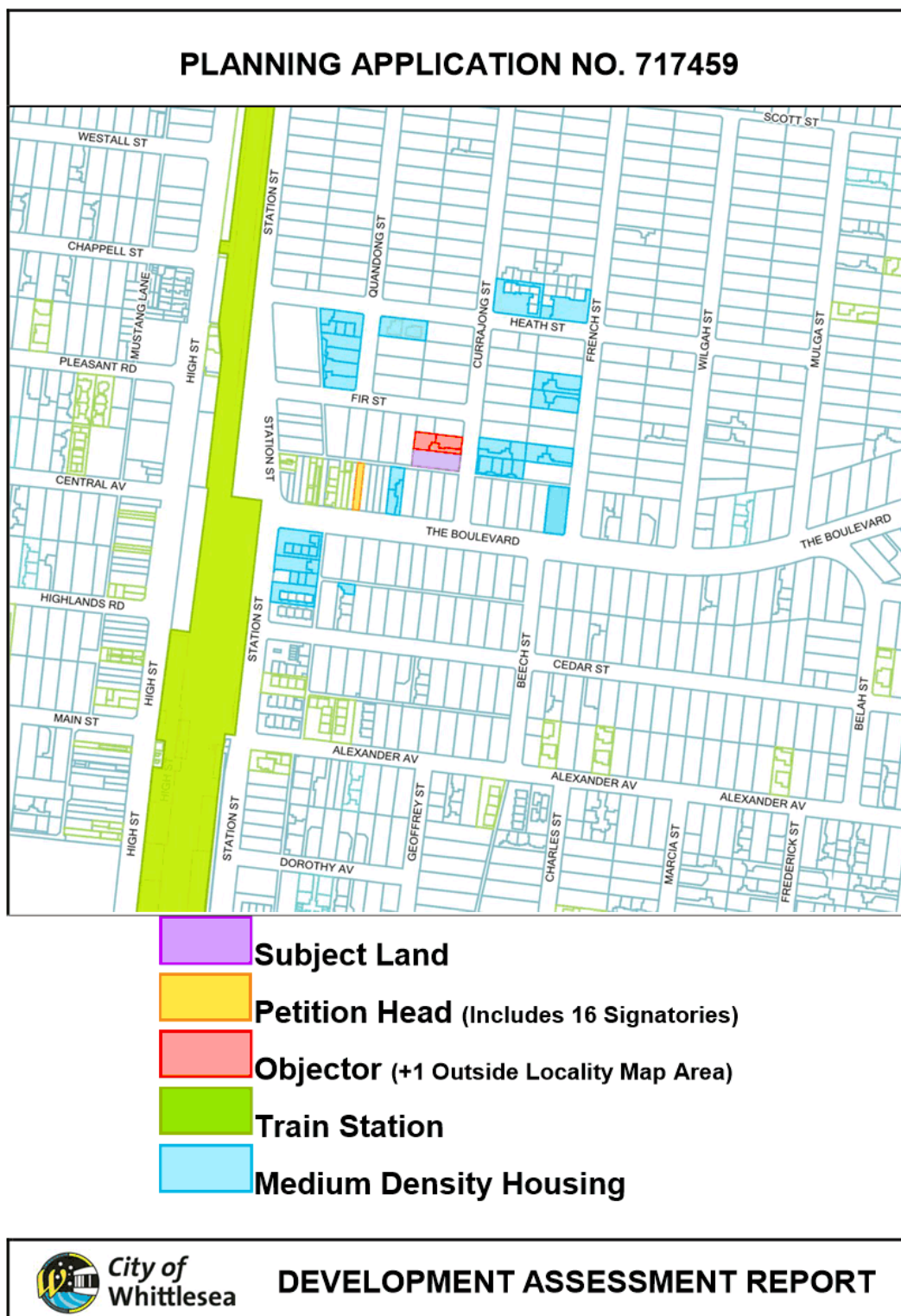
No structure may be built over an easement on the subject site without the consent of the relevant Responsible Authority.

Property Numbering

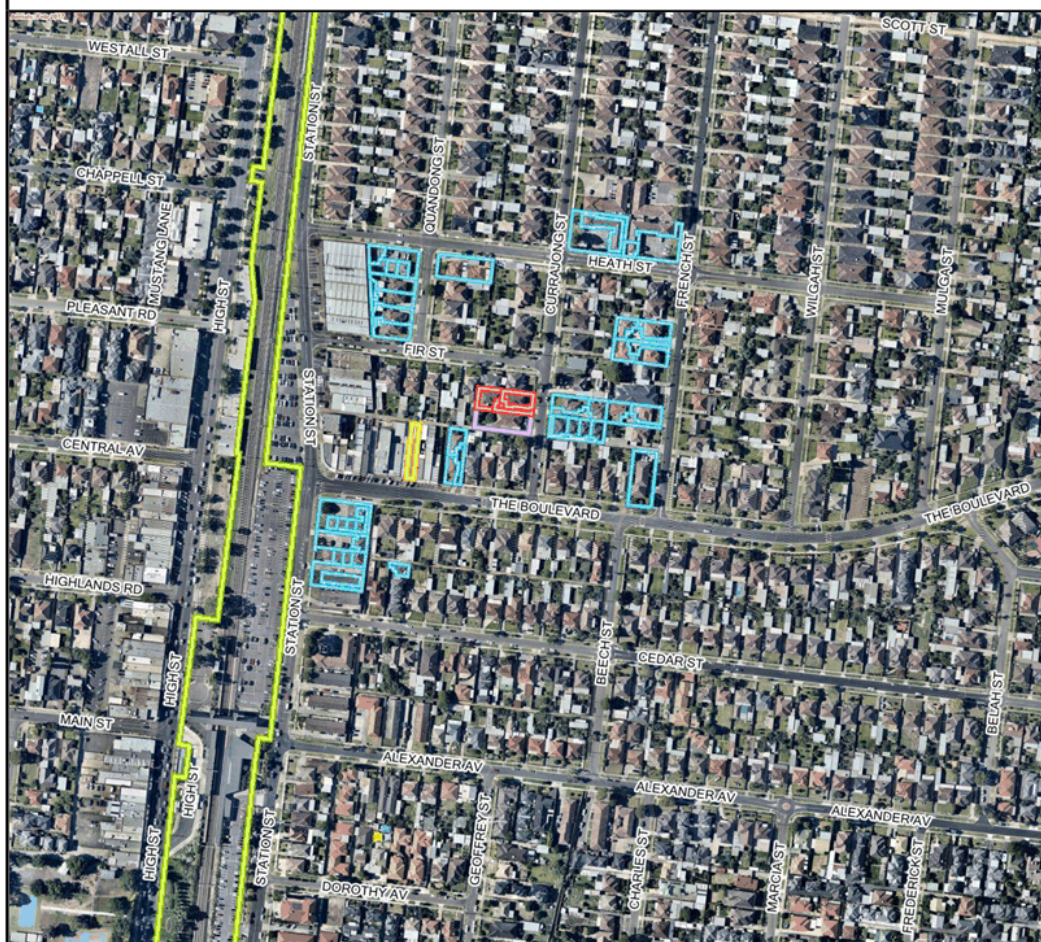
Please note that property addresses and numbering is allocated by Council. This is usually formalised at the time of the subdivision, however it is Council's intention to number the proposed dwellings as follows:-

- Dwelling No. 1 – 1/1 Currajong Street Thomastown;
- Dwelling No. 2 – 2/1 Currajong Street Thomastown;
- Dwelling No. 3 – 3/1 Currajong Street Thomastown;
- Dwelling No. 4 – 4/1 Currajong Street Thomastown;
- Dwelling No. 5 – 5/1 Currajong Street Thomastown;
- Dwelling No. 6 – 6/1 Currajong Street Thomastown.

Please check with Council's Subdivision Department to verify all street numberings.



PLANNING APPLICATION NO. 717459

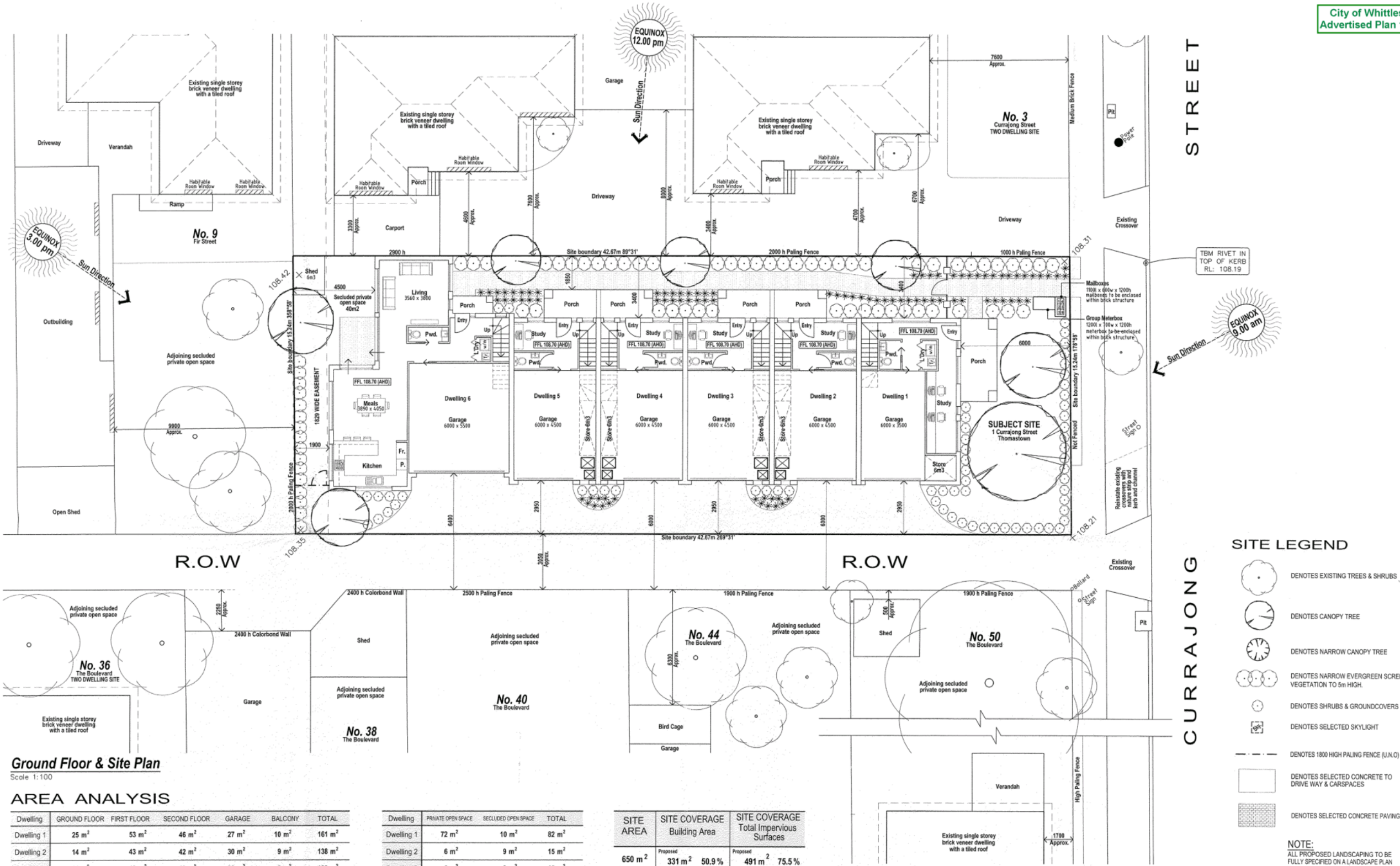


- Subject Land
- Petition Head (Includes 16 Signatories)
- Objector (+1 Outside Locality Map Area)
- Train Station
- Medium Density Housing



City of
Whittlesea

DEVELOPMENT ASSESSMENT REPORT



Project
Multi-Dwelling Development

Client
Hung Cam Thich

Rev.	Date	Description	Initial
A	11.05.18	Council Queries	P.S

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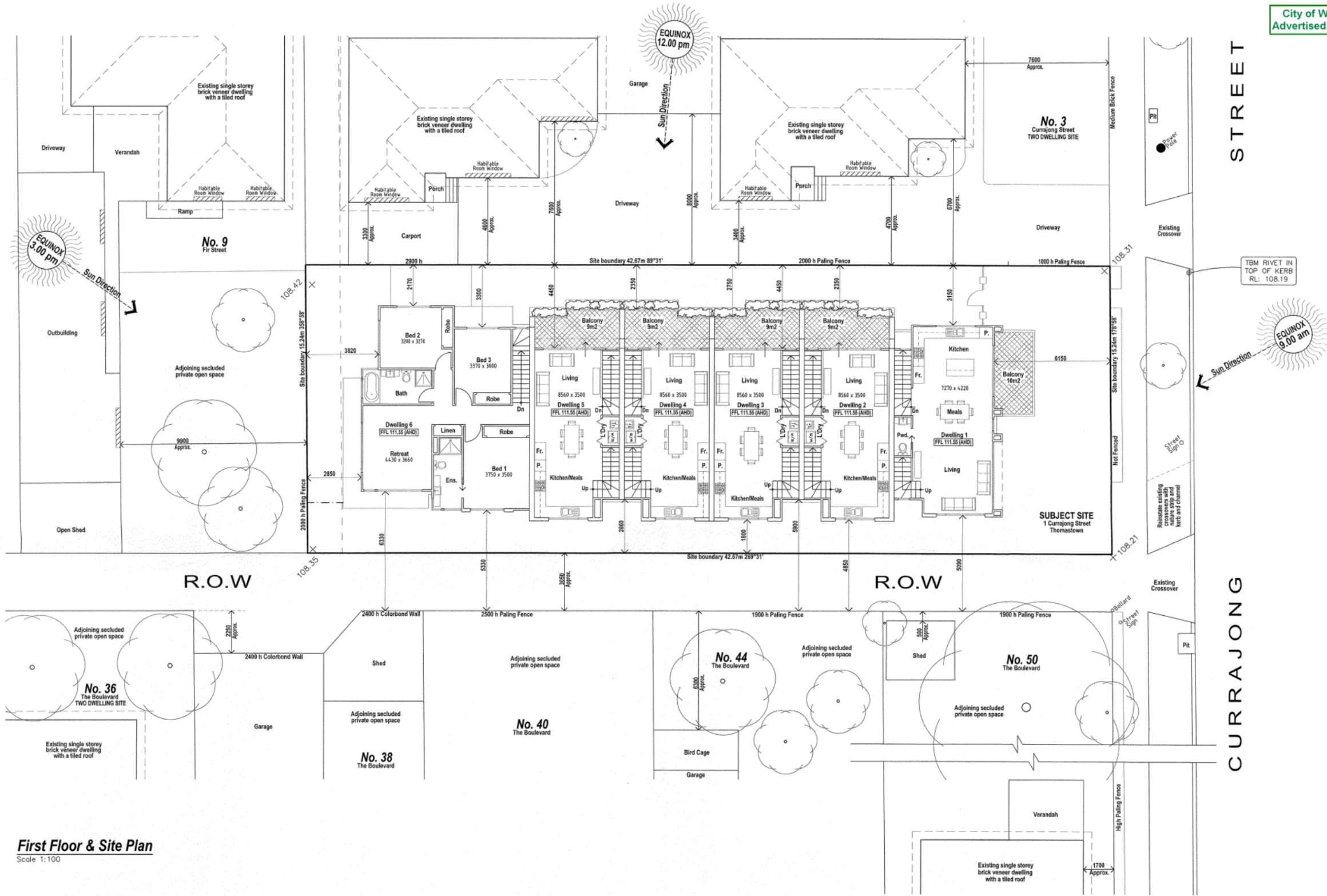
Scale 1:100
Checked A.W
Date 17.08.2017
Drawn P.S

Drawing
Ground Floor & Site Plan
Address
At 1 Currajong Street, Thomastown
Ref No. **17-1498** Sheet No. **TP1**

Designer
Beyond Design Group Pty Ltd
42 Chancellor Ave, Bundoora
Melbourne Victoria Australia
Ph: (03) 9470 1144
www.beyonddesign.com.au
A.B.N. 75 095 127 307



City of Whittlesea
Advertised Plan 2 of 6



First Floor & Site Plan
Scale 1:100



Project
Multi-Dwelling Development

Client
Hung Cam Thich

Rev.	Date.	Description.	Initial.
A	11.05.18	Council Queries	P.S

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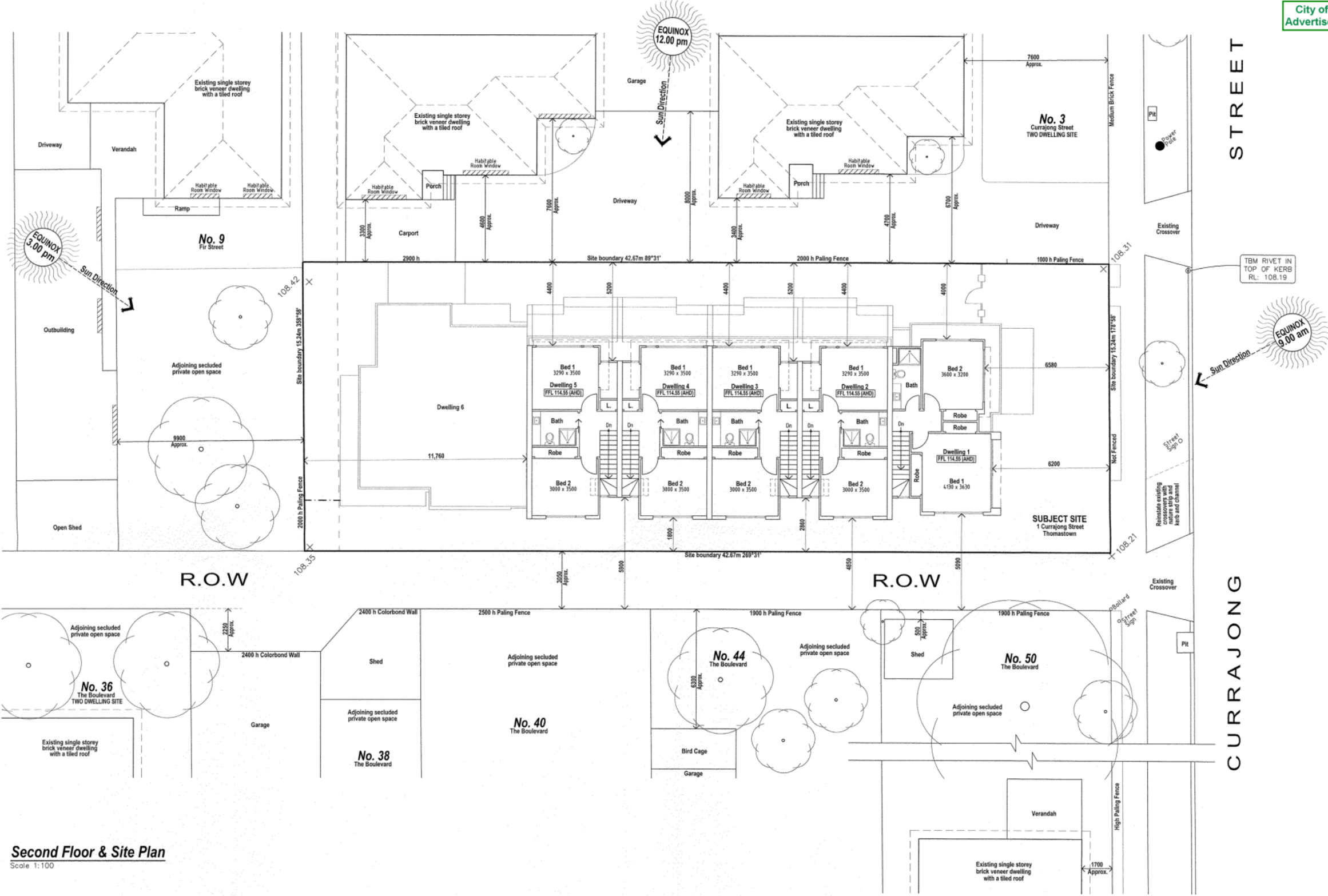
Scale 1:100
Checked A.W
Date 17.08.2017
Drawn P.S

Drawing
First Floor & Site Plan
Address
At 1 Currajong Street, Thomastown
Ref No. **17-1498** Sheet No. **TP2**

Designer
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City of Whittlesea
Advertised Plan 3 of 6



Project
Multi-Dwelling Development

Client
Hung Cam Thich

Rev.	Date	Description	Initial
A	11.05.18	Council Queries	P.S

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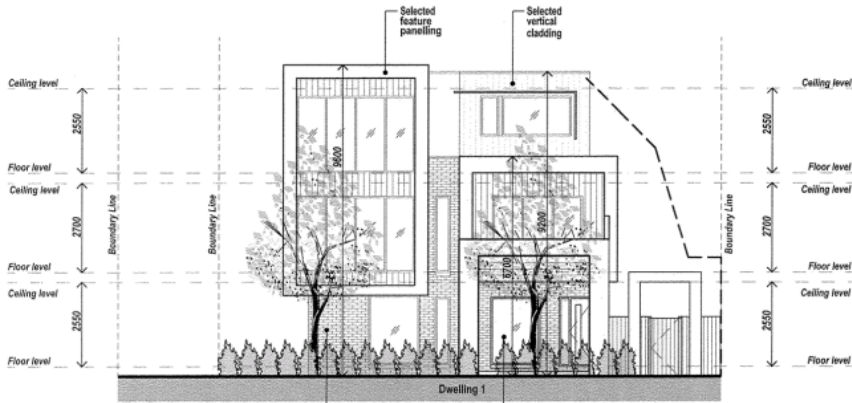


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Checked A.W
Date 17.08.2017
Drawn P.S

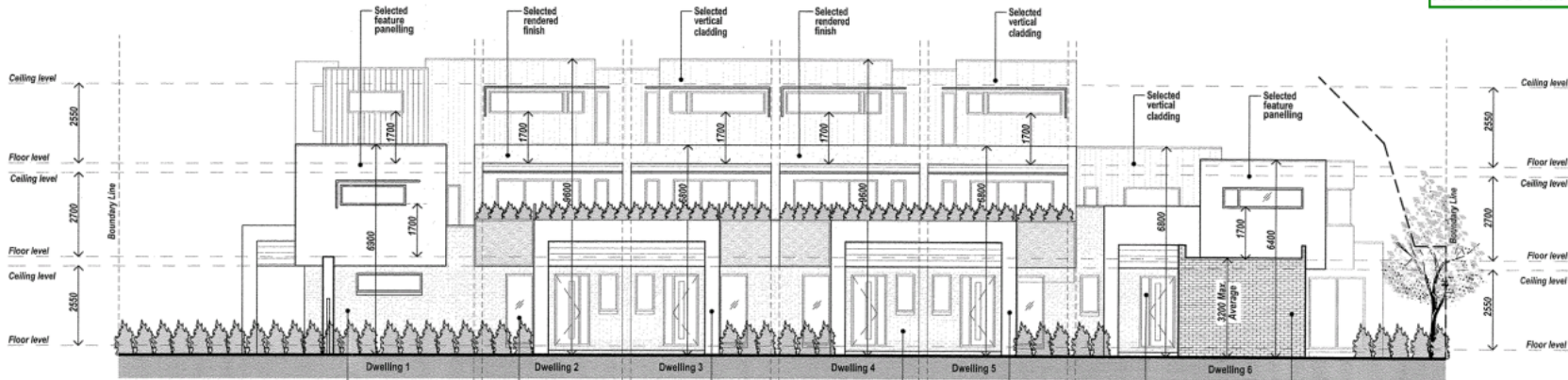
Drawing
Second Floor & Site Plan
Address
At 1 Currajong Street, Thomastown
Ref No. **17-1498** Sheet No. **TP3**

Designer
Beyond Design Group Pty Ltd
42 Chancellor Ave, Bundoora
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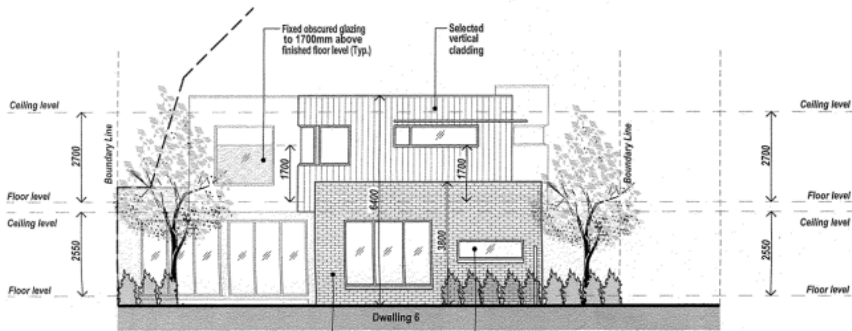




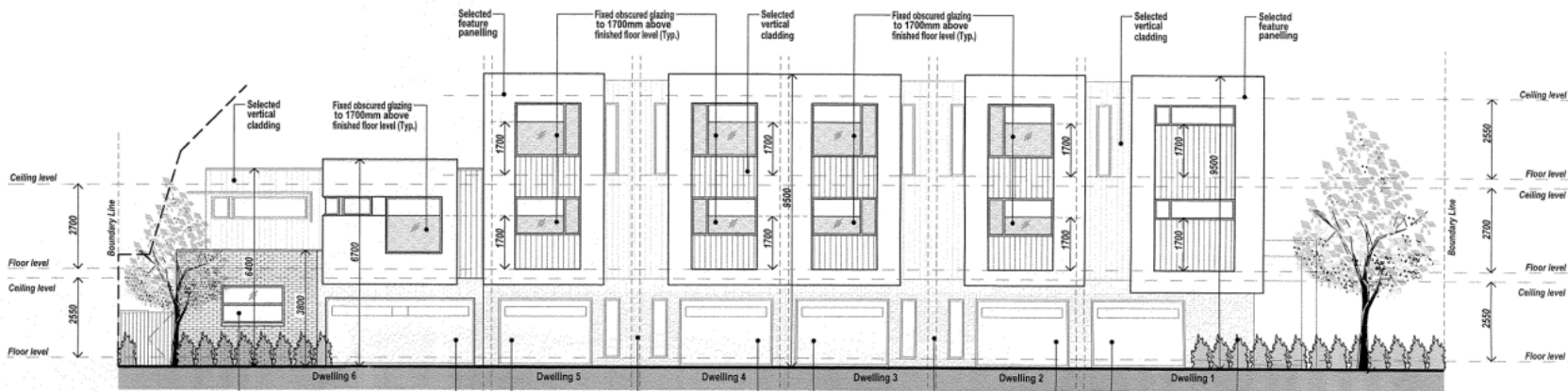
East Elevation
Scale 1:100



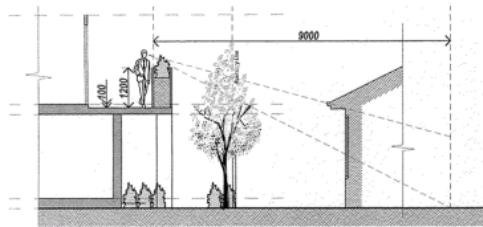
North Elevation
Scale 1:100



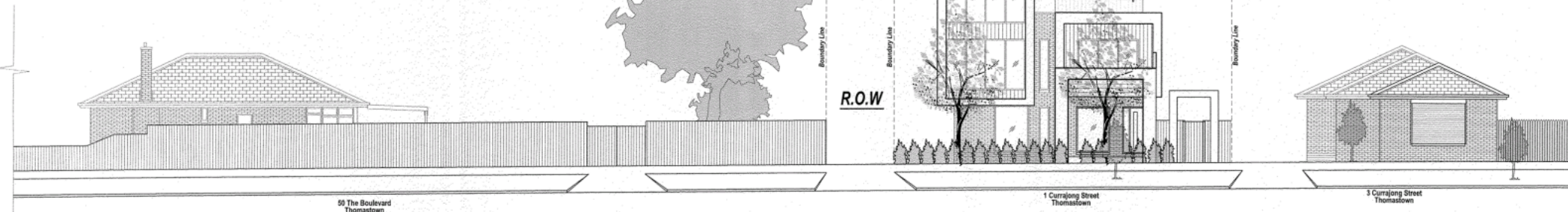
West Elevation
Scale 1:100



South Elevation
Scale 1:100



Balcony Section (Dwellings 2-5)
Scale 1:100

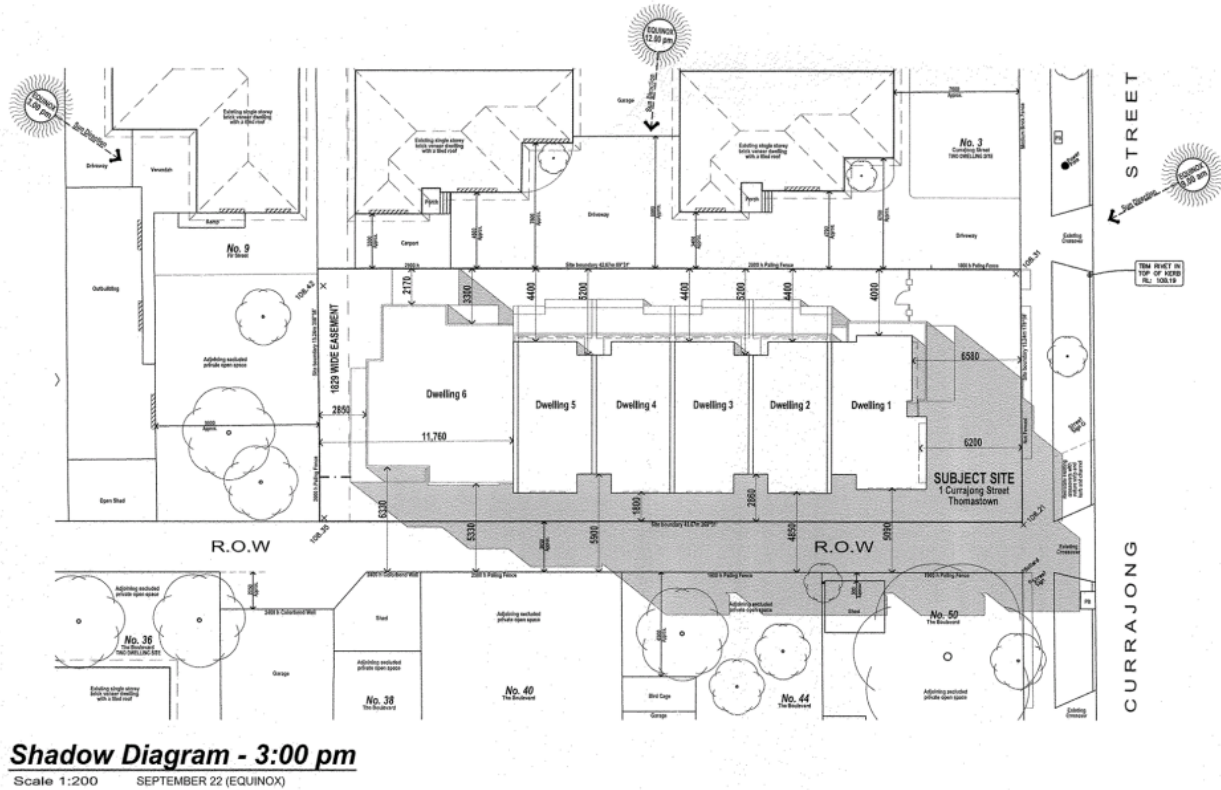
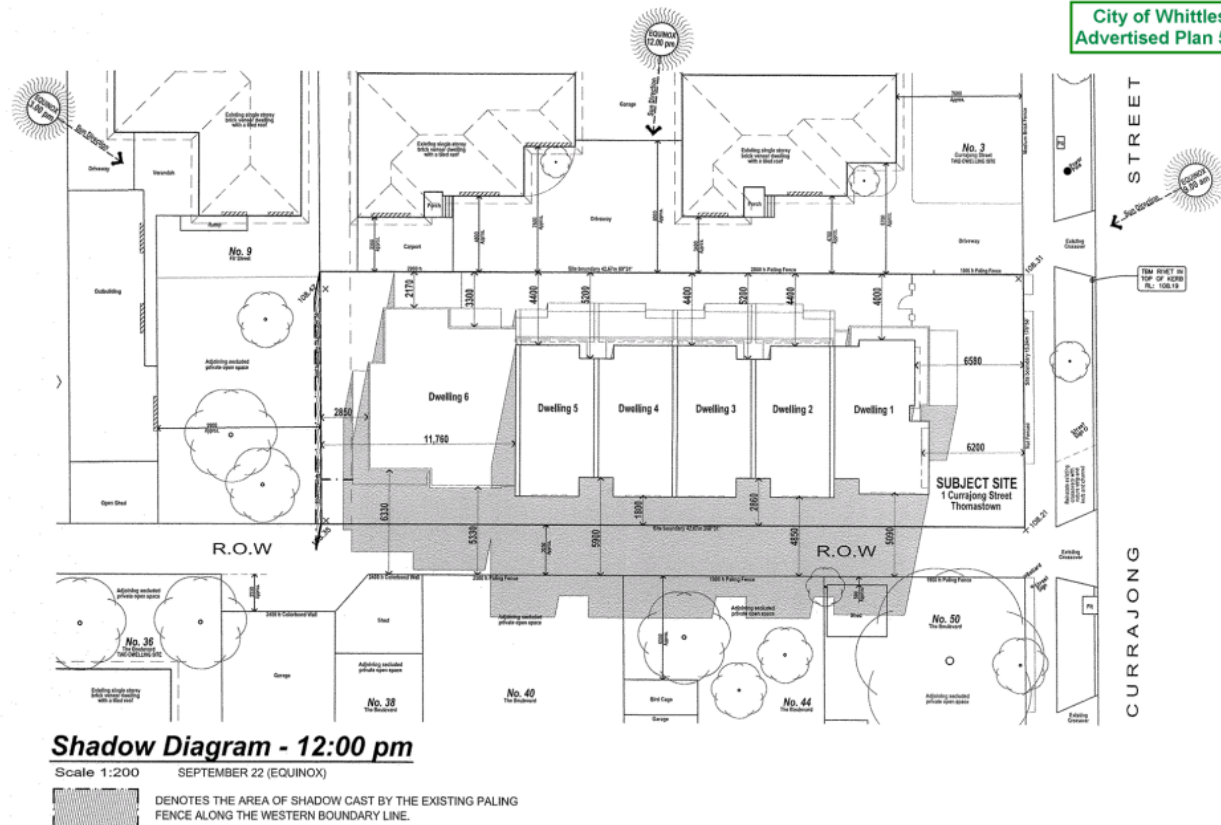
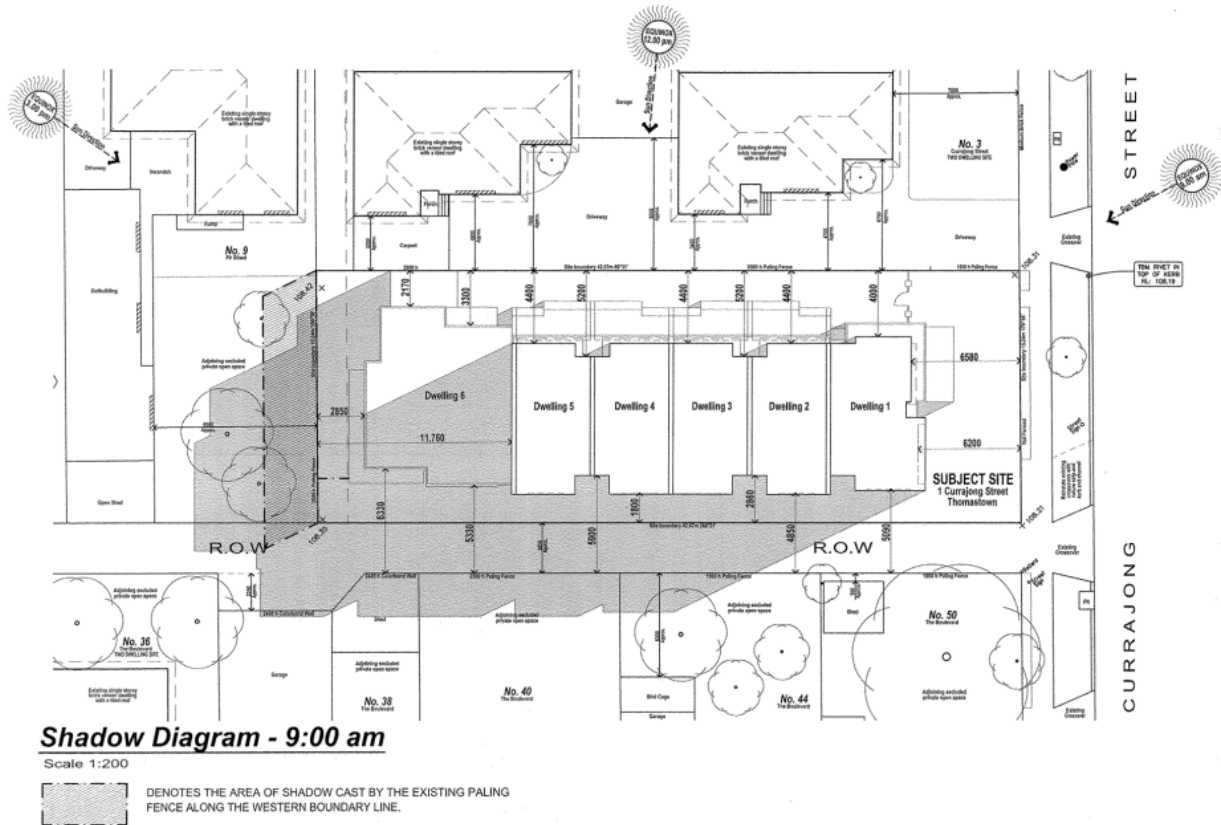


Streetscape Elevation - View From Currajong Street
N.T.S.

Project			
Multi-Dwelling Development			
Client			
Hung Cam Thich			
Scale	1:100		
Checked	A.W		
Date	17.08.2017		
Drawn	P.S		
Drawing			
Elevations			
Address			
At 1 Currajong Street, Thomastown			
Ref No.	17-1498		
Sheet No.	TP3		
Rev.	Date	Description	Initial
A	11.05.18	Council Queries	P.S
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Designer		Beyond Design Group Pty Ltd 647 Plenty Road, Reservoir Melbourne Victoria Australia Ph: (03) 9470 1144 Fax: (03) 9470 3399 www.beyondesign.com.au A.B.N. 75 095 127 307	



City of Whittlesea
Advertised Plan 5 of 6



Project
Multi-Dwelling Development

Client
Hung Cam Thich

Rev.	Date	Description	Initial
A	11.05.18	Council Queries	P.S

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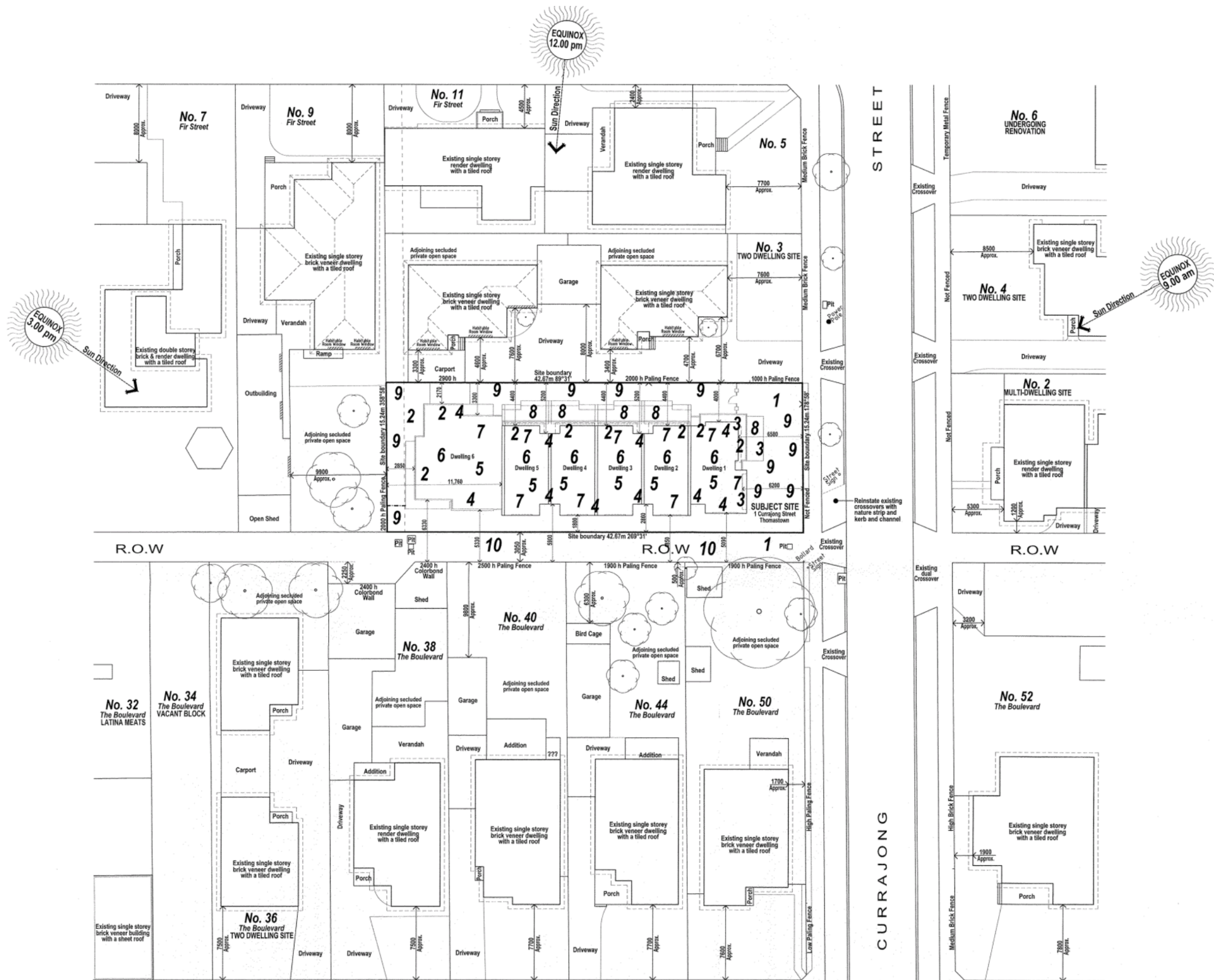


Scale 1:200
Checked A.W
Date 17.08.2017
Drawn P.S

Drawing
Shadow Diagrams
Address
At 1 Currajong Street, Thomastown
Ref No. **17-1498** Sheet No. **SH1**

Designer
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Melbourne Victoria Australia
Ph: (03) 9470 1144
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A.B.N. 75 095 127 307





Design Response

The proposed development has responded to the site context in the following ways:

- 1 The separating of pedestrian and vehicle access areas reduces conflict between people and motor vehicles.
- 2 The layout allows all the dwellings to feature north, east and west facing windows promoting access to sunlight and ventilation throughout the day.
- 3 Front building facade articulated and staggered to provide appropriate infill between varying setbacks along street.
- 4 Structural relief of building form provided by staggering of wall faces both horizontally and vertically across the Elevations.
- 5 Building height complies with planning scheme requirements
- 6 The townhouse design provides an easy subdivision layout that also reduces potential conflict between owners.
- 7 Innovative, contemporary, energy efficient design with range of external materials, finishes and colours utilised for all Dwellings.
- 8 Balconies adjoin principal living areas and are located to the outside of the building to maximise amenity.
- 9 Canopy vegetation and extensive landscaping is proposed throughout the site to enhance the appearance of the site and to soften hard surfaces areas.
- 10 The existing crossover in the south/east corner will be reinstated with kerb and channel. All vehicles will utilise the adjoining ROW.

The Design Response has been prepared taking into account the opportunities and constraints of the subject site and the Standards of Res Code. The Design Response has been derived from the Neighbourhood Site Description ensuring that a coherent design outcome has been achieved.

Design Response Plan

Denotes Existing significant trees and major vegetation



Project
Multi-Dwelling Development

Client
Hung Cam Thich

Rev.	Date	Description	Initial
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Scale 1:200
Checked A.W
Date 17.08.2017
Drawn L.R.H

Drawing
Design Response Plan
Address
At 1 Currajong Street, Thomastown
Ref No. **17-1498** Sheet No. **DR1**

Designer
Beyond Design Group Pty Ltd
667 Plenty Road, Reservoir
Melbourne Victoria Australia
Ph: (03) 9470 1144
Fax: (03) 9470 3399
www.beyonddesign.com.au
A.B.N. 75 095 127 307



6.1.2 SOUTH MORANG EAST DEVELOPMENT PLAN PROPOSAL

Attachments:	1	Locality & Zoning Plan ↓
	2	Exhibited Development Plan Layout ↓
	3	Post-Exhibition Development Plan Layout ↓
	4	Comparison of Development Plans ↓
	5	Proposed Retail Development at 975 Plenty Road ↓
	6	Revised Development Plan Proposal 975 and 985 Plenty Road ↓

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Strategic Planner

RECOMMENDATION SUMMARY

That Council resolve to approve the post exhibition revision of the *South Morang East Development Plan* dated August 2018, as contained in *Attachment 3* of this report in accordance with Schedule 6 to Clause 43.04 of the Whittlesea Planning Scheme.

KEY FACTS AND / OR ISSUES

- The proposed *South Morang East Development Plan* has been prepared in line with the requirements of the relevant Development Plan Overlay (Schedule 6).
- The proposed Development Plan will allow for the properties at 33 - 37 Old Plenty Road and 955 – 985 Plenty Road to be developed for residential purposes.
- The Development Plan incorporates a road layout that responds to the existing network to the east and south of the site, and provides the opportunity for a direct link from Stagecoach Boulevard to Middle Gorge train station.
- The proposed Development Plan was placed on non-statutory exhibition and 7 submissions were received.
- Changes have been made to the exhibited Development Plan in response to some of the submissions received, as shown in *Attachment 3*.

REPORT

INTRODUCTION

The purpose of this report is to consider the *South Morang East Development Plan* (SMEDP), dated August 2018, prepared by Whiteman Property and Accounting. The objective of the SMEDP is to provide greater certainty about the future use and development of five parcels of land in South Morang.

The submitted SMEDP has been prepared in accordance with the provisions of Schedule 6 to the Development Plan Overlay. A Development Plan must be in place before any application for subdivision and/or development can be considered.

This report will discuss the background and the merits of the SMEDP proposal in the context of the applicable statutory framework and the submissions received from the exhibition process.

SITE DESCRIPTION & CONTEXT

The SMEDP area incorporates five properties, 33 Old Plenty Road, 37 Old Plenty Road, 955 Plenty Road, 975 Plenty Road and 985 Plenty Road, South Morang, which have a combined area of approximately 4.9 hectares. The subject site is surrounded by existing residential development to the south, and is bound by Plenty Road to the east and the Mernda Rail Corridor to the west (see *Attachment 1*).

The subject site is generally flat with a gradual slope to the central west of the site. The area is also largely vacant with limited vegetation; however parts of 975 and 985 Plenty Road currently provide a temporary base for construction workers as part of the Mernda Railway Extension Project.

The subject site is located in a predominantly residential area, where allotments are between 400-800m², and generally contain single dwellings. The Mernda Railway Extension Project and the development of the Plenty Valley Town Centre to the south has resulted in higher densities being established (particularly along Old Plenty Road).

Beyond the site, immediately south-west is the Middle Gorge railway station precinct. The railway station serves as the immediate transport hub for the area, servicing Marymeade College, Fairview Manor Estate and the northern portion of the Plenty Valley Town Centre.

BACKGROUND

A Development Plan was prepared and lodged with Council for the study area in December 2011, along with a concurrent application for the development of 46 dwellings at 33 Old Plenty Road, South Morang. It was considered that a considerable amount of work was needed for the Development Plan to be assessed and approved.

Subsequently the planning application was reviewed by the Victorian Civil and Administrative Tribunal (VCAT) in the absence of a finalised Development Plan. VCAT in April 2012 determined to refuse the proposal insisting that a Development Plan needs to be prepared and approved before development can be suitably considered.

The position of VCAT for the requirement of a Development Plan was affirmed in relation to its refusal of a unit development and a medical centre for land at 985 Plenty Road. VCAT identified the need to create a holistic vision for the broader development area.

Since the VCAT decisions, ongoing negotiation between Council and various landowners within the Development Plan area has occurred, resulting in a number of iterations of the Development Plan.

The key revisions of the Development Plan sought to address issues related (but not limited) to:

- Housing densities;
- Access to/from Plenty Road (having controlled access points along Plenty Road); and
- Lack of certainty around the extension of the rail to Mernda and future train stations in close proximity to the study area.

Commitment from the State Government to extend the South Morang railway line to Mernda has provided longer term certainty for the area and the preparation of a Development Plan that appropriately responds to the new context of the subject area.

Following this, in May 2017, consultants, on behalf of the landowner at 33 Old Plenty Road, submitted the SMEDP subject of this report for Council consideration.

STRATEGIC POLICY

The subject site is affected by the *South Morang Local Structure Plan* (SMLSP) which is an incorporated document within the Whittlesea Planning Scheme, developed in 1997 to guide the future allocation of land uses and key infrastructure items within South Morang. The SMLSP nominates all of the subject land for residential development.

STATUTORY PLANNING FRAMEWORK

Zoning

The subject land is affected by the General Residential Zone – Schedule 1 (GRZ1) (Clause 32.01). The primary purpose of the zone is to provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

Additionally, the land is adjacent to Plenty Road, a road in a Road Zone Category 1 (RDZ1) (Clause 36.04) and the Mernda Rail Corridor in a Public Use Zone 4 (PUZ4) (Clause 36.01).

Overlays

The subject land is covered by 2 planning scheme overlays:

- Vegetation Protection Overlay – Schedule 1 (VPO1) (Clause 42.02); and
- Development Plan Overlay – Schedule 6 (DPO6) (Clause 43.04).

Of specific interest in the context of this report is the DPO6, as prior to any subdivision, use and development on the land, a Development Plan must be approved in accordance with the provisions of the DPO6.

The purpose of the VPO1 is to protect and retain native vegetation. A discussion regarding the extent of native vegetation on site is undertaken in detail later in this report.

A Heritage Overlay (HO125) (Clause 43.01) applies to 41 Old Plenty Road, South Morang. While not within the Development Plan area, the small parcel directly adjoins the site and the future impacts on the interface issues must be considered.

Development Contributions are collected under the SMLSP at a rate of \$42,566 per hectare.

DEVELOPMENT PLAN PROPOSAL

The SMEDP, which includes an overarching Development Concept Plan and accompanying text document, has been prepared in accordance with DPO6.

Attachment 2 shows the proposed layout forming part of the submitted SMEDP.

In essence, the proposed development parcels are structured around the signalised intersection of Stagecoach Boulevard that provides access from Plenty Road, and an internal road network connecting to Middle Gorge train station.

Specifically, the exhibited SMEDP proposes:

- The extension of the signalised intersection of Stagecoach Boulevard and an internal local road network that services the area;
- Access to the site via Stagecoach Boulevard and Old Plenty Road;
- Potential for Stagecoach Boulevard to extend to Middle Gorge Station;
- Medium density and high density housing nominated in proximity to the future train station precinct;
- A pocket park for passive recreation;
- Landscape interface treatment with Plenty Road;
- A retarding basin for the sites drainage; and
- Pedestrian and bicycle links through the SMEDP area.

CONSULTATION AND NON-STATUTORY EXHIBITION

Since the formal submission of the SMEDP in May 2017, there have been ongoing officer discussions with the proponent and relevant Council departments over various iterations of the proposal.

During this time, a range of changes were made to the SMEDP relating to the location of the Stagecoach Boulevard extension, the size of the development parcels and the internal road layout. Consideration was also given to appropriate requirements necessary at the planning permit application stage.

Following these discussions, the SMEDP (as shown in *Attachment 2*) was placed on non-statutory exhibition over a four week period between 2 March 2018 and 30 March 2018.

Whilst there is no statutory requirement to advertise the SMEDP document, in accordance with Council practice, a copy of the SMEDP land use plan was sent to all owners and occupiers of land adjacent to the subject site affected by the proposal, as well as relevant external authorities for comment.

At the conclusion of the exhibition period three landowner and four referral authority submissions were received.

SUBMISSIONS

Following the close of the exhibition period, Council Officers have reviewed each of the submissions.

Where changes have been suggested and supported, these have been shown on a revised SMEDP submission (See *Attachment 3*), and earmarked with a corresponding reference number.

Attachment 4 provides a side by side comparison between *Attachment 2* and *Attachment 3*.

The following table details the submissions received, the officer responses to them, and where appropriate a reference letter for *Attachment 3*.

Submission Summary	Officer Response
1. 985 Plenty Road, South Morang	
Requests the SMEDP be updated in order to remove the internal loop road from the subject land and to allow for the creation of direct access to Plenty Road.	<p>VicRoads, who are the statutory authority for declared arterial roads, have advised that they would not support any additional direct access points from Plenty Road other than the Stagecoach Boulevard intersection.</p> <p>This is discussed in more detail in the 'Discussion – Road Network' section below.</p> <p><u>Officer Recommendation</u></p> <p>No change recommended.</p>

Submission Summary	Officer Response
Requests the removal of the 10 metre landscape buffer interface to Plenty Road.	<p>A 10 metre landscape buffer across the frontage of the site where a loop road is not provided is consistent with the buffer provided on the eastern side of Plenty Road and further south of this precinct.</p> <p>The buffer is required to allow for appropriate separation distances between residential development and potential amenity impacts (such as noise and pollution from passing traffic), whilst also improving the streetscape amenity.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
2. 975 Plenty Road, South Morang	
<p>Objects to the proposed Development Plan in the current form as it contradicts with the landowners re-development visions including:</p> <p>Interim - Use and development of a Service Station and associated carwash facility.</p> <p>Ultimate - Use and development of a supermarket and fast food facility subject to a future rezoning of the land</p>	<p>The development of this land for the purposes of a Service Station or a Supermarket is not supported.</p> <p>The Mernda Rail extension presents the opportunity to locate medium and high density residential dwellings in proximity to the Middle Gorge train station consistent with the existing General Residential Zone.</p> <p>This is discussed in more detail in the ‘Discussion – Service Station and Supermarket – 975 Plenty Road’ section below.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
Stagecoach Boulevard extension conflicts with the currently proposed development vision of the site.	<p>The proposed development vision of this land for the purposes of a Service Station or a Supermarket is not supported.</p> <p>The Stagecoach Boulevard extension is required as part of the local road network for the entire SMEDP area.</p> <p>This is discussed in more detail in the ‘Discussion – Road Network’ section below.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
The sewer and drainage requirements on the land conflict with the currently proposed development vision of the site.	<p>The proposed development vision of this land for the purposes of a Service Station or a Supermarket is not supported.</p> <p>The drainage requirements are indicative only and can be refined at the detailed design stage if appropriate.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
Internal road layout conflicts with proposed development vision of the site.	<p>The proposed development vision of this land for the purposes of a Service Station or a Supermarket is not supported.</p> <p>The internal road layout provides a logical road network to service the SMEDP area for residential purposes.</p> <p>This is discussed in more detail in the ‘Discussion – Road Network’ section below.</p> <p><u>Officer Recommendation</u> No change recommended.</p>

Submission Summary	Officer Response
Requests the removal of the 10 metre landscape buffer interface to Plenty Road.	<p>A 10 metre landscape buffer across the frontage of the site where a loop road is not provided is consistent with the buffer provided on the eastern side of Plenty Road and further south of this precinct.</p> <p>The buffer is required to allow for appropriate separation distances between residential development and potential amenity impacts (such as noise and pollution from passing traffic), whilst also improving the streetscape amenity.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
The currently indicated land uses in the proposed Development Plan conflicts with proposed development vision of the site.	<p>The proposed development vision of this land for the purposes of a Service Station or a Supermarket is not supported.</p> <p>The land use identified in the proposed SMEDP is consistent with the existing General Residential Zone and the provisions of the SMLSP.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
The location and configuration of the pocket park creates a space that will be unused, poorly maintained, and ultimately conflicts with proposed development vision of the site.	<p>Although it is noted that a pocket park provides an area of passive recreation for the future community. The narrow and irregular shape of the land is unlikely to be conducive for informal recreational use.</p> <p>The removal of the pocket park provides the opportunity to regularise the allotment/block whilst not impacting upon the function of the retarding basin.</p> <p>It is considered that it would be more appropriate for landowners to make a monetary contribution to Council in accordance with the SMLSP for the upgrade of other open space in the immediate area, including Grange Park and Songbird Reserve.</p> <p><u>Officer Recommendation</u> Remove the designated 'Pocket Park' from the <i>South Morang East Development Plan</i> and insert a footnote to the effect that: "A monetary payment equivalent to 8% land contribution to be paid by each landholding in lieu of the provision of land for public open space, in accordance with the <i>South Morang Local Structure Plan</i> and Clause 52.01 of the Whittlesea Planning Scheme". These changes are shown as "A" in <i>Attachment 3</i>.</p>
3. 955 Plenty Road, South Morang	
The Development Plan layout should be amended to reflect the layout proposal submitted for the parcel.	<p>The development proposal intended is for a mix of medium density and high density with a slight change in the road layout only within 955 Plenty Road. The east-west road is shifted north to provide a development pod on the boundary.</p> <p>The proposal offers a similar road connection and the provision of the 10m landscape buffer from Plenty Road maintains views towards the 41 Old Plenty Road. The proposed change will not result in altering the development potential for other subject sites nor does it</p>

Submission Summary	Officer Response
	<p>change the overall intent of the SMLSP. Therefore the change can be supported.</p> <p><u>Officer Recommendation</u> Amend the <i>South Morang East Development Plan</i> to reflect the proposed development layout for 955 Plenty Road. This change is shown as “B” in <i>Attachment 3</i>.</p>
<p>The proposed height controls of the Development Plan and description for apartment buildings conflict with the existing zoning. While re-zoning may be progressed in the future, the Development Plan must be assessed under the existing controls. The references to building heights and apartments should be removed and the built form references remained as medium and high density housing.</p>	<p>Any proposal to change the height controls would require a rezoning. This would be subject to a separate process in the future if the change is to be advanced.</p> <p>It is agreed the references to the height controls in the SMEDP conflict with the existing planning controls and therefore all height references must be removed and allow the description of medium and high density housing to determine the land use and built form outcomes.</p> <p><u>Officer Recommendation</u> Remove the references to the height controls from the <i>South Morang East Development Plan</i> and allow the description of medium and high density housing to determine the built form allowable under the existing General Residential Zone. This change is shown as “C” in <i>Attachment 3</i>.</p>
<p>It is requested that the ‘pocket park’ is removed from the development plan, as it does not provide a usable area of open space. Prefer for all land holders to provide cash contributions in lieu of public open space.</p>	<p>Although it is noted that a pocket park provides an area of passive recreation for the future community. The narrow and irregular shape of the land is unlikely to be conducive for informal recreational use.</p> <p>The removal of the pocket park provides the opportunity to regularise the allotment/block whilst not impacting upon the function of the retarding basin.</p> <p>It is considered that it would be more appropriate for landowners to make a monetary contribution to Council in accordance with the SMLSP for the upgrade of other open space in the immediate area, including Grange Park and Songbird Reserve.</p> <p><u>Officer Recommendation</u> Remove the designated ‘Pocket Park’ from the <i>South Morang East Development Plan</i> and insert a footnote that: “A monetary payment equivalent to 8% land contribution to be paid by each landholding in lieu of the provision of land for public open space, in accordance with the South Morang Local Structure Plan and Clause 52.01 of the Whittlesea Planning Scheme”. These changes are shown as “A” in <i>Attachment 3</i>.</p>

Submission Summary	Officer Response
<p>The current preference is for the extension of Stagecoach Boulevard to connect through to the VicTrack land to the west as far north as practical. This will reduce traffic flows from the residential land precinct.</p>	<p>The location of the 21 metre cross section continuation of Stagecoach Boulevard is restricted by the Mernda Rail corridor and the available surplus VicTrack Land. It is unlikely that there is enough surplus land available to locate this connection north of this parcel.</p> <p>The SMEDP provides an alignment for Stagecoach Boulevard in a location which provides greatest opportunity to connect with the potential road link on VicTrack land.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
<p>Preference to remove the retarding basin dimension requirements from the Development Plan considering further detailed design work is being undertaken. Request a notation to be added to the Development Plan advising the size of the retarding basin is 'indicative only.'</p>	<p>Given that the dimensions and size of the retarding basin will be determined at the detailed design stage, a notation will be included on the Development Plan stating 'the size and shape of the retarding basin is indicative only.' The design is flexible enough to accommodate any increase or decrease in size as a result of subsequent detailed design assessment.</p> <p><u>Officer Recommendation</u> Include a footnote on the <i>South Morang Development Plan</i> stating to the effect that: "Retention Basin indicative dimensions subject to detailed design and satisfaction of Council". This change is shown as "D" in <i>Attachment 3</i>.</p>
<p>4. Melbourne Water</p>	
<p>Council must review and accept the proposed retarding basin including future ownership and on-going maintenance responsibilities.</p> <p>Melbourne Water intends to impose additional requirements and conditions in response to any future proposal(s) to develop this site.</p>	<p>It is acknowledged that the future retarding basin will be a Council asset. Any conditions provided by Melbourne Water through the formal planning application referral will be included on any permit issued.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
<p>5. VicTrack</p>	
<p>Generally supportive of the interface to VicTrack land, however recommends that the Development Plan does not rely on the VicTrack land for future access and must designed to be able to function independent of this proposed future road.</p>	<p>Noted. The internal road network does not rely on any road on VicTrack land to be delivered, however locates the 21 metre cross section in a position to provide flexibility for future connection through this surplus rail corridor land should it become possible in the future.</p> <p>This proposed road link will help to provide the provision of a future bus capable connection to Middle Gorge train station.</p> <p>This is discussed in more detail in the 'Discussion – Road Network' section below.</p> <p><u>Officer Recommendation</u> No change recommended.</p>

Submission Summary	Officer Response
6. Transport for Victoria	
<p>With regard to the bus capable roads, if the southern section of the local road network connecting with Old Plenty Road was upgraded from a 16m cross section to a 21m cross section, this would allow for a future bus route to operate within the subject site.</p>	<p>Noted. The potential to provide a bus capable 21 metre cross section within VicTrack land has been preserved and accounted for in the design of the SMEDP.</p> <p>This is discussed in more detail in the ‘Discussion – Road Network’ section below.</p> <p><u>Officer Recommendation</u> No change recommended.</p>
7. VicRoads	
<p>In reviewing the Traffic and Transport Assessment, VicRoads advise that there are some issues that need to be addressed within the report that impact the external road network including the signalised intersection of Plenty Road and Stagecoach Boulevard as well as Plenty Road and Old Plenty Road.</p> <p>It is important that the footprint of the intersection of Plenty Road / Stagecoach Boulevard is agreed to, such that the land requirement from the subdivision can be established and any planning permit application for the subdivision reflects accordingly.</p>	<p>Noted. The Traffic Impact Assessment has been updated to incorporate the VicRoads feedback prior to the approval of the SMEDP.</p> <p>In addition, a notation must be included on the SMEDP at the intersection of Plenty Road and Stagecoach Boulevard stating that ‘all land requirements for the design of the Stagecoach Boulevard intersection need to be set aside and finalised as part of any future planning permit application’, where this will be assessed the satisfaction of VicRoads.</p> <p><u>Officer Recommendation</u> Include a notation on the <i>South Morang East Development Plan</i> that all land requirements for the design of the Stagecoach Boulevard intersection need to be set aside and finalised as part of any future planning permit application stage. This change is shown as “E” in Attachment 3.</p>
<p>Vic Roads also provided an additional submission that clarifies their position on access to and from Plenty Road.</p> <p>The advice indicates that the only access permissible from Plenty Road is the construction of a fourth leg to the signalised intersection of Plenty Road / Stagecoach Boulevard, due to safety grounds.</p> <p>The access from Old Plenty Road to the site is also supported.</p>	<p>Noted and supported.</p> <p>This is discussed in more detail in the ‘Discussion – Road Network’ section below.</p>

DISCUSSION

This section provides a more detailed discussion on the key themes arising from the submissions as well as other matters of clarity raised by Council Officers in finalising the SMEDP. These relate to the road network, the development proposal at 975 Plenty Road, an alternative development plan layout and the extent of vegetation across the site; these are discussed in turn below.

Road Network

Amongst the issues raised in the submissions, the most significant relate to the road network and land parcel accessibility.

Stagecoach Boulevard is considered the key road link for the development cell. It already has a signalised intersection built with Plenty Road and the cross-section of Stagecoach Boulevard on the opposite side of Plenty Road is bus capable. To unlock the precinct, Stagecoach Boulevard to the west of Plenty Road will need to be constructed to become a four way signalised intersection. Acting as the 'spine' of the precinct, Stagecoach Boulevard will draw traffic from the site and from Plenty Road (north of the site) and Fairview Manor Estate (east of the site) towards Middle Gorge station. The ultimate location of Stagecoach Boulevard will set the framework for the layout of future development parcels.

The SMEDP has acknowledged this by identifying a 21m access street from the Stagecoach Boulevard and Plenty Road intersection running through the southern central portion of the site, terminating at the south-western corner of 955 Plenty Road South Morang (next to Vic Track land). A 16m local street/loop road extending from Stagecoach Boulevard provides access to the north of the precinct and a 16m local street provides a connection from Stagecoach Boulevard through the far south of the site to Old Plenty Road. The large development parcels created as a result of this network are flexible to allow for likely medium and high density residential development, which is considered appropriate given the context of the site proximate to a train station.

The opportunities for alternative access arrangements to the subject Development Plan area are limited given the physical constraints of the railway corridor, Plenty Road and existing development to the south. Vic Roads have provided advice that does not support the creation of direct access from 985 Plenty Road or any other adjoining land to Plenty Road due to safety concerns and have advised that access should be provided from the internal road network, specifically the Stagecoach Boulevard intersection. This position is also affirmed in a VCAT decision relating to 985 Plenty Road.

To this end, the SMEDP limits access to the Development Plan area from Plenty Road to the Stagecoach Boulevard intersection. Furthermore to ensure that Stagecoach Boulevard maximises the opportunity afforded by the constructed signalised intersection, the road is bus capable. A 21m cross section is provided from Stagecoach Boulevard through the boundary of the site where it will potentially connect to Vic Track land in the future to access Middle Gorge Station. Transport for Victoria has requested the extension of this 21m cross-section through to Old Plenty Road in the south to cater for bus traffic. This is considered undesirable given the existing development and the overall intent to minimise traffic using Old Plenty Road.

Now that the construction Mernda Rail Extension Project is completed, it is noted that there is likely to be surplus VicTrack land available. This land will be reviewed as part of a future masterplanning of the Middle Gorge Station precinct with the aim of an ultimate provision of a road link from Middle Gorge Station to Stagecoach Boulevard.

Vic Track were provided the opportunity to comment on the extension of Stagecoach Boulevard on surplus rail reserve land, however were unable to commit to supporting a road at the current time, and requested that the SMEDP be designed to not rely on Vic Track land for future access. The layout as designed can function without the link but preserves the opportunity for its future prioritisation.

Service Station and Supermarket Proposal – 975 Plenty Road

The submission in relation 975 Plenty Road essentially objects to the SMEDP on the basis of a potential future development outcome they are seeking to pursue for the land. This parcel is one of the critical central landholdings within the Development Plan precinct and contains the location for the direct westerly extension of Stagecoach Boulevard through the site.

In summary they are seeking to provide a service station as a first stage in the northern part of the parcel and then ultimately a supermarket on the southern section.

With respect to the service station approval is required for the subdivision of the land, as for a service station to be considered on land zoned GRZ the site must be adjacent to an arterial road and have a maximum lot size of 3600 square metres. For a supermarket the use is

currently prohibited under the GRZ and, as such, would require a future rezoning via an amendment process which would require Council support to advance.

Officers have already refused an application (Planning Permit application 717546) comprising the service station with the balance notionally set aside for a supermarket (concept at *Attachment 5*). This was generally on the basis that there was no Development Plan approved for the site and that the parcel set aside for the service station did not comply with the maximum lot size under the provisions of the GRZ. The applicant has requested that VCAT Review the decision of Council, with a directions hearing scheduled for 5 October 2018.

In light of the above, the applicant also lodged a subsequent application (Planning Permit application 717652) to address this zone requirement (by subdividing the site). This proposal was also refused by Council Officers on the basis that there was no approved Development Plan, the proposal will unreasonably compromise the orderly development of the land and the proposed access is inappropriate for safety reasons.

A critical issue of concern with this general proposal relates to the treatment of Stagecoach Boulevard. The importance of Stagecoach Boulevard's extension through the site as a key spine integrating the landholdings and its strategic significance as a future connection (including bus) to Middle Gorge Station is a key structural element of the SMEDP. This key point has been identified as such in the previous VCAT matters relating to individual sites within the precinct.

The submitter's proposal has the effect of truncating the Stagecoach Boulevard extension and limits it essentially to an access for their development only with no regard to connectivity to the south and future connection to the train station.

Setting aside the important structural issues of the proposal, it is considered that there is no strategic justification for the provision of a supermarket. Its location is not supported in the SMLSP which identifies the site for residential and it is located away from any nominated activity centre, noting that Plenty Valley Town Centre is an appropriate location for these uses. Locating an isolated highway based centre in this location is considered undesirable and not strategically justified.

The SMEDP specifically identifies the development cells for a mix of medium to high density residential, which provides clear direction to the development outcomes envisaged.

Revised Development Plan Proposal – 975 Plenty Road and 985 Plenty Road

Subsequent to the non-statutory exhibition period, and refusal of both planning permit applications, the landowner at 975 Plenty Road has submitted an alternative Development Plan layout (dated 6 September 2018) for the SMEDP (see *Attachment 6*), focussing on 975 and 985 Plenty Road.

The submission is different to earlier proposals, whereby it removes a level of detail from the northern two parcels north of Stagecoach Boulevard, and leaves the decision on the ultimate development to the planning permit application stage.

The area shown red (encompassing 985 Plenty Road and the far northern end of 975 Plenty Road) is to allow for a service station with a left in – left out access treatment. The area shown blue (remaining land north of Stagecoach Boulevard) is identified as a future development parcel providing a range of dwelling types and associated lots, with access via Stagecoach Boulevard or the service station lot to the north.

It is considered that the revised submission is limited in detail with respect to the ultimate development intent and function of the two northern parcels. The removal of the road network from the Development Plan is not supported, as a road network is required for the parcels to demonstrate the connectivity and accessibility and identify the general form and shape of future development parcels; to this end the proposal only includes a westerly road connection terminating at the Mernda rail corridor. Furthermore, in this instance the road network is particularly important considering the relationship of the site to a new train station

and Vic Roads comments that direct access to Plenty Road for the whole development area is to be limited to Stagecoach Boulevard. Noting again, that these positions and matters have previously been before VCAT.

The lack of detail regarding the internal road network does not clarify or provide any certainty on what can be developed. The proposal in its current form is limited details on proposed uses, with the exception of the service station on the northern parcel, noting that Vic Roads do not support left in – left out access arrangements for that site.

The proposal nominates a “diverse range of dwelling types” which could be considered to be in accordance with the SMLSP, but it does not identify what type of housing is to be used, i.e. if it is medium or high density housing and the supporting road network. The purpose of the Development Plan is to specify this greater level of detail to allow Council to be confident in the type of development that can be realised. As presented, the proposal is essentially deferring all application requirements to the planning permit stage, which is not supported.

It is considered that the SMEDP proposal tabled in *Attachment 3* still provides a more appropriate and complete representation of a planning outcome for an area adjacent to a new train station. The certainty is given by the proposed road network and the size of the development parcels. The land use designations of high density housing and medium density housing demonstrate the compliance of the proposal with an incorporated document within the Whittlesea Planning Scheme.

Vegetation

The exhibited SMEDP showed vegetation across the development cell, with significant extents at the north-east corner of 975 Plenty Road and the north-west corner of 955 Plenty Road.

The majority of the trees at 955 and 975 Plenty Road were removed as part of the site occupation by the Level Crossing Removal Authority for the Mernda Rail Extension Project. The vegetation was not native and therefore was exempt from the requirement of a planning permit under the Vegetation Protection Overlay.

With respect to the removal the two trees at 33 Old Plenty Road. These trees are required for removal to allow for the road extension into the site from Old Plenty Road. Whilst the preference would be to retain trees wherever possible, the location of the trees central to the frontage of the site means there is no opportunity to deliver the critical road connection without impacting upon the trees. The arborist report submitted with the SMEDP has identified the trees as Sugar Gums, which are not native to Victoria, and as such do not require a planning permit for their removal.

Furthermore, the arborist report has identified a number of indigenous species which can be replanted to provide amenity in the future. These changes are reflected in *Attachment 3*.

Officer Recommendation

- **Update the *South Morang East Development Plan* to reflect current vegetation extent.**
- **Identify the two Sugar Gum trees on the southern boundary of the precinct as suitable for removal.**

This change is shown as “F” in *Attachment 3*.

CRITICAL DATES

- **August 2011** – Application for 46 dwellings at 33 Old Plenty Road refused by Council.
- **December 2011** – An application for a Development Plan encompassing 33 Old Plenty Road and 955-985 Plenty Road is lodged.
- **April 2012** – The application for the 46 dwellings is reviewed by VCAT who determine the refusal of the application in the absence of an approved Development Plan.

- **August 2012** – Application for 32 dwellings, a medical centre and creation of an access to a Road Zone 1 at 985 Plenty Road is refused.
- **August 2013** – The application for 32 dwellings, a medical centre and creation of an access to a Road Zone 1 is reviewed by VCAT who determine the refusal of the application in the absence of an approved Development Plan.
- **June 2014** – Revised *South Morang East Development Plan* submission received.
- **January 2015** – Applicant advised to consider the role of the future Mernda Railway Extension Project in the SMEDP layout.
- **May-September 2015** – Ongoing discussions with respect to the SMEDP undertaken with Vic Roads and Public Transport Victoria.
- **June 2017** – Revised SMEDP submitted by Whiteman Property & Accountants.
- **March 2018** – SMEDP (*Attachment 2*) placed on Non-Statutory Exhibition.
- **August 2018** – Revised SMEDP (*Attachment 3*) taking into consideration submissions raised during the Non-Statutory Exhibition period prepared and submitted for Council consideration.

POLICY STRATEGY AND LEGISLATION

It is considered that the SMEDP, as shown in *Attachment 3*, is generally consistent with the objectives and general provisions of the State Planning Policy Framework and the Local Planning Policy Framework.

Clause 11 – Settlement

The SMEDP is consistent with this clause by contributing to a number of facets of planning (including housing diversity, transport links and good urban design).

Clause 15 – Built Environment & Heritage

The SMEDP is generally consistent with this clause. The design of the development layout satisfactorily responds to the site features and constraints. The residential development includes elements which will assist in making it attractive, liveable, walkable and cyclable. Adjoining infrastructure features including Plenty Road and the Mernda Rail Corridor constrain the development from providing a high level of diversity and have affected the design parameters.

Clause 16 – Housing

The SMEDP is generally consistent with this clause. The development increases the supply of housing in an existing urban area on an under-utilised site adjacent to a future train station. The SMEDP ensures the site is connected to the broader area.

Clause 18 – Transport

The SMEDP is consistent with this clause. The SMEDP includes significant walking and cycling infrastructure and public transport connections to a future train station and major activity centre.

Clause 19 – Infrastructure

The SMEDP is generally consistent with this clause. The development makes provision for appropriate infrastructure to service the development and contributes to the provision of community infrastructure in proximity to the site.

Clause 21.09 – Housing

The SMEDP is consistent with the objectives of this clause by providing the opportunity for a diversity of housing options.

Clause 21.11 – Transport

The SMEDP is consistent with the objectives of this clause by providing the opportunity for a diversity of transportation options.

Clause 21.12 – Community Infrastructure

The SMEDP is consistent with this clause and includes a contribution towards transport, community infrastructure and open space.

LINKS TO THE COUNCIL PLAN

Council Priority	Planning and Infrastructure
Future Direction	Places and spaces to connect people
Theme	Planning our space
Strategic Objective	Urban design helps build our connection to place, the natural environment and the community

The SMEDP will ensure that the residential development of the site will be well designed and respond to the constraints affecting the site. The development will help build connection to place and community through a number of key elements including; permeable street network, cycle and pedestrian links to a future train station and contribution to community infrastructure and open space.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The *South Morang East Development Plan* has been developed in consultation between Council Officers and the consultants of the proponent. The plan itself has been the subject of a planning process which has resulted in refinements to the plan.

The uncertainty regarding the delivery of the Mernda Railway Extension has delayed the progression of the Development Plan. However given that the project has now been delivered it is important to ensure that an appropriate Development Plan is in place to provide firm direction on the overall strategic intent of the area and to guide assessment of future planning applications for the precinct. The medium and high density residential development identified on the plan is consistent with the provisions of the *South Morang East Local Structure Plan* and is supported.

Council should continue to advocate for the extension of Stagecoach Boulevard (as identified in the plan), to further strengthen the position and connectivity of the Middle Gorge station within the broader South Morang East area and beyond, and ensure that the new Middle Gorge precinct is activated as soon as possible.

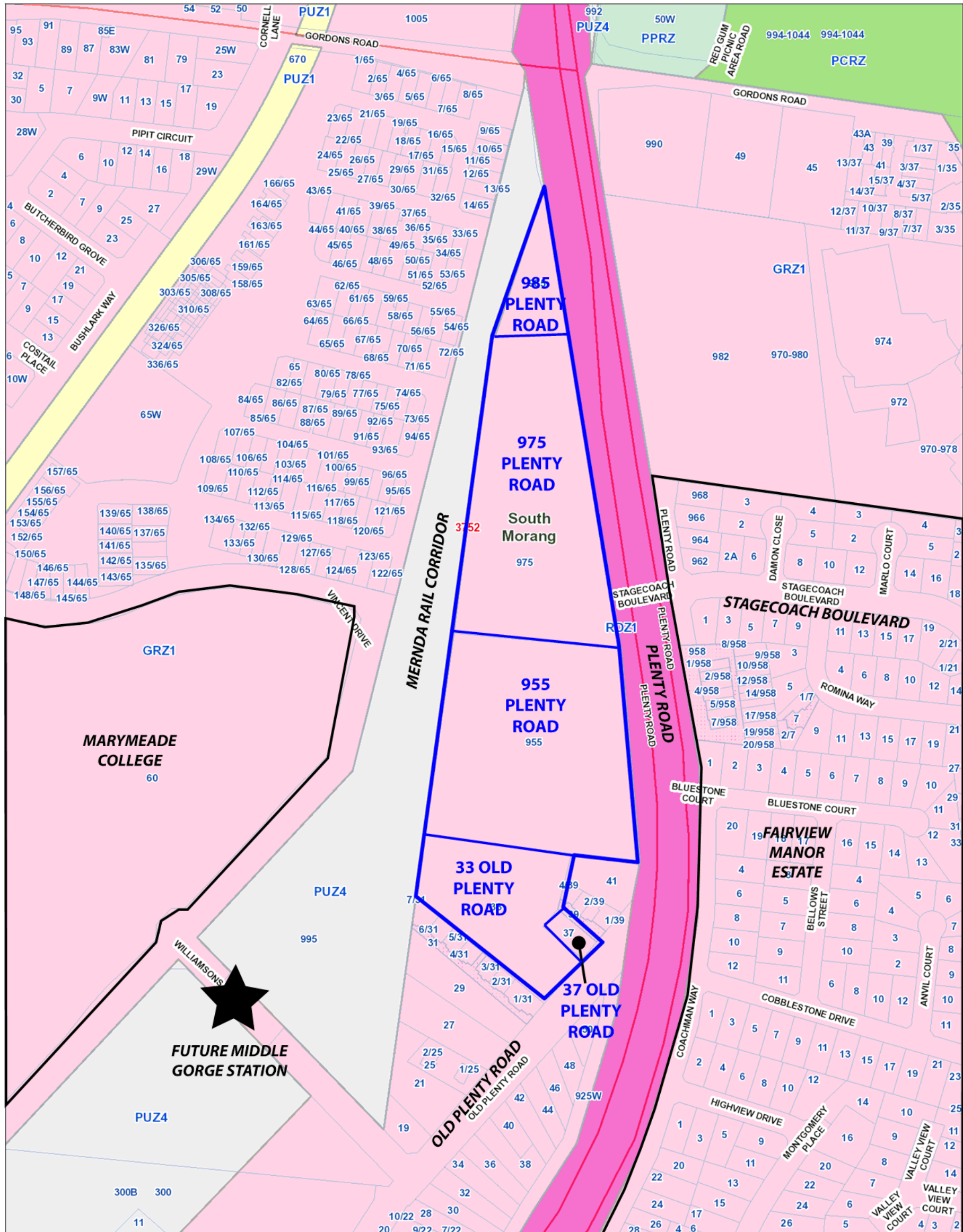
Accordingly it is recommended that the *South Morang East Development Plan* as contained in *Attachment 3* of this report is approved by Council in accordance with Schedule 6 of the Development Plan Overlay (Clause 43.04) of the Whittlesea Planning Scheme.

RECOMMENDATION

THAT Council resolve to approve the post exhibition revision of the *South Morang East Development Plan* dated August 2018, as contained in *Attachment 3* of this report in accordance with Schedule 6 to Clause 43.04 of the Whittlesea Planning Scheme.

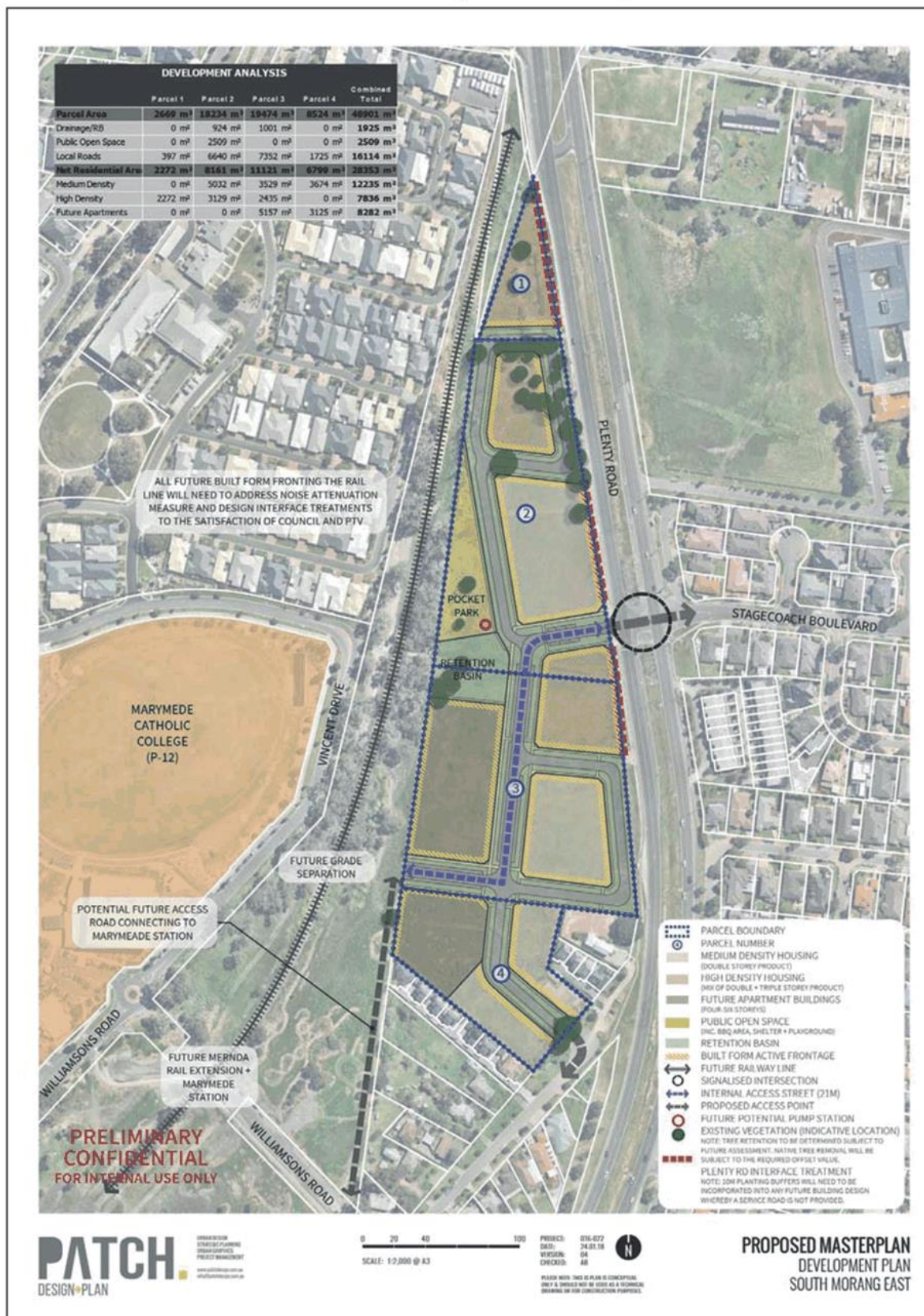


SOUTH MORANG EAST DEVELOPMENT PLAN AREA

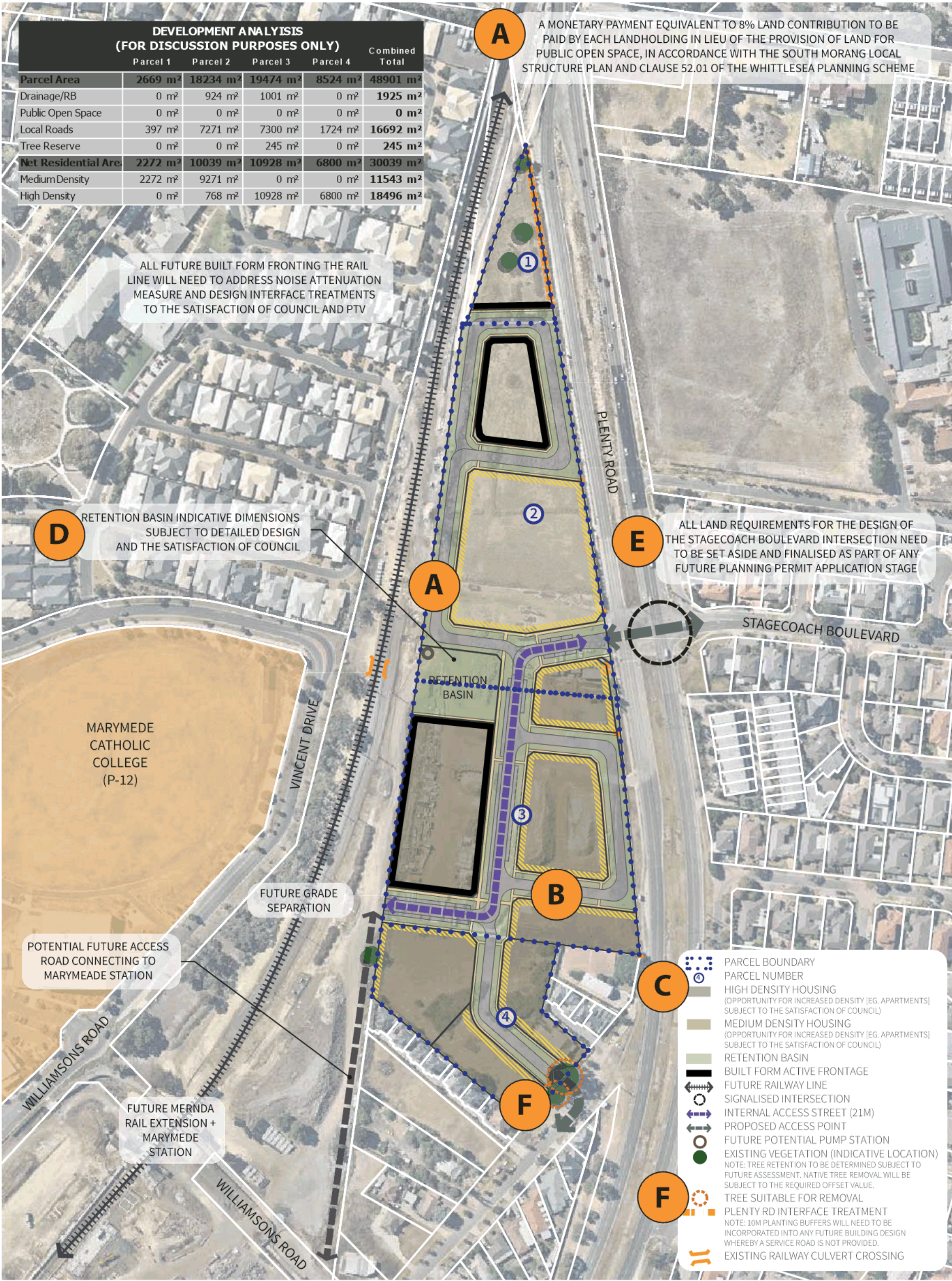


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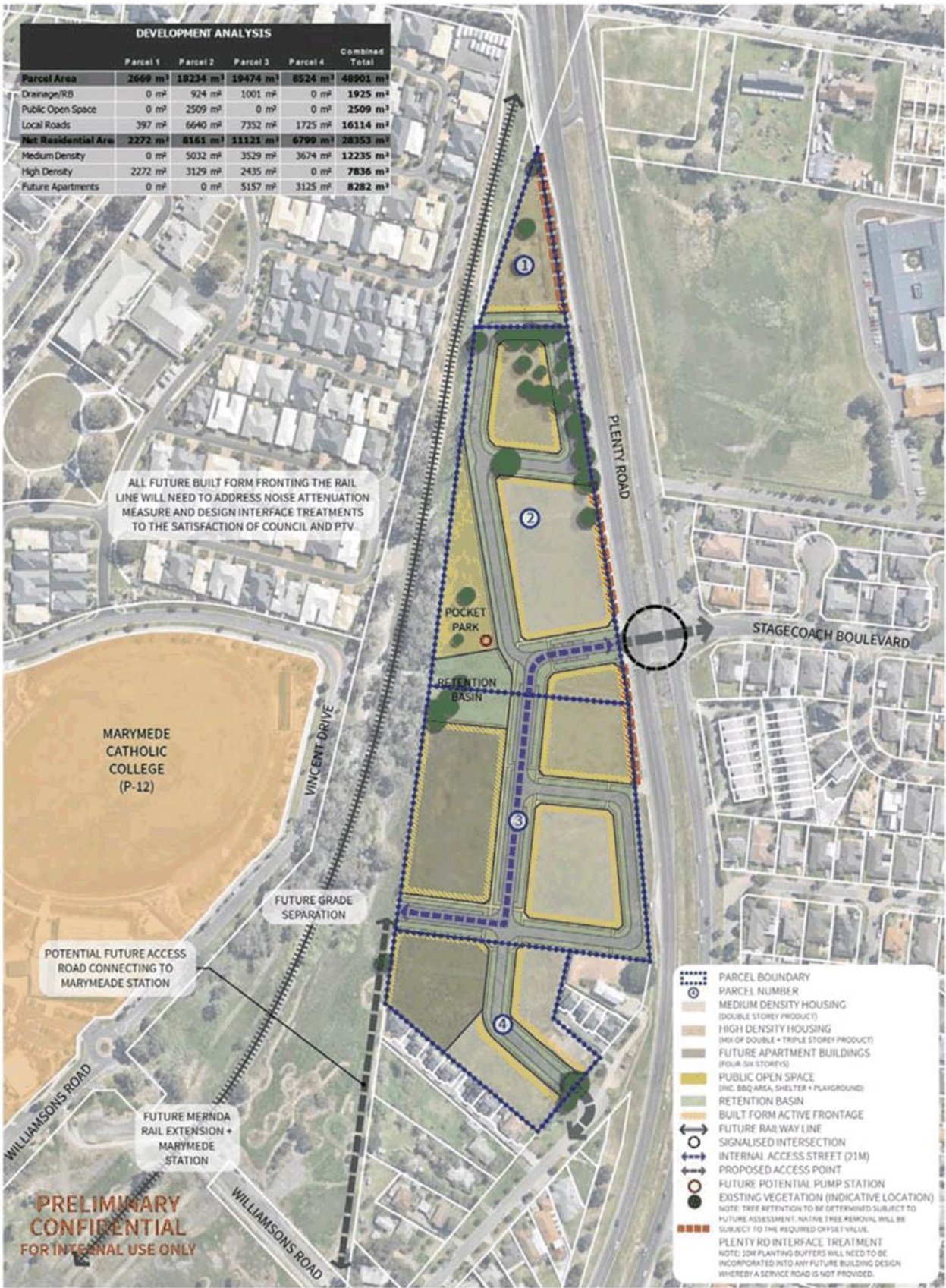
Exhibited South Morang East Development Plan



Post-Exhibition South Morang East Development Plan



Exhibited South Morang East Development Plan



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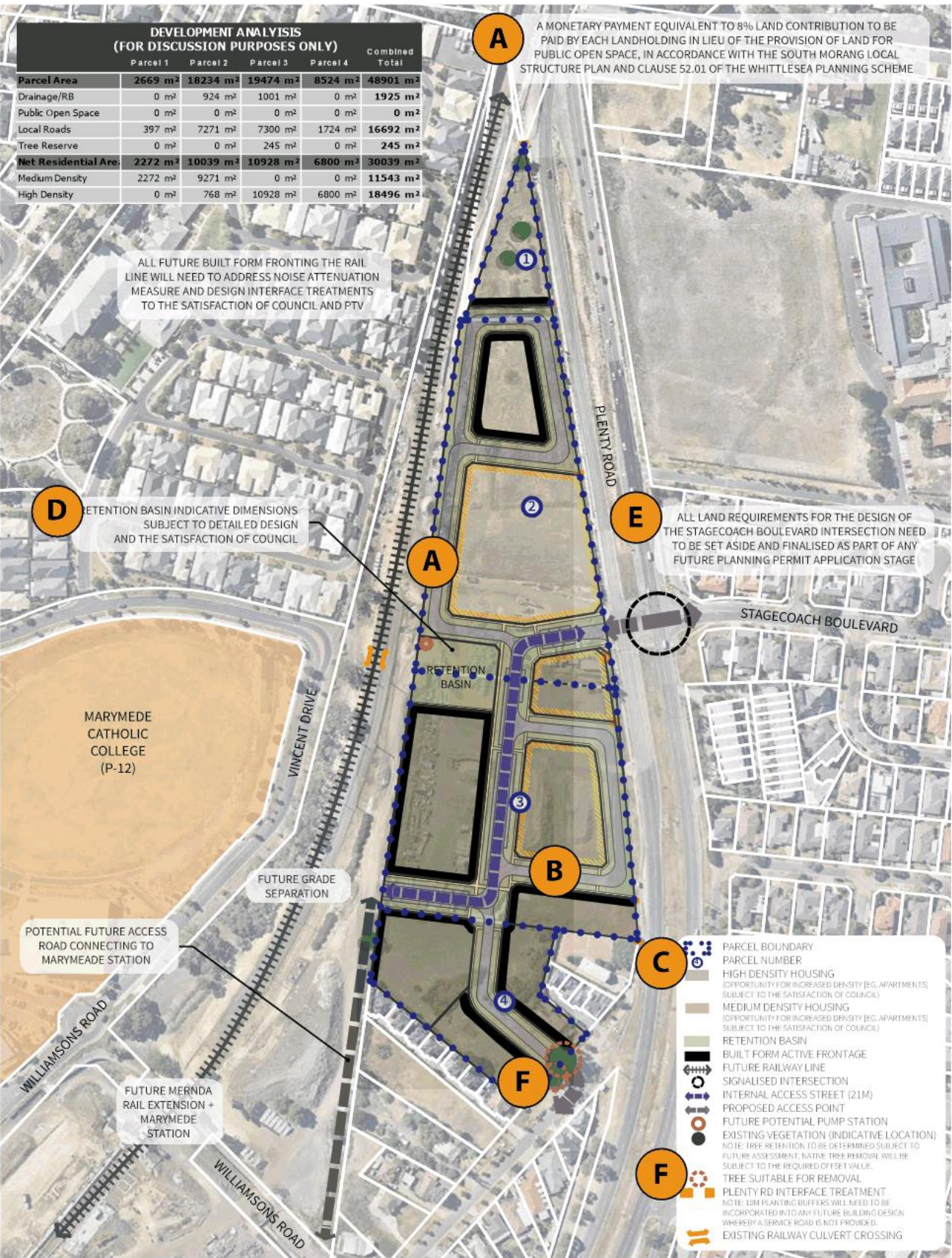
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DATE: 24.03.18
VERSION: 04
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**PROPOSED MASTERPLAN
DEVELOPMENT PLAN
SOUTH MORANG EAST**

Post-Exhibition South Morang East Development Plan



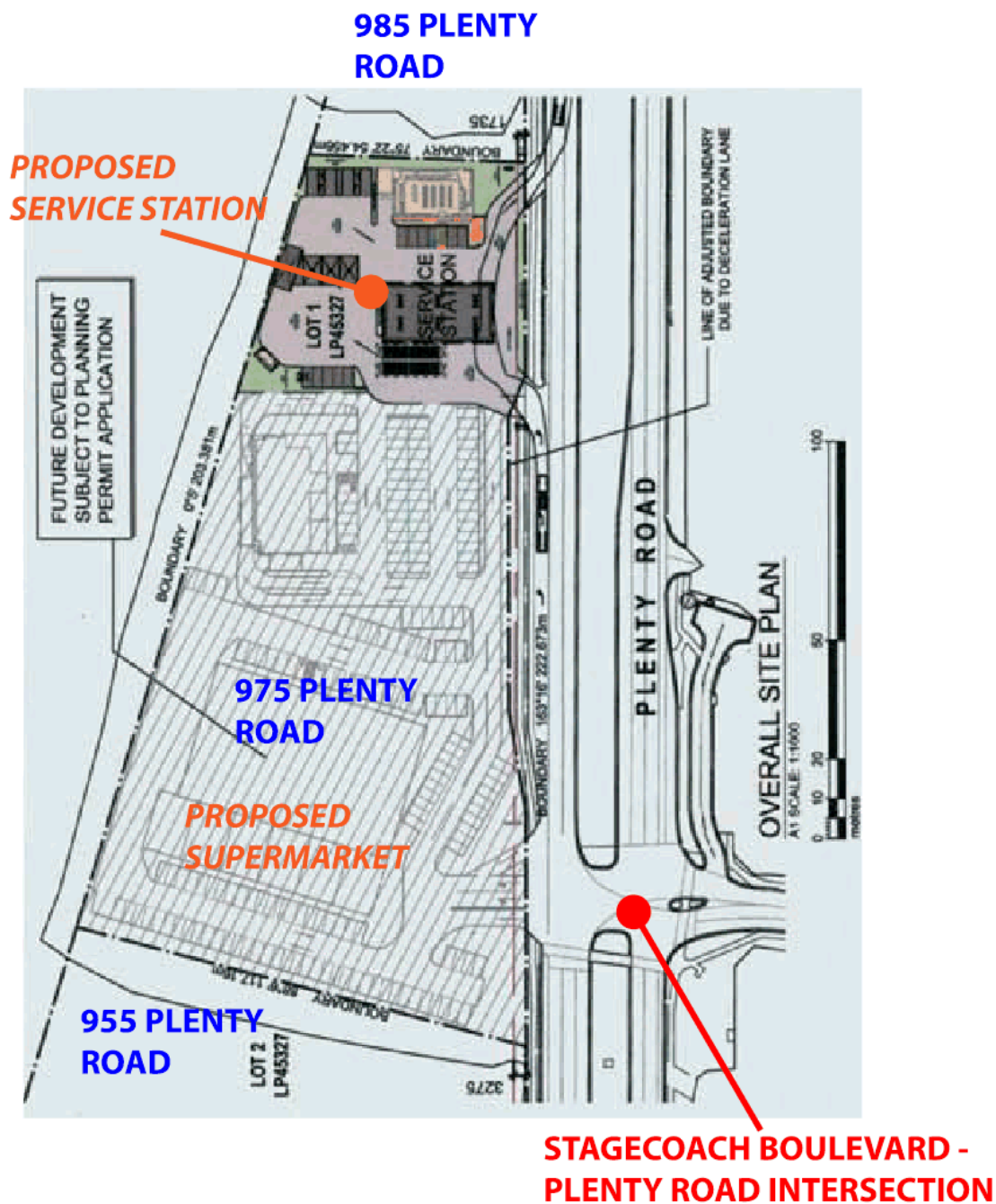
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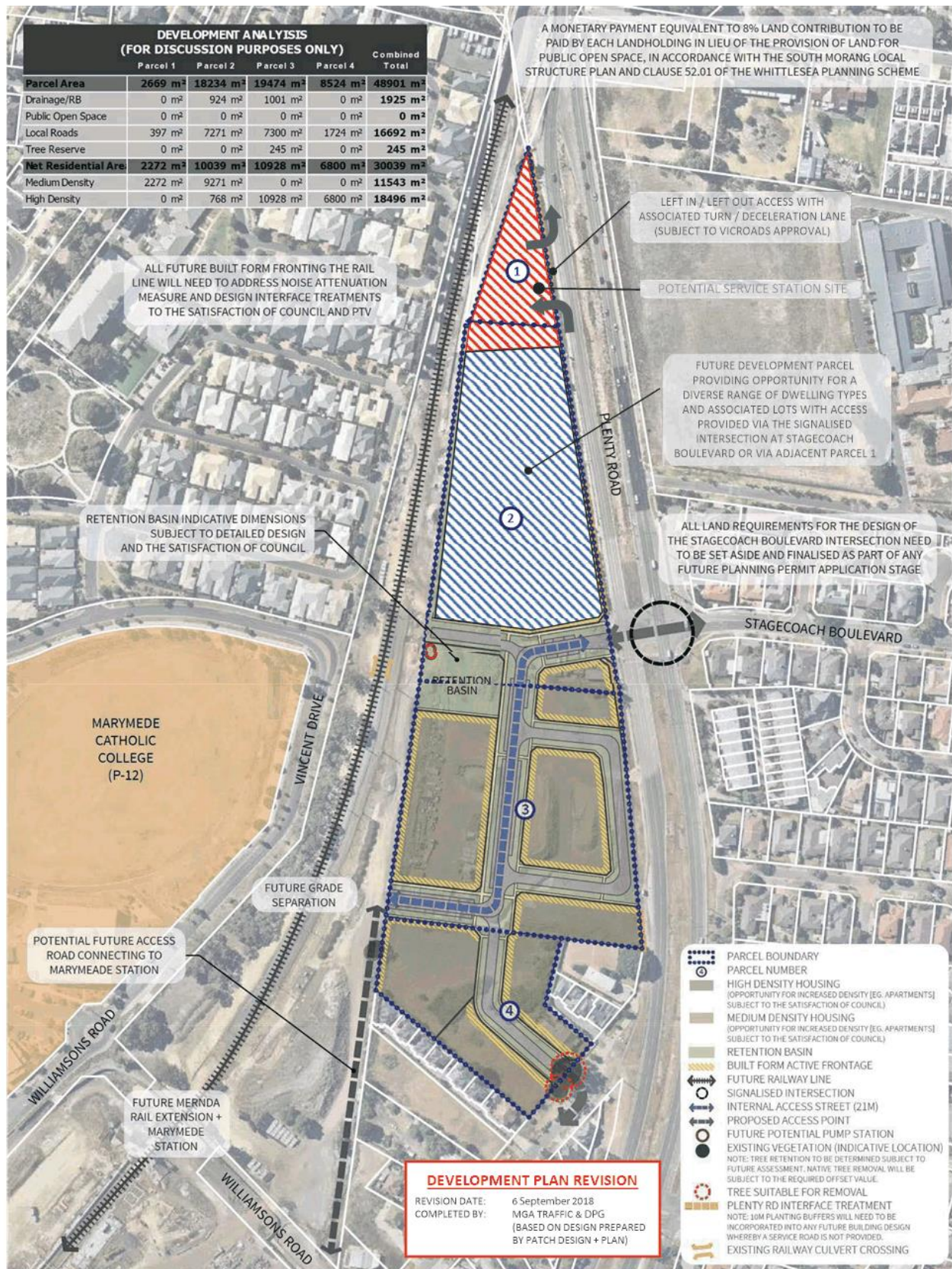
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**PROPOSED MASTERPLAN
DEVELOPMENT PLAN
SOUTH MORANG EA:**



PROPOSED FUTURE DEVELOPMENT AT 975 PLENTY ROAD



6.1.3 AMENDMENT C200 - HOUSING DIVERSITY AND DESIGN POLICY - ADOPTION

Attachments:	1	Housing Diversity and Design Policy ↓
	2	Clause 32.07 Schedule 1 ↓
	3	Clause 32.08 Schedule 4 ↓
	4	Clause 32.08 Schedule 5 ↓

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Senior Strategic Policy Planner

RECOMMENDATION SUMMARY

1. Adopt Amendment C200 to the Whittlesea Planning Scheme as contained in *Attachments 1-4* of this report.
2. Submit Amendment C200 to the Whittlesea Planning Scheme as proposed in 1. above to the Minister for Planning for approval.

KEY FACTS AND / OR ISSUES

- Amendment C200 to the Whittlesea Planning Scheme represents the second stage of implementation of Council's *Housing Diversity Strategy 2013-2033*. The Amendment introduces:
 - a local planning policy to set out Council's expectations for the quality, diversity and location of housing; and
 - preferred character objectives and revised residential zone provisions to address the quality of residential development.
- Following public exhibition of the Amendment, one submission was received. The submission related to issues that were beyond the scope of the Amendment.
- At its meeting on 7 August 2018, Council resolved to refer the unresolved submission to an independent Planning Panel and endorsed the exhibition version of Amendment C200 as Council's position to the Panel.
- The submission was subsequently withdrawn prior to the appointment of a Panel. As such, no Panel process will be undertaken and the Amendment may be adopted in its exhibited form as contained in *Attachments 1-4*.
- In line with statutory requirements, Council must make a decision within 60 business days of the closing date for submissions, being 21 September 2018. Notwithstanding Council's decision to request a Panel, this requirement applies retrospectively. Consent has been sought from the Department of Environment, Land, Water and Planning to extend the time to make a decision to **2 October 2018**.

REPORT**INTRODUCTION**

The purpose of this report is to make recommendations on the next steps in the Amendment process.

The exhibition outcomes for this Amendment were reported to Council on 7 August 2018, including that one out-of-scope submission had been received. At the meeting, Council resolved to refer the submission to a Panel and to endorse the exhibition version of Amendment C200 as its position to the Panel. However, the submission has been subsequently withdrawn prior to the Panel's appointment.

Given the submission has been withdrawn and a Panel is no longer required, this report will recommend that Council adopt the exhibited version of Amendment C200 (as shown in *Attachments 1-4*) and submit Amendment C200 to the Minister for Planning for approval.

BACKGROUND

Amendment C200 represents the second stage of implementation of Whittlesea City Council's *Housing Diversity Strategy 2013-2033* (HDS) in the Whittlesea Planning Scheme, a 2017/18 initiative of the Council Plan – *Shaping Our Future 2017-2021*.

City of Whittlesea's HDS applies to the established suburbs of the municipality. It was adopted in December 2013 following extensive community consultation and seeks to:

- Guide the highest levels of housing change to areas that are well serviced by public transport, services and employment;
- Increase the diversity of housing stock to better respond to the community's changing housing needs; and
- Establish a preferred neighbourhood character to maintain and improve the liveability of our suburbs.

Stage 1 of the HDS implementation (Amendment C181) introduced the suite of new residential zones and was approved in October 2015.

Stage 2 focussed on identifying the appropriate statutory tools to achieve the strategic objectives above, and on the subsequent preparation of Amendment C200 which introduces:

- a new local planning policy (*Housing Diversity and Design*) to set out Council's expectations for the quality, diversity and location of multi-dwelling housing development; and
- residential zone schedules that include preferred character objectives for the respective Housing Change Areas and that supplement the zone provisions to address the quality of residential development.

The expected development outcomes of the Amendment would include:

- A clearer transition in housing typologies from areas where the highest level of housing change would be expected to areas of lowest level of change, as identified in the *Housing Diversity Strategy 2013-2033*;
- Canopy trees would be provided in front and rear setbacks of new development in areas zoned General Residential Zone; and
- An increase in the minimum dimensions for secluded private open space would improve landscaping opportunities and functionality for future residents.

Council resolved at its 7 August 2018 meeting to endorse the exhibited version of Amendment C200 as its position to the Planning Panel (which ultimately did not proceed).

SUBMISSIONS AS A RESULT OF STATUTORY EXHIBITION

Amendment C200 was placed on public exhibition for four weeks between 31 May 2018 and 2 July 2018. Following the exhibition process, one submission relating to a common interest in specific land in the Shire of Nillumbik was received, and raised the following issues:

1. Concern that the current zoning of specific land parcels at Diamond Creek and Yarrambat (in Nillumbik Shire) is rural, and requesting that it be changed to General Residential Zone; and
2. An historic water infrastructure contribution said to have been paid by the landowners/submitters, which they consider is wrongfully benefitting urban development elsewhere.

The submissions were considered to be beyond the scope of Amendment C200 for the following reasons:

- Amendment C200 makes no changes to the zoning of land and, in particular, does not apply to land in the Shire of Nillumbik. The scope of the Amendment is confined to policy and provision changes relating to assessment of residential development in the established suburbs of City of Whittlesea, including Bundoora, Thomastown, Lalor, Mill Park, and parts of Epping and South Morang.
- It is beyond the power of City of Whittlesea, as the planning authority for this Amendment, to rezone land parcels in Shire of Nillumbik.
- Amendment C200 does not relate to water infrastructure contributions.

PLANNING PANEL PROCESS

Pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*, Council resolved at its meeting on 7 August 2018 to refer the single, unresolved submission to an independent Planning Panel.

On 16 August 2018, a request to appoint a Panel was submitted and the submitter was formally notified of Council's resolution.

Subsequently, on 21 August 2018, the submission was withdrawn. Planning Panels Victoria was immediately notified and confirmed that, as a Panel had not yet been appointed, Council's request to appoint a Panel would be disregarded and that it has no further interest in the Amendment.

FINANCIAL IMPLICATIONS

There are no financial implications for Council in relation to the Amendment. The avoidance of a Planning Panel process reduces procedural and legal costs for Council.

CRITICAL DATES

Amendment C200 received authorisation from the Minister for Planning on 7 May 2018 and was subsequently exhibited from 31 May 2018 to 2 July 2018.

In accordance with *Ministerial Direction No. 15: The Planning Scheme Amendment Process*, if no submissions are referred to a Panel, Council must make a decision within 60 days of the closing date of submissions, being 21 September 2018.

Council had formally referred the submission to a Panel, prior to the subsequent withdrawal of the submission. However, the above requirement on the timing for a decision applies retrospectively.

Given the particular circumstances, consent has been sought from the Department of Environment, Land, Water and Planning to extend the time within which Council must make a decision to **2 October 2018**.

POLICY STRATEGY AND LEGISLATION

Plan Melbourne 2017 – 2050

Plan Melbourne 2017-2050 adopts an approach to housing with multiple objectives. The document provides strong policy support for facilitating an increased percentage of new housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport (Policy 2.1.2). At the same time, policy support is provided for “certainty” about the scale of growth in the suburbs (Policy 2.1.4). This policy cites mandatory height provisions and site coverage requirements (introduced as part of the March 2017 zone reforms) as promoting this certainty.

Importantly, the policy states that “local government and the community also need confidence that the built form objectives they sign up to will be adhered to.” Accordingly, Amendment C200 seeks to ensure the key design principles of the HDS are reflected in the design of new residential development.

The intention from the HDS to include canopy trees in front and rear setbacks of new development is strongly supported by Outcome 5 of Plan Melbourne (*Melbourne is a city of inclusive, vibrant and healthy neighbourhoods*) and Outcome 6 (*Melbourne is a sustainable and resilient city*), both of which seek to increase urban greening.

State Planning Policy Framework

Clause 11.06-2 (Housing Choice) seeks to provide housing choice close to jobs and services. Strategies that are supported by this Amendment are:

- to support housing growth and diversity in defined housing change areas and redevelopment sites.
- direct more housing closer to jobs and public transport.
- identify and plan for greyfield areas to deliver a greater mix and diversity of housing, particularly through opportunities for land consolidation.
- facilitate diverse housing that offers choice and meets changing household needs through:
 - provision of a greater mix of housing types.
 - adaptable internal dwelling design.
 - universal design.

Clause 16.01-2 (Location of residential development) seeks to locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport. Strategies that are supported by this Amendment are:

- Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.
- Identify opportunities for increased residential densities to help consolidate urban areas.

Clause 16.01-4 (Housing Diversity) seeks to provide for a range of housing types to meet increasingly diverse needs. Strategies that are supported by this Amendment are:

- Encourage the development of well-designed medium-density housing which:
 - Respects the neighbourhood character
 - Improves housing choice
 - Makes better use of existing infrastructure
 - Improves energy efficiency of housing.

- Support opportunities for a wide range of income groups to choose housing in well serviced locations.

Local Planning Policy Framework (including the Municipal Strategic Statement)

The Stage One implementation introduced policy content from the HDS to the Municipal Strategic Statement, including the following:

Clause 21.09-4 Change Areas in the Established Suburbs

Objective 1: To accommodate varying levels of housing growth and change in the established residential areas of the municipality by implementing the identified Housing Change Areas in the Housing Diversity Strategy.

Strategy 1.2 - Encourage medium and higher density in a Neighbourhood Renewal Change Areas that is appropriate in a neighbourhood context.

Strategy 1.3 - Encourage medium and standard density in Neighbourhood Interface Change Areas that provides a suitable transition between more intensive change areas and standard density housing.

Strategy 1.4 – Encourage standard density housing that maintains and enhances the amenity of the surrounding neighbourhood in Suburban Residential Change Areas.

Objective 2: To ensure the housing types and design of residential development is appropriate in each of the Housing Change Areas.

Strategy 2.1 Ensure residential developments have regard to the Preferred Housing Types and the Key Design Principles in the Housing Diversity Strategy 2013-2033.

Disability Action Plan 2017-2021

Council's *Disability Action Plan* includes priority areas that reflect the concerns of people across the community living with a disability. One priority area that is of relevance to this Amendment is the availability of affordable, accessible, high quality housing for people with disabilities.

Social and Affordable Housing Strategy 2012-2016

The *Social and Affordable Housing Strategy* states that elements impacting housing affordability are:

- the location of housing,
- the quality and type of housing in relation to diverse households, and
- the quality and type of housing provided by the housing industry.

The Amendment directly addresses these elements by encouraging a diverse range of housing in proximity to services and transport. The Amendment also supports housing that incorporates universal housing standards and adaptable housing standards to ensure housing is appropriate for older persons and people with a disability.

LINKS TO THE COUNCIL PLAN

Council Priority	Planning and Infrastructure
Future Direction	Places and spaces to connect people
Theme	Planning our space
Strategic Objective	Urban design helps build our connection to place, the natural environment and the community

Amendment C200 represents the second stage of implementation of Whittlesea City Council's *Housing Diversity Strategy 2013-2033* (HDS) in the Whittlesea Planning Scheme, a 2017/18 initiative of the Council Plan – *Shaping Our Future 2017-2021*.

The Amendment will result in new residential development that provides a diverse range of housing types, and enhances the appearance of our established suburbs.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

Amendment C200 represents the second stage of implementation of Whittlesea City Council's *Housing Diversity Strategy 2013-2033* in the Whittlesea Planning Scheme. Amendment C200 seeks to introduce a local planning policy to set out Council's expectations for the quality, diversity and location of housing. The Amendment also revises residential zone schedules to include preferred character objectives and zone provisions that address the quality of residential development.

Following exhibition of the Amendment, one submission relating to a common interest in land in the Shire of Nillumbik was received which was outside the scope of the Amendment and was unable to be resolved. Council referred the unresolved submission to an independent Planning Panel at its meeting on 7 August 2018, however, the submission was subsequently withdrawn and the Panel process was cancelled.

On this basis, it is recommended that Council adopt Amendment C200 (as contained in *Attachments 1-4* of this report) and submit it to the Minister for Planning for approval.

RECOMMENDATION

THAT Council resolve to:

1. **Adopt Amendment C200 to the Whittlesea Planning Scheme as contained in *Attachments 1-4* of this report.**
2. **Submit Amendment C200 to the Whittlesea Planning Scheme as proposed in 1. above to the Minister for Planning for approval.**

WHITTLESEA PLANNING SCHEME

22.16 HOUSING DIVERSITY AND DESIGN

DD/MM/YYYY
Proposed C200

Housing Diversity and Design

This policy applies to development of two or more dwellings in the established areas of the municipality on land zoned Residential Growth Zone, General Residential Zone and Neighbourhood Residential Zone. Established area suburbs include Bundoora, Lalor, Mill Park, Thomastown and parts of Epping and South Morang.

This policy does not apply to land that is subject to an approved Development Plan, which includes areas of South Morang and Epping North.

22.16-1 Policy basis

DD/MM/YYYY
Proposed C200

The City of Whittlesea is experiencing significant housing growth and change and there is increasing pressure to manage residential development within the established urban areas of the municipality.

Council has identified the need to guide the highest level of housing change to the right locations, to make the most efficient use of existing resources and infrastructure, maintain or enhance the amenity of the established suburbs of the City of Whittlesea, and ensure new development meets the needs of our diverse community.

This policy seeks to achieve the Municipal Strategic Statement objectives in Clauses 21.09-1 and 21.09-2, to promote increased diversity and quality in housing which contributes positively to local character and sense of place. The policy also builds on Municipal Strategic Statement objectives in Clause 21.09-4 that seek to ensure the design and typology of housing is aligned with the Housing Change Areas from Council's *Housing Diversity Strategy 2013-2033*.

22.16-2 Objectives

DD/MM/YYYY
Proposed C200

- To support the highest level of housing change in proximity to City of Whittlesea's Principal Public Transport Network and Metropolitan Activity and Neighbourhood Activity Centres, to reduce car dependency.
- To support the development of accessible and adaptable housing to accommodate residents with different abilities, including non-ambulant residents. For the purpose of this policy, accessible housing is defined as a dwelling containing a kitchen, bedroom, shower, toilet and wash basin at ground level that is usable by everyone regardless of their age and abilities. This definition will expire if it is superseded by an equivalent definition or policy in the Victoria Planning Provisions.
- To achieve preferred character and design objectives by encouraging generous landscaping and high quality design of multi-dwelling development.
- To encourage residential development that maintains and enhances internal and external amenity for existing and future residents.
- To encourage the consolidation of lots to provide more efficient development layouts.

22.16-3 Policy

DD/MM/YYYY
Proposed C200

It is policy to:

Site Capacity and Housing Location

- Support the highest level of housing change in areas that meet the following capacity criteria:
 - Walkable catchments for tram and rail stops, and Metropolitan Activity and Neighbourhood Centres, are determined by measuring the length of the

WHITTLESEA PLANNING SCHEME

access route on foot via the road and open space network. The walkable catchments are:

- Neighbourhood Renewal Change Area: 400 metres or less.
- Neighbourhood Interface Change Area: 800 metres or less.
- The road network provides a permeable grid layout.

Housing Diversity

- Achieve the provision of:
 - accessible and adaptable housing at a rate of 1 for every 10 dwellings in a development of 10 dwellings or more.
 - variation in the number of bedrooms in a development of 10 dwellings or more.
- Encourage accessible and adaptable housing in areas close to rail and tram services, and commercial and community services.

Housing Design

- Achieve the provision of canopy trees that:
 - support the delivery of preferred character in the established areas and soften the building form; and
 - are proportionate in size to the scale of the development.
- Encourage development that:
 - Achieves generous setbacks where a sense of space and separation between dwellings is part of the preferred neighbourhood character.
 - Provides an articulated building form to avoid visual bulk.
 - Provides shade to windows to increase energy efficiency.
 - Minimises vehicle crossovers, to maximise landscaping opportunities in the front setback and to maintain on-street parking provision.
 - Provides landscaping along driveways that is not impacted by vehicle manoeuvres.
 - Achieves Secluded Private Open Space that demonstrates useability and achieves positive amenity by providing adequate circulation space for recreational use and outlook.
 - Integrates overlooking screening (where required) with the building design to reduce visual bulk and to maximise access to daylight, natural ventilation and outlook for habitable rooms.
 - Provides shared bin storage that is screened and located away from dwelling entry points and windows.
- Support 'reverse living' arrangements in townhouses (where living areas are at the upper level and secluded private open space is on a balcony or deck) when all of the following circumstances exist:
 - No other options are available; and
 - Enhanced outlook opportunities exist, such as adjacent public open space, or attractively landscaped communal open space within the site; and

WHITTLESEA PLANNING SCHEME

- The balcony is designed or located to minimise the need for overlooking screening.

22.16-4 Policy Guidelines

DD/MM/YYYY
Proposed C200

Planning decisions should consider:

- The extent to which the proposed development meets the objectives and policy statements of this policy.
- The extent to which the proposed development achieves the preferred character and design objectives for the Housing Change Area.
- The location of the development site, having regard to proximity to City of Whittlesea's Principal Public Transport Network, and Metropolitan Activity and Neighbourhood Activity Centres.

22.16-5 Policy References

DD/MM/YYYY
Proposed C200

Housing Diversity Strategy 2013-2033

Disability Action Plan 2017-2021

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DD/MM/YYYY
Proposed C200

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ1**.

NEIGHBOURHOOD RENEWAL AREAS

1.0 Design objectives

DD/MM/YYYY
Proposed C200

To encourage contemporary building design that softens the visual bulk of development by utilising architectural elements and a variety of materials, and that provides an active interface with the public realm.

To maximise landscaping within the front setback and throughout the site, including on balconies, roofs and walls, to soften the built form and avoid large areas of hard surfaces.

To encourage private open space and communal open space to be functional for residents through location, orientation and design.

To encourage the development of housing that is accessible and adaptable.

2.0 Requirements of Clause 54 and Clause 55

DD/MM/YYYY
Proposed C200

	Standard	Requirement
Minimum street setback	A3 and B6	Where there is an existing building on both the abutting allotments facing the same street, and the site is not on a corner, the minimum front setback is: <ul style="list-style-type: none"> One metre less than the average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street, and Must not be less than 3 metres.
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open space	A17	None specified
	B28	An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or A balcony of: <ul style="list-style-type: none"> 8 square metres with a minimum width of 2 metres and convenient access from a living room for 1-2 bedroom dwellings, or 12 square metres with a minimum width of 2.4 metres and convenient access from a living for 3 or more bedroom dwellings, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

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	Standard	Requirement
Front fence height	A20 and B32	None specified

3.0 Maximum building height requirement for a dwelling or residential building

DD/MM/YYYY
Proposed C200

None specified.

4.0 Application requirements

DD/MM/YYYY
Proposed C200

None specified.

5.0 Decision guidelines

DD/MM/YYYY
Proposed C200

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The objectives and policies of Clause 22.16 (Housing Diversity and Design Policy).

WHITTLESEA PLANNING SCHEME

DD/MM/YYYY
Proposed
C200

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4**.

NEIGHBOURHOOD INTERFACE AREAS

1.0 Neighbourhood character objectives

DD/MM/YYYY
Proposed C200

To support a preferred neighbourhood character that balances the scale of development with landscaping and ensures sensitive transitions in height from existing dwellings.

To encourage contemporary building designs with variation and breaks in building form to soften the visual bulk of development through elements such as eaves, hipped or gabled roof forms and setbacks at upper floors.

To improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks to soften the visual impact of development.

To encourage private open space to be functional for residents through location, orientation and design.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

DD/MM/YYYY
Proposed C200

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

3.0 Requirements of Clause 54 and Clause 55

DD/MM/YYYY
Proposed C200

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	Provide one canopy tree in both the front and rear setbacks. Each canopy tree must achieve a minimum six metres mature height and be accommodated in a clear, pervious area of at least 5 metres by 5 metres. This area is to be provided in addition to secluded private open space. Incorporate additional canopy trees at a ratio of one canopy tree for every two dwellings on development sites of 1,000 square metres or more.
Side and rear setbacks	A10 and B17	None specified
Walls on boundaries	A11 and B18	None specified
Private open	A17	None specified

WHITTLESEA PLANNING SCHEME

	Standard	Requirement
space	B28	An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 4 metres and convenient access from a living room, or A balcony of 12 square metres with a minimum width of 2.4 metres and convenient access from a living room, or A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified

4.0 Maximum building height requirement for a dwelling or residential building

DD/MM/YYYY
Proposed C200

None specified.

5.0 Application requirements

DD/MM/YYYY
Proposed C200

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Applications for developments of two or more dwellings on a lot must include a Landscape Plan to demonstrate compliance with the relevant requirements of Clause 3.0 of this schedule.

6.0 Decision guidelines

DD/MM/YYYY
Proposed C200

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The objectives and policies of Clause 22.16 (Housing Diversity and Design Policy).

WHITTLESEA PLANNING SCHEME

DD/MM/YYYY
Proposed C200

SCHEDULE 5 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ5**.

SUBURBAN RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

DD/MM/YYYY
Proposed C200

To support a preferred neighbourhood character where landscaping is the prominent feature of development.

To maintain a sense of openness and separation between built form by providing generous setbacks and ensuring sensitive transitions in height from existing dwellings.

To encourage contemporary building designs with variation and breaks in building form to soften the visual bulk of development through elements such as eaves, hipped or gabled roof forms and setbacks at upper floors.

To improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks to soften the visual impact of development.

To encourage 'backyard spaces' that are functional for residents through the location, orientation and design of private open space.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

DD/MM/YYYY
Proposed C200

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

3.0 Requirements of Clause 54 and Clause 55

DD/MM/YYYY
Proposed C200

	Standard	Requirement
Minimum street setback	A3 and B6	None specified.
Site coverage	A5 and B8	None specified.
Permeability	A6 and B9	None specified.
Landscaping	B13	Provide at least one canopy tree in both the front and rear setbacks. Each canopy tree must achieve a minimum six metres mature height and be accommodated in a clear, pervious area of at least 5 metres by 5 metres. Incorporate additional canopy trees at a ratio of one canopy tree for every two dwellings on development sites of 1,000 square metres or more.
Side and rear setbacks	A10 and B17	Rear setback minimum 5 metres.
Walls on boundaries	A11 and B18	No walls on rear boundaries.
Private open	A17	None specified.

WHITTLESEA PLANNING SCHEME

	Standard	Requirement
space	B28	A minimum area of 40 square metres of secluded private open space at the side or rear of the dwelling or residential building with a minimum dimension of 5 metres and convenient access from a living room.
Front fence height	A20 and B32	None specified.

4.0 Maximum building height requirement for a dwelling or residential building

DD/MM/YYYY
Proposed C200

None specified.

5.0 Application requirements

DD/MM/YYYY
Proposed C200

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Applications for developments of two or more dwellings on a lot must include a Landscape Plan to demonstrate compliance with the relevant requirements of Clause 3.0 of this schedule.

6.0 Decision guidelines

DD/MM/YYYY
Proposed C200

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The objectives and policies of Clause 22.16 (Housing Diversity and Design Policy).

6.1.4 8 BURWOOD COURT, THOMASTOWN - CONSTRUCTION OF TWO DWELLINGS

Attachments: 1 **Locality Maps** [↓](#)
 2 **Development Plans** [↓](#)

Responsible Officer: **Director Partnerships, Planning & Engagement**

Author: **Planning Officer**

APPLICANT: **Mr V Khanna**

COUNCIL POLICY: **Clause 22.11 – Development Contributions Plan Policy**

ZONING: **General Residential Zone**

OVERLAY: **Development Contributions Plan Overlay**

REFERRAL: **Nil**

OBJECTIONS: **Six**

RECOMMENDATION SUMMARY

That Council resolve to approve Planning Application No. 717405 and issue a Notice of Decision to Grant a Permit for a multi-dwelling development comprising the construction of two dwellings at 8 Burwood Court, Thomastown.

KEY FACTS AND / OR ISSUES

- An application has been lodged to construct two dwellings on the subject land. One dwelling is double storey and the second dwelling is single storey.
- The application was advertised, which resulted in six objections being received. The concerns raised were related to neighbourhood character, overlooking and privacy concerns, noise impacts, traffic concerns, and property devaluation.
- The proposal demonstrates a satisfactory level of compliance with the relevant provisions of the Whittlesea Planning Scheme, particularly in relation to Clause 55 (ResCode) and Council's Housing Diversity Strategy.

REPORT**SITE AND SURROUNDING AREA**

The subject site is a residential property located on the north side of Burwood Court, Thomastown, approximately 60m east of Edgars Road (see *Attachment 1*).

The site is irregular in shape and has a curved frontage of approximately 14.0m and a maximum depth of 40.5m. The site has a total site area of 671m² and is generally flat.

The site currently contains a detached single storey dwelling constructed of brick with a pitched and tiled roof. The presentation to the street comprises the existing driveway and landscaping across a narrow frontage. There is a nature strip tree immediately adjacent to the driveway.

The surrounding area is largely characterised by a variety of detached dwellings. The adjoining properties immediately to the north, east, west, and south of the site are all single storey dwellings with pitched and tiled roofs.

Examples of medium density development in the general area include 134 Edgars Road and 8 McKinnon Street.

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

- Bus Route 557 – Thomastown via West Lalor anti-clockwise loop (105m south)
- Bus Route 554 – Thomastown via West Lalor clockwise loop (120m south)
- Bus Route 357 – Wollert West to Thomastown Station (185m northwest)
- Thomastown West Primary School (200m northeast)
- Thomastown Shopping Centre (250m northwest)
- Thomastown Secondary College (300m northeast)
- Main Street Recreation Reserve / Thomastown Recreation & Aquatic Centre / Thomastown Library (500m northeast)

RESTRICTIONS AND EASEMENTS

The site is legally described as Lot 239 on Plan of Subdivision 079757. Covenant D188105 affects the subject land and requires any building to be built of brick, stone, concrete, or brick veneer.

A 2.44m wide easement traverses the rear of the property and contains Yarra Valley Water infrastructure. An insignificant small area (0.1m²) associated with a concrete step area encroaches onto this easement and will be subject to building over easement approval from the relevant authorities. There will be no impact on the overall development with respect to whether the step is retained or removed.

PROPOSAL

It is proposed to construct two dwellings on the subject land (see *Attachment 2*).

Dwelling 1 will contain an open plan kitchen/meals/living area, four bedrooms, amenities and an attached double garage.

Dwelling 2 will similarly contain an open plan kitchen/meals/living area, two bedrooms, amenities, and an attached single garage.

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

	Height /Scale	Number of Bedrooms	Setbacks	Private Open Space	Car Parking	Maximum Height
Dwelling No. 1	Double storey	4	6.2m front boundary (south) 3.8m side boundary (west) 1.5m side boundary (east) 10.0m rear boundary (north)	143m ² including 37.8m ² of secluded private open space	Double garage with dimensions of 5.5m x 6.0m	7.3m
Dwelling No. 2	Single storey	2	25.0m front boundary (south) 0m side boundary (west, garage wall on boundary) 1.1m side boundary (east) 3.0m rear boundary (north)	116m ² including 81.5m ² of secluded private open space	Single garage with dimensions of 3.5m x 6.0m	4.5m

PUBLIC NOTIFICATION

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

1. Neighbourhood character
2. Overlooking and privacy concerns
3. Traffic concerns
4. Noise impacts
5. Property devaluation

HOUSING DIVERSITY STRATEGY

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

The HDS is now a reference document in the WPS and an assessment against it is provided under Standard B2 of the Clause 55 assessment.

ASSESSMENT AGAINST CLAUSE 55 OF THE WHITTLESEA PLANNING SCHEME

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

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

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

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B1	Neighbourhood Character	✓	✓	
B2	Residential Policy	✓	✓	<p>The HDS nominates this site as being within the Suburban Residential Change Area.</p> <p>The proposed development is consistent with the preferred density and key design principles outlined in the HDS, including standard building heights, provision of sufficient area to allow for the planting of a large canopy tree in the front setback, and minimal site coverage, private open space areas with dimensions that allow usability, and compliant setbacks.</p>
B3	Dwelling Diversity	N/A	N/A	Only applicable to developments of ten (10) or more dwellings
B4	Infrastructure	✓	✓	
B5	Integration with the street	✓	✓	
B6	Street setback	✓	x	Due to the layout of the court and the form of the frontages of the subject and abutting land, the proposed setback in its current form is considered to meet the objective in maintaining the character of the court and making efficient use of the site. The setback is slightly less than that required by the standard, however the front dwelling will sit behind the dwelling to the east and will be generally in line with the dwelling to the west due to the curvilinear nature of the court bowl.
B7	Building height	✓	✓	
B8	Site coverage	✓	✓	
B9	Permeability	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B10	Energy efficiency	✓	✓	Opportunities exist to improve northern light access to the kitchen and some bedrooms within Dwelling 1. This will be required as a condition on permit.
B11	Open space	N/A	N/A	Only applicable if public or communal open space is to be provided on site or adjacent to the development
B12	Safety	✓	✓	
B13	Landscaping	✓	✓	
B14	Access	✓	✓	
B15	Parking location	✓	✓	
B17	Side and rear setbacks	✓	✓	
B18	Walls on boundaries	✓	✓	
B19	Daylight to existing windows	✓	✓	
B20	North-facing windows	✓	✓	
B21	Overshadowing open space	✓	✓	
B22	Overlooking	✓	✓	Bedrooms 2 and 3 of Dwelling 1 technically comply with the requirements of Standard B22 in that the windows are located more than 9.0m from any habitable room window/secluded private open space area. To ensure that no adverse amenity impacts are caused to 10 Burwood Court, a condition on permit requiring the screening of these windows in accordance with Standard B22 will be required.
B23	Internal views	✓	✓	
B24	Noise impacts	✓	✓	
B25	Accessibility	✓	✓	
B26	Dwelling entry	✓	✓	
B27	Daylight to new windows	✓	✓	
B28	Private open space	✓	✓	
B29	Solar access to open space	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B30	Storage	✓	✓	
B31	Design detail	✓	✓	
B32	Front fences	N/A	N/A	No front fence proposed
B33	Common property	✓	✓	
B34	Site services	✓	✓	

CAR PARKING

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

Dwelling No.	No. of bedrooms	Car spaces required	Car spaces provided	Complies
1	4	2	2	Yes
2	2	1	1	Yes

Garages should be at least 6.0m long and 3.5m wide for a single space and 5.5m wide for a double space (measured inside the garage or carport). An open car space should be at least 4.9m long and 2.6m wide. The proposal complies with these requirements and all vehicles are able to exit the site in a forwards direction.

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (SCHEDULE 3)

The site is affected by the Development Contributions Plan Overlay. Pursuant to Clause 45.06 of the Whittlesea Planning Scheme, the Development Contributions Plan Overlay enables the levying of contributions for the provision of works, services and facilities prior to development commencing.

Schedule 3 to the overlay requires contributions for drainage infrastructure for medium density residential development at a current rate of \$2.19 per square metre of the total site area. This requirement must be included as a condition on any planning permit that is issued.

COMMENTS ON GROUNDS OF OBJECTION

1. Neighbourhood character

It is noted that a double storey dwelling does not default to 'neighbourhood character non-compliance' solely for the reason that it is double storey. The shape, siting, form, and scale of the dwellings are assessed to be site and context responsive. Appropriate setbacks have been established, the dwellings are of an appropriate height, entries are easily identifiable and differentiated, usable space for private open space activities have been allowed for, site coverage is conventional, and meaningful landscaping opportunities are available throughout the development. Accordingly, the overall proposal is considered to be in keeping with the existing character of the area and is envisaged to not have a detrimental impact on the character of the court.

2. Overlooking and privacy concerns

As discussed above, the proposal is compliant with the objective of Clause 55.04-6 'Overlooking' and the associated requirements of Standard B22. Further, a condition requiring the bedrooms 2 and 3 of Dwelling No. 1 to be appropriately screened will be included on any permit issued.

3. Traffic concerns

It is considered that the general area is capable of accommodating a limited increase in density as part of any further development of the site for two dwellings. The proposal complies with Clause 52.06 'Car parking' in the provision of the correct number of car parking spaces. In addition, Council's City Design & Transport Department have commented that:

- *The additional traffic impact and parking demand created by this development is negligible.*
- *Council have no records relating to parking issues from school traffic or otherwise from CRMs in Burwood Court or Simpson Street.*
- *Traffic and Transport Engineering have recently conducted a study in this area as part of LATM 9 which included an extensive consultation process and thorough investigation as part of the study with the following results:*
 - a. *Parents dropping off/picking up children for school were not observed to park as far as Burwood Court frequently.*
 - b. *Every property within Burwood Court and Simpson Street was prompted to comment on any issues in the area, especially in relation to traffic. 2 properties responded from Burwood Court, one of which raised a concern relating to parents parking in Simpson Street.*
- *In relation to emergency vehicle access issues caused by extra parking occupancy, the road is 7m wide which allows for vehicle parking on both sides of the street with one lane available for through traffic.*

4. Noise impacts

The development as proposed complies with Standard B24 of the Whittlesea Planning Scheme which seeks to contain noise sources in developments that may affect existing dwellings and to protect residents from external noise. The proposal is for residential use of the land in a residential area and the development will not require external mechanical plant or any other inappropriate source of noise. While some additional noise will be generated by virtue of the greater number of residents on the land, this is acceptable in a residential area. In terms of the impact of noise generated during the construction period, it can be expected that there will be some level of amenity loss due to noise generated by on-site building activities. These activities will be required to comply with the Environment Protection (Residential Noise) Regulations 2008.

5. Property devaluation

It has been consistently upheld by the Victorian Civil and Administrative Tribunal (VCAT) that loss of property values are not relevant planning considerations.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The application provides a satisfactory response to the requirements of the Whittlesea Planning Scheme and in particular Clause 52.06, Clause 55, and Council's Housing Diversity Strategy. The proposal meets the preferred density and key design principles of Clause 21.09-4 of the Whittlesea Planning Scheme (Suburban Residential Change Area).

It is considered that the proposal will not result in unreasonable impacts on the character of the neighbourhood and surrounding residential properties. It is therefore recommended that Council approve the application.

RECOMMENDATION

THAT Council resolve to approve Planning Application No. 717405 and issue a Notice of Decision to Grant a Permit for the Construction of Two Dwellings in accordance with the endorsed plans and subject to the following conditions:

Payments Required

1. Prior to the endorsement of plans, the permit holder must pay to Council a contribution for drainage pursuant to Clause 45.06 of the Whittlesea Planning Scheme. The drainage contribution will be subject to the Consumer Price Index (CPI) applicable at the time of payment.

Plans Required

2. Before the development and/or use hereby permitted starts, one (1) digital copy of amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans dated 19 June 2018 and prepared by Xpress Building Design Group but modified to show:
 - a) A north facing window with a sill height of 1.7m above floor level to bedrooms 2 and 3 of Dwelling No. 1;
 - b) The northern kitchen wall to Dwelling No. 1 set back 1.0m away from the accessway
 - c) A north facing window with a sill height of 1.4m above floor level to the kitchen of Dwelling No. 1;
 - d) Landscaping as required by Condition 4 of this permit; and
 - e) Schedule of external materials, finishes and colours.
3. Concurrent with the endorsement of plans under Condition 3 and before the development hereby permitted commences, three copies of a landscape plan prepared by a suitably qualified (or experienced) landscape designer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The plan must show:

- a) Details of landscaping for the front setback including a schedule of all proposed trees, shrubs and ground covers;
- b) The provision of a canopy tree with a (minimum) mature height of 9.0m planted at a semi-advanced state within the front setback of Dwelling 1;
- c) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill; and
- d) Consistency with the City of Whittlesea Landscape Guidelines (Residential Development).

Layout Not Altered

4. The development allowed by this permit and shown on the plans and/or schedules endorsed to accompany this permit shall not be amended for any reason without the consent of the Responsible Authority.
5. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Landscaping

6. Prior to the occupation of the dwellings hereby approved, landscaping works shown on the endorsed plan must be completed and then maintained to the satisfaction of the Responsible Authority.

Actions Before Occupation of the Dwellings

7. Prior to the occupation of the dwellings hereby approved, the car parking areas and access ways must be drained, fully sealed and constructed with asphalt, interlocking paving bricks, coloured concrete or other similar materials to the satisfaction of the Responsible Authority.
8. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.
9. Vehicular access to the site must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed driveway(s) and the vehicles that will be using the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused or redundant crossing(s) must be removed and replaced with concrete kerb, channel and naturestrip to the satisfaction of the Responsible Authority. All vehicle crossing works are to be carried out with Council supervision under a Road Opening Permit.
10. The permit holder shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The permit holder shall be responsible for obtaining prior specific written approval for any works involving the alteration of Council or other Public Authority assets.
11. Prior to occupation of any dwelling on the subject site, a letter box and house number to the satisfaction of the Responsible Authority shall be provided for each dwelling.
12. At all times during the construction phase of the development, the permit holder shall take measures to ensure that pedestrians are able to use with safety any footpath along the boundaries of the site.
13. Upon completion of all buildings and works authorised by this permit the permit holder must notify the Responsible Authority of the satisfactory completion of the development and compliance with all relevant conditions.
14. Before starting any buildings or works, engineering plans showing a properly

prepared design (with computations) for the internal drainage and method of disposal of stormwater from all roofed and sealed areas, including the use of an on-site detention system (if required), must be submitted to Council for approval. These internal drainage works must be completed to Council's satisfaction prior to using or occupying any building on the site.

15. Prior to the occupation of the dwellings hereby approved, the permit holder is required to construct at no cost to Council, drainage works between the subject site and the Council nominated point of discharge. Such drainage works must be designed by a qualified engineer and submitted to and approved by Council. Computations will also be required to demonstrate that the drainage system will not be overloaded by the new development. Construction of the drainage system must be carried out in accordance with Council specifications and under Council supervision.
16. Prior to the occupation of the dwellings hereby approved, reticulated (water, sewerage, gas and electricity) services must be constructed and available to the satisfaction of the Responsible Authority.

General Amenity – Construction works

17. Any litter generated by building activities on the site shall be collected and stored in an appropriate enclosure which complies with Council's Code of Practice for building/development sites. The enclosures shall be regularly emptied and maintained such that no litter overflows onto adjoining land. Prior to occupation and/or use of the building, all litter shall be completely removed from the site.
18. During the construction phase, a truck wheel washing facility or similar device must be installed and used to the satisfaction of the Responsible Authority so that vehicles leaving the site do not deposit mud or other materials on roadways. Any mud or other materials deposited on roadways as a result of construction works on the site must be cleaned to the satisfaction of the Responsible Authority within two hours of it being deposited.

Permit Expiry

19. In accordance with the Planning and Environment Act 1987 a permit for the development expires:
 - a) the approved development does not start within 2 years of the date of this permit; or
 - b) the approved development is not completed within 4 years of the date of this permit.

The responsible authority may extend the periods referred to above if a request is made in writing. This request must be made before or within 6 months after the permit expiry date where the development has not yet started and within 12 months after the permit expiry date where the development allowed by the permit has lawfully started before the permit expires.

NOTES

Advanced Trees

An advanced tree under this permit shall generally constitute the following:

- Evergreen – minimum container size 45 litre spring ring, calliper at ground level 50mm.
- Deciduous – minimum calliper at ground level 65mm, minimum height 2 metres.

Easements

No structure may be built over an easement on the subject site without the consent of the relevant Responsible Authority.

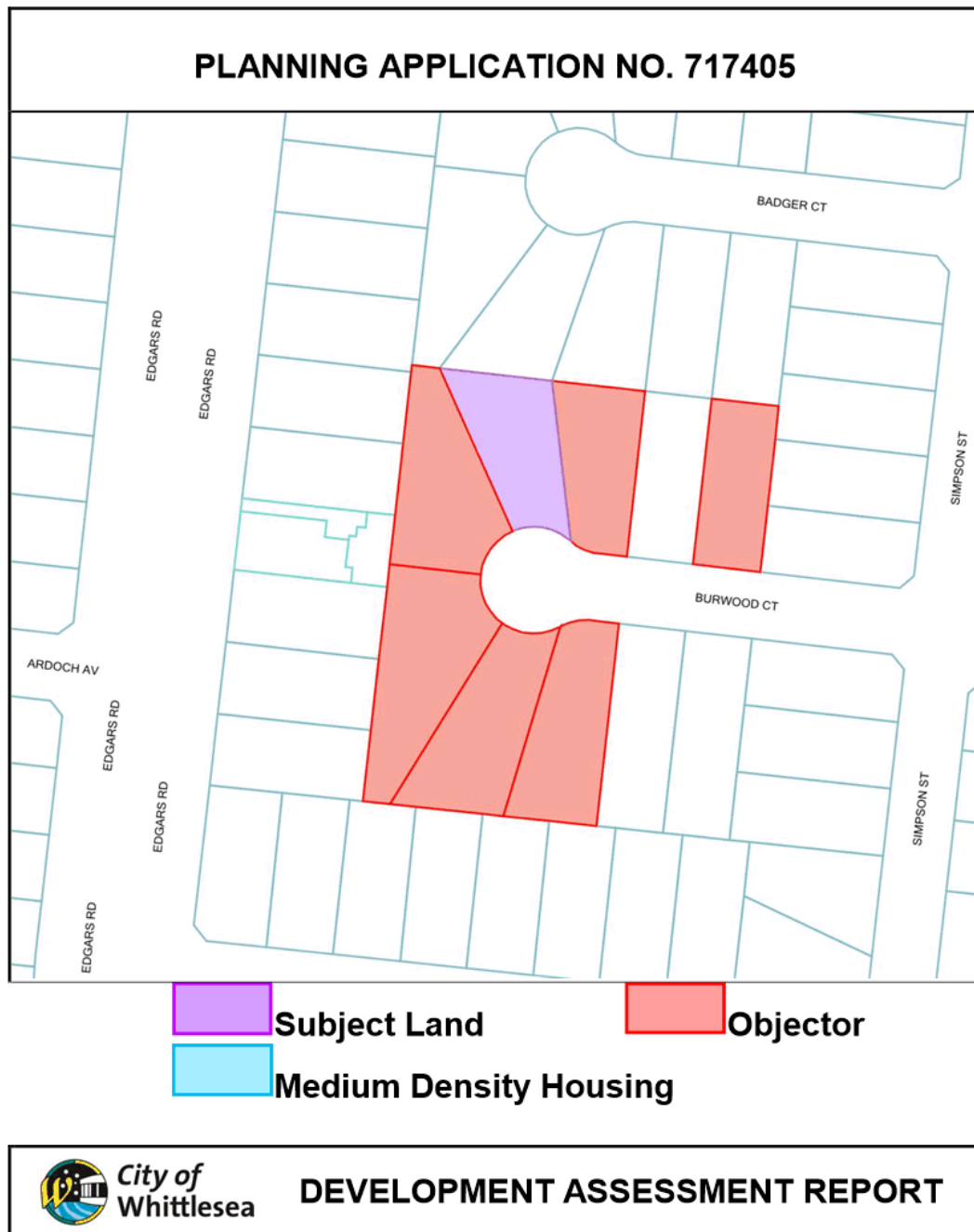
Property Numbering

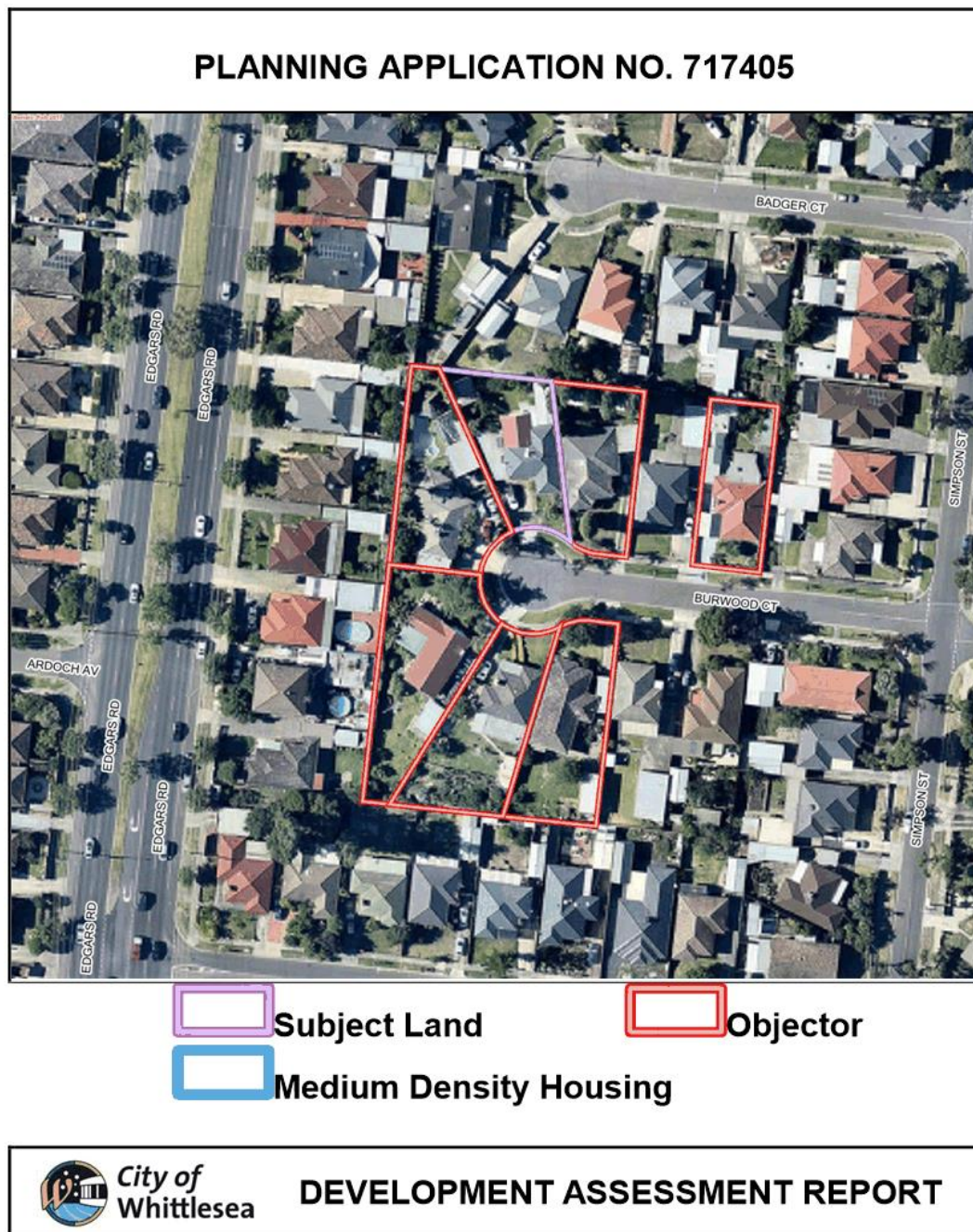
Please note that property addresses and numbering is allocated by Council. This is usually formalised at the time of the subdivision, however it is Council's intention to number the proposed dwellings as follows:




Dwelling 1 1/8 Burwood Court, Thomastown

Dwelling 2 2/8 Burwood Court, Thomastown

Please check with Council's Subdivision Department to verify all street numberings.







LEGEND

1. NOISE DIRECTION

2. CBD 18 km

3. SCHOOL 450m

4. PUBLIC TRANSPORT 300m

5. PARKLAND 1 km

6. SHOPS 500m

7. ADJOINING B/V RES

8. ADJOINING W/B RES

9. ADJOINING SHED

10. VACANT LAND

11. A.C.SHEETING

CP. CARPORT

G. GARAGE

TPF. TIMBER PAILING FENCE

CBF. COLOURBOND FENCE

PW. POST & WIRE FENCE

SF STEEL FENCE

BF BRICK FENCE

> EXISTING VEHICLE CROSSING

P.O.S PRIVATE OPEN SPACE

● HABITABLE ROOM WINDOWS

1 ↑


2 ↓

3 ↗

4 ↓

5 ↘

6 ↖

 **NEIGHBOURHOOD & SITE DESCRIPTION**
SCALE 1:500

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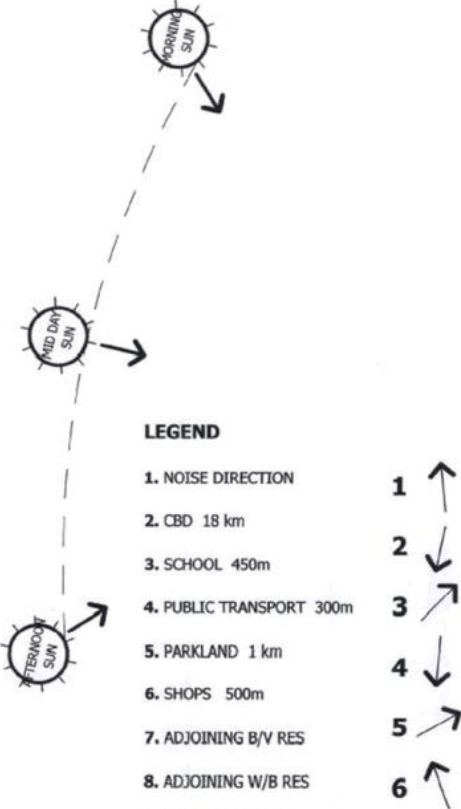
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proposed:	UNIT DEVELOPMENT
at:	8 BURWOOD COURT THOMASTOWN, VIC 3074
job no:	8882403
date:	19/06/2018

PLANS
sheet: A02

Item 6.1.4 Attachment 2

Page 91



DESIGN RESPONSE
SCALE 1:500



- * ADJACENT PRIVATE OPEN SPACES TO BE PROTECTED FROM OVER LOOKING WITH A 1.8M HIGH FENCE & OBSCURE GLAZING TO OVERLOOKING WINDOWS
- * MATERIALS, COLOURS AND TEXTURES ARE SELECTED TO HIGH LIGHT THE ARCHITECTURAL FORMS AND REFLECT THE ADJACENT DWELLINGS & THE PREVAILING CHARACTER OF THE AREA
- * SITE IS RELATIVELY FLAT
- * CREATE PRIVATE NORTH FACING COURTYARDS FOR ALL RESIDENCES, AND NORTH FACING LIVING AREAS
- * BREAK UP LARGE FORMS WITH ARTICULATED DIMENSIONS IN PLAN AND ELEVATIONS TO MAINTAIN A SCALE RELATIVE TO ADJOINING BUILDINGS
- * SETBACK MAINTAINED AT 6.262 METERS SIMILAR TO THE ADJOINING PROPERTIES

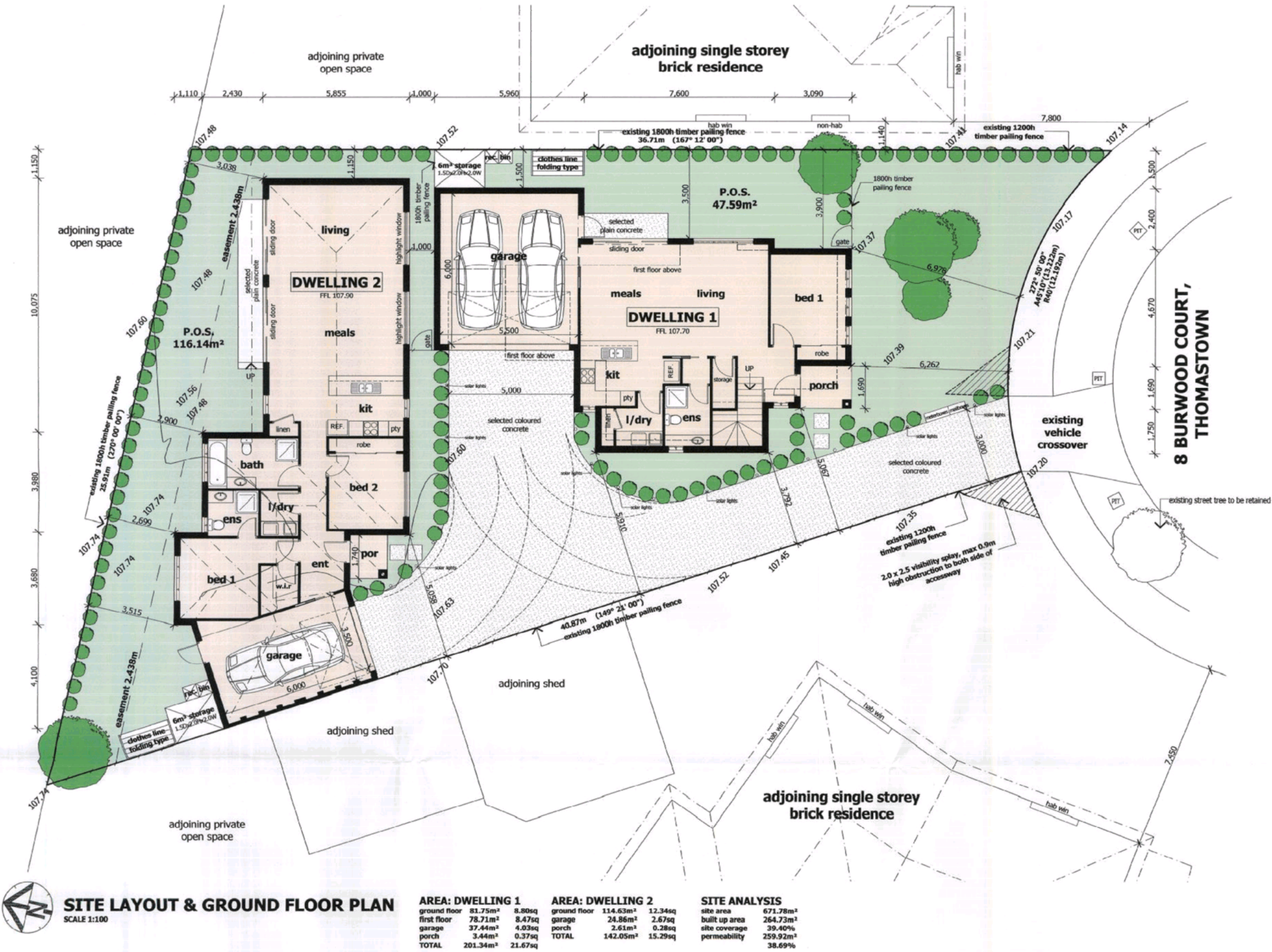


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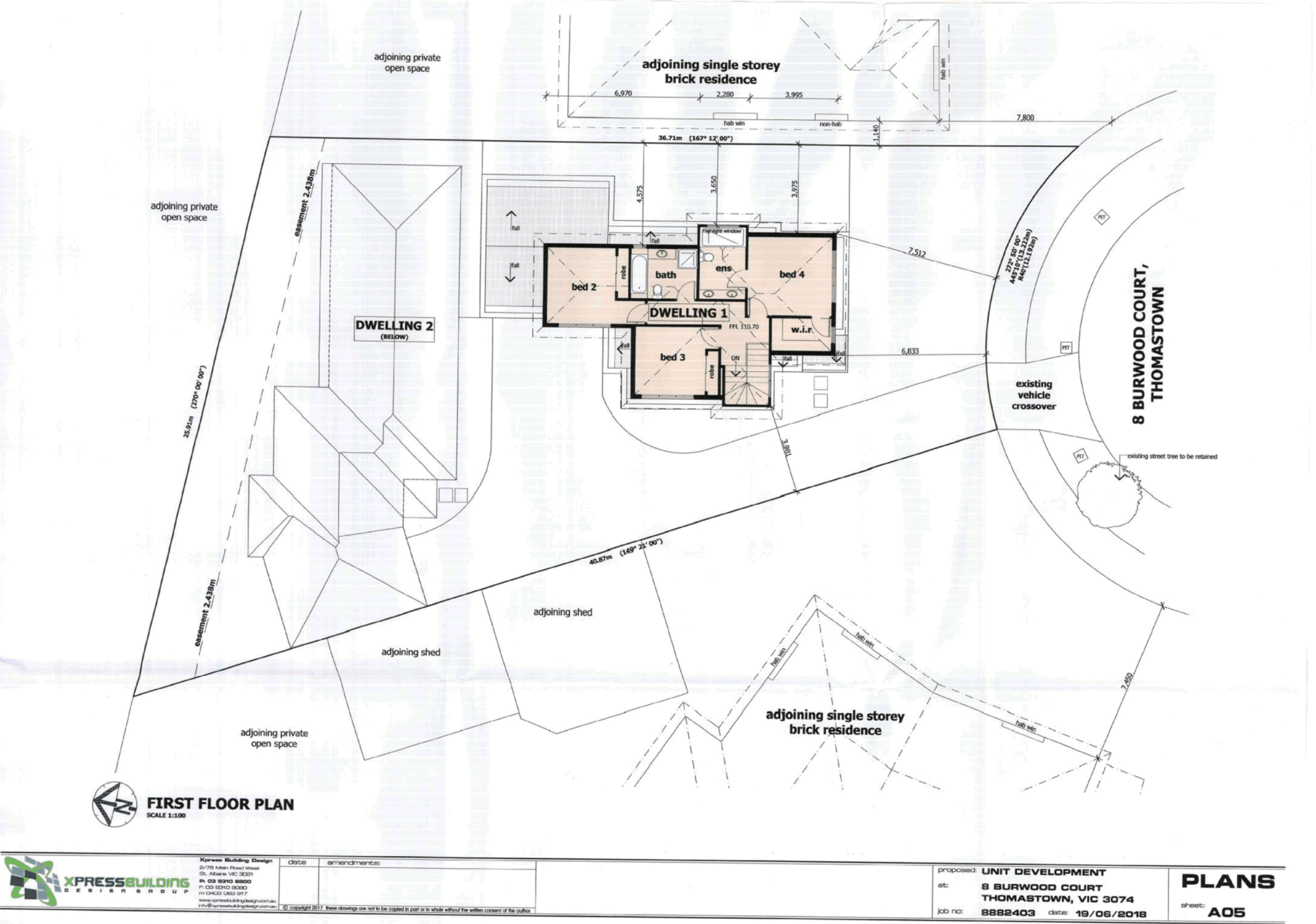
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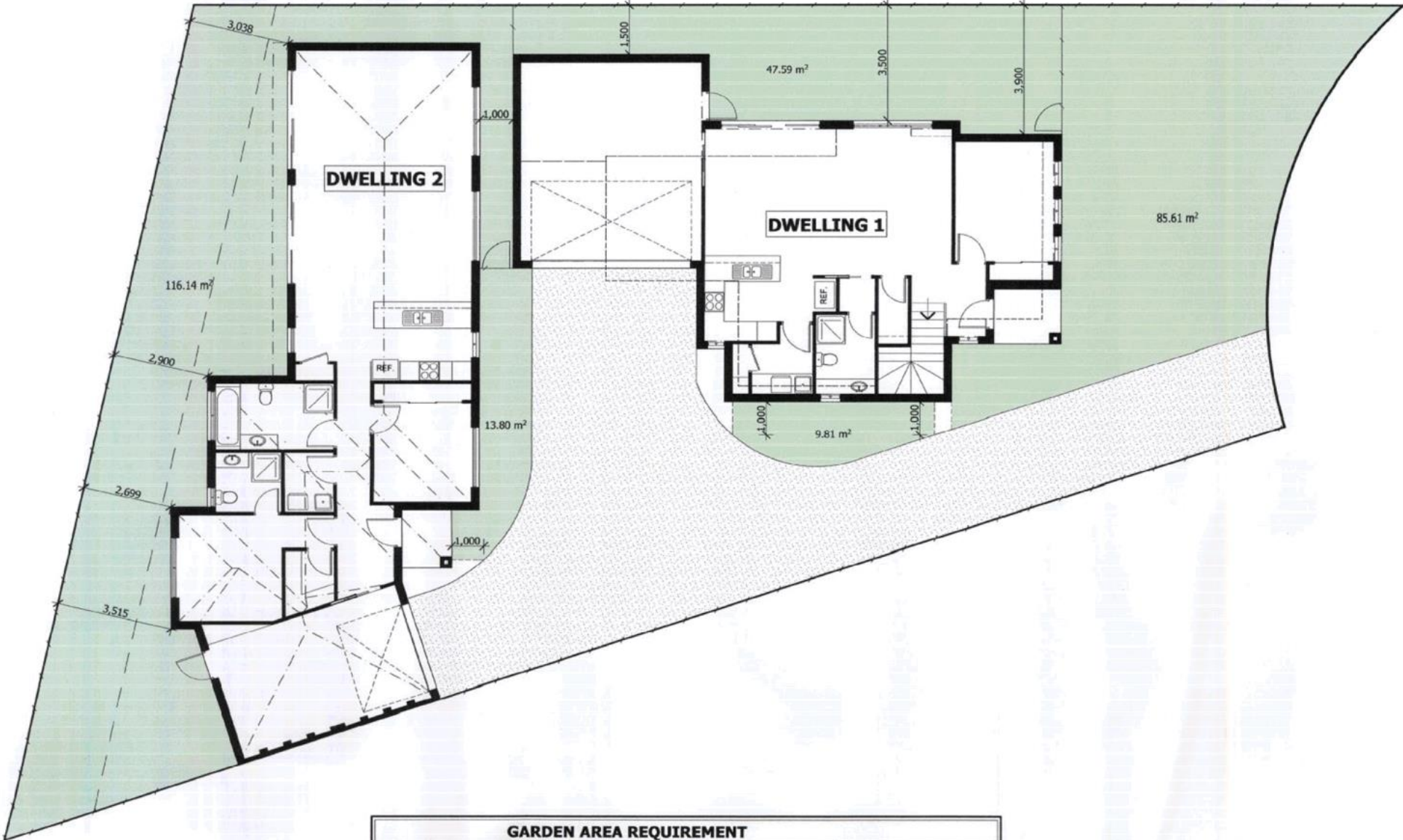
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PLANS
sheet: **A04**





GARDEN AREA REQUIREMENT				
LOT SIZE	MIN. REQUIREMENT	SITE AREA	GARDEN AREA REQUIREMENT	PROPOSED GARDEN AREA
400m ² - 500m ²	25%	N/A	N/A	N/A
501m ² - 650m ²	30%	N/A	N/A	N/A
650m ² and above	35%	671.78m ²	235.123m ²	272.95m ² = complies

- CONCRETE DRIVEWAY
- GARDEN AREA (MIN 1m WIDE)



GARDEN AREA REQUIREMENT PLAN

SCALE 1:100



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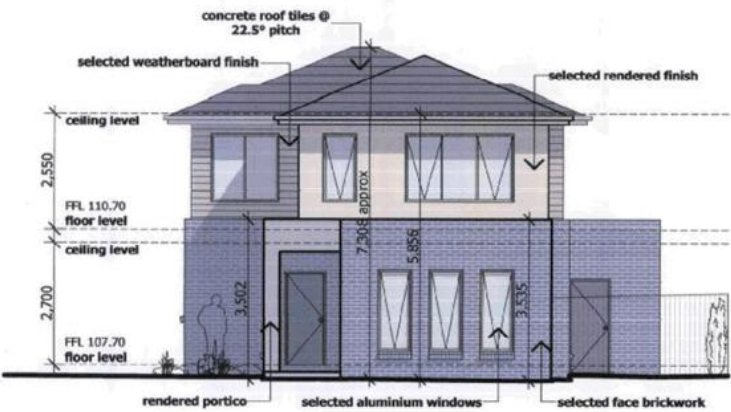
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PLANS

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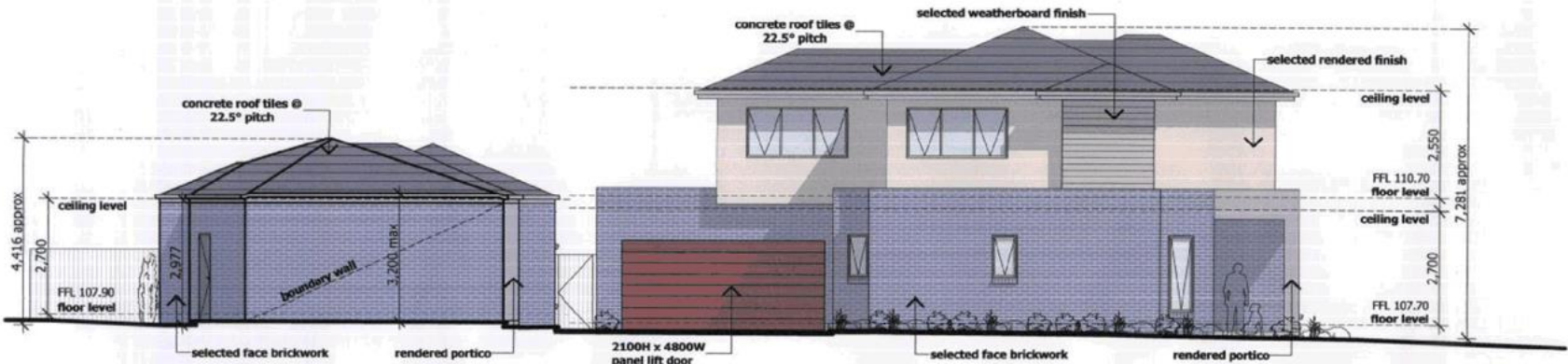
NOTE:
colours are indicative only,
please refer to colour schedule
for exact colours and materials

**SOUTH ELEVATION
DWELLING 1**
SCALE 1:100



NOTE:
colours are indicative only,
please refer to colour schedule
for exact colours and materials

NORTH ELEVATION - DWELLING 2
SCALE 1:100



NOTE:
colours are indicative only,
please refer to colour schedule
for exact colours and materials

DWELLING 2

WEST ELEVATION
SCALE 1:100

DWELLING 1

NOTE:
colours are indicative only,
please refer to colour schedule
for exact colours and materials



NOTE:
colours are indicative only,
please refer to colour schedule
for exact colours and materials

DWELLING 1

EAST ELEVATION
SCALE 1:100

DWELLING 2

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for exact colours and materials



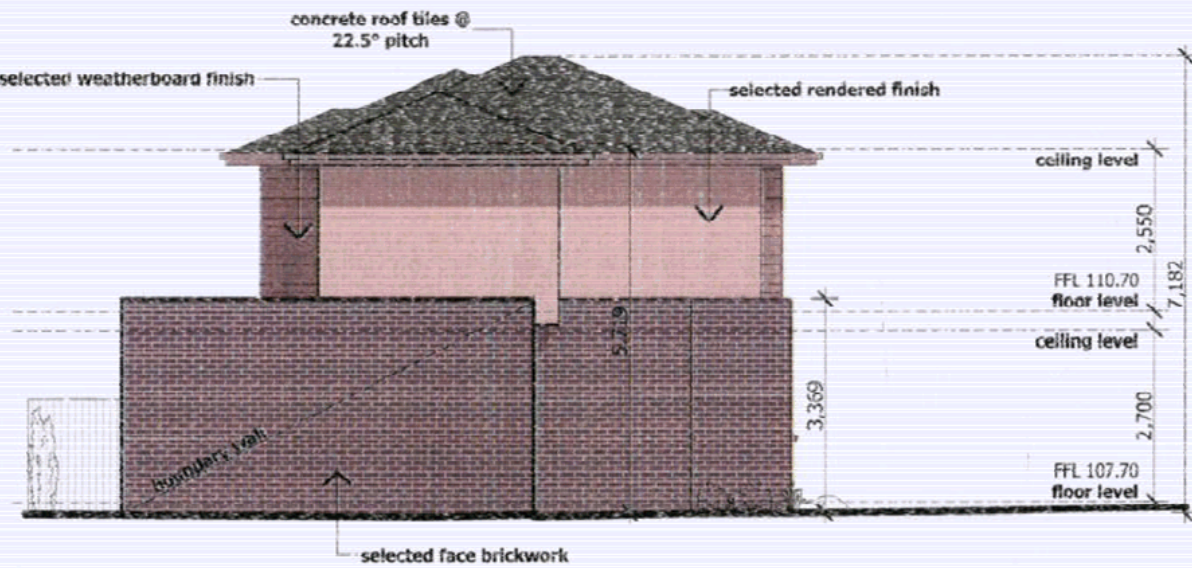
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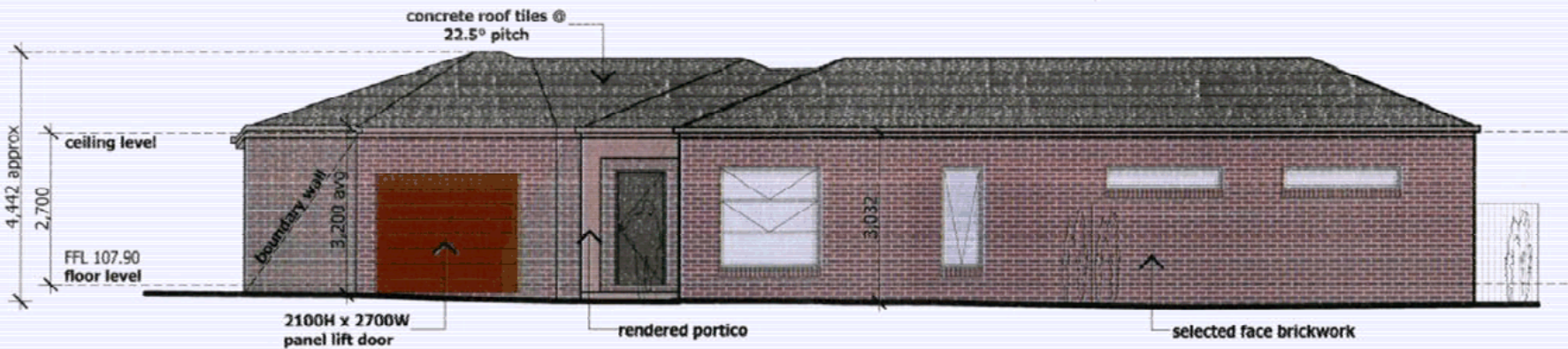
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PLANS
sheet: **A07**




NORTH ELEVATION - INTERNAL DWELLING 1
SCALE 1:100

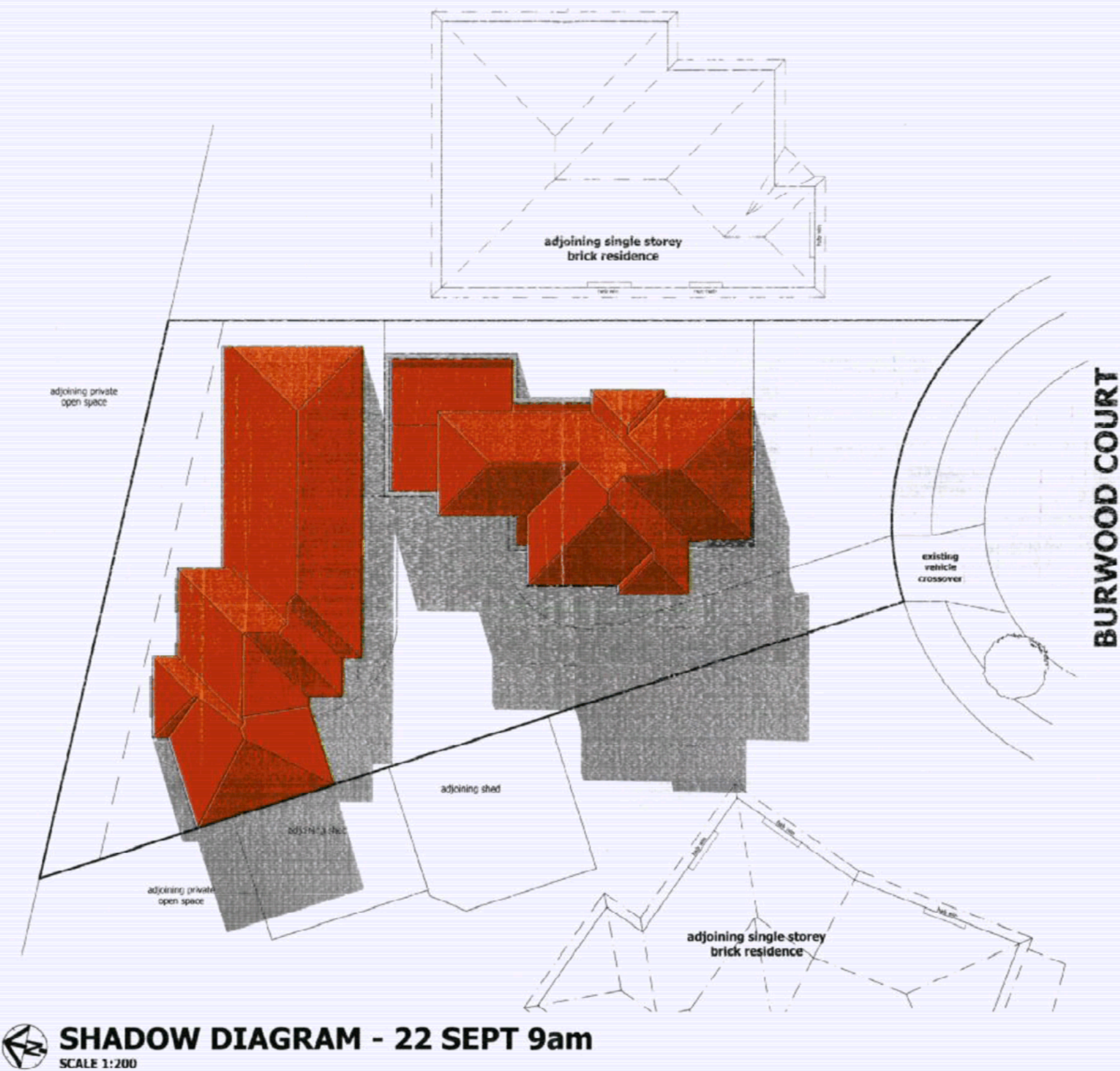
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SOUTH ELEVATION - INTERNAL - DWELLING 2
SCALE 1:100

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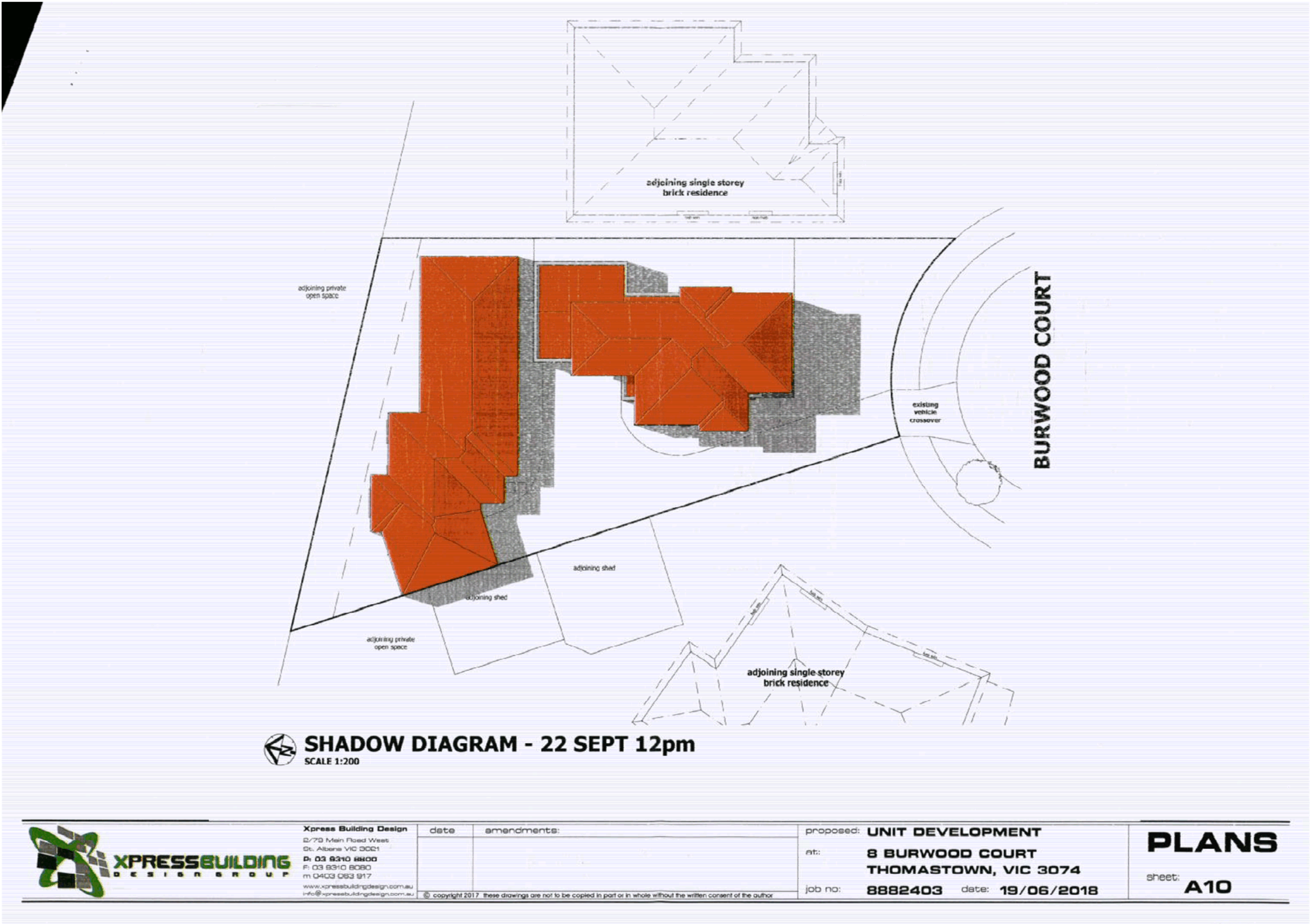
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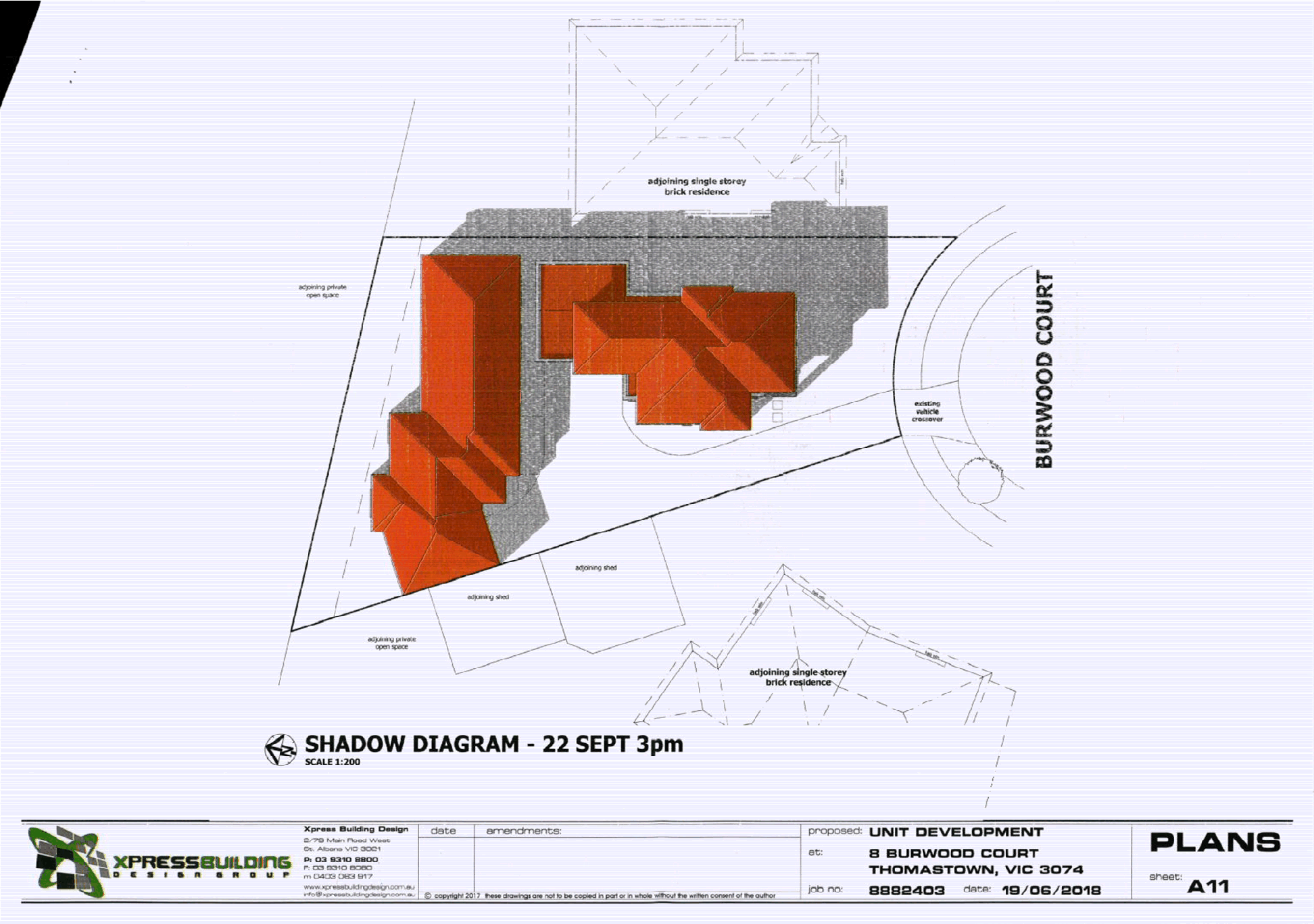


SHADOW DIAGRAM - 22 SEPT 9am
SCALE 1:200

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PLANS
sheet: **A11**

6.1.5 84 - 86 DALTON ROAD, THOMASTOWN - USE AND DEVELOPMENT OF A CHILD CARE CENTRE AND AN ALTERATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1

Attachments:	1	Locality Maps ↓
	2	Development Plans ↓
Responsible Officer:	Director Partnerships, Planning & Engagement	
Author:	Planning Officer	
APPLICANT:	Tamvakis Group Pty Ltd.	
COUNCIL POLICY:	22.05	Child Care Centre Policy
ZONING:	General Residential Zone Road Zone, Category 1	
OVERLAY:	Development Contributions Plan Overlay	
REFERRAL:	VicRoads	
OBJECTIONS:	15	

RECOMMENDATION SUMMARY

That Council resolve to Refuse Planning Application No. 717050 and issue a Refusal to Grant a Planning Permit for the use and development of a child care centre and an alteration of access to a road in a road zone category 1 at 84-86 Dalton Road, Thomastown.

KEY FACTS AND / OR ISSUES

- The applicant proposes to develop and use the site as an 88 place childcare centre. The proposal includes the provision of 20 parking spaces at a basement level within the site, with one vehicle access point for ingress and egress.
- Advertising of the application resulted in 15 objections being received. The grounds of objection relate to a commercial use within a residential area, traffic impacts and associated safety concerns, noise impacts, oversupply and lack of demand for child care centres, and the associated impacts, loss of sunlight, waste concerns, structural damage in association with the construction works, and property devaluation.
- The proposal demonstrates poor compliance with the provisions of 'Clause 22.05 Child Care Centre Policy' in that it is located on a main road and does not fulfil a demonstrated need.

REPORT**SITE AND SURROUNDING AREA**

The subject site consists of two lots and is located on the eastern side of Dalton Road (See *Attachment 1*). Dalton Road is a major north-south arterial road with two lanes in each direction, separated by a sizeable median strip. There are also dedicated bicycle lanes on both sides of the road. The site is regular in shape, generally flat, and measures 1092m² in area. Overall, there is a combined frontage to Dalton Road of 30.6m.

Each site currently contains a single-storey dwelling and associated outbuildings, and is directly accessed from Dalton Road by existing crossovers. Immediately surrounding the site are single storey dwellings. The broader area includes some commercial uses.

The subject site is located in proximity to the following sites, service and infrastructure:

- CNH Nursing Home (40m west).
- Bus Route 556 Epping Plaza SC to Northland SC (95m south).
- Bus Route 559 Thomastown via Darebin Drive (235m northwest).
- Nick Ascenzo Park (280m northwest).
- Thomastown Learning Centre (Childcare) (430m north).
- Thomastown East Primary School (660m northwest).
- Dalton Road Preschool (820m north).
- Lalor Secondary College (1.1km North).
- St John Primary School (1.3km northeast).
- Lalor Living and Learning Centre – Occasional care (2.2km northwest).

RESTRICTIONS AND EASEMENTS

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

There is a 2.44m wide existing easement at the rear of both sites, with no buildings proposed to be constructed over this easement.

PROPOSAL

It is proposed to construct and use a childcare centre with a capacity for 88 children, aged 0-6 years old (See *Attachment 2*). The existing dwellings are proposed to be removed to allow for the construction of a purpose built building that will occupy both sites.

The building proposed is of a contemporary design, two storeys in form and a flat roof. It has a maximum building height of 7.5m. Architectural features are provided to the façade of the site facing Dalton Road by way of vertical metal trims. The proposed centre will consist of 5 rooms and will have play areas at both ground and first floor levels.

A 1.8m high steel fence and sliding gate is proposed to front the development.

The proposal includes a basement car park for 20 vehicles with a single ingress and single egress point onto Dalton Road. One of these spaces will be allocated for accessible car

parking. The front setback of the site will also provide for pedestrian access and a separate access path for bin relocation (for kerbside collection).

The childcare centre is proposed to operate between the hours of 7.00am and 6.30pm Monday to Friday and will have a maximum of 15 staff at any given time.

PUBLIC NOTIFICATION

Advertising of the application has resulted in 15 objections being received. The grounds of objection can be summarised as follows:

1. Commercial use within a residential area
2. Traffic impacts and associated safety concerns
3. Noise impacts
4. Oversupply and lack of demand for child care centres, and the associated impacts
5. Loss of sunlight to property
6. Waste management concerns
7. Structural damage in association with the construction works
8. Property devaluation

PLANNING ASSESSMENT

Clause 22.05 – Child Care Centre Policy

Currently, the objective of this policy is to ensure appropriately located and well-designed child care centres have a minimal impact on the amenity of the area and serve the needs of the community.

At its meeting on 7 August 2018, Council adopted Amendment C223, which relates to a revised child care centre policy. This amendment is now 'seriously entertained' and is a consideration in the assessment of all child care centre proposals. This revised policy includes clearer and further guidance regarding need, location, siting, and design considerations. Of particular significance, the 'Policy Basis' states:

...Council is experiencing unprecedented numbers of applications for child care centres particularly within the growth areas. Analysis undertaken by Council indicates that in some areas the supply of such facilities exceeds demand...

...Given the proliferation of child care centres, it is also important that the establishment of these facilities responds to a genuine demand in the community in order to compliment broader land use objectives and support the timely and economic establishment of facilities in the locations that are identified in development plans and other incorporated documents.

The 'Policy' section includes:

Need and preferred location of centres

- *Require applications to demonstrate a need for that facility in the local community having regard to the economic operation of the facility and other existing or planned facilities located, or to be located, as part of a community hub.*

- *Provide for child care centres that are:*
 - o *Within at least a 400m walkable distance (measured by the shortest route reasonably accessible on foot) to an existing or proposed activity centre or recognised community activity cluster.*
 - o *Co-located with similar appropriate non-residential uses (i.e. retail, education facilities, active open space facilities etc.).*
 - o *Within at least a 200m walkable distance (measured by the shortest route reasonably accessible on foot) from an existing or future planned public transport spot or train station.*
 - o *In locations that are readily and safely accessible by road, public transport, bicycle and pedestrian networks.*
- *Encourage child care centres on collector roads but avoid child care centres on, or within proximity to, arterial roads.*
- *Provide for flexibility and discretion in allowing child care centres that serve catchments beyond the local level in established or establishing residential areas, where they are located in or adjacent to activity centres or sited on collector roads that avoid extra generation of traffic on residential streets.*
- *Discourage the co-location of child care centres with non-compatible uses (i.e. service stations and convenience restaurants).*

It is considered the proposed childcare centre is not generally in accordance with the Child Care Centre Local Planning Policy both in its current form and even more so in the revisions made through Amendment C223.

An assessment against the requirements of the existing policy is provided below.

- *Encourage child care centres to locate adjacent to or in proximity to other community support facilities such as schools, pre-schools, open space, medical centres, and recreational facilities.*

The subject site is located in proximity to the following services:

- o Nick Ascenzo Park (280m northwest).
- o Thomastown Learning Centre (child care) (430m north).
- o Thomastown East Primary School (600m northwest).
- o Dalton Road Preschool (820m north)

On balance, it is considered that the site is not well located to the services recommended by the Clause.

- *Encourage child care centres to locate in proximity to public transport routes.*

The subject site is located in proximity to the following public transport routes:

- o Bus route 556 which runs along Dalton Road, running between Lalor and Northland Shopping Centre.
- o Bus route 559 which runs along Darebin Drive (160m north of the site), circular route through Thomastown.

- *Minimise impacts on residential amenity and enhance access, corner sites are preferred locations for child care centres. Establishment of child care centres within cul-de-sacs and on main roads is discouraged.*

The subject site is located on a main road, Dalton Road. There is a risk to children who may alight from vehicles on the main road given that basement car parking may be burdensome to parents/carers who are in a rush, along with disrupting the flow of traffic flow along Dalton road (these concerns were raised by VicRoads).

Additionally, there may be an impact on neighbouring residents through the repeated vehicular access and waste collection arrangement as the bins are located in proximity to residential properties.

- *Ensure that the scale and appearance of purpose built child care centres is consistent with surrounding land use, site characteristics, and site location. In residential areas child care centres should have a residential scale, height and building form, which is sympathetic to the character of adjoining dwellings and the streetscape.*

The scale of the built form is considered acceptable and in keeping with the surrounding built form of the area. The site is not a conventional residential street in that it is located on a main road where some commercial uses exist.

- *Ensure that access to and from the site is to be designed in such a way as to allow for the safe and efficient movement of vehicle and pedestrian traffic, including safe set down areas.*

As noted above, there is some concern in relation to the usability and practicality of basement car parking as it may encourage on-street drop offs, disturbing traffic flow on Dalton Road and posing a safety risk.

- *Ensure proposals fulfil a demonstrated need.*

There is no evidence to show a need for a childcare service in this area. Council's Family, Children & Young People Department has communicated that there is currently an oversupply and no demand.

Based on the assessment above, it is considered that the proposal responds poorly to the child care policy in terms of its site location and demand.

Clause 32.08 - General Residential Zone

The subject site is located within the General Residential Zone (GRZ1). Pursuant to Clause 32.08-1 of the Whittlesea Planning Scheme, a Child Care Centre is a section 2 use, therefore a planning permit is required. Additionally, the proposed buildings and works require planning approval.

There are a number of decision guidelines provided for non-residential uses and development that form part of the consideration, as outlined below:

- *Whether the use or development is compatible with residential use.*

It is considered that the proposed use and development are both compatible with residential uses. It is anticipated that there will be an increase in noise brought about by the use. This is considered to be conventional in the general operations of child care centres, and the peak times of noise (i.e. outdoor play) will not be during sensitive hours. It is noted that the site already experiences a level of noise due to its location on a main road. The design of the building is considered to be in keeping with other built form within the area.

- *Whether the use generally serves local community needs.*

As assessed above, there is no demonstrated need for an additional childcare centre in this area.

- *The scale and intensity of the use and development.*

The scale and intensity of the use and development is assessed to be proportionate to the overall size of the land. The child care centre will operate from 7.00am to 6:30pm, Monday to Friday which are conventional hours for child care centres.

- *The design, height, setback and appearance of the proposed buildings and works.*

It is considered that the design, overall height, setbacks and general appearance of the building is an acceptable outcome consistent with the built form found within the area.

- *The proposed landscaping.*

A concept Landscape Plan was submitted as part of the application. Substantial landscaping is proposed within the front setback with provision for medium size trees and landscaping treatments within the play areas.

- *The provision of car and bicycle parking and associated accessways.*

Details of car parking and access are discussed within later sections of this report. There are no requirements for the provision of bicycle parking pursuant to Clause 52.34 'Bicycle Facilities'.

- *Any proposed loading and refuse collection facilities.*

Waste storage is proposed to be within a landscaped enclosure. Private kerb side collection is proposed on alternative days to Council collection. This arrangement raises some concern as it is in proximity to a residential use, with the bin being constantly located less than 10m to the dwelling at 88 Dalton Road.

- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

As detailed above, VicRoads have raised some concern in relation to the practicality of the basement car parking arrangements.

Clause 45.06 – Development Contributions Plan (Schedule 3)

The site is affected by the Development Contributions Plan Overlay. Pursuant to Clause 45.06 of the Whittlesea Planning Scheme, the Development Contributions Plan Overlay enables the levying of contributions for the provision of works, services and facilities prior to development commencing. Schedule 3 to the overlay requires contributions for drainage infrastructure for commercial development at a current rate of \$4.02 per square metre of the total site area. This requirement must be included as a condition on any planning permit that is issued.

Clause 52.06 – Car Parking

Clause 52.06 of the Whittlesea Planning Scheme prescribes the rate and design standards for car parking spaces required on site. Pursuant to this clause, 19 car spaces are required. As the proposal includes basement car parking of 20 spaces, this requirement has been appropriately met. All cars will be able to exit the site in a forward direction onto Dalton Road and the dimensions of the spaces and accessway comply with the requirements of Clause 52.06-9 'Design standards for car parking'.

Clause 52.29 – Alteration of Access to a Road Zone, Category 1

Dalton Road is a 'Road Zone Category 1'. The proposal includes alteration of access to the road, which is required to be referred to VicRoads as the road manager. VicRoads raised the following relevant concern:

VicRoads notes that the formal car park for the development has been provided within the basement and it may discourage parents to drop kids in the basement car park. Accordingly, parking along the kerbside will be increased and that may cause a disruption the traffic flow along Dalton Road.

Ultimately, there was no objection to the proposal subject to the following permit condition:

Prior to the commencement of the use of the building hereby approved, the proposed crossover and driveway must be constructed at no cost to VicRoads and to the satisfaction of the Responsible Authority.

COMMENTS ON GROUNDS OF OBJECTION

1. Commercial use within a residential area

A number of non-residential uses exist along Dalton Road and within this broader area of Thomastown. The use has been assessed to be compatible within surrounding land uses.

2. Traffic impacts and associated safety concerns

As discussed above there are some concerns in relation to traffic impacts and associated safety concerns, particularly issues identified by VicRoads.

3. Noise impacts

It is acknowledged that there would be noise that would come from the site due to the nature of the proposed use. As noted above, peak outdoor play times are conventionally during midday hours. Further, children are also generally indoors for the start and end of the day. This concern could be further addressed through a condition requiring acoustic treatments if a permit were to be issued.

4. Oversupply and lack of demand for child care centres, and the associated impacts

As discussed above, the proposal does not fulfil a demonstrated need.

5. Loss of sunlight to property

This objection relates to loss of sunlight to the side of one property due to the double storey nature of the building. The shadow diagrams indicate that while private open space areas are generally unaffected by shadows caused by the proposed building, the dwelling at 82 Dalton Road will experience reduced access to sunlight as the shadows will consistently shadow the north facing side windows of the dwelling on this site.

6. Waste concerns

This objection relates to the amenity impacts, particularly offensive smells, associated with the commercial scale of waste that will be produced and stored on site. This concern could be addressed by way of a condition on permit that requires a waste management plan that includes appropriate storage and location to ensure that impacts associated with the generated waste is mitigated, if a permit was to be issued.

7. Structural damage in association with the construction works

Structural damage in association with future construction works is a matter that is addressed through the building permit process by the relevant Building Surveyor.

8. Property devaluation

It has been consistently upheld by the Victorian Civil and Administrative Tribunal (VCAT) that loss of property values are not relevant planning considerations.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

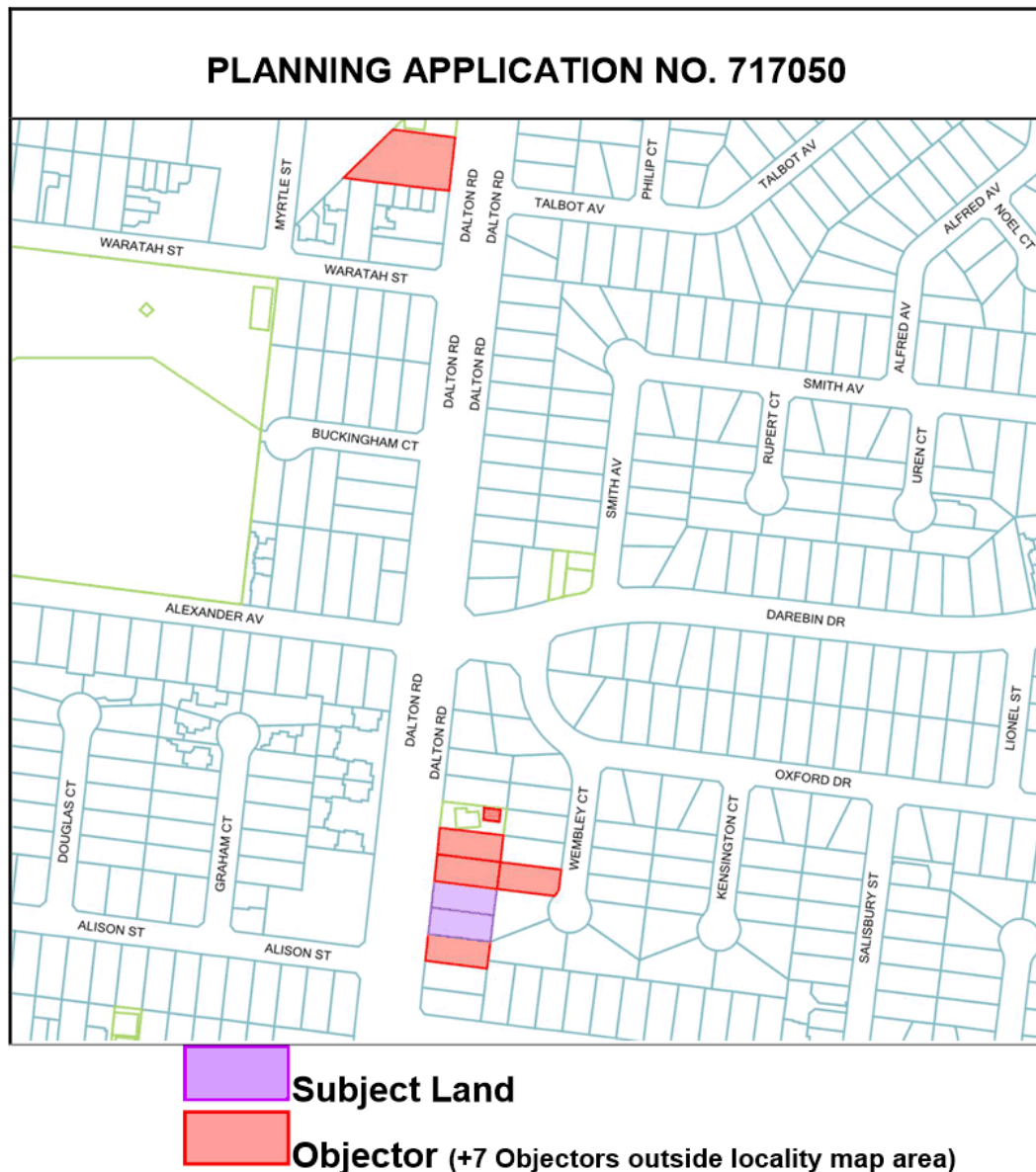
CONCLUSION

The application has been assessed against the planning zone provisions including 'non-residential uses' decision guidelines of the General Residential Zone (Clause 32.08), and the Child Care Centre Policy (Clause 22.05) of the Whittlesea Planning Scheme. It is considered that the application has not demonstrated satisfactory levels of compliance with the relevant provisions and as such, refusal of this application is recommended.

RECOMMENDATION

THAT Council resolve to Refuse Planning Application No. 717050 and issue a Refusal to Grant a Planning Permit for the use and development of a child care centre and alteration of access to a road in a road zone category 1 on the following grounds:

1. The proposal fails to appropriately respond to the decision guidelines of 'non-residential use and development' within the General Residential Zone.
2. The application fails to demonstrate satisfactory compliance with the Local Planning Policy Clause 22.05 Child care centre policy 9 and the amended version forming part of planning scheme amendment C223), in particular:
 - a) The site is not located in close proximity to community facilities such as schools, preschools, open space, medical centre and recreational facilities, as encouraged by the policy.
 - b) The site is located on a main road which is discouraged by the policy.
 - c) There is not a demonstrated need for a child care centre in this location.



**City of
Whittlesea**

DEVELOPMENT ASSESSMENT REPORT

PLANNING APPLICATION NO. 717050



Subject Land

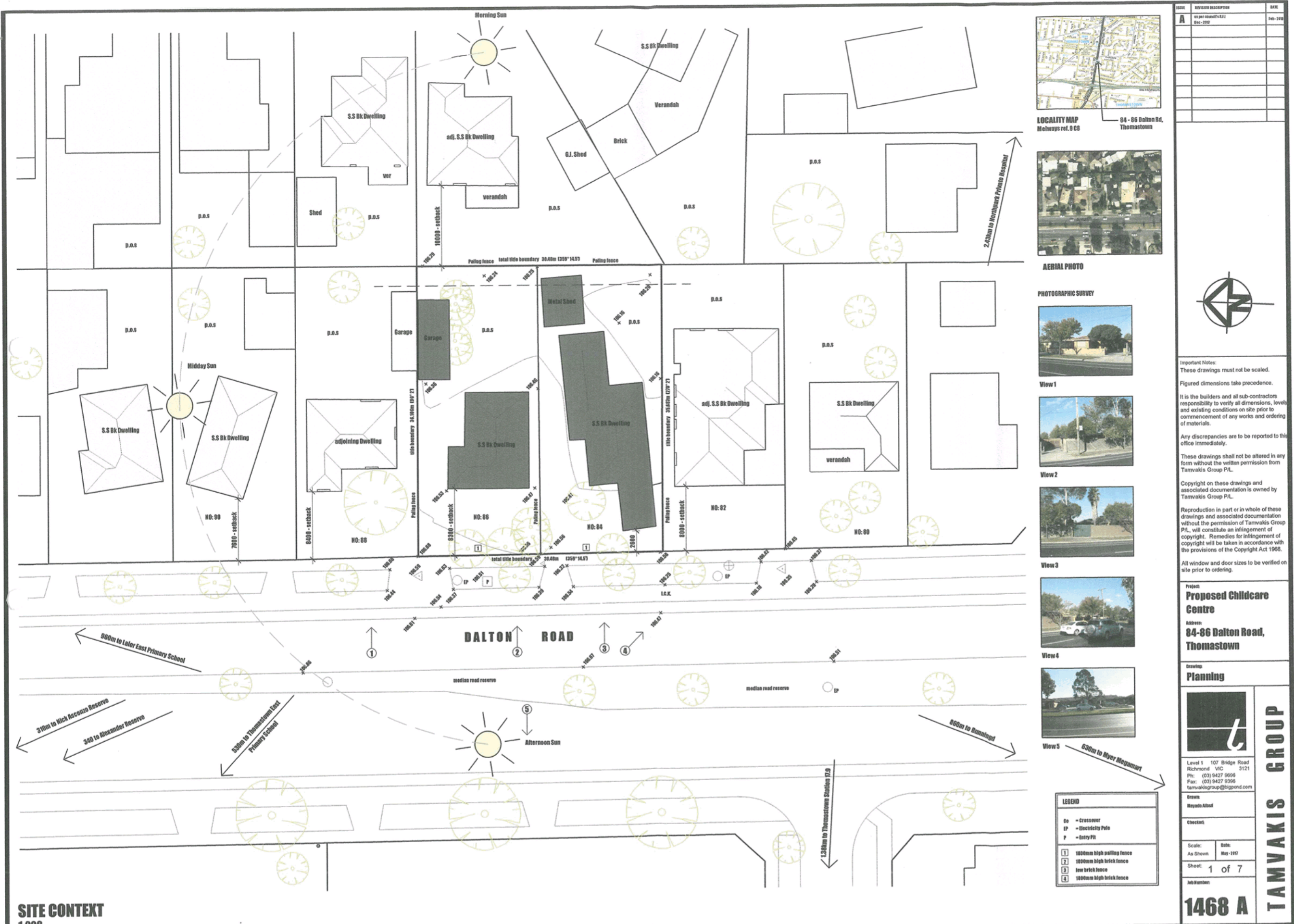


Objector (+7 Objectors outside locality map area)

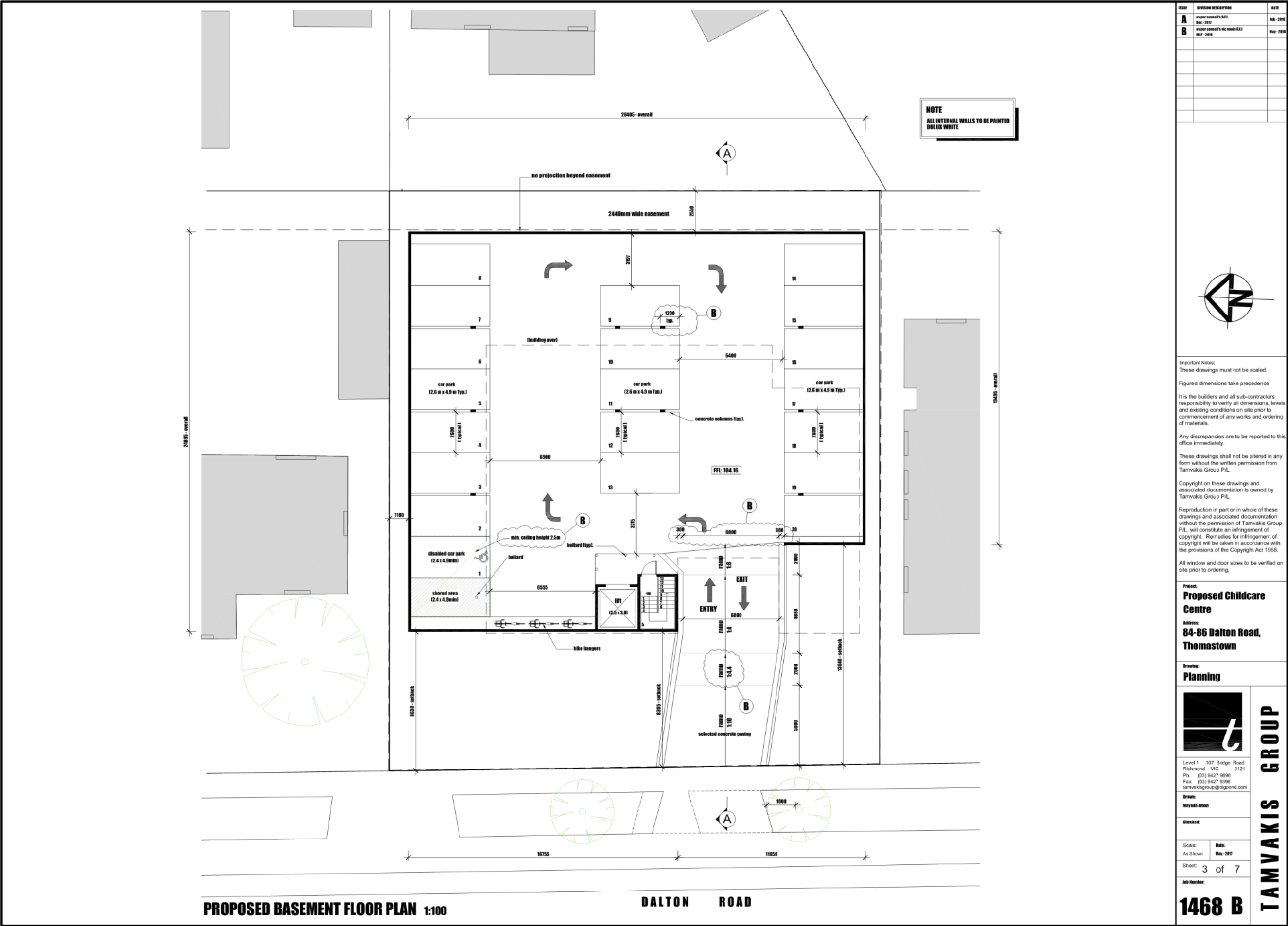


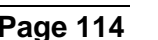
City of
Whittlesea

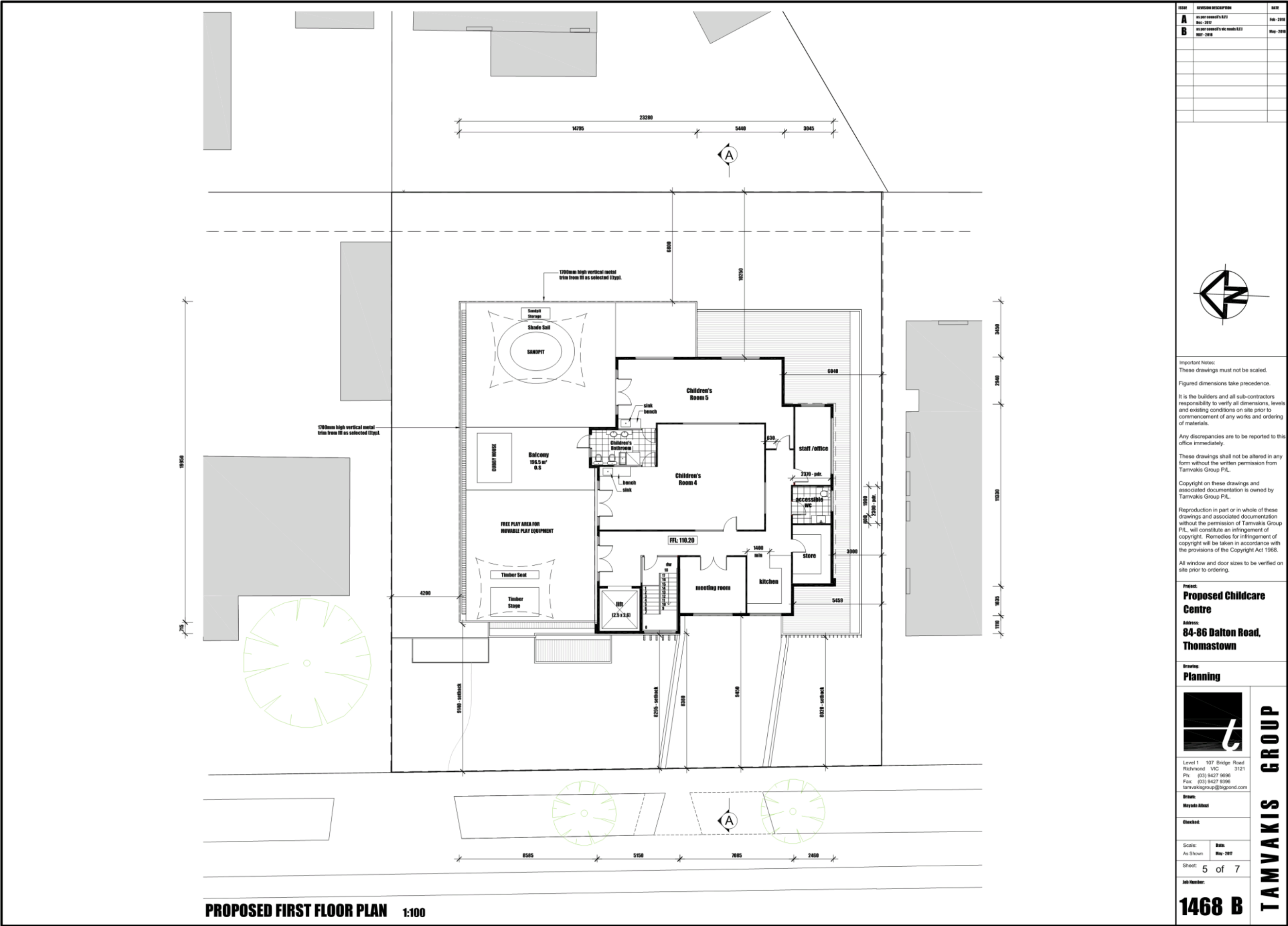
DEVELOPMENT ASSESSMENT REPORT













No	Item	Material	Finish	Colour
1	Ground Floor Walls	Brick	Rendered	Light Grey
2	Ground Floor Walls	Brick	Rendered	White
3	First Floor Walls	Foamboard	Rendered	White
4	First Floor Walls	Foamboard	Rendered	Light Grey
5	Parapet Fascias	Compressed Sheet	Painted	Light Grey
6	Entry Canopy	Aluminium	Alucobond	Dark Grey
7	Roof	Kilplek	Metal	Zinc
8	Down Pipes	Metal	Natural	Zinc
9	Windows	Aluminium	Anodized	Silver
10	Driveway/Path	Concrete	Aggregate Exposed	Blue Stone



Project:
**Proposed Childcare
Centre**

Address:
**84-86 Dalton Road,
Thomastown**

Drawing: Planning



Level 1 107 Bridge Road
Richmond VIC 3121
Ph: (03) 9427 9696
Fax: (03) 9427 9396
tamvakisgroup@bigpond.com

Drawn:
Mayada Alhadi

Checked:

Scale: As Shown	Date: May - 2017
Sheet: 6 of 7	

Job Number:

1468 B

TAMVAKIS GROUP

6.1.6 ANNUAL REPORT 2017-2018

Attachments:	1	City of Whittlesea Annual Report 2017-2018 (distributed separately - refer to p.7)
Responsible Officer:		Director Partnerships, Planning & Engagement
Author:		Acting Manager Advocacy, Communications & Economic Development

RECOMMENDATION SUMMARY

THAT Council resolve to receive and note the 2017-2018 Annual Report in accordance with Section 134(1) of the *Local Government Act 1989*.

KEY FACTS AND / OR ISSUES

The Annual Report 2017-2018 contains the following:

- A report of Council's operations during the financial year (Part 1);
- An audited performance statement for the financial year of results achieved against the prescribed performance indicators and measures and includes a copy of the Auditor-General's Report on the Performance Statement (Part 2);
- Audited financial statements, prepared in accordance with the Australian Accounting Standards and a copy of the Auditor-General's Report on the Financial Statements (Part 3).
- In accordance with the Local Government Act 1989, public notice has been given that the Annual Report has been prepared and is available for inspection.

REPORT**BACKGROUND**

Council's performance for the 2017-18 Annual Report has been reported against each Council priority to demonstrate how Council is performing in achieving the 2017-21 Council Plan. Performance has been measured as follows:

- Results achieved in relation to the strategic indicators in the Council Plan;
- Progress in relation to the major initiatives identified in the budget;
- Services funded in the budget and the persons or sections of the community who provided those services; and
- Results against the prescribed service performance indicators and measures.

Highlights include:

- Council successfully lobbied the State Government to upgrade the City's arterial road network. In mid-2018, the State Government announced funding for the upgrade of Epping Road, Bridge Inn Road and Childs Road;
- In collaboration with the City of Darebin and City of Moreland, the City of Whittlesea opened the new \$13 million Epping Animal Welfare Facility. The RSPCA (Vic) manages the day to day services including impounding, shelter and adoption services for domestic animals and livestock brought into the facility from the three municipalities;
- Council adopted the Economic Development Strategy which aims to boost local economic activity and attract 10,000 new jobs to the City of Whittlesea over the next five years;
- A number of planning processes were streamlined to improve customer service. These included FastLane and Priority Development Process, Functional Layout Plan simplification and digital transformation of services such as Trapeze, Sharepoint overhaul, online payment and lodgement of property information requests and secondary consents;
- Mill Park Leisure Centre redevelopment process commenced. The complete rebuild will include the addition of new fully accessible pools and water play features, enlarged gym and fitness program areas, outdoor fitness, family play and BBQ areas; and
- Council adopted the 2018-19 New Works Program that will deliver a record \$80 million of public infrastructure and community facilities.

PROPOSAL

The Annual Report provides an overview of Council's performance in the 2017-18 financial year against the seven Council Priorities set out in our Council Plan 2017-21 and Annual Budget 2017-2018.

The Report also highlights achievements and challenges faced and includes statutory reporting and legislative information as required under the *Local Government Act 1989* and other legislation.

It is recommended that the 2017-2018 Council Annual Report be received and noted.

CONSULTATION

Copies of the Annual Report will be made available at Council Offices and at the Yarra Plenty Regional Library branches of Lalor, Thomastown, Mill Park, and Whittlesea. A copy will also be published on Council's website at whittlesea.vic.gov.au.

CRITICAL DATES

Public notice has been given that copies of the Annual Report are available for inspection and that it will be considered by Council at this meeting.

FINANCIAL IMPLICATIONS

The Annual Report was produced within approved budget allocations.

POLICY STRATEGY AND LEGISLATION

A copy of the Annual Report including the Audited Performance Statement and Financial Statements has been forwarded to the Minister for Local Government in accordance with Section 131 (6) of the Local Government Act 1989.

The Annual Report promotes open and transparent government by reporting Council's operations.

LINKS TO THE COUNCIL PLAN

Council Priority	Organisational Sustainability
Future Direction	Good governance
Theme	Continuous improvement
Strategic Objective	Our Council monitors and evaluates all of its operations

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The City of Whittlesea 2017-2018 Annual Report is an integral part of Council's commitment to open and accountable governance. It provides the community with an overview of Council's performance and achievements during the 2017-2018 financial year in delivering against the seven Council priorities set out in the 2017-21 Council Plan and Annual Budget. It also provides detailed financial statements relating to Council's financial position which continues to remain sound.

RECOMMENDATION

THAT Council resolve to receive and note the 2017-2018 Annual Report in accordance with Section 134(1) of the *Local Government Act 1989*.

6.1.7 ASSEMBLIES OF COUNCILLORS REPORT - 2 OCTOBER 2018

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Governance Officer

RECOMMENDATION SUMMARY

That Council note the record of the Assemblies of Councillors meetings as set out in the table in the report.

KEY FACTS AND/OR ISSUES

To report to Council the records of Assemblies of Councillors in accordance with Section 80A(2) of the Local Government Act.

REPORT

BACKGROUND

The Local Government Act 1989 requires records of Assemblies of Councillors to be reported to an ordinary Council meeting and recorded in the minutes of that meeting.

A meeting is an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision or the exercise of a Council delegation and the meeting is:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff; or
- An advisory committee of Council where one or more Councillors are present.

A record must be kept of an assembly of Councillors which lists the Councillors and members of Council staff attending, the matters discussed, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.

PROPOSAL

Assemblies of Councillors records not previously reported to Council are detailed in the following table:-

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
Whittlesea Reconciliation Group Meeting 28 June 2018	Cr Cox	ALC MCCD TLACD	<ol style="list-style-type: none"> Public Safety Infrastructure Fund New member appointed Aboriginal Liaison Officer Report WRG End of Financial Year Budget Report Annual Program – new priorities Change the Date Stretch RAP 2017 – 2020; Aboriginal Gathering Place Feasibility Study update <p><i>Nil disclosures</i></p>
Arts Cultural and Sporting Grants Program for Young People 1 August 2018	Cr Pavlidis (Mayor) Cr Cox Cr Desiato	CDGO MCBP TLCI	<p>The advisory committee made a recommendation to the delegate regarding the following application via a virtual meeting:</p> <ol style="list-style-type: none"> Billie Gifford – Sporting Grant – Overseas – Successful <p><i>Nil disclosures</i></p>
Municipal Emergency Management Planning Committee Meeting 7 August 2018	Cr Cox	D/MERO MERO MFPO MRM TLREM	<ol style="list-style-type: none"> Resilience and Emergency Management Operational Review Update Terms of Reference Emergency Management Reform Working Group Tiered response and on call SES Flood Plan Illegal Waste Dumping Workshop meetings of EMVs Community Resilience Framework for Emergency Management working with Communities, Government, Agencies and Business Other Business: <ol style="list-style-type: none"> City of Whittlesea Local Laws MFB DHHS DEJTR Red Cross <p><i>Nil disclosures</i></p>

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
Council Forum 14 August 2018	Cr Pavlidis (Mayor) Cr Sterjova (Deputy Mayor) Cr Alessi Cr Cox Cr Joseph Cr Kirkham Cr Kozmevski Cr Monteleone	CEO DCS DCRS DCTP DPPE MCBP TLSP	<ol style="list-style-type: none"> LaTrobe University City of the Future Externals in attendance: <ul style="list-style-type: none"> Professor John Dewar, Vice-Chancellor; Natalie MacDonald, Vice-President (Development) Whittlesea 2040 Update on the Draft Local Laws and City Amenity Service Review Confidential Item: CEO and Councillor Time <p><i>Nil disclosures</i></p>
Council Forum 21 August 2018	Cr Pavlidis (Mayor) Cr Sterjova (Deputy Mayor) Cr Alessi Cr Cox Cr Desiato Cr Joseph Cr Monteleone	CEO/A CPPO DCRS DCTP DPPE/A TLCI TLSP	<ol style="list-style-type: none"> Community Development Workshop External in attendance: <ul style="list-style-type: none"> Peter Kenyon <p><i>Nil disclosures</i></p>
Council Forum 28 August 2018	Cr Sterjova (Deputy Mayor) Cr Alessi Cr Cox Cr Desiato Cr Joseph Cr Kirkham	CEO/A DCRS DCS DCTP DPPE/A TLPD TLYS	<ol style="list-style-type: none"> Hume Whittlesea Local Learning and Employment Network (HWLEN) and Whittlesea Youth Commitment (WYC) Briefing around WYC's Activities All Abilities Play Space, Mill Park Mill Park Leisure Centre Redevelopment Progress Report Councillor Questions for Upcoming Council Meeting Confidential Item: CEO and Councillor Time <p><i>Nil disclosures</i></p>

The table below represents an Index of Officer titles:

Initials	Title of Officer	Initials	Title of Officer
ALC	Aboriginal Liaison Coordinator – Donna Wright	MCBP	Manager Community Building and Planning – Belgin Besim
CDGO	Community Development Grants Officer – Caitlin Armstrong	MCCD	Manager Community Cultural Development – Catherine Rinaudo
CEO/A	Acting Chief Executive Officer - Liana Thompson	MERO	Municipal Emergency Management Resource Officer – Nick Mann
CEO	Chief Executive Officer – Simon Overland	MFPO	Municipal Fire Prevention Officer – Pat Carra
CPPO	Community Planning & Project Officer – Neela Konara	MRM	Municipal Recovery Manager – Russell Hopkins
DCS	Director Community Services – Russell Hopkins	TLACD	Team Leader Aboriginal & Cultural Diversity – Nick Butera
DCRS	Director Corporate Services – Helen Sui	TLCI	Team Leader Community Inclusion – Kelisha Nikitas
DCTP	Director City Transport and Presentation– Nick Mann	TLPD	Team Leader Parks Development – Adrian Napoleone
DPPE/A	Acting Director Partnerships, Planning and Engagement – Julian Edwards	TLREM	Team Leader Resilience and Emergency Management – Justin Justin
DPPE	Director Partnerships, Planning and Engagement – Liana Thompson	TLSP	Team Leader Social Policy & Planning – Joanne Kyrkilis
D/MERO	Deputy Municipal Emergency Management Resource Officer – Ben Harries	TLYS	Team Leader Youth Services – Khan Churchill

CONSULTATION

Consultation has taken place with internal Council Officer representatives of each of the meetings and committees that qualify as an Assembly of Councillors.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

POLICY STRATEGY AND LEGISLATION

Section 3C(2)(g) of the Local Government Act 1989 provides that one of Council's facilitating objectives is to have regard to ensuring transparency and accountability in Council decision making.

Accordingly, section 80A of the Local Government Act 1989 requires that the Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable:-

- (a) reported at an ordinary meeting of the Council; and
- (b) incorporated in the minutes of that Council meeting.

LINKS TO THE COUNCIL PLAN

Council Priority **Organisational Sustainability**

Future Direction **Good Governance**

Theme **Continuous improvement**

Strategic Objective **Our Council monitors and evaluates all of its operations**

The provision of this report is in line with the Council Priority – Organisational Sustainability - Good Governance of Council's Council Plan by ensuring Council monitors and evaluates all of its operations.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

That Council note the record of the Assemblies of Councillors meetings in the table set out in the report.

RECOMMENDATION

THAT Council note the record of the Assemblies of Councillors meetings in the table set out in the report.

6.1.8 WHITTLESEA 2040: A PLACE FOR ALL

Attachments: 1 Whittlesea 2040: A place for all [↓](#)

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Team Leader Social Policy & Planning

RECOMMENDATION SUMMARY

Endorsement of *Whittlesea 2040: A place for all* (attached) as Council's long term strategic vision for the municipality that will guide Council's work.

KEY FACTS AND / OR ISSUES

- *Whittlesea 2040: A place for all* commenced in December 2017 and was developed over a period of ten months
- Research was undertaken by *SGS Economics and Planning* to determine the likely challenges and opportunities for the municipality to 2040 and was made available to the councillors and community to help inform their input into the vision development.
- Extensive councillor and community consultation was undertaken with over 4200 responses received. These were carefully analysed and themed and a Community Engagement Report was produced and informed a first Draft of the vision document.
- The Draft was circulated to councillors and community to ensure that the analysis had captured their shared aspirations. Feedback was received and incorporated into the final document, *Whittlesea 2040: A place for all*.
- *Whittlesea 2040: A place for all* consists of four interconnected goals: *Connected Community; Liveable Neighbourhoods; Strong Local Economy; Sustainable Environment*. To achieve each of these goals, Council will focus on three key directions within each goal. Our achievement in each will be measured by priority indicators.
- Once adopted by Council, *Whittlesea 2040: A place for all* will be Council's long term strategic vision for the municipality and will be the strategic guide for future Council planning and how we work in partnership with the community to achieve the desired outcomes.

REPORT

BACKGROUND

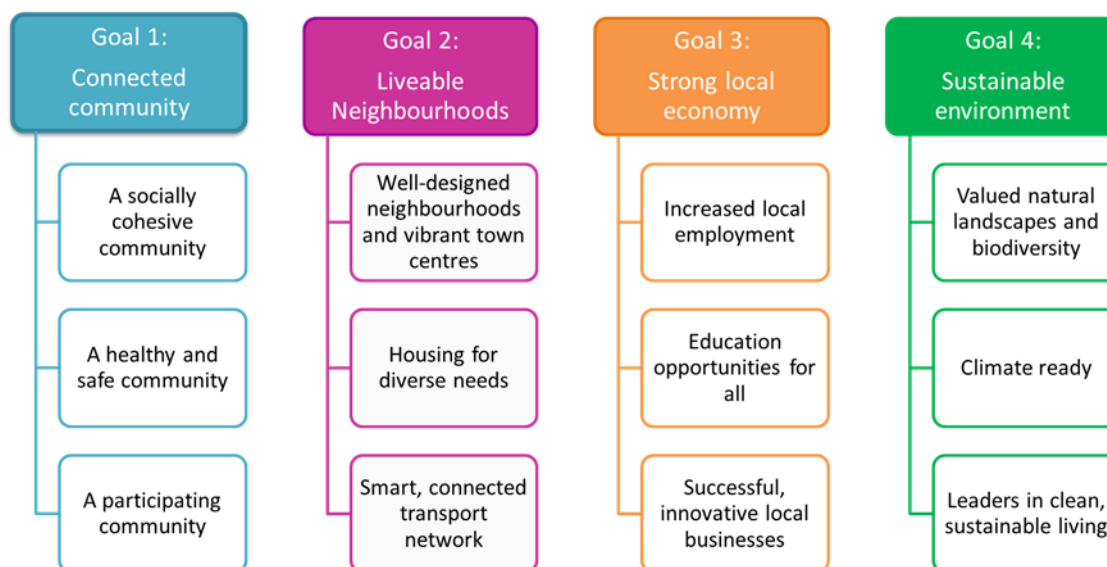
The Whittlesea 2040 project commenced in December 2017 with the commissioning of the *Whittlesea 2040: Background Paper* by SGS Economics and Planning. This identified the scale of change expected in the next 20 years across five key themes: *services and infrastructure; employment; climate change; transport; and, the community*. The SGS report was then made available to councillors and community to inform their input into the development of the vision document.

Extensive community consultation was undertaken with over 4200 responses from the community. The consultation was wide-ranging and the method of collection of community input included an online survey, postcards, forums, meetings and workshops. The data received from the councillor and community consultation was analysed, themed and presented in the Community Engagement Report.

This report informed the development of a first Draft Whittlesea 2040 Vision. Further consultation was undertaken with both councillors and community to ensure that their shared aspirations were accurately represented in this Draft. Feedback from this second round of consultation was incorporated and *Whittlesea 2040: A place for all* was developed.

PROPOSAL

It is proposed that Council endorse *Whittlesea 2040: A place for all* as Council's long term vision for the municipality that will guide Council's work. The vision consists of the following goals and key directions:



All of Council's future planning, services and projects will be aligned to contribute to the achievement of the goals and key directions. Council will work in partnership with the community to achieve this shared vision for the future. Council will measure progress towards this long term vision using priority indicators.

CONSULTATION

Community consultation was undertaken with over 4200 responses received from the community reflecting the diverse profile of the community who participated through surveys, workshops, meetings and forums over a three month period between March and June 2018.

This was followed by key word testing with community to ensure appropriate use of language. In addition, consultation of the Draft vision was conducted over a two week period in mid-August 2018 to obtain community feedback.

CRITICAL DATES

A Launch event is planned for 8 October 2018.

FINANCIAL IMPLICATIONS

Financial implications arising from this report will be dealt within established budgetary processes.

POLICY STRATEGY AND LEGISLATION

Once endorsed *Whittlesea 2040: A place for all* will provide the overarching strategic direction for Council's work. All future plans, policies and strategies including the Council Plan, will align with the *W2040 Vision*.

LINKS TO THE COUNCIL PLAN

Council Priority	Organisational Sustainability
Future Direction	Good governance
Theme	Continuous improvement
Strategic Objective	Our Council explores and adopts best practice models

It is a measure of good governance that Council has a clearly articulated strategic vision and priorities that have been developed with the community. The Vision is intended to guide the work of Council in its mission to support and enhance community wellbeing by working closely with the community.

Whittlesea 2040: A place for all represents the shared aspirations of the community and council for the municipality. Council will work in partnership with the community to achieve this shared vision for the future.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

Whittlesea 2040: A place for all will be Council's long term strategic vision for the municipality. It is informed by the shared aspirations of the community and council, and responds to the challenges and opportunities the municipality will face, ensuring that the City of Whittlesea is a great place for all, now and into the future.

RECOMMENDATION

THAT Council resolve to endorse the *Whittlesea 2040: A place for all* as the long term vision for the City of Whittlesea.



A Place For All





Acknowledgement of Traditional Owners

The City of Whittlesea recognises the rich Aboriginal heritage of this country and acknowledges the Wurundjeri Willum Clan as the traditional owners of this place.



2018 - 2040 Time Capsule

The time capsule contains a collection of over 500 messages from the community and will be opened in the year 2040. This unique box created by artist Glen Romanis, is constructed in ancient timber (5000 years old approx) and petrified wood (60 million years old approx). The design is inspired by the local geography, including the Darebin River and Plenty River and reflects the sorry space in the front of the Council Offices. The time capsule is on public display in the Council offices.



Message from the Mayor

I am delighted to present the Whittlesea 2040 vision.



With so much growth taking place, it is important that we look to the future to make sure the unique and valuable parts of our communities are protected, while also adapting to future trends. We want to make

sure that our communities are places that the next generation enjoy living, working and playing in.

We have consulted widely and listened to the community's hopes for the future and the places and things that they love about their local neighbourhood now. It is these aspirations that have shaped the vision.

Our vision is that in 2040, the City of Whittlesea will be a place for all.

This long term vision supports our municipality to be ready for the challenges and opportunities that the future will bring, and ensures that the City of Whittlesea is a great place to live now and in the future.

We are very excited to have such a clear picture of what we want to achieve. This vision and the accompanying goals and directions will inform all the work that we do at Council.

We will work together with the community and key stakeholders to achieve this vision and measure our progress using key indicators. We will also report regularly to the community.

Thank you to all that contributed to the development of this vision. I'm looking forward to working together to make this vision a reality.

Cr Kris Pavlidis
Mayor

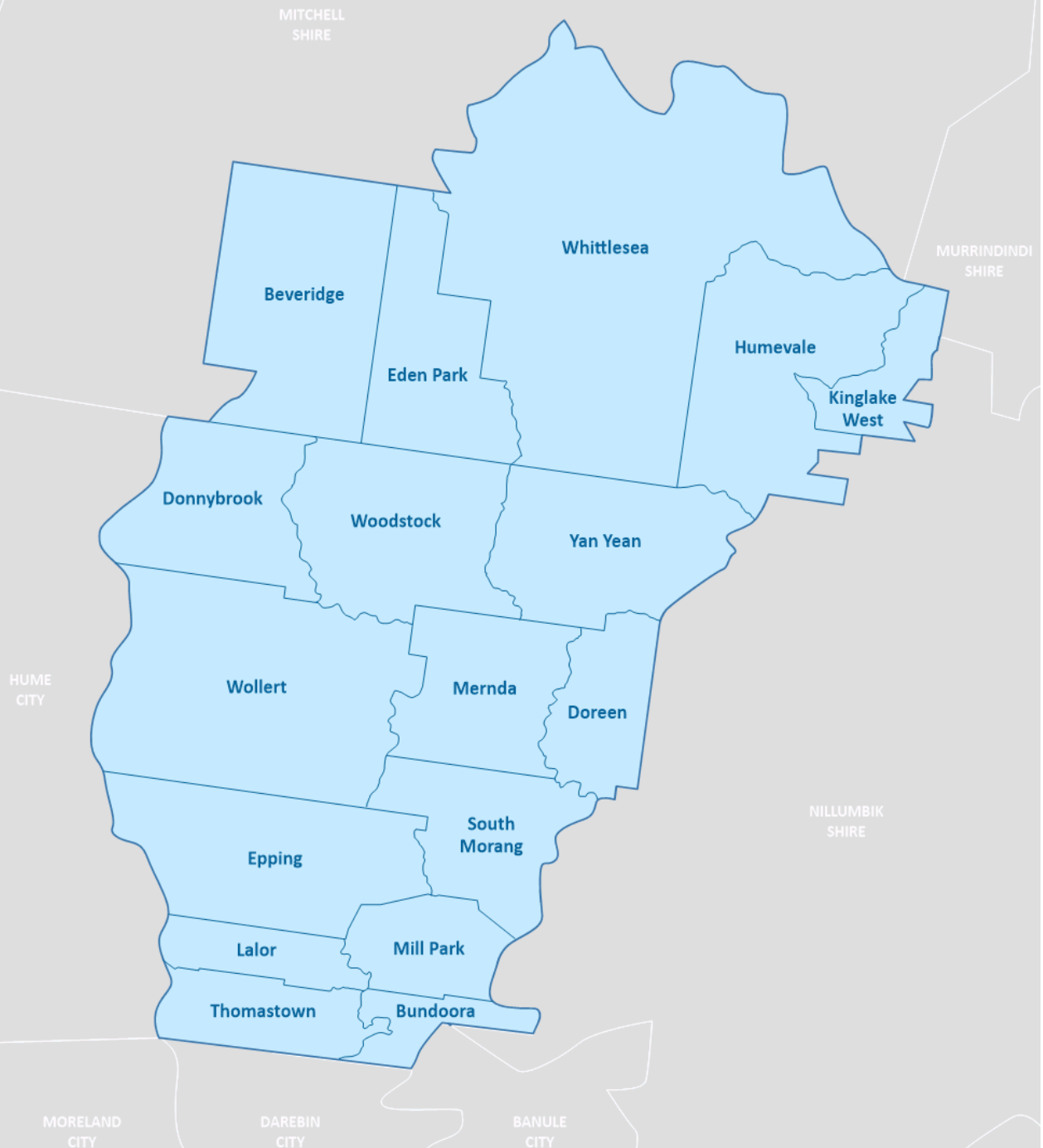
SOUTH WEST WARD		SOUTH EAST WARD		NORTH WARD	
Cr Kris Pavlidis (Mayor)	Cr Lawrie Cox	Cr Sam Alessi	Cr Alahna Desiato	Cr Tom Joseph	Cr Ricky Kirkham
Cr Stevan Kozmevski	Cr Caz Monteleone	Cr Norm Kelly	Cr Mary Lalios	Cr Emilia Lisa Sterjova (Deputy Mayor)	

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City of Whittlesea



Whittlesea 2040: *A place for all*

5

Whittlesea now and in the future

The City of Whittlesea is one of Melbourne's largest and most diverse municipalities. The community is one of the fastest growing areas in Victoria and our population will almost double by 2040.

Our community

The community is proud of its diversity with a large Aboriginal and Torres Strait Islander population and local residents coming from all parts of Melbourne, Australia and overseas. However, the cultural mix is starting to change with new residents moving into the area from countries such as India, Sri-Lanka, China and Iran.

This diversity has contributed to the development of lively neighbourhoods and interesting urban cultures that make our unique suburbs attractive to future residents and visitors. The City of Whittlesea is seen as a leader in the way it builds inclusive and cohesive communities and will continue to welcome people of all backgrounds and from all places into the future.

The City of Whittlesea is a family-friendly place. More of our households consist of families with



children compared to the Northern Melbourne region and Metropolitan Melbourne. Although the population will age into the future, the community will remain predominantly younger families.

Our neighbourhoods

The City of Whittlesea has around 72,000 homes distributed throughout our established urban areas in the south, new urban areas in our growth corridors, and our rural areas in the north¹. By 2040, a mix of new housing types will be required to cater for the needs of our growing community.

There will also be a need for new education, community, recreation and aged care services and facilities.



What we know

Population of **382,900** by 2040¹



36% of residents born overseas³



2nd largest

Aboriginal & Torres Strait Islander population in Metro Melbourne²



55% are family households³



What we need by 2040

62,000 new homes¹



52 early years & educational facilities⁴



137 new sports facilities⁴



65 Community facilities⁴





Our economy and transport network

A large proportion of our residents work in the health care and social assistance and industrial sectors, with fewer employed in knowledge intensive jobs. However, the nature of work is changing. Routine jobs are increasingly becoming automated with the changes in technology and globalization.

Access to ongoing education and training will be important in the future as jobs continue to change. With educational facilities like La Trobe, RMIT and Melbourne Polytechnic located within close proximity, the community is well placed to broaden their skills for the future.

The separation of residential areas from employment, and limited access to public transport, means many residents are dependent on cars and experience long travel times to work. In the future, rapid population growth will increase vehicle trips and exacerbate congestion. However, this growth is also creating opportunities to attract more businesses, increase the number of local jobs and make services, community organisations and clubs more viable and accessible for residents.



Our environment

Our municipality boasts beautiful forests, national parks, grasslands of national significance, red gum woodlands, and a network of rivers, creeks and wetlands. However, our climate is changing. By 2040, we will experience increased temperatures and more extreme weather events like heatwave, fire, drought and floods. Some residents and properties will be more vulnerable to these risks.

Through careful planning and action we are working together to mitigate risks and challenges posed by a changing environment.



Our challenge and opportunity

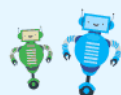
Rapid growth in the City of Whittlesea is a challenge for all levels of government, making it hard to keep up and develop infrastructure like roads and public transport, and vital community assets like schools, libraries, sports and health facilities.

We are exploring new and innovative ways to meet the community's needs like upgrading existing facilities, developing flexible hubs, co-locating services, working in partnership and identifying alternate funding sources. The future will also see more opportunities for citizens to work together with government to solve local challenges.

A growing and changing community provides us with a unique opportunity to create the City and neighbourhoods that the community and Council want for the future.

What we know

40% of current jobs will be automated⁴



113,000 additional cars by 2040⁴



30% work locally and **65%** work outside the local area³



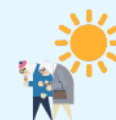
90% increase in demand for public transport⁴



77% of residents drive to work⁶



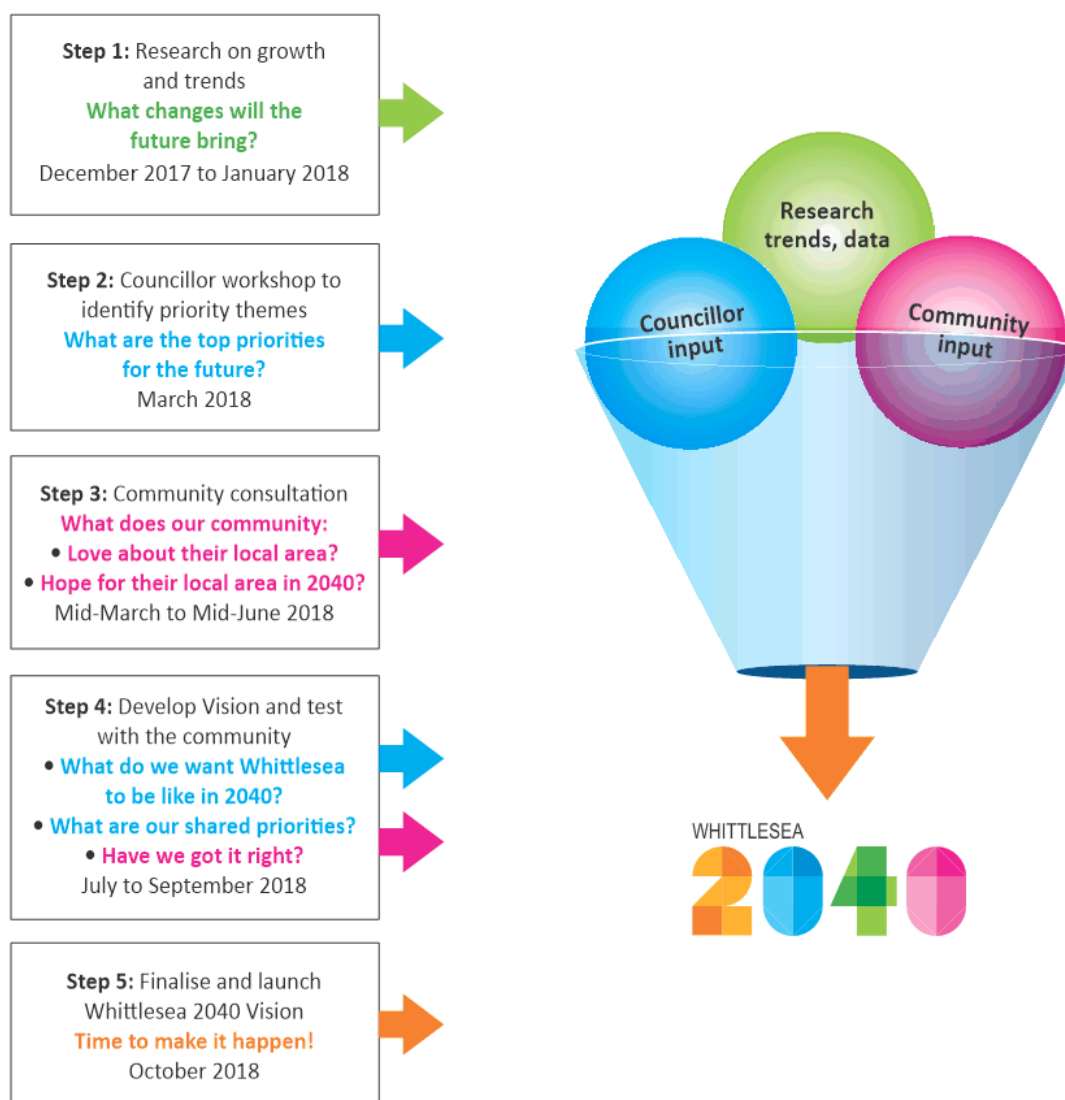
Annual temperatures will rise between **2 and 3 degrees**⁴



Creating a Vision for our City

Whittlesea 2040: A place for all, builds on the achievements of *Shaping Our Future Whittlesea 2030* and provides a new long term vision for the City of Whittlesea.

Over 10 months, we conducted research, workshopped priorities, and spoke with thousands of people as well as community groups and organisations across the municipality.





Research, trends and data

We undertook research to understand where the City of Whittlesea is at now and the trends that will shape the future, in particular:

'What are the key changes, challenges and opportunities that will impact Whittlesea in the future?'

As part of this work, SGS Economics and Planning prepared the Whittlesea 2040: Background Paper, which discussed:

- The growth and scale of change expected in the next 20-30 years;
- Key challenges and opportunities across five themes: services and infrastructure, employment, climate change, transport infrastructure, and the community; and
- The potential roles Council can have to support and manage change, and make the most of opportunities.



Councillor input

Council has played a guiding role in the development of the Whittlesea 2040 Vision. First, it reviewed the research to determine:

'What are the top priorities for the future?'

These priorities were then tested and refined through the community consultation.

Council's role is to ensure that the Whittlesea 2040 Vision sets the direction for the work of Council to respond accurately to community need and to ensure that it is a shared vision for the future.



Community input

Over three months, we asked anyone who lives, works, studies, plays in or visits the City of Whittlesea to answer up to three questions:

'What are the things you love about your local area?'

'What are your favourite places in the City of Whittlesea and why?'

'What are your hopes for your local area by 2040?'

Over 4,000 individuals, community groups and organisations shared their ideas through workshops, surveys, online maps, postcards, children's drawing sheets, events and special activities held across our City. Visit www.whittlesea.vic.gov.au for a summary of what the community told us.

A detailed Community Engagement Findings Report was developed identifying six emerging priority themes which represented thousands of ideas. This feedback informed the development of *'the Whittlesea 2040 vision'* with *'Whittlesea 2040: A place for all'*.



Our vision is that in 2040, the City of Whittlesea will be a place for all.

In 2040, compassion is at the heart of our Whittlesea community. A compassionate community makes sure that everyone feels cared for and supported in a deep and meaningful way. It makes our City increasingly welcoming, whether you've just arrived or your family has been here for generations.

What that appeal feels like is different for everyone. It might be having a job you like within easy reach or knowing your neighbour's name. Or maybe something even simpler, like hearing birds in the trees outside your window.

Our community offers a sense of place that includes everyone, where people from all walks of life are valued for who they are and the qualities they bring with them.

The Whittlesea municipality is an inviting place to live with beautiful natural and urban spaces. We are proud to live here. The special blend of old and new – rural heritage and hospitality with just the right amount of urban convenience. The shops, schools and health services you need are around the corner, and the city is only an easy train or tram ride away.

Putting down roots is effortless and people have a shared belief that things will keep getting better as we grow. Community cohesion is deep and strong with the support of facilities and opportunities designed to make life more fulfilling, secure and inclusive.

By encouraging every new resident to add their own vibrant touch, our community is the place we envisaged, and even more welcoming in the decades to come.



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Whittlesea 2040: A Place For All



Four interconnected priorities have been identified as essential elements to realising the vision. These priorities, shown below, have become our shared goals for the future. To achieve each of these goals, our work will be focused on three key directions. Our achievement in each will be measured by priority indicators.



Goal 1: Connected community

We want to be a city that welcomes and includes everyone, and where we are inspired and work together to make it a better place.

We value feeling part of our community and the way people from all ages and backgrounds are accepted and celebrated, and we want this to be further strengthened in the future.

We love participating in the wide range of activities, festivals and events that bring our community together and we want to continue to celebrate in the future through a great variety of affordable activities. We love our libraries, community centres and neighbourhood houses.

We really hope that community infrastructure is available across the municipality, particularly in growth areas so sections of the community don't miss out.

We value our easy access to the doctor, hospitals and other health services, and in the future we hope for expanded or upgraded hospitals and a variety of medical, emergency and support services.

Our community has diverse support needs and while we currently value

the services we have, we hope for a wider range and number to cater for more people and emerging challenges.

We love that our homes are safe, peaceful and close to friends and family. Feeling secure in our homes and neighbourhood is a priority for the future and we will look to the authorities to help reduce crime, support those who are vulnerable or troubled and ensure everyone feels safe at home and in public spaces.

Our community said

"I hope to see that sense of community nurtured and turned into a real hub. A place in which people look after each other and care for each other"
(Male, 34 years, Lalor)

The things I hope for are...
"That better infrastructure is developed to meet the needs of the growing population in this area... That there is greater number of quality health services, particularly around mental health and drug and alcohol services, education and intervention"
(Female, 42 years, Mill Park)

The things I hope for are...
"Family friendly and affordable events, more for young children and youth"
(Female, 29 years, Whittlesea Township)

The things I hope for are...
"To maintain the peace safe and friendly environment that it already is"
(Male, 17 years, Bundoora)

The things I hope for are...
"Family friendly and affordable events, more for young children and youth"
(Female, 29 years, Whittlesea Township)



Connected community

In 2040 the City of Whittlesea is a place that opens its arms to every resident, where all walks of life are celebrated and supported.

Our community is compassionate and welcoming. We are healthy and can easily access the support services we need. People of all backgrounds, ages and abilities feel that they are an essential part of the community. We work together, making our community a better place for all.

Key directions

1.1 A socially cohesive community

This means:

- Friendly and welcoming
- Sense of community and belonging
- Embracing and celebrating diversity
- Opportunities to connect and build social networks



1.2 A healthy and safe community

This means:

- Good health and wellbeing
- Increased physical activity
- Access to health and support services
- Safety at home and in public

1.3 A participating community

This means:

- Well informed
- Local decision making
- Volunteering and leadership
- Vibrant community groups



Priority indicators*

Social cohesion; Physical activity; Safety in public areas; Civic participation

* Indicative indicators

Goal 2: Liveable neighbourhoods

We love that our neighbourhoods are beautiful, clean and tidy and many of the services and facilities we need are in easy reach of our homes.

We love that the things we need, like shops, schools, parks, sports facilities, playgrounds, libraries and community spaces are close by. We hope that all these facilities are even better in the future, with upgrades to parks, new facilities and more theme parks.

We hope to have access to a variety of quality homes that are affordable and suitable for our needs. We value our unique mix of busier, established suburbs, new neighbourhoods and rural areas, and it is extremely important to us that this mix remains as we grow.

We love that in some parts we have great access to public transport but we hope this network will be enhanced in the future to keep up with our growth. This includes extended networks, more frequent services and better transport links. We love the pathways, tracks and trails that mean we can ride or walk for leisure or to commute, but as we grow in the future these will need to be made safer and be better connected to public transport so we can choose not to drive.

We value that our roads are continually being maintained and extended and provide easy access to the city and airport, however growth is causing congestion. We hope to reduce traffic congestion and our impact on the environment by having other innovative travel options like share cars and electric vehicles.

Our community said



Liveable neighbourhoods



In 2040 the City of Whittlesea is well-planned and beautiful. Our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Everything we need is close by. We have a variety of quality housing that suits our life stages and circumstances. Every resident is able to get where they need to go with ease and can leave the car at home.

Key directions

2.1 Smart, connected transport network

This means:

- Road networks that flow
- Well-connected public transport
- Paths and trails – walking and cycling



2.2 Well-designed neighbourhoods and vibrant town centres

This means:

- Attractive streetscapes and public spaces
- Easy access to local shops and major commercial centres
- Access to quality local facilities, parks and amenity



2.3 Housing for diverse needs

This means:

- Quality and varied housing options
- Housing that is affordable and accessible

Priority indicators*

Commuter travel time; Ease of walking and cycling;
Use of town centres; Access to services and facilities;
Housing supply and demand

* Indicative indicators

Goal 3: Strong local economy

We really value our local businesses for the services they provide and the opportunities they create for us to work locally.

We hope that growth in local business in the future will provide more local jobs for people of all ages and skills. We look forward to new business growth as a result of technology and investment. We hope to reduce the need to travel all together through local employment and working from home.

We hope for more local, quality education facilities and programs, from kindergarten through to tertiary and adult learning, and that this will create opportunities and cater for our growing population and their unique learning needs.

We love the variety of products and dining options we get at our local shops, shopping centres and markets and we hope these can be expanded, upgraded and open longer hours in the future. We also hope to see smaller retail outlets flourish with unique products and local produce.

Our community said

The things I hope for are...
"More skills provided for migrants within training through our local area"
(Female, 48 years, Mill Park)

The things I hope for are...
"Better access to employment and increased employment opportunities. I would love to be able to work closer to home"
(Male, 42 years, South Morang)

"I'd like to see more, smaller shop fronts with butchers, bakeries, cafes and local green grocers, I'd rather support local businesses than add more big supermarkets"
(Female, 28 years, Doreen)

The things I hope for are...
"More schools and facilities will be needed with the increased population. This is absolutely mandatory"
(Female, 62 years, Doreen)

The things I hope for are... "More job openings"
(Male, 16 years, Beveridge)

The things I hope for are...
"A thriving place for small local businesses like cafes, quality restaurants, pet services, trades and the like"
(Female, 28 years, South Morang)



Strong local economy

In 2040 the City of Whittlesea is the smart choice for innovation, business growth and industry investment.

People of all ages have opportunities to learn and develop skills locally. There are many opportunities to gain employment and build careers not too far from home. Residents support local business and we are renowned for our successful local economy.

Key directions

3.1 Increased local employment

This means:

- Residents employed locally
- Variety of jobs to meet local needs
- Job seeker and employment support



3.2 Education opportunities for all

This means:

- Local access to quality education and lifelong learning
- Flexible training and skills for jobs
- Community engaged in learning

3.3 Successful, innovative local businesses

This means:

- Local business investment and growth
- Local producers, enterprises and start ups
- Variety of local services, trades and commercial centres



Priority indicators*

Local jobs; Access to education; Gross Regional Product

* Indicative indicators

Goal 4: Sustainable environment

We highly value our natural spaces; our trees, landscapes, waterways and the wildlife around us.

Our strong hope for the future is that we maintain, enhance and protect our natural environments through prioritising habitat corridors and significant areas and making sure new development respects its surrounds. Our leafy and green neighbourhoods with many trees and gardens must be maintained in the future.

We love having access to beautiful parks and we feel great being socially and physically active outdoors. We hope that people of all ages and abilities continue to enjoy a variety of clean, dog and family-friendly parklands, trails and reserves in the future.

We hope to continue to enjoy the clear air and fresh, local produce by being a community that is more conscious and active in living in a clean and sustainable way. We hope that in the future we are a leading example of a community working together to reduce our impact on the environment.

Our community said

The things I love are...
"All the nature reserves and parks we have for family and friends to come together, have a BBQ and spend time with one another"
(Female, 27 years, Craigieburn)

"My hopes are to have a sustainable local area. I'm very worried about our future because of climate change and I believe if we try to make our area sustainable, not only will it benefit us in making our area look beautiful but also inspires other areas to follow"
(Female, 14 years, Wollert)

The things I hope for are...
"More eco-friendly power sources and decreased amounts of pollution"
(Male, 11 years, Doreen)

The things I hope for are...
"Hopefully keep the rural feeling of the area with the animals and trees still there, while allowing for population growth"
(Female, 42 years, Doreen)

The things I love are...
"Parks and beautiful trees, calm and quiet"
(Male, 40 years, Bundoora)

The things I hope for are...
"Attractive and well maintained open spaces"
(Male, 58 years, Mill Park)

Sustainable environment



In 2040 the City of Whittlesea's superb landscapes and natural environment are an enduring source of pride.

Our iconic river red gums, local biodiversity and precious natural assets are protected for future generations. Locals and visitors enjoy spending time in our natural environments and our leafy suburbs. Together, we are working to reduce our impact on the environment and adapt to the changing climate.

Key directions

4.1 Valued natural landscapes and biodiversity

This means:

- Protect and improve local biodiversity
- Sustainable land management
- Appreciation of local natural environment



4.2 Climate ready

This means:

- More trees for cooling and shelter
- Infrastructure built to withstand the changing climate
- Building community resilience



4.3 Leaders in clean, sustainable living

This means:

- Reduce waste and increase recycling
- Reduce energy use and carbon emissions
- Renewable energy
- Water efficiency

Priority indicators*

Use of open space; Tree canopy cover;
Energy use; Water use; Waste minimisation

* Indicative indicators

Making it happen

Whittlesea 2040: A place for all will guide all of Council's work.

To achieve this vision we will:

- **plan strategically** for the future and use evidence to inform decision making;
- **engage civil society** and provide opportunities for people to exercise civic responsibility and participate in local democracy;
- **facilitate partnerships and collaboration** with residents, not for profit organisations, businesses and all levels of government;
- **advance shared advocacy** priorities with the community and partners;
- **support local community leadership**, community led initiatives and solutions
- **promote equity, access and inclusion**, address systemic disadvantage and ensure the distribution of resources delivers equitable outcomes;
- **focus on prevention**, timely investment and interventions that are enduring and strengthen capacity to avoid issues arising or escalating;
- **take a place-based approach** to planning and delivery, inclusive of local community aspirations and promote local opportunities for people to connect, learn, work and play
- **be innovative**, seek new ways to improve how we work and the outcomes we achieve;
- **adopt new technology** to deliver quality customer experience and improve efficiencies;
- **monitor our progress** towards our goals and community outcomes.





Measuring success

The goals of *Whittlesea 2040: A place for all* identify clear community outcomes. It is important to understand how well the community believes we are collectively meeting the goals of the Whittlesea 2040 Vision

To measure our success, we will focus on a select number of priority indicators* for each long term goal. We will also continue to monitor how we are tracking on other indicators and we will regularly report on our progress.

The background image shows a scenic view from a wooden walkway with a metal railing. In the foreground, a large, colorful map of Whittlesea is displayed on a stand. The map shows various areas of the city, including residential zones, parks, and water bodies. In the background, a suburban neighborhood with houses and trees is visible, followed by a river and distant hills under a clear blue sky.

Goal 1: Connected community

- Social cohesion
- Physical activity
- Safety in public areas
- Civic participation

Goal 2: Liveable neighbourhoods

- Commuter travel time
- Ease of walking and cycling
- Use of town centres
- Access to services and facilities
- Housing supply and demand

Goal 3: Strong local economy

- Local jobs
- Access to education
- Gross Regional Product

Goal 4: Sustainable environment

- Use of open space
- Tree canopy cover
- Energy use
- Water use
- Waste minimisation

* Indicative indicators

Whittlesea 2040: *A place for all*

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Acknowledgements

Whittlesea City Council would like to acknowledge the contribution of the many individuals and groups who participated and assisted others to participate in the Whittlesea 2040 consultation.

Council would also like to acknowledge the analysis and reporting assistance provided by ChatterBox Projects Pty Ltd, Cochrane Research Solutions and Activate Consulting.



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City of Whittlesea

Civic Centre office

25 Ferres Boulevard

South Morang VIC 3752

Visit: Whittlesea.vic.gov.au

Call: (03) 9217 2170 (24 hours)

To learn more visit whittlesea.vic.gov.au/whittlesea2040

6.1.9 REVIEW OF PARTICIPATION - MUNICIPAL ASSOCIATION OF VICTORIA AND VICTORIAN LOCAL GOVERNMENT ASSOCIATION

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Team Leader Governance

RECOMMENDATION SUMMARY

That Council consider membership of the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association (VLGA) for the 2018-2019 year, after the outcome of the invitation to the respective organisation CEO's to present at Council Forum on the benefits of membership to the City of Whittlesea.

KEY FACTS AND / OR ISSUES

- At the Special Council meeting held on 26 June 2018, Council resolved that a report be prepared considering the benefits gained by Council from being a member of the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association (VLGA) and, where possible, avoiding duplication between the two Associations.
- Council also resolved that the report be submitted to the 2 October 2018 Council meeting.
- The membership fee for MAV is \$55,628.21 and for the VLGA is \$37,760.00 (both excluding GST.)
- Council makes use of the '*privileges and benefits*' of MAV membership including nominating a delegate to participate and vote at the State Council, participating in MAV procurement activities and attending meetings and advocacy activities relating to a range of Council services. Council's past delegate Cr Lalios was also able to nominate and was successful in election as MAV President.
- Council makes little use of the benefits of VLGA membership, with use confined to activities relating to children and youth.
- There is little duplication between the MAV and VLGA primarily due to the very limited benefit Council receives from VLGA membership.

REPORT

INTRODUCTION

The purpose of this report is to review Council's participation with the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association (VLGA).

BACKGROUND

At the Special Council meeting held on 26 June 2018, Council resolved that a report be prepared considering the benefits gained by Council from being a member of the MAV and the VLGA and, where possible, avoiding duplication between the two Associations.

Council also resolved that the report be submitted to the 2 October 2018 Council meeting.

PROPOSAL

The MAV was created by an Act of the Victorian Parliament in 1908 with the MAV Rules being adopted in 2013. Only a Local Government body may be a member of the MAV. From its website 'the MAV is a membership association and the legislated peak body for local government in Victoria.' The membership fee for MAV is \$55,628.21 plus GST.

The VLGA is an Incorporated Association, formed in 1994 at the time of municipal amalgamations. Membership is open to individuals, organisations and Local Governments. The role of the VLGA is, from its website, to '*support councils, councillors and communities in good governance.*' The membership fee for VLGA is \$37,760.00 plus GST.

Municipal Association of Victoria

The table below summarises the benefits gained by Council from being a member of the Municipal Association of Victoria.

Function	Description	Benefit or loss if not a member
MAV Governance	A financial member Council nominates a delegate to vote at the Annual State Council. The delegate is also eligible to stand for election to the MAV Board and also to the office of President.	A non-financial Council is unable to participate in the activities of the MAV which includes participation at State Council and as a member of the MAV Board, including the office of President.
MAV Insurance	Council currently has its Public Liability/Personal Indemnity insurance and its Commercial Crime insurance covered under the MAV insurance scheme until 30 June 2019.	Council is planning to tender all of its insurance arrangements in the open market regardless of its MAV membership status. Financial implications will be driven by market competitiveness as well as Council's claim history. Past experience with both the City of Melbourne and City of Greater Geelong also suggests that non-participating member councils were able to stay in the MAV Insurance Scheme.

Function	Description	Benefit or loss if not a member
MAV Procurement	<p>Council currently has access to around 10 active contracts/panels that were arranged through MAV Procurement.</p> <p>One contract (Mobile & Data Communication Services) expires Nov 2018.</p> <p>SAI Global LG Australian Standards annual subscription. Current arrangement expires May 2019.</p> <p>After Hours contract with Oracle CMS is via the MAV.</p>	<p>MAV Procurement is not the only local government procurement aggregator. Other procurement options include Procurement Australia, State government tendering panels and social procurement organisations.</p> <p>Being a non-participating member council does not affect Council's access to existing signed contracts; however, Council would not have access to new panels. This may affect the cost of Council's Energy Efficiency Street Lighting Bulk Changeover project. The additional cost for the 2018/2019 program is estimated as \$25,000 for the year.</p> <p>For the Mobile & Data Communication Services, Council can also access the State Purchasing Contracts and Procurement Australia panels at comparable prices.</p> <p>SAI Global provides up-to-date standards that are relevant to Council. Council can choose direct subscription with SAI Global. Current financial year is mostly covered.</p> <p>For the After Hours telephone service, MAV Procurement managed a group procurement on behalf of a number of Councils. The current contract runs through 31 May 2020 and prior to expiry Council would have the option of tendering as a single organisation or in conjunction with other Local Governments.</p>
MAV Planning	Planning Committee	Collective discussion and information sharing on planning across the State.
MAP Procurement	<p>Council currently subscribes to the MAV LEAP program at a fee of \$9,000 p.a. plus GST.</p> <p>The LEAP program annual subscription fee covers procurement data capturing and reporting, as well as providing assistance on the development and review of Council's Procurement Development Plan.</p> <p>The program also provides fee-paying training services for procurement officers.</p>	<p>Current subscription expires November 2018.</p> <p>Being a non-participating member council, Whittlesea will not be able to renew its LEAP subscription and therefore no longer able to access data and training.</p> <p>An alternative way of data capturing, reporting and staff training can be sourced. It is anticipated that the saving of LEAP subscription fee (\$9,000) in 2018/2019 is sufficient to cover the cost of alternative sourcing arrangements.</p>

Function	Description	Benefit or loss if not a member
Training, Workshops & Conferences	<p>Councillors Development Training Program</p> <p>Numerous events and professional development opportunities for Council officers.</p> <p>Maternal & Child Health Conference</p> <p>Annual Conference</p> <p>Insurance and Risk</p> <p>Environment Conference</p> <p>Sustainable Communities Conferences</p>	<p>Although some of these L&D opportunities are fee based, if Council is unable to participate in these activities there would be a financial impact as Council would possibly need to independently source and fund the cost of relevant presenters/forums.</p> <p>Benefits include consistency of practice for officers across the State.</p> <p>Allows co-sharing of information, keeping abreast of industry trends, access to case studies and networking opportunities.</p> <p>Loss of important professional development sessions and networking opportunities for both Councillors and staff.</p>
LGFV	<p>The Local Government Funding Vehicle (LGFV) provides loan funding directly from capital market investors including super funds, insurers and asset managers.</p> <p>Council currently has one loan parcel (\$2.9m) with LGFV which expires May 2019.</p>	<p>Being a non-participating member council, Whittlesea may not be able to participate in the renewal of the current LGFV Bond that expires May 2019.</p> <p>This is however not expected to have a material financial implication due to the competitiveness of the current financial market. Council can choose to either redeem the loan principal or re-finance the loan with the Banks at comparable interest rate.</p>
Advisory Committees	<p>MAV Human Services Advisory Committee</p> <p>Multicultural Committee</p> <p>Early Years Strategy Meeting</p> <p>Early Years Interface Councils Working Group</p>	<p>Allows consideration of a range of issues related to community and human services, an exchange of ideas and information and networking. Includes presentations from key State and Federal Government Departments.</p> <p>Attendance is not for professional development but does allow Whittlesea to influence the agenda and keep up to date with policy developments across all levels of government.</p> <p>Opportunity to inform and input into Victorian government reform/funding programs and initiatives to ensure Whittlesea's perspective is considered.</p> <p>Sharing of evidence based policy and practice between Local Governments in relation to MCH and early years services and programs</p>

Function	Description	Benefit or loss if not a member
Forums	<p>MAV Human Services Directors' Forum</p> <p>Local Government Gambling Alcohol and Other Drugs Issues Forum</p> <p>Workshops to inform Council stakeholders about ongoing developments within the waste management industry and information on MAV's advocacy positions on such issues.</p> <p>Development Contributions Officer Forum (Note: not a MAV Forum – MAV have been invited by the group to participate)</p>	<p>These are important forums for the exchange of ideas and industry best practice and trends.</p> <p>The implications of non-membership are mitigated in part due to the fact that there are other state agencies that provide updates on waste management issues (namely the Metropolitan Waste and Resource Recovery Group).</p> <p>MAV will gain an improved understanding of the issues to assist with advocacy.</p>
Working Groups	<p>Environmental Health Group gather concerns and issues across a range of environmental health domains</p> <p>Disability Parking Permit Working Group</p> <p>PSP Guidelines Reference Group</p>	<p>The MAV develops advocacy messages and approaches to State Government.</p> <p>The MAV also manage funding agreements with local government to deliver on state government programs (i.e. tobacco funding).</p> <p>This Group was formed to assist VicRoads in clarifying the eligibility criteria for a disability parking permit which will the apply to all 79 Victorian Councils.</p> <p>Representing and advocating Councils' collective position on proposed reforms.</p>
Networks	<p>MAV Disability Planners Network</p> <p>Preventing Violence Against Women Network + an annual forum/conference</p>	<p>Allows networking and collaboration opportunities with other councils and early information provision from key State Government departments and specialist family violence services.</p> <p>It provides opportunities to input into key submissions to State Government policy and projects (for example the Royal Commission into Family Violence, establishment of key bodies such as Family Safety Victoria and Respect Victoria - the prevention of family violence agency, and Gender Equality Legislation).</p> <p>MAV receive funding from the State Government to administer PVAW&GE grants to local governments. City of Whittlesea received a grant through the MAV for the Gender Equity in Community Facility Design Guide and has recently applied for another grant for a project looking into women's employment locally.</p>

Function	Description	Benefit or loss if not a member
Access to other resources. (MAV auspices these groups. There is no alternative)	Council Alliance for a Sustainable Built Environment Built Environment Sustainability Scorecard	Non-membership will affect the provision of best practice information for Environmental Sustainable Design practices for infrastructure projects. Non-membership will affect the ability to analyse the environmental sustainable design elements as part of planning applications.
Awards and Scholarships	Various awards and scholarships which recognise outstanding achievements in local government	Some of the awards and scholarships include Cranlana Colloquium Scholarship, MAV Technology Awards for Excellence, McArthur Local Government Fellowship and the Victorian Councillor Service Awards.

Summary of MAV Benefits

The State government utilise the MAV as a medium to consult and gather input from the sector to inform the development and implementation of government programs and initiatives. Not having access to these networks and forums would mean that the interests of Council may not be fully represented to State government.

The MAV is an effective channel for advocacy directed at State government and allows the development of a common local government advocacy position on issues.

One impact of non-membership is in relation to procurement where additional costs of approximately \$25,000 would be incurred in the 2018/2019 financial year.

Victorian Local Governance Association

The table below summarises the benefits gained by Council from being a member of the VLGA.

Activity	Description of Activity	Benefit to Council
Networks	Child Friendly Cities and Communities Working Group Child and Youth Network	Benefit to sector of promoting and encouraging commitment to Child Friendly Cities approach and priorities by other LGAs Networking and learning from other LGAs about services and programs for children and young people
Working Groups	Local Government Working Group on Gambling	This Group was formed to assist local governments responding to the proliferation of gambling venues and machines within their communities.

Summary of VLGA Benefits

It is clear that Council makes very limited use of the membership of VLGA and the use it does make would appear to be partly covered by the work of the MAV.

CONSULTATION

Council Officers have provided advice on their involvement with both the MAV and VLGA and this is contained within the body of this report.

CRITICAL DATES

Based on the MAV rules, a council which fails to pay in full its annual subscription within two months of a notice requiring payment being given or by 31 August in every year *“is not entitled to avail itself of the privileges and benefits of any of the functions or services performed or carried on by the Association”*.

Therefore, at the time of preparation of this report, Council is a non-financial member of the MAV and is limited in what *‘privileges and benefits’* it can enjoy from the MAV. As noted above, some *‘privileges and benefits’* continue as they relate to contractual matters that were entered into when Council was a financial member of MAV.

In regard to the office of President, currently held by Cr Lalios, the Supreme Court heard *Lake v MAV* on 10 September and the decision is pending.

FINANCIAL IMPLICATIONS

The 2018/2019 membership fee for VLGA is \$37,760.00 plus GST.

The 2018/2019 membership fee for MAV is \$55,628.21 plus GST. There is an additional optional payment of \$5,000.00 plus GST to access Councillor Development Credit Points.

The 2018/2019 membership fees to VLGA and MAV have not been paid in accordance with Council’s resolution on 26 June 2018.

Funds are available in the 2018-2019 budget to pay the membership fees.

POLICY STRATEGY AND LEGISLATION

The primary benefit of MAV membership is the ability to input into the development and implementation of State (and Federal) legislation and policy as it relates to the services provided by local government. It is not apparent that VLGA membership provides the same opportunity.

LINKS TO THE COUNCIL PLAN

Council Priority	Organisational Sustainability
Future Direction	Good governance
Theme	Continuous improvement
Strategic Objective	Our Council monitors and evaluates all of its operations

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer is a life member of the VLGA and was also a founding member and the inaugural President in 1994.

CONCLUSION

It is recommended that the Chief Executive Officers of the MAV and VLGA be invited to present at the Council Forum on 23 October 2018 to outline the benefits of membership to the City of Whittlesea. Following presentations from the two CEO's, Council to consider the value of membership and inform the organisations of Council's decision.

RECOMMENDATION

THAT Council resolve to consider membership of the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association (VLGA) for the 2018-2019 year, after the outcome of the invitation to the respective organisation CEO's to present at Council Forum on the benefits of membership to the City of Whittlesea.

6.2 COMMUNITY SERVICES**6.2.1 ADVOCACY TO THE STATE GOVERNMENT TO FUND A DISABILITY FOCUSED COMMUNITY CAPACITY BUILDING PROGRAM**

Responsible Officer: Director Community Services

Author: Team Leader Access

RECOMMENDATION SUMMARY

That Council write to the Premier, the Hon Daniel Andrews, relevant Ministers and Local State Members of Parliament seeking support for the retention of funding to local government for a dedicated disability focused Community Capacity Building Program, and engage with the Whittlesea Disability Network on this issue.

KEY FACTS AND / OR ISSUES

- Local Government has been working in partnership with the State Government since 2002 under the Building Inclusive Communities Program (BIC). This Program has made a significant contribution to the inclusion of people with disabilities across the State.
- The \$7 million that the State historically allocated towards this program State wide (approx. \$130,000 annually to the City of Whittlesea) will now form part of the State Government contribution to the National Disability Insurance Scheme (NDIS).
- Council has been informed that this funding will cease as of June 2019. The loss of these funds will significantly reduce the ability of Council to build the capacity of the local community to be inclusive of the needs of people with disabilities and their carers.
- Many residents with disabilities now have NDIS funding to support their individual care needs, however if the BIC fund ceases there will be less community capacity building support in the community, which will limit the development of new inclusion opportunities.
- Council's Disability Action Plan 2017-21 closely aligns with the objectives of the State Disability Action Plan and the withdrawal of these funds will significantly impact on Council's ability to deliver on the outcomes of these Plans.

REPORT**BACKGROUND**

Since its inception in 2002 the State Government funded Building Inclusive Communities (BIC) Program, known as either the Rural, Metro or Deaf Access Programs, has made a significant contribution to the inclusion of people with disabilities across the state.

The City of Whittlesea has received annual funding of approx. \$130,000 since 2002 for the BIC Program which has been used to employ a MetroAccess Officer and support various access initiatives over the past 16 years.

Over the past three years Councils and the Municipal Association of Victoria (MAV) with support from the Victorian Local Government Disability Planners Network have advocated to State Government for the retention of the BIC Program. This advocacy has included:

- Forums, meetings with and letters to the Minister for Housing, Disability and Ageing and Mental Health from Councils and the MAV,
- MAV meetings with senior State Government advisors.

The advocacy has put the case to retain the uniquely Victorian BIC program as a significant contributor to the outcomes of the State Disability Plan. This Program is a resource that supports grassroots community initiatives and builds the capacity of a broad range of businesses and organisations within the community to be more accessible and inclusive of people with disabilities.

In February 2017, the Mayors of Whittlesea, Banyule, Yarra, Darebin and Nillumbik wrote to the Premier Daniel Andrews seeking clarification of the funding beyond June 2017. Assurances were subsequently received that the Program would be funded for the 2017/18 and 2018/19 financial years.

Formal advice has now been received that funding for this Program now forms part of the State Government's NDIS commitment to the Commonwealth and will not be continued post the 2018/19 financial year.

The NDIS model replaces the BIC Program with an annual grant program for community groups, organisations and individuals. There is an abundance of evidence demonstrating that the outcomes of the Building Inclusive Communities Program are broader than the NDIS funding model, however advocacy to retain the Victorian BIC Program in addition to the NDIS has not resulted in a positive outcome.

In May 2018, the MAV State Council resolved to write to Minister Foley to advocate to retain the Program. The MAV has been advised that the BIC program funding was committed to be part of Victoria's contribution to the National Disability Insurance Scheme at the time of the negotiation of the bilateral arrangements and therefore the funding is no longer available at the State level and will need to be reallocated in 2019/20 to the NDIS.

Officers believe that the program is necessary to support a state-wide architecture as the NDIS rolls out and that it cannot be replicated with the grants based program that will be commissioned by the NDIA in 2019.

The City of Whittlesea MetroAccess Program has led some significant projects that have had ongoing positive impacts in the community to support the inclusion of people with disabilities. Some of these include:

- Establishing and supporting the Whittlesea Disability Network (WDN) - now with over 600 members.
- "Don't Park in the Blue Spots" - a pro-active community awareness program with local schools educating them about the Disabled Person Parking scheme.

- Whittlesea Accessible Futures - established guidelines on how footpaths are built so they are accessible for people with disabilities.
- Whittlesea Service Providers Expo - supporting residents to have a better understanding of the disability services that are located in our municipality. In 2017 over 500 people attended with over 50 local service providers.
- Whittlesea Trail access gate - designed for local parks so that people who use wheelchairs can access the park but still restrict motor bikes from accessing the open space. The gate was designed at Whittlesea but has now been installed across the State.
- Input into Thomastown and Mill Park Leisure Centres to be best practise for the inclusion of people with disabilities.
- Working with WDN on advocating for a number of changes that make the South Morang and Mernda Rail extension more inclusive for people with disabilities.
- Working with local hospitals, Neighbourhood Houses, Leisure Centres, Shopping centres, local libraries, sports clubs and others to develop disability actions plans that focused on increasing opportunities for people with disabilities in the local community.
- Developing Accessible Event guides for Council and Non-Council Events.
- Working in partnership with Whittlesea Funfields to hold the Sensitive Friendly Day that gave residents with Autism and their families a chance to access the park which they normally would not be able to.

The State Government released the State Disability Action Plan *Absolutely Everyone* in 2017, and the key objectives (inclusion, wellbeing and housing, contributing lives, respect and equity) of this Plan have been mirrored in the City of Whittlesea Disability Action Plan 2017-21 and translated to local actions. The MetroAccess officer is vital resource in implementing these actions locally and in assuring that Council supports the State Plan as well as meeting our obligations under the Victorian Disability Act 2006.

It is proposed to advocate to the Minister and to seek the support of WDN members in this advocacy campaign.

PROPOSAL

That Council advocates for the retention of a State Government funded disability focused Community Capacity Building Program in local government, and engage with the Whittlesea Disability Network (WDN) in relation to this advocacy.

CRITICAL DATES

The Building Inclusive Communities State Government funding to local government will cease in June 2019.

FINANCIAL IMPLICATIONS

The ceasing of BIC funding from the State Government (\$130,000 per annum) will have an impact on Council's capacity to deliver on actions in the State and Council Disability Action Plans that support an accessible and inclusive community.

POLICY STRATEGY AND LEGISLATION

The City of Whittlesea Disability Action Plan 2017-21 details how Council will work with the community to meet the vision of an inclusive municipality where people of all abilities are encouraged and enabled to lead satisfying, fulfilling and contributory lives. The Building Inclusive Communities State Government funded program contributes to initiatives that promote inclusion.

LINKS TO THE COUNCIL PLAN

Council Priority	Health and Wellbeing
Future Direction	Inclusive and engaged community
Theme	Social inclusion
Strategic Objective	We are socially inclusive of all ages, abilities, gender, race, ethnicity, sexuality, religion, culture and heritage

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

Local Government has been working in partnership with the State Government since 2002 under the Building Inclusive Communities Program. This Program has made a significant contribution to the inclusion of people with disabilities across the State.

Council has been informed that this funding will cease as of June 2019. The loss of these funds will impact on the ability of Council to focus on building the capacity of the local community to be inclusive of the needs of people with disabilities and their carers. ability to deliver on the outcomes of these Plans.

RECOMMENDATION

THAT Council resolve to:

- 1. Write to the Premier, the Hon Daniel Andrews, relevant Ministers and Local State Members of Parliament seeking support for the retention of funding to local government for a dedicated disability focused Community Capacity Building Program.**
- 2. Engage with the Whittlesea Disability Network in relation to this advocacy.**

6.2.2 RESPONSE TO PETITION RECEIVED - BAN THE USE OF HELIUM BALLOONS

Responsible Officer: Director Community Services

Author: Team Leader Arts, Heritage and Events

RECOMMENDATION SUMMARY

It is recommended that Council receive and note this petition and inform the head petitioner that Council currently does not use balloons of any type at Council's major community events. It is also recommended that Council continues to support the removal of balloons from all other Council-delivered events.

KEY FACTS AND / OR ISSUES

In keeping with Council's commitment to environmental sustainability, the four major community events delivered by Council have been balloon-free since 2016 promoting a 'greener' approach to local festivals.

Further, Council discourages the use of balloons at events through its advice to organisations providing events on Council land, as well as event planning guidelines on Council's website.

REPORT**INTRODUCTION**

A petition from 470 signatories in total including 338 residents, 59 non-residents and 73 children was tabled at Council on Tuesday 4 September 2018. This petition requested that Council ban the use or release of helium balloons in all Council events held at the Council premises or other venues.

BACKGROUND

The petition states that “balloon pollution is a growing problem with deadly consequences. This litter is totally preventable, yet millions of balloons are intentionally released each year”.

In keeping with Council’s commitment to environmental sustainability, the four major community events delivered by Council have been balloon-free since 2016 promoting a ‘greener’ approach to local festivals.

Currently all private or community event organisers delivering events on Council land are advised that balloons should not be used and information suggesting use of alternatives, such as bubbles and bunting, is provided.

Sustainable event planning advice is also provided for community groups on Council’s website page *Hold Your Event in the City of Whittlesea*: “...balloons, plastic bags and plastic straws should not be used”.

PROPOSAL

It is proposed that Council continues to not use balloons at any Council-delivered events held at the Council premises or other venues.

CONSULTATION

Council’s Festivals and Events team has worked closely with the Sustainability team to reduce the footprint of Council’s major community events. This has included working with food vendors and local community groups to also improve their sustainable approaches. Local community event providers will be consulted with over the next year to assess any additional training or guidance they might need.

FINANCIAL IMPLICATIONS

There are no financial implications to the recommendation.

POLICY STRATEGY AND LEGISLATION

The proposal contained in this report is strongly supported by Council’s adopted Environmental Sustainability Strategy, linking particularly to management of waste: *The City of Whittlesea aims to advocate and educate the community to be more sustainable through considering the whole lifecycle of a product when purchasing – from its creation out of natural resources to its disposal.*

LINKS TO THE COUNCIL PLAN

Council Priority	Environmental Sustainability
Future Direction	Living sustainably
Theme	Sustainable communities
Strategic Objective	We support our community to be environmentally aware and active

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

In keeping with Council's commitment to environmental sustainability Council does not use or provide balloons at major Council events and will continue to educate the community to be more sustainable in this regard.

RECOMMENDATION

THAT Council resolve to:

- 1. Continue not to use balloons at any Council-delivered events held at Council premises or other venues.**
- 2. Write to the Head Petitioner advising of Council's decision.**

6.2.3 SENIOR CITIZENS CLUBS' GRANTS 2018-2019

Attachments:

1	Recommended Senior Citizens Clubs' Grants 2018_2019 ↓
2	2018_2019 New Applicants ↓

Responsible Officer: Director Community Services

Author: Team Leader Positive Ageing

RECOMMENDATION SUMMARY

Council provides annual grants to recognised senior citizens' groups in order to support them to provide opportunities for older residents to be socially connected. The grant amounts are based on an entitlement to a minimum grant for clubs with average weekly attendance of up to 20 residents plus an additional amount for each extra older resident attending. It is proposed that for 2018-2019 Council resolve to:

1. Award Senior Citizens Clubs' Grants as recommended in Attachment 1
2. Inform all applicants in writing of the outcome of their grant application.

KEY FACTS AND / OR ISSUES

In 2017-2018 an average of 5,096 residents attended a seniors' club on a weekly basis to maintain social connections and engage in a range of enjoyable activities. This is an increase of 225 over the previous year. In addition:

- 75 existing clubs have applied for a grant and four new clubs having met the eligibility requirements are seeking to be recognised and receive a grant.
- Pursuant to the Council resolution of 8 August 2017 all 79 clubs have a Code of Conduct in place.
- Total allocation to be \$173,872.95 if all recommended applicants are awarded a grant. This is \$6,556.95 above the adopted budget of \$167,316. The grants program is entitlement based and any over spend will be offset by adjusting expenditure within other seniors support programs.
- The Senior Citizens Clubs' Grants will be presented at a function to be held at Plenty Ranges Arts and Convention Centre on 18 October 2018.

REPORT**BACKGROUND**

Council makes annual provision for grants to recognised Senior Citizens Clubs.

In 2018-2019 the following guidelines and funds allocation formula has been used incorporating a 2% CPI increase.

- The base grant will be \$1,224.65 for a club with an average weekly attendance of up to 20 resident members and newly recognised clubs.
- Clubs with an average weekly attendance of more than 20 resident members will receive the base grant plus an additional \$21.20 per extra resident member.

The eligibility guidelines for Senior Citizens Clubs' Grants state that clubs must:

- Be incorporated with the purpose of offering a range of social, recreational and educational activities for their members.
- Have Public Liability Insurance.
- Be linked to Council support programs (i.e. participate in seniors' liaison programs).
- Provide an annual report to Council's Aged and Disability Department.
- Use funds for normal activities of the group, not for the payment of subsidy or rental costs.
- Have 95% of members over 55 years of age.
- Be based in the City of Whittlesea.
- Have a Code of Conduct.

For a new club to receive support it is expected that in addition to the above criteria, the club should also be meeting unmet need and not be duplicating the operations of existing clubs. Attention continues to be paid to ensuring that each club has been able to provide solid evidence of the number of members residing in the Municipality and in particular to the average weekly attendance figures of these resident members. All clubs recommended to receive a grant have complied with the resolution of Council adopted 8 August 2017 that Clubs seeking to receive a Senior Citizens Clubs' Grant must have a Code of Conduct.

PROPOSAL**Existing Clubs**

The number of formally recognised Senior Citizens Clubs is currently 75. This is one less than the number formally recognised through the 2017/2018 grants process as the Association of Macedonian Refugee Children has wound up. All 75 recognised groups, with a total of 5,096 residents attending weekly, lodged grant applications. It is proposed that all existing clubs receive a grant.

Attachment 1 – Recommended Senior Citizens Clubs' Grants 2018-2019 details the proposed allocation of grants to currently recognised clubs for this financial year which total \$168,974.35.

New Clubs

This year four clubs have applied to be recognised as a Senior Citizens Club within the City of Whittlesea. Based upon the ability of these clubs to meet the eligibility guidelines, it is proposed that all four be recommended for recognition and therefore a Senior Citizens Clubs' grant in 2018/2019.

Attachment 2 – New Applicant details and proposed recommendation.

CONSULTATION

Consultation has occurred with all currently recognised Senior Citizens Clubs in Whittlesea as well as the four new applicants to the Senior Citizens Clubs' Grant Program.

CRITICAL DATES

A function formally to present the Senior Citizens Clubs' Grants will be held at Plenty Ranges Arts and Convention Centre on 18 October 2018.

FINANCIAL IMPLICATIONS

Attachment 1 shows the expected total allocation to be \$173,872.95 if all recommended applicants are awarded a grant. This is \$6,556.95 above the adopted budget of \$167,316. The grants program is entitlement based and any over spend will be offset by adjusting expenditure within other seniors support programs.

POLICY STRATEGY AND LEGISLATION

The 2018-2019 Senior Citizens Clubs' Grants are consistent with Council's Positive Ageing Strategy (2016-2025), the Desired Community Outcome Statements for People Aged 50+ Years and the Community Building Strategy. The applications have been assessed and administered within Council's current Grants Policy and Guidelines.

LINKS TO THE COUNCIL PLAN

Council Priority	Health and Wellbeing
Future Direction	Inclusive and engaged community
Theme	Community connectedness
Strategic Objective	Programs, services and infrastructure encourage social connections and the development of a sense of community

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The awarding of these grants to Senior Citizens Clubs assists them to deliver valuable programs, services and activities to their members thereby making an important community contribution.

RECOMMENDATION

THAT Council resolve to:

- 1. Award Senior Citizens Clubs' Grants as recommended in Attachment 1.**
- 2. Inform all applicants in writing of the outcome of their grant application.**

**ATTACHMENT 1
RECOMMENDED SENIOR CITIZENS CLUBS' GRANTS 2018-2019**

Club/Incorporated Name	2018/2019 Whittlesea residents attending weekly	Proposed 2018/2019 grant amount \$
Armenoro Senior Citizens Association Inc.	60	2,072.65
Barry Road Italian Senior Citizens Club	50	1,860.65
Bitola Macedonian Senior Citizens Group Whittlesea Inc.	160	4,192.65
Bundoora Senior Citizens Community Centre Inc.	8	1,224.65
Chaldean Senior Citizens Group Whittlesea	32	1,479.05
Circolo Pensionati Italiani Di Bundoora Inc.	65	2,178.65
Circolo Pensionati Italiani Di St Luca Lalor & Thomastown Inc.	65	2,178.65
Community of Cypriots of the Northern Suburbs of Melbourne Senior Citizens Club Inc.	150	3,980.65
Community of Cypriots of the Northern Suburbs of Melbourne Women's Club Inc.	67	2,221.05
Community of Niki Inc.	45	1,754.65
Cultural and Theatrical Centre (Paradise)	16	1,224.65
Cultural Centre Florinians Aristodelis	25	1,330.65
Doreen Combined Probus Club	74	2,369.45
Doreen Seniors Club Inc.	107	3,069.05
Epping Combined Pensioners Association Inc.	65	2,178.65
Goce Delchev Senior Citizens Association Inc.	180	4,616.65
Golden Sun Disabled and Senior Citizens Association Inc.	87	2,645.05
Greek Australian Ex Serviceman's Reserve Whittlesea and Districts Inc.	20	1,224.65
Greek Orthodox Community of Whittlesea Senior Citizens Group	70	2,284.65
Greek Orthodox Community of Whittlesea Women's Group	60	2,072.65
Green Island Turkish Women's Group Inc.	34	1,521.45
Italian Pensioners Association of Mill Park	65	2,178.65
Italian Senior Citizens Club of Lalor and Thomastown Inc.	115	3,238.65
Italian Speaking Senior Citizens Association of Epping Inc.	50	1,860.65
Italian Welfare Association of Whittlesea Senior Citizens Inc.	27	1,373.05
Italian Women's Senior Citizen's Association of Whittlesea Inc.	67	2,221.05
Kajmakalan Social Club	65	2,178.65
Lalor and District Men's Shed	33	1,500.25
Lalor Community Garden and Social Group Inc.	17	1,224.65
Lalor Thomastown Combined Pensioners Association Inc.	22	1,267.05
Macedonian Australian Senior Citizen's Group "Ilinden" Inc.	65	2,178.65
Macedonian Beranci Social Senior of Whittlesea Inc.	141	3,789.85
Macedonian Men's Group of Whittlesea	55	1,966.65

**ATTACHMENT 1
RECOMMENDED SENIOR CITIZENS CLUBS' GRANTS 2018-2019**

Macedonian Orthodox Community of Melbourne and Victoria Elderly Citizens Group of Epping Inc.	180	4,616.65
Macedonian Senior Citizens Group Thomastown, Lalor, Epping and Mill Park	76	2,411.85
Macedonian Veterans and Friends Senior Citizens Group Inc.	100	2,920.65
Macedonian Women's Senior Citizens Group Lalor Inc.	72	2,327.05
Macedonian Women's Social Club of Whittlesea Inc.	85	2,602.65
Mernda Combined Probus Club Inc.	48	1,818.25
Mernda Senior Citizens Club Inc.	15	1,224.65
Mill Park Recycled Teenagers Senior Citizens Club Inc.	33	1,500.25
Mill Park Community Garden	52	1,903.05
Mill Park Greek Elderly Citizens Club Inc.	75	2,390.65
Mill Park Senior Citizens Club Inc.	35	1,542.65
Multicultural Senior Citizens Group of Whittlesea Inc.	37	1,585.05
Neret Senior Citizens Group Inc.	46	1,775.85
North Eastern Greek Elderly Citizens Club Inc.	48	1,818.25
Northern Egyptian Association Inc.	60	2,072.65
Northern Mauritian Seniors Club Inc.	13	1,224.65
Northern Melbourne Sri Lankan Association Inc.	55	1,966.65
Northern Melbourne Vietnamese Elderly Association Inc.	65	2,178.65
Palestinian Senior Citizens Inc.	30	1,436.65
Panagia Soumela Pontian Association of Whittlesea Inc.	65	2,178.65
Senior Citizen's Group of the Greek Orthodox Parish of the Transfiguration of Our Lord	80	2,496.65
Shlama Inc.	29	1,415.45
Spanish Speaking Senior Women's Group of North East Region	9	1,224.65
St. Anthony's Senior Social Club	55	1,966.65
St. Francis Filipino Senior Citizens Club of Whittlesea Inc.	46	1,775.85
Tamil Seniors Social Club Inc.	60	2,072.65
The "Good Shepherd" Egyptian Seniors Association Inc.	46	1,775.85
The Chinese Seniors Friendship Association Of Whittlesea Inc.	120	3,344.65
Thomastown East Greek Senior Citizens Club Inc.	55	1,966.65
Thomastown East Italian Senior Citizens Club Inc.	60	2,072.65
Turkish Elderly and Pensioners Association Inc.	68	2,242.25
Turkish Women's Recreation Group Inc.	50	1,860.65
Welcome Senior Women's Group Inc.	30	1,436.65
Whittlesea and District Greek Elderly Citizens Club Inc.	75	2,390.65
Whittlesea Chinese Association	65	2,178.65
Whittlesea Combined Pensioners Association	33	1,500.25
Whittlesea Maltese Senior Citizens Club Inc.	140	3,768.65

**ATTACHMENT 1
RECOMMENDED SENIOR CITIZENS CLUBS' GRANTS 2018-2019**

Whittlesea Men's Shed	50	1,860.65
Whittlesea Northern Cyprus Turkish Women's Group Inc.	26	1,351.85
Whittlesea Senior Citizens Club Inc.	45	1,754.65
Whittlesea Turkish Women's Association Inc.	22	1,267.05
Whittlesea U3A	580	13,096.65
TOTAL EXISTING CLUBS	5096	168,974.35
Associazione Piemontesi Victoria Inc.	21	1,224.65
Boris Trajkovski	65	1,224.65
Malaysian Social and Senior Club Inc.	30	1,224.65
St. Mary's Multicultural Group	20	1,224.65
TOTAL ALL CLUBS	5232	173,872.95

ATTACHMENT 2

SENIOR CITIZENS CLUBS' GRANT 2018-2019: NEW APPLICANTS

St Mary's Multicultural Group Inc.		
Eligibility Criteria	Meets Eligibility Criterion	Comments
Be incorporated with the purpose of offering a range of social, recreational and educational activities for their members	Yes	Incorporated since 13 October 2015 Purpose: Bring older people together to socialise, support each other, learn new skills, be active, share information and be connected to the community.
Have Public Liability Insurance	In process	Have applied to VMC and are awaiting outcome of application.
Offer different activities and programs from other groups from the same cultural background	Yes	Unmet need: This would be another Arabic speaking group. Provide opportunities for members to go walking, share food, special celebrations and play board games. Duplicating existing clubs: There are currently three other Egyptian Arabic speaking groups. The clubs meet on different days. This club also has Arabic speakers from other areas notably Syria.
Have 95% of members over 55 years of age	No	No. of members: 25 55+ 84% Membership Demographics: Of the 25 members 4 are under 55 but are carers for the spouse/sibling/parent that attends. Of the 25 members 22 live in the City of Whittlesea.
Code of Conduct	Yes	
Club is based in the City of Whittlesea	Yes	To note: This group is welcoming of Arabic speakers from regions surrounding Egypt. The members advise that they do not attend any of the other Arabic speaking clubs. Meeting day & location: 2 nd and 4 th Sundays of the month. They meet at Life Without Barriers 5/560-610 High Street Epping.
Recommendation: <i>That this club is recognised and eligible for a Senior Citizens Clubs' Grant 2018/19</i>		

Whittlesea Malaysian Social and Senior Club Inc.		
Eligibility Criteria	Meets Eligibility Criterion	Comments
Be incorporated with the purpose of offering a range of social, recreational and educational activities for their members	Yes	Incorporated since 16 February 2018 Purpose: To support senior members of the Malaysian community to connect with each other, participate in physical and recreational activities, share Malaysian tradition and culture. Activities organised by this club include regular walks, guest speakers, cultural events, wellbeing activities, cooking opportunities.
Have Public Liability Insurance	Yes	Have taken out interim insurance whilst awaiting outcome of VMC application.
Offer different activities and programs from other groups from the same cultural background	Yes	Unmet need: This group provides the only Malaysian club for the City of Whittlesea. Duplicating existing clubs: No
Have 95% of members over 55 years of age	Yes	No. of members: 50 55+ 100% Membership Demographics: Of the 50 members 38 live in the City of Whittlesea.
Code of Conduct	Yes	
Club is based in the City of Whittlesea	Yes	To note: For a new club there is a solid base of members and it appears well organised. Meeting day & location: Friday monthly 7pm at Mill Park Community Centre Blamey Ave Mill Park.
Recommendation: <i>That this club is recognised and eligible for a Senior Citizens Clubs' Grant 2018/19</i>		

Associazione Piemontesi Victoria Incorporated		
Eligibility Criteria	Meets Eligibility Criterion	Comments
Be incorporated with the purpose of offering a range of social, recreational and educational activities for their members	Yes	Incorporated since 10 July 1987 Purpose: To foster friendship among people from Piemontese in Victoria including providing social, cultural, sporting and self-help activities. To promote knowledge, awareness and appreciation of the customs and heritage of Piedmont.
Have Public Liability Insurance	Yes	
Offer different activities and programs from other groups from the same cultural background	Yes	Unmet need: This club meets on Sundays. There are no recognised Italian clubs offering social opportunities on a Sunday. Duplicating existing clubs: This will be the 10 th Italian Senior Citizen Club to be recognized however this group's approach is different in that they plan different themed events, outings and provide a quarterly newsletter. They are also representing the Piedmont region of Italy.
Have 95% of members over 55 years of age	Yes	No. of members: 113 55+ 100% Membership Demographics: Of the 113 members 21 live in the City of Whittlesea
Code of conduct	Yes	
Club is based in the City of Whittlesea	Yes	To note: This club met in Preston up until a few years ago and until this year had been holding all their functions at restaurants or reception venues. This club provides a calendar of activities and appears to be well organised providing a range of outings and events. Meeting day & location: Monthly on a Sunday at Barry Rd Community Activity Centre Thomastown.
Recommendation: <i>That this club is recognised and eligible for a Senior Citizens Clubs' Grant 2018/19.</i>		

Boris Trajkovski Inc		
Eligibility Criteria	Meets Eligibility Criterion	Comments
Be incorporated with the purpose of offering a range of social, recreational and educational activities for their members	Yes	Incorporated since 24 January 2014 Purpose: To bring together in the evening and at a safe venue, first generation Macedonian Seniors from south-east Macedonia to provide information on community services, activities that promote social, physical and mental wellbeing, guest speakers, and cultural celebration events.
Have Public Liability Insurance	Yes	
Offer different activities and programs from other groups from the same cultural background	Yes	Unmet need: The majority of members come from the town of Strumica in southeast Macedonia where the population belonged to different church denominations. In addition to belonging to a variety of faiths, a different dialect is spoken and they have distinctively different traditional costumes and customs. The club provides the only place where members can meet, talk in their dialect and support each other. Duplicating existing clubs: This will be the 15th Macedonian Club to be recognised however the club represents seniors from a different region of Macedonia and speaks a different dialect.
Have 95% of members over 55 years of age	Yes	No. of members: 126 55+ 99% Membership Demographics: Of the 126 members 46 live in the City of Whittlesea
Code of Conduct	Yes	
Club is based in the City of Whittlesea	Yes	To note: This club is the only seniors club from the south-eastern part of Macedonia in the northern region of Melbourne. This club appears to be well organised. Meeting day & location: 1 st Thursday of the month from 5pm-9pm at Mill Park Community Centre.
Recommendation: <i>That this club is recognised and eligible for a Senior Citizens Clubs' Grant 2018/19</i>		

6.3 CITY TRANSPORT AND PRESENTATION

6.3.1 CONTRACT 2016-201 TENDER EVALUATION REPORT PARKS & OPEN SPACE MAINTENANCE SERVICES

Attachments: 1 **Tender Evaluation Summary - Confidential**
 Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.

Responsible Officer: Director City Transport & Presentation

Author: Team Leader Parks Operations & Strategic Projects

RECOMMENDATION SUMMARY

It is recommended that contract number 2016-201 for Parks & Open Space Maintenance Services is awarded for a term from 1 April 2019 to 31 March 2025 with extension options to 31 March 2029:

- to Green Life Group for Part A (Parks Maintenance)
 - for the total year one lump sum price of \$8,068,352.33, and
 - for the tendered schedule of rates with total expenditure estimated at \$58,261,917
- to Citywide Service Solutions for Part B (Trees Maintenance)
 - for the total year one lump sum price of \$2,606,200, and
 - for the tendered schedule of rates with total expenditure estimated at \$17,824,315

KEY FACTS AND / OR ISSUES

- The Parks and Open Space Maintenance Services contracts significantly influence the presentation of the city and the quality of the city's parks and street tree network. This contract is the largest that Council has considered in its history.
- Four tenders were received and all were subjected to a very complex and sophisticated pre-agreed evaluation process.
- The recommended tenders are considered the best value combination when taking into account all of the relevant factors including risks and references.
- Additional conditions have been included in the recommendations to manage risk and ensure Council is kept adequately informed of performance under the contracts.

REPORT

BACKGROUND

The purpose of this contract is to maintain a network of high quality open space areas, park trees and streetscapes. This is the largest service contract let by the City of Whittlesea and it represents a very significant total workload which could only be serviced in its entirety by few contractors in the market.

To help maximise competition on this occasion the contract was tendered in two parts:

- Part A – Parks Maintenance Services
- Part B – Trees Maintenance Services

Contemporary procurement methods were employed in this tender to help achieve best value outcomes that drive efficiency and innovation. These include requirements to tender:

- 'Glidepath Savings' percentages which reduce the tender price each year in recognition of anticipated improved efficiency gains, and
- a 'Savings Share' arrangement whereby savings generated through innovative practices initiated by the contractor are shared with the Council.

Tenders for the contract closed on 4 July 2018. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

EVALUATION

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

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

Criteria	Weighting
Price	60%
Capability	15%
Capacity	20%
Impact	5%

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

All tenders were conforming and competitive and they were all fully scored.

The tender evaluation process was complex and involved sophisticated analysis of individual tenders as well as every possible combination of tenders received for Parts A and B of the contract. This enabled the overall best value outcome to be identified.

The evaluation considered the mandatory and desirable criteria, interviews, risk analysis and references. A large quantity of tendered data was intricately examined and there were numerous price component reviews, clarifications and corrections.

All tenderers were interviewed and invited to review their tendered prices in relation to various components of their tenders, particularly where items were determined to be significantly above or below the norm.

Preliminary scoring was completed in relation to each individual tender for each contract part to determine the competitiveness of each offer.

The tendered prices were inserted into a pre-established price model which accounted for volume growth at previous trend rates for different components of the service. Assumed CPI increases were also applied. This resulted in projected costs of each tender over the 6 year initial term and the extended 10 year potential term of the contract.

The current cost of the services was also subjected to the same price model as a benchmark. This was later used to calculate the extent to which each tender (and combination of tenders) deviated from the extrapolated current costs.

The final stage of the evaluation considered tender references along with a wide range of potential risks associated with each individual tender. This informed the recommendations below.

The evaluation outcome was as follows:

CONTRACT PART A – PARKS MAINTENANCE SERVICES				
TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer B (GLG Green Life Group)	Yes	Yes	90.9	1
Tenderer A	Yes	Yes	90.6	2
Tenderer C	Yes	Yes	85.7	3

CONTRACT PART B – TREES MAINTENANCE SERVICES				
TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A (Citywide Service Solutions)	Yes	Yes	85.9	1
Tenderer B	Yes	Yes	83.3	2
Tenderer D	Yes	Yes	80.5	3

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

LINKS TO THE COUNCIL PLAN

Council Priority

Organisational Sustainability

Future Direction

Good Governance

Theme

Continuous Improvement

Strategic Objective

Council explores and adopts best practice models

The maintenance of a network of high quality open space areas, park trees and streetscapes is a key contributor to improving the amenity and liveability of the municipality.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The tender combination from Green Life Group for Part A (Parks Maintenance) and Citywide Service Solutions for Part B (Trees Maintenance) was determined to be best value and it is considered that these service providers can perform the contract to the required standards.

RECOMMENDATION

THAT Council resolve to:

1. Accept the tenders submitted by:

- a) **Green Life Group for Contract Part A for the Year 1 lump sum of \$8,068,352.33 (excluding GST) and the schedule of rates detailed in the confidential attachment for the following contract:**

Number: 2016-201A

Title: Parks Maintenance Services

Term: 1 April 2019 to 31 March 2025

Options: Term extensions up to 31 March 2029 (only to be exercised if separately approved by Council)

Value: Total expenditure is estimated at a maximum of \$58,261,917 (excluding GST) unless otherwise approved by Council

and;

- b) **Citywide Service Solutions for Contract Part B for the Year 1 lump sum of \$2,606,200 (excluding GST) and the schedule of rates detailed in the confidential attachment for the following contract:**

Number: 2016-201B

Title: Trees Maintenance Services

Term: 1 April 2019 to 31 March 2025

Options: Term extensions up to 31 March 2029 (only to be exercised if separately approved by Council)

Value: Total expenditure is estimated at a maximum of \$17,824,315 (excluding GST) unless otherwise approved by Council

subject to the following conditions:

- i) **Tenderers to provide proof of currency of insurance cover as required in the tender documents.**
- ii) **Price variations to be in accordance with the provisions as set out in**

the tender documents.

- iii) Tenderers to provide contract security as required in the tender documents.
2. Approve the funding arrangements detailed in the confidential attachment.
 3. Sign and seal the Contract documents.
 4. The award of contract 2016-201B to Citywide Service Solutions for Contract Part B will not be deemed ratified until after 1 January 2019 pending satisfactory completion of the following conditions:
 - a) Council and Citywide have negotiated agreement on the proposed amendments to the general terms and conditions of the new contract Part B by 1 December 2018, and
 - b) Citywide has been assessed as meeting or exceeding all of the existing Key Performance Indicators under their current contract (number CT080901) for the period 1 October 2018 to 31 December 2018 inclusive.
 5. An annual report shall be presented to Council annually detailing the contractor's performance against the Key Performance Indicators detailed in Contracts 2016-201 (Parts A & B) along with all variations applied in accordance with the contracts.

6.3.2 CONTRACT 2018-3 - TENDER EVALUATION FERRES BOULEVARD / FINDON ROAD / THE LAKES BOULEVARD INTERSECTION UPGRADE

- Attachments:**
- 1** **CONTRACT 2018-3: Tender Evaluation - Confidential**
Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.
 - 2** **Analysis Methodology** [↓](#)

Responsible Officer: Director City Transport & Presentation

Author: Unit Leader Infrastructure Projects

RECOMMENDATION SUMMARY

That Council:-

1. Endorse the Signalised Intersection – Ultimate, as the preferred upgrade treatment, and
2. Award Contract Number 2018-3 for Design and Construction of Findon Road / Ferres Boulevard intersection upgrade:
 - To MACA Infrastructure Pty Ltd; and
 - For the lump sum price of \$13,187,203.00 (excl. GST).

KEY FACTS AND / OR ISSUES

- This intersection is one of the most congested points in Council's local road network and is not performing to community expectations, with major delays.
- The Intersection is a key access point for the Civic precinct, South Morang Train Station and Plenty Valley Town Centre, servicing about 28,000 vehicle movements per day.
- Traffic Management and Road Upgrades are the two main issues of concern listed each year by the community for Council to address in the Annual Household Survey.
- Council resolved on 8 August 2017 to endorse the Ultimate upgrade of the intersection.
- Council resolved on 3 April 2018 to also seek a tender response for the Interim option.
- The pre-tender estimate for the Ultimate option was \$12.9 million, delivering \$7 of benefits for every \$1 invested.
- The tender responses for the Ultimate option were within 2% of the pre-tender estimate.
- The lowest Interim tender was \$10.8 million, exceeding the \$7.8M pre-tender estimate.
- Traffic modelling predicts that the interim intersection upgrade would fail to meet a satisfactory level of service by 2032.
- The main difference between the Ultimate and Interim option relates to the construction of a new bridge (and associated works) in The Lakes Boulevard, and two slip lanes.
- Regardless of whether Findon Road is declared an arterial road into the future (if the Ultimate option is deferred), Council would be responsible for the bridge and associated works (at a deferred cost of \$5.84 million).
- The future declaration of Findon Road by VicRoads is unknown and will only impact the deferred costs to build the extra slip lanes (about \$1 million), if VicRoads contribute.
- The deferred costs for Council to build the bridge would be considerably greater in 2032 due to inflation, increased market rates, traffic management, sacrificial re-work, etc.
- The Ultimate Intersection option achieves \$6.97 of benefits for every \$1 invested.
- The Interim Intersection option provides \$3.71 of benefits for every \$1 invested.
- The Ultimate intersection upgrade remains as the recommended option.

REPORT**BACKGROUND**

The existing roundabout at Findon Road / Ferres Boulevard / The Lakes Boulevard provides a key connection to the Civic Centre, Plenty Valley Shopping Centre and South Morang Transport Hub for residents of South Morang, Mernda and Doreen (to the north), and Epping (to the west).

The intersection is highly congested during both the morning (AM) and afternoon (PM) peaks and is a daily source of community concern with excessive delays.

Council at its meeting dated 9 May 2017 endorsed the Road and Public Transport Plan that identifies the top priority items for Whittlesea's roads and public transport infrastructure. A signalised upgrade of Findon Road / Ferres Boulevard / The Lakes Boulevard intersection is listed as a high priority item for delivery under the Intersections section of the Plan.

The local community have demonstrated through the Annual Household Survey that Traffic Management and Roads Maintenance & Upgrades are the two main issues of concern impeding liveability in the City of Whittlesea. Traffic congestion has significant health and wellbeing impacts, and results in residents having insufficient time for family, leisure and community life.

Council at its meeting of 8 August 2017, considered a range of options and resolved to endorse the Signalised Intersection – Ultimate, as the preferred upgrade treatment for the Findon Road / Ferres Boulevard / The Lakes Boulevard intersection.

The tender requesting submissions for the Ultimate Intersection was advertised on Saturday 24 March 2018.

Additionally, Council at the meeting, dated 3 April 2018, also resolved to:

- “1. Note that the Signalised Intersection – Ultimate Design is the preferred long term upgrade treatment for Findon Road/ Ferres Boulevard/ The Lakes Boulevard intersection;*
- 2. Note that the Signalised Intersection – Interim Design relieves current congestion at the intersection and future proofs the Ultimate Design upgrade;*
- 3. Issue an addendum to the current tender process for the intersection upgrade, seeking a response for the construction of the Signalised Intersection – Interim Design, in addition to the Signalised Intersection - Ultimate Design; and*
- 4. Further consider the option to be funded from the 2018/19 and 2019/20 Council budgets for the intersection upgrade, as part of the tender assessment process.”*

Tenders for the contract closed on Wednesday 27 June 2018. This report sets out the analysis of the Interim and Ultimate options for the intersection upgrade for consideration based on the tender submissions received. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

TENDER EVALUATION

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

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

Criteria	Weighting
Price	50%
Capability	13%
Capacity	22%
Impact	15%

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.

The tender evaluation outcome was as follows:

SIGNALISED INTERSECTION - ULTIMATE	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A (MACA Infrastructure Pty Ltd)	Yes	Yes	78.9	1
Tenderer B	Yes	Yes	78.4	2

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

INTERSECTION OPTIONS ANALYSIS AND RESULTS

Due to two options being requested for Tender (Interim and Ultimate), the preferred tenders price for each option was again assessed over a 10-year and 20-year asset life. These options have been revaluated over three key stages using the analysis methodology set out in Attachment 2 and is consistent with the analysis methodology presented for consideration at the Council meeting held 8 August 2017.

The following sections provide a summary of each option analysed.

Option A: Signalised Intersection – Interim

The Interim Signalised Intersection (Option A) comprises three lanes on the northern, western and eastern approaches, and four lanes on the southern approach. Left turn slip lanes are present on the western and eastern approaches.

Stage 1 Analysis (Mandatory): Strategic Alignment and Pedestrian / Cyclist Safety & Access

The option aligns strongly with the strategic direction of the Council (and community feedback), and provides very good pedestrian benefits.

Stage 2 Analysis: Technical Assessment Criteria (evaluated at year-2027 and year-2037)

The Interim signalised intersection option provides adequate levels of service for the AM and PM peaks for an initial 10-year horizon, however, analysis over a 20-year asset life demonstrates the option fails after approximately 14 years at year 2032 (refer table below).

Signals (Interim form only) NOTE: NO upgrade	Stage 1 Mandatory Criteria		Stage 2 Technical Assessment Criteria			
	Strategic Alignment	Pedestrian / Cycling Access and Safety	Service Level (AM peak) at year 2027	Service Level (PM peak) at year 2027	Service Level (AM peak) at year 2037	Service Level (PM peak) at year 2037
Option A	Very Good	Very Good	C (29-42 secs delay)	C (29-42 secs delay)	D ¹ (43 56 secs delay)	F ¹ (>70 secs delay)

¹Option A: Signalised Intersection - Interim fails to meet a satisfactory level of service in the PM peak at approximately year 2032. Therefore, a second major upgrade to include a new bridge and extra lanes is required at this time to cater for the increased traffic volumes. NOTE: This major upgrade will incur additional costs to Council (not VicRoads) for re-work, preliminaries, inflation and civil construction market rates, e.g. traffic management, site establishment, road and kerb civil construction works over the 20-year asset life and will be assessed accordingly in the Stage 3 analysis below.

A future upgrade from Interim to the Ultimate form (including new Council bridge, associated civil works and slip lanes) is required at year 2032 so that the intersection's capacity is increased and a satisfactory level of service is maintained, as detailed in the table below.

Interim analysis when upgraded to the Ultimate form at year 2032:

Signals NOTE: when upgraded to ultimate form in 14 years, at year-2032	Stage 1 Mandatory Criteria		Stage 2 Technical Assessment Criteria			
	Strategic Alignment	Pedestrian / Cycling Access and Safety	Service Level (AM peak) at year 2027	Service Level (PM peak) at year 2027	Service Level (AM peak) at year 2037	Service Level (PM peak) at year 2037
Option A	Very Good	Very Good	C (29-42 secs delay)	C (29-42 secs delay)	C (29-42 secs delay)	D (43-56 secs delay)

Stage 3 Analysis: Financial and Community Benefit Outcomes

The costs associated with the required additional upgrade works from Interim to Ultimate, at year 2032, has been accounted for in the Total Capital Cost of the project for Stage 3 evaluation.

All cost estimates have been verified by an independent VicRoads pre-qualified Quantity Surveyor who has confirmed the submitted prices are within market rates.

This option will require sufficient allowances for upgrade works to be included, such as the provision of a future Council bridge upgrade (including two additional slip lanes on the northern and southern approaches) in 14 years' time at year 2032. The additional work required means that this option is adjusted from its initial capital cost of \$10.82 million to \$17.66 million (in 2018 dollars) and assessed over a 20-year asset life, thereby providing a more accurate reflection of the overall net-community benefit outcomes and total capital costs, as detailed in the table below.

Stage 3 Net-community benefit result – Interim Option:

Signals – Interim (with upgrade costed)	Stage 3 Financial and Community Benefit Criteria (over 20 year asset life to 2037)	
	Benefit to Cost Ratio	Total Capital Cost (Net Present Value)
NOTE: upgrade to ultimate form occurs in at year 2032		
Option A	\$3.71 (benefits to \$1 invested)	\$17.66 million ²

²Option A: Signalised Intersection - Interim (without upgrade - \$10.8 million) fails to meet a satisfactory level of service in the PM peak at approximately year 2032. Therefore, a second major upgrade of the intersection is required after 14 years to cater for the increased traffic volumes; resulting in a Level of Service at 2037 of C and D (see results for interim to ultimate upgrade service levels at 2037 above).

To upgrade the Interim option to the Ultimate option in 2032, Council will be required to fund approximately \$5.86 million (regardless of whether Findon Road is declared an arterial road). This cost is for the upgrade of the bridge, and also includes sacrificial re-work, duplication of construction preliminaries, traffic management, upgrade of the intersection and increased market rates, all of which will remain the responsibility of Council.

The future declaration of Findon Road as an arterial by VicRoads will only impact on the deferred costs to build the slip lanes (costing approximately \$1 million); however, the timing of declaration and any future capital upgrade contributions by VicRoads is unknown.

Option B: Signalised Intersection – Ultimate

Option B: Signalised Intersection – Ultimate comprises the full build out of this intersection, including three lanes on the western and eastern approaches, four lanes on the northern and southern approaches, left turn slip lanes on all approaches, and a new bridge (Council's responsibility) to allow for additional intersection capacity (note: allowance is made for tram route 86).

Stage 1 Analysis (Mandatory): Strategic Alignment and Pedestrian / Cyclist Safety & Access

The option aligns strongly with the strategic direction of the Council (and community feedback), and provides very good pedestrian benefits.

Stage 2 Analysis: Technical Assessment Criteria (evaluated at year-2027 and year-2037)

The Ultimate signalised intersection provides satisfactory levels of service for the AM and PM peaks to 2037, see table below for details.

Signals	Stage 1 Mandatory Criteria		Stage 2 Technical Assessment Criteria			
	Strategic Alignment	Pedestrian / Cycling Access and Safety	Service Level (AM peak) at year 2027	Service Level (PM peak) at year 2027	Service Level (AM peak) at year 2037	Service Level (PM peak) at year 2037
(Ultimate)						
Option B	Very Good	Very Good	B (15-28 secs delay)	B (15-28 secs delay)	C (29-42 secs delay)	D (43-56 secs delay)

Note: The duplication upgrade of both Ferres Boulevard and The Lakes Boulevard is identified to occur late in the current 15-year New Works Program. When these upgrades occur, additional capacity will be provided along the road length, resulting in the Ultimate intersection continuing to function satisfactorily beyond 2037.

Stage 3 Analysis: Financial and Community Benefit Outcomes

The upgrade to Ultimate intersection, provides the greatest net-community benefit (over a 20-year asset life) to year 2037, see table below for details.

Signals (Ultimate)	Stage 3 Financial and Community Benefit Criteria (over 20 year asset life)	
	Benefit to Cost Ratio	Total Capital Cost
Option B	\$6.97 (benefits to \$1 invested)	\$13.19 million

PROPOSAL

The detailed analysis of options over the complete 20-year asset life identifies that the Ultimate option delivers the best net-community benefit.

The Ultimate option aligns strongly with the adopted Plenty Valley Town Centre Structure Plan and the recently endorsed Road and Public Transport Plan, by improving traffic flow and reducing traffic congestion at the intersection in both the AM and PM peaks to the year 2037, and enhancing safety and access for vehicles, pedestrians and cyclists.

Delivering the Ultimate upgrade aligns strongly with the community feedback calling on Council to address Traffic Management and Roads Maintenance & Upgrades as the top two issues for Council to resolve in the next 12 months.

The Ultimate signals upgrade option (assessed below at year 2027 and 2037) provides the following outcomes for the community:

Signals (Ultimate)	Stage 1 Mandatory Criteria		Stage 2 Technical Assessment Criteria			
	Strategic Alignment	Pedestrian / Cycling Access and Safety	Service Level (AM peak) at year 2027	Service Level (PM peak) at year 2027	Service Level (AM peak) at year 2037	Service Level (PM peak) at year 2037
Option B	Very Good	Very Good	B (15-28 secs delay)	B (15-28 secs delay)	C (29-42 secs delay)	D (43-56 secs delay)

The project has been evaluated to maximise benefit the community by providing \$6.97 worth of benefits received for every \$1 spent, over a 20 year asset life.

Signals (Ultimate)	Stage 3 Financial and Community Benefit Criteria (over 20 year asset life to 2037)	
	Benefit to Cost Ratio	Total Capital Cost
Option B	\$6.97 (benefits to \$1 invested)	\$13.19 million

FINANCIAL IMPLICATIONS

The Ultimate signals option will cost \$13.2 million to deliver now.

The Interim signals option will cost \$10.8 million now, with an additional \$6.86 million (in today's dollars) to complete the works to the Ultimate conditions in year 2032 (total project cost of \$17.66 million).

A total of \$13.4 million was allocated to this project in the New Works Program for the delivery of these works:

PID	Project Name	New Works Program Funding		
		2018/19	2019/20	Total
2039	Signalise Intersection – Findon / Ferres	\$ 3,508,825 ³	\$ 9,900,000	\$ 13,408,825

³\$508,825 of the New Works Program funding allocated in 2017/18 was carried forward to the 2018/19 financial year for service proving, geotechnical investigations and detailed design.

POLICY STRATEGY AND LEGISLATION

City of Whittlesea Road Safety Strategy (2017):

Address safety of all road and path users. Address driver behaviour and attitude towards vulnerable road users: pedestrians, cyclists and motorcyclists.

City of Whittlesea Bicycle Plan 2016 – 2020:

Key Direction 3: Build and maintain a high quality network.

City of Whittlesea Integrated Transport Strategy (2014):

Action RF 2.2: Manage local roads to improve amenity and safety for users.

City of Whittlesea Municipal Road Safety Strategy (2004):

Action Plan 3: Ensure that a safer road environment is developed and maintained.

LINKS TO THE COUNCIL PLAN

Council Priority

Organisational Sustainability

Future Direction

Good Governance

Theme

Continuous Improvement

Strategic Objective

Council explores and adopts best practice models

This project addresses the strategic outcomes presented in Shaping Our Future: Council Plan 2017 – 2021:

- Roads, Access and Public Transport: People can access and use public transport and road networks in accessing jobs, services and recreational activities;
- Community Safety: Our neighbourhoods and towns are safe and have proactive programs that support and build a safe community;
- Organisational Sustainability: Council works sharper and smarter to ensure value for money and continually improves to support our growing and changing municipality.
- Planning and Infrastructure: Council will ensure sustainable, timely and quality development of our municipality while improving the range of recreational opportunities for residents and visitors.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The Findon Road / Ferres Boulevard / The Lakes Boulevard intersection is one of the most congested points in the city's local road network.

Each year the Annual Household Survey results and the Local Government Victoria's Community Satisfaction Survey provides a good indication of what our community views as the key issues for Council to address over the next 12 months. Consistently over the past five years, Traffic Management and Roads Maintenance & Upgrades have featured in the top two issues of concern for Council to focus on and address.

Council resolved (8 August 2017) to endorse the upgrade of the intersection to the Ultimate option, and subsequently resolved to tender both interim and ultimate options.

The pre-tender estimate at the time was \$12.9 million and Tenders were within 2% of the pre-tender estimate (at approximately \$13.2 million). The Interim signals option tenders far exceed the pre-tender estimate of \$7.8 million, with the lowest Tender coming in at \$10.8 million.

The interim concept plan fails to meet a satisfactory level of service in the PM peak at approximately year 2032. Should Findon Road be declared an arterial road, and as a result VicRoads become responsible for implementing the Ultimate option in the future, Council will still be responsible for implementing the Bridge and associated civil works.

Analysis indicates that the Interim option results in Council paying an extra \$4.47 million in net present value terms over the life of the project to deliver the remaining works, i.e. Ultimate option now at \$13.19 million against Ultimate option in 2032 at \$17.66 million.

This Ultimate option aligns strongly with the endorsed Plenty Valley Town Centre Structure Plan and the recently adopted Road and Public Transport Plan, and provides the greatest net-community benefit, with a return of \$6.97 of benefits for every \$1 invested. The Ultimate option will most effectively ease traffic congestion in both the AM and PM peaks over a 20-year asset life to year-2037.

RECOMMENDATION

THAT Council resolve to:

1. **Endorse the Signalised Intersection – Ultimate as the upgrade treatment for the Findon Road / Ferres Boulevard / The Lakes Boulevard intersection.**
2. **Accept the tender (Ultimate Option) submitted by MACA Infrastructure Pty Ltd for the sum of \$13,187,203.00 (excluding GST) for the following contract:**

Number: 2018-3

Title: Design and Construction – Findon Road Bridge and Civil Works

subject to the following conditions:

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

- c) Tenderer to provide contract security as required in the tender documents.
- 3. Approve the funding arrangements detailed in the confidential attachment; and
- 4. Sign and seal the Contract documents.

Attachment 2: Analysis Methodology



Options have been evaluated for the upgrade of the Findon Road / Ferres Boulevard / The Lakes Boulevard intersection using a three-stage approach via the following assessment methodology:

Stage 1 - Mandatory Criteria, (i.e. required to progress to the next stage of analysis)

- Strategic transport alignment; and
- Pedestrian and cycling safety and accessibility.

Stage 2 - Technical Assessment Criteria

- Level of service (AM and PM peaks) at 2027; and
- Level of service (AM and PM peaks) at 2037.

Stage 3 – Financial and Community Benefit Criteria (over a 20-year asset life to 2037)

- Benefit to cost ratio; and
- Total capital cost.

STAGE 1 - Mandatory Criteria

Strategic Alignment

Council at its meeting dated 21 March 2017 endorsed the revised *Plenty Valley Town Centre Structure Plan* for amendment in the Planning Scheme. The Structure Plan comprises five precincts: Civic, Live and Work, Transport Hub, Central Shopping and Employment. The adopted Structure Plan included an extensive community consultation process involving Westfield Shopping Centre patrons, the distribution of approximately 4,500 brochures, display stands at 10 community facilities in the area, advertisements in the *Whittlesea Leader* and internet resources such as the *Community Voice* website and Facebook posts.

The Findon Road / Ferres Boulevard / The Lakes Boulevard intersection is situated within the north-western Civic Precinct, and was adopted considering detailed community consultation input displaying the intersection as a 'large signalised intersection'.

Council at its meeting dated 9 May 2017 endorsed the Road and Public Transport Plan. The Plan identifies six categories: Arterial Roads, Collector (Local) Roads, Intersections, Public Transport, Cycling and Walking. A signalisation upgrade to the Findon Road / Ferres Boulevard / The Lakes Boulevard intersection is identified as a top-three priority in the Plan.

Community views on the city's transport network were accumulated over several years through many sources including community requests (comments and feedback), community groups (Whittlesea Bicycle User Group, Senior Citizens, etc.), the Annual Household Survey, Local Government Victoria's Community Satisfaction Survey and local and social media sources.

Pedestrian / Cycling Safety and Accessibility

Austrroads guidelines state that 'consideration should be given to movement of pedestrians in the planning and design of roundabouts, and there are numerous studies, including those conducted by Monash University and *Austrroads*, that outline the level of service and safety afforded to pedestrians at both roundabouts and signalised intersection.



In summary, the advantages and disadvantages to pedestrian benefits of traffic signals and roundabouts are provided in the table below.

Pedestrians & Cyclists	Traffic Signals	Roundabout
Safety	Very Good	Very Poor (without crossings)
		Poor to Fair (with children's crossings)
		Fair to Good (with pedestrian crossings)
Access	Very Good	Very Poor (without crossings)
		Poor (with children's crossings)
		Fair (with pedestrian crossings)

STAGE 2 - Technical Assessment Criteria

Level of Service (AM and PM peaks) at year 2027 and 2037

The Level of Service traffic volumes, for the morning (AM) and afternoon (PM) peak, were evaluated for the level of performance. For each option, the *Signalised Intersection Design and Research Aid* (SIDRA) software analysis package was applied to determine the level of service to the community, over a 20-year asset life period to 2037.

The SIDRA tool is recognised by the Industry as best practice, is used by VicRoads (and other Government Agencies and their consultants) and delivers a level of service rating that quantifies average delay times experienced by the community when using the intersection, as detailed in the table below.

Level of Service (LoS)	Average Delay per Vehicle (seconds per vehicle)	Intersection Operation
A	Less than 14	Good operation
B	15 to 28	Good, with acceptable delays and spare capacity
C	29 to 42	Satisfactory
D	43 to 56	Near capacity
E	57 to 70	At capacity, incidents will cause excessive delays
F	Greater than 70	Extra capacity required



STAGE 3 – Financial and Community Benefit Criteria

Benefit – Cost Ratio

The net-community benefit was evaluated for the provision of the intersection over a 20-year asset life for each option by applying *Austrroads Traffic Impact Estimation Tool for Small Intersection Projects*. This tool delivers a Benefit-Cost Ratio (BCR) that quantifies major benefits and costs to the community, such as:

- Initial capital investment;
- Ongoing annual maintenance and upgrade costs;
- Reduction in crash (accident) costs;
- Reduction in road user costs (i.e. insurance, maintenance, servicing, etc.); and
- Reduction in delay / travel time costs.

The BCR calculation determines the value of community benefit obtained for every dollar invested. For example, if a project produces a BCR of 10, this means that for every \$1 expended, the community is returned with \$10 worth of benefits for this investment. To determine priority order, all projects with a BCR greater than 1 are considered feasible, and are then ranked in descending order.

By way of comparison, the Federal Government's Accident Black Spot Program only funds road safety projects that receive a BCR of 4:1 or higher.

Note: the industry standard 10% contingency is excluded from the net-community benefit calculations as it applies to all options and therefore does not provide a differential between them.

Total Capital Cost

The Total Estimated Cost (TEC) was evaluated for each option, over a 20-year asset life, by applying the following:

- Pre-construction investigation costs;
- Service utility relocation costs;
- Civil infrastructure design and construction costs;
- Major future upgrade / renewal costs; and
- Bridge design and construction costs.

6.4 CORPORATE SERVICES

6.4.1 CONTRACT 2018-7 TENDER EVALUATION REPORT RECONSTRUCTION OF THE SYCAMORE BMX PAVILION, MILL PARK

Attachments: 1 **Detailed Evaluation - Confidential**

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.

Responsible Officer: **Director Corporate Services**

Author: **Senior Contracts Executive**

RECOMMENDATION SUMMARY

It is recommended that contract number 2018-7 for Reconstruction of the Sycamore BMX Pavilion, Mill Park:

- Is awarded to Sherwood Construction Solutions Pty Ltd
- For the lump sum price of \$659,746.03 (excluding GST).

KEY FACTS AND / OR ISSUES

The tender evaluation panel advises that:

- Five tenders were received
- The recommended tender was the highest ranked and is considered best value because of its competitive price and its demonstrated ability and relevant experience to deliver this project in accordance with Council's requirements.

REPORT**BACKGROUND**

The purpose of this contract is to engage a contractor for the reconstruction of the Sycamore BMX Pavilion.

The condition of the Sycamore BMX Pavilion has deteriorated and the building is no longer fit for purpose. In order to effectively operate competitions and other club activities, the existing pavilion requires an upgrade.

The Cycle Sport and Skate Strategy (2015) recommended the upgrade of the Sycamore BMX facility to a regional level facility to service a broad catchment that incorporates parts of Hume City Council, Nillumbik Shire Council and Mitchell Shire Council.

The scope of works shall include:

- An upgrade kitchen/canteen to meet food safety/handling standards
- Toilets that meet Building Code of Australia (BCA) requirements, including Universal Access
- Scorers Room
- Pathways to provide universal access to the building

Tenders for the contract closed on 8 August 2018. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

EVALUATION

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

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

Criteria	Weighting
Price	50%
Capability	23%
Capacity	20%
Impact	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.

All tenders were conforming and were fully scored.

The evaluation outcome was as follows:

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A Sherwood Construction Solutions Pty Ltd	Yes	Yes	87.2	1
Tenderer B	Yes	Yes	85.6	2
Tenderer C	Yes	Yes	85.0	3
Tenderer D	Yes	Yes	77.8	4
Tenderer E	Yes	Yes	70.8	5

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

LINKS TO THE COUNCIL PLAN

Council Priority **Organisational Sustainability**

Future Direction **Good Governance**

Theme **Continuous Improvement**

Strategic Objective **Council explores and adopts best practice models**

The Cycle Sport and Skate Strategy (2015) recommended the upgrade of the Sycamore BMX facility to a regional level facility to service a broad catchment that incorporates parts of Hume City Council, Nillumbik Shire Council and Mitchell Shire Council.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The tender from Sherwood Construction Solutions Pty Ltd was determined to be best value and it is considered that this company can perform the contract to the required standards.

RECOMMENDATION

THAT Council resolve to:

1. **Accept the tender submitted by Sherwood Construction Solutions Pty Ltd for the sum of \$659,746.03 (excluding GST) for the following contract:**

Number: 2018-7

Title: Reconstruction of the Sycamore BMX Pavilion, Mill Park

subject to the following conditions:

- a) **Tenderer to provide proof of currency of insurance cover as required in the tender documents.**

- b) Price variations to be in accordance with the provisions as set out in the tender documents.
 - c) Tenderer to provide contract security as required in the tender documents.
- 2. Approve the funding arrangements for this contract as detailed in the confidential attachment.
- 3. Sign and seal the Contract documents.

6.4.2 UNCONFIRMED MINUTES OF AUDIT & RISK COMMITTEE MEETING

Attachments: 1 **Unconfirmed Minutes of Audit & Risk Committee Meeting - 30 August 2018** [↓](#)

Responsible Officer: **Director Corporate Services**

Author: **Internal Compliance Officer**

RECOMMENDATION SUMMARY

The Audit & Risk Committee met on 30 August 2018. The minutes of that meeting are attached for the information of Council.

1. Council note the unconfirmed minutes of the Audit & Risk Committee meeting held on 30 August 2018.

KEY FACTS AND / OR ISSUES

As required by the Audit & Risk Committee Charter, minutes of meetings are to be provided to Council after each Audit & Risk Committee meeting.

REPORT**BACKGROUND**

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

The Audit & Risk Committee considered a number of reports at the meeting held on 30 August 2018, as well as confirming minutes from previous meetings held on 24 May 2018 and 23 August 2018.

Main agenda items included:

- Audit & Risk Committee Work Plan
- Developer Contributions Management
- Risk Management Report
- Internal Audit:
 - Strategic Internal Audit Plan
 - Internal Audit Status Report and Proposed MAPs
 - Internal Audit Reviews: Data Analytics
- Outstanding Action items Report from Previous Internal Audits
- Internal Compliance Reviews
- External Agency Examinations

LINKS TO THE COUNCIL PLAN

Council Priority **Organisational Sustainability**

Future Direction **Good Governance**

Theme **Continuous Improvement**

Strategic Objective **Our Council monitors and evaluates all of its operations.**

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

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

That Council note the minutes of the Audit & Risk Committee meeting attached to the report.

RECOMMENDATION

THAT Council resolve to note the unconfirmed minutes of the Audit & Risk Committee meeting held on 30 August 2018.



Audit & Risk Committee Minutes

Thursday
30 August 2018

Assembly Location: Conference Room 1

4.30pm

	Present	Apology
Members:		
Independents		
Geoff Harry, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Ulbrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Theresa Glab	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councillors		
Cr Stevan Kozmevski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Sam Alessi	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers:		
Liana Thompson, Acting Chief Executive Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Helen Sui, Director Corporate Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amy Montalti, Manager Finance & Assets	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Gauci, Internal Compliance Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frank Joyce, Manager Corporate Accountability & Performance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nicole Montague, Team Leader Financial Accounting	<input checked="" type="checkbox"/>	<input type="checkbox"/>
George Saisainas, Manager Strategic Planning (Item 6.1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kate Weatherley, Team Leader Strategic Infrastructure Planning (Item 6.1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Geoff Gallagher, Risk Coordinator (Item 7.1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In attendance:		
Martin Thompson, Partner, Crowe Horwath	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Audit & Risk Committee Minutes
Thursday 30 August 2018**



Matters in Discussion

The meeting commenced with the Committee Chairperson advising that he met with the Director Corporate Services and Manager Finance & Assets prior to the meeting to discuss the outcomes of the in-camera session held with the external auditor at the 23 August 2018 Committee meeting. He advised that he will make contact with Philip Delahunty and report back to the next meeting.

1. DISCLOSURE OF CONFLICTS OF INTEREST

No declarations were made. The Committee Chairperson advised that he has joined the Audit Committee of the Independent Broad-based Anti-corruption Commission (IBAC).

2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

ITEM 2.1 Resolution:

That the minutes of the Audit & Risk Committee meeting held on 24 May 2018 be noted and confirmed.

Moved by: Ms Glab
Seconded by: Cr Kozmevski

CARRIED

That the minutes of the Audit & Risk Committee meeting held on 23 August 2018 be noted and confirmed.

Moved by: Cr Alessi
Seconded by: Ms Glab

CARRIED

3. MATTERS ARISING FROM PREVIOUS MEETING(S)

ITEM 3.1 The Outstanding Items Report from Previous Meetings was presented for discussion. The Committee briefly discussed each of the items listed and requested the following:

- Members of the Audit & Risk Committee be included as part of the online Fraud Awareness Training to be undertaken.
- The update on significant changes to Accounting Standards be given at the 7 March 2019 meeting.
- The Committee be provided with an update at its 7 March 2019 meeting regarding the changes occurring in the valuations area and any impact this may have on financial reporting for 2018/19.
- The Committee be provided with a briefing paper on the outcomes of each of the Service Reviews being undertaken. The Director Corporate Services advised the Committee will be provided with a copy of the quarterly update to be given to Councillors.

Resolution:

That the Matters Arising from Previous meetings be noted.

Moved by: Mr Ulbrick
Seconded by: Cr Alessi

CARRIED

Audit & Risk Committee Minutes
Thursday 30 August 2018



4. AUDIT & RISK COMMITTEE WORK PLAN

- ITEM 4.1** The Annual Work Plan Matrix was presented for general discussion. The Committee requested a number of minor changes be made to the Work Plan.

5. ACTING CEO'S REPORT ON COMPLIANCE/NON-COMPLIANCE WITH LEGISLATION AND POLICIES INCLUDING TENDERING AND PROCUREMENT

The Acting CEO advised that there were no issues of compliance/non-compliance to report.

Resolution:

That the Acting CEO's verbal report on Compliance/Non-Compliance with Laws/Legislation and Policies be noted.

Moved by: Ms Glab
Seconded by: Mr Ulbrick

CARRIED

6. FINANCIAL REPORT

ITEM 6.1 DEVELOPER CONTRIBUTIONS MANAGEMENT

The Manager Strategic Planning and Team Leader Strategic Infrastructure Planning gave a presentation on the status of Council's management of Developer Contributions and responded to questions from the Committee.

The Committee noted that the processes management has established to manage Developer Contributions are well advanced with good controls in place.

The Committee also requested it be provided with a further update at its 7 March 2019 meeting regarding Developer Contributions, with a particular focus on the considerations that go into Council's management processes, as well as how other organisations can leverage off the work Council has undertaken.

Resolution:

That the Committee note the presentation on Developer Contributions Management.

Moved by: Cr Kozmevski
Seconded by: Cr Alessi

CARRIED

7. RISK MANAGEMENT

ITEM 7.1 RISK MANAGEMENT REPORT

The Manager Corporate Accountability and Performance and Risk Management Coordinator presented the Risk Management report and responded to questions from the Committee.

The Committee briefly discussed changes made to the control environment and progress with the implementation of treatment plans.

**Audit & Risk Committee Minutes
Thursday 30 August 2018**



The Committee also discussed the outcomes and recommendations arising from VAGO's report – *Local Government Insurance Risks*. The Committee requested an update be provided on the progress against the actions identified by management in response to the *Local Government Insurance Risks* report at the 22 November 2018 meeting.

Resolution:

That the Committee note:

1. The consistent progress in implementing planned treatments in relation to managing Strategic Risks.
2. The integration of Strategic and Operational risk into Department Business Plans.
3. The update on the VAGO report regarding Local Government Insurance risks, including Council's position/status in relation to the five recommendations for Victorian councils and proposed actions.
4. The update on the OHS Roadmap.
5. The key actions of the Risk Management Working Group.

Moved by: Ms Glab
Seconded by: Mr Ulbrick

CARRIED

8. INTERNAL AUDIT

ITEM 8.1 STRATEGIC INTERNAL AUDIT PLAN

Crowe Horwath presented their Strategic Internal Audit Plan (Plan) and responded to questions from the Committee. It was noted that years two and three of the Plan were yet to be populated, however, as Crowe Horwath become more familiar with Council the audit program for these two years will be developed.

Discussion concluded with the Committee requesting Crowe Horwath provide an update on the progress of the Plan at the 22 November meeting, including whether or not the Plan is still fit for purpose and if any changes are required.

Resolution:

That the Committee note the Annual Internal Audit Plan for 2018/19.

Moved by: Cr Kozmevski
Seconded by: Cr Alessi

CARRIED

ITEM 8.2 INTERNAL AUDIT STATUS REPORT & PROJECT MAPS

Crowe Horwath presented the Internal Audit Status Report and responded to questions from the Committee.

Project MAPs

The Project MAPs for the Road Management Plan Compliance and Leases and Licences reviews were also presented with the Committee discussing each scope. The Committee requested that Crowe Horwath ensure that all MAPs and reports include commentary regarding relevant risks.

Audit & Risk Committee Minutes
Thursday 30 August 2018



Resolution:

That the Committee note:

1. **The Internal Audit Status Report.**
2. **The Project MAPs for the Road Management Plan Compliance and Leases and Licences reviews.**

Moved by: Ms Glab
Seconded by: Mr Ulbrick

CARRIED

ITEM 8.3 INTERNAL AUDIT REVIEWS

Crowe Horwath presented the Data Analytics report and gave an overview of the findings. Officers responded to the report and questions from the Committee.

The Committee asked if management had any plans to introduce a regular internal data analytics review program. Management advised that they will consider what options can be introduced and will come back to the Committee at the 7 March 2019 meeting with the identified options.

Resolution

That the Committee note the contents and findings of Crowe Horwath's internal audit review: Data Analytics.

Moved by: Cr Kozmevski
Seconded by: Cr Alessi

CARRIED

ITEM 8.4 OUTSTANDING ACTION ITEMS FROM INTERNAL AUDIT REPORTS

The Outstanding Action Items Report from Previous Internal Audits was presented for discussion. The Committee requested that future reports include high level commentary regarding any slippage with target dates.

Discussion concluded with the Committee also asking that actions arising from external audit and internal compliance reviews be included with the outstanding internal audit actions register and included in the summary table provided with the briefing paper.

Resolution:

That the report of Outstanding Action Items from Previous Internal Audit Reports be received and noted.

Moved by: Ms Glab
Seconded by: Mr Ulbrick

CARRIED

9. EXTERNAL AUDIT

No items for this meeting.

Audit & Risk Committee Minutes
Thursday 30 August 2018



10. COMPLIANCE

ITEM 10.1 INTERNAL COMPLIANCE REVIEWS

An update on the status of the Internal Compliance Reviews was provided with officers responding to questions from the Committee.

Resolution:

That the Committee note the Internal Compliance Reviews report.

Moved by: Cr Kozmevski

Seconded by: Cr Alessi

CARRIED

ITEM 10.2 REVIEW COMPLIANCE WITH POLICES RELATED TO USE OF MOTOR VEHICLES

The Director Corporate Services gave an update on compliance and work currently being undertaken with polices related to motor vehicles.

Resolution:

That the Committee note the verbal update provided on compliance with polices related to motor vehicles.

Moved by: Mr Ulbrick

Seconded by: Ms Glab

CARRIED

11. OTHER RESPONSIBILITIES

ITEM 11.1 UPDATE ON SIGNIFICANT LEGAL MATTERS

The Director Corporate Services noted that there were no significant issues to report.

Resolution:

That the update of significant legal matters be noted.

Moved by: Cr Kozmevski

Seconded by: Cr Alessi

CARRIED

ITEM 11.2 EXTERNAL AGENCY EXAMINATIONS

An update on recent reviews undertaken by IBAC was presented. The summary reports published by IBAC included:

- Corruption Risks Associated with Regulatory Authorities
- Corruption and Misconduct Risks Associated with Employment Practices in the Victorian Public Sector

The Committee requested management prepare a short briefing paper for the 22 November 2018 meeting outlining how Council compares against each of the key findings from these reports.

**Audit & Risk Committee Minutes
Thursday 30 August 2018**



Resolution:

That the Committee note the External Agency Examinations report.

Moved by: Ms Glab

Seconded by: Mr Ulbrick

CARRIED

ITEM 11.3 AUDIT & RISK COMMITTEE SUMMARY FOR 2017-2018 ANNUAL REPORT

The Audit & Risk Committee Summary for 2017-2018 Annual Report was presented. The Committee requested a number of minor amendments be made to the summary prior to its inclusion in the Annual Report.

Resolution:

That the Committee note the Audit & Risk Committee Summary for inclusion in the 2017-2018 Annual Report.

Moved by: Cr Kozmevski

Seconded by: Cr Alessi

CARRIED

12. CORRESPONDENCE

Nil

13. GENERAL BUSINESS ITEMS

The Director Corporate Services advised that Mr Ulbrick's current term as an independent member of the Committee is due to expire on 30 September 2018. A report is being presented to Council on 4 September 2018 requesting approval to re-appoint Mr Ulbrick to the Committee for a further three year term ending on 30 September 2021,

14. CONFIRMATION OF DATE OF NEXT MEETING:

- 22 November 2018

Proposed dates for 2019

- 7 March 2019
- 23 May 2019
- 22 August 2019 (*Financial & Performance Statements*)
- 5 September 2019
- 28 November 2019

Meeting Closed 7.12 pm

6.4.3 2017/18 END OF FINANCIAL YEAR POSITION

Attachments: 1 2017/18 Statement of Cash Position [↓](#)

Responsible Officer: Director Corporate Services

Author: Team Leader Management Accounting

RECOMMENDATION SUMMARY

1. Note the 2017/18 Statement of Cash Position, which shows a cash surplus of \$10,280,642 (capital \$3,248,583, operating \$7,032,059).
2. Note that, as resolved at the Council meeting held on 4 September 2018, the surplus capital funds (\$3,248,583) will be allocated to reserves as follows:
 - a. \$2,967,403 to the Infrastructure Reserve.
 - b. \$281,180 to the Technology Reserve.
3. Reallocate the 2017/18 operating surplus (\$7,032,059) funds as follows:
 - a. Allocate \$1,100,052 to the Technology Improvement Reserve. This amount is equivalent to the savings from Information Services.
 - b. Allocate \$5,932,007 to the Infrastructure Reserve to fund future strategic infrastructure projects.

KEY FACTS AND / OR ISSUES

The attached 2017/18 Statement of Cash Position is a reconciliation of Council's cash surplus to the Income Statement included in the 2017/18 Annual Report.

- Statement shows a 2017/18 cash surplus of \$10,280,642.
- This surplus is made up of \$3,248,583 from capital works and \$7,032,059 from operations.
- It is recommended to reallocate the surplus to reserves for future strategic use.

REPORT

BACKGROUND

The attached 2017/18 Statement of Cash Position reconciles Council's cash surplus to the Income Statement included in the 2017/18 Annual Report.

The statement shows a cash surplus of \$10,280,642. This is made up of \$3,248,583 from capital works and \$7,032,059 from operations.

Council, at its meeting held on 4 September 2018, resolved to allocate the surplus from capital works of \$3,248,583 to reserves as follows:

- \$2,967,403 to the Infrastructure Reserve
- \$281,180 to the Technology Reserve.

The major items which have contributed to this cash surplus are tabled below:

Major items which contributed to cash surplus	\$
Capital works surplus	3,248,583
Parks & Open Space - less than anticipated growth against the parks maintenance contract	1,390,475
Local Laws - statutory fees & fines and cost recoveries	1,317,547
Information Services (under budget)	1,100,052
Loan payments due to early repayment of golf course loan and new loans deferred to 18/19	1,076,269
Rates income (supplementary rates and interest)	1,045,290
Development Assessment - user fees due to increased legislative fees; employee costs	942,246
Grants commission	727,080
Strategic Planning - employee benefits due to vacancies, lower VCAT panel costs	669,027
Annual leave/Long service leave provision adjustments lower than budgeted	659,604
Family, Children & Young People - due to employee benefits and lower net program costs	578,799
City Presentation - Facilities Management - under budget	371,323
Major Projects - employee benefits due to vacancies	280,982
Community Wellbeing - preventative services net project costs, school immunisation (one off grant)	233,694
Library services - annual contribution and rent income	230,792
Community & Cultural Development - due to employee benefits	211,380
Offset by:	
Purchase of 72 Cooper St	(3,105,648)
Major Facilities - lower than budgeted income	(348,539)
Community Building & Planning - Whittlesea 2040	(292,719)
	10,336,237

PROPOSAL

It is proposed to re-allocate the 2017/18 operating surplus funds (\$7,032,059) as follows:

- Allocate \$1,100,052 to the Technology Improvement Reserve. This amount is equivalent to the savings from Information Services.

- \$5,932,007 to the Infrastructure Reserve to fund future strategic infrastructure projects.

CONSULTATION

Consultation and a review of the 2017/18 end of year financial position with the various departments of Council have been undertaken in preparation of this report.

FINANCIAL IMPLICATIONS

As discussed above, it is proposed to re-allocate the 2017/18 cash surplus to reserves for future strategic use.

POLICY STRATEGY AND LEGISLATION

The recommendations made in this report align with responsible financial management principles that underpin Council's Strategic Resource Plan.

LINKS TO THE COUNCIL PLAN

Council Priority	Organisational Sustainability
Future Direction	Good governance
Theme	Resource management
Strategic Objective	Our Council strives to achieve long term financial sustainability

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The 2017/18 Statement of Cash Position shows a significant cash surplus. The proposed treatment of reallocating the surplus to reserves for future strategic use is consistent with responsible financial management principles.

RECOMMENDATION

THAT Council resolve to:

1. **Note the 2017/18 Statement of Cash Position, which shows a cash surplus of \$10,280,642 (capital \$3,248,583, operating \$7,032,059).**
2. **Note that, as resolved at the Council meeting held on 4 September 2018, the surplus capital funds (\$3,248,583) will be allocated to reserves as follows:**
 - a) **\$2,967,403 to the Infrastructure Reserve.**
 - b) **\$281,180 to the Technology Reserve.**

3. Reallocate the 2017/18 operating surplus (\$7,032,059) funds as follows:
- a) Allocate \$1,100,052 to the Technology Improvement Reserve. This amount is the equivalent to the savings from Information Services.
 - b) Allocate \$5,932,007 to the Infrastructure Reserve to fund future strategic infrastructure projects.

Statement of Cash Position

For the financial year ended 30 June 2018

Description	Mid Year Budget Review	Budget	YTD Actuals	Variance	
	\$	\$	\$	\$	%
Recurrent income					
Rates and charges	(142,870,704)	(142,864,328)	(143,822,703)	958,375	0.67
Statutory fees & fines	(11,053,005)	(10,761,758)	(11,336,687)	574,929	5.20
User fees	(12,269,782)	(12,199,277)	(12,612,660)	413,384	3.37
Contributions - cash	(957,998)	(1,010,500)	(784,655)	(225,845)	(23.57)
Contributions - cash (developer contributions)	(10,718,167)	(10,594,300)	(18,920,880)	8,326,580	77.69
Grants - operating	(21,865,631)	(19,310,172)	(30,326,318)	11,016,146	50.38
Other income	(7,866,941)	(7,713,139)	(9,833,150)	2,120,011	26.95
Total recurrent income	(207,602,228)	(204,453,474)	(227,637,053)	23,183,579	11.17
Recurrent expenditure					
Employee benefits	85,961,407	86,658,056	85,088,603	1,569,453	1.83
Materials and services	65,031,742	65,730,519	62,947,485	2,783,034	4.28
Bad and doubtful debts	391,000	391,000	451,788	(60,788)	(15.55)
Finance costs	2,112,707	2,112,707	1,637,076	475,631	22.51
Other expenses	14,845,870	16,019,849	16,096,627	(76,778)	(0.52)
Total recurrent expenditure	168,342,727	170,912,131	166,221,579	4,690,552	2.79
Net recurrent resource	(39,259,501)	(33,541,343)	(61,415,474)	27,874,131	71.00
Non recurrent expenditure					
Debt redemption	2,658,422	2,658,423	11,818,293	(9,159,870)	(344.56)
Net reserve transfers	4,490,547	3,255,341	11,831,894	(8,576,553)	(190.99)
Purchase of 72 Cooper St	3,065,412	-	3,105,648	(3,105,648)	(101.31)
Total non recurrent expenditure	10,214,381	5,913,764	26,755,836	(20,842,072)	(204.05)
Net operating (surplus) / deficit	(29,045,120)	(27,627,579)	(34,659,638)	7,032,059	24.21
Capital works program					
Grants - capital	(4,257,249)	(4,257,249)	(12,711,460)	8,454,211	198.58
Contributions - cash	(30,000)	(30,000)	(54,000)	24,000	80.00
Proceeds on sale of assets-non-recurrent	(295,000)	(295,000)	(610,012)	315,012	106.78
Other revenue	(7,600,000)	(7,600,000)	(782,556)	(6,817,444)	(89.70)
Capital expenditure allocation	59,290,186	59,824,214	41,807,356	18,016,858	30.39
Net reserve transfers (including carry forward projects)	(20,014,386)	(20,014,386)	(3,270,332)	(16,744,054)	(83.66)
Rates funded capital expenditure	27,093,551	27,627,579	24,378,996	3,248,583	11.99
Net cash position	(1,951,569)	0	(10,280,642)	10,280,642	526.79
Reconcile back to income statement					
Add/Subtract back non-cash items					
Depreciation (add in)			27,514,000		
Contributions - non monetary assets			(47,921,000)		
WDV of Disposed Asset			284,000		
Fair value adjustments			(165,000)		
Intangible assets			(160,000)		
Share of net profits/(losses) of associates and joint ventures			(63,000)		
			(20,511,000)		
Non-operating cash items:					
Capital expenditure			(45,211,000)		
Net reserve transfers			(47,223,000)		
Loan repayments			(11,818,000)		
			(104,252,000)		
Less Accumulated surplus brought forward			(27,725,000)		
Adjustment for new loans not yet taken and capital grants to be received in 18/19			10,906,642		
Total			(96,412,000)		
Income statement reported surplus 2017/18			(96,412,000)		

Statement of Cash Position

For the financial year ended 30 June 2018

Description	Mid Year Budget Review	Budget	YTD Actuals	Variance
	\$	\$	\$	\$ %
Major items which contributed to cash surplus				
Capital works surplus			3,248,583	
Parks & Open Space - less than anticipated growth against the parks maintenance contract			1,390,475	
Local Laws - statutory fees & fines and cost recoveries			1,317,547	
Information Services (under budget)			1,100,052	
Loan payments due to early repayment of golf course loan and new loans deferred to 18/19			1,076,269	
Rates income (supplementary rates and interest)			1,045,290	
Development Assessment - user fees due to increased legislative fees; employee costs			942,246	
Grants commission			727,080	
Strategic Planning - employee benefits due to vacancies, lower VCAT panel costs			669,027	
Annual leave/Long service leave provision adjustments lower than budgeted			659,604	
Family, Children & Young People - due to employee benefits and lower net program costs			578,799	
City Presentation - Facilities Management - under budget			371,323	
Major Projects - employee benefits due to vacancies			280,982	
Community Wellbeing - preventative services net project costs, school immunisation (one off grant)			233,694	
Library services - annual contribution and rent income			230,792	
Community & Cultural Development - due to employee benefits			211,380	
Offset by				
Purchase of 72 Cooper St			(3,105,648)	
Major Facilities - lower than budgeted income			(348,539)	
Community Building & Planning - Whittlesea 2040			(292,719)	
			10,336,237	

6.4.4 30 BRAND DRIVE THOMASTOWN - SALE OF COUNCIL LAND - COMMITTEE OF COUNCIL RECOMMENDATION

Attachments: 1 CoC Submission Minutes [↓](#)

Responsible Officer: Director Corporate Services

Author: Senior Property Officer

RECOMMENDATION SUMMARY

1. Note that public submissions were invited in accordance with *Sections 189 and 223 of the Local Government Act 1989*, in relation to the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown.
2. Note that one public submission was received at the close of the submission period (Cabrini Health) and that a Committee of Council meeting, comprising of Mayor Cr Pavlidis (apology), Cr Alessi and Cr Cox, was held on Tuesday 18 September 2018, to consider the submission.
3. The elected Committee of Council has considered the submission and recommends that the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown, proceed.
4. Authorise the Chief Executive Officer to negotiate all terms and conditions required in marketing and selling the property, including the appointment of a suitable agent, signing of the contract of sale and land transfer document.

KEY FACTS AND / OR ISSUES

- Council, at its meeting held on 7 August 2018, formally resolved to commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown.
- An advertisement was placed in the Whittlesea Leader newspaper and Council's website on Tuesday 14 August 2018 requesting public submissions, in relation to the proposed sale, be received by Wednesday 12 September 2018 (12 noon).
- The site consists of warehouse and office space and 56 car parking spaces.
- The premises have been leased to Cabrini Health since 2011.

REPORT**BACKGROUND**

Council, at its meeting held 7 August 2018, formally resolved to commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown.

The proposal was publically advertised for submissions in accordance with Sections 189 and 223 of the *Local Government Act 1989* and one submission was received.

A Committee of Council, comprising of Mayor Cr Pavlidis (apology), Cr Alessi and Cr Cox, met on Tuesday 18 September 2018 to consider the submission (see *Attachment 1 – CoC Submission Minutes*) and the Committee's findings are presented to Council for its final recommendation.

The site has a total area of 5,578m² and is located 600m east of the intersection of Dalton and Settlement Roads, Thomastown. The property was acquired by Council in 1998 and developed as a purpose built facility, office and warehouse complex. The site consists of a warehouse (2,520m²), office area (650m² including 11 offices, three boardrooms, research and development area and suitable kitchen and bathroom facilities) and 56 car parking spaces.

The premises were purpose built by Council for the initial tenant, Super Alloy Technologies, in 1998 and later assigned over to Primus Australia in 2005. Primus Australia executed successive leases over the property during 2005-09 but in October 2009 relocated its operations to University Hill. The premises have been leased to Cabrini Health since 2011.

PROPOSAL

To consider the findings of the elected Committee of Council and proceed with the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown.

COMMITTEE OF COUNCIL

At the close of submission period (12 noon Wednesday 12 September 2018), one public submission was received (Cabrini Health) and a Committee of Council meeting, comprising of Mayor Cr Pavlidis (apology), Cr Alessi and Cr Cox, was held on Tuesday 18 September 2018.

The Committee of Council has considered the submission and recommended that the proposal to sell Council's industrial warehouse remain unchanged and be brought to Council for its final recommendation.

FINANCIAL IMPLICATIONS***Market Valuation***

A market determination has been undertaken by Council's Manager Property Rates & Valuations. The valuation may also serve as the reserve price Council may wish to set should the property be listed on the open market.

Appointment of marketing agent & associated costs

Selling fees are to be determined on agreement with selling agent. The amount payable will include marketing expenses and commission based on the sale price. Council officers will seek marketing campaigns and commission structures from a number of local and city based agents who specialise in the sale of industrial properties.

POLICY STRATEGY AND LEGISLATION

Council have sought public submissions on the proposed land sale under Sections 189 and 223 of the *Local Government Act 1989*. Submissions were invited for a period no less than 28 days and referred on to an appointed Committee of Council for consideration. The appointed Committee have considered the submission and reported all findings to Council for its final recommendation.

It is proposed that the property be sold at auction to ensure transparency and satisfy the State Government's *Local Government Best Practice Guideline for the Sale, Exchange, and Transfer of Land 2009*.

LINKS TO THE COUNCIL PLAN

Council Priority	Planning and Infrastructure
Future Direction	Places and spaces to connect people
Theme	Planning our space
Strategic Objective	Urban design helps build our connection to place, the natural environment and the community

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The elected Committee of Council has considered the submission received from Cabrini Health and recommends that the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown, proceed.

RECOMMENDATION

THAT Council resolve to:

- 1. Note that public submissions were invited in accordance with Sections 189 and 223 of the *Local Government Act 1989*, in relation to the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown;**
- 2. Note that one public submission was received at the close of the submission period (Cabrini Health) and that a Committee of Council, comprising of Mayor Cr Pavlidis (apology), Cr Alessi and Cr Cox, met on Tuesday 18 September 2018, to consider the submission.**
- 3. Consider the findings of the elected Committee of Council and proceed with the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown.**
- 4. Authorise the Chief Executive Officer to negotiate all terms and conditions required in marketing and selling the property, including the appointment of a suitable agent, signing of the contract of sale and land transfer document.**



Minutes Advisory Committee
30 Brand Drive Thomastown
 Tuesday
 18 September 2018

Assembly Location: Council Chamber, 25 Ferres Boulevard, South Morang

	Present	Apology
Councillors:		
Cr Kris Pavlidis (Mayor)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cr Sam Alessi	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cr Lawrie Cox	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers:		
Ms Helen Sui, Director Corporate Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr Gino Mitrione, Manager Property & Valuations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr Greg Phippen, Senior Property Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mrs Narelle Williamson, Governance Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Miss Felicity Maddern, Governance Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Matters in Discussion

ITEM 1 30 BRAND DRIVE, THOMASTOWN ADVISORY COMMITTEE MEETING

Responsible Officer: Helen Sui, Director Corporate Services

Also in attendance: Mr Gino Mitrione, Manager Property & Valuations
Mr Greg Phippen, Senior Property Officer

Advisory Committee

To be considered on: 18 September 2018



ITEM 1 30 BRAND DRIVE, THOMASTOWN ADVISORY COMMITTEE MEETING

Responsible Officer: Director Corporate Services

Also in attendance: Greg Phippen, Senior Property Officer

Attachments:

- 1 Council Minutes 7 August 2018 [↓](#)
- 2 Site Plan & Photos [↓](#)
- 3 Cabrini - submission to proposed sale [↓](#)
- 4 Committee of Council Submission Assessment Table [↓](#)

INTRODUCTION

The Committee was introduced the Committee's role and the process for hearing submitters was explained.

DECLARATIONS OF INTEREST

Councillors and Officers in attendance were asked if they had a conflict of interest in any items on the Agenda. No conflict of interest was declared.

HEARING OF SUBMITTERS

No submitter indicated that they wished to be heard in relation to their submission

MEETING CLOSED TO THE PUBLIC

The meeting was closed to the public to allow the Committee to consider issues raised by submitters.

UPDATE FOR SUBMITTERS

The Committee would now consider submissions and make recommendations to Council at its Council Meeting to be held on Tuesday 2 October 2018. Submitters are welcome to attend this meeting. When Council makes its decision, all submitters will be notified in writing of the decision and the reasons for the decision.

CONSIDERATION OF SUBMISSIONS AND COMMITTEE RECOMMENDATIONS

The Committee then considered all written submissions and oral presentations and provided recommendations in relation to the submission.

SUBMISSIONS RECEIVED	
No.	Name
1.	Cabrini Health

Advisory Committee

To be considered on: 18 September 2018



BACKGROUND

Council, at its meeting held 7 August 2018 (*refer to Attachment 1 – Council Minutes and Attachment 2 – Site Plan & Photos*), formally resolved to invite public submissions under Section 189 and 223 of the *Local Government Act 1989* with regard to the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown. At the closure of the submission period, one letter (*refer to Attachment 3 – Cabrini – submission to proposed sale*) was received refuting the proposed sale via public auction. Details regarding the submission are summarised under *Attachment 4 – Committee of Council Submission Table*.

PROPOSAL

It is recommended that the Advisory Committee to Council considers all written submissions and oral presentations and provides a report to Council on its proceedings and recommendations.

PARTICIPATION AND ENGAGEMENT

An advertisement was placed in the Whittlesea Leader newspaper and Council's website on Tuesday 14 August 2018 requesting public submissions be received by Wednesday 12 September 2018 (12 noon).

CRITICAL DATES

For the Committee to consider the submission received from Cabrini Health and make recommendations which will be considered by Council at the Council Meeting to be held on Tuesday 2 October 2018.

FINANCIAL IMPLICATIONS

A market determination was undertaken by Council's Manager Property Rates & Valuations. The valuation may also serve as the reserve price Council may wish to set should the property be listed on the open market.

POLICY STRATEGY AND LEGISLATION

Council must seek public submissions on the proposed land sale under Section 189 and 223 of the *Local Government Act 1989*. Submissions were invited for a period no less than 28 days and referred on to an appointed Committee of Council for consideration. The appointed Committee will consider and report all findings to Council for its final recommendation at its next available meeting.

The property will be sold at auction to ensure transparency and satisfy the State Government's *Local Government Best Practice Guideline for the Sale, Exchange, and Transfer of Land 2009*.

LINKS TO THE COUNCIL PLAN

Council Priority	Planning and Infrastructure
Future Direction	Places and spaces to connect people
Theme	Planning our space
Strategic Objective	Urban design helps build our connection to place, the natural environment and the community

Advisory Committee

To be considered on: 18 September 2018



**City of
Whittlesea**

NEXT STEPS

1. Note that the Committee of Council, comprising of the Mayor Cr Pavlidis, Cr Alessi and Cr Cox, considered the public submission presented by Cabrini Health on 18 September 2018, and recommend to proceed with the sale of Council's industrial warehouse located at 30 Brand Drive Thomastown.
2. A further report be presented to Council to report on the findings of the Committee of Council and recommendation to proceed with the sale.

Advisory Committee

To be considered on: 18 September 2018



Ordinary Council Minutes

Tuesday 7 August 2018

6.4 CORPORATE SERVICES

6.4.1 30 BRAND DRIVE THOMASTOWN - SALE OF COUNCIL LAND

File No: 167290

- Attachments:
- 1 **Confidential Property Information - Confidential**
Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.
 - 2 **Site Plan & Photos** ⇌
 - 3 **IRR Cashflow - Confidential**
Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.
 - 4 **Alternative IRR Cashflow - Confidential**
Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.
 - 5 **Certificate of Valuation - Confidential**
Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989 as it contains details relating to contractual matters.
 - 6 **Framework Application** ⇌

Responsible Officer: Director Corporate Services

Author: Manager Property, Rates & Valuations

RECOMMENDATION SUMMARY

1. Council officers commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown.
2. Invite and consider public submissions received pursuant of *Section 223 of the Local Government Act 1989* and that all findings be presented in a report to Council at its next available meeting.

KEY FACTS AND / OR ISSUES

- The property was acquired by Council in 1998 and developed as a purpose built facility, office and warehouse complex. The site consisted of a warehouse (2,520m²), office area (650m² including 11 offices, three boardrooms, research and development area and suitable kitchen and bathroom facilities) and 56 car parking spaces.
- The premises were purpose built by Council for the initial tenant, Super Alloy Technologies, in 1998 and later assigned over to Primus Australia in 2005. The premises have been let by Cabrini Health since 2011.
- The proposal seeks to dispose of the property and redirect the settlement funds to Council's land banking reserve to fund future strategic property acquisitions.
- The sale of surplus property to support property acquisition and development is a key part of Council's Property Strategy.

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Advisory Committee

To be considered on: 18 September 2018



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REPORT

BACKGROUND

The site has a total area of 5,578m² and is located 600m east of the intersection of Dalton and Settlement Roads, Thomastown. The property was acquired by Council in 1998 and developed as a purpose built facility, office and warehouse complex. The site consisted of a warehouse (2,520m²), office area (650m² including 11 offices, three boardrooms, research and development area and suitable kitchen and bathroom facilities) and 56 car parking spaces (see Attachment 2 – Site Plan & Photos).

The premises were purpose built by Council for the initial tenant, Super Alloy Technologies, in 1998 and later assigned over to Primus Australia in 2005. Primus Australia executed successive leases over the property during 2005-09 but in October 2009 relocated its operations to University Hill. The premises have been leased to Cabrini Health since 2011.

PROPOSAL

It is proposed that Council officers commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown. The proposal will invite and consider public submissions received pursuant of Section 223 of the *Local Government Act 1989* and all findings will be presented in a report to Council at its next available meeting.

CONSULTATION

Council officers have previously advised Cabrini Health that a report will be presented to Council seeking approval to commence sale proceedings. Should Council seek to commence sale proceedings, Cabrini Health will be notified that a public notice will be issued under the *Local Government Act 1989*.

INDUSTRIAL MARKET CONDITIONS

Property Specific Commentary

The subject property is a warehouse located within an established industrial estate of the outer northern suburb of Thomastown. The Thomastown industrial area is identified within the Northern Industrial Precinct which is one of the three metropolitan areas identified as State significant industrial precincts. The property has direct street frontage to Brand Drive which has excellent access to regional, metropolitan and national freeways and is located near major economic assets such as Melbourne Wholesale Fruit and Vegetable Markets, Melbourne Airport and a range of tertiary institutions such as RMIT and La Trobe University.

The subject property is currently under a lease agreement due to expire on 30 September 2018, with two further options of three years remaining. The Tenant has since agreed to exercise the first of the remaining two options, therefore, the property will be marketed on an investment basis.

Analysis of sales evidence and discussions with local agents suggest that owner occupiers and investors are equally participating in the market place with an increasing demand for functional warehouse/factory space.

Local Industrial Market Commentary

The industrial property market has picked up in the last 12 months due to the strength of the Victorian economy and strong annual population growth. Increased infrastructure investment, especially in major transport infrastructure projects and a robust jobs market,

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Advisory Committee

To be considered on: 18 September 2018



City of
Whittlesea

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including a low interest rate environment, are all factors that have contributed to a stronger demand for all types of industrial property. The demand is being generated from retailers as well as transport and logistics operators who are investing in new facilities to increase efficiency in their supply chains and distribution networks.

Currently there is limited industrial zoned land in the northern market, the Merrifield Business Park is driving supply as it is expected that it will deliver around 400,000m² of industrial space in the next few years underpinned by the Dulex and Austrak developments. The northern sub market is in demand due to the well-connected transport infrastructure, including the Hume Highway, the major freight corridor connecting Sydney and Melbourne and immediate access to the major arterial roads linking to the Tullamarine Airport and the Port of Melbourne.

CRITICAL DATES

Council will invite public submissions under Section 189 and 223 of the *Local Government Act 1989* with regard to the proposed sale of land. An advertisement will be placed in the Whittlesea Leader newspaper and Council's website on Tuesday 14 August 2018 requesting public submissions be received by Wednesday 12 September 2018 (12 noon).

FINANCIAL IMPLICATIONS

Due to commercial in confidence reasons confidential information is provided for Councillors consideration. The first table provides an overview of the return on investment that Council has 'realised' following its purchase of 30 Brand Drive, Thomastown in 1998 (see *confidential Attachment 3 - Actual IRR Cashflow*). Alternatively, the second table provides an overview on the return on investment that Council may have 'realised' had the funds been invested within the residential sector (see *confidential Attachment 4 - Alternative IRR Cashflow*).

Building condition & holding costs

By selling the asset, Council will not be required to make ongoing capital investment to bring it to a contemporary standard. Planned maintenance works have been undertaken over successive years to improve accessibility, safety and functionality so that it conforms to building regulations and ensuring it is 'fit for purpose'.

Market Valuation

A market determination will be undertaken by Council's Manager Property Rates & Valuations. The valuation may also serve as the reserve price Council may wish to set should the property be listed on the open market (*Confidential Attachment 5 – Certificate of Valuation*).

Appointment of marketing agent & associated costs

Selling fees are to be determined on agreement with selling agent. The amount payable will include marketing expenses and commission based on the sale price. Council officers will seek marketing campaigns and commission structures from a number of local and city based agents who specialise in the sale of industrial properties.

PROPERTY STRATEGY

Council adopted the Property Strategy (following substantial internal consultation with both staff and Councillors) on 30 May 2017.

The purpose of the Property Strategy is to ensure that Council's property portfolio is strategically aligned with its service delivery objectives and community expectations and to provide systems and processes that enable Council to make short, medium and long term decisions around the property portfolio in a fully informed manner.

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The aim of the Property Strategy is to establish an effective framework to manage Council's property portfolio, as it expands the range and types of services and facilities it is expected to deliver to the community, in such a way as to support the financial sustainability of Council.

The key objectives related to this aim are:

1. To facilitate the effective management of Council's existing property portfolio.
2. To set out where property should be held by Council, based on the principle of such property contributing to the delivery of services undertaken by Council to meet community expectations.
3. To identify Council owned property having value of a 'strategic' nature, to ensure future development proposals optimise long-term financial benefits for Council.
4. To identify property surplus to Council's needs in the short to medium term (rolling five year timeframe).
5. To identify potential development opportunities within Council's property assets.
6. To identify speculative purchasing opportunities to enable Council to fulfil its financial obligations as revenue stream for capital projects undertaken to meet the needs of its community.
7. To continually meet the needs of an increasing population.

Property Strategy Framework Application

The Property Strategy methodology and assessment framework seeks to analyse a number of variables that will lead to the categorisation and treatment of land assets held by Council and establish whether they be retained by Council as 'core assets' or provide scope to potentially dispose of them as 'non-core' assets. Scores will be applied within the matrix (see Attachment 6 – Framework Application) and enable a weighted average to be determined to assess risk and opportunity.

For example, assets with redevelopment/resale potential will retain favourable attributes such as:

- A site location that captures the intended market and proximity to transport links
- Minimal contractual arrangements tied to the property, i.e. mortgages/caveats
- Opportunities to allow for socio economic uses such as affordable housing
- Positive rates of financial returns on investment
- A site/building envelope that is fully utilised and maintained in good condition
- Rezoning and subdivision opportunities, resulting in the uplift in value and density
- Retention of financial value and appeal to the intended market
- Void of title encumbrances, heritage values and existing land contamination
- Good building functionality.

The purpose of the matrix within the Property Strategy is to determine the significance of the property asset as "core/non-core"; measure the asset's "opportunity assessment" and also measure the asset's "risk assessment". The scoring within the matrix confirms that whilst the subject site is "core" it is a fair quality asset with limited development opportunity and therefore should be considered for possible disposal.

Open Space & Social Housing Policy

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The property is not identified for retention under Council's Open Space & Social Housing Policy, nor appropriate to support higher density social housing initiatives (given its zoning and present use).

POLICY STRATEGY AND LEGISLATION

Council must seek public submissions on the proposed land sale under Section 189 and 223 of the *Local Government Act 1989*. Submissions will be invited for a period no less than 28 days and referred on to an appointed Committee of Council for consideration. The appointed Committee will consider and report all findings to Council for its final recommendation at its next available meeting.

The property will be sold at auction to ensure transparency and satisfy the State Government's *Local Government Best Practice Guideline for the Sale, Exchange, and Transfer of Land 2009*.

LINKS TO THE COUNCIL PLAN

Council Priority	Planning and Infrastructure
Future Direction	Places and spaces to connect people
Theme	Planning our space
Strategic Objective	Urban design helps build our connection to place, the natural environment and the community

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

To seek Council's approval to commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown. The proposal will invite and consider public submissions received pursuant of *Section 223 of the Local Government Act 1989* and that all findings be presented in a report to Council at its next available meeting.

RECOMMENDATION

THAT Council resolve to:

1. Commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown.
2. Invite and consider public submissions received pursuant of *Section 189 and 223 of the Local Government Act 1989*.
3. Establish an advisory Committee of Council comprising South West Ward Councillors to consider any written submissions received on the proposal and make recommendations to Council on any such submissions.

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4. Authorise the Chief Executive Officer to carry out administrative procedures necessary to enable Council to carry out its functions under Section 223 of the *Local Government Act 1989*.
5. Receive a further report on the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown, following the close of the submission period.

COUNCIL RESOLUTION

MOVED: Cr Alessi
SECONDED: Cr Cox

THAT Council resolve to:

1. Commence the statutory processes required under the *Local Government Act 1989* to sell Council's industrial warehouse located at 30 Brand Drive, Thomastown.
2. Invite and consider public submissions received pursuant of *Section 189 and 223 of the Local Government Act 1989*.
3. Establish an advisory Committee of Council comprising the Mayor Cr Pavlidis, Cr Alessi and Cr Cox to consider any written submissions received on the proposal and make recommendations to Council on any such submissions.
4. Authorise the Chief Executive Officer to carry out administrative procedures necessary to enable Council to carry out its functions under Section 223 of the *Local Government Act 1989*.
5. Receive a further report on the proposed sale of Council's industrial warehouse located at 30 Brand Drive, Thomastown, following the close of the submission period.

CARRIED UNANIMOUSLY

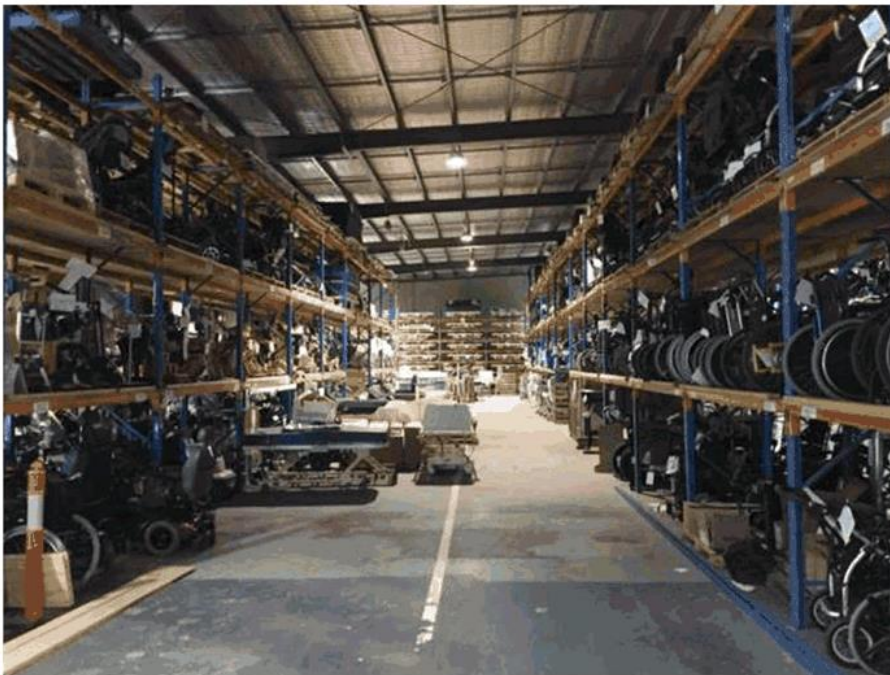
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ATTACHMENT 1 – SITE PLAN & PHOTOS



Council industrial warehouse – 30 Brand Drive Thomastown





Cabrini Malvern
183 Wattletree Road
Malvern Vic 3144
Australia
p: +61 3 9508 1222
f: +61 3 9508 1098
www.cabrini.com.au



11 September 2018

Mr Simon Overland
Chief Executive Officer
City of Whittlesea
Locked Bag 1
Bundoora MDC 3083

Dear Mr Overland

Re: Sale of 30 Brand Drive, Thomastown

We write to you in regard to the proposed sale of 30 Brand Drive Thomastown, a property that has been leased from the City of Whittlesea by Cabrini Health Limited since late 2011. Cabrini Health Limited is a Catholic, faith based registered charity which provides hospitals and health related services on a not for profit basis.

This formerly idle building has been transformed into a major facility for disability and aged care equipment as part of publically funded programmes that support Victorians, many of whom are residents in the northern suburbs of Melbourne including the City of Whittlesea.

This facility is unique in Australia and has drawn attention from government officials including those responsible for implementing the NDIS as a future model for affordable management and support of equipment which prolongs the ability of the aged and disabled to live in their homes or non-institutionalised care. To date we have completed 99,544 repairs for a consumer base of around 20,000 clients in their homes with a service team of some 30 service vehicles that operate from this building. A large parts inventory, repair centre and manufacturing facilities have been established in the building.

The warehouse also serves as a storage facility for equipment that has been used but no longer suitable, or the client has passed. Where previously this equipment was stored before eventual disposal, the Thomastown facility provides a catalogue and refurbishing service. Through this facility, we have saved over \$30M of tax payer's money on new equipment avoided through refurbishing from this service.

Cabrini also provides local employment, with over 50 staff working from that facility, many living in the immediate area. Training of these staff is also provided due to the specialist equipment being maintained.

The service operates 24 hours a day, 7 days a week and is seen as a lifeline to the disadvantaged groups that we serve. Considerable resource and cost has gone into setting up this service from the ground up.

Cabrini Health Limited
ABN 33 370 684 005

We would like to express the following concerns re the proposed sale of the building:

- While the existing lease offers protections, our relationship with a less understanding landlord may well create uncertainties (over rent and other matters requiring negotiation with cost and flexibility consequences) and new costs (e.g. exposure to new and increased outgoings e.g. land tax) that would force Cabrini to seek an alternative location early to avoid any possible disruption to this service.
- We believe that the commercial sale of the property will compromise an important operation that serves the State of Victoria, funded by the taxpayer;
- The costs and challenges of relocating are significant and there is need to ensure that the service is not interrupted. There will be significant cost to Cabrini in relocating and if not in a similar area may lead to loss of trained and skilled staff.

An alternative would be for Cabrini to purchase the building from the City of Whittlesea. We have engaged two independent valuers to provide guidance on a fair sale price. Based on information provided, we believe that this would be a viable option at a fair value.

Cabrini would like the Council to consider an exclusive private sale negotiation and also avoid the use of agents that would only lower the proceeds returned to the council if the sale eventuates.

Your consideration of our request would be greatly appreciated.

Yours sincerely



Geoff Fazakerley
Chief Property Officer
Cabrini
183 Wattletree Road
Malvern, 3144
P: +61 3 95083515
M: 0419508222
E: gfazakerley@cabrini.com.au

Details of Submission

No	Submitter Details
#1	Cabrini Health Limited (ABN 33 370 684 005) Malvern, 3144
Summary of Issues <ul style="list-style-type: none">• The existing lease (3 years subject to a further term of 3 years) provides a secure tenancy to Cabrini in the short/medium term.• However, a change in ownership may enable a change in commercial terms applied under a future lease.• Any increase in projected costs may be unsustainable for Cabrini and prompt an early relocation to another premise and disrupt services.• Many staff are employed locally and a proposed relocation of services may result in a loss of local employment.• Cabrini would like a 'first right of purchase' following the receipt of two independent valuations (presently being prepared)• Negotiations would eliminate the need of unnecessary advertising costs.	
Officer Comments <ul style="list-style-type: none">• The existing lease (3 years subject to a further term of 3 years) provides a secure tenancy to Cabrini in the short/medium term. The terms of the lease were negotiated in line with the State Government funding Cabrini secured for the provision of their services. A report was presented to Council (seeking public submissions in accordance with Section 189 & 223 of the LGA) in reflection of this. At no stage was a longer lease contemplated, nor at the time to which the current further term was exercised during 2018.• A change in ownership cannot lead to a change in commercial terms to the current lease. The prospective Vendor will be required to honour the terms in the balance of the six year period (to which Cabrini hold the option to exercise after three years). Council officers currently seek full commercial rent on the premises (\$200,000 per annum plus GST & outgoings).• The loss of localised staff may no eventuate should any proposed relocation be within the same industrial park or within the municipality.• Council officers have promoted the potential sale of the premises since the signing of the initial lease in 2011. At this time, it was noted that there was insufficient funding given their recent acquisition of sites for car-parking upgrades in their Malvern office. Granting Cabrini Health a 'first right of purchase' would contradict the State Government's <i>Local Government Best Practice Guideline for the Sale, Exchange, and Transfer of Land 2009</i> guidelines and Council's recommendation if it were not sold via public auction or EOI. A further Council report and advertising period would be required should the Committee wish to alter the current sales process. The timing of the receipt of the two independent valuations would also need to be considered.• Negotiations would eliminate the need of unnecessary advertising costs; however, this may be offset by any potential further gain achieved through sales proceeds made via public auction. Furthermore, direct negotiation with Cabrini only will deny other eligible potential purchasers an equal opportunity to purchase the property in the free market.	

Details of Submission

Officer Recommendation:

THAT Council resolve to:

1. Note that the Committee of Council, comprising of the Mayor Cr Pavlidis, Cr Alessi and Cr Cox, considered the public submission presented by Cabrini Health on 18 September 2018, and recommend to proceed with the sale of Council's industrial warehouse located at 30 Brand Drive Thomastown.
2. A further report be presented to Council to report on the findings of the Committee of Council and recommendation.
3. Advise the submitter on the intention to proceed with the proposed sale based on the reasons outlined in the report.

Committee Recommendation:

THAT Council resolve to:

1. Note that the Committee of Council, comprising of the Mayor Cr Pavlidis, Cr Alessi and Cr Cox, considered the public submission presented by Cabrini Health on 18 September 2018, and recommend to proceed with the sale of Council's industrial warehouse located at 30 Brand Drive Thomastown.
2. A further report be presented to Council to report on the findings of the Committee of Council and recommendation.
3. Advise the submitter on the intention to proceed with the proposed sale based on the reasons outlined in the report.

6.5 EXECUTIVE SERVICES

NIL REPORTS

7. NOTICES OF MOTION

7.1 NOTICE OF MOTION 859 - INVESTIGATION INTO COUNCIL'S USE OF SINGLE USE PLASTICS

Author: Cr Emilia Sterjova

Councillor Emilia Sterjova of North Ward has given notice that it is her intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 2 October 2018 at 6:30pm.

MOTION

THAT Council resolve to prepare a report that:

- 1. Identifies where single use plastic products are used within Council operations; and**
- 2. Provide the operational and cost implications of eliminating or replacing these items with more sustainable alternatives.**

- 8. **QUESTIONS TO OFFICERS**
- 9. **URGENT BUSINESS**
- 10. **REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES**

11. CONFIDENTIAL BUSINESS

**11.1 PARTNERSHIPS, PLANNING & ENGAGEMENT
NIL REPORTS**

**11.2 COMMUNITY SERVICES
NIL REPORTS**

**11.3 CITY TRANSPORT AND PRESENTATION
NIL REPORTS**

11.4 CORPORATE SERVICES

**11.4.1 CONTRACT 2018-70 - CUSTOMER SERVICE PLATFORM PROPOSED
CONTRACT AWARD**

File No:

Responsible Officer: Director Corporate Services

Author: Manager Information Services Operations

REPORT

It is proposed that the following item be considered in closed session.

RECOMMENDATION

THAT Council resolve to close the meeting to members of the public for the purpose of considering details relating to the following, in accordance with Section 89(2) of the Local Government Act 1989:

- (d) contractual matters**

11.5 EXECUTIVE SERVICES

11.5.1 MEETINGS OF THE CHIEF EXECUTIVE OFFICER 27 AUGUST 2018 TO 21 SEPTEMBER 2018

File No:

Responsible Officer: Chief Executive Officer

Author: Executive Assistant to Chief Executive Officer

REPORT

It is proposed that the following item be considered in closed session.

RECOMMENDATION

THAT Council resolve to close the meeting to members of the public for the purpose of considering details relating to the following, in accordance with Section 89(2) of the Local Government Act 1989:

- (h) Any other matter which the Council or special committee considers would prejudice the Council or any person**

11.6 NOTICES OF MOTION

NIL REPORTS

12. CLOSURE