



City of
Whittlesea

MINUTES

OF ORDINARY COUNCIL MEETING

HELD ON

TUESDAY 7 MAY 2019

AT 6.30PM

**IN COUNCIL CHAMBER, 25 FERRES
BOULEVARD, SOUTH MORANG**

COUNCILLORS

| | |
|----------------------|--------------------------|
| LAWRIE COX | MAYOR, SOUTH WEST WARD |
| STEVAN KOZMEVSKI | SOUTH WEST WARD |
| CAZ MONTELEONE | SOUTH WEST WARD |
| KRIS PAVLIDIS | SOUTH WEST WARD |
| TOM JOSEPH | DEPUTY MAYOR, NORTH WARD |
| RICKY KIRKHAM | NORTH WARD |
| EMILIA LISA STERJOVA | 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

NICK MANN

DIRECTOR CITY TRANSPORT & PRESENTATION

HELEN SUI

DIRECTOR CORPORATE SERVICES

LIANA THOMPSON

DIRECTOR PARTNERSHIPS, PLANNING &
ENGAGEMENT

MICHAEL TONTA

MANAGER GOVERNANCE

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Note:

In these Minutes, Resolutions adopted by Council are indicated in bold text.

1. OPENING

1.1 MEETING OPENING AND PRAYER

The Chief Executive Officer opened the meeting with a prayer at 6.30pm.

1.2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT

The Mayor, Cr Cox read the following statement:

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

I as a non-aboriginal or Torres Strait Islander would ask that you may consider a conversation with our Aboriginal and Torres Strait peoples to educate and understand their depth of feeling around the treatment of our first nations peoples and events that have shaped their lives.”

1.3 PRESENT

Members:

| | |
|-------------------------|------------------------------|
| Cr Lawrie Cox | Mayor (South West Ward) |
| Cr Stevan Kozmevski | Councillor (South West Ward) |
| Cr Caz Monteleone | Councillor (South West Ward) |
| Cr Kris Pavlidis | Councillor (South West Ward) |
| Cr Tom Joseph | Deputy Mayor (North Ward) |
| Cr Ricky Kirkham | Councillor (North Ward) |
| Cr Emilia Lisa Sterjova | Councillor (North Ward) |
| Cr Sam Alessi | Councillor (South East Ward) |
| Cr Alahna Desiato | Councillor (South East Ward) |
| Cr Norm Kelly | Councillor (South East Ward) |
| Cr Mary Lalios | Councillor (South East Ward) |

Officers:

| | |
|--------------------|--|
| Mr Simon Overland | Chief Executive Officer |
| Mr Russell Hopkins | Director Community Services |
| Mr Nick Mann | Director City Transport & Presentation |
| Ms Helen Sui | Director Corporate Services |
| Ms Liana Thompson | Director Partnerships, Planning & Engagement |
| Mr Michael Tonta | Manager Governance |

2. APOLOGIES

NIL

3. DECLARATIONS OF INTEREST

THE FOLLOWING DECLARATIONS OF INTEREST WERE MADE TO THE CHIEF EXECUTIVE OFFICER PRIOR TO THE START OF THE MEETING:

Cr Sterjova declared an indirect interest due to residential amenity in Item 6.3.6 Petition: Request to install raised pavements on Galloway Drive and Pearsons Road, Mernda.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Chief Executive Officer Explanatory Note

At the 2 April 2019 Council Meeting, a motion was moved and seconded to confirm the minutes of the 5 March 2019 Council Meeting. Prior to the motion being put, a procedural motion was moved to adjourn consideration of the item to this meeting which was carried.

Therefore the meeting recommenced consideration of the minutes where debate was adjourned at the previous meeting.

MOTION

MOVED: Cr Alessi
SECONDED: Cr Joseph

THAT the following Minutes of the preceding meeting as circulated, be confirmed:
Ordinary Meeting of Council held 5 March 2019.

AMENDMENT

MOVED: Cr Laliros
SECONDED: Cr Kelly

THAT Council resolve to amend the Minutes of the 5 March 2019 Council Meeting, as circulated, to reflect Cr Kelly did withdraw at 1 hour 35 minutes into the meeting.

LOST

DIVISION

Immediately after the amendment was voted on, Cr Laliros called for a division which resulted in the following votes being recorded.

| | | |
|---------------|----------------|------------------|
| For | Against | Abstained |
| Cr Kirkham | Cr Pavlidis | Nil |
| Cr Kelly | Cr Kozmevski | |
| Cr Laliros | Cr Alessi | |
| Cr Monteleone | Cr Cox | |
| Cr Desiato | Cr Sterjova | |
| | Cr Joseph | |

Based on the votes cast during the Division, the amendment was lost.

LOST

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Alessi*
SECONDED: *Cr Joseph*

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

Ordinary Meeting of Council held 5 March 2019.

CARRIED

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT the Minutes of the Special Meeting of Council held 26 March 2019 as circulated, be confirmed.

CARRIED

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT the Minutes of the Ordinary Meeting of Council held 2 April 2019 as circulated, be confirmed.

CARRIED

5. QUESTIONS, PETITIONS AND JOINT LETTERS

5.1 QUESTIONS TO COUNCILLORS

5.1 ITEM 6.3.5 ROAD SAFETY OPTIONS ANALYSIS - MASONS ROAD, MERNDA

We have received a number of questions about Masons Road from John Dagher of Wilkes Court and Masons Road residents Tina Marshall and Kellet McDonell.

I will now read out their questions but rather than respond to each one individually, I'd like to provide a single response at the end.

John Dagher

Do any of the implementation options have a provision for a street light at Wilkes Court and Masons Road intersection?

Could Whittlesea Council seal Masons Road up to Wilkes Court then install a keyed gate beyond Wilkes Court?

What exactly are the road safety recommendations for the gravel section of Masons Road?

If there was going to be a closer, would each resident have a key to the gate?

Can any of the councillors wait until 3-4 weeks after Masons Road has been graded, then put their whole family in the car and attempt to drive to Wilkes Court then provide feedback on how their cards and families felt afterwards?

Can the Urban Growth Boundary be moved to allow for a developer to take over and construct the roads?

What contractor quoted Whittlesea Council \$105,000 to install a gate to Masons Road?

Tina Marshall

If there is going to be a closure of Masons Road, where will the closure be?

When will the community consultation process happen and how will we be notified?

What will happen about emergency vehicles in the road is closed?

Kellet McDonell

What measures will be taken for the next 12 months to maintain the road?

The Mayor, Cr Cox:

Thank you for your questions which raise some important considerations.

The safety of our residents is of paramount importance to Council and we are well aware of the issues facing residents of Masons Road and Wilkes Court.

That is why we are considering the future of Masons Road at tonight's meeting.

To date we have ensured the road has been graded more frequently than other unmade roads and there are some high priority works identified in the road safety audit to complete, however we realise that a more strategic approach to the road is required.

You have asked some great questions tonight. If Council resolves to start the process towards closure of Masons Road, this kicks off a statutory consultation period which begins tomorrow.

Residents will receive a letter but I encourage everyone to have a look at our website following tonight's meeting for details on how they can have their say on the proposal.

After the consultation period, the results will come back to Council for consideration.

The answers provided verbally by the Mayor at the meeting in response to questions asked by members of the public are preliminary answers provided on a without prejudice basis. A formal written response to each question is sent following the Council meeting which contains Council official position on the matter.

5.2 PETITIONS

5.2.1 OBJECTION TO PLANNING PERMIT FOR CONSTRUCTION OF 3 DWELLINGS AT 42 TERNHOLME CRESCENT, DOREEN

Cr Sterjova tabled a petition from 14 residents objecting to planning permit No. 2018 – 718185 for the construction of 3 dwellings at 42 Thernholme Crescent, Doreen.

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Sterjova*

SECONDED: *Cr Joseph*

THAT Council resolve to receive the petition from 14 residents regarding planning permit No. 2018-718185 and a report be prepared.

CARRIED

5.3 JOINT LETTERS

NIL REPORTS

6. OFFICERS' REPORTS

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

THAT Council resolve to adopt the Recommendations for items numbers 6.1.4, 6.1.7, 6.3.1, 6.3.2, 6.3.3, 6.3.4, 6.4.1, 6.4.3, 6.4.5, 6.4.6, 6.5.1.

CARRIED

Group Adoption of Items En Bloc

Councillors may choose not to consider reports on the Notice Paper individually and to resolve to adopt, in one resolution, the recommendations listed on the Notice Paper for a number of reports. Such a resolution will have the effect of adopting the Officer's recommendation for each of the reports identified in the Council resolution. The remaining items of business are considered and voted on separately.

6.1 PARTNERSHIPS, PLANNING & ENGAGEMENT

6.1.1 1/59 MILLER STREET, EPPING - USE OF A CONVENIENCE RESTAURANT, A REDUCTION IN THE REQUIRED CAR PARKING RATE AND LIQUOR LICENSE

Attachments: 1 Locality Map [↓](#)

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Planning Officer

Attachments: Locality Plan, Aerial Image

APPLICATION NUMBER: 718075

APPLICANT: Androulla Charalambous

COUNCIL POLICY: Nil

ZONING: Activity Centre Zone

OVERLAY: Development Contributions Plan Overlay

REFERRAL: Transport Engineering

OBJECTIONS: Six (6) Objections

RECOMMENDATION SUMMARY

It is recommended that Council refuse the application as the proposed use is inappropriately located and will impact on the amenity and car parking provision within the area.

KEY FACTS AND / OR ISSUES

- The existing premises has four car parking spaces allocated in the shared car parking area and the use requires a total of 15 car parking spaces.
- The convenience restaurant proposes to seat 50 patrons. The previous use as a takeaway food premises did not provide seating on site.

REPORT**SITE AND SURROUNDING AREA**

The subject site is located on the west side of Miller Street, approximately 460m from Cooper Street, Epping (*Attachment 1*).

The subject site comprises Warehouse Unit 1 at 59-61 Miller Street, Epping. Unit 1 occupies 197m² of the 1935m² industrial site. Planning Permit No. 709568 was issued on 20 April 2006 and amended on 31 October 2006 for the construction of sixteen (16) warehouses on the site. The development included the provision of 44 car parking spaces on site.

Planning Permit 710200 was issued on 20 July 2007 for unit 1, for the Use of part of the land for a takeaway food premises, including a reduction in the required car parking rate.

The surrounding area is generally characterised by industrial development, with a transport depot directly to the south of the site, and various industrial development in the immediate locality.

Based on the information provided by the applicant, objectors, and from observations during site visits, it appears the proposed convenience restaurant use has commenced on site without prior planning permission.

RESTRICTIONS AND EASEMENTS

The site is legally described as Lot 1 PS 548969R and is not affected by any restrictive covenants or Section 173 agreements.

PROPOSAL

It is proposed to use the subject premises as a Convenience Restaurant, with Liquor Licence and a reduction in the required rate of car parking.

The application seeks to increase the number of seats provided on site, from 0 to 50. The convenience restaurant would serve liquor for consumption on site. Deliveries to the site would be to the goods delivery area and storage room abutting the shared body corporate car park. A total of 6 staff would work within the convenience restaurant.

The hours of operation proposed are as follows:

| | |
|----------------------|-------------|
| Monday: | Closed |
| Tuesday – Wednesday: | 11am – 8pm |
| Thursday – Saturday: | 11am – 10pm |
| Sunday: | 11am – 8pm |

PUBLIC NOTIFICATION

Advertising of the application has resulted in 6 objections being received. The grounds of objection primarily relate to amenity, and traffic and parking concerns.

Planning applications are regularly exempt from advertising within the Epping Activity Centre Zone, however notice of the current application was required as there is no exemption for the proposed liquor licence component of the proposal.

PLANNING ASSESSMENT**State Planning Policy Framework**Clause 11.03-1S Activity Centres

The objective of this clause is to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community. The use of land must support the role and function of each centre in the context of its classification. Whilst the proposal generally fits within this scope, the site is not considered appropriate for this use.

Clause 18.02-5 Car parking

The objective of this clause is to ensure an adequate supply of car parking that is appropriately designed and located. The proposed use does not provide the required number of car parking spaces and will require a car parking reduction, which is likely to detrimentally impact on the other tenancies within this development as well as the street network. The proposal therefore is not considered to meet the objective of this clause.

Local Planning Policy FrameworkClause 21.10 Economic Development

The subject site is located within the Epping Commercial/employment area, where the preference is to create additional jobs and a greater diversity in employment sectors. Whilst the proposal would ultimately provide some jobs, the site is not considered appropriate for this use as a consequence of amenity impacts to the overall development as well as to the immediate context.

Zoning and Overlay ProvisionsClause 37.08 Activity Centre Zone

The subject site is located in Precinct 8 of the Activity Centre Zone, within the Epping Central Metropolitan Activity Centre. Precinct 8 is a high change employment precinct with significantly increased employment densities, and encourages the development of industrial uses. The use of land as a Convenience Restaurant (Food & Drinks Premises) is a Section 1 – Permit Not Required use if the following condition is met:

Must be in Precincts 6 or 7, or sub-precincts 1A or 4A. If located in Precinct 7 or sub-precinct 6D, the leasable floor area must not exceed 100 square metres.

The proposed use of the site as a Food and Drink Premises does not meet this condition, and is therefore a Section 2 – permit required use.

Clause 45.06 Development Contributions Plan Overlay (Schedule 3 & 14)

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. The proposal does not include any buildings and works, or increases to impervious floor area. Therefore no funds leviable as part of this application.

Particular ProvisionsClause 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 the following car spaces are required:

| Use | Clause 52.06 rate | Patron numbers | Car spaces required | Car spaces provided | Complies |
|------------------------|-------------------|----------------|---------------------|---------------------|----------|
| Convenience Restaurant | 0.3 per patron | 50 | 15 | 4 | No |

Planning Permit No. 709568 for the development of sixteen warehouse units on the site provided 44 car spaces for a gross floor area of 2810m². Based on an allocation of car spaces per square metre, Unit 1 would be entitled to 4 of the 44 car spaces.

The previous takeaway food and drink premises generated a parking demand of 7 spaces and approval was granted for the dispensation of 3 spaces in addition to the 4 spaces provided on site. This previous reduction can be used as a credit in considering the current reduction, however a further 8 spaces are being reduced.

It is noted that some sharing of spaces could occur after hours when certain businesses might be closed, however during normal business hours for the parking to work, the seating would have to be reduced into the low 20's. This will create enforcement challenges and only considers parking, not the appropriateness of the use.

It is likely that customers to the premises would utilise the most convenient parking available, that being the shared car parking area of the 16-unit warehouse development. The demand for those spaces is likely to detrimentally impact on the car parking available to the other businesses that share the central car parks and this impact is considered unacceptable, impacting directly on employment businesses.

Clause 52.27 Licensed Premises

The purpose of this clause is to ensure that licensed premises are situated in appropriate locations and to ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

A permit is required to use land to sell or consume liquor if a licence is required under the Liquor Control Reform Act 1998.

The application is for the sale and consumption of liquor on site, and does not involve the sale of packaged liquor. The subject site is located a minimum of 100m from residential land. The number of patrons proposed for this sort of use is considered excessive, with a maximum of 50 patrons on site at any one time.

There are concerns with the proposal and the potential impact on the amenity of the surrounding area, as well as the impact of the number of patrons proposed, and the hours of operation. Based on the information provided, there are concerns that the proposal will cause detriment to other tenancies within the development, and to the surrounding area.

COMMENTS ON GROUNDS OF OBJECTION

The grounds of objection can be summarised as follows:

1. Use of the car spaces allocated to other tenancies:

The car parking area provided on site is shared equally between the 16 tenancies, with each unit allocated between 2-4 spaces based on square meterage of each tenancy. The allocation of spaces to each premises is not formalised, or marked on the spaces, rather it is shared arrangement between the tenancies based on the owners corporation entitlements on title.

On this basis, a person that owns or leases one of these tenancies has the reasonable expectation that this arrangement will provide them with an equal share in the car parking area, with the share proportionate to the size of their premises. The proposed use would require 15 car parking spaces, where only 4 have been allocated to this tenancy. As noted earlier, there are concerns with the impact of the shortfall in parking provision.

2. Operation of the business from the common body corporate area

Concerns were raised in relation to the business currently operating from the grassed area within the front setback of the subject building, and storing goods within the car parking area, both of which are common property. Various complaints were also reported in relation to supposed issues between the applicant, the body corporate of the site, and other tenants. Disputes between body corporates and tenants are not a planning consideration, and any approval would still require permission from the owners corporation to occupy that space.

3. Security concerns

Concerns were raised regarding the security of the common property and other tenancies on site, and issues that may arise with the late hours of operation and the service of alcohol. If a permit were to issue, a site management plan and a patron management plan could be required to indicate what safety measures would be undertaken as part of the use.

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 and other relevant planning provisions, including the State and Local Planning Policy Frameworks of the Whittlesea Planning Scheme, particularly Clause 52.06 Car Parking and Clause 52.27 Licensed Premises, and is considered to be inconsistent with the relevant policies and strategies of the Planning Scheme. It is considered that the proposal is incompatible with the surrounding uses and development in the surrounding area. Therefore, it is recommended that the application for a Planning permit be refused.

RECOMMENDATION

THAT Council resolve to Refuse Planning Application No. 718075 and issue a Refusal to Grant a Planning Permit for Use of a Convenience Restaurant, reduction in the required rate of car parking and Liquor License, on the following grounds:

1. The proposed scale of the use will detrimentally affect the amenity of the adjacent tenancies.
2. The proposed reduction in the rate of car parking is inappropriate as it significantly reduces the number of shared car parking spaces available to other tenancies within

the development.

3. The proposal does not comply with the car parking requirements of Clause 52.06.
4. The proposed use is inappropriately located and not in complimentary to the existing context.
5. Approval to use the common property areas shown on plan has not been gained.

Chief Executive Officer Explanatory Note

The Item lapsed for want of a mover.



PLANNING APPLICATION NO. 718075



Subject Land
 Objector

Medium Density Housing



**City of
Whittlesea**

BUILDING AND PLANNING REPORT

6.1.2 1/8, 2/8, 3/8, 4/8, AND 8 LOIS COURT, THOMASTOWN - CONSTRUCTION OF 8 DWELLINGS

Attachments:

- 1 Locality Map [↓](#)
- 2 Advertised Plans [↓](#)

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Planning Officer

APPLICANT: MERAQ Building Designers P/L

COUNCIL POLICY: Nil

ZONING: General Residential Zone

OVERLAY: Development Contributions Plan Overlay (Schedule 3)
Aboriginal Cultural Heritage Significance Area

REFERRAL: Nil

OBJECTIONS: Two

RECOMMENDATION SUMMARY

That Council resolve to approve Planning Application No. 717936 and issue a Notice of Decision to Grant a Permit for a multi-dwelling development comprising the construction of eight dwellings at 1/8, 2/8, 3/8, 4/8, and 8 Lois Court, Thomastown.

KEY FACTS AND / OR ISSUES

- An application has been lodged to construct eight dwellings on the subject land, replacing the existing four dwelling on the land. All dwellings are proposed to be double storey.
- The application was advertised, which resulted in two objections being received. The concerns raised were related to neighbourhood character, residential policy, building height and massing, overdevelopment concerns, overlooking, overshadowing, safety, dwelling entry, and car parking and access concerns.
- The proposal demonstrates compliance with the relevant provisions of the Whittlesea Planning Scheme, particularly in relation to Clause 55 (ResCode), Council's Housing Diversity Strategy and Clause 52.06 (Car Parking).

REPORT**SITE AND SURROUNDING AREA**

The subject land is a residential unit site comprising four lots and a common property area with each lot developed with a single dwelling. The site is located on the western end of Lois Court, Thomastown, approximately 90m north of Spring Street (see *Attachment 1*).

Overall, the site is irregular in shape and has a curved frontage of approximately 12.5m and a maximum depth of 65.0m. The site has a total site area of 2075.0m² and has a gradual east-west fall of 4.0m across a distance of 50.0m.

The existing dwellings on the land are single storey in form, constructed in brick, and feature hipped tile roofs. The presentation to the street comprises the side wall of 4/8 Lois Court, the frontages of both 1/8 and 2/8 Lois Court, the existing driveway, and some modest landscaping.

The surrounding area is largely characterised by a variety of detached dwellings. The adjoining properties immediately to the north, east, and south of the site are all generally single storey dwellings with pitched and tiled roofs, with 35 Caroline Street offering double storey form.

Examples of medium density development in the general area include 15, 17 and 34 Caroline Street, 11 Johnson Street, and 38, 45, 51 and 56 Spring Street.

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

- Bus Route 557 – Thomastown via West Lalor anti-clockwise loop (220m southeast)
- Bus Route 554 – Thomastown via West Lalor clockwise loop (240m southeast)
- Bus Route 357 – Wollert West to Thomastown Station (240m southeast)
- Edgars Creek Trail (260m south)
- Thomastown Primary School (430m east)
- Thomastown Library / Thomastown Recreation & Aquatic Centre / Main Street Recreation Reserve (600m northwest)
- Thomastown Shopping Centre (680m northeast)
- Thomastown Railway Station (700m northeast)

RESTRICTIONS AND EASEMENTS

The sites are legally described as Lots 1, 2, 3, 4 and CM on Plan of Subdivision 023691M.

A 2.44m wide easement traverses the northern boundary of the property and contains Yarra Valley Water infrastructure. Another sewerage and drainage easement runs along the western boundary, commencing 12.0m south from the northern boundary and gradually extends to a maximum width of 5.6m at the southern boundary where it maintains a 2.44m width throughout the entire length of the boundary. There is no proposed built form over any easement.

PROPOSAL

It is proposed to demolish the existing four dwellings on site and construct eight new dwellings (see *Attachment 2*).

Dwelling No. 1 will contain an open plan kitchen/meals/living area, a laundry, and bathroom at ground level, and three bedrooms and amenities on the first floor.

Dwelling Nos. 2, 3, 5, 6, 7, and 8 will feature two bedrooms, a retreat, amenities, and a laundry at ground floor level, and an additional bedroom, an open plan kitchen/meals/living area, amenities, and a balcony at first floor level. Dwelling No.4 is similar in configuration, aside from having the additional bedroom at ground floor level.

A double garage will provide car parking for each of dwellings No's. 1-3 (inclusive) and a single garage with a tandem open car space will provide car parking for Dwelling No's. 4-8 (inclusive).

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 | 3 | 5.3m front (southeast boundary) 11.5m side (west boundary) 13.1m side (east boundary) 2.4m rear (south boundary) | 93m ² | Double garage (6.0m x 5.5m) | 7.1m |
| Dwelling No. 2 | Double storey | 3 | 27.9m front (north boundary) 11.5m side (west boundary) 18.7m side (east boundary) 5.0m rear (south boundary) | 45m ² | Double garage (6.0m x 5.5m) | 7.5m |
| Dwelling No. 3 | Double storey | 3 | 27.1m front (north boundary) 4.1m side (west boundary) 26.9m side (east boundary) 4.7m rear (south boundary) | 105m ² | Double garage (6.0m x 5.5m) | 7.0m |

| | Height /Scale | Number of Bedrooms | Setbacks | Private Open Space | Car Parking | Maximum Height |
|----------------|---------------|--------------------|--|--------------------|---|----------------|
| Dwelling No. 4 | Double storey | 3 | 19.1m front (southeast boundary) 37.5m side (west boundary) 0m side (garage wall on east boundary) 2.4m rear (north boundary) | 61m ² | Single garage (3.5m x 6.0m) and tandem open car space (2.6m x 4.9m) | 7.9m |
| Dwelling No. 5 | Double storey | 3 | 29.3m front (south boundary) 31.5m side (west boundary) 9.3m side (east boundary) 3.7m rear (north boundary) | 64m ² | Single garage (3.5m x 6.0m) and tandem open car space (2.6m x 4.9m) | 7.8m |
| Dwelling No. 6 | Double storey | 3 | 29.1m front (south boundary) 19.9m side (west boundary) 18.3m side (east boundary) 3.7m rear (north boundary) | 61m ² | Single garage (3.5m x 6.0m) and tandem open car space (2.6m x 4.9m) | 7.6m |
| Dwelling No. 7 | Double storey | 3 | 30.1m front (south boundary) 9.9m side (west boundary) 27.3m side (east boundary) 2.5m rear (north boundary) | 59m ² | Single garage (3.5m x 6.0m) and tandem open car space (2.6m x 4.9m) | 7.7m |

| | Height /Scale | Number of Bedrooms | Setbacks | Private Open Space | Car Parking | Maximum Height |
|----------------|---------------|--------------------|---|--------------------|---|----------------|
| Dwelling No. 8 | Double storey | 3 | 30.3m front (south boundary) 1.5m side (west boundary) 36.2m side (east boundary) 5.2m rear (north boundary) | 107m ² | Single garage (3.5m x 6.0m) and tandem open car space (2.6m x 4.9m) | 7.2m |

PUBLIC NOTIFICATION

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

1. Neighbourhood character
2. Residential policy
3. Building height and massing
4. Density
5. Overlooking
6. Overshadowing
7. Safety
8. Dwelling entry
9. Car parking and access concerns

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

PLANNING ASSESSMENT

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 proposal is considered to be in accordance with the HDS. The HDS is 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 | ✓ | ✓ | The proposal is considered to be in keeping with existing and preferred character of the area, with appropriately sized open space areas and a built form consistent with the area. The dwellings will use materials and roof forms consistent with the area, whilst opportunities for landscaping have been provided throughout the development. Proximity to High Street and the train station provide context to the increased density on what is considered a currently underutilised parcel. |
| B2 | Residential Policy | ✓ | ✓ | The HDS nominates this site as being within the Neighbourhood Interface Change Area. The proposed development is consistent with the preferred density and key design principles outlined in the HDS, including medium building heights, provision of sufficient area to allow for the planting of a medium canopy tree in the front setback, and minimal site coverage, private open space areas with dimensions that allow usability, and compliant setbacks. Further discussion relating to C200 is found below. |
| B3 | Dwelling Diversity | N/A | N/A | Only applicable to developments of ten (10) or more dwellings |
| B4 | Infrastructure | ✓ | ✓ | |
| B5 | Integration with the street | ✓ | ✓ | |

| | ✓ - Compliance x - Non compliance | Objectives | Standards | Comments |
|-----|--------------------------------------|------------|-----------|--|
| B6 | Street setback | ✓ | X | <p>Dwelling No. 1 is proposed to be setback 5.4m from the front setback which is the same front wall setback as at present. Standard B6 requires a 7.7m setback to meet the standard.</p> <p>Due to the context of the site and irregular configuration, the variation is considered to be acceptable as the setback will be in keeping with the rhythm of the built form across the court and still allow for effective landscaping. The variation is considered to be an improvement on the current setting where the blank side wall of 4/8 Lois Court directly faces the street, at the same setback distance.</p> <p>In addition, the land at this portion of the court has a fall that reduces any potential impacts on the streetscape.</p> |
| B7 | Building height | ✓ | ✓ | |
| B8 | Site coverage | ✓ | ✓ | |
| B9 | Permeability | ✓ | ✓ | |
| B10 | Energy efficiency | ✓ | ✓ | |
| B11 | Open space | | | 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 | ✓ | Condition | Currently, the western wall of the first floor of Dwelling No. 8 (kitchen) does not comply with this setback by a distance of 200mm. This matter can be resolved by means of a condition on permit. |
| B18 | Walls on boundaries | ✓ | ✓ | |
| B19 | Daylight to existing windows | ✓ | ✓ | |
| B20 | North-facing windows | ✓ | ✓ | |
| B21 | Overshadowing open space | ✓ | ✓ | |

| | ✓ - Compliance x - Non compliance | Objectives | Standards | Comments |
|-----|--------------------------------------|------------|-----------|-----------------------------|
| B22 | Overlooking | ✓ | ✓ | |
| 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 | ✓ | ✓ | |
| B30 | Storage | ✓ | ✓ | |
| B31 | Design detail | ✓ | ✓ | |
| B32 | Front fences | N/A | N/A | No front fence is proposed. |
| B33 | Common property | ✓ | ✓ | |
| B34 | Site services | ✓ | ✓ | |

AMENDMENT C200

Planning Scheme Amendment C200 is currently with the Minister for approval. Planning Scheme Amendment C200 is the stage two implementation of Council's Housing Diversity Strategy and is a 'seriously entertained' document, which requires planning consideration. Planning Scheme Amendment C200 will result in Schedule 4 of the General Residential Zone applying to the site.

The subject site is affected by Amendment C200. This identifies the subject site as within the Neighbourhood Interface character area. This encourages a character that balances the scale of development with landscaping and ensures sensitive transitions in height from existing dwellings, contemporary building designs with variation and breaks in building form to soften the visual bulk of development, to improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks, and to provide private open space to be functional for residents through location, orientation and design. The proposal is considered to achieve these requirements with private open space areas at least 40m² in size, sufficient area for canopy planting within front and rear setback as well as appropriate separation between dwellings throughout the development area.

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 | 3 | 2 | 2 | Yes |
| 2 | 3 | 2 | 2 | Yes |
| 3 | 3 | 2 | 2 | Yes |
| 4 | 3 | 2 | 2 | Yes |
| 5 | 3 | 2 | 2 | Yes |
| 6 | 3 | 2 | 2 | Yes |
| 7 | 3 | 2 | 2 | Yes |
| 8 | 3 | 2 | 2 | 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 performance standards, with all cars being able to enter and exit the site in a forward direction in a safe and efficient manner.

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.

ABORIGINAL CULTURAL HERITAGE SIGNIFICANCE AREA

The site is identified to be within an area of cultural heritage significance. The construction of eight dwellings on the site is considered to be a 'high impact activity' in accordance with the Aboriginal Heritage Regulations 2018 that will require significant soil disturbance. A Cultural Heritage Management Plan prepared by Benchmark Heritage Management and dated 6 September 2017 was considered and approved by the Wurundjeri Tribe Land & Compensation Cultural Heritage Council Inc. on 11 September 2017. The approved CHMP considered the whole site as part of the activity area and, as such, has appropriately considered the whole site as part of its investigation area.

COMMENTS ON GROUNDS OF OBJECTION

1. Neighbourhood character

The shape, siting, form, and scale of the dwellings are site and context responsive. Appropriate setbacks have been established and entries are easily identifiable and differentiated. Usable space for private activities has been provided for each dwelling, site coverage is conventional and meaningful landscaping opportunities are available throughout the site. 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. Accordingly, the overall proposal is considered to be in keeping with the

existing character of the area and when taking into considered built form in the immediate and broader context is not considered to have a detrimental impact on the character of the court or surrounds.

2. Residential policy

As noted within the assessment, the proposed development is consistent with the preferred density and key design principles outlined in the HDS, including medium building heights, provision of sufficient area to allow for the planting of a medium canopy tree in the front setback, and minimal site coverage, private open space areas with dimensions that allow usability, and compliant setbacks.

3. Building and height massing

Overall, the development reaches a maximum building height of 7.9m, which is compliant with the requirements of Clause 55.03-2 'Building height' and within the maximum allowable height of the General Residential Zone (11m). In addition, the site steps down from the court, offsetting any potential dominance on the existing single storey dwellings within the streetscape.

4. Density

The site area totals to 2,075m². With eight dwellings, this yields a ratio of approximately one dwelling per 260m². This is considered to be a conventional outcome in developing a residential site within the established areas of the Whittlesea municipality where the HDS nominates sites within the Neighbourhood Interface change area appropriate for medium density outcomes.

5. Overlooking

As assessed above, the proposal is compliant with the objective of Clause 55.04-6 'Overlooking' and the associated performance standard.

6. Overshadowing

As assessed above, the proposal is compliant with the objective of Clause 55.04-5 'Overshadowing' and the associated performance standard.

7. Safety

As assessed above, the proposal is compliant with the objective of Clause 55.03-7 'Safety' and the associated performance standard as the entrance of each dwelling is identifiable and not obscured. To enhance visibility, a condition on permit requiring bollard lighting throughout the accessway area to be included.

8. Dwelling entry

As assessed above, the proposal is compliant with the objective of Clause 55.05-2 'Dwelling entry' and the associated performance standard as each dwelling is embellished by way of a differentiated façade treatment that features varying porch designs and dwelling block numbers that are visible within the development.

9. Car parking and access concerns

It is considered that the street network is capable of accommodating an increase in density as proposed. The site has been identified in Council's Housing Diversity Strategy to be within the Neighbourhood Interface change area and the resulting development will be comparable to similar intensity of development at surrounding medium density housing sites. The proposal complies with Clause 52.06 'Car parking' in the provision of the correct number of car parking spaces, including a visitor bay,

and no loss of on-street car parking is lost as the existing crossover is the sole point of access.

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 (Car Parking), Clause 55 (ResCode), and Council's Housing Diversity Strategy. The proposal meets the preferred density and key design principles of Clause 21.09-4 (Change Areas in the Established Suburbs) of the Whittlesea Planning Scheme.

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. 717936 and issue a Notice of Decision to Grant a Planning Permit for the Construction of Eight 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 hereby permitted commences, 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 3 December 2018 and prepared by MERAQ Building Designers but modified to show:
 - a) The second storey of Dwelling No. 8 to have a minimum western side setback of 1.7m;
 - b) Bollard lighting located within the front landscaped area of each dwelling;
 - c) Feature paving to clearly indicate a pedestrian pathway network throughout the site. This paving must not be plain concrete;
 - d) The words 'passing area' in lieu of the words 'turning area' notated on plans;
 - e) Corner splay areas that area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage; and
 - f) Landscaping as required by Condition 3 of this permit.

3. Concurrent with the endorsement of plans under Condition 3 and before the development hereby permitted commences, a landscape plan prepared by a suitably qualified 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) 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) Appropriate maintenance details; and
 - h) The provision of canopy trees throughout the development as appropriate, including in the front setback area of the buildings.

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

COUNCIL RESOLUTION

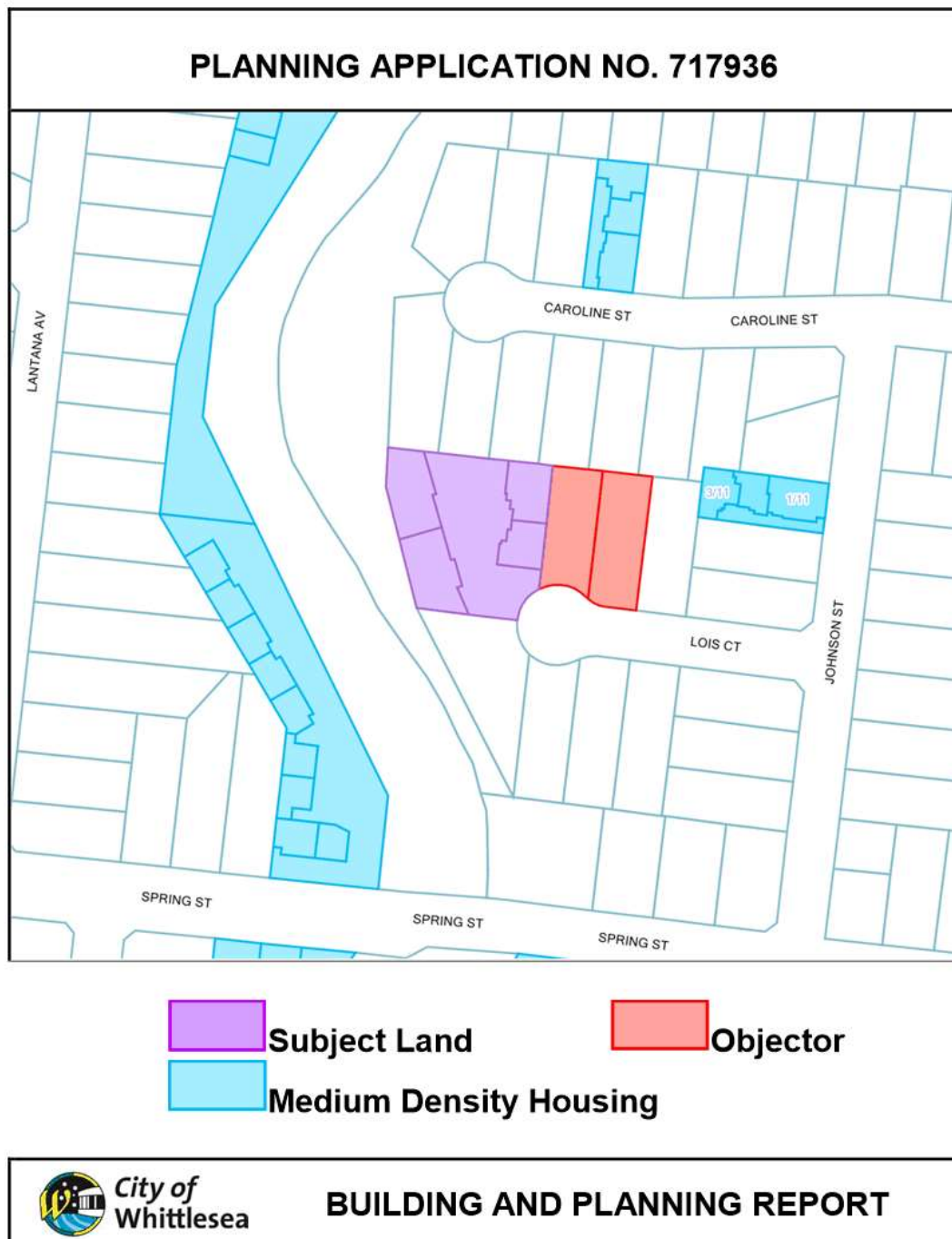
MOVED: *Cr Pavlidis*
SECONDED: *Cr Joseph*

THAT Council resolve to:

Refuse application No. 717936 and issue a Notice of Refusal to grant a Planning Permit for a multi-dwelling development comprising the construction of eight dwellings, at 1/8, 2/8, 3/8, 4/8 and 8 Lois Court, Thomastown, on the following grounds:

- 1. The proposed development does not respect the existing or preferred character of the neighbourhood, and therefore fails to comply with Clause 55.02-1 – Neighbourhood Character.**
- 2. The proposed development does not achieve the Key Design Principles of Council's Housing Diversity Strategy, and therefore fails to comply with Clause 55.02-2 – Residential Policy.**
- 3. The proposed development does not achieve an acceptable level of consistency with Clause 21.09 of the Local Planning Policy Framework, namely Council's Housing Diversity Strategy.**
- 4. The proposal will result in an overdevelopment of the site and will have an adverse impact on neighbourhood character and onsite amenity.**
- 5. The proposal will result in poor traffic outcomes within the court, in particular private waste collection, that do not achieve the purpose of Clause 52.06 – Car Parking**

CARRIED



PLANNING APPLICATION NO. 717936



Subject Land
 Objector
 Medium Density Housing



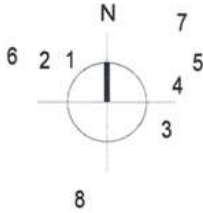
**City of
Whittlesea**

BUILDING AND PLANNING REPORT

City of Whittlesea
Advertised Plan 1 of 8

POINTS OF INTEREST

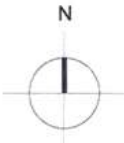
- 1 | 210M THOMASTOWN RECREATIONAL AND AQUATIC CENTRE
- 2 | 405M THOMASTOWN SECONDARY COLLEGE
- 3 | 415M THOMASTOWN PRIMARY SCHOOL
- 4 | 520M FOOD SHOPS
- 5 | 590M THOMASTOWN TRAIN STATION
- 6 | 630M THOMASTOWN WEST PRIMARY SCHOOL
- 7 | 1.1KM TOWN CENTRE
- 8 | 14.2KM MELBOURNE CBD



NEIGHBORHOOD SITE DESCRIPTION 1:500



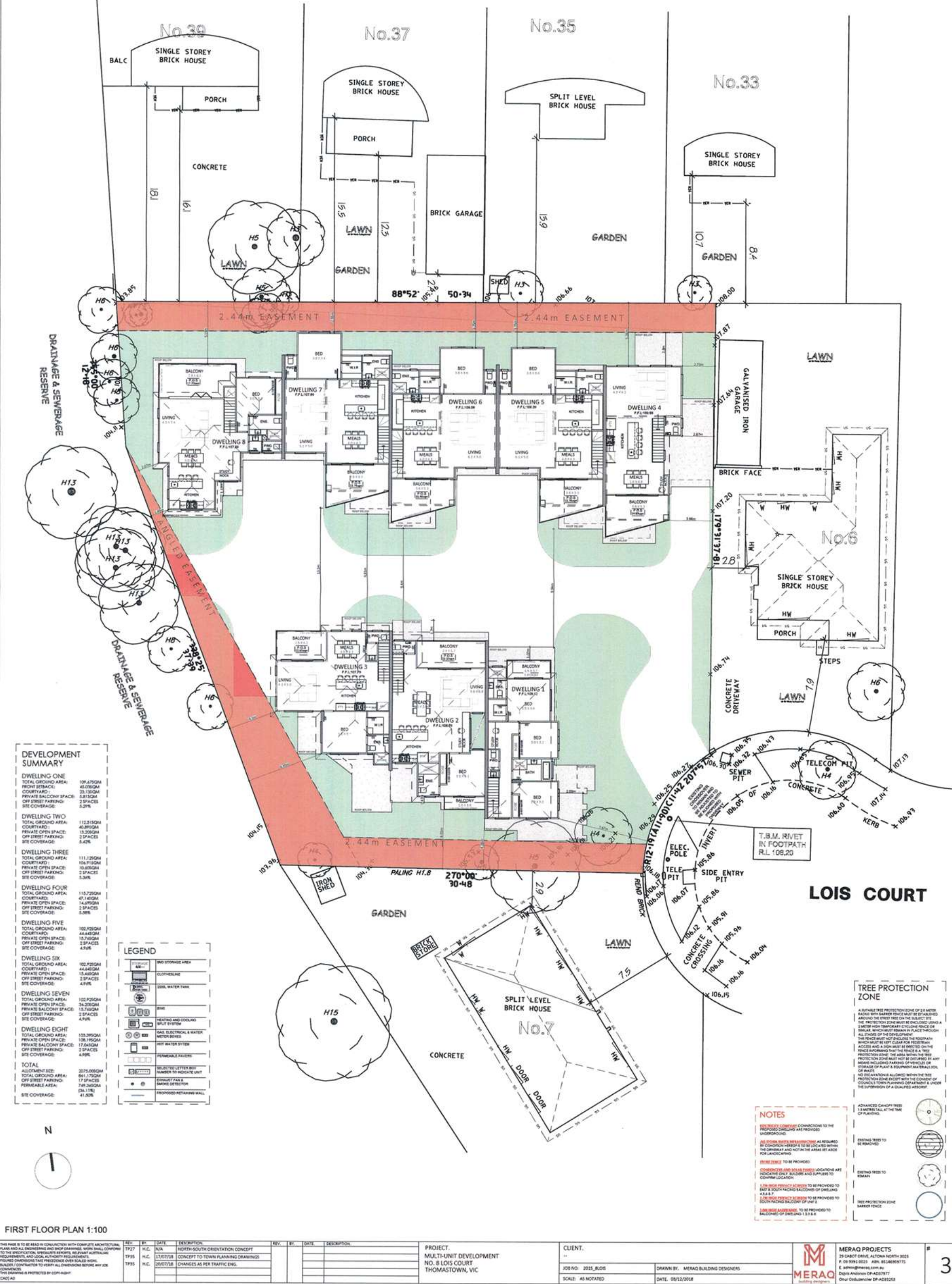
DESIGN RESPONSE 1:500



| | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|------|----------|-----------------------------------|--------------------------|--|--|--|--------------------------|--|--|--|--|--|-------------------|--|------------------------------------|--|------------------|--|-------------------|--|--|--|---|--|
| THIS PAGE IS TO BE READ IN CONJUNCTION WITH COMPLETE ARCHITECTURAL PLANS AND ALL ENGINEERING AND PROF. DRAWINGS. WORK SHALL CONFORM TO THE SPECIFICATION, STANDARDS, REPORTS, RELEVANT AUSTRALIAN REQUIREMENTS, AND LOCAL AUTHORITY REQUIREMENTS. FIGURES OVERSHADOWING TAKE PRECEDENCE OVER SCALED WORK. ALWAYS CONSULT CONTRACTOR TO VERIFY ALL DIMENSIONS BEFORE ANY JOB COMMENCES. THIS DRAWING IS PROTECTED BY COPYRIGHT. (CADS) AD | | | | REV. BY DATE DESCRIPTION | | | | REV. BY DATE DESCRIPTION | | | | PROJECT. MULTI-UNIT DEVELOPMENT NO. 8 LOIS COURT THOMASTOWN, VIC | | CLIENT. 2015_BUDS | | DRAWN BY. MERAQ BUILDING DESIGNERS | | DATE. 09/12/2018 | | SCALE. AS NOTATED | | MERAQ PROJECTS 29 CAROT DRIVE, ALTONA NORTH VIC 3015 P. 03 9996 0023 FAX. 03 9469 9775 E. admin@meraq.com.au | | 1 | |
| 1935 | H.C. | 17/07/18 | CONCEPT TO TOWN PLANNING DRAWINGS | | | | | | | | | | | | | | | | | | | | | | |

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City of Whittlesea
Advertised Plan 3 of 8



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COLOURS & MATERIALS SCHEDULE

NO. 8 LOIS COURT , THOMASTOWN 3074 - 8 UNIT DEVELOPMENT

City of Whittlesea
Advertised Plan 5 of 8



Roof



Colourbond Roof
Colour: Monument

Gutter



Powdercoat/ Painted Gutters
Colour: Monument

Fascia



Painted Fascia
Colour: Surfmist

Windows



Windows and Doors
Colour: Black

Driveway



Coloured Concrete
Colour: Charcoal

Bricks



Concrete Bricks
Colour: Storm
Mortar Colour: White

Cladding 1



Render Finish: Vivid White

Cladding 2



Render Finish: Domino

Cladding 3



SCYON LINEA
WEATHERBOARDS:
Dulux: Surfmist

Cladding 4



SCYON LINEA
WEATHERBOARDS:
Dulux: Dove



MERAQ BUILDING
DESIGNERS
29 CABOT DRIVE, ALTONA NORTH, 3025
P. 9391 0023 E. admin@meraq.com.au
A B N . 8 5 1 4 6 9 5 9 7 7 5

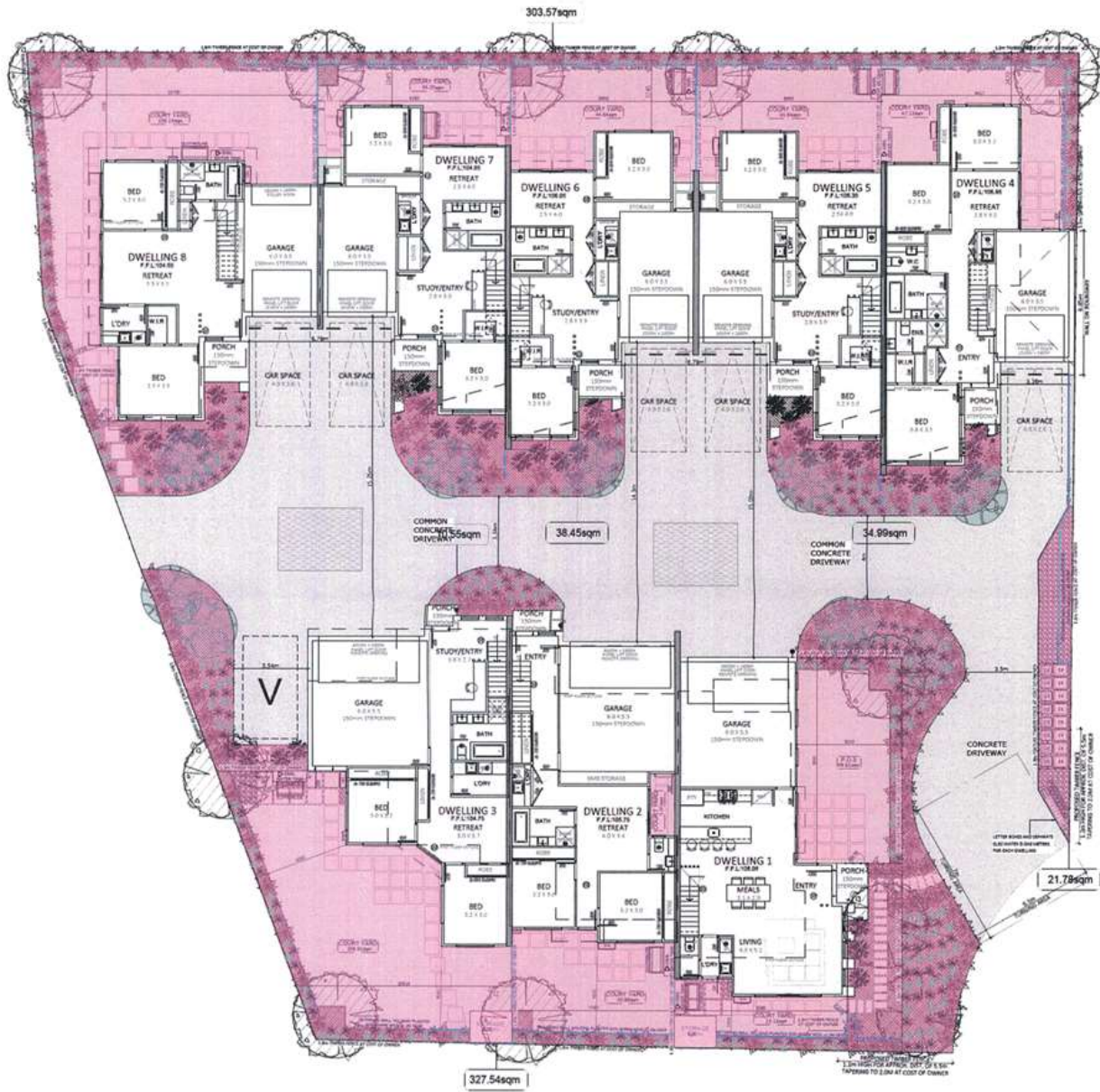
NOTES

GARDEN AREA

Any area on a lot with a minimum dimension of 1 metre that does not include:

- a) a dwelling or residential building, except for:
- an eave, fascia or gutter that does not exceed a total width of 600mm;
- a pergola;
- unroofed terraces, patios, decks, steps or landings less than 800mm in height;
- a basement that does not project above ground level;
- any outbuilding that does not exceed a gross floor area of 10 square metres; and
- domestic services normal to a dwelling or residential building;
- b) a driveway or
- c) an area set aside for car parking.

GARDEN AREA



GARDEN SPACE
736.88sqm
35.51%



GARDEN SPACE PLAN 1:100

| REV. | BY | DATE | DESCRIPTION | REV. | BY | DATE | DESCRIPTION |
|------|------|----------|-----------------------------------|------|----|------|-------------|
| TP27 | H.C. | N/A | NORTH-SOUTH ORIENTATION CONCEPT | | | | |
| TP35 | H.C. | 17/07/18 | CONCEPT TO TOWN PLANNING DRAWINGS | | | | |

| | | | |
|----------|---|-----------|--------------------------|
| PROJECT: | MULTI-UNIT DEVELOPMENT NO. 8 LOIS COURT THOMASTOWN, VIC | CUSTOMER: | |
| JOB NO: | 2018_BJ05 | DRAWN BY: | MERAQ BUILDING DESIGNERS |
| SCALE: | AS NOTATED | DATE: | 09/12/2018 |

| | | | |
|--|--|---|---|
| | MERAQ PROJECTS 29 CARROT DRIVE, ALTONA NORTH 3025 P. 03 9981 0021 FAX. 9514699775 E. admin@meraq.com.au Data: ANSYS/DP-AD37977 Data: ANSYS/DP-AD37977 | # | 5 |
|--|--|---|---|

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City of Whittlesea
Advertised Plan 8 of 8



6.1.3 170 DALLS ROAD, WHITTLESEA - BUILDINGS AND WORKS COMPRISING EARTHWORKS ASSOCIATED WITH THREE EXISTING DAMS

| | |
|-----------------------------|--|
| Attachments: | 1 Locality Maps ↓ 2 Location of Proposed Earthworks ↓ 3 Traffic Management Plan ↓ |
| Responsible Officer: | Director Partnerships, Planning & Engagement |
| Author: | Planning Officer |
| APPLICANT: | Peter Gorski |
| COUNCIL POLICY: | 21.05-1 Environmental Assets 21.07-5 Environmental Degradation |
| ZONING: | Green Wedge A Zone |
| OVERLAY: | Bushfire Management Overlay |
| REFERRAL: | Sustainability Planning and Development Engineering |
| OBJECTIONS: | 12 Objections |

RECOMMENDATION SUMMARY

That Council resolve to approve Planning Permit Application No. 718300 and issue a Notice of Decision to grant a Planning Permit for Buildings and works comprising earthworks associated with three existing dams at 170 Dalls Road, Whittlesea, subject to conditions requiring a reduction in the amount of fill and associated traffic movements, as well as the implementation of management plans.

KEY FACTS AND / OR ISSUES

- The proposal is for upgrade works to three existing dams located on the 168.5 hectare site. Planning permission is required for the associated earthworks and disposal of clean fill on the land to improve the carrying capacity of the dams and reduce further erosion of agricultural land.
- The amount of fill proposed to be placed on the land is approximately 46,000 cubic metres and will be transported by 18 truck movements per day over a period of approximately 23 weeks.
- Some of the fill has previously been transported to the site to minimise erosion of the land and erosion prevention works are exempt from planning approval. However, the scale of works now proposed have gone beyond this exemption and therefore planning permission is now required which is discussed later in the report.
- At the time of reporting, 12 objections had been received, all raising concerns with respect to additional traffic movements, impact the works may have on existing road infrastructure, the quality of the fill and potential environmental implications, additional noise and dust generated by the works.

REPORT

SITE AND SURROUNDING AREA

The subject land is an irregular shaped allotment with a total site area of approximately 168.5 hectares and located at the eastern side of Dalls Road (See Attachment 1). The property is situated 2.3km north of Wildwood Road and 1.6km east of Wallan Road.

The land is undulating with prominent ridge tops throughout the property. A maximum ridge line runs along the northern boundary and drops approximately 16 metres to its lowest point along the southern boundary. The site contains a dwelling and an outbuilding within the southwest portion of the land. Whilst the site contains a dwelling it is primarily used for the grazing of cattle. There are six existing dams located throughout the subject site centrally on the land and extending towards the southeast corner. The land also contains dense areas of native vegetation particularly along the northern and eastern boundaries.

Surrounding rural properties range in scale, generally a similar size to the subject land. Several of the properties to the south contain rural dwellings which are situated a considerable distance from the common boundaries with the land. The closest dwelling is located on the adjoining property to the south of the subject land (150 Dalls Road). This dwelling is located approximately 80 metres from the common boundary with the subject land. Surrounding properties are mostly undulating with areas of native vegetation.

Background

Some of the fill has previously been transported to and from the subject site to minimise erosion of the land. Erosion prevention works are exempt from planning approval under the Whittlesea Planning Scheme. However, the scale of works now proposed have gone beyond this exemption and therefore planning permission is now required, which is discussed later in the report.

RESTRICTIONS AND EASEMENTS

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

PROPOSAL

It is proposed to undertake earthworks comprising of the disposal of clean fill associated with three dams. Whilst there are several dams on the subject site, only three dams have been identified for restoration works. The works are sought to improve the carrying capacity of the three identified dams and to assist in reducing further erosion of the land. The proposal is to consolidate the dam walls and to blend these walls into the contours of the land (See Attachment 2). Details of the extent of works are outlined as follows:

| | Cubic meters (m ³) of clean fill |
|--------------|--|
| Dam 1 | 9000 |
| Dam 2 | 9000 |
| Dam 3 | 28000 |

The applicant has submitted a Traffic Management Plan which provides further details on the associated operations required for these works (See **Attachment 3**). A summary is outlined in the table as follows:

| Daily Operating Capacity | Daily Truck Movements | Days Operation (average) | Weeks of Operation (5 days per week) |
|--------------------------|-----------------------|--------------------------|--------------------------------------|
| 400 cubic meters | 18 | 115 | 23 |

PUBLIC NOTIFICATION

Advertising of the application was carried out by way of written notice to adjoining and adjacent owners and a sign placed on site. Three objections were received at the completion of the advertising period. The objections received can be summarised as follows:

1. Increased traffic and the impact multiple truck movements may have on Dalls Road and surrounding roads;
2. Environmental issues and concerns with the quality of the fill; and,
3. Increased dust and pollution associated with earthworks.

A response to these grounds is provided later within the report. Refer to **Attachment 1** for the location of objectors.

ASSESSMENT AGAINST THE WHITTLESEA PLANNING SCHEME

The application has been assessed against the following relevant policies:

State Planning Policies

Clause 12 – Environment and Landscape Values

Clause 13 – Environmental Risk and Amenity

Local Planning Policies

Clause 21.05-1 – Environmental Assets

Clause 21.07-5 – Environmental Degradation

The relevant State and Local policies provide a framework to ensure that any use or development of (rural) land does not undermine qualities pertaining to environmental and landscape values. The planning process seeks to ensure that any fill associated with these earthworks is 'clean fill' and will be assessed and demonstrated accordingly by qualified experts, to Council's satisfaction. Through this, the purpose of 'Clause 12 - Environment and Landscape Values', '13 - Environmental Risk and Amenity', '21.05-1 – Environmental Assets' and '21.07-5 – Environmental Degradation' is achieved in that no contaminated soil will be brought to the property, negating any potential risk, hazards, and harm to the land and surrounding properties. Appropriate conditions will be placed on any permit issued to ensure that the fill is to the satisfaction to the Responsible Authority and Environmental Protection Authority (EPA).

Zoning and Overlay Provisions

Clause 35.05 - Green Wedge A Zone

Clause 35.05-5 of the Whittlesea Planning Scheme relates to buildings and works and states that a permit is required for earthworks specified in a schedule to this zone. The earthworks and proposed fill will impact on the rate of flow across the property and therefore a permit is required.

The Green Wedge A Zone encourages the protection of land for agricultural and environmental purposes, ensuring works and activities protect and enhance the character of open rural and scenic non-urban landscapes and provide longer term protection and enhancement of the biodiversity of the area. The works proposed are intended to provide long term security and improved agricultural sustainability of the land by improving the carrying capacity of the three identified dams. The placement of fill surrounding these dams will enable additional water storage which will provide the protection and continuance of the existing livestock grazing the land. They will also assist in reducing further erosion of the land by stabilising these three failing dams.

The proposed works do not fall in an area identified as being significant in regard to cultural heritage and the proposal, in part, is considered acceptable within the non-urban landscape and character of the surrounding locality. While the proposed amount of fill associated with the three dams is

substantial, it is considered that the site is able to balance a reasonable level of land management practices and earthworks, with impacts on the land and surrounding land being actively monitored and managed.

The embankments to all three dams are proposed to be shaped and feathered out to ensure it integrates appropriately into the existing landscape and topography. The plans submitted with the application propose a 2:1 slope and show the filling works extending beyond the widths of the dams. It is considered the works could be reduced and more appropriately integrated into the immediate area surrounding the three dams. It is recommended that the proposal show a 3:1 downstream slope, reduce width of dam walls to 10 metres and confine the earthworks to an area commensurate with the width of the existing dams. Appropriate conditions on any permit issued can be imposed to ensure these amendments are made and that the fill is placed appropriately in accordance with detailed plans.

The immediate and surrounding area is comprised of agricultural land and rural living areas. The scale of works and frequency of vehicular movement to and from the subject has the potential to impact on the amenity of the immediate area. While this is not part of the proposal for which planning permission is required, it is considered reasonable to impose conditions on the permit for a comprehensive Traffic Management Plan (TMP). Any revised TMP would need to be to the satisfaction of Whittlesea Council requirements who in this instance are the relevant road authority for local roads under the Road Management Act. The amended TMP must provide details on how to minimise impacts from truck transport to and from the subject site and details on restoration works required to address any damage done to local roads from the associated works. All restoration works would be required at the owner's expense.

The construction works may be atypical in a rural context; however, the proposed works will improve the carrying capacity on the existing dams, reduce erosion of the rural landscape and assist in achieve long term sustainable land management practices. Furthermore, a condition will be imposed on the permit requiring the preparation and implementation of a Land Management Plan. This will ensure that sustainable land management practices occur on the land during and after the completion of the works.

Subject to appropriate conditions, including reduced overall fill and subsequent vehicle movements, it is considered that the proposal will achieve the objectives and purposes of the zone and the State and Local Planning Policy Framework.

Clause 44.06 - Bushfire Management Overlay

Clause 44.06 of the Scheme relates to the Bushfire Management Overlay. The proposed earthworks are associated with three existing dams which are to be improved for agricultural purposes. Therefore, pursuant to this clause a planning permit is not required to construct or carry out works associated with agriculture.

COMMENTS ON GROUNDS OF OBJECTION

Increased traffic and the impact multiple truck movements may have on Dalls Road and surrounding roads

It is acknowledged that the frequency of eighteen truck movements per day, to and from the subject site, has the potential to impact on rural living due to noise, dust, increased traffic and damage to existing road infrastructure. As discussed earlier in the report the fill area will be reduced, which will result in fewer truck movements. Conditions will also be imposed to reduce amenity impacts and ensure the existing road infrastructure is not eroded by these works, to the satisfaction of the Council. Furthermore, these works will be restricted to typical business hours and days and therefore it is unlikely the proposal will have adverse health or sleep disturbances on rural living residents.

Environmental issues and concerns on the quality of the fill

Appropriate conditions on the permit will ensure the placement of any fill will be clean. Prior to the receipt of any fill on the land the permit holder will be required to provide a report verified by an

environmental auditor to certify that all fill has been classed as 'clean' in accordance with EPA requirements. Furthermore, a condition will require the preparation and implementation of a Land Management Plan which will ensure ongoing sustainable practices for the land which will assist and improve the agricultural and biodiversity value on the land.

Increased dust and pollution associated with earthworks

The placement of clean fill and associated vehicle movement has the potential to generate dust. Enforceable conditions will be imposed to ensure there is protection for offsite amenity. This dust, whether from the fill or truck movement, sand or aggregate, will contain fine particles that need to be controlled to protect offsite amenity. Any permit issued will be required to ensure the amenity of the area not to be detrimentally affected through the emission of noise, vibration, smell, fumes, dust, waste water, waste products, grit or oil. It is envisaged that subject to the appropriate conditions these potential amenity impacts associated with the works will be appropriately managed.

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 proposal is generally satisfactory, and represents reasonable earthworks typical for improving the carrying capacity of rural dams. Appropriate conditions will assist in minimising the potential impacts the proposal may have on any surrounding or nearby properties. The only impacts that will arise relate to the transportation of the material to the site and from trucks leaving the site once delivery has been made; however, a comprehensive Traffic Management Plan will be required as a condition on the permit. The proposal has been assessed under the relevant controls in the Whittlesea Planning Scheme, and approval is recommended subject a range of standard conditions, plus the requirement for Traffic Management Plan as discussed above.

| |
|-----------------------|
| RECOMMENDATION |
|-----------------------|

THAT Council resolve to approve Planning Application No. 718300 and issue a Notice of Decision to Grant a Permit for works comprising of earthworks associated with three existing dams in accordance with the endorsed plans and subject to the following conditions:

Plans Required

1. Before the development hereby permitted starts, amended plans to the satisfaction of the Responsible Authority be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must be generally in accordance with the plans received by Council dated 18/03/2019, prepared by Peter Richards Surveying, but modified to show:
 - (a) Reduced width of dam walls to no greater than 10 metres;
 - (b) Confine the area of works to the width of the existing dam walls;
 - (c) A 3:1 downstream slope;
 - (d) Overflow position and width for each dam and demonstrate that they are sufficient to cope with flood events;
 - (e) position and width and demonstrate that it is sufficient to cope with flood events to prevent water spilling over the dam; and,
 - (f) Cross section of dam walls.
2. Prior to the endorsement of plans, a detailed report and associated plans, prepared by a

suitably qualified civil engineer, to the satisfaction of the Responsible Authority, which clearly demonstrates how the fill is to be placed on the land, and stormwater issues managed must be submitted to and approved by the Responsible Authority. The report must include a formal engineering plan that specifically details the manner in which how the fill will be compacted, and/or spread across the property, and the drainage lines, if any.

3. Prior to the endorsement of plans, a Land Management Plan (LMP) prepared by a qualified environmental consultant must be submitted to and approved by the Responsible Authority. The LMP must specify actions to be carried out to ensure that the rehabilitation of the site, where required, is achieved. When approved, the LMP will be endorsed and will then form part of this permit.
4. Within 60 days of the endorsement of the LMP or alternate date as approved by the Responsible Authority, the applicant must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority to provide for the following:
 - a) The implementation and operation of the Land Management Plan endorsed as part of this planning permit.

No Alterations

5. The use and 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.
6. Once the works have started they must be continued and completed to the satisfaction of the Responsible Authority.

Environmental / Site Management Plan

7. Before works start, a detailed Environmental / Site Management Plan must be submitted to and approved by the Responsible Authority, showing:
 - (a) The location, limit extent and depth of filling (including a cross sectional view);
 - (b) Emergency contacts;
 - (c) Traffic management measures and access to the site;
 - (d) Silt and water quality management;
 - (e) Temporary drainage measures;
 - (f) Details on any means of stabilisation such as batters, retaining wall and planting; and,
 - (g) Erosions and silt protection measures which are to be implemented throughout the filling process to be annotated on plan.

Quality of Fill

8. Prior to the receipt of any fill to the land, the permit holder must provide a report to the responsible authority, verified by an environmental auditor, certifying that all fill that has been deposited on the land has been classed as clean fill in accordance with EPA's Soil Sampling Guidelines and hazard classification guidance (IWRG621). Any departure from the minimum sampling rates specified in the Soil Sampling Guidelines must be approved through the provision of a risk assessment endorsed by an independent environmental auditor or a suitably qualified and independent environmental consultant approved by the Environment Protection Authority.
9. Only clean fill material is permitted to be imported to the site. Clean fill material is defined within classification of Wastes EPA Publication 448. This material must not contain any solid inert wastes (such as demolition material, concrete, bricks, timber, plastics, etc.).

10. No contaminated fill material is permitted to be used or kept on the site.
11. Records must be kept and maintained on the source of all material and a material tracking system is to be maintained. Records must be made available to the Responsible Authority upon request, and Records must include:
 - (a) Dates material was deposited;
 - (b) Volume of fill;
 - (c) Origin location where material originated;
 - (d) Type and classification description of material (including reference to any testing results that may have been undertaken);
 - (e) Site location reference to area being filled; and,
 - (f) Other relevant comments.

General Amenity – Construction Works

12. No native vegetation shall be destroyed, felled, lopped, ring barked or uprooted.
13. All batters resulting from excavation or filling shall be properly stabilised and vegetated to prevent erosion.
14. The dam walls must have a stable foundation, be constructed of compacted clay and made watertight with the top and downstream face top soiled and grassed to the satisfaction of the Responsible Authority and in accordance with the requirements of Melbourne Water.
15. All roads, storage areas and stockpiles must be maintained to avoid dust nuisance to any neighbouring land to the satisfaction of the Responsible Authority.
16. The development and use hereby permitted must be managed so that the amenity of the area is not detrimentally affected through the:
 - (a) Transport of materials, good or commodities to or from the land;
 - (b) Appearance of any building, works or materials;
 - (c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - (d) Presence of vermin.
17. The site must at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter must be immediately removed from the site and surrounding area at the direction of the Responsible Authority.
18. Upon completion of the 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.

Traffic Management

19. Before the commencement of any further works, an amended traffic management plan must be prepared in consultation with Whittlesea City Council in its capacity as road authority under the Road Management Act 2004 for local (public) roads used to transport material to/from and within the vicinity of the land. The Traffic Management Plan must be to the satisfaction of Whittlesea City Council. When approved, the Traffic Management Plan will be endorsed by the Responsible Authority and form part of the permit.

The Traffic Management Plan, without limiting the generality of the plan, must include:

- (a) The proposed route for construction vehicle access to and from the site.
- (b) How truck movements to and from the site, including turning movements can be safely

accommodated.

- (c) An existing conditions survey of public roads and associated infrastructure, including details of the suitability of the design, condition and construction standard of the relevant public roads, bridges and non-road infrastructure at risk from damage, deterioration or dilapidation arising from the transport of fill to and from the site. This survey is to include but not limited to Dalls Road.
 - (d) The designation of all vehicle access points to the site from surrounding roads. Vehicle access points from Dalls Road must be designed and located to ensure safe sight distances, turning movements, and maintain safety to local residents and other road users.
 - (e) A truck wheel washing facility or similar device to 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 the works on the site to be cleaned to the satisfaction of the Responsible Authority within two hours of it being deposited.
 - (f) Measures to reduce the impact of noise, dust (including appropriate dust suppression and/or details of water trucks) and other emissions from heavy vehicles.
 - (g) The designation of proposed hours and speed limits for trucks on routes accessing the site.
 - (h) A statement that the permit holder is responsible for any damage caused to construction vehicle or other vehicles, in the event that the safe and usable quality of any public road is degraded or compromised as a result of the development, and that the permit holder indemnifies Whittlesea City Council from any liability for any such damage.
 - (i) A program to rehabilitate existing road and associated infrastructure, including the infrastructure identified in paragraph (c) above, to a safe and usable condition to a standard no less than what is required to support the proposed use during and at the completion of the fill period.
 - (j) Vehicular access to the site 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).
20. By no later than three (3) months after the date of completion of permitted filling, a further conditions survey of public roads, associated infrastructure and access points must be prepared and submitted to the Responsible Authority. The report must to the satisfaction of the Responsible Authority and include details of any dilapidation or damage to the roads and non-road infrastructure and a program of rehabilitation provided in accordance with the requirements of the approved Traffic Management Plan.
21. All works, reporting and the provision of traffic management measures are to be at no cost to Whittlesea City Council, including but not limited to all additional route survey work, and all additional traffic management resources and equipment such as variable message signs.

Expiry Conditions

22. In accordance with the Planning and Environment Act 1987 a permit for the development expires if:
- (a) the approved works do not start within 2 years of the date of this permit; or,
 - (b) the approved works are 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.

MOTION

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT Council resolve to adopt the recommendation with the addition of point 1(g) and a new part 7 to read as follows:

- 1.(g) The dam walls being repaired no higher than the current height with no increase in dam capacity.**
- 7. Fill brought to the site may only be used for the purpose of repairing dam walls associated with this permit and in accordance with the endorsed plans, and not for any other purpose.**

EXTENSION OF SPEAKING TIME

MOVED: *Cr Kirkham*
SECONDED: *Cr Sterjova*

THAT Council resolve to extend the speaking time of Cr Joseph for a further two minutes

CARRIED

COUNCIL RESOLUTION

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT Council resolve to approve Planning Application No. 718300 and issue a Notice of Decision to Grant a Permit for works comprising of earthworks associated with three existing dams in accordance with the endorsed plans and subject to the following conditions:

Plans Required

1. Before the development hereby permitted starts, amended plans to the satisfaction of the Responsible Authority be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must be generally in accordance with the plans received by Council dated 18/03/2019, prepared by Peter Richards Surveying, but modified to show:
 - (a) Reduced width of dam walls to no greater than 10 metres;
 - (b) Confine the area of works to the width of the existing dam walls;
 - (c) A 3:1 downstream slope;
 - (d) Overflow position and width for each dam and demonstrate that they are sufficient to cope with flood events;
 - (e) position and width and demonstrate that it is sufficient to cope with flood events to prevent water spilling over the dam; and,
 - (f) Cross section of dam walls;
 - (g) The dam walls being repaired no higher than the current height with no increase in dam capacity.
2. Prior to the endorsement of plans, a detailed report and associated plans, prepared by a suitably qualified civil engineer, to the satisfaction of the Responsible Authority, which clearly demonstrates how the fill is to be placed on the land, and stormwater issues managed must be submitted to and approved by the Responsible Authority. The report must include a formal engineering plan that specifically details the manner in which how the fill will be compacted, and/or spread across the property, and the drainage lines, if any.
3. Prior to the endorsement of plans, a Land Management Plan (LMP) prepared by a qualified environmental consultant must be submitted to and approved by the Responsible Authority. The LMP must specify actions to be carried out to ensure that the rehabilitation of the site, where required, is achieved. When approved, the LMP will be endorsed and will then form part of this permit.
4. Within 60 days of the endorsement of the LMP or alternate date as approved by the Responsible Authority, the applicant must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority to provide for the following:
 - a) The implementation and operation of the Land Management Plan endorsed as part of this planning permit.

No Alterations

5. The use and 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.

6. Once the works have started they must be continued and completed to the satisfaction of the Responsible Authority.
7. Fill brought to the site may only be used for the purpose of repairing dam walls associated with this permit and in accordance with the endorsed plans, and not for any other purpose

Environmental / Site Management Plan

8. Before works start, a detailed Environmental / Site Management Plan must be submitted to and approved by the Responsible Authority, showing:
 - (a) The location, limit extent and depth of filling (including a cross sectional view);
 - (b) Emergency contacts;
 - (c) Traffic management measures and access to the site;
 - (d) Silt and water quality management;
 - (e) Temporary drainage measures;
 - (f) Details on any means of stabilisation such as batters, retaining wall and planting; and,
 - (g) Erosions and silt protection measures which are to be implemented throughout the filling process to be annotated on plan.

Quality of Fill

9. Prior to the receipt of any fill to the land, the permit holder must provide a report to the responsible authority, verified by an environmental auditor, certifying that all fill that has been deposited on the land has been classed as clean fill in accordance with EPA's Soil Sampling Guidelines and hazard classification guidance (IWRG621). Any departure from the minimum sampling rates specified in the Soil Sampling Guidelines must be approved through the provision of a risk assessment endorsed by an independent environmental auditor or a suitably qualified and independent environmental consultant approved by the Environment Protection Authority.
10. Only clean fill material is permitted to be imported to the site. Clean fill material is defined within classification of Wastes EPA Publication 448. This material must not contain any solid inert wastes (such as demolition material, concrete, bricks, timber, plastics, etc.).
11. No contaminated fill material is permitted to be used or kept on the site.
12. Records must be kept and maintained on the source of all material and a material tracking system is to be maintained. Records must be made available to the Responsible Authority upon request, and Records must include:
 - (a) Dates material was deposited;
 - (b) Volume of fill;
 - (c) Origin location where material originated;
 - (d) Type and classification description of material (including reference to any testing results that may have been undertaken);
 - (e) Site location reference to area being filled; and,
 - (f) Other relevant comments.

General Amenity – Construction Works

- 13. No native vegetation shall be destroyed, felled, lopped, ring barked or uprooted.**
- 14. All batters resulting from excavation or filling shall be properly stabilised and vegetated to prevent erosion.**
- 15. The dam walls must have a stable foundation, be constructed of compacted clay and made watertight with the top and downstream face top soiled and grassed to the satisfaction of the Responsible Authority and in accordance with the requirements of Melbourne Water.**
- 16. All roads, storage areas and stockpiles must be maintained to avoid dust nuisance to any neighbouring land to the satisfaction of the Responsible Authority.**
- 17. The development and use hereby permitted must be managed so that the amenity of the area is not detrimentally affected through the:**
 - (a) Transport of materials, good or commodities to or from the land;**
 - (b) Appearance of any building, works or materials;**
 - (c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or**
 - (d) Presence of vermin.**
- 18. The site must at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter must be immediately removed from the site and surrounding area at the direction of the Responsible Authority.**
- 19. Upon completion of the 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.**

Traffic Management

- 20. Before the commencement of any further works, an amended traffic management plan must be prepared in consultation with Whittlesea City Council in its capacity as road authority under the Road Management Act 2004 for local (public) roads used to transport material to/from and within the vicinity of the land. The Traffic Management Plan must be to the satisfaction of Whittlesea City Council. When approved, the Traffic Management Plan will be endorsed by the Responsible Authority and form part of the permit.**

The Traffic Management Plan, without limiting the generality of the plan, must include:

- (a) The proposed route for construction vehicle access to and from the site.**
- (b) How truck movements to and from the site, including turning movements can be safely accommodated.**
- (c) An existing conditions survey of public roads and associated infrastructure, including details of the suitability of the design, condition and construction standard of the relevant public roads, bridges and non-road infrastructure at risk from damage, deterioration or dilapidation arising from the transport of fill to and from the site. This survey is to include but not limited to Dalls Road.**
- (d) The designation of all vehicle access points to the site from surrounding roads. Vehicle access points from Dalls Road must be designed and located to ensure safe sight distances, turning movements, and maintain safety to local residents**

and other road users.

- (e) A truck wheel washing facility or similar device to 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 the works on the site to be cleaned to the satisfaction of the Responsible Authority within two hours of it being deposited.
 - (f) Measures to reduce the impact of noise, dust (including appropriate dust suppression and/or details of water trucks) and other emissions from heavy vehicles.
 - (g) The designation of proposed hours and speed limits for trucks on routes accessing the site.
 - (h) A statement that the permit holder is responsible for any damage caused to construction vehicle or other vehicles, in the event that the safe and usable quality of any public road is degraded or compromised as a result of the development, and that the permit holder indemnifies Whittlesea City Council from any liability for any such damage.
 - (i) A program to rehabilitate existing road and associated infrastructure, including the infrastructure identified in paragraph (c) above, to a safe and usable condition to a standard no less than what is required to support the proposed use during and at the completion of the fill period.
 - (j) Vehicular access to the site 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).
21. By no later than three (3) months after the date of completion of permitted filling, a further conditions survey of public roads, associated infrastructure and access points must be prepared and submitted to the Responsible Authority. The report must to the satisfaction of the Responsible Authority and include details of any dilapidation or damage to the roads and non-road infrastructure and a program of rehabilitation provided in accordance with the requirements of the approved Traffic Management Plan.
22. All works, reporting and the provision of traffic management measures are to be at no cost to Whittlesea City Council, including but not limited to all additional route survey work, and all additional traffic management resources and equipment such as variable message signs.

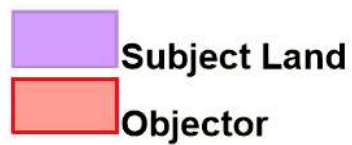
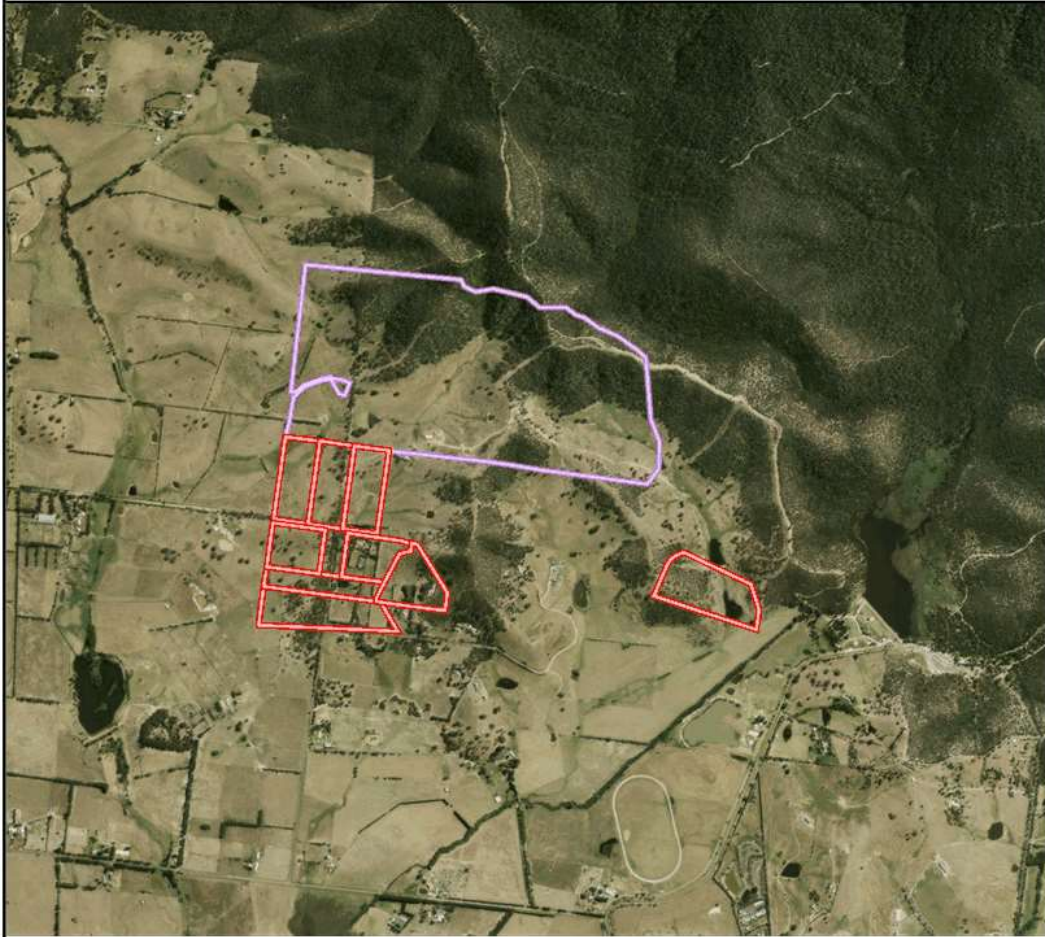
Expiry Conditions

23. In accordance with the Planning and Environment Act 1987 a permit for the development expires if:
- (a) the approved works do not start within 2 years of the date of this permit; or,
 - (b) the approved works are 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.

CARRIED

PLANNING APPLICATION NO. 718300



BUILDING AND PLANNING REPORT

11

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Proposed Truck Route

Ingress to the site trucks will occur via Wallan road which is a major road connecting to Dalls road via Wildwood Road. Egress from site will follow the same route in the reverse direction (Figure 4.1).

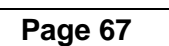
Trucks will enter via the entrance gates through Dalls road as shown in Figure 4.1 and approach the sites.

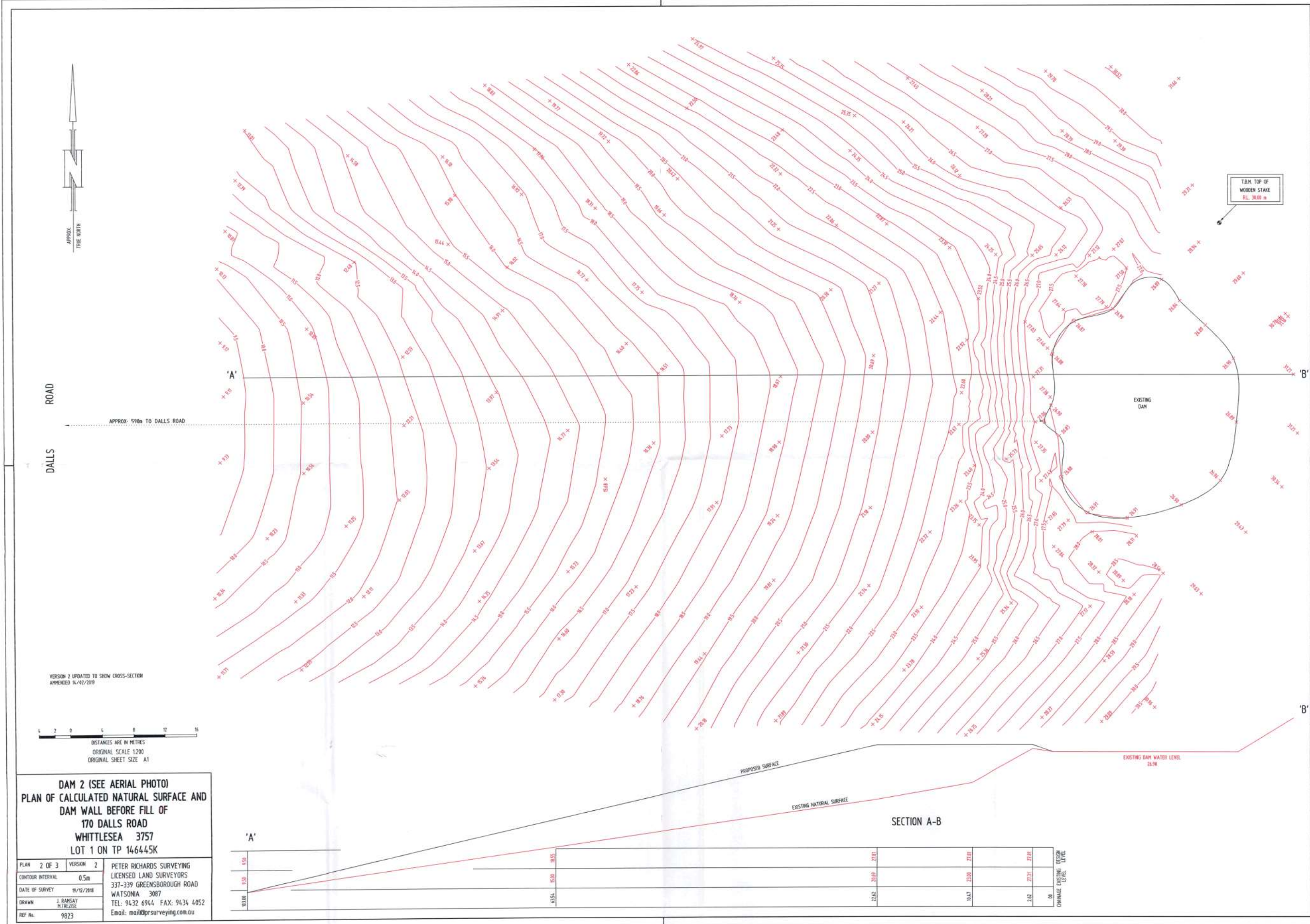


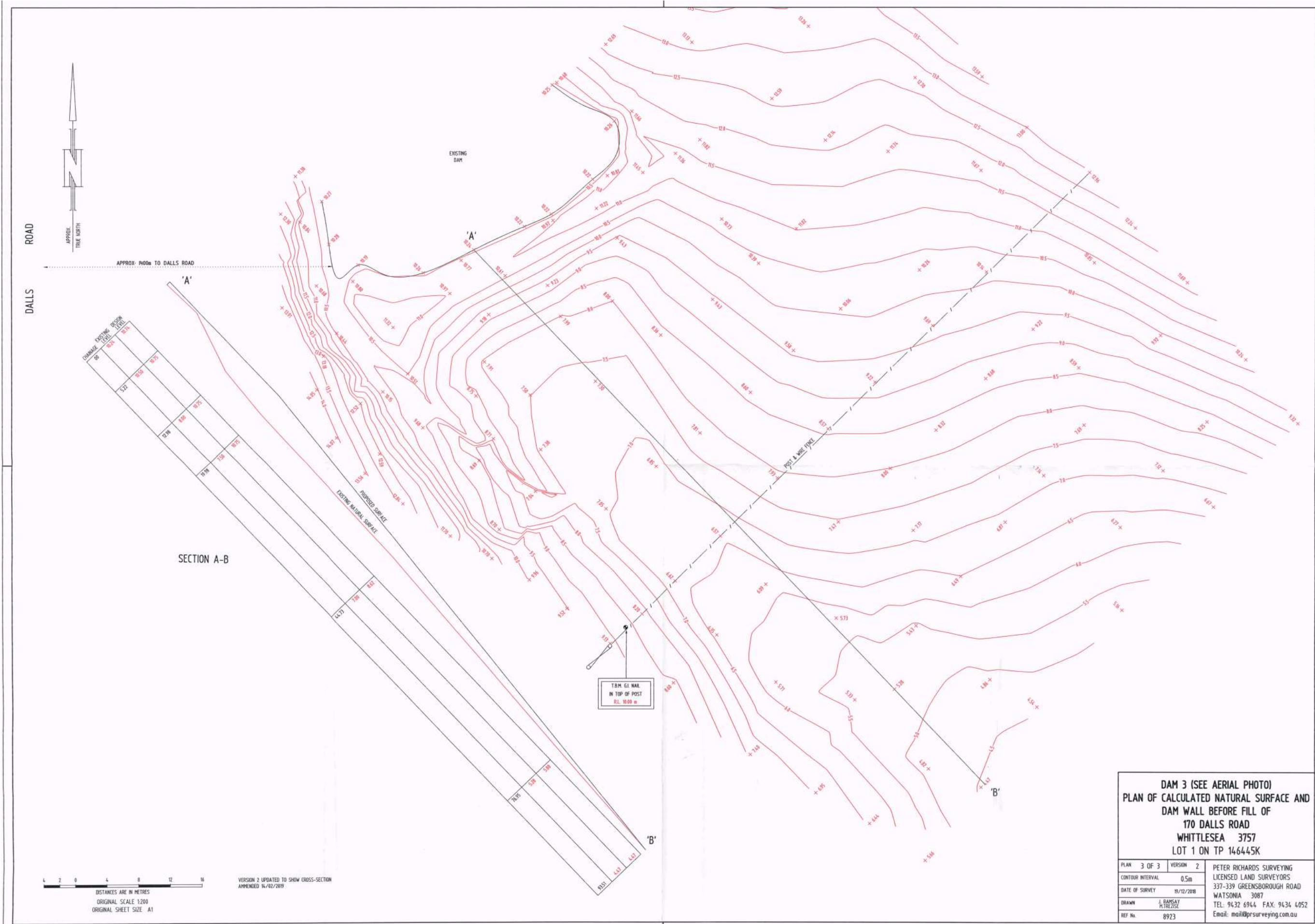
Figure 4.1 Site ingress and egress points, on site access and signage at Dalls road

Traffic Management Initiatives

Dalls road is a straight and relatively wide road with no residential development. We intend to post signs recommending trucks adhere to a 15 km/h speed limit along site driveway to increase the safety for all in the area. Which will minimise the likelihood of any accidents or incidents occurring.







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Traffic Management Plan

City Of Whittlesea
Development Assessment Department
18 MAR 2019

ESG Whittlesea
Dalls Road



Document Control

Document Distribution and Control

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|----------|----------|-----------------------------------|
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1. Introduction

Introduction

The following Traffic Management Plan (TMP) has been prepared to ensure that traffic movements as a result of clean fill and earthmoving activities including cut at the former land fill site known as ESG Whittlesea are managed appropriately.

Purpose of this report

This report assesses the existing traffic conditions surrounding the site and outlines a plan to manage the anticipated traffic implications of the clean filling activity for the site. A Traffic Control Plan (TCP) is also included to ensure safe movement of traffic within and surrounding the works area.

The objectives of this Traffic Management Plan are to:

- Provide a safe environment for road users and pedestrians.
- Protect all site staff, visitors and general public from hazards that arise as a result of the clean filling activity.
- Minimise the severity, duration and likelihood of any traffic disruptions to all road users.
- Ensure access to adjacent properties is not impinged upon.

Statutory Requirements

The following TMP has been prepared according to the following regulations:

- Occupational Health & Safety Act 2004
- Occupational Health & Safety Regulations 2007
- Australian Standard AS/NZS 4602; High Visibility Safety
- Road Management Act 2004
- Road Safety Act 1986
- Road Safety (Road Rule Regulations 1999)
- Road Safety (Traffic Management) Regulations 2009
- Victorian Road Management Act – Traffic Management
- AS1742.3-2009 Manual of Uniform Traffic Control devices Part 3 Traffic Control Devices for Works on all Roads and Appendix B Model Instructions for Traffic Controllers
- Vic Roads Specification 166 Traffic Management 2009
- Vic Roads – A guide to working on the road reserve 2009
- Vic Roads – Guide for Traffic Controllers



2. OH&S

Occupational Health & Safety

Principals, employers, and persons in control of workplaces have a duty of care to provide a safe workplace for all personnel working at the site, accessing the site, or impacted by activities on site. This includes employees, contractors, sub-contractors, visitors to the site and the general public.

The Traffic Management Plan provides details on how road users using public roads are considered to be affected by the works and outlines how the project will be safely and effectively managed for the duration of the works.

All traffic management works and traffic control devices must also be in accordance with the regulations listed in the "Statutory Requirements" (Page 4) section of this Traffic Management plan.

Personal Protective Equipment (PPE)

All personnel entering the site shall wear appropriate Personal Protective Equipment as listed in the Specific Site Induction form. This includes high visibility vests to the AS/NZS 4602 Standard.

Plant and Equipment

All plant and equipment at the workplace shall meet statutory requirements and have the required registration, licenses and certification where required. All mobile plant shall be fitted with suitable reversing alarms. Any vehicles that are not fitted with a rotating yellow beacon should utilise their hazard indicators when on site. All workers will be made aware of safe work practices at the time of the site induction.

Incident and Accident Procedures

In the event of an incident or accident, whether involving traffic or road users, all works shall cease and traffic shall be stopped as necessary to avoid any worsening of the situation. First Aid shall be administered as necessary and medical assistance summoned if required. For life threatening injuries an ambulance should be called on 000.

The Police should be called on 000 for traffic incidents where potentially life-threatening injuries are apparent. Any traffic incident resulting in life-threatening injuries should be reported to Whittlesea Police Station at 78 Church St, Whittlesea contact phone number: (03) 9716 2102

For vehicle break downs or vehicle crashes that result in non-life-threatening injuries, all vehicles involved should be moved to the road verge as soon as possible after the details of the crash have been gathered and recorded. To maintain traffic flows where necessary, vehicles shall be temporarily moved into the closed section of the work area behind bollards or traffic cones providing that there is no risk to vehicles, their occupants or workers. Assistance shall be rendered as soon as possible to ensure that any impact on the traffic network from the incident is minimised.

Incident Reports

Council must be notified within 24 hours of any of the following traffic management issues arising at ESG Whittlesea

- Accidents
- Dangerous Driver Behaviour
- Drivers tracking mud or debris along roads adjoining

If the above, or any other traffic incidents occur at ESG Whittlesea the information relating to the incident must be recorded on an Incident report form. This form can be found in Appendix 1 of this document.

All incidents must be also reported to the Site Manager, Resource Manager and General Manager as soon as possible after the incident has occurred.

Drivers who have been issued with prior warnings will be banned from the site if they are found to engage in any of the above hazardous behaviours a second time.



3. Site Details

Site Details

The site has been used as farming and currently the works to improve agricultural land is being undertaken by Earth Solutions Group to repair and improve existing dams.

Existing Conditions

The property address is 170 Dalls Road Whittlesea.

Adjoining Roads

Wallan road is a major road connecting to Dalls road via Wildwood Road within the Norther suburbs.



Figure 3.1 Dalls Road – Looking West

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Current Vehicle Access to Site

To access the site, vehicles will enter site through a gated entrance through the access gates.



Entrance 1



Entrance 2

Figure 3.2 Access gates



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Access to the site at 170 Dalls road, and can be approached from Wildwood road heading North (Figure 3.3 & 3.4)



Figure 3.3 Aerial view of ESG Whittlesea



Figure 3.4 Aerial view of ESG Whittlesea showing surrounding roads and land use.
Yellow thatched areas show dam areas requiring fill.



4. Traffic Management

Traffic Generation

Hours of operation for the Clean Fill site are between 7:00am and 4:00pm Monday to Friday and 7:00am – 1:00pm Saturday by appointment.

The site is expected to receive an average 400m³ of loose fill per day on average.

Maximum Daily Traffic Generation

Given that there are two types of truck with varying load capacities the maximum number of trucks per day has been based on each type of truck delivering 22m³ of fill to meet the daily average of 400m³ loose in total.

This equates to 18 Truck and trailers loads per day. Based on 9 hour per day operation (7:00am – 4:00pm) the maximum number of truck movements per hour is 2.

Staff Requirements

A Site Spotter will be on site most of the times. On high volume days where truck movements and frequency are increased it is expected that additional Site Spotters will also be on site to aid in traffic management.

Period of Fill Operation

Table 1 has been prepared to demonstrate the number of operating days that would be required to fill the site based on the average daily fill import over a five (5) day per week.

Table 1. Comparison of Operation Duration.

| Daily Operating capacity | Daily Truck Movements | Days Operation (average) | Weeks of Operation (5 days per week) |
|--------------------------|-----------------------|--------------------------|--------------------------------------|
| 400 | 18 | 115 | 23 |

If the site was filled at this rate it is likely to take between 20 and 30 weeks to complete the works depending on how many days a week the site is operational. The fill operation period will be variable due to natural fluctuations in the market that effect fill availability.

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Proposed Truck Route

Ingress to the site trucks will occur via Wallan road which is a major road connecting to Dalls road via Wildwood Road. Egress from site will follow the same route in the reverse direction (Figure 4.1).

Trucks will enter via the entrance gates through Dalls road as shown in Figure 4.1 and approach the sites.



Figure 4.1 Site ingress and egress points, on site access and signage at Dalls road

Traffic Management Initiatives

Dalls road is a straight and relatively wide road with no residential development. We intend to post signs recommending trucks adhere to a 15 km/h speed limit along site driveway to increase the safety for all in the area. Which will minimise the likelihood of any accidents or incidents occurring.



5. Conclusion

Based on the analysis and discussions presented within this report, the following conclusions can be made:

- 1) The proposed filling of the landfill site will require in the order of 46,000m³ truckloads of loose fill.
- 2) An average volume of 400m³ per day is expected which will result in approximately 18 additional vehicle movements along Dalls road per day.
- 3) Trucks can enter Dalls road site from Wildwood road heading North.
- 4) All road users should be aware and take precautions to minimise the potential of incidents occurring along Dalls road.
- 5) Trucks will utilise the same road to enter and exit the site.



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Appendix

Appendix 1. Incident Report Form

OHSE 022-Incident investigation report

Earth Solutions Group completes an Incident Investigation Report in the event of any injury involving medical attention or off site treatment or in the event of any incidents involving a near miss, property/plant damage or injury to the public or the environment.

The principal contractor will be informed **Immediately** in the event of the above. Following discussions with the principal contractor, a decision will be made as to who will conduct the incident investigation. The principal contractor will be provided with a copy of the completed Incident Investigation Report.

| Class of Incident | | Reportable Incident? | |
|---|--|--|---|
| <input type="checkbox"/> Injury (fill out Register Of Injuries) | | Yes <input type="checkbox"/> No <input type="checkbox"/> Details: | |
| <input type="checkbox"/> Property/Plant Damage | | | |
| <input type="checkbox"/> Near Miss <input type="checkbox"/> Environmental | | Further Action Required | |
| <input type="checkbox"/> Other..... | | <input type="checkbox"/> Report to Authorities <input type="checkbox"/> Other: | |
| Details of Incident | | | |
| Date of Incident | | Time of Incident | am <input type="checkbox"/> pm <input type="checkbox"/> |
| Person involved: (1) | | Person involved: (2) | |
| Witness Name | | Witness Contact | |
| Nature of Incident | | | |
| Location of Incident | | | |
| Description of Incident | | | |
| Activity being carried out at time of incident | | | |
| Details of damage to equipment/property? | | | |

| | | | |
|--|--|-----------------|--|
| 14 | | TMP_V1_06.03.19 | |
| Name | | | |
| | | | |
| Address | | | |
| | | | |
| Date of Birth | | | |
| | | | |
| ROccupation | | Employer | |
| | | | |
| Cause of Incident | | | |
| | | | |
| Contributing factors | | | |
| | | | |
| Corrective Action | | | |
| | | | |
| Recommended Preventive Action | | | |
| | | | |
| Details of Attachments / Appendices | | | |
| | | | |
| Completed By | | | |
| Name | | Position | |
| | | | |
| Signature | | Date | |
| | | | |

6.1.4 EPPING COMMUNITY SERVICES HUB -SUB TENANCIES

Responsible Officer: Acting Director Partnerships, Planning & Engagement

Author: Social Policy and Projects Officer

RECOMMENDATION SUMMARY

Council resolve to approve Jesuit Social Services and Vision Australia as sub-tenants of the Epping Community Services Hub (713 High St, Epping).

KEY FACTS AND / OR ISSUES

- Council's establishment of the Epping Community Services Hub (ECSH) facilitates the expansion of much needed human service provision to the municipality. It responds to the needs of the community, providing innovative service and infrastructure delivery focused on integration and a partnership approach.
- Council's resolution on 24 February 2015 requires formal endorsement of all sub-tenancies of ECSH: "...Brotherhood of St Laurence will take on the lease for the facility for a five year period and **with the consent of Council**, will sub lease to appropriate services providers" (Council Report 24/02/15, p1).
- Jesuit Social Services and Vision Australia have applied to be sub-tenants of the ESCH. The agencies are committed to the vision of the ECSH as an integrated service model and deemed to deliver important services to contribute to community wellbeing.

REPORT**INTRODUCTION**

The Epping Community Services Hub (ESCH) is a Council facility being leased to the Brotherhood of St Laurence (BSL) as the lead agency which then sub-leases to appropriate community service providers. The total capacity of the Hub is 110 desks. Currently there are 96.6 desks being leased.

Council has received applications from Jesuit Social Services and Vision Australia to locate their services at the ESCH and they each require one desk. Importantly, these agencies will provide a Suicide Support Service and Allied Health and Specialist Support Services for people with vision impairment.

BACKGROUND

The ECSH was established in May 2016 to respond to gaps in service provision and infrastructure in innovative ways to better address needs in the community. The Epping Central Structure Plan (2011), the South Morang Civic Precinct Community Infrastructure Analysis (2013) and the Human Services Needs Analysis (2013) identified substantial demand for additional infrastructure and community services in the municipality, particularly those targeting the needs of young people, families, new migrants, CALD communities, seniors and people with disabilities. The ECSH provides an opportunity to meet the current needs of the community and respond to the evidence of significant population growth.

Through an Expression of Interest process undertaken in September 2014, Council sought interest from agencies to, firstly take on the role of lead agency and lead tenant, to manage the facility and to facilitate a collaborative environment, and secondly, to partner with other agencies that would like to be accommodated within the building as sub tenants. On 24 February 2015, Council resolved to endorse BSL as the lead agency and lead tenant and lease the site to BSL for a five year period. Council also confirmed that any sub-tenancies needed to be formally endorsed by Council.

PROPOSAL

Jesuit Social Services and Vision Australia have requested approval from Council to locate their services at the Hub and occupy one desk each, taking the total desks leased to 98.6 out of a capacity of 110.

Jesuit Social Services – Support After Suicide. This service will provide support to individuals who have been bereaved by suicide.

Vision Australia – Allied Health and Specialist Support Services. This service will provide specialised support services for people with vision impairment.

Discussions have been held between Council officers and the lead tenant, BSL, to ensure the services are required by the local community and the agencies support the integrated service provision model stipulated by Council. BSL and Council officers are satisfied that both requirements are met by the agencies. In accordance with Council's resolution on 24 February 2015 this report recommends that Council formally approve Jesuit Social Services and Vision Australia as sub-tenants of the Epping Community Services Hub (713 High St, Epping).

CONSULTATION

Consultations have been undertaken with the BSL as well as other agencies located at the ECSH.

CRITICAL DATES

Jesuit Social Services and Vision Australia plan to commence operations at the ECSH as soon as possible pending Council approval.

FINANCIAL IMPLICATIONS

The current model at the ECSH, endorsed by Council on 24 February 2015, involves a lead agency (BSL) leasing the building from Council and then developing sub-leases with individual agencies (subject to Council approval). There are no financial implications for Council from this report.

POLICY STRATEGY AND LEGISLATION

The ECH is intended to respond to gaps in service provision and infrastructure and is consistent with Council priorities and plans. The Epping Central Structure Plan (2011), the South Morang Civic Precinct Community Infrastructure Analysis (2013), the Human Services Needs Analysis (2014 and 2017) and the Council Plan identify substantial demand for additional infrastructure and community services in the municipality, particularly those targeting the needs of young people, families, new migrants, CALD communities, seniors and people with disabilities. The ECH provides an opportunity to meet the current needs of the community and respond to the evidence of significant population growth.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Connected community |
| Whittlesea 2040 Key Direction | A healthy and safe community |
| Strategic Objective | Health and human services are accessible and responsive to the needs and aspirations of all people |
| Council Priority | Health and Wellbeing |

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

Jesuit Social Services and Vision Australia will provide services needed for City of Whittlesea residents. The agencies are committed to the vision for the ECH as an integrated service model and deemed to be an important service to contribute to community wellbeing. This report, therefore, recommends that Council formally approve Jesuit Social Services and Vision Australia as sub-tenants of the ECH.

RECOMMENDATION

THAT Council resolve to approve Jesuit Social Services and Vision Australia as sub-tenants of the Epping Community Services Hub (713 Hight Street, Epping)

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.1.5 LALOR MARKETING AND BUSINESS DEVELOPMENT SPECIAL RATE

- Attachments:**
- 1 Minutes of Committee Meeting 1 April 2019 and summary of submissions and recommendations [↓](#)
 - 2 Copy of submissions [↓](#)

Responsible Officer: Director Partnerships, Planning & Engagement

Author: Business Services Officer

RECOMMENDATION SUMMARY

The Advisory Committee recommends that Council adopt the Special Rate for the Lalor Shopping Centre and raise \$90,000 (plus GST) per annum, indexed by CPI in every subsequent year for the period of 1 July 2019 to 30 June 2026.

KEY FACTS AND / OR ISSUES

- Public submissions on the proposed renewal of the Special Rate were invited in accordance with Sections 163A and 223 of the *Local Government Act 1989*.
- Six submissions were received at the close of the public submission period. Four submissions supported the Special Rate renewal. One submission objected to the renewal of the Special Rate. One submission objected to the rating mechanism but not the renewal of the Special Rate.
- An Advisory Committee of Council met and considered the public submissions on the proposed renewal of the Special Rate on 1 April 2019 and recommends the adoption of the Special Rate renewal.

REPORT

Introduction

The purpose of the proposed Special Rate scheme is to improve the viability and drive economic development within the Lalor Shopping Centre (the Centre) through marketing and promotional initiatives.

Background

At its meeting held on 12 February 2019, Council resolved to give public notice of its intention to declare the Special Rate in accordance with section 163 (1A) of the *Local Government Act 1989* and to invite submissions on the proposal.

Proposal

At the close of the submission period, a total of six written submissions were received. Four submissions supported renewal of the Special Rate. One submission objected to the renewal of the Special Rate and one submission objected to the rating mechanism only and not the renewal of the Special Rate.

The Advisory Committee met on 1 April 2019 to consider and discuss submissions. One submitter requested to attend the meeting to speak in support of their submission.

The Committee considered each submission and a summary of the submissions and the Committee's recommendations are included in Attachment 1.

The Committee recommends the renewal of the Special Rate as proposed, as it will improve the viability of the Centre as a whole through a range of marketing and business development initiatives.

Consultation

Following Council's decision on 12 February 2019 to advertise its intention to declare a Special Rate, public notice was given inviting public submissions on the proposal.

In addition, property owners and business tenants within the Centre were provided with details of the proposal and invited to make a written submission to Council within 28 days of the publication of the notice.

Critical Dates

If Council resolve to proceed with the adoption of the Special Rate, notice of the levying of the rate will be sent to persons liable to pay the rate.

Affected persons will be advised that they may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of Council's decision within 30 days of the date on the notice levying the Special Rate.

If there are no successful appeals, the 2019 - 2026 Special Rate will be levied and issued and a formal agreement will be entered into with the Lalor Traders Association Incorporated.

Alternatively, if Council resolves not to adopt the Special Rate, no further action is required. In this instance, property and business owners within the Centre will be notified of Council's decision and the current Special Rate would conclude on 30 June 2019.

Financial Implications

The Special Rate Scheme will be administered within existing Council budgets.

POLICY STRATEGY AND LEGISLATION

Economic Development Strategy, *Growing our economy together*

The proposed Special Rate renewal is supported by Key Direction 2 – Foster an environment that encourages the development of a vibrant local economy. The renewal will allow the continuation of marketing and promotional activities to contribute to the vibrancy of the Centre.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Strong local economy |
| Whittlesea 2040 Key Direction | Increased local employment |
| Strategic Objective | We have access to local employment opportunities |
| Council Priority | Jobs and Investment |

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

It is recommended that Council resolve to adopt the renewal of the Special Rate for Lalor Shopping Centre as proposed for a period of seven years commencing 1 July 2019, concluding 30 June 2026.

RECOMMENDATION

THAT Council resolve to:

- Note that public submissions on the proposed renewal of the Special Rate were invited in accordance with Sections 163A and 223 of the *Local Government Act* 1989 and that six submissions were received at the close of the public submission period.
- Accept the recommendations of the Committee of Councillors outlined in Attachment 1, having considered public submissions on the proposed renewal of the Special Rate.
- Adopt the Special Rate for the Lalor Shopping Centre and raise \$90,000 (plus GST) per annum and indexed by CPI in every subsequent year for the period of 1 July 2019 until 30 June 2026 advising that:
 - The Special Rate is declared for the purpose of defraying advertising, promotion, management, business development, security and other incidental expenses associated with the encouragement and economic development in the Lalor Shopping Centre.
 - The following land be specified for which the proposed Special Rate should be declared:
 - 284 – 368 Station Street, Lalor
 - 1 – 87 May Road, Lalor
 - 1 – 7 Peter Lalor Walk, Lalor
 - The proposed Special Rate will be assessed and levied on the basis that the rate in the dollar of 0.00099926 be applied to the Capital Improved Value of the property within the geographical area referred to above.
 - The properties included in the scheme and the Special Rates amounts proposed will be subject to general revaluations and supplementary valuations on the same cycles and in the same manner as the City of Whittlesea general municipal rates and charges.
- Advise that a person may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of Council's decision within 30 days of the date on the notice levying the Special Rate. If there are no successful appeals the Special Rate levy will be issued.
- Note that there will be a special benefit to persons required to pay the proposed Special Rate and the viability of the Lalor Shopping Centre as a commercial area will be enhanced through increased economic activity. The value of the properties included in the scheme, their desirability as letting propositions and their general image and stature will be maintained or enhanced.
- Enter into a formal agreement with the Lalor Traders Association prior to the Special Rate or any

part being paid to the Association which amongst other matters, acknowledges and confirms that the role of the Association in expending the monies raised by the Special Rate on behalf of Council is of an administrative nature only and at all times under the direction of Council.

MOTION

MOVED: *Cr Lalios*
SECONDED: *Cr Kelly*

THAT Council resolve to:

1. Give public notice under Section 163 (1A) of the Local Government Act 1989 of its intentions to declare a Special Rate for the Lalor Shopping Centre and raise \$90,000 per annum for the period commencing 1 July 2019 plus CPI index for every subsequent year until 30 June 2026 or earlier, if there is a change to the methodology of rating valuations from NAV to CIV.
 - a) The following land be specified for which the proposed Special Rate should be declared:
 - 284 – 368 Station Street, Lalor
 - 1-87 May Road, Lalor
 - 1-7 Peter Lalor Walk, Lalor
 - b) The proposed Special Rate will be assessed and levied on the basis of Net Annual Value of the properties within the geographical area referred to above. This criterion will be referred to in the public notice.
 - c) The properties included in the scheme and the Special rates amounts proposed will be subject to general revaluations and supplementary valuations on the same cycles and in the same manner as the City of Whittlesea municipal rates and charges.
 - d) There will be a special benefit to persons required to pay the proposed Special Rate and the viability of the Lalor Shopping Centre as a commercial area will be enhanced through increased economic activity. The value of the properties included in the scheme, their desirability as letting propositions and their general image and stature will be maintained or enhanced.
 - e) In the event that Council proceeds with the proposed Special Rate:
 - i) It will be levied by sending notices to the persons liable to pay the proposed Special Rate.
 - ii) Council requires interest to be paid in accordance with Section 172 of the Local Government Act 1989 on any amounts of Special Rate not paid by the specific date or dates.
 - f) Which persons have the right to object to the proposed declaration, how those persons may object and that objections in writing must be lodged within 28 days of the public notice.
2. Send a copy of the public notice of the proposed declaration under Section 163 (1C) of the Local Government Act to all owners and occupiers of properties who will be liable to pay the proposed Special Rate.

A person affected by the proposed Special Rate may make a written submission in accordance with Section 223 of the Act. Submissions will be directed to the Chief Executive Officer and a meeting will be held for an Advisory Committee of the South

West Ward Councillors to:

- a) Consider objections and other submissions made in accordance with Section 163 (A) and 163 (B) of the Act: and
 - b) Hear persons who wish to be heard in support of all submissions.
3. Establish an Advisory Committee of the South West Ward Councillors to consider any written submission received on the proposal and make recommendations to Council on any such submissions.
 4. Should the Special Rate be renewed, enter into a formal agreement with the Lalor Traders Association prior to the Special Rate or any part being paid to the Association which, amongst other matters, acknowledges and confirms that the role of the Association is in expending the monies raised by the Special Rate on behalf of Council is of an administrative nature only and at all times under the direction of and for Council.

LOST

| |
|-----------------|
| DIVISION |
|-----------------|

Immediately after the motion was voted on, Cr Monteleone called for a division which resulted in the following votes being recorded.

| For | Against | Abstained |
|---------------|----------------|------------------|
| Cr Kirkham | Cr Kozmevski | Cr Pavlidis |
| Cr Lalios | Cr Cox | Cr Alessi |
| Cr Monteleone | Cr Sterjova | |
| Cr Desiato | Cr Joseph | |
| Cr Kelly | | |

Based on the votes cast during the Division, the motion was lost.

LOST

COUNCIL RESOLUTION

MOVED: *Cr Kozmevski*
SECONDED: *Cr Joseph*

THAT Council resolve to:

1. Note that public submissions on the proposed renewal of the Special Rate were invited in accordance with Sections 163A and 223 of the *Local Government Act* 1989 and that six submissions were received at the close of the public submission period.
2. Accept the recommendations of the Committee of Councillors outlined in Attachment 1, having considered public submissions on the proposed renewal of the Special Rate.
3. Adopt the Special Rate for the Lalor Shopping Centre and raise \$90,000 (plus GST) per annum and indexed by CPI in every subsequent year for the period of 1 July 2019 until 30 June 2026 advising that:
 - a) The Special Rate is declared for the purpose of defraying advertising, promotion, management, business development, security and other incidental expenses associated with the encouragement and economic development in the Lalor Shopping Centre.
 - b) The following land be specified for which the proposed Special Rate should be declared:
 - 284 – 368 Station Street, Lalor
 - 1 – 87 May Road, Lalor
 - 1 – 7 Peter Lalor Walk, Lalor
 - c) The proposed Special Rate will be assessed and levied on the basis that the rate in the dollar of 0.00099926 (subject to final Valuer General Victoria Valuations) be applied to the Capital Improved Value of the property within the geographical area referred to above.
 - d) The properties included in the scheme and the Special Rates amounts proposed will be subject to general revaluations and supplementary valuations on the same cycles and in the same manner as the City of Whittlesea general municipal rates and charges.
4. Advise that a person may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of Council's decision within 30 days of the date on the notice levying the Special Rate. If there are no successful appeals the Special Rate levy will be issued.
5. Note that there will be a special benefit to persons required to pay the proposed Special Rate and the viability of the Lalor Shopping Centre as a commercial area will be enhanced through increased economic activity. The value of the properties included in the scheme, their desirability as letting propositions and their general image and stature will be maintained or enhanced.
6. Enter into a formal agreement with the Lalor Traders Association prior to the Special Rate or any part being paid to the Association which amongst other matters, acknowledges and confirms that the role of the Association in expending the monies raised by the Special Rate on behalf of Council is of an administrative nature only and at all times under the direction of Council.

CARRIED



**City of
Whittlesea**

**Lalor Shopping Centre
Special Rate
Advisory Committee Meeting
Assembly of Councillors Record**

**Monday
1 April 2019**

Assembly Location: Council Chamber, 25 Ferres Boulevard, South Morang

| | Present | Apology |
|---|-------------------------------------|-------------------------------------|
| Councillors: | | |
| Cr Lawrie Cox (Mayor) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Cr Stevan Kozmevski | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Cr Caz Monteleone | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Cr Kris Pavlidis | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Officers: | | |
| Ms Liana Thompson, Director Partnerships, Planning & Engagement | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Mr George Saisanas, Manager Strategic Planning & Design | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Mr Gino Mitrione, Manager Property, Rates & Valuations | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ms Sarah Rowe, Team Leader Economic Development | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ms Jennifer Pearson, Business Services Officer | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ms Amanda Marijanovic, Acting Team Leader Governance | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ms Felicity Maddern, Governance Officer | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

6.00pm Council Chamber

Matters in Discussion

MEETING OPENED AT 6:00PM

ITEM 1 LALOR SHOPPING CENTRE SPECIAL RATE PUBLIC SUBMISSIONS MEETING

INTRODUCTION

The Mayor Cr Cox introduced the Committee and explained the Committee's role and the process for hearing submitters.

DECLARATIONS OF INTEREST

Nil

HEARING OF SUBMITTERS

George Tsakmakis, Tsakmakis & Associates Pty Ltd Accountants & Tax Agent (Submitter 2) made an oral presentation to this submission.

MEETING CLOSED TO THE PUBLIC AT 6:12PM

After hearing the submission, The Mayor Cr Cox closed the meeting to the public to allow the Committee to consider issues raised by submitters.

CONSIDERATION OF SUBMISSIONS

The Committee considered all written submissions and the oral presentation.

| SUBMISSIONS RECEIVED | | |
|----------------------|--|----------|
| No. | Name | Speaking |
| 1. | Saro Basile, Station Street, Lalor | No |
| 2. | George Tsakmakis, Tsakmakis & Associates Pty Ltd Accountants & Tax Agent May Road, Lalor | Yes |
| 3. | Karen Ross, Branch Manager, Commonwealth Bank of Australia Lalor Branch Station Street, Lalor | No |
| 4. | Mina Magdi, Ferguson Plarre May Road, Lalor | No |
| 5. | Joe Ielasi President, Lalor Traders Association | No |
| 6. | Paul Tsardakis Lalor Party Shop Station Street, Lalor | No |

**Lalor Shopping Centre
Special Rate
Advisory Committee Meeting
Monday 1 April 2019**



COMMITTEE RECOMMENDATION

The Committee considered submissions and made the following recommendations outlined in the attached table, which will be considered by Council at the Council Meeting held on Tuesday 7 May 2019.

MEETING CLOSED AT 6:14PM

Lalor Shopping Centre Business Development and Marketing Special Rate Scheme 2019

| No | Submitter Details | Summary of issues |
|--|--|--|
| LSC_001 | Saro Basile Station Street LALOR | The submitter objects on the basis that they believe the ordinary Council rates are sufficient to ensure the Shopping Centre is a safe and attractive option for patrons. The scale of the proposed additional projects and the related rate to fund them appears to be grossly excessive. |
| Officer Comment The special rate provides a special benefit to businesses above the general Council rates to improve the viability of the shopping centre and drive economic development through marketing and promotional initiatives which are detailed in the business plan provided by the Centre Coordinator. Financial reports are made available to any business or property owner who may wish to review how the funds are utilised to market and promote the centre. Business or property owners are welcome to attend the quarterly traders association meetings in order to be informed about proposed activities and associated cost. | | |
| Officer Recommendation That Council resolve to note the submission and support the renewal of the special rate. | | |
| Committee Recommendation: That Council resolve to note the submission and support the renewal of the special rate. | | |

Lalor Shopping Centre Business Development and Marketing Special Rate Scheme 2019

| No | Submitter Details | Summary of issues |
|---|--|---|
| LSC_002 | George Tsakmakis Tsakmakis & Assoc P/L May Road LALOR | <p>The submitter objections are as follows:</p> <ol style="list-style-type: none"> 1. Lalor Traders currently receive \$87,308.00 plus GST 2. Proposed levy is \$90,000.00 plus GST 3. Lalor Traders grant will increase by 3.08% 4. Our Levy has gone up 23.38% 5. Our Levy will increase from \$469.76 to \$579.5708 6. Levy has been based on Net Annual Value for many years without a problem 7. We request you revert back to NAV and not Capital Improved Value 8. We request that you revert back to NAV and increase 2018/2019 levy by 3.08% |
| <p>Officer Comment</p> <p>For over 20 years all marketing schemes with the City of Whittlesea were based on Net Annual Value (NAV). As of last year all marketing schemes with the City of Whittlesea are being calculated on the Capital Improved Value (CIV) of the property to bring them in line with pending changes to the Local Government Bill.</p> <p>When there is a change to the basis on which a rate is calculated, there will be a redistributional effect. NAV focuses on rental return while CIV focuses on market value of a property. Some property owners will pay more and some will actually pay less. So if a small property is valued lower (CIV) but has a high rental return (NAV), this change would work in the small property's favour when we change to CIV calculation. This is because the smaller property's share of the overall valuation base (ie the total combined value of each property in the scheme) is smaller under CIV than under NAV.</p> <p>Officer Recommendation</p> <p>That Council resolve to note the submission and support the renewal of the special rate.</p> | | |
| <p>Committee Recommendation:</p> <p>That Council resolve to note the submission and support the renewal of the special rate.</p> | | |

Lalor Shopping Centre Business Development and Marketing Special Rate Scheme 2019

| No | Submitter Details | Summary of issues |
|--|---|---|
| LSC_003 | Karen Ross Branch Manager Commonwealth Bank of Australia Lalor Branch Station Street LALOR | The submitter supports the renewal of Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors. |
| Officer Comment Support for the scheme noted. | | |
| Officer Recommendation That Council resolve to note the submission and support the renewal of the special rate. | | |
| Committee Recommendation: That Council resolve to note the submission and support the renewal of the special rate. | | |

Lalor Shopping Centre Business Development and Marketing Special Rate Scheme 2019

| No | Submitter Details | Summary of issues |
|--|--|---|
| LSC_004 | Nina Magdi Ferguson Plarre May Road LALOR | The submitter supports the renewal of Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors. |
| Officer Comment Support for the scheme noted. | | |
| Officer Recommendation That Council resolve to note the submission and support the renewal of the special rate. | | |
| Committee Recommendation: That Council resolve to note the submission and support the renewal of the special rate. | | |

Lalor Shopping Centre Business Development and Marketing Special Rate Scheme 2019

| No | Submitter Details | Summary of issues |
|--|---|---|
| LSC_005 | Joe Ielasi President Lalor Traders Association LALOR | The submitter supports the renewal of Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors. |
| Officer Comment Support for the scheme noted. | | |
| Officer Recommendation That Council resolve to note the submission and support the renewal of the special rate. | | |
| Committee Recommendation: That Council resolve to note the submission and support the renewal of the special rate. | | |

Lalor Shopping Centre Business Development and Marketing Special Rate Scheme 2019

| No | Submitter Details | Summary of issues |
|--|---|---|
| LSC_006 | Paul Tsardakis Lalor Party Shop Station Street LALOR | The submitter supports the renewal of Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors. |
| Officer Comment Support for the scheme noted. | | |
| Officer Recommendation That Council resolve to note the submission and support the renewal of the special rate. | | |
| Committee Recommendation: That Council resolve to note the submission and support the renewal of the special rate. | | |

Saro Basile

Ph. [REDACTED]

CEO
City of Whittlesea
Locked Bag 1
Bundoora MDC 3083

25 February 2019

Dear Sir/Madam

| WHITTLESEA CITY COUNCIL | |
|-------------------------|-------------|
| File No. _____ | RECEIVED |
| RMS No. _____ | 26 FEB 2019 |
| CRM No. _____ | |
| Action: _____ | |
| Copy: _____ | |

RE: Intention to Declare a Marketing and Business Development Special Rate for Lalor Shopping Centre

I wish to raise an objection to the Special Rate for the Lalor Shopping Centre.

As owner of a shop in Station Street Lalor I see no need for an extra levy for "Marketing and Business Development". I believe the ordinary Council rates, well over \$4000/yr, should be sufficient to ensure the Shopping Centre is a safe and attractive option for patrons. The scale of the proposed additional projects, and the related rate to fund them, appear to be grossly excessive.

Please note that I do not wish to present to the Advisory Committee of the Southwest Ward Councillors.

Kind Regards,

Saro Basile
[REDACTED] Station St., Lalor

c.c. [REDACTED]



Jennifer Pearson

From: George Tsakmakis <[REDACTED]>
Sent: Thursday, 14 March 2019 1:25 PM
To: Jennifer Pearson
Cc: George Saisanas
Subject: RE: Lalor Traders Marketing Levy.

Importance: High

**NOTICE OF OBJECTION TO LALOR MARKETING AND BUSINESS
SPECIAL RATE FOR SEVEN YEARS COMMENCING 01 JULY 2019**

Date: 14 March 2019.

We wish to object against the proposed Lalor Marketing and Business Development Special Rate commencing 1 July 2019.

Our objections are as follows:

1. Lalor Traders currently receive \$87,308.00 plus GST.
2. Proposed levy is \$90,000.00 plus GST.
3. Lalor Traders grant will increase by 3.08%.
4. Our Levy has gone up 23.38%.
5. Our Levy will increase from \$469.76 to \$579.5708.
6. Levy has been based on Net Annual Value for many years without a problem.
7. We request you revert back to NAV and not Capital Improved Value.
8. We request that you revert back to NAV and increase 2018/2019 levy by 3.08%.

Yours Sincerely

George Tsakmakis
Tsakmakis & Associates Pty Ltd
Accountants & Tax Agent
30 May Road Lalor. 3075.
Postal Address:
PO Box 1099 Lalor. 3075.
Tel: 9464 0080
Fax: 9464 0599

Thursday 14th March 2019

Mrs Sarah Rowe
Business Services Officer
City of Whittlesea

Dear Sarah,

I would like to submit my support for the renewal of the Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors.

Therefore, I support the renewal of the Special Rate Scheme for the coming seven years.

Regards,



Karen Ross

Karen Ross
Branch Manager
Commonwealth Bank of Australia
Lalor Branch
352 Station St, Lalor, Vic 3075

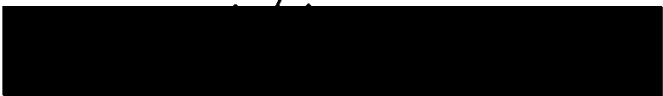
Thursday 14th March 2019

Mrs Sarah Rowe
Business Services Officer
City of Whittlesea

Dear Sarah,

I would like to submit my support for the renewal of the Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors.

Therefore, I support the renewal of the Special Rate Scheme for the coming seven years.



Nina Magor
Ferguson Plarre

Thursday 14th March 2019

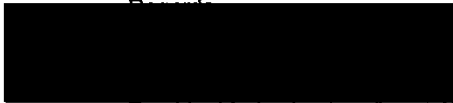
Mrs Sarah Rowe
Business Services Officer
City of Whittlesea

Dear Sarah,

I would like to submit my support for the renewal of the Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors.

Therefore, I support the renewal of the Special Rate Scheme for the coming seven years.

Respectfully

A large black rectangular box redacting the signature of the President of the Lalor Traders Association.

President Lalor Traders Association

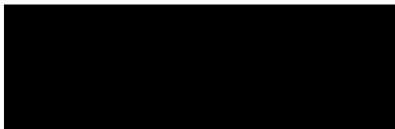
Thursday 14th March 2019

Mrs Sarah Rowe
Business Services Officer
City of Whittlesea

Dear Sarah,

I would like to submit my support for the renewal of the Special Rate Scheme for Lalor. The scheme has been very beneficial to the Lalor Businesses providing numerous benefits to individual businesses, customers, residents and visitors.

Therefore, I support the renewal of the Special Rate Scheme for the coming seven years.



(PARTY SHOR)

6.1.6 ANIMAL REGISTRATION AND REFUND POLICY

Attachments: 1 **Animal Registration and Refund Policy** [↓](#)

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

Author: **Manager City Safety and Amenity**

RECOMMENDATION SUMMARY

That Council resolve to adopt the Animal Registration and Refund Policy.

KEY FACTS AND / OR ISSUES

Consideration of this report was deferred from the Council meeting held on 2 April 2019 to allow the officers to provide clarification regarding a number of items relating to animal registrations. Councillor received a memorandum on 5 April 2019 which responded to Council's enquiries.

The Domestic Animals Act 1994 requires all pet cats and dogs over the age of 3 months to be registered.

Council must by resolution:

- Fix fees to be raised for registration or renewal of registration on an annual basis;
- Fix fees to be paid if Council permits a pro rata fee to be paid during the registration year; and
- Include circumstances in which a fee or part fee may be refunded.

Current practices regarding refunds and pro-rata registration fees require formalisation. A draft policy is attached to this report.

The policy proposes to:

- Extend the refund period for animal registrations from 10 May to 30 June each year. Refunds are often requested from customers where their pet dies following the registration fee being paid.
- Introduce a nominal registration fee for cats and dogs under 12 months of age. Pets are legally required to be registered by 3 months of age, however many animals cannot be de-sexed until they reach 6 months of age, which results in a much higher registration fee being applied. A nominal fee in the first year is a financial saving incentive for pet owners to register and desex their pet.
- Formalising 50% pro rata fees for animals registered from 10 October onwards.
- Introducing a nominal foster carer registration fee in response to legislative changes that come into effect from 1 July 2019.

REPORT

BACKGROUND

The Domestic Animals Act 1994 requires all pet cats and dogs over the age of 3 months to be registered.

In 2018, legislation changed requiring Councils to provide a nominal registration fee to recognised foster carers who are required to register cats or dogs in their care to meet legislative requirements.

The Domestic Animals Act specifies that a reduced fee must be applied for animals that are de-sexed to act as an incentive. Fees are set on an annual basis as part of Council's annual budget process.

A draft policy has been prepared by Council officers to ensure that Council's process for animal registration refunds is transparent and all refund requests are processed equitably.

PROPOSAL

To introduce a policy that:

- Encourages timely and increased dog and cat registrations.
- Ensures a fair and consistent approach to requests for animal registration refunds.
- Encourages owners to de-sex their pets to reduce unwanted breeding and euthanasia to control animal populations.

DISCUSSION

Customer feedback regarding Council's current refund practices, whilst not large, was the catalyst for this review and development of a policy. The key request from customers was a longer period of time in which refunds should be honoured.

Benchmarking was undertaken with several other councils to ascertain if there was a best practice approach to this issue. The benchmarking found that there are varied methods adopted for managing animal registration refunds across Victoria from no refunds offered, case by case to a more formal approach such as adopted by Greater Dandenong and Geelong City Councils. The proposed policy draws on the approach taken by the aforementioned Councils to provide greater clarity and consistency.

Under the Victorian Domestic Animals Act 1994 fee exempt registration only applies to:

- guide dogs for visually or hearing impaired persons or
- a dog working with a person who is carrying out duties for a Department or Agency of the State or Commonwealth (e.g. border security dogs) or
- Greyhounds registered with Greyhound Racing Victoria

To be eligible for a pensioner concession (reduced fee) owners must be the holder of any of the cards below:

- Department of Veterans Affairs Repatriation Health
- Card specifying War Widow or TPI

- Department of Veterans Affairs' Pensioner Concession card
- Centrelink Pension Concession Card

NOTE: Centrelink Health Care Cards are not accepted.

Currently under the Victorian Domestic Animals Act there is no provision for the recognition of assistance animals to obtain a fee exempt status. If the animal is de-sexed and the owner has one of the aforementioned concession cards they will be entitled to the maximum reduced fee. For the 2019/2020 registration period this would be \$23.50. Only the Government can by order, exempt any animal or class of animal from the operation of all or any of the provisions of the Act.

CRITICAL DATES

Adopting the policy at this time will enable it to be enacted for the 2019/2020 animal registration period which has commenced.

FINANCIAL IMPLICATIONS

Council anticipates approximately \$1M for dog and cat registration fees in 2018/19. Requests for refunds in the last registration period had a total value less than \$1,000.

It is anticipated that the value of refunds will increase if the policy is adopted, however the financial impact is not expected to exceed 1% of total revenue.

POLICY STRATEGY AND LEGISLATION

The policy relates to the Domestic Animals Act 1994 which makes councils responsible for collecting and setting the amount of animal registration fees.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council services are transparent, equitable and accessible |
| Council Priority | Organisational 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 policy would result in a fair and consistent approach to how refunds are managed and will incentivise animal registration by offering a discounted rate in the first year of registration.

RECOMMENDATION

THAT Council resolve to adopt the Animal Registration and Refund Policy.

Chief Executive Officer Explanatory Note

At the 2 April 2019 Council Meeting, a motion was moved to adjourn consideration of the item to this meeting, which was carried. This was to allow for additional information to be provided to Councillors, which was circulated to Councillors on 5 April 2019.

Cr Desiato left the Council Chamber at 7.56pm prior to the vote on this item.

Cr Lalios left the Council Chamber at 7.58pm prior to the vote on this item.

COUNCIL RESOLUTION

MOVED: *Cr Joseph*
SECONDED: *Cr Pavlidis*

THAT Council resolve to adopt the Animal Registration and Refund Policy with the following point added under the heading "Policy":

- **Where the pet owner requesting a refund on the basis that the pet has died, been surrendered or relocated out of the State of Victoria is an eligible pension card holder, a full refund will be offered until 10 October of the current registration year. Thereafter, a pro rata refund will be offered throughout the remainder of the registration year.**

CARRIED

Cr Lalios returned to the Council Chamber at 8.01pm following the vote on this item but prior to the vote on the Division.

DIVISION

Immediately after the motion was voted on, Cr Kirkham called for a division which resulted in the following votes being recorded.

| | | |
|--------------|----------------|------------------|
| For | Against | Abstained |
| Cr Pavlidis | Nil | Cr Kelly |
| Cr Kozmevski | | Cr Lalios |
| Cr Kirkham | | Cr Monteleone |
| Cr Alessi | | |
| Cr Cox | | |
| Cr Sterjova | | |
| Cr Joseph | | |

Based on the votes cast during the Division, the motion was carried.

CARRIED



City of
Whittlesea

ANIMAL REGISTRATION FEES AND REFUNDS

| | |
|--|---------------------------------------|
| Category | Pet owners within the municipality |
| Date of Adoption by ELT/Council | TBA |
| Directorate Responsibility | Partnerships, Planning and Engagement |

Scope

The Domestic Animals Act 1994 requires all pet cats and dogs over the age of 3 months to be registered.

Council must by resolution:

- Fix fees to be raised for registration or renewal of registration on an annual basis
- Fix fees to be paid if Council permits a pro rata fee to be paid during the registration year
- Include circumstances in which a fee or part fee may be refunded

This policy seeks to address the above requirements.

Policy

To ensure the effective and consistent application of the Domestic Animals Act, Council will:

- Fix fees on an annual basis as part of its Annual Fees and Charges for each of the registration categories as nominated by the Act
- Provide a 50% pro rata fee between 10 October and 31 January the following year.
- Offer a nominal fee for unsterilised cats and dogs under 12 months of age to incentivise registration and encourage desexing within the first registration year
- Offer a nominal fee for Foster Carers who are required to register foster cats or dogs in their care to encourage compliance with legislative requirements
- Allow free registration for the remainder of the registration period for any pet transferring from another Victorian municipality upon proof of existing registration
- Reimburse to 100% of the annual registration fee up until 30 June of the current registration year.
- Reimburse to a maximum 50% of the full annual registration fee up until 10 October of the current registration year if the pet has died, been surrendered to the Epping Animal Welfare Facility or an appropriate agency and no longer in the owner's care, or the pet has moved out of the State of Victoria

City of Whittlesea – <<Name of Department>> Department

Document Name:

Date:

Document Owner:

Version:

1

Approved By:

Page Number:

Page 1 of 3

This Policy meets the requirements of the Charter of Human Rights and Responsibilities

Objectives

The objectives of this policy are:

- To encourage timely registration of all cats and dogs
- To ensure a fair and consistent processing of all requests for an animal registration refund
- To encourage desexing to mitigate unwanted breeding and a reduction in the requirement for euthanasia to control animal populations.

These Objectives will be achieved by

- The offer of discounted registration fees
- Providing information on the Council website informing residents of the registration fees
- Having a procedure to assist staff in consistently considering an application for a refund

Context/Rationale

Just as there are many benefits to owning a pet, there is equally several benefits to registering a pet, namely:

- Pets can be identified if they are microchipped and wearing its registration tag and returned to the owner if it is found lost or injured
- Funding animal management services
- Funding pet facilities including off lead park areas
- Subsidising the mobile cat desexing service twice a year

Key linkages

Domestic Animals Act 1994

Whittlesea 2040: A Place for all

Annual Budget Fees and Charges

City of Whittlesea – <<Name of Department>> Department

Document Name:

Date:

Document Owner:

Version: 1

Approved By:

Page Number: Page 2 of 3

6.1.7 ASSEMBLIES OF COUNCILLORS REPORT - 7 MAY 2019

Responsible Officer: Acting 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 |
|---|--|---|--|
| City of Whittlesea Australia Day Committee 11 February 2019 | Cr Cox (Mayor) Cr Joseph (Deputy Mayor) | EC GO's | 1. Debrief Discussion on 2019 Event and Awards a) Feedback from 26 January 2019 Awards Ceremony b) Terms of Reference Review c) Award Categories d) Recognition of Ceasing Committee Members <i>Nil disclosures</i> |
| Councillor Briefing 2 March 2019 | Cr Cox (Mayor) Cr Joseph (Deputy Mayor) Cr Alessi Cr Desiato Cr Kozmevski Cr Monteleone Cr Pavlidis Cr Sterjova | CEO DCS DCRS DCTP DPPE MFA FA TLFA BSTL | 2019-20 Proposed Budget <i>Nil disclosures</i> |
| Councillor Briefing 12 March 2019 | Cr Cox (Mayor) Cr Joseph (Deputy Mayor) Cr Alessi Cr Desiato Cr Kozmevski Cr Pavlidis Cr Sterjova | CEO DCS DCRS DCTP DPPE MCP | Extraordinary Recycling Processing Issues <i>Nil disclosures</i> |
| Councillor Briefing 19 March 2019 | Cr Cox (Mayor) Cr Joseph (Deputy Mayor) Cr Alessi Cr Pavlidis Cr Sterjova | CEO DCS DCRS DCTP DPPE | 1. Road Safety Improvements – Mason Road, Mernda 2. Animal Registration and Refund Policy <i>Nil disclosures</i> |

| Assembly Details | Councillor attendees | Officer attendees | Matters discussed |
|---|-----------------------------|---|---|
| Lalor Shopping Centre Special Rate 1 April 2019 | Cr Cox (Mayor) | ATLG BSO DPPE MPRV TLED GO | Lalor Shopping Centre Special Rate Public Submissions <i>Nil disclosures</i> |
| Chief Executive Officer Employment Matters Advisory Committee Meeting 9 April 2019 | Cr Cox (Mayor) Cr Alessi | CEO MG | <ol style="list-style-type: none"> 1. Confirmation of the Minutes of CEMAC 29 January 2019 2. Quarter 2 Report on 2018-2019 CEO KPIS 3. Confidential Item: Draft CEO KPIS 2019-2020 4. Report – Managing the Employment Cycle of a Council CEO 5. Confidential - Other Business <i>Nil disclosures</i> |

The table below represents an Index of Officer titles:

| Initials | Title of Officer | Initials | Title of Officer |
|----------|---|----------|--|
| ATLG | Acting Team Leader Governance – Amanda Marijanovic | FA | Finance Analyst – Upul Sathurusinghe |
| BSO | Business Services Officer – Jennifer Pearson | GO's | Governance Officers – Amanda Marijanovic, Felicity Maddern and Diana Vukic |
| BSTL | Business Support Team Leader – Rod Cann | MCP | Manager City Presentation – Peter Ali |
| CEO | Chief Executive Officer – Simon Overland | MFA | Manager Finance & Assets – Amy Montalti |
| DCS | Director Community Services – Russell Hopkins | MG | Manager Governance – Michael Tonta |
| DCRS | Director Corporate Services – Helen Sui | MPRV | Manager Property, Rates & Valuations – Gino Mitrione |
| DCTP | Director City Transport and Presentation – Nick Mann | TLED | Team Leader Economic Development – Sarah Rowe |
| DPPE | Director Partnerships, Planning and Engagement – Liana Thompson | TLFA | Team Leader Financial Accounting – Nicole Montague |
| EC | Events Co-ordinator – Julie McBride | | |

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 WHITTLESEA 2040 AND THE COUNCIL PLAN

Whittlesea 2040 Goal **Enabling the vision**

Whittlesea 2040 Key Direction **Making it happen**

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

Council Priority **Organisational Sustainability**

The provision of this report is in line with Whittlesea 2040 and the 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.

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.2 COMMUNITY SERVICES

6.2.1 GROWLING FROG GOLF COURSE LEASE AWARD

Responsible Officer: Acting Director Community Services

Author: Manager Leisure & Community Facilities

RECOMMENDATION SUMMARY

1. That Council resolve to note that officers have completed the statutory processes required under *Sections 190 and 223 of the Local Government Act 1989*, and that a lease may be negotiated for Council's land located at 1910-1940 Donnybrook Road Yan Yean.
2. That the lease to manage and maintain the Growling Frog Golf Course (GFGC);
 - is awarded to Golf Services Management (GSM).
 - for a guaranteed maximum deficit of \$1,456,348 (excl. GST) over five years.
 - for a term from 1 July 2019 to 30 June 2024 with an extension option up to 30 June 2029.

KEY FACTS AND / OR ISSUES

- At its meeting of 5 March 2019, Council resolved to invite public submissions on the proposed lease with GSM to manage and maintain the GFGC.
- Following the public submission advertising period, no submissions were received.

REPORT**BACKGROUND**

Council, at its meeting of 5 March 2019, resolved to invite public submissions on the proposed lease with GSM to manage and maintain the GFGC (1910-1940 Donnybrook Road Yan Yean).

The proposed lease will grant GSM exclusive use and occupation of the land for a period of 5 years from 1 July 2019 to 30 June 2024, with an option, exercisable only if separately approved by the Council, for a further term of five years and ending on 30 June 2029.

Council has agreed that the rental be set at a guaranteed maximum deficit of \$1,456,348 in relation to the ongoing management, maintenance and operation of the GFGC (excluding GST) for and during the initial five-year term of the Lease. Council reserves the right to review the deficit, and the profit margins upon which such deficits are calculated prior to the expiry of the initial term of the Lease.

PROPOSAL

To seek Council's approval on the proposed lease in consideration that no submissions were received throughout the public submission process.

PUBLIC SUBMISSIONS

A Committee of Council, comprising of Cr Sterjova, Cr Joseph and Cr Kirkham, was appointed to consider any written submissions received in response to Council's public notice advertised in the Whittlesea Leader on Tuesday 12 March 2019. No submissions were received at the close of the advertising period, 10 April 2019, as such there was no requirement for a Committee of Council to meet.

POLICY STRATEGY AND LEGISLATION

The proposed lease of the Growing Frog Golf Course is closely linked with Whittlesea 2040; *A place for all*, specifically Goal 1; Connected Community and Key Direction 1.2; *A healthy and safe community*.

Council has sought public submissions on the proposed lease under Section 190 and 223 of the *Local Government Act 1989*. As required, submissions were invited for a period no less than 28 days, and no submissions were received.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Connected community |
| Whittlesea 2040 Key Direction | A healthy and safe community |
| Strategic Objective | There is a focus on preventative approaches to health issues and health policy |
| Council Priority | Health and Wellbeing |

The continued provision of golf within the municipality supports local health and wellbeing outcomes.

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

It is recommended that Council enter a lease with GSM for the land located at 1940 Donnybrook Road Yan Yean, the GFGC. The lease will grant GSM exclusive use and occupation of the land for a period of five years from 1 July 2019 to 30 June 2024, with an option for a further term of five years.

Council has agreed that the rental be set at a guaranteed maximum deficit of \$1,456,348 in relation to the ongoing management, maintenance and operation of the GFGC (excluding GST) for and during the initial term of the Lease (five years). Council reserves the right to review the deficit, and the profit margins upon which such deficits are calculated prior to the expiry of the initial term of the Lease.

RECOMMENDATION

THAT Council resolve to:

1. Note that public submissions on the proposed lease with Golf Service Management were invited in accordance with Section 223 of the *Local Government Act 1989* and that no submissions were received at the close of the public submission period.
2. Enter into a lease with Golf Services Management ('GSM') for the land located at 1940 Donnybrook Road Yan Yean ('Growling Frog Golf Course'). The lease will be drawn under the following terms and conditions –
 - a) The Tenant will be offered a lease for an initial period of five years with one further term of five years (offered at Council's discretion).
 - b) Council will accept the lease offer submitted by GSM for the guaranteed maximum deficit of \$1,456,348 (excluding GST) for the full five-year lease term.
 - c) Council will exercise a review of the guaranteed maximum deficit/profit margins prior to the expiry of the initial term.
3. Authorise the Chief Executive Officer to negotiate all other terms and conditions.

Chief Executive Officer Explanatory Note

Cr Desiato and Lalios left the Council Chamber prior to consideration of this item and did not return for the vote on the motion to adjourn.

MOTION

MOVED: Cr Pavlidis
SECONDED: Cr Sterjova

THAT Council resolve to adjourn debate of this item to later in the meeting.

CARRIED

Chief Executive Officer Explanatory Note

After consideration of Item 6.2.2 was adjourned, consideration of this item resumed.

Cr Desiato and Lalios had both returned to the Council Chamber when consideration of this item resumed.

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

THAT Council resolve to:

1. Note that public submissions on the proposed lease with Golf Service Management were invited in accordance with Section 223 of the *Local Government Act 1989* and that no submissions were received at the close of the public submission period.
2. Enter into a lease with Golf Services Management ('GSM') for the land located at 1940 Donnybrook Road Yan Yean ('Growling Frog Golf Course'). The lease will be drawn under the following terms and conditions –
 - a) The Tenant will be offered a lease for an initial period of five years with one further term of five years (offered at Council's discretion).
 - b) Council will accept the lease offer submitted by GSM for the guaranteed maximum deficit of \$1,456,348 (excluding GST) for the full five-year lease term.
 - c) Council will exercise a review of the guaranteed maximum deficit/profit margins prior to the expiry of the initial term.
3. Authorise the Chief Executive Officer to negotiate all other terms and conditions.

CARRIED

DIVISION

Immediately after the motion was voted on, Cr Monteleone called for a division which resulted in the following votes being recorded.

| For | Against | Abstained |
|--------------|----------------|------------------|
| Cr Pavlidis | Cr Kirkham | Nil |
| Cr Kozmevski | Cr Kelly | |
| Cr Alessi | Cr Lallios | |
| Cr Cox | Cr Monteleone | |
| Cr Sterjova | Cr Desiato | |
| Cr Joseph | | |

Based on the votes cast during the Division, the motion was carried.

CARRIED

Chief Executive Officer Explanatory Note

After consideration of this item, the meeting resumed consideration of Item 6.2.2

6.2.2 EQUAL AND SAFE STRATEGY: IMPROVING GENDER EQUALITY AND PREVENTING VIOLENCE AGAINST WOMEN

Attachments: 1 Equal and Safe Strategy [↓](#)

Responsible Officer: Director Community Services

Author: Community Safety Planner

RECOMMENDATION SUMMARY

THAT Council resolve to endorse the *Equal and Safe Strategy* for improving gender equality and preventing violence against women.

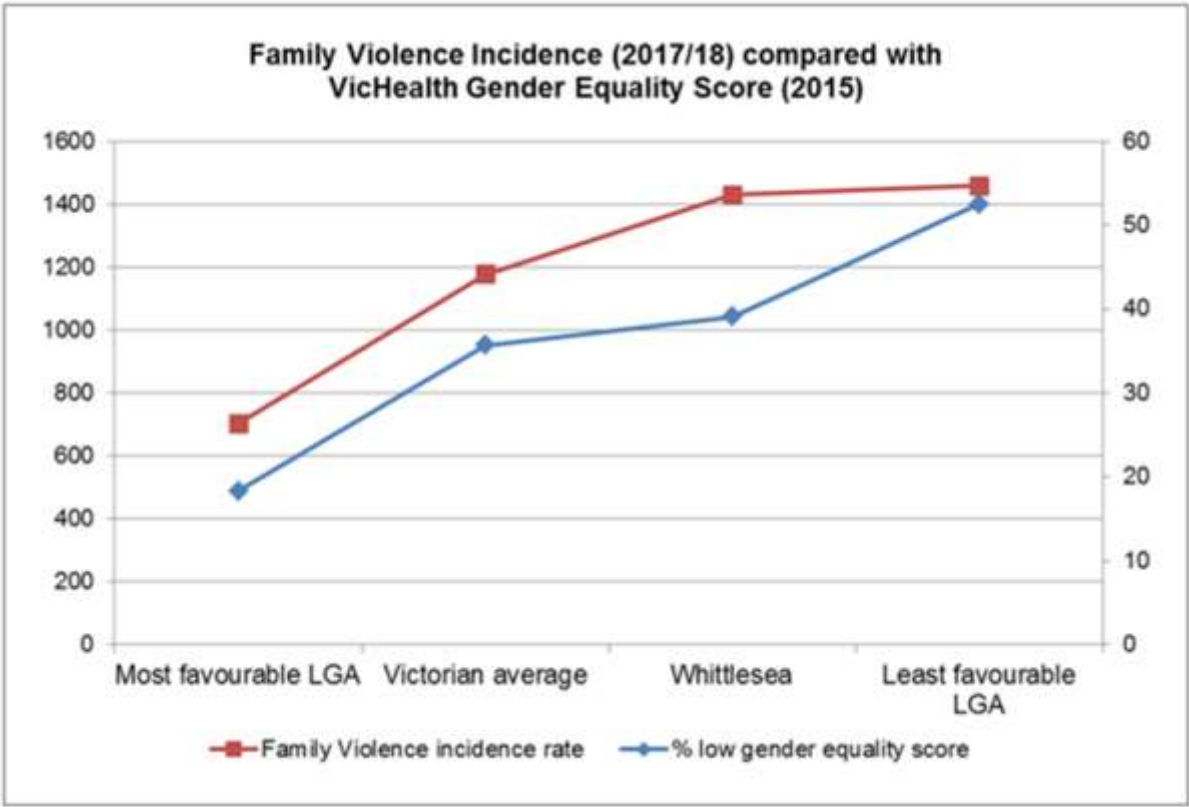
KEY FACTS AND / OR ISSUES

- The City of Whittlesea experiences a high rate of family violence.
- There are concerns across a number of gender equity indicators locally for example, access to employment, pay equity, participation in sport, caring responsibilities, leadership, and community attitudes.
- Gender inequality has been identified in national and international research as the primary cause of violence against women.
- Local government, by nature of its functions, intersects with many settings where people live, work, learn, socialise and play across the lifespan. Council has a role to play in improving gender equality and preventing violence against women through each of these settings.
- This Strategy will shape Council's priorities and efforts in the coming years.

REPORT

BACKGROUND

Evidence from international and national research demonstrates that gender inequality is the primary driver of violence against women and family violence. Gender inequality is a social condition characterised by unequal value afforded to women and men and an unequal distribution of power, resources and opportunity between them. Individuals (women and men) who do not believe women and men are equal, and/or see them as having specific roles or characteristics, are more likely to condone, tolerate or excuse violence against women. Gender inequality also contributes to other forms of systemic social, political and economic disadvantage and discrimination. The following chart shows a correlation between performance against a key Victorian gender equality measure and the prevalence of family violence. The blue line represents the Vic Health Gender Equality score; the score indicates the percentage of surveyed residents who have low support for gender equality (39% for City of Whittlesea).



Gender inequality, violence against women and family violence are significant community safety and health issues in the City of Whittlesea. Council has a long-standing commitment to addressing these issues through the previous separate Gender Equity and Family Violence strategies. The *Equal and Safe Strategy* (refer Attachment 1) combines these interconnected issues into one strategic document. This will see efficiencies in monitoring, reporting and evaluation and will support greater collaboration across and within departments working on these issues.

There is a strong evidence base for local government’s role in advancing gender equality and preventing and responding to violence against women and family violence. The Victorian Government requires councils to respond to gender inequities and disclosures of violence through its services, facilities, programs and workplaces and to “report on the measures they propose to take to reduce family violence and respond to the needs of victims” in preparing

their *Municipal Public Health and Wellbeing Plans*. Local government is also identified in the findings of the *Royal Commission into Family Violence* as a key partner for gender equity improvements, preventing, intervening and responding to violence against women and family violence in local communities and as a workplace.

The *Equal and Safe Strategy* (the Strategy) is informed by a breadth of evidence including local consultations with frontline family violence services, mainstream community services, specialist services working with priority community groups and Victoria Police. Community engagement was undertaken through a short survey to further inform the priorities. The Priority Actions have been shaped to reflect the Essential Actions to address the gendered drivers of violence against women as recommended in *Change the Story – the National framework for the primary prevention of violence against women and their children in Australia*. The Objectives have also been shaped to align with Council's commitment to the regional preventing violence against women strategy, *Building a Respectful Community*, led by Women's Health In the North.

PROPOSAL

The Strategy has been prepared following stakeholder consultation and community engagement. The objectives and priority actions identified in the Strategy build upon the strong foundation of current work and seek to further extend Council's commitment to improving gender equality and preventing violence against women. They include Council's response to the Royal Commission into Family Violence recommendations and are guided by key State and Federal Government policy and frameworks describing local government's responsibilities.

Council's response through each objective, priority action and the Action Plan (to be developed) is informed by an understanding that other aspects of a person's life or identity – for example their race, age, ability, migration status, sexuality, level of education or wealth, cultural or religious background, location – intersect with gender and affect their experiences. Council needs to consider these intersecting concerns in developing appropriate responses and priorities.

The Strategy sets out the following goal and objectives:

Goal: The City of Whittlesea is a gender equitable, safe and respectful community

Objective 1

Build a safe and respectful workplace where gender inequality is understood and actively challenged

Objective 2

Provide services and programs that normalise gender equality and are responsive to the needs of community experiencing family violence

Objective 3

Ensure that community facilities and public spaces enable safe and gender equitable access and an active community life for all

Objective 4

Build a well-informed, connected community who understand and embrace gender equality and are empowered to prevent violence against women

CONSULTATION

A review of the evidence base and local data and indicators was conducted. The Strategy was developed with input from key local service agencies and through a community survey.

Consultations were held during 2018 with frontline family violence services, Victoria Police, local prevention programs and services working with priority community groups such as CALD communities. Information was sought on their experiences ‘on the ground’ – emerging issues and challenges – to shape the priorities. Engagement will continue through the implementation of the Strategy. Clear themes and priorities emerged:

- Social isolation
- Culturally diverse communities – migration status and racism
- Financial abuse and hardship
- ‘Back to basics’ – education and information provision
- Universal services as access points

A community survey was promoted through Council’s website, social media platforms and in hard copy form through our facilities and services, for example, Maternal and Child Health and immunisation sessions. To maximise participation, the survey was also distributed through staff connected with key community cohorts and networks, for example youth, multi-cultural, aged, Aboriginal, parents and local business women. Local services with community facing roles, such as Whittlesea Community Connections and Dianella Plenty Valley Health, were also asked to aid in the survey’s promotion to community.

The survey asked two questions:

- Thinking about yourself and others in your life, describe what an equal, safe and respectful community would look like locally;
- What changes would you like to see locally in order to achieve an equal, safe and respectful community?

The survey received 50 responses in total (95 per cent female). The responses reinforced the above priorities for Council’s focus, however the community identified additional priorities:

- Women’s safety in the public realm
- Equal access to recreation and sport
- Equal rights and respect

Respondents identified a vision for an equal, safe and respectful community being one where women could “go for a walk at night without the fear of being hurt”, with “more female friendly clubs” and “equity of access to facilities” and; where “women can find relevant and fulfilling employment”.

FINANCIAL IMPLICATIONS

An action plan detailing resources required will be developed, in consultation with responsible departments, for 2019/20. While investment will be required for some actions, for example training for staff, it is expected that a redirection of existing resources will need

to occur to fully implement this Strategy, rather than additional funding. Achieving that will require leadership commitment to the objectives and priority actions outlined in this Strategy, and support for this work to occur.

POLICY STRATEGY AND LEGISLATION

The *Equal and Safe Strategy* provides a strong line of sight to gender equality and prevention of violence against women work happening at the regional, state and national level. It draws on the National framework for the prevention of violence against women and their children, *Change the Story*, and is aligned to the Victorian Government's gender equality and prevention of family violence strategies *Safe and Strong* and *Free From Violence*. It's objectives are closely aligned to the regional strategy for the prevention of violence against women, *Building Respectful Communities*, to which the City of Whittlesea is committed.

Internally, *Equal and Safe* will complement and intersect with other Council strategies including:

- Health and Wellbeing Partnership Plan
- Community Building Strategy
- Active Whittlesea Strategy
- Connect Plan
- Economic Development Strategy
- Community Safety and Crime Prevention Strategy

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|--|
| Whittlesea 2040 Goal | Connected community |
| Whittlesea 2040 Key Direction | A healthy and safe community |
| Strategic Objective | We have access to family violence prevention programs |
| Council Priority | Community Safety |

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

This Strategy provides Council with a robust framework to drive action to improve gender equality and prevent violence against women. It sets out Council's role, objectives and priorities to contribute to a healthy and safe community.

This is long-term work. Social and structural changes are required at a local level to move toward gender equality and ending violence against women and family violence – such change requires persistence, the celebration of successes big and small, and leadership support for change.

RECOMMENDATION

THAT Council resolve to endorse the Equal and Safe Strategy for improving gender equality and preventing violence against women.

PROCEDURAL MOTION

MOVED: *Cr Monteleone*
SECONDED: *Cr Kelly*

THAT Council resolve to adjourn debate on this item to the next Ordinary Council Meeting on 4 June 2019.

LOST

PROCEDURAL MOTION

MOVED: *Cr Alessi*
SECONDED: *Cr Kirkham*

THAT Council resolve to adjourn debate on this item to later in the meeting.

CARRIED

Chief Executive Officer Explanatory Note

After consideration of this item was adjourned, consideration of Item 6.2.1 resumed.
 Following the vote on Item 6.2.1, consideration of this item resumed

ADJOURNMENT

The Mayor adjourned the meeting at 8.30pm.

RESUMPTION

The meeting resumed at 8.37pm.

MOTION

MOVED: *Cr Pavlidis*
SECONDED: *Cr Sterjova*

THAT Council resolve to

- 1) endorse the Equal and Safe Strategy for improving gender equality and preventing violence against women
- 2) promote the Strategy amongst and work with key community cohorts and networks including people with disability, young people, multi-cultural, aged and Aboriginal groups and individuals

- 3) amend the following wording in the report:
 - (a) on page 123 include the word “cultural” to second paragraph in the last line before the word “race”
 - (b) on page 127 add “CEO” and “Senior Governance”
 - (c) on page 141 in Objective (1)(d) apply a “culturally sensitive” gender lens and in Objective 2 “provide services and programs that normalise gender equality with a culturally sensitive approach”.

Chief Executive Officer Explanatory Note

Cr Desiato and Cr Lalios did not return to the Council Chamber for the vote on this item.

PROCEDURAL MOTION

MOVED: Cr Monteleone
SECONDED: Cr Kelly

THAT Council resolve to adjourn debate on this item to the next Ordinary Council Meeting on 4 June 2019.

LOST

MOTION

MOVED: Cr Pavlidis
SECONDED: Cr Sterjova

THAT Council resolve to:

- 1) endorse the Equal and Safe Strategy for improving gender equality and preventing violence against women
- 2) promote the Strategy amongst and work with key community cohorts and networks including people with disability, young people, multi-cultural, aged and Aboriginal groups and individuals
- 3) amend the following wording in the report:
 - (a) on page 123 include the word “cultural” to second paragraph in the last line before the word “race”
 - (b) on page 127 add “CEO” and “Senior Governance”
 - (c) on page 141 in Objective (1)(d) apply a “culturally sensitive” gender lens and in Objective 2 “provide services and programs that normalise gender equality with a culturally sensitive approach”.

PROCEDURAL MOTION

MOVED: *Cr Kirkham*
SECONDED: *Cr Monteleone*

THAT Council resolve to adjourn debate on this item to the next Ordinary Council Meeting on 4 June 2019.

LOST

AMENDMENT

MOVED: *Cr Pavlidis*
SECONDED: *Cr Sterjova*

THAT the motion be amended to include a new point 4 to read as follows:

4. that the strategy include an action in part 2(g) which addresses the specific issues related to women from new and established multicultural communities.

PROCEDURAL MOTION

MOVED: *Cr Kirkham*
SECONDED: *Cr Monteleone*

THAT Council resolve to adjourn debate on this item to the next Ordinary Council Meeting on 4 June 2019.

CARRIED

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



Draft 2019

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



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Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



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.

Aboriginal and Torres Strait Islander people are advised this report may contain images of deceased people.

Definitions and Concepts

Gender inequality is the key driver of violence against women. Violence against women has been shown to be significantly and consistently lower in countries where women's economic, social and political rights are better protected, and where power and resources are more equally distributed between women and men. Individuals (women and men) who do not believe women and men are equal, and/or see them as having specific roles or characteristics are more likely to condone, tolerate or excuse violence against women.

Violence against women Any act of gender based violence that causes or could cause physical, sexual or psychological harm or suffering to women, including threats of harm or coercion, in public or in private life.

Family violence Occurs when a perpetrator exercises power and control over another person in their family. It involves coercive and abusive behaviours by the perpetrator that are designed to intimidate, humiliate, undermine and isolate, resulting in fear and insecurity. It can include physical, sexual, psychological, emotional and spiritual violence and financial/economic abuse and control. While both men and women, adults and children can be perpetrators or victims, intimate partner violence by men against women is the most common form of family violence.

Gender The socially constructed differences – roles, behaviours, expectations and attributes – between women and men, as distinct from 'sex' which refers to their biological differences.

Gender equity Entails the provision of fairness and justice in the distribution of benefits and responsibilities on the basis of gender. It is not about the equal delivery of services, or distribution of resources – it is about recognising diversity and disadvantage, and directing resources and services towards those most

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



in need, to ensure equal outcomes for all. Gender equity acknowledges that women and men have different access to resources, power, responsibilities and life experiences and that different strategies are often necessary to address disadvantages and achieve equal outcomes for women and men, girls and boys.

Gender equality Is the outcome reached through gender equity – it means equal rights, responsibilities and opportunities of women, men and trans and gender-diverse people. Equality does not mean that women, men and trans and gender diverse people will become the same but that their rights, responsibilities and opportunities will not depend on their gender and that their contributions and efforts are valued equally.

Intersectional approach (intersectionality) Considers intersecting and overlapping aspects of a person's identity, such as ethnicity, sexual orientation, disability or age, to recognise overlapping forms of discrimination or oppression. In relation to violence against women, this approach highlights that structural and social discrimination such as racism, colonisation, class oppression, homophobia, transphobia, ageism or ableism can intersect with gender inequality to increase the prevalence and/or severity of violence, and barriers to accessing help.

Mayor's Message

To be developed and approved by Mayor

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



Overview

Violence against women and family violence is a significant community safety and health issue in the City of Whittlesea and one that Council has a long-standing commitment to addressing. Above any other factor, gender inequality is the key driver of violence against women. There has been a great deal of progress in incorporating a gender equity approach into Council's work, but there is still work to be done – internally for the workforce; in the services, programs community facilities and public spaces Council delivers; and in how community capacity for gender equality and the prevention of violence against women is supported. To date, the City of Whittlesea has had two separate strategies to address the interconnected issues of family violence and gender inequality. This integrated strategy will continue to build the recognition and understanding across the organisation and community that gender inequality is the driver of violence against women and will shape Council's work in improving gender equality.

Policy Context

There is a strong policy basis for local government's role in preventing violence against women and improving gender equality. Through preparation of their Municipal Public Health and Wellbeing Plans, the Victorian Government requires councils to respond to gender inequities and disclosures of violence through its services, facilities, programs and workplaces and requires councils to "report on the measures they propose to take to reduce family violence and respond to the needs of victims"ⁱ. The City of Whittlesea's **Health and Wellbeing Partnership Plan 2017-2021** articulates that Council will review and update its strategy to prevent violence against women and their children. It highlights the importance of considering the way that other components of identity – for example, race, ability, age, sexuality – can impact on peoples' experiences of violence and inequality.

This Strategy includes responses to the relevant recommendations from the Royal Commission into Family Violence. Local government is identified in the findings of the **Royal Commission into Family Violence** (RCFV) as a key partner for gender equity improvements, preventing, intervening and responding to family violence and violence against women and their children in local communities and as a workplace.

Key Government policy

This Strategy is aligned and informed by the following State and National frameworks:

- ***Change The Story***ⁱⁱ Provides a shared National framework for the primary prevention of violence against women and their children in Australia 2015

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



- **Changing The Pictureⁱⁱⁱ** A National resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children 2016
- **Free From Violence^{iv}** Victoria's Strategy to Prevent Family Violence and All Forms of Violence Against Women 2017
- **Safe and Strong^v** – Victoria's Gender Equality Strategy 2016
- **Ending Family Violence: Victoria's Plan for Change^{vi}** outlines how the Victorian Government will implement the *Royal Commission into Family Violence Recommendations^{vii}* 2016
- **Building from Strength: 10-Year Industry Plan for Family Violence Prevention and Response^{viii}** 2017

Key Regional Strategy

City of Whittlesea is committed to the implementation of the Northern Metropolitan Region Preventing Violence Against Women Strategy, led by Women's Health in the North, **Building a Respectful Community 2017-2021^{ix}**. This commitment involves undertaking one or more strategies from each goal area, providing data to inform the shared action plans, achievements reports and evaluation and engaging in shared advocacy, submissions or grants proposals.

City of Whittlesea policy

The work undertaken through this Strategy will contribute to three of the four goals in **Whittlesea 2040: A Place for All:**

Goal 1: Connected Community

- A socially cohesive community
- A healthy and safe community
- A participating community

Goal 2: Liveable Neighbourhoods

- Well-designed neighbourhoods and vibrant town centres

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



Goal 3: Strong Local Economy

- Increased local employment
- Successful, innovative local businesses

This Strategy will complement and intersect with Council's other Strategic work.

Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



About Whittlesea

The City of Whittlesea is located on Melbourne's metropolitan fringe, approximately 20km north of Melbourne's Central Business District. Covering 490 square kilometres, it is a large municipality containing established urban, growth and rural areas. The municipal area includes the major rural centre of Whittlesea Township, the rural localities of Beveridge, Donnybrook, Eden Park, Humevale, Kinglake West, Wollert, Woodstock and Yan Yean, as well as the established and growing urban suburbs of Bundoora, Doreen, Epping, Lalor, Mernda, Mill Park, South Morang and Thomastown. The adjoining municipalities are the Shire of Nillumbik to the east, the City of Hume to the west, the Cities of Banyule and Darebin to the south and the Shires of Murrindindi and Mitchell to the north.

The population is currently estimated at 223,566 and expected to reach 365,099 by 2038^x. Residents have a younger median age than Greater Melbourne (34 years, compared with 36), and a larger proportion of two parent families with children (42.3 per cent compared with 33.5 per cent)^{xi}. There is significant cultural and linguistic diversity, with almost half of the population of the City of Whittlesea speaking a language other than English at home (44.1 per cent) and more than a third of the population being born overseas (35.5 per cent)^{xii}. The City of Whittlesea has the second largest population of Aboriginal and Torres Strait Islanders in Metropolitan Melbourne^{xiii}.

The Wurundjeri Willum people were the original inhabitants of the area and are the traditional owners of this land.

About gender inequality and violence against women

Violence against women is driven by gender inequality. Gender inequality is a social condition characterised by unequal value afforded to women and men and an unequal distribution of power, resources and opportunity between them. Individuals (women and men) who do not believe women and men are equal, and/or see them as having specific roles or characteristics are more likely to condone, tolerate or excuse violence against women.^{xiv} Gender inequality is influenced by other forms of systemic social, political and economic disadvantage and discrimination.

Australia's national prevention of violence against women organisation, Our Watch, identifies the gendered drivers of violence against women that must be addressed to reduce and prevent violence against women and reinforcing factors that can increase frequency or severity of violence, within the context of the gendered drivers.

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Gender inequality indicators

Violence against women has been shown to be significantly and consistently lower in countries where women's economic, social and political rights are better protected, and where power and resources are more equally distributed between women and men.

- There is low support for gender equality locally, 39.1 per cent of residents recorded "low gender equality scores" indicating a low level of agreement with concepts that promote the equal status of women and men. The proportion of City of Whittlesea residents who record a low gender equality scores is slightly above the Victorian average of 35.7 per cent, with male residents significantly more likely to record a low score (49 per cent) than female residents (29.2 per cent).^{xv}
- Women are more likely than men to report feeling unsafe during the day in the public areas of the municipality (11 per cent compared to 9.6 per cent) and are significantly more likely than men to report feeling unsafe at night (45.5 per cent compared to 35.3 per cent).^{xvi}
- Women in the City of Whittlesea are more likely than men to do over 15 hours of unpaid domestic work each week (29 per cent compared with 8 per cent), more likely to care for a person with a disability, illness or elderly (14 per cent compared with 9.5 per cent) and more likely to provide unpaid childcare (35 per cent compared with 27 per cent)^{xvii}.
- Australia's national gender pay gap 2017-2018 stands at 14.1 per cent with men working full-time earning \$25,717 on average a year more than women working full-time^{xviii}. Over 20 years, the gender pay gap has ranged between 14.9 per cent in 2004 and 18.5 per cent in 2014.^{xix}
- While City of Whittlesea women are more likely than men to hold a Bachelor Degree or higher (20 per cent compared with 16 per cent), they are still over-represented in lower income brackets - 63 per cent of women aged 15 years and over are in the lowest and medium-lowest income quartiles compared with 43 per cent of men^{xx}.
- Nearly twice as many women in the City of Whittlesea (31 per cent) report getting no exercise during a week compared to men (17 per cent)^{xxi}
- Within the City of Whittlesea organisation, as a key local employer, while women comprise 62 per cent of the overall workforce, they are underrepresented at senior positions; including senior officer, team leader and manager levels^{xxii}.
- Currently only four of the 11 elected Councillor positions at the City of Whittlesea are held by women.

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Community attitudes to violence against women and gender equality

The National Community Attitudes towards Violence against Women Survey (NCAS) provides information about people's understanding of and attitudes towards violence against women and gender equality and what influences their attitudes, any changes over time and whether people are prepared to intervene when witnessing abuse or disrespect towards women^{xxiii}. The strongest predictors of attitudes supportive of violence against women are people having a low level of support for gender equality and a low level of understanding of the behaviours constituting violence against women (relative to other respondents).^{xxiv} The key findings are that most Australians support gender equality and are more likely to support gender equality in 2017 than they were in 2013 and 2009. However there are some concerning results - a proportion of Australians believe that gender inequality is exaggerated or no longer a problem and there continues to be a decline in the number of Australians who understand that men are more likely than women to perpetrate domestic violence.

Family, domestic and sexual violence indicators

At least one woman is killed a week by a partner or former partner in Australia. Intimate partner violence contributes to more death, disability and illness in women aged 15 to 44 years than any other preventable risk factor^{xxv}. Family violence is the largest driver of homelessness for women and is a common factor in child protection notifications. It results in a police call-out on average once every two minutes across the country.^{xxvi} The 2016 Personal Safety Survey conducted by the Australian Bureau of Statistics shows that since the age of 15:

- One in three Australian women has experienced physical violence.
- One in five Australian women has experienced sexual violence.
- One in six Australian women has experienced physical or sexual violence from a current or former partner.
- One in four Australian women has experienced emotional abuse by a current or former partner.
- Australian women are most likely to experience physical and sexual violence in their home, at the hands of a male current or ex-partner.
- Of women who had children in their care when they experienced violence from an ex-partner, 68 per cent reported that the children had seen or heard the violence.

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- For 93 per cent of women and 92 per cent of men who have experienced violence since the age of 15, the perpetrator was male.

Specific groups of women (for example Aboriginal and Torres Strait Islander women, women with a disability and culturally and linguistically diverse women) can be particularly at risk of violence due to the intersection of a number of complex factors and their access and experience of service support and government agencies. There is no evidence to suggest that any one cultural group is inherently 'more violent' than any other. What is clear is that multiple forms of inequality, discrimination and disadvantage intersect and interact with sexism and gender inequality to create the underlying conditions and social context in which violence is more likely to occur^{xxvii}. Some communities are at a greater risk of harms from family violence and/or experience greater disadvantages when it comes to accessing services and supports. For example:

- Intimate partner violence contributes to 10.9 per cent of the burden of disease for Aboriginal and Torres Strait Islander women aged 18 to 44 years, more than any other health risk factor, 6.3 times higher than for non-Indigenous women^{xxviii}. Evidence outlines that non-Indigenous men make up a significant proportion of perpetrators of violence against Aboriginal and Torres Strait Islander women and their children^{xxix}.
- Women and girls with disabilities are twice as likely as women and girls without disabilities to experience violence throughout their lives. Over one-third of women with disabilities experience some form of intimate partner violence^{xxx}.
- Gender-based and disability-based discrimination increase the risk of violence for women and girls with disabilities. Men who use violence often target women who they perceive are less powerful, such as women who are unable to communicate to others what has happened to them, and those restricted in their physical movement^{xxxi}. In addition to being at a greater risk of violence, women with disability also face greater barriers to obtaining support and accessing justice in response to family violence^{xxxii}.
- Women from culturally and linguistically diverse backgrounds may experience a range of barriers, structural and systemic, to accessing help and support for family violence and other forms of violence against women^{xxxiii}.

Along with the tragic impact that violence has on the individual lives of women and their children, it also has community and economy-wide impacts. The total annual cost of violence against women and their children in Australia was estimated to be \$22 billion in 2015-16.^{xxxiv}

Local family violence incidents including children present

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The prevalence of violence against women and family violence is primarily measured by Victoria Police 'family incident' data and 'crime against the person' assault and sexual offence data. In 2017-2018, City of Whittlesea continues to have one of the highest rates per 100,000 of population of family violence in the Northern Metropolitan Region of Melbourne (1,428.9 per 100,000 of population, compared to Victoria 1,176.7) and children are recorded present at a much higher rate than other municipalities (436.7 per 100,000 of population, compared to Victoria 323.2)^{xxxv}.

Females are far more likely than males to be victims of family violence. Males are far more likely than females to be perpetrators of family violence. In 2017-2018 in the City of Whittlesea, males made up 100 per cent of alleged offenders of sexual offences in family incidents and 80 per cent of assault offences in family incidents^{xxxvi}.

Local sexual assault offences data

Of all victim reports of sexual offences, females were the majority of victims - 84.36 per cent females compared to 13.74 per cent males. Of those sexual offences that were family violence related, 90.47 per cent were female victims (males 13.74 per cent) and of those that were non-family violence related 80.31 per cent were female and 16.54 per cent were males^{xxxvii}.

It is important to note that many victims of sexual assault and family violence will not report the violence to police for various reasons including fear of engaging with the criminal justice systems and/or child protection systems; racism, sexism and ableism; and a feeling that they will not be believed. It is therefore widely acknowledged that Victoria Police Family Incident data and sexual offence data are an underrepresentation of the prevalence of family violence, violence against women and sexual assault. Many victims may engage a health or community service or no service at all; their experience may not be recorded in key data sets.

Factors that can increase the harms of violence against women and family violence

Alcohol

Increased availability of alcohol has been shown to correlate with increases in the severity and frequency of violence against women^{xxxviii}. Research in Victoria^{xxxix} has found that there is a strong association between family violence and the concentration of take-away packaged liquor outlets in an area. The

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study concluded that a 10 per cent increase in these liquor outlets was associated with a 3.3 per cent increase in family violence. Increases in family violence were also apparent with the increase in general (pub) licences and on-premise licences. Other studies have demonstrated a similar correlation between litres of alcohol sold at off-licence liquor outlets and higher risk of violence in residential settings^{xl}.

Gambling

Recent Australian research shows that people who have significant problems with their gambling are more likely than people without gambling problems to be victims and perpetrators of family violence – family violence is three times more likely to occur in families where there is problem gambling than in families in which there are no gambling problems.^{xli} In a recent Victorian Commission for Gambling and Liquor Regulation (VCGLR) decision in the City of Whittlesea there was discussion regarding Electronic Gaming Machines (EGM) density and its association with family violence. Data presented to the VCGLR described a very strong positive correlation between financial losses per adult and police call out rates for the Northern Metropolitan Region of Melbourne in 2015-2016. Where there were higher financial losses per adult there was a higher number of police call outs for family violence.^{xlii}

Lack of local access to specialist family violence services

The City of Whittlesea has a rapidly growing population meaning the already high demand for family violence support is set to grow exponentially. There is limited access to specialist family violence services locally, with key service hubs located outside the municipality. Local services report an increase in demand for their services, with over 65 per cent noting family violence as a specific concern^{xliii}. Rapid population growth coupled with limited access to early intervention services exacerbates family violence harms experienced by women and children and fails to hold perpetrators to account for their violence.

About Local Government's role

As a large employer and through its role in delivering a wide range of services, local government intersects with many settings where people live, work, learn, socialise and play – across the lifespan. These are settings where social and cultural values are developed and influenced and they present a significant opportunity to influence the social norms, organisational practices and structures that can drive change. In addition, local government is legislated to build safe, healthy communities and provide equal access to services and facilities through the Local Government Act, 1989. *Change The Story*^{xliiv} and the *Gender Equity in Local Government Fact Sheets*^{xliv} have informed the below descriptions of how the City of Whittlesea can interact with some of these key settings.

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Sports and recreation settings

Sports, active recreation, social and leisure spaces are an important setting because these environments can have a powerful influence on gender relations through their modelling of attitudes, behaviours and social norms. Sporting contexts can reinforce gender inequities if they are male-dominated and exclude women and girls. By increasing gender equality in these settings, local government can reach a large proportion of people in the community. Sports, active recreation and social settings receive significant funding and resources from Council and the State Government. It is crucial that everyone in the community is able to benefit from this investment.

Workplace

The workplace provides a significant opportunity to influence social norms and practices and can reach large populations including groups who may not be reached through other settings. Access to employment and financial security and independence are important factors to protect women from the impacts of family violence or enable them to leave a violent situation. The workplace can provide paid leave and other supports to victims of violence to help facilitate their safe exit from violence. As a major employer in the region, the City of Whittlesea is well-placed to maximise gender equality in the workplace.

Communications and online presence

Various awareness raising and social marketing resources are available to local government to promote to the community. Sharing this information with the community can help to build a community conversation about gender equality and is an important contributor to improving community awareness of the gendered drivers of violence against women and family violence and services to seek support. Increased awareness can contribute to the broader cultural change required to end violence against women. City of Whittlesea can play a role locally to support state-wide and regional, social marketing campaigns, and can promote local stories and local voices that promote dialogue about gender inequality, prevention of violence against women and family violence support services.

Facilities and infrastructure

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Consideration of equity and diversity during planning and development can have a significant bearing on the extent of women's economic, social and civic participation and also on access to facilities, transport and public spaces. Council provides a wide range of essential infrastructure including vital social infrastructure and community facilities and makes land use planning decisions that affect the community's use, access and experiences.

Partnerships

The City of Whittlesea, Councillors and staff, interact with many different communities and organisations regularly. These partnerships, projects and engagement can influence community change by supporting local agencies and community organisations in their prevention efforts and in their advocacy on behalf of the communities they represent. Collaborative relationships with organisations and individuals and respect for lived experience and expertise is essential to understanding the cultural and contextual complexities of inequality and violence against women.

Engagement

Beyond the evidence base, this Strategy was developed with input from key local service agencies and community members which strengthened the understanding of local issues, complexities and priorities. Local services that have a role in frontline family violence response, prevention programs, working with priority population groups or who provide more generalist family support were targeted. Namely:

- Aboriginal Health and Wellbeing Network (representatives from key Aboriginal Community Controlled Organisations and health services including the Northern Hospital's Koori Maternity Health Service and mental health service, Victorian Aboriginal Health Service and City of Whittlesea)
- Berry Street
- Brotherhood of St Laurence
- Council's Family, Children and Young People Department
- Dianella Plenty Valley Community Health
- InTouch Multicultural Centre Against Family Violence

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- The Orange Door – North East Metropolitan Region
- Project Respect
- Victoria Police – Whittlesea Family Violence Unit
- Whittlesea Community Connections
- Whittlesea Early Years Family Violence Working Group (including Anglicare, Northern Hospital, Kids First, Maternal and Child Health and Try Children Youth & Family Services)

Information was sought on experiences ‘on the ground’ – emerging issues or challenges – that may shape the priorities to be addressed through this Strategy. Engagement will continue with relevant organisations throughout the implementation of this Strategy.

A qualitative survey was conducted with community members, distributed through the City of Whittlesea website and Facebook page, Maternal and Child Health Centres, libraries, service agencies, the Whittlesea Disability Expo, public Immunisation sessions and at each Council service centre. Key networks and committees were targeted to promote to the communities they work with including:

- Aboriginal Health and Wellbeing Network
- Community Safety and Crime Prevention Committee
- Whittlesea Disability Network

The community survey asked:

- Thinking about yourself and others in your life, describe what an equal, safe and respectful community would look like locally
- What changes would you like to see locally in order to achieve an equal, safe and respectful community?

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The survey received 50 responses in total; of the 42 responses who answered the question about gender 95.2 per cent answered 'female' and 4.8 per cent answered 'male' (eight did not respond). The majority of respondents live in Epping (25.5 per cent) and Doreen (12.8 per cent), 19.1 per cent live outside the municipality (e.g. Reservoir, Northcote, Preston, Craigieburn).

In analysing the community responses, and reflecting on the feedback with service agencies, strong themes have been identified in the emerging issues, key challenges and priorities identified to help shape this Strategy.

Social isolation

The social isolation of individuals and families in the community emerged repeatedly in conversations with service agencies and in the survey results – both as a contributing factor for family violence to occur and as a barrier to seeking help. Using social isolation as a mechanism of control can also be a form of violence in itself. Services commented that social isolation increased the importance of the 'soft entry points' for accessing help – how universal services can have a role in reaching isolated women (see more on this in *Universal Services as Access Points*). The community survey respondents suggested "continuing community groups, women's groups especially, to empower women", respondents emphasised the importance of bringing together women through women's-only groups and "opportunities for women to meet and connect" through community events, "programs and activities that area accessible for women and girls" to "stop local loneliness and isolation".

Culturally diverse communities – migration status and racism

Several service agencies (Victoria Police, InTouch, Berry Street, Project Respect), described an increasing prevalence of cases where migration status and visa-related vulnerability were used as a tool of abuse and as a significant barrier to seeking assistance. InTouch described several cases where women have been brought to Australia on a spouse visa, only to find themselves in a household with a partner and children already present, where she is then held for domestic duties. Threats to family in the country of origin, financial dependency and fear of deportation are then tools used to deter her from seeking help. For Project Respect, a service that supports women working in the local sex industry – the majority of their clients locally are from migrant backgrounds (many of them recent arrivals with low levels of English proficiency). This increases their vulnerability in a high-risk industry and impacts their awareness of their rights and ability to navigate assistance available. Project Respect specifically highlighted that 80 per cent of the women they work with experience not only violence in their place of work but family violence from intimate partners or extended family as well.

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Agencies talked about the importance of meeting a women 'where she is at' – women's inequality and rights might not be the language/terminology that appeals to women from diverse cultural backgrounds, especially if visa status, employment, housing or recovery from trauma are more pressing, immediate concerns.

In the context of their prevention work, Dianella Plenty Valley (DPV) Community Health described the challenge of women experiencing multiple types of discrimination – i.e. racism and sexism. Employment is a significant issue for culturally and linguistically diverse (CALD) women. Racism and bias is described as a significant issue for CALD women finding jobs and gaining interviews locally.

CALD women can also experience a significant amount of stigma and criticism from within their communities for wanting to go back to work after having children. DPV described some women being shamed by fellow community members for wanting to attend social groups or to work. Conversely, they have also worked with women where there is a strong tradition of female activism in their country of origin – these women are then surprised at the level of inequality they see in Australia.

Financial abuse and hardship

Similar to visa-related vulnerability, several services reported an increase in the use of dowry (or other marriage-related financial transactions) as a means of exploitation and control. In some cases, the perpetrator uses dowry payments to strengthen a sense of ownership, and can use abuse of the woman as leverage to demand further payments from family in the country of origin. Where a woman has come into a multi-generational household, the abuse and control can be perpetrated by multiple people (for example mother in-law, brother in-law). Whittlesea Community Connections (WCC) also described dealing with many cases of financial abuse in terms of debt creation – where the woman is left with crippling debts as a result of the perpetrator's use of a credit card, damage to rental property and accrual of fines. WCC legal service supports women to resolve these issues but they continue to have a significant impact on safety and recovery, especially on finding and maintaining secure housing and meeting day to day expenses.

One survey respondent described "less poker machines" as contributing to their view of an equal, safe and respectful community. Another talked about "places for people that are not expensive", others talked about local employment and access to childcare as important to them and many talked about equal pay for equal work.

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Services described the importance that Council consider ways to support women financially impacted by family violence such as through financial hardship supports to meet rates payments, fines and other Council-related payments. Proactive programs to build financial literacy and support female employment locally were also considered crucial.

'Back to basics' – education and information provision

Several services (Victoria Police, DPV, WCC, Project Respect, InTouch) described a need for strengthening awareness, amongst the people they work with, of the core concepts of family violence – what behaviours constitute family violence and where they can go for help - 'What happens if I call the police?' and so on. Services discussed the need to build community capacity to support each other – how to recognise 'relationship red flags' and how best to support their friends and loved ones. This also needs to occur in the context of online dating and the potential for harm through grooming, especially of young people. Local services told us that within newly arrived communities understanding of family violence as a crime needs to be strengthened. The collaboration between Victoria Police, WCC and local community groups through the Whittlesea CALD Communities Family Violence Project (lead by WCC) has been a successful model to build this awareness and to build trust and connection with local authorities.

Education about gender inequality, sexism, bystander action and information about family violence services available were described in the community survey responses as local changes needed to achieve an equal, safe and respectful community. This theme was very strong – respondents suggested "better understanding of the impact of sexism and gendered violence in the community", "profiling local women in sport and industry", and "respectful relationships programs at schools and sporting clubs". Respondents expressed the need for information about gender-based violence and gender inequity, "more sessions with parents through schools [about] domestic violence" and the importance of this to be translated and for "information [to be] displayed in the environment".

Universal services as access points

In the context of the afore-mentioned themes, culturally safe and inclusive access to universal services was emphasised as both a protective factor against family violence and as sometimes *the only* avenue for connection and support for victims. In many instances, women who are being actively socially isolated by a perpetrator of family violence, services connected to the care of their children – Playgroups, Maternal and Child Health Centres, Kindergarten – may be the *only* ones they are permitted to access, and therefore their only avenue of support which may lead to a disclosure of family violence and seeking help.

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This feedback is echoed by the experiences of City of Whittlesea staff in particular those working in community centres and directly with community members. It highlights a need for these staff to be suitably equipped to provide inclusive, culturally safe responses to disclosures of family violence, and to be protected from vicarious trauma or harms from these disclosures.

Women's safety in public realm

A very common theme emerging from the community surveys was women's safety in public realm. Respondents described their vision for an equal, safe and respectful community being one where women could "go for a walk at night without the fear of being hurt", where women and girls "would feel safe walking through my neighbourhood at day and night" and "without harassment" and where "I could walk home from the train without worrying about whether it is safe". Respondents referred to "walkable streets connecting neighbourhoods" with "more lights", "toilets... in public spaces", public places such as shopping centres which should "reduce the gender stereotyping of how they also advertise" and provide "change facilities that are accessible to men and women". Safety in public realm was linked to the need to develop active bystander behaviours in the community – "people looking out for each other and standing up together to combat racism, sexism and hatred in public places".

Equal access to recreation and sport

Respondents to the community survey described sport and recreation settings as key environments for gender equality, safety and respect. From basic needs such as "separate change rooms in sporting clubs" to "more female friendly clubs", "better female facilities", "equity of access to facilities" and "less stereotypes of genders – females work in the canteen". What is clear from these responses is that the community value the role Council has in providing environments and settings for sport and recreation but that these environments need to be more accessible to and inclusive of women and girls.

Equal rights and respect

In describing their vision of an equal, safe and respectful community, a large proportion of respondents to the community survey talked about gender equality – "boys and girls are given the same chances and choices", a "community that supports gender diversity" where "all people should have the same rights and opportunities to obtain work, equal pay for that work". One respondent said their vision for an equal, safe and respectful community was one where "women

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can find relevant and fulfilling employment, and can balance their paid work with caring for children due to an expectation that parenting roles are supported by society and corporations”.

A good proportion of respondents talked about leadership opportunities, empowerment of women and the need for more women in decision making positions – “more women on local Council and in positions of leadership making decisions for our community” and a desire for “more women’s involvement in organisations” and to have “women and girls among those walking and meeting in public spaces”.

What is already happening

City of Whittlesea has been working to improve gender equality and prevent violence against women for several years. For some areas, this work is embedded and is an ongoing part of day to day work. City of Whittlesea participate in and support many local partnerships that build sector capacity and share information in response to changing demands. Although City of Whittlesea do not directly provide family violence services, Council are involved in many advocacy efforts to increase provision and access to specialist services locally.

Some of the key highlights of this work include:

- Investment and support of women’s cultural groups and employment programs, e.g. Stepping Stones program
- Promotion of female participation in sport through annual grants and an education program
- Improved integration of gender equitable design into community facilities
- Increased monitoring and responses to key gender equality workforce indicators
- Actions embedded in the Active Whittlesea Strategy to remove social and structural barriers to women’s participation in sport and recreation
- A Family Violence Workplace Support Policy to support staff impacted by family violence
- Capacity building of staff to apply a gender lens to their work
- Ongoing Respectful Relationship Education work in schools in partnership with NCASA
- Annual celebration of International Women’s Day
- Promotion of opportunities for local women’s leadership, e.g. through choice of Welcome to Country speakers
- Funding received to explore employment outcomes for women in growth areas

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- Ongoing support of women in business through forums and network events
- Improved screening for family violence during key Maternal and Child Health appointments
- Participation of key Maternal and Child staff in training and information sharing reforms emerging from Royal Commission into Family Violence recommendations
- Early Years Infrastructure Development Program - designing inclusive, flexible, accessible and welcoming environments
- Provision of a family violence training program for educators and professionals supporting families and a range of parenting support programs

The Objectives and Priority Actions identified in this Strategy will build upon these strong foundations and seek to further extend Council's work and commitments to improving gender equality and preventing violence against women.



Equal and Safe Strategy

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| Goal The City of Whittlesea is a gender equitable, safe and respectful community | |
| Objective 1 Build a safe and respectful workplace where gender inequality is understood and actively challenged | Priority Actions <ol style="list-style-type: none"> Improve organisational performance against key workforce gender equality indicators Ensure gender equality within our workforce planning, processes and culture Build the knowledge, skills and capacity of staff to understand and respond to family violence and violence against women Build the knowledge, skills and capacity of staff to apply a gender lens to their area of work |
| Objective 2 Provide services and programs that normalise gender equality and are responsive to the needs of community experiencing family violence | Priority Actions <ol style="list-style-type: none"> Ensure Council's financial and information processes minimise secondary harms and risks to safety for residents impacted by family violence Increase the number of local services and programs that promote gender equality and challenge gender stereotypes |

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| | |
|--|---|
| | <ul style="list-style-type: none"> c. Build knowledge within existing services and programs of the cultural and contextual complexities of violence against women and family violence d. Increase breadth of local employment opportunities for women e. Advocate for increased access to specialist family violence services in the municipality f. Incorporate a gender and family violence-responsive approach in planning for emergencies and the delivery of relief and recovery services |
| <p>Objective 3</p> <p>Ensure that community facilities and public spaces enable safe and gender equitable access and an active community life for all</p> | <p>Priority Actions</p> <ul style="list-style-type: none"> a. Build a gendered community safety approach into Council's master-planning for public realm, reserves and facility development b. Include gender equity criteria in the process of prioritising and planning capital works c. Improve employment, recreation and safety outcomes for women and girls through the review of public realm and land use planning strategic documents d. Utilise appropriate Council levers to minimise harms from alcohol and gambling locally |
| <p>Objective 4</p> | <p>Priority Actions</p> |

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Build a well-informed, connected community who understand and embrace gender equality and are empowered to prevent violence against women

- a. Increase community understanding of the types of family violence, early warning signs and where to get support
- b. Increase community understanding of healthy relationships and their role in challenging sexism and gender stereotypes
- c. Develop the capacity of underrepresented women to engage and influence civic and community life
- d. Support community initiatives that reduce social isolation and vulnerability to family violence

Implementation and evaluation

These objectives and priority actions will be implemented by the organisation through annual action plans. Progress against these action plans will be monitored through corporate reporting processes and by the Governance Group for the Equal and Safe Strategy. Regular updates will be provided to Council throughout the life of the Strategy. The impacts of the Strategy and action plans will be evaluated in line with Council's Evaluation Framework.

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Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



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Equal and Safe Strategy 2019

Improving gender equality and preventing violence against women



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6.2.3 REDEVELOPMENT OF MCLEANS ROAD KINDERGARTEN - RESPONSE TO PETITION

Responsible Officer: Director Community Services

Author: Manager Family, Children & Young People

Chief Executive Officer Explanatory Note

Under Clause 33 of the Procedural Matters Local Law, with consent from the Chairperson, the report was withdrawn from this meeting in order to allow for further discussion around the relocation of the Kindergarten service from the building. The report is proposed to be presented to the 4 June 2019 Council Meeting.

RECOMMENDATION SUMMARY

Council resolve to:

1. Continue with the planned timelines for the redevelopment of McLeans Road Kindergarten which will require the centre to close during the 2020 and 2021 calendar years and reopen in January 2022.
2. Provide the McLeans Road Kindergarten Inc. Committee of Management the opportunity to deliver the kindergarten service at the new centre (in 2022), subject to meeting Department of Education and Training (DET) regulatory requirements and Council's Lease and Service Agreement terms.
3. Continue to engage and work with the Committee of Management to explore options to enable a shared premises arrangement at an alternative location, during the redevelopment process, in line with DET guidelines and regulations.
4. Write to petitioners to inform them of Council's decision.

KEY FACTS AND / OR ISSUES

- This report has been prepared in response to a petition tabled at the Council Meeting of 2 April 2019.
- The Established Areas Infrastructure Plan (EAIP) for Families, Children and Young People identifies proposed capital works for kindergartens including the need for an additional kindergarten room to be delivered at McLeans Road Kindergarten in 2020-2021 ready for kindergarten operations by January 2022. This timeline ensures the facility is delivered ahead of population peak and in preparation for the introduction of funded three-year-old kindergarten.
- Given the highly regulated nature of early years services, approximately 16 months is required to re-develop a facility and meet DET Service Approval (SA) requirements.
- Department of Education (DET) per capita funding conditions require kindergarten programs to be provided for a minimum of 600 hours over 40 weeks per calendar year.
- All four-year-old enrolments are able to be redirected to neighbouring kindergartens within existing service capacity in 2020 and 2021 if spread across a number of centres.
- Redevelopment of the kindergarten facility will require Council's Lease to cease and the DET Service Approval (SA) to be terminated. The decision for the McLeans Road Kindergarten Incorporation to continue as an entity during the redevelopment period, is the responsibility of the current Committee of Management (CoM).
- Following redevelopment, the McLeans Road Kindergarten CoM will be offered the opportunity to deliver the new service subject to meeting DET SA and per capita funding conditions as well as Council's Lease and Service Agreement terms.

REPORT**BACKGROUND**

This report has been prepared in response to a petition prepared by residents and tabled at the Council Meeting on 2 April 2019. The petition, addressed to the Mayor and Councillors of the Whittlesea City Council, was signed by 138 residents and 70 non-residents.

The petition stated:

We, the undersigned, residents and ratepayers of Whittlesea City Council, request the Council to:

Regarding Whittlesea Council's decision to demolish McLeans Rd Kinder in 2020, rebuild and then reopen in 2022 ... we as the committee, parents, grandparents, families and local public hereby 'REQUEST FROM THE COUNCIL':

- 1. A ONE YEAR EXTENSION to demolish McLean's Rd Kinder in 2021 rather than 2020 to allow for the current 3-year-old group to complete their preschool 4-year-old year at the same centre.*
- 2. THE GUARANTEE (in writing) that McLean's Road Kinder will be able to go back into that location in 2022 after having been there for a reputable 43 years.*
- 3. THAT THE COUNCIL COULD STILL FIND A TEMPORARY PLACE FOR McLean's Road Kinder TO CONTINUE BUSINESS avoiding having to be shut down for two years and losing many children and families plus losing their wonderful entity.*

Council resolved to receive the petition and prepare a report for Council's consideration.

DISCUSSION**Planning for Kindergarten Facilities**

The *Established Areas Infrastructure Plan for Families, Children and Young People (EAIP)* identifies proposed capital works for kindergartens including the need for an additional kindergarten room to be delivered at McLeans Road Kindergarten.

In developing this capital works program, consideration was given to:

- Meeting demand for kindergarten in line with population growth and identified need in each precinct in the established areas of the municipality, ahead of peak requirements.
- Planning for four-year-old enrolments to be redirected to neighbouring centres within existing service capacity, to ensure all children have access to a local kindergarten program during planned upgrades.
- Staged program of capital works, aligned to the New Works Program to ensure management and delivery within existing resources, financial capacity and the opportunity to benefit from capital grant funding rounds.
- Equitable distribution of upgraded kindergarten facilities across the established area districts.
- Financial viability of kindergartens and regulatory compliance.

Subsequent to the EAIP report, the State Government announced that it will fund 15 hours of kindergarten for three-year-old children from 2020. The implications of this policy direction reinforce the importance of the delivery of the proposed two room facility at McLeans Road within the recommended timeline.

Kindergarten Program Delivery

Council builds, owns and maintains kindergarten infrastructure and manages the central enrolment scheme for four-year-old kindergarten programs across the municipality. Not-for-profit organisations, schools and/or committees of management enter into Leases (and Service Agreements) to deliver kindergarten programs on Council's behalf.

McLeans Road Kindergarten is managed by a Committee of Management (CoM), responsible for all aspects of operating the Incorporated Association, including compliance with DET per capita funding and Service Approval (SA – formerly known as Licencing). The key industry body established to support and advise all CoMs is Early Learning Association Australia (ELAA).

Redevelopment Dates

Council's EAIP identified the McLeans Road Kindergarten upgrade to be undertaken in 2020-2021 to ensure the kindergarten is operational by January 2022. This timeline will ensure the facility is delivered ahead of population peak and in preparation for the planned roll out of funded three-year-old kindergarten.

The kindergarten will be required to close over two calendar years due to the following drivers:

- Construction of highly regulated early years facilities requires a period of approximately 16 months to redevelop and meet DET SA requirements in a new facility.
- DET per capita kindergarten funding criteria requires that service is provided for a minimum of 600 hours over 40 weeks per calendar year, requiring the program to typically begin in February of each year.

While extending the timelines for the redevelopment of the facility would enable the current group of 3-year old children to complete 4-year old kindergarten at the same centre (17 families have currently listed McLeans Road Kindergarten as their first preference for 2020), the expanded kindergarten will cater for 66 children. Extending the timeline will impact on the ability to accommodate these additional numbers in 2022, particularly with the introduction of 3-year old kindergarten by the State Government at that time.

Impact on Kindergarten Enrolments

During the redevelopment of the facility, all four-year-old enrolments will be able to be redirected to neighbouring centres within existing service capacity or accommodated in an alternative service model offered by Mc Leans Road Kindergarten Incorporated (if approved by DET).

Impact on Committee of Management (CoM)

The redevelopment of the kindergarten facility will require Council's Lease to cease and the DET SA to be terminated. The decision for the McLeans Road Kindergarten Incorporation to continue, is a decision for the current CoM.

Council Officers will continue working with the CoM to explore options to enter into a DET approved and financially viable, Shared Premises Arrangement in collaboration with another Kindergarten Management body. This arrangement allows two management bodies to share one facility to deliver a DET approved service. While unusual, such Agreements can occur with the agreement of all parties.

Re-establishment of the Kindergarten Program

Typically, the City of Whittlesea undertakes an Expression of Interest process to appoint a management body to operate Council's kindergarten facilities. Upon completion of the new facility, the incoming management body will be required to make application to manage the new kindergarten service.

The McLeans Road Kindergarten CoM will be offered the opportunity to deliver the new service subject to:

- Gaining DET Service Approval to deliver three and four-year-old kindergarten
- Meeting compliance with DET per capita funding Service Agreement conditions
- Signing off on the terms of Council's Lease and Service Agreement.

Temporary Relocation

Meetings are being coordinated with DET, ELAA, the CoM and TRY Australia (on behalf of Roycroft Kindergarten) to explore the Shared Premises Arrangement option for service continuity of McLeans Road Kindergarten Inc. Edward Street Preschool CoM have indicated in preliminary conversations that they do not wish to enter the Shared Premises Arrangement.

The Principal of Norris Bank Primary School was engaged, to explore partnership opportunities including assessing the suitability of existing buildings to convert into a temporary kindergarten facility. No funding was available to progress this option.

Neighbouring kindergartens in Bundoora, Mill Park, Thomastown and Lalor were engaged and consulted on their capacity to accommodate additional enrolments. All agreed to support the redevelopment and accommodate all enrolments as required.

City of Darebin Officers were engaged to explore possible temporary relocation options. Darebin officers do not believe that this alternative option would meet the needs of families.

CONSULTATION

Council's Early Years team have met with members of the 2018 and 2019 McLeans Road Kindergarten Committees of Management and staff at least eight times since February 2018. The meetings and other exchanges of information (telephone calls and emails) focused on:

- Updates on the redevelopment
- Enrolment impacts and options
- Incorporated Association impacts and options including the process for reinstating a management body
- Coordinating parent information sessions, correspondence and FAQ's
- Temporary facility options and Shared Premises Arrangements.

DET and ELAA representatives were engaged, to provide the CoM with professional guidance and support regarding regulatory responsibilities, DET funding and service approval obligations, financial viability considerations, staffing implications, etc.

A parent information session was held at the McLeans Road Kindergarten on Tuesday 5 March 2019 for families enrolled in 2019 and 2020. Several Council officers and a CoM member attended the session.

FINANCIAL IMPLICATIONS

Outside a Shared Premises Arrangement any short-term accommodation or temporary building will have a significant cost impact. No budget allocation has been made for this purpose.

The redevelopment project has been estimated to cost approximately \$5,250,000. The cost estimate has been informed by similar projects; however, detailed options analysis and engineering assessment are required to confirm this.

Council officers will seek external grant funding through a DET funding round, which is typically between \$350,000 to \$650,000.

POLICY STRATEGY AND LEGISLATION

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Victorian Government Early Years Compact
- Victorian Department of Education and Training per capita grant funding
- Belonging, Being, and Becoming – The Early Years Learning Framework for Australia 2009
- Victorian Early Learning and Development Framework 2016
- Incorporated Associations Act
- Whittlesea 2040: A place for All
- Connect: A municipal plan for children, young people and their families in the City of Whittlesea
- City of Whittlesea Early Years Policy
- Property Leasing Policy

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Connected community |
| Whittlesea 2040 Key Direction | A socially cohesive community |
| Strategic Objective | Programs, services and infrastructure encourage social connections and the development of a sense of community |
| Council Priority | Health and Wellbeing |

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

Delivery of the McLeans Road Kindergarten's upgrade in 2020-2021, with the service recommencing operations in January 2022, will ensure the facility is delivered ahead of population peak and in readiness for the introduction of funded three-year-old kindergarten.

Any delay in the redevelopment of the facility will place pressure on surrounding services and potentially impact on the ability of children (families) to access their local kindergarten.

During the redevelopment of the facility, all four-year-old enrolments will be able to be redirected to neighbouring centres within existing service capacity.

Council officers will continue working with the CoM to explore options to enter into a DET approved (and financially viable), Shared Premises Arrangement at an alternative location.

The redevelopment of the kindergarten facility will require Council's Lease to cease and the DET SA to be terminated. The decision for the McLeans Road Kindergarten Incorporation to continue, is a decision for the current CoM.

The McLeans Road Kindergarten CoM will be offered the opportunity to deliver the new service subject to meeting DET SA and per capita funding conditions and Council's Lease and Service Agreement terms.

| |
|-----------------------|
| RECOMMENDATION |
|-----------------------|

THAT Council resolve to:

1. Continue with the planned timelines for the redevelopment of McLeans Road Kindergarten which will require the centre to close during the 2020 and 2021 calendar years and reopen in January 2022.
2. Provide a written undertaking to McLeans Road Kindergarten Inc. Committee of Management to offer the incorporation the opportunity to deliver the kindergarten service at the new centre (in 2022), subject to meeting Department of Education and Training (DET) regulatory requirements and Council's Lease and Service Agreement terms.
3. Continue to engage and work with the Committee of Management to explore options to enable a shared premises arrangement at an alternative location during the redevelopment process, in line with DET guidelines and regulations.
4. Write to petitioners to inform them of Council's decision.

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| <p><i>Chief Executive Officer Explanatory Note</i></p> <p>Under Clause 33 of the Procedural Matters Local Law, with consent from the Chairperson, the report was withdrawn from this meeting in order to allow for further discussion around the relocation of the Kindergarten service from the building. The report is proposed to be presented to the 4 June 2019 Council Meeting.</p> |
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6.3 CITY TRANSPORT AND PRESENTATION

6.3.1 CONTRACT NUMBER 2016-20 - SUPPLY OF ASPHALT WORKS - CONTRACT EXTENSION

| | | |
|---------------------|----------|--|
| Attachments: | 1 | FINANCIAL SUMMARY OF CONTRACT 2016-20 for Supply of Asphalt Works - 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 Construction (New Works)

RECOMMENDATION SUMMARY

That Council resolve to:-

- Approve extension of the contract end date to 30 June 2020, with a revised estimated total contract sum of \$16,000,000 (excluding GST).
- Note the funding arrangements detailed in the confidential attachment.

KEY FACTS AND / OR ISSUES

- The contract enables Council's roads to be rehabilitated and renewed to a safe and usable level for the community.
- This contract was awarded to a panel of four asphalt contractors:
 - Asphaltech Pty Ltd
 - Boral Resources (Vic) Pty Ltd
 - Downer EDI Works Pty Ltd
 - RABS Paving Services Pty Ltd
- The contract has been performed satisfactorily and two one-year extension options are available to 30 June 2021;
- An extension is required for the continued renewal of Council's road infrastructure while arrangements are made to enter into a collaborative contract with other regional partners. The new regional arrangement is expected to deliver better value to the community;
- An increase in projects delivered through this contract is planned for 2019/20, associated with increased capital spending on the renewal of the city's local road network. This will significantly increase the spend through this contract relative to previous annual spending.

REPORT

BACKGROUND

The contract commenced on 1 July 2016 and the current approved end date is 30 June 2019. Options exist to extend the contract up to 30 June 2021. The contract performs the important function of delivering on Council's adopted Asset Management Strategy.

The Asset Management Strategy identifies roads requiring ongoing rehabilitation and renewal to address ageing infrastructure and thereby ensures the long term financial sustainability of the Council. This asphalt contract is critical for delivering the various projects identified from the Road Asset Management Plan and Asset Management Strategy.

This contract was awarded to a panel of four asphalt contractors:

- Asphaltech Pty Ltd
- Boral Resources (Vic) Pty Ltd
- Downer EDI Works Pty Ltd
- RABS Paving Services Pty Ltd

A summary of the financial performance of the contract is provided in the confidential attachment.

CONTRACT EXTENSION

The contract has performed satisfactorily, however, it is considered likely that better value can be obtained if the contract is tendered as part of a regional collaboration. Preliminary planning has commenced with the Northern Region Group of Councils. Numerous members have expressed an interest in collaborating with City of Whittlesea to achieve better value by leveraging economies of scale and maximising efficiencies.

The contractor's prices have been verified against current market rates and are considered sufficiently competitive to justify extension of the contract term to 30 June 2020. This twelve-month period will be sufficient to allow for the completion of the proposed regional collaboration tender.

During this period a significantly increased number of projects will be delivered in line with the adopted Asset Management Strategy. These will dramatically increase spend under the contract beyond the expenditure trends to date. Details of the current expenditure along with costs of forecast projects and activities are provided in the confidential attachment.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|--|
| Whittlesea 2040 Goal | Liveable Neighbourhoods |
| Whittlesea 2040 Key Direction | Smart, connected transport network |
| Strategic Objective | We have community transport options to address transport disadvantage |
| Council Priority | Roads, Access and Public Transport |

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

Extension of the contract is sought in accordance with the contract's terms and conditions and Council's applicable policy and procedures.

RECOMMENDATION

THAT Council resolve, in relation to Contract No. 2016-20, for Supply of Asphalt Works to:

- 1. Approve extension of the contract end date to 30 June 2020 with a revised estimated total contract sum of \$16,000,000 (excluding GST).**
- 2. Note the funding arrangements detailed in the confidential attachment.**

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.3.2 CONTRACT 2019-6 - DR HARRY JENKINS RESERVE TENNIS COURT AND LIGHTING UPGRADE - TENDER EVALUATION

Attachments: 1 2019-6 Confidential attachment - 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: Parks & Open Space Projects Officer

RECOMMENDATION SUMMARY

This report summarises the evaluation of tenders received for Dr Harry Jenkins Reserve Tennis Court and Lighting Upgrade under Contract No. 2019-6.

It is recommended that contract number 2019-6 for Dr Harry Jenkins Reserve Tennis Court and Lighting Upgrade:

- is awarded to Grassports Australia
- for the lump sum price of \$554,667.35(excl. GST)

KEY FACTS AND / OR ISSUES

The tender evaluation panel advises that:

- This contract will provide an upgrade to the existing tennis facilities at Dr Harry Jenkins Reserve in line with Council's Tennis Strategy to ensure the facilities meet Council's minimum standards and club / community expectations
- This contract represents Stage 1 works involving Courts 5 and 6, with future stages to follow
- Eight (8) tenders were received
- The recommended tender was the highest ranked and is considered best value based on demonstrating the ability to deliver the works to the required standard and within Council's required timeframe requirements

| |
|---------------|
| REPORT |
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BACKGROUND

The purpose of this contract is to undertake an upgrade to two (2) of the existing six (6) tennis courts at Dr Harry Jenkins Reserve. The upgrades will incorporate new synthetic (SFAG) courts with associated drainage and fencing, new LED lighting and ancillary items.

Tenders for the contract closed on 6 February 2019. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

An upgrade of additional courts at Dr Harry Jenkins Reserve is included in the forward new works program as future stages.

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 | 25% |
| Capacity | 15% |
| Impact | 10% |

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

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

The evaluation outcome was as follows:

| TENDERER | CONFORMING | COMPETITIVE | SCORE | RANK |
|-----------------------------------|------------|-------------|-------|------|
| Tenderer A - Grassports Australia | Yes | Yes | 86.5 | 1 |
| Tenderer B | Yes | Yes | 83.5 | 2 |
| Tenderer C | Yes | Yes | 79.6 | 3 |
| Tenderer D | Yes | Yes | 77.1 | 4 |
| Tenderer E | Yes | Yes | 73.9 | 5 |
| Tenderer F | Yes | Yes | 65.2 | 6 |
| Tenderer G | Yes | Yes | 64.0 | 7 |
| Tenderer H | Yes | Yes | 42.3 | 8 |

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

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council explores and adopts best practice models |
| Council Priority | Organisational Sustainability |

The project will provide a significant improvement to facilities within the Reserve, with best practice tennis court and lighting design incorporated along with access for all-abilities.

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 Grassports Australia 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 Grassports Australia for the sum of \$554,667.35 (excluding GST) for the following contract:**
Number: 2019-6
Title: Dr Harry Jenkins Reserve Tennis Court and Lighting Upgrade
subject to the following conditions:
 - a) **Tenderer to provide proof of currency of insurance cover as required in the tender documents.**
 - b) **Tenderer 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.**

COUNCIL RESOLUTION

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.3.3 2019-28 CONSTRUCT TRANSMISSION EASEMENT SHARED PATH BETWEEN SYCAMORE RESERVE AND CHILDS ROAD TENDER EVALUATION REPORT

| | | |
|---------------------|----------|--|
| Attachments: | 1 | 2019-28 Tender Evaluation Information - 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: Senior Projects Engineer

RECOMMENDATION SUMMARY

It is recommended that contract number 2019-28 to construct the Transmission Easement Shared Path between Sycamore Reserve and Childs Road, Mill Park:

- is awarded to MACA Infrastructure
- for the lump sum price of \$708,564 (excl. GST)

KEY FACTS AND / OR ISSUES

- The project is to provide a shared path through Mill Park linking the Darebin Creek Trail with the Morang Drive Trail. This will provide alternative access for Mill Park residents to the wider metropolitan trial network, Mill Park Leisure Centre, South Morang Station, Plenty Valley Town Centre and various schools and community centres within the area.
- The tender evaluation panel advises that:
 - Eight tenders were received; and
 - The recommended tender was the highest ranked and is considered best value because of price, experience, quality management and relevant expertise personnel who will be assigned to the project.

REPORT**BACKGROUND**

The purpose of this contract is for the construction of the Transmission Easement shared path between the Darebin Creek Trail (Sycamore Reserve) and Childs Road including the crossing of Childs Road, path links to various points of interest along the route, safe road crossings on Grenda Drive and Hawkes Drive, and associated signage and line marking works.

This project was identified as an action item in the Whittlesea Cycling Plan 2016-2020, the Northern Regional Trails Strategy and LATM 20 Traffic Management Plan.

Funding for this project is available in the approved 2018/19 and draft 2019/20 Council New Works Program under PID 304.

Tenders for the contract closed on 20 March 2019. 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 | 55% |
| Capability | 20% |
| 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.

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

The evaluation outcome was as follows:

| TENDERER | CONFORMING | COMPETITIVE | SCORE | RANK |
|-----------------------------------|------------|-------------|-------|------|
| Tenderer A MACA Infrastructure | Yes | Yes | 96.1 | 1 |
| Tenderer B | Yes | Yes | 87.9 | 2 |
| Tenderer C | Yes | Yes | 81.0 | 3 |
| Tenderer D | Yes | No | N/A | |
| Tenderer E | Yes | No | N/A | |
| Tenderer F | Yes | No | N/A | |
| Tenderer G | Yes | No | N/A | |
| Tenderer H | No | No | N/A | |

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

The highest ranked tenderer was recommended for award of this contract following tender evaluation, reference checks and tender interviews. This is based upon MACA infrastructure having demonstrated to provide best value to Council in terms of price, expertise, quality management and personnel who will be assigned to the project.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

Whittlesea 2040 Goal

Enabling the vision

Whittlesea 2040 Key Direction

Making it happen

Strategic Objective

Our Council services are transparent, equitable and accessible

Council Priority

Organisational Sustainability

The Construction of this shared path is a priority item identified in both the City of Whittlesea Cycling Plan 2016-2020 and the Northern Regional Trails Strategy 2016. By constructing this trail Council will improve cycling through Mill Park and link the Darebin Creek Trail with Plenty Valley Town Centre. The path will also improve access from Lalor, Thomastown and the southern part of Mill Park with the Mill Park Leisure Centre, Plenty Valley Town Centre, various primary and secondary schools, Sycamore Reserve, Findon Reserve and South Morang Station.

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 MACA Infrastructure 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 MACA Infrastructure Pty Ltd for the sum of \$708,564 (excluding GST) for the following contract:

 Number: 2019-28
 Title: Construct Shared Path Transmission Easement 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 detailed in the confidential attachment.
3. Sign and seal the Contract documents.

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.3.4 CONTRACT 2015-21 - SUPPLY OF ROAD, DRAINAGE AND ASSOCIATED STREET LIGHTING - CONTRACT EXTENSION

Attachments: 1 **Financial Summary of Contract 2015-21 - 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 Construction (New Works)

RECOMMENDATION SUMMARY

That Council resolve to:

- Extend the contract to a revised end date of 31 December 2019.
- Approve a revised estimated total contract sum of \$21,000,000 (excluding GST).
- Note the contractual and funding arrangements detailed in the confidential attachment.

KEY FACTS AND / OR ISSUES

- This contract rehabilitates and improves the condition of sealed roads and the traffic environment within the Municipality to a safe and usable condition;
- This contract was awarded to a panel of six civil contractors on 14 July 2015 for an estimated total contract value at the time of \$17.4 million;
- Council, at the meeting of 5 June 2018, approved a one-year extension to 30 June 2019 with a revised total estimated contract sum of \$20 million;
- At present the construction industry has a significant supply side demand for civil construction contractors combined with a shortage of raw materials for construction (rock, concrete, steel, etc.). As such the unit rates have increased for road construction projects faster than CPI growth;
- A new contract for the supply of road, drainage and associated street lighting works is currently being prepared due to reduction in the availability of the existing panel of contractors;
- An extension of contract for a period of six months to 31 December 2019 is recommended to ensure that a new partnering style civil contract can occur by January 2020, and therefore seek to obtain best value for the community;
- The extension period and increased total estimated contract value to \$21 million is required for the successful delivery of Council's increasing road and drainage infrastructure projects within 2019/20 New Works Program; and
- The remaining panel contractors have performed satisfactorily over the initial contract and extended time period to 30 June 2019.

REPORT**BACKGROUND**

The Asset Management Strategy identified roads as a key Council asset requiring renewal. This program strategically identifies the renewal of road assets to ensure the long term financial sustainability of the Council. Projects for each year are identified from the Road Asset Management database and from visual inspections and have increased year on year with Council's increasing capital works program.

At the meeting dated 14 July 2015, Council resolved to award *Contract Number 2015-21 for Supply of Road, Drainage and Associated Street Lighting Works* to a panel of six civil contractors including:

- CDN Constructors Pty Ltd;
- Conbi Contractors Pty Ltd;
- Fercon Pty Ltd;
- Metro Asphalt Pty Ltd;
- United Roads Pty Ltd *; and
- Universal Concrete Contractors Pty Ltd*.

** Contractors that are no longer operating or regarded as a high risk to Council*

The current estimated total contract expenditure is \$20 million to 30 June 2019. The first one-year extension to the 30 June 2019 has been approved by Council and a further one-year extension period is available.

The City of Whittlesea utilise this contract for the successful delivery of various civil infrastructure projects within the ongoing New Works Program, for example: the road rehabilitation program, local area traffic management, missing links program, safe routes to school program and the construction of the shared user path network across the municipality.

A summary of the financial performance of the contract is provided in the confidential attachment.

CONTRACT EXTENSION

Due to a reduction in the availability panel contractors (refer above), a new contract for the supply of road, drainage and associated street lighting works is currently being prepared. It is anticipated that the new contract will be presented to Council at the meeting dated 10 December 2019.

It is therefore recommended that this contract be extended for a further period of six months to 31 December 2019 to ensure the successful delivery of Council's road and drainage infrastructure projects within 2019/20 New Works Program.

The extension requests the total estimated contract expenditure be increased by \$1 million, to \$21 million based on the existing approved schedule of rates within the contract and the program of works identified to be delivered in the 2019-2020 Draft Budget.

Further details of the requested contractual arrangements and extension period are provided in the confidential attachment.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Liveable neighbourhoods |
| Whittlesea 2040 Key Direction | Smart, connected transport network |
| Strategic Objective | The road network responds to our needs in accessing jobs, services and recreational activities |
| Council Priority | Roads, Access and Public Transport |

The extension of *Contract Number 2015-21 for Supply of Road, Drainage and Associated Street Lighting Works* provides best value to the organisation and will cater for the successful delivery of Council's road and drainage infrastructure projects within 2019/20 New Works Program.

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

A contract extension to 31 December 2019 and an increase to the total estimated contract value is sought in accordance with the contract's terms and conditions and Council's applicable policy and procedures.

RECOMMENDATION

THAT Council resolve, in relation to *Contract No. 2015-21, for Supply of Road, Drainage and Associated Street Lighting Works* to:

- 1. Extend the contract to a revised end date of 31 December 2019.**
- 2. Approve a revised estimated total contract sum of \$21,000,000 (excluding GST).**
- 3. Note the contractual and funding arrangements detailed in the confidential attachment.**

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.3.5 ROAD SAFETY OPTIONS ANALYSIS - MASONS ROAD, MERNDA

| | | |
|---------------------|----------|---|
| Attachments: | 1 | Locality Plan ↓ |
| | 2 | Property Plan ↓ |
| | 3 | Crash Diagram ↓ |
| | 4 | Traffic Survey Results ↓ |

Responsible Officer: Director City Transport & Presentation

Author: Unit Leader Infrastructure Projects

RECOMMENDATION SUMMARY

That Council resolve to: -

- Implement the high priority Road Safety Audit recommendations through the New Works Program in the 2018/19 and 2019/20 financial years.
- Endorse the closure of Masons Road, Mernda as the preferred road safety option.
- Commence the formal process to close Masons Road, Mernda in accordance with Section 12 of the Road Management Act 2004 (as amended).
- Advertise Council's intention to close Masons Road, Mernda in the Victorian Government Gazette, The Age and the Whittlesea Leader.
- Establish an advisory Committee of Council to consider written submissions received.

KEY FACTS AND / OR ISSUES

- Masons Road was originally constructed to a rural standard gravel road to provide local farm access to the residents in the area. As development has increased, additional burden has been placed on Masons Road to act as an alternative to the east-west arterial road network, resulting in a significant increase in traffic speeds and volumes.
- The safety of the road has been questioned, particularly following a fatality which occurred in August 2018.
- Council Officers engaged an independent VicRoads' pre-qualified consultant to conduct a comprehensive Road Safety Audit (RSA) of Masons Road on behalf of Council. The RSA report comprised 45 recommendations (and five notes) for road safety improvements along Masons Road, Mernda. These recommendations commonly related to protection of roadside hazards, installation of signage and the trimming of trees.
- Options for enhancing the safety of the road have been considered and include different methods of sealing the road surface, hazard protection and a closure of the road.
- The detailed evaluation of options over a 20-year asset life has identified *Option C: Closure of the Road* as the preferred option for the strategic direction of Masons Road.
- The road closure will significantly reduce traffic volumes, the road safety risks, address dust and amenity concerns, reduce the increasing maintenance demands, and provide a level of service that is consistent with the local rural residential traffic accessing the properties in Masons Road and Wilkes Court.
- Closure of the road will however remove an alternative east-west route currently used by approximately 855 vehicles per day.
- The process for closing the road requires considerable community consultation, and can take more than 12 months.

REPORT

BACKGROUND

Masons Road was originally constructed to a rural standard (gravel surface) to provide local farm access to the residents in the area. As development has increased, additional burden has been placed on Masons Road to act as an alternative to the east-west arterial road network. Under normal circumstances in the growth areas, gravel roads are constructed to a sealed urban road as part of the urban development process, which has been the case along the eastern section of Masons Road. However, the western section of Masons Road runs through the environmental buffer of the Hanson Landfill and Quarry and therefore will never be developed and urbanised through the normal development process. It will therefore be Council's responsibility to urbanise the road into the future, if that is required.

Road Network and Land Use

Masons Road is a local Council road which runs east–west between two Declared Arterial Roads, Plenty Road to the east, and Epping Road to the west (*Attachment 1*). The road is approximately 6.4km in length.

The eastern end of Masons Road is urbanised for 2.4km with a sealed carriageway, kerb and channel (both sides), a footpath (south side only), street lighting, residential housing (south side) and farmland (north side).

The western section of Masons Road has a gravel carriageway 4.0km, with farmland on northern side of the carriageway and the Hanson Wollert Landfill and Quarry located on most of the southern side of the carriageway. At the approximate midway point on the gravel section of the road there are two 90° curves.

The unsealed section of road was constructed to a rural standard (gravel surface) and is unable to cater for the growing traffic volumes in the area; the road asset condition therefore is rated poor with Council receiving numerous complaints regarding dust and other amenity issues. Regular (monthly) routine maintenance is required to maintain a suitable level of service along Masons Road. Despite the higher levels of maintenance, the condition of the road surface deteriorates undermining road safety.

There are currently 7 properties that access from Wilkes Court, and 10 properties with direct access onto the unsealed section of Masons Road as their primary means of access, as shown in *Attachment 2*. Under normal operating conditions these properties would generate between 100 and 150 vehicle trips per day.

The speed limit is 50km/h for the entire length between Plenty Road and Epping Road. The 50km/h speed limit is clearly defined and signed (16 signs over 4.0km), and advance warning signs are installed at appropriate locations on both the sealed and gravel sections of the road.

Road Safety

Surrounding urban development has impacted on the operation and safety of the road, with safety concerns increasing following a fatal crash on Masons Road in August 2018. Options for enhancing the safety of the road have been considered, are contained within this report and include sealing the road surface, protection of roadside hazards and the closure of the road to through traffic.

In addition to the fatal crash in August 2018, VicRoads' Road Crash Information System (RCIS) indicates that there have been four other casualty crashes on Masons Road since 2008. A summary of circumstances and details relating to all crashes are listed in *Attachment 3*.

Given the limited number and spread of incidents and the lack of repetition of incident types, no trends in crashes can be observed, or any specific crash counter-measures are able to be identified. However, it can be concluded that speed, volume and surface conditions are contributing factors for crashes along the unsealed gravel section of Masons Road.

A factor used in determining the need for road safety improvements on a road is the crash rate on a road. This is calculated in terms of the number of crashes per km per year (Federal and State road safety authorities use a five year period) on a length of road; for Masons Road the crash rate is:

- 0.156 crashes per km per year for the overall road – 6.4km;
- 0.150 crashes per km per year for the gravel section – 4.0km; and
- 0.167 crashes per km per year for the sealed section – 2.4km.

Whilst these crash rates are higher than desirable, they must be viewed in context, e.g. the crash rate for Great Brome Avenue (a collector road in Epping North) is 3.2 crashes per km per year.

The long-term road safety of the community is a cross-agency responsibility. Therefore, regardless of the option selected by Council to improve road safety along Masons Road, it will require regular enforcement of traffic speeds by Victoria Police.

Current Traffic Conditions

Traffic surveys have been conducted on Masons Road, with a summary of traffic conditions contained in *Attachment 4*. The majority of traffic using Masons Road is travelling between Plenty Road and Epping Road, the two key north-south arterial roads of the city, as an alternative to, and to avoid road congestion on, Bridge Inn Road.

These results indicate that:

- 850 vehicles per day use the gravel section of Masons Road, with 4,500 vehicles per day using the sealed section. There has been a steady increase and much higher vehicle volumes (approximately five times more) on the sealed section of Masons Road, than on the gravel section. This is due to the amount of traffic generated by the fully built up residential development on the south side of this section of the road;
- The majority of drivers travel at speeds in excess of the 50km/h speed limit regardless of the road surface (sealed or unsealed). This is likely because many drivers travel at a speed at which they believe is safe, rather than at the posted speed limit;
- A smaller percentage (64%) of drivers travel over the speed limit on the sealed section of the road compared with the gravel section (84%). This is likely because the sealed section of the road has fully built up residential development on the south side;
- The highest speeds have been recorded on the gravel section (150km/h), with a high speed of 121km/h recorded on the sealed section; and
- Traffic volumes on the gravel section have more than doubled since 2014 and are around ten times greater than what would be expected for a local rural road.

The increased traffic speeds and volumes are having a detrimental impact on the liveability of the local residents in Masons Road and Wilkes Court, through increased dust, amenity, higher vehicle maintenance and road safety concerns.

ROAD SAFETY AUDIT RECOMMENDATIONS

Council Officers engaged an independent VicRoads' pre-qualified consultant, TrafficWorks Pty Ltd (TrafficWorks), to conduct a comprehensive Road Safety Audit (RSA) of Masons Road.

TrafficWorks inspected the site under both daytime and night time traffic conditions and provided a report comprising forty-five (45) recommendations (and five notes) for road safety improvements along Masons Road, Mernda. These recommendations commonly related to trimming/removing trees in the clear zone, protection of roadside hazards, e.g. trees and electrical poles, and installation of advanced warning signage.

Forty (40) (of forty-five (45)) recommendations were accepted by Council Offices ranging from sign relocation to the re-creation of the existing swale drains.

OPTIONS ANALYSIS

The following options for Masons Road were assessed over a 20-year asset life:

- Base Case: Existing Conditions;
- Option A: Sealing of the Road (between Epping Road and Texel Drive);
- Option B: Implement Accepted RSA Recommendations; and
- Option C: Closure of the Road to through traffic.

Base Case: Existing Conditions

Base Case: Existing Conditions was used as a comparison option to determine the likely outcome in the absence of road safety improvements not proceeding.

In the base case scenario, there are no upfront capital costs to Council however an ongoing high level of maintenance and repair is required to meet the increasing traffic demand and pressures placed on the road. The grading regime is currently double that is normally applied to other gravel roads within the municipality, costing approximately \$100,000 annually. This current level of maintenance is still not meeting the community service level expectations and therefore is estimated to increase to approximately \$400,000 annually, for monthly maintenance, including; grading, placement and compaction of material; and intermittent repair/rebuilding of sections of the road to meet the increasing safety and service level expectations.

If Council opt for a "no change" approach, the road safety concerns identified in the Road Safety Audit and ongoing amenity issues will remain.

Option A: Sealing of the Road (between Epping Road and Texel Drive)

Option A: Sealing of Masons Road, between Epping Road and Texel Drive, will improve the overall level of service on Masons Road, reduces some amenity concerns, e.g. dust and vehicle maintenance, and reduces the need for high level of routine maintenance. This option however has a high capital cost, at approximately \$12 million for the appropriate standard of sealing and road upgrade considering the level of increased traffic volume the road will be required to accommodate, i.e. asphalt, shoulder sealing, drainage works.

This option will result in a net-benefit loss (i.e. cost), as sealing Masons Road only provides \$0.20 worth of benefits received for every \$1 spent, over a 20 year asset life.

The requirements for a higher standard of road upgrade and sealing cost is due to the high likelihood that a significant volume of through traffic is expected. This increased level of traffic would have historically used Bridge Inn Road as their east-west link through the municipality, but would divert to Masons Road following the road upgrade improvements and higher level of service. Whilst this would initially ease congestion on the arterial road network (Bridge Inn Road), it would impose unacceptable stress on Masons Road and its underlying pavement layers.

Furthermore, Council Officers anticipate that an improvement to the overall level of service of the road through sealing would cause traffic speeds to increase, and therefore heighten the road safety risks identified in the RSA. Under these circumstances, implementation of accepted RSA recommendations would be still required at an additional cost of \$700,000.

From a broader road network perspective, Council is currently advocating for an upgrade to Bridge Inn Road, to improve road capacity and reduce congestion for east-west traffic movement. While the State Government has committed to some improvements through the Outer Suburban Arterial Road program, further upgrades along Bridge Inn Road are required.

Sealing Masons Road would essentially relieve pressure on Bridge Inn Road by creating a parallel road that is serving an arterial road function, thus significantly undermining Council's advocacy efforts in relation to the urbanisation of Bridge Inn Road. Should these Arterial Road Network advocacy efforts fail, Bridge Inn Road, between Plenty Road and Epping Road will continue to exhibit:

- High levels of traffic (crash) accidents (currently 12 accidents in the past five years);
- Serious road safety concerns and turning movements at uncontrolled intersections; and
- A lack of public transport (bus) connectivity.

Furthermore, sealing of Masons Road would ultimately require a signalised intersection at Epping Road and an upgrade to the intersection at Plenty Road. These upgrades have not been costed in this surface upgrade cost option mentioned above.

A Special Charge Scheme (where costs are apportioned to all parties based on the 'special benefit'), was considered as a funding contribution option, whereby abutting residents of Masons Road and Wilkes Court would contribute to the sealing of the road to Council's required standard. The costs to residents of a special charges scheme given the upgrades required is prohibitive.

Option B: Implementation of Accepted Road Safety Audit (RSA) Recommendations

Option B: Implementation of RSA recommendations will significantly reduce the road safety concerns along Masons Road by either eliminating the potential hazards or reducing the severity of consequence in the event of an accident crash. Council Officers have accepted forty (of the 45) RSA recommendations, and estimate the cost of delivery at \$700,000.

Whilst implementing the RSA recommendations would reduce the consequence in the event of an accident (crash), this option will have little effect on the likelihood of crash as the anticipated speeds and volumes would remain constant. All amenity related concerns from residents will also remain.

Furthermore, the long-term success of this option relies heavily on Council increasing the ongoing routine (surface grading) maintenance requirements. As discussed above, this increased service cost is estimated at approximately \$400,000 per annum and is not sustainable in the long-term.

Option C: Closure of the Road to through traffic

Option C: Closure of the Road to through traffic will significantly reduce the road safety risks along the road, reduce the current amenity concerns, reduce the need for a high level of routine (surface grading) maintenance, will limit the estimated traffic volumes on Masons Road to local residents only and will eliminate through traffic “rat running”. This approach will revert back to the originally intended local rural traffic volumes of around 100 vehicle trips per day.

Closure of the road will however restrict connectivity for residents between the municipality's two growth corridors. 850 vehicles per day currently use the gravel section of road, and there will be a degree of community concern around the closure of an alternative east west route. There are several options available for the location of the road closure, each with different community benefits and impacts. The closure decision will be subject to a detailed community consultation process.

The cost to administer the road closure is estimated at \$105,000.

Overall the road closure is considered the best strategic option for Masons Road.

The timeframe to formally close Masons Road is significant, and can often extend beyond twelve months. In accordance with the Local Government Act, Council Officers must:

1. Prepare a report to Council recommending the closure of the road, including the establishment of an advisory committee that will include at least two Councillors to consider any submissions on the proposed road closure;
2. Advertise the proposed road closure by consulting with relevant stakeholders, i.e. local residents, emergency services, and bus operators. This will include formal letters and the placement of a public notice in the local newspapers, allowing 28 days for public submission;
3. Submit a report to VicRoads with comments on the proposed road closure;
4. Prepare a report and make recommendations to Council based on feedback from the proposal, including the VicRoads report;
5. Notify community and emergency services of the imminent road closure; and
6. Implement the closure.

PROPOSAL

The detailed evaluation of options against the assessment criteria over a 20-year asset life has identified - Option C: Closure of the Road to through traffic - as the preferred option for the strategic direction of Masons Road, Mernda, in addition with implementing all high-risk priority Road Safety Audit items (nine of the 45 audit findings).

The road closure to through traffic (and implementing the high-risk RSA items) will significantly reduce the road safety risks along the road, will reduce the increasing maintenance obligations of Council and provide a level of service that will suit local traffic accessing the residential properties in Masons Road and Wilkes Court.

The timeframe to formally close Masons Road could extend beyond twelve months. The cost to administer the road closure is estimated at \$105,000.

The cost to implement the high priority RSA items only is estimated at \$140,000, and therefore the total financial cost of the proposal is estimated at \$245,000.

CONSULTATION

In accordance with the Road Management Act 2004, Council must seek feedback from emergency services (i.e. Ambulance Victoria, Country Fire Authority and Victoria Police), bus operators, Utility Service authorities and VicRoads during the formal consultation period.

A public notice advising of the proposed road closure is also required to be placed in a daily circulating newspaper (The Age), and the Whittlesea Leader and the Victorian Government Gazette calling for submissions from the general public over a 28-day period from the date of advertisement.

In addition to the above Council will undertake the following community engagement actions seeking submissions from the general public, road users and land owners on the proposed road closure:

- A formal letter to owners and occupiers of properties abutting Masons Road and Wilkes Court, and a community meeting with local residents;
- Social media posts on Councils Social Media accounts advising of the proposal and that Council is seeking feedback from the general public on the matter;
- Use of the Have Your Say section on Council's website; and
- Signage on Masons Road advising road users of the proposal to close Masons Road.

Submissions will be considered by the Council Committee and the proposal amended where appropriate. The Committee will then prepare a report with recommendations based on the submissions to be presented to Council for adoption.

FINANCIAL IMPLICATIONS

Operational items, such as routine maintenance (surface grading), will continue to be funded through existing recurrent (operational) budgets.

The cost to administer the road closure and deliver the high priority RSA items is estimated at \$245,000.

The current New Works Program has allocated \$95,000 in the 2018/19 financial year to deliver road safety improvements, with the balance of the road safety audit high-risk items being referred to the 2019/2020 New Works Program for consideration.

POLICY STRATEGY AND LEGISLATION

Road Management Act (2004)

City of Whittlesea Road Safety Strategy (2017):

Address safety of all road and path users.

Address driver behaviour and attitude towards vulnerable road users: pedestrian, cyclists and 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.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Liveable neighbourhoods |
| Whittlesea 2040 Key Direction | Smart, connected transport network |
| Strategic Objective | The road network responds to our needs in accessing jobs, services and recreational activities |
| Council Priority | Roads, Access and Public Transport |

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

Masons Road is a local Council road that is experiencing traffic speeds and volumes disproportionate to its designed level of service. Despite a high-level routine (surface grading) maintenance regime, the surface of the road deteriorates on a regular basis.

Road safety concerns have increased following a fatal crash in August 2018. A Road Safety Audit has identified several road safety hazards along the route that require mitigation or elimination.

The detailed evaluation of options against the assessment criteria over a 20-year asset life has identified the Closure of the Road to through traffic as the preferred option for the strategic direction of Masons Road, Mernda.

The road closure will significantly reduce the road safety risks along the road, will reduce the ongoing amenity concern and maintenance obligations of Council. A road closure will provide a level of service that will suit local traffic accessing the residential properties in Masons Road and Wilkes Court. It is recommended that all high priority Road Safety Audit (RSA) items are implemented in conjunction with the road closure consideration.

The timeframe to formally close Masons Road could extend beyond twelve months.

The cost to implement the high priority RSA items only is estimated at \$140,000, and the total financial cost of the proposal is estimated at \$245,000.

RECOMMENDATION

THAT Council resolve to:

1. Implement the high priority Road Safety Audit recommendations through the New Works Program in the 2018/19 and 2019/20 financial years.
2. Endorse the closure of Masons Road, Mernda to through traffic as the preferred road safety improvement option.
3. Commence community consultation on the closure of Masons Road and the road closure process in accordance with Section 12 of the Road Management Act 2004 (as amended).

4. Advertise Council's intention to close Masons Road, Mernda in the Victorian Government Gazette, The Age and the Whittlesea Leader, including additional consultation and engagement to occur with the Community.
5. Establish an advisory Committee of Council comprising the North Ward Councillors and the Mayor, Cr Cox to consider any written submissions to the proposed road closure.

MOTION

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT Council resolve to:

1. Implement the high priority Road Safety Audit recommendations through the New Works Program in the 2018/19 and 2019/20 financial years.
2. Endorse the closure of Masons Road, Mernda to through traffic as the preferred road safety improvement option.
3. Commence community consultation on the closure of Masons Road and the road closure process in accordance with Section 12 of the Road Management Act 2004 (as amended).
4. Advertise Council's intention to close Masons Road, Mernda in the Victorian Government Gazette, The Age and the Whittlesea Leader, including additional consultation and engagement to occur with the Community.
5. Establish an advisory Committee of Council comprising the North Ward Councillors and the Mayor, Cr Cox to consider any written submissions to the proposed road closure.

Cr Desiato and Cr Lalios returned to the Council Chamber at 8.57pm prior to the vote on this item.

AMENDMENT

MOVED: *Cr Lalios*
SECONDED: *Cr Kirkham*

THAT the motion be amended to include a point 6 and 7 to read as follows:

6. Write to Local Members of Parliament seeking funds from the Victorian and Federal Government for Masons Road to be fixed and sealed properly.
7. Adopt recommendation 3.2 on page 53 of the Road Safety Audit and implement it.

EXTENSION OF SPEAKING TIME

MOVED: *Cr Monteleone*
SECONDED: *Cr Sterjova*

THAT Council resolve to extend the speaking time of Cr Kirkham for a further two minutes.

CARRIED

EXTENSION OF SPEAKING TIME

MOVED: *Cr Alessi*
SECONDED: *Cr Joseph*

THAT Council resolve to extend the speaking time of Cr Sterjova for a further two minutes.

CARRIED

AMENDMENT

MOVED: *Cr Lali*
SECONDED: *Cr Kirkham*

THAT the recommendation be amended to include a point 6 and 7 to read as follows:

6. Write to Local Members of Parliament seeking funds from the Victorian and Federal Government for Masons Road to be fixed and sealed properly.

7. Adopt recommendation 3.2 on page 53 of the Road Safety Audit and implement it.

CARRIED

DIVISION

Immediately after the motion was voted on, Cr Lali called for a division which resulted in the following votes being recorded.

| | | |
|---------------|----------------|------------------|
| For | Against | Abstained |
| Cr Kirkham | Cr Kozmevski | Cr Pavlidis |
| Cr Kelly | Cr Alessi | |
| Cr Lali | Cr Cox | |
| Cr Monteleone | | |
| Cr Desiato | | |
| Cr Sterjova | | |
| Cr Joseph | | |

Based on the votes cast during the Division, the motion was carried.

CARRIED

The Amendment was put and carried and became the Substantive Motion. The Substantive Motion was then put and carried.

SUBSTANTIVE MOTION

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT Council resolve to:

1. Implement the high priority Road Safety Audit recommendations through the New Works Program in the 2018/19 and 2019/20 financial years.
2. Endorse the closure of Masons Road, Mernda to through traffic as the preferred road safety improvement option.
3. Commence community consultation on the closure of Masons Road and the road closure process in accordance with Section 12 of the Road Management Act 2004 (as amended).
4. Advertise Council's intention to close Masons Road, Mernda in the Victorian Government Gazette, The Age and the Whittlesea Leader, including additional consultation and engagement to occur with the Community.
5. Establish an advisory Committee of Council comprising the North Ward Councillors and the Mayor Cox, to consider any written submissions to the proposed road closure.
6. Write to Local Members of Parliament seeking funds from the Victorian and Federal Government for Masons Road to be fixed and sealed properly.
7. Adopt recommendation 3.2 on page 53 of the Road Safety Audit and implement it.

EXTENSION OF SPEAKING TIME

MOVED: *Cr Monteleone*
SECONDED: *Cr Joseph*

THAT Council resolve to extend the speaking time of Cr Alessi for a further two minutes.

CARRIED

EXTENSION OF SPEAKING TIME

MOVED: *Cr Kelly*
SECONDED: *Cr Monteleone*

THAT Council resolve to extend the speaking time of Cr Lalios for a further two minutes.

CARRIED

COUNCIL RESOLUTION

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

THAT Council resolve to

1. Implement the high priority Road Safety Audit recommendations through the New Works Program in the 2018/19 and 2019/20 financial years.
2. Endorse the closure of Masons Road, Mernda to through traffic as the preferred road safety improvement option.
3. Commence community consultation on the closure of Masons Road and the road closure process in accordance with Section 12 of the Road Management Act 2004 (as amended).
4. Advertise Council's intention to close Masons Road, Mernda in the Victorian Government Gazette, The Age and the Whittlesea Leader, including additional consultation and engagement to occur with the Community.
5. Establish an advisory Committee of Council comprising the North Ward Councillors and the Mayor Cox, to consider any written submissions to the proposed road closure.
6. Write to Local Members of Parliament seeking funds from the Victorian and Federal Government for Masons Road to be fixed and sealed properly.
7. Adopt recommendation 3.2 on page 53 of the Road Safety Audit and implement it.

CARRIED

DIVISION

Immediately after the motion was voted on, Cr Alessi called for a division which resulted in the following votes being recorded.

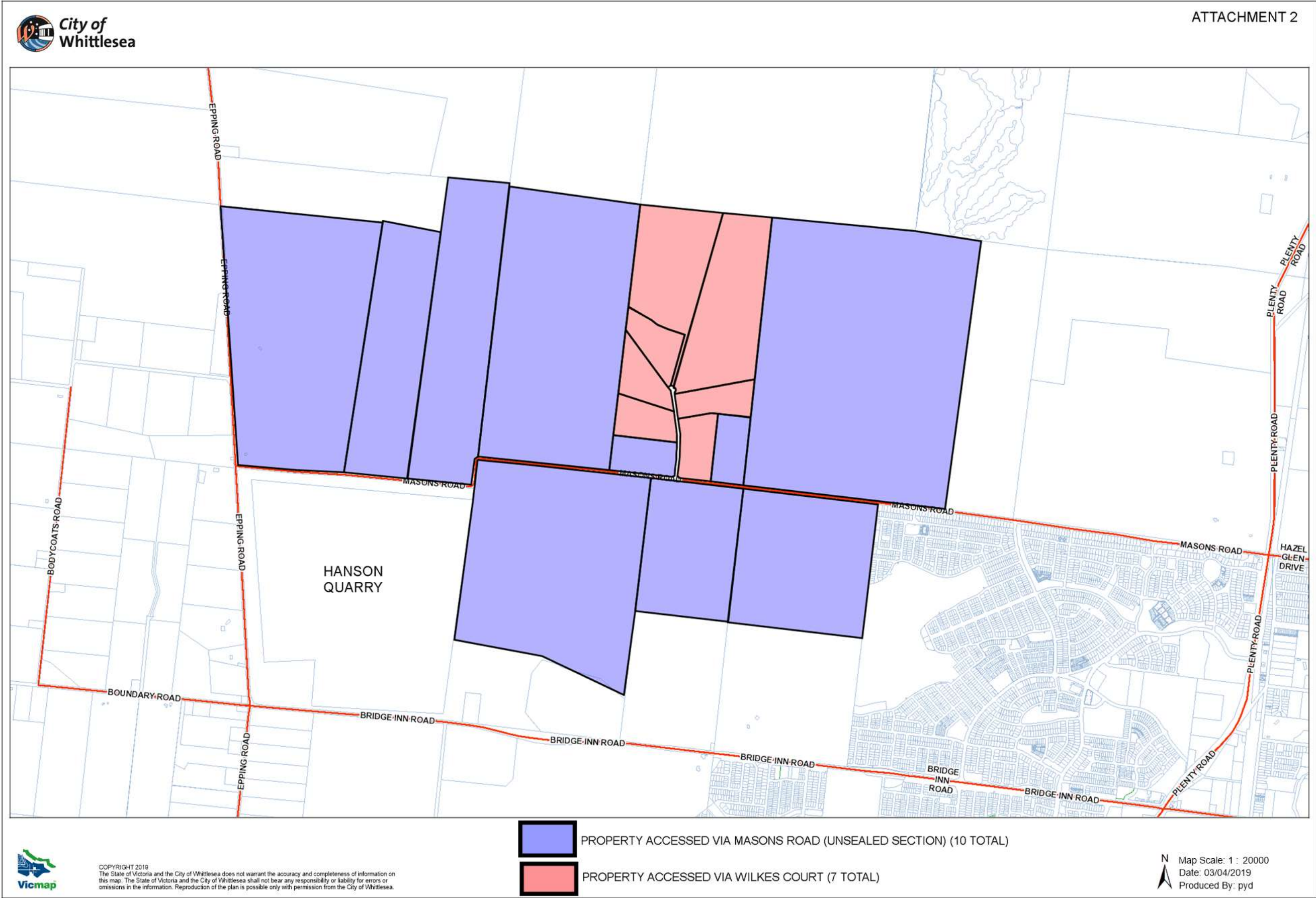
| | | |
|--------------|----------------|------------------|
| For | Against | Abstained |
| Cr Pavlidis | Nil | Cr Laliotis |
| Cr Kozmevski | | Cr Cox |
| Cr Kirkham | | Cr Desiato |
| Cr Alessi | | Cr Monteleone |
| Cr Sterjova | | |
| Cr Joseph | | |
| Cr Kelly | | |

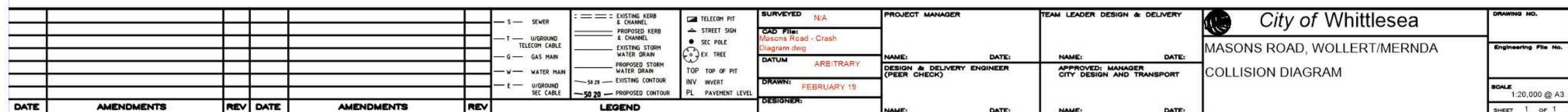
Based on the votes cast during the Division, the motion was carried.

CARRIED

Attachment 1 – Locality Plan







Attachment 3 – Summary of Traffic Survey Results

| Location | Date | AADT ¹ | Speed Limit (km/h) | Road Condition | Speeds (km/h) | | | | | | |
|----------|----------|-------------------|--------------------|----------------|---------------|-----------------------------------|----------------|--------------|-------------|--------------|---------|
| | | | | | Average | 85 th ile ² | Over (%) | | | | Highest |
| | | | | | | | 50 km/h | 60 km/h | 70 km/h | 80 km/h | |
| at 75 | Oct 2014 | 349 | 100 | Gravel | 30 | 36 | 2 (0.6) | 1 (0.3) | 1 (0.3) | Nil (0.0) | N/A |
| at 622 | Oct 2014 | 2,950 | 60 | Sealed | 46 | 52 | 704 (24) | 85 (2.9) | 12 (0.4) | 3 (0.1) | 98 |
| at 622 | Sep 2015 | 3,355 | 50 | Sealed | 48 | 55 | 1,1873 (35) | 139 (4.1) | 17 (0.5) | Nil (0.0) | 108 |
| at 75 | Nov 2015 | 418 | 50 | Gravel | 58 | 67 | 281 (67) | 145 (35) | 41 (9.8) | 5 (2.8) | 96 |
| at 422 | Mar 2017 | 496 | 50 | Sealed | 48 | 67 | 319 (64) | 157 (32) | 53 (11) | 14 (2.8) | 100 |
| at 594 | Dec 2017 | 4,001 | 50 | Sealed | 52 | 59 | 2,536 (64) | 476 (12) | 68 (1.7) | 12 (0.3) | 108 |
| at 75 | Sep 2018 | 855 | 50 | Gravel | 60 | 79 | 710 (83) | 496 (58) | 274 (32) | 111 (13) | 132 |
| at 165 | Sep 2018 | 853 | 50 | Gravel | 62 | 78 | 717 (84) | 503 (59) | 264 (31) | 102 (12) | 150 |
| at 512 | Sep 2018 | 2,946 | 50 | Sealed | 50 | 59 | 1,768 (61) | 383 (13) | 65 (2.2) | 12 (0.4) | 119 |
| at 596 | Sep 2018 | 4,524 | 50 | Sealed | 50 | 58 | 2,895 (64) | 452 (10) | 59 (1.3) | 9 (0.2) | 121 |

¹ Average Annual Daily Traffic

² '86thile speed' is the speed at which 85 per cent of motorists are either travelling at or below along Masons Road.

| Summarised AADT | 2014 | 2015 | 2016 | 2017 | 2018 |
|-----------------|-------|-------|---------|---------|-------|
| Gravel | 349 | 418 | No data | No data | 855 |
| Sealed | 2,950 | 3,355 | No data | 4,001 | 4,524 |

6.3.6 PETITION: REQUEST TO INSTALL RAISED PAVEMENTS ON GALLOWAY DRIVE AND PEARSONS ROAD, MERNDA

Attachments:

- 1 Locality and Over-view Plan [↓](#)
- 2 Proposed Traffic Management Concepts [↓](#)

Responsible Officer: Director City Transport & Presentation

Author: Team Leader Transport Engineering

RECOMMENDATION SUMMARY

THAT Council resolve to: -

- Install raised pavements and pedestrian crossings in Galloway Drive and Pearsons Road in Mernda, subject to agreement of PTV and Bus Operator, and approval of VicRoads.
- Consult with the broader community regarding the location and detail design of the raised pavements and pedestrian crossings.
- Advise the petitioners of Council's decision on this matter.

KEY FACTS AND / OR ISSUES

- Galloway Drive and Pearsons Road are local collector roads located in Mernda.
- A petition signed by 174 residents from the Mernda Retirement Village requesting Council to install speed humps on Galloway Drive and Pearsons Road was received.
- The recorded traffic speeds in Galloway Drive and Pearsons Road within the 40km/h speed zone are not acceptable, especially when it is considered in context of the surrounding road network and land use development which includes the Mernda Retirement Village.
- If speeds are to be reduced some intervention by Council is necessary.

REPORT**BACKGROUND**

This report is in relation to a petition tabled at the Council meeting held on 12 February 2019. The petition was signed by 174 residents from the Mernda Retirement Village requesting Council install speed humps on Galloway Drive and Pearsons Road, Mernda. A covering letter was submitted with the petition and cited the following in support of their request:

- *The safety of residents of the Village and surrounding area when crossing Galloway Drive and Pearsons Road.*
- *Traffic in general exceeds the 40km/h speed limit, with many motorists having a total disregard for the speed.*
- *Resident population of the Retirement Village is forecast to exceed 400 in 2019.*

Council resolved to receive the petition and that a report be prepared.

DISCUSSION

The investigation undertaken in response to this petition and this report focuses on a 600m section of Galloway Drive (generally between Stradling Rise and Mernda Village Drive), and a 200m section of Pearsons Road (generally between Galloway Drive and Walhalla Street) in Mernda.

Road Network and Land Use

Both Galloway Drive and Pearsons Roads are collector roads designed to accommodate up to 10,000 vehicles per day (vpd).

This section of Galloway Drive is generally flat and runs in an east to west direction through a very gentle horizontal curve from Mernda Village Drive (in the centre of the Mernda Village Town Centre) at the eastern end, to the north-south section of Galloway Drive which extends another 500m to the south to the Bridge Inn Road intersection.

This section of Pearsons Road runs in a north-south direction, and is generally straight as it gently raises approximately 6.0m from Galloway Drive to Walhalla Street over a 200m length.

The cross-section of both roads provides for a traffic lane for each direction, indented parking lane in front of the residential properties, strategically placed kerb extensions the width of the parking lane, footpaths (1.5m south side and 2.5m north side on Galloway Drive; 1.5m east side, 2.5m west side on Pearsons Road), and 2.5 to 3.0m wide nature strips. These are standard of road cross-sections adopted in new residential areas for collector roads and/or potential bus routes, as the two traffic lanes are unencumbered by parking and they are thus adequate to cater for efficient bus services and high traffic volumes.

The surrounding land use is generally medium density residential, as well as the Mernda Retirement Village (located on the north side of Galloway Drive and west side of Pearsons Road) and the Mernda Village shopping centre, see *Attachment 1*.

Road Safety

The petitioners raised concerns regarding safety on both Galloway Drive and Pearsons Road and in particular safety at the *Flashing Light Pedestrian Crossing* (zebra crossing) on Pearsons Road approximately 10m north of Galloway Drive.

A review of VicRoads' casualty crash database, *CrashStats*, indicates that there have not been any casualty crashes recorded in these sections of Galloway Drive or Pearsons Road over the five-year period, from 1 January 2013 to 5 November 2018 (*CrashStats* is only current to this latter date). VicRoads' *CrashStats* is a database of motor vehicle crashes for which the Victoria Police has created a crash report; these are only for crashes in which someone has been injured or a fatality has occurred.

Notwithstanding, there is anecdotal evidence (reports from residents) of four crashes as well as near misses occurring along these sections of road. Concern has also been raised regarding the safety and operation of the pedestrian crossing in Pearsons Road north of Galloway Drive.

The Pearsons Road pedestrian crossing was installed in 2015 to provide a safe crossing point for retirement village residents when walking to and from the Mernda Village shopping centre, and to compliment a crossing installed in 2012 in Galloway Drive directly in front of the shopping centre.

Both crossing are installed to accord with AustRoads' and VicRoads' traffic engineering standards and guidelines. In both situations "flashing light" (alternating flashing amber lights) type crossings were installed instead of "non-flashing" type crossings. This is due to the higher level of visibility (provided by the flashing lights) and as they are generally regarded as a safer type of crossing facility.

Council officers have inspected both sites and confirm that both crossing layouts accord with relevant engineering standards and guidelines.

There is no evidence to support the road safety concerns, and the pedestrian crossings are regarded as satisfactory. However, there are some opportunities for minor works to be implemented to further enhance the overall safety of both crossings, and thus respond to some of the concerns raised by the petitioners; these enhancements are discussed in some detail below.

Traffic Conditions

A Shopping Centre 40km/h speed limit was introduced along both sections of these roads in 2015. Due to the presence of the retirement village, this was extended along the road frontages of the retirement village.

Traffic surveys were conducted in December 2018 on both roads, a summary of these and of surveys conducted in 2016 and 2017 are shown in the table below.

| Date | Vehicles per Day | Speed (km/h) | | Vehicles Over (km/h) | | | | Max. km/h |
|--|------------------|--------------|------------------------------------|----------------------|--------------|-----------|------------|-----------|
| | | Average | 85 th %ile ¹ | 40 | 50 | 60 | 70 | |
| Pearsons Road (Mid-block between Galloway Drive & Walhalla Street) | | | | | | | | |
| April 2016 | 4,535 | 48 | 55 | 3,926 87% | 1,659 37% | 186 4% | 41 0.3% | 98 |
| May 2017 | 5,024 | 38 | 50 | 2,924 58% | 767 15% | 83 2% | 24 0.2% | 92 |
| December 2018 | 5,561 | 47 | 53 | 4,746 85% | 1,543 28% | 110 2% | 30 0.2% | 90 |
| Pearsons Road (at pedestrian crossing, near Galloway Drive) | | | | | | | | |
| December 2018 | 5,546 | 30 | 35 | 2,544 46% | 159 3% | 5 0.1% | Nil 0% | 60 |
| Galloway Drive (Mid-block between Delbridge Drive & Jansen Street) | | | | | | | | |
| December 2018 | 6,112 | 44 | 50 | 4,505 74% | 899 15% | 61 1% | 18 0.1% | 85 |

1. '85th %ile speed' is the speed at which 85 per cent of motorists are travelling at or below; this is a factor used when determining the safe operating speed of road.

These results indicate:

- Mid-block average speeds are 4km/h (in Galloway Drive) and 7km/h (Pearsons Road) above the speed limit; average speeds approaching and departing the Galloway Drive pedestrian crossing (near the roundabout) are 10km/h below the speed limit.
- The operating speeds (85th percentile speed) are 10km/h (Galloway Drive) and 13km/h (Pearsons Road) over the speed limit; 85th %ile speeds approaching and departing the

Galloway Drive pedestrian crossing (near the roundabout) are 5km/h below the speed limit.

- Over 100 motorists drive at 25km/h, or more, above the speed limit. This is a range where, if detected by Victoria Police, would risk losing their licence for three (3) months, or more.
- Vehicle volumes have increased in the past five years, however current volumes are well within the design parameters of the roads.

Overall, current speeds are excessive given the function of the roads, especially when it is considered in context of the surrounding road network, land use development, and the 40km/h speed limit.

If driver behaviour is to be modified, some form of action or intervention is needed; this can be either in terms of Victoria Police speed enforcement or action by Council in the form of deployment of the Speed Observation Trailers or implementation of traffic management by Council, or a combination of all three. Petitioners' concerns regarding driver behaviour and details regarding traffic conditions will be forwarded to the Victoria Police for further action.

Proposed intervention

Traffic Calming Treatments - Council

The most obvious and effective action that Council could take would be to install raised pavements and pedestrian crossings. The type, form, detail design and location of any measures would need to be determined through a communications and engagement process involving representatives of the Retirement Village, and owners and occupiers of abutting residential and commercial properties, as well as with the agreement of PTV and local bus operator (for raised pavements), and VicRoads (for pedestrian crossings).

The investigation and engagement process would also be an opportunity to enhance the Galloway Drive Flashing Light Pedestrian Crossing in front of the shopping centre, by providing a raised pavement at this crossing and improving sight-lines of the crossing by removing three parking bays on the approaches to the crossing. A proposed traffic management concept plan for these works has been prepared, see *Attachment 2*.

The consultation and engagement process, and then design and delivery process both need to be rigorous and thorough and is likely to take up to six months, and thus some short-term actions could take place. This could be, as mentioned above, some minor works to enhance the safety and operation of both roads and the Galloway Drive and Pearsons Road pedestrian crossings, for example:

1. The installation of additional and oversize advance warning signs. These would be strategically placed to provide drivers with additional information when approaching the pedestrian crossings.
2. Zig Zag line-marking at existing Pedestrian Crossings. This is an option often used at pedestrian crossings in situations where standard pedestrian crossing layouts need some enhancement.
3. Deployment of Council Speed Observation Trailers in both roads. This would provide drivers with a clear and unambiguous message to drivers regarding both the 40km/h speed limit, and when drivers are exceeding the speed limit.
4. Selected and strategic tree trimming. Both roads are lined with mature trees, some of which have thick, low foliage. Selective trimming to around 2.2m from the base of the trees would provide both pedestrians and drivers better views of each other.

CONSULTATION

As the 174 petitioners are considered to be a good representation of the approximate 400 Retirement Village residents, no consultation has been conducted on this matter to this stage.

In the event that Council, as well as PTV, the bus operator and VicRoads agree to the installation of the raised pavements and pedestrian crossings, a broad community consultation and engagement process would be undertaken.

CRITICAL DATES

There are no critical dates associated with this matter

FINANCIAL IMPLICATIONS

The estimated cost to implement the works indicated on the preliminary concept plan is approximately \$240,000. There is no specific budget allocation for these works in the current New Works Program. If these works are to proceed it is anticipated that the consultation and detailed design process will occur in 2019/2020 financial year with the major works to be considered in the 2020/2021 Budget approval process.

The estimated cost to implement the minor pedestrian crossing enhancement works (signs and line-marking, action items 1 and 2 above) is approximately \$5,000. Funds are available in the Minor Traffic Works account for these works to be carried-out in the 2019/2020 financial year.

The deployment of the Speed Observation Trailers (action item 3) can be accommodated within the current Traffic & Transport Team's current operational responsibilities.

Works as per item 4 (action item 4) can be carried-out as part of the Parks & Urban Design Department's routine maintenance works.

POLICY STRATEGY AND LEGISLATION

City of Whittlesea Road Safety Strategy (2017):

Address safety of all road users and path users.

Address driver behaviour and attitude towards vulnerable road users: pedestrians, cyclists, and motorcyclists.

City of Whittlesea Integrated Transport Strategy (2004):

Action RF 2.2: Manage local roads to improve amenity and safety for users.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|--|
| Whittlesea 2040 Goal | Connected community |
| Whittlesea 2040 Key Direction | A healthy and safe community |
| Strategic Objective | People of all ages and abilities are supported to live well with appropriate program, service and infrastructure delivery |
| Council Priority | Health and Wellbeing |

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

Current traffic speeds in Galloway Drive and Pearsons Road are excessive given the function of the road, especially when it is considered in context of the surrounding road network and land use development, and the 40km/h speed limit.

If petitioners' concerns regarding excessive speeds are to be addressed some action by both Victoria Police and Council would be prudent.

Council's Speed Observation Trailers can be deployed in both roads.

The most effective Council intervention is to install raised pavements and pedestrian crossings. The type, form, detail design and location of any measure, based on the preliminary concept plan (*Attachment 2*) would need to be determined through a communications and engagement process involving representatives of the Retirement Village, and owners and occupiers of abutting residential and commercial properties, and would be subject to PTV and Bus Operator agreement (raised pavements), and VicRoads approval (pedestrian crossings).

The consultation, minor works and detailed design process can occur in 2019/2020 financial year with the major works to be considered in the 2020/2021 Budget approval process.

RECOMMENDATION

THAT Council resolve to:

1. **Refer the concerns of driver behaviour and excessive speeds in Galloway Drive and Pearsons Road to the Victoria Police.**
2. **Proceed with minor actions including signs and line-marking works, deployment of Council Speed Observation Trailers, and strategic tree trimming to improve road safety.**
3. **Install raised pavements and pedestrian crossings in Galloway Drive and Pearsons Road and Pasture Crescent (subject to the agreement of PTV and Bus Operator, and approval of VicRoads) through the 2020/2021 New Works Program.**
4. **Consult with surrounding residents and business owners on the location and design of the proposed raised pavements and crossings.**
5. **Advise the petitioners of Council's decision on this matter.**

DECLARATION OF INTEREST

Cr Sterjova declared an indirect interest in this item to the Chief Executive Officer prior to the meeting.

Prior to the matter being considered or any vote taken in relation to the matter, Cr Sterjova left the Council Chamber at 9.49pm and advised the Mayor accordingly.

Cr Lalios left the Council Chamber at 9.49pm prior to the vote on this item.

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*

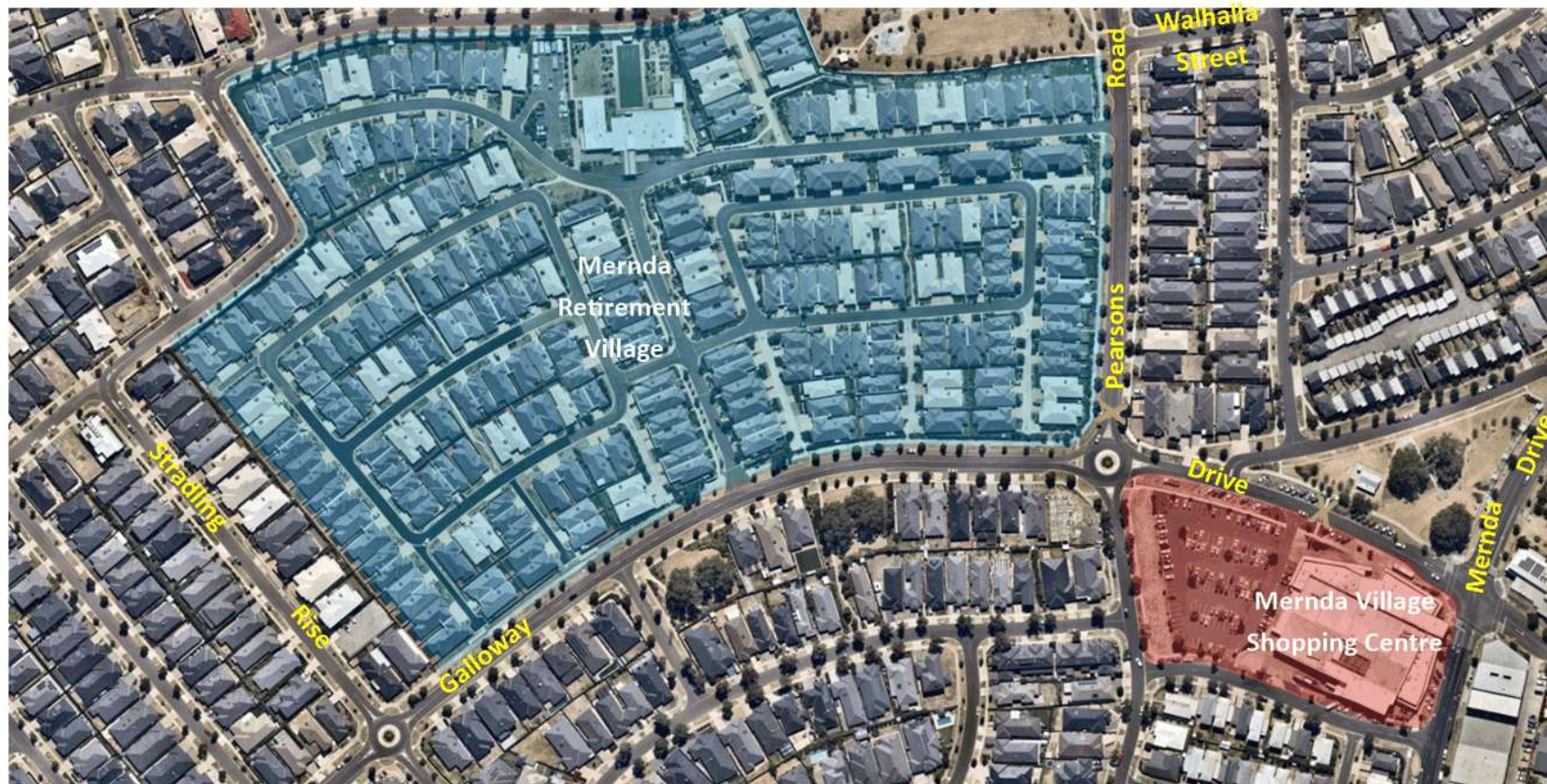
SECONDED: *Cr Alessi*

THAT Council resolve to adopt the Recommendation.

CARRIED

Attachment 1

Galloway Drive and Pearsons Road



- Blue Shaded Area - Mernda Retirement Village
- Red Shaded Area - Mernda Village Shopping Centre
- Green X - Pedestrian Crossing

Pearson Road and Galloway Drive, Mernda Proposed Traffic Management Concepts

Attachment 2



6.4 CORPORATE SERVICES

6.4.1 PANEL CONTRACT EXPENDITURE DISTRIBUTION REPORT

- Attachments:**
- 1 Explanatory Notes** [↓](#)
 - 2 Panel Contract Expenditure Tables - 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: Team Leader Procurement

RECOMMENDATION SUMMARY

That Council note the distribution of work to panel contractors has been managed in a fair and efficient manner that achieves best value.

KEY FACTS AND / OR ISSUES

At Council's request a report is presented biannually detailing the comparative distribution of expenditure to contractors engaged to deliver works, goods and services under current panel contract arrangements.

- These reports have been presented to Council since 20 March 2012.
- The attached tables and supporting material explain the various methods of work order allocation and provide commentary on each panellist.
- The data indicates that panel contract expenditure is currently being allocated according to processes which enable fairness, transparency and best value.

REPORT**INTRODUCTION**

Council undertakes tender processes to establish contracts for the provision of works, goods and services. In accordance with approved procedures, the tenders received are evaluated against four standard criteria: price, capability, capacity and impact.

Depending on the nature of the contract, Council will either award it to a single company or appoint a panel of contractors to meet the organisation's needs. Panel contractors are usually selected due to their capacity or specialty.

Schedule of Rates (SoR) panel contracts are established to expedite the engagement of contractors where works or services are needed repeatedly over a period and where the total value of the contract is unknown at the time it is established. This enables achievement of better value by:

- Leveraging economies of scale
- Minimising administration
- Ensuring efficient, responsive and continuous service.

The expenditure data for this report was prepared on 5 March 2019 for active SoR panel contracts in use throughout the organisation. Expenditure to every contractor on these panels is addressed in the attachments.

BACKGROUND

Expenditure is drawn from budgets which have previously been approved by Council. Efficiency is achieved because the terms and conditions of SoR contracts are only established once at the beginning of the contract and apply throughout the whole contract term (generally a period of three to five years).

In accordance with the Council's Procurement Policy the allocation, variation and finalisation of individual orders made under panel contracts may be approved by the CEO or under delegated authority.

Some key points to note include:

1. The even distribution of spend across panel members is not an objective of the order allocation process. If more than one panel member can satisfy the stated requirements then an evaluation is conducted to identify which contractor is available, has the most appropriate skills and resources, etc. and ultimately offers best value.

This means that the value of work allocated to individual contractors over the life of the contract may vary substantially.

2. The approved Procurement Procedures require that individual SoR contract orders for significant projects:
 - Are limited to a maximum value of:
 - \$500,000 including GST for civil works, or
 - \$100,000 including GST for all other works, goods and services, and -
 - Will predominantly consist of items that are listed in the contract schedules. Non-scheduled items will only constitute a maximum of 20% of the total order value.

PROPOSAL

Explanatory Notes (Attachment 1) and Panel Contract Expenditure Tables (Confidential Attachment 2) are provided for Council's information. The tables detail payments made under all current panel contracts from the contract commencement date through to 5 March 2019. It is proposed that Council reviews and notes this information.

CONSULTATION

Contract Managers responsible for each contract were consulted for comment in relation to the expenditure. Relevant commentary is included in Confidential Attachment 2.

FINANCIAL IMPLICATIONS

Expenditure under panel contracts is drawn from operational budgets which have previously been approved by Council. The estimated total expenditure under each panel contract is also approved by Council (or an appropriate Delegate) when the contract is awarded and again whenever it is extended or varied.

POLICY STRATEGY AND LEGISLATION

Regular financial monitoring and reporting of panel contract expenditure is consistent with section 2.2.4 of Council's Procurement Policy (Responsible Financial Management).

Wherever required, the panel contracts were established in accordance with the requirements of section 186 of the *Local Government Act 1989*.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council monitors and evaluates all of its operations |
| Council Priority | Organisational 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 Panel Contract Expenditure Tables (Confidential Attachment 2) and supporting material indicate that panel contract expenditure is currently being allocated according to processes which enable fairness, transparency and best value.

RECOMMENDATION

THAT Council resolve to note the distribution of work to panel contractors has been managed in a fair and efficient manner that achieves best value.

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

Attachment 1: Explanatory Notes re Panel Contract Orders

Financial monitoring of works and services under Schedule of Rates (SoR) Panel Contracts is managed in two ways:

1. General Panel Contract Orders

Commitments and payments to panel contractors for relatively routine and reactive work are generally recorded against a contract number which has a different suffix for each contractor. As each contractor was selected for the panel on the basis of best value after a public tender process, work is either awarded to a contractor on the basis of direct allocation (only one quote) or after seeking multiple quotes.

Direct allocation occurs when:

- the value of the procurement is relatively low; or
- the contractor has specialist skills, knowledge or equipment; or
- the contractor has been allocated a geographical area, facility or other 'patch' of responsibility (often established at commencement of the contract); or
- it is the contractor's turn in the cycle of offer rotation (this rarely used allocation method is also known as 'rotational allocation').

Multiple quotations may be sought when:

- the value of the procurement is relatively high;
- there is more than one contractor on the panel able to deliver the work; or
- when better value than the scheduled rates can be obtained if a lump sum price is sought (due to economies of scale).

2. Significant Project Orders

Significant projects are sometimes also undertaken under SoR panel contracts. These are larger in value or scope than the orders usually placed under the contracts. To ensure best value is obtained they are almost always subject to a competitive quotation process.

To enable better individual management and monitoring of these significant projects the Procurement Team allocates a subordinate number in the contract management system. Panellists then provide lump sum quotes at rates that are cheaper than those on the contract schedules.

Notes

1. All payment and contract figures stated in Attachment 2 (Expenditure Tables) were obtained by the Procurement Team from Council's contract management system. All contracts listed were current at the time of reporting and extension options have been exercised with approval wherever applicable.
2. The absence of a payment against a contract does not necessarily imply that the contractor was not offered any work. It is probable that they were offered opportunities to quote or tender under a competitive process but they were not successful. It is also possible that they declined work or they were awarded minor or medium sized project work but that no payments have been made in the reporting period.
3. Rotational allocation of work does not apply if specialist services are required which can best, or only, be provided by one panel contractor.

Glossary

Competitive quotation process means multiple quotations or tenders were sought from more than one contractor, evaluation took place and the work was awarded under the processes detailed in Council's Procurement Policy and related procedures.

Direct Allocation means the discretionary allocation of work to a contractor where only one quote was sought or when the contractor's price was calculated from the previously tendered schedule of rates. The work may have been allocated due to specialist skills or knowledge, geographical area, assigned facility, etc.

Panel contract means a Schedule of Rates contract awarded to two or more contractors, each of whom becomes a **panellist**.

Payments means transactions made within the reporting period to contractors for work that has already been delivered. It does not include commitments resulting from purchase orders that were raised where no payment for the work has yet been made.

Rotational allocation means each panel contractor is in turn offered direct allocation of a piece of work. If the contractor does not accept the work offered to them they are moved to the bottom of the list and the work is offered to the next contractor on the list. Under this method no preference is shown to any contractor. This allocation method is only rarely used, usually where the panellist's rates are similar and no direct allocation method has been established.

Subordinate number means a panel contract number with an extra numerical suffix. It is allocated to a **Significant Project** undertaken under the terms of a panel SoR contract where the project needs to be monitored separately due to its significant scope or value. Such work is almost always subject to a competitive quotation process but it is sometimes allocated due to specialist skills or knowledge, geographical area, assigned facility, etc.

6.4.2 INSURANCE PORTFOLIO

Responsible Officer: Director Corporate Services

Author: Manager Corporate Accountability and Performance

RECOMMENDATION SUMMARY

It is recommended that Council:

1. Delegate authority to the CEO to award the best value insurance tender in June 2019.
2. Be notified of the tender outcome and insurance costs via confidential memorandum following awarding of tender/s.

KEY FACTS AND / OR ISSUES

- Council's current insurance arrangement (covering brokerage and insurance policies) has a current annual cost of \$1,006,675 and expires on 30 June 2019.
- Council is in the process of undertaking a collaborative procurement project with Northern Region Councils through Procurement Australia to determine the best value insurance contracts for Council for the period 1 July 2019 – 30 June 2021 with optional extensions up to two years.
- The tender process is expected to be completed in late May/early June 2019, however not in time for the Council meeting scheduled for 4 June 2019.
- Council cannot risk being uninsured and so it is proposed that the CEO is delegated with authority to award the best value tender in June 2019.

| |
|---------------|
| REPORT |
|---------------|

BACKGROUND

Council tendered insurance brokerage and policies in 2016/17 and then again in 2017/18 for a two-year period. Following both tenders it was determined that Jardine Lloyd Thompson was the preferred broker for all insurance with exception of Public Liability and Professional Indemnity insurance which remained with the Liability Mutual Insurance scheme operated by MAV Insurance.

Regis Mutual were engaged to undertake a 'loss limit validation review' in March 2017 to identify the appropriate minimal coverage limits for public liability (\$250 million), professional indemnity (\$250 million) and property insurance (\$145 million event, \$90 million for any one loss/one location). Loss limit liability and insurance premium excess options are considered as part of the tendering process.

In July 2018 the Victorian Auditor-General's Office (VAGO) released a report to Parliament on Local Government Insurance risks. A number of recommendations were made in the report which included for councils to *"undertake a cost benefit analysis to evaluate whether tendering for insurance, in line with procurement better practice, would provide better outcomes."*

Council's current insurances are outlined in the table below.

| No: | Type of Insurance | Excess | Types of claims |
|-----|--|----------|---|
| 1 | <i>Liability insurance</i> | | |
| | 1. Public Liability | \$20,000 | Trips, slips & falls on footpaths, at parks and at Council owned properties. Motor vehicle damage due to potholes, rocks on roads and trees. Property damage caused by tree roots. |
| | 2. Products Liability | \$20,000 | Loss or damage caused by defective unsafe products sold / distributed by Council. |
| | 3. Professional Indemnity | \$20,000 | Loss and damage as a result of incorrect advice / information, inadequate inspections in relation to building permits. |
| 2 | Property damage – Council owned property | \$5,000 | Fire, vandalism, storm damage to Council buildings and property. Theft of Council property. <i>NB Policy provides very broad cover for accidental loss or damage to Council assets – it does not cover wear and tear, depreciation, mechanical or electrical breakdown.</i> |

| No: | Type of Insurance | Excess | Types of claims |
|-----|---|---------------|--|
| 3 | Motor Vehicle – Council vehicles | \$1,000 basic | All accidents involving Council's fleet of registered vehicles (includes registered trailers) . |
| 4 | Motor Vehicle – employee's vehicles | Nil | Repayment of excess and loss of no claims bonus as a result of an accident whilst using their own vehicle on Council business (policy limit = \$1,000). |
| 6 | Councillor's & Officer's Liability – Employment Practices | \$5,000 | Losses as a result of wrongful acts of Councillors or Officers (this does not include dishonest or criminal acts). Costs incurred by Councillors due to legal action relating to the performance of their duties. |
| 7 | Personal Accident | Various | Covers Councillors and volunteer workers while engaged in voluntary work/business. |
| 8 | Corporate Travel | Various | Covers employees and their spouses and dependent children while on a journey authorised by Council. Does not cover normal commuting between home and work. |
| 9 | Crime Insurance | \$5,000 | Losses from fraudulent or dishonest acts committed by an employee or third party. (Policy limit = \$1.5M). |
| 10 | Environmental | \$10,000 | Clean up costs, bodily injury or property damage from pollution. |
| 11 | Cyber | \$5,000 | Data asset loss, recovery expenses, business interruption cover, fines and penalties, data stored in cloud, hackers, denial of service and a range of network and privacy incidents. |

Council officers have worked collaboratively with a number of Northern Region councils to engage Procurement Australia to undertake a tender for brokerage of insurance for the next two-year period 2019/20-2020/21 (with optional extensions up to two years). This engagement is expected to achieve improved broker service, better terms and conditions on insurance policies and reduced premiums due to the competitive tension produced through tendering for broker services and indicative premiums.

The tender process will occur over April-May 2019 with the expected decision on insurances to be made in late May/early June 2019, however not in time for the Council meeting scheduled for 4 June 2019.

PROPOSAL

It is proposed that Council delegate authority to the CEO to award the best value tender in June 2019 so that Council's insurance does not lapse. Council would then be notified of the tender outcome and insurance costs via confidential memorandum.

CONSULTATION

Consultation has occurred internally to obtain information to inform the tender process. The tender is also a collaborative tender and consultation has occurred with the other participating Councils.

Following receipt of the report and recommendations from Procurement Australia, the tender evaluation panel will meet to make recommendation on best value tender for Council in line with Council's procurement policy.

CRITICAL DATES

Council's current insurance lapses on 30 June 2019. The new two-year contract (with optional extensions) will commence 1 July 2019.

FINANCIAL IMPLICATIONS

Council's insurance portfolio cost \$1,006,675 for 2018/19. The competitive tender process is anticipated to get the best financial outcome for Council for future years.

POLICY STRATEGY AND LEGISLATION

Having appropriate levels of insurance is a key risk management strategy and links to Council's strategic risks of governance, financial sustainability, environmental, lifecycle asset management, information management and health, safety and welfare.

This process is in line with the Procurement Policy.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|--|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council strives to achieve long term financial sustainability |
| Council Priority | Organisational 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

Council is currently participating in a collaborative northern region tender for insurances for 2019/20-2021/22 with optional extensions up to two years. Council's current insurances expire 30 June 2019. To ensure Council maintains appropriate insurance coverage from 1 July 2019 it is recommended for the CEO to be delegated authority to award the tender on Council's behalf in June 2019. A subsequent confidential memorandum would be provided to Council to confirm the outcome of the tender.

RECOMMENDATION

THAT Council resolve to:

- 1. Delegate authority to the CEO to award the best value insurance tender in June 2019.**
- 2. Be notified of the tender outcome and insurance costs via confidential memorandum following awarding of tender/s.**

Cr Kelly left the Council Chamber at 9.51pm prior to the vote on this item.

COUNCIL RESOLUTION

MOVED: *Cr Alessi*
SECONDED: *Cr Joseph*

THAT Council resolve to:

1. Delegate authority to the CEO to award the best value insurance tender in June 2019.
2. Be notified of the tender outcome and insurance costs via confidential memorandum following awarding of tender/s.

CARRIED

Cr Lalios and Cr Kelly returned to the Council Chamber at 9.52pm following the vote on this item.

Chief Executive Officer Explanatory Note

Cr Sterjova did not return to the Council Chamber prior to the vote on this item as the Councillor had not been notified that the vote on Item 6.3.6, in which Cr Sterjova had declared a conflict of interest and subsequently left the Council Chamber, had occurred.

6.4.3 QUARTERLY SAFETY AND WELLBEING REPORT - MARCH 2019 UPDATE

Responsible Officer: Director Corporate Services

Author: Team Leader Safety Wellbeing

RECOMMENDATION SUMMARY

That Council note the report including the progress of the 2019 Wellbeing Plan and improvement in safety performance.

KEY FACTS AND / OR ISSUES

This is a quarterly report to Council providing an overview of Council's Occupational Health and Safety (OHS) performance.

Council's safety performance continues to significantly improve as evidenced through:

- Significant decrease from 35 to 20 lost time injuries over the past 12 months resulting in Council's lost time injury frequency rate (nationally recognised measure for safety performance) being the lowest recorded by Council ever (12.6).
- Significant improvement in successfully returning injured workers to work with the success rate of first return to work increasing from 65% (2017) to 83% (2018) and the days to return to work reducing from 23 (2017) to 10 (2018).
- All components of the Wellbeing Plan have been achieved or are on track.
- Council has strong organisational awareness and focus on safety and wellbeing with 97% of staff confirming in the recent survey that they paid attention to Safety (OHS) and Wellbeing at work. This shows a strong indicator of a positive safety culture.
- Council's WorkCover premium rate for 2019/20 is anticipated to reduce by 28.6% (\$605,000 less) than 2018/19 year. The improvement is based on numerous factors but mainly attributed to our improved safety performance including fewer claims costs, fewer claims and successful return to work. This also reflects a very strong OHS focused leadership and culture.

Council is meeting all statutory OHS responsibilities and requirements under the *OHS Act 2004*.

INTRODUCTION

Council has over 1150 employees undertaking a diverse range of roles in various locations. This includes staff working in the community in such areas as aged services, maternal and child health, youth, community development, roads, parks, school crossings, local laws as well as office based employees and professionals. Council has a duty of care to comply with legislation and to take reasonable steps to provide a safe environment for Councillors, staff, contractors, volunteers and members of the public.

As 'Officers' under the *OHS Act 2004*, Council has a responsibility to take reasonable steps to acquire knowledge, make decisions and verify performance to be comfortable that Council is meeting OHS responsibilities.

BACKGROUND

A Council Forum was held on 15 May 2018 where Barry Sherriff, Lawyer and OHS Consultant presented "Effectively managing health and safety – leadership, risk management and compliance". This included outlining responsibilities for Councillors as senior officers under the *OHS Act 2004*.

Quarterly reports to Council provide an overview of Council's safety performance and initiatives to build a wellbeing culture and effectively manage safety risks.

PROPOSAL

For Council to note the information in this report in relation to safety and wellbeing management at Council.

Council has an Occupational Health and Safety (OHS) management system, policy, procedures and guidelines in place to meet the requirements of the *OHS Act 2004*. A proactive approach to managing safety and reducing hazards and risks has been implemented through Council's 2019 Wellbeing Plan which supports the People Strategy (developed 2017) and includes 'Wellbeing' as one of five key focus areas.

Wellbeing Plan

Council's Wellbeing Plan identified 32 actions for 2019 sitting under elements of Leadership, Support, Communication, Accountability and Recognition. The key initiatives and status of the actions are outlined in the table below. All actions have been achieved or are on track to be achieved in accordance with initial timeframes identified.

| Key Initiatives | | # actions | Status |
|-----------------|---|-----------|------------------------|
| 1 | Continuous improvement of the CoW OHS Management System | 3 | In progress - on track |
| 2 | New OHS Committee Structure established across the Council | 2 | Achieved |
| 3 | Emergency Management procedures are implemented and tested | 2 | Achieved |
| 4 | Develop a Job Task Analysis Register | 1 | In progress - on track |
| 5 | Continuous improvement of rehabilitation and RTW programs and support provided to ill or injured workers and their managers | 2 | In progress - on track |
| 6 | Identify mandatory / desirable OHS skills and capabilities for managers, supervisors and staff | 1 | In progress - on track |
| 7 | Develop and improve Wellbeing@ Work and Proactive Support programs | 3 | In progress - on track |

| Key Initiatives | | # actions | Status |
|-----------------|---|-----------|------------------------|
| 8 | Roll-Out Injury Prevention Programs | 3 | In progress - on track |
| 9 | Development of Incident Reporting Boards | 1 | Achieved - ongoing |
| 10 | Provision of quality OHS Information | 1 | Achieved - ongoing |
| 11 | Safety and Wellbeing Implementation Plans are developed by Departments for the implementation of new procedures | 2 | In progress - on track |
| 12 | Develop External Networks for professional development and cross learning | 1 | In progress - on track |
| 13 | Safety and Wellbeing is a standardised agenda item for all team meetings | 1 | Achieved - ongoing |
| 14 | Roll out the Whittlesea Ways to Wellbeing calendar of events 2019 | 1 | Achieved - ongoing |
| 15 | Creation of the RMSS Champion Program | 1 | In progress - on track |
| 16 | Review Department Hazard Registers | 1 | In progress - on track |
| 17 | Priority Risk Action Plan review | 1 | In progress - on track |
| 18 | Review Contractor Management tools | 1 | Achieved - ongoing |
| 19 | Develop auditing tool(s) to measure the implementation of the Wellbeing Plan and ISO 45001:2018 at CoW | 1 | In progress - on track |
| 20 | Safety and Wellbeing activities are promoted during Wellbeing Month | 2 | In progress - on track |
| 21 | Safety and Wellbeing Initiatives, learning's and success stories are shared across Council | 1 | Achieved - ongoing |

Whittlesea Ways to Wellbeing (key initiative 14)

The Whittlesea Ways to Wellbeing is a health and wellbeing program centred around five scientifically proven themes: keep learning, be active, take notice, help others and connect.

The aim of the program is to incorporate actions into your day to day that align to the themes and are designed to help build resilience, boost wellbeing and minimise the risk of psychological injuries in the workplace. This program has been launched and is being implemented with different focus areas every two months.

Culture pulse survey – safety and wellbeing

Staff recently completed a culture pulse survey with the results being that 97% staff agreed that they paid attention to Safety (OHS) and Wellbeing at work. (60% strongly agreed, 37% agreed). This shows a strong focus on safety and wellbeing, and a strong indicator of a positive safety culture.

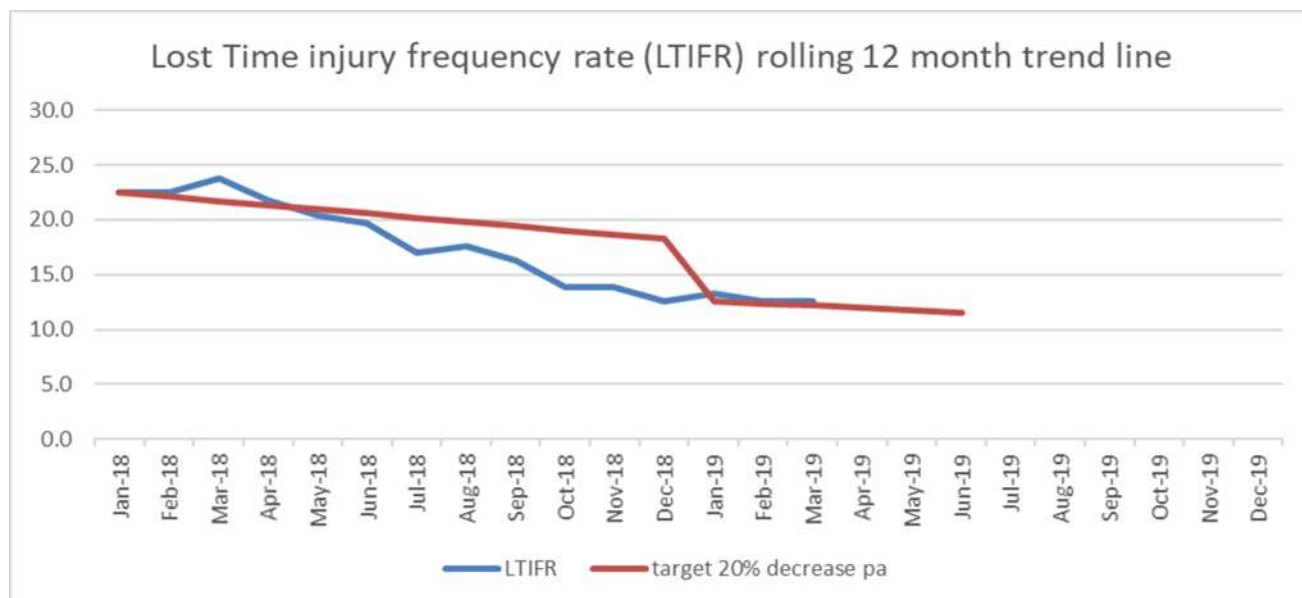
Lost time injuries (LTI)

Lost Time Injury Frequency Rate (LTIFR) is a nationally recognised measure for safety performance. LTIFR refers to the number of lost time injuries within a 12-month period relative to the number of hours worked in that period.

Strong safety performance has been maintained into 2019 allowing Council to maintain its downward trend in LTIs and our lost time injury frequency rate (LTIFR).

A focus of the 2019 Wellbeing Plan is to maintain our commitment to reduce our lost time injury frequency rate (LTIFR) by 20% each year and the new benchmark has been established (as per the graph below). Council's current LTIFR is 12.6. This is the lowest recorded LTIFR since we began capturing this data in December 2015. Council's actual lost time injuries have reduced from 35 (for the 12 month period to March 2018) to 20 (for the last twelve month period).

Graph 1

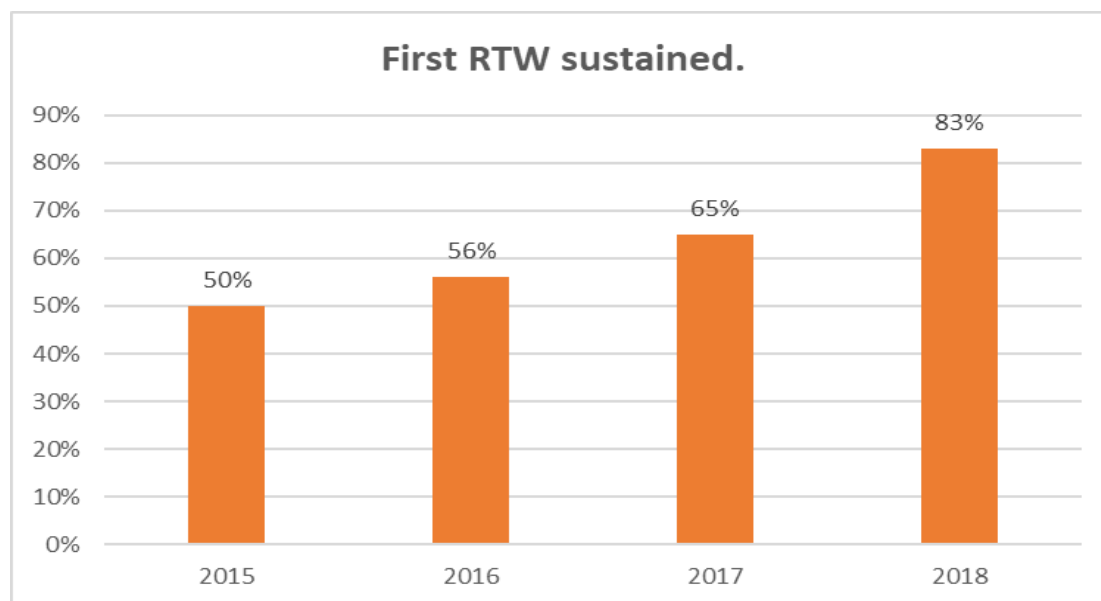


Return to work (RTW)

Over the past year there has been a significant focus on early and sustained RTW for injured workers. The data below demonstrates significant improved performance in successfully returning injured workers to work with the success rate of first return to work increasing from 65% (2017) to 83% (2018) and the days to return to work reducing from 23 (2017) to 10 (2018).

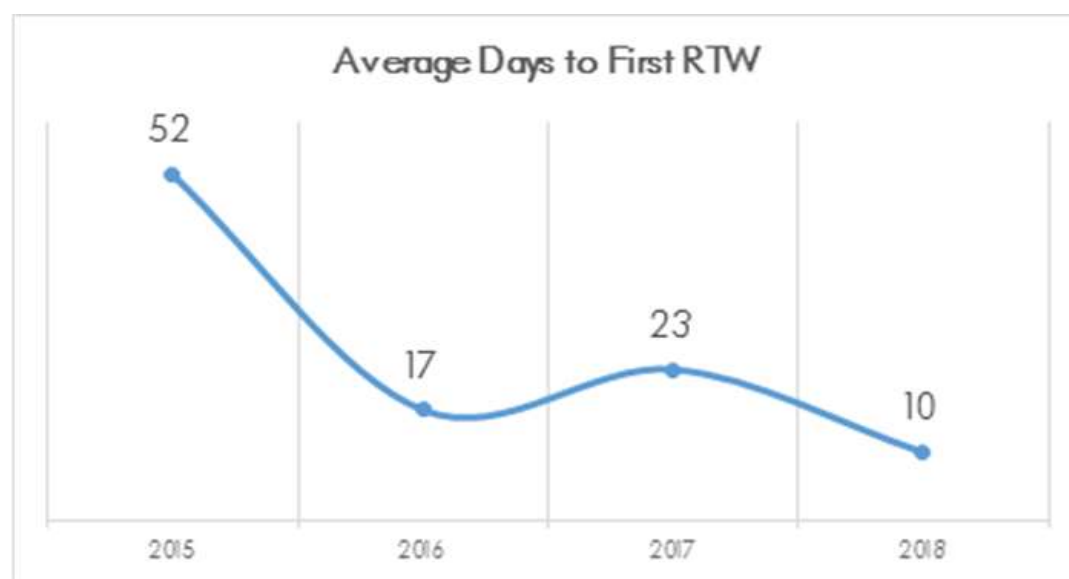
Graph 2 refers to the sustainability of the first RTW over the past four calendar years. It shows 83% of RTW in 2018 being successful and ongoing following the first RTW plan being developed. This is a positive trend demonstrating more effective and sustained RTW for injured employees.

Graph 2



Graph 3 refers to the average days between when the employee first ceases work and the first RTW date for all WorkCover claims in each calendar year. It shows a steady improvement.

Graph 3



WorkCover premium

Council's WorkCover premium rate for 2019/20 is anticipated to reduce by 28.6% (\$605,000 less) than 2018/19 premium. Refer graph below.

The improvement is based on a number of factors but mainly attributed to our improved safety performance including fewer claims costs, fewer claims and successful return to work. Other factors include that the period has changed to be a 2.5-year period rather than 3-year period.

This further demonstrates Council's strong OHS focused leadership and improved safety performance in addition to the drop in lost time injuries and positive culture survey/pulse survey results relating to safety and wellbeing.



CONSULTATION

Monthly reporting is provided to the Executive Leadership Team. City of Whittlesea has a Corporate OHS Committee which meets quarterly to review all safety data and the 2019 Wellbeing Plan implementation.

CRITICAL DATES

The 2019 Wellbeing Plan will be reviewed quarterly and updated annually.

FINANCIAL IMPLICATIONS

WorkCover premium costs are allocated in the budget. Good OHS practices can lead to reduced absenteeism and reduced lost time injuries resulting in a reduced WorkCover premium. The improved safety performance of Council over the past 18 months is having a positive financial impact from 2019/20 with a reduction in Council's WorkCover premium.

POLICY STRATEGY AND LEGISLATION

Safety and wellbeing of staff is directly linked with Council's People Plan key focus area of 'Wellbeing' and Council's Value of 'Wellbeing'.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|-------------------------------|--|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council explores and adopts best practice models |
| Council Priority | Organisational 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

Safety and wellbeing are a priority as outlined in the People Plan and Council Values. The Wellbeing Plan 2019 is being successfully implemented. There has been a significant decrease in lost time injuries over the past 12 months with an increased focus on injury prevention programs and hazard identification initiatives. There has been significant improvement in return to work timeframes and success over the past year.

RECOMMENDATION

That Council resolve to note the report including the progress of the 2019 Wellbeing Plan and improvement in safety performance.

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.4.4 2018/19 NEW WORKS PROGRAM - QUARTER 3 REPORT

| | | |
|---------------------|----------|---|
| Attachments: | 1 | Financial Summary ↓ |
| | 2 | Project Progress Report ↓ |
| | 3 | Project Status Photos ↓ |
| | 4 | Planning and Feasibility Status Report ↓ |
| | 5 | Project Adjustments ↓ |

Responsible Officer: Director Corporate Services

Author: Team Leader Business Support

RECOMMENDATION SUMMARY

1. Note the 2018/19 New Works Program Quarter 3 progress report.
2. Approve the revised program of works in the Planning and Feasibility Program (as contained in Attachment 4).
3. Approve the adjustments to the 2018/19 New Works Program (as contained in Attachment 5).

KEY FACTS AND / OR ISSUES

This report provides an overview of the financial performance and status of the New Works Program at the end of the third quarter of the 2018/19 financial year with the following key points:

- Value of work completed at the end of the third quarter is \$43,083,446 compared to the year-to-date budget of \$53,892,995.
- There are contracts and purchase orders committing another \$54,645,970 as at 31 March 2019, which shows a good level of delivery preparedness for the remainder of the financial year.
- As at 31 March 2019, 26 projects have been completed out of 134 projects.

REPORT

INTRODUCTION

This report provides an overview of the financial performance and status of the New Works Program at the end of the third quarter of the 2018/19 financial year. The report outlines the following:

- Financial Summary of the 2018/19 New Works Program to 31 March 2019 indicating that 45.0% of the annual budget has been expended plus another 57% of the annual budget committed in contracts to date (some of these commitments relate to multi-year projects).
- Detailed progress report on individual projects within the New Works Program.
- Photos on the progress of some significant projects.
- An update on the status of the Planning and Feasibility Program for 2018/19 with proposed amendments within the allocated budget.
- Amendments as required within the net allocated budget for the 2018/19 New Works Program.

Significant progress has been made in the third quarter with the advancement of design and construction on the majority of projects. A summary of the financial status of the New Works Program as at 31 March 2019 can be found in **Attachment 1**.

For a detailed progress report on significant projects refer to **Attachment 2**. Photos on the progress of some significant projects can be found in **Attachment 3**.

BACKGROUND

Council adopted the 2018/19 New Works Program budget on 26 June 2018 with a budget of \$78,326,437 plus \$17,373,594 carry forward budget providing a total New Works Program budget for 2018/19 of \$95,700,031.

CONSULTATION

External stakeholder consultation and engagement is undertaken in relation to individual projects and programs and reported to Council as required. This occurs throughout the financial year.

FINANCIAL IMPLICATIONS

A summary of the program performance by group can be found below, whilst a list of all projects with their current progress status has been included in **Attachment 2**.

Financial Status of the New Works Program by Group:

| Group | Year to Date Actuals \$ | Year to Date Budgets \$ | Year to Date Variance \$ | Annual Budget \$ | Revised Annual Budget \$ |
|---------------------------------------|--|--|---|---------------------------------|---|
| Buildings | 14,680,557 | 17,521,432 | 2,840,875 | 39,206,646 | 33,511,106 |
| Drains | 61,269 | 64,019 | 2,750 | 92,819 | 92,819 |
| Planning & Feasibility | 194,704 | 360,000 | 165,296 | 500,000 | 500,000 |
| Open Space | 15,815,282 | 16,040,469 | 225,187 | 22,378,315 | 22,500,315 |
| Plant & Equipment | 2,303,657 | 3,309,571 | 1,005,914 | 4,002,436 | 4,322,436 |
| Transport | 1,475,668 | 3,094,276 | 1,618,608 | 5,896,407 | 5,940,976 |
| Roads & Paths | 8,552,309 | 13,503,228 | 4,950,919 | 23,623,408 | 17,736,789 |
| Total | 43,083,446 | 53,892,995 | 10,809,549 | 95,700,031 | 84,604,441 |

Projects progressing ahead of schedule:

- Project ID 2 - Sportsfield Upgrade Epping Recreation Reserve
- Project ID 703 - Painted Hills Rec Reserve and Community Pavilion
- Project ID 1064 - Drainage Improvement Works
- Project ID 1324 - Construct Pavilion and Car Park; Harvest Home Road

Projects behind planned schedule contributing to this variance are:

- Project ID 1142 - Upgrade Tennis Courts and Pavilion, TH Hurrey Reserve – variance due to timing of invoicing, project delivery is still on track.
- Project ID 1218 - Construct Findon Road Extension, Williamsons Road to Danaher Drive – finalisation of the land acquisition with Melbourne Water is in progress.
- Project ID 1589 - Redevelop Mill Park Leisure Centre – commencement of steel framework was delayed due to latent site conditions that were encountered.
- Project ID 2039 - Signalise Intersection Ferres Boulevard / Findon Road – delay in onsite service relocation works due to extensive service authority approvals required.
- Project ID 2072 - Streetscape Improvements Program, Lalor High Street Shops – variance due to timing of invoicing, project delivery is still on track.

Planning and Feasibility Program Update

The Planning and Feasibility Program is designed to allow for adequate planning, scoping, budgeting and scheduling of future projects. Forward planning also ensures that sufficient

feasibility work and thorough project briefs and business cases are prepared for future projects.

This ensures that projects are ready for delivery in future years and provides the opportunity to take advantage of grant funding as it becomes available.

The 2018/19 New Works Program provides a budget of \$500,000 for the planning and feasibility of future projects. **Attachment 4** provides an update on the status of the Planning and Feasibility Program for 2018/19.

Project Adjustments

There have been a number of changes to the New Works Program over the course of 2018/19 due to unbudgeted grant funding being received and budget amendments being approved via Reports to Council. These budget amendments are summarised in **Attachment 5** and are funded within the total net budget allocation for the 2018/19 New Works Program.

These adjustments fall into the following categories:

- Projects with offsets identified – no net budget impact to Council.
- Projects with unbudgeted external funding – net budget surplus of \$3.025 million derived from Growing Suburbs Fund and Female Friendly Facilities funding received for the Harvest Home Road Community Pavilion project (PID 1324), which substitutes Council funding.
- Project adjustments – savings identified on completed projects.
- Works-In-Kind Projects – projects that were previously identified for delivery by Council utilising developer funds are now being delivered by developers and gifted to Council. These projects will result in nil expenditure on previously budgeted projects.
- New and existing projects where additional funds are required. Refer to **Attachment 5** for specific project details.

Project adjustments require a net additional budget of \$2,493,290 which can be funded from surplus New Works (Council) budget that has resulted from recent grant announcements.

This results in \$731,710 of surplus budget to date (following adjustments). It is proposed that surplus funds are transferred to the Infrastructure Reserve at the end of the 2018/19 financial year.

Forecast

There have been substantial commitments to projects to the end of March 2019 with works continuing to accelerate during April whilst the weather is conducive to outdoor construction work. The revised budget following adjustments is \$84,604,441 to account for projects now being delivered by Developers and other project adjustments. The forecast end of financial year progress of the New Works Program is expected to be approximately \$73.9 million with an estimated carry forward of \$10.4 million. This equates to approximately 87% completion of the revised budget unadjusted for extraordinary items.

POLICY STRATEGY AND LEGISLATION

The business case associated with individual projects identifies the respective policy to which they relate.

Lessons learnt and continuous improvement plans are implemented to enhance systems, processes and practices to improve the planning and delivery of the New Works Program.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|--|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council strives to achieve long term financial sustainability |
| Council Priority | Organisational 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

This report provides a summary of the status of the 2018/19 New Works Program at the end of the second quarter.

RECOMMENDATION

THAT Council resolve to:

- 1. Note the 2018/19 Third Quarter New Works Program progress report.**
- 2. Approve the revised program of works in the Planning and Feasibility Program (as contained in Attachment 4).**
- 3. Approve the adjustments to the 2018/19 New Works Program (as contained in Attachment 5).**

Cr Desiato left the Council Chamber at 9.53pm prior to the vote on this item.

COUNCIL RESOLUTION

MOVED: *Cr Alessi*
SECONDED: *Cr Joseph*

THAT Council resolve to:

- 1. Note the 2018/19 Third Quarter New Works Program progress report.**
- 2. Approve the revised program of works in the Planning and Feasibility Program (as contained in Attachment 4).**
- 3. Approve the adjustments to the 2018/19 New Works Program (as contained in Attachment 5).**

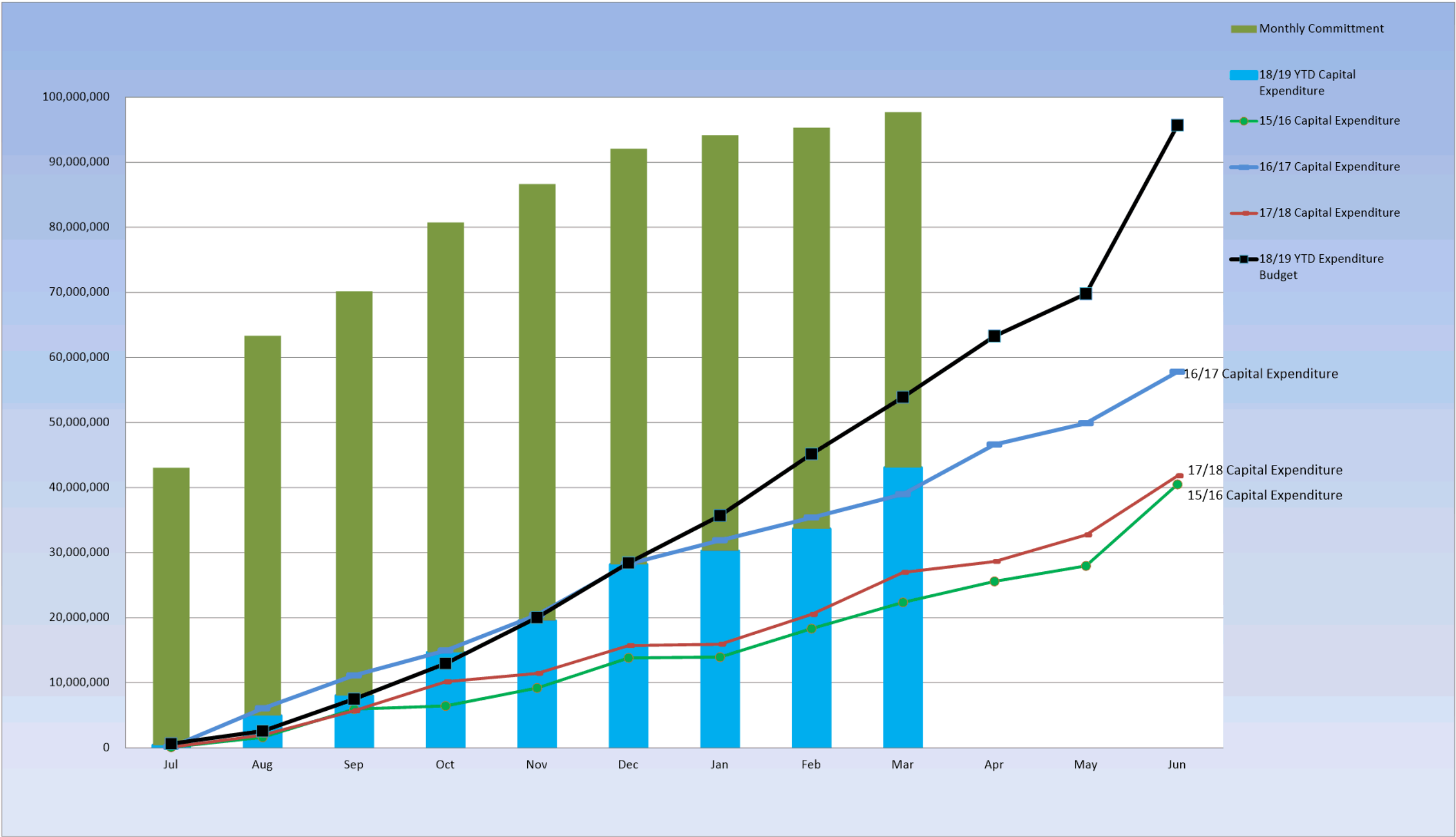
CARRIED

Chief Executive Officer Explanatory Note

Cr Sterjova did not return to the Council Chamber prior to the vote on this item as the Councillor had not been notified that the vote on Item 6.3.6, in which Cr Sterjova had declared a conflict of interest, had occurred.








NEW WORKS PROGRAM - FINANCIAL PERFORMANCE - March 2019

| New Works | Year to Date \$'000s | | | | Full Year Budget \$'000s |
|-------------------------|-------------------------|---------|----------|-------------|--------------------------------|
| | Budget | Actuals | Variance | Commitments | |
| Total New Works Program | 53,892 | 43,083 | 10,809 | 54,645 | 95,700 |































The chart above provides a financial summary on the status of the New Works Program as at the end of March 2019. The value of work completed to the end of March is \$43,083,446 (blue column) with contracts and purchase orders committing another \$54,645,970 (green column). The black line indicates the accumulative budget for 2018/19 (The lines above and below show previous years' expenditure).








2018/19 New Works Project Progress Report - as at 31 March 2019

| PHYSICAL PROGRESS LEGEND | | |
|---------------------------|---|------------------------|
| Traffic Light Definitions | | |
| Favourable |  | Completed |
| Favourable |  | Ahead of Schedule |
| Favourable |  | On Track |
| Neutral |  | Not Yet Commenced |
| Neutral |  | Behind Schedule |
| Unfavourable |  | Project Not Proceeding |
| Unfavourable |  | On-Hold |






















Carry forward projects from 2017/18

| PID | Project Name | YTD Actuals | YTD Budget | Variance | Annual Budget | Physical Status | Quarterly Comment |
|---|---|-------------------|-------------------|------------------|-------------------|---|--|
| Building | | | | | | | |
| 0175 | Disability Action Plan - Ongoing Program | 100,788 | 120,000 | 19,212 | 120,000 |  | All abilities upgrade works at Harbard Street Preschool are complete. Development of a draft five year improvement program is currently being completed. |
| 0177 | Office Refurbishment and Alterations - Various Locations | 198,954 | 216,000 | 17,046 | 290,000 |  | Ongoing program involving office improvements to provide greater flexibility and occupational functionality. |
| 1324 | Construct pavilion and car park - Harvest Home Road soccer pitches | 2,701,330 | 3,012,000 | 310,670 | 4,971,398 |  | Sub structure works complete and wall and roof framing underway. Project ahead of schedule. |
| 1382 | Mernda Recreation and Leisure Centre | 56,573 | 70,000 | 13,427 | 1,067,218 |  | During its meeting of February 2019 Council considered the facility options analysis, and provided direction on two options being further explored through a preliminary business case. |
| 1413 | Construct Social Support Services Facility - Mernda Villages CAC (DPC) | - | 15,000 | 15,000 | 90,000 |  | Project on hold pending outcomes from the <i>Aged Care Reform Implementation Project</i> which is expected in 2019/20. This will inform an updated project scope and business case. Project design is scheduled to commence in 2020/21 |
| 1419 | Construct Community Activity Centre - Epping North - Edgars Creek | - | - | - | 7,000,000 |  | Project is being delivered as Works in Kind with Lendlease. |
| 1462 | Upgrade pavilion - Duffy Street Reserve | 33,435 | 60,000 | 26,565 | 1,090,060 |  | Building Tender Award report to go to Council Meeting in April 2019 |
| 1486 | Construct AFL/Tennis/Cricket Pavilion - Edgars Creek | - | 80,000 | 80,000 | 150,000 |  | Discussions with the developer for the Edgars Creek Community Education Precinct have progressed from the design and delivery of the CAC to the design and delivery of the remaining community infrastructure in the precinct. Concept design of the ovals, car park and pavilion will commence early in Q4 with a view to further informing these discussions as well as future delivery. |
| 1589 | Redevelop Mill Park Leisure Centre | 6,156,092 | 9,087,113 | 2,931,021 | 13,887,113 |  | The construction of the Mill Park Leisure Centre Redevelopment is progressing well with the steel frame erection currently in progress. |
| 1698 | Upgrade pavilion - Main Street Reserve Thomastown | 1,988,182 | 1,810,000 | - 178,182 | 2,552,503 |  | Footings, sub frame and preliminary site works complete. Fabricated modular building delivered to site and installed - construction onsite is underway. Building works scheduled for completion by late June 2019. |
| 1701 | Conversion of Janefield School Building into Community Facility - University Hill | 67,010 | 128,740 | 61,730 | 405,219 |  | Stage 1 - Building refurbishment works complete. Stage 2 - External pedestrian access ramp and new decking construction are underway, due for completion by mid-2019. |
| 1849 | Civic Precinct - HVAC and Refurbishment (Sustainable Climate Control Project St | 629,569 | 350,000 | - 279,569 | 3,370,000 |  | Stage 3 of project completed and independent commissioning and testing of HVAC system is underway. |
| 1914 | Energy Efficiency Program - Various | 164,232 | 210,000 | 45,768 | 275,000 |  | Installation of 100kW solar PV system on the Plenty Ranges Arts Centre office to commence in April. Contract award is scheduled for the April Council Meeting for a solar PV and battery storage system at Laurimar Community Centre. This will be the first solar PV / battery system in a council building and will serve as a demonstration site for the community for the technology. |
| 1915 | Refurbish building - Whittlesea Aquatic Facility | 1,009,785 | 940,579 | - 69,205 | 940,579 |  | Stage 1 - Works complete and Facility reopened 1 Nov 2018. Stage 2 - Design phase commenced and Tender for Construction scheduled to be advertised by mid-2019. |
| 1919 | Leased Building/Property Renewal Program | 25,373 | 65,000 | 39,627 | 100,000 |  | Renewal works completed as required. Project on track. |
| 1920 | Implementation of Signage Management Plan | 6,172 | 10,000 | 3,828 | 200,000 |  | Implementation and further project expenditure is pending approval of the draft Signage Management Plan. |
| 1923 | Planned renewal - Minor works | 496,435 | 437,500 | - 58,935 | 500,000 |  | Minor renewal and upgrade works are in progress and on track as per program of works. |
| 2053 | Sycamore BMX Facility Improvement - Sycamore Reserve, Mill Park | 201,385 | 286,000 | 84,615 | 567,556 |  | Structural works completed and approved by the building surveyor and engineer. Completion of BMX Pavilion on schedule with delivery date of early June 2019. |
| 2184 | Hazelglen ELC - environmental improvements | - | 5,000 | 5,000 | 5,000 |  | Project complete. |
| 2185 | Mill Park Library refurbishment | 263,462 | 172,000 | - 91,462 | 940,000 |  | Library refurbishment works underway and scheduled for completion by end of June 2019. Additional funding required to address structural steel rectification works - to be offset by <i>Project ID 2253 Additional Storeroom Spring Street Hall</i> . Refer to <i>Attachment 5</i> for proposed budget adjustments. |
| 2188 | Construct Kindergarten - Thomastown Primary School | 72,739 | 70,000 | - 2,739 | 100,000 |  | Currently in Schematic Design phase in preparation for construction tender to commence in Q1 of 2019/20. Construction works programmed for Q2 2019/20. |
| 2215 | Portable change rooms - A.F. Walker Reserve, Whittlesea | 208,431 | 240,000 | 31,569 | 300,000 |  | The AF Walker Reserve new modular change room is scheduled for practical completion in April 2019. |
| 2231 | Bubup Wilam ELC facility upgrade - Stage 1 | 108,852 | - | - 108,852 | - |  | Stage 1 works complete. Ministerial event is expected to occur in the coming months. Project is fully funded by DELWP. |
| 2235 | Whittlesea Library Study Space | 13,391 | 35,000 | 21,609 | 35,000 |  | Works proceeded on site early 2019 and to be completed Q4. |
| 2253 | Additional Storeroom Spring Street Hall, Thomastown | 76,178 | 101,500 | 25,322 | 250,000 |  | * Refurbishment work underway. * Project scheduled to for completion April 2019. |
| 3010 | Review of security measures at Council sites | 50,921 | - | - 50,921 | - |  | Funding for this project (\$330,000) was approved as part of the Q1 report to Council on 13 November 2018. Photo ID/ swipe card issue and CCTV works are in progress. |
| 3025 | Bubup Wilam ELC facility upgrade - Stage 2 | 51,269 | - | - 51,269 | - |  | Landscape/playspace works completed in early 2019. Design of building works (small internal extensions) and public realm landscaping currently underway with construction programmed to commence Q2 2019/2020. Project is fully funded by DELWP. |
| 3026 | Barry Road CAC - bus shed | - | - | - | - |  | Design and Construct contract awarded. Project approved via Council Report 13 November 2018. Refer to <i>Attachment 5</i> . |
| Total Building | | 14,680,557 | 17,521,432 | 2,840,875 | 39,206,646 | | |
| Drains | | | | | | | |
| 1064 | Drainage improvement works - Various Locations | 61,269 | 31,200 | - 30,069 | 60,000 |  | Drainage improvement works have been completed at the following locations; <ul style="list-style-type: none"> • 12 John Ryan Drive South Morang • 30 Carrol Crescent Mill Park • 32 - 34 Tuross Court South Morang • 4 Pioneer Crescent Thomastown |
| 1802 | Hillcroft Estate Drainage Issues | - | 32,819 | 32,819 | 32,819 |  | Routine maintenance works programmed to address drainage issue. Project budget no longer required. |
| Total Drains | | 61,269 | 64,019 | 2,750 | 92,819 | | |
| Feasibility & Planning | | | | | | | |
| 1847 | Planning and Feasibility Studies for Future Projects | 194,704 | 360,000 | 165,296 | 500,000 |  | Refer to Attachment 4 of this report for detail on the current status of the 2018/19 Planning & Feasibility Program. |
| Total Feasibility & Planning | | 194,704 | 360,000 | 165,296 | 500,000 | | |
| Open Space | | | | | | | |
| 0002 | Implement Sportsfield Strategy - Sportsfield Upgrades | 1,906,657 | 1,010,000 | - 896,657 | 2,075,639 |  | Oval redevelopment works at Epping Recreation Reserve are progressing well on site despite construction delays due to rock in drainage trenches. Turf installation has commenced with intensive maintenance to follow until mid-year. Works will continue on site after turf is complete with fencing, sportsground lighting and site reinstatement works. Oval redevelopment is being completed in conjunction with <i>Project ID 2115 - Sportsground Lighting Upgrades</i> |

2018/19 New Works Project Progress Report - as at 31 March 2019








| PHYSICAL PROGRESS LEGEND | | |
|---------------------------|---|------------------------|
| Traffic Light Definitions | | |
| Favourable |  | Completed |
| Favourable |  | Ahead of Schedule |
| Favourable |  | On Track |
| Neutral |  | Not Yet Commenced |
| Neutral |  | Behind Schedule |
| Unfavourable |  | Project Not Proceeding |
| Unfavourable |  | On-Hold |

Carry forward projects from 2017/18

| PID | Project Name | YTD Actuals | YTD Budget | Variance | Annual Budget | Physical Status | Quarterly Comment |
|------|--|-------------|------------|-------------|---------------|---|---|
| 0118 | Renewal of playgrounds and general landscape improvements | 681,818 | 1,040,053 | 358,235 | 1,440,053 |  | Pandora Park, Thomastown - In construction Nickson Street park, Bundoora - Open to Public Willow Park, Whittlesea, Contract awarded Thomastown east Reserve, Thomastown - Contract awarded Buckmaster Park, Mill Park - In Construction VR Michael Reserve, Epping - Open to Public |
| 0252 | Street Tree Renewal Program - Ongoing | 64,455 | 320,000 | 255,545 | 450,000 |  | Programmed street tree removal almost complete Street tree installations to commence in early May. |
| 0259 | Reconstruct courts - Dr Harry Jenkins Reserve, Mill Park | 39,248 | 40,000 | 752 | 240,000 |  | The redevelopment of 2 courts and lighting to be undertaken in 2018/19 and 2019/20 as part of Stage 1. Works will commence after 22 June 2019 when club competition finals are complete. Stage 2 will redevelop 2 courts with lighting in 2023/24 and 2024/25. |
| 0405 | Whittlesea Public Gardens Master Plan | 20,718 | 300,000 | 279,282 | 460,000 |  | Whittlesea Public Gardens Master plan was endorsed at 4th September 2018 Council Meeting. Review of urban design arrangement of proposed lots, roads and parking is in progress. Discontinuation of Downs Road has been advertised for public submission, closing 10 April 2019. |
| 0632 | Skate Parks - Growth Areas - Various Locations | 21,790 | 40,000 | 18,210 | 40,000 |  | Following the presentation of three different concept options to the community for the extension to the Laurimar Skate Park, the feedback was used to refine a final concept design. The final concept design is currently being presented to the community through direct mail-out, onsite signage, Council's Facebook page and the Have Your Say Page. The comments will be collated and incorporated into the design before proceeding into detailed design. |
| 0685 | Construct two soccer pitches and pavilion - Koukoura Drive | - | - | - | 50,000 |  | Projet budget no longer required as works have been completed utilising developer bonds. |
| 0696 | Construct playing fields and pavilion - Lalor West Reserve (Mosaic) | 4,850,306 | 5,000,000 | 149,694 | 5,150,190 |  | Stage 1 Minor drainage works - completed. Stage 2 Construction of pitches, pavilion and car park - works began early February 2018 with an anticipated completion by June 2019. SRV Grant funded Sports Lighting Upgrade - Works to be tendered April 2019 and construction to be completed - in Q1 (2019/2020) |
| 0703 | Painted Hills Rec Reserve and Community Pavilion | 4,964,367 | 3,276,116 | - 1,688,251 | 4,776,578 |  | The Painted Hills Recreation Reserve project is progressing well and is expected to be completed ahead of schedule. |
| 1107 | Construct shared path - Bruce's Creek reserve - Kinglake Views to Yea Road | 790 | 30,000 | 29,210 | 30,000 |  | Design of shared path complete. Design for section between Yea Road to Tambo Circuit to continue with consultation with adjacent residents scheduled to occur in March / April. |
| 1142 | Upgrade tennis courts and pavilion - TH Hurrey Reserve | 1,449,578 | 2,172,350 | 722,772 | 2,920,171 |  | Pavilion, car park, landscaping and Plenty Road upgrade are nearing completion. Stage 2/3 Tennis Courts Reserve upgrade has commenced. |
| 1563 | Upgrade Coaches Boxes - Various Locations | 33,556 | 55,000 | 21,444 | 55,000 |  | Project complete. |
| 1564 | Cricket Practice Net Upgrade (various locations) | 174,495 | 210,000 | 35,505 | 210,000 |  | Project complete. |
| 1627 | Upgrade tennis courts and pavilion - Lalor Tennis Club | 133,049 | 210,000 | 76,951 | 300,000 |  | This multi year project to upgrade the tennis courts and pavilion at Lalor Tennis Club has been completed successfully under budget. |
| 1636 | Growling Frog Golf Course - course improvement works | 70,914 | 20,000 | - 50,914 | 20,000 |  | Project complete. Council approved a revised budget in Q1 report 13 November 2018 to enable replacement of failed pump. |
| 1717 | Establishment of additional dog off leash areas - Various Locations | 58,460 | 60,000 | 1,540 | 60,000 |  | Project complete. |
| 1834 | Cricket Wickets Upgrade (various locations) | 61,286 | 70,000 | 8,714 | 70,000 |  | Project complete. |
| 2052 | Sycamore BMX Track Development | 4,303 | 166,000 | 161,697 | 279,036 |  | Tender submissions for track works are currently being evaluated. |
| 2054 | Vehicle Exclusion Fencing | 38,050 | 100,000 | 61,950 | 100,000 |  | Vehicle exclusion fencing works have been completed at Benjamin Close Park and Lucy Court Park in Bundoora, Manning Clarke Drive in Mill Park and a trail bike exclusion gate has been removed on the Darebin creek trail in Bundoora. Contracts have been awarded for further works to secure the Darebin Creek trail at Tooth Court in Mill Park and at Pandora Park in Thomastown. |
| 2115 | Sports Ground Lighting Upgrade - Various Sites | 61,466 | 200,000 | 138,534 | 220,000 |  | Sportsground lighting upgrade is to be undertaken in conjunction with the redevelopment of Epping Recreation Reserve. Contract has been awarded to construct 100LUX LED lighting and works are progressing on site. Anticipated completion June 2019 |
| 2125 | Huskisson Reserve - Master Plan | 13,940 | 25,000 | 11,060 | 25,000 |  | Draft master plan has been updated following Phase 4 of consultation. Final master plan to be presented to Council in June 2019. |
| 2145 | Norris Bank Reserve Master Plan, Bundoora | 59,175 | 300,000 | 240,825 | 800,000 |  | The contract for the main landscape works for the upgrade to the play space/ picnic area has been awarded with Regal Innovations as the successful contractor. The iconic play structure has been awarded as a separate Design & Construct contract. The design of the play structure has been confirmed and detailed design is currently being undertaken. Works are scheduled to commence onsite at the end of April. |
| 2153 | Waterview Reserve - Additional Shelter | 70,340 | 51,660 | - 18,680 | 51,660 |  | Construction of Northern and Southern shade structure completed |
| 2172 | Sportsfield Irrigation upgrade program | 90,320 | 120,000 | 29,680 | 120,000 |  | Works completed at Findon Reserve north pitch |
| 2174 | Boardwalk/ bridges refurbishment | 61,802 | 100,000 | 38,198 | 200,000 |  | Bridge at Bruce's Creek completed and open to the public. Tender for pedestrian bridge at Whittlesea Park, near tennis club, has closed and contract to be awarded late March with works to be completed before the end of the financial year. Upgrade of decking at Janefield Drive Wetlands to be completed in the coming months. |
| 2176 | Quarry Hills Regional Parkland drainage issues | 42,735 | 150,000 | 107,265 | 150,000 |  | Works in progress. Expected completion mid May 2019. |
| 2192 | All Abilities Playspace - Mill Park | 470,217 | 730,000 | 259,783 | 1,237,457 |  | Final design is complete and has been made available to the community via a letter to the residents and project page on the Council website. Contract award for the junior play area is scheduled for the council meeting on 2nd April. Construction to commence in May 2019. Detailed design for the remainder of the play space is ongoing. Balance of the play space to be tendered July 2019. Construction - Works on the Stage 1 car park is complete and the car park is open to the public. |
| 2205 | Sycamore BMX Lighting - Track and Car Park | 9,336 | 60,000 | 50,664 | 393,420 |  | Tender for lighting works closed - one submission received. Value management of works underway |
| 2206 | Construction of Rotunda & Pathway Lighting Installation Mill Park Lakes | - | - | - | 75,421 |  | Tender submissions are currently being evaluated. |
| 2210 | May Road Community Precinct/Library Landscaping | 1,350 | - | - 1,350 | 38,690 |  | Scope of project confirmed with library staff - design 90% complete. |
| 2222 | Lighting Upgrade - Church St Whittlesea | 5,440 | 4,290 | - 1,150 | 160,000 |  | Contract has been awarded. Works expected to be completed mid to late April 2019. |
| 2232 | Mosaic Reserve - Pump Shed Accoustic Treatment | 136,373 | 120,000 | - 16,373 | 120,000 |  | Works complete and awaiting Final Inspection by building surveyor. Landscape reinstatements complete. |
| 2246 | Laurimar Primary School Netball Courts Lighting and Shelter | 217,148 | - | - 217,148 | - |  | Project involved installing a shelter and lighting over an existing netball court at Laurimar Primary School. A grant was provided to fund the project from the VSBA. Delivery of the project was undertaken in conjunction with Laurimar Primary School and the VSBA. Project complete. |
| 2250 | Botanica Park master plan implementation | 1,800 | 60,000 | 58,200 | 60,000 | | The Botanica Park Master Plan outlines, as part of "Future Works", for the installation of outdoor fitness equipment in the place of the recently removed play equipment and removal of understorey vegetation to improve sightlines through the park. Design of the fitness area is completed and has been tendered along with the works to remove understorey vegetation. Tenders have closed and have been evaluated. The contract will be awarded in the first half of April. |
| | Total Open Space | 15,815,282 | 16,040,469 | 225,187 | 22,378,315 | | |

Plant & Equipment

2018/19 New Works Project Progress Report - as at 31 March 2019

| PHYSICAL PROGRESS LEGEND | | |
|---------------------------|---|------------------------|
| Traffic Light Definitions | | |
| Favourable |  | Completed |
| Favourable |  | Ahead of Schedule |
| Favourable |  | On Track |
| Neutral |  | Not Yet Commenced |
| Neutral |  | Behind Schedule |
| Unfavourable |  | Project Not Proceeding |
| Unfavourable |  | On-Hold |

Carry forward projects from 2017/18

| PID | Project Name | YTD Actuals | YTD Budget | Variance | Annual Budget | Physical Status | Quarterly Comment |
|--------------------------|--|-------------|------------|-----------|---------------|---|--|
| 0104 | Replacement of Council fleet - Ongoing Program | 1,073,679 | 555,000 | - 518,679 | 796,000 |  | Ongoing program for the replacement of existing fleet items - funded from the <i>Plant Replacement Reserve</i> . Orders are pending for the purchase of a drain cleaner and sweeper trucks. |
| 0106 | Furniture and equipment purchases | 29,558 | 45,500 | 15,942 | 70,000 |  | Purchase of furniture and equipment due to OH&S requirements and replacement of exiting due to wear and tear. |
| 0225 | IT - Various computer system hardware and other IT equipment | 49,597 | 71,040 | 21,443 | 111,000 |  | Replacement of hardware and IT equipment is being purchased on a needs basis. |
| 0241 | Acquisition of Visual Art - Civic Centre | 6,472 | 6,500 | 28 | 10,000 |  | Two artworks were acquired from local Iranian artist, Kosar Majani. These paintings address the multicultural nature of our collection and align with Council's Visual Art and Civic History Collections Policy. |
| 0369 | Furniture and fittings for halls and CACs - Various Locations | 30,405 | 61,785 | 31,380 | 80,000 |  | Furniture has been supplied/replaced at the following council halls and community centres throughout the year; Riverside CAC, Thomastown Library, Mernda Village CAC, Janefield Community Centre and Epping Views Family Centre. |
| 0419 | Management of the Public Art Collection | 19,169 | 29,000 | 9,831 | 59,000 |  | Artist Damian Vick was selected to complete the 2018/19 public art project to be located in Great Eastern Way, South Morang. Installation due July. |
| 1874 | IT - ICT Network Infrastructure | 89,061 | 197,236 | 108,175 | 317,236 |  | Procurement of contracts have been completed, network design is under way. It is expected that testing will commence in June 2019 with anticipation that all servers will be moved to the Cloud by September 2019. |
| 1877 | IT - Computer System Hardware & Mobility Equipment | 14,244 | 57,600 | 43,356 | 90,000 |  | Computer and mobile device hardware purchased on a needs basis to enable staff mobility. |
| 1878 | IT - A0 Plotters / Scanners and IM Scanner | - | 25,000 | 25,000 | 25,000 |  | Awaiting quotations for scanners which will assist with the scanning of the large volume of paper records into digital files. |
| 1944 | IT - HRIS Review | - | 100,000 | 100,000 | 168,290 |  | Implementation of the online staff performance plan module is planned for delivery by 30 June 2018. Payroll component is complete. |
| 1945 | IT - Online GIS | 8,930 | 8,930 | 0 | 8,930 |  | Project Complete |
| 1946 | IT - SharePoint/PROV | 45,335 | 45,350 | 15 | 45,350 |  | Project Complete |
| 2003 | IT - MCH and Remote Network Link | 8,727 | 34,245 | 25,518 | 34,245 |  | Epping Memorial Hall, Galada CAC, Riverside CAC, Mernda Village CAC will have public WiFi available by end of April 2019. |
| 2035 | IT - Telephone System BCP and Renewal | - | 60,000 | 60,000 | 100,000 |  | A vendor has been engaged to provide quotations for various phone system options. Quote expected to be received April 2019. |
| 2110 | IT - Health Systems and Mobile Application | 45,000 | 85,000 | 40,000 | 100,000 |  | New online Health System has been launched in November 2018 to enable our local community/business to register and make payments online. |
| 2112 | IT - Smartphones for MCH Centres | 26,608 | 26,640 | 32 | 26,640 |  | Project complete. |
| 2113 | IT - PC Replacement | 505,480 | 1,470,000 | 964,520 | 1,500,000 |  | Mobile device rollout program is in progress and expected to be completed by the end of financial year. |
| 2173 | IT - Replacement of Infringement Issuing Devices and Provision of an Integrated Infringement Management Software | - | 190,000 | 190,000 | 220,000 |  | Negotiations with vendor are in progress. |
| 2175 | IT - Plan mark up and data capture improvement | 143,114 | 200,000 | 56,886 | 200,000 |  | Implementation of Trapeze has allowed several teams to now digitally stamp permits and compliance documents and send these documents digitally, minimising paper wastage. |
| 2214 | May Road Lalor CCTV Project | 208,278 | 40,745 | - 167,533 | 40,745 |  | Construction works complete. Final commissioning of system in progress. Project is funded via grant from Department of Justice. |
| 2252 | Marveloo - Mobile Changing Places Toilet Facility | - | - | - | - |  | A joint grant application with Banyule and Nillumbik Councils for \$100,000 was successful for the supply of a mobile changing places facility. Finalisation and sign off of shared usage arrangements with partner Councils is underway with delivery of facility expected in Q4. |
| Total Plant & Equipment | | 2,303,657 | 3,309,571 | 1,005,914 | 4,002,436 | | |
| Roads & Paths | | | | | | | |
| 0076 | Local road resurfacing works - Ongoing Program | 2,110,565 | 2,000,000 | - 110,565 | 2,000,000 |  | Delivery of the road resealing program is in progress, expected completion in April. |
| 0077 | Local Road Reconstruction / Rehabilitation | 1,768,954 | 2,500,000 | 731,046 | 2,500,000 |  | All civil works completed successfully. Awaiting final invoices. |
| 0157 | Upgrade road east side Betula Avenue - between Belmont Ave & McKimmies Rd | - | - | - | 37,000 |  | The design of Betula Avenue between Belmont Avenue and McKimmies Road is complete. The construction work will take place under <i>Project ID 304 LATM Schemes</i> and will be completed by the end of June 2019. |
| 0361 | Car Park rehabilitation - various | 64,999 | 65,000 | 1 | 65,000 |  | Project complete. |
| 1113 | Bicycle facilities - provide new on-road & off-road paths | 57,523 | 100,000 | 42,477 | 100,000 |  | Delivery of program in progress with last location to be completed by end of May 2019. |
| 1218 | Construct Findon Road extension - Williamsons Road to Danaher Drive | 1,137,044 | 3,416,474 | 2,279,430 | 3,416,474 |  | Finalisation of land acquisition is in progress. Tender documents are currently being prepared for advertisement scheduled for May 2019. Engagement of a service proving consultant is in process to capture existing site services. |
| 1258 | Upgrade disabled parking bays to DDA requirements - Various locations - DDA Work | 44,890 | 50,000 | 5,110 | 50,000 |  | Project complete. |
| 1265 | Kerb Ramp DDA Upgrades - Kerb Alignment | 42,096 | 40,000 | - 2,096 | 40,000 |  | Program complete. Kerb ramp upgrade on six intersections of Victoria Drive Thomastown have been completed. |
| 1736 | Construct road - Edgars Road - O'Herns Road to Harvest Home Road | - | - | - | 6,744,019 |  | Negotiations remain ongoing between Council and Development Victoria regarding the construction of a missing road link between Rockfield Street and O' Herns Road. Awaiting formal approval of permit application. This project is to be funded and delivered by Developer. |
| 1789 | Safe Routes to Schools | 14,809 | 25,000 | 10,191 | 25,000 |  | Construction of 30m length of footpath outside of Marymede Catholic College in Williamsons Road South Morang is complete. |
| 1812 | Upgrade shared path - Darebin Creek - Metropolitan Ring Road to Findon Road | 166,124 | 280,000 | 113,876 | 413,928 |  | All civil and signage works are complete. Landscaping works are at tender. |
| 1815 | Bundoora Shopping Centre Upgrade | 11,270 | 194,950 | 183,680 | 302,859 |  | Stage 2 Dennison Mall Streetscape Upgrade Works are currently out to tender. Works include drainage, paving, lighting, seating & planting. |
| 1875 | Construct Road - Regent Street - Sackville St to Grafton St | 503,087 | 221,137 | - 281,950 | 221,137 |  | Finalisation of civil works in progress. Land acquisition is in the process of settlement. |
| 1896 | Retail Activity Centres - Streetscape Condition Audit & Improvements - Various Locations | 4,300 | 70,000 | 65,700 | 250,000 |  | Outdoor furniture has been installed as per the opportunities highlighted in the streetscape audit report. Future project scope and planning has commenced with pocket projects identified. |
| 1956 | Construct shared path - McDonalds Road (north side) - Darebin Creek to Civic Dr | 139,801 | 140,453 | 652 | 140,453 |  | Shared path construction from Darebin Creek to Scarborough Road is complete. Shared path design adjacent to Meadow Glen Drive intersection is 90% complete. |
| 1970 | Acquire land - Grange Drive construction - Williamsons Road to future Findon Rd | - | 280,000 | 280,000 | 280,000 |  | Land acquisition in preparation for the Findon Road Extension project. It is noted that there is ongoing negotiations with the Developer and the proposed budget is for the estimated cost of acquiring this land. |
| 1992 | Construct shared path - Plenty Road (west side) - McKimmies Road to Weathiland Drive | - | - | - | 700,000 |  | Construction is 80% complete with works at intersections and near the Caltex Petrol Station remaining. |
| 2008 | Construct shared path - Hendersons Road Drain - Childs Road to Findon Road | 55,375 | 85,000 | 29,625 | 85,000 |  | Henderson creek shared path design has been completed. Shared path design extends from Childs Road to Findon Road. |
| 2014 | Construct Shared Paths - Findon Road to Gordons Road South Morang | 17,220 | 20,000 | 2,780 | 20,000 |  | Survey and service proving completed. Draft design completed in house. |

2018/19 New Works Project Progress Report - as at 31 March 2019

| PHYSICAL PROGRESS LEGEND | | |
|---------------------------|---|------------------------|
| Traffic Light Definitions | | |
| Favourable | ● | Completed |
| Favourable | ● | Ahead of Schedule |
| Favourable | ● | On Track |
| Neutral | ● | Not Yet Commenced |
| Neutral | ● | Behind Schedule |
| Unfavourable | ● | Project Not Proceeding |
| Unfavourable | ● | On-Hold |

Carry forward projects from 2017/18

| PID | Project Name | YTD Actuals | YTD Budget | Variance | Annual Budget | Physical Status | Quarterly Comment |
|---------------------|--|-------------|------------|-----------|---------------|-----------------|--|
| 2072 | Streetscape improvements program - Lalor High Street Shops | 451,922 | 1,140,000 | 688,078 | 1,896,359 | ● | Preliminary works complete. Stage 1 Streetscape upgrades to Station Street are in progress. Works include drainage, pedestrian crossovers, street furnishings. |
| 2077 | Streetscape improvements program - Thomastown High Street Shops | 17,525 | 85,000 | 67,475 | 283,460 | ● | Design and tender documentation are continuing to progress. The war memorial site design is still on hold pending further land use negotiations with Metro Trains and the Department of Transport. |
| 2114 | Missing Footpath Links Program - Various locations | 210,748 | 489,620 | 278,872 | 710,000 | ● | Delivery of program in progress with the following locations completed: Monta Vista Avenue Epping, Oleander Drive South Morang, Edgars Road Thomastown, Jorgensen Avenue Doreen. |
| 2119 | Street Light bulk replacement program | 214,416 | 385,000 | 170,584 | 400,000 | ● | A trial of 'smart' technology is to be undertaken to test the dimming capability of the energy efficient LED street lights. Findings from the trial will be used to inform the relevant interested parties of the next steps for the introduction of this technology on a wider scale. |
| 2121 | High Street Epping Streetscape Upgrade | 1,000 | - | 1,000 | 30,000 | ● | Framework Options completed and reviewed in May. Presented at Council Forum on 11th September to provide an update on the project in line with the Epping Central Structure Plan review. Streetscape Upgrade scope on hold until completion of Structure Plan Review. |
| 2136 | Construct shared path - Bridge Inn Road - Towerhill Ave to Mernda Station | - | 563,000 | 563,000 | 563,000 | ● | Project complete. |
| 2140 | Construct Shared Path - Davisson Street - McDonalds Road to Cooper Street | 12,700 | 32,000 | 19,300 | 32,000 | ● | Detailed design completed. Construction funding is allocated in 2023/24 |
| 2142 | 480 Cooper Street - Fire main | - | - | - | 235,670 | ● | Review of project scope/requirements undertaken with stakeholders. Re-Design to commence in Q4. |
| 2179 | Bridge Upgrade - Plenty River Bridge - Cades Road | - | - | - | 20,000 | ● | Proposed bridge upgrade was considered to have very low benefit for community and high cost for implementation. Instead, the flood management sign has been installed. Project complete, with no future funding required. |
| 2190 | Reconstruct car park - Mill Park Leisure Centre | - | 320,000 | 320,000 | 967,500 | ● | The Mill Park Leisure Carpark is being undertaken with the building works currently in progress. Please refer to PID 1589 for the current project status. |
| 2213 | Safety Lighting along path at Border Dve Mill Park | 4,030 | 92,200 | 88,170 | 92,200 | ● | Tender submissions are currently being evaluated. |
| 2217 | Station Street, between Childs Road and Heyington Avenue, Thomastown / Lalor | 101,407 | 340,349 | 238,942 | 340,349 | ● | Raised pavements and raised intersections have been completed. Upgrade to traffic signals at Manns Crossing/Station Street is in progress as part of the Lalor Shopping Centre streetscape upgrade stage 1. |
| 2225 | Riverside CAC - Indented parking bay in Doreen Rogan Way | 101,765 | 100,000 | 1,765 | 100,000 | ● | Project complete. |
| 2227 | Safety lighting along path – Gorge Road South Morang | 1,450 | 6,045 | 4,595 | 100,000 | ● | Project complete. |
| 2228 | Yan Yean Pipe Track - Rail Reserve to Williamsons Road | 427,015 | - | 427,015 | - | ● | Project complete. |
| 2247 | Pathways to Stations | 806,649 | 450,000 | 356,649 | 450,000 | ● | 2018/19 program of works complete. Design work for 2019/20 program is in progress. Project budget adjustments approved via Council Report 5 March 2019. |
| 2255 | Pedestrian Barrier/Fence Breadalbane Ave, Mernda | 9,709 | 12,000 | 2,291 | 12,000 | ● | Project complete. |
| 3022 | Urbanise Cookes Road - Bridge Inn Rd to 45 Cookes Rd, Doreen | 53,919 | - | 53,919 | - | ● | Detailed design documentation is being prepared and expect to be completed by end May 2019. Construction works to commence in 2019/20 with external funding contributions as detailed in Attachment 5. |
| Total Roads & Paths | | 8,552,310 | 13,503,228 | 4,950,918 | 23,623,408 | | |
| Transport | | | | | | | |
| 0304 | LATM Schemes various treatments | 93,898 | 350,000 | 256,102 | 450,000 | ● | Detailed design of roundabout for Betula Avenue/Belmont Way has been completed and submitted to service authorities for approval. Quotation evaluation and tree removal to take place in April. Design of treatments for LATM9 is currently in progress. |
| 0439 | Improve disability access (DDA) to public transport | - | 40,000 | 40,000 | 70,000 | ● | Bus pad upgrade (DDA) works are to be carried out in conjunction with Project ID 446 Installation of Bus Shelters. Works are programmed to commence in early May 2019. |
| 0443 | Traffic control devices - un-programmed works | 74,801 | 240,000 | 165,199 | 240,000 | ● | Construction tender awarded for raised pedestrian/school crossings at four locations on Breadalbane Avenue, Mernda. Construction will be carried out during the Easter school holidays. |
| 0445 | Collector Road traffic management - Various locations | 51,600 | 30,000 | 21,600 | 150,000 | ● | Construction of path connecting bus stops and road crossing points will be carried out in April 2019 - pending approval of permit to work under the No Go Zone. |
| 0446 | Installation bus shelters - Various Locations | 1,444 | 10,000 | 8,556 | 20,000 | ● | Program is being delivered in conjunction with Project ID 439 Improve Disability Access (DDA). Works are expected to be completed by end of May 2019. |
| 1448 | Roadside hazard protection | - | 75,000 | 75,000 | 75,000 | ● | Works on high priority Masons Road sites will be implemented in Q4. |
| 1751 | Signalise intersection - Bridge Inn Road/Sissinghurst Parade | - | - | - | 342,131 | ● | Traffic signals are energised and operating as T intersection. Project delivered by Developer. |
| 2039 | Signalise intersection - Ferres Blvd/Findon Rd | 969,980 | 1,708,825 | 738,845 | 3,508,825 | ● | Detailed design (for construction) completed and awaiting independent review/sign off. Final (detail) design also awaiting VicRoads review and approval. Relocation of service expecting to commence late April / early May 2019. |
| 2248 | Traffic Management Around Schools | 185,744 | 640,451 | 454,707 | 1,040,451 | ● | Minor Works for the construction of on street parking bays are underway on Eminence Boulevard; Hazel Glen College. Design of roundabout at Dunolly Street / Lyndarum Drive has been completed for Epping Views Primary School with construction works scheduled to commence in April 2019. |
| 3020 | Parking Management for Thomastown West Kindergarten and Childcare Centre | 85,200 | - | 85,200 | - | ● | Civil works complete. Minor landscaping works are scheduled for April 2019. Project approved via Council Report 13 November 2018. Refer to Attachment 5. |
| 3024 | Blackspot Funding - Great Brome Ave traffic management works | 13,000 | - | 13,000 | - | ● | Construction of traffic treatments are scheduled to start in April school holidays. Traffic management plans are currently being prepared. Project approved via Council Report 13 November 2018. Refer to Attachment 5. |
| Total Transport | | 1,475,668 | 3,094,276 | 1,618,608 | 5,896,407 | | |

| | | | | |
|-------|------------|------------|------------|------------|
| Total | 43,083,446 | 53,892,995 | 10,809,549 | 95,700,031 |
|-------|------------|------------|------------|------------|

2018/19 New Works Program Third Quarter Project Progress Report

CONSTRUCT PLAYING FIELDS AND PAVILION – LALOR WEST RESERVE (MOSAIC)



CONSTRUCT PLAYING FIELDS AND PAVILION – DOREEN SOUTH RESERVE (PAINTED HILLS)



UPGRADE PAVILION – MAIN STREET RESERVE, THOMASTOWN





REDEVELOP MILL PARK LEISURE CENTRE



SPORTSFIELD UPGRADE – EPPING RECREATION RESERVE

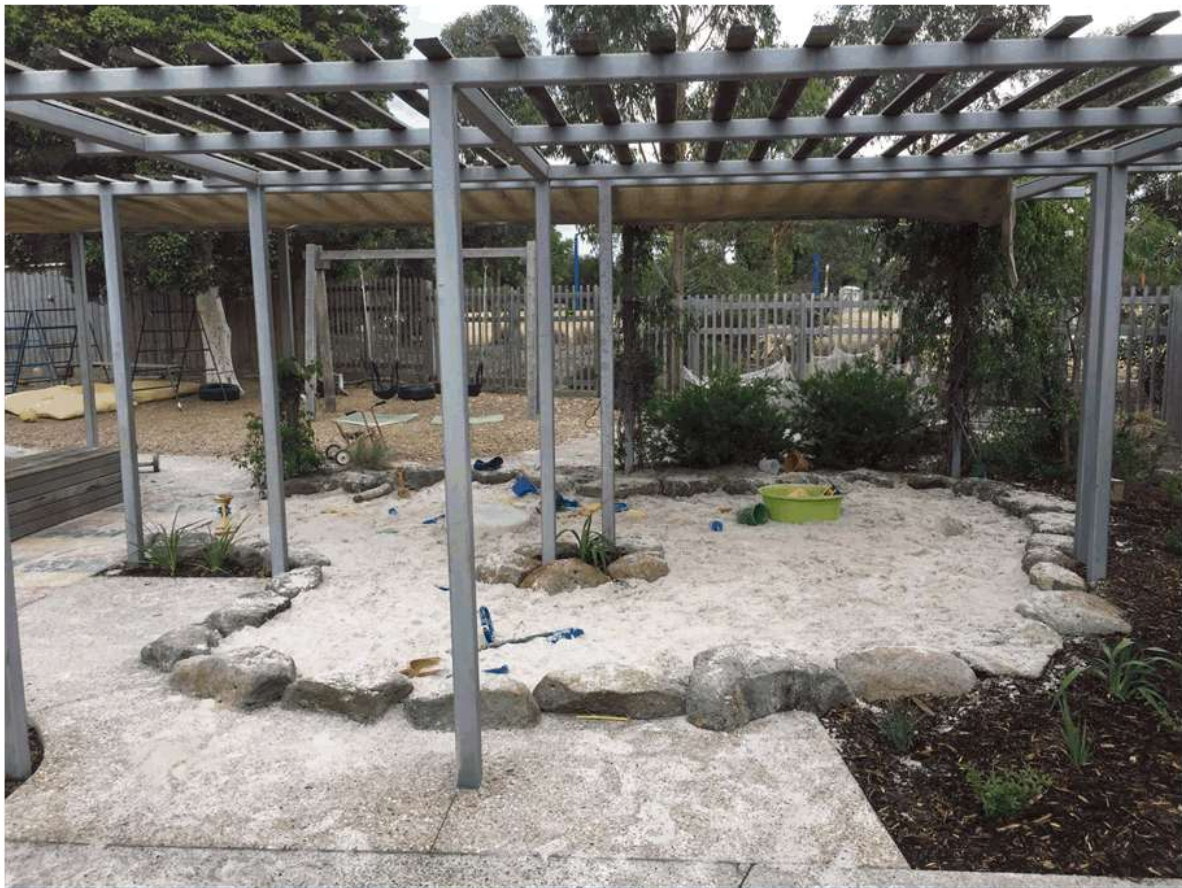


RENEWAL OF PLAYGROUNDS AND GENERAL LANDSCAPE IMPROVEMENTS

Nickson Street, Bundoora



BUBUP WILAM EARLY LEARNING CENTRE FACILITY UPGRADE – STAGE 2



ESTABLISHMENT OF DOG OFF LEASH AREAS
Lyndarum Wetlands, Epping



CRICKET PRACTICE NET UPGRADE
AF Walker Reserve, Whittlesea



CRICKET WICKET UPGRADES
Mill Park Lakes Reserve – West Oval



UPGRADE OF COACHES BOXES



PROJECT STATUS OF PID 1847 - 2018/19 PLANNING FEASIBILITY PROGRAM

| ID | Project Name | Project Description | Planning & Feasibility Program (PID 1847) | | | Comments |
|------------------------------------|---|---|---|----------------------------|-------------|---|
| | | | Original Approved Budget | Proposed Revised Budget | Expenditure | |
| | | | | | | |
| 332 | Construction of Sexton's Hut - Epping Cemetery. | Confirm scope of renewal works, complete any design work required and prepare cost estimate. | \$ 15,000 | \$ - | \$ - | Background research re: heritage value, management agreements, ownership and maintenance responsibilities has been completed. Confirmed that renewal works are not currently required. Project to be pushed out and reassessed in the medium term. |
| 684 685 1400 1401 1415 | Epping North Infrastructure Delivery Plan | Complete site analysis, develop preliminary masterplans, concept plans and cost estimates for the delivery of community infrastructure sites across the Epping North corridor. | \$ 40,000 | \$ 15,000 | \$ 5,733 | Future community infrastructure sites and required site investigations for each identified. Further work subject to the outcome of the Leisure Facilities Planning Tool. |
| 704 | Planning for the recreation reserve land allocation at Ashley Park (Orchard Road) | Undertake site analysis and concept planning for the recreation reserve land allocation at Ashley Park (Orchard Road) to address emerging sporting trends within the north eastern growth corridor. PID 704 is currently planned for 2023/24 for soccer pitches and pavilion. | \$ 30,000 | \$ 1,530 | \$ 1,530 | Site analysis completed. Finalisation of functional requirements for the recreation reserve proposal is awaiting outcomes of the Leisure Facilities Planning Tool. Works will result in confirmed scope for future site. |
| 1144 | Replace Tennis Court Surfaces - Epping Recreation Reserve | Complete condition assessment and any other site condition reporting required to confirm scope of works for court replacement. | \$ 10,000 | \$ - | \$ - | Background research re: management agreements, ownership and maintenance responsibilities has been completed. Renewal works to be undertaken through PID 1998 Epping Recreation Reserve Master Plan Implementation. |
| 1426 | Construct Community Activity Centre - west of Epping Road (Epping North East Precinct 4) | Undertake site analysis, confirm functional requirements and prepare preliminary concept design and cost estimate. | \$ 25,000 | \$ 25,000 | \$ 9,230 | Site analysis completed including geotech and features/levels survey. Review of functional requirements delayed while opportunities for a combined community education precinct are explored. A joint masterplanning exercise is currently being undertaken with DEET that encompasses the Epping North East Reserve and Wollert East P-12 school site. |
| 2000 | Mill Park Lakes Stormwater Harvesting Project | Investigate the potential for using harvested stormwater from the Henderson Creek Wetlands (Mill Park Lakes) for the irrigation of Mill Park Lakes Recreation Reserve sportsfields and Hillview Recreation Reserve sportsfields. \$1.0m in 2023/24 & \$500k in 2024/25. | \$ 10,000 | \$ - | \$ - | Confirmation of project scope underway. Project has link to Energy & Water Sustainability Flagship project. |
| 2065 | Refurbish facility - TRAC - Thomastown Recreation & Aquatic Centre | Complete condition assessment and identify scope of renewal works required in the next 5-10 years and prepare cost estimate. Works scheduled in 2023/24. | \$ 15,000 | \$ 16,800 | \$ 16,800 | Condition assessment completed. Report is currently being reviewed to confirm scope of future required works. |
| 2181/ 2182 | Refit space to accommodate MCH consult room & adolescent clinic room - Plenty Valley Super Clinic | Project is contingent on space becoming available at the GP Superclinic. Confirm whether space is likely to become available for Council in the next four years, identify functional requirements and scope of renewal works, and prepare cost estimate. | \$ 5,000 | \$ - | \$ - | Council have been unsuccessful in negotiations with Plenty Valley Health regarding refurbishment of a space at the GP super clinic as a MCH space. Therefore the project will not proceed. |
| 2223 | Mill Park Basketball Stadium Redevelopment | Develop design options and cost estimates for proposed facility improvements (e.g. additional amenities) and confirm scope of any required asset renewal and disability access works. | \$ 25,000 | \$ 20,255 | \$ 20,255 | Initial Building Condition audits and DDA Access report have been completed. Functional Layout Plans have been developed in line with stakeholder requirements and report outcomes. Options will be considered as part of the Basketball/Netball Strategy currently in development. |
| 2241 | Epping North Library - Aurora Northern Town Centre | Undertake site analysis, confirm functional requirements and prepare preliminary concept design and cost estimate. | \$ 35,000 | \$ - | \$ - | Current advice indicates that the land is not expected to be handed over to Council for the next 3 - 5 years. Project timelines in the draft Long Term Infrastructure Plan reflect this current information. Project funding for Planning & Feasibility has been deferred to the 2019/20 Planning & Feasibility Program. |
| Various | Various Business Cases | Development of a variety of detailed Business Cases as required, eg: • Aboriginal Gathering Space • 1704 - Activation of PRACC • 1906 - Upgrade Pavilion HR Uren Reserve • 2237 - Construct CAC - West Wollert • 2240 - Construct Early Activation Hub - Woodstock • 1996 - Laurimar Community Hall | \$ 50,000 | \$ 129,118 | \$ 68,881 | Business case development has commenced on projects in conjunction with project stakeholders. |
| Various | Preparation of grant applications | External assistance and review of funding applications to Federal and State Government grants that open in 2018/19. | \$ 25,000 | \$ 10,000 | \$ - | Grants prepared in house for several grant opportunities that have opened in 2018/19 including: - Childrens Facilities Capital Program - Sports Australia - Community Sport Infrastructure Program |

PROJECT STATUS OF PID 1847 - 2018/19 PLANNING FEASIBILITY PROGRAM

| ID | Project Name | Project Description | Planning & Feasibility Program (PID 1847) | | | Comments |
|---------|--|--|---|----------------------------|-------------|---|
| | | | Original Approved Budget | Proposed Revised Budget | Expenditure | |
| Various | Mernda Town Centre | Planning and concept planning work for the delivery of community facilities in Mernda Town Centre. Including; Youth Facility, Living & Learning Centre, Performing Arts Space, Outreach Centre, Maternal Child Health Centre, Library. | \$ 50,000 | \$ 20,000 | \$ - | Mernda Town Centre site is currently up for sale. Currently working through land access arrangements to allow site investigations to commence. |
| 1915 | Refurbish building - Whittlesea Aquatic Facility | Undertake a feasibility study and options analysis on the installation of a canopy/cover over the Whittlesea Pool and future improvements. | \$ 35,000 | \$ - | \$ - | Budget allocation removed from the Planning & Feasibility Program as installation of canopy/cover has been found to not be economically viable. |
| | Mernda Recreation Reserve (Schotters Road) - Future Plan | Undertake review, economic analysis and concept plan for future reuse of run down recreation facilities. Undertake an options analysis to inform future redevelopment. | \$ 20,000 | \$ - | \$ - | Site analysis and functional requirements are currently being reviewed. |
| | Bubup Wilam Early Learning Centre Enhancements | Develop a plan for the expansion of the existing centre that will involve site analysis, options development, concept planning and cost estimates. Preparation for State Government Grant opportunities. | \$ 20,000 | \$ 13,000 | \$ - | Grant application for "Stage Two" project submitted to DELWP Aboriginal Community Infrastructure Program - funding has been successful. Continuing to work with Bubup Wilam management to further develop "Stage Three" project for submission to future grant funding rounds. |
| | Public Amenity Plan | Prepare Public Toilet Amenities Improvement Plan to ensure there is adequate provision of public amenities within the City of Whittlesea. This will include: • Condition assessments of all existing toilet amenities • Undertake gap analysis and service options. • Consultation with community and key stakeholders (ie business associations) • Develop improvement plan for existing facilities and identify future service provisions. • Develop information guide. | \$ 40,000 | \$ 10,000 | \$ - | Stakeholder consultation commenced in November 2018 to assist in the establishment of project objectives and tasks. Information obtained is being used to refine the framework document with further stakeholder consultation to follow. Reduction in budget allocation owing to increased utilisation of internal resources. |
| | Whittlesea Courthouse site - Future Plan | Undertake site analysis, economic analysis and concept plan options for the potential future uses of the Whittlesea Courthouse site. | \$ 20,000 | \$ 29,297 | \$ 29,297 | A feasibility study to inform a business case for the adaptive reuse or redevelopment of the Council-owned Whittlesea Courthouse has been completed. More work on quantifying the benefits of each option is underway. Once this is complete, a business case can be drafted and submitted for approval. |
| | Established Areas Infrastructure Plan | Develop delivery plan for future infrastructure improvements, including site analysis, condition audits, concept plans and cost estimates. | \$ 15,000 | \$ 20,000 | \$ 7,723 | Site analysis and review of functional requirements and functional layout plans completed for the McLeans Road Kindergarten proposal. Business case options are being considered. |
| | Redleap Reserve - Masterplan development | Redleap Reserve Master Plan Development (as part of the Open Space Strategy Implementation)The City of Whittlesea Open Space Strategy (2016) identified Redleap Reserve as a major community park. The strategy recommends a master plan be prepared to help guide the future direction and on going community expectation associated with the long term use of the reserve. | \$ - | \$ 20,000 | \$ 15,542 | Feature and level surveying to be undertaken by consultant. Community consultation pop up sessions have been held. |
| | Mill Park Library HVAC | Complete a schematic design study of the HVAC replacement works at Mill Park Library. | \$ - | \$ 30,000 | \$ 13,940 | Consultant is undertaking the design of HVAC replacement works. Budget for HVAC replacement is allocated in the Draft 2019/20 New Works Program Budget. |
| | Future Urban Works Depot | Develop a land acquisition plan that identifies land options that facilitate relocation of operations from Houston St Epping | \$ - | \$ 30,000 | \$ 5,774 | A consultant has been appointed to develop analysis relating to future options for the relocation of the Epping Depot, which will be used to inform a business case. |
| | Acoustic assessment - PRACC Theatres | Acoustic assessment of the wall between the two theatres at PRACC. | \$ - | \$ 15,000 | \$ - | Preparation of project scope is complete. Request for Quotations received and are being assessed. |
| | Sportsground Lighting Audit | Undertake a lux and condition testing audit of sportsground lighting to inform future delivery of PID 2115 - Sports Lighting Upgrade Program. | \$ - | \$ 40,000 | \$ - | Quotation evaluation complete and consultant appointed. Audit currently underway. |
| | Traffic Management Design | Yan Yean Rd/Hazelglen Dr traffic signals - Design of traffic signals and any associated civil works Yan Yean Pipe Track between Darebin Creek & Bush Blvd - undertake feature & level surveys | \$ - | \$ 55,000 | \$ - | Quotation evaluation complete and consultant appointed. Design works currently underway by consultant. |
| | | | \$ 500,000 | \$ 500,000 | \$ 194,704 | |

2018/19 Project Adjustments - as at Q3 2018/19

| Report to Council | Project ID | Project Name | Income | | Expenditure | | Net | Comment |
|--|------------|--|-----------------|----------------|-----------------|----------------|-------------|--|
| | | | Original Budget | Revised Budget | Original Budget | Revised Budget | | |
| Quarter Two Report Closing Balance (Surplus) | | | | | | | 2,634,500 | |
| Projects with Offsets | | | | | | | | |
| Q3 | 2247 | Pathways to Stations | 0 | (72,400) | 450,000 | 1,270,400 | (75,000) | Offset by PID 2227 Safety Lighting Along Path - Gorge Road, South Morang. |
| Q3 | 2227 | Safety Lighting Along Path - Gorge Road South Morang | 0 | 0 | 100,000 | 25,000 | 75,000 | Offset against PID 2247 Pathways to Stations. |
| Q3 | 304 | LATM Schemes various treatments | 0 | (860,217) | 450,000 | 1,310,217 | 0 | Unbudgeted Grants received from Vic Roads and DELWP as follows: - Vic Roads -Safe System Road Infrastructure Projects (SSRIP) for LATM 20 - roundabout upgrades and road humps (\$327,718); - Vic Roads - Vulnerable User Infrastructure Projects (VU) for shared path on transmission easement between Childs Road and Darebin Creek (Sycamore Reserve - \$382,600) and; - DELWP - Northern Regional Trails Strategy (NRTS) for \$150,000 Totalling \$860,217 |
| Q3 | 2185 | Milli Park Library Refurbishment | (559,493) | (559,493) | 940,000 | 975,000 | (35,000) | Additional budget required to fund steel rectification works. Offset by PID 2253 Additional Storeroom at Spring Street Hall, Thomastown |
| Q3 | 2253 | Additional Storeroom at Spring Street Hall, Thomastown | 0 | 0 | 250,000 | 215,000 | 35,000 | Budget surplus to offset PID 2185 Milli Park Library Refurbishment. |
| | | | | | | | | |
| Project Adjustments | | | | | | | | |
| Q3 | 703 | Painted Hills Rec Reserve and Community Pavilion | (2,485,055) | (2,485,055) | 4,776,578 | 6,624,138 | (1,847,560) | Project is progressing ahead of planned budget. The Council Report to award the construction contract was approved by Council on 7 August 2018 and indicated that funding would be allocated in the 2019/20 NWP draft budget. Because the project is ahead of schedule it is proposed to fund from 2018/19 surplus funds. |
| Q3 | 1915 | Refurbish Building - Whittlesea Aquatic Facility | 0 | (312,000) | 940,579 | 1,307,809 | (55,230) | After initial advice from Ausnet that a power supply upgrade was not required as part of the Whittlesea Swim Centre upgrade, Ausnet subsequently modified the power network and required Council to provide a new power supply underground to the Whittlesea Swim Centre. This was not budgeted based on initial advice but became necessary to complete the upgrade works. Proposed to offset the additional cost from surplus funds. |
| | | | | | | | | |
| | | | | | | | 731,710 | Surplus (\$3,225m) to fund projects that require additional budget (\$2,493,290) and the balance (\$731,710) to be transferred to the Infrastructure Reserve |

Q2 Adjustments previously approved by Council on 5 March 2019

| Report to Council | Project ID | Project Name | Income | | Expenditure | | Net | Comment |
|------------------------|------------|--|-----------------|----------------|-----------------|----------------|-----------|---|
| | | | Original Budget | Revised Budget | Original Budget | Revised Budget | | |
| Projects with Offsets | | | | | | | | |
| Q2 | 2247 | Pathways to Stations | 0 | (72,400) | 450,000 | 1,195,400 | (673,000) | Offset by PID 2138 Construct shared path - Bridge Inn Road - Towerhill Ave to Mernda Station (\$563,000), PID 2114 Missing Footpath Links Program - Various locations (\$110,000) and \$72,400 to be received from Vic Roads. |
| Q2 | 2138 | Construct shared path - Bridge Inn Road - Towerhill Ave to Mernda Station | 0 | 0 | 563,000 | - | 563,000 | Offset against PID 2247 Pathways to Stations; the project was delivered by VicRoads. |
| Q2 | 2114 | Missing Footpath Links Program - Various locations | 0 | 0 | 710,000 | 600,000 | 110,000 | Offset against PID 2247 Pathways to Stations. |
| Q2 | 2113 | IT - PC Replacement | (1,500,000) | (1,440,000) | 1,500,000 | 1,440,000 | 60,000 | Budget surplus to offset PID 2173 to fund award of contract |
| Q2 | 2173 | IT - Replacement of Infringement Issuing Devices and Provision of an Integrated System | (220,000) | (280,000) | 220,000 | 280,000 | (60,000) | Additional budget required to fund the award of contract that was approved by Council in December 2018. |
| Q2 | 2214 | May Road Lalor CCTV Project | (40,745) | (240,745) | 40,745 | 240,745 | 0 | Unbudgeted Grant funding received from Department of Justice (\$200,000). |
| | | | | | | | | |
| Project Adjustments | | | | | | | | |
| Q2 | 685 | Construct two soccer pitches and pavilion - Koukoura Drive | 0 | 0 | 50,000 | - | 50,000 | Project was delivered utilising the funding from the Developer default budget. This budget (\$50,000) is surplus. |
| Q2 | 1258 | Upgrade disabled parking bays to DDA requirements | 0 | 0 | 50,000 | 70,000 | (20,000) | The disabled parking bays at Orchard Road ELC requires upgrading to comply with DDA requirements. Additional funding is required to undertake these works as the current program has expended the original approved budget. |
| Q2 | 1627 | Upgrade tennis courts and pavilion - Lalor Tennis Club | 0 | 0 | 300,000 | 150,000 | 150,000 | Project completed under budget. Balance is surplus. |
| | | | | | | | | |
| Works-In-Kind Projects | | | | | | | | |
| Q2 | 1419 | Construct Community Activity Centre - Epping North - Edgars Creek | (7,000,000) | 0 | 7,000,000 | 0 | 0 | Project delivered as works-in-kind by the developer. |
| Q2 | 1736 | Construct road - Edgars Road - O'Herns Road to Harvest Home Road | (6,744,019) | 0 | 6,744,019 | 0 | 0 | Project delivered as works-in-kind by the developer. |
| Q2 | 1751 | Signalise intersection - Bridge Inn Road/Sissinghurst Parade | (342,131) | 0 | 342,131 | 0 | 0 | Project delivered as works-in-kind by the developer. |
| | | | | | | | | |
| | | | | | | | 2 634,500 | Surplus as at end of Q2 |

Q1 Adjustments previously approved by Council on 13 November 2018

| Report to Council | Project ID | Project Name | Income | | Expenditure | | Net | Comment |
|---|------------|--|-----------|-------------|-------------|-----------|-------------------------|--|
| | | | Budget | Budget | Budget | Budget | | |
| Projects with Offsets | | | | | | | | |
| Q1 | 3022 | Urbanise Cookes Road - Bridge Inn Road to 45 Cookes Road Doreen | 0 | (500,000) | 0 | 800,000 | (300,000) | Offset by PID 76 Road Reseal Program |
| Q1 | 76 | Road Reseal Program | 0 | 0 | 2,000,000 | 1,700,000 | 300,000 | Offset against 3022 - Urbanise Cookes Rd |
| Projects with Unbudgeted External Funding | | | | | | | | |
| Q1 | 3024 | Blackspot Funding - Great Brome Ave Traffic Management Works | 0 | (346,700) | 0 | 346,700 | 0 | Project totally funded from Blackspot Funding. No contribution from the CoW required. |
| Q1 | 2231 | Bubup Wilam ELC facility upgrade - Stage 1 | 0 | (109,350) | | 109,350 | 0 | Grant received from DELWP. No CoW contribution required. |
| Q1 | 3025 | Bubup Wilam ELC facility upgrade - Stage 2 | | (573,282) | 0 | 573,282 | 0 | Grant received from DELWP. No CoW contribution required. |
| Q1 | 2246 | Laurimar Primary School Netball Courts Lighting and Shelter | 0 | (250,000) | 0 | 250,000 | 0 | Grant Received from DET. No CoW contribution required. |
| Q1 | 2228 | Yan Yean Pipe Track | 0 | (265,000) | 0 | 265,000 | 0 | Project fully funded by LXRA. |
| Q1 | 1324 | Harvest Home Road Community Pavilion Development | 0 | (3,025,000) | 4,971,398 | 4,971,398 | 3,025,000 | Grant received from Growing Suburbs Fund (\$2.8M) and Female Friendly Facilities Fund (\$225,000) that will replace Council funding in 2018/19 resulting in a surplus of Council funds of \$3,025m. |
| Q1 | 1462 | Upgrade Pavilion - Duffy Street Reserve | (290,060) | (421,293) | 1,090,080 | 1,221,293 | 0 | Grant received from Female Friendly Facilities Fund (\$131,233) that will add to Council funding in 2018/19 to enable delivery of the project in 2018/19 and 2019/20. |
| Q1 | 1915 | Refurbish Building - Whittlesea Aquatic Facility | 0 | (312,000) | 940,579 | 1,252,579 | 0 | Grant received from Growing Suburbs Fund towards Stage 2 of the Whittlesea Aquatic Facility which will commence in works in April 2019 to enable works at the facility to be completed during the off-season. |
| Q1 | 2215 | Portable Change Rooms - AF Walker Reserve | 0 | (100,000) | 300,000 | 400,000 | 0 | Grant received from SRV to enable the completion of the unisex change room facility at A.F Walker Reserve in 2018/19. |
| New Projects or Additional Funds Required | | | | | | | | |
| Q1 | 2252 | Marveloo - Mobile Changing Places Toilet Facility | 0 | (100,000) | 0 | 120,000 | (20,000) | Grant (\$100k) received from the Department of Health and Human Services. \$20k Council contribution to be funded from surplus to be derived from the 2018/19 NWP. |
| Q1 | 1636 | Course Improvements | 0 | 0 | 20,000 | 72,000 | (52,000) | Irrigation pump failure - funding offset from the 2018/19 NWP. |
| Q1 | 3020 | Parking Management for Thomastown West Kindergarten & Childcare Centre | 0 | 0 | 0 | 40,000 | (40,000) | \$40k to come from surplus to be derived from the 2018/19 NWP. Project emanated from a Council Report presented to Council in April 2018 with recommendation to include in the 2018/19 budget. |
| Q1 | 3010 | Review of Security Measures at Council Sites | 0 | 0 | 0 | 330,000 | (330,000) | Report presented and approved by ELT on 16 July 2018. Source of funding to be derived from the 2018/19 NWP. |
| Q1 | 3026 | Refurbishment of Bus Garage at Barry Road CAC | 0 | 0 | 0 | 100,000 | (100,000) | Existing garage is not structurally sound and does not accomodate for the size of the new bus and therefore doesn't fit within the existing garage/shed. Proposal is to demolish old shed and replace with new garage to accommodate the size of the new bus and to provide a structure that is safe and engineered to an acceptable standard. |
| Q1 | 2153 | Additional Shelter for Waterview Recreational Reserve Pavilion | 0 | 8,500 | 51,660 | 71,660 | (28,500) | Additional modifications are required and the relocation of the proposed design requested by the tenant Club has increased the costs. Additional items also include the installation of side screens to provide additional shade to the northern shelter which will require additional posts, footings and storm water pipes. \$20k funding to be sourced from surplus to be derived from the 2018/19 NWP. The Club is contributing \$8,500 towards the project. |
| 2,454,500 | | | | | | | Surplus as at end of Q1 | |

6.4.5 PART OF DOWNS ROAD THOMASTOWN - WHITTLESEA GARDENS - ROAD DISCONTINUANCE - COMMITTEE OF COUNCIL RECOMMENDATION

Attachments:

| | |
|---|------------------------------------|
| 1 | Site Plan ↓ |
| 2 | Advertising Plan ↓ |

Responsible Officer: Director Corporate Services

Author: Senior Property Officer

RECOMMENDATION SUMMARY

1. Note that no public submissions were received in response to the proposed discontinuance of the section of Downs Road Reserve (being approximately 8,000m²) which adjoins Council's Whittlesea Gardens, Lalor.
2. Discontinue and vest the section of Downs Road Reserve for the purposes of consolidation and potential sale as part of a new residential subdivision overlooking the Whittlesea Public Gardens.

KEY FACTS AND / OR ISSUES

- Council, at its meeting held on 5 March 2019, formally resolved to discontinue a section of Downs Road Reserve which adjoins Council's Whittlesea Gardens, Lalor.
- The land (being approximately 8,000m² in total), which is not considered essential for road purposes in its present form, would be discontinued and sold/developed for the purposes of servicing a new residential subdivision. The proposed development would improve passive surveillance in the reserve along with creating a suitable revenue stream which will be reinvested to the improvements proposed under the Whittlesea Gardens master plan.
- No submissions were received at the close of the advertising period (10 April 2019, 12 noon). A memo was sent to the Committee of Council on Wednesday 10 April 2019, advising that no public submissions were received and the Committee of Council hearing would not be required.

REPORT**BACKGROUND**

Council, at its meeting held on 5 March 2019, formally resolved to discontinue a section of Downs Road Reserve which adjoins Council's Whittlesea Gardens, Lalor.

The land (being approximately 8,000m² in total), is not considered essential for road purposes in its present form and is proposed to be discontinued and sold/developed for the purposes of servicing a new residential subdivision. The proposed development would improve passive surveillance in the reserve along with creating a suitable revenue stream which will be reinvested to the improvements proposed under the Whittlesea Gardens master plan (see *Attachment 1 – Site Plan & Attachment 2 – Advertising Plan*).

The road, which is approximately 20m in width and 422m in length, cannot suitably accommodate the development itself, and will require a re-alignment of a section of the Whittlesea Gardens to enable the construction of a new road that will service each of the proposed residential allotments.

PROPOSAL

To seek Council's final recommendation in consideration of the public submissions received (none) in response to the proposed discontinuance of the section of Downs Road Reserve (being approximately 8,000m²) which adjoins Council's Whittlesea Gardens, Lalor.

COMMITTEE OF COUNCIL

An Advisory Committee of Council, comprising of Mayor Cr Cox, Cr Kozmevski, Cr Pavlidis, and Cr Montelleone, was appointed to consider any written submissions received in response to Council's public notice advertised in the Whittlesea Leader on Tuesday 12 March 2019.

No submissions were received at the close of the advertising period (10 April 2019, 12 noon). A memo was sent to the Advisory Committee on Wednesday 10 April 2019, advising that no public submissions were received and the Committee hearing would not be required.

FINANCIAL IMPLICATIONS

The estimated budget required to implement the master plan recommendations is subject to further design development; however initial estimates places the cost at \$5.0 to \$5.8 million.

The discontinuance and redevelopment of Downs Road (residential opportunities) may provide a suitable revenue stream to offset the expenditure incurred in delivering the master plan recommendations.

A further report (together with various options) will be presented to Council seeking approval in relation to the proposed disposal of this land. The land will be sold in accordance with the *'Local Government Best Practice Guideline for the Sale and Exchange of Land (March 2008)'*.

All additional costs associated with the road discontinuance, i.e. surveying, advertising and registration, will also be borne by Council (approximately \$5,000).

POLICY STRATEGY AND LEGISLATION

Council has sought public submissions on the proposed discontinuance under Section 206 and 223 of the *Local Government Act 1989*. Submissions were invited for a period of no less than 28 days and referred on to an appointed Committee of Council for consideration. The appointed Committee has been advised that no submissions were received.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Liveable neighbourhoods |
| Whittlesea 2040 Key Direction | Well-designed neighbourhoods and vibrant town centres |
| Strategic Objective | We have neighbourhoods defined by attractive, well connected streets and public spaces |
| Council Priority | Planning and Infrastructure |

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

It is recommended that the proposed discontinuance and vesting of the section of Downs Road Reserve (being approximately 8,000m² in total) proceed for the purposes of consolidation and potential sale as part of a new residential subdivision overlooking the Whittlesea Public Gardens.

| |
|-----------------------|
| RECOMMENDATION |
|-----------------------|

THAT Council resolve to:

1. **Note that no public submissions were received in response to the proposed discontinuance of the section of Downs Road Reserve (being approximately 8,000m²) which adjoins Council's Whittlesea Gardens, Lalor.**
2. **Discontinue and vest the section of Downs Road Reserve under Section 206 of the *Local Government Act 1989* for the purposes of consolidation and potential sale as part of a new residential subdivision overlooking the Whittlesea Public Gardens.**

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: Cr Joseph
SECONDED: Cr Sterjova

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

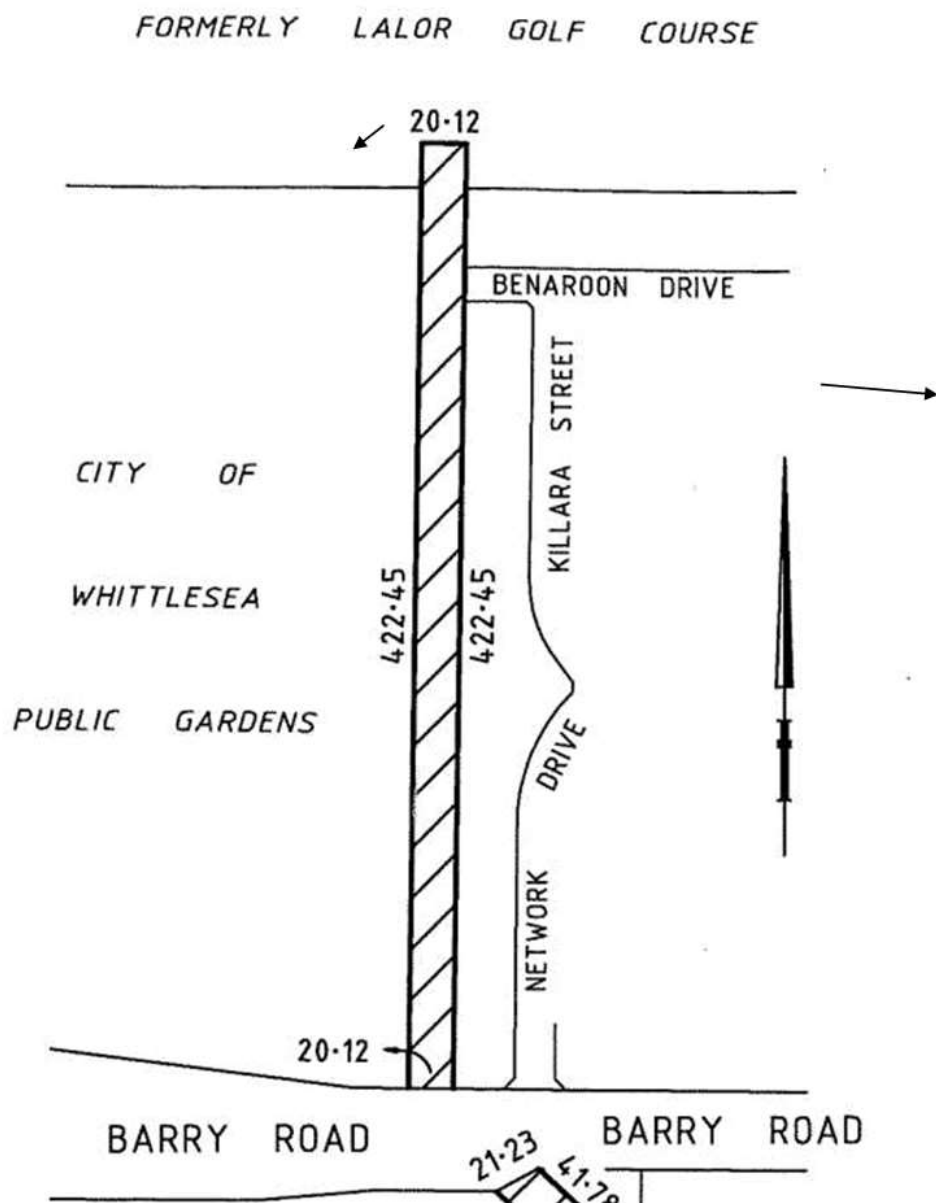
CARRIED

ATTACHMENT 1 – SITE PLAN & PHOTO





ATTACHMENT 2 - Advertising Plan



6.4.6 AUDIT & RISK COMMITTEE CHARTER

Attachments: 1 **Audit & Risk Committee Charter** [↓](#)

Responsible Officer: **Director Corporate Services**

Author: **Internal Compliance Officer**

INGRECOMMENDATION SUMMARY

THAT Council resolve to adopt the updated Audit & Risk Committee Charter.

KEY FACTS AND / OR ISSUES

As required by the Audit & Risk Committee Charter, the Committee undertook a review of the Charter at its 7 March 2019 meeting. Any proposed changes recommended by the Committee require the approval of Council.

REPORT**BACKGROUND**

In accordance with the Audit & Risk Committee Charter, the Committee is required to review and assess the adequacy of the Charter at least every two years, with any proposed changes recommended to Council for approval. The Committee undertook a review of its Charter at the 7 March 2019 Audit & Risk Committee meeting.

PROPOSAL

Based on the Committee's most recent review of the Charter, a number of minor amendments were proposed. These included:

- Amending the minimum number of times the Committee is required to meet during the year from five to four. The Committee felt that it no longer required a standalone meeting to consider the annual Financial Statements and Performance Statement.
- Including a review of the Performance Statement as part of financial reporting responsibilities. This amendment is included to formalise current Committee requirements.

The Charter with amendments highlighted (Attachment 1) is provided for Council's consideration.

CONSULTATION

The Charter was reviewed by members of the Audit & Risk Committee.

FINANCIAL IMPLICATIONS

Independent Audit & Risk Committee members are paid a fee per meeting, as set by Council and included in the budget. Fees were last reviewed by Council at their meeting on 4 September 2018.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council monitors and evaluates all of its operations |
| Council Priority | Organisational Sustainability |

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

The Audit & Risk Committee Charter has been updated to reflect minor changes recommended by the Committee. Council is required to approve any changes made to the Charter.

RECOMMENDATION

THAT Council resolve to adopt the updated City of Whittlesea Audit & Risk Committee Charter.

COUNCIL RESOLUTION

MOVED: Cr Joseph
SECONDED: Cr Sterjova

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED



AUDIT & RISK COMMITTEE CHARTER

Last Approved by Council: 10 October 2017

Reviewed by Audit & Risk Committee: 724 Marchy 20198

Directorate responsible: Corporate Services

1. Purpose

Council has established an independent and advisory Audit & Risk Committee (Committee) pursuant to section 139 of the Local Government Act 1989, which supports Council in discharging its oversight responsibilities related to financial reporting, risk management, maintenance of sound systems of internal control, assurance activities including internal and external audit and Council's performance with regard to legislative and regulatory compliance and its Codes of Conduct. It acts in this capacity by monitoring, reviewing and advising on issues within its scope of responsibility.

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

2. Authority

The Committee is directly responsible to Council for discharging its responsibilities as set out in this Charter. The Committee has no delegated authority from Council unless specifically provided by Council from time to time and any such authority shall be temporary and may only relate to specific matters as directed by Council.

The Committee is empowered to:

- Resolve any disagreements between management and the external auditor on financial reporting issues;
- Retain independent counsel of relevant independent experts where it considers that is necessary in order to execute its duties, subject to prior agreement with the Chief Executive Officer;
- Seek any information it requires from Councillors, Council staff (including senior management, all of whom are directed to co-operate with the Committee's requests) and external parties;
- Meet with Council staff, internal and external auditors, or outside counsel, as necessary.

The Committee will, through the Chief Executive Officer, have access to appropriate management support to enable it to discharge its responsibilities effectively.



3. Membership and Tenure

The Committee will consist of five members appointed by Council, three of whom must be independent members. Details of membership and tenure are set out below:

- a) A quorum shall comprise one Councillor member and two independent members;
- b) The Chair of the Committee must be an independent member;
- c) Council will appoint the Chair of the Committee;
- d) Councillor members will be appointed by Council annually;
- e) The Mayor or Deputy Mayor of the day can act as an alternate Councillor member should an appointed Councillor member not be able to attend a Committee meeting;
- f) Expiry of independent member terms shall be staggered so that not more than two members' terms conclude concurrently, ensuring as far as possible that knowledge of Council's operations is not lost when there is a change of membership;
- g) Independent members may be appointed for up to a three year term and, subject to a review of performance and independence and Council approval, a maximum of three consecutive terms.
- h) Each member will be financially literate with independent members having experience in any of the three streams of Committee responsibilities, namely, business management, financial management and reporting and/or risk management and compliance, and be conversant with governance and financial reporting requirements;
- i) Remuneration will be paid to each independent member and is set by Council annually (Payable from October).

4. Meetings

- a) The Committee will meet as it determines in order to discharge its responsibilities as set out in this Charter, but generally it is expected that the Committee will meet at least four times per annum.
- ~~a) The Committee will meet at least five times a year, with authority to convene additional meetings, as circumstances require;~~
- b) A schedule of meetings will be developed annually and agreed by members;
- c) All Committee members are expected to attend each meeting in person;
- d) The Committee will invite members of the management team, the internal and external auditors and others as appropriate to attend meetings. The Chief Executive Officer, Director Corporate Services and Manager Finance & Assets will attend all meetings, except for confidential matters. The Manager Finance & Assets or a designated officer will attend in the role of Secretariat;
- e) The Committee may meet with the internal and/or external auditors in the absence of management from time to time;



- f) Meeting agendas and appropriate briefing materials will be provided to members at least one week before each meeting;
- g) Minutes will be prepared for all meetings;

5. Responsibilities

The Committee will carry out the following responsibilities:

5.1 Financial Reporting

- a) At least annually review significant accounting and external reporting issues, including complex or unusual transactions, transactions and balances in areas where judgement is required, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report and the audit thereof;
- b) Review the annual financial report and performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's position;
- c) Review with management and the external auditors the results of the audit [of the annual financial report and performance statement](#), including any difficulties encountered by the external auditors;
- d) Recommend the adoption of the annual financial report and performance statement to Council; and
- e) Review the appropriateness of the format and content of periodic management financial reports to Council as required;

5.2 Systems of Internal control

- a) Review the adequacy and effectiveness of systems and controls for providing a sound internal control framework;
- b) Determine whether systems and controls are reviewed regularly and updated where required;
- c) Ensure that a programme is in place to test, at least annually, compliance with systems and controls;
- d) Review policies and procedures in place for the setting and implementation of delegations of authority.

5.3 Risk management

- a) Review annually Council's risk management framework;
- b) Review management's assessment of Council's risk profile;
- c) Review Council's programme of assessment of business risks and treatment plans;
- d) Review the insurance programme annually prior to renewal; and



- e) Review the approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

5.4 Fraud Prevention and Awareness

- h) Review Council's Fraud Prevention policies and procedures (Fraud Control Policy & Plan), including fraud awareness programmes;
- i) Receive reports from management about actual or suspected instances of fraud or corruption within Council.

5.5 Internal audit

- a) Establish and review periodically an Internal Audit Charter that provides an appropriate functional and organisational framework within which Council's internal audit function operates;
- b) Review and approve the three year strategic internal audit plan, the annual internal audit plan and any significant changes to them;
- c) Review and approve proposed scopes for each review in the annual internal audit plan;
- d) Review reports on internal audit reviews;
- e) Monitor action by management on internal audit findings and recommendations;
- f) Meet with the leader of the team delivering the internal audit plan at least annually in the absence of management;
- g) Review the effectiveness of the internal audit function and ensure that it has appropriate authority with Council and has no unjustified limitations on its work;
- h) Ensure that the Committee is aware of any proposed changes to the appointment of the internal audit service provider, and is appropriately briefed on the need for change, including any proposed changes in the specification of the internal audit function;
- i) Recommend to Council, if necessary, the termination of the internal audit contractor.

5.6 External audit

- a) Annually review the external audit scope and plan proposed by the external auditor;
- b) Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope or access to information;
- c) Ensure that significant findings and recommendations made by the external auditor, and management's responses to them, are appropriate and are acted upon in a timely manner;



- d) Review the effectiveness of the external audit function and ensure that the Victorian Auditor General's Office (VAGO) is aware of the Committee's views;
- e) Consider the findings and recommendations of any relevant performance audits undertaken by VAGO and monitor implementation of the recommendations by Council; and
- f) Meet with the external auditor at least annually in the absence of management.

5.7 Compliance Management

- a) Review the systems and processes implemented by Council for monitoring compliance with legislation and regulations and the results of management's follow up of any instances of non-compliance;
- b) Review the processes for communicating the Councillor Code of Conduct to Council and the Staff Code of Conduct to all Council employees and contractors and for monitoring compliance with the Codes;
- c) Obtain regular briefings on any significant compliance matters; and
- d) Receive reports from management on the findings of any examinations by regulatory or integrity agencies (whether related to investigations at Council or other agencies), such as the Local Government Inspectorate, the Ombudsman, IBAC, etc. and monitor Council's responses.

5.8 Reporting to Council

- a) Minutes of Committee meetings will be provided to Council at the first available Council meeting following each Committee meeting;
- b) The Chair of the Committee will report regularly to Council on Committee activities as appropriate;
- c) The Chair of the Committee will prepare a biannual report on significant Committee activities for Council. In addition, the Chair will prepare an annual summary of the Committee's activities for inclusion in Council's Annual Report setting out how the Committee has discharged its responsibilities as outlined in its Charter.

6. Performance Evaluation

The Committee shall undertake a process to evaluate its performance annually and report the outcomes of the evaluation process to Council.

7. Conflicts of Interest and Register of Interests

In accordance with section 139 (4A) of the Local Government Act 1989, all members of the Committee are required to complete Primary and Ordinary Returns pursuant to section 81 of the Act.

8. Review of Charter



The Committee shall review and assess the adequacy of the Charter every two years or earlier if necessary and submit requests for revisions and improvements to Council for approval.

6.4.7 2018/19 FINANCIAL PERFORMANCE - QUARTER 3 REPORT

- Attachments:**
- 1 Financial Performance Report - March 2019** [↓](#)
 - 2 Summary of Reserves - March 2019 - 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: Accountant Management Accounting

RECOMMENDATION SUMMARY

Note the Financial Performance Report for the period ended 31 March 2019.

KEY FACTS AND / OR ISSUES

Report contains Q3 Financial Performance Report.

- Income statement in the Q3 report shows a favourable year to date variance of Council's underlying surplus of \$10.88 million.
- Favourable income variances have occurred in operating grants (\$2.70 million), capital grants (\$7.92 million) and other income (\$3.36 million); favourable expenditure variation is predominately in employee benefits (\$2.28 million) and materials and services (\$1.53 million).

REPORT**INTRODUCTION**

The Financial Performance Report (Attachment 1) for the period ended 31 March 2019, is presented for consideration by Council, in accordance with the *Local Government Act 1989*.

BACKGROUND

The Financial Performance Report includes the following financial statements:

- Comprehensive income statement
- Balance sheet
- Statement of cash flows
- Statement of capital works

A detailed analysis of income and expenditure in the comprehensive income statement is included in the report. The statement shows a favourable year to date variance of Council's underlying surplus of \$10.88 million.

Favourable income variances have occurred in operating grants (\$2.70 million), capital grants (\$7.92 million) and other income (\$3.36 million); favourable expenditure variation is predominately in employee benefits (\$2.28 million) and materials and services (\$1.53 million).

PROPOSAL

That Council note the Financial Performance Report for the period ended 31 March 2019.

CONSULTATION

Consultation with the various departments of Council has been undertaken in preparation of this report.

FINANCIAL IMPLICATIONS

The financial implications are detailed in the report.

POLICY STRATEGY AND LEGISLATION

Section 138 of the *Local Government Act 1989* provides that at least every three months, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year, with the actual revenue and expenditure to date, is presented to Council.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|---|
| Whittlesea 2040 Goal | Enabling the vision |
| Whittlesea 2040 Key Direction | Making it happen |
| Strategic Objective | Our Council monitors and evaluates all of its operations |
| Council Priority | Organisational 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

For the nine month period ending 31 March 2019, Council underlying surplus shows a favourable year to date variance of \$10.88 million against budget.

RECOMMENDATION

THAT Council resolve to note the Financial Performance Report for the period ended 31 March 2019.

Cr Desiato and Cr Sterjova did not return to the Council Chamber prior to the vote on the procedural motion.

PROCEDURAL MOTION

MOVED: *Cr Kozmevski*
SECONDED: *Cr Joseph*

THAT Council resolve to adjourn debate on this item to the confidential section of the Meeting.

CARRIED

Chief Executive Officer Explanatory Note

Cr Sterjova did not return to the Council Chamber prior to the vote to adjourn this item as the Councillor had not been notified that the vote on Item 6.3.6, in which Cr Sterjova had declared a conflict of interest, had occurred.

Chief Executive Officer Explanatory Note

Council resolved to remove the Section 89 (confidentiality) designation from attachment 2 'Summary of Reserves' during the closed portion of the meeting with the exception of the 'Land Banking Reserve Transaction Details' section of that attachment which remains confidential .

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Desiato*
SECONDED: *Cr Joseph*

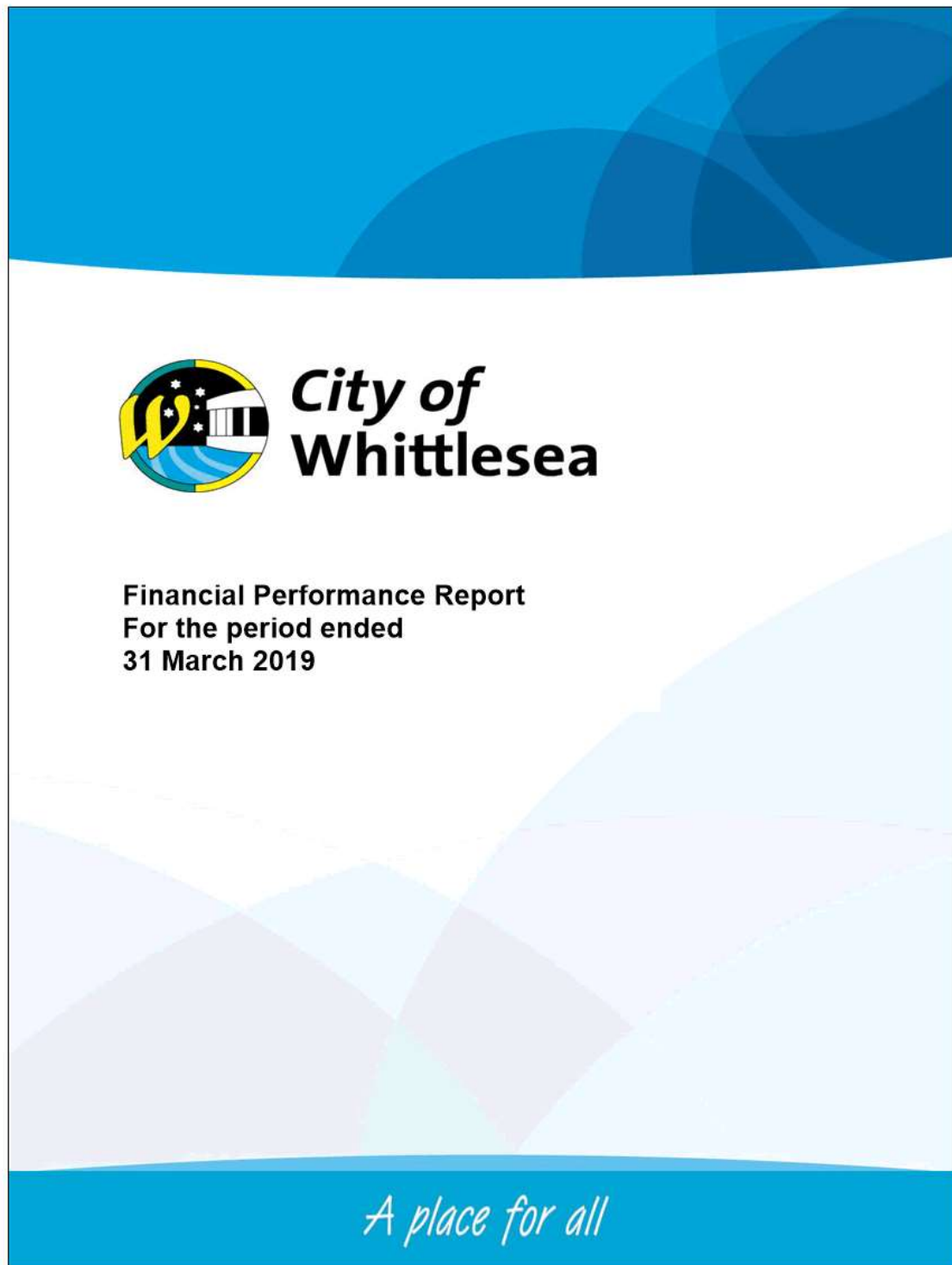
THAT Council resolve to:

- 1. Note the Financial Performance Report for the period ended 31 March 2019; and**
- 2. Incorporate as Attachment 2 that part of the confidential attachment that has been resolved in the closed portion of the meeting to no longer be confidential (see pages 293-296).**

CARRIED

Cr Lalios and Cr Kelly left the Council Chamber at 10.56 prior to the vote on this item and did not return to the meeting.

City of Whittlesea Financial Performance Report



City of Whittlesea Financial Performance Report

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| Comprehensive income statement | 3 |
| Income summary | 4 |
| Expenditure summary | 6 |
| Balance sheet | 8 |
| Statement of cash flows | 10 |
| Statement of capital works | 12 |

City of Whittlesea Financial Performance Report

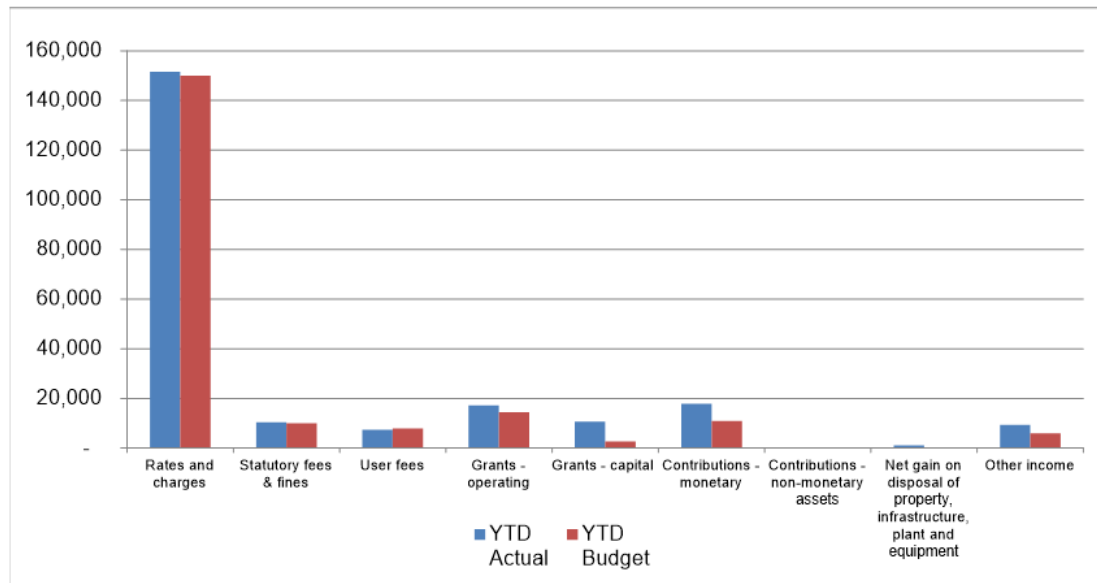
Comprehensive income statement

| | 2018/19 YTD Actual \$'000 | 2018/19 YTD Budget \$'000 | 2018/19 YTD Variance \$'000 | 2018/19 Budget \$'000 | 2018/19 Mid Year Budget \$'000 |
|--|------------------------------------|------------------------------------|--------------------------------------|-----------------------------|---|
| Income | | | | | |
| Rates and charges | 151,577 | 150,001 | 1,576 | 150,001 | 151,470 |
| Statutory fees & fines | 10,368 | 10,027 | 341 | 11,688 | 11,302 |
| User fees | 7,374 | 7,983 | (609) | 12,219 | 10,725 |
| Grants - operating | 17,123 | 14,420 | 2,703 | 19,253 | 20,997 |
| Grants - capital | 10,618 | 2,700 | 7,918 | 10,273 | 10,273 |
| Contributions - monetary | 17,931 | 10,969 | 6,962 | 12,304 | 12,650 |
| Contributions - non-monetary assets | - | - | - | 98,077 | 98,077 |
| Net gain on disposal of property, infrastructure, plant and equipment | 1,059 | 200 | 859 | 88 | 235 |
| Other income | 9,321 | 5,957 | 3,364 | 8,080 | 8,401 |
| Total income | 225,371 | 202,257 | 23,114 | 321,983 | 324,130 |
| Expenditure | | | | | |
| Employee benefits | 60,927 | 63,207 | (2,280) | 90,332 | 89,680 |
| Materials and services | 41,924 | 43,457 | (1,533) | 68,467 | 65,436 |
| Depreciation and amortisation | 19,015 | 19,015 | - | 25,355 | 25,355 |
| Bad and doubtful debts | 29 | 31 | (2) | 391 | 416 |
| Borrowing costs | 812 | 1,175 | (363) | 1,841 | 1,841 |
| Other expenses | 13,141 | 12,468 | 673 | 17,792 | 17,768 |
| Total expenditure | 135,848 | 139,353 | (3,505) | 204,178 | 200,496 |
| Total comprehensive result | 89,523 | 62,904 | 26,619 | 117,805 | 123,634 |
| Share of other comprehensive income of associate accounted for using the equity method | - | - | - | - | - |
| Total comprehensive result | 89,523 | 62,904 | 26,619 | 117,805 | 123,634 |

| | | | | | |
|--|---------------|---------------|---------------|----------------|--------------|
| Underlying result reconciliation | | | | | |
| Comprehensive result | 89,523 | 62,904 | 26,619 | 117,805 | 123,634 |
| Less non -operating income and expenditure: | | | | | |
| Net gain on disposal of property, infrastructure, plant and equipment | (1,059) | (200) | (859) | (88) | (235) |
| Grants - capital | (10,618) | (2,700) | (7,918) | (10,273) | (10,273) |
| Contributions - cash (developer contributions) | (17,931) | (10,969) | (6,962) | (12,304) | (12,650) |
| Contributions - non-monetary assets | - | - | - | (98,077) | (98,077) |
| Underlying surplus/(deficit) | 59,915 | 49,035 | 10,880 | (2,937) | 2,399 |

City of Whittlesea Financial Performance Report

Income summary



| | | 2018/19 YTD Actual \$'000 | 2018/19 YTD Budget \$'000 | 2018/19 YTD Variance \$'000 | 2018/19 Budget \$'000 |
|---|-----|------------------------------------|------------------------------------|--------------------------------------|-----------------------------|
| Income | | | | | |
| Rates and charges | | 151,577 | 150,001 | 1,576 | 150,001 |
| Statutory fees & fines | | 10,368 | 10,027 | 341 | 11,688 |
| User fees | | 7,374 | 7,983 | (609) | 12,219 |
| Grants - operating | 1.1 | 17,123 | 14,420 | 2,703 | 19,253 |
| Grants - capital | 1.2 | 10,618 | 2,700 | 7,918 | 10,273 |
| Contributions - monetary | 1.3 | 17,931 | 10,969 | 6,962 | 12,304 |
| Contributions - non-monetary assets | | - | - | - | 98,077 |
| Net gain on disposal of property, infrastructure, plant and equipment | | 1,059 | 200 | 859 | 88 |
| Other income | 1.4 | 9,321 | 5,957 | 3,364 | 8,080 |
| Total income | | 225,371 | 202,257 | 23,114 | 321,983 |

City of Whittlesea Financial Performance Report

Analysis of income variances

1.1 Grants - operating

18.7% Variance \$2.7M Fav

Includes all monies received from State and Commonwealth sources for the purpose of funding the delivery of programs and services to ratepayers. Favourable year to date variance is due to the following grants tracking higher than year to date budgets: Sustainability planning \$310K, Early years \$311K, Maternal Child Health \$350K, Pedestrian crossing \$207K, Information Technology \$161K and Grants Commission \$182K.

1.2 Grants - capital

293.3% Variance \$7.92M Fav

Includes all monies received from State and Commonwealth sources for the purposes of funding capital projects. YTD grants received for Mill Park Leisure \$1.5M, Epping Soccer Stadium \$2.8M, Mernda South MCH \$1.65M.

1.3 Contributions monetary

63.5% Variance \$6.96M Fav

Contributions from developers towards specific projects (predominantly capital works). Higher than budgeted due to higher than anticipated development activity within the municipality and finalisation of few development projects.

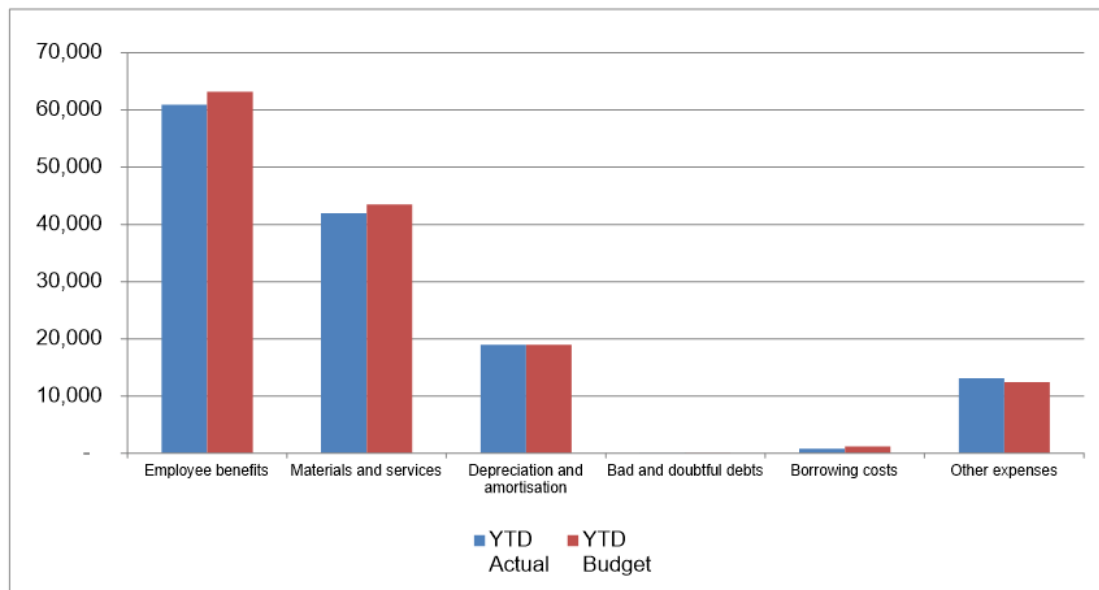
1.4 Other income

56.5% Variance \$3.36M Fav

Includes interest on investments, operational sales, reimbursements and other uncategorised items. Favourable year to date variance due to interest on investments \$907K and higher than budgeted WorkCover discount from early payment and premium adjustment \$685K and other reimbursements for Yan Yean Pipe Track bike path \$780K.

City of Whittlesea Financial Performance Report

Expenditure summary



| | | 2018/19 YTD Actual \$'000 | 2018/19 YTD Budget \$'000 | 2018/19 YTD Variance \$'000 | 2018/19 Budget \$'000 |
|-------------------------------|--------------|------------------------------------|------------------------------------|--------------------------------------|-----------------------------|
| Expenditure | Notes | | | | |
| Employee benefits | 2.1 | 60,927 | 63,207 | (2,280) | 90,332 |
| Materials and services | 2.2 | 41,924 | 43,457 | (1,533) | 68,467 |
| Depreciation and amortisation | | 19,015 | 19,015 | - | 25,355 |
| Bad and doubtful debts | | 29 | 31 | (2) | 391 |
| Borrowing costs | | 812 | 1,175 | (363) | 1,841 |
| Other expenses | | 13,141 | 12,468 | 673 | 17,792 |
| Total expenditure | | 135,848 | 139,353 | (3,505) | 204,178 |

City of Whittlesea Financial Performance Report

Analysis of expenditure variances

2.1 Employee benefits

3.6% Variance \$2.28M Fav

Includes all labour related expenditure such as salaries, wages, allowances and on-costs such as leave entitlements, superannuation and WorkCover. Favourable year to date variance mainly due to lower than budgeted payments to permanent/fixed term staff (due to vacancies and timing of appointments).

2.2 Materials and services

3.5% Variance \$1.53M Fav

Includes the purchase of supplies and consumables, payments to contractors for the provision of services, and fleets costs.

City of Whittlesea Financial Performance Report

Balance sheet

| | Notes | 2018/19 YTD Actual \$'000 | 2017/18 Actual \$'000 | Net Movement \$'000 |
|---|-------|---------------------------------|-----------------------------|---------------------------|
| Current assets | | | | |
| Cash and cash equivalents | | 96,620 | 55,288 | 41,332 |
| Financial assets (investments) | | 113,500 | 113,500 | - |
| Trade and other receivables | 3.1 | 56,799 | 22,485 | 34,314 |
| Inventories | | 273 | 169 | 104 |
| Other assets | | 4,628 | 4,166 | 462 |
| Total current assets | | 271,820 | 195,608 | 76,212 |
| Non-current assets | | | | |
| Investment in associate | | 2,838 | 2,838 | - |
| Unlisted shares | | 22 | 22 | - |
| Infrastructure, property, plant and equipment | | 3,408,900 | 3,398,930 | 9,970 |
| Intangible assets | | 793 | 793 | - |
| Investment property | | 2,600 | 2,600 | - |
| Total non-current assets | | 3,415,153 | 3,405,183 | 9,970 |
| Total assets | | 3,686,973 | 3,600,791 | 86,182 |
| Current liabilities | | | | |
| Trade and other payables | | 175,930 | 23,289 | 152,641 |
| Trust funds and deposits | | 12,871 | 10,168 | 2,703 |
| Provisions | | 16,467 | 18,168 | (1,701) |
| Interest bearing loans and borrowings | | 548 | 2,066 | (1,518) |
| Total current liabilities | | 205,816 | 53,691 | 152,125 |
| Non-current liabilities | | | | |
| Provisions | | 2,720 | 2,720 | 0 |
| Interest bearing loans and borrowings | | 14,212 | 14,212 | - |
| Total non-current liabilities | | 16,932 | 16,932 | 0 |
| Total liabilities | | 222,748 | 70,623 | 152,125 |
| Net assets | | 3,464,225 | 3,530,168 | (65,944) |
| Equity | | | | |
| Accumulated surplus | 3.2 | 2,349,892 | 2,399,763 | (49,872) |
| Reserves | | 1,114,333 | 1,130,405 | (16,072) |
| Total equity | | 3,464,225 | 3,530,168 | (65,944) |

City of Whittlesea Financial Performance Report

Analysis of balance sheet

Comparison to prior financial year - June 2018 actual

3.1 - Receivables have increased due to rate debtors (including Fire Service Levy). This is because rates are recognised as income when notices are sent out at the start of the financial year. The rate debtor balance reduces throughout the year as payments are received - either by instalments or in full by 15 February.

3.2 - Accumulated surplus is the value of all net assets less reserves that have accumulated over time. The movement is directly related to the surplus for the period (refer to Income statement) and net reserve transfers.

City of Whittlesea Financial Performance Report

Statement of cash flows

| | Notes | 2018/19 YTD Actual \$'000 | 2017/18 Actual \$'000 |
|---|-------|---------------------------------|-----------------------------|
| Cash flows from operating activities | | | |
| Rates and charges | | 122,673 | 142,925 |
| Statutory fees and fines | | 9,949 | 10,227 |
| User fees | | 5,235 | 12,022 |
| Grants - operating | | 17,226 | 30,472 |
| Grants - capital | | 10,631 | 12,722 |
| Contributions - monetary | | 18,172 | 19,828 |
| Interest received | | 4,060 | 4,794 |
| Trust funds and deposits taken | | 19,814 | 11,021 |
| Other receipts | | 5,152 | 6,015 |
| Net GST refund | | 8,648 | 10,386 |
| Net Fire Services Levy | | 780 | (68) |
| Materials and services | | (95,765) | (59,378) |
| Trust funds and deposits repaid | | (6,944) | (9,935) |
| Other payments | | (14,262) | (17,652) |
| Employee costs | | (64,932) | (85,030) |
| Net cash provided by (used in) operating activities | 4.1 | 40,437 | 88,349 |
| Cash flows from investing activities | | | |
| Payments for property, infrastructure, plant and equipment | | (1,560) | (49,898) |
| Proceeds from sale of property, infrastructure, plant and equipment | | 4,785 | 695 |
| Net purchase of investments (maturing later than 90 days) | | - | (34,000) |
| Net cash provided by (used in) investing activities | 4.2 | 3,225 | (83,203) |
| Cash flows from financing activities | | | |
| Repayment of borrowings | | (1,518) | (11,818) |
| Finance costs | | (812) | (1,637) |
| Net cash provided by (used in) financing activities | 4.3 | (2,330) | (13,455) |
| Net increase (decrease) in cash and cash equivalents | | 41,332 | (8,309) |
| Cash and cash equivalents at the beginning of the year | | 55,288 | 63,597 |
| Cash and cash equivalents at the end of the period | 4.4 | 96,620 | 55,288 |

City of Whittlesea Financial Performance Report

Explanation of statement of cash flows

4.1 Operating activities

Refers to the cash generated or used in the normal service delivery functions of Council. Cash remaining after paying for the provision of services to the community may be available for investment in capital works, or repayment of debt.

4.2 Investing activities

Refers to cash generated or used in the enhancement or creation of infrastructure and other assets. These activities included the acquisition and sale of assets such as vehicles, property and equipment.

4.3 Financing activities

Refers to cash generated or used in the financing of Council functions and include borrowings from financial institutions and advancing of repayable loans to organisations. These activities also include repayment of the principal component of loan repayments for the year.

4.4 Cash and cash equivalents at the end of the period

Cash and cash equivalents at the end of the period have increased by \$29.5 million.

City of Whittlesea Financial Performance Report

Statement of capital works

| | 2018/19 YTD Actual \$'000 | 2018/19 YTD Budget \$'000 | 2018/19 YTD Variance \$'000 | 2018/19 Budget \$'000 |
|----------------------------|------------------------------------|------------------------------------|--------------------------------------|-----------------------------|
| Capital works areas | | | | |
| Buildings | 14,578 | 17,521 | 2,943 | 39,207 |
| Drains | 61 | 64 | 3 | 93 |
| Planning & feasibility | 195 | 360 | 165 | 500 |
| Open space | 15,930 | 16,040 | 110 | 22,378 |
| Plant & equipment | 2,304 | 3,310 | 1,006 | 4,003 |
| Roads & paths | 8,638 | 13,503 | 4,866 | 23,623 |
| Transport | 1,377 | 3,094 | 1,717 | 5,896 |
| Total capital works | 43,083 | 53,892 | 10,810 | 95,700 |

Refer to New Works Program 2018/19 Q3 detailed report

Summary of Reserves

| Notes | 2017/18 Actual \$'000 | Net transfers \$'000 | 2018/19 YTD Actual \$'000 |
|--|-----------------------------|----------------------------|---------------------------------|
| Discretionary reserves | | | |
| Car parking | 28 | - | 28 |
| Land banking (<i>App. 5</i>) | 734 | - | 734 |
| Plant replacement | 1,903 | (637) | 1,266 |
| Technology improvement (<i>App. 3</i>) | 5,661 | 713 | 6,374 |
| Aged & Disability minor capital | 322 | - | 322 |
| Environmental Projects Reserve (<i>App. 2</i>) | 3,761 | (448) | 3,313 |
| Infrastructure reserve (<i>App. 1</i>) | 10,360 | 6,072 | 16,432 |
| LASF defined benefit plan | 3,288 | - | 3,288 |
| Synthetic turf replacement | 1,670 | - | 1,670 |
| Tip replacement | 2,455 | 707 | 3,162 |
| Insurance reserve | 263 | - | 263 |
| Legal expenditure reserve | 200 | - | 200 |
| People Strategy implementation reserve (<i>App. 4</i>) | 500 | - | 500 |
| Permit conditions reserve | 18 | 816 | 834 |
| Native vegetation offset site maintenance | 772 | (58) | 714 |
| | 31,935 | 7,165 | 39,100 |
| Non-discretionary reserves | | | |
| Carlingford Estate DC reserve | 1,767 | (1,767) | - |
| Community Infrastructure Levy | 4,128 | 557 | 4,685 |
| Developers contributions | 55,587 | 12,647 | 68,234 |
| Epping Plaza DC | 1,478 | (276) | 1,202 |
| Net gain compensation | 3,166 | 21 | 3,187 |
| Non standard street lighting | 2,853 | 253 | 3,106 |
| Parklands contributions (open space) | 2,650 | 1,542 | 4,192 |
| Planning permits drainage | 1,361 | 186 | 1,547 |
| Plenty Road duplication | 1,567 | 95 | 1,662 |
| Purchase of church | 380 | - | 380 |
| Traffic lights construction | 370 | 201 | 571 |
| Street tree contributions reserve | 135 | 4 | 139 |
| Loan repayment reserve | 2,171 | - | 2,171 |
| | 77,613 | 13,463 | 91,076 |
| Total Reserves | 109,548 | 20,628 | 130,176 |
| Reconciliation to balance sheet | | | |
| New Works carried fwd reserve (loans) | 13,035 | (17,374) | (4,339) |
| Carried forward projects reserve | 7,089 | (7,089) | - |
| Asset revaluation reserve | 988,493 | - | 988,493 |
| | 1,008,617 | (24,463) | 984,154 |
| | 1,118,165 | (3,835) | 1,114,330 |

APPENDIX 1 - INFRASTRUCTURE RESERVE

| YEAR | OPENING BALANCE | TRANSFERS | | CLOSING BALANCE | COMMENT |
|---------|--------------------|----------------------|---------------------|--------------------|---|
| | | CONTRIBUTION (IN) | ALLOCATION (OUT) | | |
| 2017/18 | 641,354 | 20,492,048 | 10,773,193 | 10,360,209 | Transfer out funded early repayment of loan parcel. |
| 2018/19 | 10,360,209 | 8,899,410 | 2,827,475 | 16,432,144 | Transfer from surplus (17/18) \$8,899,410. Funding for New Works \$2,827,475 |
| 2019/20 | 16,432,144 | | | 16,432,144 | |
| 2020/21 | 16,432,144 | | | 16,432,144 | |
| 2021/22 | 16,432,144 | | | 16,432,144 | |
| 2022/23 | 16,432,144 | | | 16,432,144 | |
| 2023/24 | 16,432,144 | | | 16,432,144 | |
| 2024/25 | 16,432,144 | | | 16,432,144 | |
| 2025/26 | 16,432,144 | | | 16,432,144 | |
| 2026/27 | 16,432,144 | | | 16,432,144 | |
| 2027/28 | 16,432,144 | | | 16,432,144 | |
| 2028/29 | 16,432,144 | | | 16,432,144 | |
| 2029/30 | 16,432,144 | | | 16,432,144 | |
| 2030/31 | 16,432,144 | | | 16,432,144 | |
| 2031/32 | 16,432,144 | | | 16,432,144 | |
| 2032/33 | 16,432,144 | | | 16,432,144 | |

* Reserve created with transfers from accumulated surplus \$20,492,048

APPENDIX 2 - ENVIRONMENTAL PROJECT RESERVE

| YEAR | OPENING BALANCE | TRANSFERS | | CLOSING BALANCE | COMMENT |
|---------|--------------------|----------------------|---------------------|--------------------|--|
| | | CONTRIBUTION (IN) | ALLOCATION (OUT) | | |
| 2017/18 | 2,993,638 | 767,435 | - | 3,761,073 | |
| 2018/19 | 3,761,073 | | 447,650 | 3,313,423 | New Works funding for PID 1914, 2119 & 2232 \$447,650 |
| 2019/20 | 3,313,423 | | | 3,313,423 | |
| 2020/21 | 3,313,423 | | | 3,313,423 | |
| 2021/22 | 3,313,423 | | | 3,313,423 | |
| 2022/23 | 3,313,423 | | | 3,313,423 | |
| 2023/24 | 3,313,423 | | | 3,313,423 | |
| 2024/25 | 3,313,423 | | | 3,313,423 | |
| 2025/26 | 3,313,423 | | | 3,313,423 | |
| 2026/27 | 3,313,423 | | | 3,313,423 | |
| 2027/28 | 3,313,423 | | | 3,313,423 | |
| 2028/29 | 3,313,423 | | | 3,313,423 | |
| 2029/30 | 3,313,423 | | | 3,313,423 | |
| 2030/31 | 3,313,423 | | | 3,313,423 | |
| 2031/32 | 3,313,423 | | | 3,313,423 | |
| 2032/33 | 3,313,423 | | | 3,313,423 | |

* Transfer from Green Garden Bins surplus 2017/18.

APPENDIX 3 - TECHNOLOGY IMPROVEMENT FUND RESERVE

| YEAR | OPENING BALANCE | TRANSFERS | | CLOSING BALANCE | COMMENT |
|---------|--------------------|----------------------|---------------------|--------------------|---|
| | | CONTRIBUTION (IN) | ALLOCATION (OUT) | | |
| 2017/18 | 4,392,719 | 1,546,126 * | 278,003 | 5,660,842 | |
| 2018/19 | 5,660,842 | 1,381,232 | 668,968 | 6,373,106 | Transfer from accumulated surplus \$1,381,232. New Works funding for PID 1874, 1877 and 0225 \$668,968. |
| 2019/20 | 6,373,106 | | | 6,373,106 | |
| 2020/21 | 6,373,106 | | | 6,373,106 | |
| 2021/22 | 6,373,106 | | | 6,373,106 | |
| 2022/23 | 6,373,106 | | | 6,373,106 | |
| 2023/24 | 6,373,106 | | | 6,373,106 | |
| 2024/25 | 6,373,106 | | | 6,373,106 | |
| 2025/26 | 6,373,106 | | | 6,373,106 | |
| 2026/27 | 6,373,106 | | | 6,373,106 | |
| 2027/28 | 6,373,106 | | | 6,373,106 | |
| 2028/29 | 6,373,106 | | | 6,373,106 | |
| 2029/30 | 6,373,106 | | | 6,373,106 | |
| 2030/31 | 6,373,106 | | | 6,373,106 | |
| 2031/32 | 6,373,106 | | | 6,373,106 | |
| 2032/33 | 6,373,106 | | | 6,373,106 | |

* Transfers from accumulated surplus (16/17) \$1,500,000 and consolidation of Telemetry Conduit Reserve \$5,540 and Computer Equipment Reserve \$40,586.14.

APPENDIX 4 - PEOPLE STRATEGY IMPLEMENTATION RESERVE

| YEAR | OPENING BALANCE | TRANSFERS | | CLOSING BALANCE | COMMENT |
|---------|--------------------|----------------------|---------------------|--------------------|---------|
| | | CONTRIBUTION (IN) | ALLOCATION (OUT) | | |
| 2017/18 | - | 500,000 * | - | 500,000 | |
| 2018/19 | 500,000 | | | 500,000 | |
| 2019/20 | 500,000 | | | 500,000 | |
| 2020/21 | 500,000 | | | 500,000 | |
| 2021/22 | 500,000 | | | 500,000 | |
| 2022/23 | 500,000 | | | 500,000 | |
| 2023/24 | 500,000 | | | 500,000 | |
| 2024/25 | 500,000 | | | 500,000 | |
| 2025/26 | 500,000 | | | 500,000 | |
| 2026/27 | 500,000 | | | 500,000 | |
| 2027/28 | 500,000 | | | 500,000 | |
| 2028/29 | 500,000 | | | 500,000 | |
| 2029/30 | 500,000 | | | 500,000 | |
| 2030/31 | 500,000 | | | 500,000 | |
| 2031/32 | 500,000 | | | 500,000 | |
| 2032/33 | 500,000 | | | 500,000 | |

* Transfers from accumulated surplus (16/17) \$500,000 to form this reserve.

APPENDIX 5 - LAND BANKING RESERVE

| YEAR | OPENING BALANCE | TRANSFERS | | CLOSING BALANCE | COMMENT |
|---------|--------------------|----------------------|---------------------|--------------------|--|
| | | CONTRIBUTION (IN) | ALLOCATION (OUT) | | |
| 2017/18 | 574,234 | 160,000 | - | 734,234 | Sale of 182 & 214W Greenhills Rd, Bundoora |
| 2018/19 | 734,234 | 3,220,976 | | 3,955,210 | Sale of 30 Brand Drive (net proceeds) |
| 2019/20 | 3,955,210 | | | 3,955,210 | |
| 2020/21 | 3,955,210 | | | 3,955,210 | |
| 2021/22 | 3,955,210 | | | 3,955,210 | |
| 2022/23 | 3,955,210 | | | 3,955,210 | |
| 2023/24 | 3,955,210 | | | 3,955,210 | |
| 2024/25 | 3,955,210 | | | 3,955,210 | |
| 2025/26 | 3,955,210 | | | 3,955,210 | |
| 2026/27 | 3,955,210 | | | 3,955,210 | |
| 2027/28 | 3,955,210 | | | 3,955,210 | |
| 2028/29 | 3,955,210 | | | 3,955,210 | |
| 2029/30 | 3,955,210 | | | 3,955,210 | |
| 2030/31 | 3,955,210 | | | 3,955,210 | |
| 2031/32 | 3,955,210 | | | 3,955,210 | |
| 2032/33 | 3,955,210 | | | 3,955,210 | |

6.5 EXECUTIVE SERVICES

6.5.1 MEETINGS OF THE CHIEF EXECUTIVE OFFICER 20 MARCH - 23 APRIL 2019

Responsible Officer: Chief Executive Officer

Author: Executive Assistant

RECOMMENDATION SUMMARY

The Council note the record of meetings held by the Chief Executive Officer with external persons and organisations and significant internal issues as set in the table in the report.

KEY FACTS AND / OR ISSUES

This is to report to Council details of meetings held by the Chief Executive Officer with external persons and organisations and significant internal issues.

REPORT

BACKGROUND

Council has previously resolved, as part of the Chief Executive Officer's annual performance review, that the Chief Executive Officer provide Council with a regular report containing details of external persons and organisations with whom he has met and the purpose of such meetings and any significant internal issues. The report is designed to promote openness and transparency in the Office of the Chief Executive Officer.

PROPOSAL

It is proposed that a standard report be included in the Council Notice paper in future meetings which will record details of external meetings and details of significant internal events.

| EXTERNAL MEETINGS | | |
|---------------------|--|--|
| Date | Organisation or Individual | Purpose of Meeting |
| 21/03/19 | City of Whittlesea – Industry and Government representatives | Launch: Investment Attraction Prospectus |
| 21/03/19 | Melbourne's Norther Councils | Mayor and CEO Forum. Also in attendance Mayor Cr Cox. |
| 25/03/19 | Tania Maxwell MP, Member for Northern Victoria Region | Meet and greet. Also in attendance Mayor Cr Cox. |
| 25/03/19 | YSAS Board Meeting | Chair (external meeting) |
| 26/03/19 | Senior Advisor to Minister for Planning (Richard Wynne MP) | Kaufland approval process. Also in attendance Mayor Cr Cox. |
| 28/03/19 | LG Pro CEO Forum | Participant |
| 28/03/19 | Boston Consulting Group | Stakeholder event |
| 29/03/19 | LG Pro Governance Special Interest Group | Keynote speaker |
| 03/04/19 | YSAS Board Meeting (Marketing) | Chair (external meeting) |
| 04/04/19 | Melbourne's Northern Councils | Strategic Planning meeting. |
| 09/04/19 | RMIT | Meet and greet. Also in attendance LThompson, Director Partnerships Planning & Engagement |
| 09/04/19 | Nerina Di Lorenzo, CEO Moreland City Council | Catch-up meeting |
| 11/04/19 – 12/04/19 | Economic Participation for Refugees | Conference meetings |
| 15/04/19 | ICP Steering Group Meeting | Participant |
| 15/04/19 | Interface | IFC Transport Briefing. Also in attendance NMann Director City Transport & Presentation |
| 16/04/19 | Wendy Lovell MP | Council priorities. Also in attendance Mayor Cr Cox |
| 16/04/19 | Casa D'Abruzzo | Stakeholder meeting. Also in attendance BWaterhouse Manager Leisure & Community Facilities |
| 17/04/19 | Melbourne's Northern Councils | Strategy meeting |
| 18/04/19 | Northern Hospital Board Meeting | Guest speaker |
| 19/04/19 | Good Friday Public Holiday | |
| 22/04/19 | Easter Monday Public Holiday | |

| SIGNIFICANT INTERNAL ISSUES | |
|-----------------------------|------------------------------|
| 20/03/19 | All Staff Forum |
| 20/03/19 | ELT Governance Meeting |
| 25/03/19 | ELT Operational Meeting |
| 26/03/19 | Special Council Meeting |
| 02/04/19 | Ordinary Council Meeting |
| 03/04/19 | CLT Meeting |
| 03/04/19 | ELT Governance Meeting |
| 08/04/19 | ELT Strategy Meeting |
| 09/04/19 | CEMAC Meeting |
| 09/04/19 | Councillor Briefing Meeting |
| 10/04/19 | ELT Governance Meeting |
| 17/04/19 | ELT Governance Meeting |
| 19/04/19 | Good Friday Public Holiday |
| 22/04/19 | Easter Monday Public Holiday |

CONSULTATION

Nil

FINANCIAL IMPLICATIONS

Costs associated with these meetings are covered in the recurrent budget.

LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

| | |
|--------------------------------------|--|
| Whittlesea 2040 Goal | Connected community |
| Whittlesea 2040 Key Direction | A participating community |
| Strategic Objective | We have access to information, skill development and knowledge to participate in decision-making in an informed way |
| Council Priority | Organisational 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 relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

CONCLUSION

The Council note the record of meetings held by the Chief Executive Officer with external persons and organisations and significant internal issues as set in the table in the report.

RECOMMENDATION

THAT Council resolve to receive and note the report containing a record of meetings held by the Chief Executive Officer with external persons and organisations and significant internal issues.

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

MOVED: *Cr Joseph*
SECONDED: *Cr Sterjova*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Joseph, Seconded by Cr Sterjova. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

7. NOTICES OF MOTION

NIL REPORTS

8. QUESTIONS TO OFFICERS

8.1 GREAT BROME AVENUE, EPPING

Cr Lawrie Cox

Do we have an update of the accident rate that was referred to in the Masons Road report in light of the roundabout Council constructed at Lyndarum Drive and Great Brome Avenue? What is the accident rate at that intersection?

Director City Transport and Presentation, Nick Mann:

There has been no accidents at the Lyndarum Drive and Great Brome Avenue intersection since the roundabout has been installed.

8.2 GREAT BROME AVENUE, EPPING

Cr Kris Pavlidis

Has Council received any feedback from residents following the construction of the Lyndarum Drive and Great Brome Avenue roundabout?

Director City Transport and Presentation, Nick Mann:

Prior to the construction of the roundabout, Council had received concerns from residents regarding the dangerous nature of the intersection. Following the installation of the roundabout, Council has received no feedback from residents.

8.3 GREAT BROME AVENUE, EPPING

Cr Lawrie Cox

Has the site of the Lyndarum Drive and Great Brome Avenue roundabout been removed as a blackspot?

Director City Transport and Presentation, Nick Mann:

Yes, the site has been removed as a blackspot.

Cr Desiato returned to the Council Chamber at 10.00pm during the questions to Officers.

9. URGENT BUSINESS**9.1 WILDLIFE MANAGEMENT**

Cr Desiato sought leave of the Council to admit an item of urgent business relating to the possibility of conducting a public forum relating to wildlife within the City of Whittlesea.

MOTION

MOVED: *Cr Desiato*

SECONDED: *Cr Lalios*

THAT this matter be admitted as an item of urgent business.

CARRIED

Cr Sterjova returned to the Council Chamber at 10.02pm following the vote to admit this matter as an item of urgent business.

MOTION

MOVED: *Cr Desiato*

SECONDED: *Cr Lalios*

THAT Council resolve to organise a public forum between all parties such as Wildlife Victoria, State Government, Council and residents so that collectively we can re-evaluate how we can assist protecting our wildlife especially kangaroos due to the recent uproar of concerns from residents. This forum will also be a tool to educate residents about what they should do when sighting kangaroos and further develop wildlife management plan.

AMENDMENT

MOVED: *Cr Sterjova*

SECONDED: *Cr Pavlidis*

THAT Council resolve to add “in various situations such as driving’ following the words ‘when sighting kangaroos’ and before the words ‘and further develop’.

CARRIED

The Amendment was put and carried and became the Substantive Motion. The Substantive Motion was then put and carried.

SUBSTANTIVE MOTION

MOVED: *Cr Desiato*

SECONDED: *Cr Lalios*

THAT Council resolve to organise a public forum between all parties such as Wildlife Victoria, State Government, Council and residents so that collectively we can re-evaluate how we can assist protecting our wildlife especially kangaroos due to the recent uproar of concerns from residents. This forum will also be a tool to educate residents about what they should do when sighting kangaroos in various situations such as driving and further develop wildlife management plan.

CARRIED

10. REPORTS FROM DELEGATES APPOINTED TO COUNCIL BY OTHER BODIES
NIL

| |
|----------------------------------|
| EXTENSION OF MEETING TIME |
|----------------------------------|

MOVED: *Cr Alessi*
SECONDED: *Cr Sterjova*

THAT Council resolve to extend the meeting time from 10.30pm to 11pm.

CARRIED

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 LAND ACQUISITION SOUTH MORANG

6.4.7 2018/19 FINANCIAL PERFORMANCE - QUARTER 3 REPORT

11.5 EXECUTIVE SERVICES

**11.5.1 CONFIRMATION OF MINUTES AND ASSOCIATED ACTIONS - CEMAC
MEETING 9 APRIL 2019**

11.6 NOTICES OF MOTION

NIL REPORTS

COUNCIL RESOLUTION

MOVED: *Cr Kozmevski*
SECONDED: *Cr Kelly*

THAT Council resolve to close the meeting to members of the public for the purpose of considering details relating to the confidential matters above in accordance with Section 89(2) of the Local Government Act 1989 as follows:

11.4.1 LAND ACQUISITION SOUTH MORANG

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

6.4.7 2018/19 FINANCIAL PERFORMANCE - QUARTER 3 REPORT

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

11.5.1 CONFIRMATION OF MINUTES AND ASSOCIATED ACTIONS - CEMAC MEETING 9 APRIL 2019

Confidential in accordance with Section 89(2)(a),(d),(h) of the Local Government Act 1989.

CARRIED

ACCORDINGLY, THE MEETING WAS CLOSED TO THE PUBLIC AT 10.29 PM.

THE MEETING WAS RE-OPENED TO THE PUBLIC AT 10.56 PM.

12. CLOSURE

THERE BEING NO FURTHER BUSINESS THE MAYOR DECLARED THE MEETING CLOSED AT 10.58PM.

CONFIRMED THIS 4TH DAY OF JUNE 2019.

CR LAWRIE COX
MAYOR