



*City of*  
**Whittlesea**

# **MINUTES**

## **OF SCHEDULED COUNCIL MEETING**

**HELD ON**

**MONDAY 6 SEPTEMBER 2021**

**AT 7.30PM**

**MEETING HELD REMOTELY  
VIA ZOOM**



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## ADMINISTRATORS

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LYDIA WILSON                      CHAIR OF COUNCIL

PEITA DUNCAN                      ADMINISTRATOR

CHRIS EDDY                      ADMINISTRATOR

On 19 June 2020 the Acting Minister for Local Government appointed the Panel of Administrators for the City of Whittlesea and appointed Lydia Wilson as Chair of the Panel. The Panel of Administrators comprises of Ms Lydia Wilson, the Honourable Bruce Billson and Ms Peita Duncan. On 3 March 2021, the Hon. Bruce Billson resigned from his position as Administrator with the City of Whittlesea. Effective from 12 May 2021, the Minister for Local Government appointed Mr Chris Eddy as the third Panel Member. Ms Lydia Wilson, Ms Peita Duncan and Mr Chris Eddy will undertake the duties of the Council of the City of Whittlesea until the October 2024 Local Government Election.



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## SENIOR OFFICERS

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CRAIG LLOYD

CHIEF EXECUTIVE OFFICER

FRANK JOYCE

EXECUTIVE MANAGER GOVERNANCE & STRATEGY

KATE MCCAUGHEY

DIRECTOR COMMUNITY WELLBEING

AMY MONTALTI

DIRECTOR CORPORATE SERVICES

JUSTIN O'MEARA

DIRECTOR PLANNING & DEVELOPMENT

DEBBIE WOOD

DIRECTOR INFRASTRUCTURE & ENVIRONMENT



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**Note:**

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



**1. OPENING****1.1 MEETING OPENING & INTRODUCTIONS**

The Chair of Council, Lydia Wilson opened the meeting at 7.30pm.

“Welcome to this Council Meeting of 6 September 2021 which is being livestreamed.

I am Lydia Wilson, Chair of the Panel of Administrators and I would also like to introduce my Panel colleagues, Administrators Ms Peita Duncan and Mr Chris Eddy.

I would also like to introduce our Chief Executive Officer, Mr Craig Lloyd and ask that he in turn introduce the members of the Executive Leadership Team in attendance today.”

“Good evening everyone, we also have with us:

Executive Manager Governance & Strategy, Mr Frank Joyce;

Director Community Wellbeing, Ms Kate McCaughey;

Director Corporate Services, Ms Amy Montalti;

Director Planning & Development, Mr Justin O’Meara; and

Director Infrastructure & Environment, Ms Debbie Wood.

These members of the Executive Leadership Team will join us during the meeting.”

**1.2 PRAYER BY THE CHIEF EXECUTIVE OFFICER**

Following the Introductions, the Chief Executive Officer read the following prayer:

*Almighty God, we ask for your blessing upon this council to make informed and good decisions to benefit the people of the City of Whittlesea.*

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

*Amen*

**1.3 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT**

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

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

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

**1.4 PRESENT****Members:**

Ms Lydia Wilson	Chair of Council
Ms Peita Duncan	Administrator
Mr Chris Eddy	Administrator

**Officers:**

Mr Craig Lloyd	Chief Executive Officer
Mr Frank Joyce	Executive Manager Governance & Strategy
Ms Kate McCaughey	Director Community Wellbeing
Ms Amy Montalti	Director Corporate Services
Mr Justin O'Meara	Director Planning & Development
Ms Debbie Wood	Director Infrastructure & Environment
Ms Linda Martin-Chew	Team Leader Strategic Projects & Infrastructure
Mr Stephen Parker	Strategic Planner Infrastructure
Ms Nicola McGowan	Growth Area Development Assessment Planner
Ms Sammi Xu	Planning Officer
Mr Murray Ness	Principal Planner
Ms Debbie Blandford	Manager Compliance & Environmental Health
Ms Joanna Stubbings	Social Policy & Planning Officer
Mr Adrian Napoleone	Team Leader Public Realm Development
Mr Andrew Mason	Manager Emergency Management & Regulatory Programs
Mr Mark Montague	Chief Financial Officer

**1.5 ACKNOWLEDGEMENTS OF MAJOR ROADWORK MILESTONES**

The Chair of Council, Lydia Wilson acknowledged two major roadwork milestones in the municipality.

"I just wanted to make two brief acknowledgements of some major milestones for the municipality relating to major roadworks, traffic and congestion.

Firstly, the really exciting news that O'Hern's Road interchange, including O'Hern's Road between High Street and the Hume Freeway, is now open to the community for all traffic with only minor works that will be continuing on. This is obviously a really huge milestone for our municipality and a massive win for our community as our residents have been calling for this upgrade for years. Obviously in association with this project, there will be improvements in traffic flow and travel times, a reduction in traffic congestion and a quicker, safer and more efficient journey for the 30,000 or so vehicles that travel daily along that section of the road.

I also wanted to acknowledge the project was jointly funded with the Australian Government providing \$50 million to the project and the Victorian Government, \$105 million, so very significant upgrade.

Secondly, I just wanted to note the completion of another major roads project, which was Plenty Road and Bridge Inn Road intersection signalisation. Bridge Inn Road is now fully opened in both the east and west direction. The signalisation of the intersection will obviously go a long way in addressing key outstanding safety and operational challenges at that particular intersection.

In noting the completion of those two important infrastructure projects, I just wanted to acknowledge the efforts of our staff, and if I could ask Ms Debbie Wood to pass on our sincere appreciation of thanks to staff within her directorate for the amazing work they did in overseeing some of those projects and supporting their delivery."

**2. APOLOGIES**

NIL

**3. DECLARATIONS OF INTEREST**

NIL

**4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING****COUNCIL RESOLUTION****MOVED:** *Administrator Duncan***SECONDED:** *Administrator Eddy***THAT the following Minutes of the preceding meeting as circulated, be confirmed:****Scheduled Meeting of Council held 2 August 2021****CARRIED****5. QUESTIONS, PETITIONS AND JOINT LETTERS****5.1 PUBLIC QUESTION TIME****5.1.1 UPGRADE TO BUTTERSCOTCH PARK****JAMIE DILLON**

Is it in Councils agenda to upgrade Butterscotch park? The park is listed as an adventure park, however, the park doesn't even have a slide! As the largest parkland area in Mernda Villages, can we incorporate slides and other equipment to cater for different needs for children. Also if an upgrade is within reach and we can actually get a decent park, perhaps a disabled swing? As that would then provide the biggest park in Mernda with the most inclusive and accessible equipment truly befitting the name 'adventure park', in its current state it is a dismal excuse for a child's play area.

**CHIEF EXECUTIVE OFFICER, CRAIG LLOYD**

Council has some 240 playgrounds in the City of Whittlesea of varying sizes and scale to maintain and upgrade. While many are local playgrounds, we have several that are more regional scale playgrounds which have more equipment, such as the All Abilities Play Space in Mill Park and Granite Hills playground in Mernda (currently in the planning stages).

With a limited budget, we need to determine each year which community playgrounds are the priority for upgrades. We base these decisions on factors including their level of use, age and what else is available nearby. Currently Butterscotch Park and Playground is not scheduled for an upgrade in the next few years, however we are happy to meet with you to discuss your concerns further.

### 5.1.2 MERNDA AQUATIC CENTRE

#### MIRELLA FIASCO

I wish to request the Council update the Community immediately at the next Council meeting in September or before, as to the Mernda Aquatic Centre, it's plan's and findings.

It is very much anticipated the Centre should and would include a 50m outdoor pool and others to facilitate the popular and ever growing municipality and travellers to and through the area. Property sale prices have proven residents are still flocking to the area and paying large sums of money to secure their property regardless of it's worth.

Having lived in Mernda for 11 years and witnessing the continuous disruptive roadworks and proposals promised to be brought to the area, which no longer evidently houses only "rural" allotments, we would all like to see these proposals and plans come to fruition as soon as possible to reduce congestion in certain areas and provide multiple shopping and entertainment opportunities in our own community.

It is a special community we live in and only want to see it grow and build up in purpose - to be inviting to the next generation in housing and employment opportunities. Thus creating longer term goal's with respect to Mernda and Doreen and surrounding suburbs being more "liveable" and more accessible to all amenities.

#### CHIEF EXECUTIVE OFFICER, CRAIG LLOYD

We understand the community is anxious to hear more about the next steps in the Mernda Sports Hub project. We have been working behind the scenes on feasibility planning for the project including investigating lap swimming and analysis comparing a 25-metre and 50-metre pool. The findings of this work will be presented to a Council meeting in the next few months. Following this, we will develop a detailed business case to be presented back to Council for consideration early in 2022.

### 5.1.3 BIKE TRACK CONNECTING QUARRY HILLS

#### KEVIN BALAAM

When can local bike riders and walkers expect a formalised, safe and convenient route connecting Mernda and Wollert/Epping North around the north of Quarry Hills?

#### CHIEF EXECUTIVE OFFICER, CRAIG LLOYD

There are already 4.5km of tracks, paths and lookouts at Quarry Hills but we have plans for more. We're going to continue the trails from Eagle Shelter in South Morang to Mernda and the future Granite Hills Major Community Park. This will provide continuous trail access across four suburbs; Epping, Wollert, South Morang and Mernda.

We've received Victorian Government funding to build a further 3.65km of trails next year and the remainder will be completed in the next few years as the Quarry Hills Parklands expand. You can view a map of what's planned on our [engage.whittlesea.vic.gov.au](https://engage.whittlesea.vic.gov.au) webpage under the Granite Hills project.

*The answers provided verbally by the Chief Executive Officer 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 PETITION – INDENTED PARKING SPACES IN HONEYEATER TERRACE, SOUTH MORANG**

A petition from 47 residents requesting Council:

*“We are requesting for Intended Car Spaces to be placed in the street, so that we can park our cars without causing issues to the road, potential accidents, and disruption to Australia Post & Garbage Removals.”*

<b>COUNCIL RESOLUTION</b>
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**MOVED:** *Administrator Duncan*  
**SECONDED:** *Administrator Eddy*

**THAT Council receive the Petition from 47 residents, relating to the request of indented car spaces along Honeyeater Terrace, South Morang and Officers present a final report and recommendation at the 8 November 2021 Council Meeting.**

**CARRIED**





**5.3 JOINT LETTERS****5.3.1 JOINT LETTER - PARKING RESTRICTIONS AT THE CORNER OF PAINTED HILLS DRIVE AND OVERLAND DRIVE, DOREEN.**

A Joint Letter from 16 residents of Doreen was received advising Council of the following:

*“To the Whittlesea Council,*

*We are residents in Doreen who reside in the town houses which are on the corner of Painted hills Drive and Overland Drive with rear access from Braham walk.*

*We feel that the parking availability in this area is totally inadequate with the restrictions that are in place and we also feel that the safety of the residents in our street is at risk.*

*We would welcome discussion with the council in regards to options to reclassify and change the restrictions that are currently in place.*

*Thank you and regards.”*

**RECOMMENDATION**

THAT Council receive the Joint Letter from 16 residents, relating to parking restrictions at the corner of Painted Hills Drive and Overland Drive, Doreen and Officers present a final report and recommendation at the 4 October 2021 Council Meeting.

**COUNCIL RESOLUTION**

**MOVED:** *Chairperson Wilson*  
**SECONDED:** *Administrator Duncan*

**THAT Council receive the Joint Letter from 16 residents relating to parking restrictions at the corner of Painted Hills Drive and Overland Drive, Doreen and request that Officers present a final report and recommendations at the 8 November 2021 Council Meeting.**

**CARRIED**

**5.3.2 JOINT LETTER - SEALED PATH CONSTRUCTION IN TASMAN PARK - BUNDOORA.**

A Joint Letter from 22 residents requesting Council:

*"The topic today is a request from many neighbours regarding the path in Tasman Park, which is gravel and becomes muddy and slippery when it rains.*

*On discussion with neighbours I have decided that a request for a properly sealed surface path would be beneficial for all, not only for local residents and their children, but for hospital patients who park cars in Tasman Drive and Alto Close and use the park as a shortcut.*

*In most cases these people are elderly or have children and find it difficult enough without the muddy and slippery path to contend with.*

*We have gathered signatures of residents to support this request.*

*Your help will be greatly appreciated in this matter."*

<b>COUNCIL RESOLUTION</b>
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**MOVED:**                      *Chairperson Wilson*  
**SECONDED:**                *Administrator Duncan*

**THAT Council receive the Joint Letter from 22 residents, relating to sealing of the path in Tasman Park and request that Officers present a final report on this matter and recommendations at the 8 November 2021 Council Meeting.**

**CARRIED**

## 6. OFFICERS' REPORTS

### 6.1 CONNECTED COMMUNITIES

#### ITEM 6.1.1 FOR DECISION - 30 SILVERWOOD DRIVE, MERNDA DEVELOPMENT PLAN

<b>Attachments:</b>	1	<b>Site Context Plan</b> <a href="#">↓</a>
	2	<b>30 Silverwood Drive, Mernda Development Plan</b> <a href="#">↓</a>
	3	<b>Development Plan Layout</b> <a href="#">↓</a>
	4	<b>280 Bridge Inn Road, Mernda Subdivision Layout</b> <a href="#">↓</a>

**Responsible Officer:** Director Planning & Development

**Author:** Senior Strategic Planner

#### RECOMMENDATION SUMMARY

That Council resolve to:

1. Approve the *30 Silverwood Drive, Mernda Development Plan* (August 2021) as shown in *Attachment 2*, prepared in accordance with Schedules 5 and 27 to Clause 43.04 Development Plan Overlay of the Whittlesea Planning Scheme.
2. Notify the proponent and submitters of Council's resolution.

#### BRIEF OVERVIEW

Amendment C203 to the Whittlesea Planning Scheme, gazetted on 24 July 2020, rezoned the subject land and applied a Development Plan Overlay (DPO27) to enable its use and development for residential purposes. The amendment also facilitated the subdivision of land known as 280 Bridge Inn Road, Mernda, into three lots including approximately 15 hectares of land for residential use, 64 hectares of land to be transferred to Council for the Quarry Hills Regional Parkland and 30 hectares of land to be used for a vineyard, winery and function centre (*refer Attachment 1 – Site Context Plan*). The residential component of this land is the subject of this Development Plan, now referred to as 30 Silverwood Drive, Mernda Development Plan (the Development Plan). The Development Plan provides an acceptable layout of streets, open space, and residential lots, and meets the relevant statutory guidelines for approval. This report recommends approval of the *30 Silverwood Drive, Mernda Development Plan* (August 2021).

#### RATIONALE FOR RECOMMENDATION

The Development Plan (*refer Attachment 2*) has been prepared in accordance with the requirements of the relevant Development Plan Overlays of the Whittlesea Planning Scheme (Schedule 5 – Mernda Development Plan and Schedule 27 – Mernda West and South Morang Quarry Hills Precinct). The Development Plan has been prepared in consultation between officers and consultants acting on behalf of the landowners. Non-statutory exhibition of the Development Plan has been completed and five submissions were received. The Development Plan is considered to have responded to relevant considerations raised in the consultation.

The Development Plan provides an appropriate response to the existing site features and constraints and will ensure that the residential development will generally be in keeping with

the surrounding area. It generally represents a logical extension of the existing residential development up to the new Quarry Hills boundary.

It provides an integrated road network to the adjoining development to the south and east and continuation of the linear open space reserve. Medium density housing has been located to take advantage of the linear open space reserve providing opportunities for greater passive surveillance of the area. As such, this report recommends approval of the Development Plan.

### **IMPACTS OF RECOMMENDATION**

Approval of the Development Plan is required prior to the subsequent consideration of subdivision and development applications for the land. It provides for the orderly use and development of the land and integrates with the use and development of the land to the east and proposed residential development to the south. Amendment C203 to the Whittlesea Planning Scheme, which rezoned the subject land for residential purposes, also provided for the transfer of approximately 64 hectares of land to Council to form part of the Quarry Hills Regional Parkland and is located along the western boundary of the subject site (refer *Attachment 1 – Site Context Plan*).

### **WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

- The Development Plan addresses all the relevant statutory requirements of the relevant Development Plan Overlays. It addresses issues around integration with adjoining landholdings, permeable subdivision design, bushfire risk and development contributions.
- Two new tree reserves have been created to provide for the retention of significant trees on site. Additional principles have also been included in the *Development Plan* to address the retention of trees on site and to require specific built form outcomes for medium-density housing on Todd Way (refer *Attachment 3 – Development Plan Layout*).
- Risks from bushfire will be mitigated through the provision of an edge road along the boundary of the proposed Quarry Hills Regional Parkland to increase building setbacks.

**REPORT****INTRODUCTION**

The purpose of this report is to consider the *30 Silverwood Drive, Development Plan* (August 2021), prepared by Breese Pitt Dixon, on behalf of AV Jennings. The purpose of the Development Plan is to guide the future use and development of the land for residential purposes.

The proposed Development Plan has been prepared in accordance with the provisions of the Development Plan Overlays Schedule 5 (DPO5) – Mernda Development Plan and Schedule 27 (DPO27) – Mernda West and South Morang Quarry Hills Precinct (Clause 43.04 of the Whittlesea Planning Scheme). A development plan is to be approved before any application for subdivision and/or development can be considered and a permit issued accordingly.

This report will discuss the background and merits of the proposed Development Plan in the context of the applicable statutory framework and the submissions received during the exhibition process.

The latest re-submission of the Development Plan in August 2021 is considered to have appropriately addressed all of the issues raised by Council officers and is now recommended for approval by Council.

**BACKGROUND**

The subject land formed part of Amendment C203 to the Whittlesea Planning Scheme, which was gazetted on 24 July 2020. The amendment had the effect of rezoning part of the land known as 280 Bridge Inn Road from Farming Zone (FZ) to the General Residential Zone (GRZ1). It also applied Schedule DPO27 to the Development Plan Overlay (DPO27) to that land rezoned GRZ1.

The amendment also introduced a site specific planning control and an Incorporated Document to allow the subdivision of the site at 280 Bridge Inn Road, Mernda, into three lots, which included approximately 15 hectares of land for residential use, 64 hectares of land to be transferred to Council for the Quarry Hills Regional Parkland and 30 hectares of land to be used for a vineyard, winery and function centre (*refer Attachment 1*).

The residential component of this land is the subject of this Development Plan application, now referred to as 30 Silverwood Drive, Mernda.

The 64 hectares of land representing the Quarry Hills Regional Parkland has now been transferred to Council, extending along the western boundary of the residential land subject to this Development Plan. Site works for the winery/function centre have also commenced which will become a major tourism asset for the region. The vineyard, winery and function centre represents a unique economic and tourism opportunity for the municipality and is expected to have a strong synergy with the uses that will be located within the Quarry Hills Regional Parkland. (*Refer Attachment 4* depicting the allocation of uses across the parent lot).

**SITE DESCRIPTION & CONTEXT**

The subject site is an irregular shaped allotment approximately 14.78 hectares in area. It is located at the westernmost extent of the Mernda Strategy Plan area some 2.6 kilometres west of the Mernda Town Centre and Mernda Train Station.

The subject site directly abuts the Quarry Hills Regional Parkland along its western boundary. It is noted that the public open space along the northern portion of the sites western boundary represents a narrowed link between the subject site and the proposed winery further west. This link is intended to support a future access path from Bridge Inn Road to the Quarry Hills Regional Parkland to provide public access to the parkland from Bridge Inn Road.

Land to the east of the site (Fairview Estate) is developed for residential purposes incorporating a mix of conventional and some medium density housing. It is noted that future access to the subject site from 'Fairview Estate' was considered as part of the development of the Mernda West Development Plan (2010) and Fairview Estate - Stages 9A and 9B Development Plan (2015), with multiple access points proposed to the subject site. At the time the subject land was identified for future residential development purposes in order to facilitate the process for transfer of land for the Quarry Hills Regional Parkland. Land to the south is also currently being developed for residential purposes (240 Bindts Road Development Plan). The Development Plan proposed for 30 Silverwood Drive, Mernda provides for a mix of conventional sized lots and some medium density housing.

### **STRATEGIC POLICY**

The *Mernda Strategy Plan* (MSP) which is an Incorporated Document in the Whittlesea Planning Scheme, only applies to approximately 570 square metres of the site, being an irregular shaped parcel at the north-west corner of Silverwood and Dane Drives (a residual parcel from the approved subdivision to the east). This parcel is affected by DPO5 – Mernda Development Plan (Clause 43.04 of the Whittlesea Planning Scheme). Inclusion of this parcel as part of the current Development Plan facilitates a more logical layout for residential purposes. The MSP was developed in 2004 to guide the future allocation of land uses and key infrastructure items within Mernda.

In 2010 a review of the Urban Growth Boundary (UGB) was undertaken which shifted the boundary further west. This resulted in additional land outside the MSP being made available for residential purposes to provide appropriate housing opportunities for increased population growth.

The subject land is located adjacent to Precinct 4 of the MSP and provides a logical continuation of residential development in the precinct. The subject land is affected by the DPO27– Mernda West and South Morang Quarry Hills Precinct (Clause 43.04 of the Whittlesea Planning Scheme). Notwithstanding, this Development Plan covers all the land across the two separate schedules applying to the subject land.

### **ZONING & OVERLAYS**

The subject site is in the General Residential Zone Schedule 1 (GRZ1) – Whittlesea General Residential Areas (Clause 32.08 of the Whittlesea Planning Scheme). The primary purpose of the zone is to provide a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

The site is also affected by a number of overlays:

- Development Plan Overlay Schedule 5 (DPO5) - Mernda Development Plan and Schedule 27 (DPO27) - Mernda West and South Morang Quarry Hills Precinct
- Incorporated Plan Overlay Schedule 1 (IPO1) – Mernda Strategy Plan (DPO5 land only)
- Vegetation Protection Overlay Schedule 1 (VPO1) - Significant Vegetation (River Redgum Grassy Woodland)
- Development Contributions Plan Overlay Schedule 8 (DCPO8) - Mernda Precinct 4 Development Contributions Plan (DPO5 land only).

Of specific interest in the context of this report are the two Development Plan Overlays applying to the site (DPO5 and DPO27), noting that DPO5 applies to only a very small section of the site. The DPO27 provides that '*The Responsible Authority must not grant a permit to use or subdivide land, construct a building or construct or carry out works prior to the approval of a development plan unless the Responsible Authority is satisfied that the proposed use, subdivision, buildings or works will not prejudice the orderly use and development of land.*'

The purpose of the VPO1 is to protect and retain significant native vegetation. The Development Plan has considered and provides an appropriate response to the protection of native vegetation.

The DCPO8 specifies the development contributions payable under the *Mernda Strategy Plan*. As part of the standard section 173 Agreement executed prior to approval of the amendment to rezone the subject land, conditions were included in the agreement relating to payment of local development contributions and the equivalent Growth Areas Infrastructure Contributions.

## DEVELOPMENT PLAN PROPOSAL

Following preliminary discussions between the City of Whittlesea and the proponent to identify any significant issues with the proposed development of the site, a Development Plan prepared by Breese Pitt Dixon was lodged with Council for consideration in January 2020. The Development Plan submission, which includes an overarching Development Concept Plan and accompanying text document (supported by various technical documents) has been prepared in accordance with the requirements of Schedules 5 and 27 to the Development Plan Overlay of the Whittlesea Planning Scheme.

*Attachment 3* to this report contains the proposed layout of the Development Plan area.

Specifically, the Development Plan proposes:

- a diversity of housing types and lot sizes (approximately 235 dwellings) including larger lots generally located along the perimeter road adjacent to the Quarry Hills Regional Parkland (approximately 400-500+ square metres); conventionally sized lots of 350-400sqm; and areas to support medium density housing. The medium density housing is primarily located in the northern corner of the site adjacent to the linear open space reserve;
- two tree reserves to provide for the retention of three trees identified as having significant biodiversity and landscape value. More detailed planning will be required at the development stage to ensure that the subdivision layout and associated engineering works avoid the Tree Protection Zone (TPZ) of the trees proposed to be retained;
- extension of the existing open space linear reserve from the east, establishing a green link with the Quarry Hills Regional Parkland;
- a perimeter road along the Quarry Hills Regional Park interface to provide an appropriate bushfire management response by separating the buildings from the reserve in accordance with bushfire hazard requirements;
- an internal road layout that integrates with the existing adjacent road network and provides multiple road connections to disperse traffic generated by the development to the surrounding road network;
- pedestrian and cycle links to connect with the surrounding network; and
- vehicular and pedestrian access has been provided along the Quarry Hills Parkland interface which provides visual and physical connection to the reserve from the adjoining residential development and passive surveillance of the proposed reserve.

The key outcomes of the Development Plan are to create a new residential community that integrates with the surrounding residential and open space network, exhibit a high level of amenity for its residents and which fosters a sense of place and defining character through the retention of natural landscape features.

**DEVELOPMENT CONTRIBUTIONS**

As a result of the UGB being shifted in 2010, additional land outside the Mernda Strategy Plan (MSP) area was made available for residential purposes. As part of the recent amendment to rezone the subject land for residential purposes (Amendment C203), a Section 173 Agreement was executed to provide for the transfer of part of the land known as 280 Bridge Inn Road to Council to form part of the Quarry Hills Regional Parkland and for a local development contribution. In addition, the agreement requires a Growth Area Infrastructure Contribution equivalent payment.

**CONSULTATION AND NON-STATUTORY EXHIBITION**

Following submission of the Development Plan in January 2020, there have been ongoing discussions with the proponent and relevant Council departments regarding various aspects of the proposal. A revised proposal was submitted in June 2021 which addressed all outstanding matters enabling the proposal to proceed to non-statutory exhibition.

Whilst there is no statutory requirement to formally advertise the Development Plan submission, in accordance with Council practice, notice about the *30 Silverwood Drive, Mernda Development Plan* was sent by direct mail to all land owners and occupiers adjacent to the subject land affected by the proposal. Notice about the proposed Development Plan was also sent to relevant external authorities. This provides the opportunity for any input provided by adjoining land owners to be taken into consideration whilst the overall structure / layout of the plan is being developed. It is noted that the development proposal which is generally in accordance with an approved development plan is exempt from the requirement for third party notification.

The Development Plan submission was placed on non-statutory exhibition for a four week period between 10 June to 6 July 2021.

A total of five submissions were received comprising two submissions from local residents and three submissions from statutory agencies.

**SUBMISSIONS**

The following table details the submissions received and the officer response.

Submission Summary	Officer Response
1. Melbourne Water	
<p>The proposal is located within the Mernda South DS. The following matters are applicable to the proposal:</p> <p><b>Drainage Contributions:</b> The site is located within Melbourne Water's Mernda South DS, Whittlesea City Development Services Scheme. A residential contribution rates of \$195,887/Ha, comprising of a hydraulic charge of \$155,228/Ha and a stormwater quality charge of \$40,659/Ha is applicable.</p>	<p>A copy of the advice from Melbourne Water will be provided to the proponent for their consideration.</p> <p>The submission does not raise any specific issues that need to be addressed as part of the Development Plan submission. These matters will be considered as part of the statutory planning process to subdivide/develop the site.</p> <p>No change is required to the Development</p>



<p><b>Drainage Scheme Works:</b> A review of the Mernda South DS, Whittlesea City Development Services Scheme has identified that there are no permanent Melbourne Water works to be constructed on this property.</p> <p><b>Specific Property Advice:</b></p> <p>Prior to the issue of a Statement of Compliance, the Owner of the development shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water’s drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.</p> <p>All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council’s satisfaction.</p> <p>Local drainage must be to the satisfaction of Council.</p> <p>The Developer must provide written acceptance from the downstream landowner(s) to discharge flows through their land to achieve a free draining outfall through their property/ies.</p> <p>Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).</p>	<p>Plan in response to this submission.</p>
<p>2. Affected resident No. 1 (Clutha Drive)</p>	
<p>- Requests that Clutha Drive remain a no through road. Submits that there is a strong sense of community on Clutha Drive and that numerous families and children currently play on the street given its current status (terminates at the subject land). Continuing the road will make it unsafe for kids to play and impact the community connectivity.</p>	<p>It is noted that future access to the subject site from the ‘Fairview Estate’ was considered as part of the development of the Mernda West Development Plan (MWDP) (2010) and Fairview Estate - Stages 9A and 9B Development Plan (2015), with multiple access points proposed, including Clutha Drive. In particular, it is noted that the latter Development Plan shows an indicative layout of the road network to the northern section of the subject site, including the future extension of Clutha Drive.</p> <p>The MWDP (commonly referred to as Fairview Estate) which was finalised in 2010, incorporates land between Craven Road and the subject site, and was developed over a number of stages. It is noted that road connections from the adjacent Fairview</p>

<p>- Strongly opposes the medium density residential component of the proposal. Concerned about drug and theft related issues in existing medium density housing in the Fairview Estate which makes the area feel unsafe and the type of demographic that generally live in these types of houses.</p>	<p>Estate which currently terminate at the subject land have not been designed with court bowls or dead end treatments. This is a usual occurrence in growth areas where individual properties or stages of development occur at different times, so it is important to ensure that the overall structure is in place to connect fragmented landholdings to provide for appropriate vehicular and pedestrian movement. Further to this, the MWDP was designed in recognition that the subject land (30 Silverwood Drive) was subject to future residential development. This current Development Plan has been designed to link in with these existing connections</p> <p>The supporting Traffic Report indicates 160 additional vehicle movements per day via Clutha Drive, with the majority of additional traffic movements anticipated at the Silverwood Drive intersection. According to the Traffic Report, Clutha Drive, Silverwood Drive and Regent Street are designated as Level 1 Access Street, which can carry between 1,000 and 2,000 vehicles per day, which is the standard traffic volume for most local streets of this with. Notwithstanding this is is noted that a traffic calming device (speed hump) is located in Clutha Drive currently, with the aim of slowing traffic.</p> <p>The majority of the site is expected to be developed at a 'standard density' with lots of between 300-500 sq m. The Development Plan indicates an area of medium density housing, proximate to the open space reserve, which ensures provision of a diversity of housing types as part of the overall development and will enable passive surveillance of the open space reserve. Reference to the type of demographic that might ultimately reside in any dwellings is not a valid planning ground on which to object to a proposal.</p> <p>No change is required to the Development Plan in response to this submission.</p>
<p>3. AusNet Services</p>	
<p>Do not object to the Development Plan as presented, however provides a detailed list of permit requirements for consideration.</p>	<p>A copy of the advice from AusNet Services will be provided to the proponent for their consideration.</p>

<p>Notes that it is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).</p> <p>Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.</p>	<p>The submission does not raise any specific issues that need to be addressed as part of the Development Plan submission. These matters will be considered as part of the statutory planning process to subdivide/develop the site.</p> <p>No change is required to the Development Plan in response to this submission.</p>
<p>4. Affected Resident No. 2 (Clutha Drive)</p>	
<p>Is concerned about the proposed layout of Clutha Drive, which rather than extending straight in a northerly direction past the resident's property, shows the road veering to the north-west. As a result is concerned that there will be a loss of on-street car parking. Is concerned about the substantial decrease in value due to loss of on-street car parking, the curve in the road contributing to oncoming car headlights being directed into the house and the curve in the road contributing to traffic accidents. Do not consider that Clutha should be continued and request that Clutha Drive be kept as a dead end road.</p> <p>Notes that access to the back yard from Clutha Drive is restricted. Notes that the rear portion of his lot was acquired, seemingly for the purpose of enabling the continuation of the laneway (Greenside Drive) through to the adjoining land. Has also informally requested advice on whether it would be possible to access his property from Greenside Way.</p> <p>Has also raised concern in respect to the maintenance of the small irregular parcel owned by Council opposite the resident's property.</p>	<p>Also Refer to response No. 2 above in relation to the extension of Clutha Drive.</p> <p>With regard to on-street car parking, it is noted that additional on-street car parking will be available along the extended section of Clutha Drive.</p> <p>It is noted that this informal access to the rear of the property requires crossing the nature strip and footpath at the northern end of the property whilst the driveway which provides the legal point of access to the site is located along the southern boundary. In respect to gaining dual access to the site from the rear, it is noted that the land to the rear of the submitters property is designated as a road reserve on the property title. However, the shared driveway (Greenside Way) does not extend to the submitter's property and only provides access to the two properties to the east of the submitter's property. It was never, intended to provide a through connection from Greenside Way through to the site at 30 Silverwood Drive, for use by vehicular traffic in this location. It is further noted that a specific reserve designation has also been applied between the submitter's rear boundary and the road</p>

	<p>reserve, which is commonly applied in these circumstances to prohibit rear access to the property from the road reserve.</p> <p>Any proposal to obtain vehicle access to the rear of the existing property is not a planning matter and is not relevant to the consideration of this Development Plan. Any request to consider such a proposal would require assessment by Council’s Engineering and Parks Teams, independent to the Development Plan process.</p> <p>The ongoing maintenance of the land at 23W Clutha Drive will be referred to Council’s Parks Team (Maintenance) for action and the submitter notified accordingly.</p> <p>No change is required to the Development Plan in response to this submission.</p>
<p>5. Country Fire Authority (CFA)</p>	
<p>The CFA supports the proposed development plan in its current form based on the implementation of the bushfire risk treatments as outlined in the submitted Bushfire Management Statement.</p>	<p>No change is required to the Development Plan in response to this submission.</p>

Copies of the submissions from the three statutory agencies have been provided to the proponent for their review. Officers have been in contact with both of the resident submitters to provide further information and to seek further clarity on the issues raised. There are no changes required to the Development Plan in response to any of the submissions received. In relation to comments from affected resident No. 2 in respect to gaining legal access to the rear of their property it is noted as per above, this matter is not relevant to the consideration of the Development Plan. If the submitter wishes to pursue this matter further, it will need to be considered and assessed through Council’s Engineering and Parks Units.

Whilst no further consultation is planned, submitters will continue to be notified of the final Council resolution in respect to this project.

**FINANCIAL IMPLICATIONS**

A section 173 Agreement has been executed in respect to the subject site, which provides for local development contributions and for a Growth Area Infrastructure Contribution equivalent payment, consistent with the requirements introduced by DPO27, and applied as part of Amendment C203 to the Whittlesea Planning Scheme.

**POLICY STRATEGY AND LEGISLATION**

It is considered that the Development Plan, (*refer Attachment 2*), is generally consistent with the provisions and objectives of the Planning Policy Framework of the Whittlesea Planning Scheme as follows:

**Clause 02.03 – Strategic Directions** – the subject land is located within the Urban Growth Boundary (UGB) proximate to the Mernda Town Centre. Residential development to the east of the site is largely completed, with the *Development Plan* integrating with the existing road and open space networks.

**Clause 11 – Settlement** - The Development Plan responds to identified needs of the community by providing land for a housing and open space purposes and seeks to protect significant vegetation. The Development Plan provides for a range of housing types including some provision for medium density housing with an expected density of 15 dwellings per net developable hectare.

**Clause 12 – Environmental and Landscape Values** - The proposal has responded to significant trees identified on the site for retention, by locating them within tree reserves.

**Clause 13 – Environmental Risks and Amenity** - The Development Plan has considered and responded to the potential risks associated with bushfire. In particular, a perimeter road is proposed between the Quarry Hills Regional Parkland and residential development which seeks to reduce risk to development from potential grassfires. Fire Rescue Victoria (formerly CFA) is satisfied the Bushfire Management Statement addresses the bushfire risk.

**Clause 15 – Built Environment** - The design of the development layout satisfactorily responds to the site features and constraints. The residential development includes elements which will assist in making it attractive, liveable, walkable and cyclable. The proposal responds to existing site features and constraints and includes requirements to ensure that future development responds to matters including sloping land, passive surveillance of open space areas and high quality urban design outcomes.

**Clause 16 – Housing** - The Development Plan increases the supply of housing on a site adjacent to the Quarry Hills Regional Parkland. A range of housing types and lot sizes is proposed.

**Clause 18 – Transport** - The Development Plan includes walking and cycling infrastructure connections to the existing road network and within the existing open space network. The Development Plan integrated with the existing road network, with multiple road connections enabling for greater dispersal of traffic generated from the proposed development of the site.

**Clause 19 – Infrastructure** - The Development Plan makes provision for infrastructure to service the development and contributes to the provision of community infrastructure in the form of the extension of the linear open space reserve.

## LINK TO STRATEGIC RISKS

**Strategic Risk** *Not linked to the risks within the Strategic Risk Register.*

The subject site has been rezoned for residential purposes. The Development Plan and supporting documentation provide an appropriate outcome for the future residential development of the site and will not result in any risks to the community or the broader environment.

## LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

<b>Goal</b>	<b>Liveable neighbourhoods</b>
<b>Key Direction</b>	<b>Housing for diverse needs</b>

The Development Plan will ensure that the residential development of the site is well designed and provides for a diversity of housing in an area proximate to the Mernda Town Centre. It responds to site features and constraints and integrates with the existing open space and local road network to the east.

The proposal provides a perimeter road along Quarry Hills Regional Parkland, permeable street network and supports the extension of the existing linear open space reserve and shared path network from the east to provide a green link connection to the Quarry Hills Regional Parkland. The proposal will provide for protection of three large native trees resulting in a positive contribution to the landscape character and environment of the local area.

### DECLARATIONS OF CONFLICTS OF INTEREST

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

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

### CONCLUSION

The *30 Silverwood Development Plan (August 2021)* has been developed in consultation between Council officers and the consultants acting on behalf of the landowner. The planning assessment process has resulted in refinements to the plan through the statutory process which, in particular, have resulted in the retention of three trees on the site identified as having significant landscape and biodiversity value.

The Development Plan responds to the site features and constraints affecting the site and will ensure that the residential development of the site and integrate with the surrounding residential development. It also seeks to provide a diversity of housing, including the opportunity for medium density housing adjacent to the linear open space reserve.

It is recommended that the Development Plan (*refer Attachment 2*) is approved by Council in accordance with Schedule 5 and Schedule 27 of the Development Plan Overlay (Clause 43.04) of the Whittlesea Planning Scheme.

### RECOMMENDATION

**THAT Council resolve to:**

- 1. Approve the *30 Silverwood Drive, Mernda Development Plan (August 2021)* as shown in *Attachment 2*, prepared in accordance with Schedules 5 and 27 to Clause 43.04 Development Plan Overlay of the Whittlesea Planning Scheme.**
- 2. Notify the proponent and submitters of Council's resolution in 1. above.**

### COUNCIL RESOLUTION

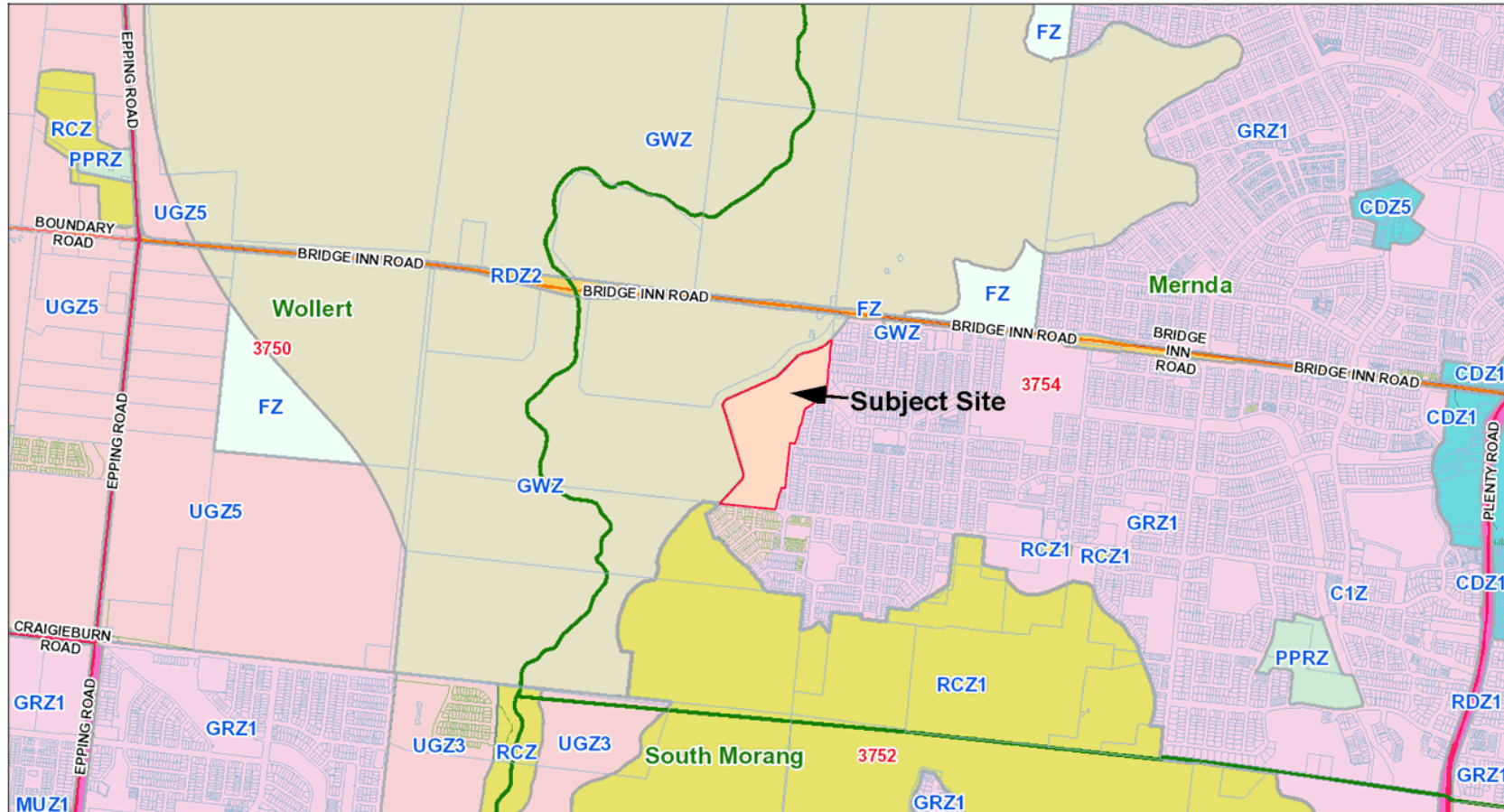
**MOVED:** *Administrator Eddy*  
**SECONDED:** *Chairperson Wilson*

**THAT Council resolve to adopt the Recommendation.**

**CARRIED**



# Part 280 Bridge Inn Road (30 Silverwood Dv), Mernda



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Date: 28/05/2021  
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# 30 Silverwood Drive Mernda Development Plan

August 2021

**AVJennings**  
ARCHITECTS



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## 1.0 Introduction

This development plan is prepared by Breese Pitt Dixon for land located at 280 Bridge Inn Road, Mernda on behalf of AV Jennings. The land is subject to the Development Plan Overlay Schedules 5 and 27 of the Whittlesea Planning Scheme requiring the preparation of a development plan prior to the issue of a planning permit allowing the development of the land.

The development plan has been prepared in accordance with the requirements of the Development Plan Overlays Schedules 5 and 27 and will provide an appropriate land use transition to the Quarry Hills Regional Parklands to the west and the established and emerging residential community within the locality.

The Development Plan has been prepared in response to the key physical elements of the site and its surrounding context. As a result, the Development Plan will:

- Facilitate orderly planning advancement for the site and the locality through the introduction of an appropriate land use and development strategy that successfully integrates with its context.
- Draw from the natural and landscape values of the site and integrate these into the Development Plan to deliver a unique and high level of amenity into the urban design response.
- Reinforce and enhance the local character of the broader surrounding area.
- Allow the Quarry Hills Regional Parklands and the natural topography to play a key role in defining the sense of place and neighbourhood character through site responsive design.
- Maximise the value of open space areas both internal and surrounding the site.
- Provide a clear framework detailing the future planning outcomes and objectives for the land to inform any future application for planning permit.
- Provide an appropriate variety of residential allotments to respond to housing needs.

Planning scheme amendment VC68, amongst other changes, amended the location of the Urban Growth Boundary (UGB) in August 2010 as it applied to the land. The position of UGB on the land was relocated to the west providing for increased land located within the boundary and available to future development opportunity.

Whittlesea Planning Scheme Amendment C203 facilitated rezoning of the land from Farming Zone to the General Residential Zone 1. The Amendment also introduced the Development Plan Overlay Schedule 27 and the Vegetation Protection Overlay 1 over the land along with amending planning controls external of the UGB.

## 2.0 Site & Context

### 2.1 Regional Context

The site is located approximately 25km from the Melbourne CBD. Figure 1 shows the site's context within the metropolitan North Growth Corridor Plan showing its position within the South Morang/Mernda growth area, proximity to the Quarry Hills Regional Parkland, the future E-6 Outer Metropolitan Ring Road, Hume Freeway and the surrounding arterial road, activity centre and train system network.

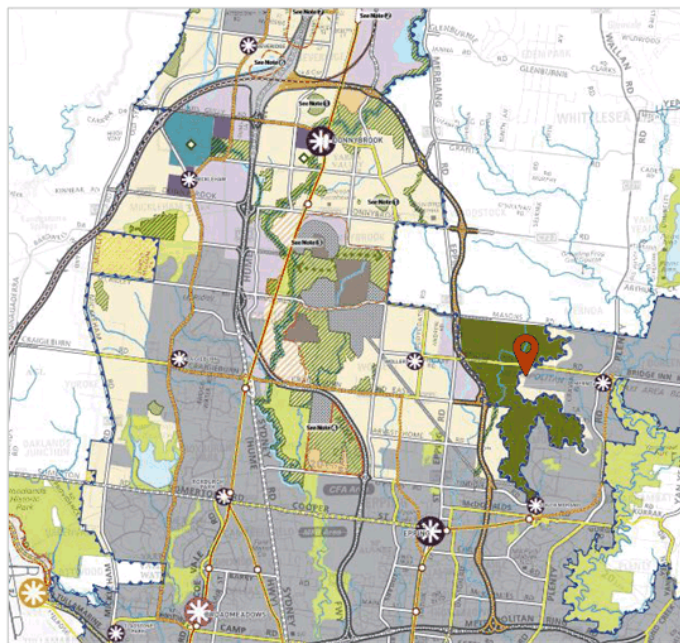


Fig 1. North Growth Corridor



Fig 2. Municipality

Figure 2 shows the site's location within the municipality boundary and council ward boundaries.

The 2016 ABS Census showed the City of Whittlesea as supporting a population of 197,491, consisting of 53,550 families with an average of 1.9 children per family. Regarding dwelling structure, the Census found that 83% of dwellings consisted of detached dwellings with 12% being semi-detached, row or terrae or townhouse dwellings. 87% of dwellings were recorded as supporting more than 3 bedrooms compared to 73% for Victoria. Household composition consisted of 81% representing family households with 16% being single or lone person households.

City of Whittlesea Population, Households and Dwellings forecasts (*.id consulting*) forecasts population growth from 2019 levels of 231,366 to 382,900 in 2041 and representing a 65% increase between this period. A significant proportion of future population growth will be supported by the continued development of greenfield growth areas through the implementation of strategic

plans such as PSP’s, local structure plans or development plans particularly to the west of the municipality. Areas forecast to support the greatest level of population change and transition to urban environments includes the growth regions of Donnybrook, Epping North and Wollert which are subject to precinct structure planning.

Mernda is forecast to support a strong rate of population growth with *i.d.Consulting* predicting growth from 2019 of 6,963 to 11,558 in 2041 representing a 66% increase over this period.

City of Whittlesea	2016		2041		Change between 2016 and 2041	
	Number ↕	% ↕	Number ↕	% ↕	Number ↕	% ↕
City of Whittlesea	71,817	100.0	134,223	100.0	+62,406	+86.9
Bundoora	5,573	7.8	7,049	5.3	+1,476	+26.5
Donnybrook	54	0.1	19,592	14.6	+19,538	+36,041.3
Doreen	7,336	10.2	10,791	8.0	+3,455	+47.1
Epping	5,529	7.7	7,844	5.8	+2,315	+41.9
Epping North	8,633	12.0	18,891	14.1	+10,258	+118.8
Lalor	8,460	11.8	10,303	7.7	+1,843	+21.8
Mernda	6,963	9.7	11,558	8.6	+4,595	+66.0
Mill Park	10,568	14.7	11,047	8.2	+479	+4.5
Rural Balance	1,160	1.6	1,333	1.0	+173	+14.9
South Morang	7,552	10.5	10,316	7.7	+2,764	+36.6
Thomastown	7,917	11.0	10,093	7.5	+2,176	+27.5
Whittlesea Township and Surrounds	2,014	2.8	2,853	2.1	+839	+41.7
Wollert	57	0.1	12,552	9.4	+12,495	+21,848.2

Population and household forecasts, 2016 to 2041, prepared by *i.d.*, the population experts, November 2017.

Figure 3. City of Whittlesea population forecasts, *i.d consulting*



Fig 4. Aerial site and locality context

## 2.2 Local Context

### Surrounding context

#### East

The Fairview residential estate adjoins the east boundary of the site and extends to Wellington Street to the east. The estate has recently achieved full development and supports conventional density residential development and medium density housing positioned to adjoin public open space. The estate consists of a number of local residential streets and open space reserves which are to be continued and extended into the subject land. Residential land continues to the east with the Gilson College (Mernda campus) located approximately 750 metres to the east located along Bridge Inn Road. The site is positioned approximately 2.6km from Plenty Road, the Mernda town centre and train station.

#### South

Land supporting the Mernda Rise residential estate is located immediately south of the site. This land is subject to planning approval under the Development Plan Overlay Schedule 27 (DPO27) and the Park View Estate Development Plan endorsed by Council on 21 March 2017. The Mernda Rise estate will support conventional and medium density subdivision and housing along with creation of public open space. Recent residential development is provided to the east of this estate in accordance with the Park Hill Estate Development Plan approved under the DPO27. The Urban Growth Boundary forms the south boundary of these estates with the Quarry Hills Regional Parklands found to the south external to the UGB.

#### West

The subject land previously formed part of the west adjoining parcel prior to recent subdivision approval facilitating a three lot subdivision creating the subject land as a separate parcel. Adjoining land is identified to be transferred to the ownership of Whittlesea City Council forming part of the Quarry Hills Regional Parkland. The public land adjoining the northern portion of the west boundary will represent a narrowed link between the site and other private land further west supporting parkland access.

Approximately 62 hectares of land is identified to be transferred to Council ownership upon registration of the three lot subdivision. Upon registration 280 Bridge Inn Road will consist of a large rural holding located external to the UGB of 31.9 hectares. The land is zoned Green Wedge and currently supports rural residential and a recent vineyard. A dwelling with several outbuildings and surrounding plantings is positioned at the north-east. Planning Scheme Amendment C203 contemplates future use and development this land as a winery, restaurant and function centre. The Quarry Hills Regional Parklands is identified to be established further to the west.

#### North

The dwelling of 280 Bridge Inn Road is located north of the site along this road. North of Bridge Inn Road consists of Green Wedge land being positioned outside the Urban Growth Boundary supporting rural use. The Hanson and Wollert Quarries are located to the north-west approximately 1.5km from the site.

The Quarry Hills Regional Parkland is identified to ultimately extend north of Bridge Inn Road as detailed previously and below. The current Quarry Hills area is approximately 115 hectares supporting local public open space positioned over hilltops and ridges offering superb elevated 360 degree views. The parklands provide a network of trails, passive open space use, flora and fauna biodiversity, cultural heritage values and is a locally and regionally significant landscape. The Quarry Hills Parkland is to be expanded through future acquisitions of land located externally to the UGB as detailed below.

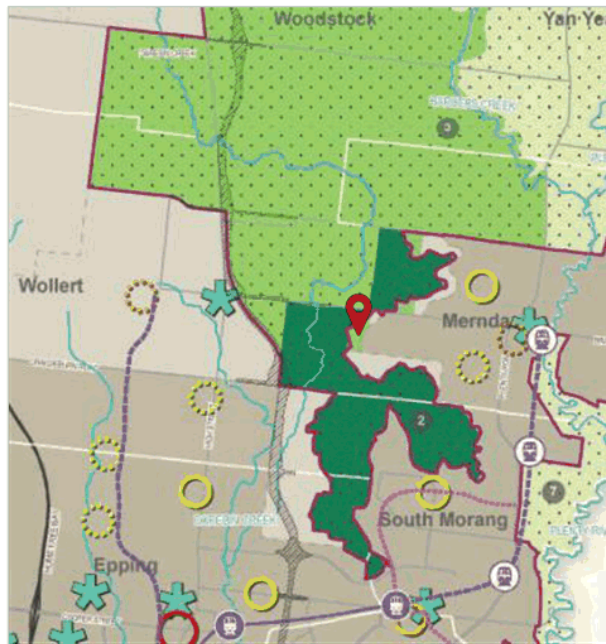


Fig 5. Municipal Framework Plan

### 2.3 Development Plan Area

The land shown below is contained in one single title registered as Lot B of Plan of Subdivision PS823301W.



Fig 6. Site and context aerial image



Characteristics of the site are as follows.

Site shape	Irregular as shown previously.
Site area	14.78 hectares.
Boundaries	Boundary details provided on title plan. General dimensions support a maximum north-south length of approximately 700 metres and maximum east-west length of 400 metres.
Existing development	Not currently developed.
Existing use	Rural.
Access	Via Regent Street and a number of local streets from the Fairview residential estate along the east boundary.
Topography	Exhibits a maximum fall from west to east of 14 metres with the entire site supporting a fall from west to east. See site contour map.
Vegetation	Consists of one remnant River Red Gum located close to the east boundary. The balance of trees consists of planted vegetation in two rows of mixed species.
Title	Two Section 173 Agreements are registered on the title being AB988996B and AR353293R. The agreements set out the following requirements. <ul style="list-style-type: none"> <li>• The transferring of land to Council ownership for public open space purpose and the Quarry Hills Regional Parklands.</li> <li>• Establishment of fencing along the boundary of the site and Quarry Hills Parklands.</li> <li>• Providing emergency vehicle access in the site to the Quarry Hills Parklands.</li> <li>• Payment of a GAIC equivalent contribution to Council prior to the creation of a residential lot.</li> <li>• Restrictions on future use and subdivision of land positioned external to the UGB.</li> </ul>

	<ul style="list-style-type: none"> <li>• The owner to maintain and fulfil the requirements of the Land Management Plan.</li> <li>• River Red Gum protection requirements.</li> <li>• Building envelope under the approved Management Plan.</li> </ul> <p>The application does not breach the requirements of the registered agreements.</p>
Easement	No easement encumbers the site.
Other features	A farm dam is located centrally along the west boundary.

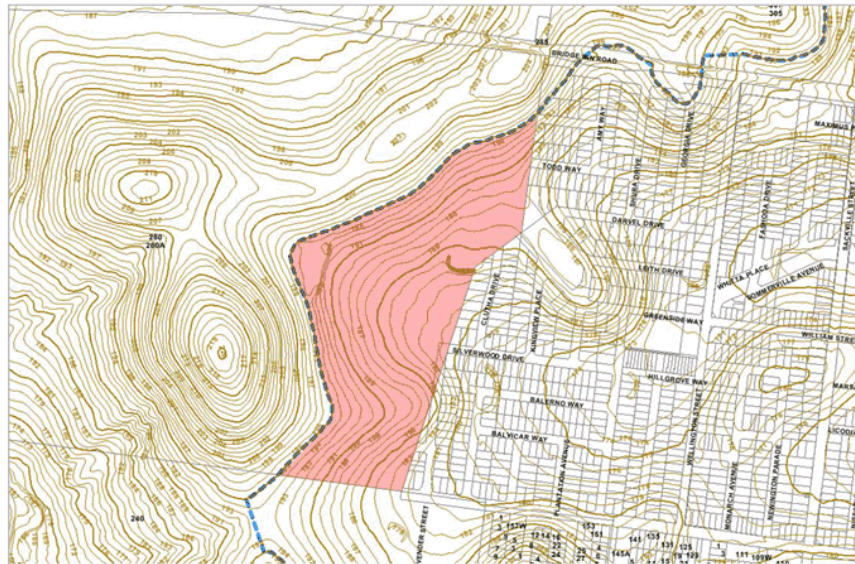


Fig 7. Site and context aerial image

The following shows further detail and characteristics of the site.



Photo. View to north along residential interface



Photo. View north through site



Photo. View north along residential interface at south-west corner



Photo. View north at existing dam and UGB

### 3.0 Development Plan



280 Bridge Inn Road, Mernda

### 3.1 Outcomes

The development plan seeks to establish a planning framework that will allow for the following outcomes.

- Creation of a new residential community that integrates with the surrounding residential and open space context.
- Deliver a residential neighbourhood that exhibits a high level of amenity for residents.
- Fostering a sense of place and a defining character from natural landscape features.
- Providing a suitable variety of residential accommodation for the context which responds to housing needs.
- Adopting a street network which responds to the site's topography.
- Provide an interface response to the Quarry Hills Parklands which supports an active frontage, a landscaped edge and maximises the amenity benefits of this public land.
- Creating safe and efficient movement throughout enabling shared use of local streets, convenient access to public open space and an integrated mobility network.
- Establishment of a landscape response which complements the surrounding character and enhances the open space network including through the establishment of the canopy trees.

### 3.2 Design Principles

- Adoption of passive surveillance to the open space network and local streets.
- Provide efficient connection to surrounding land and its local facilities.
- Adopt design outcomes that maximise amenity values of the Quarry Hills Regional Park through their integration and reinforcement.
- Provide intimate and high quality local streetscapes.
- Deliver view lines to public open space through the alignment of local streets.
- Provide an appropriate mix of dwelling diversity to suit varied accommodation needs including conventional and medium density housing.
- Adopting urban design which is responsive to site topography.
- Provide for the continuation of the public open space network

3.3 Development Plan Components

The development plan has been prepared to address the requirements of the Development Plan Overlay Schedules 27 (Mernda West & South Morang Quarry Hills Precincts) and 5 (Mernda Development Plan).

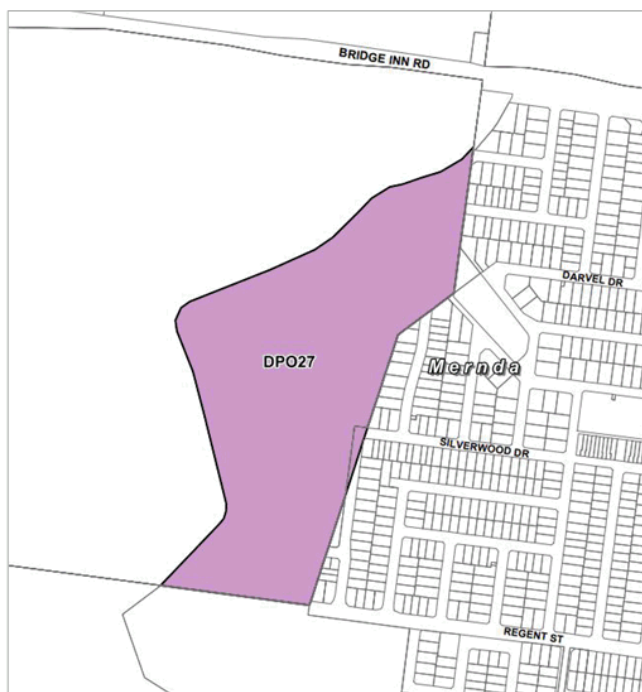


Fig 8. Development Plan Overlay map

The DPO27 and DPO5 detail planning outcomes to be incorporated in development plans with these addressed below.

Mernda Strategy

The Mernda Strategy only applies to that part of the site subject to the Development Plan Overlay Schedule 5 representing approximately 570 square metres. The Strategy was prepared to apply to land contained within the UGB prior to its expansion from Amendment VC68. Notwithstanding, the strategic planning guidance of the Strategy to adjoining and surrounding land provides the logical continuation of residential development over the subject land.

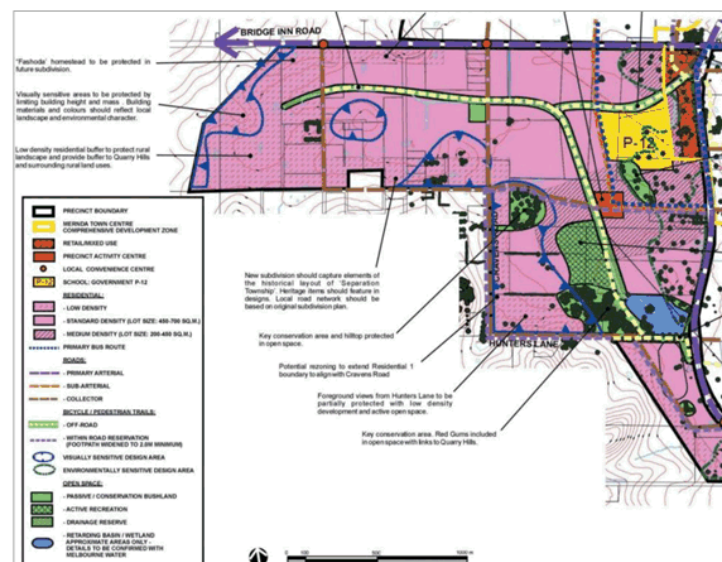


Fig 9. Mernda Strategy extract

Recognition of important landscape views and vistas.

The local street network is designed to maximise views into the Quarry Hills Parklands to integrate and retain important views and vistas from the urban environment. The scale and intensity of development along the interface of the Parklands is appropriate so as to not overwhelm the natural landscape.

<b>Lot Diversity</b>
The delivery of an appropriately diverse range of residential lots, density and dwelling types is to be provided consisting of conventional and medium density housing. Refer to Table 1 for an indication of housing provision. The permit application will confirm residential lot types.
<b>Site Context Response</b>
Housing types are distributed responding to the development opportunities and constraints of the site particularly with regard to the Quarry Hills Parklands, public open space and the degree of slope.
<b>Integration with Quarry Hills Parklands</b>
An active edge to the future Quarry Hills Parklands is provided through a local street treatment to the parklands with residential lots fronting the public open space.
Provide opportunities for pedestrian access to the Parklands.
<b>Integration with Adjoining Land</b>
The new street network is to integrate with the existing network in terms of alignment, intersection requirements and street typology.
The form and intensity of residential development is to represent a logical continuation of existing and emerging housing in the locality.
<b>Transport &amp; Movement</b>
Supports a low speed street network encouraging shared use.
Provision of internal and external connectivity.
Street design to Council's satisfaction and consistent with the surrounding network.
Site responsive street alignment adopted.
<b>Landscape Strategy</b>
Landscape design will provide a high level of amenity along the Quarry Hills Parklands interface to deliver the desired soft edge to the urban boundary.
Streetscape plantings to provide a balancing of the built environment and make a positive contribution to local character.
Provide public open space supporting passive recreation function, high quality landscape amenity and a desirable community space.
<b>Arboricultural Assessment &amp; Biodiversity</b>
All trees onsite have been subject to arboricultural assessment to determine their health, species and retention value as required. Trees achieving the highest retention value are to be integrated into the development of the land.

### 3.4 Land Use & Density

<b>Housing outcomes</b>
The development plan is to support residential development complimented by a public open space reserve and tree conservation reserves.
Achieve housing density of a minimum of 15 dwellings per net developable hectare.
Housing is to consist primarily of single dwelling development at conventional density with medium density housing provided in suitable locations and generally in accordance with the development plan. An estimation of the proportion of lot types is provided in Table 1.
Housing to consist of modern and contemporary dwelling design which is sympathetic to the pattern of surrounding residential development.
Residential development along the interface of the Quarry Hills Parkland is to generally consist of single dwellings on larger lots. Provision of medium density housing at the Parklands interface is limited to that shown on the development plan.
Increased housing density may be provided in those areas which are less constrained in terms of topography and positioned in proximity to public open space.
The development plan supports creation of a new public open space reserve through extending the existing open space reserve from the east establishing a green link with the Quarry Hills Parkland as well as informal passive recreation.

**Table 1: Lot Type (indicative only)**

Lot Size (m <sup>2</sup> )	Number of Lots	Percentage %
0-299	20-30	10-20
300-499	200-220	70-80
500 +	15-25	5-15

\*Estimate only and subject to future planning approval.

**Table 2: Land Budget (indicative only)**

Land Use	Percentage of Development %
Residential	60-70
Public Open Space / Reserves	5-7
Roads	30-35

\*Estimate only and subject to future planning approval.

Housing requirements
Housing is to front onto areas of public open space to enhance the presentation and function of these areas. Side boundary presentation to public open space should be limited and only provided where design constraints require this design outcome. Any proposal for subdivision should avoid lots with side boundary presentation to Quarry Hills Regional Parkland to respond to bushfire management and defensible space requirements.
Where consecutive small lot housing is provided, lots shall be of a sufficient width to avoid a continuous row of dwelling facades where garages dominate the streetscape and to ensure that the design of dwellings encourage passive surveillance of public areas.
For lots located on sloping land, a consistent treatment to address the topography such as lot benching and retaining walls is to be provided.
Earthworks and structures such as retaining walls and site cutting that are required in response to steeper topography are not to overwhelm or dominate the streetscape.
Applications proposing medium density housing in locations adjacent to public open space areas are to ensure that the dwellings provide passive surveillance for ground and upper floors, pedestrian connection to the open space and deliver an integrated landscape response to the reserve.
Where medium density housing directly adjoins an open space reserve a footpath along this interface is to be provided connecting to the shared path within the public open space reserve.
Where dual-frontage housing is provided the street frontage treatment is to support a level of design interest and activation avoiding a continuous row of garages with no supporting dwelling elements, provision of street planting and incorporation of upper floor balconies to the street maximised.

Landscaping for dual frontage lots along Todd Way be prioritised over pathways.  
 Dual frontage dwellings to adopt a high level of design articulation and visual interest to the Todd Way frontage including opportunities for a level of separation of upper floors. The formal address for the below medium density housing is to be to Todd Way. A restriction is to be included on the titles of these lots restricting fencing along the boundary to the open space reserve to a height between 1.2 to 1.5 metres.

The following provides indicative design treatments demonstrating how double-fronted housing may be applied ensuring a satisfactory design outcome is achieved. Such dwellings are anticipated to require a permit through either requiring development of more than one dwelling on a lot or development of a single dwelling on a lot less than 300 square metres in area.

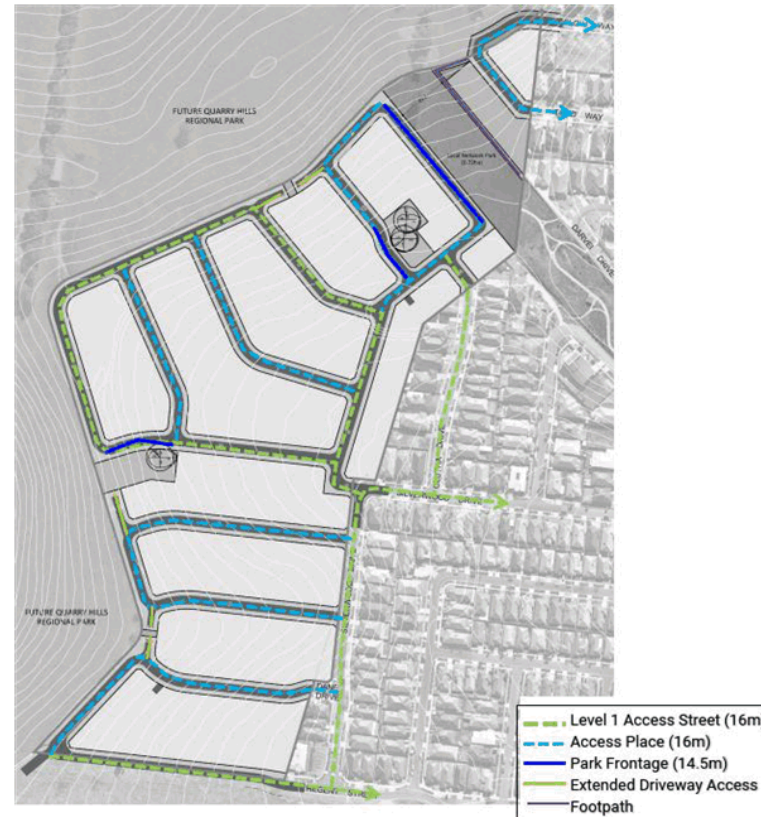


3.5 Mobility  
Local Street Network

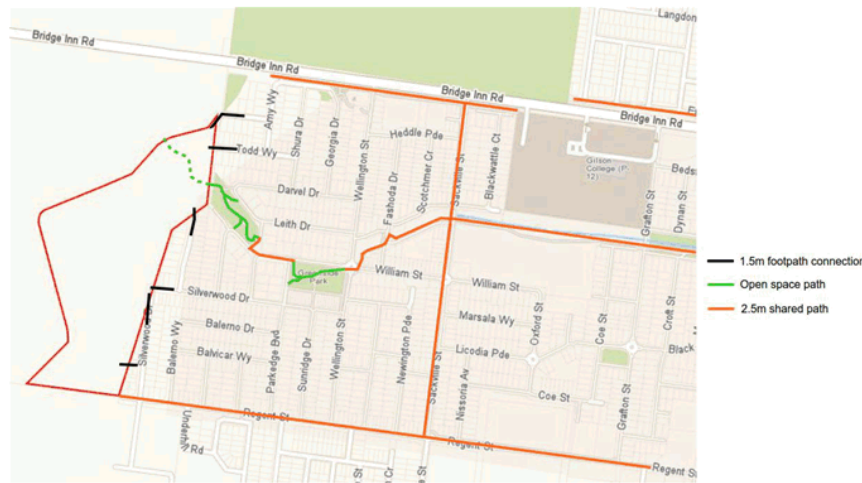
The below shows an indicative streetscape presentation



The below shows an indicative presentation to public open space.





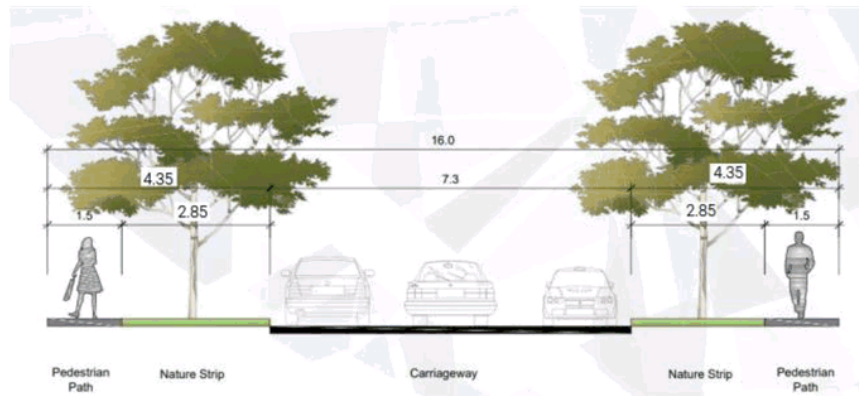


Mobility outcomes
The internal road network will consist of local streets. Cross section details for local streets are provided in the development plan.
The interface to the Quarry Hills Parklands supports an edge street abuttal allowing for residential lots to front the parkland. Breaks in the interface street are to be provided to limit traffic volumes and achieve preferred traffic distribution. Where breaks are provided, driveway style access to lots is to be delivered whilst maintaining pedestrian access along the interface.
Vehicle access is provided via Silverwood Drive, Regent Street and via Onslow Way and Todd Way to the north providing sufficient traffic dispersal to the surrounding network within the site.
Further detailed design of the reverse t-intersection at the bend along Silverwood Drive will be required to ensure safe and efficient access is provided.
The local street network is to support efficient access to the open space network.
Emergency and garbage vehicle access is to be provided to the satisfaction of these authorities.

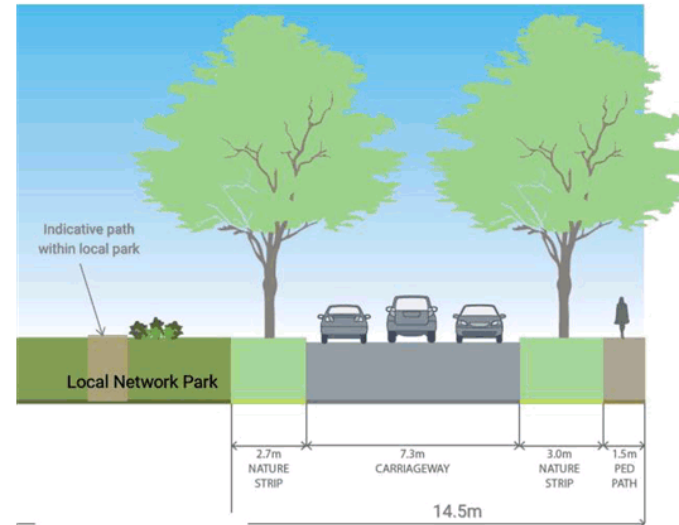
The design of local streets is to be consistent with the development plan unless otherwise approved by the responsible authority.
The alignment of the street network is to respond to the site topography by maximising street orientation perpendicular to the natural fall over the site to minimise the extent of earthworks within the streetscape.
Trees shown to be retained in proximity road works are subject to further detailed design as part of the planning application process to ensure the health of this vegetation is maintained. This may result in modifications to the street layout and adjacent lots.
Inter-parcel street connections to adjoining land are to be provided to a consistent street design.
Access to residential lots located opposite the Quarry Hills Regional Parklands is to be provided along the local street abutting the parklands.
The street network is to support a low-speed environment and encourage shared use and local non-vehicular movement.
A pedestrian and cycle network to be provided throughout and connect with the surrounding network.
All streets are to support the planting of canopy trees to Council’s satisfaction and consist of a native or indigenous species theme. Planting of larger canopy trees are to be provided adjacent to the Quarry Hills Regional Parkland with species and spacing of planting subject to bushfire management requirements.
Pedestrian connection locations to the future Quarry Hills Parklands are to be provided along the interface to the parkland to the satisfaction of Council.

Local street cross sections are provided below

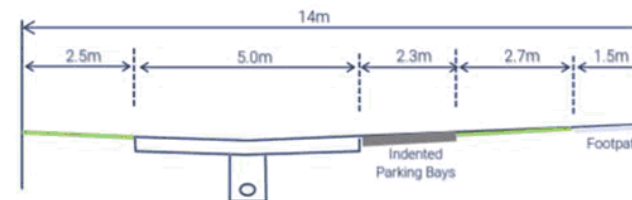
16 metre wide local access street and access place



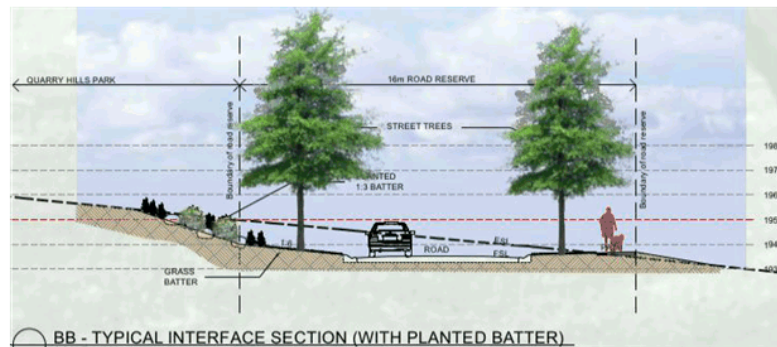
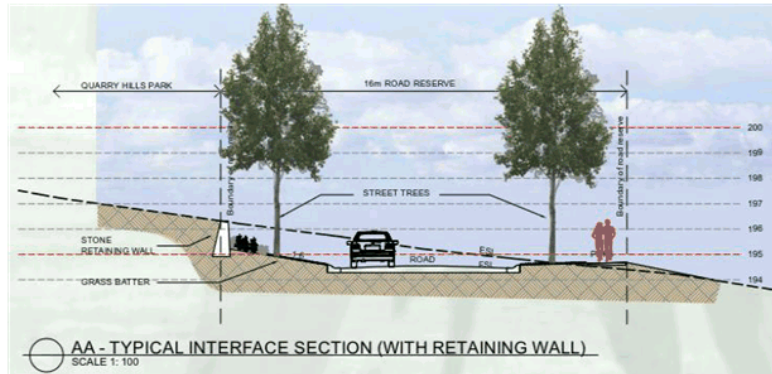
14.5 metre wide local street adjacent to park and tree reserve



14 metre wide extended driveway access



The following provides concept section design of the local street adjoining the Quarry Hills Parklands to achieve a satisfactory response to the Parkland edge and the Urban Growth Boundary.



3.6 Open Space

<b>Public open space outcomes</b>
Public open space is to be provided in the form of the continuation of the hilltop open space reserve located to the east. The reserve is to be extended through the site to provide connection to the Quarry Hills Parklands.
The open space reserve will serve a passive recreation function, continue the linear reserve link from the east to connect with the Quarry Hills Parklands, provide a break to residential development and deliver a high amenity landscaped setting.
The level of embellishment to the open space reserve is to be consistent with the existing reserve to the east and determined at the permit application stage.
The open space reserve is to be provided with interface treatments consisting of either a local street edge or rear accessed lots with complementary landscaping.
Species selection of landscaping in the open space reserve is to complement the landscape theme provided throughout the site and on adjoining land.
The level of landscaping provided within reserves is to be such that it positively contributes to landscape character of the estate although does not undermine the ability of the reserve to support passive recreation use.
Landscaping of the open space network is to include indigenous and native plant species.
Tree reserves are to be provided which ensure the conservation of trees 2B, 3 and 7. Modifications to these reserves, the local street design and adjoining lots may be required as part of the permit application process to ensure satisfactory retention of these trees.
Vehicle exclusion bollards must be placed along the boundary of the Quarry Hills Regional Parkland. During development phases, interim post and wire fencing must be provided along the boundary of the Quarry Hills Regional Parkland.
Public open space contribution required by Clause 53.01 of the planning scheme is satisfied through the creation of public open space reserves, being a land contribution.



Landscape master plan design for the public open space reserve is shown. Design of public open space reserves will be subject to further design advancement through the permit application process.

### 3.7 Native Vegetation & Biodiversity

Galbraith & Associates undertook an aboriginal assessment of existing trees located within on the land. The report provided information on tree species, size, condition, their worthiness of retention within a developed environment and tree protection zone detail.

The assessment found there to be a mix of mature and juvenile trees present on the land. With the exception of one Swamp Gum, all trees appear to consist of planted specimens established in two windrows along fence lines. The arborist assessment provides the below assessment of onsite trees.

*Apart from one single over mature partially collapsed Swamp Gum (Eucalyptus ovata) of low worth, tree 13 near the south-east corner, all the trees in the parcel of land are located within two north-south rows. The trees within the rows are of several age classes. The older trees are exclusively eucalypts however there have been plantings within the last 20 years of other natives such as wattles and sheokes.*

*Typically the older larger trees which dominate the rows are represented by Sugar Gum (Eucalyptus cladocalyx), Southern Mahogany Gum (Eucalyptus botryoides), Grey Box (Eucalyptus microcarpa) and Red Iron bark (Eucalyptus sideroxylon). The great majority of these are in poor condition, either structurally or in health or both. A number have died or collapsed.*

The single remnant Swamp Gum (tree 13) is shown in the following photo. Whilst the species is of local significance the individual is in very poor condition and of low retention value. Furthermore, the location of the of the tree, being close to the boundary with existing residential land makes its retention unfeasible. Subsequently, this tree is to be removed in which permit approval will be required pursuant to Clause 52.17 of the Whittlesea Planning Scheme.



Fig 10. Swamp Gum, tree 13.

The location of existing trees in rows, along fence lines as well as their consistent age profile indicates these represent planted vegetation. The development plan retains trees 2B, 3 and 7 which support a higher arboricultural rating and removal of the balance of trees onsite. Trees are to be retained through the creation of designated tree reserves which allow for suitable areas for retention and separation from works. A permit will be required pursuant to the Vegetation Protection Overlay 1 to remove native species vegetation. The contribution removed vegetation makes to the landscape will be offset and improved through the undertaking of new canopy tree planting and landscaping throughout the residential estate.

The below image identifies the two rows of plantings and the single Swamp Gum along the site's east boundary which are to be removed and retention of trees 2B, 3 and 7 as numbered in the arborist report.



Fig 11. Vegetation removal/retention plan

Ecolink Consulting prepared a flora and fauna assessment with the below findings observed.

The understorey vegetation generally appeared to be dominated by exotic vegetation including Rye Grass *Lolium perenne*, Cocksfoot *Dactylis glomerata*, *Paspalum Paspalum dilatatum*, Wild Oats *Avena spp.*, Blanket Weed *Galenia pubescens var. pubescens* (Plate 2), as well as annuals such as Milk Thistle *Sonchus oleraceus* and Ox-tongue *Helminotheca echioides*. Only isolated occurrences of native Kneed Spear-grass *Austrostipa bigeniculatum* were observed, however there is the potential for small patches of native vegetation to persist within the study area.

The site is located in the Program Area of the Biodiversity Conservation Strategy (BCS) for Melbourne's growth areas. As such, the habitat conservation offsets have already been established under the Program through the Native Vegetation Information System. Biodiversity offsets are to be satisfied to the satisfaction of DELWP and Council following permit issue.

### 3.8 Infrastructure / Utilities

#### Stormwater

The site is located within the Melbourne Water Mernda South Drainage Services Scheme (DSS) area. An extract of the DSS as it applies to the land is provided at figure 12 showing the land draining to from west to east. No Melbourne Water scheme works or facilities are identified to be provided on the land. As such, no water quality treatment is required as part of the development of the site as quality measures are to be provided downstream in accordance with the drainage scheme.

Stormwater flows will be conveyed within a piped system in the street network with connection to existing drainage infrastructure within established residential development to the east and within Regent Street. Local streets will be designed to cater for overland flow paths for gap flows with residential lots to achieve satisfactory freeboard clearance.

The prepared Drainage Management Strategy prepared by GPR Consulting provides further details concerning stormwater management.

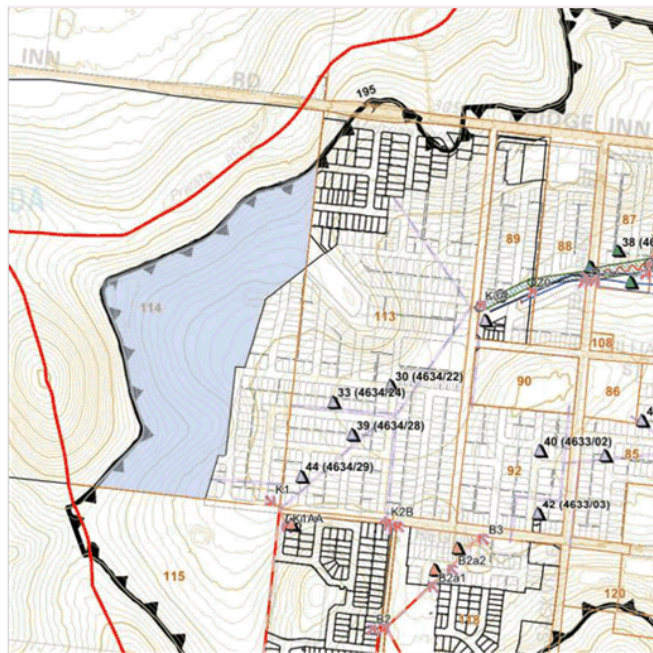


Fig 12. Mernda South DSS

Sewer

The land is located within the Yarra Valley Water service area. The development of the land will connect to the existing sewer network located in established residential land to the east and Regent Street as indicated on the YVW service maps. The preparation of detailed engineering plans will be required to be submitted and approved by Yarra Valley Water and Council prior to development of the land as part of any planning permit approval.



Fig 13. Existing local sewer network

Other services

Any application seeking a planning permit to subdivide the land will require referral to the various service and referral authorities pursuant to clause 66 of the Whittlesea planning scheme. Any permit issued allowing subdivision and development of the land will include conditions by referral authorities ensuring that the delivery of infrastructure is provided in accordance with the requirements of the authorities and Council. As surrounding land supports established and emerging development the connection to all required services is available.

### 3.9 Cultural Heritage

The site is not identified to support Aboriginal cultural heritage sensitivity. As such, there is no mandatory requirement to prepare a Cultural Heritage Management Plan under the Aboriginal Heritage Act 2006 as part of the future permit application supporting development of the land.

- A copy of the Kangaroo Management Plan prepared as part of the Development Plan together with a 'design and management response' statement outlining how the application is consistent with and gives effect to any requirements of the Kangaroo Management Plan.

### 3.10 Future Planning & Implementation

Future use and development of the land is to be advanced through planning permit approval by Council. Any permit issued is required to be generally in accordance with this development plan. The development plan may be amended from time to time subject to the approval of Council. The below information is required to be provided accompanying an application supporting development outlined within this development plan.

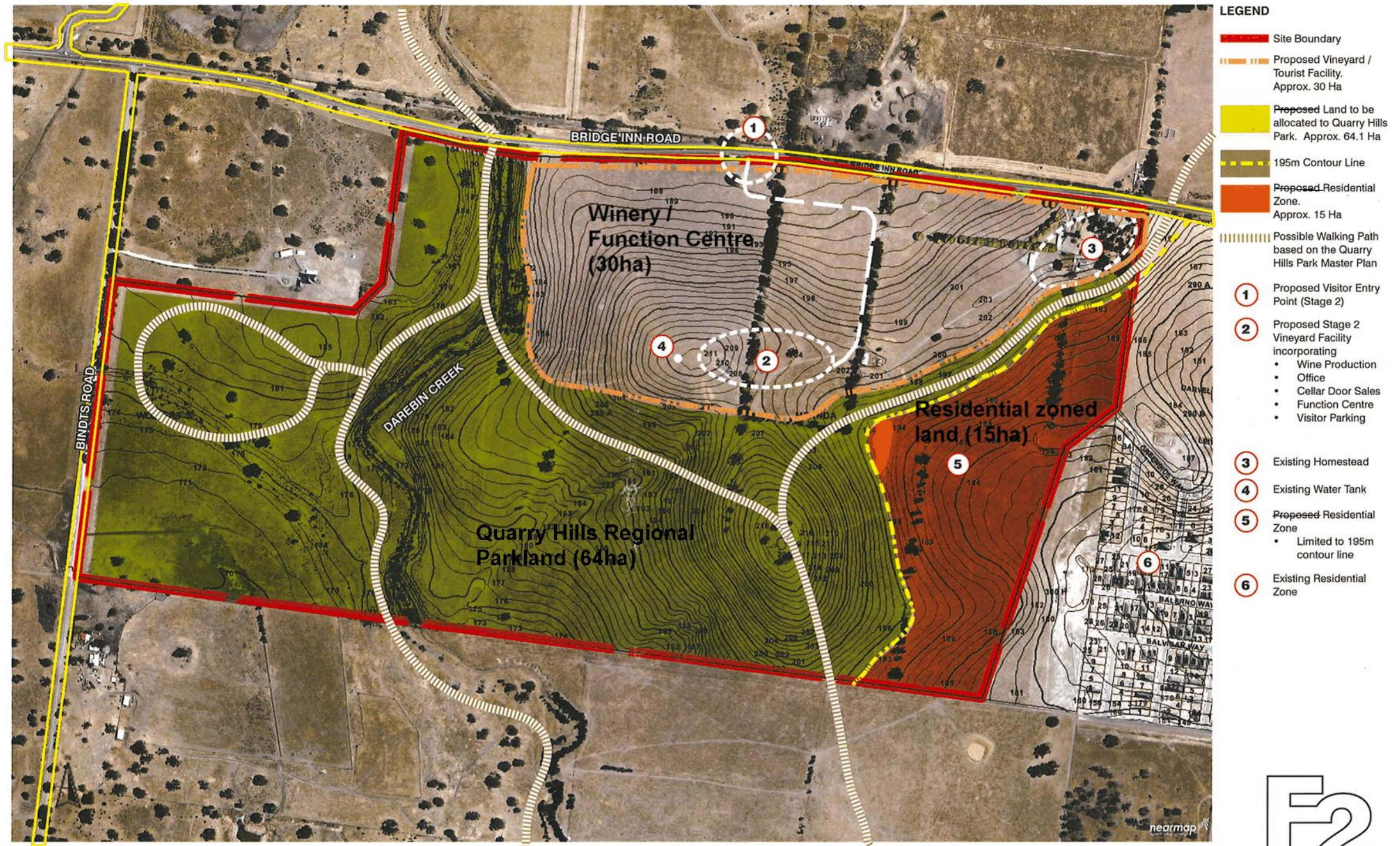
- A Quarry Hills Interface and Access Strategy is required to be submitted in support of an application detailing how the application addresses each of the following matters:
  - o Creation of clear visual and physical connections with the parkland.
  - o Maximising active interfaces with the parkland.
  - o Local topography including cross-falls and embankments along the reserve boundary.
  - o Controlling potential erosion.
  - o Directing stormwater runoff such that abutting residential properties are protected and concentrated overland flows are captured and directed to the local drainage network.
  - o Using interface treatments that are readily maintainable using conventional maintenance regimes including grassed areas no steeper than 1:6 and mulched and planted areas no steeper than 1:3.
  - o Identifying access points for maintenance, bushfire management and integration with the shared path network.



DEVELOPMENT PLAN – PART 280 BRIDGE INN ROAD (30 SILVERWOOD DRIVE), MERNDA







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SOURCE: Base site aerial from DTPLI Planning Map Online

**130903 PROPOSED WINERY, VINEYARD & FUNCTION CENTRE**  
**280 BRIDGE INN ROAD, MERNDA**

**DEVELOPMENT PROPOSAL**  
**Planning Scheme Ammendment - Site Plan**

Revision P6	Date Sept. 2016	Drawn FF/GO/JD	Scale: N.T.S. (A3)	Page <b>TP.06</b>
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**ITEM 6.1.2 FOR DECISION - PLANNING SCHEME AMENDMENT C247 - WOLLERT  
PUBLIC OPEN SPACE ANOMALY EXHIBITION OUTCOMES**

- Attachments:**
- 1 **Amendment SCHEDULE to Clause 53.01 Whittlesea Planning Scheme** [↓](#)
  - 2 **Extract of Amended Table and Requirements, Wollert Precinct Structure Plan** [↓](#)
  - 3 **Extract of Amended Table, Wollert Development Contribution Plan** [↓](#)

**Responsible Officer:** Director Planning & Development

**Author:** Strategic Planner Infrastructure

**RECOMMENDATION SUMMARY**

That Council resolve to:

1. Request the Minister for Planning appoint an independent Planning Panel to consider the unresolved submission to the Amendment.
2. Endorse the exhibited version of Amendment C247, as contained in Attachments 1-3 of the report, as Council's position to the Panel.
3. If the Minister for Planning appoints a Planning Panel:
  - a) Refer the unresolved submission to the Planning Panel.
  - b) Submit to the Panel at the first available opportunity that the unresolved submission is unclear in purpose, cannot be considered within the scope of the Amendment, and should therefore not be considered as relevant to the Panel.
4. Advise the submitter of the resolutions above.

**BRIEF OVERVIEW**

- Amendment C247 proposes to correct an anomaly in the Schedule to Clause 53.01 of the Whittlesea Planning Scheme, the Wollert Precinct Structure Plan (PSP) and the Wollert Development Contributions Plan (DCP).
- The error displays an incorrect figure for the percentage of land required for open space contributions in the above-mentioned documents.
- The correction is required to facilitate the intended administration of the Public Open Space Equalisation scheme in the Wollert PSP area.
- Following public exhibition, one submission objecting to the Amendment was received. The reason for the objection was not supplied. Clarification of the purpose of the submission was sought from the submitter but has not been provided.
- Legal advice was sought and confirmed that under the relevant provisions of the *Planning and Environment Act 1987*, Council must refer the unresolved submission to a Planning Panel.
- It should be noted that the unresolved submission does not address the content of the proposed amendment.
- It is recommended that Council endorse the amendment, as exhibited, as Council's position to the Panel.

**RATIONALE FOR RECOMMENDATION**

The amendment is to correct an error in the incorporated documents relating to the Wollert PSP area that displays an incorrect figure for the percentage of land required for public open space. The amendment is purely administrative in nature and will not alter the implementation of the Planning Scheme, Wollert PSP or Wollert DCP. The anomaly was caused by a simple mathematical error in completing the tables in the relevant documents.

If the anomaly is not corrected in the scheme, there is a risk that Council will be required to fund part of the open space equalisation for the Wollert PSP at a cost of approximately an additional \$9.6m.

Although the submission to the amendment does not have a stated purpose, legal advice based on previous VCAT decisions is that this submission would need to be referred to a Planning Panel.

**IMPACTS OF RECOMMENDATION**

If the anomaly is not corrected in the scheme, there is a risk that Council will be required to fund the additional open space equalisation that would result in the Wollert PSP at a cost of approximately \$9.6M.

Should a Planning Panel be convened, it is considered that the legal representation costs and Planning Panel fees would be up to approximately \$20,000. This cost is factored into department budgets.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

The recommendation of this report is to submit the Amendment, as exhibited, to a Planning Panel and advise the Panel at the first available opportunity that the unresolved submission is unclear in purpose, cannot be considered within the scope of the Amendment, and should therefore not be considered as relevant.

<b>REPORT</b>
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## INTRODUCTION

The purpose of this report is to inform Council of the outcomes of the exhibition of Amendment C247 and recommend Council refer the received single unresolved submission to the amendment, to an independent Planning Panel.

Amendment C247 applies to all land in the Wollert Precinct Structure Plan area (PSP) and seeks to correct an anomaly in the display of the percentage required to be provided for Public Open Space in the Schedule to Clause 53.01 of the Whittlesea Planning Scheme, the Wollert Precinct Structure Plan and the Wollert Development Contributions Plan (DCP). Development in the Wollert PSP area is well underway with all active developers and landowners agreeing to the correct percentage figures rather than the incorrect figures used in the Planning Scheme, PSP and DCP respectively.

## BACKGROUND

The Wollert PSP and DCP were introduced into the Whittlesea Planning Scheme in February 2017 through Amendment C187. An update to planning controls was subsequently made through Amendment C210 in October 2017. The Wollert PSP area is to be developed in two distinct precincts, a residential precinct and an employment precinct. Once assessments of planning permit applications commenced, it was discovered the percentage figures used in the documents to require a public open space contribution were incorrect. In essence, the error is due to the amount of land being required for open space being divided by the total Wollert Developable Area rather than the respective precinct developable area.

**TABLE 1:** Public Open Space Contribution Calculations

Precinct	Area Required for Local Parks (ha)	Net Developable Area (ha)	Amount of Public Open Space Required	Schedule to Clause 53.01 in WPS (current)
Residential	34.98	782.21	4.47%	3.70%
Employment	7.49	168.68	4.44%	0.80%
Total	42.47	950.89	n/a	n/a

## IMPACT OF THE ERRORS

The location and quantum of public open space within the precinct is determined by the Wollert PSP. Some parcels within the PSP area are required to provide this open space land, while others do not provide any land. To equalise this burden, properties that do not provide land or provide less than the percentage required, are required to pay a cash contribution. Council collects this contribution and then distributes it to properties that over-provide land against the percentage required. Using the published, incorrect figures, there would be a shortfall of **\$9.6m** (2020/21\$) collected and Council would be required to make up that shortfall through other sources.

## DETAILS OF THE AMENDMENT

Council resolved to seek authorisation to prepare Amendment C247 at the 5 March 2019 Council Meeting.

The Amendment seeks to correct the abovementioned anomaly in the Planning Scheme, Wollert Precinct Structure Plan (PSP) and Wollert Development Contribution Plan (DCP). Clause 53.01 of the Whittlesea Planning Scheme requires persons who subdivide land to make a contribution to Council for public open space. The Schedule to Clause 53.01, the Summary Land Use Budget in the Wollert PSP and Table 11 of the Wollert DCP incorrectly state the figure as 3.70% for development within the Residential precinct and 0.80% for development within the Employment precinct.

Through the assessment of planning permits in the Wollert PSP area it became apparent that the contribution amount specified was incorrect when compared to the detail land use budget. The figures should be 4.47% within the Residential precinct and 4.44% within the Employment precinct. Council Officers recognised this and have been using the correct figures to make sure Council is collecting the correct contribution to date. This has been accepted by all developers within the PSP area, and secured through Section 173 Agreements. As such, this Amendment seeks only to correct the displayed figures in the planning scheme documents, not to change any other aspect of the implementation of Clause 53.01, the Wollert PSP or Wollert DCP.

## NOTIFICATION AND PROCESS

When seeking authorisation for Amendment C247 from the Minister of Planning, Council officers requested an exemption from notification requirements under section 20 (2) of the Planning and Environment Act 1987. This was not granted, but a partial exemption was granted whereby only landowners of property yet to be subdivided in the Wollert PSP area were required to be notified. Exemption for notification via a locally circulated newspaper was also granted.

The Amendment was exhibited between 25 March 2021 and 26 April 2021, in accordance with Section 19 of the *Planning and Environment Act 1987*, as follows:

- Written notices were sent to the affected landowners and the prescribed Ministers.
- A notice was placed in the Government Gazette
- The Amendment documentation was made available at the Planning Counter in the Council offices (Civic Centre, South Morang).

Following exhibition, Council received one submission the day after the exhibition period closed. The submission acknowledges the receipt of notice, advises they have reviewed the documents and object to the proposed Amendment. There is no reasoning for the objection provided, simply that they are objecting. Lawyers acting on behalf of Council have sought clarification regarding the specifics of the submission from the submitter's legal representative. None has been provided.

Pursuant to Section 23(1) of the *Planning and Environment Act 1987*, Council has three options when it receives a submission that requests changes to an exhibited Amendment:

- abandon the amendment or part thereof,
- change the amendment in the manner requested, or
- refer the submission to an independent Planning Panel.

In the case of the submission received to Amendment C247, there are no changes requested to the amendment and further correspondence with the submitter has not clarified the grounds for objection. Notwithstanding, it is estimated that the financial implications for the submitter would see their land equalisation liability rise by \$30,000, from \$6,000 to \$36,000. Legal advice sought by Council confirmed that the submission should be referred to an independent Planning Panel.



Once referred to the Planning Panel, the recommendation is that Council's position be that the unresolved submission is unclear in purpose, cannot be considered within the scope of the Amendment and should therefore not be considered as relevant to the Panel.

### CRITICAL DATES

Item	Critical Date
Council resolved to seek authorisation to prepare Amendment C247	5 March 2019
Authorisation to prepare the Amendment received from the Minister of Planning	28 August 2020
Exhibition	25 March 2021 – 26 April 2021
ELT	28 July 2021
Council Briefing	16 August 2021
Council Meeting	6 September 2021
Directions Hearing (Pre-set Panel Date in accordance with Ministerial Direction 15)	4 October 2021 (week of)
Planning Panel (Pre-set Panel date in accordance with Ministerial Direction 15)	1 November 2021 (week of)

In accordance with *Ministerial Direction No. 15: The Planning Scheme Amendment Process* Council must make a decision within 60 days of the closing date for submissions, being 25 June 2021. An extension has been granted to this requirement by the Department Environment Land Water and Planning given the additional time spent by Council officers to clarify the purpose of the unresolved submission.

### FINANCIAL IMPLICATIONS

If Amendment C247 were not endorsed by Council and a favourable recommendation pursued via referral to a Planning Panel, Council's ability to collect the correct amounts for public open space would be severely compromised. Council would potentially under-collect **\$9.6m** (2020/21\$) in Land Equalisation Amounts and would be required to fund this shortfall from other sources.

Should a Planning Panel be convened, it is considered that the legal representation costs and Planning Panel fees would be up to approximately \$20,000. This operational cost is already factored into department budgets.

### POLICY STRATEGY AND LEGISLATION

The Amendment is supported by the following policy and strategy.

#### Plan Melbourne 2017-2050

Direction 5.1 – Create a city of 20-minute neighbourhoods “offer high-quality public realm and open space.”

Policy 5.4.1 – Develop a network of accessible, high-quality, local open spaces “Open space provision must be fair and equitable...Urban development projects will provide opportunities to plan for new local open space.”

The proposed Amendment supports this policy by providing the fair and equitable delivery of public open space for passive recreation to support the residents of our growth areas.

#### Planning Policy Framework

The Amendment is consistent with and implements the following planning policy:

- Clause 02.03-9 – Infrastructure - Open Space “Council aims to: Facilitate an appropriate range and proportion of open space types to reflect community expectations for nature conservation, formal and informal recreation.”
- Clause 11.02-2S – Structure Planning “Facilitate the preparation of a hierarchy of structure plans or precinct structure plans.”
- Clause 11.03-2S – Growth Areas “Identify the locations of open space to be retained for recreations...”
- Clause 15.01-4L – Healthy Neighbourhoods “Create walkable neighbourhoods defined by a 400-800 metre walk to facilities and open space.”
- Clause 19.02-6S – Open Space “Objective: To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.”
- Clause 19.02-6L – Open Space “Provide growth areas with adequate, good quality open space as they develop.”

#### Wollert Precinct Structure Plan

The Amendment supports the implementation of the following sections of the Wollert PSP:

Section 3.5.2 Local Parks Contributions – Residential.

Section 3.5.3 Local Parks Contributions – Employment.

Both require the provision of land in accordance with Clause 52.01 (now 53.01) of the Whittlesea Planning Scheme at the time of subdivision. The Requirement also details the equalisation scheme to balance the liability of public open space evenly across all properties in the respective precincts.

#### Strategic Resource Plan 2020-2024

The amendment supports the objective of the *Strategic Resource Plan 2020-2024* that seeks to achieve a balanced budget on a cash basis ensuring Council remains financially sustainable in the long term.

### **LINK TO STRATEGIC RISKS**

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

The implication of not proceeding with the Amendment and using the incorrect figures for public open space required in the Wollert PSP area would result in the under collection of **\$9.6m** which Council would need to fund through other sources.

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

The potential flow on effect of having to fund this under-collection may impact the provision of local parks and open space in other areas.

**LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

<b>Goal</b>	<b>Liveable neighbourhoods</b>
<b>Key Direction</b>	<b>Well-designed neighbourhoods and vibrant town centres</b>

The Amendment will ensure that the public open space is provided for in the Wollert precinct in accordance with the Wollert PSP and DCP.

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

**CONCLUSION**

Amendment C247 will ensure the implementation of Clause 53.01 of the Whittlesea Planning Scheme, the Wollert Precinct Structure Plan and the Wollert Development Contributions Plan as they were intended. The Amendment protects Council from the financial risk of under-collection of public open space equalisation contributions.

A submission was received following exhibition of the amendment that did not request changes to the amendment and further correspondence with the submitter has not clarified the grounds for objection. The unresolved submission does not address the content of the amendment, and there are serious financial implications for Council in not proceeding with the amendment.

As such, it is recommended that Council ask the Minister for Planning to appoint an independent Planning Panel and refer the submission to the Panel. It is further recommended that Council endorse the amendment, as exhibited, as Council's position to the Panel.

**RECOMMENDATION**

THAT Council resolve to:

1. Request the Minister for Planning appoint an independent Planning Panel to consider the unresolved submission to the Amendment.
2. Endorse the exhibited version of Amendment C247, as contained in Attachments 1-3 of the report, as Council’s position to the Panel.
3. If the Minister for Planning appoints a Planning Panel:
  - a) Refer the unresolved submission to the Planning Panel.
  - b) Submit to the Panel at the first available opportunity that the unresolved submission is unclear in purpose, cannot be considered within the scope of the Amendment, and should therefore not be considered as relevant to the Panel.
4. Advise the submitter of the resolutions above.

**COUNCIL RESOLUTION**

**MOVED:** *Chairperson Wilson*  
**SECONDED:** *Administrator Eddy*

THAT Council resolve to adopt the Recommendation.

**CARRIED**

AMENDMENT C247WSEA

**System Note: The following ordinance will be modified in Sub-Clause:53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION, Schedule:SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION**

1.0  
C247wsea

**Subdivision and public open space contribution**

Type or location of subdivision	Amount of contribution for public open space
All land included within the South Morang Local Structure Plan	<p>For land where an open space contribution has not previously been made in accordance with the Subdivision Act 1988, open space must be provided at a rate of 8% of the land being subdivided, with a maximum of 3% being land encumbered by easements or other restrictions.</p> <p>The responsible authority may consent to less than 5% of unencumbered land provided any deficiency in unencumbered land is compensated by double the amount of encumbered land.</p> <p>If instances where less than 8% of land is required, the responsible authority may require a cash contribution equivalent to the value of the land which is the subject of the reduced requirement multiplied by factor of 1.5 to enable equivalent land to be purchased elsewhere.</p>
All land included in the Mernda Strategy Plan	
<ul style="list-style-type: none"> <li>▪ Precinct 2A</li> </ul>	8.1% as percentage of Gross Developable Area to be provided generally in accordance with the Mernda Strategy Plan.
<ul style="list-style-type: none"> <li>▪ Precinct 2B</li> </ul>	9.3% as percentage of Gross Developable Area to be provided generally in accordance with the Mernda Strategy Plan.
<ul style="list-style-type: none"> <li>▪ Precinct 3</li> </ul>	10.7% as percentage of Gross Developable Area to be provided generally in accordance with the Mernda Strategy Plan.
<ul style="list-style-type: none"> <li>▪ Precinct 4</li> </ul>	11.3% as percentage of Gross Developable Area to be provided generally in accordance with the Mernda Strategy Plan.
<ul style="list-style-type: none"> <li>▪ Precinct 5</li> </ul>	10.7% as percentage of Gross Developable Area to be provided generally in accordance with the Mernda Strategy Plan.
All land included within the Epping North East Local Structure Plan area	
<ul style="list-style-type: none"> <li>▪ Passive Open Space – Precincts 1 &amp; 2</li> </ul>	<p>A land contribution must be provided in accordance with Section 4 and Table 3 of the <i>Epping North East Local Structure Plan Development Contributions Plan</i> (incorporated document).</p> <p>Where no land or less than 5% of the Gross Developable Area (as explained in the <i>Epping North East Local Structure Plan Development Contributions Plan</i> (incorporated document) is nominated for passive open space, a 5% cash contribution is to be made or a payment in respect of the balance so as to bring the total contribution (land and cash) up to 5%.</p>
<ul style="list-style-type: none"> <li>▪ Conservation Open Space – Precincts 1 &amp; 2</li> </ul>	To be provided in accordance with Section 4 and Table 3 of the <i>Epping North East Local Structure Plan Development Contribution Plan</i> (incorporated document).

AMENDMENT C247WSEA

Type or location of subdivision	Amount of contribution for public open space
<ul style="list-style-type: none"> <li>Active Open Space – Precincts 1 &amp; 2</li> </ul>	To be provided in accordance with Section 4 and Table 3 of the <i>Epping North East Local Structure Plan Development Contribution Plan</i> (incorporated document).
Land shown as Urban Growth Zone 1 on planning scheme maps (Lockerbie Precinct Structure Plan, May 2012)	2.03% Land and/or cash contribution requirements must be in accordance with R21 of Section 3.2 in the Lockerbie Precinct Structure Plan, May 2012.
Land shown as Urban Growth Zone 2 on the planning scheme maps (Lockerbie North Precinct Structure Plan, March 2012)	3.24% Land and/or cash contribution requirements must be in accordance with R17 of Section 3.2 in the Lockerbie North Precinct Structure Plan, March 2012.
Land shown as Urban Growth Zone 4 on the planning scheme maps (English Street Precinct Structure Plan, November 2015)	3.98% for residential land 1.83% for commercial land Land and/or cash contribution requirements must be in accordance with R24 & R25 of Section 3.3.1 in the English Street Precinct Structure Plan, November 2015.
Land shown as UGZ3 on planning scheme maps (Quarry Hills Precinct Structure Plan, June 2016)	3.5% Land and/or cash contribution requirements must be in accordance with Section 3.5.1 in the Quarry Hills Precinct Structure Plan, June 2016.
Land shown as UGZ5 on planning scheme maps (Wollert Precinct Structure Plan, June 2017)	<del>3.70</del> 4.47% Residential <del>0.80</del> 4.44% Employment Land and/or cash contribution requirements must be in accordance with R82 (Residential) and R83 (Employment) of Section 3.5.2 and Section 3.5.3 in the Wollert Precinct Structure Plan, June 2017.



### 2.3 Summary land use budget

The Wollert PSP land use budget set out in [Plan 3](#) and [Table 1](#) provides a summary of the land required for major streets, services, community facilities, schools and open space and identifies the total area of land available for development.

For the purposes of this PSP, net developable area (NDA) is defined as the total precinct area, less land requirements for high order transport networks, education and community facilities, utilities transmission easements, Melbourne Water waterway corridors, wetlands and retarding basins, State and local conservation reserves, open space (sports reserve and local parks), and land identified for future quarrying activities.

The estimated NDA for the Wollert precinct is 950.89 hectares representing approximately 66% of the PSP area. Of the total NDA, residential and town centres account for 782 hectares, and employment uses 169 hectares.

The average household size of 2.8 persons for conventional density housing (based on *Victoria in Future 2012*) is used to estimate the future population of the PSP area. On this basis the PSP is estimated to have a population of approximately 34,888 residents.

The PSP is also expected to yield 8,040 jobs (refer to [Table 7](#) for a breakdown of anticipated employment creation against specific land uses).

A detailed property specific land use budget is in [Appendix 4.1](#).

Amended by C247wsea

**Table 1** Summary land use budget

DESCRIPTION	PSP 1170		
	HECTARES	% OF TOTAL	% OF NDA
<b>TOTAL PRECINCT AREA (HA)</b>	<b>1,434.79</b>	<b>100%</b>	
<b>TRANSPORT</b>			
Arterial road – existing road reserve	14.04	0.98%	1.48%
Arterial road – public acquisition overlay	50.81	3.54%	5.34%
Arterial road – widening and intersection flaring (DCP land)	27.53	1.92%	2.89%
Road reserve – landscape buffer adjoining	2.07	0.14%	0.22%
Non-arterial road – existing road reserve	7.92	0.55%	0.83%
Public transport facilities – future rail reserve	5.30	0.37%	0.56%
<b>SUB-TOTAL TRANSPORT</b>	<b>107.67</b>	<b>7.5%</b>	<b>11.32%</b>
<b>COMMUNITY &amp; EDUCATION</b>			
Potential government school	18.93	1.32%	1.99%
Potential non-government school	13.02	0.91%	1.37%
Local community facility (DCP land)	3.80	0.26%	0.40%
<b>SUB-TOTAL EDUCATION</b>	<b>35.75</b>	<b>2.5%</b>	<b>3.8%</b>
<b>OPEN SPACE</b>			
<b>UNCREDITED OPEN SPACE</b>			
Conservation reserve – BCS	41.57	2.90%	4.37%
Local conservation reserve	69.34	4.83%	7.29%
Waterway and drainage reserve	71.76	5.00%	7.55%
Utilities easements	40.99	2.86%	4.31%
Existing sports reserve	2.02	0.14%	0.21%
Landscape values	11.34	0.79%	1.19%
<b>SUB-TOTAL UNCREDITED OPEN SPACE</b>	<b>237.02</b>	<b>16.52%</b>	<b>24.93%</b>
<b>CREDITED OPEN SPACE</b>			
Local sports reserve (DCP land) – residential	50.42	3.5%	5.30%
Local network park (via CL 52.01) – residential	35.20	2.5%	3.70%
Local network park (via CL 52.01) – employment	7.57	0.5%	0.80%
<b>SUB-TOTAL CREDITED OPEN SPACE</b>	<b>93.19</b>	<b>6.5%</b>	<b>9.80%</b>
<b>TOTAL ALL OPEN SPACE</b>	<b>330.22</b>	<b>23.0%</b>	<b>34.73%</b>
<b>OTHER</b>			
Existing developed land	10.27	0.72%	1.08%
<b>SUB-TOTAL</b>	<b>10.27</b>	<b>0.72%</b>	<b>1.08%</b>
<b>TOTAL NET DEVELOPABLE AREA (NDA) HA</b>	<b>950.89</b>	<b>66.27%</b>	
<b>NET DEVELOPABLE AREA – RESIDENTIAL (NDA-R) HA</b>	<b>782.21</b>	<b>54.52%</b>	
<b>NET DEVELOPABLE AREA – EMPLOYMENT (NDA-E) HA</b>	<b>168.68</b>	<b>11.76%</b>	

4.47%  
4.44%

<b>G85</b>	Path networks associated with open space should include way-finding signage that clearly identifies key destinations both within and outside the precinct.
<b>G86</b>	Public areas should be lit to Australian Standards and to the satisfaction of the responsible authority.
<b>G87</b>	Water Sensitive Urban Design (WSUD) principles should be used so that excess run-off water from within, or where appropriate, external to the park, is directed to support park planting and / or rain gardens rather than being diverted to drains, to the satisfaction of the responsible authority. Any WSUD must complement the open space function or aesthetic of the park.

3.5.2 Local parks contributions – residential

REQUIREMENTS	
<b>R82</b>	<p>As per the public open space contribution required by Clause 52.01 of the Whittlesea Planning Scheme, this provision sets out the amount of land to be contributed by each property in the precinct and consequently where a cash contribution is required in lieu of land.</p> <p>All land owners must provide a public open space contribution equal to <del>3.7%</del> <b>4.47%</b> of the net developable area (NDA) upon subdivision of land in accordance with the following:</p> <ul style="list-style-type: none"> <li>Where land is required for unencumbered open space (local parks) as shown on <b>Plan 6</b> and specified in <b>Table 8</b> and is equal to <del>3.7%</del> <b>4.47%</b> of NDA that land is to be transferred to Council at no cost.</li> <li>Where land is required or less than <del>3.7%</del> <b>4.47%</b> of NDA is shown <b>Plan 6</b> and specified in <b>Table 8</b>, as required for unencumbered open space purposes, a cash contribution is to be made to council to bring the total open space contribution to a value equal to <del>3.7%</del> <b>4.47%</b> of NDA of that site.</li> <li>Where land required for unencumbered open space purposes as shown on <b>Plan 6</b> and specified in <b>Table 5</b> is more than <del>3.7%</del> <b>4.47%</b> of NDA, council will pay an amount equivalent to the value of the additional land being provided by that proposed development.</li> </ul> <p>The value of land for equalisation purposes is to be assessed as an equivalent proportion of the value of the whole of the land, in accordance with Section 18 of the <i>Subdivision Act 1988</i>.</p>

Amended by C247wsea

3.5.3 Local parks contributions – employment

REQUIREMENTS	
<b>R83</b>	<p>As per the public open space contribution required by Clause 52.01 of the Whittlesea Planning Scheme, this provision sets out the amount of land to be contributed by each property in the precinct and consequently where a cash contribution is required in lieu of land.</p> <p>All landowners must provide a public open space contribution equal to <del>0.80%</del> <b>4.44%</b> of the NDA upon subdivision in accordance with the following:</p> <ul style="list-style-type: none"> <li>Where land is required for unencumbered open space (local parks) as shown on <b>Plan 6</b> and specified in <b>Table 8</b> and is equal to <del>0.80%</del> <b>4.44%</b> of NDA that land is to be transferred to council at no cost.</li> <li>Where no land or less than <del>0.80%</del> <b>4.44%</b> of NDA is shown on <b>Plan 6</b> and specified in <b>Table 8</b>, as required for unencumbered open space purposes a cash contribution is to be made to council to bring the total open space contribution to a value equal to <del>0.80%</del> <b>4.44%</b> of NDA of that site.</li> <li>Where land required for unencumbered open space purposes as shown on <b>Plan 6</b> and specified in <b>Table 8</b> is more than <del>0.80%</del> <b>4.44%</b> of NDA, council will pay an amount equivalent to the value of the additional land being provided by that proposed development.</li> </ul> <p>The value of land for equalisation purposes is to be assessed as an equivalent proportion of the value of the whole land, in accordance with Section 18 of the <i>Subdivision Act 1988</i>.</p>

Amended by C247wsea





### 3.2 Calculation of contributions charges

#### 3.2.1 Calculation of construction costs

Each DCP project has been calculated as land and/or construction cost. These costs are listed in [Tables 10](#) and [11](#).

Transport costs are expressed in 2016 dollars and will be adjusted annually in accordance with the method specified in Section 4.3. Road and intersection construction costs have been determined by Cardno Victoria Pty Ltd (refer to [Appendix 2](#) for road, intersection and bridge cost sheets).

Community active indoor recreation project costs have been determined by the City of Whittlesea and the VPA, in conjunction with Prowse. For details on cost estimates, refer to Wollert Contribution [Plan](#) prepared by Prowse Quantity Surveyors Pty Ltd. (December 2014). The Prowse costings are expressed in January 2015 dollars, and have been indexed in line with the methodology set out in Section 4.3 of the DCP to reflect costs of June 2016.

Amended by C210

#### 3.2.2 Identification of public land

##### ESTIMATES OF LAND VALUE METHODOLOGY

The area of land to be acquired for each DCP project on each property was identified from the property specific land budget prepared for the Wollert PSP. A description of the land was provided to Urbis as a registered valuer to prepare an estimate of value. This in turn determines the value for each project requiring land identified in the DCP.

The estimates of value were prepared using the public land equalisation method (PLEM). The public land equalisation method calculates the average public land contribution required for the Wollert PSP (expressed as a percentage of NDA). The land required for each property is also calculated and compared against the average.

Public land contributions on a property that are less than or equal to the precinct average have an estimate of value using a per property broadhectare method. Any component of public land contributions that exceed the precinct average have an estimate of value using a site specific method. The properties that have a greater than average contribution are identified in [Appendix 3](#).

Amended by C247wsea **Table 9** Summary land budget

DESCRIPTION	PSP 1170		
	HECTARES	% OF TOTAL	% OF NDA
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<b>COMMUNITY &amp; EDUCATION</b>			
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Local network park (via CL 52.01) – employment	7.57	0.5%	<del>0.80%</del> 4.44%
<b>SUB-TOTAL CREDITED OPEN SPACE</b>	<b>93.19</b>	<b>6.5%</b>	<b>9.80%</b>
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Existing developed land	10.27	0.72%	1.08%
<b>SUB-TOTAL</b>	<b>10.27</b>	<b>0.72%</b>	<b>1.08%</b>
<b>TOTAL NET DEVELOPABLE AREA (NDA) HA</b>	<b>950.89</b>	<b>66.27%</b>	
<b>NET DEVELOPABLE AREA – RESIDENTIAL (NDA-R) HA</b>	<b>782.21</b>	<b>54.52%</b>	
<b>NET DEVELOPABLE AREA – EMPLOYMENT (NDA-E) HA</b>	<b>168.68</b>	<b>11.76%</b>	



**6.2 LIVEABLE NEIGHBOURHOODS**

**ITEM 6.2.1 FOR DECISION - PLANNING APPLICATION 719740 - MULTI LOT SUBDIVISION, CONSTRUCTION OF DWELLINGS, REMOVAL OF NATIVE VEGETATION, ALTERATION OF ACCESS TO A ROAD ZONE CATEGORY 1, PARTIAL DEMOLITION OF A BUILDING IN A HERITAGE OVERLAY AND PARTIAL DEMOLITION OF DRY STONE WALLS AT 635 BRIDGE INN ROAD, MERNDA**

<b>Attachments:</b>	<ol style="list-style-type: none"><li>1 <b>Locality Maps</b> <a href="#">↓</a></li><li>2 <b>Arboricultural Map and Table</b> <a href="#">↓</a></li><li>3 <b>Heritage Building Plans</b> <a href="#">↓</a></li><li>4 <b>Overall Development Plan</b> <a href="#">↓</a></li><li>5 <b>Without Prejudice plan - break in built form</b> <a href="#">↓</a></li><li>6 <b>Landscape Plan</b> <a href="#">↓</a></li><li>7 <b>Colour Schedule</b> <a href="#">↓</a></li><li>8 <b>Nostra Plans</b> <a href="#">↓</a></li><li>9 <b>Glenville Plans</b> <a href="#">↓</a></li></ol>
<b>Responsible Officer:</b>	<b>Director Planning &amp; Development</b>
<b>Author:</b>	<b>Growth Area Development Assessment Planner</b>
<b>APPLICANT:</b>	<b>Bridge Inn Road Project Pty Ltd</b>
<b>COUNCIL POLICY</b>	<b>River Redgum Protection Policy</b>
<b>ZONING:</b>	<b>Rural Conservation Zone Township Zone</b>
<b>OVERLAY:</b>	<b>Development Plan Overlay (DPO16) Floodway Overlay (FO) Heritage Overlay (HO116) Vegetation Protection Overlay (VPO1)</b>
<b>REFERRAL:</b>	<b><u>External</u></b>  <b>Department of Transport AusNet Electricity Services; APT O&amp;M (Gas); Yarra Valley Water; Melbourne Water; CFA</b>  <b><u>Internal</u></b>  <b>Development Engineering; Strategic Transport; Parks and Open Space; Strategic Planning; Urban Design; Sustainability Design; Land Management and Biodiversity; Heritage Coordinator; Heritage Advisor</b>
<b>OBJECTIONS:</b>	<b>Advertising is exempt for this application</b>

**RECOMMENDATION SUMMARY**

That Council resolve to approve Planning Permit Application No. 719740 and Grant a Planning Permit for a Multi-lot subdivision, construction of dwellings, removal of native vegetation, alteration to access to a Road Zone Category 1, partial demolition of a building in a Heritage Overlay and partial demolition of dry stone walls subject to conditions.

**BRIEF OVERVIEW**

The application seeks to subdivide and develop the site at 635 Bridge Inn Road, Mernda and includes the partial demolition of the existing heritage dwelling on the site, restoration of the significant building as well as alterations and additions to the rear of the dwelling. The heritage dwelling will be created within a separate lot adjacent to the Plenty River Corridor.

The development area is to be cleared of all vegetation, except for Tree 1 - River Red Gum, located within the proposed service road reserve. The removal of mixed vegetation within Tree area 31 is required for construction of the shared path within the Plenty River Corridor.

The development will also include land to be vested to Council as a part of the Plenty River Corridor, in addition to roads to be transferred to Council that will form part of a broader traffic network.

The application is exempt from public notification as it is generally in accordance with the Development Plan for the area and a number of referrals were undertaken in accordance with planning scheme requirements.

**RATIONALE FOR RECOMMENDATION**

The subdivision layout and development plans are generally in accordance with the Heals Road Development Plan, as informed by the Mernda Township Development Plan (DPO16).

The partial demolition of the heritage building is to the rear, removing a fire affected portion of the building and allowing a modern renovation, as well as continued use of the dwelling.

The vegetation removal is consistent with that already considered as part of the Heals Road Development Plan and is required for the development of the site, whilst land will be transferred to Council along the Plenty River corridor to be used for both conservation and passive recreational purposes.

**IMPACTS OF RECOMMENDATION**

The subject site has been identified for redevelopment for some time given its proximity to the Mernda Town Centre and Train Station and this is reflected in the strategic planning undertaken that establishes a Development Plan Overlay to guide increased development.

Development of the site will also ensure the heritage dwelling is retained and restored, whilst the ultimate road network and open space along the river will be realised.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

Development plans for the dwellings have been provided and will be endorsed, ensuring an appropriate built form outcome, whilst conditions will be required to manage the restoration of the heritage dwelling.

Appropriate tree protection measures, including the establishment of a tree protection zone around Tree 1, will be applied to all vegetation that is to be retained within the conservation reserve and development area and other standard permit conditions will be included to manage construction and other amenity impacts.

**REPORT****SITE AND SURROUNDING AREA**

The subject site is located on the northern side of Bridge Inn Road and abuts the Plenty River to the east with a total area of 2.186ha. The site is located 625m east of the Plenty Road intersection and is within a walkable catchment of the Mernda Railway Station and future Mernda Town Centre.

Two small house lots fronting Bridge Inn Road in separate ownership are located to the east, between the site and the Plenty River, and do not form a part of this proposed development.

Land to the south of Bridge Inn Road is undeveloped and abuts the carpark to the Mernda Train Station. The Mernda Station is approximately 150m west of the subject site, including bus transfer station at the car park and bus stops along Bridge Inn Road.

The site is located within the South East portion of the Heals Road Development Plan. Four larger lots form this development plan area, including the western site at 625 Bridge Inn Road where the development of a child care centre and 31 residential lots has begun, including the construction of Cockrell Road being an internal north-south road also utilised by the subject site.

The lot to the north of the subject site will eventually connect the site to Schotters Road, although there are no current plans for the development of this site. Further north the land has been developed in accordance with the Development Plan.

The Plenty River Corridor forms the eastern portion of this site.

The subject site sits within both the Township Zone and a Rural Conservation Zone, with the proposed north-east Burnside Way and the heritage lot straddling each zone.

The site is generally vacant. The site includes a dwelling that dates to the 1860s and was adapted during the interwar years. The dwelling was subject to a fire in 2015 and has been unoccupied since. The house has deteriorated in that time through neglect of maintenance and/or repair.

An orchard and garden associated with the dwelling is located around the dwelling and includes a dry stone wall along the northern boundary of the site. The total site is vegetated with a mix of exotic and native vegetation.

**RESTRICTIONS AND EASEMENTS**

The subject land is formally known as Lot 1 on Title Plan 403685. No restrictions or easements are listed on the Title.

**PROPOSAL**

The application includes the subdivision of land at 635 Bridge Inn Road, Mernda. The proposal seeks to develop each lot with single and two storey dwellings and includes removal of vegetation, alteration of access to a road in a Road Zone, Category 1, partial removal of a Dry Stone Wall and partial demolition of a building in a Heritage Overlay.

A Cultural Heritage Management Plan was provided with the application. The subject site has a high level of ground disturbance through historical land use and cultural material was located as part of the assessment. One area of high archaeology potential was identified within the conservation zone where it was assessed to be protected through the Plenty River corridor.

Specific details of the proposal are outlined below:

### **Subdivision**

- Subdivision of land to create 54 lots to the east of Cockrell Road, including the creation of a service road to the front of the site. Burnside Way will extend east from Cockrell Road and turn north to ultimately connect to the northern lot. Brick Lane provides for vehicle access to the lots facing Bridge Inn Road and Burnside Way (part). These streets are to be constructed and vested as Council roads.
- Land to the east to be vested to Council as part of the Plenty River Corridor.
- Lot 54 is to be created with the existing heritage building at the south east corner of the site.
- Lot sizes are to range in size from 80m<sup>2</sup> to 350m<sup>2</sup>, as well as the heritage dwelling lot area of 682m<sup>2</sup>.

### **Vegetation removal**

- The application includes removal of all vegetation within the developable area. Tree 1 (River Red Gum) is proposed to be retained within the service road reserve.
- A total of 7 River Red Gums (Trees 10, 20, 21, 22, 25, 27 and 28) are proposed for removal as well as a mix of exotic and native vegetation on the developable area.
- Trees 3 - 10 have been removed as a part of preparation of the construction of Cockrell Road. The removal of these trees requires a retrospective permit.
- In total 17 Victorian native trees require removal to facilitate the development of this site.
- In addition, some vegetation is required to be removed within Tree Area 31 (Mixed Natives) of the Plenty River Corridor, to enable construction of the shared path.
- All River Red Gums within the Plenty River Corridor are to be retained.

### **Partial demolition, additions and alteration to a heritage building**

- Demolition of the rear of the dwelling is proposed, including the kitchen, family room, laundry and bathroom. A plan is provided to demonstrate the required propping of the building to make it safe for restoration work.
- Restoration of the front four rooms and veranda is proposed.
- New additions and alterations will occur to the rear of the existing dwelling with the stairwell between floor levels providing a 1m glazed break between the new and old built form.
- The two storey addition includes:
  - Ground floor: Kitchen; meals/living area; laundry; service yard (14m<sup>2</sup>) to the western boundary; a north facing secluded open space (119m<sup>2</sup>) with direct access from the living area
  - Double car garage accessed from Brick Lane
  - First floor: Main bedroom with ensuite; 2 bedrooms; central bathroom and rumpus room with 5m<sup>2</sup> balcony
  - Gabled roof to the east-west and glazed articulation with vertical cladding in charcoal grey colour.

### **Development of site**

In addition to the above, the application includes:

- The development of each lot with either a Glenville Product or Nostra Product.

- The Nostra dwellings are single storey, four bedroom with a single garage and tandem carspace.
- The Glenville Product includes 7 dwelling typologies, noted as Dwelling Types A-G on the Sales Plan.
- Removal of part of the dry stone wall on the northern boundary to enable the shared pedestrian path. Restoration and retention of part of the wall is proposed in accordance with the submitted Dry Stone Wall Management Plan;
- A service road will be provided to the front of the site, extending from 625 Bridge Inn Road;
- Landscaping works;
- Associated car and bicycle parking;

## **PUBLIC NOTIFICATION**

Pursuant to the DPO16, Clause 43.04-2, an application under any provision of this scheme which is generally in accordance with an approved Development Plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

By way of background, the Heals Road Development Plan underwent a 'non-statutory' exhibition period to affected landholders and service authorities in early 2007 for 28 days. Four submissions were received from landholders within and adjoining the DP area and from service authorities, particularly relating to road layouts/networks, excessive building heights, inadequate densities and open space provision along the river corridor. These were considered at a Council meeting on 29 May 2007 and following consideration of submissions and subsequent changes to address all concerns, Council resolved to amend and approve the Development Plan at its meeting of 18 September 2007.

The Heals Road, Mernda Development Plan was approved in accordance with Clause 43.04, Schedule 16 (DPO16) as a part of the wider Mernda Township.

## **CONSULTATION**

A number of meetings were held with the applicant and Council's internal departments to discuss Council's requirements and changes to the plans. A number of changes were made throughout the application process with remaining changes included as recommended conditions on any permit issued.

Council has facilitated meetings between the permit applicant and the owner of 625 Bridge Inn Road regarding the design of Cockrell Road. The two properties continue to engage regarding coordination of the delivery of this road and extension of the service road, as well as the future development of the respective sites including the conservation reserve.

The permit applicant has consulted with the northern property owner at 26 Schotters Road, seeking to utilise their land for the temporary turning bowl for Burnside Way. At the time the property owner of 26 Schotters Road requested a quote for the cost of delivery of Burnside Way through his site. Ultimately this owner decided not to pursue it any further and did not allow the use of his land for a turning bay. The owner is, however, aware that a development application is underway at 635 Bridge Inn Road.

## **ASSESSMENT AGAINST THE WHITTLESEA PLANNING SCHEME**

### **Planning Provisions Framework (PPF)**

The following provisions of the Planning Policy Framework are relevant to this proposal:

Clause 11.01-1R: Settlement refers to the key strategy for creating a consolidated city within the Metropolitan Melbourne area;

Clause 11.01-1L: Green wedge areas requires linkages to be created between urban areas and to encourage the restoration of waterways as areas of incidental recreation and active modes of transport.

Clause 12.01-2S: Native Vegetation Management seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. An offset is required to compensate for the biodiversity impact from the removal of vegetation. This will be provided through the planting of additional native vegetation within the Plenty River Corridor.

Clause 12.01-1L: Protection of biodiversity provides a local strategy for protecting and improving existing habitat corridors and remnant vegetation, including buffers along waterways between areas of development.

Clause 12.01-1L: River Red Gum policy recognises the River Red Gum as an asset to the City of Whittlesea. This policy seeks to protect River Red Gums from encroaching developments in urban and rural areas.

Clause 13.02-1L: Bushfire Planning seeks to strengthen community resilience to bushfire and grassfire.

Clause 15.01-1L: Urban design in the City of Whittlesea is required to ensure the Guidelines for Urban Development, 2015, are considered in the development of residential built form.

Clause 15.01-3L: Subdivision design provides strategy that includes ensuring that neighbourhoods are connects, lots are orientated to maximise solar efficiency and are integrated to the surrounding environment.

Clause 15.03-1S;-1L: Heritage conservation in Whittlesea requires the protection of places identified as having heritage significance and to ensure that future development allows an appropriate setting for the heritage place.

Clause 15.03-1L: Dry stone walls. The demolition or removal of dry stone walls should be avoided and their sympathetic integration within developments supported.

### **Zones and Overlay Controls**

The site is affected by two zones as follows:

#### **Clause 32.05 - Township Zone (TZ)**

The subdivision of 53 lots and the internal east-west roads are located within the Township Zone where a permit is required for the subdivision of land.

As the application includes development of all lots, a permit is also required for the construction of two or more dwellings on a lot.

The proposed development considers the purpose of this zone, is residential in nature and supports the Heals Road Development Plan.

#### **Clause 35.06 - Rural Conservation Area Zone (RCZ)**

The eastern portion of the subject site is located with the RCZ and includes the north-south connection of Burnside Way and the turning bay for Brick Lane, generally in accordance with the Heals Road Development Plan.

The heritage lot is divided between the TZ and RCZ and benefits from existing use rights. A permit is required to alter an existing building where the extension is more than 100sqm. A permit is required for earthworks, which would include construction of a road.



The site is affected by two overlay controls as follows:

**Clause 42.02 – Vegetation Protection Overlay, Schedule 1 (VPO1)**

The whole of the site is subject to the VPO1 which applies to the 'River Redgum Grassy Woodland'. The requirements of the schedule are that vegetation that is native to Victoria requires a permit for removal.

An arboriculture report has been prepared identifying the health and condition of the trees on site. The list of trees to be removed includes 7 River Red Gums and 10 other Victorian native trees, as well as other exotic trees and trees native to wider Australia.

**Clause 43.01 - Heritage Overlay, Schedule 116 (HO116)**

The existing dwelling on the southeast corner of the subject site is listed within the Heritage Overlay as HO116.

The dwelling and garden at the subject site are significant as a reminder of development in Morang as a result of the construction of the nearby Yan Yean reservoir. The 1920s renovations are innovative, with this era of design under-represented in the City of Whittlesea. The house is aesthetically significant for its prominent position on Bridge Inn Road.

The key significant elements including the bluestone chimney base, weatherboard construction and interwar alterations to the roof and veranda. The hedge and mature trees contribute to the garden setting.

A permit is required to demolish a building, construct a building or carry out works or externally alter a building.

**Clause 43.04 - Development Plan Overlay, Schedule 16 (DPO16) – Mernda Township Development Plan**

The land within the TZ is also affected by the DPO16. Clause 43.04-2 directs that a permit must not be granted to subdivide or develop the land until a development plan has been prepared.

The Mernda Township DP is the basis for guiding development within that area, while the *Heals Road Development Plan* (DP) was approved in 2007, prepared specifically for the four sites south of that road, including the subject site.

This proposal is considered in accordance with the approved DP.

**Particular Provisions**

The relevant Particular Provisions are as follows:

**Clause 52.06 – Car Parking**

All dwelling types are provided with the required number of parking spaces on site. Type G includes an additional apron for driveway parking and as such those 5 dwellings may be able to accommodate additional onsite parking.

The Heals Road Development Plan stipulates that a parking rate of one on street car parking space per dwelling. It is noted that since the adoption of the DP, Clause 52.06 now designates the subject site as within a Principal Public Transport Network area and should this provision be applied, no visitor car parking would be required.

The application proposes to include 37 on street car spaces, resulting in a rate close to 1 space to 1.5 dwellings. Given the proximity to the Town Centre and Railway Station, this is considered an acceptable outcome.

**Clause 52.17 – Native Vegetation**

A permit is required to *remove, destroy or lop native vegetation, included dead native vegetation*. As noted, a permit is required to remove 17 trees from the site, in accordance with the DP.

Clause 52.17-7 of the Planning Scheme outlines an exemption for 'planted vegetation'. The VPO1 specifically notes that this exemption is only relevant for the purposes of crop raising or animal grazing. As such, a permit is required for the removal of these trees.

It is considered appropriate to remove the vegetation as a part of the development.

#### **Clause 52.29 – Create access to a Road Zone Category 1**

A permit is required to create access or subdivide land adjacent to a Road Zone. Bridge Inn Road is located within a Road Zone Category 1. The proposal seeks to create access to Bridge Inn Road via the construction of a service road with left turn out only. The proposal also includes access from Cockrell Road which is to be constructed by the abutting property.

All access points are considered in accordance with the DP and are supported.

The Department of Transport has provided a referral response indicating it does not have an objection to a permit being issued subject to conditions.

#### **Clause 66.01 – Referral and Notice Provision**

A permit for subdivision must contain mandatory conditions for the provision of telecommunication services. These conditions will be reflected in the permit.

#### **REFERRAL COMMENTS**

<b>External</b>	<b>Conditions</b>	<b>Comments</b>
APT O&M Services	No	No objection to issue of permit
Yarra Valley Water	Yes	No objection to issue of permit subject to conditions
Melbourne Water	Yes	No objection to issue of permit subject to conditions
The Head, Transport for Victoria	Yes	No objection to issue of permit subject to conditions
AusNet Electricity Services	Yes	No objection to issue of permit subject to condition
AusNet Transmission Group	No	No objection
CFA	Yes	No objection to issue of permit subject to conditions

#### **Parks and Open Space**

The Parks and Open Space Department has provided input into the design and the landscaping of the proposed subdivision and development, including the retention of Tree 1 and the location of the turning bay into the conservation reserve.

The Tree Protection Zone (TPZ) of Tree 1 has been assessed by Council's arborist as significant and worth of retention. The permit applicant has measured the canopy spread through a surveyor at 19m, requiring a TPZ of 9.5m. The 1m offset from the TPZ extends into the proposed Lots 9, 10 and 11.

Various surface treatments will ensure protection of the roots. There was concern regarding the encroachment into the TPZ, however the existing heritage dwelling cannot be moved and therefore the encroachment of the TPZ is acceptable.

A condition will be required to include the 2.5m shared path along the Linear Open Space with the Subdivision Layout Plan.

It is noted that the Stormwater Strategy and Services Review indicate that the electrical substation and utilities will need to be located within the conservation reserve abutting the heritage property. Any conservation land to be used for services cannot be included in the calculation of open space provided as a part of the development.

### **Land Management and Biodiversity (Sustainable Environment)**

Noted a preference to retain River Red Gum trees where possible and encouraged removal of various noxious weeds.

The use of indigenous species in plantings is strongly encouraged with some adjustments to those proposed to be included as conditions on any permit issued.

### **Heritage Coordinator**

Raised no objection to the Dry Stone Wall Management Plan (DSWMP), noting that dry stone walls are rare in the Mernda district. The DSWMP notes the eastern extent of the wall as significant, being Section D (part), E, F and G. This is supported and recommended to be conditioned on any permit issued.

A second north-south wall was identified on the abutting property to the north. A condition is recommended on any permit issued that protects this wall during the development of the subject site as they are likely to be part of the same fencing complex.

### **Heritage Advisor**

Partial demolition of the fire affected part of the heritage building, as identified by the structural engineer and subsequent demolition plans, is appropriate.

The additions and alterations as proposed are considered appropriate for the context of the site. A condition should be included that a Heritage Conservation Management Plan (HCMP) be prepared that provides a detailed plan for the repair of the dwelling and presentation of the site.

The structural engineer report is not conclusive on whether the existing weatherboards require replacement or are structurally sound. Retention of all existing weatherboards should be achieved where appropriate.

The retention of mature trees and landscaping around the dwelling should be required, although it is noted that most of the surrounding landscape is introduced vegetation, including noxious weeds.

### **Development Engineering**

The Development Engineering Department has provided advice regarding the required infrastructure to be delivered by this development, including components within the road reserve and drainage requirements.

Conditions of permit will require changes to plans and the preparation and approval of functional layout plans to demonstrate the spatial provisions of each road reservation consistent with Council's requirements.

### **Urban Design**

The Urban Design team has provided ongoing advice to ensure the development of a high quality residential area with varied roof form, colours and materials provided to each dwelling type. The siting of garages and glazed elements provides good articulation to each Dwelling Type.

Concern was raised with the bulk of the townhouses along the north-south roads and recommended that a break in the attached built form will allow glimpses of the Plenty River Corridor from Cockrell Road, and improve the visual amenity of the development.

The developer has provided a ‘without prejudice plan’ demonstrating how a break in the built form can be achieved which can be described as a 3.18m wide separation between Lots 50 and 51, carried through to Burnside Way between Lots 37 and 38, with no reduction to the total number of lots. This will require some adjustment to the width of lots and introduce a new double storey dwelling to the Nostra typology. In addition, the double garages to Lots 37 and 38 will become single garage with a tandem car space. Dwelling Type G would be converted to include an east-facing balcony, providing passive surveillance of the reserve.

This can be conditioned on permit and is considered an acceptable outcome.

**Strategic Transport**

No objection to the Green Travel Plan subject to conditions regarding bicycle storage.

**Strategic Planning**

The medium density housing proposed is appropriate, noting that the housing densities increase toward the south of the site, being the closest point to the Mernda Railway Station and future Town Centre. Developer Contributions are required in accordance with the rates set out in the Mernda Local Structure Plan Part 1. The establishment of the Plenty River Corridor is considered to be appropriate as an open space contribution.

**Sustainability**

No objection to the proposed development, subject to the submission of a revised Sustainability Management Plan including achievement of a 6.5 star rating.

A Built Environment Sustainability Scorecard (BESS) of 61% provides a Best Practise outcome for the development.

**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 site is located with an area identified as appropriate for medium density housing growth, with more intense built form encouraged toward Bridge Inn Road and the Mernda Town Centre. Development at 625 Bridge Inn Road has begun, where the approved built form consists of a child care centre to Bridge Inn Road with medium density housing to the north of the child care centre, broken into ‘groups’ of townhouses.

	√-Compliance X - Non compliance	Objectives	Standards	COMMENTS
				<p>The proposed development includes 7 dwelling types with a break in the built form provided through the placement of Burnside Way. A second east-west road has been replaced with a laneway, reducing the visual connections. To counteract this, it is recommended that a break in the built form be provided between Lots 50 and 51, carried through to Burnside Way between Lots 37 and 38, as described through the Urban Design assessment.</p> <p>The layout provides appropriate articulation through colours and materials with varied roof form. No front fencing is shown on the plans.</p> <p>The style of the dwelling will ensure that the garages do not dominate the dwelling layout. The introduction of balconies to Type G, as facilitated by the proposed break in attached townhouses, will provide increased passive surveillance of the public space and as well as improved articulation of the dwelling types.</p>
B2	Residential Policy	✓	✓	<p>The site is located within the Heals Road Development Plan and has considered all requirements of that plan. The medium density housing responds to policy requiring future housing within a walkable catchment area of the Mernda Town Centre, as identified through the DP.</p> <p>The subject site is located within 200m of a railway station, bus route, town centre and Plenty River parklands, as well as the Mernda recreation reserve, providing an ideal setting for future occupants.</p> <p>The application includes removal of native trees (VPO) and restoration of a heritage buildings (HO) and has addressed all the relevant policy of the PPF.</p>

	√-Compliance X - Non compliance	Objectives	Standards	COMMENTS
B3	Dwelling Diversity	✓	✓	<p>This application includes more than 10 dwellings, requiring a range of bedrooms within the dwelling typologies.</p> <p>The dwellings include a mix of single and double storey buildings with two, three and four bedroom layouts. The Nostra dwellings provide all living, bedrooms and facilities at ground floor.</p>
B4	Infrastructure	✓	✓	<p>The proposal has been referred to all external authorities who offer no objection subject to conditions. The services to the southeast of the site are required to sit outside of the heritage dwelling lot and are required to be placed in the conservation reserve. This will ensure full access to all services as needed.</p> <p>Melbourne Water required a Stormwater Management Plan be prepared at the application stage for their consideration. This has been approved subject to conditions.</p>
B5	Integration with the street	✓	✓	<p>All proposed dwellings will be appropriately integrated with the future street layout.</p> <p>The proposed 'without prejudice' changes will include a revised building layout for the Nostra dwellings, introducing double storey form to the mix and creating visual articulation. Two Type G dwellings would convert the double storey garage to a single storey and a balcony facing east would be included. This is considered an improvement to the articulation and opportunities presented to Burnside Way as it faces the Plenty River corridor.</p>
with B6	Street setback	✓	Partly Complies	<p>The proposed dwellings fronting Bridge Inn Road will be sited behind the service road, creating a setback of 4m from the service road. The new dwellings will have a setback greater than the heritage dwelling, ensuring that the setting of the heritage place is not compromised. Setbacks are also consistent with the approved permit development at 625 Bridge Inn Road.</p> <p>A setback of 12.5m to the service road is proposed, with an additional setback of 7.4m to Bridge Inn Road and complies with Standard B6.</p>

	√-Compliance X - Non compliance	Objectives	Standards	COMMENTS
				Setbacks from to the front porch within the development vary from 1.4m to 5.86m, requiring a variation to the Standard B6. The setbacks proposed are consistent with the emerging character of the Heals Road DP area and should be supported.
B7	Building height	✓	✓	No dwelling will be more than 2 storey and generally no greater more than 7m in height. This is in accordance with the expectations of the Township Zone and the DP.
B8	Site coverage	✓	✓	A large portion of the site is committed to the Plenty River Corridor, with landscaping through nature strips and the service road reserve provided throughout the site.  It is accepted that the site has less than 60% site coverage.
B9	Permeability	✓	✓	A BESS Score of 61% has considered the permeable area provided within the development. This is satisfactory.
B10	Energy efficiency	✓	✓	The orientation of the site and densities sought does not allow for all lots to be provided with north facing spaces.  Lots 1-11 face south onto Bridge Inn Road and have a rear vehicle access via Brick Lane. Ground floor includes 2 bedrooms with access to natural light while the living spaces are provided to the first level, maximising light and energy efficiencies.  The roof form of each dwelling is angled to ensure maximum solar efficiency is achieved within each dwelling typology.
B11	Open space	✓	✓	The Plenty River Corridor is provided as an informal public space, as required by the Heals Road Development Plan. Lots 30-44, as well as the heritage dwelling, will have frontage to the Corridor. All existing native vegetation within the Corridor will be retained. The existing dry stone wall will be retained in part as a landscape feature within the open space area.
B12	Safety	✓	✓	All dwellings will have a direct frontage to the service road or an internal road and are clearly identifiable. All dwellings will be provided with internal access via the garage direct to the dwelling or a private open space (heritage dwelling).

	√-Compliance X - Non compliance	Objectives	Standards	COMMENTS
				<p>No private space will be utilised as a public thoroughfare.</p> <p>The splays at Lots 12 and 22, being the corner of Burnside Way / Cockrell Road and the northern side of Lot 1, being the corner of Cockrell Road / Brick Lane are required to be 3m x 3m and can be conditioned on any permit issued.</p>
B13	Landscaping	✓	✓	<p>A permit condition will require a complete landscaping plan for the overall site.</p> <p>The existing vegetation within the Plenty River Corridor is to be protected and enhanced through additional plantings. Street trees are proposed throughout the development within the nature strips and road reserves.</p> <p>The Hawthorn Hedge to the front of the heritage dwelling is a significant part of that site. It is also identified as a noxious weed and is recommended for removal.</p>
B14	Access	✓	✓	<p>All dwellings are appropriately serviced with a crossover to each lot.</p> <p>Details regarding spacing between crossovers and their location from intersecting roads has been provided by the applicant. A condition on permit will require a Functional Layout Plan to be endorsed by Council to ensure that crossovers are appropriately located. It is considered that a satisfactory outcome can be achieved with the development proposal.</p>
B15	Parking location	✓	✓	<p>Each dwelling is provided with a single or double car parking space with all dwellings provided with at least one undercover car space, in accordance with Standard B15.</p>
B17	Side and rear setbacks	✓	Generally complies	<p>The objectives of B17 are met with the proposed typology.</p> <p>If assessing the built form within the proposed lot arrangement, the first floor rear setbacks to dwellings abutting Brick Lane require a variation of 1m. This is acceptable given the setback of 1m from a rear laneway will result in no detrimental amenity impacts to any dwelling.</p>
B18	Walls on boundaries	✓	✓	<p>All boundary walls on the proposed lots abut another boundary wall of a similar length and height.</p>



	√-Compliance X - Non compliance	Objectives	Standards	COMMENTS
				The character throughout the development is consistent and supported.
B19	Daylight existing windows to	✓	✓	Daylight to the windows of the existing heritage dwelling will not be impacted by the proposed development.
B20	North-facing windows	✓	✓	All north facing windows of the existing heritage dwelling are to be demolished. The additions and alterations will not be affected by the medium density housing.
B21	Overshadowing open space	✓	✓	The private open space of the heritage dwelling will not be impacted.
B22	Overlooking	✓	✓	No overlooking will result to the existing heritage dwelling.
B23	Internal views	✓	✓	Screening and window design will prevent internal views.
B24	Noise impacts	✓	✓	All dwellings will be designed to manage noise impacts associated with residential development.
B25	Accessibility	✓	✓	All dwellings can provide all-ability access.
B26	Dwelling entry	✓	✓	All dwellings are provided with an entry porch and transitional space for each garage.
B27	Daylight to new windows	✓	✓	All windows will have access to an outdoor space clear to the sky with a minimum area of 3sqm  Dwelling Types A and B are provided with a two storey light well to each dwelling of at least 3sqm. This is satisfactory for the dwelling type proposed in this location.
B28	Private space open	✓	Partly Complies	Dwelling Type A has SPOS in the form of a first floor balcony of 9.9m <sup>2</sup> and Dwelling B has a balcony of 9.4m <sup>2</sup> .  Dwelling Type D includes a 14.8m <sup>2</sup> first floor balcony.  All other dwelling types provide POS at ground level of at least 40m <sup>2</sup> including 25m <sup>2</sup> SPOS.  Dwelling Type C includes 24m <sup>2</sup> SPOS with a dimension of 3.72m to the rear of the lot. This is considered a reasonable variation in the setting of opposite the Plenty River Corridor.

	√-Compliance X - Non compliance	Objectives	Standards	COMMENTS
B29	Solar access to open space	✓	✓	Balconies to Dwelling Types A and D are located to the south of the site. These spaces are not considered to be secluded open space and are appropriate.  Lot 33 is located to the south of the wall at Lot 34. Lot 26 is to the south of the wall on Lot 53. The setbacks as required from Standard B29 are met for each of these lots.
B30	Storage	✓	✓	The plans show 6m <sup>3</sup> storage sheds for each lot.
B31	Design detail	✓	✓	The colours and materials as proposed are appropriate for the emerging character of the Heals Road Development Plan area and are supported by the Urban Design Department.
B32	Front fences	✓	✓	There are no front fences proposed to the new development on this site.  A 1.5m fence with 25% transparency is proposed to the front of the heritage dwelling. This is considered appropriate with the removal of the Hawthorn hedge. A replacement hedge species would also be considered appropriate for this lot.  Side fences are proposed to corner lots. Details of the height of these fences should be required as a condition on any permit issued.
B33	Common property	-	-	-
B34	Site services	✓	✓	Bin storage areas are adequately shown on the development plan for each dwelling type.  The placement of mailboxes should be required on amended plans by way of condition on any permit issued.

**PLANNING COMMENTS**

DPO16 refers to the Mernda Township Development Plan. The Heals Road Development Plan guides the future use of the site in accordance within the wider township area and was adopted by Council in 2007. The proximity of the development plan area to the Mernda Town Centre supports the provision of full residential development with no need for non-residential uses.

The development plan provides a high-level of circulation through internal streets and a pedestrian/cyclist network incorporating footpaths to all internal streets and a concrete shared path through the Plenty River Corridor.

The development plan provides for infill development and both conventional densities as well as providing for a graduation of densities toward Bridge Inn Road and the town centre with the intention of increasing densities around the Mernda Town Centre. The preferred medium density housing type is to be street based, such as terrace housing.

The heritage dwelling is not included within the Heals Road Development Plan (DP). HO116 was included to the Whittlesea Planning Scheme in 2015 (Amendment C153) but did not include updating the DP. As such, the Heritage Overlay must be considered in its own right, in addition to the DP, for this area.

The VPO1 did apply to the site at the creation of the DP. The existing vegetation was considered at the time of implementation of the DP.

Waste management trucks require a turning area on Burnside Way until the property to the north is developed. To enable the development of all residential lots it is necessary for the turning bay to extend east. This bay must be retained within the road reserve alignment and must not encroach on the TPZ of any existing native tree within the Plenty River Corridor.

The urban design outcome will benefit from a break in the building mass as viewed from Cockrell Road to Burnside Way. To facilitate this the permit applicant has suggested that a 3.18m wide separation be created between Lots 50 and 51 continuing through to a gap between Lots 37 and 3. This gap will form part of the private open space of those lots and will not be publicly accessible.

This is considered to be an appropriate solution and will ensure that the built form is provided in 'groups' as per the development at 625 Bridge Inn Road. Some change to the building typologies of Type C and Type G will result, including a double storey Nostra typology at Lots 49 and 50; a new floorplan layout for Lot 51 and changed boundary widths. To Burnside Way, Lots 37 and 38 will include single garages with tandem car space behind. Type G dwellings will be altered to include an east facing balcony. These changes are considered positive and will improve the articulation to the development.

Services can be provided to the site. It is considered that a service easement through the private property of the heritage dwelling is not appropriate. An easement can be provided adjacent to the boundary of the private lot, located within the Plenty River Corridor. Consequently, this land becomes encumbered and cannot be included in the open space requirements.

### **Tree removal assessment**

The Heals Road Development Plan identifies two key River Red Gums that are to be retained, cited on the lot to the north of the subject site. All existing indigenous species within the Plenty River corridor must be retained and enhance through additional planting.

The removal of the identified trees is necessary for the development of the site.

A final landscape plan will be required through condition on the permit.

The retention of Tree 1 is supported as a significant River Red Gum, located within the road reserve at the front of the property. It is Council policy to eliminate the risk of potential falling limbs from damaging private property or risking life.

To ensure that this is achieved, the lots that fall within the 'canopy area plus 1m', as shown on the dashed blue line on the development plan, must be amended to fall outside that area. The proposed footpath to the front of the lots should be realigned to also be completely outside the TPZ area. The location of the heritage dwelling cannot be moved and as such it is appropriate to accept the risk of the overhanging canopy to that property. It is accepted that with appropriate management the tree itself can be appropriately managed.

### Heritage demolition assessment

A structural engineering report has been provided and concludes that the front of the house is able to be restored, including the weatherboards and bluestone chimney. The roof and veranda are in poor condition, however enough of the structure remains to enable an appropriate restoration

### DECLARATIONS OF CONFLICTS OF INTEREST

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

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

### CONCLUSION

The proposal has been assessed against the relevant policies and provisions of the Whittlesea Planning Scheme, including Clauses 12.01-1L (River Red Gum Protection), 15.03-1S;-1L (Heritage): and 52.17 (Native Vegetation Removal), as well as applicable Zone and Overlays. Accordingly, it is recommended that the application be approved subject to conditions.

<b>RECOMMENDATION</b>
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**THAT Council resolve to approve Planning Application No. 719740 and issue a Planning Permit for the multi-lot subdivision, construction of dwellings, removal of native vegetation, alteration to access to a Road Zone Category 1, partial demolition of a building in a Heritage Overlay and partial demolition of dry stone walls subject to conditions in accordance with the endorsed plans and subject to the following conditions:**

#### **CONDITIONS TO BE SATISFIED PRIOR TO CERTIFICATION OF THE PLAN OF SUBDIVISION**

##### **1. Stormwater Management Strategy**

**Prior to the submission and endorsement of the Subdivision Layout Plan and before any development hereby permitted starts (including any demolition, excavations, tree removal, delivery of building / construction materials and/or temporary buildings), an amended Stormwater Management Strategy is required to be submitted to and approved by the Responsible Authority and Melbourne Water. When approved, the plan will be endorsed and will then form part of the permit. The Stormwater Management Strategy must be prepared by a qualified person and be generally in accordance with the Stormwater and Services Strategy review, Supplement, dated 8 April 2021 prepared by MRM Group, but amended to show:**

- a) All details of the proposed stormwater works including potential impact on all existing and proposed features (e.g. trees to be retained, crossings, services, fences, abutting buildings, existing boundary surface levels, etc.).**
- b) Compliance with Section 4.9 of the Engineering Design and Construction Manual (EDCM).**
- c) Catchment plan and gap flow computation.**

- d) Catchment area for gap flow must include additional flow from Cockrell Road that is being delivered by 625 Bridge Inn Road development.
- e) Gap and piped flow to be directed toward the nominated point of discharge in Bridge Inn Road, to the satisfaction of the Responsible Authority
- f) A drainage reserve of approximately 10.0m to the east of lot containing the existing dwelling, to manage overland flow.

*Note: The sewer pump may be required to be located outside designated flood path. To be confirmed with Yarra Valley Water. The easement needs to be moved below the sewer and drainage easement.*

- g) Gross Pollutant Trap (GPT) must be located along Burnside Way within the road reserve for future maintenance access. Hardstand area for GPT must be line marked if proposed parallel to Burnside Way within Council Reserve. Alternatively, if GPT is located outside 2.0m from the kerb, a maintenance plan must be provided to demonstrate that the GPT can be accessed via the maintenance track. GPT must be either located within the road reserve or the drainage reserve.

## 2. Services Strategy

Prior to the submission and endorsement of the Subdivision Layout Plan, an amended Services Strategy must be submitted to and approved by the Responsible Authority. When approved, the strategy will be endorsed and will then form part of the permit. The submitted Services Strategy must be generally in accordance with the Stormwater and Services Strategy review, Supplement, dated 8 April 2021 prepared by MRM Group but amended to include, but not limited to, the following, to the satisfaction of the Responsible Authority:

- a) Satisfy the requirements of Addendum 4, Section 10.13 'Utility Locations' of the Engineering Design and Construction Manual (EDCM).
- b) Location of all service conduits to the back of kerb.
- c) All service crossings within the road reserve as straight.
- d) The location of all services outside the footpath except for sewer. All manholes are to be located away from Tactile Ground Surface Indicators (TGSIs).
- e) Only Sewer and Stormwater are permitted under the laneway. All other service conduits and connections are to be located in the nature strip either in the service road or local access street.
- f) That the Water and Gas alignment shown on Cockrell Road, eastern verge, is in accordance with the approved Civil Engineering Plans for 625 Bridge Inn Road.

## 3. Arborist Report

Prior to the submission and endorsement of the Subdivision Layout Plan, an amended Arborist Report must be submitted to and approved by the Responsible Authority. The Arborist Report must be generally in accordance with the *Arboricultural Assessment & Report, Version 6, dated 21 June 2021* but amended to show:

- a) The north, south, east and west canopy dimensions of Trees #1; #18-19 and #31-33;
- b) The height of Trees #1; #18-19 and #31-33.

When approved, the report will be endorsed and will then form part of the permit.

## 4. Heritage Conservation Management Plan

Prior to certification of the plan of subdivision, a Heritage Conservation Management Plan for the protection, repair and reinstatement of the retained building must be prepared by an experienced heritage consultant and must 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 Heritage Conservation Management Plan must identify the buildings and works to be conserved and include:

- a) show the details of demolition works and demolition plans as marked on ground floor plan and elevations;
- b) make safe plan to ensure the heritage building is secured and protected from the elements;
- c) identification of the existing fabric to be retained as a part of the building works;
- d) any maintenance issues; and
- e) any other matter as appropriate.

Works must be undertaken in accordance with the Heritage Conservation Management Plan to the satisfaction of the Responsible Authority.

#### 5. Amended Subdivision Layout Plan

Before the submission and approval of Functional Layout Plans, an amended Subdivision Layout Plan must 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. The plan must be generally in accordance with *Overall Development Plan dated 22-4-21 and prepared by MEMLA*, but modified to show:

- a) All changes as required by the endorsed Stormwater Management Strategy and Services Strategy;
- b) Exact location and measurements of the Tree Protection Zones (TPZ) for Trees #1; #18-19; #31-33 in accordance with the City of Whittlesea TPZ standards;
- c) A temporary turning area at the dead end of Burnside Way that will be capable of providing for a 10.8m design vehicle and checked for 12.5m. Turning movement template for 10.8m and 12.5m vehicle must be provided to demonstrate that the vehicle can perform a 3-point turn within the road reserve. Additional area from the development site must be provided for temporary turning area, if this cannot be demonstrated within the road reserve. This turning area must be clear of all TPZs within the Plenty River Corridor;
- d) Dimensions on all roads and lots;
- e) A separate plan showing all the vegetation approved for removal with numbering that matches the Arborist Report endorsed under this permit;
- f) Property splay at the Burnside Way/Cockrell Road intersection, and the Service Road/Cockrell Road intersection must be 3m x 3m;
- g) Property splay at Lot 22 must be increased to 3m x 3m with 8.0m to 8.3m kerb radius at the intersection (Burnside Way/Burnside way);

- h) Implementation of the Dry Stone Wall Management Study endorsed under this permit, including retention of all sections of wall marked as D, E, F and G on that plan, as well as any other section of wall to be retained, and detail on the stockpiling of stone to be removed;**
- i) Relocation of the shared footpath and adjustment of the boundary of proposed Lots 9, 10 and 11 to be located outside the required TPZ for Tree #1 as calculated in the Arborist Report endorsed under this permit;**
- j) Creation of a physical separation between the built form of no less than 3.18m between Lots 51 and 52, carried through to Lots 38 and 39 generally in accordance with the changes as outlined on page 8 of the Further Planning Submission, dated 21 June 2021, or as otherwise agreed to by the Responsible Authority; and**
- k) The area of open space along the Plenty River Corridor to be annotated to show the land to be a Reserve that is to be vested to Council.**

## **6. Functional Layout Plan**

**Before the submission and approval of construction plans (engineering plans) and the certification of the relevant plan of subdivision for each stage, a functional layout plan for the subdivision or stage of subdivision, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.**

**When approved, the functional layout plan will be endorsed and will then form part of the permit. An electronic copy of the functional layout plan must be drawn at a scale of 1:500 to acceptable drafting standards.**

**The functional layout plan must be generally in accordance with the Subdivision Layout as required at Condition 5 and must include:**

- a) the closure of the temporary entry/exit from Cockrell Road;**
- b) the development proposal but modified to show overlay access arrangement onto the Bridge Inn Road plan, in accordance with Condition No 53 a) and to the satisfaction of the Responsible Authority and the Department of Transport;**
- c) the Service road extended further east with left out to Bridge Inn Road to the satisfaction of the Responsible Authority and the Department of Transport;**
- d) a Shared Path within the Reserve from Bridge Inn Road to the northern boundary;**
- e) all services conduit within the existing local street must be bored, no open trench will be permitted;**
- f) a fully dimensioned subdivision layout, including approximate lot areas, lot numbers, open space areas, widths of street reservations, stage boundaries and the relationship between the site/stage and the surrounding land;**
- g) topography and existing features, including contours for the subject land and any affected adjacent land;**
- h) identification by survey of all trees (or group of trees) existing on the site, including dead trees and those that overhang the site from adjoining land. All trees proposed for removal shall be designated with a cross;**
- i) details of Tree Protection Zones (TPZs), for all trees to be retained on site and overhanging from adjoining sites in accordance with the City of Whittlesea TPZ standard;**

- j) typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Heals Road Development Plan. This must include the service road and Brick Lane. This must also include services offset from the boundary;
- k) a table of offsets for all utility services and street trees;
- l) location and alignment of kerbs, indented parking spaces, footpaths on the subject land and between the subject land and the nearest other subdivision, shared paths on the subject land and any bus stop locations marked with a cross;
- m) the location of any traffic management devices required to service the subdivision (signals, roundabouts, splitter islands, etc);
- n) provision of notional no fewer than 32 on-street parking spaces or as otherwise agreed to by the Responsible Authority;
- o) any spatial requirements for drainage as identified in the submitted Stormwater Management Strategy and the proposed overland flow paths;
- p) preliminary location of reserves for electrical kiosks; and
- q) works external to the subdivision, including both interim and ultimate intersection design requirements and layouts.

#### 7. Kangaroo Management Plan

Prior to the Certification of the Plan of Subdivision and the commencement of works, a Kangaroo Management Plan prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. When approved, the Kangaroo Management Plan will be endorsed and will then form part of the permit.

The Kangaroo Management Plan must include:

- a) Strategies to avoid land locking kangaroos, including staging of subdivision.
- b) Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence, or management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.
- c) Evidence of any authorisation obtained from the Department of Environment, Land, Water and Planning under the Wildlife Act 1975, or a statement identifying that an authorisation is not required.
- d) A response outlining how the Kangaroo Management Plan is consistent with any requirements of an authorisation required under part c) of this condition, if applicable.

The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the Responsible Authority.

#### 8. Open Space Contributions

Prior to the issue of Certification of the Plan of Subdivision, the Plan of Subdivision must show open space contributions to be provided in the form of the Reserve as shown on the endorsed Subdivision Layout Plan. The Reserve must be vested in Council and at no cost to Council.

#### 9. Certification Plan Requirements



Before a Plan of Subdivision is certified under the *Subdivision Act 1988*, six copies of the plan including two signed heavyweight copies must be submitted to the Council, unless lodged electronically via SPEAR. The plan must show all bearings, distances, street names, lot numbers and any necessary easements and reserves, in accordance with the approved Functional Layout Plan.

#### **CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS FOR THE SUBDIVISION**

##### **10. Landscape Masterplan**

Prior to the approval of any construction plans (engineering plans), an amended landscape masterplan for the entire subdivision must be submitted to and approved by the Responsible Authority. When approved, the landscape masterplan will be endorsed and will then form part of the permit. The landscape masterplan must be drawn to scale with dimensions provided. The landscape masterplan must be generally in accordance with the landscape plan prepared by memLa, dated 22-4-21 but amended to show:

- a) the overall landscaping theme to be developed for the subdivision.
- b) the following changes to the type or types of species to be used for street tree planting in the subdivision:
  - Prickly Tea Tree and Lightwood must be substituted on the landscape plan for one of the species listed in the Flora and Fauna report as indigenous to the Plenty River corridor.
  - The use of Brittle Gum must be replaced for Swamp Gum.
- c) the principles of the proposed treatment of the open space and drainage reserves.
- d) a management plan for the native vegetation proposed for retention to ensure its integrity during the site development and landscape maintenance period must be submitted with the landscape masterplan.
- e) any proposed works on the dry stone wall that is the subject of the endorsed Dry Stone Wall Management Plan must take care not to disturb the north-south aligned dry stone wall, parallel to the Plenty River, on the adjacent Schotter Road property to the north.
- f) The visual relationship of the retained wall to the surrounding landscape, including the newly identified dry stone wall to the north of the study area, must be considered in the landscape design. Interpretative heritage signage for the dry stone wall which presents information for public consumption is to be included within the landscape design.

The endorsed Landscape Masterplan must be implemented to the satisfaction of the Responsible Authority.

##### **11. Telecommunication Services Agreement**

The owner of the land must enter into an agreement with:

- a) telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and

- b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

## 12. Civil Engineering Plan, Landscape Works Plan and Site Management Plan

Before any works associated with the subdivision commence, a detailed civil engineering plan, a Landscape Works Plan, and a site management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The civil engineering plan, and site management plan will not be considered or approved until the functional layout plan(s) has been approved by the Responsible Authority, the plan of subdivision has been certified, a draft landscape works plan has been submitted for comparison against the civil engineering plan and the locations of other authorities' services have been provided to the satisfaction of the Responsible Authority. When approved, the civil engineering plan, landscape works plan and a site management plan will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must include:

a) a civil engineering plan including:

- i. specifications of the proposed works that are to become public assets within and outside of the subdivision as required by this permit;
- ii. all necessary computations and supporting documentation, including a Certificate of Compliance (design) for any structure, traffic data, road safety audit and geotechnical investigation report;
- iii. all details of works consistent with the approved functional layout plan, submitted draft landscape works plan and lodged plan of subdivision;
- iv. design for full construction of streets and underground drainage, including measures to control / capture pollutants and silt;
- v. provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan;
- vi. provision of public lighting and underground electricity supply within all streets;
- vii. traffic control measures;
- viii. provision of street name plates to the Council standard design including a schedule of individual signs and associated street numbers;
- ix. provision of footpaths in all streets and reserves and between the subject land and the nearest other existing subdivision in accordance with the approved functional layout plan;
- x. shared paths in accordance with the approved Development Plan within streets and reserves;
- xi. provision of underground easement drains of sufficient capacity to serve all lots being created to a legal point of discharge and the provision of an inlet on each such lot;
- xii. the location and provision of vehicle exclusion mechanisms abutting reserves;
- xiii. details of the proposed treatment and provision for lot boundary fencing adjoining all reserves other than road reserves;

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- xiv. appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the subdivision;
  - xv. provision for the utilisation of any surplus top soil from this stage;
  - xvi. permanent survey marks;
  - xvii. unless an alternative empty conduit network is being installed that is suitable for fibre optic infrastructure and the applicant has evidence of an access agreement between the carrier putting in the conduit and the National Broadband Network Company, the provision of conduits, including pits and ancillary works for optical fibre telecommunications services or any equivalent alternative approved by the Responsible Authority and the conduit shall be designed in accordance with clause 22.13 Telecommunications Conduit Policy of the Whittlesea Planning Scheme and Planning Guidelines for Conduits for Optic Fibre Services, 2001;
  - xviii. survey details of the canopy trunk location and size of trees to be retained and associated tree protection zones;
  - xix. details in relation to all filling on the site which must be compacted to specifications approved by the Responsible Authority;
  - xx. the relocation underground of all existing aerial services, including electricity and telecommunications assets, within streets abutting the subdivision;
  - xxi. the location of any earthworks (cut or fill) or service provision in a location outside the designated tree protection zone which does not adversely impact on the health and integrity of any trees to be retained;
  - xxii. a separate signage and line marking plan identifying the road layout, proposed signs, line marking, RRPMS and a sign schedule;
  - xxiii. the closure of the temporary entry/exit from Cockrell Road including modification to linemarking;
  - xxiv. the Service road with left out to Bridge Inn Road;
  - xxv. a Shared Path within the Reserve from Bridge Inn Road to the northern boundary
- b) a landscape works plan to be submitted including:
- i. all details of works consistent with any approved landscape masterplan;
  - ii. the removal of all existing disused structures, foundations, pipelines or stockpiles and the eradication of weeds;
  - iii. all proposed street-tree planting using semi - advanced trees; with maximum container size of 45 litres or equivalent (larger sizes will incur additional establishment and extended maintenance obligations);
  - iv. earth shaping including the supply and spread of sufficient topsoil and sub soil if required on the proposed areas of open space to provide a stable, free draining surface and hydro-seeding of proposed grass areas (including within the drainage reserve if applicable);
  - v. mechanisms for the exclusion of vehicles,

- vi. all proposed open space and streetscape embellishments such as installation of pathways, park lighting, garden beds, seating, shelters, picnic facilities, boardwalks, tree planting, signage, drinking fountains, irrigation systems, playgrounds, artwork, retaining walls, protective fencing (temporary and permanent), wetlands and ornamental water bodies (including within the drainage reserve if applicable); and
- vii. hazard reduction pruning of trees to be retained, to the satisfaction of the Responsible Authority.

Where sufficient detail is shown on the endorsed landscape masterplan, to the satisfaction of the Responsible Authority, stage landscape plans may not be required.

c) a Site Management Plan which must:

- i. address occupational health and safety; traffic management, environmental controls and cultural heritage and/or dry stone wall protection measures to the satisfaction of the Responsible Authority;
- ii. be submitted to the Responsible Authority a minimum of 21 days before a required pre-commencement meeting (attended by authorised representatives of the construction contractor and project superintendent as appointed by the developer) on the site of the works;
- iii. identify any site offices, workspaces, personnel rest and amenity areas, hardstands, material laydown areas, and stockpiles;
- iv. include the proposed route for construction vehicle, equipment and machinery access to the site including a program for the upgrade and maintenance works required along this route while works are in progress;
- v. address the location of parking areas for construction and sub-contractors' vehicles, equipment and machinery on and surrounding the site, to ensure that they cause minimum disruption to surrounding properties.
- vi. include measures to reduce the impact of noise, dust and other emissions created during the construction process;
- vii. demonstrate all environmental and cultural heritage and/or dry stone wall protection measures identified on a drawing(s) drawn to scale and prepared in accordance with Melbourne Water standards for such drawings;
- viii. provide measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system;
- ix. include means by which foreign material will be restricted from being deposited on public roads by vehicles, equipment and machinery associated with the building and works on the land to the satisfaction of the Responsible Authority;
- x. address any recommendations of any approved Cultural Heritage, Dry Stone Wall and Conservation Management Plans applying to the land;
- xi. identify the location and method of any Tree Protection Zones; and
- xii. ensure that all contractors working on the site must be inducted into an environmental management program for construction works.

All works must be carried out generally in accordance with the measures set out in the Site Management Plan approved by the Responsible Authority. The developer must keep the Responsible Authority informed in writing of any changes to the Site Management Plan. If in the opinion of the Responsible Authority the changes represent a significant departure from the approved Site Management Plan then an amended Site Management Plan must be submitted to and approved by the Responsible Authority.

### **13. Tree Protection Zone Fencing**

Before any buildings, works or demolition commence on a lot, open space and/or road reservation, each Tree Protection Zone on that lot, open space and/or road reservation must:

- a) be fenced with temporary fencing in accordance with the attached specifications, to the satisfaction of the Responsible Authority; and
- b) include a notice on the fence to the satisfaction of the Responsible Authority advising on the purpose of the Tree Protection Zone, the need to retain and maintain the temporary fencing and that fines will be imposed for removal or damage of the fencing and trees.

The Tree Protection Zone temporary fencing must be maintained until works are completed; including the construction of a dwelling if the land is a lot, to the satisfaction of the Responsible Authority or until such earlier date as is approved by the Responsible Authority in writing.

A copy of the Tree Protection Zone(s) are to be included in any contract for the construction of the estate or for any other works which may impact upon the trees.

### **14. Tree Protection Bonding**

Prior to commencement of the subdivision hereby permitted, or at such later date as the Responsible Authority may approve in writing, there must be provided to the Responsible Authority a bank guarantee for the amount of \$100,000 as security deposit for the satisfactory completion of the requirements in relation to tree preservation and to ensure that trees are not damaged during the construction phase.

Upon completion of the subdivision works to the satisfaction of the responsible authority, the bank guarantee will be returned to the developer.

Where it is determined to the satisfaction of the Responsible Authority that a tree covered by a tree protection envelope has been damaged as a result of buildings and works by the applicant or its contractors, to an extent that it affects detrimentally the life, health and appearance of the tree or its contribution to the streetscape, financial damages will be paid by the applicant with all monies to be used to purchase trees for planting on the land or to prune or otherwise rehabilitating existing trees, all to the satisfaction of the Responsible Authority. The extent of damages must be established through the appointment of an independent suitably qualified person.

### **15. Stormwater Drainage**

Any stormwater drain, temporary drainage out falls and ancillary works, required as a condition of a Melbourne Water Drainage Scheme, or that are designated to become the responsibility of the Council for maintenance, must be designed and constructed to the satisfaction of the Responsible Authority.

Before the approval of construction plans for roadworks and drainage, the designs for such works and the details of maintenance requirements (asset management and maintenance schedule) must be submitted to and approved by the Responsible Authority.

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**CONDITIONS TO BE SATISFIED DURING CONSTRUCTION WORKS****16. Layout not altered**

The subdivision as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

**17. Filling of land**

All filling on the site must be carried out, supervised, completed and recorded in accordance with AS 3798 (Guidelines on earthworks for commercial and residential developments) to specifications to the satisfaction of the Responsible Authority. The geotechnical authority responsible for supervision and testing under this condition must be independently engaged by the applicant and not be engaged by the contractor carrying out the works. Before the issue of a Statement of Compliance unless otherwise agreed in writing by the responsible authority, compaction test results and a report shall be provided to the satisfaction of the Responsible Authority.

**CONDITIONS TO BE SATISFIED PRIOR TO ISSUE OF A STATEMENT OF COMPLIANCE****18. Connection to Telecommunication Services**

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

**19. Verification of completion of works for dry stone walls**

Prior to the issue of Statement of Compliance, the recommendations for the construction and repair of all dry stone walls as detailed in the endorsed Dry Stone Wall Assessment and Management Plan, prepared by Heritage Insight (Wendy Dolling, October 12, 2020) are to be undertaken on site. Written confirmation from a suitably qualified heritage consultant is to be provided to the Responsible Authority to verify that these works have been completed to the satisfaction of the Responsible Authority prior to the issue of Statement of Compliance.

**20. Development Contributions**

Prior to the issue of a Statement of Compliance, development contributions must be paid to the Responsible Authority in accordance with the approved Mernda Local Structure Plan Part 1. The contribution will be subject to the Consumer Price Index (CPI) applicable at the time of payment.

**21. Completion of Open Space Work**

Prior to the issue of a Statement of Compliance, the Reserve must be completed with all required embellishments in accordance with the endorsed Landscape Master Plan, to the satisfaction of the Responsible Authority.

**22. Statement of compliance with deferment of engineering works**

Prior to the issue of a Statement of Compliance for any stage or by such later date as is approved by the responsible authority in writing, the applicant may seek, to the satisfaction of the Responsible Authority, the issue of the Statement of Compliance but with deferment of completion of specified civil construction works shown on the endorsed construction plans and all or part of landscape construction works shown on the endorsed plans, provided the following requirements have been met:

#### 22.1 Civil Works

- a) all relevant referral authorities have consented to the issue of a Statement of Compliance,
- b) civil construction works have been completed except for the wearing course asphalt works, the landscaping component of the works and any other minor works as agreed with the responsible authority,
- c) an amount equivalent to 150% the agreed estimated cost of outstanding civil construction works will be required by the responsible authority as security deposit,
- d) a works program is provided setting out the proposed timing of all outstanding construction works,
- e) a site safety plan that ensures continuous public safety measures are maintained until completion of the deferred works.

Upon completion of the deferred civil construction works the applicant must notify the responsible authority to enable its inspection. If the works have been completed to its satisfaction, the Responsible Authority must refund fully the security deposit.

#### 22.2 Landscape Works

- a) An amount equivalent to 150% of the agreed estimated cost of outstanding streetscape / landscape construction plus an agreed amount for the maintenance works will be required by the Responsible Authority as security deposit.
- b) A works program is provided setting out the proposed timing of all outstanding landscape construction works. Works must commence within 12 months of issue of Statement of Compliance for the given stage of the subdivision and must be completed no later than 12 months after occupancy of any new dwelling within the given stage.

Upon completion of the deferred landscaping construction works, the applicant must notify the Responsible Authority to enable its inspection. Subject to satisfactory completion of the deferred landscaping, a Certificate of Practical Completion for landscaping will be issued, triggering the commencement of the maintenance period. If the works have been completed to its satisfaction, the responsible authority must refund fully the security deposit.

#### 23. Fences adjoining reserves

Before Statement of Compliance is issued for any given stage, all fences adjoining all reserves (including walkway extensions of road reserves but otherwise excluding road reserves) are to be erected by the developer (or owner) at no cost to Council.

#### 24. Foreign Resident Capital Gains Withholding Certificate

Prior to the issue of a Statement of Compliance for any stage of the subdivision, the permit holder must provide a valid Foreign Resident Capital Gains Withholding Certificate and a current copy of Title for the entire land. The name on the Foreign Resident Capital Gains Withholding Certificate must match the name on Title.

**NATIVE VEGETATION REMOVAL CONDITIONS**

25. No native vegetation, other than that shown on the endorsed plan, shall be destroyed, felled, lopped, ring barked or uprooted, without the consent of the Responsible Authority.
26. Prior to removal, the subject trees must be inspected by a suitably experienced Wildlife Handler to determine the presence of animals living or nesting in the tree. Should any native animals be detected, reasonable steps must be taken to capture and relocate such animals as recommended by the Wildlife Handler.
27. Each tree nominated for removal must be suitably marked prior to the commencement of any works and an inspection arranged with an appropriate Council officer to verify that the trees marked accords with this permit.
28. The applicant must contact Council's Parks and Open Space Department to arrange for an appropriate officer to be present on site to supervise the removal of the trees.
29. The project manager is to ensure that tree removal is carried out in a safe manner.
30. The project manager is to locate all services either above or below ground prior to the commencement of any works.
31. Stumps and any surface roots are to be ground down below ground level. Ground and chipped material to a depth of 50mm is to be removed from site at the direction of the project manager. The project manager must supply and replace suitable topsoil and seed the area making certain that the reinstated ground surface is level, even and safe.
32. All stumps not removed immediately after removal of the tree are to be paint marked with a suitable bright yellow reflective marking paint.
33. All stumps must be removed within 14 days of removal of the tree.
34. After a tree has been felled, the tree must be protected from firewood harvesting via temporary fencing and signage to the satisfaction of Council until such time as the tree has been relocated for habitat or mulched.
35. Wherever possible and appropriate, native trees to be removed should be retained for use in core conservation areas for habitat purposes or reused in open space as urban art, park furniture and/or other uses determined appropriate by the Responsible Authority.
36. All timber greater than 300mm in diameter that cannot be reused as habitat, furniture or another use determined as appropriate by the Responsible Authority shall be hammer milled and shredded for reuse as mulch within the subject site.
37. All timber less than 300mm in diameter and branch/leaf material shall be shredded for re-use as mulch within the subject site.
38. At the completion of the works, the applicant is to arrange for an appropriate Council officer to inspect the site to ensure compliance with the planning permit.
39. No buildings or works, including loading and unloading, storage of materials, dumping of waste, vehicle access, parking and other construction activity is to occur within a tree protection zone without the written consent of and to the satisfaction of the Responsible Authority.

**CONDITIONS TO BE SATISFIED FOLLOWING CONSTRUCTION WORKS**

40. Commencement of street tree planting and landscaping works



Before any landscape works associated with the subdivision commence, a landscape works plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The developer must notify the Responsible Authority a minimum of 7 days prior to commencing street tree planting and landscaping so that surveillance of the works can be undertaken. At this time, the developer must provide written advice to Council from an independent and suitably qualified and experienced arborist confirming that the tree stock to be installed within the stage has been inspected and is healthy, free of root girdling, fit for purpose and meets all standards and benchmarks contained within AS2303:2018 – Tree Stock for Landscape Use.

#### **41. Completion of landscape works**

Within 3 months of the commencement of the landscaping works or by such later date as is approved by the Responsible Authority in writing, the landscape works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority. Upon completion of the landscape construction works, the applicant must notify the Responsible Authority to enable its inspection. Subject to satisfactory completion of the landscaping in accordance with the endorsed plan, a Certificate of Practical Completion for landscaping will be issued, triggering the commencement of the maintenance period.

#### **42. Landscape Maintenance**

- a) All landscaping (except for grass in nature strips of streets abutting private property) shown on the approved landscape plans, must be maintained to the satisfaction of the responsible authority for a minimum period of 18 months ending on 31 May of the given year from the date of issue of a Certificate of Practical Completion of landscaping, including that any dead, diseased or damaged plants are to be replaced, bare areas of grass are re-established, mulched surfaces reinstated, damaged or faulty infrastructure repaired or replaced etc. Rectification works must not be deferred until the completion of the maintenance period.
- b) To ensure all assets as identified in the approved landscape plans are retained in a safe and functional state and to prolong functional life of the asset, landscape works shall be maintained in accordance with Council's Minimum Landscape Maintenance Specification of Services and Works (May 2010).
- c) Upon the completion of maintenance of the street tree planting and landscaping works, the developer must notify the responsible authority to undertake an inspection prior to the issue of the Certificate of Final Completion

#### **43. As Constructed Engineering Plans**

City of Whittlesea requires as constructed data from consultants/developers for newly built assets as per a-spec (specifications to maintain asset registers).

Asset information must be projected to GDA94 in digital format to include D-Spec (drainage data), R-Spec (road data) and O-Spec (open space data) as per "A-Spec" specifications.

##### **43.1 Civil Works**

Prior to Council's consent to Practical Completion, the following must be submitted to the satisfaction of the Responsible Authority:

- a) a complete set of 'as constructed plans' of site works (amended if necessary to show any changes that may have occurred during construction), which include Civil, electrical and telecommunication works, in digital file format AutoCAD (recent version) and PDF. The digital files must have a naming convention (Subdivision name) to enable identification of Council assets listed and should be projected to GDA94-MGA Zone 55.
- b) a list of asset quantities which include the following Council assets:
  - i. total length of Roads, Footpath, Kerb and Channel,
  - ii. total number of Bridges, WSUD features, Traffic calming devices,
  - iii. total length of pipe and number of pits for Drainage and Telecommunications,
  - iv. total number of streetlights, and
  - v. Total number of road reserve assets
- c) asset information must include D-Spec (drainage data) and R-Spec (road data) as per "A-Spec" specifications (the Consultant/Developer Specifications for the delivery of digital data to Local Governments) in ESRI Shape Files (preferred format) or MapInfo with attributions. All GIS and CAD data submitted must be in Map Grid Australia Zone 55 projection and referenced to Geocentric Datum of Australia (GDA) 1994.

Please refer to website for detailed A-Spec Standards:

<http://www.a-specstandards.com.au/>

Bonds will not be released until such time the drawings are delivered in the correct format to Council.

#### 43.2 Landscape Works

Prior to Council's consent to Practical Completion, the following must be submitted to the satisfaction of the Responsible Authority:

- a) Landscape Architectural Drawings in the following format:
  - i. One (1x) PDF images of "As-Constructed" plans,
  - ii. One (1x) DXF (preferred format) or DWG files (recent version) including attribution, at 1:1 scale, and
  - iii. All GIS data submitted must be in Map Grid Australia Zone 55 projection and referenced to Geocentric Datum of Australia (GDA) 1994. Height must be based on Australia Height Datum (AHD).
- b) "As Constructed detail" of the works as digital data for the Open Space assets information component of the subdivision, in accordance with the current version of O-SPEC. The preferred format is:
  - i. GIS Format (refer to O-SPEC for further information). – ESRI Shape files (preferred format) with attributions.
  - ii. All GIS data submitted must be in Map Grid Australia Zone 55 projection and referenced to Geocentric Datum of Australia (GDA) 1994. Height must be based on Australian Height Datum (AHD).
  - iii. Referenced to existing PSM Survey marks where available.

Please refer to the following website for detailed O-Spec Standards:

<http://www.a-specstandards.com.au/o-spec>

Bonds will not be released until such time the drawings are delivered in the correct format to Council.

#### 44. Removal of top soil

No top soil is to be removed from land covered by the subdivision without the written consent of the Responsible Authority.

#### 45. Amenity

The amenity of the area must not be detrimentally affected as part of any development works by the use or development through the:

- a) Transport of materials, goods or commodities to and from the land;
- b) Appearance of any building, works or materials; or
- c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### 46. Reticulated Services

Reticulated water, drainage, sewerage and electricity reticulation underground must be available to each lot shown on the endorsed plans before any lot can be used for houses.

### CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF WORKS FOR DWELLINGS

#### 47. Endorsement of Amended Plans

The construction of the dwellings allowed by this permit must not commence until a Statement of Compliance under the *Subdivision Act 1988* is issued creating the respective allotments in the form assumed by this permit to the satisfaction of the responsible authority.

If the Statement of Compliance results in changes to layout, restrictions or encumbrances on site, then the permit may need to be amended.

#### 48. Amended Plans

Before the commencement of works for the dwellings, 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 *Overall Development Plan dated 22-4-21 and prepared by MEMLA* in conjunction with plans prepared by *Echo Townhomes (Drawing No. 2-13), Issue H, dated 08/04/2021* and those plans prepared by *Nostra (Rev C), dated 03.08.2020* and those plans prepared by *Dale Grant, Building Design and Documentation, Ref 21055, Rev A, dated April 2021* but modified to show:

- a) The layout consistent with the Plan of Subdivision which has been Certified under the *Subdivision Act 1988* for the multi lot subdivision;
- b) Any changes as required through the endorsed Stormwater Strategy and Services Plan;
- c) Finished Floor Level (FFL) for each dwelling, to be informed by an approved road and drainage plan;
- d) Any changes required to accommodate a separation in built form as shown on the endorsed Subdivision Layout Plan and generally described on page 8 of the *Further Planning Submission, dated 21 June 2021*;

- e) Landscaping as required by the Landscaping Plans endorsed under Condition 50 of this permit;
- f) Removal of Tree#48;
- g) Exact location and measurements of the Tree Protection Zone (TPZ) for Trees#1, #18-19; #31-33 and associated tree protection fencing;
- h) Schedule of external materials, finishes and colours generally in accordance with the plans prepared by *Echo Townhomes (Drawing 18), Rev B, dated 24/05/2021*;
- i) Implementation of all recommendations of the amended and endorsed Sustainable Management Plan, including the Green Travel Plan prepared by Traffix and included at Appendix C of the SMP;
- j) Location of mailboxes;
- k) Height, materials and colours of all side fences;
- l) Removal of vegetation around the existing dwelling, including the Hawthorn hedge, on the demolition plan;
- m) The temporary propping plan must be defined as Stage 1 of the demolition plan or as otherwise described in the endorsed Heritage Conservation Management Plan required by Condition 4 of this permit;
- n) Implementation of all recommendations of the endorsed Heritage Conservation Management Plan as required by Condition 4 of this permit;
- o) Weatherboards that are to be retained and those to be replaced, as identified by the endorsed Heritage Conservation Management Plan required by Condition 4 of this permit and as noted on the structural engineers report, dated 12 April 2021;
- p) Removal of Reserves 2, 3 and 4 and the easement within the lot of the existing dwelling; and
- q) Siting of a 6m<sup>3</sup> externally accessible storage shed to proposed Lot 54 (heritage dwelling).

#### 49. Amended Sustainable Management Plan

Before the development starts, a Sustainable Management Plan, including a Green Travel Plan, to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The amended plans and Sustainability Management Plan must be generally in accordance with the submitted Sustainability Management Plan prepared by Frater Consulting Services, dated 17/06/2021 but modified to reflect changes as required by the Amended Plans at Condition 10. When approved, the plan will be endorsed and will then form part of this Permit.

The development must be implemented in accordance with the endorsed Sustainability Management Plan.

#### 50. Landscaping Plans

Before the construction of the dwellings 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) Details of landscaping for the front setback including a schedule of all proposed trees, shrubs and ground covers;
- b) The identification of any vegetation to be retained including tree protection zones;
- c) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill; and
- d) Consistency with the City of Whittlesea Landscape Guidelines *Residential Development*).

#### 51. Construction Management Plan – Residential Development

Prior to the commencement of works for any dwelling, including demolition and excavation, a Construction Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the Construction Management Plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must:

- a) Be in accordance with the Responsible Authority's Construction Management Plan template and include a detailed Site Management Plan.
- b) Address occupational health and safety, traffic management, environmental controls and cultural heritage and/or dry stone wall protection measures to the satisfaction of the Responsible Authority.
- c) Be submitted to the Responsible Authority a minimum of seven days before a required pre-commencement meeting (attended by authorised representatives of the construction contractor and project superintendent as appointed by the developer) on the site of the works.
- d) Include the proposed route for construction vehicle access to the site including a program for the upgrade and maintenance works required along this route while works are in progress.
- e) Address the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding properties.
- f) Include measures to reduce the impact of noise, dust and other emissions created during the construction process.
- g) Demonstrate all environmental and cultural heritage and/or dry stone wall protection measures identified on a drawing(s) drawn to scale.
- h) Measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system.
- i) Include means by which foreign material will be restricted from being deposited on public roads by vehicles associated with the building and works on the land to the satisfaction of the Responsible Authority.
- j) Address any recommendations of any approved Cultural Heritage, Dry Stone Wall and Conservation Management Plans applying to the land.
- k) Identify the location and method of any Tree Protection Zones inclusive of trees within nature strips adjacent to the site boundaries in accordance with Appendix 2 of Council's 'Street Tree Management Plan'.
- l) Ensure that all contractors working on the site must be inducted into an environmental management program for construction works.

All works must be carried out generally in accordance with the measures set out in the Construction Management Plan approved by the Responsible Authority. Any changes to the Construction Management Plan must be submitted to and approved by the Responsible Authority prior to implementation unless otherwise agreed to in writing by the Responsible Authority.

**52. Engineering Plans**

Before starting any buildings or works for the dwellings, 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.

**CONDITIONS TO BE SATISFIED DURING CONSTRUCTION WORKS OF THE DWELLINGS**

- 53. The development allowed by this permit and shown on the plans and/or schedules endorsed to accompany this permit must not be changed for any reason without the consent of the Responsible Authority.**
- 54. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 55. 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.**
- 56. 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.**
- 57. Prior to using or occupying any building on the site, 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.**
- 58. 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.**
- 59. The permit holder must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The permit holder must be responsible for obtaining prior specific written approval for any works involving the alteration of Council or other Public Authority assets.**

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60. 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.
  61. Any litter generated by building activities on the site must be collected and stored in an appropriate enclosure which complies with Council's Code of Practice for building/development sites. The enclosures must be regularly emptied and maintained such that no litter overflows onto adjoining land. Prior to occupation and/or use of the building, all litter must be completely removed from the site.

#### **CONDITIONS TO BE SATISFIED PRIOR TO OCCUPATION OF DWELLINGS**

62. Prior to the occupation of each dwelling hereby permitted, all buildings and works and conditions of this permit associated with that particular dwelling must be complied with to the satisfaction of the Responsible Authority, unless with the further prior written consent of the Responsible Authority.
63. Prior to the occupation of each dwelling hereby permitted, the landscaping works as shown on the endorsed plan for that dwelling must be completed to the satisfaction of the Responsible Authority. Thereafter, the landscaping must be maintained by the owner to the satisfaction of the Responsible Authority.
64. Prior to the occupation of each dwelling hereby approved, the car parking areas and access ways for that dwelling 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.
65. Prior to the occupation of each dwelling hereby permitted, all boundary fences required for that particular dwelling must be constructed as necessary to the satisfaction of the Responsible Authority, at the cost of the applicant/owner.
66. Prior to occupation of each dwelling on the subject site, a letter box and house number to the satisfaction of the Responsible Authority must be provided to that dwelling.
67. 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.

#### **REFERRAL AUTHORITY CONDITIONS**

##### **Department of Transport**

68. As per the Government announced Bridge Inn Road Upgrade Project, the access to the site shall be provided to left-in left-out movements only.
69. Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988, a Functional Layout Plan must be submitted to and approved by the Head, Transport for Victoria. The plans must be generally in accordance with the plans submitted with the development proposal but modified to show:
  - a) Overlay the access arrangement (service road) onto the Bridge Inn Road plan
70. Prior to the issue of Statement of Compliance for the subdivision, the following roadworks must have reached a stage of practical completion to the satisfaction of the Head, Transport for Victoria and the Responsible Authority:

a) Construction of the approved access arrangement to the site.

b) Any associated works

#### CFA

71. Hydrants Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority. Note –CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au))

#### Yarra Valley Water

72. Water

The owner of the subject land must enter into an agreement with Yarra Valley Water for the provision of water services

73. Sewerage

The owner of the land must enter into an agreement with Yarra Valley Water for the provision of sewerage services.

The Plan of Subdivision is to be Yarra Valley Water prior to certification.

#### AusNet Electricity Services

74. The Plan of Subdivision must be submitted for certification and referred to AUSNET ELECTRICITY SERVICES PTY LTD in accordance with Section 8 of the Subdivision Act 1988.

75. The applicant must –

- Enter in an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for supply of electricity to each lot on the endorsed plan.
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for the rearrangement of the existing electricity supply system.
- Enter into an agreement with AUSNET ELECTRICITY SERVICES PTY LTD for rearrangement of the points of supply to any existing installations affected by any private electric power line which would cross a boundary created by the subdivision, or by such means as may be agreed by AUSNET ELECTRICITY SERVICES PTY LTD.
- Provide easements satisfactory to AUSNET ELECTRICITY SERVICES PTY LTD for the purpose of “Power Line” in the favour of “AUSNET ELECTRICITY SERVICES PTY LTD” pursuant to Section 88 of the Electricity Industry Act 2000, where easements have not been otherwise provided, for all existing AUSNET ELECTRICITY SERVICES PTY LTD electric power lines and for any new power lines required to service the lots on the endorsed plan and/or abutting land.
- Obtain for the use of AUSNET ELECTRICITY SERVICES PTY LTD any other easement required to service the lots.



- **Adjust the position of any existing AUSNET ELECTRICITY SERVICES PTY LTD easement to accord with the position of the electricity line(s) as determined by survey.**
  - **Set aside on the plan of subdivision Reserves for the use of AUSNET ELECTRICITY SERVICES PTY LTD for electric substations.**
  - **Provide survey plans for any electric substations required by AUSNET ELECTRICITY SERVICES PTY LTD and for associated power lines and cables and executes leases for a period of 30 years, at a nominal rental with a right to extend the lease for a further 30 years. AUSNET ELECTRICITY SERVICES PTY LTD requires that such leases are to be noted on the title by way of a caveat or a notification under Section 88 (2) of the Transfer of Land Act prior to the registration of the plan of subdivision.**
  - **Provide to AUSNET ELECTRICITY SERVICES PTY LTD a copy of the plan of subdivision submitted for certification that shows any amendments that have been required.**
  - **Agree to provide alternative electricity supply to lot owners and/or each lot until such time as permanent supply is available to the development by AUSNET ELECTRICITY SERVICES PTY LTD. Individual generators must be provided at each supply point. The generator for temporary supply must be installed in such a manner as to comply with the Electricity Safety Act 1998.**
  - **Ensure that all necessary auditing is completed to the satisfaction of AUSNET ELECTRICITY SERVICES PTY LTD to allow the new network assets to be safely connected to the distribution network.**
76. **It is recommended that, at an early date the applicant commences negotiations with AUSNET ELECTRICITY SERVICES PTY LTD for a supply of electricity in order that supply arrangements can be worked out in detail, so prescribed information can be issued without delay (the release to the municipality enabling a Statement of Compliance with the conditions to be issued).**
77. **Arrangements for the supply will be subject to obtaining the agreement of other Authorities and any landowners affected by routes of the electric power lines required to supply the lots and for any tree clearing.**
78. **Prospective purchasers of lots on this plan should contact this office to determine the availability of a supply of electricity. Financial contributions may be required.**

#### **Melbourne Water**

79. **Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.**
80. **No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.**
81. **Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.**
82. **Stormwater runoff from the subdivision must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'. Non-compliance with best practice objectives will require the payment of the stormwater quality component of the drainage contributions.**

83. If treatment measures are implemented, prior to the issue of our consent to Statement of Compliance for the subdivision, documentation supporting the approved ongoing maintenance of the treatment measures by the relevant authority must be submitted.
84. Prior to the issue of a Statement of Compliance for the subdivision, council approved engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
85. All new lots are to be filled to a minimum of 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
86. All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.
87. Stormwater drainage shall be to the Council's satisfaction.
88. Prior to the issue of a Statement of Compliance for the subdivision, a certified survey plan prepared by or under the supervision of a licensed land surveyor, showing finished lot levels reduced to the Australian Height Datum, may be required to be submitted to Melbourne Water for our records.
89. Prior to the commencement of works, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
90. Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
91. The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
92. Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.
93. Easements or reserves shall be created over existing and proposed Melbourne Water assets on the Plan of Subdivision to the satisfaction of Melbourne Water.
94. Any temporary outfall is to be arranged to the satisfaction of Melbourne Water, Council and the affected downstream property owner(s).
95. The developer is to negotiate with the downstream landowners to obtain a free draining outfall through their property. Approval is to be forwarded to Melbourne Water for our records prior to construction commencing.
96. Prior to the issue of a Statement of Compliance for the subdivision, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses.
97. Prior to Certification of any Plan of Subdivision associated with the application, a stormwater management strategy must be submitted and approved by Melbourne Water and Whittlesea City Council. The strategy must demonstrate the following:
  - The proposed alignment for any 1 in 5 year drainage infrastructure and any associated overland flow paths directions for the 1 in 100 year ARI flood event;
  - That the lot layout adequately accommodates the overland flows and the current layout and/or number of lots may need to change.

- The details of the outfall/s for the development and calculate the appropriate flow volumes and flood levels for the 100-year ARI storm event within the property.

**98. Prior to the issue of Melbourne Water's Consent to Statement of Compliance:**

- i. Engineering plans (Road and Drainage) of the development (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details for the 20% AEP flows and any overland flow paths for the 1% AEP storm event. A Certified Survey Plan may be required following our comments on the engineering drawings.
- ii. A Certified Survey Plan is to be submitted for approval after the completion of filling, verifying that the specified fill levels have been achieved. The CSP must clearly show finished lot levels and applicable 1% AEP flood levels,
- iii. Evidence confirming that the development has a free draining outfall must be submitted and accepted by Melbourne Water and Council. Written acceptance from downstream landowners and Council is to be forwarded to Melbourne Water for our records,
- iv. The section of works adjacent/downstream to this stage must be sufficiently progressed to Melbourne Water and Council's satisfaction,
- v. A council approved Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water,
- vi. Flood mapping of the major overland flow paths may also be required of 1% AEP flood levels. Where required, these plans are to be submitted in one of the following electronic formats.
  - a) .tab (MapInfo);
  - b) .mif/mid (MapInfo Interchange);
  - c) .dxf (AutoCad); or .gml (OS Mastermap)

**99. Time Limit**

This permit will expire if:

- a) The plan of subdivision for the first stage is not certified within 2 years of the date of this permit.
- b) The plan of subdivision for any subsequent stage of the subdivision is not certified within 2 years of the date of the certification of the previous stage of the subdivision.
- c) The registration of any stage of the subdivision is not completed within 5 years of the date of certification of the plans of subdivision.
- d) The approved development of the dwellings does not start within four years of the date of this permit;
- e) The approved development of the dwellings is not completed within six years of the date of this permit.
- f) The permit for tree removal expires if it is not commenced and completed within two years after the issue of the permit.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

**Notes:**

**Public Lighting Note**

Before the preparation of construction plans for street lighting can be completed Council approval to the type and colour of poles and lanterns will be required.

**Street Numbering Note**

Property Numbers will be allocated by the City of Whittlesea in accordance with Council's Street Numbering Policy. Please do not give potential buyers any interim numbering as this often leads to confusion and problems once the correct number is issued. Please check with Council's Subdivision Department or GIS Department to verify all street numberings before commencement of any advertising for sale or lease.

**Department of Transport**

The developer must liaise with Major Road Projects Victoria to coordinate the proposed road works under this permit with the current Bridge Inn Road Upgrade Project.

The proposed development requires some road works within an arterial road reserve. Separate approval under the *Road Management Act 2004* for this activity may be required from the Head, Transport for Victoria. Please contact the Department of Transport prior to commencing any works.

**CFA**

CFA does not consent to the Certification of the Plan of Subdivision and Statement of Compliance for Subdivision at this stage.

**Cultural Heritage Management Plan Note**

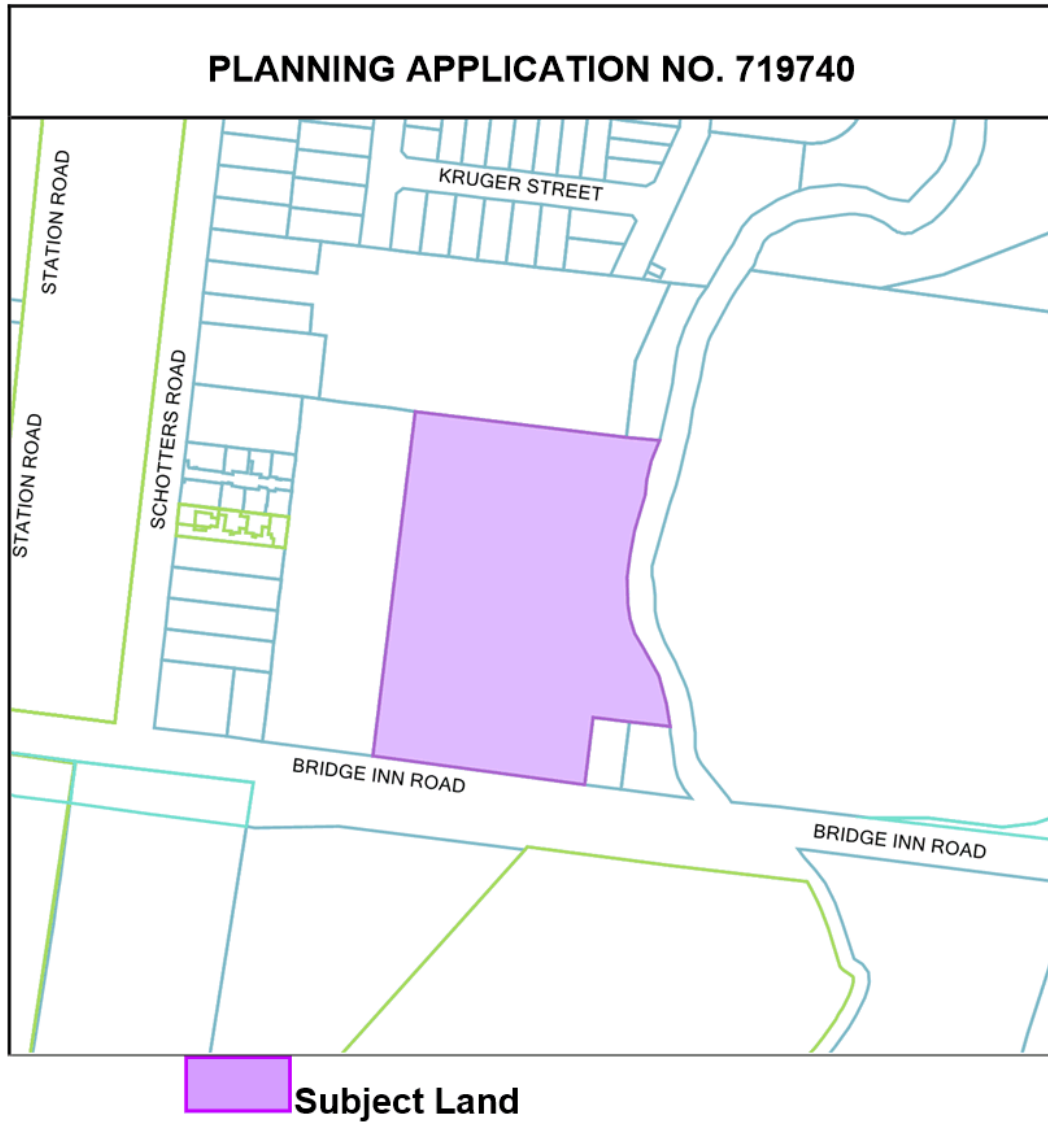
A Cultural Heritage Management Plan (Reference No. 17195) has been approved by the relevant approval authority. The development of the land must be carried out in accordance with any recommendations or requirements of the approved Cultural Heritage Management Plan.


**COUNCIL RESOLUTION**

**MOVED:** *Administrator Eddy*  
**SECONDED:** *Administrator Duncan*

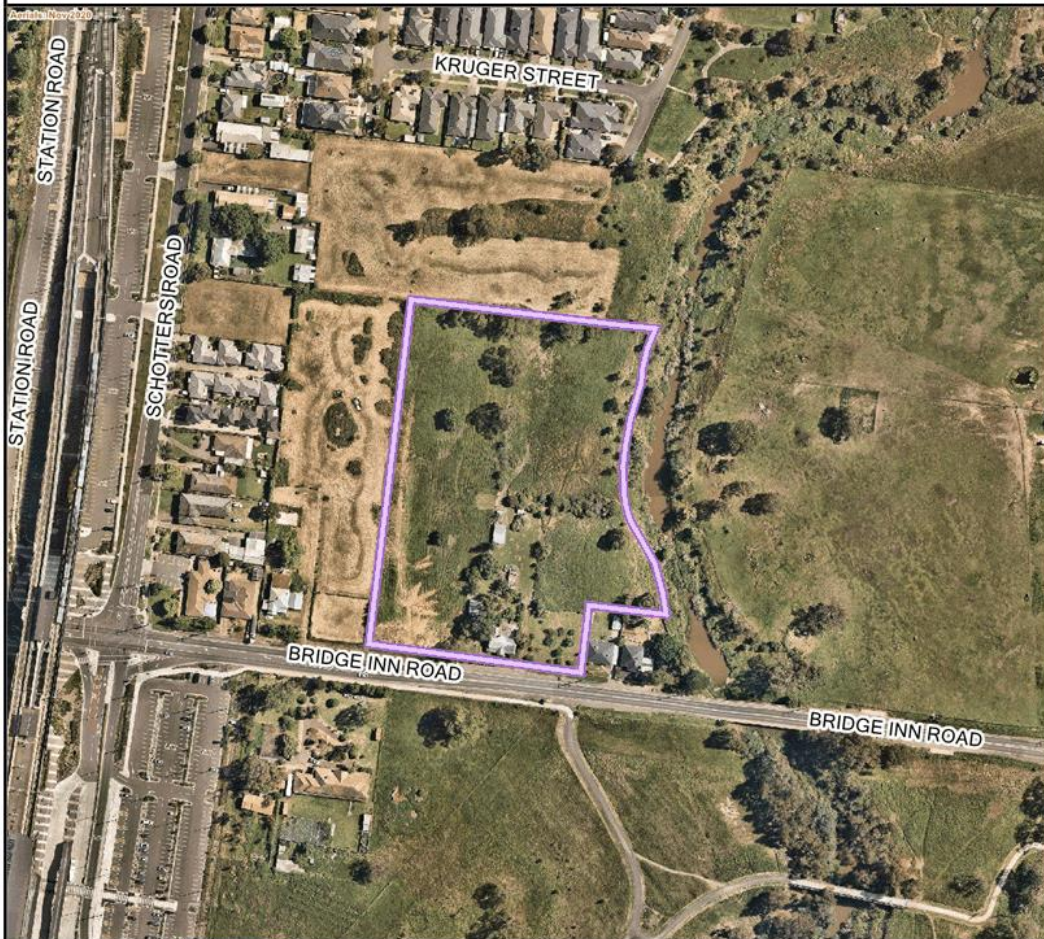
**THAT Council resolve to adopt the Recommendation.**

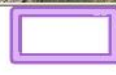
**CARRIED**



 **City of Whittlesea** **BUILDING & PLANNING REPORT**

**PLANNING APPLICATION NO. 719740**



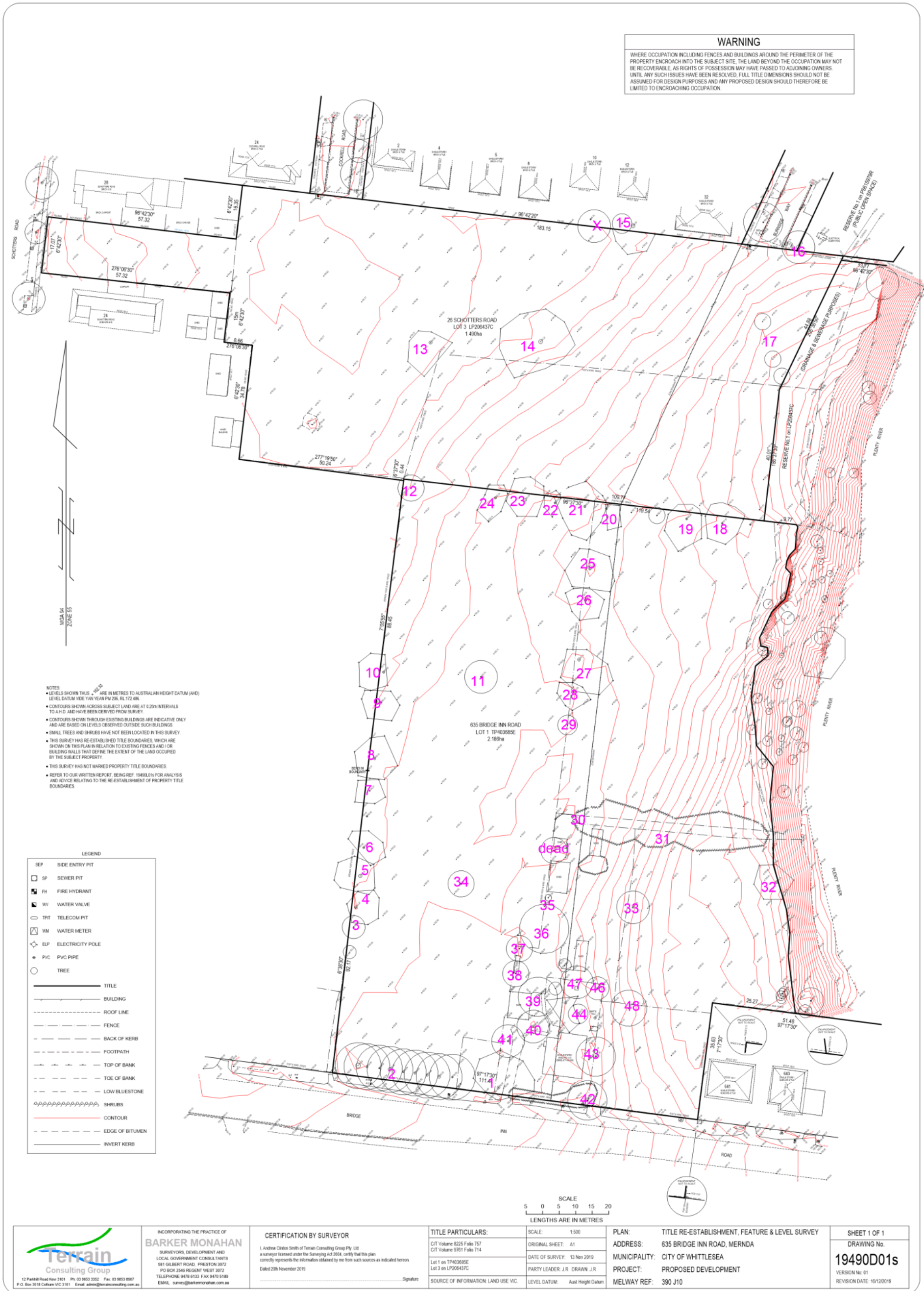
 Subject Land



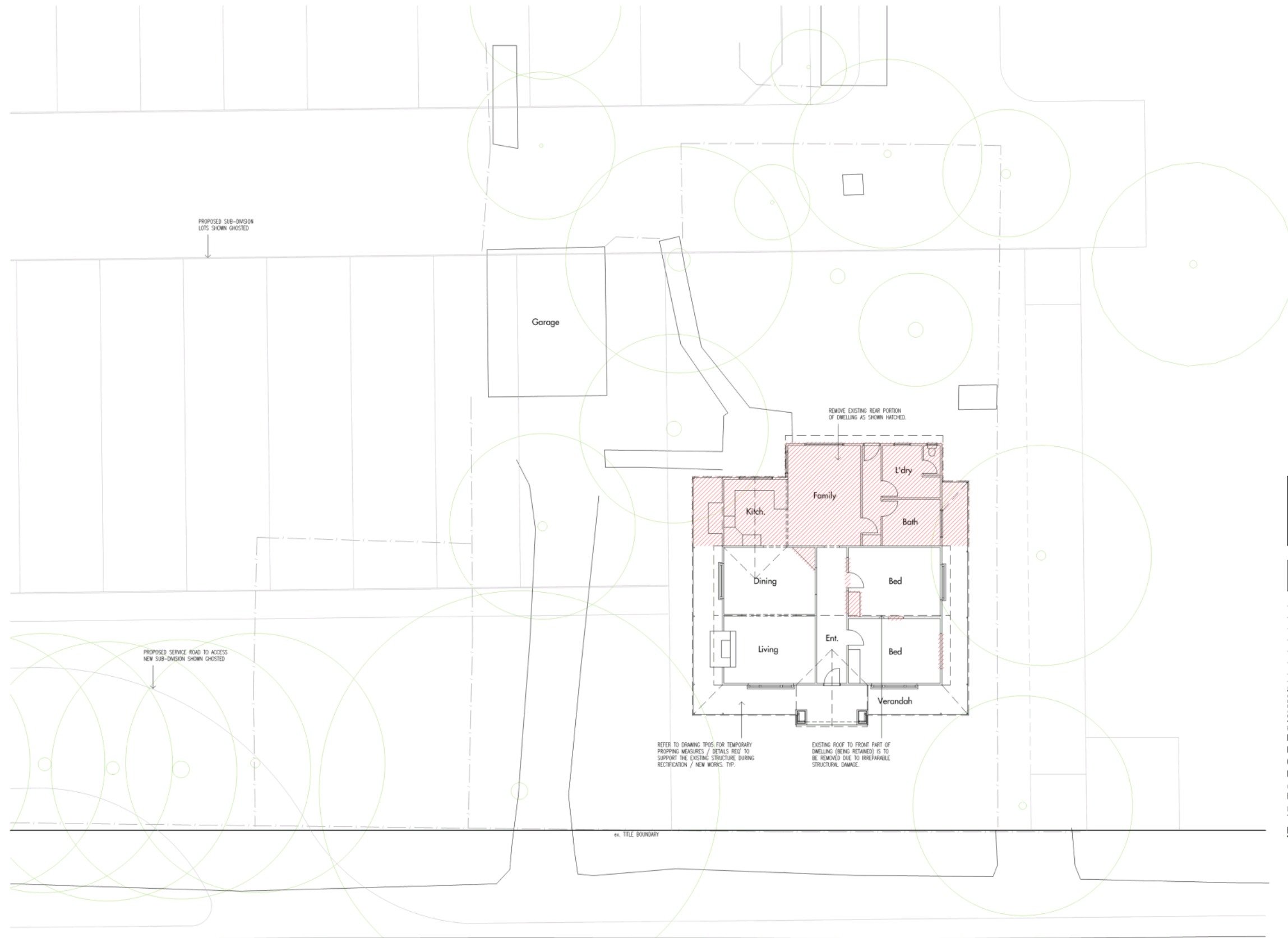
City of Whittlesea

**BUILDING & PLANNING REPORT**

No	Dbh	bdbh	Species	Common Name	Age	Health	Structure	Arb Value	TPZ	10% enc.	SRZ	Origin	Comments
1	90	110	<i>Eucalyptus camaldulensis</i>	River Red Gum	Maturing	Fair-Poor	Fair-Poor	High	9.5m	6.5m	3.2m	Vic. Native	
2	40-80	70-120	<i>Hesperocyparis macrocarpa</i> 'Goldcrest'	Golden Monterey Cypress	Mature	Fair-Poor	Poor	Low-Moderate	9.6m	6.6m	3.6m	Exotic Conifer	Row of 9 trees
3	m	55	<i>Melaleuca linariifolia</i>	Flax-leaf Paperbark	Maturing	Fair-Poor	Very Poor	Low	4.2m	2.9m	2.6m	Aust. Native	
4	80	95	<i>Eucalyptus botryoides</i>	Southern Mahogany	Maturing	Fair-Poor	Poor	Low-Moderate	9.6m	6.6m	3.2m	Vic. Native	
5	100	115	<i>Eucalyptus viminalis</i>	Manna Gum	Maturing	Fair-Poor	Fair	Moderate	12.0m	8.3m	3.5m	Vic. Native	
6	60	80	<i>Eucalyptus botryoides</i>	Southern Mahogany	Maturing	Poor	Poor	Low	7.2m	5.0m	3.0m	Vic. Native	
7	25/25	40	<i>Eucalyptus pulchella</i>	White Peppermint	Semi-mature	Poor	Fair-Poor	Low	4.2m	2.9m	2.3m	Aust. Native	
8	80	100	<i>Eucalyptus viminalis</i>	Manna Gum	Maturing	Fair-Poor	Very Poor	None	9.6m	6.6m	3.3m	Vic. Native	Major fault at 5m
9	70	80	<i>Eucalyptus viminalis</i>	Manna Gum	Maturing	Fair-Poor	Poor	Low	8.4m	5.8m	3.0m	Vic. Native	
10	75	95	<i>Eucalyptus camaldulensis</i>	River Red Gum	Semi-mature	Fair-Poor	Poor	Low-Moderate	9.0m	6.2m	3.2m	Vic. Native	Multiple bifurcations
11	45	60	<i>Fraxinus angustifolia</i>	Desert Ash	Semi-mature	Fair	Fair-Poor	Low-Moderate	5.4m	3.7m	2.7m	Exotic Deciduous	
12	m	45	<i>Acacia baileyana</i>	Cootamundra Wattle	Mature	Fair-Poor	Poor	None	3.6m	2.5m	2.4m	Aust. Native	
13	90	130	<i>Eucalyptus camaldulensis</i>	River Red Gum	Maturing	Fair-Poor	Fair-Poor	High	10.8m	7.4m	3.7m	Vic. Native	
14	130	160	<i>Eucalyptus camaldulensis</i>	River Red Gum	Maturing	Fair	Fair-Poor	Significant	15.0m	10.3m	4.0m	Vic. Native	
15	40/30	70	<i>Eucalyptus camaldulensis</i>	River Red Gum	Semi-mature	Fair-Poor	Fair-Poor	Low-Moderate	7.0m	4.8m	2.8m	Vic. Native	neighbouring property tree
16	65	75	<i>Eucalyptus camaldulensis</i>	River Red Gum	Semi-mature	Fair-Poor	Fair-Poor	Low-Moderate	7.8m	5.4m	2.8m	Vic. Native	neighbouring property tree
17	m	20-30	<i>Crataegus monogyna</i>	Hawthorn	Semi-mature	Fair	Poor	None	3.0m	2.1m	2.0m	Exotic Deciduous	clump of ~10 trees
18	65	80	<i>Eucalyptus botryoides</i>	Southern Mahogany	Maturing	Fair	Poor	Low-Moderate	7.8m	5.4m	3.0m	Vic. Native	
19	65	95	<i>Eucalyptus camaldulensis</i>	River Red Gum	Semi-mature	Poor	Fair-Poor	Low-Moderate	8.5m	5.7m	2.8m	Vic. Native	
20	40	60	<i>Eucalyptus camaldulensis</i>	River Red Gum	Young	Fair-Poor	Fair-Poor	Low	4.8m	3.3m	2.7m	Vic. Native	
21	80	100	<i>Eucalyptus camaldulensis</i>	River Red Gum	Maturing	Fair-Poor	Fair-Poor	Moderate-High	9.6m	6.6m	3.3m	Vic. Native	
22	40	60	<i>Eucalyptus camaldulensis</i>	River Red Gum	Young	Fair-Poor	Fair-Poor	Low	4.8m	3.3m	2.7m	Vic. Native	
23	100	110	<i>Eucalyptus viminalis</i>	Manna Gum	Maturing	Fair-Poor	Poor	Moderate	12.0m	8.3m	3.4m	Vic. Native	
24	70	90	<i>Eucalyptus botryoides</i>	Southern Mahogany	Maturing	Poor	Poor	Low	8.4m	5.8m	3.2m	Vic. Native	
25	70	100	<i>Eucalyptus camaldulensis</i>	River Red Gum	Semi-mature	Fair-Poor	Fair	Moderate	8.4m	5.8m	3.3m	Vic. Native	
26	80	90	<i>Eucalyptus viminalis</i>	Manna Gum	Maturing	Fair-Poor	Fair-Poor	Low-Moderate	9.6m	6.6m	3.2m	Vic. Native	
27	90	110	<i>Eucalyptus camaldulensis</i>	River Red Gum	Maturing	Fair-Poor	Fair-Poor	Moderate	10.8m	7.4m	3.4m	Vic. Native	
28	45	60	<i>Eucalyptus camaldulensis</i>	River Red Gum	Semi-mature	Fair-Poor	Fair-Poor	Low-Moderate	5.4m	3.7m	2.7m	Vic. Native	
29	m	60	<i>Fraxinus angustifolia</i>	Desert Ash	Semi-mature	Poor	Very Poor	None	4.2m	2.9m	2.7m	Exotic Deciduous	
30	m	40	<i>Photinia serratifolia</i>	Chinese Hawthorn	Semi-mature	Fair	Fair-Poor	Low	3.4m	2.3m	2.3m	Exotic Evergreen	
31	m	30-60	<i>Acacia baileyana</i> ; <i>Melaleuca armillaris</i>	Mixed Natives	Maturing	Fair-Poor	Poor	Low	3.8m	2.7m	2.7m	Aust. Native	Cootamundra Wattle; Bracelet Honey Myrtle
32	80	100	<i>Eucalyptus camaldulensis</i>	River Red Gum	Maturing	Fair-Poor	Fair	Moderate	9.6m	6.6m	3.4m	Vic. Native	
33	m	90	<i>Schinus arena</i>	Peppercom	Semi-mature	Fair	Fair-Poor	Low-Moderate	4.6m	3.2m	3.2m	Exotic Evergreen	
34	45	60	<i>Fraxinus angustifolia</i>	Desert Ash	Semi-mature	Fair	Fair-Poor	Low-Moderate	5.4m	3.7m	2.7m	Exotic Deciduous	
35	50	65	<i>Populus nigra</i> 'Italica'	Lombardy Poplar	Maturing	Poor	Fair-Poor	Low	6.0m	4.1m	2.8m	Exotic Deciduous	
36	55	70	<i>Fraxinus angustifolia</i>	Desert Ash	Maturing	Fair	Very Poor	None	6.6m	4.5m	2.8m	Exotic Deciduous	major bifurcation
37	40	50	<i>Acacia meamsii</i>	Black Wattle	Over-mature	Very Poor	Poor	None	4.8m	3.3m	2.5m	Vic. Native	2 trees
38	40	55	<i>Fraxinus angustifolia</i>	Desert Ash	Semi-mature	Fair-Poor	Fair-Poor	None	4.8m	3.3m	2.6m	Exotic Deciduous	
39	m	100	<i>Melaleuca linariifolia</i>	Flax-leaf Paperbark	Over-mature	Very Poor	Poor	None	5.4m	3.7m	3.3m	Aust. Native	Collapsed
40	85	95	<i>Fraxinus angustifolia</i>	Desert Ash	Mature	Poor	Fair-Poor	None	10.2m	7.0m	3.2m	Exotic Deciduous	
41	m	65	<i>Melaleuca styphelloides</i>	Prickly-leaf Paperbark	Maturing	Poor	Poor	None	4.2m	2.9m	2.8m	Aust. Native	
42	60	70	<i>Melliodora armillaris</i>	Bracelet Honey Myrtle	Maturing	Fair-Poor	Fair-Poor	Low	7.2m	5.0m	2.8m	Vic. Native	
43	45	60	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Over-mature	Fair-Poor	Poor	Low	5.4m	3.7m	2.7m	Aust. Native	Split and collapsed
44	m	80	<i>Melia azederach</i>	White Cedar	Maturing	Fair-Poor	Very Poor	None	4.8m	3.3m	3.0m	Aust. Native	
45	90	100	<i>Eucalyptus gomphocephala</i>	Tuart	Over-mature	Very Poor	Poor	None	10.8m	7.4m	3.3m	Aust. Native	
46	m	69	<i>Acer negundo</i>	Box Elder	Semi-mature	Poor	Poor	None	4.2m	2.9m	2.8m	Exotic Deciduous	
47	30	40	<i>Fraxinus angustifolia</i>	Desert Ash	Semi-mature	Fair-Poor	Fair-Poor	None	3.6m	2.5m	2.3m	Exotic Deciduous	
48	55/30	86	<i>Salix babylonica</i>	Weeping Willow	Maturing	Very Poor	Poor	None	7.6m	5.2m	3.1m	Exotic Evergreen	







**AREA ANALYSIS - EXISTING**

<b>BUILDING</b>	
• EXISTING GROUND FLOOR	- 150 sq/m
• EXISTING VERANDAH	- 50 sq/m
<b>SITE</b>	
• SITE	- 21855 sq/m

**TOWN PLANNING**  
NOT TO BE USED FOR CONSTRUCTION PURPOSES

ALTERNATIONS TO SUB PROPOSED SUB-DIVISION LAYOUT	DATE	CHECKED
A	23/4/21	
No.	REVISION	DATE

**AMENDMENT**

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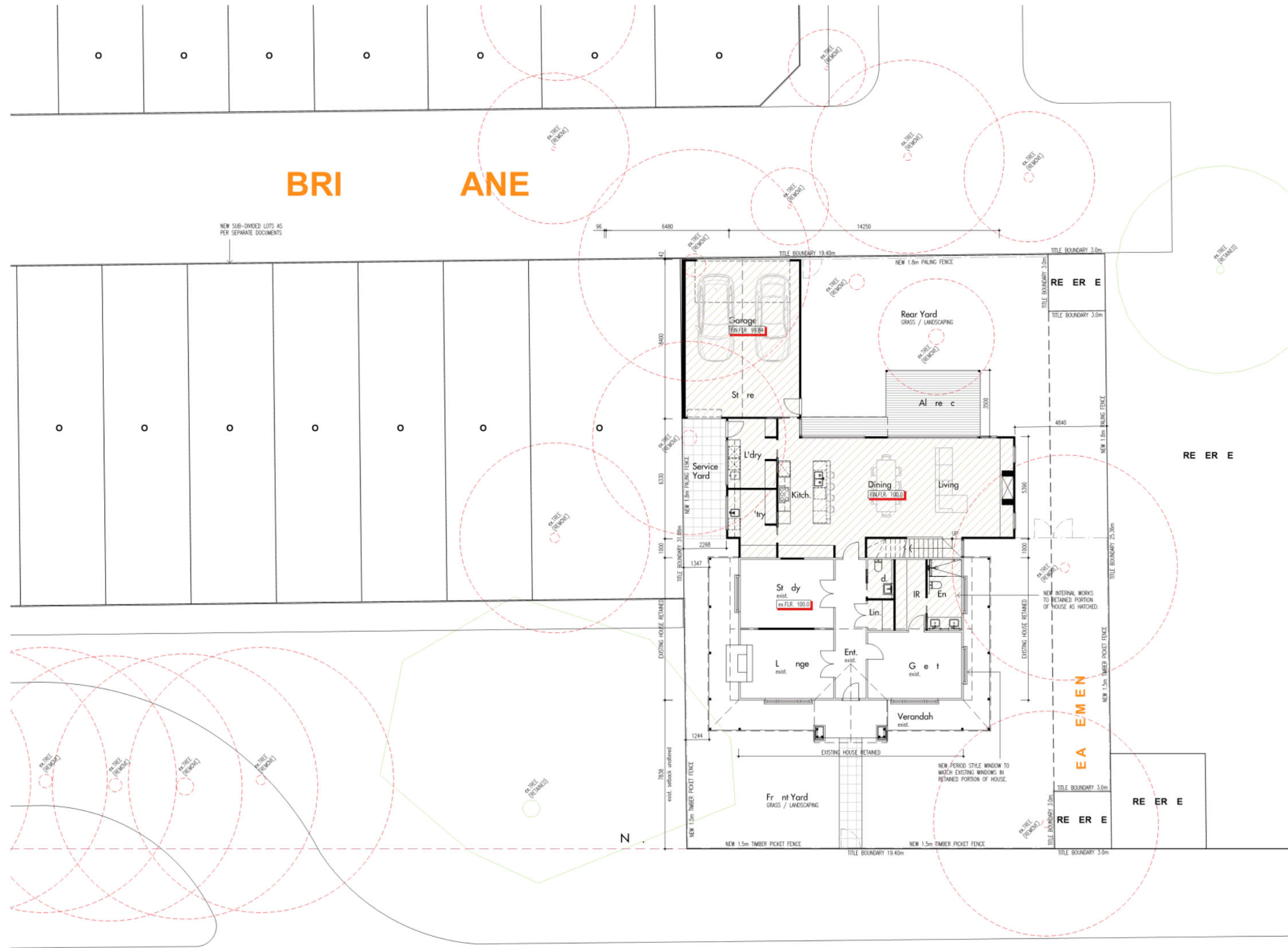
**PROJECT**  
**PROPOSED ALTERATIONS & ADDITIONS TO EXISTING DWELLING**  
**635 BRIDGE INN ROAD**  
**MERNDA**  
 CLIENT  
 BRIX PROPERTY GROUP  
 DRAWING  
**TOWN PLANNING**  
**EXISTING CONDITIONS**

**dgbdd**  
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DESIGN	M.W.	CHECKED
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DATE	APR' 2021	SCALE 1:100 @ A1
	DRAWING No.	OF
	TP01	5
	REF. No.	REV.
	21055	A

EXISTING CONDITIONS  
SCALE 1:100

**BRIDGE INN ROAD**



**AREA ANALYSIS - ROPOSED**

<b>BUILDING</b>	
• EXISTING GROUND FLOOR (RETAINED)	- 90 sq/m
• EXISTING VERANDAH (RETAINED)	- 46 sq/m
• PROPOSED GROUND FLOOR ADDITIONS	- 88 sq/m
• PROPOSED GARAGE / STORE	- 52 sq/m
• PROPOSED ALFRESCO (COVERED)	- 17 sq/m
• PROPOSED FIRST FLOOR ADDITIONS	- 39 sq/m
• PROPOSED FIRST FLOOR BALCONY	- 5 sq/m
<b>COVERAGE</b>	
• TOTAL FLOOR AREA (incl. EXISTING / NEW / COVERED)	- 308 sq/m
• SITE COVERAGE	- 682 sq/m
• SITE COVERAGE	- 45.2%
<b>PERMEABILITY</b>	
• SITE	- 682 sq/m
• IMPERVIOUS AREAS (incl. EXISTING / NEW / COVERED)	- 308 sq/m
- BUILDINGS AREA	- 23 sq/m
- PAVING	- 331 sq/m
• TOTAL	- 48.5%
• NON-PERMEABLE SURFACES (80% max.)	- 48.5%
<b>GARDEN AREA</b>	
• SITE	- 744 sq/m
• GARDEN AREA REQUIRED (35% OF SITE)	- 239 sq/m
• GARDEN AREA PROVIDED	- 374 sq/m

**TOWN PLANNING**  
NOT TO BE USED FOR CONSTRUCTION PURPOSES

ALTERATIONS TO SUBMITTED SUB-DIVISION	H.W.
LAYOUT	23/2/21
REVISION	DATE
CHECKED	CHECKED

AMENDMENT

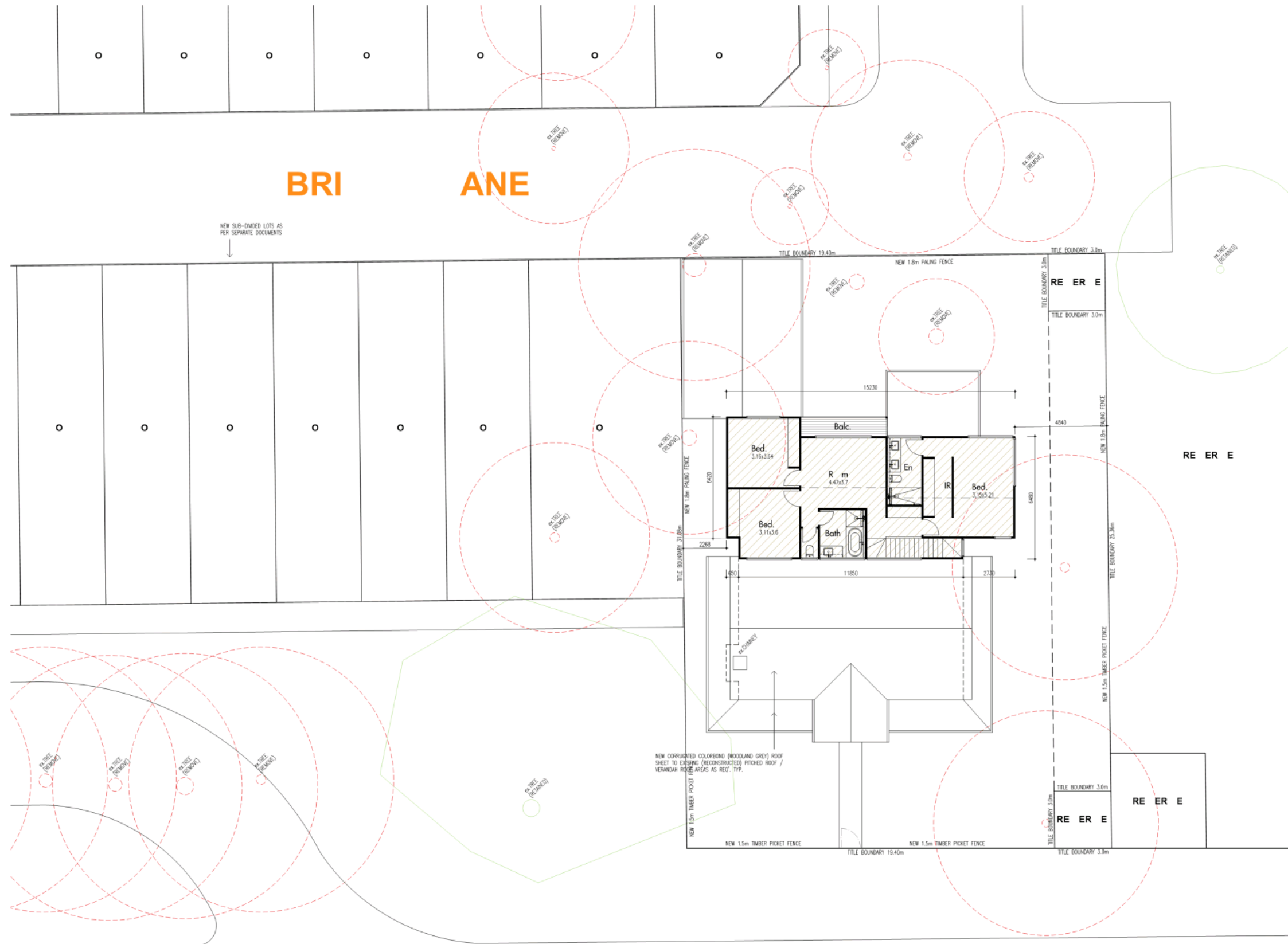
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**PROPOSED ALTERATIONS & ADDITIONS TO EXISTING DWELLING**  
**635 BRIDGE INN ROAD**  
**MERND**  
CLIENT  
BRIX PROPERTY GROUP  
DRAWING  
**TOWN PLANNING**  
**GROUND FLOOR PLAN**

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DATE	APR 2021	SCALE 1:100 @ A1
DRAWING No.	TP02	OF 5
REF. No.	21055	REV. A

**GROUND FLOOR**  
SCALE 1:100  
NOTES:  
• ALTERATIONS & ADDITIONS TO EXISTING DWELLING AS SHOWN HATCHED

**BRIDGE INN ROAD**



**AREA ANALYSIS - RO OSED**

BUILDING	
• EXISTING GROUND FLOOR (RETAINED)	- 90 sq/m
• EXISTING VERANDAH (RETAINED)	- 46 sq/m
• PROPOSED GROUND FLOOR ADDITIONS	- 88 sq/m
• PROPOSED GARAGE / STORE	- 52 sq/m
• PROPOSED ALFRESCO (COVERED)	- 17 sq/m
• PROPOSED FIRST FLOOR ADDITIONS	- 39 sq/m
• PROPOSED FIRST FLOOR BALCONY	- 5 sq/m
COVERAGE	
• TOTAL FLOOR AREA (incl. EXISTING / NEW / COVERED)	- 308 sq/m
• SITE COVERAGE	- 682 sq/m
• SITE COVERAGE	- 45.2%
PERMEABILITY	
• SITE	- 682 sq/m
• IMPERVIOUS AREAS:	- 308 sq/m
- BUILDINGS AREA (incl. EXISTING / NEW / COVERED)	- 23 sq/m
- PAVING	- 331 sq/m
• TOTAL	- 48.5%
• NON-PERMEABLE SURFACES (80% max.)	- 48.5%
GARDEN AREA	
• SITE	- 744 sq/m
• GARDEN AREA REQUIRED (35% OF SITE)	- 239 sq/m
• GARDEN AREA PROVIDED	- 374 sq/m

**TOWN PLANNING**  
NOT TO BE USED FOR CONSTRUCTION PURPOSES

ALTERNATIONS TO SUB PROPOSED SUB-DIVISION	H.W.
LAYOUT	23/2/21
REV. NO.	DATE
CHECKED	

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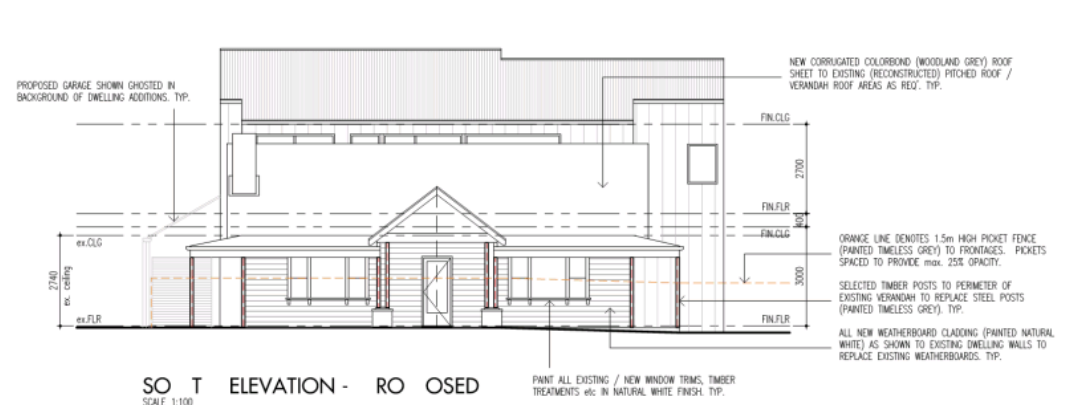
PROJECT  
**PROPOSED ALTERATIONS & ADDITIONS TO EXISTING DWELLING**  
**635 BRIDGE INN ROAD**  
**MERENDA**  
CLIENT  
**BRIX PROPERTY GROUP**  
DRAWING  
**TOWN PLANNING**  
**FIRST FLOOR PLAN**

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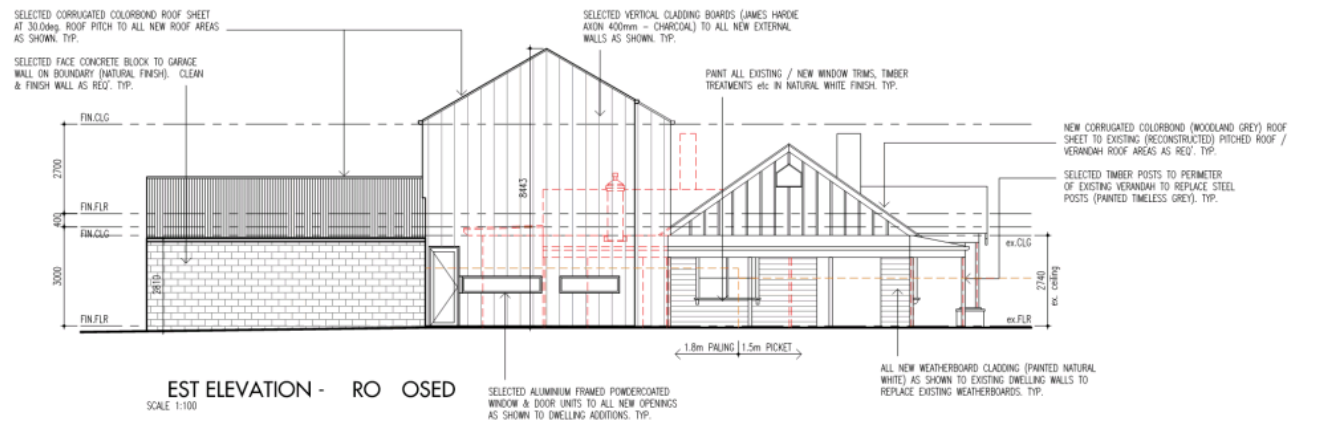
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DRAWN		APPROVED
DATE	APR' 2021	SCALE 1:100 @ A1
DRAWING No.	TP03	OF 5
REF. No.	21055	REV. A

**FIRST FLOOR**  
SCALE 1:100  
NOTES:  
• ALTERATIONS & ADDITIONS TO EXISTING DWELLING AS SHOWN HATCHED

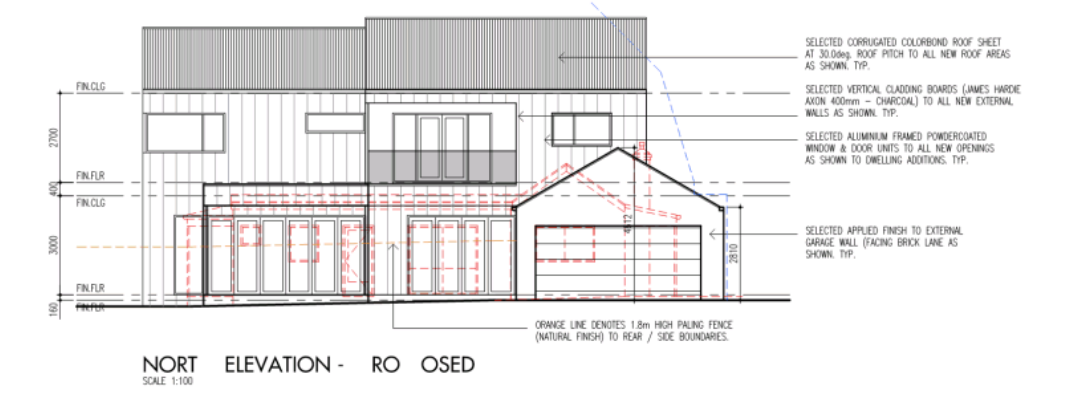
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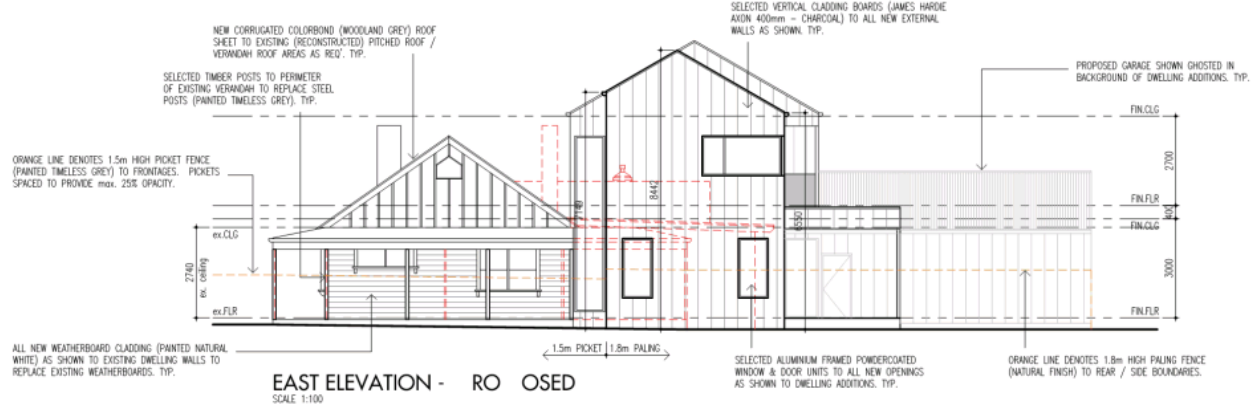
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SCALE 1:100



EST ELEVATION - RO OSED  
SCALE 1:100



NORT ELEVATION - RO OSED  
SCALE 1:100



EAST ELEVATION - RO OSED  
SCALE 1:100



SO T ELEVATION - EXISTING  
SCALE 1:100



EAST ELEVATION - EXISTING  
SCALE 1:100



NORT ELEVATION - EXISTING  
SCALE 1:100



EST ELEVATION - EXISTING  
SCALE 1:100

**TOWN PLANNING**  
NOT TO BE USED FOR CONSTRUCTION PURPOSES

NO.	REVISION	DATE	CHECKED
A	ALTERATIONS TO SUIT PROPOSED SUB-DIVISION LAYOUT	23/4/21	

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PROJECT  
**PROPOSED ALTERATIONS & ADDITIONS TO EXISTING DWELLING**  
**635 BRIDGE INN ROAD**  
**MERNDA**  
CLIENT  
**BRIX PROPERTY GROUP**  
DRAWING  
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**EXISTING / PROPOSED ELEVATIONS**

**dgbdd**  
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DATE	APR 2021	SCALE 1:100 @ A1

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TP04	5
REF. No.	REV.
21055	A

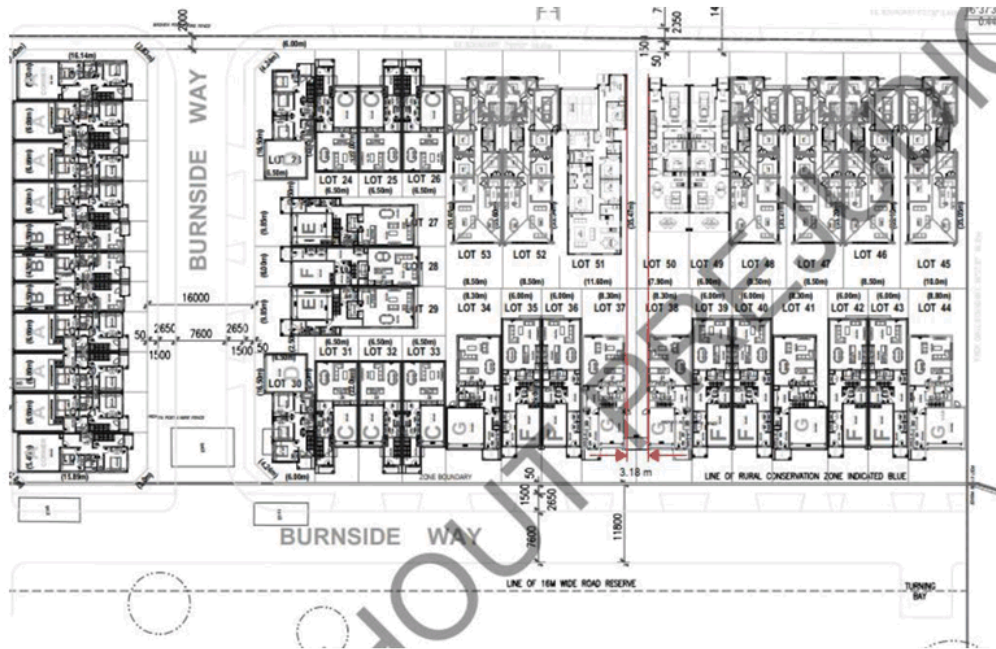












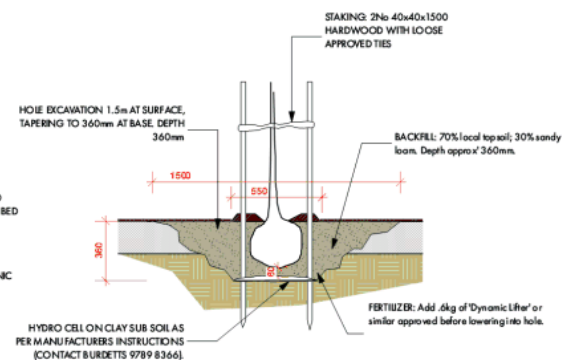
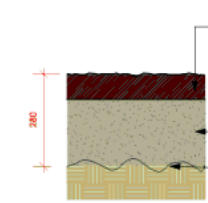
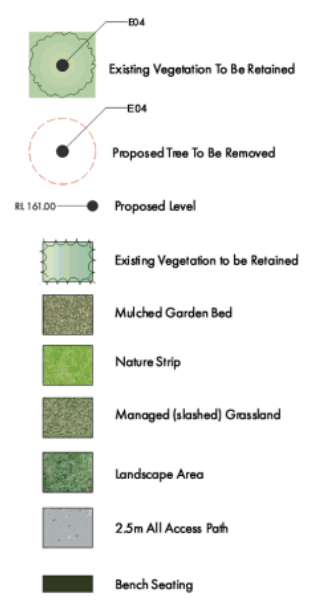




Plant List							
Image	ID	Qty	Common Name	Botanical Name	Scheduled Size	Mature Height	Mature Spread
<b>Trees</b>							
	Acal	99	Lightwood	Acacia implexa	200mm Pot	5 - 10m	3.5 - 6m
	AcaMe	19	Black Wattle	Acacia mearnsii	1.5m Ht 45 L	5 - 15m	3.5 - 10m
	EucC	51	River Red Gum	Eucalyptus camaldulensis	1.5m Ht 45 L	25 - 30m	10 - 15m
	EuMan	42	Brittle Gum	Eucalyptus mannifera 'Little Spotty'	2.0m Ht 45 L	7m	5m
<b>Shrubs</b>							
	Lept	59	Prickly Tea Tree	Lepidospermum continentale	200mm Pot	1.5 - 3m	1.2 - 2.0m
<b>Ground Covers</b>							
<b>Grasses</b>							
<b>Climbers</b>							
<b>Succulent</b>							
<b>Total</b>		<b>270</b>					

- General Notes**
- Town Planning Landscape Notes - General Construction**
    - These notes are to read as a general guide for implementation of the landscape plan. This drawing is not for construction and is to be used for Town Planning purposes only. This final location of all services and other assets may not be known at the town planning stage and the landscape plan may need to be revised to respond to building permit civil and architectural plans.
    - Demolition: Vegetation to be removed shall be mulched for re-use on the site. Strip and stockpile existing site topsoil prior to building works commencing and re-use in the landscape.
    - Pavement: Consider using recycled concrete aggregate for sub grade material. Drain pavements to garden beds (install sub surface drains in garden beds in poor draining soils where logical).
    - Weed Control: All areas shown on the drawings as mulched planting bed, grassed areas and trees in grassed areas shall include a weed eradication programme using an approved non-residual contact herbicide (Glyphosphate) following the manufacturers specifications. Leave sprayed areas for a period of 10 days prior to disturbance and repeat for any weeds still alive.
    - Landscape Set Out: Install edging between all lawn areas and garden beds - type and location as shown in the drawings. The contractor is solely responsible for locating, avoiding and protection of all services on and associated with the site. Dial before you dig - Telephone No; 1100
    - Subsoil Preparation for Planting:
      - Sub-surface Drainage: Install sub-surface drainage which discharges to stormwater or soakage pits for any garden bed or grassed area that is poorly drained.
      - Subsoil Ripping: For garden bed areas and advanced trees, rip to depths shown in the planting detail. Mark location of all underground services prior to commencing ripping operations.
      - Subsoil Additives: Contact your local nursery to obtain advice on additives to adjust the pH level to the desired range of pH 5.5 to 7.0. Some plants tolerate high or low pH levels. If soil is heavy yellow clay, add gypsum at the rate of 1.5 - 2kg/m<sup>2</sup> for garden beds and 1.5 kg/m<sup>2</sup> for lawns. In very dry or hydrophobic soils a soil wetting agent shall be added.
      - Rotary Cultivation: After application of soil additives, cultivate plant bed and lawn areas to depths shown on planting plan so as to eliminate compaction and to mix sub-soil and soil additives.
    - Topsoiling:
      - Supply: Site stripped topsoil shall be used where possible and improved so as to meet the specifications for imported topsoil blends in AS 4419:2003. All topsoil to meet this standard.
      - Installation: Spread topsoil as per detailed drawing.
    - Mulching:
      - Supply: Wood to AS 4454:1999 or inorganic as per drawings or inflammable when WMO.
      - Installation: Spread over all garden beds to max consolidated depth as per detail.
    - Planting of Mulched Beds & Advanced Trees:
      - Supply: Trees to comply with NatSpec Purchasing of Landscape Trees - A Field Guide to Assessing Tree Quality. Shrubs shall demonstrate a large, well developed and healthy fibrous roots with repeated and sequential division and no evidence of root curl, restriction or damage.
      - Installation: Set out plants in accordance with the drawings. Water plants prior to planting and when planted at a rate of: 1.6m & 1.4m pots > 5 l; 200-300mm pots > 10 l; 300mm + > 30 l. Climbers require a wire of trellis climbing frame.
      - Planting of Grassed Areas:
        - Supply: Install low water use grass such as Palmetto or Sir Walter Buffalo. Use NPK 10:4:6 + trace elements lawn starter.
        - Installation: Following preparation and topsoiling, re-grade to provide smooth contours and to eliminate soil clods. Apply turf roll as per manufacturers instructions. Keep continuously moist until established.
    - Irrigation: Install a programmable sub-surface drip irrigation system activated by a soil moisture probe to all mulched garden beds areas and for trees in pavement, designed, installed and supplied to the relevant Australian Standards and Codes and used in accordance with current water restrictions. If grassed areas are to be irrigated, they shall be an separate zones to the mulched beds and preferably sub-surface drip.

**LEGEND**



TOWN PLANNING - 22/4/21

**memLa**

MEMIA pty ltd  
 Shop 1/655 Nepean Highway, Brighton East, Vic. 3187 p: (03) 8040 8813 m: 043434617

PROJECT: 635 Bridge Inn Rd, Mernda  
 CLIENT: BRIX Property  
 DRAWN: LCO1

DATE: 22/4/21  
 SHEET: 24/21  
 OF: 1

PROJECT # 2417



<p>ISSUE: A B</p> <p>REVISIONS: TOWN PLANNING ISSUE R1 REVISION</p>	<p>DATE: 12/10/20 (0) 24/09/21 (0)</p>	<h1 style="font-size: 2em; margin: 0;">COLOUR SCHEDULE</h1>	<p>PROPOSED RESIDENCE FOR: Brix Property Group No 635 Bridge Inn Rd At: Merrida</p> <p>HOUSE TYPE: VARIES RACIAL TYPE: VARIES</p> <p>SCALE: 1:100</p> <p>DRAWN: GD</p>	<p>THIS DRAWING IS REFERRED TO IN YOUR CONTRACT. INITIALS: _____</p> <p>DATE: _____</p> <p><small>©COPYRIGHT 2018 GENERAL REPRODUCTION OR PUBLISHING WITH OR WITHOUT MODIFICATIONS IN ANY FORM AND WHATSOEVER IS AN INFRINGEMENT OF COPYRIGHT AND WILL RESULT IN LEGAL ACTION.</small></p>	 <p>TOWNHOMES</p>	<p>JOB NO: <b>000000</b></p> <p>DATE: 12/10/20</p>	<p>ISSUE: DRAWING NO. <b>18</b></p> <p style="text-align: right;">B</p>
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**MONUMENT**



NATURAL TIMBER LOOK STAINED ASH TONE



GREYOLGY 7



GREYOLGY 2



**TYPE A**



AXON TIMBERLOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER  
GREYOLGY 2 RENDER

MONUMENT PAINTED TO TIMBER PERGOLA  
MONUMENT ALUMINIUM WINDOW FRAMES  
GLASS BALLUSTRADE IN MONUMENT FRAME  
GREYOLGY 7 RENDER

**TYPE B**



GREYOLGY 2 RENDER  
GLASS BALLUSTRADE IN MONUMENT FRAME

MONUMENT PAINT FINISH TO TIMBER PERGOLA  
MONUMENT ALUMINIUM WINDOW FRAMES  
AXON TIMBER LOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER  
GREYOLGY 7 RENDER

**TYPE C**



AXON TIMBERLOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER  
GREYOLGY 7 RENDER

MONUMENT PAINT FINISH TO DECORATIVE FEATURE  
MONUMENT ALUMINIUM WINDOW FRAMES  
GREYOLGY 2 RENDER

**TYPE D**



AXON TIMBERLOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER  
GREYOLGY 7 RENDER

MONUMENT PAINT TO DECORATIVE FEATURE  
MONUMENT ALUMINIUM WINDOW FRAMES  
GREYOLGY 2 RENDER

**TYPE E**



GREYOLGY 7 RENDER  
GREYOLGY 2 RENDER

MONUMENT PAINT FINISH TO DECORATIVE FEATURE  
MONUMENT ALUMINIUM WINDOW FRAMES  
AXON TIMBER LOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER

**TYPE F**



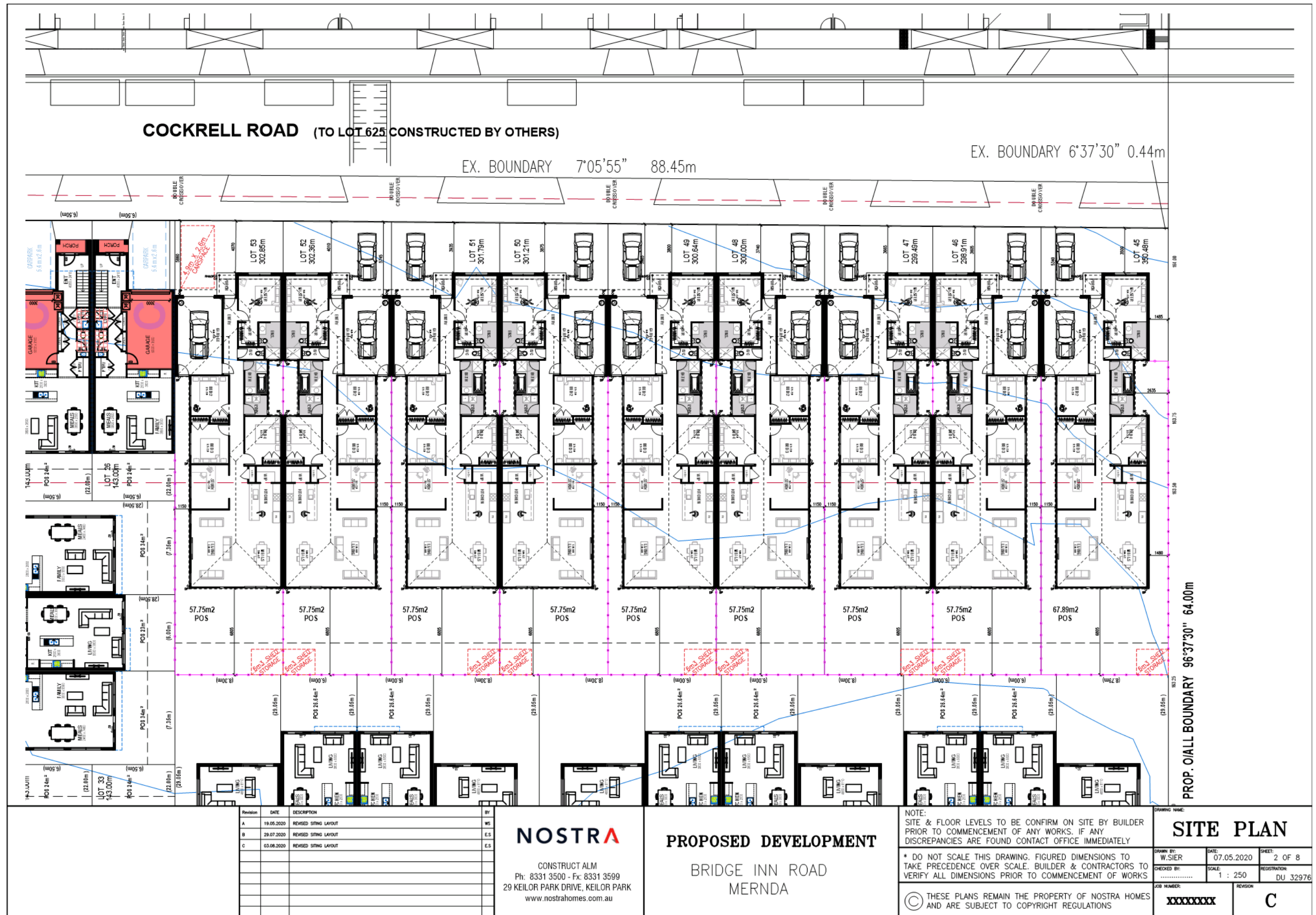
AXON TIMBER LOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER  
GREYOLGY 7 RENDER

**TYPE G**



AXON TIMBER LOOK SHEET CLADDING WITH NATURAL ASH TONE FINISH OVER  
GREYOLGY 7 RENDER  
GREYOLGY 7 GARAGE DOOR





Revision	DATE	DESCRIPTION	BY
A	19.05.2020	REVISED SITING LAYOUT	ES
B	29.07.2020	REVISED SITING LAYOUT	ES
C	03.08.2020	REVISED SITING LAYOUT	ES

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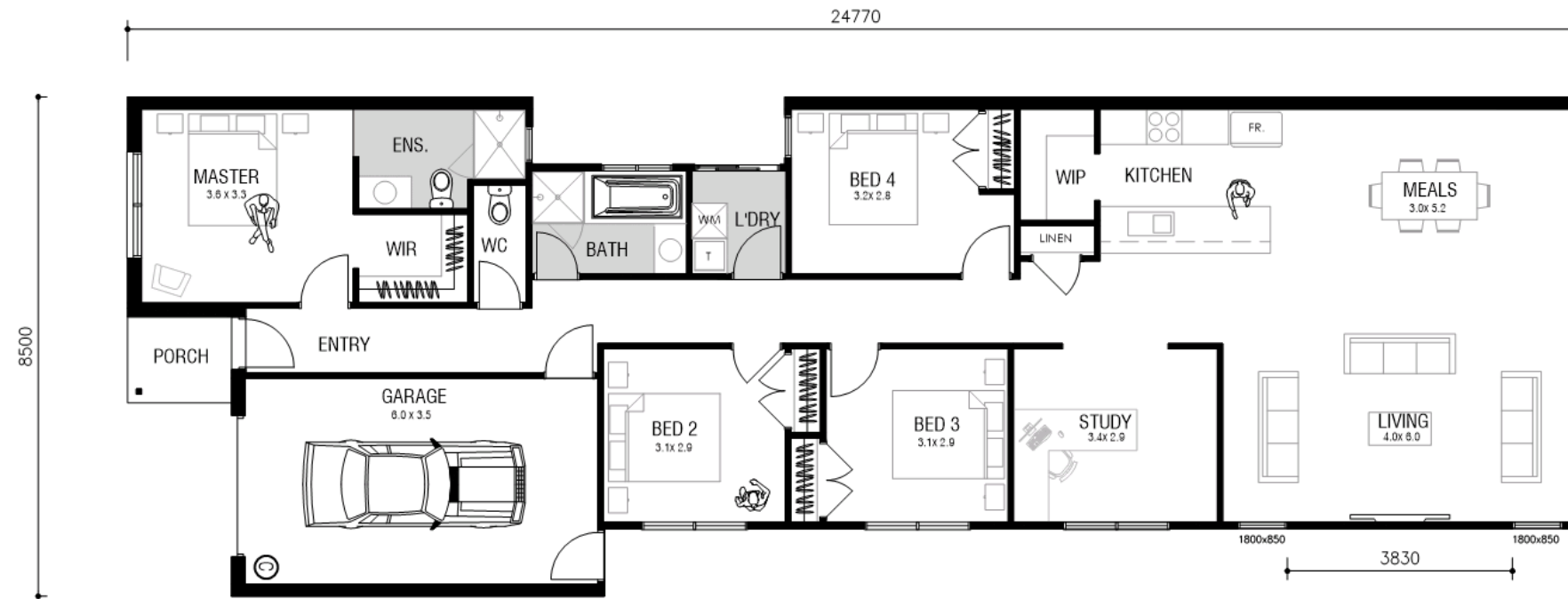
**PROPOSED DEVELOPMENT**  
 BRIDGE INN ROAD  
 MERNDA

NOTE:  
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<b>SITE PLAN</b>			
DRAWN BY: W.SIER	DATE: 07.05.2020	SHEET: 2 OF 8	
CHECKED BY:	SCALE: 1 : 250	REGISTRATION: DU 32976	
JOB NUMBER:	REVISION:	C	



POINT REVISION 1

Ground Floor:	154.40	sq.m	16.62	sqrs
Garage:	23.21	sq.m	2.50	sqrs
Porch:	2.59	sq.m	0.28	sqrs
Total Area:	180.20	sq.m	19.40	sqrs

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**PROPOSED DEVELOPMENT**  
 BRIDGE INN ROAD  
 MERNDA

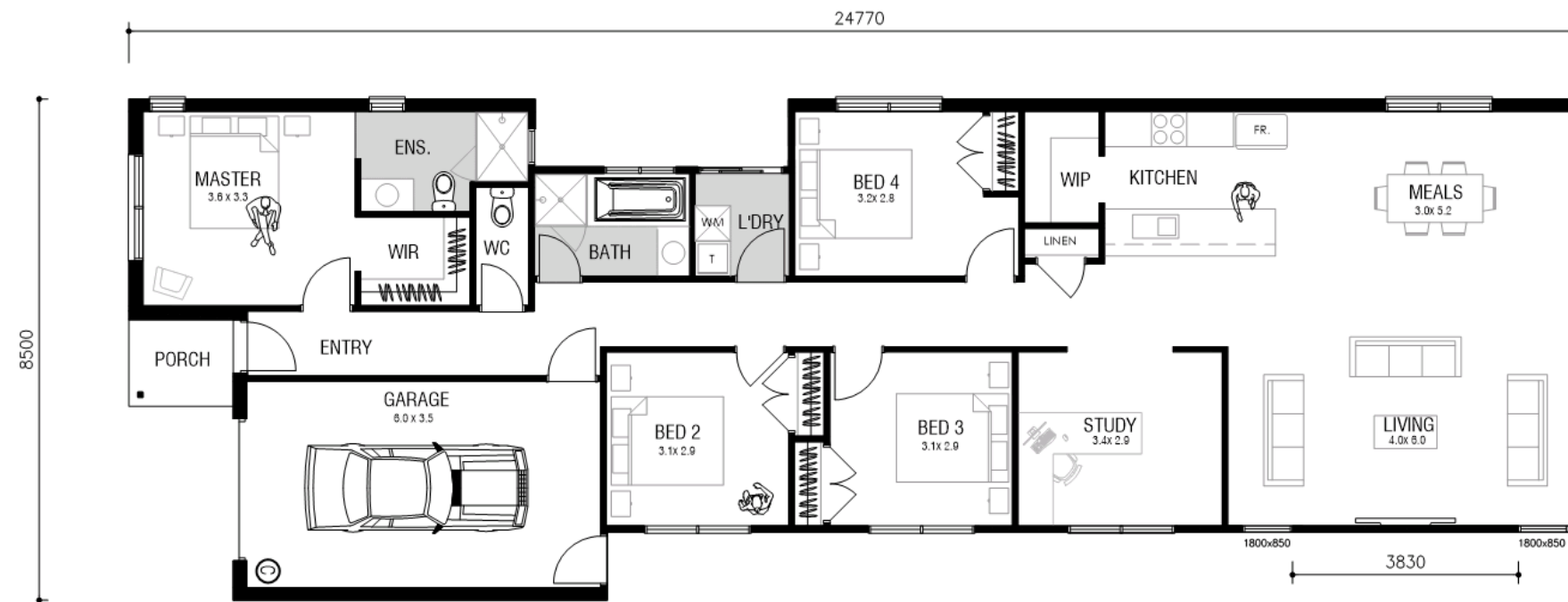
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<b>FLOOR PLAN</b>		
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CHECKED BY: .....	SCALE: 1 : 100	REGISTRATION: DU 32976
JOB NUMBER: XXXXXXXX	REVISION <b>C</b>	





POINT REVISION 1  
CORNER

Ground Floor:	154.40	sq.m	16.62	sqrs
Garage:	23.21	sq.m	2.50	sqrs
Porch:	2.59	sq.m	0.28	sqrs
Total Area:	180.20	sq.m	19.40	sqrs

Revision	DATE	DESCRIPTION	BY
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**PROPOSED DEVELOPMENT**  
BRIDGE INN ROAD  
MERNDA

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JOB NUMBER: XXXXXXXX	REVISION: <b>C</b>	



**FACADE 1  
DARK COLOUR SCHEME**



**FACADE 2  
DARK COLOUR SCHEME**



**FACADE 1  
LIGHT COLOUR SCHEME**



**FACADE 2  
LIGHT COLOUR SCHEME**

**COLOUR PALLET**

-  COLORBOND SURFMIST C1 PAINT/GARAGE DOOR/ENTRY DOOR
-  COLORBOND MONUMENT C29 PAINT/WINDOWS/FASCIA/GUTTER
-  DULUX GREY PAIL SG6G1 RENDER FINISH
-  DULUX GUILD GREY SG6G5 RENDER FINISH
-  AUSTRAL INDUSTRIAL 'CHAR' FEATURE BRICK
-  AUSTRAL INDULGENCE 'PRALINE' FACE BRICKWORK
-  BRISTILE DESIGNER 'MAGNUM' ROOF TILES



**STREETSCAPE**

Revision	DATE	DESCRIPTION	BY
A	19.05.2020	REVISED SITING LAYOUT	WS
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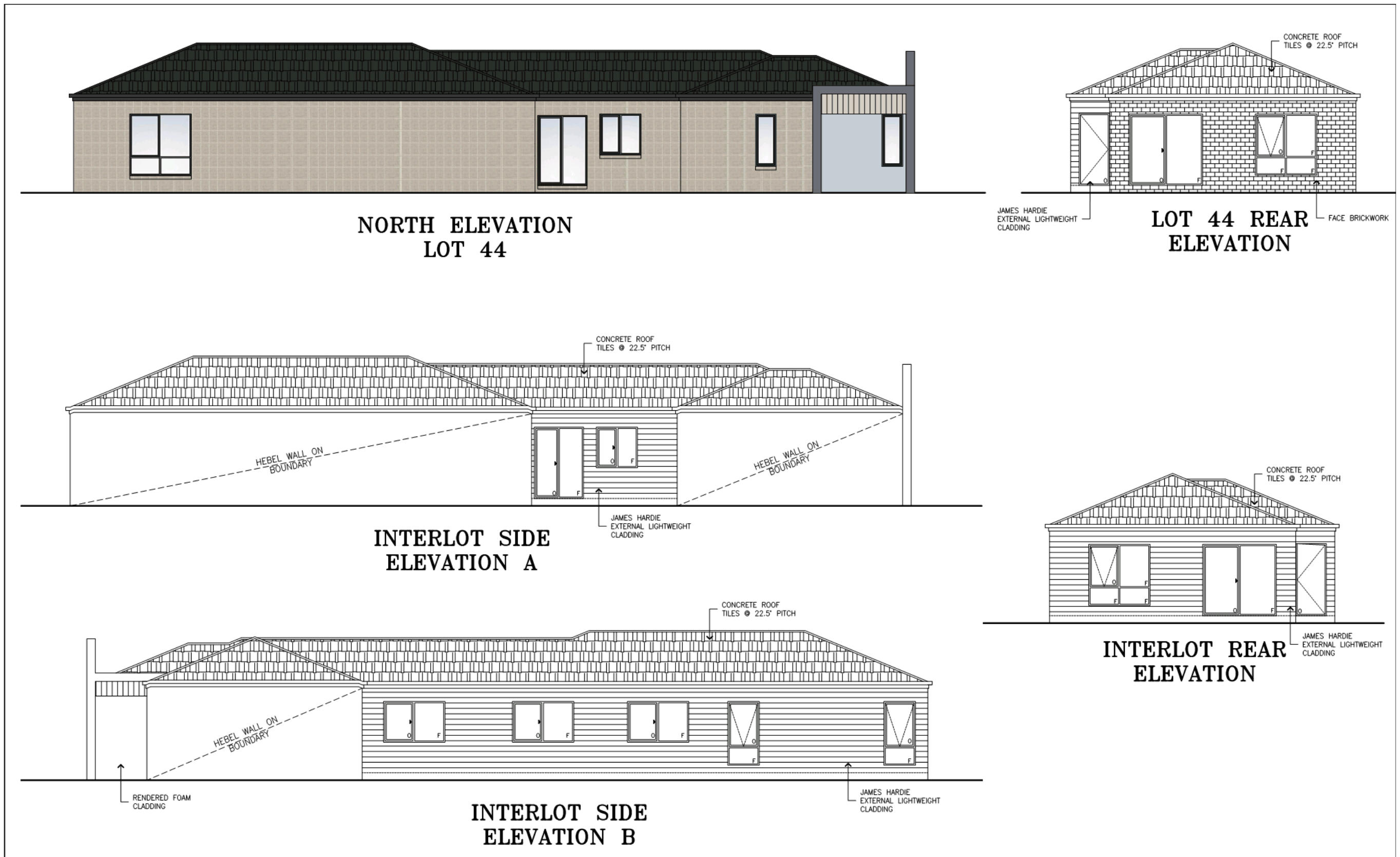
**PROPOSED DEVELOPMENT**  
 BRIDGE INN ROAD  
 MERNDA

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CHECKED BY: .....	SCALE: 1 : 250	REGISTRATOR: DU 32976
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**PROPOSED DEVELOPMENT**  
 BRIDGE INN ROAD  
 MERNDA

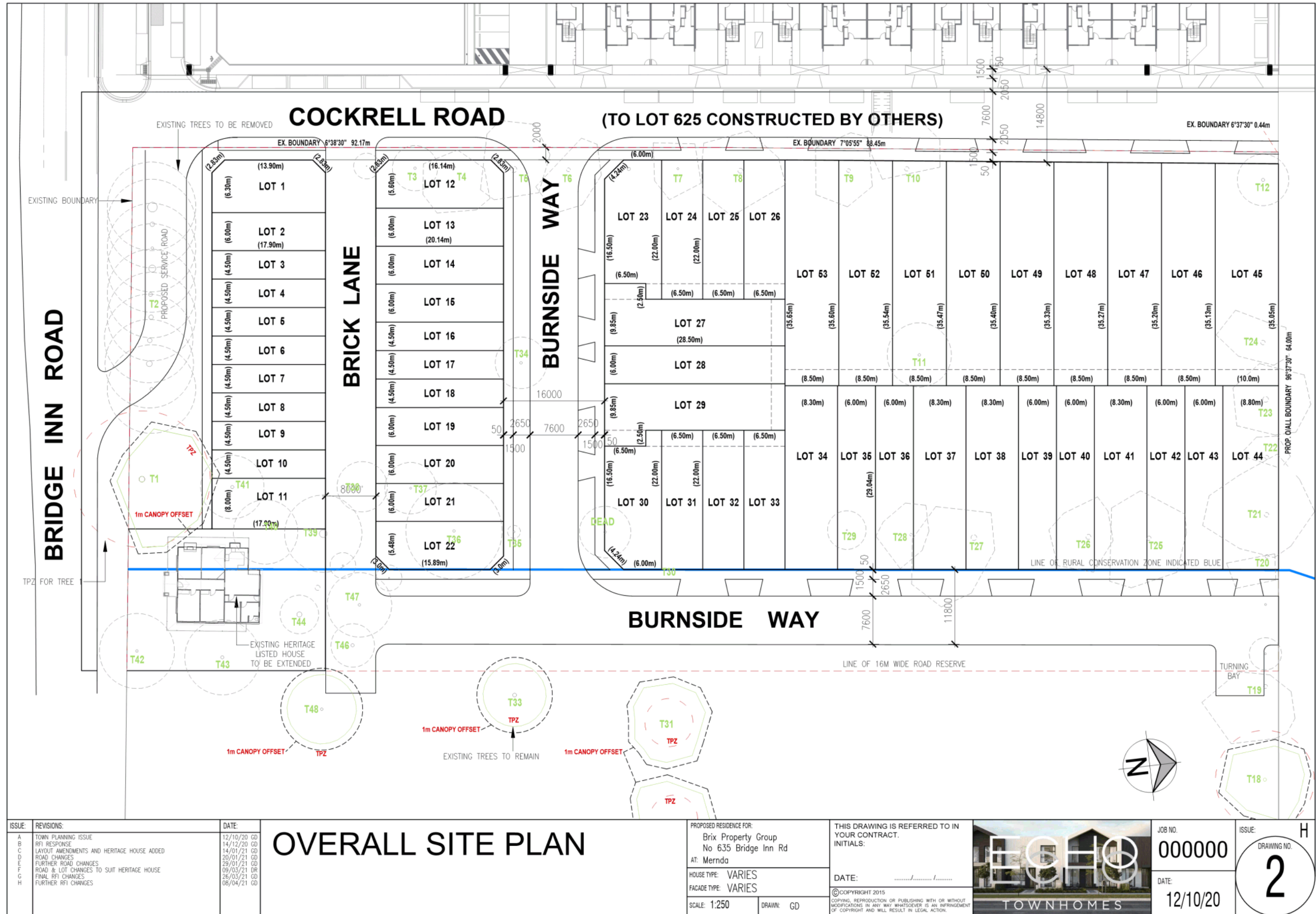
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ISSUE:	REVISIONS:	DATE:
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B	RFI RESPONSE	14/12/20 GD
C	LAYOUT AMENDMENTS AND HERITAGE HOUSE ADDED	14/01/21 GD
D	ROAD CHANGES	20/01/21 GD
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F	ROAD & LOT CHANGES TO SUIT HERITAGE HOUSE	09/03/21 DR
G	FINAL RFI CHANGES	26/03/21 GD
H	FURTHER RFI CHANGES	08/04/21 GD

# OVERALL SITE PLAN

PROPOSED RESIDENCE FOR:  
 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda

HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES

SCALE: 1:250      DRAWN: GD

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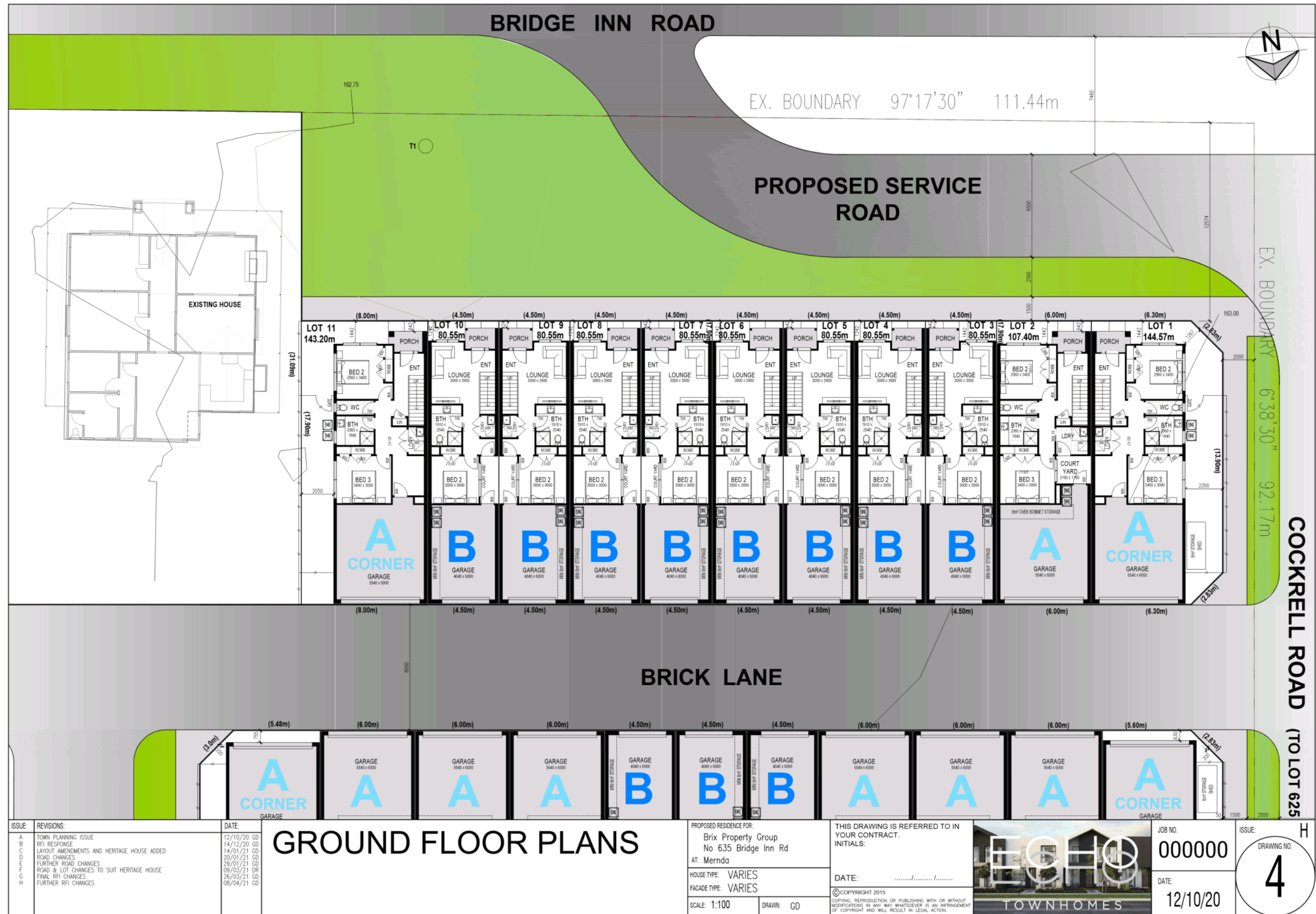
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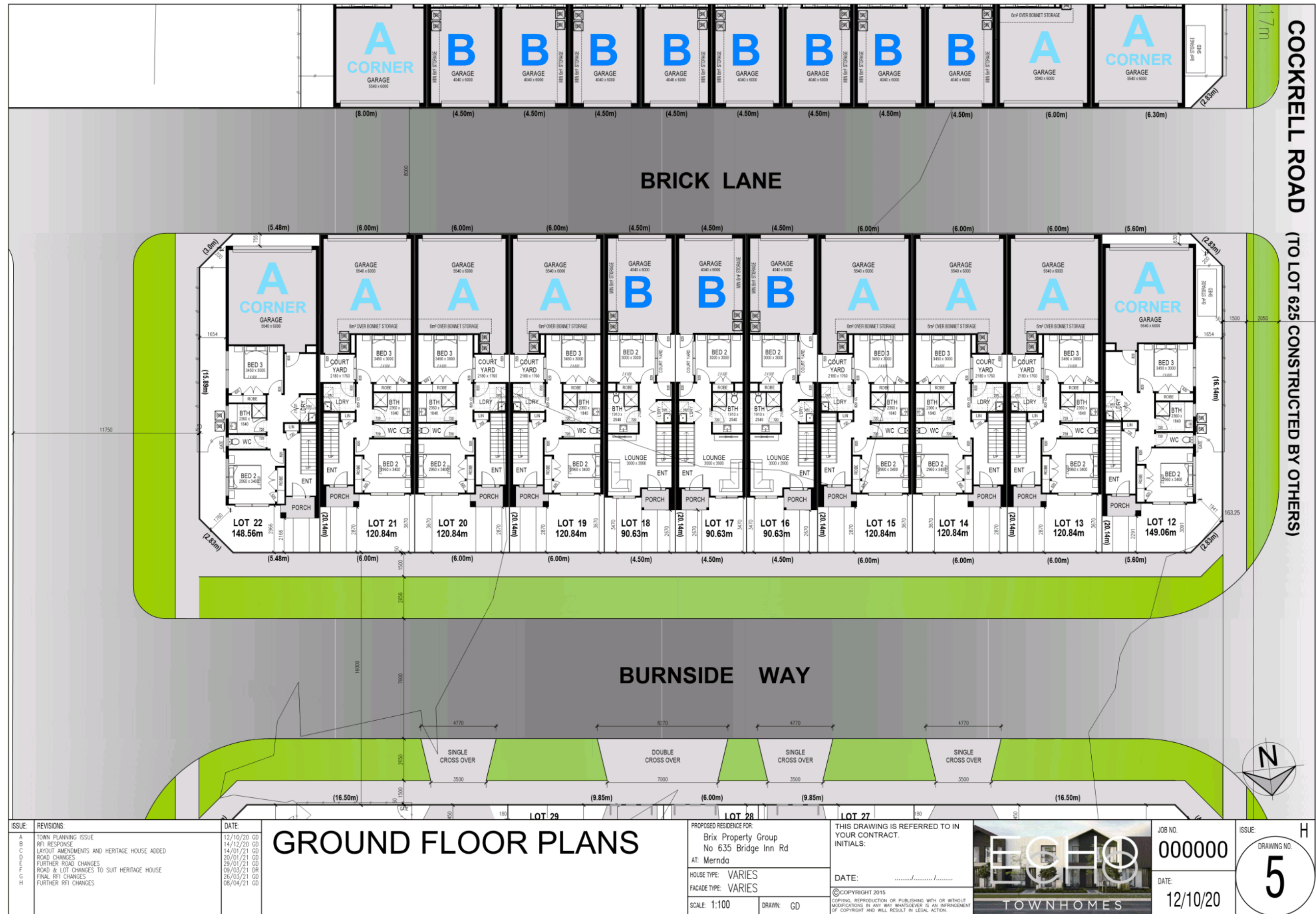


JOB NO.  
 000000

DATE:  
 12/10/20

ISSUE: H  
 DRAWING NO.  
 3









TRUCTED BY OTHERS)

**BURNSIDE WAY**

**GROUND FLOOR PLANS**

ISSUE:	REVISIONS:	DATE:
A	TOWN PLANNING ISSUE	12/10/20 GD
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G	FINAL RFI CHANGES	26/03/21 GD
H	FURTHER RFI CHANGES	08/04/21 GD

PROPOSED RESIDENCE FOR:  
 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda

HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES

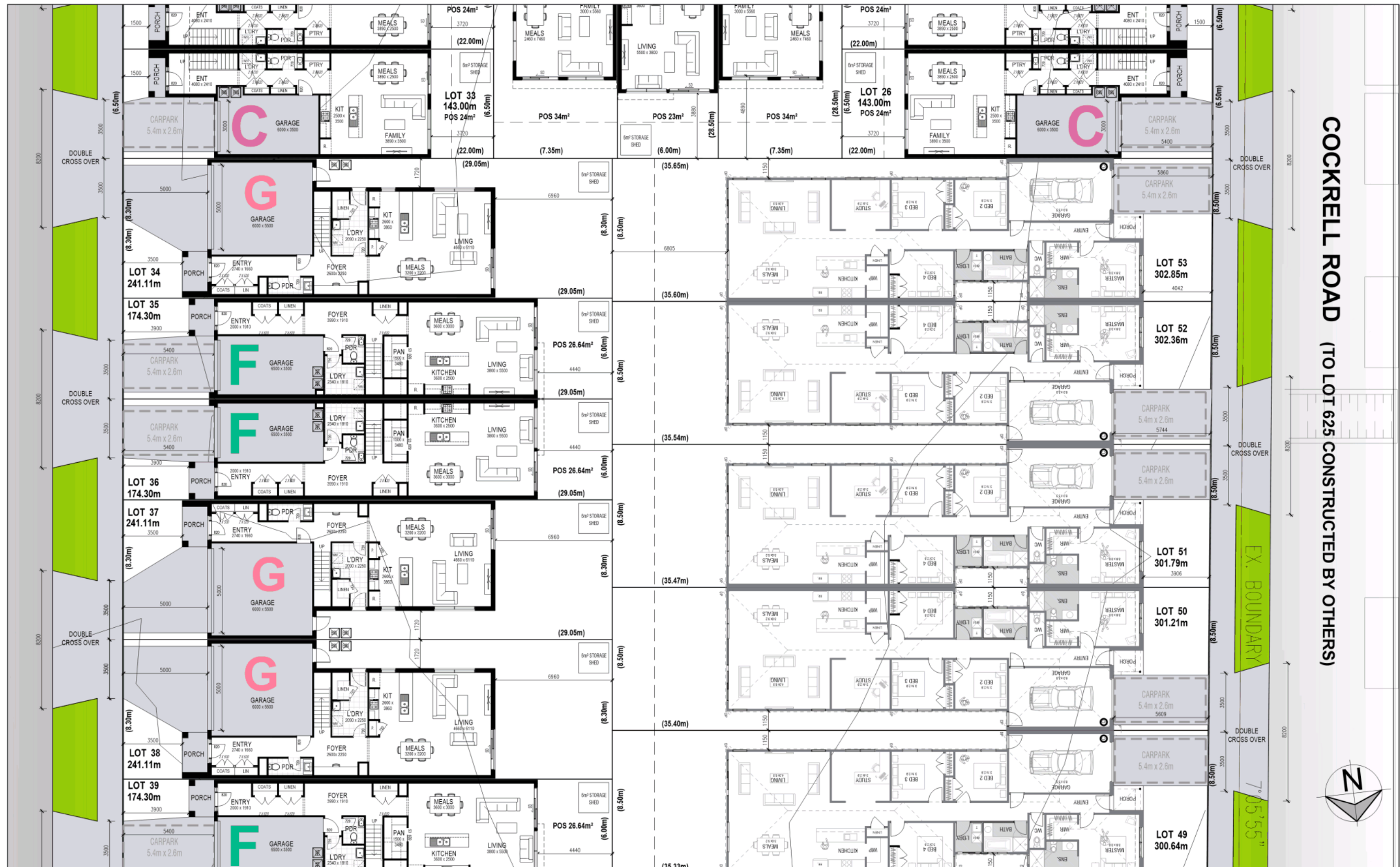
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 DATE: 12/10/20  
 ISSUE: H  
 DRAWING NO. 6



COCKRELL ROAD (TO LOT 625 CONSTRUCTED BY OTHERS)

EX. BOUNDARY

7° 05' 55"



ISSUE:	REVISIONS:	DATE:
A	TOWN PLANNING ISSUE	12/10/20 GD
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H	FURTHER RFI CHANGES	08/04/21 GD

# GROUND FLOOR PLANS

PROPOSED RESIDENCE FOR:  
 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda

HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES

SCALE: 1:100      DRAWN: GD

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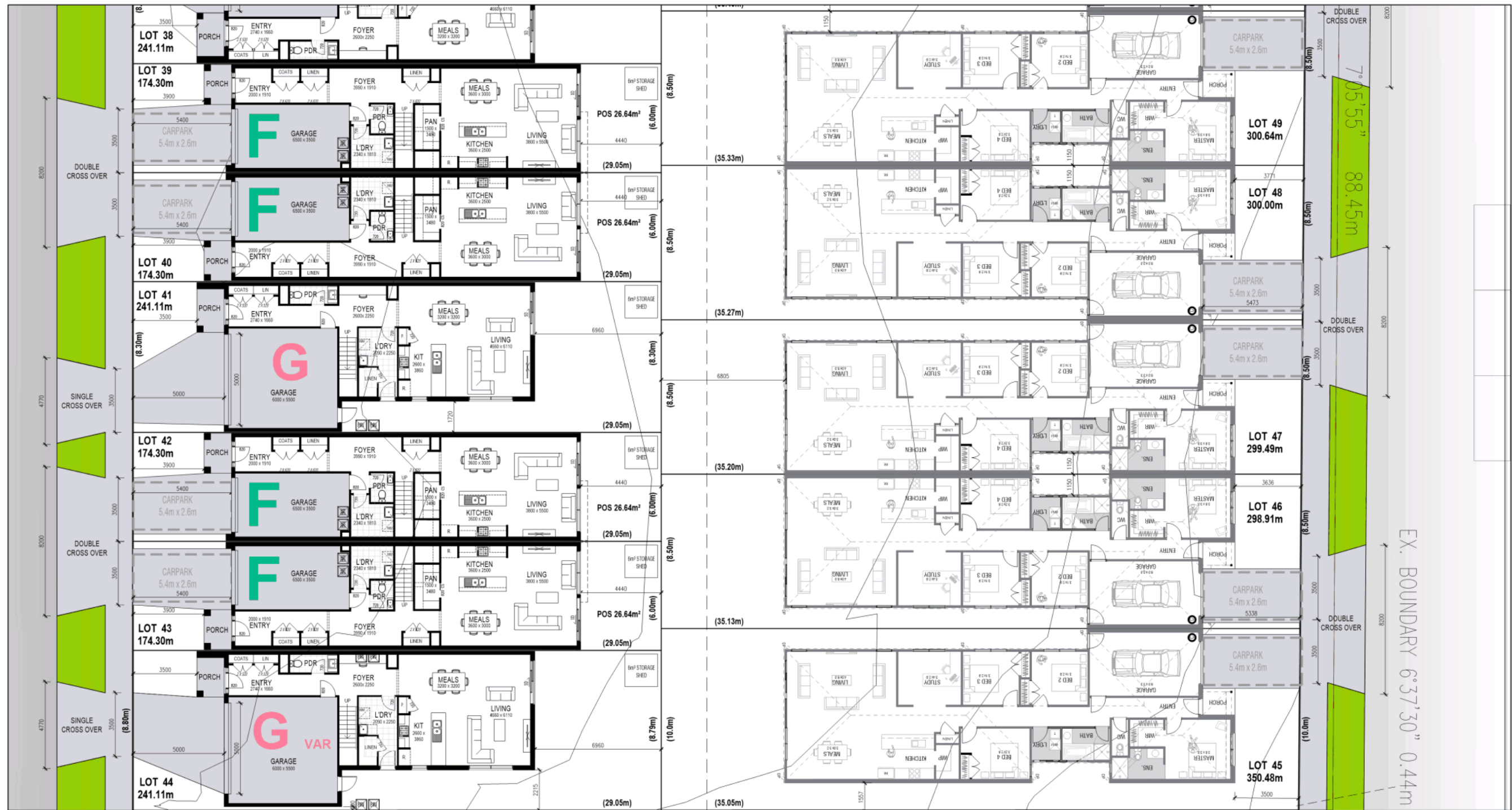


JOB NO.  
**000000**

DATE:  
**12/10/20**

ISSUE: **H**

DRAWING NO.  
**7**



PROP. 0/ALL BOUNDARY 96°37'30" 64.00m

EX. BOUNDARY 6°37'30" 0.44m



ISSUE:	REVISIONS:	DATE:
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# GROUND FLOOR PLANS

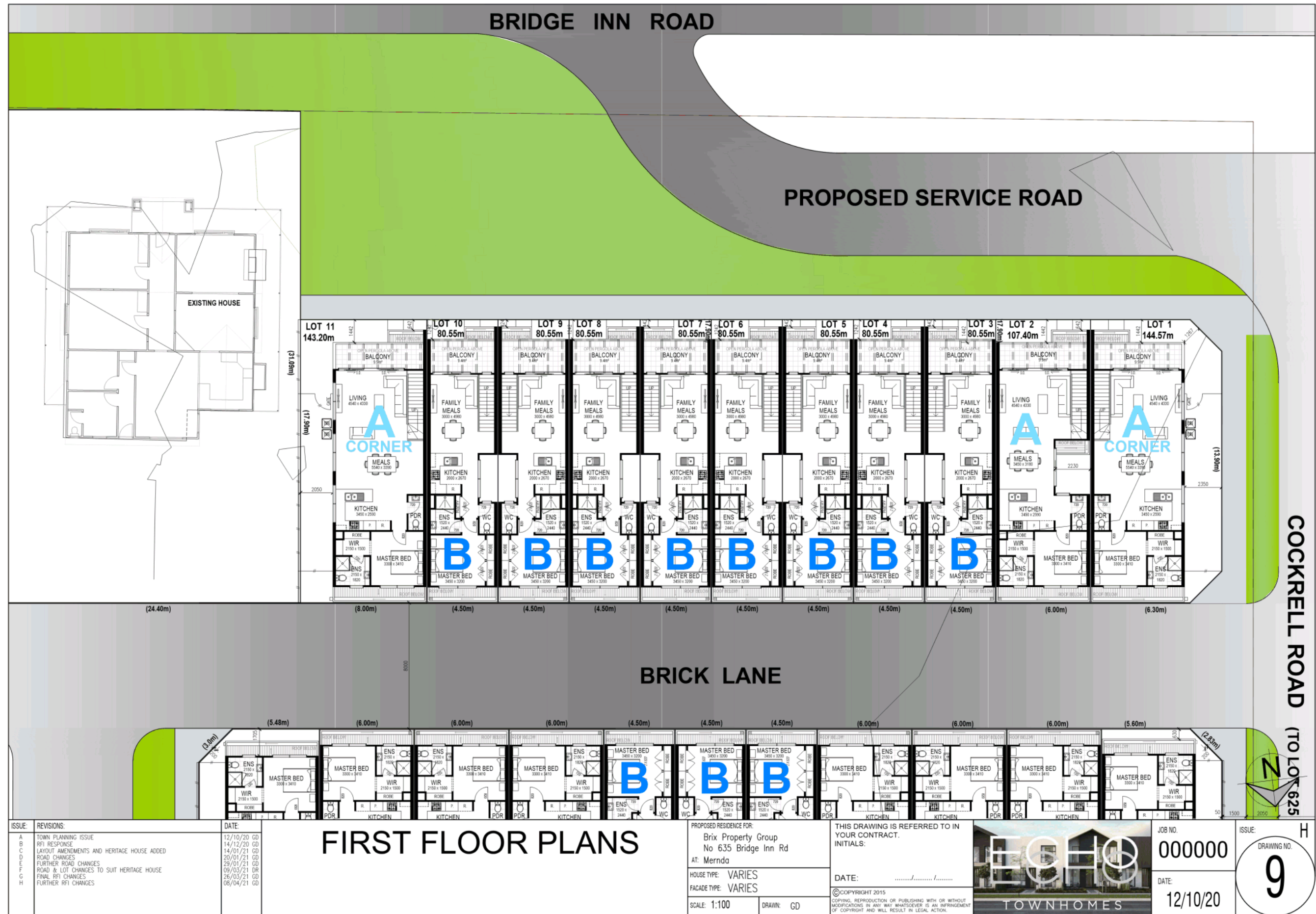
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 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda  
 HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES  
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ISSUE: H  
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# FIRST FLOOR PLANS

ISSUE:	REVISIONS:	DATE:
A	TOWN PLANNING ISSUE	12/10/20 GD
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H	FURTHER RFI CHANGES	08/04/21 GD

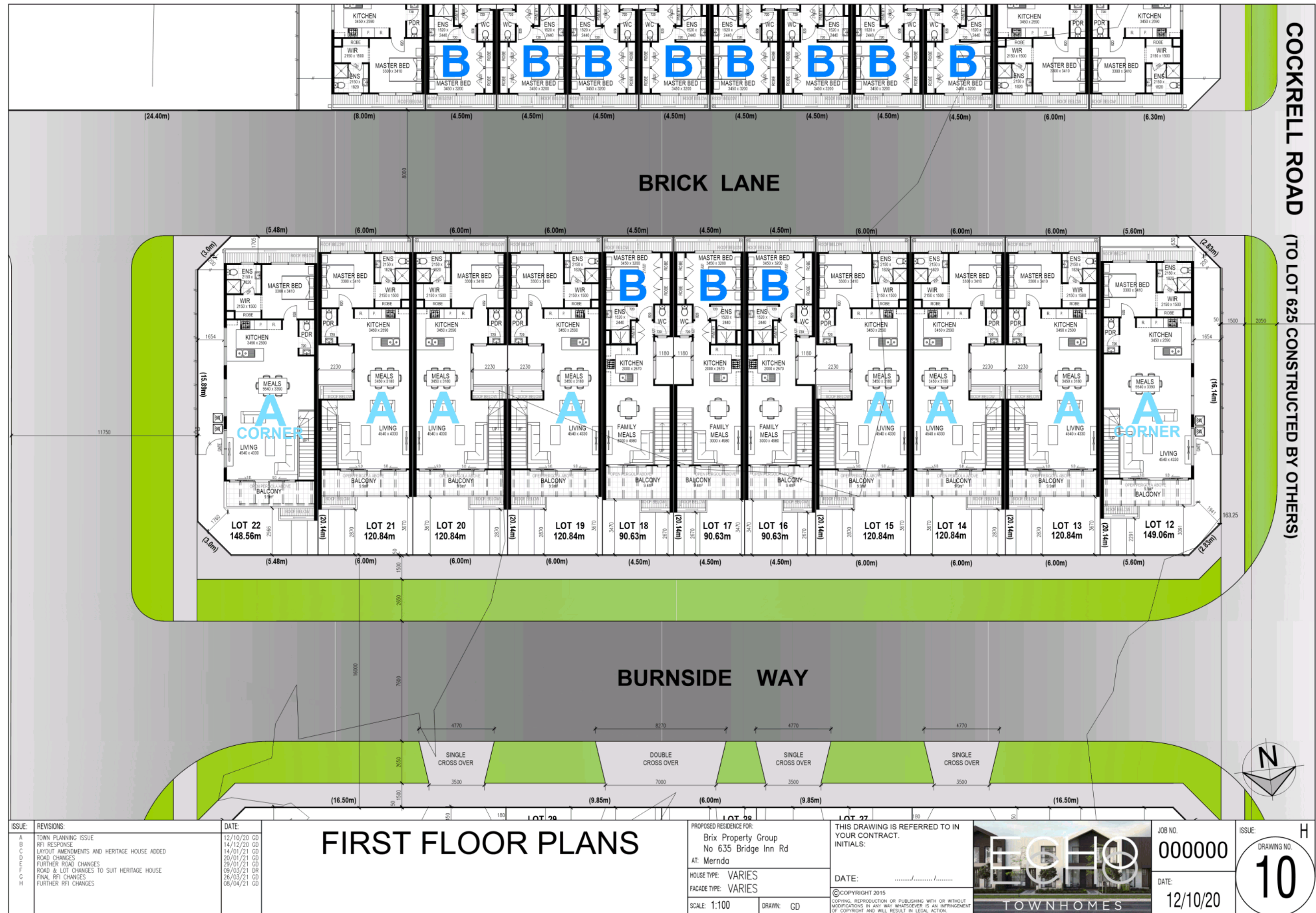
PROPOSED RESIDENCE FOR:  
 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda  
 HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES  
 SCALE: 1:100  
 DRAWN: GD

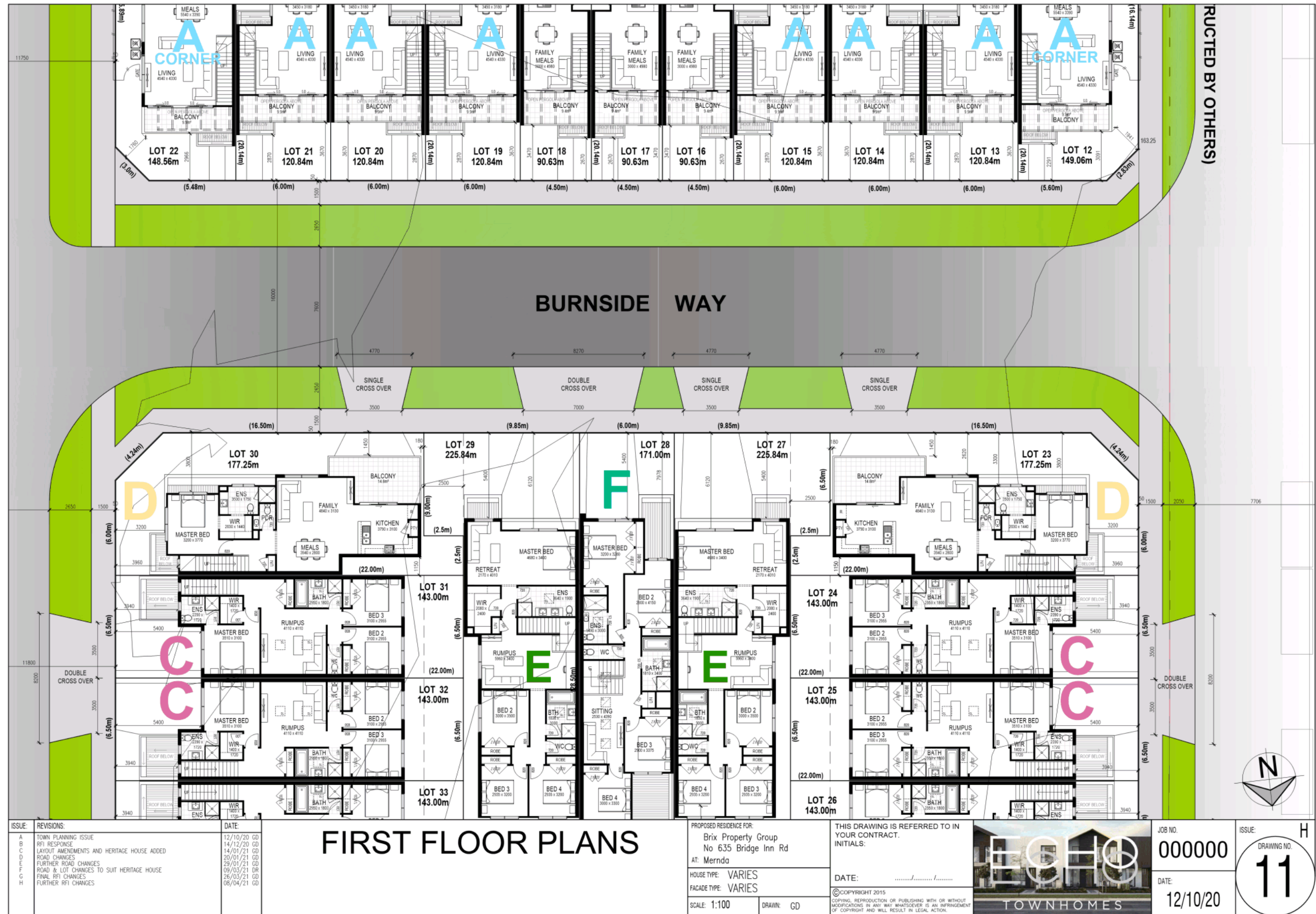
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 9





# FIRST FLOOR PLANS

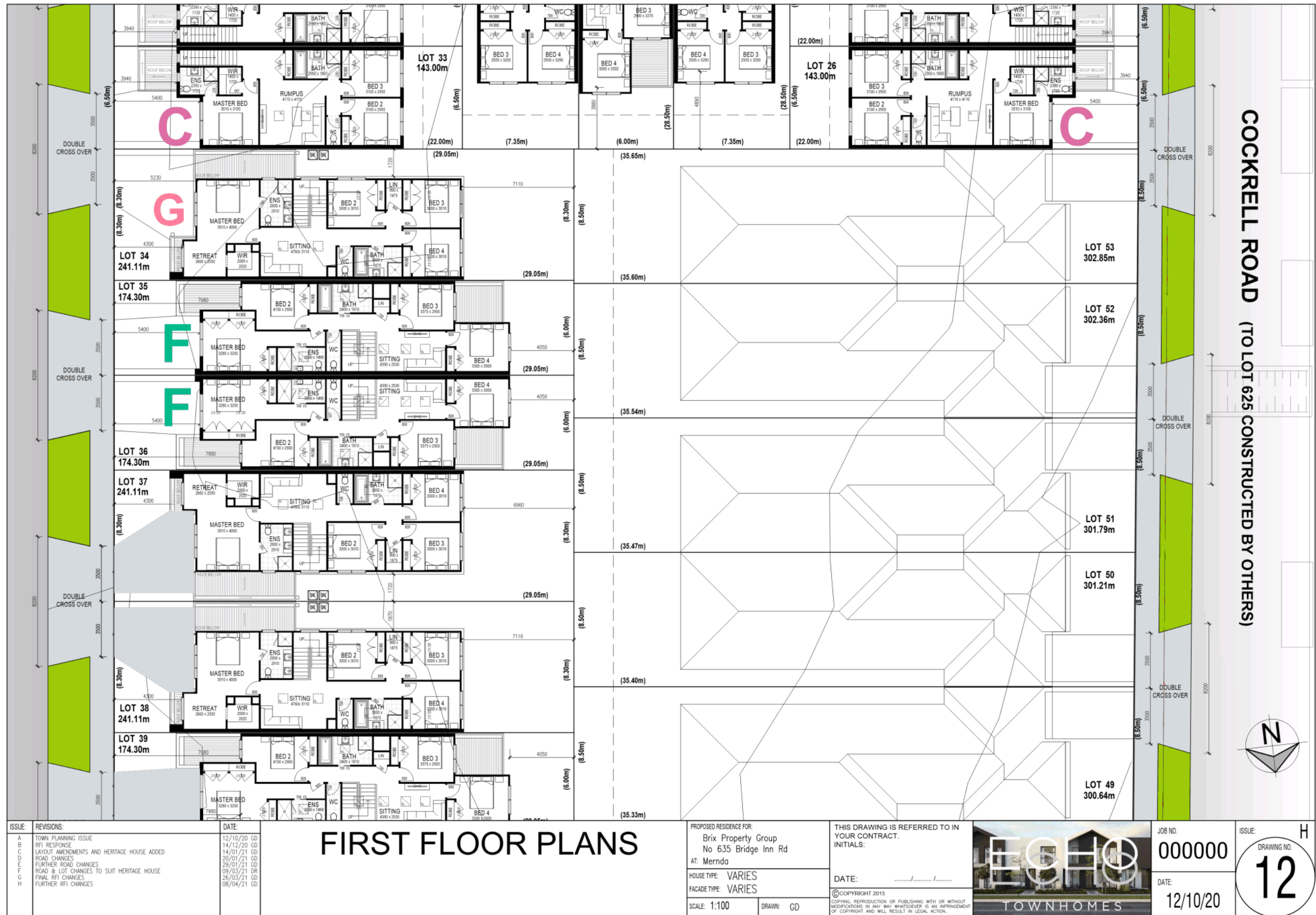
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H	FURTHER RFI CHANGES	08/04/21 GD

PROPOSED RESIDENCE FOR:  
 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda  
 HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES  
 SCALE: 1:100  
 DRAWN: GD

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 DRAWING NO. 11



# FIRST FLOOR PLANS

ISSUE:	REVISIONS:	DATE:
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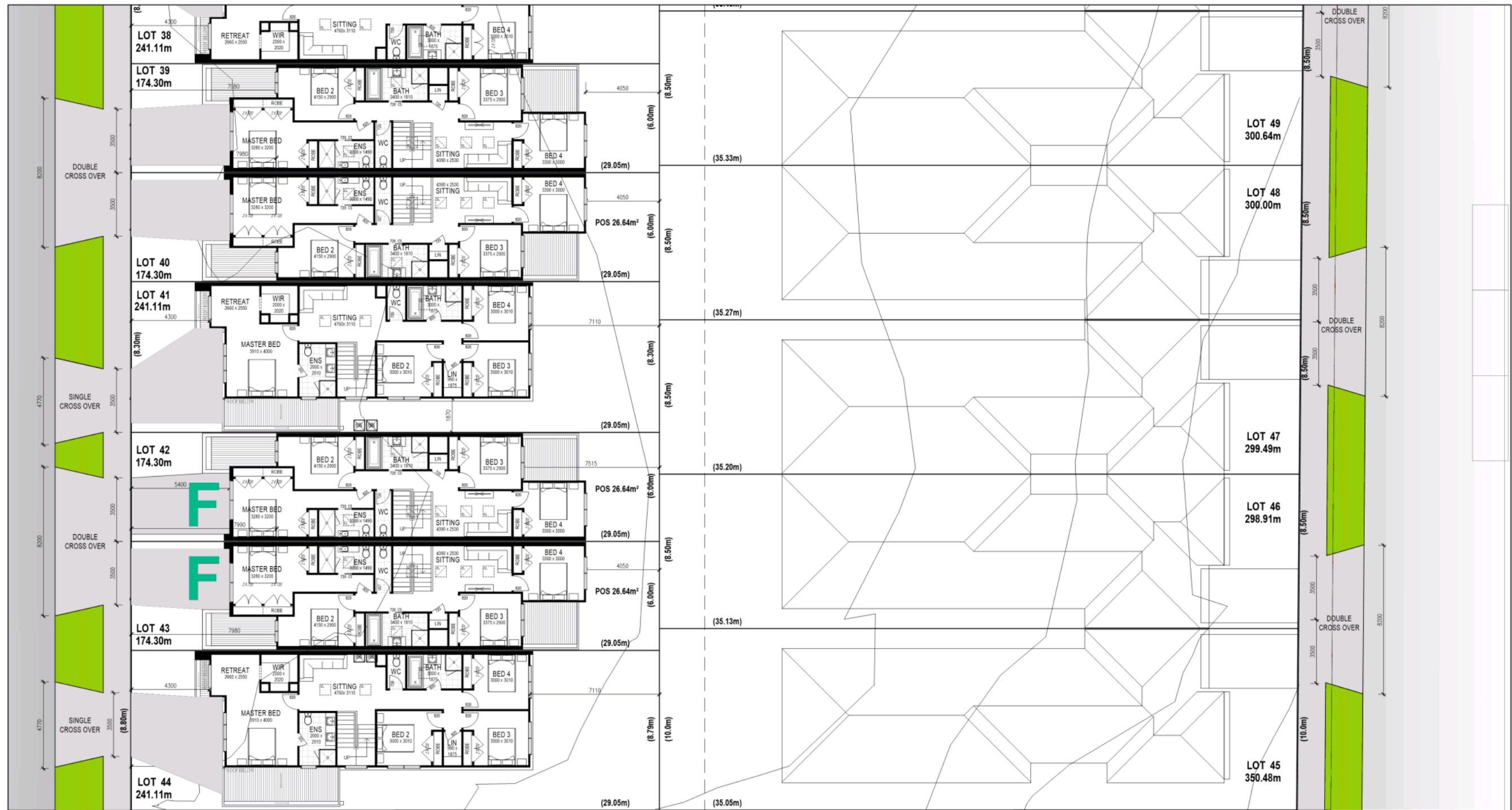
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 AT: Mernda  
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 FACADE TYPE: VARIES  
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 DATE:  
 12/10/20

ISSUE: H  
 DRAWING NO.  
 12



ISSUE:	REVISIONS:	DATE:
A	TOWN PLANNING ISSUE	12/10/20 GD
B	RFI RESPONSE	14/12/20 GD
C	LAYOUT AMENDMENTS AND HERITAGE HOUSE ADDED	14/01/21 GD
D	ROAD CHANGES	20/01/21 GD
E	FURTHER ROAD CHANGES	29/01/21 GD
F	ROAD & LOT CHANGES TO SUIT HERITAGE HOUSE	09/03/21 DR
G	FINAL RFI CHANGES	26/03/21 GD
H	FURTHER RFI CHANGES	08/04/21 GD

# FIRST FLOOR PLANS

PROPOSED RESIDENCE FOR:  
 Brix Property Group  
 No 635 Bridge Inn Rd  
 AT: Mernda

HOUSE TYPE: VARIES  
 FACADE TYPE: VARIES

SCALE: 1:100      DRAWN: GD

THIS DRAWING IS REFERRED TO IN YOUR CONTRACT.  
 INITIALS: \_\_\_\_\_  
 DATE: \_\_\_\_\_

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JOB NO.  
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DATE:  
 12/10/20

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 13



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**ITEM 6.2.2 FOR DECISION: TENDER EVALUATION CONTRACT 2021-31 WHITTLESEA PUBLIC GARDENS STAGE 1****Attachments: 1 Attachment 1 - 2021-31 Confidential Tender Evaluation - Confidential**

This attachment has been designated as confidential by the Director Infrastructure & Environment, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that— (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. In particular the attachment contains information regarding private commercial pricing and capability that if released could expose business to disadvantage.

**Responsible Officer: Director Infrastructure & Environment****Author: Senior Parks Project Manager****RECOMMENDATION SUMMARY**

Following evaluation of all the tender submission, the panel recommends awarding the contract to two different contractors.

It is recommended that contract number 2021-31 for Whittlesea Public Gardens Stage 1 – Part One (Main Landscape Works) and Part Two (Play Tower Design and Construct):

- is awarded to Glascott Landscape and Civil Pty Ltd
- for the lump sum price of \$2,858,000.00 (excl. GST)

It is recommended that contract number 2021-31 for Whittlesea Public Gardens Stage 1 – Part Three (Amenity Building Design and Construct):

- is awarded to GR Design and Construct Pty Ltd
- for the lump sum price of \$316,828.44 (excl. GST)

**BRIEF OVERVIEW**

The tender evaluation panel advises that:

- Nine (9) tenders were received

The recommended tender for Part One – Main Landscape Works was the highest ranked and is considered best value. The recommended tender for Part Two – Play Tower Design and Construction is the alternate option provided by the highest ranked tenderer and is considered best value. The recommended tender for Part Three – Amenity Building Design and Construct was the highest ranked and is considered best value.

**RATIONALE FOR RECOMMENDATION**

The recommendation of a split contract award ensures that the separate components of the Whittlesea Public Gardens Stage 1 works will be delivered by contractors possessing the necessary skills, qualifications and experience in the scope of works required to deliver a high-quality outcome for Council and the Community.

**IMPACTS OF RECOMMENDATION**

A potential impact of the split award recommendation is the management of the site interface between the two contractors during the construction works. This impact is deemed manageable and outweighs the risk as the benefit of having specialist contractors engaged for each component will produce a better-quality outcome for the community. Previous experience from similar split contracts will be used to manage the two contractors for this project.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

The structure of the contract, tender specification and documentation ensures that as part of the award process there is a 'head contractor' appointed for the works (successful contractor for Part One – Main Landscape works). Council's expectations of the head contractor would be to ensure that all parts of the works are coordinated and clearly communicated to all parties. Regular site meetings (organised and chaired by Council's contract manager) will be undertaken for both contracts to ensure works are undertaken in accordance with the contract requirements.

<b>REPORT</b>
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**BACKGROUND**

The purpose of this contract is to construct Stage 1 of the masterplan including a regional level play space, learn to ride circuit and public toilet amenity building (including Changing Places Toilet facility).

Tenders for the contract closed on 29<sup>th</sup> June 2021. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

In order to achieve best value for Council, the tender schedules associated with the Whittlesea Public Gardens Works – Stage1 was divided into separate parts, based on the specific skills and experience of each component. The parts are as below;

- Part One – Main Landscape Works (including service connections)
- Part Two – Custom Play tower Design and Construct
- Part Three – Amenity Building Design and Construct

**CONSULTATION**

To inform the development of the master plan, community consultation was undertaken which included asking community and key stakeholders how they currently use Whittlesea Public Gardens and what could be improved. A key stakeholder workshop with community groups and other not-for-profit organisations was conducted at the Lalor Library and pop-up sessions were held at the Whittlesea Community Festival held at Whittlesea Public Gardens. Community and key stakeholder feedback and comments were used to provide direction on the final master plan presented to Council.

A targeted community meeting was held in April 2018 at the Barry Road Community Activity Centre to discuss the Downs Road road reserve ideas and concepts with residents who either live near or adjacent to the Downs Road road reserve. The invitation was issued to 150 properties and a total of 20 people attended. The scope of the engagement was to provide the Downs Road road reserve community with information on the Whittlesea Public Gardens master plan project while also seeking comment and feedback on proposed concepts.

**EVALUATION**

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

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

<b>Criteria</b>	<b>Part One – Main Landscape Weighting</b>	<b>Part Two – Play Tower Weighting</b>	<b>Part Three – Amenity Building Weighting</b>
Price	50%	30%	45%
Capability	20%	30%	30%
Capacity	20%	15%	15%
Impact	10%	25%	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:

### Part One – Main Landscape Works

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A Glascott Landscape and Civil Pty Ltd	Yes	Yes	83	1
Tenderer B	Yes	Yes	70.2	3
Tenderer C	Yes	Yes	81.4	2
Tenderer D	No	No	NA	NA
Tenderer E	No	No	NA	NA
Tenderer F	No	No	NA	NA
Tenderer G	No	No	NA	NA
Tenderer H	No	No	NA	NA

### Part Two – Play Tower

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A – Alternate option Glascott Landscape and Civil	Yes	Yes	69	2
Tenderer A	Yes	Yes	75.2	1
Tenderer B	Yes	Yes	37.9	7
Tenderer B Alternative option	Yes	Yes	39.2	8
Tenderer C	Yes	Yes	55.4	5
Tenderer E	Yes	Yes	63.4	4
Tenderer E Alternate option	Yes	Yes	64.0	3
Tenderer F	Yes	Yes	54.0	6
Tenderer G	No	No	NA	NA
Tenderer H	No	No	NA	NA

**Part Three – Amenity Building**

<b>TENDERER</b>	<b>CONFORMING</b>	<b>COMPETITIVE</b>	<b>SCORE</b>	<b>RANK</b>
Tenderer D GR Design and Construct Pty Ltd	Yes	Yes	72.0	1
Tenderer A	Yes	Yes	57.3	3
Tenderer B	Yes	Yes	50.6	4
Tenderer C	Yes	Yes	65.0	2
Tenderer E	No	No	NA	NA
Tenderer F	No	No	NA	NA
Tenderer G	No	No	NA	NA
Tenderer H	No	No	NA	NA

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

The highest ranked option for Part One and Part Three has been recommended and is considered best value.

The highest ranked option for Part Two Component (Play Tower Design and Construction) was not recommended for award for the of this contract.

The recommended option for Part Two is the alternate design proposed by the highest ranked tenderer. The alternate Part Two option facilitates a greater range of play experiences for all ages and more opportunities for intergenerational and inclusive play and is deemed to be more appropriate for construction in a major community park.

**FINANCIAL IMPLICATIONS**

Sufficient funding for this contract is available in the budget for Whittlesea Public Gardens in addition to external grant funding provided by the State Government's Growing Suburbs Fund.

**LINK TO STRATEGIC RISKS**

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

The existing infrastructure at Whittlesea Public Gardens has reached the end of its usable life and is due for complete asset renewal. Despite the size of the reserve, the existing infrastructure is not meeting the needs of the community, has restricted community engagement potential and the existing layout and facilities have a high level of undesirable activity. The implementation of the Whittlesea Pubic Gardens masterplan and complete infrastructure renewal will not only provide the community with a gathering space but will also increase activation and engagement with public open space in the area.

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

Free and equitable access to well-maintained and safe public spaces is a recognised social indicator for healthy communities. Capital upgrade to recreation facilities and natural landscapes, in line with recommended actions from Council's adopted Open Space Strategy 2016 is required to achieve high quality public spaces which are well connected, accessible, inclusive and designed to meet the cultural, passive and active recreational of the growing community.

**LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN****Goal**                      **Liveable neighbourhoods****Key Direction**            **Well-designed neighbourhoods and vibrant town centres**

Commencement of the masterplan implementation at Whittlesea Public Gardens with the Stage 1 works will begin the reactivation of one of the City of Whittlesea's four Major Community Parks. Responding to the extensive consultation, Whittlesea Public Gardens will be developed and activated to create a gathering space for the community and will create a vibrant pocket of public open space in the Lalor catchment area. The Stage 1 contract works include the construction of a learn to ride area, play space including custom play tower, public toilet amenity building (including Changing Places Toilet facility), picnic shelters and barbeque facilities.

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

**CONCLUSION**

The tender from Glascott Landscape and Civil Pty Ltd (Part One and Part Two) and GR Design and Construct Pty Ltd (Part Three) was determined to be best value and it is considered that this company can perform the contract to the required standards.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to:**

- 1. Accept the tender submitted by Glascott Landscape and Civil Pty Ltd for the sum of \$2,858,000.00 (excluding GST) for the following contract:**

**Number: 2021-31A**

**Title: Whittlesea Public Gardens – Stage 1 – Part One and Part Two**

**AND**

**Accept the tender submitted by GR Design and Construct Pty Ltd for the sum of \$316,828.44 (excluding GST) for the following contract:**

**Number: 2021-31B**

**Title: Whittlesea Public Gardens – Stage 1 – Part Three**

**subject to the following conditions:**

- a) Tenderers 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) Tenderers to provide contract security as required in the tender documents.
2. Approve the funding arrangements detailed in the confidential attachment.

<b>COUNCIL RESOLUTION</b>
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**MOVED:** *Chairperson Wilson*  
**SECONDED:** *Administrator Duncan*

**THAT Council resolve to adopt the Recommendation.**

**CARRIED**





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**ITEM 6.2.3 FOR DECISION - PATTERSON DRIVE COMMUNITY CENTRE AMENDMENTS**

**Responsible Officer:** Director Community Wellbeing

**Author:** Community Infrastructure Project Coordinator

**Attachments:**

- 1 **Library Catchments** [↓](#)
- 2 **Patterson Drive Community Centre Options Table** [↓](#)

**RECOMMENDATION SUMMARY**

That Council resolves to:

1. Support the business case for Patterson Drive Community Centre Option 3 as endorsed at the 1<sup>st</sup> June 2021 meeting of Council.
2. Note the information on the feasibility and costs associated with providing other services at the site such as an expanded library, Council Customer Service and community health (Options 4, 5 and 6).

**RATIONALE FOR RECOMMENDATION**

The business case for Patterson Drive Community Centre, Donnybrook was presented to Council on 1<sup>st</sup> June 2021. At this meeting, Council resolved to:

- Endorse Option 3 including an expanded Maternal and Child Health (MCH) service model and multi-purpose activity rooms above the standard community centre scope. (The facility is to be delivered in 2025).
- Explore opportunities for a further enhanced facility scope including a dedicated customer service, library services and capacity for community health services.

These investigations determined that Option 3 has the flexibility to accommodate future customer service functions. Library and community health services can be provided through other facilities, as follows:

- **Library:** A full-collection branch library is proposed at Koukoura Drive, Donnybrook (2km to the east) and Lockerbie East Library (5km to North West) in the City of Hume. **Attachment 1** provides the locations of proposed libraries within the area. Option 3 will provide space for the Yarra Plenty mobile library to pull up next to the facility and provide some programming opportunities through the mobile library and multi-purpose space.
- **Community health:** Some community health services can be situated in the Maternal Child Health suites at the Patterson Drive Community Centre in the short term. Discussions with the estate developer (Mirvac) have confirmed their intention to deliver floor space through commercial development to accommodate health services in the longer term.

The recommendation is for Council to proceed with Option 3, as this option will still provide customer service provision and space for community programs, and ensures Council can deliver on the planned scope of future community facilities in this area.

**IMPACTS OF RECOMMENDATION**

Option 3 will ensure the growth community of Donnybrook has access to key services and adequate community infrastructure. This option also ensures Council can deliver on the planned scope of future community facilities in this area.

### **WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

The recommended project scope reflects the minimal perceived risk to Council and greatest benefit to be received by the community.

Programming and design will ensure that customer service and library services and programs can operate from the site.

### **BACKGROUND**

#### **June 2021 Council report**

On 1<sup>st</sup> June 2021 the Patterson Drive Community Centre Business Case was presented to Council. Council resolved the following recommendations:

That Council resolve to:

1. Support the Patterson Drive Community Centre Option 3 Business Case, which includes an additional project cost of \$1,780,581.
2. Note the additional cost for the Patterson Drive Community Centre Option 3 may be funded through Council's New Works program or external grants such as the Growing Suburbs Fund (or a combination of these funding sources).
3. Note the Patterson Drive Community Centre Option 3 Business Case will reduce the demand for Maternal Child Health suites at surrounding community centres and that Council's long-term infrastructure planning will identify this in future planning and provision.
4. Note:
  - a) Future feasibility and design will explore opportunities and costs associated with providing other services at the site, such as an expanded library, Council Customer Service and community health.
  - b) Council will receive a project update (including any revisions to project scope as part of the mid-year budget review in December 2021).

#### **Donnybrook community centres**

Due to out of sequence and disjointed development fronts, the Patterson Drive Community Centre is likely to be a key community facility servicing the Donnybrook area over the next 10- 15 years. Other facilities include the Olivine Place Neighbourhood Activity Centre and the Edgars Creek/ Ganbu Gulinj community centre. **Figure 1** below provides the locations of proposed community centres within Donnybrook.

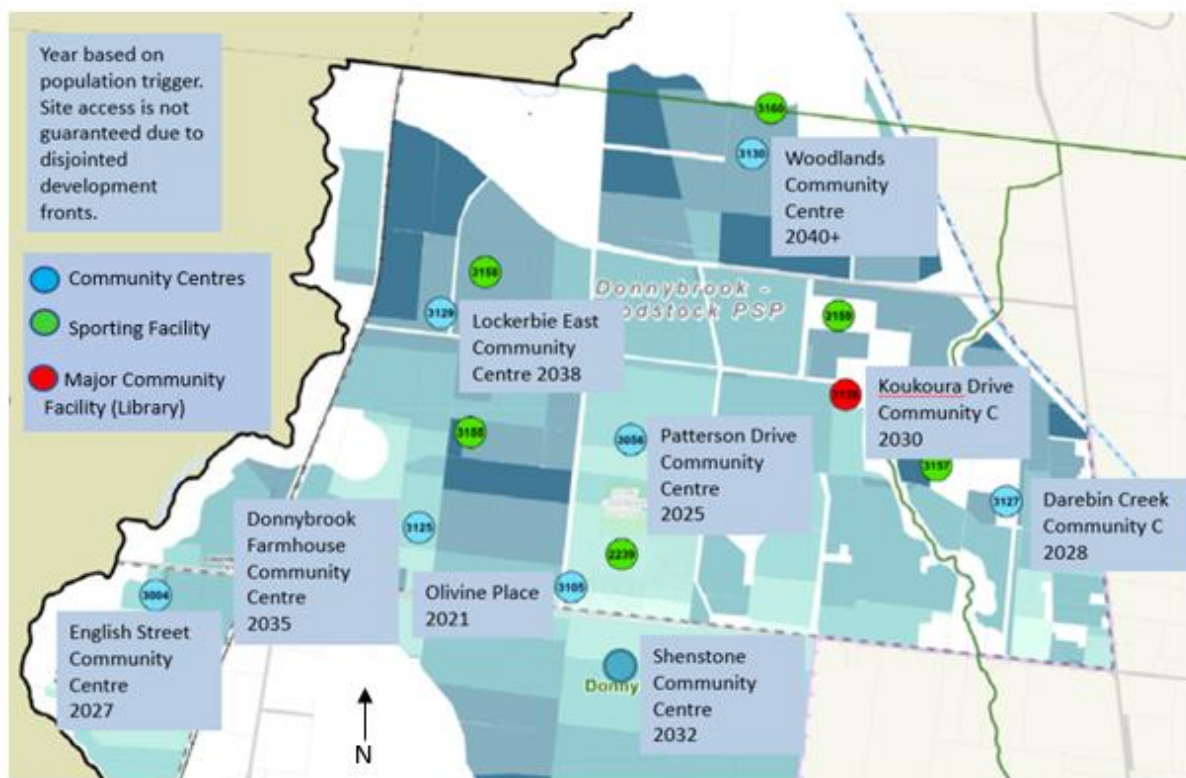


Figure 1: Donnybrook - proposed community and neighbourhood centres.

**PROPOSAL**

In response to resolution 4, opportunities and costs associated with an expanded library, Council Customer Service and community health presence at the facility have been investigated. Table 1 includes a summary of additional options (4 to 6) to accommodate these functions, as well as the original (June 2021 endorsed) Option 3. **Attachment 2** includes a summary of all six options.

Options	Description
<p><b>Option 3 – no change</b></p>	<p><b>Description:</b> This option was endorsed by Council on 1<sup>st</sup> June 2021 and includes an expanded MCH service model based on the hub and spoke approach. This option includes: 4 consult suites accommodating MCH and other services, separate program/waiting rooms, 3-room kindergarten and community spaces; 3 multi-purpose activity rooms. This option will allow delivery of a social support program, youth, training, arts and co-working spaces.</p> <p><b>Benefits:</b> Delivers kindergarten and expanded MCH services to the area. Consult suites and multi-purpose spaces can be available for services and community bookings. Also provides increased service provision for youth, training rooms, social support program and co-working. By using a flexible design it can include customer service functions and the mobile library. Council is also exploring options with the library service to accommodate a library 'spoke' model and the current proposed foyer area could accommodate types of uses which include a self service kiosk, top 500 books /display for loan, book collection/ drop off service etc. The multi-purpose rooms provide programming opportunities for library and other community services.</p> <p><b>Weaknesses:</b> The revised scope endorsed in June 2021 increased the total project cost to \$11,465,624 (inclusive of project management fees). This is higher than the original scope and budget listed in the ICP – refer Table 2.</p>

Options	Description								
	Additional m2	Additional m2 cost (from June'21 endorsed option)	Capital Cost						
	N/A	N/A	\$11,465,624						
<b>Option 4</b> - Option 3 + dedicated customer service capacity	<p><b>Description:</b> Option 3 <i>plus</i> customer service space. The 'Customer First' project is currently identifying the type of space customer service will require in the future. Additional space may future proof the facility for customer service provision and provide the required community lounge/wait/ hang out space, staff area and additional storage requirements for community groups.</p> <p><b>Benefits:</b> Delivers Option 3 <i>plus</i> dedicated customer service capacity, additional storage to community spaces and supports a model on which a place-based approach can be achieved.</p> <p><b>Weaknesses:</b> Additional capital cost (\$405,951) above Option 3 to supplement customer service space, waiting area and additional storage areas for community groups. These additional costs will likely impact on investment and scope of other community facilities within the corridor, including the Koukoura Drive facility (which is planned as the major facility within this corridor and part of a commercial precinct). Additional operational costs associated with this option are yet to be identified.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #4F81BD; color: white;">Total additional m2 required (customer service, additional waiting area and community storage)</th> <th style="background-color: #4F81BD; color: white;">Additional m2 cost (from June'21 endorsed option)</th> <th style="background-color: #4F81BD; color: white;">Capital Cost</th> </tr> </thead> <tbody> <tr> <td style="background-color: #4F81BD; color: white;">91m2</td> <td style="background-color: #4F81BD; color: white;">\$405,951</td> <td style="background-color: #4F81BD; color: white;">\$11,871,575</td> </tr> </tbody> </table>			Total additional m2 required (customer service, additional waiting area and community storage)	Additional m2 cost (from June'21 endorsed option)	Capital Cost	91m2	\$405,951	\$11,871,575
Total additional m2 required (customer service, additional waiting area and community storage)	Additional m2 cost (from June'21 endorsed option)	Capital Cost							
91m2	\$405,951	\$11,871,575							
<b>Option 5</b> - Option 4 + expanded 'spoke' library	<p><b>Description:</b> Option 4 <i>plus</i> spoke library service provision. It could include delivery of an expanded community lounge space to accommodate a Maker space, programs and study areas.</p> <ul style="list-style-type: none"> <li>Current library corridor planning does not include a branch library in this location. Using a hub and spoke model for library service delivery, it has been confirmed that altering corridor provision will undermine broader precinct planning which places a full-collection branch library at Koukoura Drive, Donnybrook (2km to the east).</li> <li>A hub and spoke library concept has been considered for the Donnybrook Precinct with Patterson Drive being a spoke location, containing a small collection, kiosk and study/maker space area.</li> <li>Hume City Council, Stockland and Latrobe University recently announced a partnership which will enhance TAFE and education opportunities in the nearby Lockerbie Major Activity Centre (5km to the north-west). This is to be co-located with a full-collection branch library.</li> <li>This Lockerbie East Library is expected to be delivered by 2027. Combined with the proposed 'spoke' library model, Donnybrook residents will be adequately serviced until the Koukoura Drive facility is delivered (<b>Attachment 1</b> - Library Catchment map).</li> </ul> <p><b>Benefits:</b> Delivers Option 4 <i>plus</i> spoke library service provision. Advantages of such a model include opportunities to enhance the quantity and quality of library services at the centre.</p> <p><b>Weaknesses:</b> Additional capital cost (\$356,880) above Option 4 to expand library services. These additional costs will likely impact on investment and scope of other community facilities within the corridor, including the Koukoura Drive facility (which is planned as the major facility within this corridor and part of a commercial precinct). In addition, may potentially require additional governance of the site, to ensure services are responsive to community need. Additional operational costs associated with this option are yet to be identified.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #4F81BD; color: white;">Total additional m2 required (library)</th> <th style="background-color: #4F81BD; color: white;">Additional m2 cost (from June'21 endorsed option)</th> <th style="background-color: #4F81BD; color: white;">Capital Cost</th> </tr> </thead> <tbody> <tr> <td style="background-color: #4F81BD; color: white;">80m2</td> <td style="background-color: #4F81BD; color: white;">\$356,880</td> <td style="background-color: #4F81BD; color: white;">\$12,228,455</td> </tr> </tbody> </table>			Total additional m2 required (library)	Additional m2 cost (from June'21 endorsed option)	Capital Cost	80m2	\$356,880	\$12,228,455
Total additional m2 required (library)	Additional m2 cost (from June'21 endorsed option)	Capital Cost							
80m2	\$356,880	\$12,228,455							

Options	Description						
<p><b>Option 6</b></p> <p>-</p> <p>Option 5 + Community Health Services floor space</p>	<p><b>Description:</b> Option 5 <i>plus</i> the delivery of an expanded community health space with the equivalent of five consult suites with associated staff and circulation space.</p> <p>The Patterson Drive Community Centre is located adjacent to the north-eastern end of Olivine Town Centre. Discussions with the developer (Mirvac) has confirmed their intention to deliver floor space through commercial development to accommodate:</p> <ul style="list-style-type: none"> <li>• private medical/GP Super Clinic – bulk billed</li> <li>• pharmacy/pill dispensary</li> <li>• allied health; dentist, physiotherapy, optometry, pathology, gym/sports, wellness centre and a naturopath (dependent on make-up of demand).</li> </ul> <p>The Children and Families Department has confirmed the four MCH consult suites in the approved business case can in the short term also be utilised in partnership with external service providers. However, as the local population increases, it is acknowledged that MCH requirements will result in reduced availability of the consult suites for external providers. To future proof for community health needs (beyond any allied health provided in later stages of the town centre) Option 6 would include 200m2 comprising the equivalent of five additional consult suites with associated back of house staff areas and circulation space.</p> <p><b>Benefits:</b> Delivers Option 5 <i>plus</i> creates greater opportunity for access to community and other allied health services. Donnybrook is an isolated part of the municipality with access to essential services already heavily restricted, which is expected to be the case for some time to come. Access to and from the area is limited with East-West movement along Donnybrook road constrained and the delivery of Gunn’s Gully Road sometime away. Commercial office floor space won’t be locally available until after the first stage of the local town centre is complete.</p> <p><b>Weaknesses:</b> Additional capital cost (\$713,760) above Option 5 to expand community health space. This may potentially require additional governance of the site, to ensure services are responsive to community need. These additional costs will likely impact on investment and scope of other community facilities within the corridor, including the Koukoura Drive facility which is planned as the major facility within this corridor and part of a commercial precinct. Additional operational costs associated with this option are yet to be identified.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Total additional m2 required (community health)</th> <th style="width: 25%;">Additional m2 cost (from June'21 endorsed option)</th> <th style="width: 25%;">Capital Cost</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">200m2</td> <td style="text-align: center;">\$713,760</td> <td style="text-align: center;">\$12,942,215</td> </tr> </tbody> </table>	Total additional m2 required (community health)	Additional m2 cost (from June'21 endorsed option)	Capital Cost	200m2	\$713,760	\$12,942,215
Total additional m2 required (community health)	Additional m2 cost (from June'21 endorsed option)	Capital Cost					
200m2	\$713,760	\$12,942,215					

**Table 1. Options Analysis**

**FINANCIAL IMPLICATIONS**

Operational costs associated with Option 3 were detailed in the June 2021 Council report.

The budgeted allocation (ICP provision) for this facility was \$6,775,043. The ICP provision for all facilities, does not fund 100% of the cost, rather it is capped at 67% of the expected facility cost. The revised scope endorsed in June 2021 increased the total project cost to \$11,465,624 (inclusive of project management fees).

There are grants available for Council such as the Building Blocks (BB) Program for early years estimated at \$2.75 million (non- competitive); and Growing Suburbs Fund (GSF) (competitive). Applications for these external funding sources will be made once a preferred option has been endorsed.

Service provision at the site beyond the scope of Option 3 will require additional financial contribution as summarised in **Table 2**.

Option	Total Project cost (From Table 1)	ICP provision	Council contribution (No external grants)	Potential External Grants	Council contribution (External grants successful)
<b>Option 3 – approved</b> (internal floor space 1791m2)	**\$11,465,624	\$6,775,043	\$4,690,581	\$2,750,000 BB \$2,000,000 GSF	\$59,419
<b>Option 4:</b> Option 3 + dedicated customer service capacity (internal floor space 1882m2)	\$11,871,575	\$6,775,043	\$5,096,532	\$2,750,000 BB \$2,000,000 GSF	\$465,370
<b>Option 5:</b> Option 4 + expanded 'spoke' library (internal floor space 1962m2)	\$12,228,455	\$6,775,043	\$5,453,412	\$2,750,000 BB \$2,000,000 GSF	\$822,250
<b>Option 6:</b> Option 5 + Community Health Services floor space (internal floor space 2162m2)	\$12,942,215	\$6,775,043	\$6,167,172	\$2,750,000 BB \$2,000,000 GSF	\$1,536,010

**Table 2 Options financial summary**

\*The m2 rate that was used to calculate the costs of the options for Patterson Drive Community Centre was \$4,460. This was derived using current rates confirmed by Rodney Vapp Quantity Surveyors and include preliminaries. The following exclusions apply - GST and associated costs, escalation, additional costs in overcoming adverse soil condition such as rock excavation, soft spots, removal and replacement of contaminated soil, asbestos removal, etc (rate for rock excavation around \$380/m3), ESD items beyond allowance, service upgrades beyond site, enhanced landscaping, site demolitions and clearance if required, boundary fencing beyond facility.

\*\* Includes \$160,000 project management fees which was not noted in 1<sup>st</sup> June 2021 Council report.

## CONSULTATION

Council officers have worked collaboratively to ensure relevant service areas have been consulted, inclusive of Children and Families, Ageing Well, Active and Creative Participation, Equity and Inclusion, Parks and Urban Design, Strategic Projects, Major Projects, Pandemic Recovery and the Project Control Group.

Additional consultation with external stakeholders such as Department of Education, Yarra Plenty Regional Library Corporation, DPV and Mirvac have contributed to the options developed in this report.

## CRITICAL DATES

The project timeframe is from July 2020 to December 2025.

To ensure this facility can open for the beginning of 2025, the functional brief which informs the design of the facility must be completed no later than September 2021.

The project proposes a completion date by the end of 2024, with the facility operational at the start of 2025. The 2025 operational start date will address kindergarten requirements and MCH needs for Donnybrook residents.

## **POLICY STRATEGY AND LEGISLATION**

This project directly links to:

- Whittlesea 2040: A place for all
- City of Whittlesea's Early Years Policy 2017
- Education and Care Services National Law and the Education and Care Services National Regulations 2011
- The Victorian Government policy related to community infrastructure and the co-location of facilities and integrated services, community hubs and encouraging shared use
- The Growth Area Social Planning Tool.

## **LINK TO STRATEGIC RISKS**

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

Due to the restricted access along Donnybrook road, sluggish retail tenancy market and the ongoing impacts of COVID, it is in Council's interest to support community infrastructure which will provide essential services to this isolated growth community.

## **LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

<b>Goal</b>	<b>Liveable neighbourhoods</b>
<b>Key Direction</b>	<b>Well-designed neighbourhoods and vibrant town centres</b>

Our community's access to services and facilities is an adopted measure by which Council assesses its achievement of delivering well-designed neighbourhoods and vibrant town centres.

Through the delivery of the Patterson Drive Community Centre, Council will be able to facilitate a socially cohesive community, that is connected and able to access services that will enable opportunities for all.

## **DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

## **CONCLUSION**

This report is in response to resolutions 4 and 5 from the Patterson Drive Community Centre, June 2021 Council meeting to:

4. Note future feasibility and design will explore opportunities and costs associated with providing other services at the site, such as an expanded library, Council Customer Service and community health.
5. Note Council will receive a project update (including any revisions to project scope as part of the mid-year budget review in December 2021).

Additional options have been developed (Options 4, 5 and 6). These options address resolution 4. All Options investigated will ensure the growth community of Donnybrook has access to essential services and adequate community infrastructure. Option 3 already contains adequate adaptability to allow customer service and library programming. Given this and the impact it could have on the investment and scope of other community facilities within the corridor, is not recommended that the Patterson Drive Community Centre's scope is enhanced beyond Option 3.

RECOMMENDATION
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THAT Council resolves to:

1. Support the business case for Patterson Drive Community Centre Option 3 as endorsed at the 1<sup>st</sup> June 2021 meeting of Council.
2. Note the findings described in this report including information on the feasibility and costs associated with providing other services at the site such as an expanded library, Council Customer Service and community health (Options 4, 5 and 6).

COUNCIL RESOLUTION
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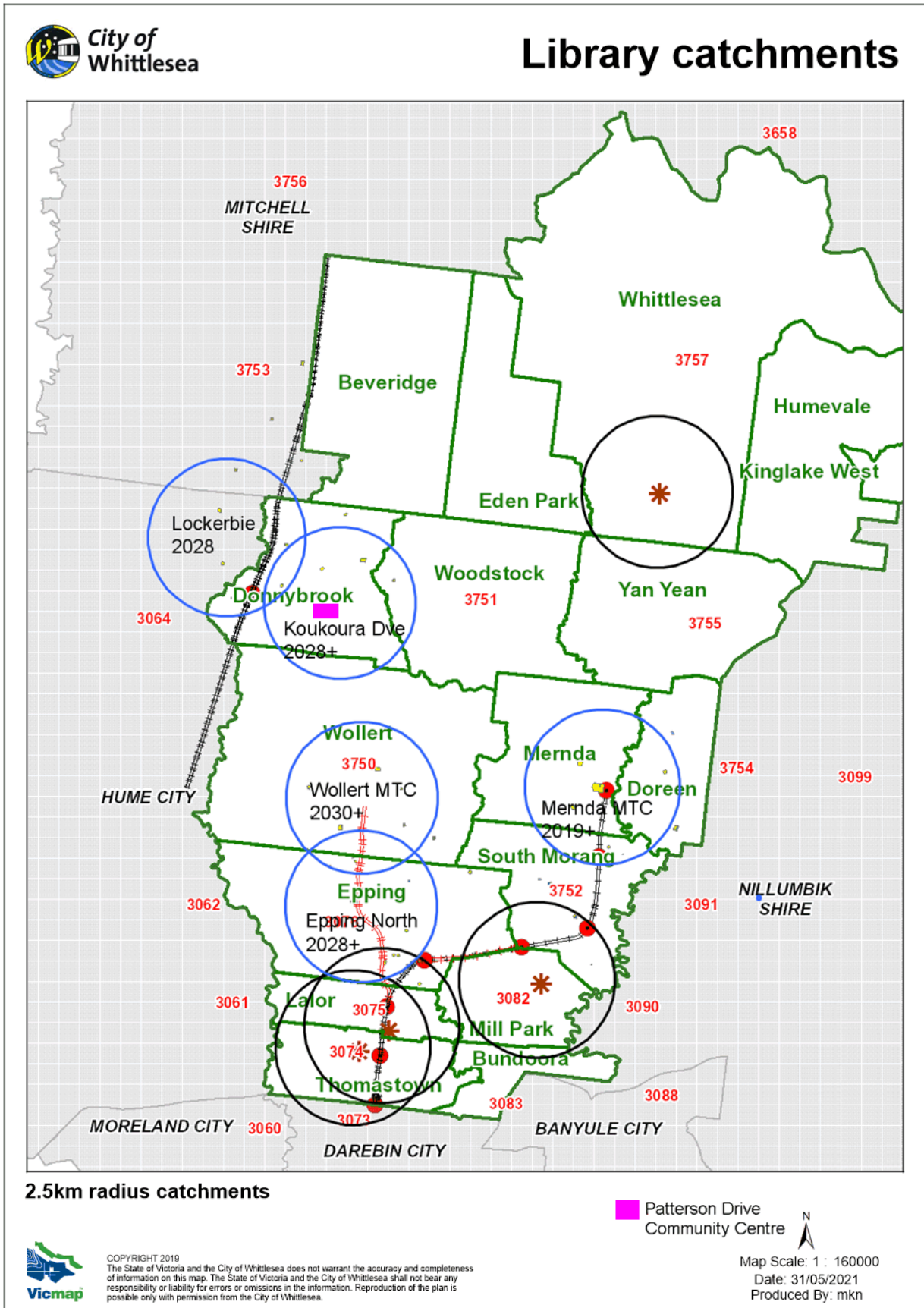
**MOVED:** *Administrator Duncan*  
**SECONDED:** *Administrator Eddy*

THAT Council resolve to:

1. Support the business case for Patterson Drive Community Centre Option 3 as endorsed at the 1st June 2021 meeting of Council including an expanded Maternal and Child Health service; 3 room kindergarten and community spaces; 3 multipurpose activity rooms; and council customer service facility.
2. Note the findings described in this report including information on the feasibility and costs associated with providing other services at the site such as an expanded library and community health (Options 5 and 6) but not pursue these options any further.

**CARRIED**







## Attachment 1

## Patterson Drive Community Centre Options Summary

Option	Project cost	\$ Difference to original Option 3	Total internal floor space	Comments
<b>Option 1:</b> standard centre 3 room kindergarten and 2 MCH consult rooms	\$9,351,191	N/A	1530m2	Not inclusive of project management fees
<b>Option 2:</b> expanded MCH	\$10,195,949	N/A	1591m2	Not inclusive of project management fees
<b>Option 3:</b> (approved) expanded MCH and additional multi-purpose space.	\$11,465,624	\$160,000	1791m2	Inclusive of project management fees
<b>Option 4:</b> Option 3 + dedicated customer service capacity	\$11,871,575	*\$405,951	1882m2	91m2 additional
<b>Option 5:</b> Option 4 + expanded 'spoke' library	\$12,228,455	*\$762,831	1962m2	171m2 additional
<b>Option 6:</b> Option 5 + Community Health Services floor space - equivalent to 5 consult suites	\$12,942,215	*\$1,476,591	2162m2	371m2 additional

\*Note capital cost is inclusive of \$160,000 project management fees



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**ITEM 6.2.4 FOR DECISION - PLANNING APPLICATION 719795 - CONSTRUCTION OF THREE DWELLINGS AT 71 THOMAS STREET, SOUTH MORANG**

<b>Attachments:</b>	1	Locality Maps <a href="#">↓</a>
	2	Architectural Plans <a href="#">↓</a>
<b>Responsible Officer:</b>	Director Planning & Development	
<b>Author:</b>	Planning Officer	
<b>APPLICANT:</b>	Michael Alexandrou & Associates	
<b>COUNCIL POLICY:</b>	16.01-1L Housing Supply in Established Areas	
<b>ZONING:</b>	General Residential Zone (Schedule 5)	
<b>OVERLAY:</b>	Development Contributions Plan Overlay (Schedule 3)	
<b>REFERRAL:</b>	None	
<b>OBJECTIONS:</b>	Five objections including one anonymous objection	

**RECOMMENDATION SUMMARY**

That Council resolve to refuse Planning Application 719795 and issue a Notice of Refusal for the construction of three dwellings at 71 Thomas Street, South Morang as the development is inappropriate for this site.

**BRIEF OVERVIEW**

This proposal seeks approval for the construction of three double storey dwellings at 71 Thomas Street, South Morang.

The proposal is for a mix of two and three bedrooms dwellings.

Notification of the proposal was undertaken and five objections (including one anonymous objection) were received.

The proposal does not adequately respond to the context of the site and the relevant local housing policy.

**RATIONALE FOR RECOMMENDATION**

The proposal has not demonstrated a satisfactory response to the requirements of the General Residential Zone (Schedule 5) and does not achieve an acceptable level of compliance with Clause 55 (ResCode) of the Whittlesea Planning Scheme.

**IMPACTS OF RECOMMENDATION**

The refusal of the application will ensure the existing and preferred neighbourhood character of the immediate area is protected from an unacceptable medium density proposal whilst also ensuring that future residents would be subject to inappropriate levels of amenity.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

In light of the proposed recommendation for refusal, Council will be ensuring that development is appropriate and responsive to the existing and preferred neighbourhood character.

All parties to the application will retain review rights through the Victorian Civil and Administrative Tribunal (VCAT). Council will need to defend any decision made should the matter proceed to VCAT.

**REPORT****SITE AND SURROUNDING AREA**

The subject site is a residential property located on the west side of Thomas Street, South Morang. The site is situated adjacent to the north-west corner of Thomas Street and Doreen Rogen Way, 400m west of Plenty Road and 150m south of Gorge Road (*see Attachment 1*). The site is relatively flat and has a 15.72m frontage to Thomas Street, an approximate depth of 47m and a total site area of 733m<sup>2</sup>.

The site currently contains a single storey brick dwelling, with a pitched tiled roof, and a double carport. Vehicle access to the dwelling is obtained from a crossover and accessway along the northern side boundary. A timber front fence encloses the site and low level landscaping located within the front setback, consisting of lawn and low shrubs.

The surrounding area is characterised by similar lots to that of the subject site, with large single storey or split-level dwellings, of varying finishes and styles. Detached outbuildings are often present along rear boundaries. Front fences, if present, are consistently low in overall height, however, vary in transparency and construction materials.

Directly to the north of the site is a newly constructed large single storey brick dwelling with pitched roof. Directly to the east of the site are established single dwelling developments fronting Doreen Rogen Way. Directly to the south of the site are single dwellings fronting Thomas Street and Turner Court. Finally, directly to the west of the site is a single dwelling fronting Briar Court.

Examples of medium density development are found within close vicinity of Gorge Road and Plenty Road.

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

- Riverside Reserve (140m east);
- Bus Route No 901– Melbourne Airport - Frankston (250m north);
- Bus Route No. 382 – Whittlesea – Northland SC via South Morang Station (600m north-west);
- South Morang Preschool (400m west);
- South Morang Primary School (450m north-east);
- Plenty Valley Shopping Centre (1.5km west);
- Middle Gorge Train Station (1.6km north).

**RESTRICTIONS AND EASEMENTS**

The site is formally described as Lot 9 on Plan of Subdivision 043247. The site is not encumbered by any restrictive covenants or Section 173 Agreements. A 1.83m wide drainage and sewerage easement runs along the southern rear boundary of the site.

**PROPOSAL**

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

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	Two-storey	Two	8m front (west) 3.5 m side (south) 0 m side (north)	40m <sup>2</sup>	Single garage	7.2m
Dwelling No. 2	Two-storey	Two	3.5 m side (south) 0 m side (north)	40m <sup>2</sup>	Single garage	6.9m
Dwelling No. 3	Two-storey	Three	3.5 m side (south) 1 m side (north) 5 m rear (east)	60m <sup>2</sup>	Single garage plus one tandem car space to the rear of the garage	6.9m

## PUBLIC NOTIFICATION

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

- The proposal is an overdevelopment of the site;
- The proposal does not respect the prevailing character of Thomas Street;
- The proposed double storey-built form would result in overshadowing;
- The proposal provides insufficient and inappropriate on-site car parking and the proposal will cause congestion of local streets;
- The proposal will result in overlooking and loss of privacy to adjoining dwellings;
- The development will adversely affect the property value of surrounding properties;
- The proposal will cause increased vehicle noise to surrounding properties;
- Concerns with the location of the proposed canopy tree;
- Safety risk if all dwellings are occupied by renters;
- Street safety concerns caused by the relocation of the existing light pole;
- Impact of construction;
- The proposal provides inappropriate street setback, storage, dwelling entrance, backyard, landscaping;
- Metropolitan Planning Levy (MPL) should be paid prior to lodgement of the planning application;
- The proposal fails to provide sufficient garden area; and
- The proposed garages fail to provide any drainage mechanisms.

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



## CONSULTATION

Planning officers undertook consultation in the form of contacting all objectors (excluding the anonymous objector) via phone calls and emails to better understand their concerns with the proposal and to advise that all concerns in context of the planning scheme are considered as part of the application process. No further consultation is proposed.

The applicant was provided the opportunity to amend the proposal to address Officer's feedback and objectors' concerns. The design response was not amended at the conclusion of consultation and the recommendation is based on advertised plans.

## HOUSING DIVERSITY STRATEGY

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

The HDS is a reference document in the Planning Scheme.

The site is within a Suburban Residential change area, which recognises areas typically a fifteen minute plus walk to public transport and activity centres. The preferred housing types are noted as detached dwellings, dual occupancies and duplexes. The Suburban Residential change area has a number of Key Design Principles, including:-

- Low building heights to reflect the existing suburban scale and character;
- Front setback to allow for significant landscaping and large canopy trees to create a sense of openness to the street;
- Increased side and rear setbacks to provide for building separation and landscaping;
- Standard site coverage to facilitate landscaping opportunities;
- An increased area of private open space to allow for significant landscaping;
- Large canopy tree in the front setback; and
- Extra-large canopy tree in the rear setback.

A response to Council's Housing Diversity Strategy is provided in the table below.

## 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	x	x	<p>The existing neighbourhood character includes predominately detached single storey dwellings with some double storey dwellings. Surrounding dwellings consistently include single and double fronted façades, pitched roofs, brick façades, concrete roof tiles and landscaping within front setbacks.</p> <p>Within the immediate streetscape of Thomas Street, low scale development that provides a sense of openness forms the dominant character of the area. Many of the single dwellings in the area have generous secluded private open spaces and elaborated landscape within the rear setbacks.</p> <p>In addition to the above context, Schedule 5 to the General Residential Zone contains the following neighbourhood character objectives:</p> <ul style="list-style-type: none"> <li>• To support a preferred neighbourhood character where landscaping is the prominent feature of development.</li> <li>• To maintain a sense of openness and separation between built form by providing generous setbacks and ensuring sensitive transitions in height from existing dwellings.</li> <li>• To encourage contemporary building designs with variation and breaks in building form to soften the visual bulk of development through elements such as eaves, hipped or gabled roof forms and setbacks at upper floors.</li> <li>• To improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks to soften the visual impact of development.</li> <li>• To encourage functional secluded private open space at the rear of the dwelling through its orientation and design</li> </ul> <p>Each dwelling has incorporated some elements of the surrounding housing stock including pitched tiled roof forms and ground floor brick façades, however, the proposal does not go far enough in responding to Standard B1-Neighbourhood Character.</p>

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
				<p>Whilst some separation is provided at ground floor between Dwelling No. 2 and No. 3, the double storey built form to all dwellings is a departure from predominantly single storey character of the area.</p> <p>The degree of separation of the dwellings at ground level is not responsive to the sense of separation between dwellings that is established and recognised by the Housing Diversity Strategy to 'provide building separation'.</p> <p>The proposed side setbacks also do not adequately respond to the established sense of separation between dwellings. Of particular concern is that Dwelling No. 1 and No. 2 are both proposed to be built to the northern side boundary.</p> <p>Whilst two-storey built form is not prohibited within a residential area it is the expanse across the site which contributes to the visual bulk of the development.</p> <p>Due to the continuous ground floor and tokenistic first floor separation there is limited landscaping opportunities to soften the built form. Visual bulk from the built form massing is the predominant feature of the proposal which is not consistent with the neighbourhood character objective which seeks for landscaping to be the predominant feature. This will be discussed further in Standard B13 - Landscaping.</p> <p>On balance, the proposal for the reasons outlined above does not adequately respond to the established or preferred neighbourhood character</p>
B2	Residential Policy	x	x	<p>The site is located within a General Residential Zone (Schedule 5) and is within a Suburban Residential Change Area as identified in the Housing Diversity Strategy 2013-2033 (HDS).</p> <p>The HDS sets out key design principles for residential development within Suburban Residential Change Areas.</p>

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
				<p>The proposal is inconsistent with the preferred housing typology identified by the HDS, which encourages detached dwellings and dual occupancy/duplex development within the Suburban Residential Change Area. The HDS seek to encourage developments within the Suburban Residential Change Area to have low built form to respect the character, have greater built form separation and large/ extra- large canopy trees. The proposal does not respect these principles nor the preferred housing typology.</p> <p>There are examples of two storey dwellings which can be found at 39 Thomas Street and 25 Doreen Rogen Way, and multi-unit developments within close vicinity of Gorge Road and Plenty Road. however, single storey dwellings with generous secluded private open spaces are the predominant feature of the immediate area.</p> <p>Clause 16.01-1L (Housing Supply in Established Areas) applies to the development of two or more dwellings in the established areas of the municipality. This Clause contains strategies for achieving development that contributes positively to the neighbourhood character of the area whilst achieving a high level of amenity. Strategies for achieving this include to encourage development that:</p> <ul style="list-style-type: none"> <li>• Achieves generous setbacks where a sense of space and separation between dwellings is part of the preferred neighbourhood character;</li> <li>• Provides an articulated building form to avoid visual bulk;</li> <li>• Provides landscaping along driveways that is not impacted by vehicle manoeuvres;</li> <li>• Integrates overlooking screening (where required) with the building design to reduce visual bulk and to maximise access to daylight, natural ventilation and outlook for habitable rooms;</li> </ul>

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
				<p>Whilst the development meets technical compliance with regard to its front setback and the size of the secluded private open spaces, the extent of the built form across the site is of concern.</p> <p>The development does not achieve generous setbacks throughout the site and when viewed from the streetscape and adjoining properties secluded private open spaces it would present as an extensive amount of visual bulk.</p> <p>The proposal provides very minimal landscaping along the accessway and the turning circles provided from the garages demonstrate that vehicles would conflict with some of these areas, particularly along the southern boundary.</p> <p>In addition to the housing character and amenity strategies identified above, Clause 16.01-1L (Housing Supply in Established Areas) also encourages:</p> <ul style="list-style-type: none"> <li>• Provides an articulated building form to avoid visual bulk</li> <li>• Provides landscaping along driveways that is not impacted by vehicle manoeuvres.</li> </ul> <p>The proposal does not achieve an acceptable level of compliance with Clause 16.01-1L.</p> <p>Regarding the built form, the proposal is not considered to be sufficiently articulated which is evident by the minimal first floor setback.</p> <p>The vehicle swept paths provided indicate that the proposed landscaping along the shared accessway would be impacted by vehicles entering and exiting the site. Specifically, vehicles entering and exiting the garages of Dwelling No. 2 and No. 3 would potentially encroach into the landscaped areas, compromising the ability for meaningful landscaping to establish along the accessways. Providing meaningful landscaping along the accessway would assist in alleviating the bulk of the proposal’s presentation to Thomas Street and Doreen Rogen Way.</p>

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
				The proposal does not go far enough in responding to Standard B2 and in particular the Housing Diversity Strategy and Clause 16.01-1L of the Whittlesea Planning Scheme.
B3	Dwelling Diversity	N/A	N/A	Only applicable to developments of ten or more dwellings
B4	Infrastructure	✓	✓	The proposal satisfies this standard and objective.
B5	Integration with the street	✓	✓	The proposal appropriately integrates with the street.
B6	Street setback	✓	✓	The proposed setback of 9m satisfies this standard and objective.
B7	Building height	✓	✓	The maximum building height of 7.19m is well within the height allowable.
B8	Site coverage	✓	✓	The proposal has a site coverage of 43 % which is less than the standard which allows for a site coverage no greater than 60%.
B9	Permeability	✓	✓	The proposal has a permeable area of 38.7% which is great than the standard which allows for 20% permeability.
B10	Energy efficiency	x	x	Development should be designed so that the solar access to north-facing windows is maximised. Dwelling No. 1 and No. 2 both fail to provide any north-facing windows to their living areas as both dwellings are proposed to be built to the northern boundary of the site. This is considered inappropriate and fails to comply with requirements of Standard B10.
B11	Open space	N/A	N/A	Only applicable if public or communal open space is to be provided on site or adjacent to the development.
B12	Safety	✓	✓	The proposal satisfies this standard and objective.

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
B13	Landscaping	x	x	<p>Schedule 5 to the General Residential Zone contains additional landscaping requirements. The development must provide at least one canopy tree in both the front and rear setbacks. Each canopy tree must achieve a minimum six metres mature height and be accommodated in a previous area of at least 5 metres by 5 metres, that does not contain driveways or car parking.</p> <p>The site has a five metre rear setback, however, this area is constrained by a 1.83 metre easement. Therefore, it is likely this area would be compromised in its ability to sufficiently establish a six metre canopy tree.</p> <p>In addition, schedule 5 of the General Residential Zone also requires an application for developments of two or more dwelling on a lot to include a Landscape plan to demonstrate compliance with this standard, and the applicant has not provided a Landscape in accordance with the requirement of the schedule.</p> <p>As discussed earlier in the report Schedule 5 to the General Residential Zone contains the following neighbourhood character objectives relating to landscaping:</p> <ul style="list-style-type: none"> <li>• To support a preferred neighbourhood character where landscaping is the prominent feature of development.</li> <li>• To improve landscape character by providing generous landscaping including canopy trees in front and rear setbacks to soften the visual impact of development.</li> </ul> <p>Having landscaping as a prominent feature and it being generous is particularly important to a development that seeks to introduce an extensive amount of visual bulk into an area that is predominantly surrounded by single storey dwellings and sensitive neighbouring secluded private open spaces.</p> <p>The landscaping areas for this development are not considered sufficient to balance the scale of development being sought.</p>

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
B14	Access	✓	✓	The proposal provides only one single crossover therefore meeting this requirement.
B15	Parking location	x	x	The habitable room windows to dwelling two do not achieve an appropriate setback from the shared driveway, nor do they provide satisfactory sill heights. The parking for dwelling three is not ideal in a tandem arrangement and impacts on the ability to meet other requirements of the zone.
B17	Side and rear setbacks	x	x	The proposed tandem car space to the rear of Dwelling No. 3 is located within the required 5m setback. This compromises the ability to provide landscaping within this area, contrary to the intent of the schedule.
B18	Walls on boundaries	x	✓	Whilst the proposal complies with the technical requirement of this standard, the location and length of the proposed walls on the northern boundary fails to respect the existing and preferred neighbourhood character of the area. Therefore, the proposal fails to comply with the objective of this standard.
B19	Daylight to existing windows	✓	✓	The proposal complies with this standard and objective.
B20	North-facing windows	✓	✓	The proposal complies with this standard and objective.
B21	Overshadowing open space	✓	✓	The proposal complies with this standard and objective.
B22	Overlooking	x	x	The purpose of this standard is to limit views into existing secluded private open space and habitable room windows.  In this instance, not all first-floor windows are obscured appropriately to avoid overlooking concerns. This could be resolved through conditions on any permit issued, however this may be to the detriment of future occupants of the dwellings by creating poor internal amenity.



	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
B23	Internal views	x	x	<p>The purpose of this standard is to limit views into the secluded private open space and habitable room windows of dwellings and residential building within a development</p> <p>Again, not all first-floor windows are obscured appropriately to avoid internal view concerns within the development, this could be resolved through conditions on any permit issued, however this also may be to the detriment of future occupants of the dwellings by creating poor internal amenity.</p>
B24	Noise impacts	✓	✓	The proposal complies with this standard and objective.
B25	Accessibility	✓	✓	Although the proposal complies with this objective as all dwellings are accessible at ground level or easily convertible, it is noted that all dwellings are double storey and no dwellings contain a bedroom at ground floor level.
B26	Dwelling entry	✓	✓	The proposal complies with this standard and objective.
B27	Daylight to new windows	✓	✓	The proposal complies with this standard and objective.
B28	Private open space	✓	✓	The proposal complies with this standard and objective.
B29	Solar access to open space	✓	✓	The proposal complies with this standard and objective.
B30	Storage	✓	✓	The proposal complies with this standard and objective.
B31	Design detail	x	x	<p>As discussed earlier in this report, the continuous built form along the ground floor of Dwellings No. 1 and No. 2 and the lack of meaningful separation between dwellings presents as visually bulky and is an inappropriate response to the existing and preferred character of Thomas Street.</p> <p>The proposal is considered ambitious in its bulky design with limited separation. In particular the following:</p>

	√ - Compliance X – Non-compliance	Objectives	Standards	COMMENTS
				<ul style="list-style-type: none"> <li>Dwelling No. 1 does not provide an acceptable first floor setback along the streetscape to alleviate visual bulk and provide articulation to the dwelling.</li> <li>The south/east elevations of Dwelling No. 2 and Dwelling No.3 fail to provide an acceptable first floor setback.</li> <li>Dwelling No. 1 and No. 2 are both built to the northern boundary of the site which contributes to the bulkiness of the design.</li> </ul> <p>The design has not responded to the existing low scale neighbourhood character nor has it satisfactorily responded to the preferred neighbourhood objectives stipulated in Schedule 5 of the General Residential Zone.</p>
B32	Front fences	✓	✓	No front fence is proposed.
B33	Common property	✓	✓	The proposal complies with this standard and objective.
B34	Site services	✓	✓	The proposal complies with this standard and objective.

**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	Two	One	One	Yes
2	Two	One	One	Yes
3	Three	Two	Two	Yes

Garages should be at least 6.0m long and 3.5m wide for a single space and 5.5m wide for a double space (measured inside the garage or carport). An open car space should be at least 4.9m long and 2.6m wide. The proposal complies with these requirements.

Whilst the proposal has provided technical compliance with the car parking provisions at Clause 52.06 of the Whittlesea Planning Scheme, the proposal does not provide a functional car parking layout.

The proposed tandem car space to the rear of Dwelling No. 3 is located within the 5m setback as required by the schedule to the zone. This compromises the ability to provide landscaping within this area and a reduction in the landscaping area would result in an increase in hardstand area and further contribute to the bulk of the proposal. In addition, an application to construct or extend a dwelling or residential building on a lot of this size must provide a minimum garden area equal to 35% of the lot. The submitted Garden Area Analysis Plan is inaccurate as it includes the area required for this tandem car space and does not accurately demonstrate the proposal's compliance with this requirement.

### **DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (SCHEDULE 3)**

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

### **COMMENTS ON GROUNDS OF OBJECTION**

#### **1. The proposal is an overdevelopment of the site**

The Whittlesea Planning Scheme does not prescribe a particular density for this site, however, given the number of objectives and standards that cannot be achieved, the density is considered too high and these shortcomings are an indicator of the proposal being an overdevelopment of the site.

#### **2. The proposal does not respect the prevailing character of Thomas Street**

As discussed earlier in this report, visual bulk from the built form massing is the predominant feature of the proposal which is not consistent with character of Thomas Street. The proposal does not adequately respond to the established or preferred neighbourhood character.

#### **3. The proposed double storey-built would result in overshadowing**

The proposal provides a satisfactory response to Clause 55.04-5 (Standard B21 Overshadowing Open Space).

#### **4. The proposal provides insufficient and inappropriate on-site car parking and the proposal will cause congestion of local streets**

As discussed earlier in this report, the car parking provided on site satisfies Clause 52.06 of the Whittlesea Planning Scheme. The development is for three dwellings and therefore a visitor car parking space is not required pursuant to Clause 52.06-5 of the Whittlesea Planning Scheme.

The increase in traffic is still within the scope of what is reasonable for a residential area. However, the issue of traffic is closely related to the infrastructure and ability of the street itself to accommodate substantial rather than incremental increases in density. This is recognised by the Whittlesea Housing Diversity Strategy which does not support substantial change in this area.

However, the proposed tandem car space to the rear of Dwelling No. 3 is located within the 5m setback as required by the schedule to the zone. This compromises the ability to provide landscaping within this area and a reduction in the landscaping area would result in an increase in hardstand area and further contribute to the bulk of the proposal.

- 5. The proposal will result in overlooking and loss of privacy to adjoining dwellings**

As outlined above, not all first-floor windows are obscured appropriately to avoid overlooking concerns to neighbouring properties. While this could be resolved through conditions on any permit issued, it may be to the detriment of future occupants of the proposed dwellings by creating poor internal amenity.
- 6. The development will adversely affect the property value of surrounding properties**

VCAT has determined on many occasions that property values (including the perception of reduced property values) is not a relevant planning consideration.
- 7. The proposal will cause increased vehicle noise to surrounding properties**

The potential vehicle noise generated by this proposal is acceptable for a residential zoned area.
- 8. Concerns with the maintenance of the proposed canopy tree**

If a permit was to be issued, it would be a condition that the proposed landscaping including any canopy trees be maintained by the future residents of the site.
- 9. Safety risk if all dwellings are occupied by renters**

This is not a relevant planning consideration.
- 10. Street safety concerns caused by the relocation of the existing light pole**

If a permit was to be issued, a Works in Road Reserve Permit will be required for the construction of a new vehicle crossing. The relocation of the existing light pole will be managed by the conditions of Works in Road Reserve Permit. Works in Road Reserve permit requirements are outside of the planning permit process.
- 11. Impacts of construction**

Construction impacts are a short-term matter than can be managed through permit conditions, under Local Laws and the Building Regulations.
- 12. The proposal provides inappropriate street setback, storage, dwelling entrance, backyard, landscaping**

The proposed street setback, external storage, dwelling entrance comply with the relevant Whittlesea Planning Scheme requirements as discussed earlier in the report under assessment against Clause 55 of the Whittlesea Planning Scheme. However, the proposed landscaping for this development is not considered sufficient or appropriate to balance the scale of the development being sought.
- 13. Metropolitan Planning Levy (MPL) should be paid prior to lodgement of the planning application**

The threshold amount for MPL amount is \$1,107,00 for the 2021 to 2022 financial year. The estimated cost of the development is \$900,000 as per the submitted application form which is considered appropriate for the development of this scale, and as such this application is exempt from Metropolitan Planning Levy charge.
- 14. The proposal fails to provide sufficient garden area.**

As discussed earlier in this report, an application to construct or extend a dwelling or residential building on a lot above 650 square metres must provide a minimum garden area equal to 35% of the lot. The submitted Garden Area Analysis Plan is inaccurate as it includes the area required for this tandem car space and does not accurately demonstrate the proposal's compliance with this requirement. The garden area cannot be conditioned on a planning permit as per recent VCAT decisions and legal advice relating to this mandatory requirement.

**15. The proposed garages fail to provide any drainage mechanisms**

Internal drainage mechanisms are typically dealt through conditions on any permit issued which would require the submission of a professionally prepared drainage design including the use of an on-site dotation system for the internal drainage and method of disposal of stormwater from all roofed and sealed areas.

These internal drainage works must be completed to Council's satisfaction prior to occupying any building on site.

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

**CONCLUSION**

The proposal does not appropriately respond to the relevant Planning Policy Framework, including Clause 16.01-1L- Housing Supply of Established Areas and Clause 55 (ResCode). The proposed development does not demonstrate an acceptable level of compliance with the relative requirements of the Whittlesea Planning Scheme predominately due to its visual bulk, inability to provide satisfactory landscaping, design details and vehicle parking issues.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to Refuse Planning Application No. 719795 and issue a Notice of Refusal to Grant a Planning Permit for Construction of Three Dwellings on the following grounds:**

- 1. The proposal does not appropriately respond to the neighbourhood character objectives sought by Schedule 5 to Clause 32.08 – General Residential Zone;**
- 2. The submitted Garden Area Plan Analysis Plan is inaccurate and the proposal does not comply with the mandatory garden area requirements pursuant to Clause 32.08-4 – Minimal Garden Area Requirement;**
- 3. The proposal fails to appropriately respond to the Policy Framework of the Whittlesea Planning Scheme as follows:**
  - a) The development does not comply with the policy at Clause 16.01-1L – Housing supply in Established Areas;**
  - b) The scale, separation, built form and landscaping opportunities is inconsistent with the key design principles outlined for Suburban Residential change area of the Housing Diversity Strategy.**
- 4. The proposal does not comply with the following Objectives and Standards of Clause 55 of the Whittlesea Planning Scheme:**
  - a) B1 - Neighbourhood character;**
  - b) B2 - Residential policy;**
  - c) B10 - Energy efficiency;**
  - d) B13 - Landscaping;**

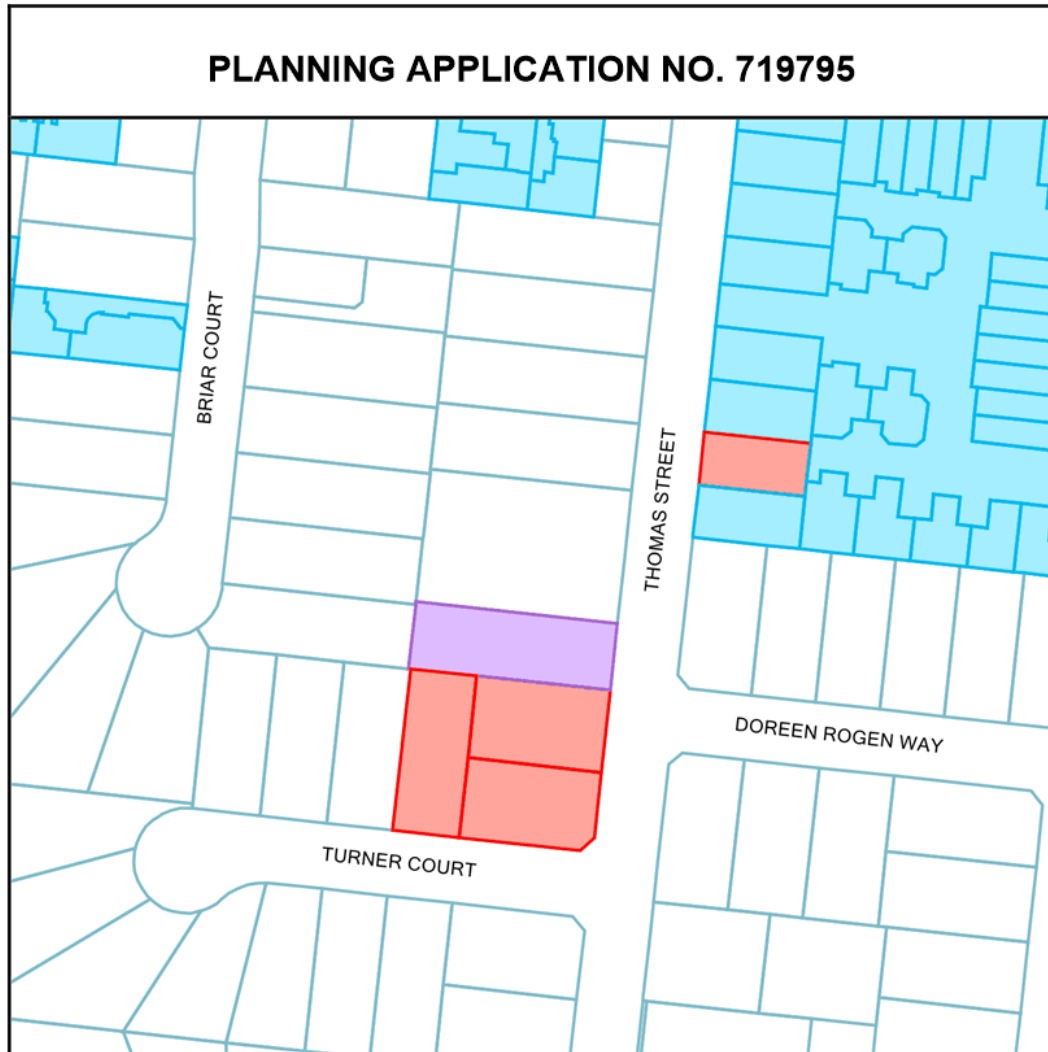
- e) B15 – Parking location;
- f) B17 - Side and rear setbacks
- g) B22 - Overlooking;
- h) B23 - Internal Views;
- i) B31 - Design detail.


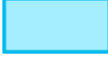
<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED:**                    *Administrator Eddy*  
**SECONDED:**            *Chairperson Wilson*

**THAT Council resolve to adopt the Recommendation.**

**CARRIED**




-  **Subject Land**
-  **Objector (plus 1 anonymous objector outside of map)**
-  **Medium Density Housing**



**BUILDING & PLANNING REPORT**

**PLANNING APPLICATION NO. 719795**

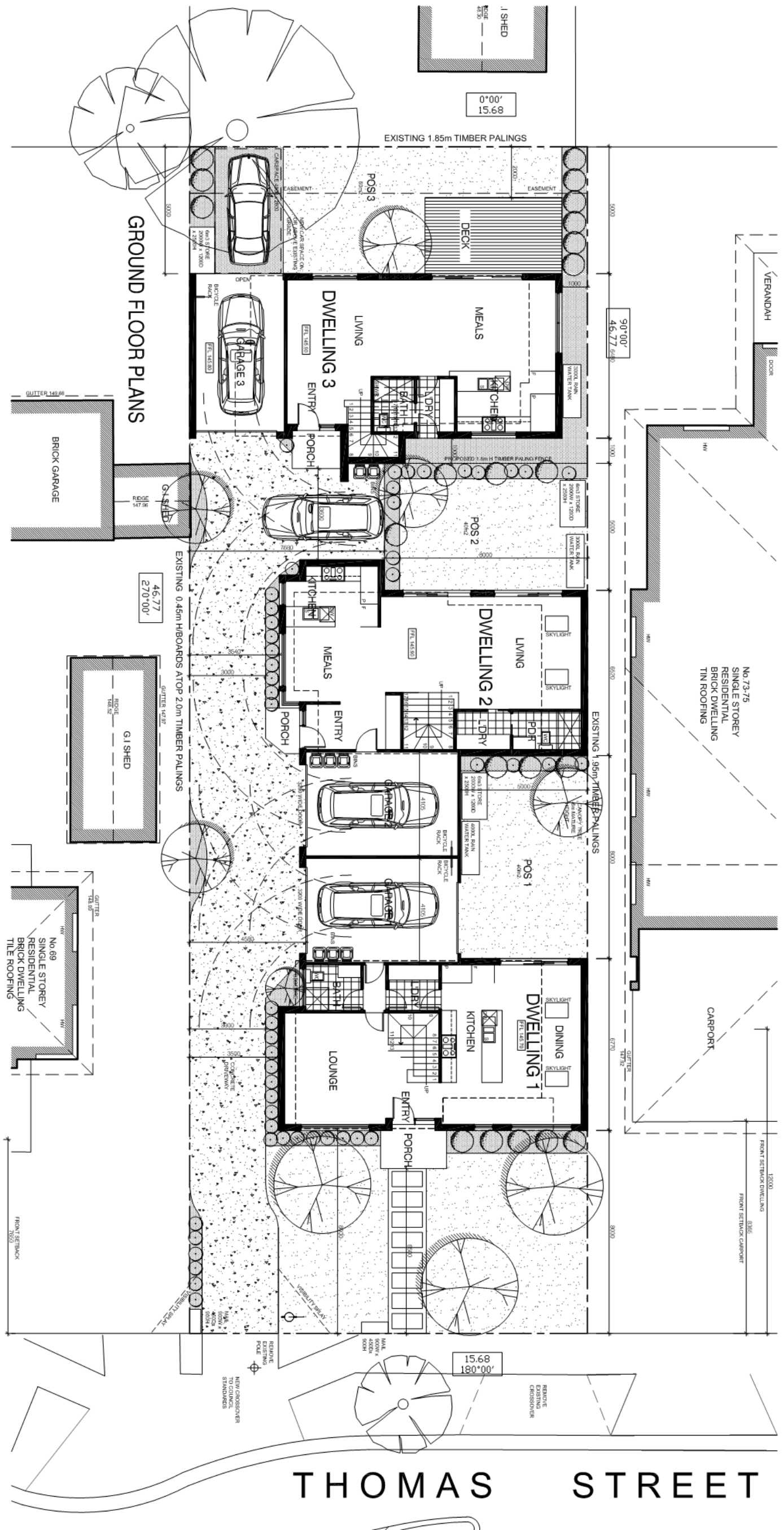


-  Subject Land
-  Objector (plus 1 anonymous objector outside of map)
-  Medium Density Housing



**BUILDING & PLANNING REPORT**





**AREAS SCHEDULE**

AREA	AREA #	AREA #	AREA #
DWELLING 1	244	DWELLING 2	159
DWELLING 3	182		

**AREA SCHEDULE**

AREA	AREA #	AREA #	AREA #
DWELLING 1	244	DWELLING 2	159
DWELLING 3	182		

**ALEXANDROU & ASSOCIATES**

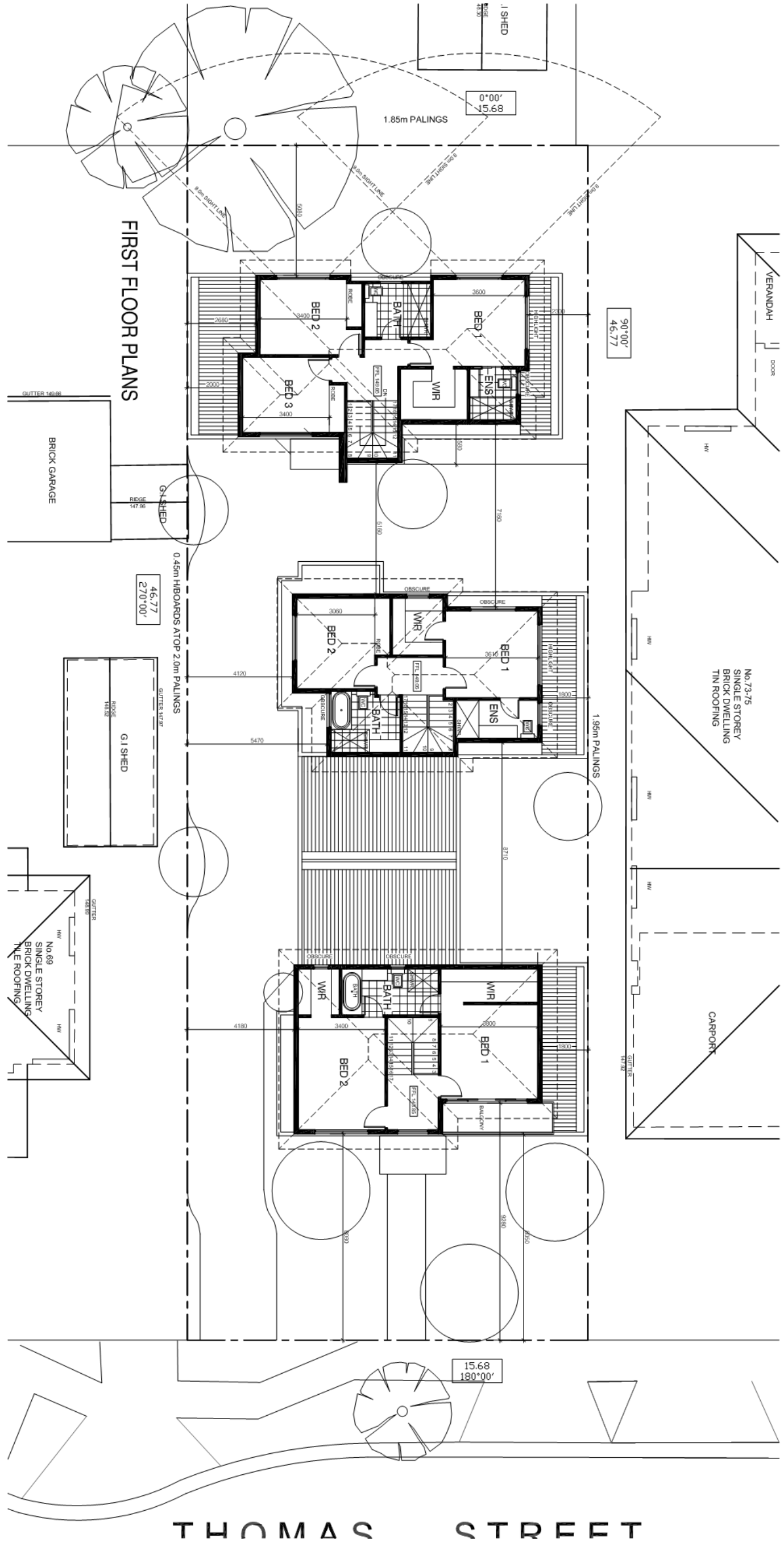
Michael Alexandrou DP-AD 3005  
B.Arts Architecture B. Architecture  
4/707 Mt Alexander Rd, Moonee Ponds 30039  
1 9372 7188 1 9372 7199 m 0419 327 014  
michael@alexandrou.net.au

71 THOMAS STREET,  
SOUTH MORANG, VIC, 3752.

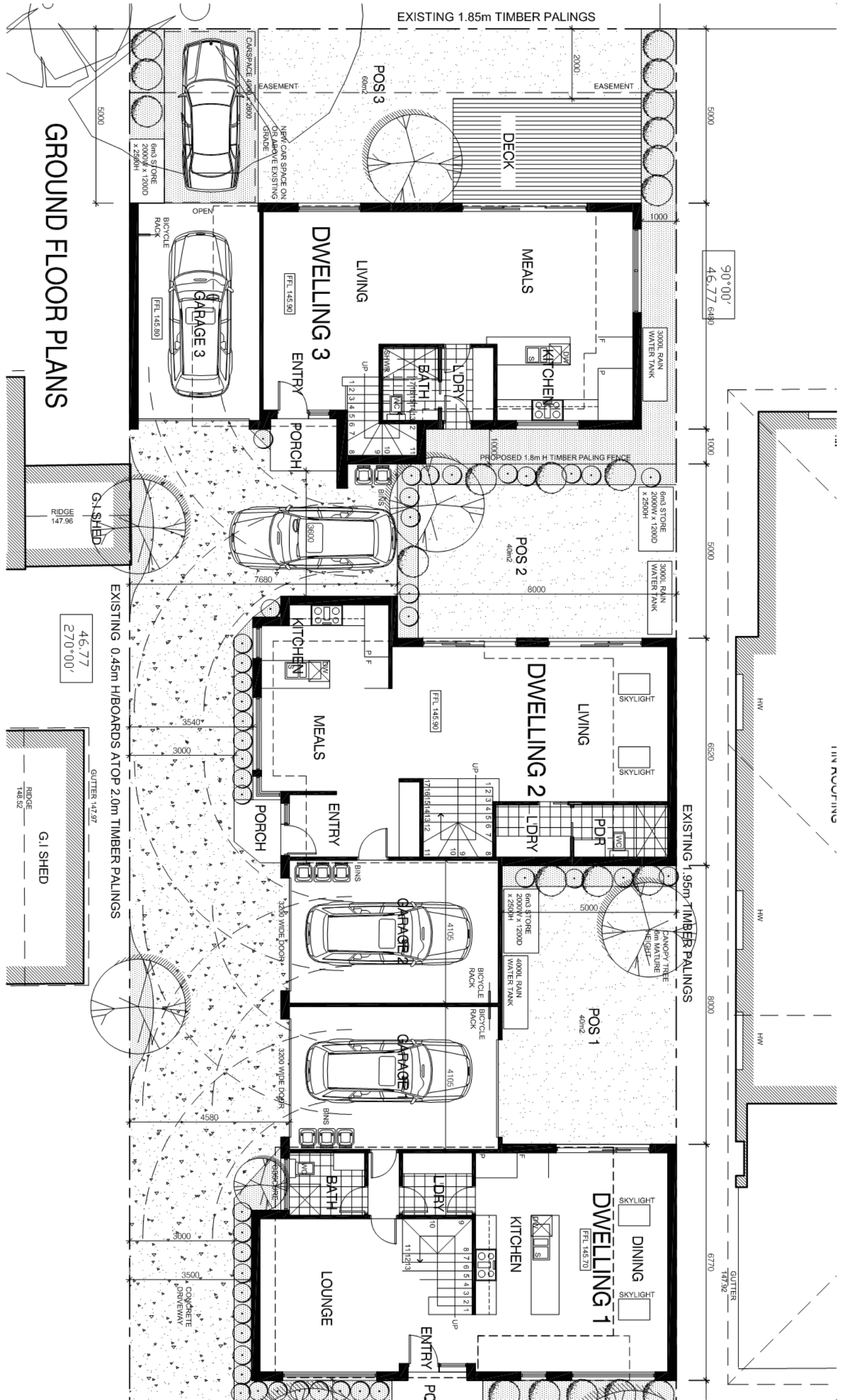
PROPOSED GROUND FLOOR PLANS  
FOR PLANNING APPROVAL

DATE: 18/02/2021  
FILE: 19/17/180  
DRAWN: M.L.D.  
JOB No: 1420  
DWG No: TP-03

SCALE: 1:500  
NORTH

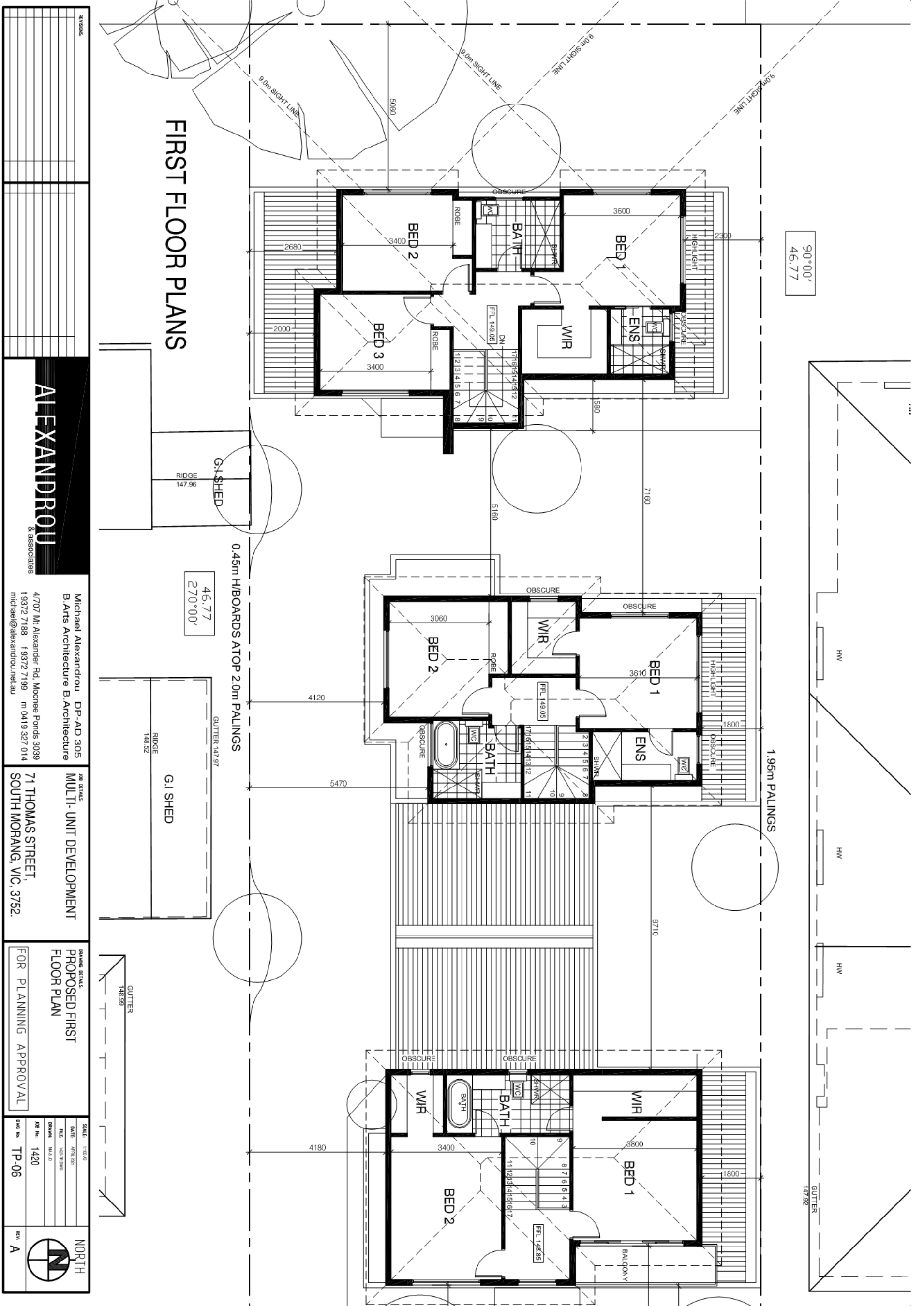


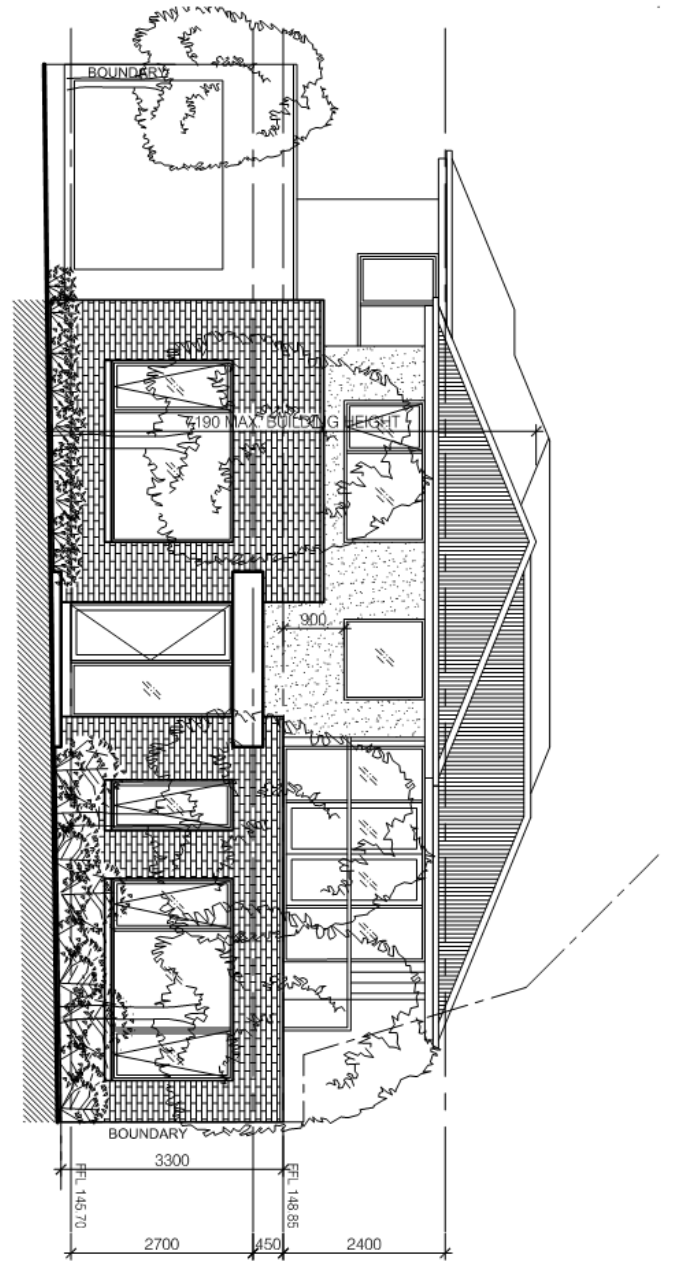
<p><b>ALEXANDROU &amp; ASSOCIATES</b></p> <p>Michael Alexandrou DP-AD 305 B.Arts Architecture B. Architecture 4/707 Mt. Alexander Rd, Moonee Ponds 3039 1 9372 7189 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au</p>		<p>71 THOMAS STREET, SOUTH MORANG, VIC, 3752.</p>		<p>PROPOSED FIRST FLOOR PLANS FOR PLANNING APPROVAL</p>		<p>SCALE: 1:500</p> <p>DATE: 09/20/2021</p> <p>FILE: 10/17/2021</p> <p>DRAWN: M.A.D.</p> <p>JOB No: 1420</p> <p>DWG No: TP-04</p>		<p>NORTH</p> <p>REV: A</p>	
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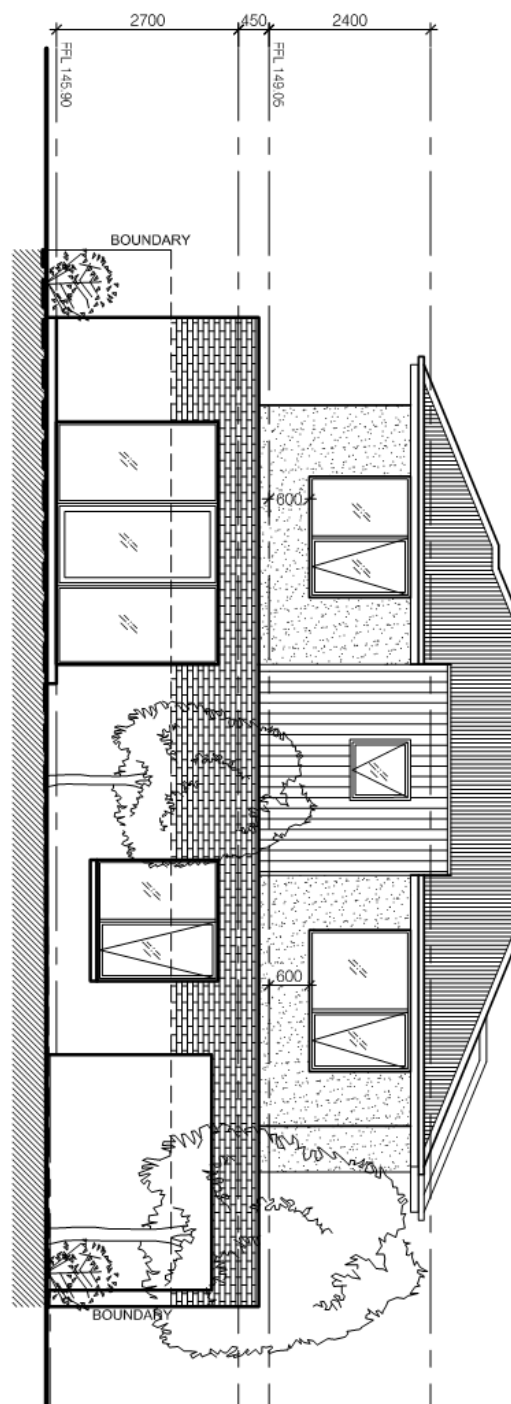
GROUND FLOOR PLANS

<p><b>ALEXANDROU &amp; ASSOCIATES</b></p> <p>Michael Alexandrou DP-AD 305 B.Arts Architecture B. Architecture 4/707 Mt Alexander Rd, Moonee Ponds 3039 1 9372 7188 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au</p>		<p>71 THOMAS STREET, SOUTH MORANG, VIC. 3752.</p>		<p>PROPOSED GROUND FLOOR PLAN FOR PLANNING APPROVAL</p>		<p>SCALE: 1:100 DATE: 07/09/2021 FILE: 1917180 DRAWN: M.A.D. JOB No: 1420 DWG No: TP-05 REV: A</p>	
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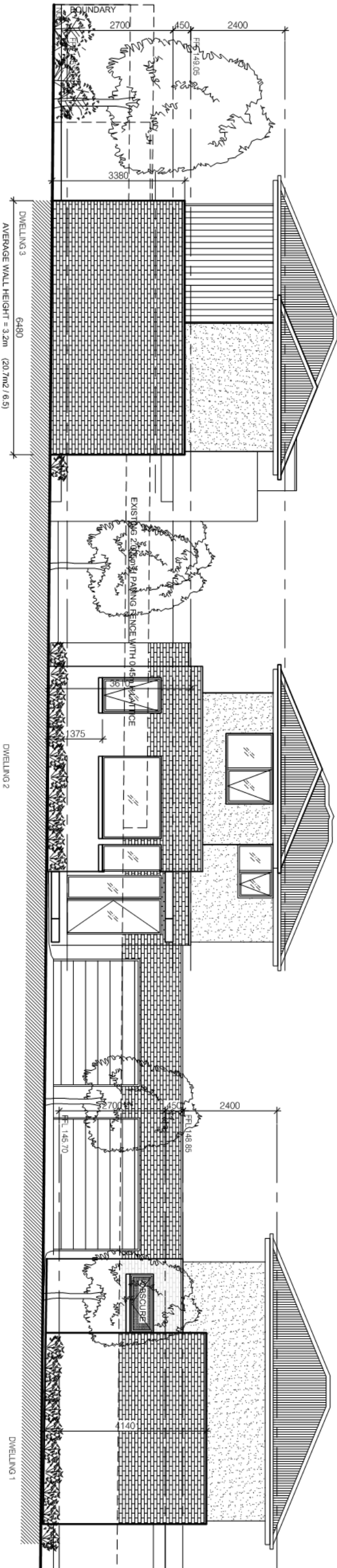




EAST ELEVATION



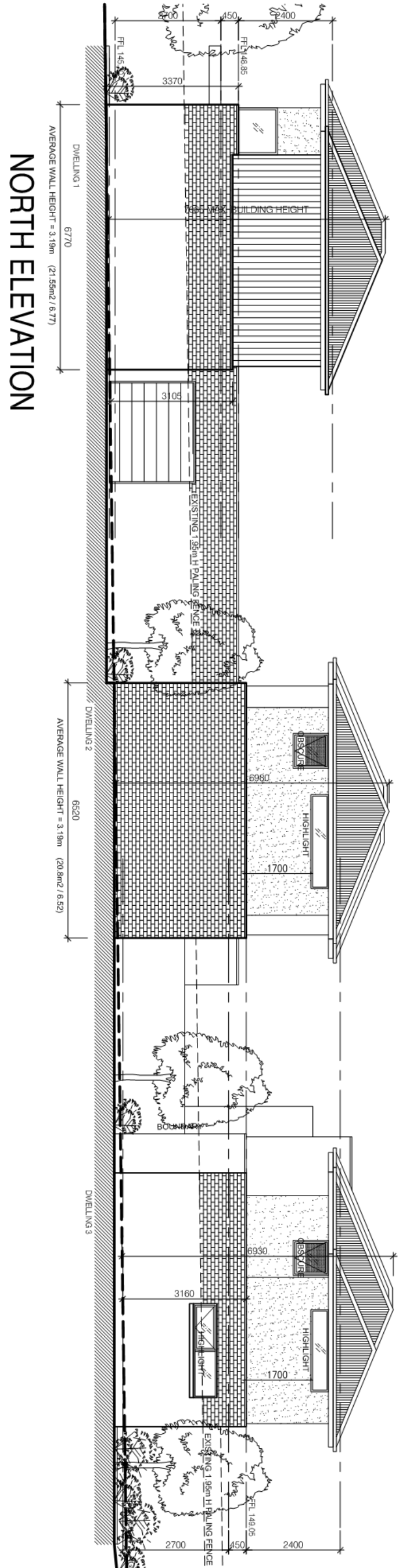
WEST ELEVATION



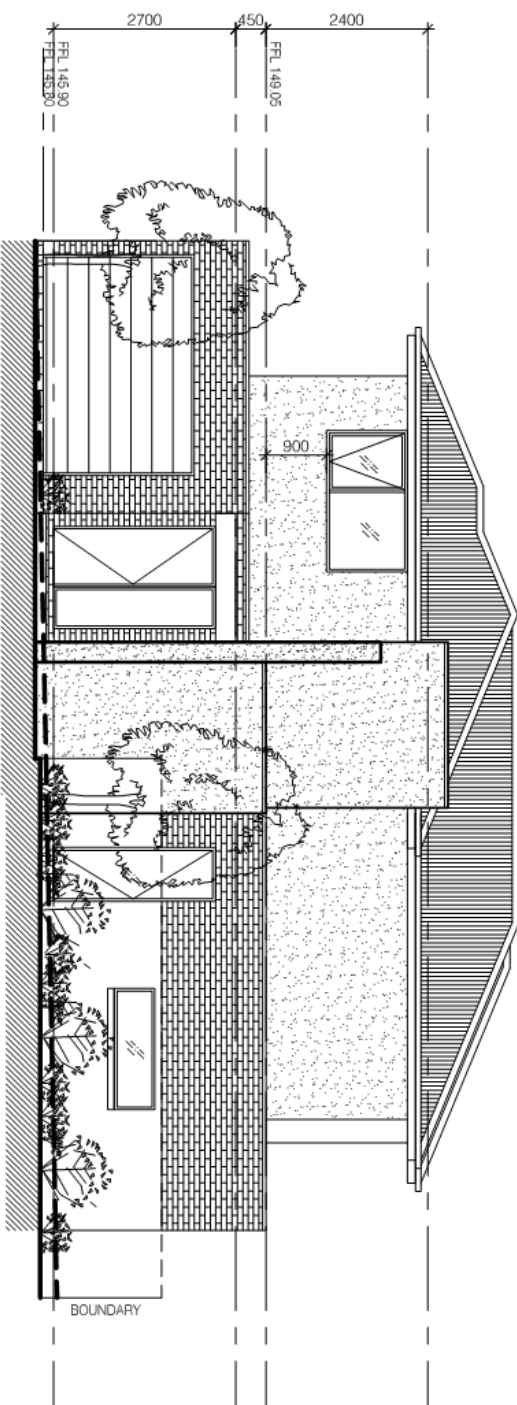
SOUTH ELEVATION

EXTERNAL FINISHES SCHEDULE	
LOCATION	COLOUR
R1 ROOF SHEETING	'Monument'
R2 GUTTERS, FACIAS & RAINWATER GOODS	'Monument'
F1 WALLS - MAIN WALLS	Brick: Austral Bricks - Industrial Char'
F2 - RENDER	Dulux 'Diestau'
F3 - HORIZONTAL BOARD	'Monument'
W1 WINDOWS & DOORS FRAMES	Powdercoat 'Monument'
G1 GARAGE DOOR	'Monument'
D1 FRONT DOOR	'Monument'

<p><b>ALEXANDROU</b> &amp; Associates</p> <p>Michael Alexandrou DP-AD 305 B.Arts Architecture B.Architecture 4/707 Mt Alexander Rd, Moonee Ponds 3039 1 9372 7189 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au</p>		<p>71 THOMAS STREET, SOUTH MORANG, VIC, 3752.</p>		<p>PROPOSED ELEVATIONS FOR PLANNING APPROVAL</p>		<p>SCALE: 1:100 DATE: 07/09/2021 FILE: 10/17/2021 DRAWN: M.A.L. JOB No: 1420 DWG No: TP-07</p>		<p>NORTH REV: A</p>	
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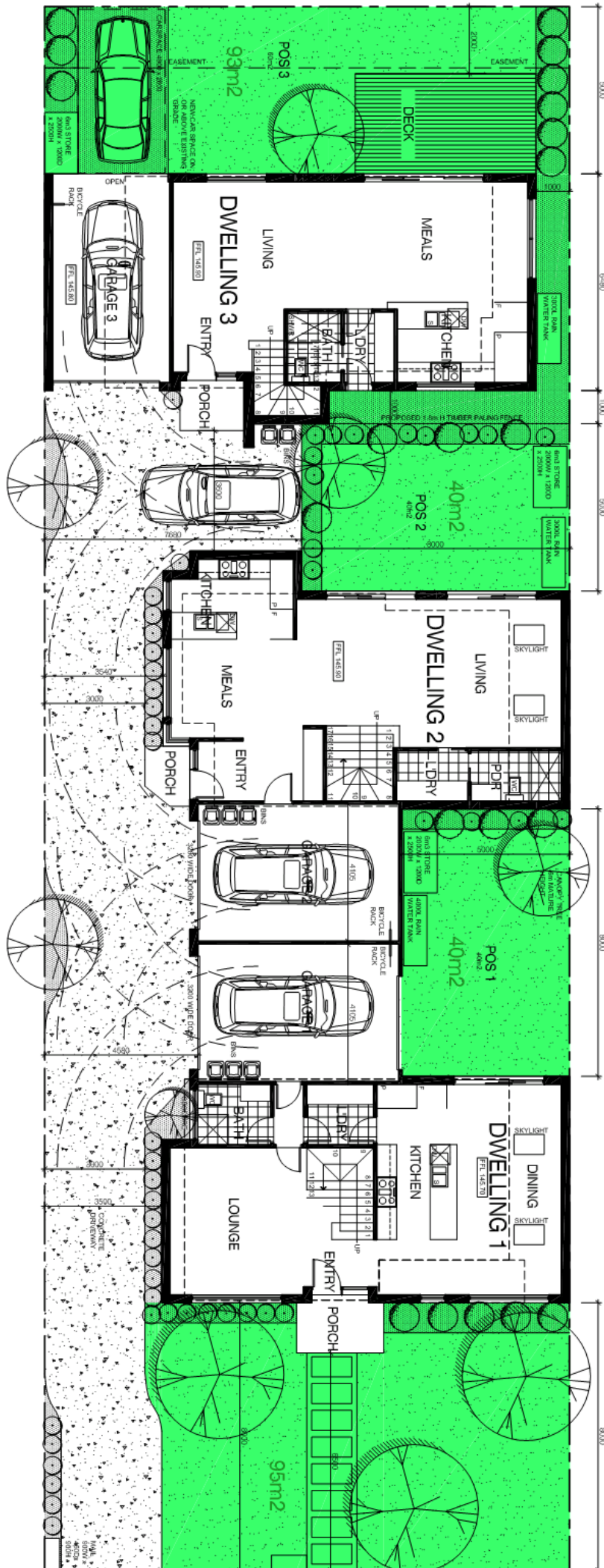
NORTH ELEVATION



EAST ELEVATION

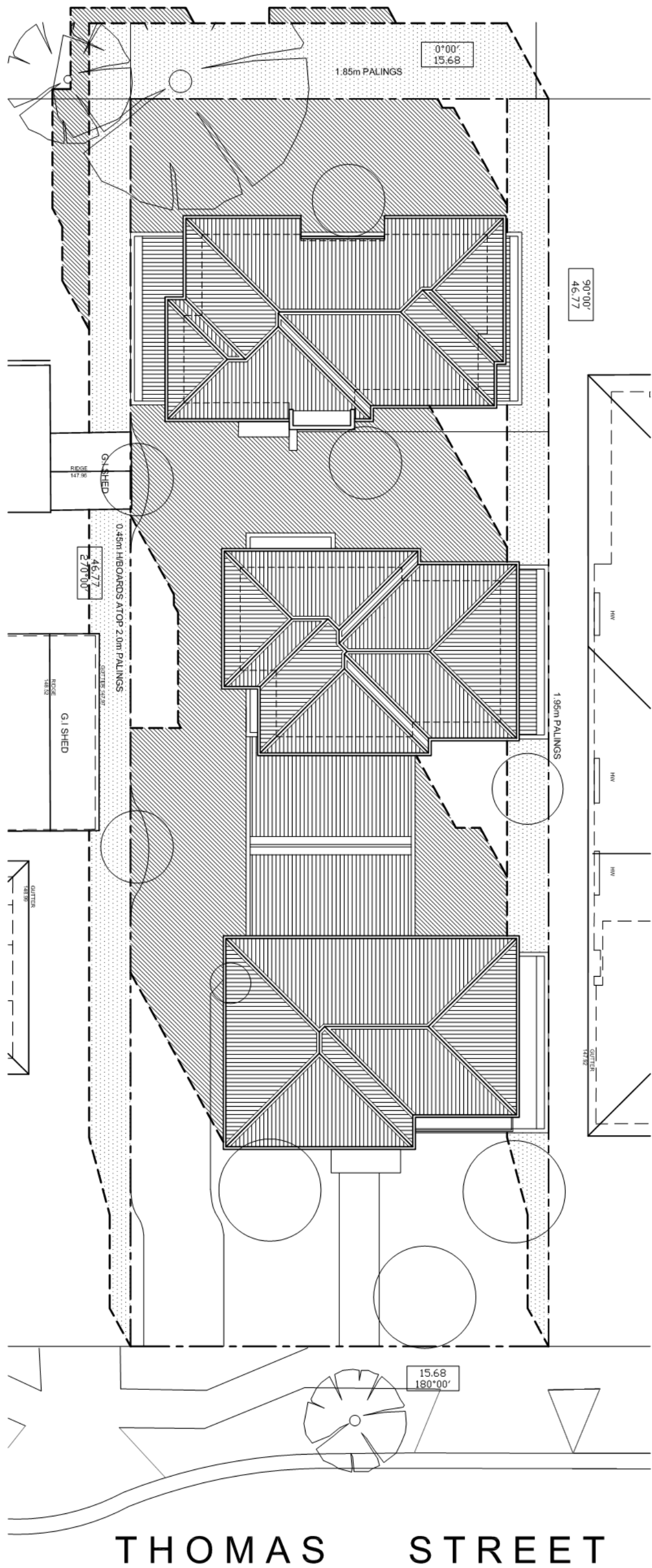
EXTERNAL FINISHES SCHEDULE	
LOCATION	COLOUR
R1 ROOF SHEETING	'Monument'
R2 GUTTERS, FACIAS & RAINWATER GOODS	'Monument'
F1 WALLS - MAIN WALLS	Brick: Austral Bricks - Industrial 'Char'
F2 - RENDER	Dulux 'Dekskaf'
F3 - HORIZONTAL BOARD	'Monument'
W1 WINDOWS & DOORS FRAMES	Powdercoat 'Monument'
G1 GARAGE DOOR	'Monument'
D1 FRONT DOOR	'Monument'

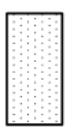

Michael Alexandrou DP-AD 305 B.Arts Architecture B.Architecture 4/707 Mt Alexander Rd, Moonee Ponds 3039 1 9372 7188 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au	71 THOMAS STREET, SOUTH MORANG, VIC, 3752.
208 STRATA MULTI-UNIT DEVELOPMENT	208 STRATA PROPOSED ELEVATIONS FOR PLANNING APPROVAL
SCALE: 1:100 AS DATE: 09/09/2021 FILE: 19171881 DRAWN: M.A.D. JOB No: 1420 DWG No: TP-08	NORTH REV: A




GARDEN AREA  
 GARDEN AREA 375 288 m<sup>2</sup>

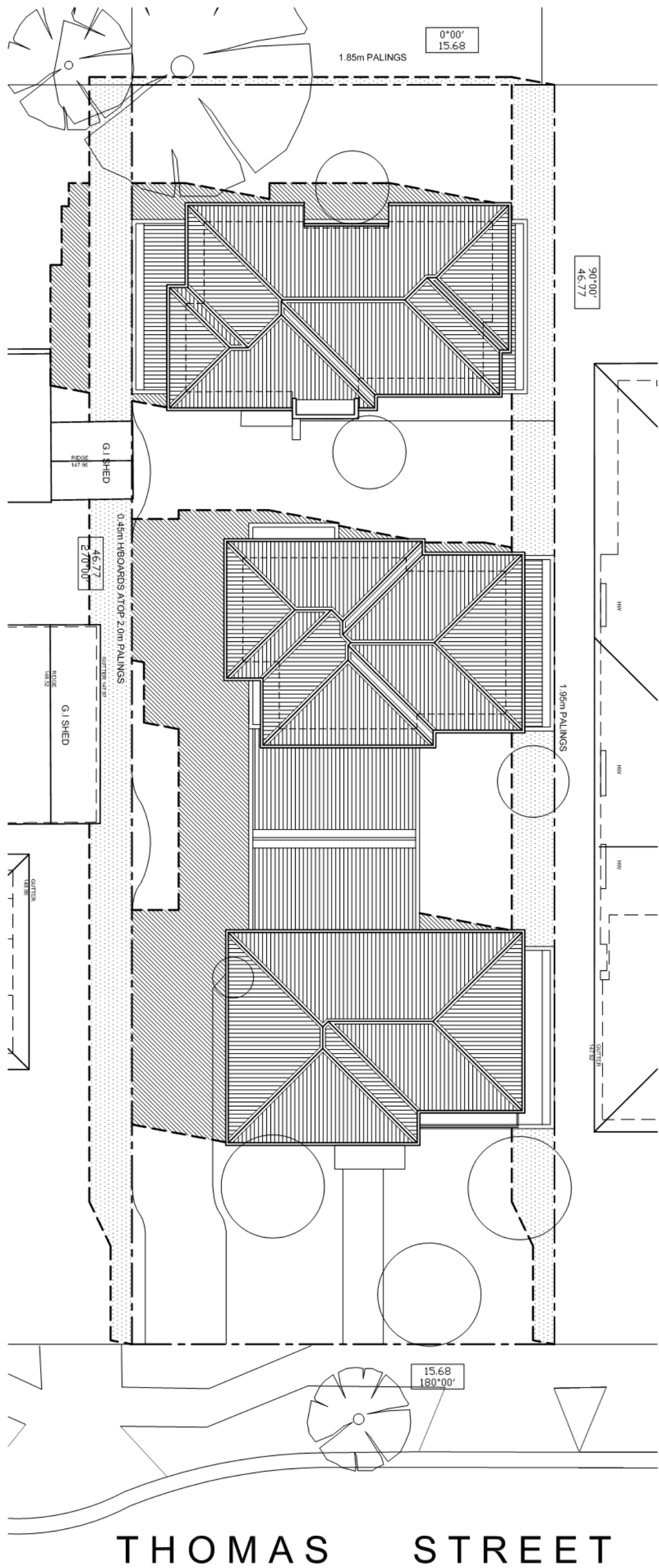
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78 STRATA: MULTI-UNIT DEVELOPMENT		71 THOMAS STREET, SOUTH MORANG, VIC. 3752.										
80/81 STRATA: GARDEN AREA		FOR PLANNING APPROVAL										
SCALE: 1:500 DATE: MAR-2021 FILE: 10171610 DRAWN: M.A.D. JOB No: 1420 DWG No: TP-09		NORTH REV: A										



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 EXTENT OF PROPOSED SHADOW CAST

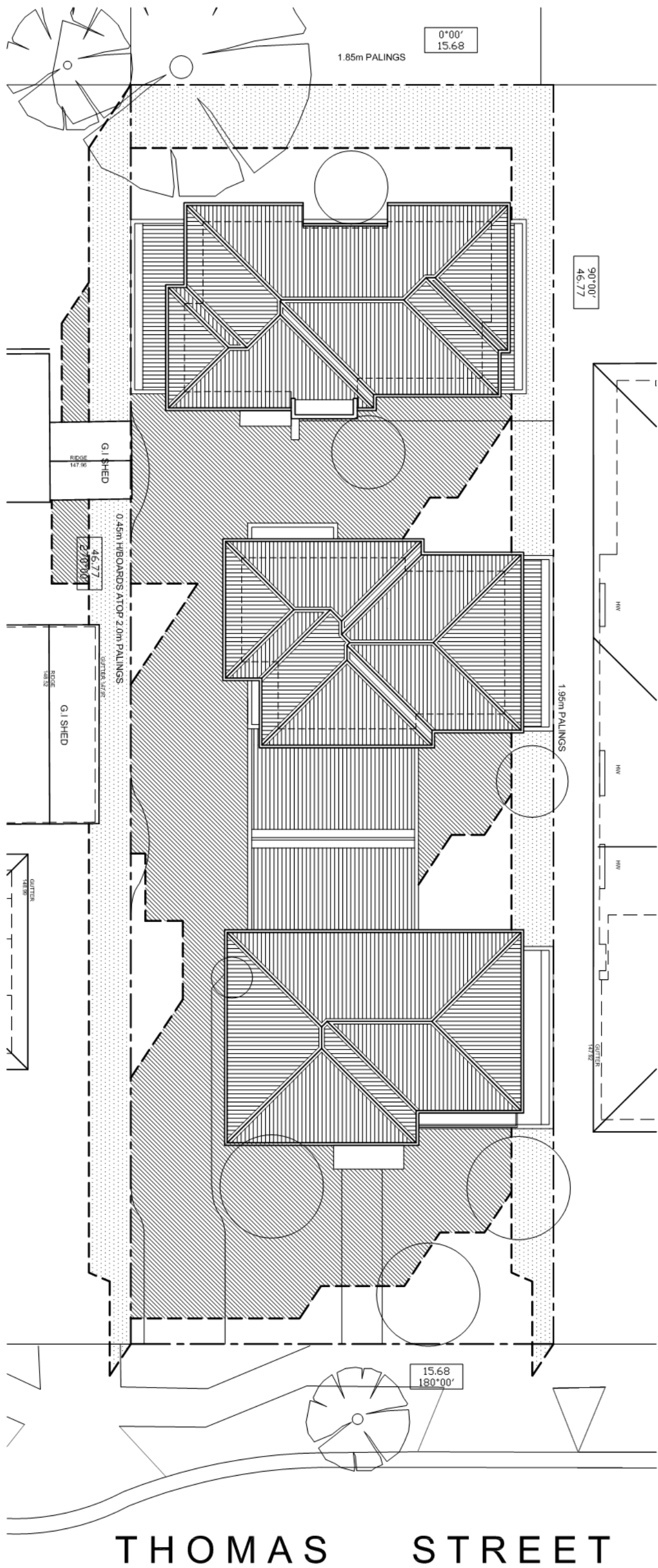
	Michael Alexandrou DP-AD 305 B.Arts Architecture B. Architecture 4/707 Mt. Alexander Rd, Moonee Ponds 3039 1 9372 7189 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au	71 THOMAS STREET, SOUTH MORANG, VIC. 3752.	SHADOW DIAGRAMS 9am FOR PLANNING APPROVAL
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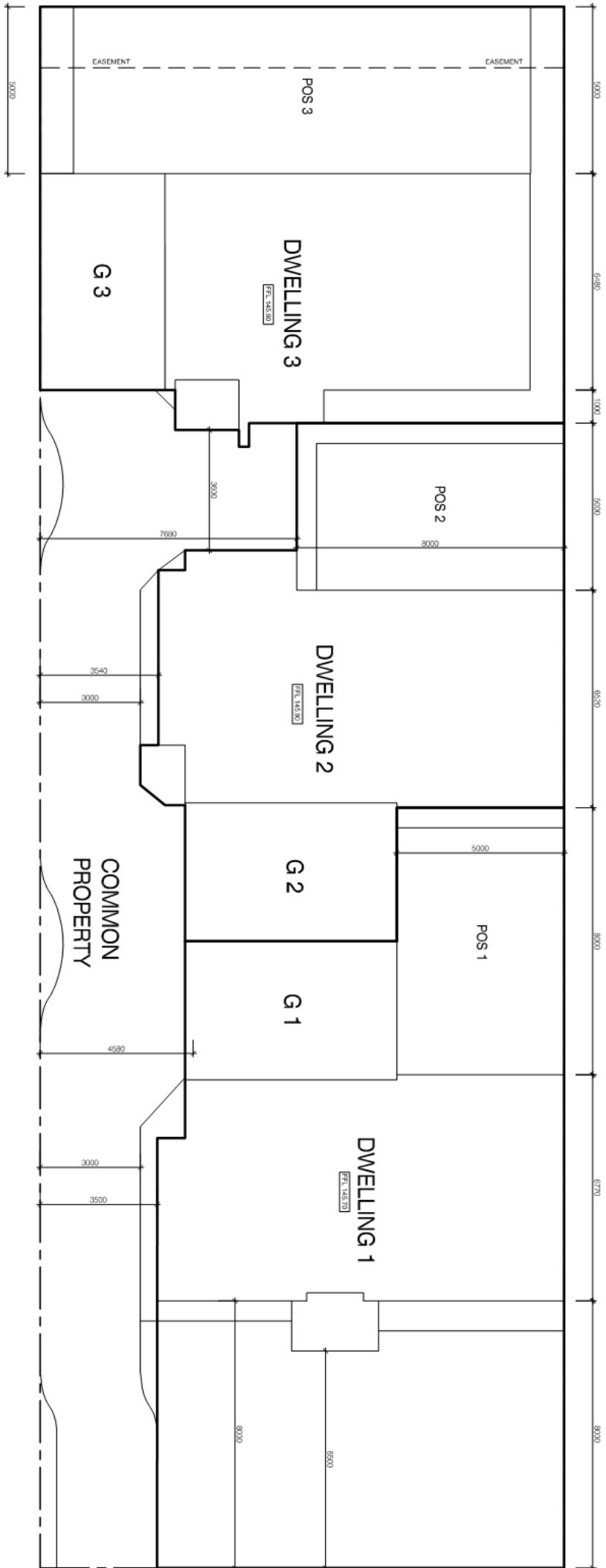
EXTENT OF EXISTING SHADOW CAST  
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<p style="text-align: center;"><b>ALEXANDROU</b>  &amp; ASSOCIATES</p> <p>Michael Alexandrou DP-AD 305 B.Arts Architecture B. Architecture 4/707 Mt. Alexander Rd, Moonee Ponds 3039 1 9372 7188 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au</p>	<p style="text-align: center;">71 THOMAS STREET, SOUTH MORANG, VIC, 3752.</p>	<p style="text-align: center;">SHADOW DIAGRAMS 12NOON FOR PLANNING APPROVAL</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>SCALE: 1:500</td> <td rowspan="3" style="text-align: center;">NORTH </td> </tr> <tr> <td>DATE: MARCH 2021</td> </tr> <tr> <td>FILE: 1917190</td> </tr> <tr> <td>DRAWN: M.A.D.</td> <td></td> </tr> <tr> <td>JOB No: 1420</td> <td></td> </tr> <tr> <td>DWG No: TP-11</td> <td></td> </tr> <tr> <td>REV: A</td> <td></td> </tr> </table>	SCALE: 1:500	NORTH 	DATE: MARCH 2021	FILE: 1917190	DRAWN: M.A.D.		JOB No: 1420		DWG No: TP-11		REV: A	
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REV: A															



EXTENT OF EXISTING SHADOW CAST  
 EXTENT OF PROPOSED SHADOW CAST

<b>ALEXANDROU</b> & ASSOCIATES	Michael Alexandrou DP-AD 305 B.Arts Architecture B. Architecture 4/707 Mt. Alexander Rd, Moonee Ponds 3039 1 9372 7189 1 9372 7199 m 0419 327 014 michael@alexandrou.net.au	71 THOMAS STREET, SOUTH MORANG, VIC. 3752.	SHADOW DIAGRAMS 3pm FOR PLANNING APPROVAL
NORTH	SCALE: 1:500 DATE: MAR-2021 FILE: 18171780 DRAWN: M.A.D. JOB No: 1420 DWG No: TP-12 REV: A		



INDICATIVE SUBDIVISION PLAN

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**ITEM 6.2.5 FOR DECISION - PLANNING APPLICATION 719034 - REDEVELOPMENT OF EXISTING COMMUNITY OUTREACH AND COUNSELLING CENTRE (ANGLICARE) AT 8-10 HURTLE STREET, LALOR**

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

**Responsible Officer:**        **Director Planning & Development**

**Author:**                         **Principal Planner**

**APPLICANT:**                    **Acorn Planning on behalf of Anglicare Victoria**

**ZONING:**                         **General Residential Zone Schedule 4**

**OVERLAY:**                       **Development Contributions Plan Overlay Schedule 3**

**REFERRAL:**                     **None**

**OBJECTIONS:**                  **Six objections**

**RECOMMENDATION SUMMARY**

It is recommended that Council resolve to approve Planning Application No. 719034 and issue a Notice of Decision to Grant a Permit for the development and use of the land for the purpose of Community Outreach and Counselling Centre subject to appropriate conditions.

**BRIEF OVERVIEW**

The site comprises two adjoining properties located at the eastern end of Hurtle Street, abutting the Woolworths supermarket at the corner of High Street. The two former dwellings on the land are currently being used by Anglicare for its community outreach and counselling services, providing a range of community services including counselling, family services, family violence counselling, youth justice services and financial counselling.

The proposal is for continuation of the existing use with the transition of that use to the proposed purpose-built building (over the two lots). This provides an upgraded facility as the base for the Anglicare services and formalises a greater number of on-site parking spaces compared to the current parking provided.

The application was advertised and a number of objections were received, raising issues of parking and traffic, the form of the proposed building and the attracting of range of people into the area. The applicant has suggested an alternate basement layout to increase the number of proposed car spaces and has responded to the existing use rights of both lots.

The proposed building is single storey with a basement car parking area. While the building is not 'residential' in form it is modest, single storey in height with appropriate setbacks and is considered to be an appropriate transition building between the commercial use on the eastern side and the surrounding residential uses. The proposed redevelopment will provide for the continuation of the delivery of the valuable community services provided by Anglicare, and will increase the number of on-site car parking spaces compared to the on-site parking provided at present.

**RATIONALE FOR RECOMMENDATION**

The proposed redevelopment and continuation of the existing use is considered consistent with the residential zoning of the land and particularly in the context of the location of the property adjoining a commercial precinct. The proposal is consistent with the stated purpose of the Zone, provides appropriate parking and does not unreasonably impact on the amenity of the area.

**IMPACTS OF RECOMMENDATION**

The recommendation will provide for the ongoing use of the site for the operation of the Anglicare service, which have been in this location for several years. The use to date has been operating from two former dwellings. It is considered that the increase in the number of on-site car parking spaces will improve off-site impacts from the very limited numbers of parking on site at present.

All parties to the application will retain review rights through the Victorian Civil and Administrative Tribunal (VCAT). Council will need to defend any decision made should the matter proceed to VCAT.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

While objectors have raised concerns, conditions included in the recommendation for approval have sought to minimise off-site impacts while recognising that the use has been operating for some years. However, all parties to the application will retain review rights through the Victorian Civil and Administrative Tribunal (VCAT). Council would need to defend any decision made if the matter proceeds to VCAT.

**REPORT****SITE AND SURROUNDING AREA**

The subject site comprises two of two similar sized lots, located on the northern side of Hurtle Street. Each lot has a frontage of 15.2m (therefore total site 30.4m) and depth of 42.4m with an overall site area of 1289m<sup>2</sup>.

Each lot is occupied by a single detached brick dwelling and outbuildings, with car parking provided to the rear of 8 Hurtle Street, and both are currently used for the Community Outreach and Counselling services by Anglicare Victoria.

The site adjoins the rear of the existing Woolworths supermarket site which fronts High Street (357 High Street). While the supermarket site fronts High Street, the car parking area is situated at the front of the supermarket building and both the High Street frontage and the Hurtle Street abuttal. Notably, the access to the parking area is from the side streets, being Tramoo Street to the north and Hurtle Street to the south, with the access to the rear loading bay of the supermarket also being from Hurtle Street adjacent to the subject site.

The rest of Hurtle Street comprises mainly single dwellings with some examples of medium density development throughout.

**RESTRICTIONS AND EASEMENTS**

The Certificates of Title for each lot is each subject to the same covenant (Instrument No. 1688232 dated 5 April 1939) which prohibits quarrying or removal of soil, stone clay etc. except for the purpose of building foundations. This does not have any effect of the proposed redevelopment.

The property is not affected by any other encumbrances or easements.

**PROPOSAL**

It is proposed to remove the existing (former) dwellings and construct a single storey purpose built building with a basement car park for the purposes of the continuation of the community outreach and counselling facility on behalf of Anglicare Victoria. Key aspects of the proposal are as follows:

**Basement level**

A basement level of 656.3m<sup>2</sup> containing 18 car spaces (14 staff and 4 client/visitors), storage room, bicycle storage (10 spaces), bin room and services as well as stair access into the ground floor level of the building. Access is by a single vehicular crossover (5.5m wide) from Hurtle Street.

**Ground floor level**

The ground floor of the proposed building is 764.8m<sup>2</sup> and comprises reception area, open work areas for group sessions, break-out room, staff kitchen, three interview rooms, six, managers rooms and amenities. All these spaces will be multipurpose to cater for the variety of service types that will be accommodated from the site. At the front, there are two additional car spaces (including a DDA space) and bicycle parking. The maximum building height is 5.7 metres.

**Vegetation**

It is proposed to remove a number of trees on the adjoining property to the rear, located on the property at 9 Tramboo Street, situated along the common boundary.

These trees are not native species (all being varieties of 'Cypress' species) and there is no planning scheme controls or protection for these trees (e.g. no Vegetation Protection Overlay). The Applicant has advised that it has obtained consent from the owner of that property to remove these trees.

### Overall

The proposed building has a contemporary flat roof form, and no front fence is proposed with the front setback area to be landscaped and includes a seating area. The development has a site coverage of 61.4% with garden area of 24.3%.

The building will replace the existing buildings on the site (the two former dwellings) and provide for the continuation of the range of existing services provided. It will continue to be operated by Anglicare Victoria. The services that will be provided from the site include the following:

- Community partnership projects
- Family violence support
- Financial counselling
- Functional family therapy – youth justice
- Integrated family services
- Parent education
- Other community and counselling services

The facility will operate as follows:

- Core operating hours 9am – 5.00pm Monday – Friday
- Occasional evening group sessions Monday – Friday 5pm – 9pm and Saturday – Sunday 9am-5pm with up to 15 persons attending at any one time
- Maximum staff at any time – 35
- Maximum clients/visitors at any time – 10 to 15
- Typically, there would be separation between the scheduled group sessions.

The Lalor office services an area extending from Collingwood and inner Melbourne through to the township of Whittlesea.

### Minor amendments and clarification

The Applicant provided information to clarify the existing use status of each of the two lots. This indicated that the No. 8 Hurtle Street (adjacent to Woolworths) has been used by Anglicare for 24 years and No 10 Hurtle Street (western side) for about 14 years. Copies of documents were provided in support. This matter is discussed later within this report.

Updated information was also provided showing an increase in the number of on-site car spaces (by 4) and a further arborist report to address trees at the frontage, as follows:

- An updated basement plan which allows for the provision of an additional four car spaces (an increase from 20 to 24 on site spaces). This is achieved by increasing the size of the basement (extending it towards Hurtle St) and reconfiguring the car spaces. The layout was reviewed by its Traffic Engineers which has advised that the revised layout accords with requirements of clause 52.06-9.
- The additional arborist report assesses the trees in the front setback and on the nature strip (i.e. the two street trees). It established that the two street trees will be retained and of the existing four trees in the front setback area only one would be removed (a 'Lillypilly' of low retention value).



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**PUBLIC NOTIFICATION**

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

1. The proposal will add to and exacerbate the existing level of traffic congestion, which is high due to the Woolworths supermarket and the high number of units in the area.
2. The proposed building will not fit into the residential location (the existing Anglicare buildings fit in as they are former dwellings).
3. It will add to already high levels of street parking and further reduce parking availability for residents.
4. It will decrease property values and deter potential buyers and tenants.
5. It will attract a variety of people into the area including related to family violence, youth justice and drugs and may compromise the safety of residents – who are primarily family based. The services offered are seven days per week.
6. Disruption to locals during construction period.
7. Other areas would be more suitable, such as the vacant parcel at the south-western corner of Hurtle Street and High Street.

**Consultation**

Objectors were contacted by phone and email and in the responses received the concern relating to the potential loss of on-street parking was the main issue reiterated. It was particularly noted that there were several recent multi-unit developments in Hurtle Street and an expectation of several more in the future. These are seen to be causing high levels of on-street parking, reduced availability for parking to existing residents and that the Anglicare redevelopment would further contribute to parking problems. No further consultation is proposed to be undertaken.

**ASSESSMENT AGAINST THE WHITTLESEA PLANNING SCHEME**

The following provides an assessment against the applicable provisions of the Whittlesea Planning Scheme.

Existing Uses – Clause 63

The Planning Scheme provides that an existing use right is established where a use was established lawfully or permit previously issued, or the use has been carried out continuously for a period of 15 years (Clauses 63.01 and 63.11)

The applicant was requested to clarify the extent of existing use rights for the subject site (i.e. No. 8 and No. 10 Hurtle Street), who advised as follows:

- No 8 Hurtle St has been owned and occupied by Anglicare Victoria for a period of 24 years (since 25 August 1997).
- No. 10 Hurtle St has been owned and occupied by Anglicare Victoria for a period of 14 years (since 8 May 2007). It was purchased as additional space was required to meet the demands of the community continue to offer their range of services.

Evidence has been provided by the Applicant to confirm the operation of the centre on the subject land during those periods.

On the basis of the Applicant's responses, it is accepted that No. 8 Hurtle Street has existing use rights, while No. 10 does not. A permit is therefore required for the development on No. 8 and for the development and use on No. 10 Hurtle Street.

Clause 63.05 provides that an existing Section 2 use (i.e. a use that would require a permit) may continue provided that:

- *No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.*
- *Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.*
- *The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.*

Having regard to the above criteria, the following comments are made:

- There are currently no restrictions or conditions with respect to the use of both sites. The range of services offered from the redeveloped site will be consistent with the range of services currently offered.
- With respect to amenity it is considered that the redevelopment would not result in any impacts beyond what is currently occurring.
- The existing former dwelling buildings have limited on site car spaces available, being up to six spaces in total in an informal arrangement.
- The proposed development initially proposed 20 on site spaces in the basement. This was later amended to 24 car spaces. This will reduce the current need for off-site parking (including on-street) associated with the Centre.
- The built form is single storey.
- The use is consistent with the purpose of the zone in that it provides a community service.

#### General Residential Zone Schedule 4 (GRZ4) – Clause 32.08

Pursuant to Clause 32.08-9, a permit is required to construct any buildings or construct or carry out works for a use in Section 2 of the Table of Uses (at Clause 32.08-2).

While the use of the site is existing, the use is an unspecified (or undefined) use so is a Section 2 use, where any buildings and works require a permit. As indicated above, a permit is also required for the use as No. 10 Hurtle Street does not have an 'existing use right'.

The purpose of the General Residential Zone is to:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The proposed non-residential use is considered to be consistent with the purpose of the GRZ and consistent with the relevant considerations as follows:

- The non-residential use remains unchanged from the existing use and there has been no demonstrated incompatibility the residential uses in the past.
- Notably the site abuts the Woolworths supermarket and associated car parking and loading facility to the east. The proposed redevelopment and use provides an appropriate transitional use between the supermarket and residential properties to the west.

- The single storey development is considerate of surrounding built form. While it abuts the boundary to the Woolworths property, it is setback from adjoining residential properties to the north and west.
- The facility provides an important service that serves the local community needs as well as beyond.
- Operating hours are generally limited to weekdays and daytime hours.
- The design and appearance will contribute positively to the Hurtle Street streetscape.
- Landscaping treatment within the front, side or rear setbacks will soften the built form and make for an open, landscaped setting.
- Vehicle and bicycle parking will be appropriately stored in the basement with two car spaces being confined to ground level for accessibility to visitors.
- Bin storage will be accommodated within the basement.

In terms of the built form of the proposed building, it is noted that the proposed building is not bulky and has been appropriately articulated to soften its impact. A wholly residential identity would not be desirable in this case despite the residential location, and the form of the building should reflect the non-residential use. The built form and use is considered to be an appropriate transition from the commercial uses to the residential neighbourhood.

#### Development Contributions Plan Overlay (Schedule 3)

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. In respect of non-residential development, the contribution required is at the rate of \$3.50 per square metre of additional impervious floor area (to be CPI adjusted).

This requirement must be included as a condition on any planning permit that is issued.

#### Car Parking

Clause 52.06 of the Whittlesea Planning Scheme prescribes the rate and design standards for car parking spaces required on site. Under this clause there is no specified car parking rate for the proposed use. Where a use of land is not specified, car parking spaces must be provided to the satisfaction of the Responsible Authority.

The Applicant engaged a Traffic Engineer to assess traffic and parking requirements and a report was submitted with the application. The proposal included a total of 20 car spaces on site. A car parking demand assessment was conducted.

While this proposal increases the existing on-site parking for the continuation of the same use, it was considered that parking was still less than the amount required to accommodate all staff and clientele. As indicated earlier in this report, an amended basement plan has been submitted showing an increase to 24 car spaces, and further detail submitted to justify the number of car spaces required against the criteria contained in Clause 56.06. It has been submitted that:

- The site is about 90m from High Street, which includes a number of bus routes with stops within walking distance of the site, including Routes 559, 554, 555 and 556, and it is noted that both the Thomastown and Lalor rail stations are 900m from the site. Train services can be accessed via connecting bus routes.
- The majority of staff at the Lalor office operate in an 'outreach' capacity. Each staff member will have use of a desk for file and report writing, however the majority of their time is spent out of the premises meeting with clients, support workers and DHHS regional teams.

- As a result of the 'outreach' nature of the workforce, staff attendance at the site is spread out over the workday and it is unlikely that staff will spend full days in the premises. Rather it is a base from which to go and deliver their services.
- Therefore, the demand for staff parking will generally be short term and not for extended periods.

Based on the existing operating conditions and considering the increased provision of on-site car parking compared to the way the use is currently operating, it is considered that the proposal would not result in any significant variation in the off-site car parking impacts. If anything, the proposed outcome will improve the situation and result in a lesser impact.

Notwithstanding, a condition is included in the recommendation that a Car Parking Management Plan be prepared and submitted for approval by Council to further mitigate any potential impacts.

Bicycle parking (Clause 52.34) is not required for this use under the Planning Scheme. However, it is proposed to provide bicycle parking facilities including 10 staff spaces within the basement (5 rails), and 4 customer/visitor spaces at ground level (2 rails). The dimensions of the bicycle parking areas accord with AS2890.3-2015.

## COMMENTS ON GROUNDS OF OBJECTION

The following comments are made in relation to the objections raised (the numbers below correlate to the list of objections earlier in this report):

### 1. Traffic levels.

It is noted that the subject property (comprising two titles) are currently being used as a community outreach and counselling facility by Anglicare. The proposal is for the redevelopment of the site to better facilitate the existing uses. While there is some formalisation of uses and hours, there is not expected to be an introduction of any significant level of additional non-residential traffic introduced into the area as a result of the proposed redevelopment.

Notably, the site is at the eastern end of Hurtle Street and sits adjacent to the Woolworths supermarket car parking area that fronts High Street. Given the proximity to High Street, the likely most common route for access to the Centre would be from High Street rather than through the residential area to the west.

### 2. Building not compatible with the residential location.

While the building form is not residential style in nature, it is considered appropriate and reflective of the nature of the non-residential use. It is single storey and does not present as a bulky building, and as such is considered to be an appropriate building to transition from the supermarket site and the surrounding residential area.

### 3. Street parking.

Similar to Point 1 above, the proposal is to redevelop the existing buildings on the site. It is noted that the current facility provides two spaces at the rear of No. 8 Hurtle street (or four spaces when used in tandem) typically utilised by staff only, and two spaces (in tandem) in the driveway of No. 10 Hurtle Street.

The proposed redevelopment would increase the current maximum of six spaces on the site to include 2 client/visitors spaces at ground level (including DDA car space), 4 client spaces in the basement and 14 staff spaces within the basement (secure car parking area).

Any incidence of street parking is not expected to increase as a result of the redevelopment.

**4. Decrease property values.**

This is not a relevant planning consideration, and notably this has long been held as not relevant through VCAT case law over many years.

**5. Attract a variety of people into the area and compromise the safety of residents.**

While the use would attract Anglicare clientele into the centre, and this would be expected to include a range of different people (noting the range and variety of services provided), it is noted that the use has been existing since 1997 (at 8 Hurtle Street) and then expanding (into 10 Hurtle Street as well) in 2007. The activities to be hosted by the proposed redeveloped site and building are essentially the same as has been operating during this time, though it is fair to suggest that services may alter over time to respond to changing needs of the community.

There is no information to suggest that the safety of residents in the street has been compromised in the past or would be affected into the future as part of the ongoing use.

**6. Disruption during construction period.**

A condition of permit is recommended requiring a Construction Management Plan to be prepared and approved by Council. This would place controls and limitations around construction activities to minimise any disruption or inconvenience to surrounding residents and the public arising during the construction period.

**7. Other areas would be more suitable.**

While there may be other sites that would be suitable for the proposal, it is required that the application on the land as proposed be assessed in its own right.

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

**CONCLUSION**

The proposal has been assessed against applicable clauses in the Whittlesea Planning Scheme. The proposed redevelopment and continued use is considered appropriate for the subject site. The site is located in proximity to essential services and forms of public transport and therefore considered appropriate for the provision of community facilities and services.

The use serves a community need and the redevelopment is considered to be an appropriate transitional use/development from the supermarket site and the residential uses. While it is a modern building form it is a building over two lots that has a height and bulk which is compatible with residential development and is considered to be consistent with the purpose and objectives of the General Residential Zone.

The proposal provides an increase in the number of on-site car parking spaces improving the amenity for the surrounding area where very few on-site spaces have been available to date for the existing use.

Approval subject to suitable conditions is recommended.

**RECOMMENDATION**

**THAT Council resolve to approve Planning Application No. 719034 and issue a Notice of Decision to Grant a Permit for the development and use of the land for the purpose of Community Outreach and Counselling Centre in accordance with the endorsed plans and subject to the following conditions:**

**Development Contribution Plan Overlay Condition**

- 1. Prior to the endorsement of the plans required under this permit, the permit holder must pay to Council a contribution for drainage pursuant to Clause 45.06 of the Whittlesea Planning Scheme (this amount will be subject to the Consumer Price Index at the time of payment).**

**Amended plans required**

- 2. Before the development permitted starts, 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 lodged with the application but modified to show:**
  - a) The proposed vehicle crossing width increased to 6.0m and be heavy duty construction.**
  - b) Provision of 24 car spaces on the site.**
  - c) In accordance with Clause 52.06-9, the accessway to have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2m along the frontage road from the edge of the exit lane and 2.5m along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm high.**
  - d) The western vehicle crossing splay to be located at a minimum 1.0m from the existing lighting pole and nearby telecommunication pit as well as any other service authority assets located within the road reserve.**
  - e) Landscaping as required by Condition 4 of this permit.**
  - f) Schedule of external materials, finishes and colours.**
  - g) Drainage plans/WSUD techniques.**
  - h) Recommendations of the ESD Report.**

**Structures within splay**

- 3. In accordance with AS/NZS 2890.1:2004 Clause 3.2.4, all structures (including letterboxes, meter boxes, fences, and retaining walls) located within the splayed area adjacent to the driveway entrances, shall be constructed to a maximum height of 900mm or relocated clear of the splayed area to ensure adequate site distance to pedestrians. Landscape planting must also be reduced in height when located within this area.**

**Landscape plan**

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4. Before the development starts, 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) Details of landscaping for the front setback and side boundary offsets including a schedule of all proposed trees, shrubs and ground covers.
  - b) Designation of areas throughout the site for garden beds, grass, paths, decks paved areas.
  - c) The identification of any vegetation to be retained including tree protection zones.
  - d) The provision of (insert number) canopy trees with a mature height of (insert height) planted at a semi-advanced state within the front setback (also include rear or other areas as needed);
  - e) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
  - f) Details of screen planting compromising along the id and rear boundary offsets to minimise overlooking and soften the built form.
  - g) Consistency with the City of Whittlesea Landscape Guidelines (for non-residential use in residential areas).

#### Landscaping completion and maintenance

5. Unless with the prior written consent of the Responsible Authority, before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of the Responsible Authority.
6. Unless otherwise agreed in writing by the Responsible Authority, the landscaping areas shown on the endorsed plans must be used for landscaping and no other purpose and any landscaping must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

#### Environmentally Sustainable Development

7. Before the development hereby permitted starts, a Sustainable Design Assessment (SDA) / Sustainable Management Plan (SMP) (including a Green Travel Plan) must be prepared by a suitably qualified expert to the satisfaction of the responsible Authority and submitted to the Responsible Authority for approval as required by the Clause 22.01 (Environmentally Sustainable Development) of the Whittlesea Planning Scheme. When approved, the SDA / SMP will be endorsed and will form part of this permit. The SDA / SMP must address the 10 key Sustainable Building Categories:
  - a) Energy Efficiency
  - b) Water Efficiency
  - c) Stormwater Management
  - d) Indoor Environment Quality (IEQ)
  - e) Transport
  - f) Waste Management
  - g) Urban Ecology

- h) Innovation
- i) Building Materials
- j) Construction and Building management

The SDA / SMP must be accompanied by a report from an industry accepted performance measurement tool.

#### Site Management Plan

8. Prior to the commencement of works, including demolition and excavation, a Site Management Plan must be submitted to and endorsed by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the Site Management Plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must:
- a) Be in accordance with the Responsible Authority's Site Management Plan template.
  - b) Address occupational health and safety, traffic management, environmental controls and cultural heritage and/or dry stone wall protection measures to the satisfaction of the Responsible Authority.
  - c) Be submitted to the Responsible Authority a minimum of 21 days before a required pre-commencement meeting (attended by authorised representatives of the construction contractor and project superintendent as appointed by the developer) on the site of the works.
  - d) Identify any site offices, workspaces, personnel rest and amenity areas, hardstands, material laydown areas, and stockpiles.
  - e) Include the proposed route for construction vehicle, equipment and machinery access to the site including a program for the upgrade and maintenance works required along this route while works are in progress.
  - f) Address the location of parking areas for construction and sub-contractors' vehicles, equipment and machinery on and surrounding the site, to ensure that they cause minimum disruption to surrounding properties.
  - g) Include measures to reduce the impact of noise, dust and other emissions created during the construction process.
  - h) Demonstrate all environmental and cultural heritage and/or dry stone wall protection measures identified on a drawing(s) drawn to scale.
  - i) Provide measures to ensure that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the storm water drainage system.
  - j) Include means by which foreign material will be restricted from being deposited on public roads by vehicles, equipment and machinery associated with the building and works on the land to the satisfaction of the Responsible Authority.
  - k) Address any recommendations of any approved Cultural Heritage, Dry Stone Wall and Conservation Management Plans applying to the land.
  - l) Identify the location and method of any Tree Protection Zones inclusive of trees within nature strips adjacent to the site boundaries in accordance with Appendix 2 of Council's 'Street Tree Management Plan'.
  - m) Ensure that all contractors working on the site must be inducted into an environmental management program for construction works.



All works must be carried out generally in accordance with the measures set out in the Site Management Plan approved by the Responsible Authority. Any changes to the Site Management Plan must be submitted to and approved by the Responsible Authority prior to implementation unless otherwise agreed to in writing by the Responsible Authority.

For further information, including submission, please contact Council's Infrastructure Protection Unit on 9217 2170 or [info@whittlesea.vic.gov.au](mailto:info@whittlesea.vic.gov.au).

#### Tree Protection Plan and Tree Management Plan

9. Before the development commences, including demolition or removal of vegetation, a Tree Protection Plan (drawing) and Tree Management Plan (report) must be submitted and be endorsed by the Responsible Authority.

a) Tree Protection Plan

The Tree Protection Plan must be drawn to scale, reference the Tree Management Plan and provide details of:

- i. The geographic location and canopy dimensions of any tree proposed to be retained in proximity to the development, both within and adjacent to the site.
- ii. The Tree Protection Zone (TPZ) calculated in accordance with the City of Whittlesea standard and Structural Root Zone (SRZ) calculated in accordance with AS4970 for all trees nominated for retention, including trees on neighbouring private properties, nature strips and Council Reserves, where the TPZ falls partially within the subject site.
- iii. Tree protection fencing provided in accordance with the City of Whittlesea standard.
- iv. Appropriate signage on any tree protection fencing prohibiting access, excavation, changes in soil levels, or any storage within the TPZ in accordance with the City of Whittlesea standard.
- v. The location of any proposed excavation or boring within the TPZ of retained trees.
- vi. The specific location of any root sympathetic excavation proposed to be undertaken to determine the location and distribution of roots of retained trees where TPZ encroachment exceeds 10%.
- vii. Surface materials proposed to be used to protect area(s) within the TPZ in accordance with AS4970.

b) Tree Management Plan

The Tree Management Plan must be prepared by a suitably qualified arborist, reference the Tree Protection Plan and provide details of:

- i. Proposed footings and construction methods for any buildings, structures or pavements within the TPZ of a retained tree nominated on the Tree Protection Plan.
- ii. How proposed excavation will impact on the health and structure of trees nominated for retention on the Tree Protection Plan and how these impacts and those associated with changes in soil levels and hydrology will be managed.

- iii. Proposed technique to be used for any root sympathetic excavation to determine the location and distribution of roots of retained trees where TPZ encroachment exceeds 10% (i.e. hand digging, hydro excavation, air-knife etc.)
- iv. The location and extent of any pruning to be undertaken being in accordance with AS4373.
- v. How the canopy and root systems of trees nominated on the Tree Protection Plan will be protected during development.
- vi. When and how the consulting arborist will undertake a minimum of five (5) construction hold point inspections to formally certify the implementation of the Tree Management Plan. At least one (1) construction hold point inspection must be undertaken at each of the following development stages; pre-demolition, pre-construction, construction stage, building completion stage and landscaping stage.
- vii. Any other measures required to demonstrate the successful ongoing retention and post construction viability of any trees nominated on the Tree Protection Plan.

#### Development layout not altered

- 10. The development allowed by this permit and shown on the plans and/or schedules endorsed to accompany this permit must not be amended for any reason without the consent of the Responsible Authority.

#### Satisfactory Continuation

- 11. Once the development permitted has started it must be continued and completed to the satisfaction of the Responsible Authority.

#### External lighting / light spill

- 12. All external lighting must be designed, baffled and located to prevent adverse amenity impacts on adjoining land, to the satisfaction of the Responsible Authority.

#### Waste Management Plan

- 13. Before the use and / or development starts, a Waste Management Plan must be prepared by a person suitably qualified or experienced and must be in accordance with Council's Waste Management & Resource Recovery Strategy. The Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and form part of this Permit. The approved Waste Management Plan must be implemented to the satisfaction of the Responsible Authority.

The Plan must identify bin storage and waste collection demonstrating via the use of vehicle swept path plans, including the vehicle's ingress/egress from the site in a forward manner.

- a) That all waste collection services will be undertaken by a private contractor and collection is to occur within the site, with no external or kerbside collection.
- b) How the collection of refuse and recycling material will be managed. This must include vehicle swept paths showing how waste vehicles can turn within space provided on site. Adequate height clearance must be provided to accommodate the required waste collection vehicle in accordance with Clause 52.06-9 of the Planning Scheme and Clause 5.3 of AS/NZS 2890.1:2004.

- c) The frequency for the removal of such refuse and recycling material.
- d) Where such refuse and recycling shall be stored within the site.
- e) Collection to occur only outside of peak traffic hours, or as otherwise agreed.
- f) Gates for refuse areas must not open into the accessway to avoid impacting upon traffic flow within the carpark.
- g) Hours of collection (to comply with EPA Regulations).

The development must be restricted to the maximum size vehicle that is able to enter and exit the site in a forward direction i.e. limited to the 6.4m long waste truck.

#### **Car park construction**

14. Before the use commences and / or occupation of the development hereby permitted, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
- a) Constructed.
  - b) Properly formed to such levels that they can be used in accordance with the plans.
  - c) Surfaced with an all-weather sealcoat or treated to the satisfaction of the Responsible Authority to prevent dust and gravel being emitted from the site.
  - d) Drained and maintained.
  - e) Line marked to indicate each car space and all access lanes.
  - f) Clearly marked to show the direction of traffic along access lanes and driveways.

to the satisfaction of the Responsible Authority. Car spaces, access lanes and driveways must be kept available for these purposes at all times, to the satisfaction of the Responsible Authority.

#### **General Drainage Requirement**

15. Discharge of stormwater from the land is required by means of an underground pipe drainage system designed to the satisfaction of the Responsible Authority and discharging to the legal point of discharge in a street or an underground pipe drain to the requirements of the Responsible Authority. In this regard no water must be discharged from any pipe or paved area onto the surface of any adjacent land.

Stormwater flows in excess of the approved capacity of the pipe drainage system must not be trapped by any construction but must be permitted to flow over the finished surface of the site to the street or drainage easement.

#### **Internal Drainage Works**

16. Before the development starts, 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, 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.

**External Drainage Works**

17. Before the development starts, 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.

**Services**

18. Before the use and starts, reticulated (water, sewerage, gas and electricity) services must be constructed and available to the satisfaction of the Responsible Authority.

**Directional sign**

19. A sign to the satisfaction of the Responsible Authority must be provided directing drivers to the area set aside for car parking and must be maintained to the satisfaction of the Responsible Authority. The sign must not exceed 0.3 square metres in area.

**Vehicular Access**

20. Vehicular access to the site must be in the form 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 nature strip to the satisfaction of the Responsible Authority. All vehicle crossing works are to be carried out with Council supervision under a Works in Road Reserve Permit / Road Opening Permit an 'Infrastructure Protection Permit.'

**Car Parking Management Plan**

21. Before the use and / or development starts, a Car Parking Management Plan must be prepared by a person suitably qualified or experienced. The Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and form part of this Permit. The Plan must detail the management and allocation of car parking spaces is to be carried out within the site, including allocation of parking spaces relating to staff attendance at the site at any one time.

**Signage and Line-marking Plan**

22. Before the development starts, a signage and line-marking plan showing all road markings and signs is to be submitted to Council for approval. The use and installation of signs and line marking must be in accordance with all relevant standards, including Council standard drawings, Department of Transport Victoria, Australian Standards and AustRoads.

**Vehicle crossing removal**

23. All disused or redundant vehicle crossings must be removed, and the area reinstated (including any footpath, kerb or channel), to the satisfaction of the Responsible Authority.

**Loading/unloading**

24. The loading and unloading of goods from vehicles must only be carried out on the land and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

**Hours of Operation**

25. Except with the further written consent of the Responsible authority, the use must operate:
- a) Core operating hours 9am to 5.00pm Monday to Friday.
  - b) Occasional evening group sessions Monday to Friday between 5pm to 9pm and Saturday and Sunday
  - c) Provision of a time delay between the scheduling of group sessions to enable participants of a session to leave the site prior to participants of a subsequent session arriving.

**Expiry**

26. In accordance with the Planning and Environment Act 1987 this permit will expire if:
- d) The development does not start within 2 years of the date of this permit;  
or
  - e) The development is not completed within 4 years of the date of this permit  
and / or
  - f) The use is not commenced within two years of the completion of the development and/or
  - g) The approved use ceases for more than two years.

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.

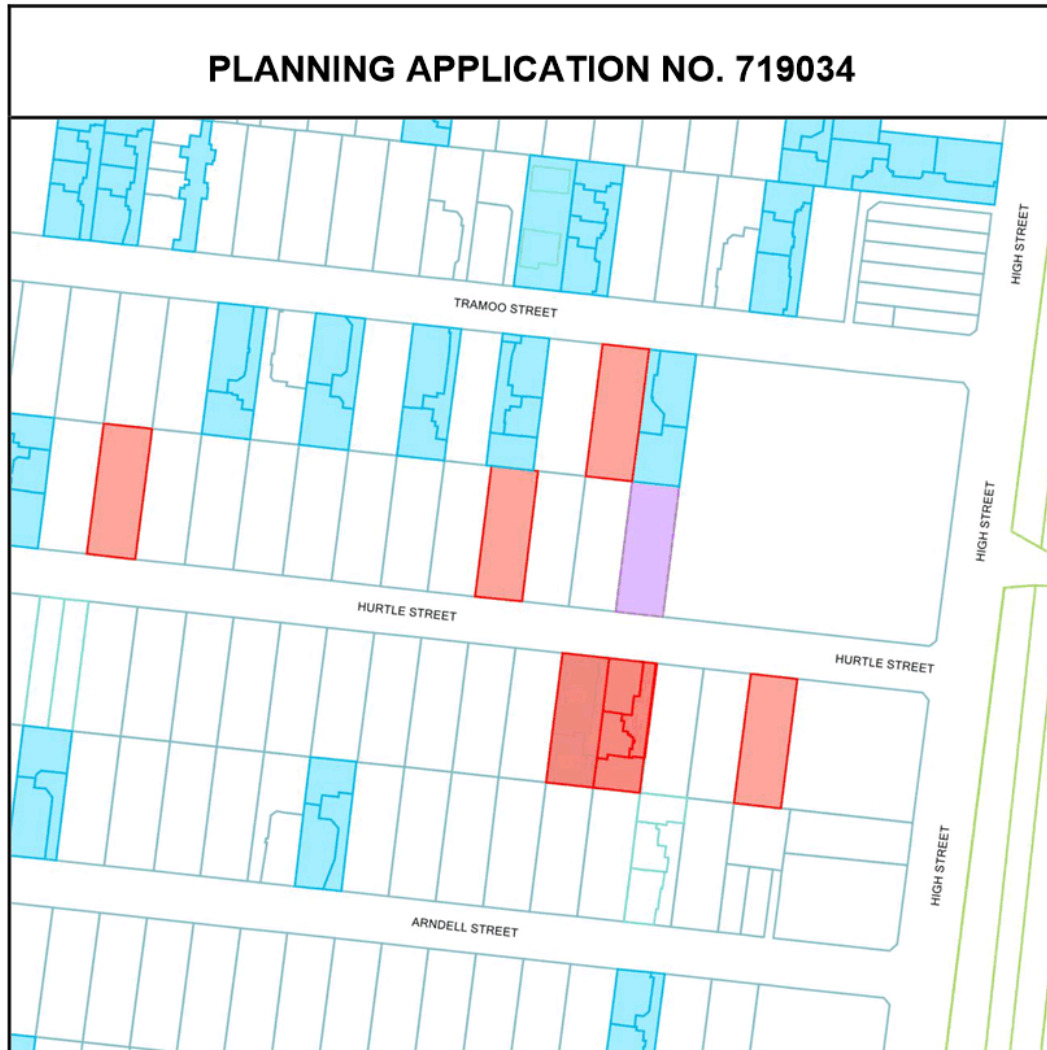
**COUNCIL RESOLUTION**

**MOVED:** *Administrator Eddy*  
**SECONDED:** *Chairperson Wilson*


THAT Council resolve to adopt the Recommendation.

**CARRIED**

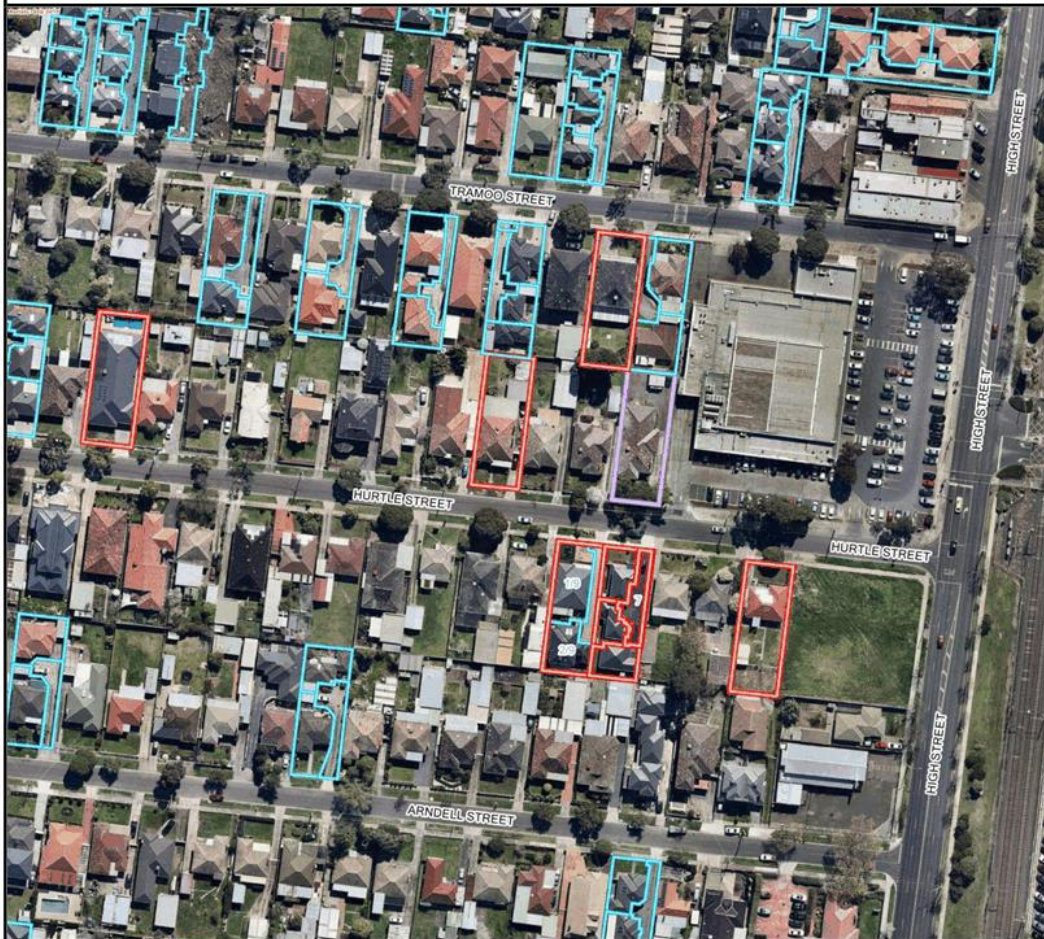




-  Subject Land
-  Objector
-  Medium Density Housing

 **City of Whittlesea** **BUILDING & PLANNING REPORT**

**PLANNING APPLICATION NO. 719034**



-  Subject Land
-  Objector
-  Medium Density Housing



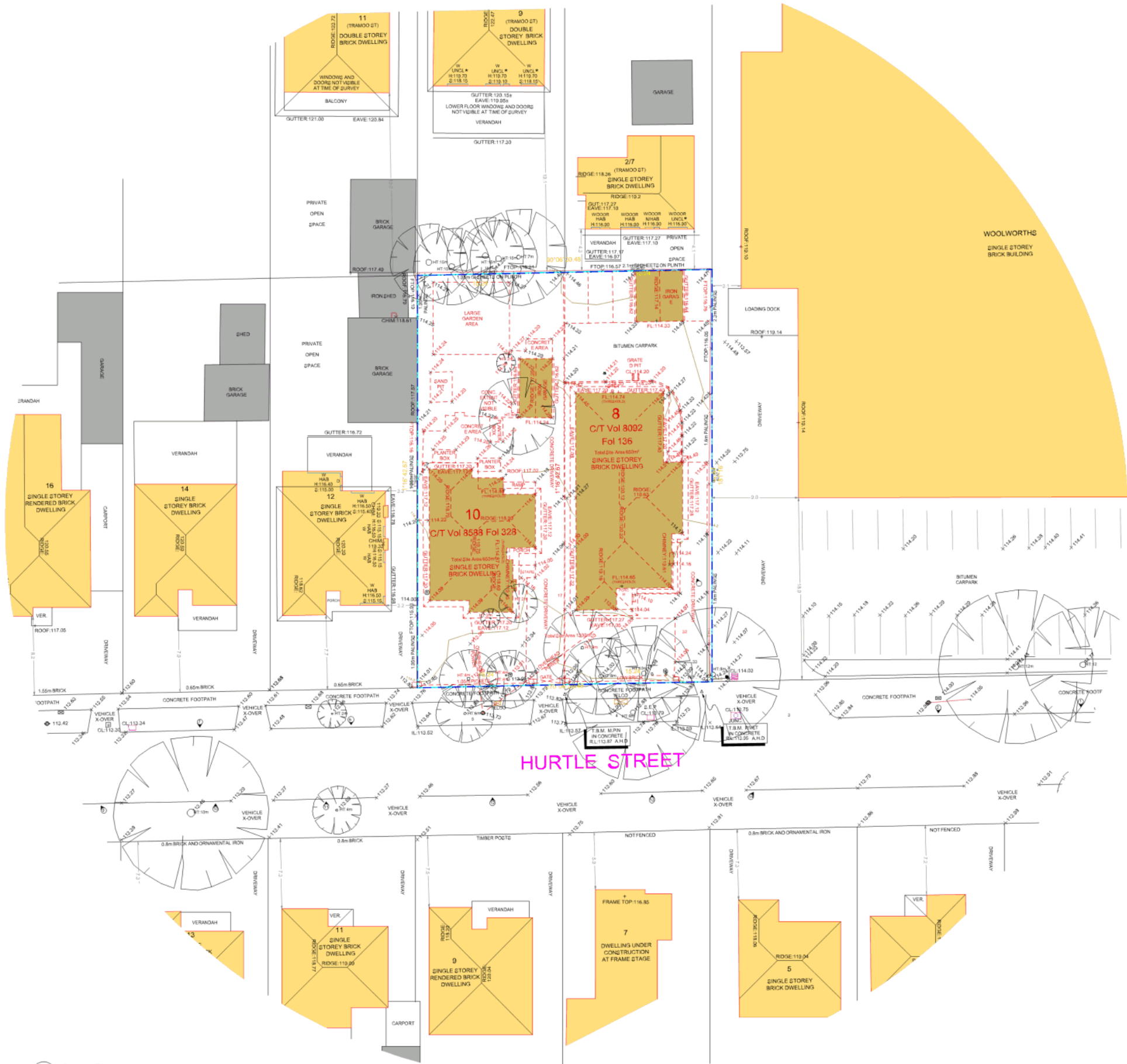
City of Whittlesea

**BUILDING & PLANNING REPORT**



AREA SUMMARY	
Site Area	1200.4m <sup>2</sup>
Basement Floor Area	656.2m <sup>2</sup>
Ground Floor Area	764.8m <sup>2</sup>
Site Coverage	61.4% (739m <sup>2</sup> )
Permeable Area	18.81% (224.7m <sup>2</sup> )
Garden Area	24.2% (296.1m <sup>2</sup> )
Car Parking	20 (8 Visions)

ARBORIST REPORT	
The site has a Vegetation Protection Overlay. A Report has been provided with tree protection zones.	
<b>T1-Honey Myrtle</b>	<b>Retain Tree</b>
TPZ radius	2m
Size (hed)	3x2m
TPZ radius encroachment	-
<b>T2-Red Ironbark</b>	<b>Retain</b>
TPZ radius	0.2m
Size (hed)	10x7m
TPZ radius encroachment	-
<b>T3-Sweet Pittosporum</b>	<b>Remove</b>
TPZ radius	4.2m
Size (hed)	6x5m
TPZ radius encroachment	-
<b>T4-Red Bottlebrush</b>	<b>Neighbours Tree</b>
TPZ radius	2m
Size (hed)	5x5m
TPZ radius encroachment	-
<b>T5-Weeping Bottlebrush</b>	<b>Retain</b>
TPZ radius	2m
Size (hed)	5x5m
TPZ radius encroachment	-
<b>T6-Brandy Honey Myrtle</b>	<b>Retain</b>
TPZ radius	2m
Size (hed)	5x5m
TPZ radius encroachment	-
<b>T7-Yellow Gums</b>	<b>Retain</b>
TPZ radius	2.5m
Size (hed)	9x5m
TPZ radius encroachment	-
<b>T8-Gum</b>	<b>Retain</b>
TPZ radius	2.4m
Size (hed)	9x5m
TPZ radius encroachment	-
<b>T9-Edible Pear</b>	<b>Remove</b>
TPZ radius	3.5m
Size (hed)	6x7m
TPZ radius encroachment	-
<b>T10-Flowering Pear</b>	<b>Neighbours Tree</b>
TPZ radius	2m
Size (hed)	4x1m
TPZ radius encroachment	-
<b>T11-Eucalyptus</b>	<b>Remove</b>
TPZ radius	2m
Size (hed)	4x4m
TPZ radius encroachment	-
<b>T12-Oleander</b>	<b>Remove</b>
TPZ radius	2.4m
Size (hed)	5x5m
TPZ radius encroachment	-



Survey Plan  
Scale: 1:200

1. INTENT: To show the location of the proposed development and the location of the existing buildings and structures on the site.

2. SCALE: 1:200

3. DATE: 12/09/20

4. DRAWN BY: [Signature]

5. CHECKED BY: [Signature]

6. PROJECT: 8 & 10 Hurtle Street, Lalor

7. CLIENT: Anglicare Victoria

8. DRAWING TITLE: Existing Conditions / Survey

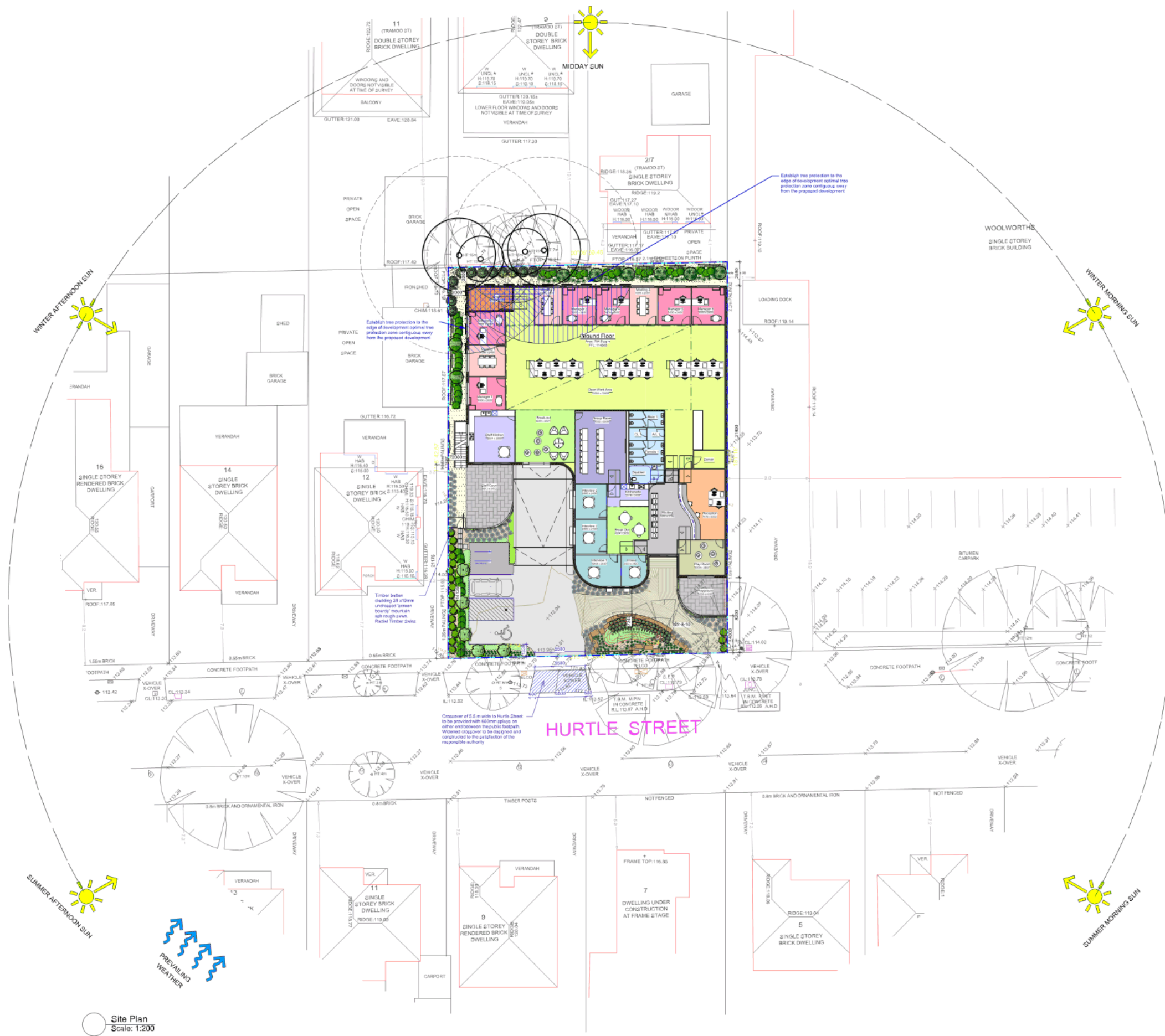
9. DRAWING NUMBER: TP01

App. Date	Drawn	Checked
Jan 2013	93, HE	HE
Scale 8: A1	93, HE	HE
1:200		
North	93, HE	HE
Scale	93, HE	HE
Scale	93, HE	HE

Town Planning  
Drawing Station

AREA SUMMARY	
Site Area	1200.4m <sup>2</sup>
Basement Floor Area	659.2m <sup>2</sup>
Ground Floor Area	794.8m <sup>2</sup>
Site Coverage	61.4% (739m <sup>2</sup> )
Permeable Area	18.81% (244.7m <sup>2</sup> )
Garden Area	24.2% (296.1m <sup>2</sup> )
Car Parks	20 (8 Visitors)

ARBORIST REPORT	
This site has no Vegetation Protection Overlay. A Report has been provided with tree protection zones.	
<b>T1-Cupressus Torulosa@Hutan Cypress</b>	
TPZ radius	10.8m
Total Area of TPZ	209.9m <sup>2</sup>
Area of development incursion	82.7m <sup>2</sup>
Percentage of incursion	17.1m <sup>2</sup>
Comment	Major incursion
<b>T2-Cupressus Torulosa@Hutan Cypress</b>	
TPZ radius	0.9m
Total Area of TPZ	108.6m <sup>2</sup>
Area of development incursion	17.9m <sup>2</sup>
Percentage of incursion	16.1m <sup>2</sup>
Comment	Major incursion
<b>T3-Cupressus Torulosa@Hutan Cypress</b>	
TPZ radius	0.9m
Total Area of TPZ	108.6m <sup>2</sup>
Area of development incursion	18.0m <sup>2</sup>
Percentage of incursion	17.4m <sup>2</sup>
Comment	Major incursion
<b>T4-Cupressus Torulosa@Hutan Cypress</b>	
TPZ radius	N/A
Total Area of TPZ	N/A
Area of development incursion	N/A
Percentage of incursion	N/A
Comment	Dead tree
<b>T5-Cupressus Torulosa@Hutan Cypress</b>	
TPZ radius	10.2m
Total Area of TPZ	226.9m <sup>2</sup>
Area of development incursion	73.9m <sup>2</sup>
Percentage of incursion	24.3m <sup>2</sup>
Comment	Major incursion



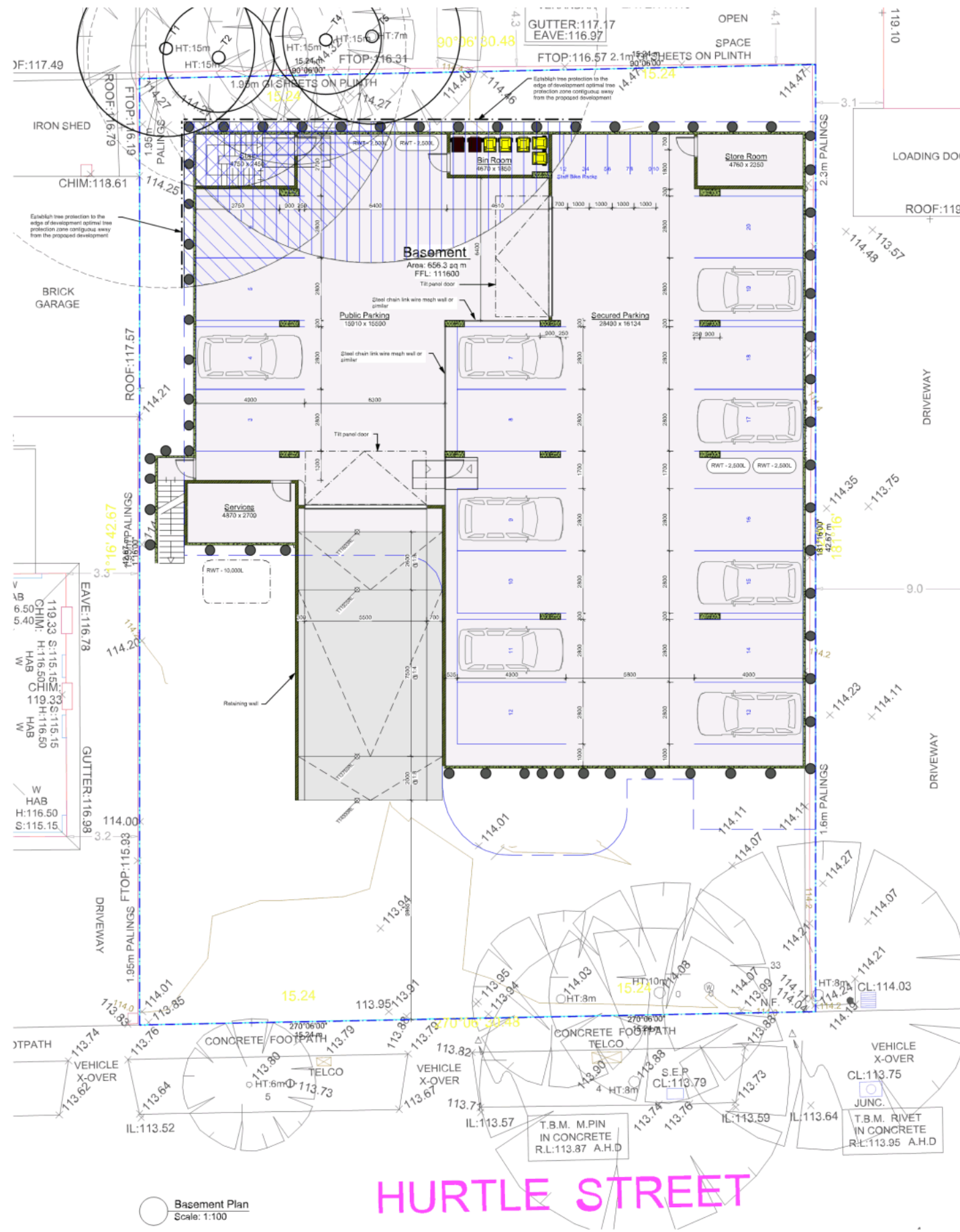
Site Plan Scale: 1:200

1. 10/11/21 Town Planning  
 2. 22/07/21 Issue for Beach Meeting  
**NO. 1012 - 1012**  
 Description:  
 This drawing is the copyright and intellectual property of the City of Lismore and is to be used only for the purposes specified. Refer to all Material, structural, Mechanical & Electrical specifications and notes.  
 The client shall remain responsible for the accuracy of the information provided and for obtaining all necessary approvals from the relevant authorities.  
 The client shall verify all dimensions on site.  
 The client shall verify all dimensions on site.  
 CLIENT:  
**Anglicare Victoria**  
 Address:  
**8 & 10 Hurtle Street  
 Lalor**  
 Project:  
**Anglicare - Lalor**  
 Drawing:  
**Design Response**  
 Drawing:  
  
 100 PLY LAR  
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Rev.	Date	Drawn	Checked
1	Jan 2013	VJ, HT	HT
2	11/09/21		

**Town Planning**  
 Drawing Station  

 TP02



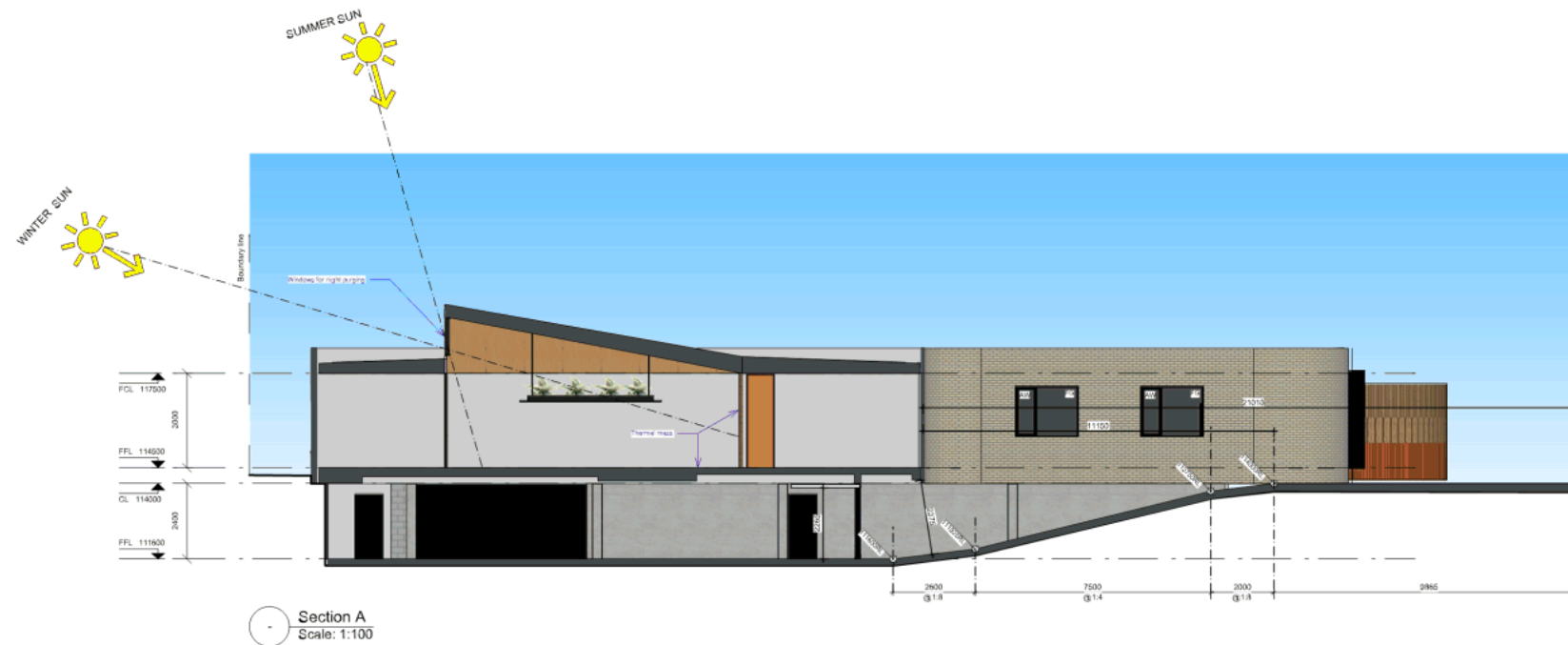
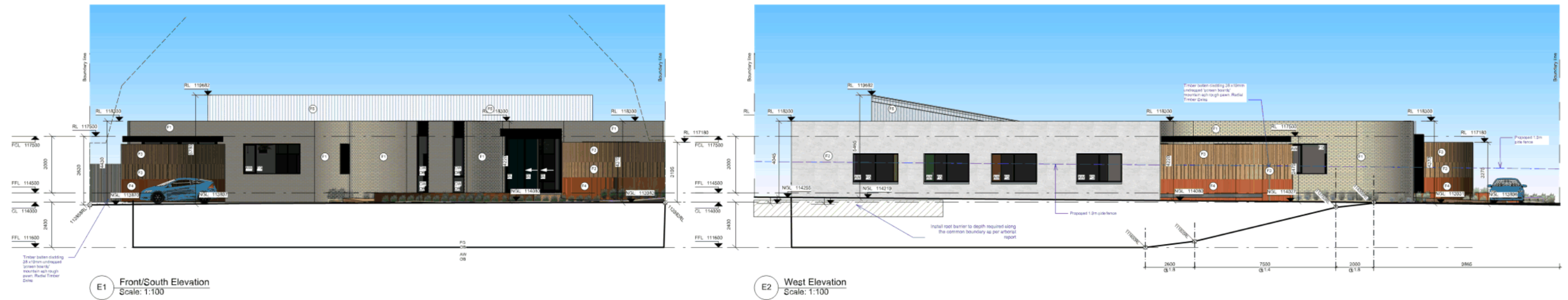
AREA SUMMARY	
Site Area	1300.4m <sup>2</sup>
Basement Floor Area	656.3m <sup>2</sup>
Ground Floor Area	764.8m <sup>2</sup>
Site Coverage	61.4% (799m <sup>2</sup> )
Permeable Area	18.81% (244.7m <sup>2</sup> )
Garden Area	24.2% (315.1m <sup>2</sup> )
Car Parks	20 (8 Visitors)

1. 18/12/19 Town Planning  
 2. 22/07/20 Issue for Beach Meeting  
 3. 18/08/20  
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 100. 18/08/20

Town Planning Drawing Station TP03







- Finishes Legend**
- ① Brick Veneer - Recycled (from site) brick
  - ② Concrete - Off form Concrete. Tie-up panel smooth finish
  - ③ Timber Battens - Radial Timber (unseasoned) screen boards' mountain ash rough sawn
  - ④ Roof Tiles - Recycled (from site) roof tiles stacked and mortared
  - ⑤ Metal Cladding - Colorbond 'Kiplark' - Surfmat

- Legend & Abbreviations**
- FG Fixed glass
  - SL Sliding window or door
  - AW Awning hung
  - OG Obscure Glass
  - CW Casement Window

18/03/21 Town Planning  
22/07/21 Issue for Beach Meeting

**REVISIONS**

01/08/2021  
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**Client**  
**Anglicare Victoria**

**Address**  
**8 & 10 Hurtle street  
Lalor**

**Project**  
**Anglicare - Lalor**

**Drawing**  
**Elevations**

100 Pty Ltd  
10/100 South Street  
Geelong VIC 3216  
Tel: 03 5218 5555  
Fax: 03 5218 5555

Rev.	Date	Drawn	Checked
1	Jan 2019	VJ,HE	HE

Scale: 0-30  
1:100

North

3.727

TP06

**Town Planning**  
Drawing Station



Streetscape  
Scale: 1:100



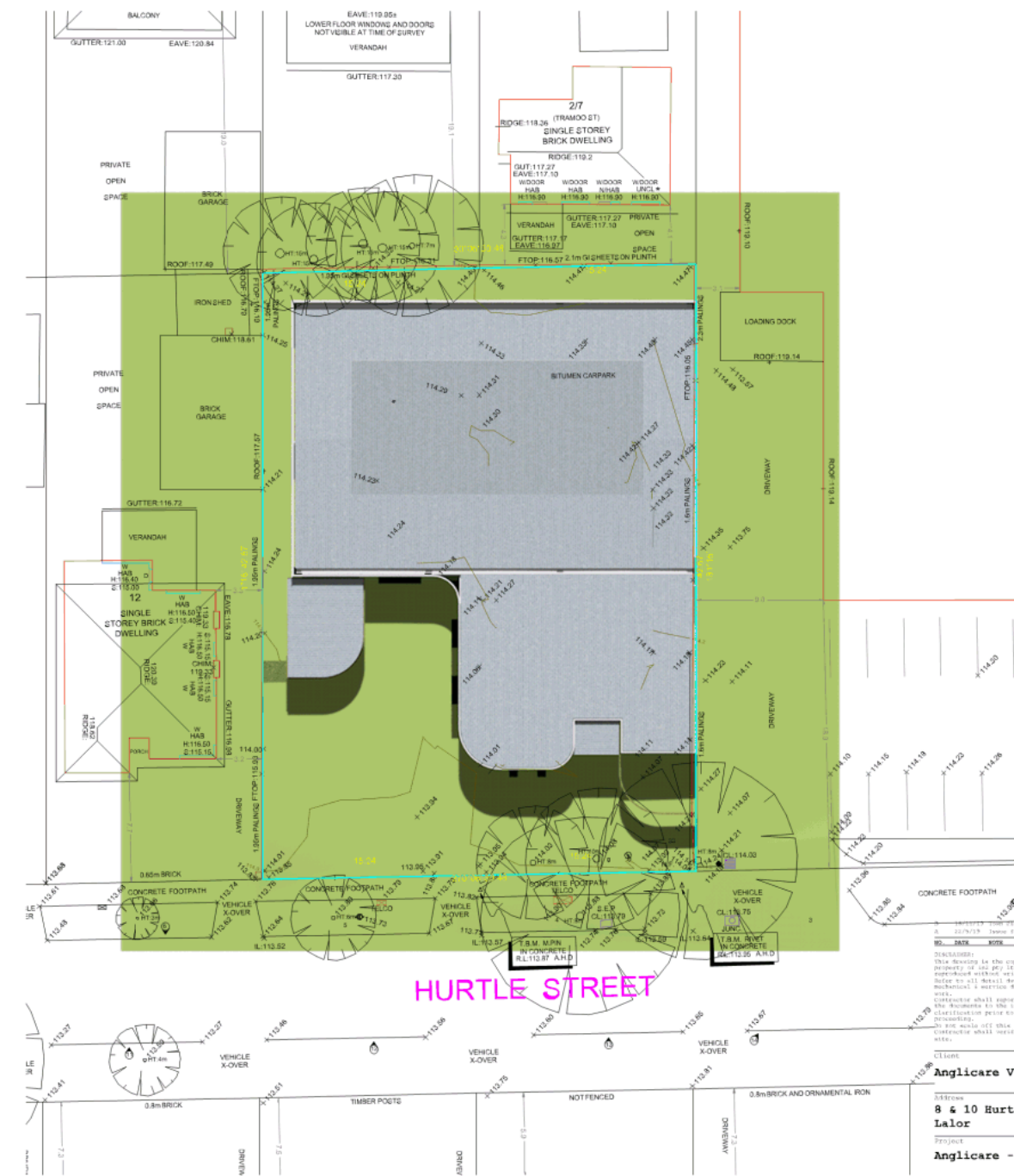
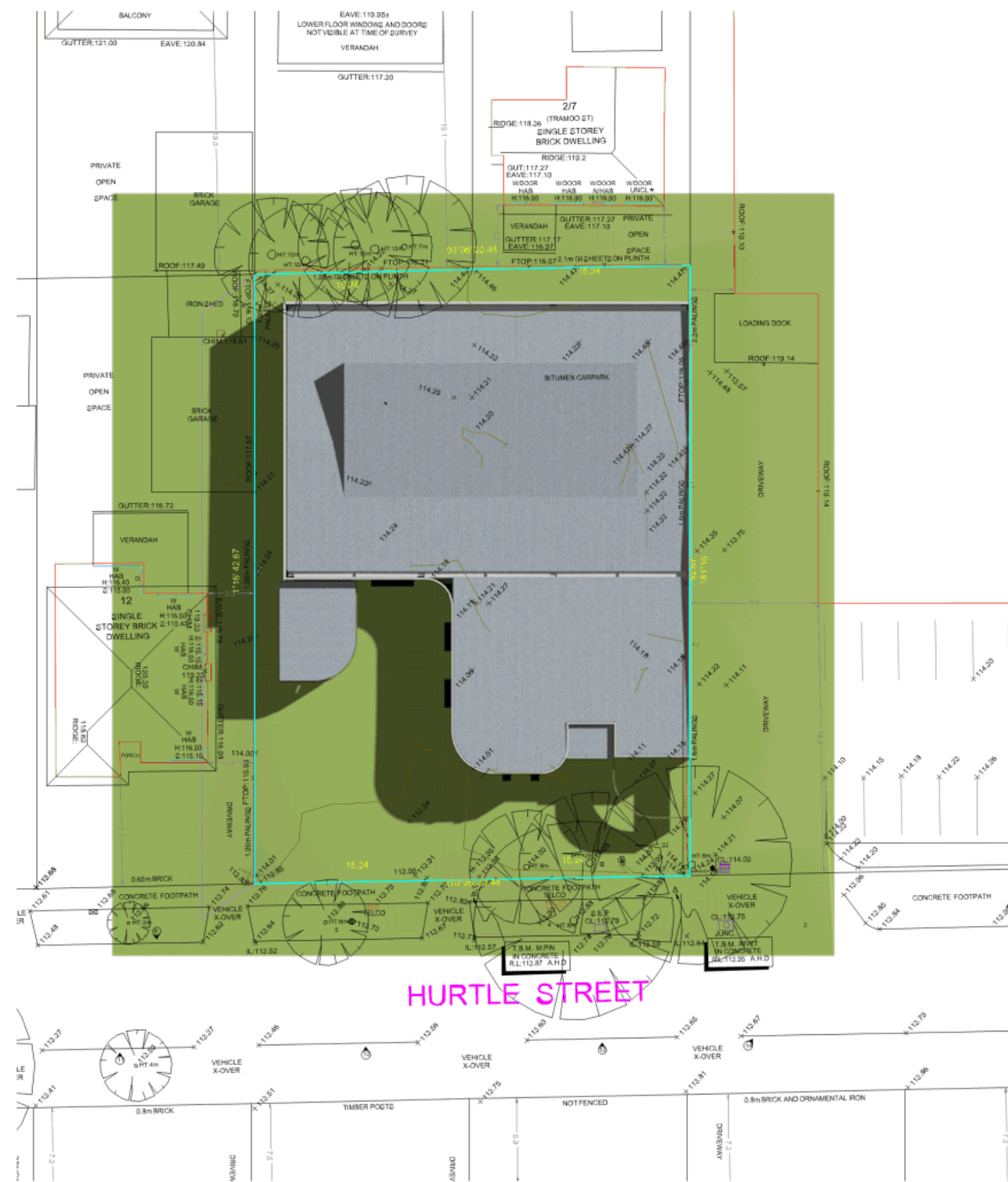
Perspective  
Scale: 1:110



Perspective  
Scale: 1:110

W 18/1/19 Town Planning  
 A 22/7/19 Issue for Beach Meeting  
 NO. 1000 1000  
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 HEREON.  
 ALL WORK SHALL BE DONE IN ACCORDANCE  
 WITH THE CURRENT BUILDING REGULATIONS  
 AND ALL APPLICABLE STANDARDS.  
 CLIENT  
**Anglicare Victoria**  
 ADDRESS  
**8 & 10 Hurtle street  
 Lalor**  
 PROJECT  
**Anglicare - Lalor**  
 DRAWING  
**Perspectives &  
 Streetscape**  
 PROJECT NO.  
**1000**  
 SHEET NO.  
**1000**  
 DATE  
**18/01/2019**  
 DRAWN BY  
**VJ,HP**  
 CHECKED BY  
**HP**  
 SCALE  
**1:110**  
 NORTH  
**1727**  
**B**  
**TP07**

Town Planning  
Drawing Station



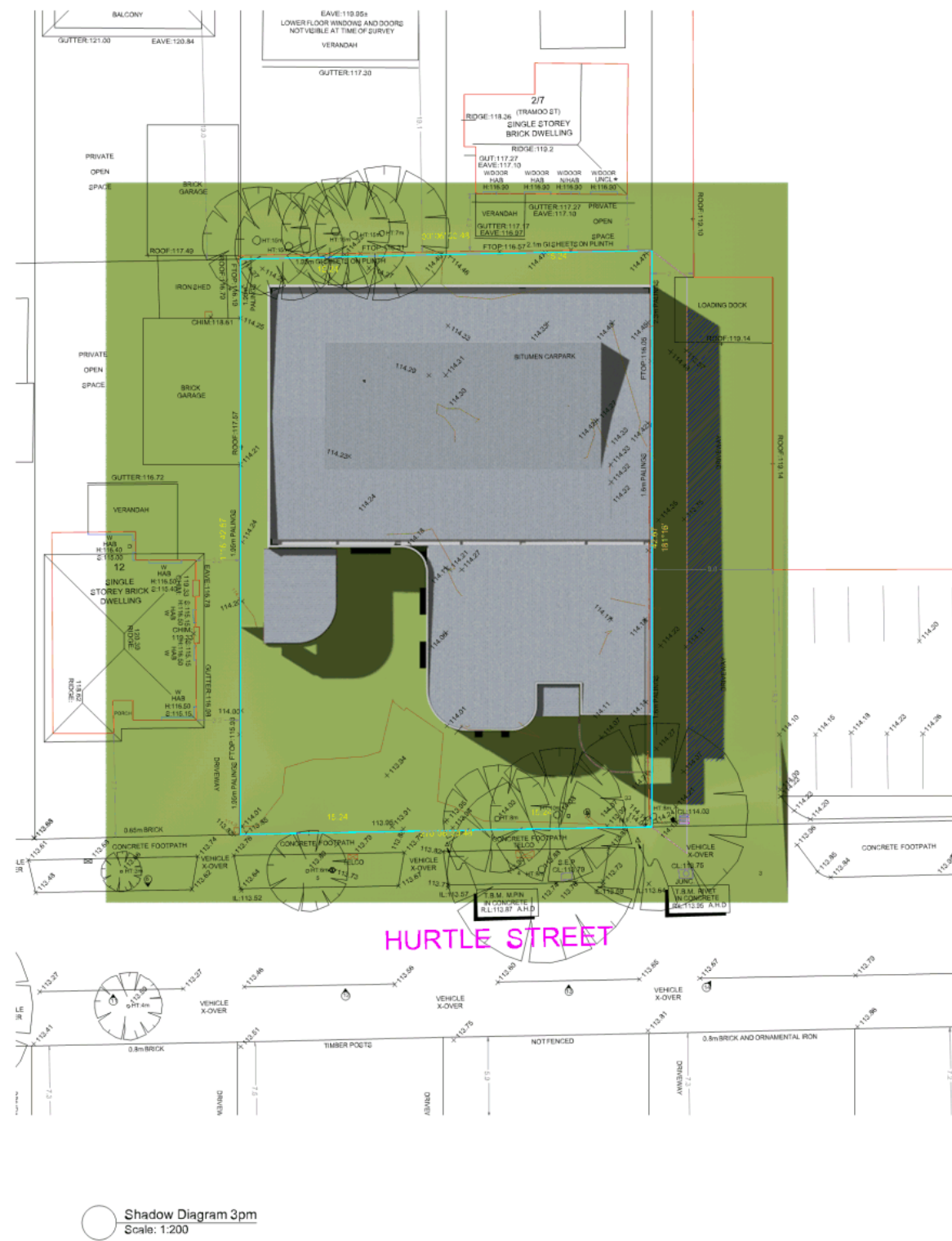
Client  
**Anglicare Victoria**  
 Address  
**8 & 10 Hurtle street  
 Lalor**  
 Project  
**Anglicare - Lalor**

Shading  
**Shadows**  
 100 Day 124  
 10/10/2021  
 10/10/2021  
 10/10/2021

Rev.	Date	Drawn	Checked
1	20/01/21	VJ/HT	HT

Town Planning  
 Drawing Station

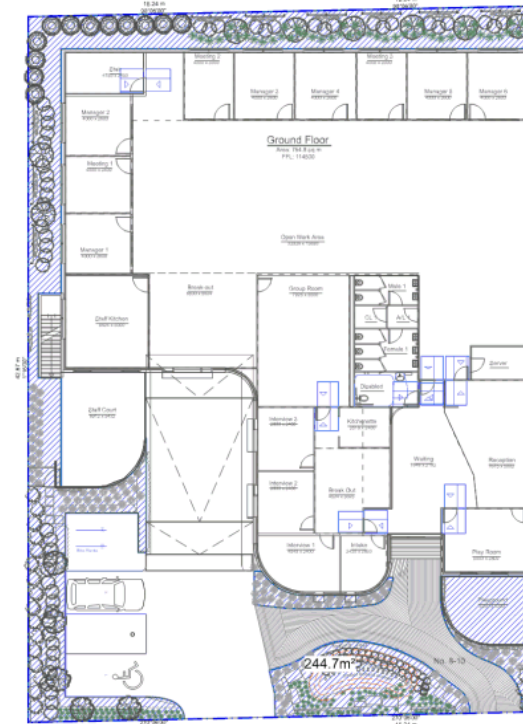




Shadow Diagram 3pm  
Scale: 1:200

**Shadow Diagram Legend**

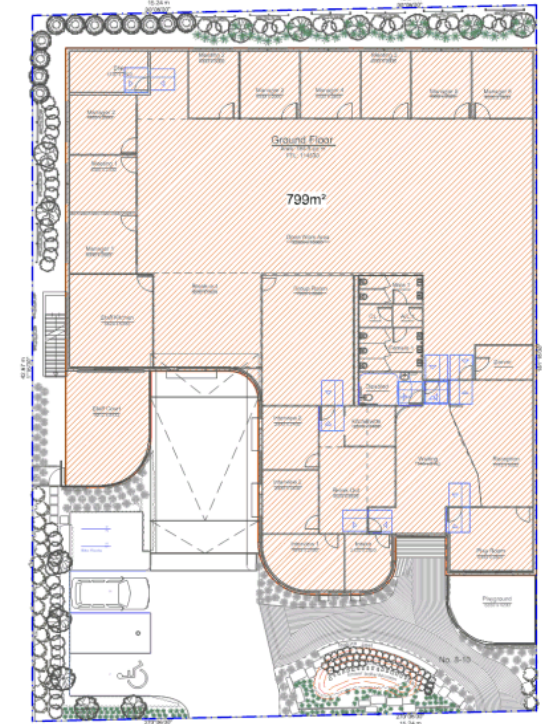
- ▬ Shadow cast by development
- ▬ Additional shadow cast by development
- ▬ Existing shadow cast by boundary fence



Permeable Area Plan  
Scale: 1:200

**Permeable Area Legend**

- ▬ Permeable Area



Site Coverage Area Plan  
Scale: 1:200

**Site Coverage Area Legend**

- ▬ Site coverage area



Garden Area Plan  
Scale: 1:200

**Garden Area Legend**

- ▬ Garden Area

AREA SUMMARY	
Site Area	1200.4m²
Basement Floor Area	656.2m²
Ground Floor Area	764.8m²
Site Coverage	61.4% (790m²)
Permeable Area	18.81% (244.7m²)
Garden Area	24.2% (316.1m²)
Car Parks	20 (8 Visitors)

18/12/19 Town Planning  
22/7/19 Issue for Beach Meeting  
22/7/19  
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CLIENT  
**Anglicare Victoria**  
Address  
**8 & 10 Hurtle street  
Lalor**  
Project  
**Anglicare - Lalor**

Drawing  
**Shadows/Area Plans**

300 Hwy 124  
Suite 1/100 South Street  
Geelong 3216  
VIC  
Tel: 03 5218 5554  
Fax: 03 5218 5555

Rev.	Date	Drawn	Checked
1	Jan 2019	VJ,HT	HT

Scale: 8: A1  
1:100

North  
3.727  
TP03

**Town Planning**  
Drawing Station



**ITEM 6.2.6 FOR DECISION - DRAFT DOMESTIC ANIMAL MANAGEMENT PLAN 2021-2025****Attachments:** 1 **Draft Domestic Animal Management Plan** [↓](#)**Responsible Officer:** **Director Planning & Development****Author:** **Manager Compliance & Environmental Health****RECOMMENDATION SUMMARY**

That Council resolve to:

1. Endorse the draft Domestic Animal Management Plan 2021-2025; and
2. Proceed to public exhibition from 8 September 2021 to 30 September 2021.

**BRIEF OVERVIEW**

Victorian councils are required to prepare and implement a Domestic Animal Management Plan (the Plan) every four years.

The Plan outlines proposed activities that enhance Council's management of dogs and cats, including responsible pet ownership; nuisance complaints; overpopulation; reduction of euthanasia rates; animal registration and microchipping; managing dangerous, menacing and restricted breed dogs; and monitoring domestic animal businesses.

The public exhibition period aims to confirm feedback already received and capture any items that were missed during the first two stages of community engagement. All feedback will be considered and, where possible, incorporated into the final version of the Plan.

**RATIONALE FOR RECOMMENDATION**

The draft Domestic Animal Management Plan 2021-2025 has been developed using community input obtained through community engagement activities held between March and May 2021.

Endorsing the draft plan will enable a final round of obtaining community feedback to ensure Council has captured community needs in relation to animal management.

**IMPACTS OF RECOMMENDATION**

Community members have opposing views on some of the proposals in the draft Plan and these will need to be managed depending on the outcome following public exhibition.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

Key messages and where appropriate, a communications plan, may be required if any items arising from the final Plan are those with opposing community views.

**REPORT****BACKGROUND**

The *Domestic Animals Act* 1994 requires Victorian councils to prepare and implement a Domestic Animal Management Plan (the Plan) every four years.

Domestic Animal Management Plans outline proposed activities that enhance Council's management of dogs and cats, including responsible pet ownership; nuisance complaints such as noise, trespassing and faeces; overpopulation; reduction of euthanasia rates; animal registration and microchipping; managing dangerous, menacing and restricted breed dogs; and monitoring domestic animal businesses.

The draft Plan has been developed alongside our Epping Animal Welfare Facility partners, the City of Darebin and Moreland City Council. All councils are required to use the same prescribed report template.

Community and stakeholder feedback was sought from March to May 2021 and has informed the actions in the draft Plan.

The existing Domestic Animal Management Plan 2017-2021 expires in December 2021.

**PROPOSAL**

The draft Domestic Animal Management Plan 2021-2025 is being presented to Council for endorsement to proceed to public exhibition from 8 September 2021 to 30 September 2021.

The City of Whittlesea is home to 18,321 registered dogs and 6,798 registered cats, although the actual number of dogs and cats is predicted to be much higher when unregistered and unowned animals are taken into account.

The benefits of pet ownership are wide-reaching, including having proven benefits on people's health and wellbeing by encouraging physical activity and providing companionship.

These benefits must be balanced with ensuring animals and humans can live together in our community safely and harmoniously. Council has a crucial (and legislated) role to play to support our community to maintain this balance.

The draft Plan outlines how Council proposes to achieve this and includes planned activities that are designed to:

- Encourage responsible dog and cat ownership;
- Improve outcomes for impounded animals, including reuniting pets with their owners and rehoming suitable unclaimed animals;
- Address overpopulation and high euthanasia rates, with a particular focus on the high proportion of unowned cats living in the municipality;
- Reduce public nuisance and environmental issues caused by dogs and cats such as excessive barking, harming wildlife, roaming and faeces in public places;
- Ensure Animal Management Officers are trained in contemporary animal management practices;
- Effectively manage dangerous, menacing and restricted breed dogs to minimise danger to the community;
- Minimise the risk of dog attacks on people and animals; and
- Ensure that all Domestic Animal Businesses maintain the highest standards of animal welfare and are compliant with legislative requirements.

## CONSULTATION

The first two stages of community engagement were conducted between March and May 2021, which included an online community survey, nine community place-based pop-ups in the City of Whittlesea and 10 phone interviews with key stakeholders.

Additional community pop-ups were conducted in the Darebin and Moreland municipalities.

A total of 3,049 contributions were received across the three Council areas from approximately 1,624 people who live, work or visit the Cities of Whittlesea, Darebin and Moreland.

There were:

- 1,255 surveys completed (486 from the City of Whittlesea)
- Approximately 369 participants engaged at pop-ups (281 from the City of Whittlesea)
- 10 key stakeholder interviews conducted.

This feedback has been used to inform the draft Domestic Animal Management Plan 2021-2025.

### Proposed Community Engagement on draft Plan

It is proposed to place the draft Plan on public exhibition for feedback from 8 September 2021 to 30 September 2021.

In addition to making the draft Plan available on Council's engagement portal and calling for submissions through Council's social media channels, Council will be contacting community members and key stakeholders who participated in the first two stages of community engagement to advise of the draft Plan and invite them to provide a submission.

Feedback received through the public exhibition period will be considered and where possible, included in the Plan, which will return to Council for consideration and adoption in November 2021.

## CRITICAL DATES

- March to May 2021 – two stages of community engagement were undertaken.
- June to August 2021 – a draft Domestic Animal Management Plan 2021-2025 was developed.
- 8 September 2021 to 30 September 2021 – public exhibition period to seek final community feedback on the draft Domestic Animal Management Plan 2021-2025.
- October 2021 – community feedback is considered and used to update the draft Plan.
- November 2021 – Council considers the Domestic Animal Management Plan for adoption.
- December 2021 – Council provides the Secretary with a copy of the final Domestic Animal Management Plan.

## FINANCIAL IMPLICATIONS

The City of Whittlesea has contributed \$22,000 towards community engagement to inform the draft Plan. This represents one third of the total project cost of \$66,000, with the remainder being shared amongst Moreland and Darebin Councils.

Various initiatives within the draft Plan will require a budget allocation. These will be determined once the Domestic Animal Management Plan is finalised after community consultation.

## **POLICY STRATEGY AND LEGISLATION**

Section 68A of the *Domestic Animals Act* 1994 requires all Victorian councils to prepare and deliver a Domestic Animal Management Plan every four years.

### **LINK TO STRATEGIC RISKS**

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

The *Domestic Animals Act* 1994 requires Victorian councils to prepare a Domestic Animal Management Plan every four years.

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

Undertaking public exhibition of the draft Plan will ensure that community needs and attitudes are understood and used to inform Council's animal management activities over the next four years.

### **LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

<b>Goal</b>	<b>Connected community</b>
<b>Key Direction</b>	<b>A healthy and safe community</b>

The draft Plan supports Whittlesea 2040 and the Council Plan goals of 'Connected Community' and 'A Healthy and Safe Community'. It is through effective management of nuisance and safety issues that community safety is maintained at home and in public places.

### **DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

### **CONCLUSION**

The draft Domestic Animal Management Plan 2021-2025 establishes the key priorities and actions relating to animal management over the next four years.

By working in partnership with the City of Darebin and Moreland City Council, the City of Whittlesea has produced a quality, industry-leading and well-informed draft Plan that will benefit our community and the animals who call the City of Whittlesea home.

This final round of obtaining community feedback will ensure that Council has adequately responded to animal management issues that are important to our community.

**RECOMMENDATION**

THAT Council resolve to:

1. Endorse the draft Domestic Animal Management Plan 2021-2025; and
2. Proceed to public exhibition of the draft Plan from 8 September 2021 to 30 September 2021.

**Chief Executive Officer Explanatory Note**

While presenting this item to Council, Ms Debbie Blandford, Manager Compliance and Environmental Health advised that an amendment to table 9 on page 18 of the Draft Domestic Animal Management Plan 2021 – 2025 had been made to reflect the cat euthanasia figure for 2021/21 as 489. To incorporate this amendment Ms Debbie Blandford presented an amended Recommendation.

**AMENDED RECOMMENDATION**

THAT Council resolve to:

1. Endorse the draft Domestic Animal Management Plan 2021-2025, with an amendment to table 9 on page 18 to reflect the cat euthanasia figure for 2020/21 as 489; and
2. Proceed to public exhibition of the draft Plan from 8 September 2021 to 30 September 2021

**COUNCIL RESOLUTION**

**MOVED:** *Chairperson Wilson*  
**SECONDED:** *Administrator Eddy*

THAT Council resolve to adopt the amended Recommendation.

**CARRIED**







# Draft Domestic Animal Management Plan 2021-2025

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## 1. Introduction & Context

### 1.1 Purpose of Domestic Animal Management Plan

The Domestic Animals Act 1994 (the Act) requires councils in Victoria to develop a domestic animal management plan (DAMP), every four years. The DAMP must outline Council services, programs and policies established to address the administration of the Act, and Council's management of cat and dog issues in their community. Councils must review their DAMPs annually and publish an evaluation of the implementation of the past year's actions in their Annual Report.

DAMPs should cover the following issues:

- Ensure that people comply with the Act, the regulations and any related legislation
- Minimise the risk of attacks by dogs on people and animals
- Address any overpopulation and high euthanasia rates for cats and dogs
- Encourage the registration and identification of cats and dogs
- Minimise the potential for cats and dogs to create a nuisance
- Effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and ensure that those dogs are kept in compliance with this Act and the regulation
- Provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of cats and dogs in the municipal district are desirable
- Provide for the review of any other matters related to the management of cats and dogs in the Council's municipal district that it thinks necessary
- Provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.

The benefits of pet ownership for people's health and wellbeing are well established. Whilst Domestic Animal Management Plans are concerned primarily with the management of cats and dogs within the community, it is important to note that pet ownership has a range of positive outcomes for the ongoing physical and mental health of community members, including:

- Preventing loneliness
- Motivating people to exercise regularly
- Creating opportunities to meet people and make new friends
- Teaching responsibility, as pets require ongoing care.

Pets are often viewed as extended members of the family and can provide great companionship, affection and joy.



## 1.2 Process applied in developing the plan

The City of Whittlesea’s DAMP was developed through a sector-leading approach in partnership with neighbouring Councils Darebin and Moreland.

An inter-organisational working group was developed to encourage partnerships and lead best-practice. The development of the DAMP was driven by the working group through four specific stages.

### Stage 1: Background research and analysis

A detailed background report was developed which outlined an overview of the local government area; relevant state and local policies; an analysis of Council’s current DAMP; emerging issues in domestic animal management; internal staff consultation and current animal management statistics.

### Stage 2: Community consultation

A detailed community engagement program was delivered to encourage the community to have their say on domestic animal management issues.

Approximately 1,624 people who live, work or visit the Cities of Darebin, Moreland and Whittlesea provided feedback.

Feedback was gathered through three methods:

- A detailed online survey which was available through a dedicated project webpage;
- Community pop-ups held at key venues and locations across the local government areas; and
- Telephone interviews conducted with key stakeholders.

Online Survey	12 Community Pop-ups	Key Stakeholder Interviews
1255 surveys completed	369 participants	
1763 unique comments received	1286 unique comments received	10 key stakeholders interviewed

The feedback received from community members has been used to inform the priorities and actions outlined in the DAMP. A full engagement report which outlines the community feedback is also available, the key themes found across the engagement program are outlined in Table 1.



Table 1: Key themes across the engagement program

DAMP Theme	Key sub-theme
<b>Responsible pet ownership</b>	<ul style="list-style-type: none"> <li>Improving owner behaviours and control of animals</li> <li>Increasing community education and training</li> </ul>
<b>Dog attacks</b>	<ul style="list-style-type: none"> <li>Improving safety at dog parks</li> </ul>
<b>Overpopulation of cats and dogs</b>	<ul style="list-style-type: none"> <li>Increasing cat desexing</li> <li>Introducing cat trap, neuter, release program</li> <li>Reducing stray cats</li> </ul>
<b>Registration and identification of cats and dogs</b>	<ul style="list-style-type: none"> <li>Reducing registration fees</li> <li>Providing free/reduced microchipping</li> <li>Reviewing the ease of registering a pet</li> <li>Allowing vets and Council to check pet's microchip before taking animal to the pound</li> </ul>
<b>Protection from nuisance</b>	<ul style="list-style-type: none"> <li>Addressing dog poo in public places</li> <li>Addressing cat poo in private properties</li> <li>Addressing excessive noise from dog barking and cats fighting</li> <li>Increasing the provision of dog poo bags and bins</li> <li>Addressing stray cats to protect wildlife</li> <li>Enforcing cat curfews</li> </ul>
<b>Dangerous and restricted dogs</b>	<ul style="list-style-type: none"> <li>Improving signage</li> <li>Addressing aggressive dogs in off-leash parks</li> <li>Addressing specific needs of greyhound dogs</li> </ul>
<b>Review of Council services</b>	<ul style="list-style-type: none"> <li>Improving/increasing relevant signage</li> <li>Increasing patrols and visibility</li> <li>Increasing community education</li> <li>Increasing dog off/on-leash areas</li> <li>Improving safety of Council parks</li> <li>Improving fencing for animals</li> <li>Increasing fines for people doing the wrong thing</li> <li>Reviewing customer service practices of Epping pound in regard to euthanasia</li> </ul>
<b>Training for authorised officers</b>	<ul style="list-style-type: none"> <li>Providing training to encourage positive interactions with the community</li> </ul>



### Stage 3: Joint council planning

Relevant Council officers from the Cities of Darebin, Moreland and Whittlesea participated in a joint Council planning session to analyse the community feedback, determine appropriate actions for the respective DAMPs and identify opportunities for partnership and cost-savings.

### Stage 4: Public exhibition

*Note: this section will be completed following the current public exhibition period.*

## 1.3 Demographic Profile of Council

The City of Whittlesea is located in Melbourne's north, about 20km from the Central Business District (CBD). It is one of the largest municipalities in metropolitan Melbourne, covering an area of approximately 489 square kilometres.

About 70 per cent of the City is rural area, with the other 30 per cent being urban area, comprising houses, shops and factories.

Urban areas include:

- Bundoora (part)
- Doreen (part)
- Epping
- Epping North
- Lalor
- Mernda
- Mill Park
- South Morang
- Thomastown
- Whittlesea Township

Rural areas include:

- Beveridge (part)
- Donnybrook
- Eden Park
- Humevale
- Kinglake West
- Wollert
- Woodstock
- Yan Yean (part)

The City of Whittlesea is one of the fastest growing municipalities in Australia. The estimated population for 2020 is 236,539. This is expected to grow to 388,417 by 2041.

The community is slightly younger than average, with the largest age group being 30-34 years (9.1%), compared to (8.25) throughout Greater Melbourne.

The City of Whittlesea is one of the most multicultural municipalities in Victoria. In 2016, almost half of all local residents (over 86,000 residents) spoke a language other than English at home. The most common languages, other than English are Macedonian, Arabic, Italian, Greek and Punjabi. The Aboriginal and Torres Strait

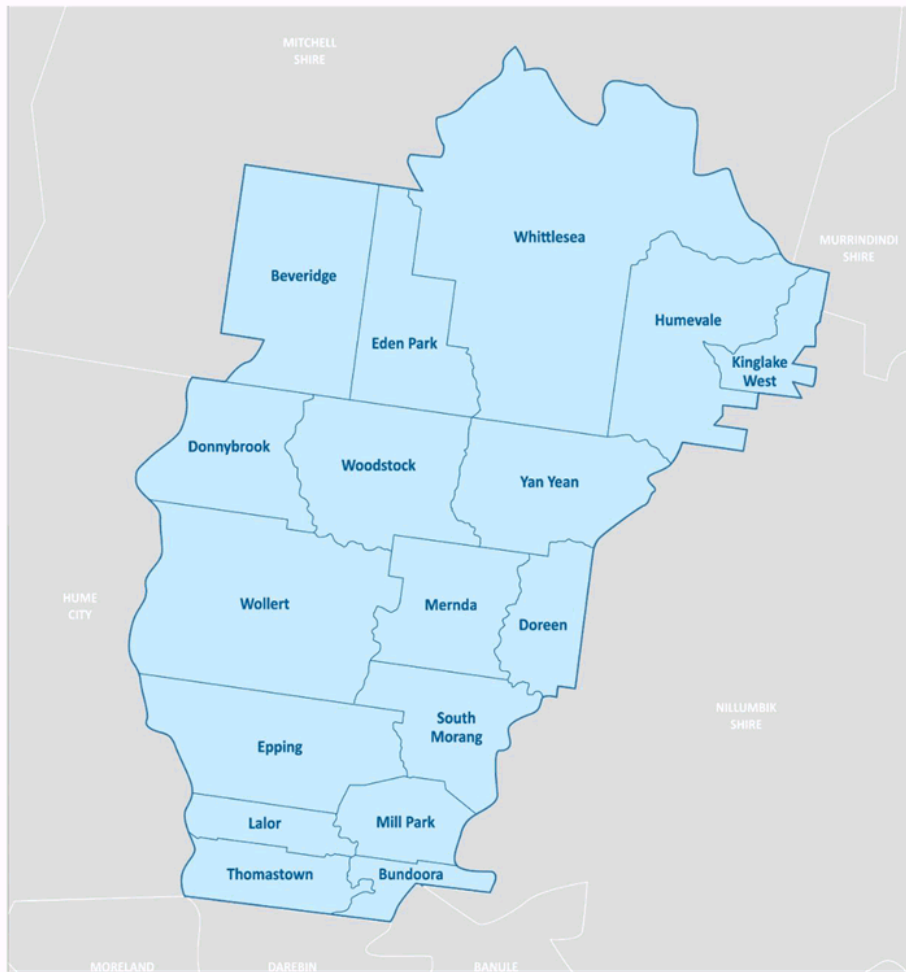
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Islander population is around 1,638 people or 0.7%, higher than Greater Melbourne average (0.5%).

**Figure 1: Map of City of Whittlesea Municipality**



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## 1.4 Context and current situation

### Animal Management Services

The Animal Management Unit provides a broad range of services to ensure Council meets its legislative responsibilities regarding the management of domestic animals within the municipality. The unit is also responsible for ensuring the needs of the wider community are reflected through Council's domestic animal management policies, procedures and practices.

Council's domestic animal services include:

- Providing advice to the community on domestic animal matters and promoting responsible pet ownership
- Investigating of nuisance animal complaints and dog attacks
- Attending to customer complaints
- Managing Council's domestic animal collection and pound services contracts
- Maintaining a domestic animal register and undertaking registration checks
- Impounding wandering, unwanted or unowned cats and dogs
- Providing administration and control of dangerous, menacing and restricted breed dogs
- Providing an after-hours emergency service
- Registering and inspecting domestic animal businesses
- Providing administration and inspection of excess animal permits.

## 1.5 Domestic Animal Statistics

A high level summary of the current population and service numbers for domestic animals in the City of Whittlesea is outlined in Table 2.

**Table 2: Current population and service numbers for domestic animals**

<i>Program/Service:</i>	<i>Service Level:</i>
Identification & Registration	18,321 dogs 6,798 cats
Identification & Registration- doorknock campaigns	Renewal doorknocks are done from June - August where required, other doorknocks when time allows.
Domestic animal complaints	General complaints are generally acted on within 3 business days.
Dangerous Dogs complaints	Dogs acting aggressively or that have attacked are acted on within 1 hour
Routine street patrols	Aim for 20 (30 Min) patrols per week between all staff.





Epping Animal Welfare Facility	Monday, Wednesday, Friday 11am - 7pm Tuesday and Thursday 7am - 3pm Saturday and Sunday 9am - 4pm
Animals impounded	2,457 in 2020/21
Animals seized or surrendered	13 dogs seized in 2020/21 due to dog attacks.
Animals surrendered	77 dogs and 77 cats were surrendered in 2020/21
Animals reclaimed	658 in 2020/21
Animals rehomed	1133 in 2020/21
Animals euthanised	556 in 2020/21
Declared dogs	5 declared Dangerous Dogs 7 declared Menacing Dogs 4 Guard Dogs
Registered domestic animal businesses	11 in total 5 pet shops, 3 dog training facilities, 1 boarding establishment, 1 animal shelter and 1 pet day care.
Microchipping and/or desexing programs	Lost Dogs Home Bus x3/year
After hours emergency service	Contained dogs up until 6pm, emergencies after this time (dog attacks, injured animal, livestock)

## 2. Training of Authorised Officers

In order to deliver animal services that meet the requirements of the Act, to the level that the community expects, it is crucial to ensure that all authorised officers are appropriately trained and have the opportunity to participate in a robust training program.

The community engagement program illustrated a growing community expectation that Council officers should be fostering partnerships, supporting community education initiatives and facilitating positive interactions with the community.



## 2.1 Context and current situation

Council's Animal Management Team has seven full-time animal management officers (AMOs), supported by a Team Leader and Administration Officer.

It is a requirement that all authorised officers have, at minimum, a Certificate IV in Government Statutory Compliance and Animal Control and Regulation or equivalent experience and undertake all Council required training programs, outlined in Table 3.

Each officer has an individual annual performance plan, which includes a section related to training and development. Plans are reviewed regularly, with training requirements and suggestions being updated at those times. Responsibility for ensuring that nominated training is completed is a shared responsibility for the individual officer and their supervisor.

**Table 3: Authorised Officer training status - completed and in progress**

Authorised Officer Training	No. Authorised Officers	
	Completed	In Progress
Certificate IV in Government Statutory Compliance & Animal Control and Regulation	3	1
Internal industry training – animal handling, animal assessment, statement taking, brief preparation, computer skills	7	
In-house training – management skills	1	
Customer service training – conflict resolution, telephone communication	5	
OH&S training – workplace safety	7	
OH&S training – Dog Bite Prevention Training	7	
Authorised Officer Training- Additional	Completed	In Progress
Firearms training - Prevention of Cruelty to Animals	1	
Bureau of Animal Welfare – training and information days	7	
Municipal Association of Victoria – training and information days	1	



## 2.2 Our Planned Training for Authorised Officers

The City of Whittlesea planned a thorough training program for authorised officers to ensure that they have the skills and knowledge necessary to meet the requirements of the Act and deliver service in a manner that the community expects.

Table 4 shows the planned training for 2021-2025 and the expected timeframe of each.

**Table 4: Planned training of Authorised Officers for the 2021-2025 period**

Planned Training (2021-2025)	Expected Timeframe
OH&S <ul style="list-style-type: none"> <li>● Dealing with aggressive customers</li> <li>● Working in remote areas</li> <li>● Defensive driving</li> </ul>	Every 2 years or as new staff commence
Industry Training <ul style="list-style-type: none"> <li>● Animal handling</li> <li>● Animal assessment</li> <li>● Prosecutions</li> <li>● Statement taking</li> <li>● Evidence gathering</li> </ul>	Every 2 years for animal management  As other training opportunities arise.
Restricted Breed Dog Identification	Every 2 Years (DEDJTR)
Council e-learning opportunities	As per Council requirements
Customer Service	As per Council requirements
Cert IV in Animal Control and Regulation	AMO staff are required to complete this course as part of their duties.
Cert IV in Local Government (Regulatory Services)	AMO staff are required to complete this course as part of their duties.



Investigations	As arises
Firearms Training	Every 3 months for authorised officers
Training on handling pets in emergency	As arises
Australian Institute of Animal Management	1 officer has membership, others as required
Management seminars/conference	As arises

### 2.3 Our Plan

**Table 5: Activities under Section 2 Objective 1**

<b>Objective 1: Ensure animal management officers have the skills necessary to support the community and effectively perform their regulatory role</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Partner with City of Darebin and Moreland City Council to roll out all training as outlined in Table 4, through joint training sessions.	July 2025	% of officers completed training % of trainings implemented
Explore opportunities for ongoing training in partnership with City of Darebin and Moreland City Council.	Ongoing	No. of training programs undertaken
Customer Service training to encourage positive interactions with community members.	Every 2 years	% of officers completed training
Maintain a training register for individual officers detailing completed and proposed training.	Annually	Review of training register
Investigate other available training courses (Animal Welfare Victoria, RSPCA seminars).	Annually	No. of additional training opportunities provided No. of staff
Explore a standardised Induction process with the City of Darebin and	July 2022	Induction process developed

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Moreland City Council and sharing an induction template.		
Partner with City of Darebin and Moreland City Council to develop an Animal Management Team Development Day	Annually	No. Animal Management Team Development Days delivered
Have a staff member undertake Mental Health First Aid training.	As opportunity arises	No. staff completed Mental Health First Aid training.

### 3. Programs to promote and encourage responsible pet ownership and compliance with legislation

Responsible pet ownership was a key theme that emerged from the community consultation. There was a strong desire from the community to address the attitude or behaviour of owners, welfare concerns for cat and dogs, veterinarian and pound practices and developing partnerships with community groups and advocacy groups.

#### 3.1 Context and Current Situation

Council provides information and advice to the community regarding responsible pet ownership and has a number of initiatives and programs in place to encourage responsible pet ownership. Some of the programs include:

- Educating the community about responsible pet ownership, including the benefits of desexing, registration and microchipping.
- Off-leash dog park location map
- A Lost Animals in the City of Whittlesea Facebook page to help reunite pets with their owners.
- Temporary accommodation of residents’ pets to support family violence victims or survivors in an emergency or crisis.

#### COVID-19 Impacts

COVID-19 has had significant impacts on the community, including animals. There has been an unprecedented demand to foster and adopt pets during stay at home orders.

With many community members adopting and acquiring puppies and obedience training and puppy classes not available, dogs have not undergone training and missed opportunities to socialise. Dogs may have not coped with the changes COVID-19 brought such as lack of socialisation, stress and disrupted routine resulting in



behavioural issues. This may lead to issues that will need to be addressed during the life of this Plan.

#### **Dog Off-leash Area Policy and Management Plan**

In 2016 Council adopted their Dog off-leash Area Policy and Management Plan to provide direction for the establishment and operation of off-leash areas within the Municipality. Council recognises off-leash areas as a valuable asset providing physical and mental health benefits to the community, both residents and dogs.

#### **Cat Curfew**

During the community consultation there were 144 mentions regarding the introduction of a cat curfew from City of Whittlesea participants, representing 8% of all feedback from residents.

The introduction of a cat curfew was mentioned in response to participants being asked about their cat concerns in the local area and what Council could do to address the concern or how Council could improve its animal management services for the benefit of the general community and for its pet owners. Feedback suggested that the introduction of a cat curfew would address issues such as roaming cats, the impact of cats on wildlife, cats leaving waste on people's property, fighting cats and the number of stray cats in the community.

Further community engagement is proposed to ascertain whether the community wants a cat curfew in the City of Whittlesea.

City of Whittlesea participants were asked what behaviour they observed of cats in the community in the online survey, the top three responses were cats in the street at night, cats preying on wildlife and disturbed gardens beds due to cat activity.

Community education was a key priority highlighted throughout the community consultation and an important Council role in domestic animal management. The top community education priority topic for City of Whittlesea was cat curfews in your area with 404 participants selecting this topic.

## **3.2 Our Current Orders, Local Laws, Council Policies and Procedures**

#### **Orders:**

- Section 26 Domestic Animals Act 1994
- Section 23 of the Domestic Animals Act 1994

#### **Orders: Local Laws:**

- General Municipal Law 2015 Part 6



#### Policies and Procedures:

- Dog Off-leash Area Policy & Management Plan 2016 to 2026 - sets direction and provides a guide for decision-making for provision of off-leash areas
- Domestic Animal Welfare Support Policy 2019 - temporary care of domestic animals (pets) owned by residents at risk of or in a crisis due to family violence
- Animal Registration and Refunds Policy 2019

### 3.3 Our Plan

Tables 6, 7 and 8 show the activities, timeframe and method of evaluation to meet each activity under Section 3 Objectives 1, 2 and 3.

**Table 6: Activities under Section 3 Objective 1**

<b>Objective 1: Introduce mandatory cat desexing</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Community consultation regarding the introduction of mandatory cat desexing for new registrations.	March 2022	Support for the introduction of mandatory cat desexing
Develop draft mandatory cat desexing policy/local laws for new registrations to be desexed (subject to community consultation supporting the introduction of mandatory desexing for new cat registrations).	July 2022	Policy endorsed
Partner with local vet clinics to promote the benefits of desexing cats.	December 2022	No. partnerships developed No. information packs developed
Develop a discounted pet desexing program for concession card holders	Ongoing	No. program participants

**Table 7: Activities under Section 3 Objective 2**

<b>Objective 2: Explore the feasibility of introducing of a cat curfew</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Community consultation regarding the introduction of a cat curfew.	March 2022	Support for the introduction of a cat curfew
Develop draft cat curfew policy/local law (subject to community consultation supporting	July 2022	Draft policy/local law developed



the introduction of a curfew).		
Promote the benefits of the cat curfew through safecat.org.au and include the resource as part of the information pack given with registrations.	Ongoing	Facebook likes, shares and engagement  Webpage clicks and time spent on page
Provide cat owners with resources and information to assist with transitioning their cat to a stay at home lifestyle (subject to community consultation).	Prior to curfew – late 2022	Feedback from the community
Provide DIY cat enclosure workshops and information including an online video	Biannually from 2024/2025	No. participants Feedback received
Audit the amount of cat cages available to residents and see if supply is sufficient to meet need.	Annually	Number of requests for cages vs number of cages available

**Table 8: Activities under Section 3 Objective 3**

<b>Objective 3: Promote responsible cat and dog ownership</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Partner with the City of Darebin, Moreland City Council and local dog training businesses to encourage puppy/dog training and behaviour correction.	Ongoing	No. participants
Develop a social media plan to promote various elements of responsible pet ownership, including: <ul style="list-style-type: none"> <li>• Picking up after your dog</li> <li>• The importance of socialising and training dogs</li> <li>• Mandatory cat desexing (subject to community consultation)</li> <li>• What to do if you find a lost pet</li> <li>• Keeping cats out of other people’s property</li> <li>• How to use off-leash dog parks responsibly</li> </ul>	Annually	Facebook likes, shares and engagement  Webpage clicks and time spent on page





<ul style="list-style-type: none"> <li>Identifying when a dog is stressed or threatened</li> <li>How to choose the right type of dog to suit your family/lifestyle</li> <li>How to report dog attacks and potential outcomes if your dog attacks</li> </ul>		
Run a campaign about the importance of responsible cat ownership, sending information or QR codes for information out with renewal notices.	Annually	No. complaint numbers No. participants
Develop a 'meet your Animal Management Officer' program.	October 2024	No. recommendations and improvements
Webinars to share information on responsible pet ownership topics through partnerships with Moreland and Darebin as well as vets, Wildlife Victoria, Rescues and Shelters.	July 2023	No. participants
Host an event in partnership with City of Darebin and Moreland City Council to bring together pet stakeholders (Vets, Rescue Groups, shelters, dog trainers) to share information and services with the community	Annually	No. participants

#### 4. Programs to address overpopulation rates and any high euthanasia rates

The overpopulation of cats and dogs is an issue that presents challenges in the community such as impacts on wildlife, people and other cats and dogs. There are also impacts on the welfare of cats and dogs if they are stray, semi-owned, or malnourished due to limited capacity of owners to care for them. Particularly the overpopulation of cats leads to challenges with rates of euthanasia within the stray cat population due to low rehoming rates.

During the community engagement program, the community and key stakeholders expressed concern regarding euthanasia rates, as well as a desire to explore mandatory desexing to address overpopulation issues. The population and euthanasia rates are demonstrated in Table 9. There has been a 15% decrease in the number of cats impounded between 2019/20 and 2020/21, and a slight increase in the number of cats returned to their owners or rehomed. The number of impounded cats euthanised remained the same at 30% for 2019/20 and 2020/21.



## 4.1 Context and Current Situation

Table 9: Numbers of cats and dogs impounded and subsequent outcomes

	2017/2018 *	2018/2019	2019/2020	2020/2021
<b>Dogs</b>				
Impounded	788	921	888	759
Returned to owner	560	621	539	516
Euthanasia (feral or unsafe to rehome)	51	80	83	67
Rehomed	177	181	180	108
<b>Cats</b>				
Impounded	1416	2035	2007	1698
Returned to owner	71	82	122	142
Euthanasia (feral or unsafe to rehome)	314	521	610	556
Rehomed	649	1054	1289	1025

\* Data from 2017/2018 is from October 2017 – June 2018

Rates of dog euthanasia are much lower due to the higher rates of dogs being reunited with their owners or being rehomed compared to cats, however there was a slight decrease of impounded dogs being euthanised in 2020/21 from 2019/20.

While more than 67% of impounded dogs were returned to their owners in 2020/21, only 8% of impounded cats were returned to their owners.

The number of impounded cats and dogs increased significantly in 2018/19 and saw a decrease in 2019/20 and further decrease in 2020/21.

Animals that are not reclaimed are offered for rehoming if they meet temperament and health requirements. Animals may be euthanised if they have an untreatable disease or if they have temperament issues that pose a risk to the community.

City of Whittlesea's current educational and promotional activities include:

- Providing relevant information via website, social media and Council publications
- Providing prompt proactive and reactive enforcement activities

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**Mandatory desexing of cats**

There was strong support from the community for mandatory desexing of cats where the owner is not a registered breeder, 83% of survey respondents.

A further 13% of City of Whittlesea respondents “*somewhat*” supported the proposal but did have some concerns; these were:

- Making cat desexing strictly mandatory rather than by owner choice (n=13)
- That the cost of desexing is expensive (n=9)
- Other reasons - such as should allow cats to have one litter only (n=9)
- Desexing should be done later in the cat's life (n=4).

For context, 95% of registered cats are desexed, whilst 70% of registered dogs are desexed. This indicates that semi-owned cats may be more significant contributors to overpopulation.

**4.2 Our Current Orders, Local Laws, Council Policies and Procedures**

**Local Laws:**

- City of Whittlesea General Local Law of 2015- Part 6

**Compliance Activities:**

- Free use of cat traps for residents and businesses
- Cat trapping programs in public areas
- Personalised cat trapping programs for residents who are unable to do it themselves
- Attendance and assistance with situations of animal hoarders
- Excess animal permit system to manage the number of animals per property.

**4.3 Our Plan**

Tables 10 and 11 show the activities, timeframe and method of evaluation to meet each activity under Section 4 Objectives 1 and 2.

**Table 10: Activities under Section 4 Objective 1**

Objective 1: To decrease the number of stray, abandoned and unwanted cats.		
Activity	When	Evaluation
Partner with City of Darebin and Moreland City Council to seek partnership/funding to conduct a mobile desexing program.	As grant funding is available	No. participants



Operate a desexing voucher or booking system through Epping Animal Welfare Facility, local clinics, Lost Dogs Home, MADI van.	2021/22	No. participants
Partner with City of Darebin, Moreland City Council and mental health support services to develop a strategy to manage cat hoarding.	By December 2024	Cat hoarding strategy developed

**Table 11: Activities under Section 4 Objective 2**

<b>Objective 2: To minimise the number of animals euthanised.</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Encourage partnerships between shelter and rescue groups, through 84Y agreements.	By July 2022	No. partnerships
Partner with other Council teams to provide support to community members in caring for their pets.	Ongoing	No. instance of support No. internal partnerships
Partner with City of Darebin, Moreland City Council, EAWF, Cat Protection Society, Maneki Neko and Lost Dogs Home to provide a neonatal program.	From October 2021	Program developed No. cats supported

## 5. Registration and Identification

Registration and the requirement to be microchipped is a legislative requirement, it provides Council with an understanding of the level of pet ownership and allows for the development of relevant services and programs. It also assists in the safe and quick return of any lost cats and dogs to their owners.

There were key suggestions provided on registration and identification through the community engagement program; around ensuring the registration process is easy and there is help available, increasing education on the benefits of registration and providing cost incentives.



## 5.1 Context and Current Situation

There are currently 18,321 registered dogs and 6,798 registered cats in the City of Whittlesea, as shown in Table 12. It is difficult to capture data on the actual ownership population of animals, as we know that not all cats and dogs are registered.

There has been a significant increase in the number of cats and dogs registered in 2020/21, 36% in cats and 11% in dogs. This could be due to the Covid-19 lockdowns where there was a surge in the demand for pet purchase and adoption.

Concession rates for registration were accessed by 21.5% of total registrations of dogs and 25% of total registrations of cats.

**Table 12: Registration and microchipping numbers of cats and dogs**

	Dogs	Cats
Registration Numbers	18,321	6,798
• New	1,602	782
• Renewal	16,719	6,016
Concessions	3,947	1,693
Offenses/prosecutions for unregistered animals	501 for cats and dogs combined	

Council provides the following educational and community awareness activities:

- Providing half price registrations for new applicants from 10 October each year until 9 April.
- Following up registrations for cats and dogs purchased from pet shops and shelters
- Utilising microchip scanners on patrols
- Providing first year free registrations for animals rehomed from animal rescue group organisations
- Providing promotional material and reminders via postal mail; text messaging; officers on patrol; corporate communications such as the Local News newsletter, local newspapers and 'Messages on Hold'; website; Customer Service Centres
- Requiring all domestic animal businesses to carry registration application forms



## 5.2 Our Current Orders, Local Laws, Council Policies and Procedures

### Local Laws:

- City of Whittlesea General Local Law of 2015- Part 6

### Compliance Activities:

- Annual registration renewal follow up and audit
- Doorknocking programs throughout the municipality
- Proactive patrols of parks and public open spaces
- Inspections of excess animal permits
- Property inspections following information received from the public
- Investigating all nuisance animal complaints including detecting unidentified animals; and
- Enforcement of legislation.

## 5.3 Our Plan

Table 13 and 14 shows the activities, timeframe and method of evaluation to meet each activity under Section 5 Objective 1 and 2.

**Table 13: Activities under Section 5 Objective 1**

<b>Objective 1: Increase the number of cat and dog registrations by 10% by December 2025</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Promote registration through annual door knocks and communications e.g variable message boards, a-frames, decals on vans.	Annual	No. door knocks undertaken No. pets registered through door knock.
Partner with City of Darebin and Moreland City Council to provide information on registration and microchipping in multiple languages.	June 2024	No. of translated resources provided
Consider introducing a microchipping discount scheme	2024/25	No. of stakeholders engaged
Introduce 84Y agreements with vets to complete registrations and return animals to owners through microchip scanning	July 2022	No. of registrations No. of animals diverted from impoundment
Review the Animal Registration and Refund Policy to consider reduced registration rates and the feasibility of incentivising animal registration by	2022	No. recommendations developed/ implemented



waiving the fee for the first year of registration.		
Promote registration discounts and concessions available for desexing and microchipping animals.	Annual	No. of discounts/ concessions used
Form agreements with partners and rescue groups to complete Council registration at adoption time.	July 2022	No. partnerships No. registrations through partners

**Table 14 Activities under Section 5 Objective 2**

<b>Objective 2: Review the effectiveness and ease of use of the online registration system</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Conduct a survey with online users to seek feedback on the ease of use of the system	October 2023	No. participants
Undertake a Council-led review of the system based on feedback	February 2024	No. recommendations developed/ implemented
Promote improvements to the registration system	July 2024	No. promotions and reach

## 6. Nuisance

Community feedback demonstrated key nuisance themes for the community, particularly relating to barking dogs, cat and dog waste, cat and dog impacts on wildlife, issues with dogs in open space and cats out at night. Council has a role in protecting the community from unnecessary nuisance from cats and dogs through their services and community education.

### 6.1 Context and Current Situation

The data in Table 15 illustrates the number of contacts received by Council from customers in relation to nuisance caused by cats and dogs. While complaints to Council about barking dogs, dogs at large and cat cage requests have all declined in 2020/21, dog attacks and rushes have increased in that time.

It could be surmised that the increase in residents working from home (due to COVID-19 lockdowns) has had a positive impact on cats and dogs while owners are at home during the day. The increase in dog attacks could be explained by the fact more residents are walking their dogs in parks and encountering other dogs, contributing to an increase in incidents in the past year, however it is important to note that the rate is consistent with the 2018/19 period.

**Table 15: Cat and dog complaints to Council from 2018/19 to 2020/21**

Nature of Complaint	2018/2019	2019/2020	2020/2021
Barking dogs	231	215	165
Domestic animal pick up	1439	1474	1805
Dogs at large	301	265	253
Cat cage requests	431	531	468
Dog attacks and rushes	152	138	153
Animal violations (includes unregistered dog/cat, defecating, off-leash in park/reserve and excessive animals)	1846	*761	1278

\* New system was implemented - figure may not be comparable to other years

Council's current educational and promotional activities include:

- Providing information and advice on methods for resolving nuisance in the community.
- Encouraging complainants to speak to the owner of the animal causing the nuisance directly and as early as possible
- Providing a barking dog diary and noise nuisance complaint form.
- Providing prompt proactive and reactive enforcement activities and proactively patrols parks and open spaces within the municipality.
- Providing eight fully fenced off-leash dog parks across the municipality

## 6.2 Our Current Orders, Local Laws, Council Policies and Procedures

### Local Laws:

- City of Whittlesea General Local Law of 2015- Part 6

### Policies and Procedures:

- Noise complaints- procedure
- Trapping programs- procedure
- Barking dog- policy and procedure
- Excess animal permit system

### Current Compliance Activities

The Animal Management team currently responds to complaints and undertakes investigations, infringements and, when necessary, prosecutions. In the first





instance, education and prevention are more effective ways of dealing with these matters rather than enforcement.

Council staff patrol on and off-leash areas in parks and nearby streets weekly, including weekends and evenings during daylight savings. They provide education and enforcement of local laws to reduce the incidence of animal nuisance and dog attacks.

### 6.3 Our Plan

Tables 16, 17 and 18 show the activities, timeframe and method of evaluation to meet each activity under Section 6 Objectives 1, 2 and 3.

**Table 16: Activities under Section 6 Objective 1**

<b>Objective 1: Reduce the number of nuisance complaints that arise in the Municipality.</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Council to explore running Council run dog training through a procurement process	May 2024	No. of complaints pre and post No. of participants
Explore the use of mountain bikes to increase patrols in off-leash areas.	2023/24	No. patrols No. fines
Review signage at dog parks, including cleaning up after your dog and dogs being under effective control.	2023/24	No. signs
Promote exercising dogs to reduce barking complaints	Quarterly	No. barking complaints

**Table 17: Activities under Section 6 Objective 2**

<b>Objective 2: Reduce the number of instances of dog faeces being deposited in public space.</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Partner with City of Darebin and Moreland City Council to develop a responsible pet ownership resource regarding dog waste in the community.	Late 2023	No. complaints
Audit dog waste bins across the municipality and consider providing biodegradable bags	2023/24	No. dog waste bins installed No. biodegradable bags used
Implement signage around cleaning up after your dog in public spaces. Explore the use of footpath decals.	2023/24	No. complaints No. signs implemented

**Table 18: Activities under Section 6 Objective 3**

<b>Objective 3: Make it easier to report animal management issues to Council.</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Consider the feasibility of developing a smart phone app for community reporting of domestic animal management issues.	2025	No. recommendations developed/ implemented
Engage with service users to evaluate the ease of reporting animal management issues to Council.	October 2023	No. participants
Consider purchasing a recording device to provide independent proof of dog barking	2022/23	No. participants
Explore using a service such as Barkup! to manage barking complaints.	2022/2023	No. barking complaints Feedback from users

## 7. Dog attacks

Dog attacks against people and other animals, unfortunately, do occur in the local area. Community feedback indicated public dog parks are a particular area of concern and owner behaviours and understanding of responsibilities needs to be addressed.

### 7.1 Context and Current situation

Over the past year (2020-2021) Council has responded to, or been alerted to 153 dog attack complaints of varying severity. There are currently 16 dogs that are declared as dangerous or menacing in the City of Whittlesea. Complaints are reported by email, phone or online. A total of eight matters proceeded to court.

**Table 19: Dog attacks in City of Whittlesea**

	<b>Information</b>	<b>Number</b>
Dog attacks	Varying severity	153
Declared dogs	Current dangerous/Menacing	16
Reporting systems	Email/Phone/Online	153
Complaints	Dog attack complaints	153
Prosecutions	Matters proceeding to court	8



Current activities undertaken by Council to minimise the risk of dog attacks on people and animals include:

- Providing community education about dangerous/restricted breed dogs and containment of dogs;
- Providing proactive park and street patrols;
- Contacting dog owners to provide information or follow-up;
- Inspecting properties where declared dangerous and restricted breed dogs reside;
- Responding promptly to complaints about dog attacks; and
- Investigating dog attack reports and taking an appropriate course of action.

## 7.2 Our Current Orders, Local Laws, Council Policies and Procedures

### Orders:

- Prohibiting exercising of dogs off-leash, other than in designated places;
- Designating eight off-leash dog parks.

### Policies and Procedures:

- Investigation of dog attacks and rushes- procedure
- Dealing with dogs that have been proven to rush or attack- procedure

### Compliance Activities:

- Annual registration renewal follow ups
- Proactive park and street patrols
- Inspections of properties where dangerous and restricted breed dogs reside
- Prompt response to complaints (within one hour)
- Door-knocking to identify unregistered animals
- Enforcement in relation wandering dogs, attacks and rushes
- Consistent use of declaration/destruction powers

## 7.3 Our Plan

Tables 20 and 21 show the activities, timeframe and method of evaluation to meet each activity under Section 7 Objectives 1 and 2.

**Table 20: Activities under Section 7 Objective 1**

Objective 1: Decrease the number of confirmed dog attacks in the community by X per year		
Activity	When	Evaluation
Review the safety and security of dog off-leash parks in the municipality, consider the standard design of fences.	2023	No. recommendations developed/ implemented



Provide proactive and visible patrols at dog off-leash parks	2021 and ongoing	No. attacks/rushes in on-leash vs off-leash No. official warnings/PINS issued
Educate children in local schools on the importance of responsible pet ownership	Annually from 2024	No. school children educated

**Table 21: Activities under Section 1 Objective 2**

Objective 2: Increase community awareness of how to report dog attacks		
Activity	When	Evaluation
Customer service review to measure customer service satisfaction, including timeliness, professionalism and responsiveness when dealing with dog attacks	June 2025	Customer service feedback received
Vets to notify Councils when they come across aggressive/risky dogs	July 2022	No. notifications received

## 8. Dangerous, menacing and restricted breed dogs

The community's understanding of what constitutes a dangerous or restricted breed dog may not broadly align with the classifications as per the Act, however it was clear from the community engagement program that there was some community concern about dangerous dogs in the community (particularly off-leash dog parks) and poor management by owners.

### 8.1 Context and Current Situation

The City of Whittlesea currently has 18 dogs with restrictions (Table 22). This is a decrease from July 2017 when there were a total of 28 dogs with restrictions housed within the City of Whittlesea. A total of 18 property audits were conducted regarding dangerous dogs during 2020-21.

Council administers and enforces provisions of the Act to identify and control dangerous, menacing and restricted breed dogs to ensure the safety of the community.



Table 22: Declared dogs in the City of Whittlesea

Information	Number
Dogs declared dangerous	5
Dogs declared menacing	7
Restricted breed dogs	2
Guard dogs	4
<b>Total</b>	<b>18</b>
Complaints received re: dangerous dogs	0
Courts cases re: dangerous dogs	0
Prosecutions re: dangerous dogs	0
Audits conducted re: dangerous dogs	18

City of Whittlesea's current education/promotion activities include:

- Providing fact sheets and Bureau of Animal Welfare brochures on dangerous/restricted breed dogs;
- Implementing educational activities at local events; and
- Providing information via the Council website, social media and traditional media.

## 8.2 Our Current Policies and Procedures

Council's policies and procedures for dealing with dangerous, menacing and restricted breed dogs are conducted in compliance with the provisions of Council's legislative powers under the Domestic Animals Act and Regulations.

### Compliance activities:

- Annual inspections of premises housing dangerous and restricted breed dogs;
- Prompt response to complaints of suspected dangerous or restricted breed dogs (within one hour);
- Door-knocking to identify unregistered animals;
- Enforcement in restricted breed dog inspections; and
- Maintaining and providing details of dangerous dogs, restricted breed dogs and menacing dogs on the Victorian Declared Dog Registry (VDDR).

## 8.3 Our Plan

Tables 23 and 24 show the activities, timeframe and method of evaluation to meet each activity under Section 8 Objectives 1 and 2.



**Table 23: Activities under Section 8 Objective 1**

Objective 1: Identify and register all declared dogs in the City of Whittlesea		
Activity	When	Evaluation
Cross-reference microchip databases with current Council registration database to identify potential restricted breed dogs.	Ongoing	No. dogs recorded
Ensure all declared dogs are recorded on the Victorian Declared Dog Registry (VDDR) and the VDDR is kept up to date	Ongoing	No. dogs recorded

**Table 24: Activities under Section 8 Objective 2**

Objective 2: Ensure all declared dogs are compliant with relevant legislation and regulations		
Activity	When	Evaluation
Conduct random property inspections of declared dogs to ensure compliance	Ongoing	No. random property checks
Partner with City of Darebin and Moreland City Council to develop a standard operating procedure for checking property compliance and what to do if non compliant	July 2025	Procedure developed
Partner with City of Darebin and Moreland City Council to develop a consistent approach to declarations using the same matrix	July 2025	Approach developed

## 9. Domestic animal businesses

All Domestic Animal Businesses must register with their local council. Under current legislation (Domestic Animals Act 1994), local council has the authority to:

- refuse registration of a business if they fail to comply with the legislation and relevant code of practice
- set special conditions on the registration of any domestic animal business.



## 9.1 Context and Current Situation

There are 11 registered Domestic Animal Businesses within the City of Whittlesea, comprising:

- Five pet shops;
- Three dog training establishments;
- One boarding establishment;
- One animal shelter; and
- One pet daycare facility.

There are currently no registered breeders within the City of Whittlesea.

Council identified one unregistered Domestic Animal Business and received one complaint. Table 25 provides additional information about Domestic Animal Businesses.

The provision of pound services is conducted by RSPCA (Vic) on behalf of the City of Whittlesea. The RSPCA also operates a registered animal shelter with Council from this facility. This shelter provides significant benefits in relation to animal welfare, convenience to the community and education in relation to animal ownership.

**Table 25: Domestic Animal Businesses in the City of Whittlesea**

Domestic Animal Business Statistics	No.
Registered Domestic Animal Businesses	11
Identified non-registered Domestic Animal Businesses	1
Complaints regarding Domestic Animal Businesses	1
Prosecutions related to Domestic Animal Businesses	0
Notices to comply related to Domestic Animal Businesses	0

Current educational, promotional and compliance activities include:

- Providing all Domestic Animal Businesses with the relevant Code of Practice;
- Bureau of Animal Welfare fact sheets on Domestic Animal Businesses available in Council offices, on the Council website and sent to registered businesses;
- Registration of all Domestic Animal Businesses;
- Conducting annual audits of each Domestic Animal Business within the City of Whittlesea;
- Follow up any non-compliance as required;
- Regular patrols for new/non-registered Domestic Animal Businesses; and
- Occasional unannounced inspections.



## 9.2 Our Current Policies and Procedures

- Domestic Animal Businesses must be registered annually with Council;
- All Domestic Animal Businesses are audited annually;
- Registration forms and information on Council website and at Council offices;
- Procedure regarding noise nuisance complaints from Domestic Animal Businesses;
- Any new businesses must be inspected before registration;
- Domestic Animal Businesses must notify Council when any animals are sold or given away so that Council can ensure registration.

## 9.3 Our Plan

Tables 26 and 27 show the activities, timeframe and method of evaluation to meet each activity under Section 9 Objectives 1 and 2.

**Table 26: Activities under Section 9 Objective 1**

<b>Objective 1: Identify and register all Domestic Animal Businesses in the municipality</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Identify all businesses that should be registered DABs in the municipality and determine their registration status. Partner with planning to receive notification when a new animal related business is seeking a permit	As required	No. DABS registered (100%)
Investigate any report of unregistered Domestic Animal Businesses	As required	No. reports investigated (100%)
Audit rescue groups/foster carers in terms of housing requirements, similar to Domestic Animal Businesses (DAB).	2022/23	No. audits completed

**Table 27: Activities under Section 9 Objective 2**

<b>Objective 2: Annually inspect and audit all registered Domestic Animal Businesses</b>		
<b>Activity</b>	<b>When</b>	<b>Evaluation</b>
Conduct annual audits of all Domestic Animal Businesses	Annually	No. audits conducted (100%)
Where required, act promptly to address matters of non-compliance.	As required	No reports investigated (100%)





Investigate and act upon public complaints about Domestic Animal Businesses.	As required	No reports investigated (100%)
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## 10. Other matters

### 10.1 Context and Current Situation

The Epping Animal Welfare Facility (EAWF) was funded by Whittlesea, Darebin and Moreland City Councils and opened in October 2017. The operation of EAWF is managed by RSPCA, who have significant experience in animal care and welfare, with a strong focus on foster care, adoption and the rehoming of animals.

Impounded cats and dogs are housed at EAWF and kept for the statutory period during which time the RSPCA is required to make every effort to reunite the animal with its owner. RSPCA is contracted to provide animal management services on behalf of Council at the EAWF.

During the key stakeholder interviews there were concerns raised regarding the current practices of EAWF in terms of re-homing animals and euthanasia. There were suggestions to improve partnerships with community rescue groups to improve outcomes for animals.

### 10.2 Our Policies and Procedures

The EAWF is operated by the RSPCA therefore their policies and procedures apply with respect to the management of animals impounded to the EAWF.

### 10.3 Our Plan

Table 28 shows the activities, timeframe and method of evaluation to meet each activity under Section 10 Objective 1.

**Table 28: Activities under Section 10 Objective 1**

Objective 1: Review the operation of the EAWF to ensure it is achieving best practice		
Activity	When	Evaluation
Review rescue and foster programs provided.	2021/22	Review completed No. recommendations developed and implemented No. animals rehomed or fostered
Undertake mid-term milestone review of the 10 year contract with	2021/22	Review completed No. recommendations developed and implemented



RSPCA for the Epping Animal Welfare Facility.		
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## 11. Annual review of plan and annual reporting

In line with the Domestic Animals Act, Council must review its Domestic Animal Management Plan annually and amend the plan as needed. The following activities outline how the Council will meet these requirements.

### 11.1 Our Plan

Table 29 shows the activities, timeframe and method of evaluation to meet each activity under Section 11 Objective 1.

**Table 29: Activities under Section 11 Objective 1**

Objective 1: Comply with Section 68A(3) of the Domestic Animals Act		
Activity	When	Evaluation
Provide the Secretary with a copy of the plan and any amendments to the plan.	December 2021 and annually	Copy provided to Secretary
Review the Domestic Animal Management Plan annually and, if appropriate, amend the plan.	Annually	Plan reviewed annually
Publish an evaluation of its implementation of the plan in Council's Annual Report.	Annually	Evaluation report published
Provide progress reports through Council's 'health check' reporting	Quarterly	Quarterly progress reports
Council will undertake a major review of the plan after four years.	2025	Major review undertaken

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**ITEM 6.2.7 FOR DECISION - INVESTIGATION INTO LEASING 1F ASHLINE STREET, WOLLERT FOR AFFORDABLE HOUSING**

- Attachments:**
- 1 **Map of 1F Ashline Street Wollert** [↓](#)
  - 2 **Housing Continuum in Australia** [↓](#)
  - 3 **City of Whittlesea Social and Affordable Housing Policy 2012** [↓](#)

**Responsible Officer:** Director Planning & Development

**Author:** Social Policy & Planning Officer

**RECOMMENDATION SUMMARY**

This report recommends Council:

1. Consider the lease of 1F Ashline Street, Wollert, to a community housing organisation for the purpose of delivering Affordable Housing in accordance with Section 115 of the Local Government Act 2020.
2. Undertake a process of community engagement in respect to recommendation 1. above.

**BRIEF OVERVIEW**

This report presents the outcomes of the investigation into using suitable Council-owned land for Affordable Housing as an opportunity to address the critical undersupply in the municipality. As a priority, Council could facilitate Affordable Housing at 1F Ashline Street, Wollert, via a long-term lease to a community housing organisation. It is recommended that Council undertake a community engagement process on this proposal.

**RATIONALE FOR RECOMMENDATION**

It is recommended that suitable Council-owned land be considered for the use of Affordable Housing as an opportunity to address the critical undersupply in the municipality and provide additional 'Local Housing for Local People'.

There are currently an estimated 3,800 households (4.8%) with an unmet need for Affordable Housing in the City of Whittlesea. This need will continue to increase with the growing population and the increasing cost of housing in the municipality.

Previous community consultation has confirmed the community's desire for Social and Affordable Housing (SAH), and for Council to take more action to increase the supply of Affordable Housing in the municipality. (*Council Plan Consultation Findings, 2021 and Whittlesea 2040 Community Vision Consultation, 2018*).

This proposal responds to Council's commitment under the City of Whittlesea Social and Affordable Housing Policy which states that Council '*actively encourages and facilitates the provision of affordable, accessible and appropriate housing for very low, low and moderate income households across the municipality.*' Key action areas for Council identified in the Policy are to increase the supply of social and affordable housing.

The most suitable option for facilitating Affordable Housing on Council-owned land in the short term is at 1F Ashline Street, Wollert.

As the site was vested to Council as part of a development contributions process, it is recommended that the land be leased to a community housing organisation to develop and manage Affordable Housing. A map of 1F Ashline Street, Wollert is at Attachment 1.

### **IMPACTS OF RECOMMENDATION**

Additional Affordable Housing will deliver a significant community benefit and address a critical undersupply in the City of Whittlesea and provide additional 'Local Housing for Local People'.

Evidence shows that housing affordability is a significant issue in the municipality, with many households on lower incomes unable to afford rental properties and high proportions of households experiencing housing stress. For example, in the City of Whittlesea:

- One third of households renting are experiencing housing stress (33.8%). For people with low and very low incomes this rate is much higher (69% and 90% respectively).
- 22.8% of households are classified as having very low incomes.
- Only 0.3% of rental properties were affordable for very low-income households in the 12 months to Dec 2020. In the Epping North/Wollert Area, there were no (0.0%) rental properties available for very low-income households over this period.
- Overall, 16% of households experience housing stress which impacts people's health and wellbeing and diminishes the local economy.

Increasing Affordable Housing has widespread benefits in terms of improving health and wellbeing outcomes, unlocking productivity savings and boosting economic activity.

Affordable Housing is an essential part of the housing system in Australia. It provides housing for vulnerable people, as well as key workers with low and moderate incomes, whose jobs are essential to the functioning and liveability of the municipality, including childcare, health care and aged care workers, hospitality and retail staff, service industry staff and delivery personnel.

The Victorian Government Big Housing Build funding program creates a current opportunity to leverage investment in the municipality for Affordable Housing outcomes, as the City of Whittlesea has been identified as a priority area.

### **WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

Council have investigated the use of Council-land for facilitating additional Affordable Housing in the municipality, with 1F Ashline Street, Wollert being identified as the priority site.

The lease of this property to a community housing organisation would deliver additional Affordable Housing dwellings in Wollert, which currently has no affordable rentals for household with very-low incomes and significantly lower than average access to affordable housing (0.7% of households, compared with 2.6% for Greater Melbourne).

The proposal to lease the site at 1F Ashline Street Wollert, as opposed to the sale, maintains public ownership of the land into the future whilst realising a significant community benefit during the lease period. The maximum lease period proposed for this land is 50 years.

This report recommends undertaking a process of community engagement on the proposal to lease 1F Ashline Street, Wollert. The community engagement process would involve informing the community about the proposal, including possible development outcomes, and opportunities to provide their views.

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**REPORT****INTRODUCTION**

The purpose of this report is to present the outcomes of the investigation into using Council-owned land for Affordable Housing. There is an opportunity for Council to make a meaningful contribution to increasing Affordable Housing in the municipality by using appropriate Council-owned land and provide additional 'Local Housing for Local People'.

The Victorian Government Big Housing Build program creates a current opportunity to secure investment in Affordable Housing proposals. The City of Whittlesea has been identified as a priority area for this program.

This report recommends as a priority that Council consider the lease of 1F Ashline Street, Wollert, for Affordable Housing and undertake a process of community engagement on the proposal in accordance with Section 115 of the Local Government Act 2020.

Following community engagement, Council can consider the community's views and decide whether to lease the land to a community housing organisation. As part of that decision, the Council will determine the process for selecting a community housing organisation. It is anticipated that the Council would work in partnership with the chosen community housing organisation to develop a proposal and seek funding as part of the Big Housing Build program.

**BACKGROUND****Definitions****Affordable Housing**

A definition of Affordable Housing is included in the *Planning and Environment Act 1987*. It is housing (rent or purchase) that is appropriate for households on very low to moderate incomes. It includes social housing, affordable rental and affordable homeownership.

**Social housing** is provided to households who are on the Victorian Housing Register. Rents for social housing are set to ensure the households can afford it, usually no more than 25-30% of household income. The term social housing includes public housing and community housing.

**Public housing** is owned and managed by the State Government and is not proposed for this project.

**Community housing**

This report recommends Council consider leasing 1F Ashline Street, Wollert, to a community housing organisation that would develop and manage the housing.

Community housing organisations are highly regulated by the State Government, not-for-profit organisations that specialise in housing a diverse range of tenants. Because of their not-for profit structure, they can deliver services cost effectively and to high standards. (Source: Victorian Government, <https://www.vic.gov.au/homes-victoria-housing-explainer>)

The community housing sector delivers Affordable Housing options to eligible households on the Victorian Housing Register as well as direct referrals. Community housing organisations can provide affordable rental and affordable home-ownership options to eligible households. For this project, affordable homeownership would not be provided as the property would be leased, not sold.

Community housing usually provides long-term accommodation for families and individuals who cannot afford to rent in the private rental market.

For more information on Affordable Housing, refer to the *'Housing continuum in Australia'* at Attachment 2.

### **Role of Local Government in Affordable Housing provision**

All three tiers of government directly influence housing outcomes. Local governments play a pivotal role in land use planning and housing provision. Local governments in Victoria have an important, although limited, role in promoting and encouraging Affordable Housing development. There is diversity across the Local Government sector in the role and level of intervention taken to facilitate Affordable Housing within respective municipal areas.

The City of Whittlesea Social and Affordable Strategy clearly articulated its role to influence and encourage the provision of Affordable Housing. These roles are:

#### **1. Planning:**

**Social and Economic:** including reviewing, analysing and assessing characteristics of the population and environment to determine the demand for Affordable Housing and associated services.

**Land Use Planning:** includes policy and strategies in the Planning Scheme, Municipal Strategic Statement (MSS) and structure plans to encourage and promote the development of Affordable Housing and designate preferred areas for the location of Affordable Housing.

**2. Facilitate and Partner:** includes assessing the availability and suitability of Council and/or government-owned land for Affordable Housing and the provision of incentives to stimulate and/or support affordable and social housing development. **This report directly relates to this role.**

**3. Inform and Engage:** includes the education and promotion of good practice to residents, businesses and community organisations. It also includes referral and reporting of issues that affect the housing market, such as population and housing market analysis to businesses, residents and community organisations and other tiers of government. It can encompass promoting partnerships between social housing and private sector housing developers.

**4. Advocate:** includes consultation, coordination and promotion of Affordable Housing needs and options for delivery to government, business and community, forums and reviews.

#### **Context**

Council and the community have confirmed the importance of providing Affordable Housing in achieving *'A place for all'* through Whittlesea 2040 and through our longstanding leadership in this policy space.

The current Social and Affordable Policy and Strategy was developed in recognition of Council's role in supporting people's access to safe, secure and affordable housing. The Policy states that Council *'actively encourages and facilitates the provision of affordable, accessible and appropriate housing for very low, low and moderate income households across the municipality.'*

The SAH Strategy and Policy are currently being refreshed to bring it in line with current evidence and policy. Community consultation will be undertaken as part of updating this policy and strategy.

While Council has an essential role in facilitating Affordable Housing, in the past, there have been significant limitations to delivering on-the-ground outcomes due to minimal State and Federal Government funding and the 'voluntary' nature of planning provisions.

Between the 2011 and 2016 Census, when there was limited Federal and State government investment, 58 additional affordable housing dwellings were added in the City of Whittlesea out of a total of 14,813 new households (0.4%).

There continues to be a low level of Affordable Housing across the municipality, and demand far outstrips supply. That gap will continue to increase with the growing population. There are currently around 3,800 households (4.8%) with an unmet need for Affordable Housing in the municipality.

Only 0.3% of rental properties were affordable for very low-income households in the 12 months to Dec 2020. In the Epping North/Wollert Area, there were no (0.0%) rental properties available for very low-income households over this period. The rate of affordable housing provision in Wollert is far lower than average (0.7% of households, compared with 2.6% for Greater Melbourne).

Notwithstanding the funding environment, Council has in more recent years delivered significant Affordable Housing outcomes in terms of policy, advocacy and partnerships, including:

- The successful negotiation of Affordable Housing provisions at 215 Cooper Street, Epping, that will deliver approximately 300 Affordable Housing dwellings on privately-owned land. The first stage of development, comprising 151 dwellings to be owned and managed by community housing organisation, Haven Home Safe, has commenced construction with completion scheduled for 2022.
- A partnership with Hope Street Youth and Family Services to lease Council land in South Morang for a youth crisis accommodation facility.
- Evidence-based advocacy material on priority State-owned land opportunities.
- An Affordable Housing Toolkit was developed to assist officers with the negotiation of voluntary affordable housing agreements. It has already been used to secure an agreement for a development site in Mill Park, as part of Amendment C236 for 5 per cent of dwellings to be offered to a community housing organisation at a significant discount to market value.
- The *Delivering Social Housing in Growth Areas* partnership project with Hume and Mitchell Councils has improved the three Council's capacity to advocate and facilitate the development of Affordable Housing across the Northern Growth corridor. This project led to the implementation of consistent provisions for Affordable Housing in new Precinct Structure Plans (PSP), including the Shenstone Park PSP.
- Joint advocacy with housing service partners, as members of the Whittlesea Housing and Homelessness Action Group, including submissions to the Parliamentary Inquiry into Homelessness in Victoria and the Victorian Government 10 Social and Affordable Housing Year Strategy.

A renewed commitment from the State Government in Affordable Housing brings significant opportunities to increase supply in the City of Whittlesea.

### **Victorian's Big Housing Build**

The State Government have announced a \$5.3 billion *Big Housing Build (BHB)* program to deliver 12,000 new social and affordable housing dwellings throughout Victoria over the next four years. The City of Whittlesea has been identified as a priority local government area (LGA).

This unprecedented investment provides significant opportunities to fund and deliver social and affordable housing projects in partnership with Councils, industry and the private sector on public and privately-owned land.

The BHB has already funded 33 new social housing dwellings in the City of Whittlesea through the *Spot Purchase Program*, and 16 supported independent living homes in the City of Whittlesea for people with enduring mental illness.

The next round of funding for projects led by the community housing sector is expected to open in late 2021 (pending further information from Homes Victoria). The scope and timing of BHB funding rounds beyond 2021 have not yet been announced.

The State Government is also preparing the *'10 Year Social and Affordable Housing Strategy for Victoria'*. City of Whittlesea made a submission to the strategy consultation process in April 2021. The strategy is expected to be released in late 2021.

## PROPOSAL

There is an opportunity for Council to make a meaningful contribution to increasing Affordable Housing in the municipality by using appropriate Council-owned land. It is proposed that 1F Ashline Street, Wollert, be considered for the development of Affordable Housing as a priority. This site has been independently assessed as being suitable for Affordable Housing based on proximity to services and public transport, and development potential.

It is recommended that Council consider offering this property to a community housing organisation via a long-term, nominal lease to deliver Affordable Housing. The maximum lease period that Council can enter into for this land is 50 years.

It is proposed that Council develop this site through a partnership approach with a community housing organisation, with the whole site would being used for Affordable Housing.

Contributing this site for Affordable Housing would help address the significant current shortfall in the municipality. The Victorian Government Big Housing Build (BHB) funding program provides an opportunity to facilitate this project.

### Site overview

- 5,000 m<sup>2</sup>, vacant block of serviced land, General Residential 1 zoned.
- There is no significant vegetation on the site.
- Surrounded by small scale residential development and located opposite a new Wollert East P-12 school.

### Opportunity and key considerations

- The proximity to Wollert East P-12 school offers an ideal opportunity for the location of Affordable Housing. The school is categorised as an 'inclusive school', meaning it has extra provisions to cater for students with disabilities and additional needs. The tenant cohort selected for this housing is likely to include households who would most benefit from living near the school, for example, families with school-aged children.
- The planning provisions for the site allow for buildings of up to 3 storeys (approx. 11m). In keeping with the residential built form of the area, the development would primarily be one or two-story dwellings on the two residential streets, with the possibility of using some of the land for three story housing on Highpark Drive facing the school.
- As the site was vested to Council as part of a development contribution, it is recommended the land be leased, not sold.
- The site was initially set aside for a community facility. The community facility has since been relocated and is under construction on the adjoining Wollert East school site. The land has therefore become available for alternate community use, such as Affordable Housing.
- The site is a single title, and no further subdivision would be required as part of a leasehold development.



## CONSULTATION

### Community consultation findings

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

Recent community consultation in 2021 reinforced the need for better access to Affordable Housing. As part of the Council Plan consultation, there was an option to provide feedback on this issue. Of the 54 respondents to these consultation questions, 70 to 75 per cent agreed with the statements:

- There should be more social and affordable housing for households with low to moderate incomes in the City of Whittlesea.
- There should be more housing services in the City of Whittlesea to support people to access affordable housing.
- Council should take action to increase the supply of social and affordable housing within the City of Whittlesea.

The Council Plan consultation with service providers also showed that '*access to appropriate and affordable housing*' is a top priority for achieving our community vision for '*Liveable Neighbourhoods*'.

### Community Engagement

A process of community engagement is proposed to be undertaken to seek community views on the proposal to lease 1F Ashline Street, Wollert for Affordable Housing.

Consultation is proposed to occur between September and October 2021 and be promoted through Council's communication channels, local media and direct correspondence with surrounding residents and property owners.

At this stage of consultation, the community will have the opportunity to provide feedback on:

- Whether the land should be leased for community housing
- The design principles that should be considered to ensure any proposed development positively contributes to the neighbourhood character and minimises any potential impacts on neighbouring properties. This may include matters such as building height, interfaces, landscaping/trees, access/parking and street surveillance.

Following the first phase of community engagement, if Council recommends leasing the land, a second stage of community engagement will be undertaken on the proposed design/plans of the development once drafted with the community housing partner. Feedback from this engagement phase would be considered as part of the final design. The timing for this is expected to be mid to late 2022.

## CRITICAL DATES

### Timing of Big Housing Build (BHB) funding program:

The BHB is a four-year program between 2020 and 2024. The scope and timing of funding rounds beyond 2021 have not yet been announced.

As outlined in the table below, 1F Ashline Street Wollert could be ready for seeking funding by approximately early 2023.

**Expected Timing of the proposal to lease 1F Ashline Street, Wollert**

Council meeting – resolve to consider the lease of 1F Ashline Street, Wollert	6 September 2021
Undertake community consultation in line with the statutory requirements of considering the lease of land	September to October 2021
Council meeting to consider outcomes of community consultation, decide whether to lease the site and confirm the criteria for engaging a partner community housing organisation to lease the site	Late 2021 – Early 2022
Process of selecting a partner community housing organisation	Early 2022
Community consultation on proposed development plans	Mid to late 2022
Community housing partner to seek State Government funding	Early 2023
Construction – pending funding	Approximately 2025

**FINANCIAL IMPLICATIONS**

Existing internal resources will be used to manage this project. Financial implications primarily depend on the level of site analysis work undertaken prior to engaging a partner and any legal costs associated with the lease or sale of land.

All capital and operational funding for an Affordable Housing development would be funded by the State Government and/or a community housing organisation.

The estimated financial implications for 1F Ashline Street, Wollert are summarised in the table below.

<b>Process</b>	<b>1F Ashline Street Wollert</b>
Site analysis	Council may choose to undertake site analysis work to inform design with an estimated cost of \$15K - \$18K
Lease costs and Legal fees	\$25K - \$40K

**POLICY STRATEGY AND LEGISLATION**

Council have confirmed the importance of social and affordable housing (SAH) in achieving 'A place for all' through Whittlesea 2040 and through our longstanding leadership in this policy space.

This proposal responds to Council's commitment under the City of Whittlesea Social and Affordable Housing Policy (Attachment 3), which states that Council '*actively encourages and facilitates the provision of affordable, accessible and appropriate housing for very low, low and moderate income households across the municipality.*' Key action areas for Council identified in the Policy are to increase the supply of social and affordable housing.

The Policy includes six key areas for Council action:

- Plan for social and affordable housing
- Increase the supply of social housing
- Increase affordable private rental housing for low income households
- Increase the access to affordable house purchase for moderate income households

- Develop housing that matches the needs of the diverse population
- Address the needs of people faced with a housing crisis

The Policy recognises that ‘every person has a right to affordable, adequate and appropriate housing to enable their participation and sense of belonging in community life.’

The Whittlesea Planning Scheme, which implements the existing policy, states: “Council aims to achieve the inclusion of 5% social housing and 10% affordable housing in the structure planning of any established or greenfield housing development.”

Council’s efforts in facilitating SAH are underpinned by a human rights framework and local government’s obligations under the *Victorian Charter of Human Rights and Responsibilities Act 2006*, reflecting that the provision of adequate housing is an essential human need and right.

Key documents that intersect with Council’s SAH Policy and Strategy:

Whittlesea 2040 Vision: A place for all Council Plan Update 2017 – 2021 Community Building Policy and Strategy Housing Diversity Strategy 2013-33 Whittlesea Planning Scheme and (WPS) Municipal Strategic Statement (MMS)	Health & Wellbeing Partnership Plan 2017-21 Municipal Pandemic Readiness and Recovery Plan Disability Action Plan 2017 – 2021 Stretch Reconciliation Action Plan 2017-20 Positive Ageing Strategy 2016 -2025
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**State Government Policy and Legislation**

***Home for Victorians 2017***

This is the current Victorian Government strategy to address housing affordability and Affordable Housing supply from which the Big Housing Build was established. It has five high-level initiatives:

1. Supporting people to buy their own home
2. Increasing the supply of housing through faster planning
3. Promote stability and affordability for renters
4. Increasing and renewing social housing stock
5. Improving housing services for Victorians in need.

The strategy outlines a number of aspects addressed through the BHB, including fast-tracking social housing redevelopments, identifying underutilised and surplus government land and ‘speeding up’ local government planning decisions.

It included the establishment of a \$1 billion Victorian Social Housing Growth Fund from which BHB grants are funded. Through this fund, the State Government commits to the development of around 6,000 social housing dwellings, including new builds, subsidised rentals and renewal of up to 2,500 ageing public housing dwellings. It also includes \$100 million in low-cost loans and \$1 billion in government guarantees to housing associations to enable them to substantially expand their stock.

***Local Government Act 2020***

The legislation that guides local governments in the use and/or disposal of their land is the *Local Government Act 2020* (the LG Act).

**Section 8** of the LG Act sets out the Role of a Council: *The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.* Any decisions about the use of Council land for Affordable Housing need to be made in a way that demonstrates good governance and provides for the benefit and wellbeing of the City of Whittlesea community.

**Sections 55 to 58** set out requirements around community engagement and public transparency. These aspects are relevant to the process for deciding how to use Council land and are discussed further in the section on Key decisions.

**Section 110** sets out that a council may participate in a beneficial enterprise such as a joint venture. This part of the LG Act is relevant if the Council wants to facilitate the provision of Affordable Housing on its own land by entering into a beneficial enterprise.

**Section 115** relates to the leasing of land. This section is relevant if the Council decides to facilitate the provision of Affordable Housing by leasing Council-owned land. Section 115 is:

- (1) *A Council's power to lease any land to any person is limited to leases for a term of 50 years or less.*
- (2) *Subject to any other Act, and except where section 116 applies, if a Council leases any land to any person subject to any exceptions, reservations, covenants and conditions, it must comply with this section.*
- (3) *A Council must include any proposal to lease land in a financial year in the budget, where the lease is—*
  - (a) *for one year or more and—*
    - (i) *the rent for any period of the lease is \$100 000 or more a year; or*
    - (ii) *the current market rental value of the land is \$100 000 or more a year; or*
  - (b) *for 10 years or more.*
- (4) *If a Council proposes to lease land that is subject to subsection (3) and that was not included as a proposal in the budget, the Council must undertake a community engagement process in accordance with the Council's community engagement policy in respect of the proposal before entering into the lease.*

Given the proposed timing of this project, it is likely that point 4 above will apply and that Council will need to undertake a community engagement process so that it can make decisions about the lease of its land prior to the release of the next Council budget.

### **Planning and Environment Act 1987**

The *Planning and Environment Act 1987* (PE Act) provides a definition of Affordable Housing at **Section 3AA**:

- (1) *For the purposes of this Act, affordable housing is housing, including social housing, that is appropriate for the housing needs of any of the following—*
  - (a) *very low-income households;*
  - (b) *low-income households;*
  - (c) *moderate-income households.*
- (2) *For the purposes of determining what is appropriate for the housing needs of very low-income households, low-income households and moderate-income households, regard must be had to the matters specified by the Minister by notice published in the Government Gazette.*
- (3) *Matters specified by the Minister by notice under subsection (2) cannot include price ranges or prices for the purchase or rent of housing.*

The PE Act is also relevant for Council in its role as Responsible Authority to decide on planning permit applications.

Other relevant State Government Policies and Legislation:

Legislation	Policies
Charter of Human Rights and Responsibilities Act 2006 Victoria’s Equal Opportunity Act 2010 Housing Act 1983 Public Health and Wellbeing Act 2008 Residential Tenancies Act 1997	Planning Policy Framework from the Victoria Planning Provisions Plan Melbourne 2017-2050 Victorian Health Plan Northern Growth Corridor Plan Homes for Victorians 2017 Better Apartment Guidelines Victoria’s homelessness and rough sleeping action plan 2018 Ending Family Violence Victoria’s Plan for Change

**LINK TO STRATEGIC RISKS**

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

Under the adopted SAH Policy (Attachment 3), Council recognises that access to affordable and appropriate housing is a human right and basic need. The provision of social and affordable housing and related support services are therefore considered critical community infrastructure and services.

Council has legislated responsibilities for housing-related matters under the *Local Government Act 2020 and Planning and Environment Act (1987)*, such as land use planning, social and physical infrastructure planning and development, building controls, community consultation and engagement, and advocacy.

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

A process of community engagement is summarised under the consultation section of this report.

This proposal responds to recent community consultation findings that show there is a significant need for Affordable Housing and housing services in the municipality.

**LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

**Goal** **Liveable neighbourhoods**

**Key Direction** **Housing for diverse needs**

*Whittlesea 2040: A place for all* reflects the long-term vision for the City of Whittlesea and highlights both the community’s aspirations for a range of housing types and Council’s commitment to delivering housing for diverse needs. The Victorian Government BHB program presents opportunities for Council to address this goal by facilitating the development of more Affordable Housing in the municipality.

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

## CONCLUSION

It is recommended that suitable Council-owned land be considered for the use of Affordable Housing to help address the critical undersupply in the municipality and provide additional 'Local Housing for Local People'.

A priority opportunity has been identified to consider leasing Council owned land at 1F Ashline Street, Wollert, to a community housing organisation via a long-term lease.

As part of considering the lease of 1F Ashline Street, Wollert, a community engagement process will be undertaken in accordance with the LG Act 2020 between September and October.

The outcomes of the community engagement process will be presented to Council to inform the consideration of leasing the site for the purpose of delivering Affordable Housing.

This proposal responds to Council's commitment under the City of Whittlesea Social and Affordable Housing Policy which states that Council '*actively encourages and facilitates the provision of affordable, accessible and appropriate housing for very low, low and moderate income households across the municipality.*'

## RECOMMENDATION

**THAT Council resolve to:**

- 1. Consider the lease of 1F Ashline Street, Wollert, in accordance with Section 115 of the Local Government Act 2020, to a community housing organisation for the purpose of delivering Affordable Housing.**
- 2. Commence a process of community engagement on the proposal to lease 1F Ashline Street, Wollert, in accordance with Council's Community Engagement Policy 2021.**
- 3. Present the outcomes of the community engagement process at the December 2021 Council meeting to inform the consideration of leasing 1F Ashline Street, Wollert, for the purpose of delivering Affordable Housing.**

## COUNCIL RESOLUTION

**MOVED:** Administrator Duncan  
**SECONDED:** Chairperson Wilson

**THAT Council resolve to adopt the Recommendation.**

**CARRIED**

Attachment 2. Subject site - 1F Ashline Street, Wollert



Map showing the site location

**Legend**

- Site boundary
- ♥ Optional access points
- 1 — Access to bus and train services along Epping Road

Map of surrounding precinct – 1F Ashline Street Wollert





Figure 1 The housing continuum in Australia.

	Affordable Housing (non-market housing)					Market housing	
Type of housing	Emergency shelter and crisis accommodation	Transitional and supported housing	Social housing (public and community housing)	Affordable rental housing	Affordable home ownership	Private market rental	Private market home ownership
Household income	Very low, low, and moderate income households are eligible Note: affordable rental and purchase is usually too costly for low and very low income households					Market competition for access	
Rent setting or purchase price	Some payment usually required	Rent set at no more than 25% of household income		Rent set at 80% of market rent	Discounted purchase price or shared equity	Rent or purchase price is determined by how much people are willing to pay	
Frequency of housing type	Fewer than 4.5% of all dwellings in Australia, trying to cater for up to 40% of all households			A relatively new approach in Australia		The majority of dwellings in Australia	
Level of subsidy required	Increasing level of external subsidy required to meet the gap between the cost of constructing and operating the property and the rental income received for the property					Considered “un-subsidised” housing although tax incentives (negative gearing) or allowances (Commonwealth Rent Assistance) may apply	







## Social and Affordable Housing Policy

<b>Category</b>	This policy applies to all Councillors, Council staff, volunteers and relevant stakeholders (such as: developers, builders, community housing providers and community organisations).
<b>Date of adoption by CMT/Council</b>	17 April 2012
<b>Directorate responsible</b>	Partnerships and Engagement

### Policy

The City of Whittlesea actively encourages and facilitates the provision of affordable, accessible and appropriate housing for very low, low and moderate income households across the municipality.

The City of Whittlesea is believes:

- Housing is basic human need that contributes to individual and community safety and wellbeing
- Every person, regardless of their age, culture, gender, race, religion or sexual preference, has a right to affordable and appropriate housing to enable their participation in community life
- Affordable housing should be in locations accessible to appropriate services and facilities for a range of households
- Council in collaboration with the State government, the Commonwealth government, other local governments, the community sector and the private sector should develop strategies to expand affordable housing choices
- Council should assist in the development and maintenance of community diversity and sustainability with a Social and Affordable Housing Policy & Strategy that encourages both a social and housing mix throughout the municipality.

### Key Policy Areas

This Policy identifies six key areas for Council action and details specific strategies:

- Plan for social and affordable housing
- Increase the supply of social housing
- Increase affordable private rental housing for low income households
- Increase the access to affordable house purchase for moderate income households
- Develop housing that matches the needs of the diverse population
- Address the needs of people faced with a housing crisis



## Definitions

**Affordable housing** is housing that is appropriate for the needs of a range of low and moderate income households, and priced so that households are able to meet other essential basic living costs.<sup>1</sup> Affordable housing can be in the form of affordable purchase (home ownership) or affordable rental housing<sup>2</sup>.

**Social housing** is an umbrella term that encompasses affordable rental accommodation to low income household groups. It is provided by the not-for-profit sector, including public and community housing:

**Public housing:** In Victoria the Commonwealth and State Government jointly fund public rental housing. This housing is provided, owned and managed by the Victorian Government's Department of Health and Human Services (DHHS)<sup>3</sup>.

**Community housing:** Is secure, affordable, long term rental housing. It is owned and/or managed by not-for-profit (non-government) sector such as housing providers, associations and cooperatives. In Victoria, the role of the Housing Registrar is to register and regulate these housing agencies. There are two main types of community housing organisations in Victoria registered housing associations and providers

## Objectives

The objectives of this policy are that for:

1. those who are homeless or in crisis that timely access to housing information and referral, housing support, short-term accommodation and long-term housing be available
2. households in receipt of low and very low incomes, particularly those receiving Centrelink payments, reasonable access to a range of social housing options be available
3. households in receipt of moderate and low incomes, reasonable access to a range of affordable private rental housing options be provided
4. households in receipt of moderate incomes, a range of affordable dwellings types is available for purchase

## Context/Rationale

**Every person has a right to affordable, adequate and appropriate housing to enable their participation and sense of belonging in community life<sup>1</sup>.**

Diverse, available and suitable housing contributes to a community's capacity to sustain local economics with a range of services and businesses, prosper in an efficient, sustainable

<sup>1</sup> City of Whittlesea, Social and Affordable Housing Policy and Strategy

<sup>2</sup> City of Port Phillip 'What is affordable housing?' November 2016

<sup>3</sup> City of Moreland, Moreland Affordable Housing Strategy 2014 -2018



and equitable way<sup>4</sup>. Housing cost is a major living expense and high housing costs can decrease the resources available for food, clothing, education, recreation and health care.

The demand for and supply of social and affordable housing in Australia continues to be a major problem that requires innovative solutions. Within the City of Whittlesea the lack of access to affordable or suitable housing continues to grow. Broadly the key issues contributing to this problem within the City of Whittlesea are:

- Population growth and declining household sizes
- Increasing disadvantage and the lack of social housing stock
- Mismatch between available dwelling stock and household size
- Increasing cost of private rental but low growth stock
- Increasing house purchase costs.

In addition to these broader drivers influencing housing affordability, within the City of Whittlesea the existing context establishes a number of challenges that must be overcome:

- Lack of planning for social and affordable housing
- Undersupply of social housing
- Lack of rental housing for low income households
- Limited availability of dwellings for purchase by moderate income households
- Lack of housing options for a range of specific groups in the City of Whittlesea
- Lack of crisis and homelessness services.

Our role as outlined in the Local Government Act 1989 provides a legal framework for Council involvement and responsibilities. Council has a statutory responsibility in housing-related matters such as land use and physical infrastructure planning and development, building controls, public health, traffic management and open space planning.

In this way, Council plays a pivotal role in facilitating and influencing the location and diversity of housing developments in order to promote a wide range of quality dwelling types, forms and styles targeted to the needs of households at different life stages and income levels.

### **Key linkages**

The Social and Affordable Housing Policy has clear linkages to a range of legislative, policy and Council documents:

#### **Legislation**

Local Government Act 1989

Charter of Human Rights and Responsibilities Act 2006

Planning and Environment Act 1987

Public Health and Wellbeing Act 2008

Residential Tenancies Act 1997

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<sup>4</sup> University of Melbourne

**Commonwealth Government**

National Affordable Housing Agreement  
National Partnership Agreement on Homelessness  
National Rental Affordability Scheme

**State Government Policy and Frameworks**

State Policy Planning Framework  
Reformed Residential Zones  
Plan Melbourne 2017-2050  
Homes for Victorians: Affordability, access and choice  
Better Apartment Guidelines  
Royal Commission into Family Violence Report and Recommendations

**Council policies, strategies and frameworks**

Shaping Our Future Whittlesea 2030 Strategic Community Plan  
City of Whittlesea Council Plan & Municipal Public Health and Wellbeing Plan (2013-2017)  
Local Planning Policy Framework: Municipal Strategic Statement – Whittlesea Planning Scheme  
Community Building Policy and Strategy (2016)  
Housing Diversity Strategy (2013-2033)  
Family Violence Strategy (2014-2018)  
City of Whittlesea Disability Action Plan (2013-2016)  
Community Safety and Crime Prevention Policy and Strategy (2016-2020)  
Positive Aging Strategy for the Whittlesea Municipality 2016 -2025  
Reconciliation Action Plan  
Growing Our Economy (in development)  
Property Strategy (in development)  
Advocacy Strategy 2016

**Strategic Land Use documents:**

- Epping Central Structure Plan
- Mernda Strategy Plan
- Epping North Structure Plans
- Plenty Valley Structure Plan
- Precinct Structure Plans: Wollert, Donneybrook, Lockerbie

The City of Whittlesea is a signatory to the Australian Network for Universal Housing Design and Rights and Inclusion Australia Position Statement.



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<sup>1</sup> City of Whittlesea Social and Affordable Housing Policy and Strategy 2012-2016  
Beer, A., Morris, A. and Paris, C. 2014 Housing and Local Government in Australia in the 21st Century,  
Australian Centre of Excellence for Local Government, Sydney.





**6.3 STRONG LOCAL ECONOMY**

**NIL REPORTS**



## 6.4 SUSTAINABLE ENVIRONMENT

### ITEM 6.4.1 FOR DECISION - CONTRACT 2021-65 LAURIMAR RESERVE WEST OVAL UPGRADE

**Attachments:**                                    1        **2021-65 Laurimar Reserve West Oval Upgrade  
CONFIDENTIAL ATTACHMENT - Confidential**

This attachment has been designated as confidential by the Director Infrastructure & Environment, under delegation from the Chief Executive Officer, in accordance with Rule 53 of the Governance Rules 2021 and sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains private commercial information, being information provided by a business, commercial or financial undertaking that— (i) relates to trade secrets; or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage. In particular the attachment contains information regarding private commercial pricing and capability that if released could expose the business to a disadvantage.

**Responsible Officer:**                        **Director Infrastructure & Environment**

**Author:**    **Senior Parks Project Manager**

#### RECOMMENDATION SUMMARY

It is recommended that contract number 2021-65 for Laurimar Reserve West Oval Upgrade:

- is awarded to RMS Groundworks Pty Ltd
- for the lump sum price of \$1,141,742.00 (excl. GST)

#### BRIEF OVERVIEW

The tender evaluation panel advises that:

- Four tenders were received

The recommended tender was the highest ranked and is considered best value.

#### RATIONALE FOR RECOMMENDATION

The recommendation of contract award to RMS Groundworks Pty Ltd is based on them providing the most competitive lump sum price of all submissions and demonstrating they are suitably qualified and experienced to undertake the works.

#### IMPACTS OF RECOMMENDATION

Awarding the contract to RMS Groundworks Pty Ltd will enable delivery of the works within Council's required timeframe, which includes seasonal maintenance requirements and scheduled club use of the sportsfield. There are no negative impacts foreseen with the recommendation.

The cost of the proposed work currently exceeds the approved project budget in the 2021/22 New Works Program. The main reason for this is that the project budget was not adjusted to reflect the actual cost of work prior to approval of the budget in June 2021.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

During the construction process, the management of works including quality control, methodology and site management will be closely monitored and efficiencies maximised where possible to ensure the project is completed for the community as quickly as possible.

As the contract sum exceeded the project budget, a value management exercise was undertaken to reduce the budget deficit. Some fencing elements were reduced and tighter budget provisions made. Council staff will explore alternative material selection during the works and ensure unexpended contingency budgets are not utilised for non-essential work.

For projects in future years, Council staff will review budget allocations in the 4 Year New Works Program with greater degree of accuracy prior to budget approval, to ensure the estimates are reasonable based on current cost information.

**REPORT****BACKGROUND**

The purpose of this contract is to undertake an upgrade of the west oval at Laurimar Recreation Reserve, Doreen. The works include installation of new drainage, irrigation, cricket wicket, natural turf surface and growing medium, fencing, coaches boxes and path connections. The works exclude the existing sportsfield lighting and electronic scoreboard which will be retained.

Tenders for the contract closed on 13 July 2021. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**CONSULTATION**

Following on-gong issues with poor drainage and the general condition of the sportsfield surface, a concept design was undertaken in 2020-21 for upgrade of the west oval. Consultation was undertaken with the Laurimar sporting clubs that use the oval (AFL and cricket) to ensure practical considerations for game-day were considered, such as the location of player access gates and coaches boxes. This process resulted in additional player gates being incorporated into the design, along with new path connections. Consultation was also undertaken with Council staff who have responsibility for sportsfield maintenance and club liaison / coordination to ensure the design along with timing of the works will meet all operational requirements. This process resulted in the provision of a 'spare' goal post sleeve at each end to assist with maintenance and rotation of the goal square, and also storage sleeves to allow for future removal of the goal posts during cricket season if required.

The sporting clubs at Laurimar Reserve, sports associations and relevant Council staff have been kept informed throughout the design and tender phase regarding timing and delivery of the works. The adjacent Laurimar Primary School who use the west oval for various activities have also been informed of the project delivery timeframe. All stakeholders will be kept informed as works progress, and the sporting clubs will be closely involved in the staged re-use of the sportsfield as the new turf surface establishes and managed use can recommence.

**EVALUATION**

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

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

Criteria	Weighting
Price	50%
Capability	23%
Capacity	20%
Impact	7%

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

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 RMS Groundworks Pty Ltd	Yes	Yes	91.1	1
Tenderer B	Yes	No	75.1	2
Tenderer C	Yes	Yes	72.4	3
Tenderer D	Yes	Yes	72.2	4

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

### FINANCIAL IMPLICATIONS

The cost of the proposed work currently exceeds the approved project budget in the 2021/22 New Works Program. The main reason for this is that the project budget was not adjusted to reflect the actual cost of work prior to approval of the budget in June 2021. Nevertheless, a value management exercise was undertaken to reduce the budget deficit, which included the reduction of some fencing and tighter cost control of the works by exploring alternative material selection during the works and ensuring unexpended contingency budgets are not utilised for non-essential work. The project budget for these works is outlined in the confidential attachment and includes a requirement for additional budget.

For projects in future years, Council staff will review budget allocations in the 4 Year New Works Program with a greater level of accuracy prior to budget approval, to ensure the estimates are reasonable based on the latest cost information. Comparisons with previous projects will also help validate future project budgets.

### LINK TO STRATEGIC RISKS

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

### LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN

**Goal**                      **Liveable neighbourhoods**

**Key Direction**            **Well-designed neighbourhoods and vibrant town centres**

Construction of the sportsfield upgrade at Laurimar Reserve west oval will achieve a much needed improvement of the existing facilities to meet the safety, amenity and sporting requirements. In doing so the completed project will provide a high quality facility that benefits the sporting clubs, broader community and operational requirements for Council.

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

**CONCLUSION**

The tender from RMS Groundworks 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 RMS Groundworks Pty Ltd for the sum of \$1,141,742 (excluding GST) for the following contract:**

**Number: 2021-65**

**Title: Laurimar Reserve West Oval Upgrade**

**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.**

**COUNCIL RESOLUTION**

**MOVED:** *Administrator Eddy*  
**SECONDED:** *Administrator Duncan*

**THAT Council resolve to adopt the Recommendation.**

**CARRIED**





**ITEM 6.4.2 FOR DECISION - AUTHORISATIONS AND DELEGATIONS UNDER THE ENVIRONMENT PROTECTION ACT 2017**

<b>Responsible Officer:</b>	<b>Director Planning &amp; Development</b>
<b>Author:</b>	<b>Manager Emergency Management &amp; Regulatory Programs</b>
<b>Attachments:</b>	<b>1 Instrument of Delegation from Council to the CEO <a href="#">↓</a></b>
	<b>2 Instrument of Sub-delegation from Council to staff <a href="#">↓</a></b>

**RECOMMENDATION SUMMARY**

That Council resolves to:

1. Delegate to the position referred to in the attached Instrument of Delegation to the Chief Executive Officer the powers, duties and functions set out in the Instrument subject to the conditions and limitations specified in that Instrument. (Refer Attachment 1);
2. Delegate the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument. (Refer Attachment 2);
3. Endorse a review across all departments to identify all officers who should be authorised as Litter Enforcement Officers and appoints these officers to be an authorised officer for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021. This appointment is made under s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021.

**KEY FACTS AND / OR ISSUES**

This report intends to delegate certain powers, duties and functions of the Environment Protection Authority (EPA) to the CEO who will in turn delegate these powers to Council enforcement officers.

- Council enforcement officers requiring delegation are from multiple teams across Council.
- Instruments of Appointment and Authorisation authorise relevant staff to exercise the powers conferred under the specified legislation. Authorised officers require this authorisation to properly exercise their role and to promote public safety.
- Introduction of the general environmental duty (GED) is the centre of the new Environment Protection legislation. The GED applies to all Victorians.
- Increased range of new enforcement provisions permits Councils to enforce breaches of any duties.
- Delegation provides for powers to enable officers right of entry, to investigate, to require name and address or answers and issue improvement notices and prohibition notices under the Act.
- Multiple tool kits developed by the EPA to support all Victorian enforcement officers.
- If Council chooses not to use the delegated powers, the EPA will continue to refer any pollution reports about residential construction noise to Council, as it has in the past.

## INTRODUCTION

The *Environment Protection Act 2017* and *Environment Protection Regulations 2021* came into effect on 1 July 2021 and provides a modern framework to protect the community and the environment from pollution and waste.

Under the new Act and Regulations, the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local government including a new delegation of powers from EPA to Councils.

The *Environment Protection Act 2017* implements the first major overhaul of Victoria's environmental law in 50 years. The Act has repealed the *Environment Protection Act 1970* and replaced it with a modern, risk-based regime focused on harm prevention.

The Act includes a new approach to environmental issues, focusing on preventing waste and pollution impacts rather than managing those impacts after they have occurred. The legislation is set to enhance the protection of Victoria's environment and human health through a more proportionate, risk-based environment protection framework.

## BACKGROUND

### New powers from the Environment Protection Authority (EPA)

The EPA has given Council the power to appoint authorised officers under the Act and, once appointed, those officers can also be delegated specific EPA powers. This is achieved by appointing the authorised officers and then delegating to the authorised officers the relevant EPA's powers.

Authorised officers must be members of Council staff and are only authorised to exercise the powers as set out under the EPA's Instrument of Delegation.

Under the *Environment Protection Act 1970*, Council staff were given direct power to take action in relation to residential noise, litter and waste-water management systems. Under the *Environment Protection Act 2017*, litter and residential noise remain as powers that can be directly appointed to staff by Council. The 2017 Act further provides additional powers to officers appointed under new sections.

There has been a significant change in the way Council staff will be authorised to regulate waste-water management systems and residential construction noise. It is now intended that enforcement staff take action against these matters as offences against the General Environmental Duty (GED), therefore EPA has created the instrument of delegation.

Area of Concern	EP Act 1970 Power	EP Act 2017 Power	General Power of Appointment or Delegation
Residential Noise	Section 48A(9)	Section 171	Appointment by Power of Authority
Residential Construction Noise	No relevant powers	Instrument of Delegation S11B	Instrument of Delegation
Litter and Waste	Section 45C	Section 114	Appointment by Power of Authority
Waste-water Management Systems (Septics)	Part IXB	Instrument of Delegation S11B	Instrument of Delegation

**Table 1:** Comparison of Environment Protection Act 1970 powers available to Council staff and the 2017 Act powers and instrument of delegation.

### **Instrument of Delegation**

This delegation from the EPA allows Councils to appoint their employees as authorised officers (AOs) under section 242(2) of the Act. Council authorised officers then have a limited set of powers that enable them to investigate and issue improvement notices and prohibition notices under the Act for residential construction noise and waste-water management GED issues.

In comparison to the old powers, the instrument gives Council staff stronger powers to investigate GED offences (powers of entry, powers to require name and address or answers). Owing to the stronger powers associated with the instrument delegation, Council is required to approve the use of the instrument.

It should be noted that while Council staff can issue remedial notices to achieve resolution, they cannot take formal legal proceedings for contraventions of the GED. If a contravention warrants such proceedings, the EPA will take those proceedings on behalf of Councils.

### **The General Environmental Duty (GED)**

The GED (section 25 of the Act) is central to Victoria's new environment protection laws. Anyone engaging in an activity that poses risk of harm to human health and the environment, from pollution or waste, must eliminate or reduce that risk. The general environmental duty applies to all Victorians.

This means those in management and control of construction and demolition activities or waste-water management systems must understand and proactively manage the risks of harm from noise, waste or odour to people nearby.

Council authorised officers will assess whether those undertaking construction or septic maintenance activities have appropriate controls in place instead of focusing on the impacts that have already occurred. It is intended that a focus on ensuring controls are effective will prevent harm, rather than having to wait for the harm to occur before being able to act.

## **PROPOSAL**

### Appointment of Authorised Officers

It is proposed that Council delegate its power to appoint authorised officers to the CEO, who will then authorise members of Council staff as required.

Before doing so, Council will need to remake the Instrument of Delegation to the CEO to capture the recent changes to the Act to ensure that CEO is conferred with this power. (Refer Attachment 1).

Once appointed by the CEO, authorised officers will have the power to:

- enter and inspect premises;
- issue and enforce the notice ordering maintenance of onsite wastewater management systems (as well as improvement notices and prohibition notices); and
- issue an infringement notice for breach of a prescribed permit condition.

The subject powers are set out in following sections of the Act:

- Section 246 (Power to may enter and inspect any place or premise);
- Section 247 (Power to may enter and inspect any premise when open to the public
- Section 248 (Power to enter and inspect residential premises with occupiers' consent);
- Section 259 (Power to request a person's name and address);
- Section 271 (Power to issue an improvement notice);
- Section 272 (Power to issue a prohibition notice);
- Section 279 (Power to amend a notice to comply); and

- Section 307 (Power to serve an infringement notice).

#### Appointment of Delegates

Table 2 provides an overview of compliance staff who require delegated powers to enforce provisions in the Act relating to noise from residential construction and waste-water management.

It is proposed that Council sub-delegates its power to administer relevant provisions in the Act regulating noise from residential construction and waste-water management systems to members of Council staff holding the positions detailed in Table 2. (Refer Attachment 2).

It should be noted that, if Council chooses not to use the delegated powers, the EPA will continue to refer any pollution reports about residential construction noise to Council, as it has in the past. The Act does not give EPA Officers powers around residential noise or residential construction noise.

Officer Name	Position	Business Unit	Activity / Provision
Alan Lansdowne	Team Leader Infrastructure Protection	Infrastructure Protection	Residential Construction Noise
Gino Pettinella	Assets & Infrastructure Protection Officer	Infrastructure Protection	Residential Construction Noise
Geoff Weedon	Utility Works & Infrastructure Protection Officer	Infrastructure Protection	Residential Construction Noise
Billy Gristwood	Infrastructure Protection Officer	Infrastructure Protection	Residential Construction Noise
Bill Toward	Infrastructure Protection Officer	Infrastructure Protection	Residential Construction Noise
Bernard Tarabolsi	Team Leader Local Laws Enforcement Asset Protection	Asset Protection-Local Laws	Residential Construction Noise
Colin Boyle	Local Laws Enforcement Officer	Asset Protection-Local Laws	Residential Construction Noise
Jason Law	Asset Protection Officer	Asset Protection-Local Laws	Residential Construction Noise
Tele Pinono	Local Laws Enforcement Officer	Asset Protection-Local Laws	Residential Construction Noise
Das Angelakos	Team Leader Planning Enforcement	Planning Enforcement	Residential Construction Noise
Steven Cokuzovski	Planning Enforcement Officer	Planning Enforcement	Residential Construction Noise
Anne Hatzis	Planning Enforcement Officer	Planning Enforcement	Residential Construction Noise
Anthony Angelevski	Planning Enforcement Officer	Planning Enforcement	Residential Construction Noise
Angela Montebello	Planning Enforcement Officer	Planning Enforcement	Residential Construction Noise
Leo Parente	Municipal Building Surveyor	Building	Residential Construction Noise
Laurie Federico	Senior Building Surveyor Compliance	Building	Residential Construction Noise
Robert Zivkovic	Building Surveyor Compliance	Building	Residential Construction Noise
Alfred Hanna	Senior Building Inspector	Building	Residential Construction Noise
Joseph Antonelli	Building Inspector	Building	Residential Construction Noise
Ralph Mertins	Team Leader Health Services	Health Services	Waste-water Management Systems
Zak Osman	Coordinator Environmental Health	Health Services	Waste-water Management Systems
Gillian Tierney	Environmental Health Officer	Health Services	Waste-water Management Systems
Mahmoud El Mustapha	Environmental Health Officer	Health Services	Waste-water Management Systems
Rochelle Maile	Environmental Health Officer	Health Services	Waste-water Management Systems

Spiros Kynigopoulos	Environmental Health Officer	Health Services	Waste-water Management Systems
Suzie Petrovski	Environmental Health Officer	Health Services	Waste-water Management Systems
Anna Grechina	Environmental Health Officer	Health Services	Waste-water Management Systems
Joe Nicastrì	Environmental Health Investigation Officer	Health Services	Waste-water Management Systems

**Table 2:** Compliance Staff

Authority for staff to enforce/regulate Residential Noise and Litter and Waste are appointments by power of authority of the CEO.

Residential Noise matters are managed by the Health Services team while Residential Construction Noise will be managed by the Asset Protection team.

Where an officer was Authorised under s48A of the *Environment Protection Act 1970* (prior to 1 July 2021), their Authority is transitioned to the new Act. This transition includes Litter and Waste.

### Litter and Waste

Littering and illegal dumping is a highly visible problem, impacting the environment, as well as the community. Responsibility for enforcement of the litter provisions of the *Environmental Protection Act* is shared between a range of departments, Sustainable Environment, Maintenance and Operations, Building and Planning, Assets and Facilities, and Compliance and Environmental Health.

Local government has a regulatory role in enforcing requirements for waste management activities in their jurisdictions and in litter prevention, education and enforcement. At this stage we do not have a complete overview of officers who are currently authorised to undertake these activities.

A review across all departments is required to identify both officers who are currently authorised as Litter Enforcement Officers and officers who should be authorised to affect Councils responsibility to the environment.

Any officer who was authorised under s48A of the *Environment Protection Act 1970* prior to 1 July 2021 will continue to be authorised. All new officers are required to be appointed under (S11C) Instrument of Appointment and Authorisation.

The new Act has removed the requirement for Litter Enforcement Officers to have delegated powers to direct persons to remove litter (Section 45X of the 1970 Act) and to direct person to remove things in any place under the control or management of Council (Section 45X of the 1970 Act).

The EPA has given Council the power to appoint authorised officers under the Act and as identified with the (S18) Instrument of Sub-Delegation, Council's power of appointment can be delegated to the CEO.

### CONSULTATION

During 2019, EPA and DELWP consulted broadly with industry, local government and the community to develop the proposed subordinate legislation. The public comment period closed on 31 October 2019. We received 317 submissions. More than half of these came from organisations.

Council staff from a number of departments were involved in the consultation with the EPA and subsequently have continued to be involved through the development of toolkits and notices.

To understand Councils obligations, Managers from Emergency Management and Regulatory Programs, Building and Planning, Assets and Facilities, Compliance and Environmental Health workshopped and mapped current officer duties against the new Act requirements and established the responsibilities for each team aligned to the key areas of Residential Noise, Residential and Construction Noise including demolition, and Waste-water Management Systems. The outcome of the workshop established and identified the responsible staff in these areas.

Litter and Waste was discussed however this process was not mapped as it should be a separate project due to the number of stakeholders required to attend and the complexity of litter management at Council.

### **CRITICAL DATES**

It is important that updated Instruments of Appointment and Authorisation are executed as soon as possible to ensure that Council officers have the proper authorisation to continue carrying out their duties.

This report is intended to go to the scheduled Council Meeting on 6 September 2021.

- This report was presented to ELT on 25 August 2021;
- This report was to a Council Briefing on 30 August 2021; and
- This report is going to a Scheduled Council Meeting on 6 September 2021.
- The instrument to come into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines.

### **FINANCIAL IMPLICATIONS**

Costs in preparing the Instruments are within the recurrent Governance department budget.

### **POLICY STRATEGY AND LEGISLATION**

Section 224 of the *Local Government Act 1989* provides for the appointment of authorised officers for the purposes of the administration and enforcement of any Act, Regulation or local laws which relate to the functions and powers of Council.

### **LINK TO STRATEGIC RISKS**

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

Officers will be unable to fulfil their duties as authorised officers if the updated Instruments of Appointment and Authorisation are not put in place.

### **LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

<b>Goal</b>	<b>High-performing organisation</b>
<b>Key Direction</b>	<b>Driving better community outcomes through improved service access, satisfaction and advocacy</b>

## DECLARATIONS OF CONFLICTS OF INTEREST

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

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

## CONCLUSION

Under the new Act and Regulations, the scope of local government's role as a regulator has not changed, but there are changes to the laws and powers of local government including a new delegation of powers from EPA to Councils.

The Act includes a new approach to environmental issues, focusing on preventing waste and pollution impacts rather than managing those impacts after they have occurred. The legislation is set to enhance the protection of Victoria's environment and human health through a more proportionate, risk-based environment protection framework.

It is recommended that the CEO be authorised to appoint authorised officers under relevant provisions of the *Environment Protection Act 2017* and that Council sub-delegate the its powers under the Act to members of Council staff to administer relevant provisions.

## RECOMMENDATION

1. Brief Council on the changes to delegations of the Environment Protection Act and the key change to council obligations of the 2017 Act; and
2. Seek endorsement from Council with a recommendation as follows:

THAT Council, in the exercise of the power conferred by s 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves to:

1. Delegate to the position referred to in the attached Instrument of Delegation to the Chief Executive Officer the powers, duties and functions set out in the Instrument subject to the conditions and limitations specified in that Instrument. (Refer Attachment 1);
2. Delegate the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument. (Refer Attachment 2);
3. Commence operation of the Instruments immediately upon the common seal of Council being affixed to the Instruments;
4. Revoke all previous Council delegations to members of Council staff on the coming into force of the Instruments;
5. Require the duties and functions set out in the Instruments to be performed, and the powers set out in the Instruments to be executed, in accordance with any guidelines or policies adopted by Council; and

6. Endorse a review across all departments to identify all officers who should be authorised as Litter Enforcement Officers and appoints these officers to be an authorised officer for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021. This appointment is made under s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021.

**COUNCIL RESOLUTION**

**MOVED:** *Administrator Eddy*  
**SECONDED:** *Chairperson Wilson*

1. Brief Council on the changes to delegations of the Environment Protection Act and the key change to council obligations of the 2017 Act; and
2. Seek endorsement from Council with a recommendation as follows:

**THAT Council, in the exercise of the power conferred by s 437(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, resolves to:**

1. Delegate to the position referred to in the attached Instrument of Delegation to the Chief Executive Officer the powers, duties and functions set out in the Instrument subject to the conditions and limitations specified in that Instrument. (Refer Attachment 1);
2. Delegate the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument. (Refer Attachment 2);
3. Commence operation of the Instruments immediately upon the common seal of Council being affixed to the Instruments;
4. Revoke all previous Council delegations to members of Council staff on the coming into force of the Instruments;
5. Require the duties and functions set out in the Instruments to be performed, and the powers set out in the Instruments to be executed, in accordance with any guidelines or policies adopted by Council; and
6. Endorse a review across all departments to identify all officers who should be authorised as Litter Enforcement Officers and appoints these officers to be an authorised officer for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021. This appointment is made under s 242(2) of the Environment Protection Act 2017 and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021.
7. Receive a further report to be presented to Council in 12 months on the actual resourcing impacts associated with these new delegations.

**CARRIED**





**Instrument of Delegation**  
**to the**  
**Chief Executive Officer**  
**(S5)**

**6 September 2021**  
Version 5.03

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**Instrument of Delegation**

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the **Whittlesea City Council (Council)** delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on 6 September 2021;
- 2. the delegation
  - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.

DATED:

THE COMMON SEAL of            )  
 WHITTLESEA CITY COUNCIL    )  
 is affixed in the presence of:  )

..... Chair of Administrators

..... Chief Executive Officer

## SCHEDULE

3. The power to determine any issue, take any action or do any act or thing arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing -

4. if it is an issue, action, act or thing which involves:
- 4.1 awarding or extending a contract involving approval of an amount exceeding \$1M (GST inclusive) except if it is a contract for the supply of Utilities;
  - 4.2 Varying a contract, either in one instance or in aggregate, that was awarded by:
    - 4.2.1 the delegate - if the resulting contract sum will exceed \$1.2M (GST inclusive), or
    - 4.2.2 the Council - if the value of the variation exceeds 20% of the contract sum approved by the Council;
  - 4.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 4.4 election of a Mayor or Deputy Mayor;
  - 4.5 granting of a reasonable request for leave under section 35 of the Act;
  - 4.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 4.7 approval or amendment of the Council Plan;
  - 4.8 adoption or amendment of any policy that Council is required to adopt under the Act;
  - 4.9 adoption or amendment of the Governance Rules;
  - 4.10 appointment of the chair or the members to a delegated committee;
  - 4.11 making, amending or revoking a local law;
  - 4.12 approval of the Budget or Revised Budget;
  - 4.13 borrowing money;
  - 4.14 subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges;

- 4.15 approval of overseas travel by Council officers on Council business; or
- 5. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
- 6. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
- 7. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a -
  - 7.1 policy; or
  - 7.2 strategyadopted by Council; or
- 8. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
- 9. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.



***S18 Instrument of Sub-Delegation  
under the Environment Protection Act 2017***

**Whittlesea City Council**

**Instrument of Sub-Delegation**

**to**

**Members of Council staff**

**6 September 2021**

Version 1.01

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

### Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described in column 3 of the Schedule;
2. record that references in the Schedule are as follows;

Abbreviation	Position
DIE	Director Infrastructure and Environment
TLIP	Team Leader Infrastructure Protection
AIPO	Assets & Infrastructure Protection Officer
IPO	Infrastructure Protection Officer
TLLLEAP	Team Leader Local Laws Enforcement Asset Protection
DPD	Director Planning and Development
MCEH	Manager Compliance and Environmental Health
LLEO	Local Laws Enforcement Officer
APO	Asset Protection Officer
TLHS	Team Leader Health Services
EHO	Environmental Health Officer
EHIO	Environmental Health Investigations Officer
MBP	Manager Building and Planning
TLPE	Team Leader Planning Enforcement
PEO	Planning Enforcement Officer
MBS	Municipal Building Surveyor



Abbreviation	Position
SBSC	Senior Building Surveyor Compliance
SBI	Senior Building Inspector
BI	Building Inspector

3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on 6 September 2021 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
  - 5.1 the powers, duties and functions described in column 1 and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
    - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
    - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:
  - 6.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
  - 6.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategy
 adopted by Council;
  - 6.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

6.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Date:

THE COMMON SEAL of )  
WHITTLESEA CITY COUNCIL )  
is affixed in the presence of: )

..... Chair of Administrators

..... Chief Executive Officer

## SCHEDULE

<b>ENVIRONMENT PROTECTION ACT 2017</b>			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 271	Power to issue improvement notice	DIE, MAF, TLIP, AIPO, UWIPO, IPO, TLLLEAP DPD, MCEH, LLEO, APO, TLHS, EHO EHIO, MBP, TLPE, PEO, MBS, SBSC, SBI, BI	
s 272	Power to issue prohibition notice	DIE, MAF, TLIP, AIPO, UWIPO, IPO, TLLLEAP DPD, MCEH, LLEO, APO, TLHS, EHO EHIO, MBP, TLPE, PEO, MBS, SBSC, SBI, BI	
s 279	Power to amend a notice	DIE, MAF, TLIP, AIPO, UWIPO, IPO, TLLLEAP DPD, MCEH, LLEO, APO, TLHS, EHO EHIO, MBP, TLPE, PEO, MBS, SBSC, SBI, BI	
s 358	Functions of the Environment Protection Authority	DIE, MAF, TLIP, AIPO, UWIPO, IPO, TLLLEAP DPD, MCEH, LLEO, APO, TLHS, EHO EHIO, MBP, TLPE, PEO, MBS, SBSC, SBI, BI	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment	DIE, MAF, TLIP, AIPO, UWIPO, IPO, TLLLEAP DPD, MCEH, LLEO, APO, TLHS, EHO EHIO, MBP, TLPE, PEO, MBS, SBSC, SBI, BI	

S18 Instrument of Sub-delegation to members of Council staff (*Environment Protection Act 2017*)

page 4

<b>ENVIRONMENT PROTECTION ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	Protection Authority's functions and duties and to enable the Authority to achieve its objective.		
s 359(2)	Power to give advice to persons with duties or obligations	DIE, MAF, TLIP, AIPO, UWIPO, IPO, TLLLEAP DPD, MCEH, LLEO, APO, TLHS, EHO EHIO, MBP, TLPE, PEO, MBS, SBSC, SBI, BI	

**6.5 HIGH PERFORMING ORGANISATION****ITEM 6.5.1 FOR NOTING - UNCONFIRMED MINUTES OF AUDIT & RISK COMMITTEE MEETING**

**Attachments:** 1 **Unconfirmed Minutes of Audit & Risk Committee Meeting - 19 August 2021** [↓](#)

**Responsible Officer:** **Executive Manager Governance & Strategy**

**Author:** **Internal Assurance Coordinator**

**RECOMMENDATION SUMMARY**

That Council resolve to

1. note the Unconfirmed Minutes of the Audit & Risk Committee meeting held on 19 August 2021; and
2. write a joint letter from the Chair of Administrators and CEO to Mr Michael Ulbrick to thank him for his valuable contribution as independent Audit and Risk Committee member over the past ten years.

**BRIEF OVERVIEW**

As required under Council's Audit & Risk Committee Charter, this report presents the Unconfirmed Minutes of the Audit & Risk Committee meeting held on 19 August 2021.

**RATIONALE FOR RECOMMENDATION**

Council is required to comply with the requirements of the Audit & Risk Committee Charter and the *Local Government Act 2020*.

**IMPACTS OF RECOMMENDATION**

Council will comply with its Audit & Risk Committee Charter and meet its legislative requirements.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

Provision of Audit & Risk Committee meeting minutes, ensures that the Council is regularly informed of the operations of the Audit & Risk Committee.

**REPORT****BACKGROUND**

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

The Audit & Risk Committee meets at least four times a year and its Charter requires that minutes from Committee meetings are presented to Council.

The Audit & Risk Committee considered a number of reports at the meeting held on 19 August 2021, as well as confirming the minutes from the previous meeting held on 27 May 2021.

Main agenda items included:

- In-camera discussion with the CEO
- Audit & Risk Committee Work Plan
- CEO's Update
- Financial Report:
  - Financial Statements for the year ended 30 June 2021
  - Performance Statement for the year ended 30 June 2021
  - Financial Reserves and Adopted Financial Reserves Policy
- Risk Management Update
- Internal Audit:
  - Internal Audit Status Report & Project MAPs
  - Internal Audit Reviews
  - Outstanding Action Items Report from Previous Internal Audits
  - Strategic Internal Audit Plan
  - Review of Internal Auditor's Performance
- External Audit:
  - VAGO Closing Report for the year ended 30 June 2021
  - VAGO Final Management Letter for the year ended 30 June 2021
- Additional Assurance Reviews
- Findex Financial System Review
- Financial Hardship Policy
- Internal Compliance Reviews
- Quarterly Compliance Update – Monitoring Compliance with the Governance Principles
- External Agency Examinations
- Annual Report of the Audit & Risk Committee

A copy of the minutes from the 19 August 2021 Audit & Risk Committee meeting is attached (Attachment 1).

It was also noted that it was the final meeting for Mr Michael Ulbrick as independent member of the City of Whittlesea Audit & Risk Committee and thanks given for his valuable contribution over 10 years.

## **POLICY STRATEGY AND LEGISLATION**

The Audit & Risk Committee is established in accordance with Division 8, Section 53 and 54 of the *Local Government Act 2020*.

The Committee's responsibilities and requirements are outlined in the Audit & Risk Committee Charter.

## **LINK TO STRATEGIC RISKS**

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

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

## **LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

<b>Goal</b>	<b>High-performing organisation</b>
<b>Key Direction</b>	<b>More informed Council decisions based on strong advice and community consultation and engagement</b>

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, regulations and the Code of Conduct.

## **DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

## **CONCLUSION**

The Audit & Risk Committee met on 19 August 2021. The minutes of that meeting are attached to this report for noting by Council.

**RECOMMENDATION**

THAT Council resolve to:

1. note the Unconfirmed Minutes of the Audit & Risk Committee meeting held on 19 August 2021; and
2. write a joint letter from the Chair of Administrators and CEO to Mr Michael Ulbrick to thank him for his valuable contribution as independent Audit and Risk Committee member over the past ten years.

**COUNCIL RESOLUTION**

**MOVED:** *Chairperson Wilson*  
**SECONDED:** *Administrator Eddy*

THAT Council resolve to adopt the Recommendation.

**CARRIED**





# City of Whittlesea

## Audit & Risk Committee Minutes

9am Thursday  
19 August 2021

**Location:** Microsoft Teams

<b>Members</b>	<b>Present</b>	<b>Apology</b>
<b>Independent:</b>		
Geoff Harry, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Ulbrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Theresa Glab	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Administrators:</b>		
Lydia Wilson (Chair of Council)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Eddy (Administrator)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Officers:</b>		
Craig Lloyd, Chief Executive Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amy Montalti, Director Corporate Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kate McCaughey, Director Community Wellbeing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justin O'Meara, Director Planning & Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Debbie Wood, Director Infrastructure & Environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frank Joyce, Executive Manager Governance & Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Montague, Chief Financial Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Gauci, Internal Assurance Coordinator	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Samantha Boyle, Coordinator Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>In attendance:</b>		
Martin Thompson, Partner, Crowe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lynda Cooper, Manager, Crowe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathie Teasdale, Partner, RSD	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mahesh Silva, Principal, RSD	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Audit & Risk Committee Minutes  
Thursday 19 August 2021



## Matters in Discussion

The Chair of the Audit & Risk Committee opened the meeting by reading the following Acknowledgement of Traditional Owners Statement.

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

### ***In-Camera Discussion***

The meeting commenced with the Committee holding an in-camera discussion. The CEO and Executive Manager Governance & Strategy were present for a portion of this discussion. Key matters discussed include:

- Feedback on the CEO report and certification provided from Directors and Executive Managers.
- Matters in relation to Internal Audit.
- Council's Financial Hardship Policy.

### ***Committee Chairperson's Introductory Comments***

Following the in-camera discussion, the Committee Chairperson commenced the open section of the meeting by welcoming all those in attendance. The Chairperson noted that this is Mr Ulbrick's final meeting as a member of the Committee and Mr Eddy's first meeting as a member of the Committee.

The Chairperson noted the number of items included for discussion on the meeting agenda and their essential nature to the Committee's work. The Chairperson also acknowledged the quality of papers presented, in particular the excellent work of the Finance, Projects & Property team in preparing a number of key reports for this meeting. The Committee also commended Council on the development of its Financial Hardship Policy and introduction of a Financial Hardship Support Officer.

## **1. DISCLOSURE OF CONFLICTS OF INTEREST**

No declarations were made.

## **2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **ITEM 2.1 Resolution:**

**That the minutes of the Audit & Risk Committee meeting held on 27 May 2021 be noted and confirmed.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

Audit & Risk Committee Minutes  
Thursday 19 August 2021



### 3. MATTERS ARISING FROM PREVIOUS MEETING(S)

- ITEM 3.1** The Outstanding Items Register from Previous Meetings report was presented for review. The Committee briefly went through the list and noted the items that would remain open following this meeting, they being items 4, 5, 6 and 8.

Resolution:

**That the Committee note the Matters Arising from Previous Meetings report.**

Moved by: Administrator Wilson

Seconded by: Administrator Eddy

CARRIED

### ITEM 3.2 REVIEW OF AGENDA ITEMS

The Chairperson recommended that the following items be taken as read:  
 Item 6.3 – Review of Financial Reserves and Adopted Financial Reserves Policy  
 Item 8.1 – Internal Audit Status Report and Project MAPs  
 Item 8.2 – Internal Audit Reviews  
 Item 8.4 – Strategic Internal Audit Plan  
 Item 8.5 – Review of Internal Auditor's Performance  
 Item 10.1 – Additional Assurance Reviews  
 Item 10.3 – Financial Hardship Policy  
 Item 10.4 – Chief Executive Officer and CEO Executive Assistants' Corporate Credit Card Expenses  
 Item 10.5 – Administrator Expenses  
 Item 11.2 – Quarterly Compliance Update – Monitoring Compliance with the Governance Principles  
 Item 12.1 – Annual Report of the Audit & Risk Committee

Resolution:

**That the Committee agree these Agenda items be taken as read.**

Moved by: Mr Ulbrick

Seconded by: Ms Glab

CARRIED

### 4. AUDIT & RISK COMMITTEE WORK PLAN

- ITEM 4.1** The Annual Work Plan was presented for the Committee's information.

As the new Committee year is due to commence from the November 2021 meeting, a draft proposed Work Plan for the next year was provided for the Committee's review.

The Committee noted that the draft Work Plan includes the provision for a fifth meeting in the 2022 year, with the intent of this meeting to focus on the Annual Financial Report and Performance Statement review. Discussion ensued on the value of the introduction of a fifth meeting, with the Committee supportive of the inclusion of an additional meeting. The Committee also requested consideration be given to balancing the Committee's workload evenly across scheduled meetings. An updated Work Plan will be presented to the Committee at the 25 November 2021 meeting for further discussion.

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Thursday 19 August 2021



Potential dates for 2022 Committee meetings were also provided:

- 24 February 2022
- 26 May 2022
- 18 August 2022
- 1 September 2022
- 24 November 2022

The Committee requested confirmation of these dates be sent to Committee members.

Resolution:

**That the Committee note the Annual Work Plan and proposed dates for 2022 Committee meetings.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

**5. CEO'S UPDATE**

**ITEM 5.1 CEO'S UPDATE**

The CEO provided the Committee with an overview of his report and responded to questions from the Committee.

The CEO highlighted several key areas for the Committee's information. These included:

- A certification process has been established for Directors and Executive Managers to complete quarterly. Feedback from the Committee on this process is welcomed.
- A workshop with the Committee is proposed for October or November. The aim of this workshop is to allow Committee members to spend some time away from standard Committee activities to consider how to best link the Committee's work going forward with the proposed Community Plan and Financial Plan, as well as considering other needs of the Committee. The Committee is supportive of conducting a workshop and requested it be held in November if possible.

Resolution:

**That the Committee note the contents of the CEO's report, including the update on the Organisational Realignment, Certification documentation, and suggested Committee Workshop.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

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## 6. FINANCIAL REPORT

### ITEM 6.1 FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

Prior to the meeting the Committee had been requested to review in detail the Annual Financial Report for the year ended 30 June 2021 and submit any queries to Officers prior to the meeting so that clarification and/or comment could be prepared.

The Committee Chairperson advised that a number of changes had been made to the Annual Financial Report and Performance Statement that were initially provided to the Committee.

The Chief Financial Officer provided the Committee with an overview of the significant matters that had been addressed through the annual audit process and changes that have impacted the Annual Financial Report. These included:

- Work undertaken in relation to outstanding infringement debtors;
- Treatment of infrastructure and land assets;
- The impacts of changes made to financial reserves;
- Treatment of Working for Victoria income; and
- A late matter raised by the auditors in relation to the duplication of an asset requiring an adjustment be made to the value of infrastructure in the Balance Sheet.

The Chief Financial Officer also noted that feedback had been received from the Victorian Auditor General (VAGO) relating to the changes made to the Annual Financial Report. Officers are currently finalising the report and will be in a position to provide the updated report to Committee members following endorsement from VAGO.

Resolution:

**That:**

1. The Committee notes that the Annual Financial Report is still subject to change, as audit procedures are not yet complete.
2. Subject to the Committee agreeing with any significant changes to the Annual Financial Report that may arise from the completion of audit procedures, the Committee endorses the report and recommends to Council that the Annual Financial Report for the year ended 30 June 2021 be approved in principle.
3. The Principal Accounting Officer be authorised to make minor amendments to the Annual Financial Report for the year ended 30 June 2021 to meet the Victorian Auditor General's (VAGO) requirements. Following finalisation of all amendments to the Annual Financial Report, the report be provided to Committee members in mark-up for review of changes.

Moved by: Administrator Wilson

Seconded by: Administrator Eddy

CARRIED

### ITEM 6.2 PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2021

Prior to the meeting the Committee had been requested to review in detail the Performance Statement for the year ended 30 June 2021 and submit any queries to Officers prior to the meeting so that clarification and/or comment could be prepared.

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The Chairperson noted that an updated version of the Performance Statement had been circulated to Committee members prior to the meeting.

The Executive Manager Governance & Strategy provided responses to questions raised by Committee members in relation to commentary provided against a number of the indicators included in the Performance Statement.

Resolution:

**That:**

1. **The Committee notes that the Performance Statement is still subject to change, as audit procedures are not yet complete.**
2. **Subject to the Committee agreeing with any significant changes to the Performance Statement that may arise from the completion of audit procedures, the Committee endorses the report and recommends to Council that the Performance Statement for the year ended 30 June 2021 be approved in principle.**
3. **The Principal Accounting Officer be authorised to make minor amendments to the Performance Statement for the year ended 30 June 2021 to meet the Victorian Auditor General's (VAGO) requirements. Following finalisation of all amendments to the Performance Statement, the statement be provided to Committee members in mark-up for review of changes.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

The Chairperson noted that Items 9.1 and 9.2 would be considered following Items 6.1 and 6.2.

**ITEM 6.3 REVIEW OF FINANCIAL RESERVES AND ADOPTED FINANCIAL RESERVES POLICY**

The Review of Financial Reserves and Adopted Financial Reserves Policy report was taken as read.

Resolution:

**That the Committee note the review undertaken into Council's financial reserves and the adoption of Council's Financial Reserves Policy.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

**7. RISK MANAGEMENT**

**ITEM 7.1 RISK MANAGEMENT UPDATE**

The Coordinator Risk Management presented the Risk Management report and highlighted the current areas of focus, which include; processes in place to monitor Business Continuity Plans established to respond to the COVID-19 pandemic; changes made to Council's strategic risks, including the development of a risk concerning the management of Council-owned contaminated land; and commencement of a review into Council's risk appetite.

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The Committee also reviewed the list of policies and procedures recommended for Committee consideration prior to approval and agreed with the proposal outlined by management in the Risk Management Update report.

The Committee requested that an update be provided at the 25 November 2021 meeting regarding the development of a new strategic risk relating to Council-owned contaminated land and progress of the risk appetite review.

Resolution:

**That the Committee:**

1. **Notes the re-activation of Business Continuity Plans in order to manage Council's operations due to the impacts of COVID.**
2. **Notes the status of the treatment plans to mitigate the Strategic Risks.**
3. **Notes the six-monthly Strategic Risk review.**
4. **Notes the revision of Strategic Risk management process.**
5. **Notes the commencement of the Risk Appetite review.**
6. **Notes the development and implementation of the Legislative Obligations Framework.**
7. **Notes the feedback provided on the policies and procedures recommended for Committee consideration prior to approval.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

**8. INTERNAL AUDIT**

**ITEM 8.1 INTERNAL AUDIT STATUS REPORT & PROJECT MAPS**

The Internal Audit Status Report & Project MAPs report was taken as read.

Resolution:

**That the Committee note:**

1. **The Internal Audit Status Report was taken as read.**
2. **The project MAP for the Grants – Incoming review.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

**ITEM 8.2 INTERNAL AUDIT REVIEWS**

The Internal Audit Reviews report was taken as read.

Resolution

**That the Committee note the contents and findings of Crowe's internal audit reviews: Statutory Planning.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

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**ITEM 8.3 OUTSTANDING ACTION ITEMS FROM INTERNAL AUDIT REPORTS**

The Outstanding Action Items Report from Previous Internal Audits was presented. Management responded to questions from the Committee.

Resolution:

**That the Committee note the report on Outstanding Action Items from Internal Audit Reports.**

Moved by: Mr Ulbrick

Seconded by: Ms Glab

CARRIED

**ITEM 8.4 STRATEGIC INTERNAL AUDIT PLAN**

The Strategic Internal Audit Plan report was taken as read.

Resolution:

**That the Committee note the revisions to the Strategic Internal Audit Plan July 2021 to July 2024 as requested at the last Committee meeting.**

Moved by: Administrator Wilson

Seconded by: Administrator Eddy

CARRIED

**ITEM 8.5 REVIEW OF INTERNAL AUDITOR'S PERFORMANCE**

This item was considered as part of the Committee's in-camera discussion.

**9. EXTERNAL AUDIT**

**ITEM 9.1 VAGO CLOSING REPORT FOR THE YEAR ENDED 30 JUNE 2021**

The Committee Chairperson noted that Ms Kathy Teasdale of RSD was not in attendance due to ill health and invited Mr Silva of RSD to present the Closing Report for the year ended 30 June 2021. Mr Silva gave an overview of the audit process and responded to questions from the Committee. Mr Silva highlighted a number of key points, including:

- Audit processes have been substantially completed, with a small number of items remaining outstanding;
- The Closing Report has been amended since it was first issued on 13 August 2021;
- All key audit focus areas have been addressed;
- Changes have been made to the audit findings since the Closing Report was first issued; and
- A further review of the Performance Statement may be required following any additional changes being made post this meeting.

Resolution:

**That the Committee note the VAGO Closing Report for the year ended 30 June 2021.**



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Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

**ITEM 9.2 VAGO FINAL MANAGEMENT LETTER FOR THE YEAR ENDED 30 JUNE 2021**

Mr Silva presented the Final Management Letter for the year ended 30 June 2021 and responded to questions from the Committee. Mr Silva noted that most outstanding issues identified from previous years had been resolved, and a number of new issues were added to the Management Letter following the audit process. Key issues identified related to the IT environment, IPPE asset data cleansing and the fraud awareness survey.

The Committee briefly discussed the inclusion of the fraud awareness survey as part of the audit process and queried its intended purpose and impact on the work of the auditors. Mr Silva advised that there were no concerns arising from the results of the survey or impacts on the audit process.

The Committee noted the results from the fraud awareness survey and that there were no areas of concern for the Committee or a need for the external auditor to adjust their work based on the results of the survey.

The Committee also queried if references to the fraud awareness survey were required in the Final Management Letter and requested they be removed given that the results of the survey had no impact on audit processes.

Resolution:

**That the Committee note the VAGO Final Management Letter for the year ended 30 June 2021.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

**10. SYSTEMS OF INTERNAL CONTROL**

**ITEM 10.1 ADDITIONAL ASSURANCE REVIEWS**

The Additional Assurance Reviews report was taken as read.

Resolution:

**That the Committee note the Additional Assurance Reviews report.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

**ITEM 10.2 FINDEX FINANCIAL SYSTEM REVIEW**

The Director Corporate Services and Chief Financial Officer provided the Committee with an overview of the background, purpose and process undertaken by Findex in relation to the Financial System Review and responded to questions from the Committee.

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Resolution:

**That the Committee note:**

- 1. The Findex report into current system processes and Workflows.**
- 2. The intention to provide an update at the 25 November 2021 meeting on the progress of implementation of recommendations outlined in the report.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

*Mr Silva left meeting following discussion of Item 10.2.*

**ITEM 10.3 FINANCIAL HARDSHIP POLICY**

The Financial Hardship Policy report was taken as read.

Resolution:

**That the Committee note the Financial Hardship Policy.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

**ITEM 10.4 CEO AND CEO'S EXECUTIVE ASSISTANTS' CORPORATE CREDIT CARD EXPENSES**

The Chief Executive Officer and CEO Executive Assistants' Corporate Credit Card Expenses report was taken as read.

Resolution:

**That the Committee note the Chief Executive Officer and CEO Executive Assistants' Corporate Credit Card Expenses report.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

**ITEM 10.5 ADMINISTRATOR EXPENSES**

The Administrator Expenses report was taken as read.

Resolution:

**That the Committee note the Administrator Expenses report.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

Audit & Risk Committee Minutes  
Thursday 19 August 2021



## 11. COMPLIANCE

### ITEM 11.1 INTERNAL COMPLIANCE REVIEWS

An update on the status of the Internal Compliance Review Program was provided with Officers responding to questions from the Committee.

Resolution:

**That the Committee note the Internal Compliance Reviews report.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

### ITEM 11.2 QUARTERLY COMPLIANCE UPDATE - MONITORING COMPLIANCE WITH THE GOVERNANCE PRINCIPLES

The Quarterly Compliance Update – Monitoring Compliance with the Governance Principles report was taken as read.

Resolution:

**That the Committee note the Quarterly Compliance Update – Monitoring Compliance with the Governance Principles report.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

### ITEM 11.3 EXTERNAL AGENCY EXAMINATIONS

An update on recent reports published by external agencies was provided.

Resolution:

**That the Committee note the External Agency Examinations report.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

## 12. OTHER RESPONSIBILITIES

### ITEM 12.1 ANNUAL REPORT OF THE AUDIT & RISK COMMITTEE

The draft Annual Report of the Audit & Risk Committee was presented for the Committee's information and feedback.

Resolution:

**That the Committee note the draft Annual Report of the Audit & Risk Committee.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

Audit & Risk Committee Minutes  
Thursday 19 August 2021



**13. CORRESPONDENCE**

Nil

**14. GENERAL BUSINESS ITEMS**

As this is the last meeting for Mr Ulbrick as a member of the City of Whittlesea Audit & Risk Committee, the Chairperson on behalf of the Committee and Administrator Wilson on behalf of Council thanked Mr Ulbrick for his valued contribution to the Committee and City of Whittlesea over his many years of service. Mr Ulbrick also thanked the Committee and Officers for their support during his time as a member of the Committee.

**15. CONFIRMATION OF DATE OF NEXT MEETINGS:**

- 25 November 2021

**16. IN-CAMERA DISCUSSION WITH INTERNAL AUDITORS**

The Committee met in-camera with the Internal Auditors. The Chairperson advised that there were no matters of concern raised by the auditors.

Meeting concluded at 12.30pm

**6.5.2 FOR DECISION - CERTIFICATION OF 2020/21 FINANCIAL STATEMENTS AND PERFORMANCE STATEMENT**

<b>Attachments:</b>	1	<b>2020-21 Financial Statements</b> <a href="#">↓</a>
	2	<b>2020-21 Performance Statement</b> <a href="#">↓</a>
	3	<b>Draft Audit and Risk Committee minutes</b> <a href="#">↓</a>

**Responsible Officer:** Director Corporate Services

**Author:** Chief Financial Officer

**RECOMMENDATION SUMMARY**

That Council resolve to:

1. Approve in principle the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.
2. Authorise the Principal Accounting Officer to make minor amendments to the Annual Financial Statements and Performance Statement for the year ended 30 June 2021 to meet the Victorian Auditor General's Office (VAGO) requirements.
3. Authorise Audit & Risk Committee Council representatives, Administrator Lydia Wilson and Administrator Chris Eddy to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.
4. Authorise the Chief Executive Officer and Principal Accounting Officer to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.
5. Authorise the final audited Annual Financial Statements and Performance Statement for the year ended 30 June 2021 to be forwarded to the Minister for Local Government as part of the Annual Report by 30 September 2021.

**BRIEF OVERVIEW**

This report seeks Council approval for adoption in principle of the City of Whittlesea Annual Financial Statements (Attachment 1) and Performance Statement (Attachment 2) for the year ended 30 June 2021 and authorisation of two Administrators to sign the certifications included in the Reports.

As required under Council's Audit and Risk Committee Charter, the Unconfirmed Minutes of the Audit and Risk Committee meeting held on 19 August 2021 are presented in a separate report (also included as Attachment 3 to this report).

**RATIONALE FOR RECOMMENDATION**

- Council is required to submit its audited financial statements and performance statement to the Minister for Local Government by 30 September each year under the *Local Government Act 1989* section 131 and the Local Government (Planning and Reporting) Regulations 2014.
- The Financial Statements and Performance Statement have been reviewed by the Audit and Risk Committee and Council's external auditor at the Audit and Risk Committee meeting held on 19 August 2021 with no audit qualification or high-risk issues identified.

**IMPACTS OF RECOMMENDATION**

Council will meet its legislative requirements for Council's Annual Financial Statements and Performance Statement.

**WHAT MEASURES WILL BE PUT IN PLACE TO MANAGE IMPACTS**

The impact is monitored regularly by finance and presented to the Executive Leadership Team and Council on a regular basis. This is further measured and assessed in accordance with the development of Council's budget and long-term financial plan.

**REPORT****BACKGROUND**

The Financial Statements (Attachment 1) and Performance Statement (Attachment 2) are required to be certified by Council's Chief Executive Officer, Principal Accounting Officer and two Administrators on behalf of Council prior to Council's auditor signing the audit certifications.

The draft Annual Financial Statements and Performance Statement for the year ended 30 June 2021 are firstly presented to Council's Audit and Risk Committee for review and recommendation for adoption by Council. The review focuses on:

- Accounting policies and practices, including any changes to accounting policies and practices
- Compliance with accounting standards and other reporting requirements
- Significant adjustments to the financial report (if any) arising from the audit process
- Significant variances from prior years.

As required under Council's Audit and Risk Committee Charter, the Unconfirmed Minutes of the Audit and Risk Committee meeting held on 19 August 2021 are presented to Council in a separate report (also included as Attachment 3 to this report).

**AUDIT AND RISK COMMITTEE MEETING 19 AUGUST 2021**

The Audit and Risk Committee discussed and reviewed the Annual Financial Statements and Performance Statement with a representative of Council's external auditor, Kathie Teasdale (RSD).

The Committee recommended minor amendments which have been incorporated and are reflected in the attached Draft Financial Statements and Performance Statement.

**COMPREHENSIVE RESULT**

The Comprehensive Income Statement includes an amount after the total surplus (deficit) that represents the net revaluation increase of all property and infrastructure assets. Therefore, the total comprehensive result for the year ended 30 June 2021 is \$256.9 million.

Council measures its underlying operational result to assist in the determination of whether it is operating in a sustainable fashion or not. The underlying result is an important indicator of Council's long-term financial sustainability. Whilst an underlying deficit in one financial year is not significant, the continued recording of deficits over a sustained period from Council's operations gradually erodes the net assets of Council.

The underlying result from operations excludes transactions which are either 'non-recurring' or not operational in nature. These items are frequently unpredictable and typically can change from one year to the next. The best examples of these items are assets (roads, footpaths, drains, land reserves, etc) that are given to Council by developers once a new subdivision is completed. There are also other accounting adjustments for when existing assets are revalued.

The aim of an underlying result is to determine whether Council's operational costs/income result is a surplus or deficit outcome. In this way, Council can, in long-term financial planning, aim for an outcome where pure operational outcomes assist Council in achieving a sustainable organisation.

The table below shows the underlying operational result for the year ended 30 June 2021.

<b>Comprehensive Result from Comprehensive Income Statement</b>	<b>\$256.9M</b>
Less Other comprehensive income:	
Asset revaluation increment	\$119.4M
<b>Surplus for the year from Comprehensive Income Statement</b>	<b>\$137.5M</b>
Less Non-operating income and expenditure	
Grants – capital (non-recurring)	\$9.1M
Contributions – cash (developer contributions)	\$19.3M
Contributions - non-monetary assets	\$140.4M
<b>Underlying (deficit)</b>	<b>(\$31.3M)</b>

While showing a total comprehensive result of \$256.9 million, the table above shows that the City of Whittlesea's underlying operating result for the year ended 30 June 2021 is a deficit of (\$31.3 million). The Underlying deficit for the year was largely driven by the write-off of assets (\$23m), which is a non-cash item.

#### FINANCIAL SUSTAINABILITY INDICATORS

The Victorian Auditor-General's Office publishes Council's result against a range of indicators used to assist in measuring performance and financial sustainability. The estimated result of the 2020/21 indicators are presented in the table below.

RATIO	2020/21	COMMENTS
<b>Net Result</b> (Net result / total revenue)	34% Green	This ratio measures Council's ability to fund operations and asset renewal. Operating deficits cannot be sustained in the long term.  A less than -10% (deficit) is deemed high risk (red) and a positive result is desirable (green).
<b>Adjusted underlying result</b> (Adjusted underlying surplus (or deficit) / Adjusted underlying revenue)	(12.9%) Red	Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position.  A result of less than 0% is deemed as high risk (red) and a result higher than 5% is desirable (green).
<b>Liquidity</b> (Current assets / current liabilities)	306% Green	This ratio measures Council's ability to pay existing liabilities in the next 12 months.  A result of less than 75% is deemed as high risk (red) and a result higher than 100% is desirable (green).



RATIO	2020/21	COMMENTS
<b>Internal financing</b> (Net operating cash flows / net capital expenditure)	136% Green	This ratio measures Council's ability to replace assets using cash generated from operations. A result of less than 75% is deemed as high risk (red) and a result higher than 100% is desirable (green).
<b>Indebtedness</b> (non-current liabilities / own-sourced revenue)	2.1% Green	This ratio measures Council's ability to cover its non-current liabilities with its own sourced revenue. A result of more than 60% is deemed as high risk (red) and a result lower than 40% is desirable (green).
<b>Capital replacement</b> (Cash outflows for property, plant and equipment / Depreciation)	142.7% Amber	Comparison of the rate of spending on infrastructure with its depreciation. A result lower than 100 is deemed high risk (red) and a result higher than 150% is desirable (green).
<b>Renewal gap</b> (Renewal and upgrade expenditure / depreciation)	82.2% Amber	Comparison of the rate of spending on existing assets through renewing, restoring and replacing existing assets with depreciation. A ratio lower than 50% is deemed high risk (red) and a result higher than 100% is desirable (green).
Overall assessment for long-term financial sustainability	Green	The City of Whittlesea remains low risk (green) for its long-term financial sustainability.

## PROPOSAL

It is proposed that Council:

1. Approve in principle the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.
2. Authorise the Principal Accounting Officer to make minor amendments to the Annual Financial Statements and Performance Statement for the year ended 30 June 2021 to meet the Victorian Auditor General's Office (VAGO) requirements.
3. Authorise Audit & Risk Committee Council representatives, Administrator Lydia Wilson and Administrator Chris Eddy to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.
4. Authorise the Chief Executive Officer and Principal Accounting Officer to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.
5. Authorise the final audited Annual Financial Statements and Performance Statement for the year ended 30 June 2021 to be forwarded to the Minister for Local Government as part of the Annual Report by 30 September 2021.

**CONSULTATION**

Consultation has been conducted with the relevant Council departments and external service providers as necessary through the course of the audit.

**CRITICAL DATES**

Council is required to submit its audited financial statements to the Minister for Local Government by 30 September each year.

**FINANCIAL IMPLICATIONS**

The cost of the annual audit by VAGO is included within Council’s annual budget.

**POLICY STRATEGY AND LEGISLATION**

*Local Government Act 1989* section 131 and the *Local Government (Planning and Reporting) Regulations 2014*.

**LINK TO STRATEGIC RISKS**

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

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

**LINKS TO WHITTLESEA 2040 AND THE COUNCIL PLAN**

<b>Goal</b>	<b>High-performing organisation</b>
<b>Key Direction</b>	<b>More cost-effective investment through better return on investment, efficiency and an engaged workforce</b>

**DECLARATIONS OF CONFLICTS OF INTEREST**

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

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

**CONCLUSION**

The Financial Statements and Performance Statement have been reviewed by the Audit and Risk Committee and Council’s external auditor at the Audit and Risk Committee meeting held on 19 August 2021. The Victorian Auditor General’s Office (VAGO) have indicated their intention to issue an unmodified audit opinion on the Annual Financial Statements and Performance Statement.

Two Administrators are required to sign the certification of the Annual Financial Statements and Performance Statement once clearance is obtained from the Victorian Auditor-General and after the Principal Accounting Officer has signed his certification. In accordance with usual practice, it is proposed that the Administrators on the Audit and Risk Committee be authorised to sign the certification on behalf of Council after the necessary clearance has been obtained.

If late changes are made to the Annual Financial Statements or Performance Statement, including those required after the VAGO review, it is also proposed that the approval given to the Administrators be extended to enable them to sign the certification after the necessary changes have been made.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to:**

- 1. Approve in principle the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.**
- 2. Authorise the Principal Accounting Officer to make minor amendments to the Annual Financial Statements and Performance Statement for the year ended 30 June 2021 to meet the Victorian Auditor General's Office (VAGO) requirements.**
- 3. Authorise Audit & Risk Committee Council representatives, Administrator Lydia Wilson and Administrator Chris Eddy to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.**
- 4. Authorise the Chief Executive Officer and Principal Accounting Officer to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2021.**
- 5. Authorise the final audited Annual Financial Statements and Performance Statement for the year ended 30 June 2021 to be forwarded to the Minister for Local Government as part of the Annual Report by 30 September 2021.**

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED:** *Administrator Eddy*  
**SECONDED:** *Chairperson Wilson*

**THAT Council resolve to adopt the Recommendation.**

**CARRIED**



City of Whittlesea  
ANNUAL FINANCIAL REPORT  
*For the Year Ended 30 June 2021*

**City of Whittlesea  
Financial Report  
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City of Whittlesea  
2020-2021 Financial Report

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### Certification of the Financial Statements

In my opinion, the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Planning and Reporting) Regulations 2014*, the Australian Accounting Standards and other mandatory professional reporting requirements.

Mark Montague CA  
Principal Accounting Officer

Date : 6 September 2021  
South Morang

In our opinion the accompanying financial statements present fairly the financial transactions of the City of Whittlesea for the year ended 30 June 2021 and the financial position of the Council as at that date.

At the date of signing, we are not aware of any circumstances that would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify the financial statements in their final form.

Lydia Wilson  
Administrator  
Date :  
South Morang

6 September 2021

Chris Eddy  
Administrator  
Date :  
South Morang

6 September 2021

Craig Lloyd  
Chief Executive Officer  
Date :  
South Morang

6 September 2021



*City of Whittlesea  
2020-2021 Financial Report*

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City of Whittlesea  
2020-2021 Financial Report

**Comprehensive Income Statement  
For the Year Ended 30 June 2021**

	Note	2021 \$'000	2020 \$'000
<b>Income</b>			
Rates and charges	3.1	170,062	162,356
Statutory fees and fines	3.2	19,861	16,262
User fees	3.3	4,307	6,043
Grants - operating	3.4 (a)	33,520	34,636
Grants - capital	3.4 (b)	11,377	3,492
Contributions - monetary	3.5	19,332	18,579
Contributions - non monetary	3.5	140,369	79,547
Net gain (or loss) on disposal of property, infrastructure, plant and equipment	3.6 (a)	731	(2,348)
Share of net profits (or loss) of associates and joint ventures	6.2	300	251
Other income	3.7	5,008	7,935
<b>Total income</b>		<b>404,867</b>	<b>326,753</b>
<b>Expenses</b>			
Employee costs	4.1	99,825	91,479
Materials and services	4.2	79,582	72,119
Depreciation	4.3	38,079	36,313
Amortisation - intangible assets	4.4	120	125
Amortisation - right of use assets	4.5	314	452
Bad and doubtful debts	4.6	10,733	737
Borrowing costs	4.7	220	660
Finance costs - leases	4.8	16	22
Net loss on write-off of property, Infrastructure, plant and equipment	3.6 (b)	23,031	-
Other expenses	4.9	15,372	13,371
<b>Total expenses</b>		<b>267,292</b>	<b>215,278</b>
<b>Surplus for the year</b>		<b>137,575</b>	<b>111,475</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment/(decrement)	6.1	119,414	(50,327)
<b>Total comprehensive result</b>		<b>256,989</b>	<b>61,148</b>

The above comprehensive income statement should be read in conjunction with the accompanying notes.

City of Whittlesea  
2020-2021 Financial Report

**Balance Sheet**  
**As at 30 June 2021**

	Note	2021 \$'000	2020 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1 (a)	136,818	74,289
Other financial assets	5.1 (b)	80,000	130,000
Trade and other receivables	5.1 (c)	30,175	31,607
Inventories	5.2 (a)	327	342
Other assets	5.2 (b)	1,238	1,185
<b>Total current assets</b>		<b>248,558</b>	<b>237,423</b>
<b>Non-current assets</b>			
Other financial assets	5.2 (c)	22	22
Intangible assets	5.2 (d)	770	890
Right-of-use assets	5.8	830	1,083
Property, infrastructure, plant and equipment	6.1	4,034,260	3,781,282
Investments in associates, joint arrangements and subsidiaries	6.2	2,911	2,611
<b>Total non-current assets</b>		<b>4,038,793</b>	<b>3,785,888</b>
<b>Total assets</b>		<b>4,287,351</b>	<b>4,023,311</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3 (a)	20,392	19,083
Trust funds and deposits	5.3 (b)	16,005	16,104
Unearned income	5.3 (c)	22,315	9,980
Provisions	5.5 (a)	21,622	20,162
Interest-bearing liabilities	5.4	788	1,990
Lease liabilities	5.8	148	268
<b>Total current liabilities</b>		<b>81,270</b>	<b>67,587</b>
<b>Non-current liabilities</b>			
Provisions	5.5 (a)	1,715	2,868
Interest-bearing liabilities	5.4	1,753	7,097
Lease liabilities	5.8	687	822
<b>Total non-current liabilities</b>		<b>4,155</b>	<b>10,787</b>
<b>Total liabilities</b>		<b>85,425</b>	<b>78,374</b>
<b>Net assets</b>		<b>4,201,926</b>	<b>3,944,937</b>
<b>Equity</b>			
Accumulated surplus		2,721,657	2,616,282
Reserves	9.1	1,480,269	1,328,655
<b>Total Equity</b>		<b>4,201,926</b>	<b>3,944,937</b>

The above balance sheet should be read in conjunction with the accompanying notes.

City of Whittlesea  
2020-2021 Financial Report

**Statement of Changes in Equity  
For the Year Ended 30 June 2021**

	Note	Total \$'000	Accumulated Surplus \$'000	Asset Revaluation Reserve \$'000	Asset Replacement Reserve \$'000	Asset Development Reserve \$'000
<b>2021</b>						
Balance at beginning of the financial year		3,944,937	2,616,282	1,174,758	45,263	108,634
Adjusted Opening balance		<u>3,944,937</u>	<u>2,616,282</u>	<u>1,174,758</u>	<u>45,263</u>	<u>108,634</u>
Surplus/(deficit) for the year		137,575	137,575	-	-	-
Net asset revaluation increment/(decrement)	6.1	119,414	-	119,414	-	-
Transfers from other reserves	9.1(b)	-	54,324	-	(41,436)	(12,888)
Transfers to other reserves	9.1(b)	-	(86,524)	-	54,346	32,178
<b>Balance at end of the financial year</b>		<u>4,201,926</u>	<u>2,721,657</u>	<u>1,294,172</u>	<u>58,173</u>	<u>127,924</u>
<b>2020</b>						
Balance at beginning of the financial year		3,883,796	2,491,836	1,225,085	70,388	96,487
Impact of change in accounting policy - AASB 16 Leases		(7)	(7)	-	-	-
Adjusted Opening balance		<u>3,883,789</u>	<u>2,491,829</u>	<u>1,225,085</u>	<u>70,388</u>	<u>96,487</u>
Surplus/(deficit) for the year		111,475	111,475	-	-	-
Net asset revaluation increment/(decrement)	6.1	(50,327)	-	(50,327)	-	-
Transfers from other reserves	9.1(b)	-	72,997	-	(62,485)	(10,512)
Transfers to other reserves	9.1(b)	-	(60,019)	-	37,360	22,659
<b>Balance at end of the financial year</b>		<u>3,944,937</u>	<u>2,616,282</u>	<u>1,174,758</u>	<u>45,263</u>	<u>108,634</u>

The above statement of changes in equity should be read in conjunction with the accompanying notes.

City of Whittlesea  
2020-2021 Financial Report

**Statement of Cash Flows  
For the Year Ended 30 June 2021**

	Note	2021 Inflows/ (Outflows) \$'000	2020 Inflows/ (Outflows) \$'000
<b>Cash flows from operating activities</b>			
Rates and charges		165,630	158,837
Statutory fees and fines		15,554	14,326
User fees		1,145	13,939
Grants - operating		33,520	34,636
Grants - capital		11,377	3,492
Contributions - monetary		19,332	18,579
Interest received		1,150	3,451
Trust funds and deposits taken		7,455	6,296
Other receipts		5,403	4,534
Net GST refund/(payment)		811	(1,434)
Employee costs		(99,518)	(89,914)
Materials and services		(65,113)	(66,070)
Short-term, low value and variable lease payments		(679)	(490)
Trust funds and deposits repaid		(7,554)	(6,438)
Other payments		(15,372)	(13,191)
<b>Net cash provided by/(used in) operating activities</b>	9.2	<b>73,141</b>	<b>80,553</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment	6.1	(54,334)	(65,838)
Proceeds from sale of property, infrastructure, plant and equipment		759	2,295
Payments for investments		50,000	-
Payments of loans and advances		-	12,500
<b>Net cash provided by/(used in) investing activities</b>		<b>(3,575)</b>	<b>(51,043)</b>
<b>Cash flows from financing activities</b>			
Finance costs		(220)	(660)
Repayment of borrowings		(6,546)	(5,120)
Interest paid - lease liability		(16)	(22)
Repayment of lease liabilities		(255)	(451)
<b>Net cash provided by/(used in) financing activities</b>		<b>(7,037)</b>	<b>(6,253)</b>
Net increase (decrease) in cash and cash equivalents		62,529	23,257
Cash and cash equivalents at the beginning of the financial year		74,289	51,032
<b>Cash and cash equivalents at the end of the financial year</b>		<b>136,818</b>	<b>74,289</b>

The above statement of cash flows should be read in conjunction with the accompanying notes.

City of Whittlesea  
2020-2021 Financial Report

**Statement of Capital Works  
For the Year Ended 30 June 2021**

	2021 \$'000	*2020 \$'000
<b>Property</b>		
Buildings	6,655	4,802
Building improvements	6,561	5,933
<b>Total buildings</b>	<u>13,216</u>	<u>10,735</u>
<b>Total property</b>	<u>13,216</u>	<u>10,735</u>
<b>Plant and equipment</b>		
Plant, machinery and equipment	719	1,833
Fixtures, fittings and furniture	780	495
Computers and telecommunications	331	807
Artworks	-	164
<b>Total plant and equipment</b>	<u>1,830</u>	<u>3,299</u>
<b>Infrastructure</b>		
Roads	17,489	23,570
Bridges	50	104
Footpaths and cycleways	2,114	2,379
Drainage	448	428
Recreational, leisure and community facilities	6,086	15,366
Parks, open space and streetscapes	11,108	7,749
Off street car parks	27	232
Other infrastructure	1,966	1,976
<b>Total infrastructure</b>	<u>39,288</u>	<u>51,804</u>
<b>Total capital works expenditure</b>	<u>54,334</u>	<u>65,838</u>
<b>Represented by:</b>		
New asset expenditure	22,877	33,588
Asset renewal expenditure	19,827	16,795
Asset expansion expenditure	152	56
Asset upgrade expenditure	11,478	15,399
<b>Total capital works expenditure</b>	<u>54,334</u>	<u>65,838</u>

\* The Statement of Capital Works comparative information has been reclassified between assets classes where a different class is considered a better representation of asset type.

The above statement of capital works should be read in conjunction with the accompanying notes.

**OVERVIEW****Introduction**

The City of Whittlesea was established by an Order of the Governor in Council on 15 December 1994 and is a body corporate. The Council's main office is located at 25 Ferres Boulevard, South Morang, Victoria.

The purpose of the Council is to:

- provide for the peace, order and good government of its municipal district;
- to promote the social, economic and environmental viability and sustainability of the municipal district;
- to ensure that resources are used efficiently and effectively and services are provided in accordance with the best value principles to best meet the needs of the local community;
- to improve the overall quality of life of people in the local community;
- to promote appropriate business and employment opportunities;
- to ensure that services and facilities provided by the Council are accessible and equitable;
- to ensure the equitable imposition of rates and charges; and
- to ensure transparency and accountability in Council decision making.

The City of Whittlesea has the following key business relationships:

External Auditor - Auditor-General of Victoria  
Internal Auditor - Crowe Horwath  
Bankers - Westpac Banking Corporation  
Website address - [www.whittlesea.vic.gov.au](http://www.whittlesea.vic.gov.au)

**Statement of compliance**

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Statement of Cash Flows, Statement of Capital Works and Notes accompanying these financial statements. The general purpose financial report complies with the Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

**Significant accounting policies****(a) Basis of accounting**

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of AAS's that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1)
- the determination of employee provisions (refer to Note 5.5)
- the determination of landfill provisions (refer to Note 5.5)
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of AASB 15 Revenue from Contracts with Customers or AASB 1058 Income of Not-for-Profit Entities (refer to Note 3)
- the determination, in accordance with AASB 16 Leases, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- whether or not AASB 1059 *Service Concession Arrangements: Grantors* is applicable (refer to Note 8.2)
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation, and disclosure has been made of any material changes to comparatives.



**OVERVIEW (cont)****(b) Impact of Covid-19**

On 16 March 2020 a state of emergency was declared in Victoria due to the global pandemic COVID-19 virus, known as coronavirus. A state of disaster was subsequently declared on 2 August 2020. While the impacts of the pandemic have abated somewhat through the 2020-21 year, Council has noted the following significant impacts on its financial operations:

- In response to government directives arising from the COVID-19 outbreak, Council leisure centres, community activity centres, sports facilities and recreation facilities were closed. These closures resulted in a decrease in the income of \$2.91 million.
- In response to community needs, Council's direct response including financial support to community organisations added additional expense of \$1.57 million.
- Council has received grant funding from State Government of Victoria under the Working for Victoria (\$5.46 million) and Outdoor Eating and Entertainment Program (\$0.50 million) to support communities and businesses in response to COVID-19.
- Council is committed to providing support to those within community who are experiencing financial hardship due the COVID-19 pandemic and has implemented its COVID-19 Financial Hardship Policy. Council provided \$0.76 million direct relief to ratepayers by electing to not charge interest on overdue rates.

The impact of COVID-19 has not materially affected Council's operations and has not led to any asset impairment changes for the year ended 30 June 2021.

## City of Whittlesea

## 2020-2021 Financial Report

## Note 1 Performance against budget

This performance against budget note compares the City of Whittlesea's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold with explanations provided if the variance is greater than 10% or is greater than \$1m. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The budget figures detailed below are those adopted by Council on 19 June 2020. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for revenue and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

## 1.1 Income and expenditure

	Budget 2021 \$'000	Actual 2021 \$'000	Variance 2021 \$'000	Variance 2021 %	Ref
<b>Income</b>					
Rates and charges	170,108	170,062	(46)	0%	
Statutory fees and fines	17,538	19,861	2,323	13%	1
User fees	6,841	4,307	(2,534)	-37%	2
Grants - operating	27,806	33,520	5,714	21%	3
Grants - capital	3,865	11,377	7,512	194%	4
Contributions - monetary	11,987	19,332	7,345	61%	5
Contributions - non monetary	102,039	140,369	38,330	38%	6
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	102	731	629	617%	7
Share of net profits/(losses) of associates and joint	-	300	300	0%	
Other income	6,300	5,008	(1,292)	-21%	8
<b>Total income</b>	<b>346,586</b>	<b>404,867</b>	<b>58,281</b>	<b>17%</b>	
<b>Expenses</b>					
Employee costs	94,521	99,825	(5,304)	-6%	9
Materials and services	71,281	79,582	(8,301)	-12%	10
Depreciation	31,087	38,079	(6,992)	-22%	11
Amortisation - Intangible assets	113	120	(7)	-6%	
Amortisation - Right of use assets	121	314	(193)	-160%	12
Bad and doubtful debts	403	10,733	(10,330)	-2563%	13
Borrowing costs	2,604	220	2,384	92%	14
Finance costs - Leases	37	16	21	57%	15
Net loss on write-off of property, Infrastructure, plant and equipment	-	23,031	(23,031)	0%	16
Other expenses	14,642	15,372	(730)	-5%	
<b>Total expenses</b>	<b>214,809</b>	<b>267,292</b>	<b>(52,483)</b>	<b>-24%</b>	
<b>Surplus for the year</b>	<b>131,777</b>	<b>137,575</b>	<b>5,798</b>	<b>4%</b>	

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Note 1 Performance against budget

(i) Explanation of material variations

Variance Ref	Item	Explanation
1	Statutory fees and fines	The favourable variance to budget is mainly due to infringement income and higher than budgeted Construction Supervision fees as the growth that flowed on from the previous financial year was higher than anticipated.
2	User fees	The unfavourable variance to budget is largely due to the impact of State Government imposed lock down restrictions throughout the year in response to the COVID-19 pandemic. This forced the closure of all non-essential services, including all aquatic and leisure centres and community centres which impacted Council's revenue received from these facilities.
3	Grants - operating	The favourable variance to budget is largely due to unbudgeted Working for Victoria grant income that was received during the year. This unbudgeted income offsets the unfavourable variance in employee benefits expense.
4	Grants - capital	The favourable variance to budget is due to a number of successful applications for capital grant funding that were received throughout the year and were unbudgeted.
5	Contributions - monetary	The favourable variance to budget is due to higher than anticipated developer contributions being received during the year as a result of continued growth throughout the municipality.
6	Contributions - non monetary	The favourable variance to budget is due to the amount of non-cash assets transferred to Council from developers being higher than anticipated as a result of continued growth throughout the municipality.
7	Net gain/(loss) on disposal of property, infrastructure, plant and equipment	The favourable variance to budget is primarily due to the gain on disposal of plant and equipment assets that occurred during the period.
8	Other Income	The unfavourable variance to budget is primarily due to interest on investments being below budget following significant interest rate reductions throughout the year that were greater than anticipated.
9	Employee costs	The unfavourable variance to budget is mainly attributable to Working for Victoria positions across the organisation, which are fully funded by operating grant income from the State Government in 2019/20 and 2020/21.
10	Materials and services	The unfavourable variance to budget is primarily due to unbudgeted expenditure relating to reimbursements paid in connection with the over provision of works in kind for a Developer Contribution Plan. The variance represents a timing difference that will be offset against future developer contribution collected by Council.
11	Depreciation	The unfavourable variance to budget is due to the budget having a conservative estimate based on the previous financial year. Depreciation has increased from \$36.31 million in 2019/20 to \$38.1 million in 2020/21. Depreciation expense can vary due to new works and revaluations on existing assets.
12	Amortisation - Right of use assets	The unfavourable variance to budget is due to higher than anticipated operating leases as a result of the change in accounting treatment for Council's operating leases.
13	Bad and doubtful debts	The unfavourable variance to budget is due to provisions raised against a number of Council's debtor balances during the year where there it has been assessed that there is doubt that payment will be received.
14	Borrowing costs	The favourable variance to budget in interest expense was the result of anticipated and budgeted new borrowings not being taken out during the year.
15	Finance costs - Leases	The favourable variance to budget is due to lower than anticipated operating leases as a result of a lease expiring earlier than anticipated.
16	Net loss on write-off of property, Infrastructure, plant and equipment	The unfavourable variance to budget is due to write-off of infrastructure and land assets that occurred during the year.

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Note 1 Performance against budget  
1.2 Capital works

	Budget*	Actual	Variance	Variance	Ref
	2021	2021		%	
	\$'000	\$'000	\$'000	%	
<b>Property</b>					
Land	7,332	-	7,332	100%	1
<b>Total land</b>	<b>7,332</b>	<b>-</b>	<b>7,332</b>	<b>100%</b>	
Buildings	7,938	6,655	1,283	16%	2
Building improvements	7,310	6,561	749	10%	3
<b>Total buildings</b>	<b>15,248</b>	<b>13,216</b>	<b>2,032</b>	<b>13%</b>	
<b>Total property</b>	<b>22,580</b>	<b>13,216</b>	<b>9,364</b>	<b>41%</b>	
<b>Plant and equipment</b>					
Plant, machinery and equipment	1,217	719	498	41%	4
Fixtures, fittings and furniture	151	780	(629)	-417%	5
Computers and telecommunications	432	331	101	23%	6
<b>Total plant and equipment</b>	<b>1,800</b>	<b>1,830</b>	<b>(30)</b>	<b>-2%</b>	
<b>Infrastructure</b>					
Roads	33,977	17,489	16,488	49%	7
Bridges	100	50	50	50%	8
Footpaths and cycleways	2,864	2,114	750	26%	9
Drainage	355	448	(93)	-26%	10
Recreational, leisure and community facilities	7,826	6,086	1,740	22%	11
Parks, open space and streetscapes	11,952	11,108	844	7%	
Off street car parks	70	27	43	61%	12
Other infrastructure	2,695	1,966	729	27%	13
<b>Total infrastructure</b>	<b>59,839</b>	<b>39,288</b>	<b>20,551</b>	<b>34%</b>	
<b>Total capital works expenditure</b>	<b>84,219</b>	<b>54,334</b>	<b>29,885</b>	<b>35%</b>	
<b>Represented by:</b>					
New asset expenditure	49,124	22,877	26,247	53%	
Asset renewal expenditure	22,933	19,827	3,106	14%	
Asset expansion expenditure	150	152	(2)	-2%	
Asset upgrade expenditure	12,012	11,478	534	4%	
<b>Total capital works expenditure</b>	<b>84,219</b>	<b>54,334</b>	<b>29,885</b>	<b>35%</b>	

\* The adopted budget amount of 20/21 financial year includes \$9.7 million of carry forwards approved by Council.

City of Whittlesea  
2020-2021 Financial Report

1.2 Capital works

(i) Explanation of material variations

Variance Ref	Item	Explanation
1	Land	The favourable variance to budget is due to land acquisition projects removed from the capital works program as their timing is unknown when negotiations with developers are finalised for the acquisition of land.
2	Buildings	The favourable variance to budget predominately due to project savings and delays to delivery of the projects due to COVID-19.
3	Building improvements	The favourable variance to budget is resulting from 2 delayed kindergarten upgrade projects (The Stables, Mill Park and Laurel Street, Whittlesea) awaiting the outcome of 3 year old determination by Council.
4	Plant, machinery and equipment	The favourable variance to budget due to slow down in the plant replacement program as a result of service review.
5	Fixtures, fittings and furniture	The unfavourable variance to budget mainly due to the decision to purchase new gym equipment for Mill Park leisure fit out rather than leasing.
6	Computers and telecommunications	The favourable variance to budget primarily due to less than anticipated demands for IT equipment replacement due to staff working from home during COVID-19 lockdown.
7	Roads	The favourable variance to budget due to the removal of five road construction projects from the capital works program (\$13.3m) resulting from delays in negotiations with developers which has delayed the delivery of the projects. Re-budgeted in future years when a Section 173 is in-place to progress the works as Works in Kind / delivery by the developer.
8	Bridges	The variance to budget due to planned re-decking of some bridges has been delayed due to the lack of availability of specified timber due to the impact of COVID-19.
9	Footpaths and cycleways	The favourable variance in budget primarily due to two projects that are funded across multiple years with surplus funds in 20/21 contributing towards the construction of the projects in 21/22 financial year. Further, one project construction is being delayed awaiting approval of CHMP (Cultural Heritage Management Plan).
10	Drainage	The unfavourable variance to budget primarily due to overspend of drainage project at Laurimar Recreation Reserve in 20/21 that is funded across two years which balances the project budget across the 2 years of the project.
11	Recreational, leisure and community facilities	The favourable variance is predominantly due to a project (HR Uren Sportsfield) that was delayed pending the outcome of a grant application which required that the award of a contract and commencement could not start before the funding
12	Off street car parks	The favourable variance is due to the Car Park Rehabilitation project being delivered in conjunction with another project across 2 financial years to enable better pricing and less disruption to the site.
13	Other infrastructure	The favourable variance is primarily due to the Street Light Replacement Program that was underspent due to limited contractor availability during the COVID lockdown.

**Note 2 Analysis of Council results by program**

Council delivers its functions and activities through the following programs.

**2 (a) Office of the CEO**

The Chief Executive Officer division supports the provision of a range of professional services to internal and external customers, with an emphasis on Governance related issues. It is also responsible for establishing and maintaining an appropriate organisational structure for the council, ensuring that council decisions are implemented promptly, overseeing the daily management of council operations following the council plan, developing a code of conduct for council staff and providing timely advice to the council. The CEO is also the main person to which council delegates powers.

**Community Wellbeing**

The Community Services division works closely with the community and external service providers and interest groups to provide and support a variety of services, programs, events and facilities. The aim of these services is to build resilient communities that can maximise their potential, and assist these communities to be healthy, resilient and independent.

**Planning and Development**

The Planning and Development division is central to achieving Council's vision of creating vibrant self-sustaining communities together. The Directorate aims to improve the social and economic wellbeing of the Whittlesea community and foster strong, resilient and connected local communities. The Directorate also provides important services to the community and organisation, including governance and council business, marketing and communications, advocacy, community and social planning, heritage coordination, research and engagement, economic development, Local Laws enforcement, community grants and customer service.

**Infrastructure and Environment**

The Infrastructure and Environment division seeks to shape a city that is well connected and accessible, has active and safe public spaces and community facilities, and is environmentally sustainable. It does so through the delivery of new infrastructure, the provision of services that ensure the maintenance and management of the city's streets, public spaces and buildings, and through advocacy to the State Government.

**Corporate Services**

The Corporate Services division provides strategic advice and support across the organisation on financial, technology, property, procurement, safety and wellbeing and human resource matters. It reviews its resources and processes to achieve efficiencies for its internal and external customers and to enable the delivery of Council's long-term vision.

City of Whittlesea  
2020-2021 Financial Report

Notes to the Financial Report  
For the Year Ended 30 June 2021

2 (b) Summary of revenues, expenses, assets and capital expenses by program

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2021</b>					
Office of the CEO	848	13,932	(13,084)	228	68
Community Wellbeing	14,593	45,031	(30,438)	12,599	312,179
Planning and Development	13,839	35,015	(21,176)	2,415	46,498
Infrastructure and Environment	26,995	77,708	(50,713)	13,754	3,637,210
Corporate Services	348,592	95,606	252,986	15,901	291,396
	<b>404,867</b>	<b>267,292</b>	<b>137,575</b>	<b>44,897</b>	<b>4,287,351</b>
	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2020</b>					
Office of the CEO	230	8,636	(8,406)	9	65
Community Wellbeing	13,491	39,538	(26,047)	10,199	170,335
Planning and Development	12,695	23,462	(10,767)	1,120	12,357
Infrastructure and Environment	15,176	104,673	(89,497)	4,260	3,479,772
Corporate Services	285,161	38,969	246,192	22,540	360,782
	<b>326,753</b>	<b>215,278</b>	<b>111,475</b>	<b>38,128</b>	<b>4,023,311</b>

*City of Whittlesea*  
*2020-2021 Financial Report*

<b>Note 3 Funding for the delivery of our services</b>	<b>2021</b>	<b>2020</b>
<b>3.1 Rates and charges</b>	<b>\$'000</b>	<b>\$'000</b>

The City of Whittlesea uses Net Annual Value (NAV) as the basis of valuation of all properties within the municipal district. The NAV of a property is its imputed rental value.

The valuation base used to calculate general rates for 2020-21 year was \$3,083 million (2019-20 \$2,924 million).

General rates	157,584	148,298
Waste management charge	9,466	9,017
Special rates (marketing schemes)	248	242
Supplementary rates and rate adjustments	2,623	4,019
Interest on rates and charges	141	780
<b>Total rates and charges</b>	<b>170,062</b>	<b>162,356</b>

The date of the latest general revaluation of property for rating purposes within the municipal district was 1 January 2021, and the valuation will be first applied in the rating year commencing 1 July 2021.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice is issued.

**3.2 Statutory fees and fines**

Infringements and costs	5,800	3,346
Court recoveries*	221	126
Permit fees	7,340	6,764
Certificates and regulatory service fees	6,500	6,026
<b>Total statutory fees and fines</b>	<b>19,861</b>	<b>16,262</b>

\*Court recoveries income has been reclassified from Other Income to Statutory fees and fines in the comparative period

Statutory fees and fines (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

**3.3 User fees**

Registrations	1,494	1,734
Leisure centre fees	317	389
Property leases and rentals	1,305	1,818
Tip fees	1,191	1,125
Other fees and charges	-	977
<b>Total user fees</b>	<b>4,307</b>	<b>6,043</b>

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligation is satisfied. Recognition is based on the underlying contractual terms.

**3.4 Funding from other levels of government**

Grants were received in respect of the following :

**Summary of grants**

Commonwealth funded grants	22,666	21,557
State funded grants	20,600	16,506
Other	1,631	65
<b>Total grants received</b>	<b>44,897</b>	<b>38,128</b>



City of Whittlesea  
2020-2021 Financial Report

Note 3 Funding for the delivery of our services

3.4 Funding from other levels of government (cont)

	2021	2020
<b>(a) Operating Grants</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Recurrent - Commonwealth Government</b>		
Financial Assistance Grants	15,276	15,026
Home & Community Care	4,801	4,854
Community Wellbeing	19	32
<b>Recurrent - State Government</b>		
Early Years	390	222
Family Day Care	850	777
Home and Community Care	871	1,271
Community Development	76	97
Community Wellbeing	440	269
Maternal and Child health	3,723	2,914
Resilience and Emergency Management	60	60
Youth Services	12	12
Sustainability Planning	10	15
<b>Recurrent - Other</b>		
Pedestrian Crossings	731	661
VicRoads Maintenance Contract - Additional Works	892	640
<b>Total recurrent operating grants</b>	<b>28,151</b>	<b>26,850</b>
<b>Non-recurrent - Commonwealth Government</b>		
Smart Cities IT Project	71	288
<b>Non-recurrent - State Government</b>		
Maternal & Child Health	104	38
Early Years	91	43
Community Wellbeing	83	2
Youth services	95	-
Infrastructure	-	3
Leisure & Community Inclusion	64	8
Community Cultural Development	36	24
Economic Development	500	20
Sustainability Planning	287	25
Victorian Planning Authority design guidelines open space	64	33
Victorian Planning Authority Liveability matrix	-	75
Working for Victoria	3,966	7,131
Recycling rebate	-	31
<b>Non-recurrent - Other</b>		
Living Rivers	-	38
Community Wellbeing	8	13
Other	-	14
<b>Total non-recurrent operating grants</b>	<b>5,369</b>	<b>7,786</b>
<b>Total operating grants</b>	<b>33,520</b>	<b>34,636</b>

City of Whittlesea  
2020-2021 Financial Report

Note 3 Funding for the delivery of our services

3.4 Funding from other levels of government (cont)

(b) Capital Grants	2021	2020
<i>Recurrent - Commonwealth Government</i>	<i>\$'000</i>	<i>\$'000</i>
Roads to recovery	1,700	1,357
<i>Recurrent - State Government</i>		
Buildings	-	360
Parks and Gardens	100	20
Roads	450	82
<b>Total recurrent capital grants</b>	<b>2,250</b>	<b>1,819</b>
<i>Non-recurrent - Commonwealth Government</i>		
Roads	378	-
Buildings	200	-
Parks & Gardens	221	-
<i>Non-recurrent - State Government</i>		
Buildings	3,810	1,074
Parks and Gardens	1,071	285
Roads	3,447	(328)
<i>Non-recurrent - Others</i>		
Roads	-	642
<b>Total non-recurrent capital grants</b>	<b>9,127</b>	<b>1,673</b>
<b>Total capital grants</b>	<b>11,377</b>	<b>3,492</b>

(c) Unspent grants received on condition that they be spent in a specific manner

*Operating*

Balance at start of year	10,703	8,116
Received during the financial year and remained unspent at balance date	6,165	9,545
Received in prior years and spent during the financial year	(10,703)	(6,958)
Balance at year end	<b>6,165</b>	<b>10,703</b>

*Capital*

Balance at start of year	7,522	11,426
Received during the financial year and remained unspent at balance date	16,150	7,522
Received in prior years and spent during the financial year	(7,522)	(11,426)
Balance at year end	<b>16,150</b>	<b>7,522</b>

Grant income is recognised at the point in time when the council satisfies its performance obligations as specified in the underlying agreement.

3.5 Contributions

Monetary	19,332	18,579
Non-monetary*	140,369	79,547
<b>Total contributions</b>	<b>159,701</b>	<b>98,126</b>

\*Council received higher non-monetary contributions in comparison to the comparative period due to continued growth in the Wollert and Donnybrook areas where a number of estates have commenced development in recent years.

**Contributions of non monetary assets were received in relation to the following asset classes.**

Land	27,332	25
Roads	68,881	53,438
Other infrastructure	44,156	26,084
<b>Total non-monetary contributions</b>	<b>140,369</b>	<b>79,547</b>

Monetary and non monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

City of Whittlesea  
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<b>Note 3 Funding for the delivery of our services</b>	<b>2021</b>	<b>2020</b>
<b>3.6 Net gain/(loss) on property, infrastructure, plant and equipment</b>	<b>\$'000</b>	<b>\$'000</b>
<b>(a) Net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>		
Proceeds of sale	759	861
Written down value of assets disposed	(28)	(3,209)
<b>Total net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>731</b>	<b>(2,348)</b>

The profit or loss on sale of an asset is determined when control of the asset has passed to the buyer.

<b>(b) Net loss on write-off of property, infrastructure, plant and equipment</b>		
Written down value of assets written-off*	(23,031)	-
<b>Total net loss on write-off of property, infrastructure, plant and equipment</b>	<b>(23,031)</b>	<b>-</b>

\*Council written-off a number of infrastructure assets during the year.

**3.7 Other income**

Sales	889	604
Interest	1,181	3,452
Reimbursements	2,938	3,861
Other	-	18
<b>Total other income</b>	<b>5,008</b>	<b>7,935</b>

Interest is recognised as it is earned.

Reimbursements mainly consist of WorkCover and insurance recovered, and reimbursements of capital works undertaken.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

<b>Note 4 The cost of delivering services</b>	<b>2021</b>	<b>2020</b>
<b>4.1 (a) Employee costs</b>	<b>\$'000</b>	<b>\$'000</b>
Wages and salaries	89,793	81,978
WorkCover	1,413	1,899
Superannuation	8,497	7,435
Fringe benefits tax	122	175
Other	-	(8)
<b>Total employee costs</b>	<b>99,825</b>	<b>91,479</b>

**(b) Superannuation**

Council made contributions to the following funds:

**Defined benefit fund**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	166	183
	<b>166</b>	<b>183</b>
Employer contributions payable at reporting date.	7	6

**Accumulation funds**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	8,331	7,252
	<b>8,331</b>	<b>7,252</b>
Employer contributions payable at reporting date.	352	194

Refer to note 9.3 for further information relating to Council's superannuation obligations.

City of Whittlesea  
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<b>Note 4 The cost of delivering services</b>	<b>2021</b>	<b>2020</b>
<b>4.2 Materials and services</b>	<b>\$'000</b>	<b>\$'000</b>
External Works (Contractors)	11,292	8,616
Maintenance and Operations Contractors	17,778	16,869
Sustainable Environment Contractors	17,575	15,132
Assets and Facilities Contractors	4,157	5,555
Information Services Contractors	2,206	1,292
Support Services	8,739	8,870
Design Work	6	3
Facilities Management	1,564	1,764
Supplies and Services	8,847	7,619
Plant and Fleet Operations	2,411	1,860
Computer Services	2,590	2,033
Communications	1,210	1,221
Catering Supplies	430	301
Construction Materials	720	830
Travel and Accommodation	57	154
<b>Total materials and services</b>	<b>79,582</b>	<b>72,119</b>

**4.3 Depreciation**

Property	6,550	6,159
Plant and equipment	2,501	2,238
Infrastructure	29,028	27,916
<b>Total depreciation</b>	<b>38,079</b>	<b>36,313</b>

Refer to note 6.1 for a more detailed breakdown of depreciation and amortisation charges and accounting policy.

**4.4 Amortisation - Intangible assets**

Intangible assets	120	125
<b>Total Amortisation - Intangible assets</b>	<b>120</b>	<b>125</b>

**4.5 Amortisation - Right of use assets**

Property	265	452
Plant and equipment	49	-
<b>Total Amortisation - Right of use assets</b>	<b>314</b>	<b>452</b>

**4.6 Bad and doubtful debts**

Infringements debtors	8,944	737
Other debtors	1,789	-
<b>Total bad and doubtful debts*</b>	<b>10,733</b>	<b>737</b>

\*Provision for doubtful debts has been increased in accordance with the requirements accounting standards after a review of long outstanding debt and an assessment of the probability of collection.

**Movement in provisions for doubtful debts**

Balance at the beginning of the year	(1,298)	(1,121)
New provisions recognised during the year	(10,626)	(483)
Amounts already provided for and written off as uncollectible	1	306
Balance at end of year	<b>(11,923)</b>	<b>(1,298)</b>

Provision for doubtful debt is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment.

**4.7 Borrowing costs**

Interest - Borrowings	220	660
<b>Total borrowing costs</b>	<b>220</b>	<b>660</b>

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

City of Whittlesea  
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**Note 4 The cost of delivering services**

	2021 \$'000	2020 \$'000
<b>4.8 Finance Costs - Leases</b>		
Interest - Lease Liabilities	16	22
<b>Total finance costs</b>	<b>16</b>	<b>22</b>
<b>4.9 Other expenses</b>		
Auditors' remuneration - VAGO - audit of the financial statements, performance statement and grant acquittals	69	67
Auditors' remuneration - Internal Contributions	113	114
- Grants to community	2,437	1,697
- Yarra Plenty Regional Library Contributions	5,172	4,896
Councillors' allowances	-	334
Insurance premiums	1,762	1,187
Utilities	3,276	4,014
Others	2,543	1,062
<b>Total other expenses</b>	<b>15,372</b>	<b>13,371</b>

**Note 5 Our financial position**

	2021 \$'000	2020 \$'000
<b>5.1 Financial assets</b>		
<b>(a) Cash and cash equivalents</b>		
Cash on hand	10	11
Cash at bank	3,003	9,278
Term deposits	133,805	65,000
<b>Total cash and cash equivalents</b>	<b>136,818</b>	<b>74,289</b>
<b>(b) Other financial assets</b>		
Term deposits - current	75,000	130,000
Term deposits - non-current	5,000	-
<b>Total other financial assets</b>	<b>80,000</b>	<b>130,000</b>
<b>Total financial assets</b>	<b>216,818</b>	<b>204,289</b>

Councils cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

Trust funds and deposits (Note 5.3 (b))	16,005	16,104
Asset development reserves (note 9.1(b))	127,924	108,634
<b>Total restricted funds</b>	<b>143,929</b>	<b>124,738</b>
<b>Total unrestricted cash and cash equivalents</b>	<b>72,889</b>	<b>79,551</b>

**Intended allocations**

Although not externally restricted the following amounts have been allocated for specific future purposes by Council:

Cash held to fund Carried forward capital works	14,541	9,695
Unexpended grants and subsidies	22,315	18,225
Asset replacement reserves	58,173	45,263
<b>Total funds subject to intended allocations</b>	<b>95,029</b>	<b>73,183</b>

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of three months or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

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5.1 Financial assets (cont)	2021	2020
(c) Trade and other receivables	\$'000	\$'000
<b>Current</b>		
<b>Statutory receivables</b>		
Rates debtors	19,765	15,333
Infringement debtors	11,683	9,273
Provision for doubtful debts - infringements*	(10,134)	(1,298)
Net GST receivable	2,324	3,135
<b>Non statutory receivables</b>		
Other debtors	8,326	5,164
Provision for doubtful debts - Other debtors*	(1,789)	-
<b>Total current trade and other receivables</b>	<b>30,175</b>	<b>31,607</b>

\*Provision for doubtful debts has been increased in accordance with the requirements accounting standards after a review of long outstanding debt and an assessment of the probability of collection.

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

**(d) Ageing of Receivables**

The ageing of the Council's trade and other receivables (excluding statutory receivables) that are not impaired was:

Current (not yet due)	4,627	2,106
Past due by up to 30 days	406	350
Past due between 31 and 180 days	295	2,708
Past due between 181 and 365 days	1,333	-
Past due by more than 1 year	1,665	-
<b>Total trade and other receivables</b>	<b>8,326</b>	<b>5,164</b>

**(e) Ageing of individually impaired Receivables**

At balance date, other and infringement debtors representing financial assets with a nominal value of \$11.9m (2020: \$1.3m) were impaired. The amount of the provision raised against these debtors was \$10.6m (2020: \$0.5m). They individually have been impaired as a result of their doubtful collection.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Past due between 31 and 180 days	226	-
Past due between 181 and 365 days	950	-
Past due by more than 1 year	10,747	1,298
<b>Total trade &amp; other receivables</b>	<b>11,923</b>	<b>1,298</b>

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Note 5 Our financial position

5.2 Non-financial assets	2021	2020
(a) Inventories	\$'000	\$'000
Fuels	33	36
Depot workshop items and signs	294	275
Stationery and other consumables*	-	31
<b>Total inventories</b>	<b>327</b>	<b>342</b>

\*Stationery and other consumable inventories have been recognised as an expense as incurred due to a change in accounting policy during the period.

Inventories held for distribution are measured at cost, adjusted when applicable for any loss of service potential. All other inventories, including land held for sale, are measured at the lower of cost and net realisable value. Where inventories are acquired for no cost or nominal consideration, they are measured at current replacement cost at the date of acquisition.

(b) Other assets		
Accrued interest	567	536
Prepayments	456	587
Other	215	62
<b>Total other assets</b>	<b>1,238</b>	<b>1,185</b>

(c) Other financial assets		
Shares in MAPS Group Ltd	22	22
<b>Total other financial assets</b>	<b>22</b>	<b>22</b>

(d) Intangible assets		
Software	770	890
<b>Total intangible assets</b>	<b>770</b>	<b>890</b>

Gross carrying amount	Software \$'000	Total \$'000
Balance at 1 July 2020	1,199	1,199
Additions from internal developments	-	-
Other additions	-	-
Balance at 1 July 2021	<b>1,199</b>	<b>1,199</b>

Accumulated amortisation and impairment		
Balance at 1 July 2020	309	309
Amortisation expense	120	120
Balance at 1 July 2021	<b>429</b>	<b>429</b>

Net book value at 30 June 2020	<b>890</b>	<b>890</b>
Net book value at 30 June 2021	<b>770</b>	<b>770</b>

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

5.3 Payables		
(a) Trade and other payables		
Trade payables	12,916	12,752
Accrued expenses	6,983	5,400
Other	493	931
<b>Total trade and other payables</b>	<b>20,392</b>	<b>19,083</b>

City of Whittlesea  
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Note 5 Our financial position  
5.3 Payables (cont)

	2021	2020
<b>(b) Trust funds and deposits</b>	<b>\$'000</b>	<b>\$'000</b>
Refundable deposits	11,623	13,797
Fire services property levy	2,917	2,076
Retention amounts	63	41
Other refundable deposits	1,402	190
<b>Total trust funds and deposits</b>	<b>16,005</b>	<b>16,104</b>
<b>(c) Unearned income</b>		
Grants received in advance - operating	6,165	2,458
Grants received in advance - capital	16,150	7,522
<b>Total unearned income</b>	<b>22,315</b>	<b>9,980</b>

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in council gaining control of the funds, are to be recognised as revenue at the time of forfeit.

**Purpose and nature of items**

**Fire Service Levy** - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the state government in line with that process.

**Retention Amounts** - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

5.4 Interest-bearing liabilities

**Current**

Borrowings - secured	788	1,990
	<b>788</b>	<b>1,990</b>

**Non-current**

Borrowings - secured	1,753	7,097
	<b>1,753</b>	<b>7,097</b>
<b>Total</b>	<b>2,541</b>	<b>9,087</b>

Borrowings are secured by a mortgage over the general rates and charges of Council.

**(a) The maturity profile for Council's borrowings is:**

Not later than one year	788	1,990
Later than one year and not later than five years	1,753	7,097
	<b>2,541</b>	<b>9,087</b>

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether the Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. The Council determines the classification of its interest bearing liabilities at initial recognition.



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Note 5 Our financial position  
5.5 Provisions

	Annual leave	Long service leave	Other	Total
	\$ '000	\$ '000	\$ '000	\$ '000
<b>2021</b>				
Balance at beginning of the financial year	7,283	15,089	658	23,030
Additional provisions	4,947	(391)	1,640	6,196
Amounts used	(4,843)	(632)	(18)	(5,493)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	-	(345)	(51)	(396)
Balance at the end of the financial year	<b>7,387</b>	<b>13,721</b>	<b>2,229</b>	<b>23,337</b>

	Annual leave	Long service leave	Other	Total
	\$ '000	\$ '000	\$ '000	\$ '000
<b>2020</b>				
Balance at beginning of the financial year	6,264	14,454	747	21,465
Additional provisions	1,033	2,439	52	3,524
Amounts used	(14)	(1,540)	(141)	(1,695)
Change in the discounted amount arising because of time and the effect of any change in the discount rate	-	(264)	-	(264)
Balance at the end of the financial year	<b>7,283</b>	<b>15,089</b>	<b>658</b>	<b>23,030</b>

	2021	2020
	\$'000	\$'000
<b>(a) Employee provisions</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>		
Annual leave	5,407	5,331
Long service leave	1,372	1,712
Other	223	658
	<b>7,002</b>	<b>7,701</b>
<b>Current provisions expected to be wholly settled after 12 months</b>		
Annual leave	1,980	1,952
Long service leave	10,791	10,509
Other	1,849	-
	<b>14,620</b>	<b>12,461</b>
Total current employee provisions	<b>21,622</b>	<b>20,162</b>
<b>Non-current</b>		
Long service leave	1,558	2,868
Other	157	-
Total non-current employee provisions	<b>1,715</b>	<b>2,868</b>
<b>Aggregate carrying amount of employee provisions:</b>		
Current	21,622	20,162
Non-current	1,715	2,868
Total aggregate carrying amount of employee	<b>23,337</b>	<b>23,030</b>

City of Whittlesea  
2020-2021 Financial Report

**Note 5 Our financial position**

**5.5 Provisions (cont)**

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date.

**Wages and salaries and annual leave**

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at the present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

**Long service leave**

Liability for long service leave (LSL) is recognised in the provision for employee benefits. LSL is measured at present value. Unconditional LSL is disclosed as a current liability. Conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability.

**Key assumptions:**

Weighted average discount rates	1.14%	0.87%
Weighted average increase in employee costs	2.00%	4.25%
weighted average settlement period (months)	13	13

**5.6 Financing arrangements**

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
The Council has the following funding arrangements in place as at 30 June 2021.		
Bank overdraft	200	200
Credit card facilities	383	488
Total facilities	<u>583</u>	<u>688</u>
Used facilities	(41)	(5)
Unused facilities	<u>542</u>	<u>683</u>

City of Whittlesea  
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Note 5 Our financial position

5.7 Commitments

The Council has entered into the following commitments. Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value and presented inclusive of the GST payable.

2021	Not later than 1 year	Later than 1 year and not later than 2 years	Later than 2 years and not later than 5 years	Later than 5 years	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating</b>					
Consultancy	444	150	-	-	594
Building maintenance	2,800	2,800	3,506	-	9,106
Health	1,760	364	-	-	2,124
Information technology and systems	6,517	2,373	524	-	9,414
Waste and recycling	11,771	9,629	19,202	17,710	58,312
Transport & local laws	6,974	6,361	7,723	3,122	24,180
Infrastructure	41	-	-	-	41
Parks Maintenance	15,355	14,001	24,518	28	53,902
Leisure	774	-	-	-	774
Renewable power	3,156	3,156	6,311	17,378	30,001
Other	3,136	137	-	-	3,273
<b>Total</b>	<b>52,728</b>	<b>38,971</b>	<b>61,784</b>	<b>38,238</b>	<b>191,721</b>
<b>Capital</b>					
Building works	9,068	84	-	-	9,152
Transport & local laws	29,393	19,838	-	-	49,231
Infrastructure	612	11	-	-	623
Parks works	3,754	105	-	-	3,859
Leisure	142	132	263	109	646
<b>Total</b>	<b>42,969</b>	<b>20,170</b>	<b>263</b>	<b>109</b>	<b>63,511</b>
<b>2020*</b>	<b>Not later than 1 year</b>	<b>Later than 1 year and not later than 2 years</b>	<b>Later than 2 years and not later than 5 years</b>	<b>Later than 5 years</b>	<b>Total</b>
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating</b>					
Building maintenance	1,711	1,425	1,358	-	4,494
Health	872	232	677	-	1,781
Information technology and systems	11,164	5,309	2,721	-	19,194
Waste and recycling	5,754	5,754	27,332	-	38,840
Transport & local laws	5,332	1,712	7,582	-	14,626
Infrastructure	40	-	-	-	40
Parks Maintenance	9,792	9,792	49,125	-	68,709
Leisure	1,332	57	-	-	1,389
Other	6,343	1,669	134	-	8,146
<b>Total</b>	<b>42,340</b>	<b>25,950</b>	<b>88,929</b>	<b>-</b>	<b>157,219</b>
<b>Capital</b>					
Consultancy	64	-	-	-	64
Building works	784	3	-	-	787
Information technology and systems	424	92	8	-	524
Transport & local laws	16,973	16,662	36,350	4,824	74,809
Infrastructure	12,344	6	-	-	12,350
Parks works	9	-	-	-	9
Leisure	5,477	13	-	-	5,490
Other	7	3	-	-	10
<b>Total</b>	<b>36,082</b>	<b>16,779</b>	<b>36,358</b>	<b>4,824</b>	<b>94,043</b>

\*The commitments for the comparative period have been changed to include schedule of rate contracts awarded which were excluded from the last year.

City of Whittlesea  
2020-2021 Financial Report

Note 5 Our financial position  
5.8 Leases

At inception, all contracts are reviewed to determine whether they contain leasing arrangements. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Council has elected to apply the temporary option available under AASB 16 Leases which allows not-for-profit entities to not measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

**Right-of-Use Assets**

	Property \$'000	Plant and equipment \$'000	Total \$'000
Balance at 1 July 2020	1,083	-	1,083
Additions	-	61	61
Amortisation charge	(265)	(49)	(314)
Balance at 30 June 2021	<b>818</b>	<b>12</b>	<b>830</b>

City of Whittlesea  
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Note 5 Our financial position  
5.8 Leases (cont)

<i>Lease Liabilities</i>	2021	2021
Maturity analysis - contractual undiscounted cash flows	\$'000	\$'000
Less than one year	333	358
One to five years	587	720
More than five years	590	781
Total undiscounted lease liabilities as at 30 June 2021:	<u>1,510</u>	<u>1,859</u>

**Lease liabilities included in the Balance Sheet at 30 June 21:**

Current	148	268
Non-current	687	822
Total lease liabilities	<u>835</u>	<u>1,090</u>

**Short-term and low value leases**

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than existing capitalisation thresholds for a like asset up to a maximum of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

**Expenses relating to:**

Short-term leases	146	490
Leases of low value assets	10	-
<b>Total</b>	<u>156</u>	<u>490</u>

Variable lease payments (not included in measurement of lease liabilities)

**Non-cancellable lease commitments - Short-term and low-value leases**

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:		
Within one year	-	69
<b>Total lease commitments</b>	<u>-</u>	<u>69</u>

## City of Whittlesea

## 2020-2021 Financial Report

## Note 6 Assets we manage

## 6.1 Property, infrastructure, plant and equipment

## Summary of property, infrastructure, plant and equipment

	At Fair Value 30 June 2020 \$'000	Additions \$'000	Contributions \$'000	Revaluation \$'000	Depreciation \$'000	Disposal \$'000	Write-off \$'000	Transfers \$'000	At Fair Value 30 June 2021 \$'000
Property	1,706,403	8,282	27,332	119,758	(6,550)	-	(4,833)	13,035	1,863,427
Plant and equipment	11,951	1,421	-	-	(2,501)	(28)	-	-	10,843
Infrastructure	2,002,034	21,144	113,036	(344)	(29,028)	-	(18,198)	6,167	2,094,811
Work in progress	60,894	23,487	-	-	-	-	-	(19,202)	65,179
<b>Total</b>	<b>3,781,282</b>	<b>54,334</b>	<b>140,368</b>	<b>119,414</b>	<b>(38,079)</b>	<b>(28)</b>	<b>(23,031)</b>	<b>-</b>	<b>4,034,260</b>

## Summary of Work in Progress

	Opening WIP \$'000	Additions \$'000	Write-off \$'000	Transfers \$'000	Closing WIP \$'000
Property	43,369	9,026	-	(13,035)	39,360
Plant and equipment	888	253	-	-	1,141
Infrastructure	16,637	14,208	-	(6,167)	24,678
<b>Total</b>	<b>60,894</b>	<b>23,487</b>	<b>-</b>	<b>(19,202)</b>	<b>65,179</b>

## City of Whittlesea

## 2020-2021 Financial Report

## Note 6 Assets we manage

## 6.1 Property, infrastructure, plant and equipment (cont)

## (a) Property

	Land - specialised	Land - non specialised	Land under roads	Total Land & Land Improvements	Heritage buildings	Buildings - specialised	Total Buildings	Work In Progress	Total Property
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2020	1,451,011	3,080	687	1,454,778	-	410,625	410,625	43,369	1,908,772
Accumulated depreciation at 1 July 2020	-	-	-	-	-	(159,000)	(159,000)	-	(159,000)
	<b>1,451,011</b>	<b>3,080</b>	<b>687</b>	<b>1,454,778</b>	<b>-</b>	<b>251,625</b>	<b>251,625</b>	<b>43,369</b>	<b>1,749,772</b>
<b>Movements in fair value</b>									
Additions	302	-	-	302	-	7,980	7,980	9,026	17,308
Contributions	27,305	-	27	27,332	-	-	-	-	27,332
Revaluation	100,806	-	15	100,821	-	41,743	41,743	-	142,564
Write-off	(4,833)	-	-	(4,833)	-	-	-	-	(4,833)
	<b>123,580</b>	<b>-</b>	<b>42</b>	<b>123,622</b>	<b>-</b>	<b>62,758</b>	<b>62,758</b>	<b>(4,009)</b>	<b>182,371</b>
<b>Movements in accumulated depreciation</b>									
Depreciation and amortisation	-	-	-	-	-	(6,550)	(6,550)	-	(6,550)
Revaluation increments/decrements	-	-	-	-	-	(22,806)	(22,806)	-	(22,806)
	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(29,356)</b>	<b>(29,356)</b>	<b>-</b>	<b>(29,356)</b>
At fair value 30 June 2021	1,574,591	3,080	729	1,578,400	-	473,383	473,383	39,360	2,091,143
Accumulated depreciation at 30 June 2021	-	-	-	-	-	(188,356)	(188,356)	-	(188,356)
	<b>1,574,591</b>	<b>3,080</b>	<b>729</b>	<b>1,578,400</b>	<b>-</b>	<b>285,027</b>	<b>285,027</b>	<b>39,360</b>	<b>1,902,787</b>

## City of Whittlesea

## 2020-2021 Financial Report

## Note 6 Assets we manage

## 6.1 Property, infrastructure, plant and equipment (cont)

## (b) Plant and Equipment

	Plant machinery and equipment	Fixtures fittings and furniture	Artworks	Work in Progress	Total plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2020	14,277	13,196	3,279	888	31,640
Accumulated depreciation at 1 July 2020	(8,899)	(9,902)	-	-	(18,801)
	<b>5,378</b>	<b>3,294</b>	<b>3,279</b>	<b>888</b>	<b>12,839</b>
<b>Movements in fair value</b>					
Additions	515	896	10	253	1,674
Disposal	(434)	-	-	-	(434)
	<b>81</b>	<b>896</b>	<b>10</b>	<b>253</b>	<b>1,240</b>
<b>Movements in accumulated depreciation</b>					
Depreciation and amortisation	(1,488)	(1,013)	-	-	(2,501)
Accumulated depreciation of disposals	406	-	-	-	406
	<b>(1,082)</b>	<b>(1,013)</b>	<b>-</b>	<b>-</b>	<b>(2,095)</b>
At fair value 30 June 2021	14,358	14,092	3,289	1,141	32,880
Accumulated depreciation at 30 June 2021	(9,981)	(10,915)	-	-	(20,896)
	<b>4,377</b>	<b>3,177</b>	<b>3,289</b>	<b>1,141</b>	<b>11,984</b>



## City of Whittlesea

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## Note 6 Assets we manage

## 6.1 Property, infrastructure, plant and equipment (cont)

## (c) Infrastructure

	Roads	Bridges	Telecommunica tion Conduits	Drainage	Public Lighting	Parks open spaces and streetscapes	Work In Progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2020	1,719,244	21,216	26,531	580,368	29,470	199,198	16,637	2,592,664
Accumulated depreciation at 1 July 2020	(352,860)	(7,211)	(6,098)	(118,772)	(16,029)	(73,023)	-	(573,993)
	<b>1,366,384</b>	<b>14,005</b>	<b>20,433</b>	<b>461,596</b>	<b>13,441</b>	<b>126,175</b>	<b>16,637</b>	<b>2,018,671</b>
<b>Movements in fair value</b>								
Additions	14,550	-	-	443	1,092	5,059	14,208	35,352
Contributions	68,881	-	-	30,357	89	13,709	-	113,036
Revaluation	(94,533)	40	(37)	558	(669)	86,978	-	(7,663)
Write-off	(19,284)	-	-	(2,264)	-	(106)	-	(21,654)
Transfers	1,874	-	-	317	6	3,970	(6,167)	-
	<b>(28,512)</b>	<b>40</b>	<b>(37)</b>	<b>29,411</b>	<b>518</b>	<b>109,610</b>	<b>8,041</b>	<b>119,071</b>
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation	(13,191)	(226)	(527)	(5,953)	(1,434)	(7,697)	-	(29,028)
Accumulated depreciation of write-off	3,033	-	-	402	-	21	-	3,456
Revaluation increments/decrements	34,027	(13)	(157)	(506)	477	(26,509)	-	7,319
	<b>23,869</b>	<b>(239)</b>	<b>(684)</b>	<b>(6,057)</b>	<b>(957)</b>	<b>(34,185)</b>	<b>-</b>	<b>(18,253)</b>
At fair value 30 June 2021	1,690,732	21,256	26,494	609,779	29,988	308,808	24,678	2,711,735
Accumulated depreciation at 30 June 2021	(328,991)	(7,450)	(6,782)	(124,829)	(16,986)	(107,208)	-	(592,246)
	<b>1,361,741</b>	<b>13,806</b>	<b>19,712</b>	<b>484,950</b>	<b>13,002</b>	<b>201,600</b>	<b>24,678</b>	<b>2,119,489</b>

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Note 6 Assets we manage

6.1 Property, infrastructure, plant and equipment (cont)

**Acquisition**

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, borrowing costs incurred during construction, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

	Depreciation Period	Threshold Limit \$'000
<i>Asset recognition thresholds and depreciation periods</i>		
Land & land improvements		
land	-	10
land improvements	100 years	5
Buildings		
buildings	30 - 150 years	10
building and leasehold improvements	50 years	5
Plant and Equipment		
Fixtures fittings and furniture	5 - 10 years	1
plant, machinery and equipment	3 - 10 years	1
computers and telecommunications	3 years	1
leased plant and equipment	3 years	1
Infrastructure		
roads - pavements	50 - 120 years	5
roads - surface	15 - 25 years	5
parks, open spaces and streetscapes	10 - 100 years	1
off street car parks	50 - 120 years	5
bridges - deck	25 - 100 years	1
footpaths and cycleways	20 - 100 years	1
drainage	100 years	1
light pole and lanterns	20 years	1
conduits and pits	50 years	1
Intangible assets	10 years	-

**Land under roads**

Council recognises land under roads it controls at fair value.

**Depreciation and amortisation**

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to the Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component. Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life. Straight line depreciation is charged based on the residual useful life as determined each year. Depreciation periods used are listed above and are consistent with the prior year unless otherwise stated.

**Repairs and maintenance**

Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

City of Whittlesea  
2020-2021 Financial Report

**Note 6 Assets we manage**

**6.1 Property, infrastructure, plant and equipment (cont)**

**Valuation of land and buildings**

Valuation of land was undertaken by the Valuer General of Victoria. Valuation of buildings was undertaken by Mr Gino Mitrione, Fellow of Australian Property Institute as at 30 June 2021. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the comprehensive income statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

Details of the Council's land and buildings and information about the fair value hierarchy as at 30 June 2021 are as follows:

	Level 1 \$'000	Level2 \$'000	Level 3 \$'000	Date of Valuation
Non-specialised land	-	3,080	-	Jun-21
Specialised land and land under roads	-	-	1,575,320	Jun-21
Specialised buildings	-	-	285,027	Jun-21
<b>Total</b>	-	<b>3,080</b>	<b>1,860,347</b>	

**Valuation of infrastructure**

In accordance with Council policy, an assessment of the fair value of all infrastructure assets was undertaken at the reporting date. For infrastructure, fair value is replacement cost less accumulated depreciation at the date of valuation. The date of the current valuation is detailed in the following table.

Valuation of infrastructure assets has been determined in accordance with a valuation undertaken by Council's Team Leader Asset Management, Mr. Michael Butler, Bachelor of Engineering (Civil).

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of the Council's infrastructure and information about the fair value hierarchy as at 30 June 2021 are as follows:

	Level 1 \$'000	Level2 \$'000	Level 3 \$'000	Date of Valuation
Roads	-	-	1,361,741	Jun-21
Bridges	-	-	13,806	Jun-21
Drainage	-	-	484,950	Jun-21
Public lighting	-	-	13,002	Jun-21
Telecommunication Conduits	-	-	19,712	Jun-21
Parks, open space and streetscapes	-	-	201,600	Jun-21
<b>Total</b>	-	-	<b>2,094,811</b>	

City of Whittlesea  
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Note 6 Assets we manage

6.1 Property, infrastructure, plant and equipment (cont)

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$1 and \$4,722 per square metre.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs are calculated on a square metre basis and ranges from \$310 to \$8,466 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 5 years to 94 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 1 years to 120 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2021	2020
	\$'000	\$'000
Reconciliation of specialised land		
Land under roads	729	687
Specialised land	1,574,591	1,451,012
<b>Total specialised land</b>	<b>1,575,320</b>	<b>1,451,699</b>

*City of Whittlesea**2020-2021 Financial Report*

<b>Note 6 Assets we manage</b>	<b>2021</b>	<b>2020</b>
<b>6.2 Investments in associates, joint arrangements and subsidiaries</b>	<b>\$'000</b>	<b>\$'000</b>
<b>Investments in associates</b>		
Investments in associates accounted for by the equity method are:		
Yarra Plenty Regional Library Service (Incorporated)	2,911	2,611
<b>Yarra Plenty Regional Library Service (Incorporated) - Background</b>		
Represents the City of Whittlesea's share in the net assets of the Yarra Plenty Regional Library Service which became an incorporated body on 12 January 1996. The Council's 37.81% (2019-20 37.7%) share of the net assets from their draft financial statements for the year ended 30 June 2021 has been treated as an investment in the Balance Sheet, with an increase in the investment for the reporting period of \$0.3 million (increase of \$0.25million for 2019-20), which is accounted for using the equity method and shown in the Comprehensive Income Statement.		
<b>Fair value of Council's investment in Yarra Plenty Regional Library</b>	<u>2,911</u>	<u>2,611</u>
<b>Council's share of accumulated surplus/(deficit)</b>		
Council's share of accumulated surplus/(deficit) at start of year	1,994	1,350
Reported surplus/(deficit) for year	674	644
Council's share of accumulated surplus/(deficit) at end of year	<u>2,668</u>	<u>1,994</u>
<b>Movement in carrying value of specific investment</b>		
Carrying value of investment at start of year	2,611	2,360
Share of surplus/(deficit) for year	300	251
Carrying value of investment at end of year	<u>2,911</u>	<u>2,611</u>
<b>Council's share of expenditure commitments</b>		
Operating commitments	2,022	2,042
Council's share of expenditure commitments	<u>764</u>	<u>770</u>
<b>Council's share of contingent liabilities and contingent assets</b>		

The Yarra Plenty Regional Library Service does not have any contingent liabilities as at the end of the reporting period.

Associates are all entities over which Council has significant influence but not control or joint control. Investments in associates are accounted for using the equity method of accounting, after initially being recognised at cost.

**Note 7 People and relationships**

**7.1 Council and key management remuneration**

**(a) Related Parties**

*Parent entity*

City of Whittlesea is the parent entity.

*Subsidiaries and Associates*

Interests in subsidiaries and associates are detailed in Note 6.2.

**(b) Key Management Personnel**

Details of persons holding the position of Councillor or other members of key management personnel at any time during the year are:

<b>Administrators</b>	Ms Lydia Wilson - Chair
	Ms Peita Duncan
	Mr Bruce Billson (1 July 2020 - 3 March 2021)
	Mr Chris Eddy (12 May 2021 - 30 June 2021)
<b>CEO and executive leadership team</b>	Mr Joe Carbone - Acting Chief Executive Officer (1 July 2020 - 11 October 2020)
	Mr Craig Lloyd - Chief Executive Officer (12 October 2020 - 30 June 2021)
	Ms Amy Montalti - Director Corporate Services
	Ms Belgin Besim - Director Community Wellbeing (1 July 2020 - 8 November 2020)
	Ms Kate McCaughey - Director Community Wellbeing (9 November 2020 - 30 June 2021)
	Mr Ben Harries - Director Infrastructure and Environment (1 July 2020 - 8 November 2020)
	Ms Debbie Wood - Director Infrastructure and Environment (9 November 2020 - 30 June 2021)
	Mr Julian Edwards - Director Planning and Development (1 July 2020 - 8 November 2020)
	Mr Justin O'Meara - Director Planning and Development (9 November 2020 - 30 June 2021)
	Mr Michael Tonta - Executive Manager Governance (1 July 2020 - 17 November 2020)
	Mr Frank Joyce - Executive Manager Governance (18 November 2020 - 30 June 2021)
	Ms Kristli High - Executive Manager Corporate Affairs

	2021 No.	2020 No.
<b>Total Number of Councillors</b>	-	11
<b>Total Number of Administrators</b>	4	3
<b>Total of Chief Executive Officer and other Key Management Personnel</b>	12	11
<b>Total Number of Key Management Personnel</b>	<u>16</u>	<u>25</u>

**(c) Remuneration of Key Management Personnel**

Total remuneration of key management personnel was as follows:

	2021 \$'000	2020 \$'000
Short-term benefits	2,609	1,681
Long-term benefits	210	124
Post employment benefits	-	12
Termination benefits	35	820
<b>Total</b>	<u>2,854</u>	<u>2,637</u>

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

	2021 No.	2020 No.
\$0 - \$9,999	-	2
\$10,000 - \$19,999	1	-
\$30,000 - \$39,999	-	9
\$40,000 - \$49,999	-	1
\$60,000 - \$69,999	-	2
\$70,000 - \$79,999	-	1
\$80,000 - \$89,999	-	1
\$90,000 - \$99,999	3	2
\$100,000 - \$109,999	-	3
\$110,000 - \$119,999	2	1
\$130,000 - \$139,999	1	-
\$150,000 - \$159,999	1	-
\$160,000 - \$169,999	3	1
\$180,000 - \$189,999	1	-
\$230,000 - \$239,999	1	-
\$250,000 - \$259,999	2	1
\$300,000 - \$309,999	1	-
\$910,000 - \$919,999	-	1
	<u>16</u>	<u>25</u>

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**Note 7 People and relationships**

**7.1 Council and key management remuneration (cont)**

**(d) Senior Officer Remuneration**

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000

The number of Senior Officers are shown below in their relevant income bands:

Income Range:	2021 No.	2020 No.
<\$151,000	10	8
\$151,000 - \$159,999	5	4
\$160,000 - \$169,999	10	11
\$170,000 - \$179,999	3	7
\$180,000 - \$189,999	3	1
\$190,000 - \$199,999	3	1
\$200,000 - \$209,999	1	1
\$210,000 - \$219,999	1	-
\$220,000 - \$229,999	2	-
\$230,000 - \$239,999	2	-
\$240,000 - \$249,999	1	-
\$250,000 - \$259,999	1	-
\$320,000 - \$329,999	1	1
	<b>43</b>	<b>34</b>
	<b>\$'000</b>	<b>\$'000</b>
Total Remuneration for the reporting year for Senior Officers included above, amounted to:	7,460	5,360

**Note 7 People and relationships**

**7.2 Related party disclosure**

**(a) Transactions with related parties**

During the period Council entered into the following transactions with related parties.

**Expenditure**

	2021 \$'000	2020 \$'000
Council library contributions paid to the Yarra Plenty Regional Library	5,172	4,896
<b>Total related party expenditure</b>	<b>5,172</b>	<b>4,896</b>

**Income**

Rent for premises received from the Yarra Plenty Regional Library	-	18
Fuel and motor vehicles repairs	16	15
<b>Total related party income</b>	<b>16</b>	<b>33</b>

**(b) Outstanding balances with related parties**

The following balances are outstanding at the end of the reporting period in relation to transactions with related parties

Nil

**(c) Loans to/from related parties**

The aggregate amount of loans in existence at balance date that have been made, guaranteed or secured by the council to a related party as follows:

Nil

**(d) Commitments to/from related parties**

The aggregate amount of commitments in existence at balance date that have been made, guaranteed or secured by the council to a related party are as follows:

Nil

*City of Whittlesea*  
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**Note 8 Managing uncertainties**

**8.1 Contingent assets and liabilities**

**(a) Contingent assets**

**Operating lease receivables**

The Council has entered into commercial property leases on its investment property, consisting of surplus freehold office complexes. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a CPI based revision of the rental charge annually.

Future undiscounted minimum rentals receivable under non-cancellable operating leases are as follows:

	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>
Not later than one year	358	759
Later than one year and not later	730	1,393
Later than five years	120	1,541
	<b>1,208</b>	<b>3,693</b>

**(b) Contingent liabilities**

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

**Superannuation**

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme, matters relating to this potential obligation are outlined below. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists.

**Future superannuation contributions**

In addition to the disclosed contributions, the City of Whittlesea has not paid unfunded liability payments to Vision Super over the past two years. The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2022 are \$274,624.

**Legal matters**

There are no legal matters that could have a material impact on future operations.

**Liability Mutual Insurance**

Council is (was) a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provides public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

**(c) Guarantees for loans to other entities**

Council has provided no current guarantees for loans to other entities.

Financial guarantee contracts are not recognised as a liability in the balance sheet unless the lender has exercised their right to call on the guarantee or Council has other reasons to believe that it is probable that the right will be exercised.



## Note 8 Managing uncertainties

### 8.2 Change in accounting standards

Certain new Australian Accounting Standards and interpretations have been published that are not mandatory for the 30 June 2021 reporting period. Council assesses the impact of these new standards. As at 30 June 2021 there were no new accounting standards or interpretations issued by the AASB which are applicable for the year ending 30 June 2022 that are expected to impact Council.

### 8.3 Financial instruments

#### (a) Objectives and policies

The City of Whittlesea's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the Notes of the financial statements. Risk management is carried out by senior management under policies approved by the Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

#### (b) Market risk

Market risk is the risk that the fair value or future cash flows of council financial instruments will fluctuate because of changes in market prices. The Council's exposure to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

#### *Interest rate risk*

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Council's interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes council to fair value interest rate risk / Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rates.

Investment of surplus funds is made with approved financial institutions under the *Local Government Act 2020*. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

**Note 8 Managing uncertainties****8.3 Financial instruments (cont)****(c) Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- council have a policy for establishing credit limits for the entities council deal with;
- council may require collateral where appropriate; and
- council only invest surplus funds with financial institutions which have a recognised credit rating specified in council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal. Rates debtors are secured by a charge over the rateable property. Council has assessed that 87% of parking infringement debts owing to Council are unlikely to be collected and has raised a provision for doubtful debts over those debts based on an assessment of collectability. The collection of long overdue parking infringement debts is managed by Fines Victoria.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the balance sheet, such as when council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1(b).

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council does not hold any collateral.

**(d) Liquidity risk**

Liquidity risk includes the risk that, as a result of council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset.

To help reduce these risks Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid instruments;
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal repayments to rate revenue.

The Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed on the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c), and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

**(e) Sensitivity disclosure analysis**

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of +0.25% and 0% in market interest rates (AUD) from year-end rates of 0.10%.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

## Note 8 Managing uncertainties

### 8.4 Fair value measurement

#### Fair value hierarchy

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. AASB 13 Fair value measurement, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities;

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

#### Revaluation

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at the measurement date. At balance date, the Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 3 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the year are offset.

#### Impairment of assets

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

### 8.5 Events occurring after balance date

No matters have occurred after balance date that require disclosure in the financial report.

City of Whittlesea  
2020-2021 Financial Report

Note 9 Other matters

9.1 Reserves

<b>Summary</b>	<b>2021</b>	<b>2020</b>
	<b>\$'000</b>	<b>\$'000</b>

The Council at the end of the reporting period held the following reserve balances:

Asset revaluation reserves	1,294,172	1,174,758
Asset replacement reserve	58,173	45,263
Asset development reserve	127,924	108,634
	<b>1,480,269</b>	<b>1,328,655</b>

	<b>Balance at beginning of reporting period</b>	<b>Increment (decrement)</b>	<b>Balance at end of reporting period</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
<b>(a) Asset revaluation reserves</b>			
<b>2021</b>			
<b>Property</b>			
Land and land improvements	871,283	100,821	972,104
Buildings	72,194	18,937	91,131
	<b>943,477</b>	<b>119,758</b>	<b>1,063,235</b>
<b>Plant and equipment</b>			
Artworks	1,726	-	1,726
	<b>1,726</b>	<b>-</b>	<b>1,726</b>
<b>Infrastructure</b>			
Roads	207,638	(60,506)	147,132
Bridges	(4,954)	27	(4,927)
Drainage	46,942	52	46,994
Telecommunication Conduits	-	(194)	(194)
Public Lighting	-	(192)	(192)
Parks, open space and streetscapes	(20,071)	60,469	40,398
	<b>229,555</b>	<b>(344)</b>	<b>229,211</b>
<b>Total asset revaluation reserves</b>	<b>1,174,758</b>	<b>119,414</b>	<b>1,294,172</b>
<b>2020</b>			
<b>Property</b>			
Land and land improvements	878,891	(7,608)	871,283
Buildings	69,104	3,090	72,194
	<b>947,995</b>	<b>(4,518)</b>	<b>943,477</b>
<b>Plant and equipment</b>			
Artworks	1,726	-	1,726
	<b>1,726</b>	<b>-</b>	<b>1,726</b>
<b>Infrastructure</b>			
Roads	275,364	(67,726)	207,638
Bridges	-	(4,954)	(4,954)
Drainage	-	46,942	46,942
Parks, open space and streetscapes	-	(20,071)	(20,071)
	<b>275,364</b>	<b>(45,809)</b>	<b>229,555</b>
<b>Total asset revaluation reserves</b>	<b>1,225,085</b>	<b>(50,327)</b>	<b>1,174,758</b>

The asset revaluation reserve is used to record the increased (net) value of Council's assets over time.

City of Whittlesea  
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Note 9 Other matters  
9.1 Reserves (continued)

	Balance at beginning of reporting period \$'000	Transfer from accumulated surplus \$'000	Transfer to accumulated surplus \$'000	Balance at end of reporting period \$'000
<b>(b) Other reserves*</b>				
<b>2021</b>				
Asset replacement reserve	45,263	54,346	(41,436)	58,173
Asset development reserve	108,634	32,178	(12,888)	127,924
<b>Total Other reserves</b>	<b>153,897</b>	<b>86,524</b>	<b>(54,324)</b>	<b>186,097</b>
<b>2020</b>				
Asset replacement reserve	70,388	37,360	(62,485)	45,263
Asset development reserve	96,487	22,659	(10,512)	108,634
<b>Total Other reserves</b>	<b>166,875</b>	<b>60,019</b>	<b>(72,997)</b>	<b>153,897</b>

\*see below for breakdown of other reserves

	2021 \$'000	2020 \$'000
<b>Asset replacement reserve</b>		
Plant replacement**	-	1,703
Tip replacement**	-	4,806
Strategic properties reserve	4,878	4,792
Non standard street lighting contribution	3,528	3,490
Synthetic turf replacement reserve	1,880	1,880
Environmental reserve**	-	4,864
Traffic lights construction	783	823
Purchase of Lutheran Church and Cemetery	380	380
Unspent budgeted capital works**	-	(8,717)
Technology improvement fund reserve	5,678	4,864
LASF defined benefit plan liability	3,739	3,739
Infrastructure reserve	32,414	21,272
Transport infrastructure reserve	28	-
Waste reserve	4,865	-
Other**	-	1,367
	<b>58,173</b>	<b>45,263</b>
<b>Asset development reserve</b>		
Parklands contribution	7,486	5,394
Community facilities	105,375	96,429
Car parking**	-	28
Planning permit drainage levy	10,024	1,731
Net gain compensation	3,273	3,251
Plenty road duplication	67	67
Other	1,699	1,734
	<b>127,924</b>	<b>108,634</b>

\*\*These reserves were closed during the year.

City of Whittlesea  
2020-2021 Financial Report

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**Note 9 Other matters**

**9.1 Reserves (continued)**

**Purpose of Reserves**

**Asset replacement reserve**

Plant replacement	Enable replacement of fleet and heavy plant
Tip replacement	Support tip restoration requirements as per EPA licences
Strategic properties reserve	Accumulate funds for land purchases and asset development as determined by Council
Non standard street lighting contribution	Maintain non-standard lights for agreed period
Synthetic turf replacement reserve	Enable replacement of Synthetic Turf Pitches at designated locations
Environmental reserve	Enable funding of environmental projects
Traffic lights construction	Maintain traffic signals for agreed period
Purchase of Lutheran Church and Cemetery	Enable funding to purchase the church site
Energy efficiency	Enable initiatives in improving energy efficiency
Unspent budgeted capital works	Recognise outstanding commitment for incomplete capital works projects
Technology improvement fund reserve	Enable replacement of technology hardware and software
LASF defined benefit plan liability	Protection against future calls on employees defined benefits superannuation fund
Infrastructure reserve	Enable funding of future infrastructure projects
Transport infrastructure reserve	Enable funding of future transport infrastructure projects
Waste reserve	Enable funding from waste operation to ensure legislative compliance

**Asset development reserve**

Parklands contribution	Funding from developers for the provision of open space and associated infrastructure
Developer contribution plan (DCP) reserves	Developer contributions received for future community facilities and assets
Car parking	Provision of car parking spaces
Planning permit drainage levy	Funding from developers to expand drainage infrastructure to absorb extra inflow due to multi-unit developments
Net gain compensation	Funds contributed by developers for the maintenance cost of trees/bushland areas for a 10-year period
Plenty road duplication	Funding from developers for Plenty Road duplication works

City of Whittlesea  
2020-2021 Financial Report

Note 9 Other matters

	2021 \$'000	2020 \$'000
<b>9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)</b>		
<b>Surplus/(deficit) for the year</b>	137,575	111,475
(Profit)/loss on disposal of property, infrastructure, plant and equipment	(731)	2,348
Share of net profits of associate	(300)	(251)
Loss on Write-off of property, infrastructure, plant and equipment	23,031	-
Depreciation and amortisation	38,513	36,890
Contributions - Non-monetary assets	(140,369)	(79,547)
Finance costs	220	660
Finance costs - leases	16	22
<b>Change in assets and liabilities:</b>		
(Increase)/decrease in trade and other receivables	(448)	1,867
(Increase)/decrease in prepayments	131	-
Increase/(decrease) in trade and other payables	13,644	5,821
(Decrease)/increase in other liabilities	-	(141)
Increase/(decrease) in trust funds	(99)	-
(Increase)/decrease in inventories	15	(81)
Increase/(decrease) in provisions	307	1,565
(Increase)/decrease in other assets	1,636	(75)
Net cash provided by/(used in) operating activities	<b>73,141</b>	<b>80,553</b>

**9.3 Superannuation**

The City of Whittlesea makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently.

**Accumulation**

The Fund's accumulation categories, Vision MySuper/Vision Super Saver, receives both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2021, this was 9.5% as required under Superannuation Guarantee (SG) legislation).

**Defined Benefit**

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan.

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of the City of Whittlesea in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

**Funding arrangements**

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

A triennial actuarial review for the Defined Benefit category as at 30 June 2020 was conducted and completed by the due date of 31 December 2020. The vested benefit index (VBI) of the Defined Benefit category of which Council is a contributing employer was 104.6%. The financial assumptions used to calculate the VBI were:

- Net investment returns 5.6% pa
- Salary information 2.5% pa for two years and 2.75% pa thereafter
- Price inflation (CPI) 2.0% pa.

As at 30 June 2021, an interim actuarial investigation is underway as the Fund provides lifetime pensions in the Defined Benefit category.

Vision Super has advised that the estimated VBI at 30 June 2021 was 109.7%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2020 actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

**Employer contributions**

*Regular contributions*

On the basis of the results of the 2020 triennial actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2021, this rate was 9.5% of members' salaries (9.5% in 2019/2020). This rate is expected to increase in line with any increases in the SG contribution rate and was reviewed as part of the 30 June 2020 triennial valuation.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

City of Whittlesea  
2020-2021 Financial Report

**Note 9 Other matters**  
**9.3 Superannuation (cont)**

**Funding calls**

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

**The 2020 triennial actuarial investigation surplus amounts**

An actuarial investigation is conducted annually for the Defined Benefit category of which Council is a contributing employer. Generally, a full actuarial investigation is conducted every three years and interim actuarial investigations are conducted for each intervening year. A full investigation was conducted as at 30 June 2020.

The Fund's actuarial investigation identified the following for the Defined Benefit category of which Council is a contributing employer:

	2020 (Triennial) \$m	2019 (Interim) \$m
- A VBI Surplus	100.0	151.3
- A total service liability surplus	200.0	233.4
- A discounted accrued benefits surplus	217.8	256.7

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2020.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2020.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2020.

Council was notified of the 30 June 2020 VBI during August 2020 (2019: August 2019).

**The 2021 interim actuarial investigation**

An interim actuarial investigation is being conducted for the Fund's position as at 30 June 2021 as the Fund provides lifetime pensions in the Defined Benefit category. It is anticipated that this actuarial investigation will be completed by October 2021.

**Superannuation contributions**

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2021 are detailed below:

Scheme	Type of Scheme	Rate	2021 \$'000	2020 \$'000
Vision super	Defined benefit	9.50%	-	-
Vision super	Accumulation fund	9.50%	-	-

There were \$6,899 in contributions outstanding to the above schemes as at 30 June 2021.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2022 is \$274,624.



City of Whittlesea  
2020-2021 Financial Report

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**Note 10 Change in accounting policy**

**AASB 1059 Service Concession Arrangements: Grantors (AASB 1059) (applies 2020/21 for LG Sector)**

Council has adopted AASB 1059 Service Concession Arrangements: Grantors , from 1 July 2020. This has resulted no changes in accounting policies and adjustments to the amounts recognised in the financial statements.

**AASB 2018-7 Amendments to Australian Accounting Standards - Definition of Material (applies 2020/21 for LG Sector)**

Council has adopted AASB 2018-7 Amendments to Australian Accounting Standards - Definition of Material, from 1 July 2020.

**AASB 2019-1 Amendments to Australian Accounting Standards - References to the Conceptual Framework (applies 2020/21 for LG Sector)**

Council has adopted AASB 2019-1 Amendments to Australian Accounting Standards - References to the Conceptual Framework from 1 July 2020.

It is not expected that these standards will have any significant impact on council.





**City of Whittlesea**  
**Performance Statement**  
**For the year ended 30 June 2021**



## Performance Statement

For the year ended 30 June 2021

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### Description of municipality

The City of Whittlesea is located in Melbourne's northern suburbs, about 20 kilometres from the city centre. It is one of Melbourne's largest municipalities, covering a land area of approximately 490 square kilometres.

The majority of the City of Whittlesea population live in urban areas. This is split across the major established suburbs of Bundoora, Epping, Lalor, Mill Park and Thomastown, the current growth area precincts of Mernda, Doreen, South Morang, Epping North and Wollert, and the rural areas of Donnybrook and Whittlesea Township and surrounds. Significant future growth is projected for Wollert and Donnybrook. The rural areas of the municipality are characterised by farming, forested areas and historic township communities including Whittlesea Township.

The Wurundjeri Willum people were the original inhabitants of the area and are the traditional owners of this land. Compared with other municipalities, the City of Whittlesea has the fourth largest population of Aboriginal and Torres Strait Islanders (ATSI) by person count in Metropolitan Melbourne, with 1,639 ATSI residents, whose median age is 21 years.

### Response to COVID-19 Pandemic

On 16 March 2020 a state of emergency was declared in Victoria due to the global pandemic COVID-19 virus, known as coronavirus. A state of disaster was subsequently declared on 2 August 2020. While the impacts of the pandemic have abated somewhat through the 2020-21 year, Council has noted the following significant impacts on its financial operations:

- In response to government directives arising from the COVID-19 outbreak, Council leisure centres, community activity centres, sports facilities and recreation facilities were closed. These closures resulted in a decrease in the income of \$2.91 million.
- In response to community needs, Council's direct response including financial support to community organisations added additional expense of \$1.57 million.
- Council is committed to providing support to those within community who are experiencing financial hardship due the COVID-19 pandemic and has implemented its COVID-19 Financial Hardship Policy. Council provided \$0.76 million direct relief to ratepayers by electing to not charge interest on overdue rates.

The impact of COVID-19 has not materially affected Council's operations and has not led to any asset impairment changes for the year ended 30 June 2021.

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## Sustainable Capacity Indicators

For the year ended 30 June 2021

<i>Indicator / measure</i>		<b>Results</b>				<b>Comment</b>
		<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	
<b>Population</b>						
C1	<i>Expenses per head of municipal population</i>	\$894.41	\$917.57	\$945.22	\$1,130.01	This indicator has increased, which is in line with Council's budgeted expenditure to ensure appropriate delivery of services.
		[Total expenses / Municipal population]				
C2	<i>Infrastructure per head of municipal population</i>	\$9,598.07	\$10,127.95	\$10,104.77	\$10,382.47	Council's investment in infrastructure has slightly increased in proportion to the population growth.
		[Value of infrastructure / Municipal population]				
C3	<i>Population density per length of road</i>	176.26	174.84	168.30	171.53	As the City of Whittlesea is one of Victoria's fastest growing municipalities and more land becomes subdivided and infill housing, this indicator will continue to fluctuate with population numbers and length of roads constructed.
		[Municipal population / Kilometres of local roads]				

<b>Own-source revenue</b>						
C4	<i>Own-source revenue per head of municipal population</i>	\$828.33	\$843.38	\$837.60	\$846.66	Council continues to maintain its own-source revenue at a comparable level to previous years.
	[Own-source revenue / Municipal population]					
<b>Recurrent grants</b>						
C5	<i>Recurrent grants per head of municipal population</i>	\$181.85	\$139.98	\$124.52	\$128.48	This indicator has increased due to an increase in recurrent grant funding in line with growth in service delivery.
	[Recurrent grants / Municipal population]					
<b>Disadvantage</b>						
C6	<i>Relative socio-economic disadvantage</i>	5.00	5.00	5.00	5.00	This indicator remains stable.
	[Index of Relative Socio-economic Disadvantage by decile]					
C7	<b>Workforce turnover</b>					This indicator has increased due to service changes impacting staff turnover as new service models and structures are being completed and implemented.
	<i>Percentage of staff turnover</i>  [Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100	16.0%	18.8%	8.0%	16.67%	

**Definitions**

"adjusted underlying revenue" means total income other than:

- (a) non-recurrent grants used to fund capital expenditure; and
- (b) non-monetary asset contributions; and
- (c) contributions to fund capital expenditure from sources other than those referred to above

"infrastructure" means non-current property, plant and equipment excluding land

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the Road Management Act 2004

"population" means the resident population estimated by council

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)

"relative socio-economic disadvantage", in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA

"SEIFA" means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its Internet website

"unrestricted cash" means all cash and cash equivalents other than restricted cash.



## Service Performance Indicators

For the year ended 30 June 2021

Service / indicator / measure		Results				Comment
		2018	2019	2020	2021	
<b>Aquatic facilities</b>						
	<i>Utilisation</i>					
AF6	<i>Utilisation of aquatic facilities</i>	4.18	2.74	1.82	0.77	The most significant barrier to attendance has been the 21 weeks of centre closures, coupled with five weeks of capacity limits due to the State Government COVID-19 lockdowns during 20/21. The booking system put in place to control attendance due to capacity limits was also a barrier for many Thomastown Recreation and Aquatic Centre (TRAC) users who are older and from CALD backgrounds and found the technology a challenge. This population also are more vulnerable with respect to the virus which added to the loss of confidence to return to TRAC when it was open. There has been a large drop in attendance when TRAC was open compared to pre COVID-19, which is in line with most other Victorian local governments. Of council's three facilities, TRAC was opened (when not in lockdown) for the year,



						Whittlesea Swim Centre (WSC) was opened for the summer season (5 months); and MPLC was not fully operational until the final five days of the year.
	[Number of visits to aquatic facilities / Municipal population]					
<b>Animal management</b>						
	<b>Health and safety</b>					
AM7	Animal management prosecutions	New in 2020	New in 2020	100.00%	100.00%	City of Whittlesea undertook eight animal prosecutions, all of which were successful.
	[Number of successful animal management prosecutions / Number of animal management prosecutions] x 100					
<b>Food safety</b>						
	<b>Health and safety</b>					
FS4	Critical and major non-compliance outcome notifications	100.00%	99.51%	87.81%	100.00%	In 2020-21 100% of Food Act inspections/assessments that were determined to be a critical or major non-compliance were followed up by City of Whittlesea's Environmental Health Team.
	[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100					
<b>Governance</b>						
	<b>Satisfaction</b>					

G5	<i>Satisfaction with council decisions</i>	56.00	55.00	54.00	57.00	The satisfaction rate has improved 3 points.
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]						
<b>Libraries</b>						
<b>Participation</b>						
LB4	<i>Active library borrowers in municipality</i>	12.81%	13.51%	12.41%	10.85%	The active borrower figure has continued to be impacted due to significant closures due to lockdowns and the closure of Mill Park Library due to building works in the past 3 financial years. Please note that this figure does not include those borrowers who use our eCollections where SIP2 is not an available authentication method by the vendor.
[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100						
<b>Maternal and child health</b>						
<b>Participation</b>						
MC4	<i>Participation in the MCH service</i>	76.96%	75.75%	73.14%	73.35%	City of Whittlesea has observed a decline over the last 4 years in the participation of children attending the service for their 3.5 year Key Age and Stage assessment. From January 2020, the MCH service was required to prioritise younger children as an outcome of COVID-19 restrictions. An action plan has been developed to respond to this decline.

	[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100					
	<b>Participation</b>					
MC5	<i>Participation in the MCH service by Aboriginal children</i>	71.63%	60.16%	84.26%	88.41%	City of Whittlesea MCH continues to focus on providing services to Aboriginal and Torres Strait Islander families through the Deadly Boorais Deadly Families Outreach Program. Participation at Whittlesea continues to remain high.
	[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100					
<b>Roads</b>						
	<b>Satisfaction</b>					
R5	<i>Satisfaction with sealed local roads</i>	62.00	64.00	61.00	60.00	The community has experienced extensive road works throughout the municipality in the 2020-21 year. These have included major works by State Government that heavily impact our community, such as the Plenty Road upgrade and O'Herns Road Interchange to the Hume Highway. City of Whittlesea have also undertaken an increased amount of road renewals this year. City of Whittlesea annual expenditure on local road renewal increased from \$10.2M in 2020-21 and will increase to \$14.9M in 2021-22 and will continue to increase in future years.
	[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]					

Statutory Planning						
<i>Decision making</i>						
SP4	<i>Council planning decisions upheld at VCAT</i>	55.00%	43.75%	52.38%	45.83%	This result is relatively consistent with previous years given the low number of matters going before VCAT. There were a large number of extensions of time request refusals (5 or 20% of all VCAT matters) that were set aside by VCAT where COVID-19 was cited as a reason for allowing the extension. The overall result would have been 55% if these were removed.
[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100						
Waste Collection						
<i>Waste diversion</i>						
WC5	<i>Kerbside collection waste diverted from landfill</i>	39.51%	36.94%	42.94%	46.05%	Expansion of the opt-in food organics/garden organics service has seen approx. 19,000 tonnes diverted from landfill
[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100						

**Definitions**

"Aboriginal child" means a child who is an Aboriginal person

"Aboriginal person" has the same meaning as in the Aboriginal Heritage Act 2006

"active library borrower" means a member of a library who has borrowed a book from the library

"annual report" means an annual report prepared by a council under section 98 of the Act

"class 1 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 1 food premises under section 19C of that Act

"class 2 food premises" means food premises, within the meaning of the *Food Act 1984*, that have been declared as class 2 food premises under section 19C of that Act

"critical non-compliance outcome notification" means a notification received by council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health

"food premises" has the same meaning as in the *Food Act 1984*

"local road" means a sealed or unsealed road for which the council is the responsible road authority under the *Road Management Act 2004*

"major non-compliance outcome notification" means a notification received by a council under section 19N(3) or (4) of the *Food Act 1984*, or advice given to council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken

"MCH" means the Maternal and Child Health Service provided by a council to support the health and development of children within the municipality from birth until school age

"population" means the resident population estimated by council



### Financial Performance Indicators

For the year ended 30 June 2021

Dimension / indicator / measure		Results				Forecasts				Material Variations
		2018	2019	2020	2021	2022	2023	2024	2025	
<b>Efficiency</b>										
<i>Expenditure level</i>										
E2	Expenses per property assessment	\$2,304.57	\$2,355.33	\$2,391.49	\$2,848.47	\$2,371.54	\$2,284.93	\$2,272.63	\$2,280.90	Council's level of expenditure per property assessment has increased as a result of an increase in overall expenditure, mainly driven by employee costs (resulting from Working For Victoria which was fully grant funded), doubtful debts expense and the write off of some infrastructure assets.
[ Total expenses / Number of property assessments]										

<b>Revenue level</b>										
<i>E4</i>	<i>Average rate per property assessment</i>	New in 2020	New in 2020	\$1,673.82	\$1,707.29	\$1,728.08	\$1,757.16	\$1,799.04	\$1,833.34	Council's average rate per property assessment has increased in line with the 2020/21 rate cap.
[General rates and Municipal charges / Number of property assessments]										
<b>Liquidity</b>										
<b>Working capital</b>										
<i>L1</i>	<i>Current assets compared to current liabilities</i>	364.32%	362.46%	351.29%	305.84%	484.40%	501.71%	520.65%	524.16%	The decrease in the indicator is largely due to the increase in current liabilities. This was largely the result of the recognition of unearned income relating to capital grant income received but not expended.
[Current assets / Current liabilities] x100										
<b>Unrestricted cash</b>										
<i>L2</i>	<i>Unrestricted cash compared to current liabilities</i>	103.30%	83.73%	103.36%	89.69%	156.72%	183.72%	210.17%	223.67%	This indicator decreased largely due to the increase in current liabilities as a result of the recognition of unearned income.

	[Unrestricted cash / Current liabilities] x100									
<b>Obligations</b>										
	<b>Loans and borrowings</b>									
O2	<i>Loans and borrowings compared to rates</i>	11.32%	9.39%	5.61%	1.50%	12.32%	10.36%	8.44%	14.57%	This indicator has declined as Council's borrowings balance has reduced as a result of loan repayments during the year.
	[Interest and principle repayments on Interest bearing loans and borrowings / Rate revenue] x100									
	<b>Loans and borrowings</b>									
O3	<i>Loans and borrowings repayments compared to rates</i>	9.36%	2.05%	3.57%	3.98%	0.53%	1.73%	1.64%	1.11%	This indicator has increased due to the loan repayments during the year.
	[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100									
	<b>Indebtedness</b>									
O4	<i>Non-current liabilities compared to own source revenue</i>	9.44%	6.28%	5.59%	2.07%	12.85%	12.07%	11.58%	16.81%	This indicator has decreased as Council's borrowings balance has reduced as a result of loan repayments during the year.



	[Non-current liabilities / Own source revenue] x100									
	<b>Asset renewal and upgrade</b>									
05	<i>Asset renewal and upgrade compared to depreciation</i>	New in 2020	New in 2020	88.66%	82.21%	129.79%	105.05%	69.44%	77.19%	This indicator has decreased due to a reduction in Council's capital expenditure compared to the prior year. This was the result of delays to a number of projects during the year caused by COVID-19 imposed restrictions which impacted supply chain and labour availability.
	[Asset renewal and upgrade expense / Asset depreciation] x100									
	<b>Operating position</b>									
	<b>Adjusted underlying result</b>									
OP1	<i>Adjusted underlying surplus (or deficit)</i>	12.22%	8.26%	5.47%	-12.96%	4.08%	8.66%	10.41%	10.99%	This indicator has decreased as a result of a reduction in council's operating surplus in comparison to the prior year, primarily due to the loss on disposal of infrastructure and land assets that occurred

										during the year as well as doubtful debts expense.
	[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100									
<b>Stability</b>										
	<b>Rates concentration</b>									
S1	Rates compared to adjusted underlying revenue	65.22%	67.73%	70.42%	71.77%	74.46%	74.71%	75.28%	75.82%	This indicator remains consistent with the historical upward trend.
	[Rate revenue / Adjusted underlying revenue] x100									
	<b>Rates effort</b>									
S2	Rates compared to property values	0.34%	0.27%	0.28%	0.28%	0.27%	0.27%	0.27%	0.27%	Council rates have moved in a consistent proportion to property values.
	[Rate revenue / Capital improved value of rateable properties in the municipality] x100									

<b>Former measures</b>				
<i>Service / indicator / measure</i>	<b>Results 2018</b>	<b>Results 2019</b>	<b>Results 2020</b>	
<b>Animal Management</b>				
<b>Health and safety</b>				
<i>AM4. Animal management prosecutions</i>	7	5	Retired in 2020	Retired in 2020
[Number of successful animal management prosecutions]				
<b>Efficiency</b>				
<b>Revenue level</b>				
<i>E1. Average residential rate per residential property assessment</i>	\$1,488.14	\$1,529.46	Retired in 2020	Retired in 2020
[Residential rate revenue / Number of residential property assessments]				
<b>Obligations</b>				
<b>Asset renewal</b>				
<i>O1. Asset renewal compared to depreciation</i>	36.49%	60.70%	Retired in 2020	Retired in 2020
[Asset renewal expense / Asset depreciation] x100				
<b>Definitions</b>				
"adjusted underlying revenue" means total income other than:				
(a) non-recurrent grants used to fund capital expenditure; and				
(b) non-monetary asset contributions; and				

(c) contributions to fund capital expenditure from sources other than those referred to above

"adjusted underlying surplus (or deficit)" means adjusted underlying revenue less total expenditure

"asset renewal expenditure" means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability

"current assets" has the same meaning as in the AAS

"current liabilities" has the same meaning as in the AAS

"non-current assets" means all assets other than current assets

"non-current liabilities" means all liabilities other than current liabilities

"non-recurrent grant" means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan

"own-source revenue" means adjusted underlying revenue other than revenue that is not under the control of council (including government grants

"population" means the resident population estimated by council

"rate revenue" means revenue from general rates, municipal charges, service rates and service charges

"recurrent grant" means a grant other than a non-recurrent grant

"residential rates" means revenue from general rates, municipal charges, service rates and service charges levied on residential properties

"restricted cash" means cash and cash equivalents, within the meaning of the AAS, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year

"unrestricted cash" means all cash and cash equivalents other than restricted cash.



## Other Information

For the year ended 30 June 2021

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### 1. Basis of preparation

Council is required to prepare and include a performance statement within its annual report. The performance statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014* (as per the transitional provisions of the *Local Government Act 2020*).

Where applicable the results in the performance statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The performance statement presents the actual results for the current year and for the prescribed financial performance indicators and measures, the results forecast by the council's Annual Budget. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variations in the results contained in the performance statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the performance statement are those adopted by council in its Annual Budget on 1 June 2021 and which forms part of the council plan. The Annual Budget includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The Annual Budget can be obtained by contacting council.

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## Certification of the Performance Statement

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In my opinion, the accompanying performance statement has been prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014* (as per the transitional provisions of the *Local Government Act 2020*).

---

Mark Montague

**Principal Accounting Officer**

**Dated:** 6 September 2021

In our opinion, the accompanying performance statement of the *(council name)* for the year ended 30 June 2021 presents fairly the results of council's performance in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014* (as per the transitional provisions of the *Local Government Act 2020*).

The performance statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the performance statement to be misleading or inaccurate.

We have been authorised by the council and by the *Local Government (Planning and Reporting) Regulations 2014* to certify this performance statement in its final form.

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Lydia Wilson

**Administrator**

**Dated:** 6 September 2021



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Chris Eddy

**Administrator**

**Dated:** 6 September 2021

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Craig Lloyd

**Chief Executive Officer**

**Dated:** 6 September 2021

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# City of Whittlesea

## Audit & Risk Committee Minutes

9am Thursday  
19 August 2021

**Location:** Microsoft Teams

Members	Present	Apology
<b>Independent:</b>		
Geoff Harry, Chairperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Ulbrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Theresa Glab	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Administrators:</b>		
Lydia Wilson (Chair of Council)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Eddy (Administrator)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Officers:</b>		
Craig Lloyd, Chief Executive Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amy Montalti, Director Corporate Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kate McCaughey, Director Community Wellbeing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justin O'Meara, Director Planning & Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Debbie Wood, Director Infrastructure & Environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Frank Joyce, Executive Manager Governance & Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Montague, Chief Financial Officer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Gauci, Internal Assurance Coordinator	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Samantha Boyle, Coordinator Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>In attendance:</b>		
Martin Thompson, Partner, Crowe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lynda Cooper, Manager, Crowe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathie Teasdale, Partner, RSD	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mahesh Silva, Principal, RSD	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Audit & Risk Committee Minutes  
Thursday 19 August 2021



## Matters in Discussion

The Chair of the Audit & Risk Committee opened the meeting by reading the following Acknowledgement of Traditional Owners Statement.

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

### ***In-Camera Discussion***

The meeting commenced with the Committee holding an in-camera discussion. The CEO and Executive Manager Governance & Strategy were present for a portion of this discussion. Key matters discussed include:

- Feedback on the CEO report and certification provided from Directors and Executive Managers.
- Matters in relation to Internal Audit.
- Council's Financial Hardship Policy.

### ***Committee Chairperson's Introductory Comments***

Following the in-camera discussion, the Committee Chairperson commenced the open section of the meeting by welcoming all those in attendance. The Chairperson noted that this is Mr Ulbrick's final meeting as a member of the Committee and Mr Eddy's first meeting as a member of the Committee.

The Chairperson noted the number of items included for discussion on the meeting agenda and their essential nature to the Committee's work. The Chairperson also acknowledged the quality of papers presented, in particular the excellent work of the Finance, Projects & Property team in preparing a number of key reports for this meeting. The Committee also commended Council on the development of its Financial Hardship Policy and introduction of a Financial Hardship Support Officer.

#### **1. DISCLOSURE OF CONFLICTS OF INTEREST**

No declarations were made.

#### **2. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

##### **ITEM 2.1 Resolution:**

**That the minutes of the Audit & Risk Committee meeting held on 27 May 2021 be noted and confirmed.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

Audit & Risk Committee Minutes  
Thursday 19 August 2021



### 3. MATTERS ARISING FROM PREVIOUS MEETING(S)

- ITEM 3.1** The Outstanding Items Register from Previous Meetings report was presented for review. The Committee briefly went through the list and noted the items that would remain open following this meeting, they being items 4, 5, 6 and 8.

Resolution:

**That the Committee note the Matters Arising from Previous Meetings report.**

Moved by: Administrator Wilson

Seconded by: Administrator Eddy

CARRIED

### ITEM 3.2 REVIEW OF AGENDA ITEMS

The Chairperson recommended that the following items be taken as read:  
 Item 6.3 – Review of Financial Reserves and Adopted Financial Reserves Policy  
 Item 8.1 – Internal Audit Status Report and Project MAPs  
 Item 8.2 – Internal Audit Reviews  
 Item 8.4 – Strategic Internal Audit Plan  
 Item 8.5 – Review of Internal Auditor's Performance  
 Item 10.1 – Additional Assurance Reviews  
 Item 10.3 – Financial Hardship Policy  
 Item 10.4 – Chief Executive Officer and CEO Executive Assistants' Corporate Credit Card Expenses  
 Item 10.5 – Administrator Expenses  
 Item 11.2 – Quarterly Compliance Update – Monitoring Compliance with the Governance Principles  
 Item 12.1 – Annual Report of the Audit & Risk Committee

Resolution:

**That the Committee agree these Agenda items be taken as read.**

Moved by: Mr Ulbrick

Seconded by: Ms Glab

CARRIED

### 4. AUDIT & RISK COMMITTEE WORK PLAN

- ITEM 4.1** The Annual Work Plan was presented for the Committee's information.

As the new Committee year is due to commence from the November 2021 meeting, a draft proposed Work Plan for the next year was provided for the Committee's review.

The Committee noted that the draft Work Plan includes the provision for a fifth meeting in the 2022 year, with the intent of this meeting to focus on the Annual Financial Report and Performance Statement review. Discussion ensued on the value of the introduction of a fifth meeting, with the Committee supportive of the inclusion of an additional meeting. The Committee also requested consideration be given to balancing the Committee's workload evenly across scheduled meetings. An updated Work Plan will be presented to the Committee at the 25 November 2021 meeting for further discussion.

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Thursday 19 August 2021



Potential dates for 2022 Committee meetings were also provided:

- 24 February 2022
- 26 May 2022
- 18 August 2022
- 1 September 2022
- 24 November 2022

The Committee requested confirmation of these dates be sent to Committee members.

Resolution:

**That the Committee note the Annual Work Plan and proposed dates for 2022 Committee meetings.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

**5. CEO'S UPDATE**

**ITEM 5.1 CEO'S UPDATE**

The CEO provided the Committee with an overview of his report and responded to questions from the Committee.

The CEO highlighted several key areas for the Committee's information. These included:

- A certification process has been established for Directors and Executive Managers to complete quarterly. Feedback from the Committee on this process is welcomed.
- A workshop with the Committee is proposed for October or November. The aim of this workshop is to allow Committee members to spend some time away from standard Committee activities to consider how to best link the Committee's work going forward with the proposed Community Plan and Financial Plan, as well as considering other needs of the Committee. The Committee is supportive of conducting a workshop and requested it be held in November if possible.

Resolution:

**That the Committee note the contents of the CEO's report, including the update on the Organisational Realignment, Certification documentation, and suggested Committee Workshop.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

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## 6. FINANCIAL REPORT

### ITEM 6.1 FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021

Prior to the meeting the Committee had been requested to review in detail the Annual Financial Report for the year ended 30 June 2021 and submit any queries to Officers prior to the meeting so that clarification and/or comment could be prepared.

The Committee Chairperson advised that a number of changes had been made to the Annual Financial Report and Performance Statement that were initially provided to the Committee.

The Chief Financial Officer provided the Committee with an overview of the significant matters that had been addressed through the annual audit process and changes that have impacted the Annual Financial Report. These included:

- Work undertaken in relation to outstanding infringement debtors;
- Treatment of infrastructure and land assets;
- The impacts of changes made to financial reserves;
- Treatment of Working for Victoria income; and
- A late matter raised by the auditors in relation to the duplication of an asset requiring an adjustment be made to the value of infrastructure in the Balance Sheet.

The Chief Financial Officer also noted that feedback had been received from the Victorian Auditor General (VAGO) relating to the changes made to the Annual Financial Report. Officers are currently finalising the report and will be in a position to provide the updated report to Committee members following endorsement from VAGO.

Resolution:

**That:**

1. The Committee notes that the Annual Financial Report is still subject to change, as audit procedures are not yet complete.
2. Subject to the Committee agreeing with any significant changes to the Annual Financial Report that may arise from the completion of audit procedures, the Committee endorses the report and recommends to Council that the Annual Financial Report for the year ended 30 June 2021 be approved in principle.
3. The Principal Accounting Officer be authorised to make minor amendments to the Annual Financial Report for the year ended 30 June 2021 to meet the Victorian Auditor General's (VAGO) requirements. Following finalisation of all amendments to the Annual Financial Report, the report be provided to Committee members in mark-up for review of changes.

Moved by: Administrator Wilson

Seconded by: Administrator Eddy

CARRIED

### ITEM 6.2 PERFORMANCE STATEMENT FOR THE YEAR ENDED 30 JUNE 2021

Prior to the meeting the Committee had been requested to review in detail the Performance Statement for the year ended 30 June 2021 and submit any queries to Officers prior to the meeting so that clarification and/or comment could be prepared.

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The Chairperson noted that an updated version of the Performance Statement had been circulated to Committee members prior to the meeting.

The Executive Manager Governance & Strategy provided responses to questions raised by Committee members in relation to commentary provided against a number of the indicators included in the Performance Statement.

Resolution:

**That:**

1. **The Committee notes that the Performance Statement is still subject to change, as audit procedures are not yet complete.**
2. **Subject to the Committee agreeing with any significant changes to the Performance Statement that may arise from the completion of audit procedures, the Committee endorses the report and recommends to Council that the Performance Statement for the year ended 30 June 2021 be approved in principle.**
3. **The Principal Accounting Officer be authorised to make minor amendments to the Performance Statement for the year ended 30 June 2021 to meet the Victorian Auditor General's (VAGO) requirements. Following finalisation of all amendments to the Performance Statement, the statement be provided to Committee members in mark-up for review of changes.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

The Chairperson noted that Items 9.1 and 9.2 would be considered following Items 6.1 and 6.2.

**ITEM 6.3 REVIEW OF FINANCIAL RESERVES AND ADOPTED FINANCIAL RESERVES POLICY**

The Review of Financial Reserves and Adopted Financial Reserves Policy report was taken as read.

Resolution:

**That the Committee note the review undertaken into Council's financial reserves and the adoption of Council's Financial Reserves Policy.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

**7. RISK MANAGEMENT**

**ITEM 7.1 RISK MANAGEMENT UPDATE**

The Coordinator Risk Management presented the Risk Management report and highlighted the current areas of focus, which include; processes in place to monitor Business Continuity Plans established to respond to the COVID-19 pandemic; changes made to Council's strategic risks, including the development of a risk concerning the management of Council-owned contaminated land; and commencement of a review into Council's risk appetite.

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The Committee also reviewed the list of policies and procedures recommended for Committee consideration prior to approval and agreed with the proposal outlined by management in the Risk Management Update report.

The Committee requested that an update be provided at the 25 November 2021 meeting regarding the development of a new strategic risk relating to Council-owned contaminated land and progress of the risk appetite review.

Resolution:

**That the Committee:**

1. **Notes the re-activation of Business Continuity Plans in order to manage Council's operations due to the impacts of COVID.**
2. **Notes the status of the treatment plans to mitigate the Strategic Risks.**
3. **Notes the six-monthly Strategic Risk review.**
4. **Notes the revision of Strategic Risk management process.**
5. **Notes the commencement of the Risk Appetite review.**
6. **Notes the development and implementation of the Legislative Obligations Framework.**
7. **Notes the feedback provided on the policies and procedures recommended for Committee consideration prior to approval.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

**8. INTERNAL AUDIT**

**ITEM 8.1 INTERNAL AUDIT STATUS REPORT & PROJECT MAPS**

The Internal Audit Status Report & Project MAPs report was taken as read.

Resolution:

**That the Committee note:**

1. **The Internal Audit Status Report was taken as read.**
2. **The project MAP for the Grants – Incoming review.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

**ITEM 8.2 INTERNAL AUDIT REVIEWS**

The Internal Audit Reviews report was taken as read.

Resolution

**That the Committee note the contents and findings of Crowe's internal audit reviews: Statutory Planning.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

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**ITEM 8.3 OUTSTANDING ACTION ITEMS FROM INTERNAL AUDIT REPORTS**

The Outstanding Action Items Report from Previous Internal Audits was presented. Management responded to questions from the Committee.

Resolution:

**That the Committee note the report on Outstanding Action Items from Internal Audit Reports.**

Moved by: Mr Ulbrick

Seconded by: Ms Glab

CARRIED

**ITEM 8.4 STRATEGIC INTERNAL AUDIT PLAN**

The Strategic Internal Audit Plan report was taken as read.

Resolution:

**That the Committee note the revisions to the Strategic Internal Audit Plan July 2021 to July 2024 as requested at the last Committee meeting.**

Moved by: Administrator Wilson

Seconded by: Administrator Eddy

CARRIED

**ITEM 8.5 REVIEW OF INTERNAL AUDITOR'S PERFORMANCE**

This item was considered as part of the Committee's in-camera discussion.

**9. EXTERNAL AUDIT**

**ITEM 9.1 VAGO CLOSING REPORT FOR THE YEAR ENDED 30 JUNE 2021**

The Committee Chairperson noted that Ms Kathy Teasdale of RSD was not in attendance due to ill health and invited Mr Silva of RSD to present the Closing Report for the year ended 30 June 2021. Mr Silva gave an overview of the audit process and responded to questions from the Committee. Mr Silva highlighted a number of key points, including:

- Audit processes have been substantially completed, with a small number of items remaining outstanding;
- The Closing Report has been amended since it was first issued on 13 August 2021;
- All key audit focus areas have been addressed;
- Changes have been made to the audit findings since the Closing Report was first issued; and
- A further review of the Performance Statement may be required following any additional changes being made post this meeting.

Resolution:

**That the Committee note the VAGO Closing Report for the year ended 30 June 2021.**



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Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

**ITEM 9.2 VAGO FINAL MANAGEMENT LETTER FOR THE YEAR ENDED 30 JUNE 2021**

Mr Silva presented the Final Management Letter for the year ended 30 June 2021 and responded to questions from the Committee. Mr Silva noted that most outstanding issues identified from previous years had been resolved, and a number of new issues were added to the Management Letter following the audit process. Key issues identified related to the IT environment, IPPE asset data cleansing and the fraud awareness survey.

The Committee briefly discussed the inclusion of the fraud awareness survey as part of the audit process and queried its intended purpose and impact on the work of the auditors. Mr Silva advised that there were no concerns arising from the results of the survey or impacts on the audit process.

The Committee noted the results from the fraud awareness survey and that there were no areas of concern for the Committee or a need for the external auditor to adjust their work based on the results of the survey.

The Committee also queried if references to the fraud awareness survey were required in the Final Management Letter and requested they be removed given that the results of the survey had no impact on audit processes.

Resolution:

**That the Committee note the VAGO Final Management Letter for the year ended 30 June 2021.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

**10. SYSTEMS OF INTERNAL CONTROL**

**ITEM 10.1 ADDITIONAL ASSURANCE REVIEWS**

The Additional Assurance Reviews report was taken as read.

Resolution:

**That the Committee note the Additional Assurance Reviews report.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

**ITEM 10.2 FINDEX FINANCIAL SYSTEM REVIEW**

The Director Corporate Services and Chief Financial Officer provided the Committee with an overview of the background, purpose and process undertaken by Findex in relation to the Financial System Review and responded to questions from the Committee.

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Resolution:

**That the Committee note:**

- 1. The Findex report into current system processes and Workflows.**
- 2. The intention to provide an update at the 25 November 2021 meeting on the progress of implementation of recommendations outlined in the report.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

*Mr Silva left meeting following discussion of Item 10.2.*

**ITEM 10.3 FINANCIAL HARDSHIP POLICY**

The Financial Hardship Policy report was taken as read.

Resolution:

**That the Committee note the Financial Hardship Policy.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

**ITEM 10.4 CEO AND CEO'S EXECUTIVE ASSISTANTS' CORPORATE CREDIT CARD EXPENSES**

The Chief Executive Officer and CEO Executive Assistants' Corporate Credit Card Expenses report was taken as read.

Resolution:

**That the Committee note the Chief Executive Officer and CEO Executive Assistants' Corporate Credit Card Expenses report.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

**ITEM 10.5 ADMINISTRATOR EXPENSES**

The Administrator Expenses report was taken as read.

Resolution:

**That the Committee note the Administrator Expenses report.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

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## 11. COMPLIANCE

### ITEM 11.1 INTERNAL COMPLIANCE REVIEWS

An update on the status of the Internal Compliance Review Program was provided with Officers responding to questions from the Committee.

Resolution:

**That the Committee note the Internal Compliance Reviews report.**

Moved by: Administrator Eddy  
Seconded by: Administrator Wilson

CARRIED

### ITEM 11.2 QUARTERLY COMPLIANCE UPDATE - MONITORING COMPLIANCE WITH THE GOVERNANCE PRINCIPLES

The Quarterly Compliance Update – Monitoring Compliance with the Governance Principles report was taken as read.

Resolution:

**That the Committee note the Quarterly Compliance Update – Monitoring Compliance with the Governance Principles report.**

Moved by: Mr Ulbrick  
Seconded by: Ms Glab

CARRIED

### ITEM 11.3 EXTERNAL AGENCY EXAMINATIONS

An update on recent reports published by external agencies was provided.

Resolution:

**That the Committee note the External Agency Examinations report.**

Moved by: Administrator Wilson  
Seconded by: Administrator Eddy

CARRIED

## 12. OTHER RESPONSIBILITIES

### ITEM 12.1 ANNUAL REPORT OF THE AUDIT & RISK COMMITTEE

The draft Annual Report of the Audit & Risk Committee was presented for the Committee's information and feedback.

Resolution:

**That the Committee note the draft Annual Report of the Audit & Risk Committee.**

Moved by: Ms Glab  
Seconded by: Mr Ulbrick

CARRIED

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**13. CORRESPONDENCE**

Nil

**14. GENERAL BUSINESS ITEMS**

As this is the last meeting for Mr Ulbrick as a member of the City of Whittlesea Audit & Risk Committee, the Chairperson on behalf of the Committee and Administrator Wilson on behalf of Council thanked Mr Ulbrick for his valued contribution to the Committee and City of Whittlesea over his many years of service. Mr Ulbrick also thanked the Committee and Officers for their support during his time as a member of the Committee.

**15. CONFIRMATION OF DATE OF NEXT MEETINGS:**

- 25 November 2021

**16. IN-CAMERA DISCUSSION WITH INTERNAL AUDITORS**

The Committee met in-camera with the Internal Auditors. The Chairperson advised that there were no matters of concern raised by the auditors.

Meeting concluded at 12.30pm

7. NOTICES OF MOTION

NIL

8. QUESTIONS TO OFFICERS

NIL

9. URGENT BUSINESS

NIL



**10. REPORTS FROM COUNCIL REPRESENTATIVES AND CEO UPDATE****10.1 ADMINISTRATOR PEITA DUNCAN REPORT**

Administrator Duncan's report was provided verbally at the 6 September 2021 Council meeting, the report is as follows:

"Obviously we have been busy with internal meetings, but some of the highlights of external committees and other meetings are on 19 August, I attended the Whittlesea Reconciliation Group meeting, which was very good. I also attended on 17 August, the Business NBN Fibre Zone Future Proofing Success in the North presentation by NBN. This was really interesting to see how they have innovated in helping businesses change the way they do business, particularly through the pandemic, so that was a great presentation. I was absolutely delighted to join you, Chair, for six citizenship ceremonies which we held online and I congratulate all of those people who took the oath on that night, it is always a great event. Finally, I attended an online Mental Health Forum, hosted by the Honourable Lily D'Ambrosio MP and also Bronwyn Halfpenny MP as well. That is just the highlights from myself."

**10.2 ADMINISTRATOR CHRIS EDDY REPORT**

Administrator Eddy's report was provided verbally at the 6 September 2021 Council meeting, the report is as follows:

"Zoom fatigue has certainly been the order of the last month or so. As your delegate to the Northern Alliance Greenhouse Action Committee and to the Audit and Risk Committee, there has been activities for both of these groups that I have attended. In addition to those that Administrator Duncan mentioned, I also attended a briefing on the planning reforms that are coming for the sector, which was very enlightening and I'm looking forward to hearing more about this as they take shape. We had the opportunity to meet with the Local Government Minister, which was very informative and valued to have that opportunity. On your behalf, Chair, I attended a briefing from the Department of Justice on the decriminalisation of sex work in Victoria, which was again, a very enlightening session. There are some implications for the Local Government Sector, that I don't think are yet fully understood, and there is a lot of work and discussion happening around how these implications might come into effect in the very near future, so we look forward to hearing more about that and ensuring that Councils are fully prepared for those responsibilities, particularly in relation to planning, administration and enforcement that are going to fall to us under those initiatives coming from the State Government."

**10.3 CHAIR OF COUNCIL LYDIA WILSON REPORT**

Chairperson Wilson's report was provided verbally at the 6 September 2021 Council meeting, the report is as follows:

"A number of the things I attended have already been discussed. Some key highlights from myself were attendance at the Whittlesea Community Connections Board Subcommittee, the subcommittee of the Yarra Plenty Regional Library Board, a Board meeting for Whittlesea Community Connections, an Audit and Risk Committee subcommittee and the Audit and Risk Committee alongside Mr Eddy. The Yarra Plenty Regional Library Board meeting and also with the CEO, the Interface Councils Group. I also attended the various briefings that have already been mentioned by my colleagues, namely with the Department of Environment, Land, Water and Planning regarding planning reform. The Business NBN Fibre Zones, Ms Duncan already mentioned the citizenship ceremonies that we held online, and we are about to continue to resolve that issue with our current backlog. The Mental Health Forum with Minister Lily D'Ambrosio and also the meeting with the Minister for Local Government, Mr Shaun Leane."





**10.4 CEO UPDATE - 6 SEPTEMBER 2021**

The CEO Update was provided verbally by the Chief Executive Officer at the 6 September 2021 Council meeting, the report is as follows:

“Just a few issues and I wanted to first of all provide an update on the current COVID situation as it stands in the city. We are sitting at 74 active cases in the municipality as of today, which is the sixth highest number of cases in any municipality in the state. Disappointingly though, we also have the third lowest vaccination rate of any municipality in the state. The state is now sitting at 60.8% of the community having been vaccinated, and obviously the big aim is to get to the magic 70% and 80%. In the City of Whittlesea, we are sitting below 50% at 49.8%, and that figure is even lower in Lalor, Epping and Thomastown. A real encouragement for people in those communities to please book in. If you try and book at the moment, you may find you are waiting a couple of weeks, but we are advised there is plenty of vaccine on the way, so please get a date booked in as soon as you can. And again, just an appeal for people to follow the Chief Health Officer's advice which is to please make sure you are using the QR codes, wearing masks, and following those directions. We are seeing quite low levels of compliance in some areas of the municipality, and if we want to get on top of the cases and ultimately start opening up again, we really need to try and keep those numbers down.

I am really pleased and a big shout out to our staff, we have now conducted just over 10,000 business support visits, so that is council staff, going out to businesses in our community to support them to make sure they understand the COVID requirements. I have seen examples myself face to face of our staff helping businesses print out QR codes, helping them fill out COVID safe plans. It is an extraordinary effort, so a big thank you to our staff taking part in that. And also a big shout out to the Northern Health and DPV Health, as well as Whittlesea Community Connections and a whole range of other community groups. Northern Health and DPV Health are running vaccine centres, the Northern Health are running a major COVID ward at the Northern Hospital in Epping. And also DPV have been operating with Northern Health, a number of testing centres as well. And they are working extended hours and doing a very good job. A big shout out to those people as well.

On a different topic, Councils Community Plan is still publicly available for comment. That consultation period runs through to 20 September and just encouraging anyone who has not had a chance to have a look at that, to do so. It is the most important plan that this Council will sign off on its four-year term and sets the agenda of the Council of the next four years. You can have a look at that by going to [engage.whittlesea.vic.gov.au](https://engage.whittlesea.vic.gov.au) and making your submission there.

We are making good progress, despite all of the restrictions and impact on the building industry with some of our capital works programs. The park and playground upgrades have now started at Darebin Creek in Epping. We are making very good process on the War Memorial works in High Street in Thomastown. I had a chance to look at that a few weeks ago and it is coming along well. The Mill Park Basketball Stadium all through August demolition and service works were completed and that project is progressing well. I have to say that one has been aided by the lockdown. We have been able to get greater access to that facility as the community is not able to use it at the moment. That project is progressing ahead of schedule. We are in the final stages of the redevelopment of McLeans Road Kindergarten in Bundoora as well. A lot of major projects there that are well underway.

And the final item to cover is the Whittlesea Community Awards are still open for nominations. They run through until 1 October. Just encourage anyone who is a member of a community group, that knows someone who has put a lot of effort in, they might be long standing members of committees or individuals who have worked incredibly hard for our community, this is a chance for us as a collective community to provide them some recognition. Again, you can do that through Councils website.”

Chairperson Wilson provided some addition comments following the Chief Executive Officer's update:

"If I could just make a couple of comments in response, I think it was a comprehensive overview you provided on a number of really important issues. It would be remiss of me not to comment also on our relatively low vaccination rate. And also to encourage anyone who can, to get vaccinated. But also just to say that apart from the fact that we have PRACC, which is managed through Northern Health for mass vaccination, we are looking all the time at any other initiatives that we can implement at a local level for whether it is pop-up sites for vaccination, and I would echo your comments, Mr Lloyd, about really encouraging the use of QR codes and the wearing of masks at all times.

Can I also congratulate our staff. They are quite compelling figures in relation to business support, and I know that you and teams of staff have been out and about continuously supporting all of the pandemic efforts and staff from right across the organisation. Thank you for all your efforts."

**11. CONFIDENTIAL BUSINESS****11.1 CONNECTED COMMUNITIES****NIL REPORTS****11.2 LIVEABLE NEIGHBOURHOODS****11.2.1 FOR DECISION – UPDATE ON ASSESSMENT AND FINANCIAL ANALYSES OF THE EPPING ANIMAL WELFARE FACILITY****11.3 STRONG LOCAL ECONOMY****NIL REPORTS****11.4 SUSTAINABLE ENVIRONMENT****NIL REPORTS****11.5 HIGH PERFORMING ORGANISATION****NIL REPORTS****11.6 NOTICES OF MOTION****NIL REPORTS****COUNCIL RESOLUTION**

**MOVED:** *Administrator Duncan*  
**SECONDED:** *Administrator Eddy*

THAT Council resolve that the meeting be closed to the public for the purpose of considering details relating to the following confidential matters in accordance with Section 66(2)(a) of the *Local Government Act 2020* on the grounds that the report contains as follows:

**11.2.1 FOR DECISION – UPDATE ON ASSESSMENT AND FINANCIAL ANALYSES OF THE EPPING ANIMAL WELFARE FACILITY**

*This report is presented to Council as a confidential document on the grounds that it contains:*

- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

In particular the report/attachment contains information regarding contractual matters.

**CARRIED**

12. CLOSURE

ACCORDINGLY, THE MEETING WAS CLOSED TO THE PUBLIC AT 9.46 PM.

CONFIRMED THIS 4<sup>th</sup> DAY OF OCTOBER 2021.



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LYDIA WILSON  
CHAIR OF COUNCIL