



**City of
Whittlesea**

Minutes

Scheduled Council Meeting

Monday 6 December 2021 at 6:30 pm

Meeting held remotely via Zoom

Administrators

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 Ms Lydia Wilson as Chair of the Panel. The Panel of Administrators comprises of Ms Lydia Wilson, Ms Peita Duncan and Mr Chris Eddy who will undertake the duties of the Council of the City of Whittlesea until the October 2024 Local Government Election.

Senior Officers

Craig Lloyd Chief Executive Officer

Frank Joyce Executive Manager Governance & Strategy

Kate McCaughey Director Community Wellbeing

Mark Montague Acting Director Corporate Services

Janine Morgan Executive Manager Public Affairs

Justin O'Meara Director Planning & Development

Debbie Wood Director Infrastructure & Environment

Order of Business

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1 Opening

1.1 Meeting Opening and Introductions

The Chair of Council, Lydia Wilson opened the meeting at 6:30pm.

“Welcome to this Council Meeting of 6 December 2021 which is being live streamed and held online. We look forward to returning to in-person meetings in January.

I am Lydia Wilson, Chair of Council 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;
- Acting Director Corporate Services, Mr Mark Montague;
- Executive Manager Public Affairs, Ms Janine Morgan
- 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.”

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

1.2 Acknowledgement of Traditional Owners Statement

The Chair of Council, Ms 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.”

1.3 Attendance

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
Mr Mark Montague, Acting Director Corporate Services
Ms Janine Morgan Executive Manager Public Affairs
Mr Justin O'Meara Director Planning & Development
Ms Debbie Wood Director Infrastructure & Environment
Ms Fiona Henningsen, Acting Manager Active & Creative Participation
Ms Joanna Stubbings, Social Policy and Planning Officer
Ms Amelia Ryan, Manager Children & Families
Mr Lachlan Yuill, Planner
Ms Jane Maynard, Strategic Planner
Mr Adrian Napoleone, Team Leader Public Realm Development
Ms Agata Chmielewski, Manager Strategic Projects

2 Declarations of Conflict of Interest

Nil

UNCONFIRMED

3 Confirmation of Minutes of Previous Meeting

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Chris Eddy

THAT Council confirm the minutes of the following preceding meeting:

Scheduled Meeting of Council held 8 November 2021.

CARRIED

UNCONFIRMED

4 Public Questions, Petitions and Joint Letters

4.1 Public Question Time

Thomas Felle:

“Why is there no football ground in the new proposal for the Mernda Sports Hub precinct as in the original proposal?”

We at Mernda Football club have 22 sides and nowhere to do preseason training.

The junior cricket sides need to play away every week because there are not enough grounds.”

Chief Executive Officer, Craig Lloyd:

“Thank-you for your question Thomas.

Tonight’s item 5.1.2 regarding provision of facilities at the Mernda Sports Hub site on Plenty Road seeks to confirm the scope of facilities for the aquatics, leisure and sports courts components of the precinct. The report identifies the number and scale of pools, gym and group fitness rooms, stadium and outdoor courts, so that Council can further progress planning and design, and importantly begin advocating for external funding.

There are a number of other parts of the Mernda Sports Hub site for which Council will need to undertake further planning – including playing fields and associated facilities.

It is anticipated that the development of a master plan for the broader Hub precinct will start in 2022, which will provide a vision and direction for the remaining outdoor sports facilities such as ovals and change facilities, walking and shared paths and integration with the Mernda Village Conservation Reserve.

We will also be developing a master plan for the Mernda Recreation Reserve on Schotters Road, Mernda next year to guide future development for that site. This site has been identified as an overflow ground and is currently used for training. Council recently organised portable toilets to assist clubs using the ground for these purposes.

There will be significant opportunities over the next 12-18 months for the community and user groups to have their say and provide feedback on the development of both the Mernda Sports Hub and Mernda Recreation Reserve master plans.”

4.2 Petitions
Nil Petitions

UNCONFIRMED

4.3 Joint Letters

4.3.1 Joint Letter - Request for removal of Street Trees corner Strathoon Crescent & Vista Way – South Morang

Chairperson Wilson tabled a joint letter from four residents requesting the removal of street trees on the corner of Strathoon Crescent and Vista Way, South Morang:

“We wish to support the need to remove the trees in Strathoon Court on the corner of Vista Way and Strathoon.

These trees are causing us huge problems and a visit from an arborist, however well intentioned, is simply no solution. The trees are dangerous and they must go. The trees from 43 Vista Way and over at 45 are causing enormous grief to residents.

There are trees which also affect others and these are notes on this petition.

Trees cast shadows on roof making solar panels pointless.

Trees constantly drop leaves on roof and gutters. It is costing us enormous fees for guttering and removal.

Falling branches are dangerous. It is a matter of time when a serious accident will occur.

We never asked for these trees and believed if they were creating danger they would be removed.

The trees are lifting footpaths and potential damage to under ground pipes.

We urge you to finally remove these trees.

We the under signed are rate payers and we want action taken, we are tired of being ignored.”

Recommendation

THAT Council receive the joint letter from four residents requesting the removal of street trees on the corner of Strathoon Crescent and Vista Way, South Morang, and that a report be presented to the Council Meeting on 31 January 2022 in relation to the matter.

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson

Seconded: Administrator Chris Eddy

THAT Council receive the joint letter from four residents requesting the removal of street trees on the corner of Strathoon Crescent and Vista Way, South Morang, and that a report be presented to the Council Meeting on 31 January 2022 in relation to this matter.

CARRIED

4.3.2 Joint Letter - Request for parking bays and pathways to be added to front of properties on English Street, Donnybrook

Chairperson Wilson tabled joint letter has been received from 11 residents requesting parking bays and pathways be added to the front of properties on English Street, Donnybrook:

“We, the undersigned, residents and ratepayers of the City of Whittlesea, request the Council to have parking bays added to the front of our properties on English Street, Donnybrook, located in the Kinbrook Estate. We are also requesting that pathways are put in for easy access to each property.

We are writing to the panel with concerns we have regarding the insufficient amount of parking in front of the properties on English Street which are cause of danger and great concern.

Below is a list of reasons as to why we believe that parking should be added to the front or of our properties:

- 1. Visiting car are parking on English Street, making this a safety issue. The cars parked on the street do not leave enough safe space for cars to drive safely down English Street.*
- 2. Visiting cars are parking on the grassed areas and due to the wet weather, this is ripping up the grass, leaving it muddy and not making the estate look appealing.*
- 3. There are no walkways to enable access to our own properties. At night, this can be of a particular concern and it could cause falls and trips.*
- 4. One of our biggest concerns is that if there is an emergency there is no way of accessing any property without going through muddy grass. Emergency services will be forced to carry their equipment through muddy grass and then enter new homes with mud all over them.*
- 5. If a car is parked out the front of properties on English Street, an emergency vehicle will have difficulty safely driving around that parked car to leave the Kinbrook Estate. They will need to drive onto the island that separates the in and out bound lanes.”*

Recommendation

THAT Council receive the joint letter from 11 residents requesting parking bays and pathways be added to the front of properties on English Street, Donnybrook and Officers present a final report and recommendation at the 21 March 2022 Council Meeting.

COUNCIL RESOLUTION

Moved: *Chairperson Lydia Wilson*

Seconded: *Administrator Chris Eddy*

THAT Council receive the joint letter from 11 residents requesting parking bays and pathways be added to the front of properties on English Street, Donnybrook and Officers present a final report and recommendation at the 21 March 2022 Council Meeting.

CARRIED

UNCONFIRMED

5 Officers' Reports

5.1 Connected Communities

5.1.1 17-19 Johnsons Road, Mernda - Sale of Council Land

Responsible Officer Acting Director Corporate Services

Officer Consultant

Attachments

1. CONFIDENTIAL REDACTED - Confidential Option Details [5.1.1.1 - 3 pages]
2. Location Plan [5.1.1.2 - 1 page]
3. Aerial Photo [5.1.1.3 - 1 page]
4. Council Report 2 August 2021 [5.1.1.4 - 27 pages]

This attachment has been designated as confidential by the Acting Director Corporate Services, 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the attachment contains sensitive financial information which would diminish Council's position in these negotiations.

Proposal

The property located at 17-19 Johnsons Road, Mernda, was purchased by Council from the State Government with the strategic intent of selling the property at a future point in time for a return to be reinvested back into community infrastructure.

It is proposed that Council develop and subdivide the site into 35 lots, with 32 of these to be sold on the open market and the remaining 3 lots to be reserved for sale and/or lease, via an expression of interest, to a registered housing organisation to undertake an Affordable Housing development in accordance with Council's Social Affordable Housing (SAH) Policy.

Recommendation

That following the completion of the community engagement process in accordance with Section 114(2)(b) of the *Local Government Act 2020 (Act)* and in accordance with Council's Community Engagement Policy, and subject to Council first fulfilling the requirements of section 114(2)(a) and (c) of the Act (in relation to, respectively, the giving of public notice and the obtaining of a valuation) Council:

1. **Sell the Council-owned property known as 17-19 Johnsons Road, Mernda (subject property) in order to achieve the following outcomes –**
 - a. **to develop, construct, subdivide and sell the subject property in accordance with the approved 35 lot plan of subdivision;**

- b. to confine the sale of the subject property to the sale on the open market (by public sale, public auction or via an expression of interest process) of 32 of the 35 lots that will be developed (lots to be sold);
2. Authorise the Chief Executive Officer;
 - a. in relation to the lots to be sold, on behalf of Council, to appoint selling agents and to offer the lots to be sold by either public sale, public auction or via an expressions of interest process upon and subject to whatever terms and conditions the Chief Executive Officer considers are appropriate, including in relation to the persons to whom the lots are to be sold and the prices to be paid and the settlement periods for the lots to be sold;
 - b. to reserve the remaining 3 of the 35 lots for sale and/or lease to a suitable housing provider as determined by Council and otherwise in accordance with Council's Social Affordable Housing Policy (affordable housing allocation) and furthermore, in relation to the affordable housing allocation, to provide a report to Council by mid-2022, advising the most appropriate method to facilitate affordable housing on these lots, either by sale (at full market value or at a discounted market value) or by a long-term lease to a suitable housing provider in accordance with Council's Social Affordable Housing Policy; and
 - c. in relation to the lots to be sold (other than the affordable housing allocation) and the matter generally, to carry out all and any other legal and administrative procedures necessary to enable Council to give effect to this resolution, including to sign all and any documents on behalf of Council.

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy
Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for 17-19 Johnsons Road, Mernda - Sale of Council Land.

CARRIED

5.1.2 Provision of leisure, aquatics and sports court facilities in Mernda

Responsible Officer Director Community Wellbeing

Officer Senior Leisure Planner

Attachments

1. CONFIDENTIAL REDACTED - MACPS Pool Options Analysis Paper [5.1.2.1 - 28 pages]
2. Project Background and Proposal Detail [5.1.2.2 - 17 pages]

This attachment has been designated as confidential by the Director Community Wellbeing, 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. The attachment contains information regarding budget estimates and sensitive financial and operational information that may impact on future tender processes.

Proposal

This report outlines a proposal for a major new leisure, aquatic and sports court facility to be located at the Mernda Sports Hub precinct, on Plenty Road, Mernda (the Project). The proposed Project represents one of the municipality's most significant single investments in social and health infrastructure to date, and has been developed to:

- Enhance the quality of life for all residents as a place to exercise, get healthy, connect and have fun;
- Improve health and wellbeing outcomes – particularly where the municipality performs lower than metropolitan counterparts (refer **Attachment Two**);
- Create a welcoming sense of place and community pride as the cornerstone use of the Mernda Sports Hub precinct; and
- Function at a local, municipal and regional level.

The Project comprises a number of key components including:

- **Sports courts:**
 - Six indoor sports courts (including show court)
 - Eight outdoor floodlit netball courts
- **Aquatic and leisure:**
 - 50-metre multipurpose pool (with boom wall)
 - Warm water program pool, teaching pool, leisure pool, spa, steam and sauna
 - Gymnasium, group fitness, program rooms, occasional care
 - Health consulting and wellness suites

- **Shared:**
 - Environmental design features such as all electric building, efficient heating, cooling and water treatment systems, maximising thermal efficiency, rainwater harvesting and re-use and use of sustainable and circular economy materials through construction.
 - Other features will include a café, family change village and changing places stations.

The Project design and construction cost is estimated as a high-level figure at around \$113.4 million.

Attachment One provides independent advice and has informed the proposed Project facility scope through investigations of capital cost, income, expenditure, performance, accessibility, demand and benchmarking. **Attachment Two** provides background information and a more detailed Project description.

Advocacy and partnerships will be actively pursued to attract external funding from potential Project partners, and opportunities for the community to continue be involved will continue throughout the Project, including establishment of a Community and Stakeholder Reference Group in 2022 (post the detailed Business Case phase).

Recommendation

That Council:

1. **Endorse the project scope for a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) as described in Table Four of this report which, subject to a detailed Business Case and further design analysis, will likely include:**
 - a. **A 50-metre multipurpose pool with boom wall;**
 - b. **Warm water program pool, teaching pool, leisure pool, spa, steam and sauna;**
 - c. **Gymnasium, group fitness, program rooms;**
 - d. **Health consulting and wellness suites; and**
 - e. **Six indoor sports courts (including show court) and eight outdoor floodlit netball courts.**
2. **Note a detailed Business Case for a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) will be developed based on the project scope outlined in Table Four of this report and will be presented to Council for consideration mid-2022.**
3. **Note the high-level estimated design and construction cost for a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) is \$113.4 million (refer Attachment One and summarised in Table Eight of this report), and is also subject to a detailed Business Case and further design analysis.**

4. Note a leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) is proposed to be delivered via a single stage construction method which will be investigated through the detailed Business Case process.
5. Note the report titled 'Mernda Aquatic Centre Planning Study - Pool Option Analysis' (Attachment One, confidential).
6. Note the report titled 'Project background and proposal detail: Aquatic, leisure and sports court facilities at Mernda Sports Hub' (Attachment Two).
7. Note the guiding principles for major leisure and aquatic facilities outlined in Table One of this report.
8. Note the sports courts component of the leisure, aquatic and sport courts facility at the Mernda Sports Hub (Plenty Road, Mernda) is an advocacy priority for Council in the 2022 federal government election.
9. Note external funding opportunities will actively pursued for the leisure, aquatic and sports court facility at the Mernda Sports Hub (Plenty Road, Mernda), including enhanced advocacy approaches to maximise financial contributions to the project from other sources.
10. Explore integrated leisure and community facility approaches within future growth corridor infrastructure planning, including linkages with future town centres, activity precincts and neighbouring municipalities.
11. Note that a Community and Stakeholder Reference Group will be established in 2022 to inform future planning for the leisure, aquatic and sports courts facility at the Mernda Sports Hub (Plenty Road, Mernda) during the design development stage.
12. Thank the community and project stakeholders for their contribution to date in regards to planning for the leisure, aquatic and sports court facility at the Mernda Sports Hub (Plenty Road, Mernda).

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Provision of leisure, aquatics and sports court facilities in Mernda.

CARRIED

5.1.3 Leisure Centres COVID-19 contract variation and proposed extension

Responsible Officer Director Community Wellbeing

Officer Team Leader Major Leisure Facilities

Attachments

1. CONFIDENTIAL REDACTED - Contract No's 2020-059 and 2020-141 variation details [5.1.3.1 - 3 pages]

This attachment has been designated as confidential by the Director Community Wellbeing, 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 commercially confidential tender pricing and negotiated variations to contract rates.

Proposal

It is proposed that two existing contracts for the operation of Council's aquatic and leisure facilities be extended to suit operational requirements. A contract extension is provided for within the current contract provisions. These contracts include:

- Contract number 2021-141 for the Management and Operation of Thomastown Recreation and Aquatic Centre; and
- Contract number 2020-059 for the Management and Operation of Mill Park Leisure and Whittlesea Swim Centre.

It is also proposed that the current contracts be varied to address the impacts of COVID-19 closures and restrictions.

Recommendation

That Council:

1. Approve a variation of \$ 326,431 (excluding GST) making a revised contract sum of - \$457,416 (excluding GST) for Contract No 2020-141 for Management and Operation of Thomastown Aquatic and Recreation Centre as a result of interruptions to business operations due to COVID-19 closures and restrictions during the extended COVID-19 lockdown period in 2021.
2. Approve a variation of \$ 41,446 (excluding GST) making a revised contract sum of -\$1,055,495 (excluding GST) for Contract No. 2020-059 for Management and Operation of Mill Park Leisure and Whittlesea Swim Centre as a result of

interruptions to business operations due to COVID-19 closures and restrictions during the extended COVID-19 lockdown period in 2021.

3. Approve an extension of the Contract No. 2020-141 for the Management and Operation of Thomastown Aquatic and Recreation Centre to have an end date of 30 June 2024, subject to receiving a revised budget (guaranteed and non-guaranteed) from Belgravia Leisure, via a report for endorsement by Council in early 2022.
4. Approve an extension of the Contract No. 2020-059 for the Management and Operation of Mill Park Leisure and Whittlesea Swim Centre to have an end date of 30 June 2024, subject to receiving a revised (guaranteed and non-guaranteed) from Belgravia Leisure, via a report for endorsement by Council in early 2022. The extension of Contract No. 2020-059 will also include a trial for the Whittlesea Swim Centre season which includes free entry for this facility and an evaluation process at the end of each season, subject to contractual agreement with Belgravia Leisure.

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Leisure Centres COVID-19 contract variation and proposed extension.

CARRIED

5.1.4 Complaints Policy

Responsible Officer Acting Director Corporate Services

Officer Senior Customer Service Advisor

Attachments

1. Complaints Policy [5.1.4.1 - 7 pages]

Proposal

Following review and engagement with our community, Council's updated Complaints Policy is presented to Council for adoption.

Recommendation

That Council adopt the Complaints Policy (Attachment 1) to align to requirements of the *Local Government Act 2020* and recommendations from the Victorian Ombudsman.

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Chairperson Lydia Wilson

THAT Council adopt the recommendation for Complaints Policy.

CARRIED

5.1.5 Proposal to lease 1F Ashline Street Wollert for affordable housing

Responsible Officer Director Planning & Development

Officer Social Policy and Planning Officer

Attachments Nil.

Proposal

Conduct further community engagement on the *Local Homes for Local People* proposal to lease 1F Ashline Street, Wollert, for affordable housing, to enable the community and stakeholders to be involved in discussions about this proposal and provide feedback.

Recommendation

That Council:

1. **Conduct further community engagement on the proposal to lease 1F Ashline Street, Wollert, for affordable housing, in accordance with Council's Community Engagement Policy 2021.**
2. **Invite community members that responded to the first phase of consultation, to take part in community engagement activities in 2022.**
3. **Present the outcomes of the community engagement process at a subsequent Council meeting in 2022 to inform the consideration of leasing 1F Ashline Street, Wollert, for the purpose of delivering Affordable Housing.**

COUNCIL RESOLUTION

Moved: *Chairperson Lydia Wilson*

Seconded: *Administrator Peita Duncan*

THAT Council adopt the recommendation for Proposal to lease 1F Ashline Street Wollert for affordable housing.

CARRIED

5.1.6 Maternal and Child Health Sector Advocacy

Responsible Officer Director Community Wellbeing

Officer Manager Children & Families

Attachments

1. Interface Councils Draft MCH Advocacy Paper FINAL 24 November 2021 [5.1.6.1 - 8 pages]

Proposal

The Interface Councils Group has undertaken research to document pressures experienced by the Maternal and Child Health (MCH) services. The process has also identified opportunities and practical initiatives to improve outcomes for MCH services, particularly in municipalities experiencing considerable population growth.

It is proposed that Council endorses a suite of advocacy 'asks' to address issues relating to the funding and provision of MCH services as a 'Tier 2 - Ongoing Advocacy Priority' within Council's operational advocacy framework.

Recommendation

That Council:

1. Endorse the draft Interface Councils Maternal and Child Health Issues Paper, November 2021 (Attachment One)
2. Endorse the advocacy 'asks' outlined in the draft Interface Councils Maternal and Child Health Issues Paper, November 2021 (Attachment One, and Table Two of this report) as part of Council's advocacy program.
3. Note the Municipal Association of Victoria's Maternal and Child Health service advocacy priorities (Table three of this report).
4. Note Department of Health and the Municipal Association of Victoria have committed to review of the Key Age and Stage Framework, with the review timeframes yet to be released.

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Chairperson Lydia Wilson

THAT Council:

1. Endorse the draft Interface Councils Maternal and Child Health Issues Paper, November 2021 (Attachment One)
2. Endorse the advocacy 'asks' outlined in the draft Interface Councils Maternal and Child Health Issues Paper, November 2021 (Attachment One, and Table Two of this report) as part of Council's advocacy program.
3. Note the Municipal Association of Victoria's Maternal and Child Health service advocacy priorities (Table three of this report).
4. Note Department of Health and the Municipal Association of Victoria have committed to review of the Key Age and Stage Framework, with the review timeframes yet to be released.
5. Writes to all local State Government Members of Parliament regarding this important state-wide issue to seek their advocacy support and provide them with this report and attached documentation.
6. Actively explores partnership opportunities with relevant educational institutions to address workforce gaps in relation to maternal and child health nursing.

CARRIED

5.2 Livable Neighbourhoods

5.2.1 Tender evaluation - 2021-12: Supply of Roadside Hazard Protection Works

Responsible Officer Director Infrastructure & Environment

Officer Project Manager

Attachments

1. CONFIDENTIAL REDACTED - 2021-12 Tender Evaluation Summary [5.2.1.1 - 10 pages]

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 tender amounts submitted by tenderers and tender evaluation scoring prepared by Council officers. It also contains details of credit and reference checks about the tenderers provided to Council in confidence. The release of this information could reasonably be expected to prejudice the commercial position of the persons who supplied the information or to confer a commercial advantage on a third party.

Recommendation

That Council:

1. **Accept the tender submitted by Barrier Designs for the schedule of rates detailed in the confidential attachment for the following contract:**

Number: 2021-12

Title: Supply of Roadside Hazard Protection Works

Term: 1/1/2022 to 31/12/2024

Options: Term extensions up to 31/12/2026 (only to be exercised if separately approved by Council)

Value: Total expenditure is limited to a maximum of \$2,500,000 (excluding GST), unless otherwise approved by Council 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.**
2. **Approve the funding arrangements detailed in the confidential attachment.**

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Tender evaluation - 2021-12: Supply of Roadside Hazard Protection Works.

CARRIED

UNCONFIRMED

5.2.2 11 Ruth Street, Lalor

Responsible Officer Director Planning & Development

Officer Student Planner

Attachments

- 720054- 11 Ruth LALOR- Locality Maps [5.2.2.1 - 2 pages]
- 720054- 11 Ruth LALOR- Architectural Plans [5.2.2.2 - 12 pages]

Applicant Planning & Design P/L

Council Policy 16.01-1L Housing Supply in Established Areas
Zoning General Residential Zone (Schedule 5)
Overlay Development Contributions Plan Overlay (Schedule 3)
 Special Building Overlay

Referral Melbourne Water

Objections Nine objections

Proposal

The application seeks approval for the construction of three dwellings. 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 bedrooms	North (front) - 7.675m Side (east) - 5.41m West (side) - 3.5m	40m ²	One car space (shared garage)	7.035m
Dwelling No. 2	Two- storey	Two bedrooms	East (side) - Built to boundary South (rear) - 5.15m	40m ²	One car space (shared garage)	7.035m
Dwelling No. 3	Two- store	Two bedrooms	South (rear) - 5.55m West (side) - 0.02m	40m ²	One car space (Single garage)	7.035m

Recommendation

THAT Council resolve to Refuse Planning Application No. 720054 and issue a Refusal to Grant a Planning Permit for the 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 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.
3. 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) B13 Landscaping;
 - d) B15 Parking Location;
 - e) B23 Internal Views;
 - f) B25 Accessibility;
 - g) B26 Dwelling Entry;
 - h) B31 Design Detail

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for 11 Ruth Street, Lalor.

CARRIED

5.2.3 Planning Scheme Amendment C256 Interim Heritage Overlay on 90 and 100 Bindts Road, Wollert – Exhibition outcomes and next steps

Responsible Officer Director Planning & Development

Officer Strategic Planner

Attachments

1. C245wsea Exhibited Map [5.2.3.1 - 1 page]
2. C245wsea Post Exhibition Map [5.2.3.2 - 1 page]

Proposal

This report recommends that Council write to the Minister for Planning to request a 12 month extension of Amendment C256 Interim Heritage Overlay for 90 Bindts Road, Wollert, which expires on 29 January 2022. It also informs Council of the outcome of the statutory exhibition of Amendment C245 Heritage Overlay for 90 and 100 Bindts Road and the next steps in the process.

Amendment C256 interim heritage controls are in place while the permanent heritage controls proposed by Amendment C245 are progressed. Amendment C245 seeks to apply the Heritage Overlay (HO204) to land at 90 Bindts Road, Wollert, which is identified as having heritage value, and to correct an identification error for an existing Heritage Overlay that applies at 100 Bindts Road, Wollert (HO161). Two submissions were received, both of which challenged the extent of the curtilage of the Heritage Overlay. One submission has been resolved; however, Council officers are continuing to negotiate with the remaining submitter to try to resolve the submission to Amendment C245.

In the meantime, it is important to ensure that the heritage significance of the site is protected. Officers are recommending that Council request an extension to Amendment C256 interim heritage controls before they expire in January 2022.

Recommendation

That Council:

1. **Write to the Minister for Planning to request an extension to Amendment C256wsea Interim Heritage Overlay for 90 Bindts Road, Wollert which expires on 29 January 2022;**
2. **Authorise Council officers to continue to negotiate with the submitter to resolve the remaining submission to Amendment C245;**
3. **Advise the submitters of 1. and 2. above.**

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Planning Scheme Amendment C256 Interim Heritage Overlay on 90 and 100 Bindts Road, Wollert – Exhibition outcomes and next steps.

CARRIED

UNCONFIRMED

5.2.4 Granite Hills Major Community Park

Responsible Officer Director Infrastructure & Environment

Officer Senior Landscape Architect

Attachments

1. Granite Hills Concept [5.2.4.1 - 5 pages]
2. Granite Hills Options Analysis [5.2.4.2 - 3 pages]
3. Granite Hills- Participation and Engagement Findings Report [5.2.4.3 - 28 pages]

Proposal

Continue development of Granite Hills Major Community Park in accordance with the Project Business Case and feedback from the community consultation and engagement process.

Recommendation

That Council:

1. Support the recommendations of the Granite Hills Major Community Consultation Findings Report.
2. Support the recommendation of the business case for the Granite Hills Major Community Park.

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Chris Eddy

That Council:

1. **Support the recommendations of the Granite Hills Major Community Consultation Findings Report.**
2. **Support the recommendation for option 1B as the business case for the Granite Hills Major Community Park as outlined in this report.**

CARRIED

5.3 Strong Local Economy

Nil

5.4 Sustainable Environment

Nil

5.5 High Performing Organisation

Nil

6 Notices of Motion

Nil

7 Urgent Business

Nil

UNCONFIRMED

8 Reports from Council Representatives and CEO Update

8.1 Administrator Peita Duncan Report

Administrator Duncan's report was provided verbally at the 6 December 2021 Council meeting, items reported were as follows.

Since the last Council Meeting, Administrator Duncan attended the:

- Victorian Local Government Association Annual General meeting on 18 November;
- Whittlesea Reconciliation Group meeting on 25 November;
- Epping RSL where she laid the wreath for Remembrance Day;
- Creeds Farm Annual General Meeting on 16 November;
- Launch of the Life Long Learning Program at Olivine Place with Preston Reservoir Adult Community Education Inc (PRACE); and
- Three Citizenship Ceremonies.

8.2 Administrator Chris Eddy Report

Administrator Eddy's report was provided verbally at the 6 December 2021 Council meeting, items reported were as follow.

Since the last Council Meeting, Administrator Eddy attended the:

- National Growth Areas Alliance Election advocacy priorities announcement;
- Audit and Risk Committee Meeting; and
- Business Advisory Panel meeting.

8.3 Chair of Council Lydia Wilson Report

Chairperson Wilson's report was provided verbally at the 6 December 2021 Council meeting, the items reported were as follows.

Since the last Council Meeting, Chairperson Wilson attended the:

- Board meeting of Whittlesea Community Connections on 15 November;
- Victorian Local Government Association Annual General meeting on 18 November;
- Audit and Risk Committee Meeting on 25 November;
- On behalf of the interface group of councils:
 - with the CEO, a briefing with the Honourable Tim Pallas, Treasurer, Minister for Economic Development and Minister for Industrial Relations
 - a briefing with the Honourable James Merlino, Deputy Premier on 24 November; and
- As Presiding Officer, five Citizenships ceremonies held on 11 and 23 November.

8.4 Chief Executive Officer, Craig Lloyd Update 6 December 2021

The CEO Update was provided verbally by the Chief Executive Officer at the 6 December 2021 Council meeting, items reported were as follows:

- Laid the wreath at the Remembrance Day Service held by the Doreen RSL;
- This Friday night, Council has its annual Carols by Candlelight event, being held in-person, at the Terrace Lawns at the Civic Centre and also livestreamed on Council's YouTube channel;
- There have been lots of conversation about grass in the community recently. Council is continuing to work closely with Council's contractors to ensure our municipality is well maintained and this has included revising the mowing frequency and schedules. There are also additional crews and staff, working longer hours including on weekends to catch-up. Council is not satisfied with the management of the presentation of our parks, gardens or grassed areas, and considerable effort has been made by Council to ensure that Council's contractors both rectify this issue, and ensure that the community does not see a repeat into the future;
- Last week the City of Whittlesea reached 90% double vaccination of its population aged 15 and over;
- 93 Community Engagement Activities were conducted in November;
- In conjunction with Whittlesea Connections Multilingual Health Navigators, 3 COVID-19 Information Booths were run for 7 days a week in local Shopping Centres to provide support to the community in managing their vaccinations bookings and information;
- During November, Council partnered with other local agencies to provide food and material support to 640 households and 2,466 residents;
- With the high local vaccination rates, Northern Health has now closed its operation at Plenty Ranges Arts and Convention Centre (PRACC), with community bookings at PRACC commencing in early 2022;
- The new splash pad at Whittlesea Swim Centre is now open;
- There is new play equipment, a fitness station and picnic shelter to enjoy at the newly upgraded Darebin Creek Parklands on Dalton Rd in Epping;
- Construction on a temporary gravel overflow parking area which is expected to be completed before Christmas has commenced at the All Abilities Play Space, at Mill Park Recreation Reserve. Council is investigating a range of more permanent parking solutions for this space;
- As we head into the Christmas holiday period, it's a great opportunity to support local businesses. Include local traders as you do your Christmas shopping. Council's DineOutside campaign highlights the benefits of enjoying local restaurants and cafes; and
- Council meetings will recommence at the end of January, Council operations will continue during the Christmas holiday period.

On behalf of staff, the CEO wished our Administrators and community a very happy Christmas and New Year.

9 Confidential Business

Under section 66(2) of the Local Government Act 2020 a meeting considering confidential information may be closed to the public. Pursuant to sections 3(1) and 66(5) of the Local Government Act 2020

Recommendation

THAT the Chair of Council recommends that the meeting be closed to the public for the purpose of considering details relating to the following confidential matters in accordance with Section 66(2)(a) of the *Local Government Act 2020* as detailed.

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

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:

9.1 Confidential Connected Communities

9.1.1 Kindergarten Reform Options Paper

Responsible Officer Director Community Wellbeing

Officer Community Infrastructure Project Coordinator

This report has been designated as confidential by the Director Community Wellbeing, 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the report contains information regarding proposed partnership negotiations and capital projects that require further consultation and investigation before they can be announced.

9.2 Confidential Liveable Neighbourhoods

9.2.1 Compulsory Land Acquisition

Responsible Officer Acting Director Corporate Services

Officer Consultant

This report has been designated as confidential by the Acting Director Corporate Services, 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 Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the report contains information that prematurely discloses Council's intentions and diminishes the strength of Council's position in these negotiations.

9.3 Confidential Strong Local Economy

Nil Reports

9.4 Confidential Sustainable Environment

Nil Reports

9.5 Confidential High Performing Organisation

Nil Reports

9.6 Confidential Notice of Motion

Nil

CARRIED

The Panel of Administrators closed the public meeting with the following messages:

Chair of Council, Ms Lydia Wilson:

“To Council staff and the community, be confident and excited and optimistic about the year ahead. Even though we have been through uncertain times over the past year, this shouldn't stop us at all from being hopeful and planning for the future, both near and far.”

Administrator Peita Duncan's message:

“I wish everyone a happy festive season, whatever that means for you in our diverse community, and in 2022, it will be really good to see our community reconnecting together. This is really important. Over the last two years we were in and out of restrictions which has been challenging. I look forward to everyone reconnecting in our community and coming back together and supporting our local businesses and all of our people in the community helping each other. I am very much looking forward to seeing lots of smiling faces as we tour around the City of Whittlesea, which we will be doing early next year.”

Administrator Chris Eddy's message:

“Safe and happy Christmas and New Year's festive season to the community. Let's try to have a better normal rather than a new normal next year.”

Chair of Council, Ms Lydia Wilson:

“Thank you, Administrators. Thank you to our wonderful diverse community and also to our wonderful staff who have worked tirelessly on behalf of the community over the past year.”

Accordingly, the meeting was closed to the public at 8:37pm.

Confirmed this 31st Day of January 2022

Lydia Wilson
Chair of Council