



Minutes

Scheduled Council Meeting
Monday 27 June 2022 at 7:30 pm

Held remotely online 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

Kate McCaughey Director Community Wellbeing

Justin O'Meara Director Planning & Development

Debbie Wood Director Infrastructure & Environment

Marilyn Kearney Interim Director Corporate & Shared Services

Frank Joyce Executive Manager Governance & Strategy

Janine Morgan Executive Manager Public Affairs

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1 Opening

1.1 Meeting Opening and Introductions

The Chair of Council, Lydia Wilson opened the meeting at 7:30pm.

“Welcome to this Council Meeting of 27 June 2022 which is being live streamed. The meeting is being held on line in accordance with State Government recommendations in response to the recent COVID19 outbreak.

I am Lydia Wilson, Chair of the Panel of Administrators and I would also like to introduce my Panel colleague, Administrator Ms Peita Duncan. Mr Chris Eddy is an apology due to being unwell.

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:

- Director Community Wellbeing, Ms Kate McCaughey;
- Director Planning & Development, Mr Justin O’Meara;
- Interim Director Corporate & Shared Services, Ms Marilyn Kearney;
- Executive Manager Governance & Strategy, Mr Frank Joyce; and
- Executive Manager Public Affairs, Ms Janine Morgan.

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

Prayer

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, Lydia Wilson will 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 Queen's Birthday 2022 Honours List

The Chair of Council formally acknowledged the following City of Whittlesea residents who were recently recognised in the Queen's Birthday 2022 Honours List:

Mrs Beryl Patullo – OAM

Mrs Patullo is the recipient of a Medal in the General Division (OAM), for service to the community through a range of roles including a member of the Whittlesea Historical Society and Aurora Support Services, Whittlesea Neighbourhood Watch Group and authoring the booklet '*130 Years of Schooling: History of Thomastown Primary School 1885 – 1985*'.

Mr Lindsay Patullo – OAM

Mr Patullo is the recipient of a Medal in the General Division (OAM), for service to the community through a range of roles, including President and Committee Member of Aurora Support Services (formerly Whittlesea Helping Hand Association).

Mr Trevor Carroll – OAM

Mr Carroll is the recipient of a Medal in the General Division (OAM), for service to people with a disability, including various roles for Disabled People's International, Australian Federation of Disability Organisations, Victoria Policy Disability Portfolio Reference Group and Friends of South Morang. Mr Carroll has also been involved in the City of Whittlesea Australia Day Committee and the Whittlesea Disability Network and is a former City of Whittlesea Access and Inclusion Citizen of the Year Recipient.

Mr John Cowan

Mr Cowan is a recipient of the Australian Fire Service Medal (AFSM). He has distinguished his contribution to the Country Fire Authority and the community throughout his 43 years of service. Mr Cowan is an accredited Level 3 Planning Officer and has performed his role at extremely large and prolonged campaign fires. Mr Cowan is highly regarded by leaders across the emergency management sector within Victoria.

On behalf of Council, the Chair congratulated our residents and thanked them for their service, and we will be sending a letter of acknowledgement on behalf of Council, and we hope to house a small celebratory function in the very near future.

1.4 Parks & Leisure Australia (Vic/Tas) Award

Administrator Duncan acknowledged that on 9 June the City of Whittlesea won the Parks & Leisure Australia (Vic/Tas) Award for Community Based Initiative of the Year for our '*Muslim Women's Get into Golf Program*'. This program was delivered by the City of Whittlesea and Golf Australia and supported by the Al-Siraat Islamic College and Growling Frog Golf Course. It has enabled Muslim women to be active, build friendships and engage in their community throughout the pandemic recovery. With this award we will now be considered for the National Community Based Initiative of the Year later this year.

A huge shoutout and thank you to our Leisure & Recreation Team – especially Megan Harper, Leisure Inclusion Officer, who led this project throughout and Stephanie Ristevska and Con Constantinou (from Ageing Well) who also provided support.

1.5 Promotion of Community Leadership Program

For people who might be interested in Council into the future or who would like to make a difference through community groups and hone their leadership skills, this program aims to build our participants practical leadership skills and get them ready for future leadership roles and duties. So, for the City of Whittlesea it is important for us to build leadership capacity in the community ahead of the return to elected representatives in 2024 and the selection of participants aims to reflect the diversity of the city, so we encourage people of all ages over 18, genders, abilities and cultural backgrounds to apply. The course is very sophisticated and an excellent leadership program with elements that are developed and coordinated by La Trobe Business School and also by the Victorian Local Government Association. Applications for our next intake close on Monday, 25 July. Please go to our website (www.whittlesea.vic.gov.au/leadingchange) for more information.

1.6 Acknowledgement of Ministerial Appointments

The Chair of Council's final acknowledgement is in relation to two local members who were elevated in their roles:

Congratulations to Andrew Giles MP for Scullin who has been appointed as Minister for Immigration, Citizenship and Multicultural Affairs.

Congratulations to Colin Brooks, Member for Bundoora who has been appointed as Minister for Child Protection and Family Services as well as Minister for Disability, Ageing and Carers.

1.7 Attendance

Members:

Ms Lydia Wilson Chair of Council

Ms Peita Duncan Administrator

Officers:

Mr Craig Lloyd Chief Executive Officer

Ms Kate McCaughey Director Community Wellbeing

Mr Justin O'Meara Director Planning & Development

Ms Marilyn Kearney, Interim Director Corporate & Shared Services

Mr Frank Joyce, Executive Manager Governance & Strategy

Ms Janine Morgan, Executive Manager Public Affairs

Apologies:

Mr Chris Eddy Administrator

Ms Debbie Wood, Director Infrastructure & Environment

2 Declarations of Conflict of Interest

No Declarations

3 Confirmation of Minutes of Previous Meeting/s

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Chairperson Lydia Wilson

**THAT the following Minutes of the preceding meeting as circulated, be confirmed:
Scheduled Meeting of Council 16 May 2022.**

CARRIED

4 Public Questions, Petitions and Joint Letters

4.1 Public Question Time

No Public Questions

4.2 Petitions

4.2.1 Petition - To replace gum trees in Eagles Nest and part of Corella Drive, Whittlesea

Administrator Wilson tabled a petition from 14 residents regarding removal of gum trees in Eagles Nest and part of Corella Drive, Whittlesea.

Recommendation

THAT Council note the petition from 14 residents requesting Council replace gum trees in Eagles Nest and part of Corella Drive, Whittlesea and write to the signatories to inform them that:

1. The trees along both streets have recently been assessed and comply with the City of Whittlesea's Street Tree Management Plan.
2. A meeting with the Head Petitioner will be organised with the Director Infrastructure & Environment (or representative) on site, to understand their concerns and specific rationale for their request.
3. A report to Council will be prepared for the August Council Meeting, advising how the petitioners' concerns have been addressed, in consultation with Director Infrastructure & Environment.
4. Signatories will be advised of Council's decision following the August Council Meeting.

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson

Seconded: Administrator Peita Duncan

THAT Council note the petition from 14 residents requesting Council replace gum trees in Eagles Nest and part of Corella Drive, Whittlesea and write to the signatories to inform them that:

1. The trees along both streets have recently been assessed and comply with the City of Whittlesea's Street Tree Management Plan.
2. A meeting with the Head Petitioner will be organised with the Director Infrastructure & Environment (or representative) on site, to understand their concerns and specific rationale for their request.
3. A report to Council will be prepared for the September 2022 Council Meeting, advising how the petitioners' concerns have been addressed, in consultation with Director Infrastructure & Environment.

4. Signatories will be advised of Council's decision following the September Council Meeting.

CARRIED

4.2.2 Petition – Council education programs regarding the dangers of cigarette butt litter and to put up more cigarette butt bins

Administrator Duncan tabled a petition from 237 residents requesting Council have education programs regarding the dangers of cigarette butt litter and to put up cigarette butt bins around parks, shopping centres and schools in our council.

Recommendation

THAT Council:

1. **Note the petition from 237 residents requesting Council have education programs regarding the dangers of cigarette butt litter and to put up cigarette butt bins around parks, shopping centres and schools in our municipality.**
2. **Officers will contact the lead petitioner to enquire about Council locations where there are significant cigarette butts so that the litter enforcement team can take urgent action to address this issue.**
3. **A report to Council be prepared for the September Council Meeting, advising how the petitioners' concerns have been addressed.**
4. **Advise the lead petitioner of Council's decision following the September Council Meeting.**

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Chairperson Lydia Wilson

THAT Council adopt the recommendation for Petition - Council education programs regarding the dangers of cigarette butt litter and to put up more cigarette butt bins.

CARRIED

4.3 Joint Letters

No Joint Letters

5 Officers' Reports

5.1 Connected Communities

5.1.1 Community Plan Action Plan 2022-2023 - Draft for Adoption

Responsible Officer	Executive Manager Governance & Strategy
Author	Robert Kisgen, Unit Manager Corporate Planning & Improvement
In Attendance	Robert Kisgen, Unit Manager Corporate Planning & Improvement

Attachments

1. CPAP 2022 2023 CPAC Recommendations v 2 [5.1.1.1 - 11 pages]
2. CoW Community Plan Action Plan 2022-2023 - Final Draft for Adoption [5.1.1.2 - 4 pages]

Purpose

The purpose of this report is for Council to:

- Consider the submissions received regarding the Draft Community Plan Action Plan 2022-2023 (the Draft Action Plan)
- Note the Community Plan Advisory Committee's recommendations in response to the submissions
- Adopt the Community Plan Action Plan 2022-2023 subject to changes resulting from the submissions.

Recommendation

THAT Council:

1. **Notes the Community Plan Advisory Committee's recommendations in response to the submissions received regarding the Draft Community Plan Action Plan 2022-2023.**
2. **Adopts the Community Plan Action Plan 2022-2023 (which has been updated following consideration of the submissions received during the consultation period).**

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson
Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Community Plan Action Plan 2022-2023 - Draft for Adoption.

CARRIED

5.1.2 Belgravia Leisure Contract Extension

Responsible Officer	Director Community Wellbeing
Author	Anthony Traill, Manager Active & Creative Participation
In Attendance	Anthony Traill, Manager Active & Creative Participation
Attachments	No Attachments

Purpose

To implement the Council Resolution on 6 December 2021 to endorse a revised budget (guaranteed and non-guaranteed) for;

- Contract No. 2020-141 for the Management and Operation of Thomastown Aquatic and Recreation Centre (TRAC), and
- Contract No. 2020-059 for the Management and Operation of Mill Park Leisure (MPL) and Whittlesea Swim Centre.

Recommendation

That Council:

1. Approves a two-year 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, for the total Net Guaranteed Sum of \$1,259,381 (cost to Council) and Net Non-Guaranteed Sum of \$509,011 (cost to Council) excluding GST.
2. Approves a two-year 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, for the total Net Guaranteed Sum of \$80,076 (cost to Council) and Net Non-Guaranteed Sum of \$257,331 (income to Council) excluding GST.

COUNCIL RESOLUTION

Moved: *Chairperson Lydia Wilson*

Seconded: *Administrator Peita Duncan*

That Council:

1. **Approves a two-year 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, for the total Net Guaranteed Sum of \$1,259,381 (cost to Council) and Net Non-Guaranteed Sum of \$509,011 (cost to Council) excluding GST.**
2. **Approves a two-year 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, for the total Net Guaranteed Sum of \$80,076 (cost to Council) and Net Non-Guaranteed Sum of \$257,331 (income to Council) excluding GST.**

- 3. Undertakes further community engagement, research, and evaluation in relation to the issue of potential free swim entry at Whittlesea Swim Centre to be completed as part of contract specification development in 2023/2024.**

CARRIED

5.2 Liveable Neighborhoods

5.2.1 Proposed Amendment to the Mayfield Historic Precinct Development Plan

Responsible Officer	Director Planning & Development
Author	Taras Rego, Strategic Planner
In Attendance	Linda Martin-Chew, Coordinator Strategic Land Use Planning

Attachments

1. MHPDP Existing Approved Plan [5.2.1.1 - 1 page]
2. MHPDP Amendment Subject Site Map [5.2.1.2 - 2 pages]
3. MHPDP Amendment Plans [5.2.1.3 - 2 pages]

Purpose

The purpose of this report is to consider an amendment request to the *Mayfield Historic Precinct Development Plan (MHPDP)* to allow the use and development of a child care centre at 1325 Plenty Road, Mernda.

Recommendation

That Council:

1. **Refuse the amendment proposed to the *Mayfield Historic Precinct Development Plan* to provide for the use and development of a child care centre as shown in *Attachment 2* on the basis that the proposal does not align with the strategic planning framework and relevant planning policy of the Whittlesea Planning Scheme, as follows:**
 - The proposal is not in accordance with the requirements of the Incorporated Plan Overlay Schedule 1 (Mernda Strategy Plan).
 - The proposal is not in accordance with the requirements of the Development Plan Overlay Schedule 5 (Mernda Development Plan).
 - The proposal is not in accordance with the Planning Policy Framework including Clause 19.02-2L (Child Care Centres).
2. **Notify the proponent of Council's resolution.**

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson
Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Proposed Amendment to the Mayfield Historic Precinct Development Plan.

CARRIED

5.2.2 Elevating ESD Targets in the Planning Scheme

Responsible Officer	Director Planning & Development
Author	Denise Turner, Coordinator Planning Policy & Implementation
In Attendance	Denise Turner, Coordinator Planning Policy & Implementation

Attachments

1. Elevated ESD Particular Provision [5.2.2.1 - 14 pages]
2. Technical ESD and Development Feasibility Report [5.2.2.2 - 81 pages]

Purpose

This report presents the Stage 1 findings of the Elevating Environmentally Sustainable Development Targets Planning Project which has developed an evidence base to support improved environmental performance within the Whittlesea Planning Scheme.

Approval is sought to join Stage 2 of the project which aims to seek authorisation from the Minister for Planning to prepare and exhibit a new single Environmentally Sustainable Development Particular Provision into the Whittlesea Planning Scheme through a collaborative joint planning scheme amendment process.

Recommendation

That Council:

1. **Endorse the City of Whittlesea's involvement in Stage 2 of the Elevating Environmentally Sustainable Development Targets Planning Project, in collaboration with the Council Alliance for a Sustainable Built Environment and other participating councils;**
2. **Request the Minister for Planning to authorise the preparation and extended exhibition of a Planning Scheme Amendment to introduce the Elevating Environmentally Sustainable Development Policy project outcomes into the Whittlesea Planning Scheme, as outlined in Attachment 1 to this report;**
3. **Request that the Minister for Planning establish an advisory committee for the Environmentally Sustainable Development project;**
4. **Authorise the Chief Executive Officer to provide guidance to any advisory committee established by the Minister for Planning or make any reasonable changes to the Amendment consistent with the intent of the Elevating Environmentally Sustainable Development Policy outlined in Attachment 1 to this report; and,**
5. **Write to the Minister for Planning and Housing, the Minister for Energy, Environment and Climate Change, and the Minister for Local Government and Suburban Development outlining the benefits to the community of introducing zero carbon-focused and elevated Environmentally Sustainable Development**

planning policy into the Whittlesea Planning Scheme, and how this Amendment should be adopted as a part of the State Government's Environmentally Sustainable Development planning reforms.

COUNCIL RESOLUTION

Moved: *Chairperson Lydia Wilson*

Seconded: *Administrator Peita Duncan*

THAT Council adopt the recommendation for Elevating ESD Targets in the Planning Scheme.

CARRIED

5.2.3 2022-24 Kelynock Reserve Park and Playground Upgrade

Responsible Officer	Director Infrastructure & Environment
Author	Alexandra Desmond, Senior Landscape Architect
In Attendance	Adrian Napoleone, Team Leader Public Realm Development

Attachments

1. CONFIDENTIAL REDACTED - 2022 24 Draft Confidential Attachment June 2022 V2 [5.2.3.1 - 3 pages]
2. Kelynock Playspace Concept [5.2.3.2 - 2 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 information regarding claim amounts submitted by a contractor which give direct insight into the contractor's detailed pricing information that is commercially confidential. 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.

Purpose

It is proposed that contract number 2022-24 for Kelynock Reserve Park and Playground Upgrade is awarded to Yellowstone Landscaping Pty Ltd.

Recommendation

That Council:

1. **Accept the tender submitted by Yellowstone Landscaping Pty Ltd for the following contract:**

Number: 2022-24

Title: Kelynock Reserve Park and Playground Upgrade

Cost: A lump sum of \$857,371.00 (excluding GST)

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 Peita Duncan*

Seconded: *Chairperson Lydia Wilson*

THAT Council adopt the recommendation for 2022-24 Kelynack Reserve Park and Playground Upgrade.

CARRIED

5.3 Strong Local Economy

No reports

5.4 Sustainable Environment

5.4.1 Environmental Upgrade Agreement Program implementation recommendations

Responsible Officer	Director Infrastructure & Environment
Author	Cara Horner, Sustainability Organisation Officer
In Attendance	Amanda Dodd, Manager Sustainable Environment

Attachments

1. EUA quarterly report example Brimbank [5.4.1.1 - 1 page]

Purpose

To brief Council on the progress of setting up City of Whittlesea's Environmental Upgrade Agreement program funded through the Whittlesea Community Recovery Fund.

For Council to consider the recommended approach and endorse the delegation of Environmental Upgrade Agreement approvals to the CEO in accordance with section 181H of the Local Government Act 1989.

Recommendation

That Council:

1. Endorse the recommended approach for implementation of the Environmental Upgrade Agreement program, including that:
 - a) A Special Charge be the mechanism used to facilitate and track repayments;
 - b) Better Building Finance be appointed as a third party to establish, administer and support program delivery;
 - c) The proposed internal eligibility criteria be applied; and
 - d) Council agree to delegate Environmental Upgrade Agreement approvals to the CEO in accordance with section 181H of the Local Government Act 1989.

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson
Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Environmental Upgrade Agreement Program implementation recommendations.

CARRIED

5.4.2 2021-140B Glass Processing

Responsible Officer	Director Infrastructure & Environment
Author	Jack Jansen, Directorate Projects Executive
In Attendance	Amanda Dodd, Manager Sustainable Environment

Attachments

1. CONFIDENTIAL REDACTED - Tender 2021-140 B Glass Processing Evaluation Summary FINAL [5.4.2.1 - 4 pages]

This attachment has been designated as confidential by the Director of Infrastructure and 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 tender amounts submitted by tenderers and tender evaluation scoring prepared by Council officers. 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.

Purpose

It is proposed that contract number 2021-140B for Glass Processing is awarded to Visy Paper Pty Ltd (trading as Visy Recycling).

Recommendation

That Council:

1. **Accept the tender submitted by Visy Paper Pty Ltd (trading as Visy Recycling) for the following contract:**
 - Number:** 2021-140B
 - Title:** Glass Processing
 - Cost:** The accepted schedule of rates is detailed in the confidential attachment. Total expenditure in the initial three (3) year term is limited to \$1,104,247.20 (excluding GST).
 - Term:** 1 July 2022 to 30 June 2025
 - Options:** Term extensions up to 30 June 2028**subject to the following conditions:**

- a) **Tenderer to provide proof of currency of insurance cover as required in the tender documents.**
 - b) **Price variations to be in accordance with the provisions as set out in the tender documents.**
 - c) **Tenderer to provide contract security as required in the tender documents.**
2. **Approve the funding arrangements detailed in the confidential attachment.**
 3. **Delegate the authority to the CEO to:**
 - a) **Execute the contract documents; and**
 - b) **Approve term extensions and any associated variations to the contract sum.**

COUNCIL RESOLUTION

Moved: *Administrator Peita Duncan*

Seconded: *Chairperson Lydia Wilson*

THAT Council adopt the recommendation for 2021-140B Glass Processing.

CARRIED

5.4.3 2021-140A Glass Collection and 2017-75A Landfill Waste, Recycling, & Green Waste Kerbside Collection Services

Responsible Officer	Director Infrastructure & Environment
Author	Jack Jansen, Directorate Projects Executive
In Attendance	Amanda Dodd, Manager Sustainable Environment

Attachments

1. CONFIDENTIAL REDACTED - Tender 2021-140 A Glass Collection Evaluation Summary FINAL [5.4.3.1 - 5 pages]
2. CONFIDENTIAL REDACTED - Contract 2017-75 A Landfill Waste Recycling & Green Waste Kerbside Collection Services Variation Det [5.4.3.2 - 2 pages]

Attachments 1 and 2 have been designated as confidential by the Director of Infrastructure and 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 they contain 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 attachments contain information regarding tender amounts submitted by tenderers and tender evaluation scoring prepared by Council officers. 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.

Purpose

It is proposed that:

- Contract number 2021-140A for Glass Collection is awarded to J.J. Richards & Sons Pty Ltd (trading as JJ's Waste & Recycling); and
- Contract number 2017-75A for Landfill Waste, Recycling, & Green Waste Kerbside Collection Services is varied to suit operational requirements.

Recommendation

That Council:

1. **Accept the tender submitted by J.J. Richards & Sons Pty Ltd (trading as JJ's Waste & Recycling) for the following contract:**
Number: 2021-140A
Title: Glass Collection

Cost: The accepted schedule of rates is detailed in the confidential attachment. Total expenditure is limited to \$11,409,887.18 (excluding GST) unless otherwise approved by Council.

Term: 1 July 2022 to 30 June 2028

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. In relation to Contract number 2017-75A for Landfill Waste, Recycling, & Green Waste Kerbside Collection Services:
- a) Approve a variation of \$21,655,421.47 (excluding GST) making a revised contract sum of \$67,984,971.47 (excluding GST).
 - b) Approve extension of the contract end date to 30 June 2028.
3. Approve the funding arrangements for contract number 2021-140A for Glass Collection and contract number 2017-75A for Landfill Waste, Recycling, & Green Waste Kerbside Collection Services detailed in the confidential attachments.
4. Delegate the authority to execute the contract documents for contract number 2021-140A for Glass Collection to the CEO.

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Chairperson Lydia Wilson

THAT Council adopt the recommendation for 2021-140A Glass Collection and 2017-75A Landfill Waste, Recycling & Green Waste Kerbside Collection Services.

CARRIED

5.5 High Performing Organisation

5.5.1 Risk Management Policy and Risk Management Framework

Responsible Officer	Executive Manager Governance & Strategy
Author	Brett Davidson, Coordinator Risk Management
In Attendance	Samantha Boyle, Unit Manager Governance & Risk

Attachments

1. Risk Management Framework 2022 [5.5.1.1 - 24 pages]
2. Risk Management Policy [5.5.1.2 - 5 pages]

Purpose

The purpose of this report is to seek Council's endorsement for the new Risk Management Policy and revised Risk Management Framework.

Recommendation

That Council:

1. Endorse the revised June 2022 Risk Management Framework; and
2. Endorse the new June 2022 Risk Management Policy.

COUNCIL RESOLUTION

Moved: Chairperson Lydia Wilson
Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Risk Management Policy and Risk Management Framework.

CARRIED

5.5.2 Review of Council Delegations to the CEO and Members of Council Staff

Responsible Officer	Executive Manager Governance & Strategy
Author	Amanda Marijanovic, Coordinator Governance Administration
In Attendance	Samantha Boyle, Unit Manager Governance & Risk

Attachments

1. Instrument of Delegation to CEO - June 2022 - v 6 [5.5.2.1 - 5 pages]
2. Instrument of Delegation to Members of Staff - June 2022 - v 2 [5.5.2.2 - 67 pages]

Purpose

The purpose of this report is for Council to support effective and efficient decision-making through updated Instruments of Delegation to the CEO and to members of Council staff.

Recommendation

That Council:

1. **For the Instrument of Delegation to the Chief Executive Officer (Attachment 1) and the Instrument of Delegation to Members of Council Staff (Attachment 2):**
 - a) **Resolve to delegate to the members of staff holding the relevant positions the powers, duties and functions set out in the Instruments;**
 - b) **Commence operation of the Instruments immediately upon the common seal of Council being affixed to the Instruments;**
 - c) **Revoke all previous Council delegations to member of Council Staff on the coming into force of the Instruments; and**
 - d) **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.**

COUNCIL RESOLUTION

Moved: *Chairperson Lydia Wilson*
Seconded: *Administrator Peita Duncan*

THAT Council adopt the recommendation for Review of Council Delegations to the CEO and Members of Council Staff.

CARRIED

5.5.3 Asset Plan and Asset Management Plans

Responsible Officer	Director Infrastructure & Environment
Author	Punam Rana, Asset Officer
In Attendance	Jim Karabinis, Manager Assets & Facilities

Attachments

1. Community Consultation and Engagement - Overview [5.5.3.1 - 5 pages]
2. Parks and Open Space Asset Management Plan - POSPAMP [5.5.3.2 - 36 pages]
3. Transport Asset Management Plan - TAMP [5.5.3.3 - 37 pages]
4. Asset Plan [5.5.3.4 - 20 pages]
5. Buildings and Facilities Asset Management Plan__ BAMP [5.5.3.5 - 32 pages]

Purpose

The purpose of the report is to present a range of Asset Management Plans (Plans) for Council adoption. The Plans profile Council's commitment to the management of council-controlled infrastructure for the next ten years.

Recommendation

That Council:

1. **Acknowledges the community engagement process undertaken in the preparation of the Asset Management Plan**
2. **Adopt the City of Whittlesea Asset Plan 2022**
3. **Adopt the City of Whittlesea Buildings and Facilities Asset Management Plan 2022.**
4. **Adopt the City of Whittlesea Parks and Open Space Asset Management Plan 2022.**
5. **Adopt the City of Whittlesea Transport Asset Management Plan 2022.**

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan
Seconded: Chairperson Lydia Wilson

THAT Council adopt the recommendation for Asset Plan and Asset Management Plans.

CARRIED

5.5.4 Annual Budget 2022-23 - Adoption & Declaration of Rates

Responsible Officer Interim Director Corporate & Shared Services

Author Aaron Gerrard, Acting Chief Financial Office

In Attendance Aaron Gerrard, Acting Chief Financial Officer

Attachments

1. Attachment 1 - Budget Submissions [5.5.4.1 - 25 pages]
2. Attachment 2 - Adopted Budget 2022-23 [5.5.4.2 - 112 pages]

Purpose

It is proposed that Council consider the inclusion of recommendations of the Budget Submissions Advisory Committee and Officers' in determining the Budget 2022-23 for adoption.

Recommendation

That Council:

1. Accept the recommendations of the Council Budget Advisory Committee outlined in Attachment 1, following its hearing and consideration of public submissions on the Proposed 2022-23 Budget, noting that the Committee's recommendation is to add capital expenditure of \$100,000 to the budget for the works at Sycamore Recreation Reserve (BMX - Finish Line)
2. Notify all submitters that Council has considered their submissions relating to the Proposed Budget 2022-23 and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions.
3. Accept officer recommendations of financial changes to decrease the operating surplus in the Budget 2022-23 by \$672,000 mainly relating to contract escalations and an update of rates and charges to reflect most up to date assessment information
4. Adopt the Budget 2022-23 (Attachment 2), noting that the Budget 2022-23 has been updated in accordance with recommendation 1
5. Declare that the amount which Council intends to raise by general rates is \$171,137,986 and such further amount as lawfully levied as a consequence of this resolution
6. Declare that the general rate be declared in respect of the 2022-23 financial year
7. Resolve on establishment of a new reserve 'Regional Sports and Aquatic Fund' and make a proposed transfer to the reserve of \$14.42 million
8. Authorises the Chief Executive Officer to give public notice of the decision to adopt the Budget

9. Authorises the Chief Executive Officer to effect administrative and wording changes to the final Budget document that may be required

COUNCIL RESOLUTION

Moved: *Chairperson Lydia Wilson*

Seconded: *Administrator Peita Duncan*

That Council:

1. **Accept the recommendations of the Council Budget Advisory Committee outlined in Attachment 1, following its hearing and consideration of public submissions on the Proposed 2022-23 Budget, noting that the Committee's recommendation is to add capital expenditure of \$100,000 to the budget for the works at Sycamore Recreation Reserve (BMX - Finish Line)**
2. **Notify all submitters that Council has considered their submissions relating to the Proposed Budget 2022-23 and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions.**
3. **Accept officer recommendations of financial changes to decrease the operating surplus in the Budget 2022-23 by \$672,000 mainly relating to contract escalations and an update of rates and charges to reflect most up to date assessment information**
4. **Allocates an additional budget allocation of \$140,000 to support local community led even organisers facing increasing costs and continued uncertainty resulting from the pandemic as follows:**
 - a. **An additional \$20,000 to the Whittlesea Agricultural Show (bringing the total budget allocation for this organization to \$40,000); and**
 - b. **An additional \$20,000 to the Whittlesea Country Music Festival (bringing the total budget allocation for this organization to \$50,000 as per last year); and**
 - c. **The remaining \$100,000 to be made available to community event organisers through an increase to Council's Community Events grants program.**
5. **Adopt the Budget 2022-23 (Attachment 2) incorporating additional changes outlined in item 4 above, noting that the Budget 2022-23 has been updated in accordance with recommendation 1.**
6. **Declare that the amount which Council intends to raise by general rates is \$171,137,986 and such further amount as lawfully levied as a consequence of this resolution.**
7. **Declare that the general rate be declared in respect of the 2022-23 financial year.**
8. **Resolve on establishment of a new reserve 'Regional Sports and Aquatic Fund' and make a proposed transfer to the reserve of \$14.42 million.**
9. **Authorises the Chief Executive Officer to give public notice of the decision to adopt the Budget.**
10. **Authorises the Chief Executive Officer to effect administrative and wording changes to the final Budget document that may be required.**

CARRIED

6 Notices of Motion

No Notices of Motion

7 Urgent Business

No Urgent Business

8 Reports from Council Representatives and CEO Update

Chair of Council, Lydia Wilson Report

Chair of Council's report was provided verbally at the 27 June 2022 Council Meeting. Since the last Council Meeting, Chair of Council attended:

- Australian Local Government Women's Association (Vic) – Annual General Meeting on 18 May 2022
- City of Whittlesea Audit & Risk Committee Meeting – 26 May 2022
- Interface Councils Group Forum – 8 June 2022
- Business Advisory Panel Meeting on 23 June 2022
- MAV State Council – 24 June 2022
- IDAHOBIT Flag Raising – 17 May 2022
- National Volunteer Week Celebrations – 21 May 2022
- 23 May 2022 site visits to:
 - Florida Cheese
 - Whittlesea U3A
 - Lalor & District Men's Shed
- Yarra Plenty Regional Library – National Simultaneous Storytime – 25 May 2022
- Investment Opportunities Breakfast – 26 May 2022
- National Sorry Day – 26 May 2022
- Whittlesea Community Connections – Reconciliation BBQ – 31 May 2022
- 2 June 2022 site visits to:
 - Whittlesea Community Connections
 - Whittlesea Community Farm
 - Prace (Mernda Campus)
- McLeans Road Kindergarten – Official Opening – 3 June 2022
- Whittlesea Early Years & Conservation Conference – Welcome Speech – 9 June 2022
- World Elder Abuse Awareness Day with Mr Gerard Mansour, Commissioner for Senior Victorians – 16 June 2022
- Citizenship Ceremony for 117 new Australian citizens – 16 June 2022
- Australian Local Government Association – National General Assembly in Canberra – 19 to 22 June 2022
- Joint meeting with Mitchell Shire Council and Mr David Hallinan, Deputy Secretary, Department of Infrastructure, Transport, Regional Development and Communication – 20 June 2022

- Meeting with the Hon Kristy McBain MP, Federal Minister for Regional Development, Local Government and Territories – 22 June 2022

Administrator Peita Duncan Report

Administrator Duncan's report was provided verbally at the 27 June 2022 Council Meeting. Since the last Council Meeting, Administrator Duncan attended:

- Australian Local Government Women's Association (Vic) – Annual General Meeting on 18 May 2022
- Whittlesea Reconciliation Group Meeting – 19 May 2022
- IDAHOBIT Flag Raising – 17 May 2022
- National Volunteer Week Celebrations – 17 May 2022
- 23 May 2022 site visits to:
 - Florida Cheese
 - Whittlesea U3A
 - Lalor & District Men's Shed
- National Sorry Day – 26 May 2022
- Whittlesea Community Connections – Reconciliation BBQ – 31 May 2022
- 2 June 2022 site visits to:
 - Whittlesea Community Connections
 - Whittlesea Community Farm
 - Prace (Mernda Campus)
- Australian Local Government Women's Association – Annual Conference in Shepparton – 5 to 6 June 2022
- World Elder Abuse Awareness Day with Mr Gerard Mansour, Commissioner for Senior Victorians – 16 June 2022
- Citizenship Ceremony for 117 new Australian citizens – 16 June 2022

Administrator Chris Eddy Report

Since the last Council Meeting, Administrator Eddy attended:

- Northern Alliance for Greenhouse Action – Executive – 23 May 2022
- Business Advisory Panel Meeting – 16 June 2022
- Investment Opportunities Breakfast – 26 May 2022
- National Sorry Day – 26 May 2022
- 2 June 2022 site visits to:
 - Whittlesea Community Connections
 - Whittlesea Community Farm
 - Prace (Mernda Campus)
- World Elder Abuse Awareness Day with Mr Gerard Mansour, Commissioner for Senior Victorians – 16 June 2022
- Australian Local Government Association – National General Assembly in Canberra – 19 to 22 June 2022

- Joint meeting with Mitchell Shire Council and Mr David Hallinan, Deputy Secretary, Department of Infrastructure, Transport, Regional Development and Communication – 20 June 2022
- Meeting with the Hon Kristy McBain MP, Federal Minister for Regional Development, Local Government and Territories – 22 June 2022

Chief Executive Officer, Craig Lloyd, Report – 27 June 2022

The Chief Executive Officer's report was provided verbally at the 27 June 2022 Council Meeting. The Chief Executive Officer advised of the following:

Launched *It's All Here*

- On 1 June we launched a buy local campaign called *It's All Here* featuring local business - including a \$150,000 incentives program offering 25 per cent back on eligible purchases across the City of Whittlesea to support local business.
- Incentives program has been really well received from our business community with 74% of rebates already claimed.
- To date approximately 3,000 claims have been approved from more than 640 businesses.
- As it stands, \$708,727.29 has been injected into the local economy through the incentives campaign.
- Less than 10 percent of \$150,000 funding pool is currently available. It's very likely that the funding will be exhausted in the coming days
- We are home to approximately 18,000 businesses in the City of Whittlesea.
- The past two years have been challenging and the broader *It's All Here* campaign will be ongoing - encouraging people to support local businesses and local jobs by shopping local.
- Promoting and supporting local business through this campaign is just one of the ways Council is working to build a strong local economy.

Green Wedge consultation

- For the last couple of weeks, we have had ongoing consultation for our draft Green Wedge Management Plan.
- More than 60% of the City of Whittlesea is Green Wedge - Green Wedge is rural land protected from urban development.
- We are currently developing a new management plan to outline how we sustainably manage and develop this land over the next 10 years.
- Our draft Green Wedge Management Plan 2022–2032 aims to:
 - Protect our ecosystem from urban development;
 - Enhance our biodiversity;
 - Support economic opportunities in sustainable agriculture;
 - Protect and promote the rich Aboriginal heritage of the area; and
 - Empower our community to care for the land

- The plan will now be reviewed as a result of feedback before being considered by Council later this year.

Wollert Blitz

We are launching a *Love Where you Live* campaign in Wollert in July to help build community pride and strengthen community connection in the area. Lots of activities over the coming month including:

- e waste collection;
- Waste and recycling workshop at local schools;
- Community playgroups;
- Crews patrolling for amenity issues such as dumped rubbish; and
- Culminate in National tree Planting Day event
- Pilot program for our place-based approach.

McLeans Road Kinder

- Start of the month officially opened the McLeans Road Kinder in Bundoora.
- The former single-room kindergarten has been replaced with a state-of-the-art two-room facility, to provide fun and interactive learning for the centre's 95 young students.
- The \$4.1 million redevelopment supports the growing demand for three- and four-year-old kindergarten programs
- McLeans Road Kindergarten upgrade was delivered by the City of Whittlesea with the support of the Victorian Government's Children's Facilities Capital Program and the Growing Suburbs Fund.

Council's 2022 commemoration of National Sorry Day – 26 May

- The event, included a Welcome to Country from local community Elder Uncle Herb Patten as well as a keynote speech from Lisa Zammit, the Chief Executive Officer of Connecting Home about the Stolen Generations and Redress Scheme.
- Uncle Herb treated everyone to some incredible gum leaf playing then guided attendees through a Sorry Walk and flags were lowered to half-mast to honour members of the Stolen Generation who did not come home.
- On Sorry Day Council re-affirmed our commitment to reconciliation, and to building relationships and understanding.
- Having completed a Stretch Reconciliation Action Plan, the City of Whittlesea will soon begin work on a new Reconciliation Action Plan.
- We are also working with the local community to create an Aboriginal Gathering Place, a pivotal step in our reconciliation efforts and in building the broader community's understanding of Aboriginal culture.
- Through these important initiatives the City of Whittlesea hopes to foster positive change and reconciliation with the First Nations people of this land

Capital delivery

- The Mernda Adventure Playground is now back open to the public following a recent upgrade with new play equipment, shelters, picnic area, barbecue and even the iconic horses have had a makeover.

Chief Executive Officer Explanatory Note

There were some technical difficulties with the closed captioning on the live stream this evening. Council apologies for this inconvenience. The closed captioning is available on the recording of this meeting.

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.

- 9.1 **Confidential Connected Communities**
No reports
- 9.2 **Confidential Liveable Neighbourhoods**
No reports
- 9.3 **Confidential Strong Local Economy**
No reports
- 9.4 **Confidential Sustainable Environment**
No reports
- 9.5 **Confidential High Performing Organisation**
No reports
- 9.6 **Confidential Notices of Motion**
No Notices of Motion

10 Closure

There being no further business the Chair of Council closed the Council Meeting of 27 June 2022 at 9:14pm.

Confirmed this 18th day of July 2022.



Lydia Wilson
Chair of Council