

Minutes

Scheduled Council Meeting
Monday 19 September 2022 at 4:00 pm

You are advised that a Meeting of Council was called by the Chief Executive Officer on Monday 19 September 2022 at 4:00 pm for the transaction of the following business.

This meeting was held in the Council Chamber at Civic Centre, 25 Ferres Boulevard, South Morang 3752 and was [livestreamed via Council's website](#).

C Lloyd
Chief Executive Officer

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

Justin O'Meara Director Planning & Development

Sarah Renner Director Customer & Corporate Services

Amanda Dodd Acting Director Infrastructure & Environment

Lence Markovska Acting Director Community Wellbeing

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 and introduced the Administrators and Chief Executive Officer:

Administrator, Ms Peita Duncan;
Administrator, Mr Chris Eddy; and
Chief Executive Officer, Mr Craig Lloyd.

The Chief Executive Officer, Craig Lloyd introduced members of the Executive Leadership Team:

Director Planning and Development, Mr Justin O'Meara;
Director Corporate & Customer Services, Ms Sarah Renner;
Acting Director Infrastructure and Environment, Ms Amanda Dodd
Acting Director Community Wellbeing, Ms Lence Markovska
Executive Manager Governance and Strategy, Mr Frank Joyce; and
Executive Manager Public Affairs, Ms Janine Morgan.

Following the Introductions, the Chief Executive Officer, Craig Lloyd then 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 in earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive them that trespass against us; and lead us not into temptation but deliver us from evil, For thine is the kingdom, the power and the glory, for ever and ever.

Amen

1.2 Statement from the CEO- Reason for bringing meeting forward

The CEO advised that the start time for this meeting was brought forward to 4pm with the intent that the meeting conclude before the commencement of the funeral for Her Majesty Queen Elizabeth II.

1.3 Acknowledgement of Traditional Owners Statement

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

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

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

1.4 Acknowledgement- Vale Her Majesty Queen Elizabeth

Chair of Council Lydia Wilson made the following statement:

“As the CEO has mentioned, we mourn the loss of Her Majesty Queen Elizabeth II and on behalf of our staff and community, we offer our deepest condolences to His Majesty King Charles III and The Royal Family.

The Queen was treasured by many around the world as the reigning monarch of the Commonwealth, a duty she upheld diligently for 70 years.

She was a symbol of strength and stability, and we pay tribute to the immense contribution she made through a lifetime of service.

May she rest in peace.”

1.5 Acknowledgement- Ron Driscoll’s portraits in the Council Chamber

Administrator Peita Duncan made the following statement:

“Recently Council arranged a selection of portraits by local artist, Ron Driscoll, to be displayed in the Council Chambers.

Ron Driscoll’s works had appeared in an exhibition held in the Great Hall in 2020 and his portraits were greatly admired for the wonderful personality and depth of character that were captured in his works. Following the response to Ron’s work, Council commissioned a series of portraits to celebrate the diversity of Whittlesea residents and the rich stories of their lives.

The 24 portraits were displayed in the Great Hall in 2021 in the exhibition ‘Face to Face – Portraits of the Community’ and showed the faces and the stories of members of our community from different ages, cultural backgrounds, suburbs, occupations and interests.

In the series there are several portraits of Aboriginal people, including two Wurundjeri Elders, Traditional Owners of this land. There are also portraits of local traders, small business owners, youth, a Vietnam War Veteran, artists, and an expert in local history and cultural heritage. There are mothers, young children, grandparents, and twenty-something year olds starting their working lives. There are health care workers, construction workers, and retirees; and all have rich and interesting life stories.

These works are a part of Council's Visual Art Collection, a collection which contributes to the City's cultural identity and social history of our municipality. Exhibiting the portraits in the Council Chambers allows people to continue to enjoy the works and celebrate the diversity of our community. They also serve as an important reminder to everyone who enters the Chambers that Council's work is done for the benefit of the community."

Chair of Council, Ms Lydia Wilson acknowledged the portrait of the late Mr David Turnbull former Chief Executive Officer of the City of Whittlesea.

1.6 Acknowledgement- Procurement Australia Award

Administrator Chris Eddy made the following statement:

"The City of Whittlesea, together with its northern region partners (Cities of Banyule, Darebin, Hume and Moreland and Mitchell and Nillumbik Shire Councils) have been awarded the Collaboration and Innovation in Procurement Award 2020–2022 at the 15th annual Procurement Australia Conference and award ceremony.

We were nominated for the collective work on the development of a Regional Procurement Policy. This is the fifth award the City of Whittlesea has achieved in the last six years.

A special mention to Tom Masters, former Unit Manager Procurement, for his hard work on this project. George Alabakov, Unit Manager Procurement, attended the event and accepted the award on behalf of Council.

1.7 Attendance

Administrators:

Chair of Council, Lydia Wilson

Administrator Chris Eddy

Administrator Peita Duncan

Officers:

Director Planning and Development, Mr Justin O'Meara;

Director Corporate & Customer Services, Ms Sarah Renner;

Acting Director Infrastructure and Environment, Ms Amanda Dodd

Acting Director Community Wellbeing, Ms Lence Markovska

Executive Manager Governance and Strategy, Mr Frank Joyce; and

Executive Manager Public Affairs, Ms Janine Morgan.

Apologies:

Director Infrastructure and Environment, Ms Debbie Wood; and

Director Community Wellbeing, Ms Kate McCaughey

2 Declarations of Conflict of Interest

Nil Declarations

3 Confirmation of Minutes of Previous Meeting/s

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

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

1. Scheduled Meeting of Council held 15 August 2022; and
2. Additional Meeting of Council held 5 September 2022

CARRIED

4 Public Questions, Petitions and Joint Letters

4.1 Public Question Time

4.1.1 Watery Gully Park playground provisions and park design

Public Questions submitted by Ms Miriam Cristallini:

1. “Why are there currently no playground provisions for the completion of Watery Gully Park in the Rivergum Pocket of Mill Park?”
2. Why does the Park design not cater for the older children of the area from 12 – 21 years old?
3. We previously had a flying fox, large slide and what has been completed so far has given the park less amenities for the older children than previously.
4. How are we able to provide park design suggestions?”

Response provided by Chief Executive Officer, Mr Craig Lloyd:

“Council has more than 250 parks with playgrounds across the municipality and each year we allocate funding for upgrades and renewal. Works are planned in consultation with the local community, taking into consideration the size and scale of the park.

In mid-2020, after consultation with the local community, Council upgraded the old playground equipment at Watery Gully Park and added new park assets such as a barbecue and shelter.

I understand you have recently had detailed discussions with Council Officers in regards to additional equipment, your suggestions have been noted and will be considered as part of the planning process for the 2023-24 Budget and Community Plan Action Plan.”

4.1.2 Disclosure of financial information

Public Question submitted by Mr Nick Brain:

“On occasion Council has decided not to release critical financial information about its projects into the public domain. For projects, such the Mernda Megaproject however, millions of ratepayer funds have been committed. How does Council propose to keep ratepayers informed about strategies it is employing to responsibly discharge its requirement to manage financial risk prudentially, pursuant to s101(1)(b) of the Local Government Act 2020, and ensure critical financial information about council projects will not be kept secret?”

Response provided by Chief Executive Officer, Mr Craig Lloyd:

“Thank you for the question Mr Brain.

Council is committed to public transparency, good governance and responsible financial management. We report to the community every quarter on our revenue and expenditure through our Council Meetings and annually in our Annual Report.

Our Budget document which is published on our website also contains detailed financial information about all of our projects. Our community are invited each year to provide their input into the Budget through extensive community consultation.

Our Council Meetings are open to the public by default, and Council only designates items as confidential at these meetings under very specific circumstances and in accordance with the *Local Government Act* such as the awarding of contracts – where the release of information publicly may prejudice our position in commercial negotiations, or where commercially sensitive information is involved, that would unreasonably expose a business to disadvantage or could provide a commercial advantage on a third party.

For large projects, this would include things like:

- tender amounts submitted by unsuccessful tenders and the overall tender evaluation
- details of credit and reference checks about the tenderers provided to Council in confidence.

Council’s commitment to public transparency is demonstrated by the percentage of Council resolutions which are made at meetings closed to the public which in the 2020-2021 financial year was 4.35% of all reports considered by Council. This is significantly lower than the average of similar Councils which is 8.37%.”

4.1.3 Walking and Cycling plan for Woodstock and Donnybrook**Public Questions submitted by Mr Mark Higgins:**

“The Walking and Cycling plan does not seem to include Donnybrook road for Woodstock and Donnybrook. The road on the other side of the Hume Freeway is much more developed for pedestrians and cycling than Donnybrook. This is understandable because it was developed first, but Donnybrook has the railway station and around 6 or 7 estates with thousands of residents already.

My question is, when are we going to see a temporary walkway with concrete barriers to make it safe for pedestrians and cyclists to travel to the station?”

When are busses going to stop at every estate on a regular basis? I have nearly 200 signatures from residents in the area who see the issues along the road and how dangerous it is. I have been knocked off my bike along the road and I was lucky they were not travelling fast as many cars do (40km/hr signage constantly exceeded).”

Response provided by Chief Executive Officer, Mr Craig Lloyd:

“Thanks for your questions Mr Higgins.

Council recognises the importance of walking and cycling, and the benefits this provides to our community, both from a health and wellbeing perspective and also from an environmental point of view.

Our Walking and Cycling Plan, which will be presented at tonight’s Council Meeting for endorsement, sets out a range of actions that will help us provide safer walking and cycling options and increase the levels of participation in active travel. It also sets out our key directions on managing the development and expansion of our municipality’s walking and cycling network.

Donnybrook is one of our municipality’s fastest growing suburbs, and we are actively working with developers to ensure continuous walking and cycling paths as part of the development process where possible.

Our Walking and Cycling Plan also contains a list of identified priorities and actions to advocate for funding to deliver a range of projects. This includes advocating to the State Government for the upgrade of Donnybrook Road (which is the responsibility of the Department of Transport), between Epping Road and Merri Creek, which will also include improving walking and cycling infrastructure along this stretch of road.

In relation to your question on buses - Public Transport is the responsibility of the State Government.

Council is strongly advocating to the State Government for improved bus services, again with a particular focus on our growing suburbs.

We will continue to work with developers and the State Government to provide better facilities for walking and cycling, in particular along our growth corridor and new estates.”

4.1.4 Strategic Cycling Corridor & Keon Parade level crossing removal

Public Questions submitted by Mr Kevin Balaam:

“Is it the view of the Council that the Strategic Cycling Corridor along the High St/Mernda Rail Line corridor between Keon Parade and M80 Metropolitan Ring Road can be or should be constructed during the timeline of the delivery of the Keon Parade level crossing removal project by the Level Crossing Removal Authority? If construction of the bike riding infrastructure becomes Council responsibility after the Keon Parade level crossing removal project, would the Council seek to recover or receive any consideration or compensation should the level crossing removal project result in greater difficulties in building the bike riding infrastructure (eg if there is an increase in motor vehicle access ways to cross or other obstacles to avoid for the safety and convenience of bike riders and other users)?”

Response provided by Chief Executive Officer, Mr Craig Lloyd:

“Council is currently finalising the design of the shared path between Keon Park and Thomastown Stations along High Street corridor. Council Officers are working closely with Level Crossing Removal Project (LXRP) team and VicTrack on the design of this key infrastructure.

It is envisaged that the path will either be constructed as part of the Keon Park level crossing removal project or after the project is finished. City of Whittlesea officers are negotiating with LXRP and the State Government to incorporate the construction of the shared path into the level crossing removal project.

Council will continue to work in partnership with LXRP on the Keon Park Level Crossing Removal Project to deliver safe and well-connected infrastructure to support ongoing cycling participation for our residents.”

4.1.5 Epping Animal Welfare Facility

Public Questions submitted by Ms Evie Levens

“It is my understanding that Epping Animal Welfare Facility will, from 16 October when it shifts from RSPCA management to Whittlesea Council management on behalf of Whittlesea, Moreland and Darebin Councils, cease to offer direct adoptions to the public and will instead only surrender unclaimed companion animals to rescue groups. Rescue groups simply do not have the capacity to save the more than 2,000 animals who go unclaimed every year in the Whittlesea, Moreland and Darebin local government areas.

Furthermore, I understand the RSPCA has been ordered to 'empty the facility' before handover on 16 October. Given there is no realistic way to rehome the hundreds of animals in the facility in one month, and rescue groups will not be able to meet demand for rehoming once the facility stops direct adoptions to the public, the Animal Justice Party and many community members hold serious concerns that animals currently in the facility, and those who will end up there from 16 October onwards, will be killed out of sheer convenience.

My questions for the council are:

Q1. Can City of Whittlesea guarantee the proposed change in management won't increase the number of companion animals being killed at the Epping Animal Welfare Facility, including animals currently in the facility?

Q2. The City of Whittlesea (acting on behalf of Moreland and Darebin Councils) states on its website:

'If the owner is not found, rehoming of the animal will be sought through partnerships with various rescue groups and vet clinics. We have already entered into formal agreements with 26 rescue groups and welfare organisations and we look forward to working with the sector. Council has engaged with and received a strong response from these stakeholders who are keen to support the council's objectives.'

Can you confirm what organisations (or individuals) have been consulted and signed formal agreements? And do they have the capacity to rehome the more than 2,000 animals that the Facility deals with in a given year?"

Response provided by Chief Executive Officer, Mr Craig Lloyd:

“Whittlesea, Moreland and Darebin Councils have decided to manage the operation of the Epping Animal Welfare Facility in-house to achieve the best possible outcomes for the animals and our community.

The three Councils have worked together to develop an operating model which is designed to reduce the current euthanasia rates and reunite the maximum amount of animals with their owners or find them loving new homes.

The Facility will be managed and resourced by experts in animal care and welfare.

There will be some adoptions directly from the Facility and to date, we have partnered with 26 rescue groups and welfare organisations who share our vision for improving outcomes for the animals in our care, and ensure more pets find forever homes.

We value the privacy of the arrangements we have with our partners and part of that is honouring the confidentiality that is held within these agreements.

We are aware of some misinformation circulating in the community, so thank you for your question which gives us a great opportunity to provide the correct information:

- Council has not ordered the RSPCA to empty the facility. As part of the transition arrangements, RSPCA Victoria has advised Council that they will remove animals who are past the eight-day quarantine period to other RSPCA shelters. Any animals still within the eight days will remain at the Epping Animal Welfare Facility.
- Veterinary work will be undertaken at the Facility. This will include but is not limited to vaccination, flea and worm treatment, microchipping and any other treatment that is required while animals are in our care.
- A committee will be established which will include, staff from each council, the EAWF Coordinator and EAWF Veterinarian. This committee will consider feedback from animal attendants and other relevant staff to determine which unclaimed animals are suitable for rehoming and which are not. The people on this committee have the expertise, experience and qualifications to ensure ethical decision-making.
- If at any time our rescue and welfare partners do not have capacity to take animals, we will continue to care for them at the facility until there is capacity or the animal has been adopted from our Facility.
- We are very confident the arrangements we are putting in place will deliver enhanced outcomes for the animals in our care and we are looking forward to working with the passionate people in the rescue sector.”

4.2 Petitions

4.2.1 Petition – Objection to planning application for installation of 4G/5G Optus Tower, 54 Main St Thomastown

A petition has been received from 146 signatories objecting to the planning permit application from Optus to erect a 4G/5G and Smart City Wireless Telecommunications Tower at 54 Main St, Thomastown which is Council owned land. 11 signatures are valid signatures in accordance with the Governance Rules. Of the 135 remaining signatures that do not meet the requirements of the Governance Rules; 77 are residents of the municipality, 19 are non-residents of the municipality and 39 did not document their address.

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Chris Eddy

THAT Council receive the petition from 11 signatories objecting to the planning permit application from Optus to erect a 4G/5G and Smart City Wireless Telecommunications Tower at 54 Main St, Thomastown and consider the petition in conjunction with the Council Report on Planning application PLN – 37256 which will be presented to Council at its meeting on Monday 21 November 2022

CARRIED

4.2.2 Petition – Request for additional parking at VR Michael Reserve

A petition has been received from 99 signatories (60 residents of the municipality and 39 non-residents) requesting Council increase parking availability and disability parking spaces for elderly citizens at VR Michael Reserve, Lalor.

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Peita Duncan

THAT Council note the petition from 99 signatories (60 residents and 39 non-residents) requesting Council increase the amount of parking spaces and create more accessible parking for elderly citizens at VR Michael Reserve, Lalor and write to the head petitioner to inform them that:

- 1. A meeting with the head petitioner will be organised with the Coordinators of Leisure and Recreation and Open Space Planning.**
- 2. A report to Council will be prepared for the December 2022 Council Meeting, advising of the outcome of analysis, needs and issues and provide a recommendation.**
- 3. The head petitioner will be advised of Council's decision following the Council Meeting.**

CARRIED

4.3 Joint Letters

Nil Joint Letters

5 Officers' Reports

5.1 Connected Communities

5.1.1 Endorsement of Child Safe Policy

Responsible Officer	Director Community Wellbeing
Author	Anna Micallef, Coordinator Employee Relations
In Attendance	Jemma James, Child Safe Advisor

Purpose

The purpose of this report is to seek endorsement of the updated Child Safe Policy (Attachment One). The Policy has been amended in accordance with the new Child Safe Standards which came into effect on 1 July 2022.

Recommendation

That Council endorse the updated City of Whittlesea Child Safe Policy (Attachment One), which has been amended in accordance with the new Child Safe Standards which came into effect on 1 July 2022.

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Endorsement of Child Safe Policy.

CARRIED

5.1.2 EveryAge Counts – A Campaign to End Ageism

Responsible Officer	Director Community Wellbeing
Author	Lence Markovska, Manager Ageing Well
In Attendance	Lence Markovska, Manager Ageing Well

Purpose

The purpose of this paper is to provide information about the EveryAge Counts campaign and recommends the City of Whittlesea to sign up to the campaign.

Recommendations

That Council:

1. **Support the EveryAGE Counts campaign to end ageism including to:**
 - a. **Take the EveryAGE Counts campaign Pledge as outlined in Figure One of this report, to stand for a world without ageism where people of all ages are valued and respected and their contributions are acknowledged;**
 - b. **Join with other community service organisations and Councils listed in Attachment One of this report to foster a society where every person is valued, connected and respected, regardless of age;**
 - c. **Raise awareness of the issue and impacts of ageism with staff and our local community; and**
 - d. **Write to local Federal and State parliamentarians advising them of Council's support for the EveryAGE Counts campaign and that we have taken the Pledge to end ageism.**
2. **Note that Council's formal EveryAGE Counts campaign pledge signing will occur during the Victorian Seniors Week Festival Week in October 2022.**

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Lydia Wilson

THAT Council adopt the recommendation for EveryAge Counts – A Campaign to End Ageism.

CARRIED

5.2 Liveable Neighborhoods

5.2.1 Whittlesea Park Draft Master Plan Community Engagement

Responsible Officer	Director Infrastructure & Environment
Author	Alexandra Desmond, Coordinator Open Space Projects
In Attendance	Alexandra Desmond, Coordinator Open Space Projects

Proposal

To undertake community consultation and engagement on the key recommendations of the Whittlesea Park Draft Master Plan.

Recommendation

That Council:

1. Support the recommendations of the Whittlesea Park Draft Master Plan to be presented to the community for feedback
2. Support the proposed land management and maintenance model for Whittlesea Park

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Peita Duncan

THAT Council:

1. **Support the recommendations of the Whittlesea Park Draft Master Plan to be presented to the community for feedback.**
2. **Support in principle the proposed land management and maintenance model for Whittlesea Park with Council becoming the Committee of Management for the land west of Bruces Creek Drain; the Whittlesea Showgrounds and Reserves Committee of Management remaining as the managing Committee of the passive open space east of Bruces Creek Drain; and maintenance of the land west of Scrubby Creek/Plenty River continuing to be undertaken by Council.**

CARRIED

5.2.2 Proposed Planning Scheme Amendment - Request to seek Authorisation - 149 McKimmies Road, Bundoora

Responsible Officer	Director Planning & Development
Author	Strategic Planner Projects & Infrastructure
In Attendance	Linda Martin-Chew, Team Leader Strategic Projects & Infrastructure

Purpose

The purpose of this report is to consider a proposal to rezone part of the land at 149 McKimmies Road, Bundoora from the Industrial 1 Zone to the General Residential Zone. The proposed Planning Scheme Amendment seeks to apply a Development Plan Overlay (DPO) to the land and amend the Land Subject to Inundation Overlay (LSIO) as it applies to the subject land.

Recommendation

That Council:

1. **Seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whittlesea Planning Scheme affecting land at 149 McKimmies Road, Bundoora to:**
 - a) **Rezone part of the subject land from the Industrial 1 Zone to General Residential Zone.**
 - b) **Apply the Development Plan Overlay (DPO) to part of the subject land; and**
 - c) **Amend the Land Subject to Inundation Overlay (LSIO),**
2. **Note that the authorisation request set out in recommendation 1. above is subject to:**
 - a) **a s173 agreement committing to the provision of 5% social housing and 10% affordable housing being executed prior to the Amendment being adopted.**
 - b) **a s173 agreement for the provision and contribution to local infrastructure including transport, community and recreation facilities being executed prior to the Amendment being adopted.**
 - d) **the Amendment not being adopted until a Statement or Certificate of Environmental Audit has been issued by an independent Environmental Auditor appointed by the EPA, for the land and a s173 agreement has been entered into to implement the conditions of any Statement of Environmental Audit.**

3. Advise the proponent of Council's decision on the above and any decisions of the Minister for Planning.

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Proposed Planning Scheme Amendment - Request to seek Authorisation - 149 McKimmies Road, Bundoora

CARRIED

5.3 Strong Local Economy

5.3.1 Building Blocks Partnership Agreement Tranche 1

Responsible Officer	Director Community Wellbeing
Author	Pamela Trigilia, Community Infrastructure Coordinator Amelia Ryan, Manager Children & Families
In Attendance	Amelia Ryan, Manager Children & Families

The attachments have 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 they contain Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the attachments contain information that requires approval from the Minister of Early Childhood and Pre-Prep prior to public correspondence or announcement of the projects or funding details.

Purpose

The purpose of this report is to:

- Present the recommended first tranche of early years infrastructure projects to be undertaken in response to the three-year-old kindergarten reform, as outlined in the 1st August 2022 correspondence from the Victorian School Building Authority (**Attachment One (Confidential)**) and
- Seek endorsement to enter into a Building Blocks Partnership (BBP) with respect to these two projects as outlined in the 1st August 2022 correspondence from the Victorian School Building Authority (**Attachment One (Confidential)**).

Recommendation

That Council:

1. **Notes the attached 1st August 2022 correspondence from the Victorian School Building Authority (Attachment One (Confidential)) which outlines the indicative funding details for the two capital projects which describes the first tranche of the Building Blocks Partnership.**
2. **Authorises the Chief Executive Officer to enter into an agreement for the first tranche of the Building Blocks Partnership in accordance with the projects outlined in the 1st August 2022 correspondence from the Victorian School Building Authority (Attachment One (Confidential)).**
3. **Notes that Council officers will continue negotiations with the Department of Education and Training to develop a staged schedule of early years infrastructure projects, to inform a second tranche of the Building Blocks Partnership, which will be brought to Council for consideration and endorsement.**

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Building Blocks Partnership Agreement Tranche 1.

CARRIED

5.4 Sustainable Environment

5.4.1 Petition - Cigarette butt litter education and request for cigarette butt bins

Responsible Officer	Director Infrastructure & Environment
Author	Simone Chetwynd-Brown, Unit Manager Resource Recovery
In Attendance	Amanda Dodd, Manager Sustainable Environment

Purpose

The purpose of this report is to outline the response to a petition received from 237 residents, requesting that Council have education programs regarding the dangers of cigarette butt litter and to install cigarette butt bins around parks, shopping centres and schools in our municipality.

Recommendation

In response to the petition received from 237 residents regarding concerns with cigarette butt litter on 27 June 2022, that Council resolve to:

1. Thank the lead petitioner for bringing this to the attention of Council and for the interest in our environment. Advise the lead petitioner of Council's decision.
2. Note the inspections by Council officers at the key locations identified by the lead petitioner.
3. Note the following actions to be undertaken by Council officers:
 - a. Work with the landholders at Westfield Plenty Valley and Pacific Epping Plaza to install warning signs and conduct education and enforcement activities;
 - b. Install cigarette bins, warning signs and conduct education and enforcement activities at Thomastown Recreation Centre;
 - c. Install Council waste bins, cigarette bins, signage and conduct education and enforcement activities at Mernda Junction Shopping Centre, Galada Community Centre, and Barry Road Community Centre;
 - d. Note that no further action is required at Whittlesea Show Grounds;
4. Note that the school of the lead petitioner will be offered waste education activities.

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Cigarette butt litter education and request for cigarette butt bins.

CARRIED

5.4.2 Petition To Remove Trees on Eagles Nest and part of Corella Drive, Whittlesea

Responsible Officer	Director Infrastructure & Environment
Author	Will Jones, Senior Arborist Planning and Risk
In Attendance	Will Jones, Senior Arborist Planning and Risk

Purpose

The purpose of this report is to outline the response to a petition received from fourteen residents, requesting Council remove the Eucalyptus trees from Eagles Nest and a section of Corella Drive in Whittlesea.

Recommendation

In response to the Petition received from fourteen residents of Eagles Nest and Corella Drive, Whittlesea on 23 May 2022, requesting Council remove the Eucalyptus trees from Eagles Nest and a section of Corella Drive in Whittlesea that Council resolve:

1. That an independent arboricultural report and bush fire risk assessment was completed on the nature strip trees located in Eagles Nest and Corella Drive, Whittlesea, focussing on the appropriateness of the nature strip trees in line with the Street Tree Management Plan. Subsequently, it was concluded that there was no elevated risk of tree failure and no significant fire risk identified and as a result, all trees will be retained.
2. That an inspection of footpaths in Corella Drive and Eagles Nest has been completed and minor repair works in Corella Drive will be undertaken as part of Council's routine footpath maintenance program.
3. That Council Officers advise the Head Petitioner that the trees will be retained and continue to be monitored and maintained as part of Council's biennial inspection program and that minor footpath repair works in Corella Drive will be undertaken as part of Council's routine footpath maintenance program.

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy
Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Petition To Remove Trees on Eagles Nest and part of Corella Drive, Whittlesea.

CARRIED

5.5 High Performing Organisation

5.5.1 Whittlesea 2040 Indicators Review

Responsible Officer	Executive Manager Governance & Strategy
Author	Alessandra San Vicente, Corporate Planner
In Attendance	Alessandra San Vicente, Corporate Planner

Purpose

The purpose of this report is for Council to adopt the revised Whittlesea 2040 (W2040) indicators, after considering the proposed changes following community consultation.

Recommendation

That Council:

- 1. Notes the community engagement outcomes regarding the revised Whittlesea 2040 indicators**
- 2. Adopts the revised Whittlesea 2040 indicators to replace the indicators currently included in Whittlesea 2040 A place for all and in the Community Plan 2021-2025.**

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Whittlesea 2040 Indicators Review.

CARRIED

5.5.2 Governance Rules Review Post Community Consultation

Responsible Officer	Executive Manager Governance and Strategy
Author	Nicole North-Vanner, Internal Assurance and Governance Advisor
In Attendance	Samantha Boyle, Unit Manager Governance and Risk

Purpose

The *Regulatory Legislation Amendment (Reform) Act 2022* introduced new provisions into the *Local Government Act 2020* requiring Council Governance Rules (Rules) to include procedures relating to virtual meetings. While incorporating this requirement, we took the opportunity to refresh the Rules to make them easier to understand.

The purpose of this report is to provide Council with the results of the community consultation submissions and the subsequent amendments to the Rules (attached).

Recommendation

That Council:

- 1. Adopt the draft updated Governance Rules (which have been updated in consideration of feedback received during the consultation period)**
- 2. Write to submitters thanking them for their contribution and confirm their specific feedback on the revised Governance Rules was considered.**

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Governance Rules Review Post Community Consultation.

CARRIED

5.5.3 Walking and Cycling Plan

Responsible Officer	Director Infrastructure & Environment
Author	Catherine Thwaites, Coordinator Strategic Transport
In Attendance	Arashdeep Singh, Manager Urban Design & Transport

Purpose

The purpose of this report is to seek Council adoption of the City of Whittlesea Walking and Cycling Plan (2022-2027).

Recommendation

That Council adopt the City of Whittlesea Walking and Cycling Plan 2022-2027 (attached).

COUNCIL RESOLUTION

Moved: Administrator Peita Duncan

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Walking and Cycling Plan.

CARRIED

5.5.4 481 Cooper Street, Epping Draft Development Plan

Responsible Officer Director Planning & Development

Author Nick Robinson, Strategic Planner

In Attendance Nick Robinson, Strategic Planner

Purpose

The purpose of this report is to consider the Development Plan prepared for 481 Cooper Street, Epping. The application for the Development Plan is subject to a review by the Victorian Civil and Administrative Tribunal (VCAT) at a hearing currently scheduled from 18 to 20 and 24 October 2022.

Recommendation

That Council:

- 1. Refuse the Development Plan for 481 Cooper Street, Epping as the submitted Development Plan documents:**
 - a. do not meet the requirements of the Development Plan Overlay Schedule 33,**
 - b. are not in accordance with the environmental objectives under Environmental Significance Overlay 3**
 - c. are not in accordance with the objectives and strategies of the Whittlesea Planning Scheme including:**
 - i. Clause 12 Environmental and Landscape Values and its subclauses.**
 - ii. Clause 13.04-15 Contaminated and potentially contaminated land.**
 - d. do not reflect the conditions of Melbourne Water or the Department of Environment, Land, Water and Planning which are required to be satisfied prior to the approval of the Development Plan.**
 - e. do not form a coherent Development Plan document.**

2. Authorise the Chief Executive Officer to appoint officers to represent Council and instruct any legal representation at any Victorian Civil and Administrative Tribunal hearing or pre-hearing practice days including compulsory conferences, conducted in respect to the Development Plan; and,
3. Notify the proponent, submitters and the Victorian Civil and Administrative Tribunal of the Council decision.

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for 481 Cooper Street, Epping Draft Development Plan.

CARRIED

5.5.5 Instrument of Appointment And Authorisation under the Planning and Environment Act

Responsible Officer Executive Manager Governance & Strategy

Author Amanda Marijanovic, Coordinator Governance Administration

Purpose

The *Planning and Environment Act 1987* requires that Council by resolution appoint Authorised Officers to exercise their powers under the act. This power cannot be delegated to the CEO.

Recommendation

THAT Council:

1. **Appoints Council Officers (attached) as Authorised Officers under section 147(4) of the *Planning & Environment Act 1987* and section 313 of the *Local Government Act 2020*; and**
2. **Have the Instrument come into effect when it is executed and remain in force until Council decides to vary or revoke it.**

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Peita Duncan

THAT Council adopt the recommendation for Instrument Of Appointment and Authorisation under the Planning and Environment Act.

CARRIED

5.5.6 Certification of 2021-22 Financial Statements & Performance Statement

Responsible Officer	Director Customer & Corporate Services
Author	Rahul Shah, Unit Manager Financial Strategy
In Attendance	Aaron Gerrard, Acting Chief Financial Officer

Purpose

The purpose of the report is to seek Council's approval for adoption in principle of the City of Whittlesea Annual Financial Statements (Attachment 1) and Performance Statement (Attachment 2) for the year ended 30 June 2022 and authorisation of two Administrators to sign the certifications included in the Reports.

Recommendation

That Council:

- 1. Approve in principle the Annual Financial Statements and Performance Statement for the year ended 30 June 2022.**
- 2. Authorise the Principal Accounting Officer to make minor amendments to the Annual Financial Statements and Performance Statement for the Year ended 30 June 2022 to meet the Victorian Auditor-General's Office (VAGO) requirements.**
- 3. Authorise Audit and Risk Committee Council representatives, Administrator Lydia Wilson and Administrator Chris Eddy to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2022.**
- 4. Authorise the Chief Executive Officer and Principal Accounting Officer to sign-off on the Annual Financial Statements and Performance Statement for the year ended 30 June 2022.**
- 5. Authorise the final audited Annual Financial Statements and Performance Statement for the year ended 30 June 2022 to be emailed to auditor by 31 October 2022.**

COUNCIL RESOLUTION

Moved: Administrator Chris Eddy

Seconded: Administrator Lydia Wilson

THAT Council adopt the recommendation for Certification of 2021-22 Financial Statements & Performance Statement.

CARRIED

5.5.7 Audit & Risk Committee Report on Activity

Responsible Officer Executive Manager Governance & Strategy

In Attendance Frank Joyce, Executive Manager Governance & Strategy

Purpose

To provide Council with an overview of key activities undertaken by the Audit and Risk Committee in the past year. This report is intended to be included in the City of Whittlesea Annual Report.

Recommendation

That Council note the Audit and Risk Committee's Report on Activity.

COUNCIL RESOLUTION

Moved: Administrator Lydia Wilson

Seconded: Administrator Chris Eddy

THAT Council adopt the recommendation for Audit & Risk Committee Report on Activity.

CARRIED

6 Notices of Motion

Nil Notices of Motion

7 Urgent Business

Nil Item of Urgent Business

8 Reports from Council Representatives and CEO Update

8.1 Administrator Chris Eddy Report

Administrator Eddy's report was provided verbally at the 19 September 2022 Scheduled Council Meeting. Since the last Council Meeting, Administrator Chris Eddy attended:

- City of Whittlesea Audit and Risk Committee Meetings on 1 and 12 September 2022.
- Site visits to:
 - Mushroom Exchange on 25 August 2022;
 - Big Group Hug on 12 September 2022; and
 - Five Vineyards Mernda on 15 September 2022.
- Two Citizenship Ceremonies (150 conferees at each Ceremony) on 17 September 2022.
- Creeds Farm Open Day on 17 September 2022.
- Coffee with Council in Epping North on 19 September 2022.

8.2 Chairperson Lydia Wilson's report

Chairperson Wilson's report was provided verbally at the 19 September 2022 Scheduled Council Meeting. Since the last Council Meeting, Chairperson Wilson attended:

- Yarra Plenty Regional Library Board Meeting on 25 August 2022.
- City of Whittlesea Audit and Risk Committee Meetings on 1 and 12 September 2022.
- Northern Councils Alliance Meeting on 15 September 2022.
- Citizenship Ceremony on 25 August 2022 (approximately 150 conferees).
- Community Recognition Dinner on 1 September 2022 recognising Council's Community Award recipients and members of the local community who were awarded Queen's Birthday Holiday Honours in June.
- City of Whittlesea Business Network event with The Hon Jaala Pulford (Minister for Employment and Minister for Small Business) on 6 September 2022.
- Site visits to Big Group Hug on 12 September 2022 and Five Vineyards Mernda on 15 September 2022.
- Two Citizenship Ceremonies (150 conferees at each Ceremony) on 17 September 2022.
- Creeds Farm Open Day on 17 September 2022.
- Coffee with Council in Epping North on 19 September 2022.

8.3 Administrator Peita Duncan Report

Administrator Duncan's report was provided verbally at the 19 September 2022 Scheduled Council Meeting. Since the last Council Meeting, Administrator Duncan attended:

- Whittlesea Reconciliation Group Meeting on 18 August 2022.
- Interface Week event at Parliament House on 18 August 2022.
- Site visit to Mushroom Exchange on 25 August 2022.
- Community Recognition Dinner 1 September 2022.
- Coffee with Council on 19 September 2022.

8.4 Chief Executive Officer Craig Lloyd Update

Chief Executive Officer Craig Lloyd's report was provided verbally at the 19 September 2022 Scheduled Council Meeting:

- On Friday we turned the sod along with Mill Park MP and Minister for Energy, Environment and Climate Action and Solar Homes Lily D'Ambrosio on multimillion-dollar upgrades to the Redleap and Kelynack recreation reserves to deliver a range of exciting new nature-based play areas, sporting spaces and amenities.
 - Highlights of the \$1.35 million Kelynack Recreation Reserve upgrade will include:
 - playground upgrade with a flying fox, nature play trail, Hardcourt area with interchangeable netball and basketball ring, ping pong table and seating area
 - Highlights of \$1.17 Redleap Recreation Reserve redevelopment include:
 - a new play space, nature play trail, basketball half court and upgraded picnic shelter
- New purple-lidded bins for dedicated glass recycling are continuing to be rolled out across the City of Whittlesea as part of the Victorian Government's requirement of a standardised four-bin waste and recycling service:
 - Collections will begin in October
 - All the glass that is collected will be taken to Visy recycling to be processed and turned into new glass bottles and jars.
- Works are continuing on the Stage 1 upgrade of the Whittlesea Public Gardens which includes an impressive new playground and learn to ride area.
- In the Lakes Boulevard we have planted over 250 new trees from Plenty Road to Findon Road in South Morang. These new trees will transform the streetscape into an impressive boulevard of trees and contribute to our Greening Whittlesea goals of increasing canopy cover across the municipality.
- Mill Park Library upgraded car park re-opened on Monday 12 September. There are 33 additional parking bays, including 2 new All Abilities Access (so now 4 in total), new LED lighting footpaths and landscaping. This was fully funded through the federal governments Local Roads and Community Infrastructure Program (LRCI) grant.
- Thanks to everyone who participated in our priority shaping consultation for our next Budget and Community Action Plan – we had over 427 contributions.

- Currently consulting on Council's draft Sustainable Environment Strategy and Climate Change Plan which will shape our environmental priorities over the next ten years. Visit engage.whittlesea.vic.gov.au to contribute.

9 Confidential Business

9.1 Confidential Connected Communities

Nil Reports

9.2 Confidential Liveable Neighbourhoods

Nil Reports

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 Notices of Motion

Nil Confidential Notices of Motion

12 Closure

There being no further business the Chair of Council closed the Scheduled Council Meeting at 5:55pm.

Confirmed this 17th day of October 2022

Lydia Wilson
Chair of Council