



Agenda

Scheduled Council Meeting

Tuesday 16 May 2023 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday 16 May 2023 at 6:30 pm for the transaction of the following business.

This meeting will be held in the Council Chamber at Civic Centre, 25 Ferres Boulevard, South Morang and will be [livestreamed via Council’s website](https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/).

**C Lloyd**

**Chief Executive Officer**

Administrators

Lydia Wilson Chair of Council

Peita Duncan Administrator

Christian Zahra AM Administrator

On 19 June 2020 the Acting Minister for Local Government appointed the Panel of Administrators for the City of Whittlesea and appointed Lydia Wilson as Chair of the Panel. The Panel of Administrators comprises of Lydia Wilson, Peita Duncan and Christian Zahra AM 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

Agata Chmielewski Director Community Wellbeing

Justin O’Meara Director Planning & Development

Sarah Renner Director Customer & Corporate Services

Debbie Wood Director Infrastructure & Environment

Frank Joyce Executive Manager Strategy & Insights

Janine Morgan Executive Manager Public Affairs

Sarah Rowe Interim Executive Manager Office of Council & CEO

Order of Business

The Chief Executive Officer submits the following business:

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[1.2 Acknowledgement of Traditional Owners Statement 6](#_Toc134716367)

[1.3 Diversity and Good Governance Statement 6](#_Toc134716368)

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[5.5.1 Petition for Removal and Replacement of Nature Strip Trees along Harrison & Kilpatrick Street, Mernda 10](#_Toc134716382)

[5.5.2 Nick Ascenzo Reserve Draft Masterplan 16](#_Toc134716383)

[5.5.3 2022-51 Harvest Home Recreation Reserve synthetic soccer pitch replacement- Tender Evaluation 24](#_Toc134716384)

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[10 Closure 47](#_Toc134716397)

**Note:**

At the Chair of Council’s discretion, the meeting may be closed to the public in accordance with Section 66(2)(a) of the *Local Government Act 2020*. The provision which is likely to be relied upon to enable closure is set out in each item. These reports are not available for public distribution.

**Question Time:**

During the meeting, the Chief Executive Officer will answer questions from residents and ratepayers. Questions are required to be submitted in writing no later than 5pm the day prior to a Scheduled Council Meeting.

Priority will be given to questions or statements that relate to Agenda items and those submitted no later than 5pm the day prior to the Scheduled Council Meeting. Any questions submitted after 5pm will receive a written response following the Council Meeting.

A Question Time form can be downloaded from Council’s website and copies of the form are available at the meeting. Refer: <https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council will hold public question time for up to 30 minutes at each Scheduled Council Meeting to allow for questions from members of the public.

Council is committed to ensuring that all residents and ratepayers of the municipality may contribute to Council’s democratic process and therefore, if you have special requirements, please telephone the Governance Team prior to any Council Meeting on (03) 9217 2170.

**1 Opening**

**1.1 Meeting Opening and Introductions**

The Chair of Council, Lydia Wilson will open the meeting and introduce the Administrators and Chief Executive Officer:

Administrator, Peita Duncan;

Administrator, Christian Zahra AM; and

Chief Executive Officer, Craig Lloyd.

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

Director Community Wellbeing, Agata Chmielewski;

Director Planning and Development, Justin O’Meara;

Director Corporate and Customer Services, Sarah Renner;

Director Infrastructure and Environment, Debbie Wood;

Executive Manager Strategy and Insights, Frank Joyce;

Executive Manager Public Affairs, Janine Morgan; and

Interim Executive Manager Office of Council and CEO, Sarah Rowe.

**1.2 Acknowledgement of Traditional Owners Statement**

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

*“On behalf of Council, I recognise the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan and Taungurung People as the Traditional Owners of lands within the City of Whittlesea.*

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

**1.3 Diversity and Good Governance Statement**

The Chair of Council will read the following statement:

*“At the City of Whittlesea we are proud of our diversity and the many cultures, faiths and beliefs that make up our community. We strive to be an inclusive welcoming City that fosters active participation, wellbeing and connection to each other and this land. We commit as a Council to making informed decisions to benefit the people of the City of Whittlesea now and into the future, to support our community’s vision of A Place For All.”*

**1.4 Attendance**

**2 Declarations of Conflict of Interest**

**3 Confirmation of Minutes of Previous Meeting/s**

**Recommendation**

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

**Scheduled Meeting of Council held on 18 April 2023.**

**4 Public Questions, Petitions and Joint Letters**

**4.1 Public Question Time**

**4.2 Petitions**

No Petitions

**4.3 Joint Letters**

No Joint Letters

**5 Officers' Reports**

**5.1 Connected Communities**

Nil reports

**5.2 Liveable Neighborhoods**

Nil reports

**5.3 Strong Local Economy**

Nil reports

**5.4 Sustainable Environment**

Nil reports

**5.5 High Performing Organisation**

5.5.1 Petition for Removal and Replacement of Nature Strip Trees along Harrison & Kilpatrick Street, Mernda

**5.5.1 Petition for Removal and Replacement of Nature Strip Trees along Harrison & Kilpatrick Street, Mernda**

**Responsible Officer** Director Infrastructure & Environment

**Author** Unit Manager, Parks and City Forest

**In Attendance** Unit Manager Parks & City Forest Management

**Attachments** No Attachments

**Purpose**

The purpose of this report is to outline the response to a petition received from 21 residents, requesting that Council remove 19 trees along the nature strips lining Harrison Street and Kilpatrick Street, Mernda, due to concerns with excessive leaf and bark drop, structural damage to nature strips and footpaths, as well as risks to the public and property. They are also requesting that these trees be replaced with other appropriate tree species.

**Brief Overview**

There are currently 19 trees planted in the nature strips along Harrison Street and Kilpatrick Street and these comprise eight Narrow-leafed Black Peppermint (*Eucalyptus nicholii*), 10 Manna Gum (*Eucalyptus viminalis*) and one River Red Gum (*Eucalyptus camaldulensis*). Council carries out a biennial inspection of all nature strip trees by qualified Arborists and performs maintenance of these street trees as prescribed in keeping with Council’s ‘Street Tree Management Plan 2019-2029’. The trees were last inspected in March 2022 and no significant health or structural issues were determined. An independent arboricultural assessment was also carried out in late January 2023 and a report prepared for Council.

**Recommendation**

**THAT Council in response to the petition received from 21 residents requesting Council remove all nature strip trees along Harrison Street and Kilpatrick Street, Mernda, write to the head petitioner to advise that:**

1. **An independent arborist assessment was undertaken of all the nature strip trees on Harrison and Kilpatrick Streets, Mernda and it was deemed that all trees did not display any safety risks that would require their removal.**
2. **Additional root plate stability testing will be carried out on selected trees, to determine if there are imminent risks of failure because of wind-tunnel effects and if deemed necessary, those trees affected will be removed.**
3. **The 10 manna gum trees are currently deemed to be in good health. However, they will be inspected on an annual basis, as they are nearing the end of useful life.**
4. **Street sweeping is carried out every 8-12 weeks and the program will be monitored to ensure debris will not pose issues to road guttering and drainage systems. The requirement for additional street sweeping during periods of heavy leaf litter will be monitored.**

**Key Information**

A petition was received by Council on 11 January 2023 from 21 residents of Harrison Street and Kilpatrick Street, Mernda requesting that all street trees be removed and replaced, due to concerns with excessive leaf and bark drop, structural damage to nature strips and footpaths, as well as risks to the public and property. In addition to Council’s own arboricultural inspections, an independent arboricultural consultancy was commissioned to inspect existing trees for structure and condition.

There are currently 19 trees planted in the nature strips along Harrison Street and Kilpatrick Street and these comprise eight Narrow-leafed Black Peppermint (*Eucalyptus nicholii*), 10 Manna Gum (*Eucalyptus viminalis*) and one River Red Gum (*Eucalyptus camaldulensis*). Council carries out a biennial inspection of all nature strip trees by qualified Arborists and performs maintenance of these street trees as prescribed in keeping with Council’s ‘Street Tree Management Plan 2019-2029’. The trees were last inspected in March 2022 and no significant health or structural issues were determined. An independent arboricultural assessment was also carried out in late January, 2023 and a report has been prepared for Council.

A meeting with the lead petitioner and other residents took place on 10 March on site, with the Acting Director, Infrastructure & Environment and Unit Manager, Parks & City Forest. During this meeting, there were new concerns raised with the key issue being the stability of some trees and wind tunnel effects. This was reported by three residents.

A commitment was made at this meeting to pursue the actions and recommendations of Council Arborists as well as an independent arboricultural assessment report, regarding the health and safety of the trees, including a further assessment of tree root plate stability testing due to the reported wind tunnel effects in the street. The independent arboricultural assessment report has since been completed however, the tree root plate stability tests are still waiting to occur. In order to make a determination of the tree stability, wind speeds will need to be in excess of 45km/h and gusts up to 60km/h, as well as wind direction changes. Weather forecasts and predicted wind speeds are being monitored to ascertain when sensor readings can be taken however, there is no indication at the time of writing, when this testing will occur. A consultant has been engaged and will complete works as soon as the weather conditions enable this. In the meantime, inspections by Arborists have not determined any soil movement around the trees, indicating an imminent risk of failure.

Residents also raised concerns with trip hazards in footpaths and nature strips, low hanging tree branches over the footpaths, as well as accumulation of tree and leaf debris in raingardens along the street. These have been attended to by Council officers as part of routine maintenance activities of the Maintenance & Operations department. Street sweeping is carried out every 8-12 weeks and the program will be monitored to ensure debris will not pose issues to road guttering and drainage systems.

Council places significant value on established street trees for the multitude of environmental, social and economic benefits that they bring to the local community. This key tenet was reinforced by Council through the adoption of the ‘Greening Whittlesea – City Forest Strategy’, which aims to increase tree canopy across the municipality by twenty per cent by the year 2040. Council will not remove healthy trees unless they presented some structural and plant health risks, were at the end of the useful life or in a senescent phase. When trees are removed, they will be replaced by another tree deemed suitable for the location and resilient to future climate-change impacts, so trees will always be planted in nature strips at appropriate locations.

**Community Consultation and Engagement**

An onsite meeting was held on 10 March to discuss the concerns raised in the petition with the lead petitioner and four signatories of the petition.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**Liveable neighbourhoods**Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

**Sustainable environment**We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change

**Considerations**

**Environmental**

The retention of mature trees in urban streetscapes is a key tenet of the Greening Whittlesea Strategy (2021) and the subordinate Street Tree Management Plan (2019). A goal of the Greening Whittlesea Strategy is to increase canopy cover in urban areas by twenty percent over a 2019 benchmark. Every mature tree that is removed, impacts on the ability to achieve this goal. Replacement trees take considerable time to establish and reach maturity and will not be considered as achieving sufficient canopy cover until approximately five years after they are planted. The current trajectory for increasing canopy cover amid global climate change impacts, needs to be enhanced according to Greening Whittlesea Strategy, due to urban densification. This is despite Council planting four thousand trees per year and developers handing over six thousand trees per year. Council also removes approximately one thousand five hundred trees per year, because of tree decline, death and storm damage.

**Social, Cultural and Health**

The Greening Whittlesea Strategy outlines the social, cultural and health benefits of street trees that are widely acknowledged and documented in academic literature.

**Economic**

The Greening Whittlesea Strategy outlines the economic benefits of street trees that are widely acknowledged and documented in academic literature.

**Financial Implications**

The total amenity value of all the nature strip trees using the City of Melbourne Valuation Method has been determined to be $542,029 and the valuation of the 10 Manna Gum trees specifically was $376,640. The cost of any prescribed tree maintenance activity associated with the independent arboricultural assessments and testing is included in the current operational budget.

**Link to Strategic Risk**

**Strategic Risk** *Community and Stakeholder Engagement - Ineffective stakeholder engagement resulting in compromised community outcomes and/or non-achievement of Council's strategic direction*

A pro-active response to petitions enables residents to have their concerns considered and independently evaluated. The health and structure of the trees concerned have been assessed and comply with our Street Tree Management Plan. In order to provide a greater degree of assurance to the community, an additional assessment involving tree root plate stability testing has also been commissioned. The intent with a comprehensive risk management approach demonstrates how Council is mitigating any risks associated with its street trees, whilst recognising the greater financial and environmental benefits that trees provide in the city.

In the case of the 10 Manna Gum trees, while they have a varying projected useful life expectancy greater than five years, it is anticipated that management of risks associated with these trees will increase over time. This may entail an increasingly rigorous aerial inspection regime and potentially a greater degree of maintenance. Hence, an increased inspection program will be implemented to monitor the health of these trees.

**Implementation Strategy**

**Communication**

Council Officers will advise the lead petitioner of the outcome of the Arborist assessments and when remedial actions will be undertaken to mitigate any risks.

**Critical Dates**

The implementation of any works resulting from the Arborists assessments will be carried out within prescribed timeframes that are no later than 12 months.

**Declaration of Conflict of Interest**

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

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

**Conclusion**

The request by the twenty-one petitioners was considered and an independent arboricultural consultant report was commissioned as a result.

Where possible, mature canopy trees should be retained if they benefit the streetscape in which they are planted.

Mature canopy trees:

• contribute towards the overall canopy cover targets for the municipality;

• help to moderate hot temperatures by shading areas, cooling, and moderating heat

radiated from urban buildings, structures, or surfaces;

• may serve as a windbreak, as well as provide protection from rainfall; and

• filter the air we breathe and remove airborne particulates whilst releasing oxygen

into the atmosphere.

A final determination on the tree stability will be undertaken once the tree root plate stability testing has been undertaking.

The 10 Manna Gum trees will be inspected on an annual basis to monitor their health, as they start to approach the end of their useful life expectancy.

5.5.2 Nick Ascenzo Reserve Draft Masterplan

**5.5.2 Nick Ascenzo Reserve Draft Masterplan**

**Responsible Officer** Director Infrastructure & Environment

**Author** Open Space Planner

**In Attendance** Unit Manager Landscape & Open Space Planning  
Open Space Planner

**Attachments**

1. Attachment 1- Nick Ascenzo Reserve Masterplan- Draft [**5.5.2.1** - 42 pages]

**Purpose**

The purpose of this report is to:

* Inform Council on the preparation of the draft Nick Ascenzo Reserve Master Plan;
* Seek endorsement on the draft Nick Ascenzo Reserve Master Plan to progress to community consultation from the 19 May 2023 to 16 June 2023.

**Brief Overview**

* As part of the Alexander Avenue Town Centre revitalisation, the need for a master plan for Nick Ascenzo Reserve was identified to meet community needs.
* Through this process, initial engagement with community and key stakeholders was undertaken which identified a desire for a safer, vibrant, and activated open space.
* The draft master plan guides and provides direction for asset renewal and park improvements, aiming to create a vibrant neighbourhood parkland through improved amenity and functionality.

**Recommendation**

**THAT Council endorse the draft Nick Ascenzo Reserve Master Plan to be placed on community exhibition from 19 May 2023 to 16 June 2023.**

**Key Information**

Nick Ascenzo Reserve is outlined in the City of Whittlesea Open Space Strategy as a Municipal Open Space Reserve. The Open Space Strategy recommends “Preparation of a Landscape Masterplan to guide future upgrades and use of this park for structured and unstructured sport and recreation use. This review is to consider the car parking facility location (including the play area); improving the connection between the adjoining shopping precinct and the park; and improving visual access into the park through trimming selected vegetation.”

Nick Ascenzo Reserve is situated in Thomastown in the southwest of the municipality. Thomastown is approximately 15 square kilometres in size. Although known as a residential area, it has a significant industrial area. Thomastown is bordered by Merri Creek in the west and Darebin Creek in the east. Thomastown has a shortage of open space with Nick Ascenzo Reserve being the only park in this area.

Key data for Thomastown include:

* 20,234 residents in 2021
* 42.1% of households are couples with children
* 35.4% of households are couples without children
* 27.5% of Population are 60+ years of age
* 27% of Population are less than 25 years of age
* Median age is 39
* 56.4% were born overseas
* 71.8% Speak a language other than English at home
* 7.02% canopy cover (Greening Whittlesea City Forest Strategy, 2020-2040)
* 23 square meters provision of usable (unencumbered) open space per resident (2023)
* 17 square meter projected provision of usable open space per resident (projected population 2041)

In May 2021, the Alexander Avenue Enhancement Group organised a meeting with Council officers, Thomastown East Primary School, and local shop owners to address safety concerns around the Alexander Avenue precinct including around the school, public toilets, and shops. Consultation on the Thomastown and Lalor Place Framework also received considerable feedback on Nick Ascenzo Reserve.

Nick Ascenzo Reserve is the major open space north of the Metropolitan Ring Road between High Street and Dalton Road. The reserve has an area of approximately 3.5 hectares which is characterised by open grass surrounded by garden beds and mature trees offset from the reserve boundaries. The reserve comprises facilities including playground, rock climbing wall, bocce rink, half basketball court, table tennis, picnic facilities, public toilet, car parking, football and soccer goals, community hall and scout hall. Infrastructure in the park is aging, and in some cases inadequate.

A 60m transmission easement runs through the reserve, dividing the site into two parts physically and visually. This creates a major design and use constraint and prohibits the central lawn for structured sport, however there is an opportunity to have informal activities.

The Master Plan will provide the City of Whittlesea with a vision, objectives, recommendations, and prioritisation for future development over the next 5 to 10 years. As a Municipal Open Space, the park will be improved to augment connections with the streetscape, town centre and neighbourhood.

The vision of the draft Master Plan is:

Nick Ascenzo Reserve is an inclusive and distinctive park that provides a range of recreation, sport, and social opportunities for all people to enjoy whilst enhancing the natural values of the park. It provides an environment that is accessible, well-connected, attractive and sustainably managed.

The objectives are:

* Establish a well-maintained reserve;
* Invite and inspire people of all ages and abilities;
* Promote and facilitate social community use and events;
* Upgrade sporting infrastructure and community facilities;
* Promote environmental sustainability and landscape character;
* Provide clear sight lines across the reserve and activate during night and day to improve perceptions of safety in the area; and
* Provide well-defined, safe, and accessible connections within the reserve and the Alexander Avenue shops and Thomastown station.

The draft Nick Ascenzo Reserve Master Plan sets out recommendations which are articulated through the key themes of Movement and Access, Recreation and Park Infrastructure, and Environment and Landscape (Attachment 1).

Key recommendations:

Movement and Access

Path

* Realign and upgrade circuit path with granitic sand
* Informal trail through the reserve linking activities
* Concrete footpath along Boronia Street

Entrance

* Upgrade entrances to the park with wayfinding signage, feature paving, lighting, and landscaping

Car parking

* Footpath from Boronia Street to the carpark accessing the Community centre and Senior Exercise Park
* Upgrades to car park

Recreation and Park Infrastructure

Play space

* Play spaces including nature-based play
* Improve shade around play space and walking tracks

Recreation facilities

* Remove Bocce court
* Multi-purpose court
* Remove the existing goal and replace with a multi-purpose goal

Community facilities

* Expand the picnic area to the south-west with a new shelter, seating, drinking fountain and bins
* Install DDA compliant seating at high use areas
* Improve the Community Centre Infrastructure. (Currently there is no plan to upgrade the community centre. However, the master plan proposal provides flexibility for upgrade, expansion, or relocation of the community centre in line with the Council Community Infrastructure Plan.)
* Investigate potential for upgrades to existing toilet block including relocation.
* Installation of senior exercise park

Environment and Landscape

Landscape and Vegetation

* Plant additional trees throughout the reserve to strengthen ecological biodiversity
* Implement irrigation system to maintain grass coverage of the central lawn
* Improve sightlines into the reserve by thinning out understory planting and replace with low maintenance plants
* Plant appropriate and visually pleasing trees or mounds on the north side of the site within 20 metres distance from each tower centre considering AusNet guidelines
* Proposed lighting along paths, car parks and main entrances
* Upgrade the reserve fences

The draft Nick Ascenzo Reserve Masterplan and recommendations will be adaptative to the Community Infrastructure Plan when finalised.

**Community Consultation and Engagement**

Feedback was received from 144 participants.

According to the total responses, the priorities for change are as follows:

* General safety
* Pedestrian access and safety
* Greenery
* Parking and traffic movements
* Public Art
* High quality design
* More things to do

The following stakeholders were consulted.

External stakeholders

* Retailers on Alexander Avenue (1:1 conversations)
* Thomastown East Primary School- staff and parents (in-person meeting, Pop-up consultation and project engage page)
* Community Activity Centre Users (Pop-up consultation)
* Scouts (Online meeting)
* Community (Pop-up consultation & project engage page)
* Visitors to the Shops (Pop-up consultation)
* Alexander Avenue Enhancement Group (Online meeting)

A cross Council Project Working Group comprising staff from all relevant departments was involved in the development of the draft master plan.

Additionally, through ‘Thomastown and Lalor Place Framework 2022’ we have identified the following concerns relevant to Nick Ascenzo Reserve:

* Anti-social behaviour and concealment areas
* Car and Motorcycles tracks in the sports oval
* Lack of maintenance
* Shade, and coverage in children play areas

It is recommended that the draft Master Plan is displayed for consultation to the broader community. This consultation seeks to:

* Inform the local community of the draft master plan and its background and;
* Receive feedback on the draft master plan and its capacity to meet the future ongoing needs of the community.

Community consultation is proposed to commence on the 19 May 2023 for a period of four weeks. Scheduled engagement activities include; online engagement page with survey, direct mail outs, localised pop-up sessions, and meetings with target groups. A comprehensive list of engagement activities can be found in Attachment 3, Community and Engagement Plan.

Feedback will be used to refine the master plan and create a prioritised list of actions.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**Connected communities**  
We work to foster and inclusive, healthy, safe, and welcoming community where all ways of life are celebrated and supported

**Liveable neighbourhoods**   
Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

Well-planned, accessible open space is proven to have preventative health benefits including opportunities for the community to socially interact and undertake physical activities. The W2040 Liveable Neighbourhoods goal includes an indicator to increase use of open space. Providing additional value in existing open spaces and increased accessibility to these facilities is important to the health of the community.

**Considerations**

**Environmental**

The draft Nick Ascenzo Reserve Master Plan will contribute to a healthier and more sustainable environment through increased tree canopy cover and water sensitive urban design.

**Social, Cultural and Health**

The draft Nick Ascenzo Reserve Master Plan will provide opportunities for physical activity, recreation, and relaxation. It can foster a sense of community and provide spaces for residents to come together, leading to improved social cohesion.

**Economic**

The draft Master Plan for Nick Ascenzo Reserve proposes upgrades to facilities which will activate underutilised spaces near the Alexander Avenue shops, will attract more people to the local area, enhance passive surveillance, improve perception of safety of the precinct, boost property values, and provide a positive impact on local economy contributing to economic growth.

**Financial Implications**

The estimated budget required to implement the Master Plan is subject to further design development. The initial estimate places the overall cost at $2.8m. The majority of the improvements will be subject to consideration as projects within Council Capital Works programs including Asset Renewal Program, Playground Renewal Program and Greening Whittlesea. The plan provides justification for external grant funding.

Of the required $2.8m of funding, approximately $1.3m will be funded by existing asset renewal programs.

**Strategic Risk**

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

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

**Strategic Risk** *Health, Safety and Welfare - Failure of safety and risk management systems resulting in serious injury or harm to staff or member of public*

**Strategic Risk** *Community and Stakeholder Engagement - Ineffective stakeholder engagement resulting in compromised community outcomes and/or non-achievement of Council's strategic direction*

Some of the current facilities onsite, including the rock-climbing wall and toilets, are in poor condition and in need of renewal.

**Implementation Strategy**

**Communication**

A Communication and Engagement Plan has been developed. Upon Council endorsement the draft Master Plan will be placed on community consultation. Communication activities to support this will include social media posts, direct mail outs, media releases and school newsletters.

**Critical Dates**

16 May 2023: Council meeting

19 May – 16 June 2023: Community consultation

August 2023: Finalise master plan

**Declaration of Conflict of Interest**

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

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

**Conclusion**

A draft master plan for Nick Ascenzo Reserve has been prepared in consultation with the community and key stakeholders. The draft Master Plan provides direction for future upgrades and improvements to Nick Ascenzo Reserve. The Master Plan responds to aging infrastructure, safety issues, connectivity and community needs along with recommendations to improve the natural environment.

The community consultation of the draft Master Plan will ensure the community has input into the key recommendations.

5.5.3 2022-51 Harvest Home Recreation Reserve synthetic soccer pitch replacement- Tender Evaluation

**5.5.3 2022-51 Harvest Home Recreation Reserve synthetic soccer pitch replacement- Tender Evaluation**

**Responsible** **Officer:** Director Infrastructure & Environment

**Author:** Unit Manager Parks Development

**In** **Attendance:** Manager Capital Delivery  
 Unit Manager Parks Development  
**Attachments**

1. CONFIDENTIAL REDACTED - 2022 51 Contract Tender Evaluation Report Confidential [**5.5.3.1** - 8 pages]

This attachment has been designated as confidential in accordance with 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 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 2022-51 for Harvest Home Recreation Reserve Synthetic Soccer Pitch Replacement is awarded to

* Polytan Asia Pacific PTY LTD
* for the lump sum price of $2,003,437 (excl. GST)

**Brief Overview**

This report summarises the evaluation of the six tender submissions received for the design and construction of a new synthetic soccer pitch and sportsground lighting at Harvest Home Reserve, Epping.

The tender evaluation panel advises that:

* six tenders were received;
* the recommended tender was the highest ranked and is considered best value;
* Collaborative tendering was not undertaken in relation to this procurement because this contract relates to a unique need for the City of Whittlesea and this contract relates to a Federal or State Government grant funded project.

**Recommendation**

**THAT Council:**

1. **Accept the tender submitted by Polytan Asia Pacific PTY LTD for the following contract:**

**Number:** **2022-51**

**Title:** **Harvest Home Recreation Reserve Synthetic Soccer Pitch Replacement**

**Cost:** **A lump sum of $2,003,437.00 (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.**

1. **Approve the funding arrangements detailed in the confidential attachment.**

**Key Information**

The purpose of this contract is to facilitate the design and construction of a FIFA accredited synthetic soccer pitch and sportsground lighting at Harvest Home Recreation Reserve in Epping.

Public tenders for the contract closed on 31 January 2023. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

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

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

* Price 50%
* Capability 20%
* Capacity 15%
* Sustainability 15%

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

All tenders were found to be conforming and competitive and were fully scored.

The evaluation outcome was as follows:

| **Tenderer** | **Conforming** | **Competitive** | **Score** | **Rank** |
| --- | --- | --- | --- | --- |
| Tenderer A  Polytan Asia Pacific PTY LTD | Yes | Yes | 72.6 | 1 |
| Tenderer B | Yes | Yes | 70.6 | 2 |
| Tenderer C | Yes | Yes | 60.6 | 3 |
| Tenderer D | Yes | Yes | 57.5 | 4 |
| Tenderer E | Yes | Yes | 56.2 | 5 |
| Tenderer F | Yes | Yes | 50.8 | 6 |

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

**Community Consultation and Engagement**

In accordance with the *Local Government Act 2020*, consideration was given as to whether there were any opportunities to collaborate with other councils and public bodies or to use any existing collaborative procurement arrangements. The outcome was as follows:

* Collaborative tendering was not undertaken in relation to this procurement because it is not listed in the Northern Councils Alliance consolidated contract register and this contract relates to a State Government grant funded project.

Community consultation and engagement was not required in relation to the subject matter of this report as it relates to commercial arrangements and contractual obligations that are confidential.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**Connected communities**  
We work to foster and inclusive, healthy, safe, and welcoming community where all ways of life are celebrated and supported

Redevelopment of the existing synthetic soccer pitch and sportsground lighting will enable safe community and competition level soccer within the Epping and Epping North precincts of the municipality.

**Considerations**

**Environmental**

Considerations have been made to salvage synthetic surface and extracted sand/rubber crumb to local sporting/community organisations and equestrian centres. Remaining material may be further reused by a wider network of organisations including farmers, golf courses and other recreation facilities requiring synthetic surfacing.

The synthetic turf is made from 100% Australian made yarn manufactured in Victoria and is rigorously tested to withstand the harsh Australian UV index and climatic conditions.

The entire 25mm thick shock pad underlay of the new synthetic surface will be sourced from Australian end-of-life truck tyre rubber granules (SRB) from 100% post-consumer recycled material, saving tyres from entering landfill.

**Social, Cultural and Health**

The award of this contract will provide a compliant, accessible, and safe synthetic soccer pitch and lighting infrastructure that maximises participation opportunities for tenant soccer club and community groups, thus encouraging and improving community connection. It will reflect Council’s commitment to universal access, environmental sustainability, gender equity principles and practices and the provision of facilities that provide inclusive and healthy environments for all users.

**Financial Implications**

Sufficient funding for this contract is available in the budget for Harvest Home Road Synthetic Soccer Pitch Replacement (CW-10887) along with a $500,000 State Government Grant from the World Game Facilities Fund 2022.

**Link to Strategic Risk**

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

The existing synthetic pitch was design to have a performance life of 10 years with the ability to reach 12 years with regular maintenance and repair. The synthetic soccer pitch is now 14 years old and has surpassed its useful asset life and is no longer fit for purpose as a competition sport field for soccer. The performance of the pitch no longer meets the Soccer World Governing Body‐ the International Federation of Association Football (FIFA) Quality Label, which is the standard for club and community pitches.

The redevelopment of the existing synthetic soccer facility and sportsground lighting at the Harvest Home Recreation Reserve, Epping will not only provide greater usage to the tenant club but will also increase the availability for surrounding residents and broader community to undertake both passive and formalised recreation.

**Implementation Strategy**

**Communication**

The decision to award this contract will be communicated via the standard process for Council Meeting outcomes. In addition, given this is a project of high interest among Whittlesea’s sporting community, there will be communication prior and during the construction works via Council’s communication channels.

**Declaration of Conflict of Interest**

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

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

**Conclusion**

The tender from Polytan Asia Pacific PTY LTD was determined to be best value and it is considered that this company can perform the contract to the required standards.

5.5.4 Community Grants Framework

**5.5.4 Community Grants Framework**

**Responsible Officer** Director Customer & Corporate Services

**Author** Grants Coordinator

**In Attendance** Manager EPMO & Change  
 Grants Coordinator

**Attachments**

1. CO W 346 Co W Community Grants Guidelines 2023-2024-v 2-singles [**5.5.4.1** - 20 pages]

**Purpose**

It is proposed that the new draft Community Grants Guidelines (attachment A) are released for community consultation. The draft guidelines are prepared in accordance with the requirements of the *Local Government Act 2020.*

**Brief Overview**

Following a review of Council’s Community Grant program, we are proposing new Community Grant Guidelines to make it easier for Council to partner with and support local communities to deliver important programs and events. The new guidelines will ensure grants are distributed in an equitable way across the community and are easier for groups and individuals to access.

The proposed guidelines will open up funding opportunities to a wider range of community groups and localities with funding to be available all year round rather than via programs with specific dates for applications. The key highlights of the new program are:

* the introduction of all year-round grants with approval rounds being conducted on a monthly or quarterly basis;
* the introduction of grant categories that will open up funding opportunities to individuals and unincorporated groups;
* the introduction of emergency grants to support community organisations and businesses requiring immediate assistance;
* a centralised and holistic process for receiving and assessing community grant applications which will ensure we can collect data and can develop outreach/ awareness programs where necessary to ensure funding is shared among a wider range of groups and individuals in the City of Whittlesea;
* to ensure funding is fair and equitable, all applicants will need to meet the following eligibility criteria:
  + are located in the City of Whittlesea;
  + deliver an event or project in the City of Whittlesea;
  + have no outstanding debts to Council;
  + have acquitted all previous Council grants;
  + proposed projects or events align to Council 2040 vision;
* honouring and continuing existing agreements and partnerships with groups who are delivering community services; and
* a proposed increase as per the 2023-2024 draft budget from $2.03m to $2.69m.

The new guidelines have been informed by feedback we have received in recent years and through examination of best practice across the local government sector and beyond.

We are now proposing to release the draft guidelines for community feedback to ensure they meet community expectations.

**Recommendation**

**THAT Council authorise the Chief Executive Officer to release the new draft Grant guidelines (attachment A) for community consultation.**

**Key Information**

We are proposing a fit-for-purpose Community Grants framework to ensure Council can effectively support community to deliver important programs, activities and events.

The new model for community grants has been designed to broaden the scope of opportunity for community to receive funding, by introducing grants available year-round. The following grant types and sub-types are proposed:

* 1. ***All Year Grants***
     1. Individual
     2. Small, Medium and Large
     3. Emergency Grants

All year grants will include:

* + Programs - Council-led initiatives inviting applications from the community for a specific grant;
  + Projects – community-led initiatives which are eligible for grants all year round as specified in the guidelines; and
  + Events or Festivals.
  1. ***Annual / Multi-Year Grants***  
     To honour all existing grants with current multi-year options, this grant category provides the existing and future pathway for annual/ multi-year grants. The current groups supported in this grant type are as follows:
     1. Seniors Groups;
     2. Community Based Emergency Services; and
     3. Major Community Events.
  2. ***Service Agreements***  
     To ensure the continuing support of essential community services with specific deliverables linked to ongoing funding, the following are funded under this category;
     1. Whittlesea Community Connections;
     2. Hume Whittlesea Local Learning and Employment Network - Youth Employment and transition pathways.
     3. Whittlesea Courthouse;
     4. Neighbourhood Houses;
     5. Creeds Farm Living and Learning Centre;
     6. Lalor Living and Learning Neighbourhood House;
     7. Mernda Community House;
     8. Mill Park Community House;
     9. Thomastown Neighbourhood House; and
     10. Whittlesea Community House.

**Community Groups**   
To ensure equitable distribution of grants across our diverse community, we will ask groups to identify if their project or program supports specific cohorts including:

1. Aboriginal and Torres Strait Islander Peoples;
2. Culturally and Linguistically Diverse;
3. LGBTIQA+;
4. People with disability;
5. Geographical locations;
6. Seniors;
7. Youth; and
8. Other.

Categorisation by community groups enables the Council to analyse where grant funding has been provided and which groups may need further support to access the grants via outreach services or assistance. Collecting this important data enables us to identify any gaps and run grant awareness programs specific to community needs to provide support where required most; diversifying funding to assist a wider range of community groups.

**Themes**

Applicant will be required to categorise their event or program with the following themes:

**Arts & Culture**

* 1. Sport & Recreation.
  2. Community Leadership.
  3. Sustainable Environment.

**Outcomes aligned to Whittlesea 2040**  
Applicants will be required to demonstrate how their proposed project or event aligns with the Whittlesea 2040 goals and delivers community benefit.

**Community Consultation and Engagement**

In order to ensure that the new grant framework aligns with community expectation, we are proposing to release the framework for community consultation from 17 May 2023 to 13 June 2023. Community feedback will inform the final framework, as appropriate, before it is presented to Council for final endorsement at the 28 June 2023 meeting.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**Connected communities**We work to foster and inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported.

**Liveable neighbourhoods**Our City is well-planned and beautiful, and our neighbourhoods and town centres are convenient and vibrant places to live, work and play.

**Strong local economy**Our City is a smart choice for innovation, business growth and industry as well as supporting local businesses to be successful, enabling opportunities for local work and education.

**Sustainable environment**We prioritise our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green space and address climate change.

**Considerations**

**Environmental**

The new community grants program allows individuals and groups to identify key environmental projects or events they would like to receive a grant for.

**Social, Cultural and Health**

The focussed themes identified in this report will allow Council analysis of the population groups they are supporting.

For the individual grants, the community program guidelines prioritise individuals according to financial hardship.

As noted above, the new framework broadens community participation in line with our diverse population.

**Economic**

The new community grants program includes options for businesses to apply with the provision that it is mandatory they match funding with a 1:1 ratio.

**Financial Implications**

The Draft Budget 2023-24 proposes a significant increase in spending in the Community Grant program. These new guidelines will support the delivery of a new more equitable and accessible grants program.

**Link to Strategic Risk**

**Strategic Risk** *Emergency Management -* Failure to manage and respond to emergency events which may be detrimental to community health and wellbeing.

**Strategic Risk** *Fraud and Corruption -* Failure to prevent and/or detect fraudulent activity and corruption which may result in serious financial or reputational damage.

**Strategic Risk** *Governance* - Ineffective governance of Council’s operations and activities resulting in either a legislative or policy breach.

**Strategic Risk** *Compliance Management* (currently under development).

A risk review has been conducted with the following risk identified:

“*Listing community groups may indirectly exclude other community groups not specifically listed. To mitigate this, an “other” category has been created.*”

**Implementation Strategy**

**Communication**

It is proposed that the new guidelines be open for community feedback between 17 May and 13 June. A change plan with community awareness and training workshops will be developed in parallel to the consultation to ensure Council provides adequate assistance to the community as the new model is implemented.

**Critical Dates**

* 2 May 2023 - Council Briefing.
* 16 May 2023 - Council Meeting.
* 17 May 2023 to 13 June 2023 – Community Consultation.
* 28 June 2023 - Council Meeting adoption.

**Declaration of Conflict of Interest**

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

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

**Conclusion**

The new draft Community Grant program and guidelines will make applying for grants simpler and easier for the community to understand while also opening up funding opportunities to a wider range of community groups and localities with funding to be available all year round.

5.5.5 Quarterly Corporate Performance Report - Q3 ended 31 March 2023

**5.5.5 Quarterly Corporate Performance Report - Q3 ended 31 March 2023**

**Responsible Officer** Director Customer & Corporate Services

**Author** Acting Unit Manager Financial Development

**In Attendance** Acting Chief Financial Officer  
Coordinator Capital Programming & Reporting

**Attachments**

1. Corporate Performance Report [**5.5.5.1** - 23 pages]
2. 2021-2025 Performance Snapshot Q 3 2022-2023 ( FINAL) [**5.5.5.2** - 1 page]
3. Capital Grant Status Update Report - March 2023 [**5.5.5.3** - 2 pages]
4. Reserves March 2023 [**5.5.5.4** - 2 pages]

**Purpose**

To inform Council of the Quarterly Corporate Performance Report for the period ended 31

March 2023 (Attachment 1) including financial, capital work, good governance and Community Plan Action Plan action status.

**Recommendation**

**THAT Council:**

**1. Notes the Quarterly Corporate Performance Report for March 2023 (Attachments 1 - 3).**

**2. Notes the financial performance for the period ended 31 March 2023.**

**3.** **Approves the establishment of a new reserve ‘Resilience and Emergency Management’ to ensure Council has funds to rapidly respond to incidents and emergency situations that may arise in our community.**

**Brief Overview**

**Community Plan Action Plan**

107 of the 125 key actions included in the Community Plan Action Plan for delivery in the 2022-2023 financial year are reported on track. It is proposed to defer the key action to “Make it easier for our community to apply for local law permits online such as roadside and footpath trading” for this year, to reflect the reassessed priority level of this action following further investigation.

**Good Governance**

To support good governance in addition to conducting regular Council Meetings, Council welcomed Christian Zahra AM as Council’s third Administrator at the beginning of March and also appointed an Independent Chair of the CEO Employment Matters Advisory Committee for a tenure of four years.

The Audit and Risk Committee considered a number of matters including Council’s financial, capital works and Community Plan Action Plan performance, risk management, fraud prevention systems and controls, and compliance with the overarching governance principles. Council endorsed the updated Audit and Risk Committee Charter, and the Committee’s Independent Chair provided Council with the six-monthly report from the Committee.

All Administrators, Audit and Risk Committee members and senior staff completed Personal Interest Returns.

**Capital Works**

* Council adopted the 2022-2023 Capital Works Program on 27 June 2022 with a budget of $51.67 million. Capital Works Annual Budget also includes 2021-2022 carry forwards of $23.87 million providing total budget amount of $75.54 million.
* Year to date Capital Works actual expenditure is $36.34 million against year to date Annual Budget of $36.77 million, which is $0.43 million behind budget.

The table below includes a summary of the Capital Works program.



**Financial Performance**

For the nine months ended 31 March 2023, Council recorded an operating surplus of $103.13 million, which is ($33.18 million) unfavourable to the year to date budget.



This surplus as reported includes all revenue recognised in the financial period, including gifted assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the operating surplus is not a cash surplus; therefore, it does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment.

**Key Information**

**Introduction**

The Quarterly Performance Report for the period 31 March 2023 has been prepared in accordance with the regulation of the *Local Government Act 2020*. This report is designed to identify major variances against the March year to date budget. The year to date and Annual Budget referred to in this report reflects the budget approved by Council on 27 June 2022.

The attached report (Attachment 1) includes a comprehensive summary of:

* Community Plan Action Plan 2022-2023 to 31 March 2023;
* Good Governance actions to 31 March 2023;
* 2022-2023 Capital Works Program to 31 March 2023; and
* Council’s financial performance to 31 March 2023.

To comply with the Act, the report includes the following comparisons for the nine months ended 31 March 2023:

* actual and budgeted operating revenues and expenses;
* actual and budgeted capital revenues and expenses;
* actual movements in the balance sheet; and
* actual movements in the cash flow statement.

**Community Plan Performance**

The Community Plan 2021-2025 includes 61 key initiatives. 125 related key actions are

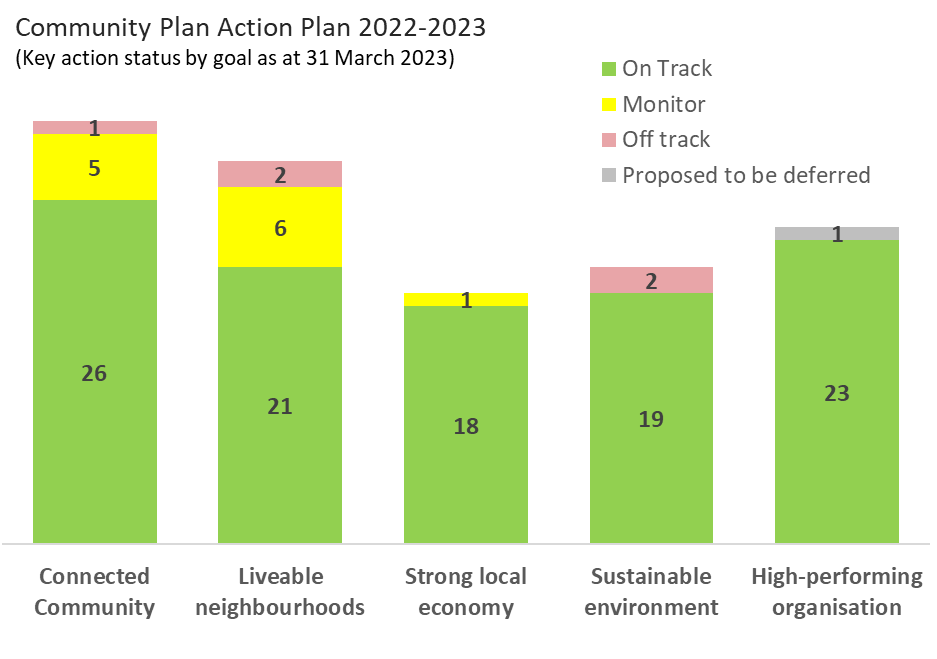
included in the Community Plan Action Plan for delivery in the 2022-2023 financial year.

Of the 125 key actions included in the Community Plan Action Plan 2022-2023:

* 107 actions are reported “On Track”;
* Twelve actions are reported “Monitor”;
* Five actions are reported “Off Track” (delayed); and
* One action is proposed to be deferred for this year.

Items reported as “off track" are expected to be completed, however likely to be after 30 June 2023 due to delays encountered in the projects. This is consistent with previous years as at the same time last year there were four Community Plan Action Plan actions off track and one on hold.

The key actions currently reported “Off Track”, “Monitor” or “Proposed to be deferred” are listed below:



|  |  |
| --- | --- |
| **Key actions** | **Status Q3 2022-2023** |
| **Goal 1: Connected community** | |
| Complete the upgrade of the pavilion at HR Uren Reserve in Thomastown | Off Track |
| Comment: We have encountered very poor soil conditions impacting the in-ground works, which require the building slab to be redesigned. On site works are expected to recommence shortly with completion anticipated towards the end of 2023. | |
| Construct a basketball court, shelter and social gathering spaces and upgrade paths at the western end of Norris Bank Reserve | Monitor |
| Comment: Construction of the landscape improvements is scheduled to commence in April 2023 and be completed in late 2023. | |
| Pilot Community Programs to inform the Aboriginal Gathering Place | Monitor |
| Comment: To inform the future programming of the Aboriginal Gathering Place, Council is developing a number of activities such as social groups, cultural connection, men's, women's and youth groups. | |
| Commence developing the new Whittlesea Reconciliation Action Plan | Monitor |
| Comment: We have evaluated the 2017-2020 Reconciliation Action Plan (RAP) and are consulting with internal stakeholders. There has been one round of targeted external stakeholder community engagement. Based on internal and external stakeholder feedback, we are continuing the RAP development and will conduct a further round of external consultation with a broader engagement lens on the draft RAP. | |
| Review the Maternal Child Health service to improve cultural safety for our Aboriginal community | Monitor |
| Comment: We have appointed a consultant and will complete a draft report by 30 June 2023. | |
| Deliver the Youth Mental Health and Wellbeing - Mental Health First Aid for Teens and Safe Minds jointly with the Department of Education | Monitor |
| Comment: The Youth Development Team have provided information material to all secondary schools and continue to work with local secondary schools to implement the program. Mill Park Secondary School has confirmed to deliver the program. Schools consider the program very valuable but are experiencing capacity issues with staffing and curriculum scheduling. | |
| **Goal 2: Liveable neighbourhoods** | |
| Renew playgrounds and general landscape improvements | Monitor |
| Comment: Playground renewals and landscape improvements are progressing to schedule at Tasman Park, Holroyd Park, Porsche Park, Allan Avenue, Holt Park, Hurlstone Park, Healey Park and Laurimar Drainage Reserve. Due to the higher than expected cost the renewal of three playgrounds (Freeman Crescent Park Mill Park, Centenary Park Mill Park & Ashbrook Park Bundoora) will be delivered as part of the 2023-2024 program. | |
| Upgrade the dog off leash park at Delacombe Park in South Morang | Monitor |
| Comment: Design plan of dog park is approved and issued for a public tender. A contractor will be appointed in April, and construction works will start shortly after. | |
| Construct the pedestrian bridge at Huskisson Reserve in Lalor | Monitor |
| Comment: We have submitted a concept design to Melbourne Water to seek approval of the bridge over the Merri Creek. | |
| Start construction of Granite Hills Major Community Park | Monitor |
| Comment: We have awarded a contract for the bulk earthworks and preliminary works for the proposed new park and playground. Works are scheduled to commence following the cultural heritage site induction. | |
| Commence Quarry Hills Regional Park trail network construction | Off Track |
| Comment: We completed the design of the trails and rest stops. We have reviewed the project scoping due to increased cost estimates and will call for tenders shortly. | |
| Commence upgrading the intersection at Findon Road and Williamsons Road | Off Track |
| Comment: We are finalising the detailed design for the upgraded intersection. The plans are subject to approval by the Department of Transport. We expect to call for tenders in May 2023, subject to approval to proceed to construction. | |
| Upgrade school crossings, speed zones and paths as part of the Safe Routes to Schools program | Monitor |
| Comment: Construction of a permanent school crossing near St Clare's Primary School at Harbard Street will commence in June 2023 during school holidays. | |
| Improve disability access to public transport including providing appropriate shelter and seating | Monitor |
| We have awarded the contracts for the bus stop hard stand construction on Dalton Road, Lalor and Plenty Road, Whittlesea. The construction works will start in late April 2023, depending on Department of Transport traffic management approval. | |
| **Goal 3: Strong local economy** | |
| Plan for increased kindergarten demand to support our growing population | Monitor |
| Comment: We have completed the first tranche (Infrastructure projects) of the building blocks schedule to secure funding for two Kindergartens. Tranche two is currently in negotiations for a further six projects. | |
| **Goal 4: Sustainable environment** | |
| Work with Traditional Owners to obtain Aboriginal cultural heritage permits for land management works in conservation reserves | Off Track |
| Comment: The initial trial to obtain a single works permit has taken longer than anticipated and the project is now unlikely to be fully delivered as anticipated within the 2022-2023 financial year.  Council continues to work proactively and constructively with Wurundjeri to improve the process of obtaining cultural heritage permits in a way that acknowledges the needs of all parties. | |
| Refurbish Janefield Wetlands Boardwalk in Bundoora | Off Track |
| Comment: We are progressing the site investigations for the boardwalk will prepare a design for the upgrade works. Construction works are now expected for the 2023-2024 financial year. | |

|  |  |
| --- | --- |
| **Goal 5: High-performing organisation** | |
| Make it easier for our community to apply for local law permits online such as roadside and footpath trading | Proposed to be deferred |
| Comment: After further investigation, Council found the implementation options less favourable from a customer experience and cost/benefit perspective and has therefore reassessed this action's priority. | |

**Good Governance**

Council is committed to good governance and undertakes actions for continuous improvement throughout the year. Governance processes are designed to ensure accountability, transparency, responsiveness, lawfulness, equality and inclusiveness. Key achievements this quarter to improving our governance included:

* Administrator Christian Zahra AM was appointed as Council’s third Administrator effective 2 March 2023.
* Council Meetings were undertaken monthly (excluding January) to facilitate Council decision-making, with the February meeting conducted at the Whittlesea Community Centre.
* The Audit and Risk Committee, which consists of two Administrators and four independent members met on 16 February 2023 and considered a number of matters including Council’s financial, capital works and Community Plan Action Plan performance, risk management, fraud prevention systems and controls, and compliance with the overarching governance principles.
* Council endorsed the updated Audit and Risk Committee Charter to further embed good governance and align to the *Local Government Act 2020*.
* The Audit and Risk Committee Independent Chair provided Council with the six-monthly report from the Committee.
* Council appointed Christine Mileham as the Independent Chair of the CEO Employment Matters Advisory Committee for a tenure of four years.
* Personal Interest Returns were completed by all Administrators, Audit and Risk Committee members and senior staff.
* Council endorsed a number of motions to be submitted to the Municipal Association of Victoria and National Assembly to support advocacy for key community issues.

**Capital Program**

Council adopted the 2022-2023 Capital Works Program on 27 June 2022 with a budget of $51.67 million. Capital Works Annual Budget also includes 2021-22 carry forwards of $23.87 million providing total budget amount of $75.54 million.

The financial expenditure performance of the Capital Works Program to 31 March 2023 is detailed below:



As at 31 March 2023, capital expenditure of $36.34 million was $0.43 million behind budget. Further detail on the progress of individual projects is reported in the Project Progress Report (Attachment 2).

The forecast estimates an expenditure of $63.55 million against the Annual Budget of $75.54 million, which is $11.99 million less than the Annual Budget with anticipated projects to be carried forward to 2023-24 of $16.63 million.

**Infrastructure Grants**

A summary of recent infrastructure grants outcomes is included in the Grants Status Report (Attachment 3). A total of $9.45 million in applications have been successful to date this financial year. Applications to the value of $9.7 million are awaiting outcomes/ announcements.

**COVID-19 Impact and Carry forwards**

The COVID-19 pandemic impacted the delivery of many projects within the 2021-2022 capital works program. Due to disruptions to planning, tendering and construction activities throughout the year $23.87 million has been carried forward to the 2022-2023 financial year to enable completion of these works.

An assessment has been undertaken on the 2022-2023 project progress which identified a likely end of year carry forward of $16.63 million. This will continue to be monitored in the lead up to the end of financial end.

**Financial Performance**

The Financial Performance Report for the period ended 31 March 2023 includes the following financial statements included in the Corporate Performance Report (Attachment 1):

* Comprehensive Income Statement;
* Balance Sheet;
* Statement of Cash Flows;
* Statement of Capital Works; and
* Summary of Reserves.



For the nine months ended 31 March 2023, Council recorded an operating surplus of $103.13 million, which is ($33.18 million) unfavourable to the year to date budget.

This surplus as reported includes all revenue recognised in the financial period, including gifted subdivisional assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the operating surplus is not a cash surplus; therefore, it does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment.

The operating result is a key figure to assess Council’s financial performance. Although Council is a not-for-profit organisation, it should still generate a surplus to ensure future financial sustainability.

**Reserves**

Council recommends establishing a new reserve ‘Resilience and Emergency Management’ to assist with funding any future Emergency Management related activities. This reserve would be financed by the excess funding or grants that are received through emergency activations and associated activities such as Council Rapid Antigen Test Program, COVID-19 Relief and Flood relief Murrindindi Shire Council disaster relief payment.

**Community Consultation and Engagement**

Reported information has been sourced and discussed with line management and project managers across the organisation. Consultation has also been undertaken with the Executive Leadership Team.

**Alignment to Community Plan, Policies or Strategies**

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**High performing organisation**We engage effectively with the community, to deliver efficient and effective services and initiatives, and to make decisions in the best interest of our community and deliver value to our community.

**Considerations**

**Environmental**

No implications.

**Social, Cultural and Health**

No implications.

**Economic**

No implications.

**Financial Implications**

All matters raised in this report, which have a financial implication, have been reflected in the Corporate Performance Report for the nine months ended 31 March 2023 (Attachment 1).

**Link to Strategic Risk**

**Strategic Risk** *Financial Sustainability -* Inability to meet current and future expenditure  
This report provides Council with an oversight of the City of Whittlesea’s key financial information and performance obligations to enable monitoring and to ensure City of Whittlesea’s financial position is sustainable.

**Strategic Risk** *Governance -* Ineffective governance of Council’s operations and activities resulting in either a legislative or policy breach

This report provides ELT with oversight of Council’s key corporate and financial information to enable regular monitoring and to ensure that Council’s financial position remains sustainable.

**Declaration of Conflict of Interest**

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

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

**Conclusion**

For the nine months ended 31 March 2023, Council’s operating surplus showed an unfavourable year to date variance of ($33.18 million) against the Adopted Budget. Council’s Capital Works program was $0.43 million behind budget. Of the 125 key actions in the Community Plan Action Plan 2022-2023, 107 actions are reported “On Track”.

**6 Notices of Motion**

Nil Notices of Motion

**7 Urgent Business**

Nil Urgent Business

**8 Reports from Council Representatives and CEO Update**

**9 Confidential Business**

**9.0.0 Close Meeting to the Public**

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**

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**

9.5.1 Findon Road Extension

**9.5.1 Findon Road Extension**

**Responsible Officer** Director Customer & Corporate Services

**Author** Unit Manager Strategic Property

**In Attendance** Unit Manager Strategic Property

This report has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains security information, being information that if released is likely to endanger the security of Council property or the safety of any person. In particular the report contains information regarding legal advice and commercial offers to be considered for negotiation purposes.

**10 Closure**