



Agenda

Scheduled Council Meeting

Tuesday 27 June 2023 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday 27 June 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 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

Sarah Renner Director Customer & Corporate Services

Debbie Wood Director Planning & Development

Amanda Dodd Acting Director Infrastructure & Environment

Amelia Ryan Acting Director Community Wellbeing

Janine Morgan Executive Manager Public Affairs

Sarah Rowe Interim Executive Manager Office of Council & CEO

Andrew Mason Acting Executive Manager Strategy & Insights

Order of Business

The Chief Executive Officer submits the following business:

[1 Opening 6](#_Toc138342806)

[1.1 Meeting Opening and Introductions 6](#_Toc138342807)

[1.2 Acknowledgement of Traditional Owners Statement 6](#_Toc138342808)

[1.3 Diversity and Good Governance Statement 6](#_Toc138342809)

[1.4 Attendance 6](#_Toc138342810)

[2 Declarations of Conflict of Interest 7](#_Toc138342811)

[3 Confirmation of Minutes of Previous Meeting/s 7](#_Toc138342812)

[4 Public Questions, Petitions and Joint Letters 8](#_Toc138342813)

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[5 Officers' Reports 9](#_Toc138342817)

[5.1 High Performing Organisation 9](#_Toc138342818)

[5.1.1 Administrator Update Report 9](#_Toc138342819)

[5.1.2 Budget 2023-2024 and Community Plan Action Plan 2023-2024 - Adoption and Declaration of Rates 15](#_Toc138342820)

[5.1.3 Proposed Draft Community Local Law 25](#_Toc138342821)

[5.1.4 Whittlesea Park Master Plan Endorsement 32](#_Toc138342822)

[5.1.5 Instrument of Appointment and Authorisation under the Planning and Environment Act 40](#_Toc138342823)

[5.2 Connected Communities 43](#_Toc138342824)

[5.2.1 Community Grants Framework 43](#_Toc138342825)

[5.2.2 Library Service Review Update 49](#_Toc138342826)

[5.2.3 Petition - Removal and Replacement of Nature Strip Trees, Incana Drive, Mill Park 52](#_Toc138342827)

[5.3 Liveable Neighborhoods 58](#_Toc138342828)

[5.3.1 Planning Scheme Amendment C249: Planning Scheme Review - For Decision - Seeking Authorisation 58](#_Toc138342829)

[5.3.2 Planning Scheme Amendment C271 Rezoning of Mernda Regional Recreation Reserve - Exhibition Outcomes 70](#_Toc138342830)

[5.3.3 Epping Central Structure Plan for Endorsement 78](#_Toc138342831)

[5.3.4 Lalor Development Plan Addendum 98](#_Toc138342832)

[5.3.5 Petition - 605 Dalton Road Epping Nature Strip 104](#_Toc138342833)

[5.4 Strong Local Economy 108](#_Toc138342834)

[5.5 Sustainable Environment 108](#_Toc138342835)

[5.5.1 Environmental Sustainability Strategy 2012 - 2022 Close Out 108](#_Toc138342836)

[6 Notices of Motion 123](#_Toc138342837)

[7 Urgent Business 123](#_Toc138342838)

[8 Reports from Council Representatives and CEO Update 123](#_Toc138342839)

[9 Confidential Business 123](#_Toc138342840)

[9.1 Confidential High Performing Organisation 123](#_Toc138342841)

[9.2 Confidential Liveable Neighbourhoods 123](#_Toc138342842)

[9.3 Confidential Strong Local Economy 123](#_Toc138342843)

[9.4 Confidential Sustainable Environment 123](#_Toc138342844)

[9.5 Confidential Connected Communities 123](#_Toc138342845)

[10 Closure 123](#_Toc138342846)

**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 members of the public to present the questions they have submitted to Council.

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 Corporate and Customer Services, Sarah Renner;

Director Planning and Development, Debbie Wood;

Acting Director Infrastructure and Environment, Amanda Dodd;

Acting Director Community Wellbeing, Amelia Ryan;

Executive Manager Public Affairs, Janine Morgan;

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

Acting Executive Manager Strategy and Insights, Andrew Mason.

**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, Lydia Wilson 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 16 May 2023; and**
* **Draft Budget & Community Plan Action Plan 2023-2024 Advisory Committee Meeting held on 30 May 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 High Performing Organisation**

5.1.1 Administrator Update Report

**5.1.1 Administrator Update Report**

**Responsible Officer** Chair of Council

**Author** Lydia Wilson, Chair of Council

**Attachments**

1. Attachment 1 - Administrator Report June 2023 [**5.1.1.1** - 13 pages]
2. Attachment 2 - W 2040 Progress Report 2023 [**5.1.1.2** - 12 pages]
3. Attachment 3 - Future Priorities 2023 [**5.1.1.3** - 1 page]
4. Attachment 4 - Local Government Compliance register 2023 [**5.1.1.4** - 2 pages]

**Purpose**

To provide an update on the work and achievements and future priorities of the Panel of Administrators from the date of commencement to date, to ensure good governance and an active representational role.

**Brief Overview**

Administrators set an ambitious program at the outset of their four-year term with the development of a comprehensive ***Administrator Action Plan 2020-2024*** to confirm actions and commitments to ensure continued good governance and the achievement of strategic priorities. The Action Plan outlined priorities in line with the Community Vision, Whittlesea 2040: *A Place for All.*

Administrators unfailing commitment to good governance and an active representational role has been a hallmark of their tenure to date, alongside improvements to customer service, financial management, community engagement, advocacy and a strategic approach to the creation and execution of key strategies and plans.

**Recommendation**

**THAT Council:**

1. **Note the Administrator Update report (Attachment 1), June 2023 and supporting attachments (1-3).**
2. **Provide a copy of the Administrator Update report and attachments, to the Hon. Melissa Horne, Minister for Local Government Victoria and all local Members of Parliament.**

**Key Information**

Council has worked cohesively to support the executive and staff to deliver a comprehensive program of service and governance improvements throughout their term and in response to the challenges of the pandemic.

In March 2021 Council adopted the ***Community Plan 2021-2025*** which incorporates Council’s Health & Wellbeing Plan and Disability Action Plan. The Community Plan was informed by extensive community consultation and includes 60 initiatives aligned to community priorities.

**Good Governance**

Administrators continue to support a culture of good governance at the Council with decision-making underpinned by rigorous due diligence.

Council has overseen full implementation of the *Local Government Act* 2020 in accordance with legislated time-frames – see **Attachment 4.**

**Responsible Financial Management**

Council is committed to strong and responsible financial management which strikes a balance between maximising support for our community in the present, while maintaining a sound financial position to ensure sustainability in the long-term.

**Customer Service**

Council has made a significant commitment to improve our customer service through investing in technology, systems and staff to make it easier for our community to interact with Council.

**Community Engagement**

Council is committed to ensuring our community has authentic opportunities to engage with us on local priorities to help shape the future of the City of Whittlesea

**Advocacy**

Council continues to strongly advocate on behalf of the City of Whittlesea to deliver critical infrastructure for our growing community, and build strategic relationships, meeting regularly with local members and having a representational role on many regional networks.

**Integrated Planning**

Council has endorsed a new Integrated Planning Framework (IPF) aligned to our community vision of *A Place for All and* Community Plan 2021-2025. The IPF synthesises over 100 strategies and plans into seven key strategic documents.

In line with the *Local Government Act,* Council has embedded an outcomes-focussed approach which is articulated through the strategies and Community Plan and publicly reported on a quarterly basis.

**Whittlesea 2040: Goals**

The City of Whittlesea vision of *A Place for All* has five goals which Council is striving to achieve to help us realise this shared community vision. They are: Connected Community, Liveable Neighbourhoods, Strong Local Economy Sustainable Environment and High-Performing Organisation.

**Attachment 2** details achievements under each of these goal areas. An overview of each goal is below:

Connected Community

Council continues to foster an inclusive, healthy, safe and welcoming community where all ways of life are celebrated and supported. Our community priorities are: Public safety, festivals, events, arts, culture heritage and markets, social connection: access and inclusion, sports facilities and infrastructure and community groups and community infrastructure,

Liveable Neighbourhood

Council will continue to ensure our City is well planned and that our neighbourhoods and town centres are convenient and vibrant places to live, work and play. Our community priorities are: new and upgraded parks and playgrounds, transport improvements, local shops, social and affordable housing, clean street and spaces, traffic management and road safety.

Strong Local Economy

Council will seek to make our City a smart choice for innovation, business growth and industry investment as well as supporting local businesses to be successful, enabling opportunities for local work and education. Our community priorities are: supporting local businesses, local employment, economic development, delivering libraries, schools and early years education, technology and innovation and creating employment pathways.

Sustainable Environment

Council prioritises our environment and take action to reduce waste, preserve local biodiversity, protect waterways and green spaces and address climate change. Our community priorities are: waste management, biodiversity, community education and awareness, maintaining and increasing the number of trees, sustainable energy and infrastructure, water quality and security and climate change action and awareness.

High Performing Organisation

Council engages effectively with the community, delivers efficient and effective services and initiatives, makes decision in the best interest of the community and delivers value to the community.

Our community priorities are: customer service and responsiveness, communication and engagement with our community, service quality and Council performance.

**Future Priorities**

Administrators are committed to leaving a legacy of good governance with a Council in a strong financial position to set the City of Whittlesea up for future success. Administrators have set out an ambitious program of work for the remainder of their term. These priorities are set out in **Attachment 3**. Administrators and executive meet regularly to review progress on these priority actions.

The delivery of the Community Leadership Program and a Return to Elected Officials Transition Plan aim to make the changeover back to elected officials in October 2024 as seamless and effective as possible.

The full completion of all the strategies under the integrated planning framework Is anticipated by early 2024.

**Community Consultation and Engagement**

Robust methodology underpins a comprehensive municipal-wide engagement program that seeks to ensure all the voices of our community are heard and considered in Council’s decision-making.

**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.

This report confirms Council’s engagement with community and key decision, priorities and actions taken in the best interest of the community.

**Considerations**

**Environmental**

Achievements mentioned support and encouraged a Sustainable Environment.

**Social, Cultural and Health**

The work undertaken confirms Councils intent to ensure the social, cultural and health of our community are supported through liveable neighbourhoods and connected community initiatives.

**Economic**

Initiatives carried out to date and others planned for, enhance a strong local economy.

**Financial Implications**

The cost is included in the current budget and funding sourced externally where appropriate.

**Link to Strategic Risk**

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

Transparency via regular reporting to the community plays a critical role in demonstrating good governance. This report is also in line with the recommendations made in the Municipal Monitor’s report tabled in Parliament on 17 March 2020.

**Implementation Strategy**

**Communication**

A copy of the Administrators report will be provided to the Hon. Melissa Horne, Minister for Local Government Victoria and all local Members of Parliament.

Administrators will continue to report to community on progress in Council’s Annual Report and regular quarterly performance reporting.

**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 past three years has been an exceptionally busy period for the Panel of Administrators working as Council to support our local community. As noted, an extensive number of achievements have been progressed and completed.

Administrators are committed to leaving a legacy of good governance with a Council in a strong financial position to set the City of Whittlesea up for future success.

5.1.2 Budget 2023-2024 and Community Plan Action Plan 2023-2024 - Adoption and Declaration of Rates

**5.1.2 Budget 2023-2024 and Community Plan Action Plan 2023-2024 - Adoption and Declaration of Rates**

**Responsible Officer** Director Customer & Corporate Services

**Author** Chief Financial Officer

**In Attendance** Chief Financial Officer

**Attachments**

1. Budget and Community Plan Action Plan 2023 2024 Submissions [**5.1.2.1** - 22 pages]
2. Budget 2023-24 [**5.1.2.2** - 114 pages]
3. Draft Community Plan Action Plan 2023-24 [**5.1.2.3** - 8 pages]
4. Draft 23 24 Budget and CPAP Engagement Summary R [**5.1.2.4** - 9 pages]

**Purpose**

The purpose of this report is for Council to consider the Budget 2023-2024 (the ‘Budget’, Attachment 1), and the Community Plan Action Plan 2023-2024 (the ‘Action Plan’, Attachment 2) which have been prepared in accordance with the requirements of the *Local Government Act 2020*.

The Budget and Action Plan have been developed to align to community priorities identified through consultation and Council’s key strategic directions. It is proposed that Council consider the inclusion of recommendations of the Budget and Action Plan Submissions Advisory Committee and Officers in determining the Budget 2023-2024 and the Community Plan Action Plan 2023-2024 for adoption.

**Brief Overview**

* This responsible Budget and Action Plan have been carefully designed to support the immediate needs of our community and ensure we are financially sustainable into the future.
* They have been crafted with consideration for the increasing financial pressures being felt as a result of inflation, consecutive interest rate rises and escalating costs of living with the objective of identifying opportunities for continuous improvement and operational savings.
* Both the Budget and the Action Plan have been designed to align to Council’s strategic directions and reflect community priorities identified through consultation undertaken in August-September 2022, December 2022 and March-April 2023.
* The Budget is $371.1 million, which includes an operating budget of $295.74 million and a capital works program of $75.36 million to provide essential infrastructure and improve roads and facilities around the city.
* Average rates in 2023-2024 will increase by 3.5 per cent, in line with the rate cap set by the Victorian Government under the Fair Go Rates System.
* For the first time, the Budget (Section 5) includes targets for service performance and financial indicators aligned to the Local Government Performance Reporting Framework.
* This Budget proposes Council continue to subsidise waste charges by 22.4% at a cost of $6.7 million, specifically the State Government Landfill Levy in recognition of the economic pressures on households and businesses.
* The Budget for Open Space Management is $18.39 million and includes six new dedicated resources to continue to manage and maintain Council’s parks and open space assets.
* This Budget includes a significant increase in funding for a comprehensive new community grants program including additional funding for Senior Citizen Clubs.
* The Action Plan includes 56 key priority actions in addition to our ongoing service delivery across Council’s five overarching goals of Connected Community, Strong Local Economy, Sustainable Environment, Liveable Neighbourhoods, and a High Performing Organisation which supports our Whittlesea 2040 vision of A Place for All.
* A Budget and Action Plan Advisory Committee (the Committee) comprising of Administrator Wilson (Chair), Administrator Duncan and Administrator Zahra held a meeting on Tuesday 30 May 2023 to enable community members to speak to their submissions.
* The Committee considered all written and oral submissions that were received, and the Committee’s recommendations have a zero net impact on the Budget;
* If the Committee and Officer recommendations are accepted, Council’s budgeted 2023-2024 operating surplus will be $128.13 million. Significant amounts of this surplus are restricted by legislation and must be used for future infrastructure investment.

**Recommendation**

**THAT Council:**

1. **Accept the recommendations of the Council Budget and Community Plan Action Plan Advisory Committee outlined in Attachment 1, following its hearing and consideration of public submissions on the Draft Budget 2023-2024 and Draft Community Plan Action Plan 2023-2024, noting that the Committee’s recommendations have a zero net impact on the Budget.**
2. **Notify all submitters that Council has considered their submissions relating to the Draft Budget 2023-2024 and Draft Community Plan Action Plan 2023-2024 and that the submitters be advised of the outcome of the consideration as it relates to their specific submission, and they be thanked for their contributions.**
3. **Accept officer recommendations of financial changes to decrease the operating surplus in the Budget 2023-2024 by $0.54 million mainly relating to a capped funding agreement between City of Whittlesea and Casa D’Abruzzo in line with Council resolution made on 21 March 2023.**
4. **Adopt the Budget 2023-2024 (Attachment 2), noting that the Budget 2023-2024 has been updated in accordance with recommendations 1 and 3.**
5. **Adopt the Community Plan Action Plan 2023-2024 (Attachment 3).**
6. **Declare that the amount which Council intends to raise by general rates is $179,609,303 and such further amount as lawfully levied as a consequence of this resolution.**
7. **Declare that the general rate be declared in respect of the 2023-2024 financial year.**
8. **Resolve on funding the Aboriginal Gathering Place while continuing to pursue external supportive funding for associated projects.**
9. **Authorises the Chief Executive Officer to give public notice of the decision to adopt the Budget and the Community Plan Action Plan.**
10. **Authorises the Chief Executive Officer to effect administrative and wording changes to the final Budget and Community Plan Action Plan documents that may be required.**

**Key Information**

This Budget has been carefully drafted to ensure it supports our community’s immediate needs while ensuring long-term financial sustainability.

Council will continue to deliver 147 services to our community including kerbside waste collection, home support services and maternal and child health. The Budget provides for this ongoing service delivery, the upgrade of our existing facilities and assets, ensures we maintain and protect our natural environment and open spaces, and deliver new infrastructure projects that will accommodate our rapidly growing diverse community.

In 2023-2024 Council will spend $371.1 million to deliver community services and invest in essential new infrastructure. This includes a $75.37 million capital works program.

**Background**

The Budget (Attachment 2) has been prepared on the principles of responsible financial management to ensure Council maintains long-term financial sustainability.

It has been designed with consideration of the very real impact increasing costs are having such as interest rate rises and inflation.

Over the 12 months to the December 2022 quarter inflation rose by 7.8%, and this has placed significant pressures on Council through contracts linked to Consumer Price Index (CPI) and escalating costs for the delivery of our capital works program related to materials and labour supply issues.

To ensure our financial sustainability, officers have proactively identified significant operational savings for items relating consultancy and temporary agency staff costs in the development of the budget.

Additionally, Council has scaled up support for those experiencing financial hardship. Assistance is provided in the form of payments of rates and charges (including deferrals, payment plans, and waivers of interest and collection costs). Other assistance is also provided in the form of food and material aid through our multiple community support agencies and partners.

The City of Whittlesea is also the first council in Australia to sign up for the Thriving Communities Partnership which is a cross-sector collaboration with the goal that everybody has fair access to the modern essential services they need to thrive in contemporary Australia: including utilities, financial services, telecommunications, and transport.

Council continues to subsidise State/Federal contracted services, such as Aged Care services, noting how critical these services are to some of the most vulnerable members of our community.

Council has significantly increased funding for community grants to foster community connection, wellbeing, vibrant events and provide tangible support for local volunteers. This includes an increase of 80% in grants for Senior Citizen Clubs, and the inclusion of the State Emergency Service organisation into our Emergency Services Grants.

The Budget invests in the resources needed to support critical service delivery for our growing population, whilst continuing to drive efficiencies. Population projections are for unprecedented growth, with the number of people calling the City of Whittlesea home expected to increase by 19.5% by 2030; more than 6,000 new residents each year.

The rate cap continues to have a significant ongoing impact on Council’s ability to keep pace with the service delivery and infrastructure requirements of our growing community. Through rigorous budgeting and identifying operational efficiencies Council can continue to deliver our critical services within an average rate increase of 3.5 per cent in line with the Victorian Government’s Fair Go Rates System.

Council is cognisant of cost pressures on individuals and businesses and despite higher inflation rates of 7.8% as at the December 2022 quarter, Council will not be seeking a variation to the rate cap for the 2023-2024 year and is proposing to increase the majority of non-statutory fees and charges by no more than 3.5 per cent.

**Waste Charges**

In 2018-19 the City of Whittlesea introduced the itemisation of waste charges on rates notices to provide transparency on the costs associated with this service provision. The cost of providing waste services continues to increase each year due to various factors including the Victorian Government’s Landfill Levy and the requirement to transition to a four-bin collection system in line with the Victorian Government’s, Recycling Victoria Strategy. The City of Whittlesea introduced kerbside glass collection in 2022 but waived all associated charges to help the community transition to the new service.

Historically, Council has subsidised the cost of the provision of kerbside waste collection services to rate payers in our municipality, including the increasing State Government’s Landfill Levy.

Given the current economic climate and increasing cost of living pressures being experienced by our community, Council proposes in 2023-2024 to continue to subsidise waste charges by 22.4% at a cost of $6.7 million.

Waste charges in 2023-2024 will increase by 20% or $30.55 per household which will mean a total charge of $183.30 for the average residential household, noting the inclusion of the fee for glass collection service this year, in line with the Victorian Government Circular Economy Plan. Council will continue to subsidise the State Government mandated Landfill Levy; instead of passing on the full charge of $86.30, Council will charge $11.85 for the average household. Waste charges provide for a weekly garbage collection, fortnightly recycling, and monthly glass bin collection for residential households. A food and garden waste bin is optional for eligible properties at an additional $105.15 per annum.

Waste charges for commercial properties will be $222.75 and a subsidised landfill levy of $16.50. This provides for a weekly garbage and fortnightly recycling kerbside collection.

The City of Whittlesea’s waste charges remain significantly less than other Victorian councils who are facing similar cost pressures. To continue to be financially responsible and to ensure we can continue to meet the growing demands of our community for infrastructure and services, the City of Whittlesea is aiming to move towards a zero-subsidy model by 2025-2026; subject to the easing of economic pressures on our community.

**Budget Highlights**

Key highlights from Council's Budget include:

* operating revenue of $279.2 million (excluding developer contributions, non-monetary assets and non-recurrent capital grants);
* operating expenditure of $295.74 million;
* Open the Mernda Town Centre Community Library and commence works on the Library Hub at Kirrip Community Centre in Wollert;
* increasing funding for community grants by $0.66 million or 33% to $2.69 million;
* launching a Whittlesea Services Hub in Whittlesea township to make it easier for residents in the northern part of the municipality to communicate and transact with Council;
* priority funding for footpath, tree maintenance and drainage repairs to respond to community needs;
* developing a one-stop-shop customer portal to make it easier for customers to interact with Council online;
* delivering a multi-faceted program to tackle illegal rubbish dumping and improve local amenity especially in new communities;
* finalising the renewed Epping Central Structure Plan to ensure the precinct continues to thrive as an employment, housing, retail, health, and education hub; and
* Council is undertaking a review of the Local Law to ensure it is consistent with other legislation and manages current and/or emerging issues. The focus of this review will be on improving clarity, accountability, accessibility, transparency, safety, and amenity.

**Capital Works**

Our Budget delivers a focused $75.37 million capital works program that reflects the ongoing challenges to the supply and availability of labour and materials and ensures project readiness to maximise our opportunities for grant funding in future years.

Highlights include:

* commencing the design and site preparation of the Regional Aquatic and Sport Centre;
* continuing the construction of Granite Hills Major Community Park;
* commencing construction of the Aboriginal Gathering Place;
* completing foundational infrastructure for development of the Quarry Hills precinct including drainage and trails;
* commencing construction of a community activity centre in Patterson Drive, Donnybrook;
* Continue to renew and upgrade Peter Hopper Lake in Mill Park;
* continuing construction of the Whittlesea Public Gardens in Lalor;
* completing the synthetic soccer pitch replacement at Harvest Home Road, Epping;
* providing connecting pathways through Whittlesea Park in Whittlesea township;
* local road restoration and resurfacing; and
* ongoing programs to upgrade playgrounds and landscaping.

**Local Government Performance Reporting Framework (LGPRF) – Target Indicators**

Under the *Local Government (Planning and Reporting) Regulations 2020*, Council is setting targets for nominated service performance and financial indicators for the first time. In setting the targets, Council considered guidance provided by the Department of Jobs, Skills, Industry and Regions (Local Government Victoria), local government benchmarks, Council’s historical performance, relevant emerging trends as well as operational improvements likely to have a beneficial impact on the performance.

**Community Plan Action Plan 2023-2024**

The Action Plan comprises 56 key actions for the year along with the 147 services already being delivered through Council’s strategic planning framework, including our Community Plan 2021-2025. The Action Plan covers all five goals under our Whittlesea 2040 vision of *A Place for All*; Connected Community, Liveable Neighbourhoods, Strong Local Economy, Sustainable Environment and High-Performing Organisation.

**Community Consultation and Engagement**

In 2021 the feedback of more than 1500 people and 26 community organisations helped shape our Community Plan 2021-2025. The Community Plan Action Plan 2023-2024 is the year three annual supplement of the Community Plan 2021-2025 and draws on this community feedback.

During August-September and December 2022, community members were invited to provide input on what they felt should be the focus for Council for the 2023-2024 financial year.

Our community told us their priorities were clean streets and spaces, local events, festivals, markets, sports and recreation facilities, local shops and businesses, safe/friendly neighbourhoods, cycling and walking paths, parks, open spaces, playgrounds, roads and road connections, community facilities, and accessing public transport. This has been reflected in the Budget and Action Plan.

The community was invited to provide their suggestions for inclusion, support or changes to the Draft Budget and the Draft Action Plan for a four-week community consultation period from Wednesday 29 March 2023 to Tuesday 25 April 2023, 5pm. We have initiated community conversation through digital and traditional media, and Local Scoop.

Respondents were also provided with the option to request to speak to their submission in person at the Budget and Action Plan Advisory Committee of Council Meeting.

**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.

The Budget is a key tool to plan and manage Council’s financial sustainability.

The Action Plan articulates the key actions Council prioritises for delivery in the

financial year 2023-2024; it serves the purpose of specifying the program of work with a view towards implementing the Community Plan 2021-2025 effectively.

**Considerations**

The Budget and the Action Plan incorporates priority actions identified across all the consideration areas discussed below, as well as many of Council’s strategies and plans. For example, the Action Plan includes actions from the Investment Attraction Plan, the Rethinking Waste Plan, and the Integrated Water Management Plan.

**Environmental**

The Budget and the Action Plan prioritises the City of Whittlesea’s key actions in the environmental space for the financial year 2023-2024, in line with the community vision articulated in ‘Whittlesea 2040 *A Place for All*’, and the Community Plan 2021-2025.

**Social, Cultural and Health**

The Budget and the Action Plan prioritises the City of Whittlesea’s key actions in the social, cultural and health space for the financial year 2023-2024.

**Economic**

The Budget and the Action Plan prioritises the City of Whittlesea’s key actions in the economic space for the financial year 2023-2024.

**Financial Implications**

In 2023-2024 Council will spend $371.1 million to deliver 147 community services and invest in essential infrastructure.

This includes a focused $75.36 million capital works program, with projects to build and upgrade community centres, sporting facilities, playgrounds, roads, bike paths and footpaths across our new and established areas.

**Link to Strategic Risk**

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

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

Under the *Local Government Act 2020*, Council is obliged to develop a Budget and a Council Plan in any given financial year. Failure to do so would result in legislative breach, ineffective governance, and potentially poorer outcomes for our community. The Budget is a key tool to manage Council's financial sustainability.

**Implementation Strategy**

**Communication**

The Budget and the Action Plan will go through a robust campaign across Council’s channels including digital, Local Scoop and in the information supplied with the rates notice. We will close the loop with those who have provided feedback throughout the consultation program and ensure the engagement summary is presented on Engage Whittlesea.

**Critical Dates**

* Community consultation to inform drafts was undertaken in August-September and December 2022.
* Council approved Draft Budget 2023-2024 and Draft Community Plan Action Plan 2023-2024 to be released for community consultation at Council Meeting on 21 March 2023.
* Consultation was from Wednesday 29 March 2023 to Tuesday 25 April 2023, 5pm.
* Advisory Committee met to consider community feedback and submissions on 30 May 2023.
* The Budget 2023-2024 and the Community Plan Action Plan 2023-2024 are scheduled for endorsement by Council at the Council Meeting held on Tuesday 27 June 2023 following consideration of community feedback and any submissions to Council.
* Under section 94 of the *Local Government Act* 2020, a “Council must prepare and adopt a budget for each financial year and the subsequent 3 financial years by (a) 30 June each year”, i.e., 30 June 2023 for the 2023-2024 financial year.

**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**

Council has carefully developed a responsible and financially sustainable budget that delivers operational savings and puts the City of Whittlesea in a strong financial position to continue to provide for the immediate and future needs of our rapidly growing community.

It is a budget that is sensitive to the impact increasing costs of living are having on our community.

This community-focused budget delivers on the ground funding boosts directly to where they can make an immediate impact such as grants and funding for senior citizen groups.

It seeks to lessen the burden on the family budget by continuing our subsidy of the State Government Landfill Levy and proposes to keep the majority of fees and charges aligned to the 3.5% rate cap.

It invests in the people needed to continue to deliver critical services for a growing municipality and maintains the focus on continuous improvement and driving efficiencies.

The Community Plan Action Plan includes 56 key actions across all five Council goals, as the key delivery priorities beyond Council’s valued community services for the financial year 2023-2024.

5.1.3 Proposed Draft Community Local Law

**5.1.3 Proposed Draft Community Local Law**

**Responsible Officer:** Director Planning & Development

**Author:** Coordinator Regulatory Programs

**In Attendance:** Acting Executive Manager Strategy & Insights

**Attachments:**

1. DRAFT - Community Local Law 2024 [**5.1.3.1** - 60 pages]
2. DRAFT - Community Impact Statement [**5.1.3.2** - 8 pages]
3. Local Law Review - Engagement Summary [**5.1.3.3** - 14 pages]

**Purpose**

The purpose of this report is to present the draft *Community Local Law* *2024* and draft *Community Impact Statement* for endorsement ahead of the stage 2 consultation period.

**Brief Overview**

Local laws cover a range of diverse topics. From unsightly land, fire safety, animals, roadside reserves and footpath trading to planting on nature strips and building sites.

Local laws are designed to enhance community safety, protect property and help make our neighbourhoods and living in the City of Whittlesea ‘*A Place For All’*. Council has a legislative obligation under the *Local Government Act 2020* to review our Local Law every 10 years to ensure it continues to meet the needs of the community and address any new or emerging issues.

The current Local Law is set to expire in December 2024. This means that it will no longer be valid or enforceable. As such, a new Local Law must be made and will be known as the *Community Local Law 2024*. This report outlines outcomes from Phase 1 Community Engagement to inform drafting of a new Community Local Law.

The draft Community Local Law will be presented to the Council Meeting on 27 June 2023 recommending commencement of community engagement on the draft Local Law. Following engagement on the draft Local Law, a final version of the Community Local Law 2024 and associated Transition Plan will be presented to the 14 November 2023 Council Briefing and 21 November 2023 Council Meeting.

**Recommendation**

**THAT Council:**

1. **Endorse the draft Community Local Law 2024 and Community Impact Statement for public consultation between the dates of 29 June – 13 August 2023.**
2. **Consider any submissions received, associated recommendations and final version of the Community Local Law 2024 and Transition Plan at the 21 November 2023 Council meeting.**

**Key Information**

Following an extensive review and development process, the *draft Community Local Law 2024* (**Attachment** **1**) has been prepared.

The review identified a number of regulatory improvements and the benefit of re-writing a new Local Law. The outcome of the review informed the development of the proposed Community Local Law which seeks to provide a clear and concise direction of Council officers, residents and the wider community.

**Draft Community Local Law**

The draft Community Local Law is a comprehensive document designed to provide the community and Council officers with greater clarity and certainty as to interpretation and application. It is a new framework which incorporates some existing provisions of the *General Municipal Law 2014* which have been refined and modified whilst a number of new provisions have been introduced.

The development of the draft Community Local Law has focussed on amending existing provisions of the *General Municipal Law 2014* where there have been issues experienced in the past and also developing new Local Laws to address emerging and future issues expected to be experienced within the municipality.

The main changes incorporated into the proposed law are:

* **Formatting and language** – Reordering and grouping of sections of the Local Law including the use of introductions for each section of the Local Law and simplification of the language used.
* **Property** – Provisions have been included which aim to ensure the safety and attractiveness and maintenance of the municipality, in particular waste collection, unsightly and nature strip provisions.
* **Fire Safety** – Provisions have been added to set the requirements for fire prevention and other activities that may affect the environment including fire hazards, open-air burning and the recreational use of firepits.
* **Animals** – Provisions have been included to provide for the reasonable care, ownership and management of animals with a balanced approach taken towards dog controls in public places and regulating the number and types of animals allowed by a person.
* **Vehicles and Roads** – Provisions have been added which aim to enhance the appearance of streets and public places by controlling activities involving vehicles and in particular the introduction of owner onus and behaviour involving vehicle provisions.
* **Building Management** – Provisions have been included to increase the control of activities around building sites to address issues of noise, waste and other disturbances caused by building works.
* **Behaviour in public places and on Council land** – Provisions have been added to the proposed Community Local Law that a homeless person or someone with complex needs cannot be prosecuted under this clause.
* **Penalty units** – The penalty units within the proposed Local Law have been updated to reflect the level of breach, with offences committed by corporations being higher. This is reflected in Schedule 1 of the draft Community Local Law.

The Local Law review and drafting process was undertaken in line with the *Local Government Act 2020*, and the *Guidelines for Local Laws – Manual and Resource Book*, published by the Victorian Government.

**Nature Strip Garden Guidelines**

The *Nature Strip Garden Guidelines* is an incorporated document of the draft Community Local Law. These guidelines are going out for separate public consultation process.

The *Nature Strip Garden Guidelines* will take effect on 1 September 2023 under the current *General Municipal Law 2014*.

A copy of the final draft *Nature Strip Garden Guidelines* will be presented to Council in the 21 November 2023 Council meeting so that it can be included for endorsement and made an incorporated document as part of the Community Local Law 2024.

**Governance Rules**

The *Governance Rules 2022* is an incorporated document of the draft *Community Local Law 2024*. It is noted that the *Governance Rules 2022* will be tabled in their current form for the purposes of inclusion as an incorporated document in the draft *Community Local Law 2024*.

A copy of the final *Governance Rule*s will be presented to Council in the 21 November 2023 Council meeting so that it can be included for endorsement and made an incorporated document as part of the *Community Local Law 2024*.

The *Community Local Law 2024* will repeal the current *Common Seal and Conduct at Meetings Local Law No.1 of 2020*.

**Community Impact Statement**

The *Community Impact Statement* (**Attachment 2**) is a document prepared as best practice to provide a summary of the Local Law Review process to the community. This document will be published on Council’s Engage Page in addition to the draft Community Local Law.

**Community Consultation and Engagement**

In late 2022, Council commenced a review of the entire Local Law. Internal stakeholder consultation with Council staff and background research was conducted in December 2022.

Throughout January to March 2023, the community provided feedback on what matters in regard to safety and local amenity, and how important it is for Council to monitor those activities. This feedback has helped us to review the current *General Municipal Law 2014* and to prepare and develop a new draft *Community Local Law 2024*. The local laws of neighbouring Councils were also considered.

A Community Engagement Report (**Attachment 3**) was prepared from this engagement period. The report highlighted:

* Results from both the community pop ups and digital survey.
* Community feedback as to what community safety and amenity issues were important to our community.
* Internal discussions as to how the proposed Local Law could meaningfully address municipal changes, regulatory concerns and emerging issues.
* Input from several local and partner agencies including Victoria Police and Council’s Local Law Review Project Working group.

**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.

* *The Community Local Law in the City of Whittlesea works to ensure equitable, orderly and enjoyable use of community facilities by all.*

**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.

* *The safety of public places in the City of Whittlesea is greatly enhanced by the Community Local Law.*

**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.

* *Whittlesea’s Community Local Law helps to regulate activities in economic centres, including activities on roads and footpaths, signage, shopping trolleys, donation bins and antisocial behaviour such as drinking and smoking in public places.*

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

* *In the City of Whittlesea, the Community Local Law helps Council regulate some pests, noxious weeds, pets and waste management*.

**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.

* *The Community Local Law is a document that is written in clear and simple language and is delivered to be in the best interest for our community.*

**Considerations**

**Environmental**

The Community Local Law will address new and emerging issues and have consideration to the protection of heritage and environment where applicable.

**Social, Cultural and Health**

The Community Local Law will aim to help individuals and businesses be aware of their compliance responsibilities and support them to meet their obligations through providing information, education and awareness.

**Economic**

No Implications.

**Financial Implications**

The cost is included in the current budget.

Environmental, social, economic and human rights implications are also set out in the draft Community Impact Statement. The implementation of the proposed Community Local Law aims to assist in achieving the strategic objectives from the Council Plan.

**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.

The Community Local Law will ensure community engagement is place-based and that the community is given opportunity to engage in an active, timely and flexible way (e.g., surveys, face-to-face drop-in sessions, letter, mail etc.)

**Implementation Strategy**

**Communication**

The proposed consultation on the draft Local Lawwill run from 29 June 2023 to 13 August 2023.

During this time, members of the community will be able to review the draft *Community Local Law 2024* and the *Community Impact Statement*, complete a short online survey, make a submission or register to attend a public information session via the *Community Local Law and Safer Communities Roadshow 2023*.

Five public information sessions will form the *Community Local Law and Safer Communities Roadshow 2023* during the consultation period, at the following venues and times:

* Thursday 6 July 2023 – Brookwood Community Centre (6 – 8pm)
* Sunday 9 July 2023 – Galada Community Activity Centre (2 – 4pm)
* Wednesday 12 July 2023 – Civic Centre, Great Hall (1 – 3pm)
* Thursday 13 June 2023 – Whittlesea Community Centre – (6 – 8pm)
* Sunday 16 July 2023 – Barry Road Community Centre – (10am – 12pm)

Hard copies of all information and submission forms will be available at Council’s Customer Service Centre, libraries, community centres and can be mailed or email upon request. Members of the community can also visit Council’s Engage Page to access online information and complete a short survey and provide feedback on the draft Community Local Law.

Submissions on the proposed Community Local Law will also be sought from Council’s Advisory Groups, neighbouring Councils, key external stakeholders and government bodies such as Victoria Police and Metropolitan Fire Brigade.

Following the consultation period, submissions and feedback received will be reviewed and if appropriate, incorporated into a final draft. The final draft will be presented to Council on 21 November 2023 for formal adoption.

A *Community Transition Plan* will also be presented to Council on 21 November 2023 which will guide the community on key changes regarding the Local Law and the outcomes these changes seek to achieve. It will detail key messages, dates and transition initiatives.

The new *Community Local Law 2024* will take effect on 1 July 2024 at which point the current *General Municipal Law 2014* will cease to be operational.

**Critical Dates**

* Council Meeting to present draft Local Law: 27 June 2023
* Community Consultation Stage 2: 29 June – 13 August 2023
* Finalise draft Local Law: July – August 2023
* Council Meeting to present final Community Local Law & draft Community Transition Plan for adoption: 21 November 2023

All other critical dates have been captured throughout this report.

**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**

Council has a legislative obligation under the *Local Government Act 2020* to review our Local Law every ten years to ensure it continues to meet the needs of the community and address any new or emerging issues.

Following the consultation period, submissions and feedback received will be reviewed and if appropriate, incorporated into a final draft. The draft will be presented to Council on 21 November 2023.

To support our community’s vision *A Place For All*, the new Local Law will be community focused and will have a lens on new areas to include the protection of the environment and heritage where possible. As part of this community focus approach, Council intends on helping individuals and businesses be aware of their compliance responsibilities and support them to meet their obligations through information, education and awareness which will be captured in the *Community Transition Plan*.

5.1.4 Whittlesea Park Master Plan Endorsement

**5.1.4 Whittlesea Park Master Plan Endorsement**

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

**Author:** Coordinator Open Space Projects

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

**Attachments**

1. Attachment 1- Whittlesea Park Master Plan [**5.1.4.1** - 70 pages]
2. Attachment 2 - Letters of Support [**5.1.4.2** - 3 pages]

**Purpose**

To seek Council endorsement of the Whittlesea Park Master Plan including the new land management and land maintenance proposal.

**Brief Overview**

* The Whittlesea Township Plan adopted by Council on the 1 June 2021 features an action plan which seeks the creation of a master plan for the development of Whittlesea Park, with a clear prioritisation of actions and recommendations. This will provide the Whittlesea Township with increased access to the 25-hectare open space and aid in Council’s future capital investment, grant applications, maintenance and management of the reserve.
* The City of Whittlesea has partnered with the Whittlesea Showgrounds and Recreation Reserves Committee of Management (CoM) in the development of the master plan along with local sports clubs and other key stakeholder groups.
* The Whittlesea Park Draft Master Plan was presented to the local and broader community in September 2022, for feedback on the key recommendations and proposed improvements. Overall, strong support for the key recommendations was received by both local community members and key stakeholder groups. Feedback from the consultation has been used to finalise the master plan.
* As part of the master plan, Council and the CoM have reviewed the plan’s land management and maintenance agreements and have proposed an updated model.

**Recommendation**

**THAT Council:**

1. **Support the findings of the Whittlesea Park Master Plan Community Consultation and Findings Report.**
2. **Endorse the Whittlesea Park Master Plan.**
3. **Support the new land management and maintenance proposal for Whittlesea Park.**
4. **Acknowledge the work of the Whittlesea Showgrounds and Recreation Reserves Committee of Management in managing the Whittlesea Park.**

**Key Information**

**Background:**

Whittlesea Park is outlined in the City of Whittlesea Open Space Strategy as a Municipal Open Space Reserve. The reserve has an area of approximately 25 hectares and is bound by Beech Street, River Street and Laurel Street in the Whittlesea Township. The park is divided by three watercourses, Bruces Creek, Plenty River and Scrubby Creek. Whittlesea Park is comprised of several Council facilities including AF Walker Recreation Reserve (football/ cricket oval), a neighbourhood playground, Whittlesea Dog Off-leash Park, Whittlesea Tennis Club and Courts, Laurel Street Kindergarten and Whittlesea Skate Park.

Additionally, there are three third-party facilities: Lions Park and Playground, The George Sherwin Commemorative Bandstand and the Country Fire Association (CFA) training grounds. Many of these facilities are degraded or reaching the end of their useful life and require a master plan to assess their community need and inform future upgrades.

The site is located on Crown land with the City of Whittlesea nominated as the committee of management of AF Walker Recreation Reserve and the Whittlesea Showgrounds and Recreation Reserves Committee of Management (the CoM) nominated as the committee of management for the remainder of the site.

Due to the lack of viable open space in Whittlesea Township, Council has historically managed some of the assets within the CoM site. In addition, Council also undertakes maintenance of a substantial portion of the broader reserve due to the limited financial resources of the CoM. Refer to Attachment 1.

This arrangement has resulted in the following issues:

* Underutilisation of the 25-hectare open space located only 500 metres from the Whittlesea Township town centre in Church Street.
* The community is unaware of the responsible land manager and where to report issues or feedback.
* Maintenance of certain assets is neglected (i.e., there is currently no auditing or maintenance of trees within the site).
* Although not the management committee over the land, Council may be liable for tree related risk or injury occurring on the Council managed assets.
* The current maintenance agreements are out of date and are required to be reviewed and formalised.

**Proposal:**

The Whittlesea Park Master Plan provides the City of Whittlesea, the CoM and the Whittlesea community with a vision, direction and prioritisation of future improvements over the next 5 to 10 years. The vision of the master plan is to:

* Create a strong identity for Whittlesea Park as a highly valued and recognisable place;
* Maintain and improve the provision of the park facilities and amenities;
* Protect and enhance the park environment;
* Enhance and develop a strong sense of community associated with the park; and
* Provide well-defined, safe, and accessible connections within the park and the Whittlesea Township.

The master plan has a focus on a series of key action items to deliver this vision. To view the master plan, refer to Attachment 1. The key recommendations are as follows:

1. **Upgrade entrances:** Improve the access into the reserve and connection to surrounding facilities.
2. **Playground:** Upgrade the playground to provide greater diversity in play, suitable for varied age groups and abilities. Provide picnic areas with barbeque facilities and supporting public furniture.
3. **Circuit path:** Create a 3-metre-wide circuit path, with pedestrian bridge crossings, nature walk and fitness stations.
4. **Bridge access:** Upgrade and provide new pedestrian bridge crossings across Scrubby Creek, Plenty River and Bruces Creek. Investigate a pedestrian bridge crossing to provide access from Sherwin Street.
5. **Tree strategy:** Develop a Tree Strategy that includes an audit of existing trees, proposed tree species list and renewal plans to replace trees at the end of their useful life.
6. **Car parking:** Formalise car parking facilities including the street parking along Laurel Street and Forest Street and upgrade the car parking facilities off Walnut Street to increase the amount of parking spaces. Provide an additional car park off Beech Street.
7. **Beech Street:** Improve the Beech Street frontage and provide safe access to the Whittlesea Showgrounds.
8. **Dog off-leash park:** Upgrade the existing dog off-leash park with an improved surface treatment, additional trees and a quiet dog zone.
9. **Active recreation:** Upgrade the AF Walker Recreation Reserve sport field to create a consistent shape and provide a ball catching fence. Enhance the active recreation zone with the construction of a basketball court.
10. **Public toilets:** Provide a public toilet facility at the Walnut Street entrance to service the skate park and playground and investigate the option for future public toilet facilities at Laurel Street.
11. **Multi-use area:** Retain the Fire Rescue Victoria (CFA) training area and upgrade to include multi-use facilities including a learn-to-ride, exercise track and netball courts.
12. **Improve creek corridors:** Collaborate with Melbourne Water and the Department of Energy, Environment and Climate Action (DEECA) to improve the quality of waterway and onsite vegetation.
13. **Interpretive signage:** Develop an interpretive signage plan that provides way finding and education on the cultural history of the areas.

To deliver the above key recommendations, resolve the land management and land maintenance issues on the site; a proposal has been developed in collaboration between Council and the CoM. This plan proposes Council as the committee of management of land west of Bruces Creek/Plenty River, where most of the site infrastructure is proposed. The plan proposes for the CoM to remain as management committee of the passive open space east of Bruce Creek.

Due to the lack of resources of the CoM, the maintenance of land west of Plenty River is to continue to be delivered by Council - refer Attachment 1. The existing site trees that have not been assessed or maintained are currently being audited and will be placed on Council’s maintenance program.

**Community Consultation and Engagement**

Community consultation was undertaken from September to October 2022. The purpose of the engagement was to seek feedback on the draft master plan and the 13 key recommendations.

A range of methods were undertaken to gain feedback from the community, including:

* Online survey
* Pop-up sessions located around Whittlesea Township
* Feedback via phone
* Feedback via email

The consultation was broadly promoted through letter box drops, site signage, social media updates, publications in local newspapers and information distributed to community groups and local schools. Through the consultation, a wide range of people were consulted including children, young people and adults. A total of 399 formal responses were received.

Overall, the community provided a large amount of support for the master plan and key recommendations. This was demonstrated through the survey and voting poll. Much of the additional feedback provided was for other items already included in the draft master plan, outside of the 13 key recommendations.

Responses differed when participants were asked about the most important items in any public open space was and what they thought were the most important items in the draft master plan. To view the full Participation and Engagement Findings Report, refer to Appendix B of Attachment 1.

**Summary of results:**

* Open spaces and nature including trees and creeks are the items most valued to the community in public open space.
* Whittlesea Park is valued for having large open spaces with nature. The community would like to retain the open space, replace the old trees and clean up the creek corridors.
* The most popular key recommendations of the master plan are the circuit path, playground and public toilets.
* Most participants would like the future public toilets to be located at Walnut Street.
* The community would like to ensure that the park is safe for all users. Lighting should be included in the master plan along with Closed Circuit Television (CCTV) in high-risk areas, better fences and improved access across Beech Street.
* Participants would like the future playground to include equipment which caters to teens and people with disabilities. They would also like the play space to include shelter, bins and park furniture.
* Participants would like the master plan to further consider making the site friendly for recreation vehicles (RV).
* Participants would like further acknowledgment of the history of the site.

**Key recommendations:**

A series of recommendations were developed from the consultation findings and the master plan has been consequently updated as follows.

* Provide a priority rating for all action items proposed in the master plan based on the feedback. The circuit path, playground upgrade and new public toilets should have the highest priority rating.
* Update the master plan to show the future public toilets at Walnut Street.
* Further consider pathway lighting along main path links.
* Develop the playground concept to include equipment which caters to young teenagers and people with disabilities.
* Provide improved access from the playground to the proposed public toilets on Walnut Street.
* Explore the option for RV friendly facilities in the site.
* Further acknowledge the history of the site including the place names.
* Undertake further consultation with Fire Rescue Victoria on the proposal for a learn to ride playground in their training area.

The master plan has been updated to include the key recommendations from the consultation findings. Where required, additional discussion was undertaken with key stakeholders prior to finalising the master plan. Key stakeholders including the CoM, DECCA, Melbourne Water and Fire Rescue Victoria have reviewed and provided their support for the actions outlined. Refer to Attachment 2.

**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.

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 space and increased accessibility to these facilities is important the health of the community.

**Considerations**

**Environmental**

The key recommendations of the master plan include the following actions which directly relate to the environmental value of the reserve:

* **Development of a tree strategy:** The development of a site-specific tree strategy management plan would ensure that all trees are audited and placed on a maintenance program. Many trees within the reserve are mature and without adequate maintenance, have a greater public safety risk. This strategy would also create a tree renewal plan for the replacement of trees at the end of their useful life. This provides the opportunity to plant trees more suitable to the environment, that would provide increased biodiversity value in line with Council's Greening Whittlesea Strategy.
* **Improve creek corridors:** Whittlesea Park holds the confluence of three tributaries. Improvements to the creek corridors would see the removal of noxious weeds and revegetation with suitable species to improve the quality of the waterways. This also offers the opportunity for partnerships with Melbourne Water and local friends' groups.

**Social, Cultural and Health**

While there is good provision of open space in the Whittlesea Township, there is underutilisation of facilities. Whittlesea Park is located only 500 metres from the Town Centre in Church Street but lacks connection to the main street and provides little infrastructure for the community to gather or hold social events.

The Whittlesea Open Space Strategy provides the direction to “upgrade Whittlesea Park along with AF Walker Recreation Reserve to improve the diversity of facilities available for the rural Community.” The recommendations of this master plan will see the provision of facilities to allow the community to spend more time outdoors, undertaking a variety of active and passive recreation.

**Economic**

Whittlesea Township is recognised as a hub to the surrounding rural areas. The recommendations from the master plan will develop the reserve to become a key destination point. Improved connections to the town centre will encourage users to visit the local shopping precinct, thereby improving the local economy.

**Financial Implications**

The estimated budget required to implement the master plan is subject to further design development; however initial estimates place the cost in the range of $14M to $19M. Approximately $5.1M of this estimate may be absorbed in projects and programs already listed in the current Capital Program. Outside of this, the proposed improvements will be subject to future funding considerations from Council’s long term Capital Program and grant opportunities.

In addition, partnership opportunities are possible with service authorities (Melbourne Water and DEECA) and local community groups and organisations (Fire Rescue Victoria, Lions Club and Rotary Club).

Council was recently successful in a grant application to the State Government’s Growing Suburbs Fund for $500,000, to replace the Plenty River pedestrian bridge crossing at Laurel Street.

With the proposed maintenance plan, Council would continue to maintain the areas of the reserve that are currently being maintained. On an annual basis, this is estimated to cost $92,500, which can be funded through annual operational budget.

The proposal also recommends Council to place all trees on Council’s tree maintenance program. This includes an audit of significant and impacted trees with remedial tree works before the trees can be placed on a maintenance program.

It is estimated that 450 trees would be required to be inspected bi-annually at an estimated cost of $6,750. With the additional infrastructure proposed through the master plan, the annual maintenance costs are projected to be approximately $140,000 per annum.

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

The current sports and public open space infrastructure is aged, with many of the site’s assets not included in Council's assets renewal program. The facilities onsite are no longer catering to the Whittlesea Township community. The master plan will ensure that the site is better utilised and has a formalised maintenance plan.

**Implementation Strategy**

**Communication**

Communications will be provided to the Whittlesea Community on endorsement of the master plan, through social media channels. Community members who requested to remain up to date on the project will be directly notified through email. Once the high priority action items are scheduled, further communications will be provided.

**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 master plan guides and provides direction for future upgrades and improvements to Whittlesea Park. The master plan responds to ageing infrastructure, connectivity, community needs, along with recommendations to improve the natural environment. The community consultation findings have demonstrated that the community supports the vision of Council and the CoM. The review of land maintenance and land management agreements will ensure that the reserve is being appropriately maintained to a suitable standard.

5.1.5 Instrument of Appointment and Authorisation under the Planning and Environment Act

**5.1.5 Instrument of Appointment and Authorisation under the Planning and Environment Act**

**Responsible Officer:** Interim Executive Manager Office of Council & CEO

**Author:** Interim Executive Manager Office of Council & CEO

**Attachments:**

1. S11A Delegations Instrument of Appointment PE Act June 2023 [**5.1.5.1** - 3 pages]

**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.

**Brief Overview**

An Instrument of Appointment and Authorisation (the Instrument) in relation to the administration and enforcement of the *Planning and Environment Act 1987* by various Officers across the organisation has been prepared and requires authorisation.

**Recommendation**

**THAT Council:**

**1.** **Appoints Council Officers (attached) as Authorised Officers under section 147(4) of the *Planning and Environment Act 1987* and section 313 of the *Local Government Act 2020*.**

**2.** **Have the Instrument come into effect when it is executed and remain in force until Council decides to vary or revoke it.**

**Key Information**

The Instrument has been prepared for various Officer across the organisation that require authorisation in relation to the administration and enforcement of the *Planning and Environment Act 1987* and carry out the functions outlined in Section 313 of the *Local Government Act 2020*.

This enables Officers to effectively perform their duties including enforcing and implementing the planning scheme, entering land and bring a planning and environment matter to court if required.

The Instrument will come into effect when it is executed and will remain in force until Council decides to vary or revoke it.

**Community Consultation and Engagement**

Relevant Council Departments who require this authorisation have been consulted on the drafted Instrument.

**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.

The Instrument of Delegation will enable the authorised Officers to fulfill their statutory duties.

**Considerations**

**Environmental**

This authorisation gives relevant authorised council officers the power to perform their duties as prescribed under the *Planning and Environment Act 1987* in order to avoid potential negative impacts on the community and the environment. Potential negative impacts may include noise, odour, dust, air pollutants and stormwater contamination. The surrounding environment can also affect land uses.

For example, from contamination from land and groundwater or landfill gas migration. This authorisation promotes the protection of land and environment, and proficient land use planning which ensures that risks are identified early in the planning process and that harmful outcomes are avoided.

**Social, Cultural and Health**

No Implications.

**Economic**

No Implications.

**Financial Implications**

The cost is included in the current budget.

**Link to Strategic Risk**

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

The Officers will be unable to fulfill their duties as an authorised Officer if the attached Instruments of Appointment and Authorisation is not executed.

**Implementation Strategy**

**Communication**

Confirmation of the Instrument will be shared with relevant Departments and individual officers named on the Instrument.

**Critical Dates**

It is important that Instruments of Appointment and Authorisations are executed at the 27 June 2023 Council Meeting to ensure Council Officers have the essential authorisations to carry out their duties.

**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**

It is recommended that the Council Officers referred to in the attached Instrument be appointed as an authorised Officer under the *Planning and Environment Act 1987* and Section 313 of the *Local Government Act 2020* to allow them to effectively perform their duties.

**5.2 Connected Communities**

5.2.1 Community Grants Framework

**5.2.1 Community Grants Framework**

**Responsible Officer** Director Customer & Corporate Services

**Author** Grants Coordinator

**In Attendance** Manager EPMO & Change

**Attachments**

1. CO W 346 Co W Community Grants Guidelines 2023-2024 v 4 [**5.2.1.1** - 20 pages]

**Purpose**

The purpose of this report is to seek Council endorsement for the draft community grant guidelines, following community consultation, with a planned go-live date of 1 August 2023.

**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 draft 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;
* honouring and continuing existing agreements and partnerships with groups who are delivering community services; and
* a proposed increase as per the 2023/24 draft budget from $2.03m to $2.69m.

The new guidelines have been informed by feedback we have received in recent years through examination of best practice across the local government sector and beyond, and via community consultation that took place between 16 May and 13 June 2023.

**Recommendation**

**THAT Council endorse the new City of Whittlesea Community Grant Guidelines 2023-2024 with a planned go-live date of 1 August 2023.**

**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:

***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.

***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.

***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**

Council asked the community for their feedback on the draft Community Grant Guidelines during a four-week period from 16 May to 13 June 2023. During a series of pop-up consultation events and an online survey on Council’s Engage Whittlesea platform we heard that almost 90% of the 166 respondents liked the guidelines. We have reflected the community’s suggested changes in the final guidelines as appropriate.

**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 City of Whittlesea Budget 2023-24 proposes a 33% 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**

Following the endorsement of the new Community Grants Guidelines, Council will deliver an extensive communications program across all our channels including digital, Local Scoop and through local community groups and partners. We will close the loop with those who provided feedback via our Engage Whittlesea platform.

**Critical Dates**

* 2 May 2023 - Council Briefing.
* 16 May 2023 - Council Meeting.
* 17 May 2023 to 13 June 2023 – Community Consultation.
* 27 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. The new Community Grant program will enable Council to partner with local groups and individuals to further support the important work being done in the local community.

5.2.2 Library Service Review Update

**5.2.2 Library Service Review Update**

**Responsible Officer:** Acting Director Community Wellbeing

**Author:** Manager Active & Creative Communities

**In Attendance:** Manager Active & Creative Communities

**Purpose**

The purpose of this report is to request an amendment to resolution 1, in the Council Resolution for Item 5.1.1 carried at the 12 December 2022 Council Meeting.

**Brief Overview**

On 12 December 2022 a report was presented to Council providing an update on the Community Plan 2021-2025 action to review the library service.

Council resolved to present key findings of the library service review to Council in June 2023. Council also resolved to establish two new libraries at Mernda Town Centre and Kirrip Community Centre.

A report from the engaged consultant has been received and is being reviewed by Council officers. An extension of time is required to undertake this work in order to inform a subsequent report to Council.

**Recommendation**

**THAT Council approve the amendment of the December 2022 Council resolution (Item 5.1.1, point 1) to present key findings of the library service review, from June 2023 Council Meeting to September 2023 Council Meeting.**

**Key Information**

Council provided an update on the Community Plan 2021-2025 action to review the library service at the 12 December 2022 Council Meeting, advising the review had commenced and key findings will be presented at the June 2023 Council meeting.

A draft report has been received by Officers from the consultants. However, an extension of time is required in order to undertake a comprehensive review of the key findings, connect any infrastructure items into the Long-Term Community Infrastructure Plan project and engage the Yarra Plenty Regional Library before presenting a report to Council.

**Community Consultation and Engagement**

The Yarra Plenty Regional Library has been an active contributing stakeholder to the service review workshops.

The proposed amendment to the 12 December 2022 resolution and the resultant additional time, allows an opportunity for the project team to brief the Yarra Plenty Regional Library CEO and Board on key findings.

**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.

**Considerations**

**Environmental**

No Implications

**Social, Cultural and Health**

No Implications

**Economic**

No Implications

**Financial Implications**

No Implications, the cost is included in the current budget.

**Link to Strategic Risk**

**Strategic Risk** *Service Delivery* - Inability to plan for and provide critical community services and infrastructure impacting on community wellbeing*.***Strategic Risk** *Community and Stakeholder Engagement* - Ineffective stakeholder engagement resulting in compromised community outcomes and/or non-achievement of Council's strategic direction

It is important to integrate any infrastructure related findings into the Long-Term Community Infrastructure Plan that is currently being prepared, and engage Yarra Plenty Regional Library, as a key stakeholder before bringing a report to Council.

**Implementation Strategy**

**Communication**

Council Officers hold regular monthly operational meetings with the CEO of Yarra Plenty Regional Library and will engage on key findings from the review.

Board meetings are held bi-monthly.

**Critical Dates**

* Yarra Plenty Regional Library has a Board meeting on 31 August 2023 where it is intended that the key findings from the review will be presented.
* City of Whittlesea has a Council Meeting scheduled on 19 September 2023 where this report will be considered.

**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 library services report will be presented at the September 2023 Council meeting.

5.2.3 Petition - Removal and Replacement of Nature Strip Trees, Incana Drive, Mill Park

**5.2.3 Petition - Removal and Replacement of Nature Strip Trees, Incana Drive, Mill Park**

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

**Author:** Acting Manager Maintenance & Operations

**In** **Attendance:** Acting Manager Maintenance & Operations

**Purpose**

The purpose of this report is to outline the response to a petition received from 49 residents, requesting that Council remove all existing, nature strips trees along Incana Drive, Mill Park and replace them as part of its Street Tree Renewal capital works program. The reason for their request is to address safety concerns they perceive stemming from excessive leaf, gumnut, and twig drop, as well as suggested infrastructure damage to structures and private property.

**Brief Overview**

There are currently 81 street trees consisting of mature Red Spotted Gum (*Eucalyptus mannifera*), together with juvenile Dwarf varieties (*Eucalyptus mannifera* ‘Little Spotty’), as well as a small number of deciduous and evergreen trees.

A meeting was initially held with the Director, Infrastructure & Environment, and the lead petitioner on 12 January 2023. An independent arboricultural assessment was carried out of all the street trees in February and the reports shared with the lead petitioner. There were no significant issues ascertained by the independent assessors and they did not support the assertion that trees were at the end of their useful life and required replacement. The lead petitioner also raised concerns during the meeting about the street sweeping program and stormwater drainage in the street. There was a subsequent follow-up meeting held on 28 March 2023 with the lead petitioner and the latter concerns were addressed.

**Recommendation**

**THAT Council in response to the petition received from 49 residents requesting that Council remove all existing nature strips trees along Incana Drive, Mill Park and replace them as part of its Street Tree Renewal capital works program, write to the head petitioner to advise that:**

1. **Following an independent arborist report of all the nature strip trees on Incana Drive, Mill Park it was deemed all trees did not display any safety risks, that required their removal and replacement, except for:**
   1. **one young tree sapling with poor structure; and**
   2. **one Red Spotted Gum tree which was determined to have caused infrastructure damage that could not be abated.**

**Both trees will be removed and replaced with an appropriate species, in the next 3 months.**

1. **Remedial pruning works will be carried out to nature strip trees in the next 12 months and all trees will continue to be monitored and maintained as part of Council’s biennial inspection program.**
2. **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 49 residents, requesting that Council remove all existing, nature strips trees along Incana Drive, Mill Park and replace them as part of its Street Tree Renewal capital works program. The reason for their request is to address safety concerns perceived to stem from excessive leaf, gumnut, and twig drop, as well as suggested infrastructure damage to structures and private property.

There are currently 81 street trees consisting of mature Red Spotted Gum (*Eucalyptus mannifera*), together with juvenile Dwarf varieties (*Eucalyptus mannifera* ‘Little Spotty’), as well as a small number of deciduous and evergreen trees.

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 May 2022 and no significant health or structural issues were determined, to warrant tree removal. In response to a meeting with the lead petitioner, Council also commissioned an independent arboricultural assessment, to test the validity of its own findings as well as carry out a Risk Assessment of the trees.

The independent report concluded that together, the trees formed an attractive avenue that contributes positively to the visual amenity of the road and there were no safety risks that warranted the removal of any mature trees, except for one tree sapling. This will be removed over the next two months.

Instances of disruption to public footpaths and crossovers by underlying roots from the trees was noted in 4 instances and this is a commonplace occurrence in the urban environment. Council actively manages this by renewing or patching areas of the footpath where damage represents a trip hazard to pedestrians, in accordance with its Road Management Plan.

However, in one instance, removal of the footpath for repair and use of ground penetrating root radar assessment has established that structural roots from a mature Red Spotted Gum caused infrastructure damage, which could not be mitigated by either root pruning or use of a root barrier. Hence, the tree has recently been removed, and a new replacement sapling planted in the next 3 months with appropriate root guard, to safeguard against this reoccurring.

One other instance of minor damage to property boundary retaining wall was observed that could be directly attributed to the influence of roots from council trees. Given, the street comprises over 75 properties located adjacent to the avenue of trees, the actual occurrence of direct damage caused by tree roots to private property was observed to be low, given only two properties were impacted.

The total amenity value of the trees using the City of Melbourne Urban Forest Tree Valuation method, was $1,522,831. This represents an average value of over $21,500 for individual mature trees.

Mature trees accounted for 84% of the tree population in the road with the remaining trees consisting of new and young specimens. Of the 81 trees assessed, 69 trees (85.2%) were assessed to have a life expectancy of greater than 50 years. The overall health of the trees was assessed to be good (90.1%) indicating the trees are growing well in their environment. Of the eight trees showing signs of decline, three were mature Brittle gum specimens, four were new plantings that are failing or have been vandalised and the remaining one proposed for removal and replacement was a newly planted tree that has failed. The other 7 trees were still assessed as suitable for retention, with remedial works prescribed.

**Community Consultation and Engagement**

An onsite meeting was held with the Director Infrastructure and Environment and Unit Manager Parks and City Forest, and the lead petitioner plus another resident, on 12 January. A subsequent follow-up meeting was also held on 28 March.

**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.

The total estimated canopy cover provided by the 81 trees is currently estimated to be 4,222 square metres or 0.4 hectares. Tree canopy coverage is important because shading benefits reduce air and ground temperatures, making urban areas safer and more liveable. 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 $1,522,831. The cost of any prescribed tree maintenance activity and the costs associated with the independent arboricultural assessments and testing, are included in the current operational budget.

**Link to Strategic Risk**

**Strategic Risk** *Climate Change* - Failure to mitigate or adapt to the risks of climate change.

**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.

A Risk Assessment was also carried out with the trees and this Quantified Tree Risk Assessment (QTRA) determined the overall risk at <1:1,000,000 or a broadly acceptable level of risk at this time. 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.

**Implementation Strategy**

**Communication**

Council Officers have already advised the lead petitioner of the outcome of the independent arboricultural assessments.

**Critical Dates**

The implementation of any works resulting from the Arborists assessments will be carried out within prescribed times 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 49 petitioners was considered and an independent arboricultural consultant report was commissioned as a result. Most trees were all determined to have a useful life expectancy of more than 50 years. There were no compelling reasons for the trees to be renewed as part of Councils’ capital works program for Street Tree Renewal.

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,

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

into the atmosphere.

The street trees will be inspected on a biennial basis to monitor their health to ensure their ongoing vitality.

**5.3 Liveable Neighborhoods**

5.3.1 Planning Scheme Amendment C249: Planning Scheme Review - For Decision - Seeking Authorisation

**5.3.1 Planning Scheme Amendment C249: Planning Scheme Review - For Decision - Seeking Authorisation**

**Responsible Officer** Director Planning & Development

**Author** Strategic Planner

**In Attendance** Strategic Planner

**Attachments**

1. Proposed Amendment C 249 [**5.3.1.1** - 74 pages]
2. Drystone Wall Study 2020 [**5.3.1.2** - 228 pages]

**Purpose**

This report presents proposed Planning Scheme Amendment C249 that seeks to update the Whittlesea Planning Scheme to implement the outcomes of the Whittlesea Planning Scheme Review 2022.

The report also seeks to adopt the *City of Whittlesea Stage Two Dry Stone Wall Study: Thematic History and Precincts (Moloney, 2020)*, for inclusion in the Whittlesea Planning Scheme, as part of the proposed Amendment.

The report recommends that Council seek authorisation from the Minister for Planning to prepare and exhibit proposed Planning Scheme Amendment C249.

**Brief Overview**

Council is required under the *Planning and Environment Act 1987* to review its Planning Scheme every four years, within one year of adopting the Council Plan. This requirement was the impetus for undertaking the Whittlesea Planning Scheme Review 2022 (PSR 2022).

The report recommends that Council seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C249. A summary of the changes proposed as part of proposed Amendment C249 are shown in Attachment 1.

This report also seeks to adopt the *City of Whittlesea Stage Two Dry Stone Wall Study: Thematic History and Precincts (Moloney, 2020)* (Attachment 2), for inclusion as a policy document in the Whittlesea Planning Scheme, as part of proposed Amendment C249. Its inclusion as a policy document will help to guide Council’s decision making to further inform and support improved protection of the municipalities historic dry-stone walls.

**Recommendation**

**THAT Council:**

1. **Adopt the *City of Whittlesea Stage Two Dry Stone Wall Study: Thematic History and Precincts (Moloney, 2020),* Attachment 2 of this report.**
2. **Request the Minister for Planning to authorise the preparation and exhibition of Planning Scheme Amendment C249wsea to update the Whittlesea Planning Scheme, as outlined in Attachment 1 of this report.**

**Key Information**

**Background**

As part of the Machinery of Government changes following the Victorian Government State

Election in November 2022, the planning function of the previous Department of

Environment, Land, Water and Planning (DELWP) has now been moved. As of 1 January 2023, a new department being the Department of Transport and Planning (DTP) has been created. This report refers to some of the former department names, as appropriate.

Planning Scheme Review

Under Section 12B(1)a of the *Planning & Environment Act,1987,* Council is required to review the operations of its local planning scheme every four years, within a year of adopting the Council Plan. The purpose of regular planning scheme reviews is to ensure planning schemes remain relevant in guiding Council’s discretion on land use planning and development outcomes.

These planning scheme reviews must be undertaken in accordance with *Planning Practice Note 32: Review of Planning Schemes*, although there is some discretion for Council to decide the scope or extent of the review and it is not necessary to undertake a full review every four years.

For example, if a major review has been conducted previously, it may be sufficient to continue to implement the recommendations that arose from the previous review rather than undertake a new review. The primary purpose is to ensure planning schemes are relevant to guide Council’s discretion on planning matters.

In 2018 a comprehensive review was undertaken which culminated in the PSR 2018 report which was adopted by Council on 4 June 2019. The PSR 2018 found that the Whittlesea Planning Scheme was performing well. The report made 37 recommendations which are best characterised as ongoing maintenance rather than significant changes, to further improve the operational effectiveness and efficiency of the Whittlesea Planning Scheme.

The PSR 2018 recommendations continue to be progressively implemented. Many have either been completed or are currently underway. Their status of implementation can be summarised as follows:

* Ten (10) recommendations have been completed or superseded by other changes, including recent State Government amendments to all Planning Schemes;
* Five (5) recommendations will be completed as part of this proposed Amendment C249;
* Eighteen (18) recommendations are currently under way. Of these, three (3) recommendations are being partially advanced via the proposed Amendment C249, and their remaining components will be actioned over the next two (2) to five (5) years;
* Four (4) recommendations have not been actioned to date. These recommendations are scheduled to be actioned over the next two (2) to five (5) years.

Those recommendations that are yet to commence involve more complex issues which require further strategic work or collaboration with key stakeholders. These will be progressed as part of Council's continuous improvement approach to the Planning Scheme. They will be implemented subject to those projects being consistent with current Council actions/plans, which have evolved since the recommendations were first adopted.

The PSR 2022 was undertaken following adoption of the Council Plan in 2021, in line with statutory requirements. The PSR 2022 comprised the dentification of:

* Key policy directions derived from recently adopted Council strategies including the Community Plan 2021-2015 (including the Council Plan), Strong Local Economy Strategy 2022-2026, Sustainable Environment Strategy 2022-2032, Climate Change Plan 2022-2032, and the Green Wedge Management Plan 2023-2033, for inclusion in the Planning Scheme;
* Various administrative and mapping updates to the Planning Scheme;
* Outstanding recommendations for implementation, arising from the previous Whittlesea Planning Scheme Review 2018 (PSR 2018) report.

Attachment 1 provides a summary of the changes proposed as part of Amendment C249 and outlines the specific changes via tracked changes to clauses in the Planning Scheme clauses. These are discussed in more detail later in this report.

State Governments Smart Planning Program - Amendment C250

In July 2018, the State Government’s *Smart Planning* program introduced a new Planning Policy Framework (PPF) into all Victorian Planning Schemes via Amendment VC148. The new PPF sought to better align and integrate state and local planning polices to make policy easier to navigate and use, and it introduced a Municipal Planning Strategy (MPS) to replace the Municipal Strategic Statement (MSS).

All Councils were required to translate their existing Planning Schemes, into the new PPF structure. The process was called a PPF translation. The Whittlesea PPF translation was a policy neutral process which sought to convert the content into the new structure and meet the new policy drafting rules introduced as part of VC148, without changing the policy intent of the existing Planning Scheme.This process was led by the Department Environment, Land, Water and Planning (DELWP) - now the Department of Transport and Planning (DTP) following the Machinery of Government changes which came into effect on 1 January 2023.

Between 2018 and 2019,Council officers applied a comprehensive ‘audit’ approach to reviewing the proposed PPF translation to ensure existing local policy content was not lost and its intent not changed in the process. In December 2020, Amendment C250 was gazetted which introduced the newly formatted Whittlesea Planning Scheme. The City of Whittlesea became the first northern Metropolitan Council and the first growth area Council to complete the PPF translation process.

Given the scope and significance of the PPF translation, officers were unable to commence implementation of many of the PSR 2018 recommendations until after Amendment C250 was gazetted in December 2020.

**Dry Stone Wall Study**

This report also recommends that Council adopt a report on Whittlesea’s dry stone walls, for inclusion as a policy document in the Whittlesea Planning Scheme, as part of proposed Amendment C249.

Dry stone walls are a visible but sometimes little understood historic feature which occur across Victoria, Tasmania, South Australia, and New South Wales. The landscape values and farming heritage they reflect represent some of our most enduring historic cultural heritage assets. The City of Whittlesea contains extensive examples of dry stone walls, that are often at risk due to greenfield and established areas development.

In 2018, Council engaged David Moloney, eminent historian and dry stone wall expert, to identify and provide a thematic environmental history of dry stone walls in the municipality, including high level strategic heritage assessments. The report, the *City of Whittlesea Stage Two Dry Stone Wall Study: Thematic History and Precincts (Moloney, 2020)* (DSW Study 2020)found that large numbers of nineteenth and early twentieth walls remain, with a concentration in the northern areas of the City. The walls reflect one of the earliest forms of infrastructure linked to historic period land use practices, as well as the industry and skills of settlers and landowners.

Within the City of Whittlesea there are examples of styles/types of walls built in specific ways such as cultivation paddocks and dry stone enclosures, which may be unique in Victoria.

Dry stone walls are heritage assets which are protected under Clause 52.33 of the Whittlesea Planning Scheme and by the *Heritage Act 2017*. It is noted that stone walls and stone features built by Aboriginal people in the period before first contact are protected under different legislation. Currently no Aboriginal stone walls and/or features have been found in the City of Whittlesea.

The DSW Study 2020 is rich with historical information, maps and images and cultural heritage assessments of Whittlesea’s dry stone walls by one of the foremost experts in Australia. The extent of work done, and the comprehensiveness of the report will provide the basis for heritage assessments of individual walls and groups of walls as the next step in seeking individual protection under the Whittlesea Planning Scheme. Individual protection will provide a more robust form of protection than that currently afforded under Clause 52.33. This further assessment work to support individual protection is currently underway (commenced April 2022), supported by a grant from the Victorian Planning Authority to the Heritage Strategy and Programs Unit in the Strategic Futures Department.

In the meantime, it is recommended that the DSW Study 2020 be adopted by Council and referenced as a policy document in the relevant heritage clause, Clause 15.03-1L of the Whittlesea Planning Scheme, as part of proposed Amendment C249. Its inclusion as a policy document will help to guide Council’s decision making to further inform and support improved protection of the municipalities historic dry stone walls, whilst the further heritage assessments are being undertaken to support individual protection in the future.

**Proposed Amendment C249**

Proposed Amendment C249 seeks to update the Whittlesea Planning Scheme to address a range of recommendations outlined by PSR 2022. This is part of a business as usual, continuous improvement approach to keeping the Planning Scheme up to date.

The proposed updates arising from the PSR 2022 are summarised as follows:

* Include new policy content, and maps where relevant, to reflect current policy and strategic directions of recently adopted strategies and plans, including:
  + Community Plan 2021-25 (incorporates the Council Plan);
  + Strong Local Economy Strategy 2022-2026;
  + Sustainable Environment Strategy 2022-2032;
  + Climate Change Plan 2022-2032;
  + Biodiversity Strategy 2019 - 2029;
  + Open Space Strategy 2016;
  + Open Space Strategy: Technical Report 2016;
  + Whittlesea Water for all: Our water strategy 2020-2030;
  + Amended Cooper Street West Position Paper (October 2017); and,
  + Green Wedge Management Plan 2023-2033.
* Include reference to the *City of Whittlesea Stage Two Dry Stone Wall Study: Thematic History and Precincts (Moloney, 2020)* as a policy document*,* to support improved protection of the municipalities historic dry stone walls;
* Merge the Rural Conservation Zone Schedule and the Rural Conservation Zone Schedule 1 as these schedules are almost identical;
* Update the map associated with the Rural Conservation Zone Schedule 1 to reflect current zoning and improve useability and clarity;
* Update the map associated with the Schedule to the Green Wedge A Zone to reflect current zoning and improve useability and clarity;
* Delete the Public Acquisition Overlay Schedule 4 at 605 O’Herns Road, which is no longer required.
* Implement some of the outstanding recommendations from the previous PSR 2018 including:
  + Update to the Municipal Planning Strategy and other PPF policy content to incorporate relevant content from the Council Plan and other adopted Council strategies & policies, at the time;
  + Update to the Municipal Planning Strategy and other PPF policy content to address submissions to the PSR 2018 from the Environment Protection Authority (EPA) and the then Department of Jobs, Precincts and Roads (DJPR);
  + Minor updates to various local planning policies and Schedules to improve the wording and provide greater clarity;
  + New policy content added to reflect key considerations contained in the adopted, Amended Cooper Street West Position Paper (October 2017);
  + Correction of various anomalies in Zones and Overlays;
  + Remove two (2) local policies which have been identified as redundant and no longer required (Telecommunications policy and Satellite Dish policy);
  + Minor updates to the medical centres local planning policy to bring it into line with the siting of carparking, consistent with the adopted child care centre policy;
  + Various edits to the Schedules to the Urban Growth Zones (which implement the adopted Precinct Structure Plans) to reduce ambiguity or improve consistency, following consultation with the Victorian Planning Authority (VPA);
  + Updates to the Precinct Infrastructure Plan mandatory condition within the Urban Growth Zone Schedules (UGZ) 3 through to 7, to clarify the intent of the requirements in terms of the quantum and timing of payments.

Attachment 1 provides a summary of all the changes proposed to be included in Amendment C249. Attachment 1 also outlines the specific changes to the Planning Scheme clauses. Most of the changes proposed are minor in nature and consistent with an ongoing maintenance approach. The changes are discussed in more detail later in the report.

**Community Consultation and Engagement**

Targeted consultation was undertaken as part of the PSR 2018 process, which was tailored to reflect the technical scope of the project. A broad range of internal stakeholders were consulted, as well as various State Government agencies including the then DELWP, EPA, DJPR and VPA.

The VPA were further consulted regarding the proposed changes to the Urban Growth Zone Schedules and have provided in-principal support.

Should the Minister for Planning grant Council’s request for authorisation, Amendment C249 will be exhibited exhibition in accordance with Section 19 of the Planning and Environment Act, 1987. Any individual landowners affected by the Amendment will also be notified of the Amendment directly.

**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.

**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.

The proposed Amendment C249 seeks to improve the useability and functionality of the Whittlesea Planning Scheme. This will assist Council officers and other users of the Scheme (including applicants and the broader community). It seeks to improve clarity and ensure the Scheme is maintained and up to date to achieve better planning outcomes for the community.

**Key Considerations**

**Discussion**

Proposed Amendment C249 seeks to update the Whittlesea Planning Scheme to address a range of recommendations and other issues identified by PSR 2022, including some of the outstanding recommendations of PSR 2018.

The Whittlesea Planning Scheme is functioning well, and the proposed changes are best categorised as ongoing maintenance rather than significant changes, to further improve the operational effectiveness and efficiency of the Whittlesea Planning Scheme. Specific aspects of the amendment are discussed in more detail below.

General Updates

A range of minor updates are proposed to the Municipal Planning Strategy (Clause 2) and other PPF policy content (Clauses 10 – 19) of the Whittlesea Planning Scheme. These changes are outlined above and in Attachment 1. They include updates to the rate of growth, employment sectors, minor edits to reflect submissions from the EPA and the then DJPR, incorporate relevant land use and development content from the Council Plan and other adopted Council strategies & policies identified, and mapping changes to improve readability and ensure maps are up to date. Some new maps have also been included including relevant maps from the Green Wedge Management Plan.

Removal of the Public Acquisition Overlay PAO at 605 O’Hearns Road, Epping

A Public Acquisition Overlay Schedule 2 (PAO2) was previously applied to a portion of the land at 605 O’Herns Road for the Craigieburn Bypass, together with a Public Acquisition Overlay Schedule 4 (PAO4) for open space on either side of the road reservation, in Council’s favour. However, when the road reservation for the Craigieburn Bypass was realigned, the PAO2 was removed and the PAO4 was incorrectly applied in its place. This was an administrative error made by the State Government.

In 2017, Council formally removed the Notice of Intention to acquire the portion of land at 605 O’Herns Road. The removal of the PAO4 is the final step in the process to remove the encumbrance. In April 2021, Council officers contacted both the landowner and DELWP to seek their feedback, prior to formally progressing the proposed PAO removal via proposed Amendment C249.

While the landowner supported the removal of the PAO, DELWP requested that Council delay its removal for 12 months to provide them with an opportunity to consider future options for the site which is identified as an important conservation site.

The land is almost entirely encumbered by a Biodiversity Conservation Strategy Growling Grass Frog reservation requiring the land to be managed to support conservation outcomes or transferred to the Crown. The site is also included in the State Government’s Suburban Parks Program, as part of the Upper Merri Creek Regional Parkland study area, a process through which DELWP hoped to resolve the mechanisms for transferring or managing the land.

In October 2022, DELWP informed Council officers that they had compulsorily acquired the land. This is a great outcome which sees a critical link in the Upper Merri Creek Regional Parkland come into public ownership. The proposed Amendment now seeks to remove the PAO4 which is redundant.

Heritage - Dry Stone Wall Study

The DSW Study 2020 prepared by historian and dry stone wall expert, David Moloney, is recommended for adoption and inclusion as a policy document in the Whittlesea Planning Scheme, as part of Amendment C249.

There are extensive examples of dry stone walls throughout the municipality, many of which are at risk due to development pressure in both the established and greenfield areas. Dry stone walls are heritage assets protected under Clause 52.33, a state provision within the Whittlesea Planning Scheme. This clause is intended as a ‘catch all’ to ensure protection of dry stone walls until Council’s can undertake the necessary assessment work to support individual protection under the Heritage Overlay (Clause 43.01), a more robust form of heritage protection. It is noted that in some instances, some dry stone walls in the City of Whittlesea may already be protected under a Heritage Overlay associated with a heritage place, where they may be identified as a contributory element.

In the meantime, under Clause 52.33, a planning permit is required to “*demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision*”. Further, the decision guidelines of this provision state that before deciding on an application, Council must consider, as appropriate: “*Any applicable heritage study, statement of significance and conservation policy*.” The DSW Study 2020 provides historical information, maps and images and cultural heritage assessments of Whittlesea’s dry stone walls.

Therefore, adoption and inclusion of the Study in the Whittlesea Planning Scheme as a policy document, will help to guide and inform Council’s decision making to ensure improved protection of these historic dry stone walls.

UGZ Schedules 3 through to 7

Various updates are proposed to the Precinct Infrastructure Plan (PIP) mandatory conditions within the above UGZ Schedules, to provide greater clarity and transparency. As the various Precinct Structure Plans (PSP) have been developed and implemented over many years there is considerable variance in the way they have been drafted so the changes sought will also provide greater consistency.

It is proposed to include reference to the *‘*timing and quantum’ of infrastructure payments. This change is considered necessary for the implementation of works funded by the payments. Council currently includes these requirements as a condition of permit, requiring a Section 173 Agreement, but often receives pushback from applicants. This change reinforces existing practice and provides the necessary underpinning to ensure infrastructure is adequately funded in line with existing adopted PSPs.

It is worth noting that other growth area Councils have been challenged on the ‘quantum’ requirement. Following a recent VCAT (Victorian Civil and Administrative Tribunal) case (Frontlink Pty Ltd v Casey CC [2019] VCAT1355), which held that a S173 Agreement cannot deal with reimbursement/land value for DCP projects, as the latter is not specified in condition requirement. Council sought legal advice on this matter, which advised that it is important to specify ‘quantum’ as an item that can be provided for in the S173 Agreement to provide the necessary underpinning for the mandatory conditions to reinforce Council’s existing processes.

Other more minor updates are proposed to improve consistency and functioning of the Whittlesea Planning Scheme. These include minor changes to the application requirements, renaming sections to improve useability and other general updates.

It is noted that several of the changes reflect Council’s adopted position at the Planning Panel for Amendment C264 (Shenstone). The VPA had agreed to the proposed changes as part of the Panel process, however due to an administrative oversight the agreed wording was not included in the final package. VPA have acknowledged this administrative error and have agreed to all the changes proposed to the UGZ Schedules as part of this proposed Amendment C249.

37.02 - Schedule 4 - Aurora Comprehensive Development Plan

It is proposed to amend the permit requirement in this Schedule to exempt buildings and works for single dwellings on lots over 300sqm.

This is consistent with the requirements in other zones. The current requirement causes unnecessary planning applications given the intention under the Comprehensive Development Zone is to require planning permission to construct residential dwellings in certain locations.

37.07 - Schedule 6 - Urban Growth Zone

It is proposed to include an exemption for buildings and works for future local parks and local community facilities generally in accordance with the PSP. This is consistent with other PSP Schedules where the exemption is already included.

Rural Conservation Zone Updates

An administrative update is proposed to merge the Rural Conservation Zone (RCZ) Schedule and Rural Conservation Zone Schedule 1 (RCZ1). These schedules have identical requirements therefore it is necessary to combine them into one schedule to avoid unnecessary duplication. This change is will not result in any changes in assessment or impact additional land.

A summary of the changes proposed as part of Amendment C249 are outlined in Attachment 1. This Attachment also outlines the specific changes to the Planning Scheme clauses, which will form the basis of the proposed Amendment.

**Financial Implications**

The project will be fully funded through the Strategic Futures Department operational budget.

**Link to Strategic Risk**

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

It is a statutory requirement that Council periodically review the Whittlesea Planning Scheme to ensure it remains relevant to current trends in the building and planning industry and in guiding Council’s discretion on land use planning and development outcomes.

**Implementation Strategy**

**Communication**

Should the Minister for Planning grant authorisation of the Amendment, a statutory exhibition period will be commenced which will provide an opportunity for the community and other stakeholders to have their say on the proposed Amendment C249.

**Critical Dates**

There are no critical dates at this point in time.

**Next Steps**

The proposed amendment is required to be submitted to the Minister for Planning for authorisation. Should authorisation be granted, the Amendment will be placed on statutory exhibition.

The PSR 2018 recommendations that are being undertaken as standalone projects and are currently underway, will continue to be progressed. The remaining recommendations that are yet to be commenced will continue to be monitored and progressed as part of Council's continuous improvement approach, subject to staff resources and budget processes.

The next planning scheme review is scheduled to occur in 2026, although it is noted that development of the Liveable Neighbourhood Strategy is currently underway which has a strong land use and built environment focus. Upon its completion in early 2024, consideration will need to be given as to how this strategy may be best incorporated into the Whittlesea Planning Scheme.

**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**

Proposed Planning Scheme Amendment C249 seeks to update the Whittlesea Planning Scheme to implement the outcomes of the Whittlesea Planning Scheme Review 2022, to reflect key policy directions of adopted Council strategies and other administrative and mapping updates.

The proposed updates are minor in nature and consistent with an ongoing maintenance approach rather than significant changes, to improve the operational effectiveness and efficiency of the Whittlesea Planning Scheme.

It is also recommended that Council adopt the *City of Whittlesea Stage Two Dry Stone Wall Study: Thematic History and Precincts (Moloney, 2020)* (Attachment 2), for inclusion in the Whittlesea Planning Scheme as part of the proposed Amendment.

It is recommended that Council seek authorisation from the Minister for Planning to prepare and exhibit proposed Planning Scheme Amendment C249 as shown in Attachment 1 of this report.

5.3.2 Planning Scheme Amendment C271 Rezoning of Mernda Regional Recreation Reserve - Exhibition Outcomes

**5.3.2 Planning Scheme Amendment C271 Rezoning of Mernda Regional Recreation Reserve - Exhibition Outcomes**

**Responsible Officer** Director Planning & Development

**Author** Strategic Planner

**In Attendance** Manager Strategic Futures

**Attachments**

1. Attachment 1 - Zoning Plan [**5.3.2.1** - 1 page]
2. Attachment 2 PPRZ Schedule [**5.3.2.2** - 1 page]
3. Attachment 3 HO Schedule [**5.3.2.3** - 1 page]

**Purpose**

The purpose of this report is to inform Council of the outcomes of the exhibition of Amendment C271 and recommend that Council adopt the Amendment and submit it to the Minister for Planning for approval.

The exhibition resulted in one submission being received which has been resolved without changes to the Amendment. Amendment C271 seeks to rezone land in Council ownership in Mernda from General Residential Zone to Public Park and Recreation Zone to facilitate the use and development of the land for the Mernda Regional Aquatic and Sports and Centre project (RASC).

**Brief Overview**

Amendment C271 seeks to rezone land in Council ownership in Mernda, located on the north-western corner of Plenty Road and the future Everton Drive intersection, from General Residential Zone to Public Park and Recreation Zone (PPRZ). The amendment also seeks to enable prohibited land uses to be permitted at the Preston Hall heritage place (HO68).

The subject site has been set aside for regional open space in accordance with the Mernda Strategy Plan and is the proposed location for the Mernda Regional Aquatic and Sports and Centre. Given its designation as a Regional Open Space site, the application of the PPRZ represents the appropriate underlying zone for the site and will better facilitate the delivery of the Mernda Regional Aquatic and Sports Centre project when compared with the existing General Residential Zone.

Amending the heritage controls relating to Preston Hall to allow for prohibited uses subject to a planning permit will provide greater flexibility as to the options available for the future use of the building.

Amendment C271 was exhibited between 9 May 2023 and 12 June 2023. This included notice in the local newspaper (Northern Star Weekly) and the Government Gazette as well as notification to adjoining property owners and occupiers, prescribed Ministers and relevant government agencies.

Following exhibition one submission was received which has been resolved without any changes required to the Amendment. Therefore, as there are no outstanding issues and no need to appoint a Planning Panel to consider any unresolved submissions, it is recommended that the Amendment be adopted and submitted to the Minister for Planning for approval.

**Recommendation**

**THAT Council:**

1. **Adopt Amendment C271 to the Whittlesea Planning Scheme as contained in *Attachments 1 - 3* of this report.**
2. **Submit Amendment C271 to the Whittlesea Planning Scheme as proposed in 1. above to the Minister for Planning for approval.**

**Key Information**

**Background**

The Mernda Regional Recreation Reserve (MRRR) site was identified in the Mernda Strategy Plan (MSP), which was originally incorporated in the Whittlesea Planning Scheme in 2004. The reserve land, comprising a number of landholdings, is now entirely in Council ownership.

The MRRR site is the proposed location of the Mernda Regional Aquatics and Sports Centre (RASC) project which will ultimately comprise a sports and aquatic centre, outdoor courts, outdoor playing fields and associated infrastructure. It is a significant regional project to service the broader Mernda/Doreen area.

It is now considered appropriate that the ultimate zoning of the land reflect its public ownership and intended use as a regional recreation facility, as identified in the MSP.

Council resolved on 15 August 2022 to seek Authorisation of Amendment C271, which was conditionally granted by the Minister for Planning on 29 December 2022. Consent to exhibit was granted on 28 March 2023.

**Site Context**

The subject land is located at 1470 (part of land to the west of Plenty Road), 1475W, 1485 and 1485W Plenty Road, Mernda, and 15A and 55A Everton Drive, Mernda.

The MRRR is approximately 23 hectares in size and has been identified as a large regional active open space in accordance with the MSP. The MRRR is a regional recreational node that is central to its regional catchment and located close to the Mernda Town Centre.

The MRRR is adjoined by the future Everton Drive extension and residential development to the south, the Mernda Primary School to the west, Plenty Road to the east and conservation/drainage reserves and residential development to the north. The MRRR will integrate with the passive open space, conservation and drainage reserves located in proximity to the site.

The site also contains the historic Preston Hall, which is of local heritage

significance. The Preston Hall and its curtilage is affected by a Heritage Overlay (HO68) in the Whittlesea Planning Scheme. The heritage property is owned by Council and leased as a private residence. The future use of the heritage building will be explored as part of the future planning for the recreation reserve by Council.

Access to the MRRR will be via Everton Drive and a new intersection to be constructed at Plenty Road and Everton Drive.

**Planning Assessment**

The subject site is currently affected by the General Residential Zone – Schedule 1 (GRZ1). Under GRZ1, a permit is required to use the land for a range of purposes, including minor sports and recreation facilities.

The subject sites are also affected by the following overlays:

* Development Contributions Plan Overlay – Schedule 7
* Development Plan Overlay – Schedule 5
* Incorporated Plan Overlay – Schedule 1
* Heritage Overlay – HO68; and
* Vegetation Protection Overlay – Schedule 1

In addition to the above, one of the subject sites, 1470 Plenty Road Mernda, is also affected by the following Overlay controls:

* Public Acquisition Overlay 15;
* Public Acquisition Overlay 4;
* Development Contributions Plan Overlay – Schedule 9; and
* Development Plan Overlay – Schedule 15.

Schedule 1 to the Incorporated Plan Overlay incorporates the MSP. The MSP is the primary strategic plan guiding the development of the Mernda precinct. The MSP strategically identifies the land required for the MRRR.

Development Contributions Plan Overlay Schedule 7 relates to Mernda Precinct 3 Development Contributions Plan. The MSP Development Contributions Plan (MSPDCP) identifies land for acquisition and allocates funds for construction of the MRRR project and nominates Council as the delivery agent for the project.

**Planning Scheme Amendment Proposal**

The proposed Planning Scheme Amendment seeks to amend the planning controls in the Whittlesea Planning Scheme to facilitate the future use and development of the site as a regional recreation reserve.

Specifically, the Amendment seeks to:

* Rezone part 1470, 1475W, 1485, 1485W Plenty Road, Mernda and 15A, 55A Everton Drive, Mernda to a Public Park and Recreation Zone;
* Amend Planning Scheme Map No. 13 by applying the Public Park and Recreation Zone to the aforementioned properties (*refer Attachment 1*);
* Amends schedule to clause 36.02 Public Park and Recreation Zone to apply a permit exemption for use and development on the subject land in accordance with the Mernda Strategy Plan (amended December 2016) (*refer Attachment 2)*; and
* Amends the column relating to prohibited uses in HO68 (Preston Hall) from “no” to “yes” (*refer Attachment 3*).

Under the existing GRZ1, planning permits will be triggered for use of the site and for construction of RASC. This risks delays in the planning and delivery of the project on land that has been specifically set aside for this purpose.

The PPRZ permits the land to be used for a range of uses, and buildings to be constructed and works carried out without the need for a planning permit, provided they are carried out by or on behalf of the public land manager (such as Council).

This would mean that the future use of the MRRR and development of the RASC project would not require planning permits (except where development triggers a planning permit due to an Overlay such as the Heritage Overlay) for most uses, buildings or works in relation to this project. The application of this zone reflects the underlying purpose of the land identified in the MSP and will provide greater certainty for the project and to the community in respect to the long-term use of the reserve.

In addition, updating the Schedule 68 to the Heritage Overlay in respect Preston Hall (HO68) to enable prohibited uses will allow for a wider range of uses to be considered. This will provide greater flexibility in respect to options available for its future use which will be determined as part of future planning for the site to be undertaken by Council.

**Community Consultation and Engagement**

Amendment C271 was placed on exhibition for approximately five weeks from 9 May 2023 to 12 June 2023.

Letters were sent to the owners and occupiers of adjacent land, prescribed Ministers, and relevant government agencies. The letters contained the Amendment notice and information about where the amendment documentation could be accessed.

A notice appeared in the Northern Star Weekly on 9 May 2023 and the Government Gazette on 12 May 2023. A notice was also published on the City of Whittlesea website and Amendment documentation was made available for viewing at the Council Offices.

One submission was received during the exhibition period. The basis of the submission was to seek further information about the Amendment and did not propose any changes to the Amendment.

Specifically, the submission sought to understand the uses allowed without a permit under the PPRZ if they are carried out by, or on behalf of, the public land manager and the uses permitted subject to a planning permit under the proposed amendment to the HO68. Council Officers provided additional information to the submitter and the submitter has subsequently withdrawn their submission.

Therefore, the submission is considered resolved and there is no need to appoint an independent Planning Panel to consider the submission.

**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.

The Amendment supports Goal 2 of Whittlesea 2040 – Liveable neighbourhoods - and the recommended actions which involve building health and recreational facilities and providing more public amenities.

Planning Policy Framework (Whittlesea Planning Scheme)

The amendment is supported by the following clauses of the Planning Policy Framework:

* Clause 02.03-9 – Infrastructure – Community Facilities

*Council supports the development of multi-purpose community facilities that are adaptable and encourage integrated service provision, [and] Council aims to: enhance community wellbeing through building social and physical infrastructure that: facilitates community wellbeing through building social and physical infrastructure that: facilitates community connections, generates social capital, [and] enables residents of all ages to undertake daily activities.*

* Clause 02.03-9 – Infrastructure – Open Space

*Council aims to facilitate an appropriate range and proportion of open space types to reflect community expectations for nature conservation, formal and informal recreation.*

**Considerations**

**Environmental**

The MRRR will integrate strongly with the passive open space, conservation and drainage reserves located in proximity to the site.

**Social, Cultural and Health**

The Mernda Regional Aquatics and Sports Centre will be a key facility in Council’s sports and leisure network and is a significant investment into social and health infrastructure to support healthy and active lifestyles across the municipality.

**Economic**

The Mernda Regional Aquatics and Sports Centre will deliver an economic benefit to the municipality through job creation, operational income, consumer surplus (when consumers value attending the facility more than its entry/membership cost), travel time benefits and social value (improving quality of life and reducing the burden on the health care system).

**Financial Implications**

The cost of preparing and resourcing the Amendment is covered in Council’s current budget.

**Link to Strategic Risk**

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

The Planning Scheme Amendment is necessary to facilitate the Mernda Regional Aquatics and Sports Centre (RASC) project. The project will be an important facility for the community and community wellbeing.

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

Exhibition of the amendment was undertaken in accordance with the requirements of section 19 of the *Planning and Environment Act 1987.*

**Implementation Strategy**

**Communication**

The decision will be published in the Council Minutes.

**Critical Dates**

* 29 December 2022 – Authorisation received from the Minister of Planning
* 9 May 2023 – Exhibition Commencement
* 12 June 2023 – Exhibition Completed

**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**

Amendment C271 applies the Public Park and Recreation Zone to the land identified within the Mernda Strategy Plan as a regional recreation reserve. Application of the Public Park and Recreation Zone better reflects the underlying strategic intentions for the site and will streamline the approval process for the RASC project once the Planning Scheme Amendment process has been finalised.

The Amendment also seeks to amend the heritage controls relating to Preston Hall to allow for potential consideration of a wider range of uses, which will assist with the long term preservation and use of this heritage place.

Any future use will be determined as part of future planning for the site and will consider the suitability of the use in the context of the surrounding area.

Council has undertaken the exhibition process in accordance with the requirements of the *Planning and Environment Act 1987*.

The exhibition resulted in one submission being received which has been resolved without changes to the Amendment and therefore it is recommended that Council adopt the Amendment and submit the Amendment to the Minister for Planning for approval.

5.3.3 Epping Central Structure Plan for Endorsement

**5.3.3 Epping Central Structure Plan for Endorsement**

**Responsible Officer** Director Planning & Development

**Author** Senior Strategic Planner

**In Attendance** Senior Strategic Planner

**Attachments**

1. Local Context Plan [**5.3.3.1** - 1 page]
2. Summary of Key Issues and Officer Recommendations [**5.3.3.2** - 8 pages]
3. Epping Central Structure Plan [**5.3.3.3** - 84 pages]

**Purpose**

This report considers the feedback received from the public exhibition of the draft Epping Central Structure Plan conducted in late 2022. A number of updates to the draft Structure Plan have been made in response to the community feedback. The purpose of this report is to seek Council endorsement of the refreshed Epping Central Structure Plan. Subsequent to the endorsement of the Structure Plan, it is proposed to prepare a planning scheme amendment to give effect to the updated Structure Plan.

**Brief Overview**

The review of the Epping Central Structure Plan is identified as a key action in Council’s Community Plan. Epping Central has seen a significant amount of change to land use and transport infrastructure since the existing Structure Plan was adopted 2011. The Epping Central Structure Plan review project seeks to review and update the existing *Epping Central Structure Plan* (2011) with a key aim to better align the document with the goals contained in the Community Vision *Whittlesea 2040: A Place for All*, to increase local employment, provide more diverse housing and create a more vibrant and attractive activity centre.

Epping Central is a designated Metropolitan Activity Centre (MAC) and is a key location for employment, housing and higher order health, retail and education services within the City of Whittlesea (refer to Attachment 1 for local context / Structure Plan area).

The Epping Central Structure Plan Review is being undertaken over 4 stages. Stage 1 comprising the background review and issues analysis and Stage 2 being the development of a ‘Future Directions Paper’, which presented potential directions for the Activity Centre for public review and comment, have been completed.

The preparation of a draft Structure Plan comprises Stage 3 of the Epping Central Structure Plan Review.

The Structure Plan has been informed by the outcomes of the first two stages including community consultation undertaken in respect to the ‘Future Directions Paper’. The Structure Plan establishes a long-term vision for the precinct and sets out a policy, development and implementation framework to ensure that Epping Central continues to grow as a liveable, diverse and thriving Metropolitan Activity Centre.

The Structure Plan provides direction for the future planning and development of the Epping Central area and will be used to guide and manage future planning and decision making over the next 20 years.

The draft Structure Plan was placed on public exhibition for a period of 6 weeks between 24 October to 4 December 2022. Some 264 contributions were made as part of the broader community engagement process.

In addition, seven individual submissions were also received from community members and key stakeholders which have now been reviewed by Council officers. As a result, a number of changes have been made to the Structure Plan. A summary of the key issues raised in the written submissions together with the officers’ response and proposed changes to the Structure Plan is included in Attachment 2.

Attachment 3 comprises the final Epping Central Structure Plan and which incorporates the changes detailed in Attachment 2.

Subject to Council endorsing the refreshed Structure Plan, the next stage of the project will include an amendment to the Whittlesea Planning Scheme to give effect to the Structure Plan. The draft planning controls will be formally presented to Council at a later date for the purposes of seeking authorisation from the Minister for Planning to prepare and exhibit an amendment to the planning scheme. This will include a review of the existing planning controls relating to the Epping Central Structure Plan area including Schedule 1 to the Activity Centre Zone – Epping Central Metropolitan Activity Centre (ACZ1).

**Recommendation**

**THAT Council:**

1. **Endorse the refreshed Epping Central Structure Plan (refer Attachment 3).**
2. **Notify submitters of Council’s decision to endorse the Epping Central Structure Plan.**
3. **Commence the review of the planning controls for the purpose of preparing a planning scheme amendment to give effect to the Epping Central Structure Plan in the Whittlesea Planning Scheme.**

**Key Information**

**Background**

Epping Central is the City of Whittlesea’s largest Activity Centre. It is a key location for employment, housing and higher order health, retail and education services including the Northern Hospital, the new Northern Private Hospital (currently under construction), Northern Centre for Health, Education and Research (NCHER), Pacific Epping Shopping Centre and Melbourne Polytechnic (refer to Attachment 1 for local context).

Epping Central is strategically placed between the City of Whittlesea’s southern established suburbs of Thomastown, Lalor, Bundoora, and Mill Park, and the growth areas corridor to the north comprising the suburbs of Epping North, Wollert and Donnybrook.

Epping Central is identified as a MAC by the State Government’s Metropolitan Planning Strategy, *Plan Melbourne 2017-2050*. MACs are designated as an important focus for business, housing and a broad range of services and facilities that are well serviced by public transport. They also provide communities with good access to a range of major retail, community, government, entertainment, cultural and transport services. Epping Central is recognised for its role in supporting Melbourne’s continued urban growth and development.

The preparation of Structure Plans for Activity Centres is a key priority of the previous and current metropolitan planning strategies for managing growth and change in metropolitan Melbourne. Plans for MACs need to accommodate significant growth and infrastructure, while increasing amenity and connectivity for a regional catchment.

The *Epping Central Structure Plan* was adopted in 2011, following a comprehensive Structure Plan preparation process. The Structure Plan was given effect through the preparation and subsequent adoption of Amendment C130 to the Whittlesea Planning Scheme (gazetted 19 March 2015), which among other things introduced the Activity Centre Zone and associated Schedule 1 – Epping Central Metropolitan Activity Centre (ACZ1) together with the application of the overlays including the Parking Overlay (PO), Development Contributions Plan Overlay (DCPO), Environmental Audit Overlay (EAO) and Special Building Overlay (SBO).

The Epping Central Structure Plan Review seeks to review and update the existing *Epping Central Structure Plan* (2011) to better align with current policy and respond to emerging issues and opportunities.

Since its adoption there have been a number of significant land use and transport infrastructure changes in the Epping central precinct and surrounds, which have not only strengthened its role as a MAC, but also provide new opportunities to build on these strengths and support further investment in the centre. These include:

* construction of Stage 1 of the Epping Renewal Site incorporating 151 affordable dwellings within three multi-storey apartment buildings and the new Northern Private Hospital (currently under construction);
* planning for the development of the Epping Renewal for a mix of commercial, residential and some limited retail uses;
* the expansion of the Northern Hospital;
* the expansion of the Pacific Epping Shopping Centre;
* Construction and occupation of the of the Melbourne Wholesale Fruit, Vegetable and Flower Markets in Cooper Street, Epping;
* Provision of the Epping Services Hub in High Street;
* Development of the Costco Supermarket and Quest Serviced Apartments;
* development of the new Epping Train Station and extension of the train line to Mernda; and
* connection of Deveny Road between High Street and Edgars Road.

Key aims of the project are to increase local employment, provide more diverse housing opportunities and create a more liveable and vibrant Activity Centre consistent with Whittlesea 2040.

The Epping Central Structure Plan review project is being undertaken across four stages, with each stage involving consultation with the community (see Figure 1).



*Figure 1: Epping Central Structure Plan Project Plan*

Stage 1 of the project comprising the background review and issues analysis together with Stage 2 comprising the development of a ‘Future Directions Paper’ have been completed.

The preparation of a draft Structure Plan forms Stage 3 of the project. The Structure Plan has been informed by, and responds to, community feedback about the Epping Central precinct. The draft Structure Plan was placed on public exhibition for a six-week period between 24 October to 4 December 2022. A total of seven individual submissions were received during the exhibition period.

In addition, some 264 contributions were received as part of the broader consultation. A summary of the community engagement activities and the key issues raised as part of the consultation is included in the Community Consultation and Engagement section below. Consideration of community feedback and endorsement of the final Structure Plan completes this stage of the project.

Preparation of a planning scheme amendment to give effect to the updated Structure Plan forms Stage 4 of the project and is subject to endorsement of the final Structure Plan by Council. It is anticipated that the amendment will incorporate the review and update of the Activity Centre Zone Schedule 1 (ACZ1 - Epping Central Metropolitan Activity Centre) and other related policies and controls within the Whittlesea Planning Scheme. A report on the planning scheme amendment seeking approval to request authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whittlesea Planning Scheme will be presented to Council at a later date.

**Epping Central Structure Plan**

The refreshed Epping Central Structure Plan (Attachment 3) has been informed by the outcomes of an extensive community consultation program. An outline of the community engagement activities undertaken, as well as an analysis of the community feedback received, is discussed further below. A summary of the Epping Central Structure Plan Engagement activities and community feedback is also available on Council’s ‘Engage’ website.

The refreshed Structure Plan is comprised of the Strategic Vision together with broad Objectives and Strategies falling under five key themes aligned with the goals of *Whittlesea 2040* to deliver:

* Urban Living – diverse, affordable attractive housing;
* Movement and Transport – Accessible, safe and sustainable transport;
* Employment and Investment – Thriving and resilient local businesses and jobs;
* Community facilities and Services – Community facilities that build and strengthen communities; and
* Public Realm and the Natural Environment – Connected and valued streetscapes, open space and creek networks.

Section 3 of the Structure Plan comprises the individual Precinct Plans within Epping Central, comprising six core precincts and three contributory precincts.

The boundaries of each precinct have been determined by the existing and future land use directions, preferred built form outcomes and their role in realising the shared vision for Epping Central. Each of the Precinct Plans provides detailed directions in respect to land use, built form and design considerations for future development.

Section 4 Implementation recognises that the successful delivery of the Structure Plan will require support from all levels of government and collaboration across the whole organisation as part of the integrated approach to Council action planning. This section also highlights some of the future strategic work opportunities to help realise key aspects of the Structure Plan.

**Community Consultation and Engagement**

The Structure Plan has been informed by a comprehensive community consultation program. The Epping Central Structure Plan Review is being undertaken across several stages, with each stage involving consultation with the community and key stakeholders.

Stage 1 of the project being the background review and issues analysis also included a review of previous community engagement undertaken through the initial preparation of the original Structure Plan and of other Council strategic plans including *Whittlesea 2040*, which was used to help develop the Future Directions Paper.

**Future Directions Paper – Stage 2**

Community engagement on the Future Directions Paper (Stage 2) was undertaken between 15 June – 17 October 2020. A range of communications and engagement activities was undertaken to inform, consult and involve participants across the community on the proposed key directions and to enable the community to share their lived experiences and ideas for Epping Central. Feedback was structured around thirteen broad Activity Centre wide key directions as they related to key themes including housing, employment and business, transport and movement, streetscapes, open space and public realm and services and facilities. In addition to feedback on the key directions, the community were asked broad questions designed to capture lived experiences and to identify places that are valued within Epping Central and opportunities for improvement.

In summary over 3000 businesses and households were notified about the Future Directions Paper. There were 387 website visits, and 137 contributions were received in response to the Future Directions Paper as part of the community consultation and engagement process.

**Refreshed Draft Epping Central Structure Plan – Stage 3**

As part of the third phase of consultation, the refreshed draft Structure Plan was placed on public exhibition for a period of six weeks between 24 October and 4 December 2022. The aim of the Stage 3 community engagement was to inform and consult with the community on the vision, objectives and strategies contained within the draft Structure Plan to ensure that the activity centre continues to meet the current and future needs of the people who live, work and visit Epping Central.

Broad promotion of the community engagement occurred across Council’s various communication channels and community networks including:

* Council’s website
* Council’s Engagement Platform – Hive
* Social media promotion via Facebook, LinkedIn, Twitter
* Direct mailout to owners and occupiers of land within Epping Central
* Email notification to key stakeholder groups including schools, kindergartens, aged care facilities.
* Direct notice to government departments / agencies
* Email notification to business owners via Business Newsletter
* Pop-up stalls within Epping Central
* Meeting with key stakeholders

Table 1 below details the specific activities undertaken as part of the Stage 3 community consultation and engagement process for the public exhibition of the draft Epping Central Structure Plan.

|  |  |  |
| --- | --- | --- |
|  | How We Engaged | Who We Engaged |
| City of Whittlesea – Engage Page (Hive) | <https://engage.whittlesea.vic.gov.au/epping-central-structure-plan>   * Links to engagement platform (letters, flyers, emails) * Overview of project, links to project resources, FAQs’ | * 618 unique visits (1,845 total views) |
| Engagement Platform Activities    Structure Plan Survey  Precinct Plans - Quick Poll  Strategic Direction priorities | Activities designed to provide feedback on the key strategic directions, key vision/proposed changes within individual precincts and the Structure Plan more broadly | * 59 contributions * 37 contributions * 14 contributions |
| Social Media Promotion | Used to promote the project and direct people to the Engage Website (via LinkedIn, Facebook, Twitter and Instagram) | * 7 posts * 66 Likes |
| Direct Mailout | Letters and Fact Sheets delivered via post to all owners and occupiers within Epping central Boundary | Approx. 2900 letters sent |

|  |  |  |
| --- | --- | --- |
|  | How We Engaged | Who We Engaged |
| Community Groups, Service Providers and previous participants to Stage 2 | * Email/Flyer sent to local community groups, schools, early learning centres, government agencies and advisory groups (for inclusion in school/group newsletters) * Email and Fact Sheet sent to Phase 2 survey respondents | * 80 emails sent            * 59 emails sent |
| Local Businesses | * News Article promoting the project and directing people to the Engage Website included in e-Business News. * Presentation and workshop conducted at the Business Advisory Panel. | * Emailed to 2500 businesses |
| Key Stakeholders | Individual targeted meetings held with landowners and government agencies including Departments of Transport and Health | * 7 meetings |
| Pop-up stalls | Pop-up stalls were conducted at High Street Village, Pacific Epping and South Morang Market to engage with the broader community in relation to the project during November. | * 4 pop-ups * 154 contributions |

*Table 1 – List of Engagement Activities*

The online community ‘Engage’ Website offered a range of activities for the community to provide feedback. In addition, four-pop up stalls were also conducted, with community members encouraged to vote for their top 2 strategic land use themes as contained in the Plan and to provide additional comments on why these themes are important and/or to identify any other matters that should be considered within the Epping Central area. In total 264 contributions were received through the various engagement activities, and which highlight the key priorities for the community. A summary of the findings from this consultation is included under the Considerations section below.

An additional seven individual submissions were made to the Structure Plan. Three of the submissions are from public agencies or community groups (EPA, Department of Health and Darebin Creek Management Committee). The remaining submissions were made by or on behalf of landowners within Epping Central. The individual submissions whilst largely supportive of the Structure Plan tend to focus on site specific matters. A summary of the key issues raised within the written submissions together with the officer’s response and recommended changes to the Structure Plan is included as Attachment 2.

All submissions and associated key issues raised through the broader community consultation have been considered and where appropriate changes made to the Structure Plan. Individual submitters will be notified of Council’s decision.

**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.

**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.

The Epping Central Structure Plan aligns with the goals of *Whittlesea 2040* with a strong focus on economic investment, job creation, public realm improvement and residential growth to support and facilitate the future vision of Epping Central as an attractive, welcoming and sustainable urban centre.

This report completes the 2022/23 Community Plan Action Plan item to:

*Finalise a draft of the Epping Central Structure Plan for community consultation.*

It also progresses the following action:

*Progress planning and development of key activity centres and employment precincts including Cloverton Metropolitan Activity Centre and the Plenty Valley and Epping Central structure plans.*

Epping Central is identified as a priority area for health, education, employment and transport related investment and will offer a range of civic, retail, commercial and community services and facilities supporting its designation as a MAC. It also builds on the regional importance of the health precinct anchored by the Northern Hospital and NCHER.

The plan focusses on improvements to the public realm and open space; high quality sustainable built form; improved pedestrian connections and movement; and a diversity of housing opportunities to create an interesting and exciting neighbourhood where people want to live, work, play and visit.

The Structure Plan sets out a policy, development and implementation framework for the future development of Epping Central providing an integrated and strategic vision to guide the growth and development of the centre.

**Considerations**

**Response to submissions**

**Community Comments**

As noted previously, a range of consultation activities were undertaken as part of this stage of the community consultation. The online community ‘Engage’ Website offered a range of activities for the community to provide feedback. Community members were encouraged to have their say by completing a survey to help identify the level of support for key aspects of the Structure Plan, voting for their top three strategic directions and completing a poll on any of the nine precincts highlighted on the precinct map.

Forty-five surveys were completed with 78% liking or liking a lot the shared vision for Epping Central. Of those people who didn’t like the vision, some of the key concerns related to the proposed location of the train line between the Northern Hospital and Pacific Epping contributing to traffic congestion in this vicinity and additional parking pressure on existing car parking; and the need for greater police presence/security.

Several respondents also commented on the need for greater prioritisation of walking and cycling throughout the whole of Epping Central and supporting infrastructure including appropriate lighting e.g. along Darebin Creek, dedicated bicycle lanes, prioritised crossings and more clarification of what streetscape improvement/path upgrade works entail.

The above comments were also reflected in the key priorities, with the top two priorities under the Movement and Transport theme being:

* Enhanced pedestrian paths between key destinations (Epping Station, Epping Hub, Pacific Epping and the Northern Hospital) with wider footpaths, seating, lighting and wide footpaths; and
* Provision of the Wollert Rail Corridor and new station within Epping Central.

Several comments were also made in respect to the need for more tree planting and greening of Epping Central which was also reflected in the top two priorities under the Public Realm theme which were to:

* Encourage significant greening including planting of canopy trees along streets and as part of the re development of large privately owned sites; and
* Provide new opportunities for open space and urban squares.

Other priorities voted as being important by survey respondents include:

* Provision of new built form guidelines that encourage high quality development that provide an attractive outlook to the street and provide for landscaping (Urban Living);
* Provide frontages at ground level that add interest and encourage activation of the street (Urban Living);
* Support the centre’s role as an expanded Health Hub building on the Northern Hospital (Employment); and
* Support a broad range of business, industries and jobs. (Employment).

14 contributions were made in response to the quick poll on which of the ten strategic directions listed were considered important to respondents with Direction 1 and 2 attracting the most votes with 9 each:

* Strategic Direction No 1 relates to – Supporting the ‘urban core’ by encouraging the intensification of development and a greater diversity of uses; and
* Strategic Direction No 2 Supports the development of an expanded health precinct anchored by the Northern Hospital.

At the community pop ups community members were encouraged to vote for the two key strategic land use themes they consider most important to them (refer to Figure 2 below for the Strategic Land Use Themes). We had 122 people nominate their top two themes and captured 32 additional comments.



*Figure 2 - Vote it – Strategic Land Use Themes*

Movement and Transport ranked the highest with 61 contributors nominating it as being important followed by Community Facilities and Services attracting 51 nominations.

Many of conversations were general in nature and focussed on support for improved public transport, including more bus routes/services/infrastructure together with better road infrastructure. Several residents identified site specific transport improvements including the continuation of Memorial Street and provision of a round-a-bout at Houston Street.

In respect to the theme of ‘Community Facilities and Services’, comments provided by the community indicate support for additional services, support and/or activities for older people in addition to younger people. Several people commented on the need to provide more affordable or free services for people who are financially disadvantaged such as young people or people with a disability. Providing opportunities for people to congregate within their community was also considered important. The provision of a library in Epping was identified as a specific need by several respondents.

A summary of the feedback received through the online platform, surveys and face-to-face pop-up sessions has been made available on the City of Whittlesea Engage online page: [Epping Central Structure Plan | Engage City of Whittlesea](https://engage.whittlesea.vic.gov.au/epping-central-structure-plan)

As noted, a summary of the key issues raised in the individual submissions together with the officer’s comments and recommendations is found at Attachment 2. The following section summarises the overarching key strategic issues raised as part of this process and includes the officer response and proposed changes to the Structure Plan.

**Delivery of Open Space/Urban Squares**

Two of the landowner submissions raised concerns in respect to the open space/urban square opportunities identified in the Structure Plan. Issues raised included future ownership/management of open space/urban squares; the proposed size of urban squares/open spaces; and timing of delivery.

*Officer response: It is anticipated that any open space and urban squares required as part of the future development of strategic sites, where the developments incorporate a residential use as part of a broader redevelopment and the open space services the precinct, would ultimately be transferred to the City of Whittlesea, who would be responsible for ongoing maintenance responsibilities. The provision of any residential activity as part of the development/redevelopment of large strategic sites would be dependent on the proposed development providing high levels of amenity including the provision of open space, particularly where gaps have been identified in the open space network as part of Council’s Open Space Strategy (2016). To provide greater clarity around the timing for the delivery of identified open space opportunities, it is proposed to add a new Strategy in the Structure Plan to the effect that open space is required to be delivered at the time the land is redeveloped for mixed use purposes.*

*It is anticipated, however that new open spaces/urban squares opportunities identified which are not otherwise required to support residential development (namely those within the Pacific Epping site) are anticipated to remain in private ownership, however this would be subject to further negotiation with the landowners at time of planning and delivery in the future.*

*Council officers are willing to consider a potential reduction in the size of nominated urban squares as they relate to the Pacific Epping Shopping Centre site noting the context of the development and purpose of the urban squares. It is proposed to support an increased range by reducing the minimum size of urban squares from 750sqm to 400sqm (for those urban squares to be located in proximity to the future train station) subject to masterplanning and detailed design. It is proposed to expand the size range for the urban square referred to as Market Square from 500sqm to 1500sqm to better align with the proposed urban square at the Epping Renewal Site.*

*Officers do not support a reduction in the size range proposed for identified open spaces, noting that these have been designed to address gaps identified in the open space network as part of the Open Space Strategy. The provision of adequate open space in Epping Central is paramount in ensuring that adequate open space is planned for and provided to support the significant population and employment growth anticipated in Epping Central.*

*It is noted however, that further detail in respect to the location, size and timing of delivery of open space/urban squares should be addressed as part of masterplanning for key sites.*

**Proposed Wollert Rail alignment/new Epping Train Station**

Whilst the individual submissions and community feedback indicate strong support for the extension of the train line through Epping Central to Wollert, the Department of Health (DH) and landowners for Pacific Epping, both raised some concern around the proposed alignment of the train line and station location.

In particular, the uncertainty this creates for the future planning and development of the interfacing land, in the absence of detailed planning and an agreed position on the mode of transport and location of future rail infrastructure by the State Government.

*Officer response: Whilst noting that no formal decision has been made in respect to the mode of transport or final design of a transport corridor, the extension of rail from Lalor to Wollert via Epping Central is a key investment advocacy initiative of the City of Whittlesea.*

*Preliminary investigations undertaken for the rail corridor indicate that an elevated rail line through Epping Central would be the most cost effective and practical approach with the existing ACZ1 incorporating guidelines to facilitate the provision of an elevated railway and associated infrastructure, including car parking.*

*Whilst noting that any development of the Northern Hospital is exempt from a planning permit pursuant to Clause 36.01 (Public Use Zone), Council officers would encourage both land-owners to include the Department of Transport and Planning (DTP) in any discussions regarding future planning for the adjacent sites to ensure that the siting of any future buildings and sensitive uses and building design considers the overall vision and site specific outcomes for Epping central. This may also help avoid costly mitigation measures needing to be implemented as part of any future construction of transport infrastructure.*

*It is noted that both parties have indicated their intention to meet with DTP to discuss these issues. Officers also understand that the owners of Pacific Epping Shopping Centre are also working with DTP to achieve greater certainty in respect to their site.*

*It is noted that Council officers have also met with DTP to both present Council’s preference for a rail line within the designated corridor and to discuss improvements to bus services, including the frequency of service and routes covered until the railway line is constructed. Preliminary discussions have also indicated that there may be some flexibility in how and where the designated car spaces are provided. Whilst a formal submission was not received from DTP in respect to the Structure Plan, Council officers will seek further clarification on the existing requirements for the Epping North Public Transport Corridor as currently contained in the ACZ1 to ensure that any requirements comply with current standards with a view to protect the future transport corridor from inappropriate development which may prejudice or have an impact on future delivery of the train line.*

*It is important to acknowledge however, that any proposal to develop adjoining sites to the transport corridor should seek to minimise the impact of any building and associated uses on the rail corridor and must be approved and endorsed by Public Transport Victoria (DTP).*

**Pedestrian Priority Movement Corridors / Pedestrian Links**

Several of the submissions indicated the need for some flexibility in respect to the proposed designation of the Pedestrian Priority Movement Corridors with one submitter suggesting that diagrams better reflect the aspirational nature of the strategic intent of these corridors and associated connections. One submission also queried who would ultimately be responsible for maintaining the paths.

*Officer response: Whilst Council Officers support some flexibility in terms of the ultimate alignment of the Priority Pedestrian Movement Corridors, this needs to be balanced with the public benefit of planning for the delivery of a high amenity pedestrian network through Epping Central which aims to prioritise pedestrian movement in a safe and efficient manner. The Pedestrian Priority Movement Corridors are aligned along key desire lines between key services and facilities with a view to connecting residents and commuters and key services in a high amenity environment.*

*A key purpose of showing the network on the Structure Plan is to ensure the network is considered as part of future planning and detailed design of affected properties and it is important that future master planning for strategic sites adequately provides for these corridors. To address concerns around the need for greater flexibility it is proposed to include a note on all plans incorporating the Priority Pedestrian Movement Corridor to note that the alignment is indicative only. Future ownership and maintenance responsibility is likely to be a combination of Council and private landowners.*

**Other Changes to the structure Plan**

A number of other changes have been made to the Structure Plan in response to the submissions received. Some of these changes are more general in nature and include changes to text to better address climate change adaptation in the Strategic Vision and relevant strategies whilst some of the other changes are more site specific such as identifying Pacific Epping as a strategic development site; designating the new Northern Private Hospital as currently under construction rather than proposed; and updating the Epping Renewal Site Precinct Plan to only retain key pedestrian connections. Other changes to the Structure Plan made in response to submissions include:

* Adding additional text in the Employment and Investment Key Theme to provide more context in respect to the urban core as the focus for intensification of development and provision of a greater diversity of uses and which is also anticipated to have a high level of amenity and prioritise pedestrian movement.
* Inclusion of a new Strategy in the Movement and Transport Key Theme to advocate for improvements to the pedestrian network that provides for safe and efficient pedestrian movement and local connections including prioritisation of pedestrian movement across major roads.
* Amending the Strategic Vision to include reference to the broader vision of a Health, Wellness and Knowledge Precinct anchored by the Northern Hospital and Northern Centre for Health, Education and Research (NCHER).

A number of minor changes and corrections have also been made to ensure greater clarity.

A copy of the final Structure Plan incorporating all of the changes as recommended by officers at Attachment 2 is included as Attachment 3.

**Matters for Consideration as part of the Review of the ACZ1**

Several of the submissions raised matters which are considered better addressed through the review of the ACZ1, which will occur as a subsequent stage in the process following approval of the Structure Plan. Some of the comments sought changes made directly in response to the schedule. It will therefore be important to ensure that due consideration is given to relevant submissions as part of the next stage to review the planning controls and changes made to the schedule as appropriate.

Some of the specific issues raised include:

* Changes to precincts/sub-precincts and associated implications on permitted land-uses;
* Updating wording in the Schedule as it relates to land contamination, noise pollution and land-use compatibility;
* The proposed provision of affordable/social housing within Epping Central;
* Proposed controls associated with the future Wollert Rail Corridor and associated train station in Epping Central; and
* Support for refinement of the ACZ1 objectives and removal of repetition of matters within the schedule.

The submission relating to the Pacific Epping Shopping Centre, also requested further flexibility in respect to the preferred scale/height currently permitted pursuant to the ACZ1. Whilst the preferred character for Precinct 4 including the Shopping Centre is a high change mixed-use precinct with integrated development in 3-8 level buildings, the submitter contends that the preferred height of 25m (approximately 6-7 storeys) is significantly less than that permitted on the Epping Renewal Site, which provides for development of up to 12 storeys across parts of the site.

It is acknowledged that the Pacific Epping site has the potential to support more intensive development, particularly within the urban core beyond eight storeys. Whilst officers are willing to consider allowing heights of up to 42m (12 storeys) on parts of the site, additional urban design analysis is required to justify and proposed change to the current preferred heights. Officers will work with the proponent and will also seek to obtain independent urban design advice as part of the next stage in progressing changes to the planning controls. This should include providing an increased height for the ground floor level to increase flexibility in the types of uses at ground level over the life of the building.

**Planning Assessment**

The refreshed Epping Central Structure Plan has been prepared with consideration to the following policies and guidelines:

* Planning Practice Note 58: Structure Planning for Activity Centres.
* ‘Activity Centres Toolkit: Making it Happen’ (former Department of Planning and Community Development).
* Urban Design Guidelines of Victoria.

The Structure Plan implements the following strategies and policies:

* Plan Melbourne 2017-2050, which identifies Epping as a Metropolitan Activity Centre (MAC).
* The Municipal Planning Strategy including Clause 02.03-1 Settlement, Activity Centres, which recognises that Epping Central provides a significant opportunity to respond to the City’s housing, employment and service needs at a regional scale within an established urban context. Council aims to support activity centres by Facilitating the development of Epping central as a Metropolitan Activity Centre.
* The Planning Policy Framework including:
  + Clause 11.01-1R Settlement – Metropolitan Melbourne which includes a strategy to Focus investment and growth in places of state significance, including: Metropolitan Activity Centres and Health and Education Precincts.
  + Clause11.03-1S Activity Centres – Metropolitan Melbourne which includes a strategy to support the development and growth of Metropolitan Activity Centres by ensuring they:
    - Are able to accommodate significant growth for a broad range of land uses.
    - Are supported with appropriate infrastructure.
    - Are hubs for public transport services.
    - Offer good connectivity for a regional catchment.
    - Provide high levels of amenity.
  + Clause 11.03-1L Activity Centres which aims to reduce the amount of escape expenditure by encouraging a range of employment and entertainment activities in higher order centres.

Encourage activity centres to provide:

* + - Activated street-based environments that are pedestrian friendly.
    - A mix of retail, commercial and community facilities with opportunities for residential or business on upper levels.

Plan for the delivery of a Health and Wellbeing Hub within the Epping Metropolitan Activity Centre in a location that facilitates a relationship with the existing health services in Epping Central.

**Financial Implications**

A high priority outcome of the Structure Plan is the preparation of a planning scheme amendment to review the existing controls and policies including the existing Activity Centre Zone Schedule 1 (ACZ1) to give effect to the updated Structure Plan. It is anticipated that the planning scheme amendment will be implemented using some of the funds allocated to this project a part of the budget process for the 2023-2024 financial year.

It anticipated that some of the other actions will also be implemented within existing resources. Where there is a need for additional resourcing, this will be considered as part of the annual budget process, and where possible via external government grant funding and exploration of potential partnership opportunities with government agencies and key stakeholders.

**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.

The detailed community engagement plan used to engage with and inform the community on the draft Structure Plan was prepared in consultation with Council’s Communications and Engagement Teams. A range of activities was undertaken as part of the engagement program designed to maximise stakeholder engagement.

It is anticipated that additional community engagement will be undertaken as part of key strategic projects to implement the Structure Plan. A key outcome of the Structure Plan Review is the preparation of a planning scheme amendment to give effect to the refreshed Structure Plan. Further community consultation will be undertaken via the statutory exhibition as part of this process.

**Implementation Strategy**

**Communication**

A summary of the consultation undertaken, and key issues raised as part of the Stage 3 Community engagement has been made publicly available on Council’s Engage platform.

All submitters who provided their contact details to Council will be notified of Council’s decision in respect to the Structure Plan.

Relevant submissions will also be referred to the next stage of the Project being the review of the planning controls to give effect to the Structure Plan via a planning scheme amendment. As noted in the discussion, whilst some of the issues raised in submissions were not directly relevant or were too specific to be addressed through the Structure Plan, they are matters that should be considered as part of the review of the planning controls.

**Critical Dates**

The Epping Central Structure Plan is a 2020-2021, 2021-2022, 2022-2023 Community Plan Action Item. The draft Structure Plan was placed on public exhibition for a period of six week from 24 October to 4 December 2022.

The 2022-2023 Council Plan Action Plan contains two actions relating to the Structure Plan noting that the release of the draft Structure Plan for community consultation completes the action item relating to the preparation of a draft Epping Central Structure Plan.

**Next Steps**

Pending adoption of the final Structure Plan by Council, it is anticipated that Council officers will commence the preparation of a planning scheme amendment to give effect to the Structure Plan, comprising Stage 4 of the review project. A report on this matter is expected to be presented to Council in early 2024 seeking approval to request the Minister for Planning to authorise Council to prepare and exhibit an amendment to the Whittlesea Planning Scheme. It is noted that further community consultation will be undertaken via the statutory public exhibition requirements as part of this process.

**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 Epping Central Structure Plan review project updates the existing Epping Central Structure Plan 2011 to better align with current policy, to reflect and consider major land use and transport changes that have occurred within the Epping Central area and surrounds since the original Structure Plan was endorsed in 2011 and to respond to emerging issues and opportunities.

There has been substantial community engagement undertaken as part of the development of the refreshed Epping Central Structure Plan and which has informed the final Structure Plan. Whilst community feedback and individual submissions were generally supportive of the Structure Plan, a variety of issues were raised for consideration and inclusion in the Structure Plan. These addressed both general issues applying to the whole activity centre together with precinct and site-specific matters.

Feedback from the community and key stakeholders has now been reviewed and where appropriate changes have been incorporated into the Epping Central Structure Plan in response to the feedback.

Should Council endorse the final Epping Central Structure Plan, the next stage will be to review the planning controls, including Schedule 1 to the Activity Centre Zone to give effect to the refreshed Structure Plan and ensure that the controls guiding development in Epping Central are current and appropriate.

It is therefore recommended that Council endorse the refreshed Structure Plan as included at Attachment 3 which incorporates all the changes detailed in the officer’s recommendations at Attachment 2. It is then proposed to commence the review of the planning controls for the purpose of preparing a planning scheme amendment to the Whittlesea Planning Scheme to give effect to the refreshed Structure Plan. All submitters to the draft Structure Plan will be notified of Council’s decision in respect to this matter.

5.3.4 Lalor Development Plan Addendum

**5.3.4 Lalor Development Plan Addendum**

**Responsible Officer** Director Planning & Development

**Author** Strategic Planner

**In Attendance** Strategic Planner

**Attachments**

1. Attachment 1: Subject Site [**5.3.4.1** - 1 page]
2. Attachment 2: Development on larger parcel [**5.3.4.2** - 1 page]
3. Attachment 3: Addendum to Lalor Development Plan - 50 S Gillwell Road site [**5.3.4.3** - 78 pages]

**Purpose**

The purpose of this report is to discuss the outcomes of the public exhibition of a proposed amendment to the Lalor Development Plan. The proposal seeks to amend a land use designation within the Development Plan for the property at 50s Gillwell Road, Lalor, from “Integrated Residential Age in Place Estate” to “medium density residential”.

**Brief Overview**

The amendment to the Lalor Development Plan (Carlingford and Mosaic Living) has been pursued by the owner of the subject site, Baptcare. The subject site, 50S Gillwell Road, Lalor (*refer Attachment 1*) was part of a larger parcel of land originally intended to be developed as residential aged care and a retirement village. In 2015, a permit was issued for this development. Only the residential aged care portion of that development has been acted upon, this being delivered in the north-east corner of the larger parcel.

Subsequently, a portion of the designated retirement village site in the north-west corner of the larger parcel (*refer Attachment 2*) has been approved for development as social housing under Victoria’s Big Housing Build. The proposed amendment seeks to change the designation of the remaining area currently designated for retirement village to medium density residential.

Baptcare have advised Council that due to the development of part of the site for a different purpose under the Big Housing Build, and market conditions, the delivery of the retirement village component on the balance of the site is no longer feasible. As noted above, Baptcare are therefore seeking the amendment to the Lalor Development Plan to enable medium density residential development for this portion of the site. They are proposing to amend the current development plan through the inclusion of an Addendum which details the new land use designation, providing site history and justification for the change.

In assessing the Addendum, Council officers found the proposed change aligns with the principles and outcomes sought by the original Development Plan particularly regarding residential land use and density. It does this by providing further housing choice, supported by surrounding local parks, open space and access to community services and infrastructure.

Although there is no statutory requirement to exhibit the Development Plan, the City of Whittlesea undertook non-statutory exhibition to 50 affected and adjoining properties owners and occupiers, and five relevant agencies. This is to ensure that any properties or agencies potentially impacted by the proposal have the opportunity to provide comment for Council’s consideration. The exhibition period commenced on 9 March 2023 and concluded on 24 March 2023.

One submission was received from a neighbouring property owner and is discussed later in the report. In summary, it is considered that the submission is not relevant and outside the scope of the proposed amendment to the development plan as it relates to an objection to the neighbouring social housing proposal, rather than the subject site.

**Recommendation**

**THAT Council:**

1. **Approve the Addendum at Attachment 3 of this report showing the change in land use for 50S Gillwell Road, to form part of the Endorsed Lalor Development Plan (Carlingford & Mosaic Living).**
2. **Advise the submitter and proponent of Council’s decision to approve the Addendum to the Development Plan.**

**Key Information**

**Background**

The Lalor Development Plan (Carlingford and Mosaic Living) was endorsed by Council on 4 July 2008 and amended on 15 September 2015. It was produced in in line with the Whittlesea Planning Scheme Development Plan Overlay Schedule 20.

The Development Plan applies to a triangular shaped portion of land in Lalor. It is 101 hectares in area bound by the Craigieburn Bypass to the west, Melbourne Wholesale Markets to the north, and existing residential development to the south and east. The Lalor Development Plan (the DP) has guided the subsequent development of the area for residential use, local parks, drainage reserves, recreation reserves, and protection of a stony knoll.

A parcel in the south-east corner of the DP area, 50S Gillwell Road, remains undeveloped and is the subject of this Amendment. The subject parcel formed part of a larger allotment in the south-east corner of the Development Plan area.

The original plan for development of this larger allotment was to incorporate:

* 120 bed Residential Aged Care facility in the north-east corner.
* 53 independent living apartments and community centre in the north-west corner.
* 82 independent living units in the southern portion.

Planning Permit 715018 was issued by Council in October 2015 to facilitate this development. It was partially acted upon by the owner, Baptcare, with the 120-bed residential aged care facility delivered in the north-east corner of the allotment. The remaining two elements have not been acted upon.

Subsequently, the north-west portion of the allotment has been approved and funded for residential development under Victoria’s Big Housing Build. This will see the delivery of 45 dwellings for social housing which, under Clause 52.20-3 of the Whittlesea Planning Scheme, is exempt from the requirement for a planning permit. The proposed amendment to the Development Plan does not relate to this project or facilitate this development.

50S Gillwell Road, Lalor was subdivided under Permit PLN-37648 in May 2022. This subdivision saw three separate lots created for the existing aged care facility (now 51 Pinetree Crescent), the future social housing site (61 Pinetree Crescent), and the subject site of this amendment, 50S Gillwell Road.

**Proposal**

The Addendum document (*refer Attachment 3*) proposes changing the land use designation for the subject site from “Integrated Residential Age in Place Estate” to “medium density residential”. The owners, Baptcare, have advised a change in market demand for retirement living and the extent of services and facilities required for a successful retirement village have altered and make this site no longer suited to that purpose. This means the 53 independent living apartments and 82 independent living units will no longer be pursued and they propose the land is developed as medium density residential.

The addendum also proposes a single access to the site from Gillwell Road, which was previously approved under the original planning permit for the site, 715018 and is shown in the land use plan. The change in land use and access arrangement is supported by a Traffic Impact Assessment attached in the Addendum.

The land use designation for the north-western portion of the parent site that is subject to Victoria’s Big Housing Build (61 Pinetree Crescent, Lalor) is shown on the addendum as medium density residential to reflect the use and development outcome approved by the Minister for Planning. This change to the land use designation did not form part of the assessment, as the change had already been made outside the ambit of Council’s authority. There are no other changes to the existing development plan proposed by this addendum.

**Community Consultation and Engagement**

The draft Addendum was exhibited to 50 surrounding landowners and occupiers, and five potentially affected agencies from 9 March to 24 March. During this time those notified were invited to comment on the proposed amendment to the Development Plan.

Council received one submission during the exhibition period. This was from a neighbouring landowner and occupier. The submission objected to the amendment as they believed the amendment related to, and facilitated, the Social Housing to the north of the subject site.

They argued that social housing would have a negative impact on the surrounding house prices. As this amendment does not relate to, or facilitate, the social housing site the submission is considered out of the scope of this proposal. Council officers have replied to the submitter thanking them for their submission and advising this proposed amendment to the Development Plan does not relate to the social housing site.

**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.

The proposed amendment supports Goal 2: Liveable neighbourhoods through the provision of:

* Well-designed neighbourhoods.
* Attractive streetscapes and public spaces.
* Quality and varied housing options.
* Housing that is diverse and affordable.

**Considerations**

**Planning Assessment**

The Addendum to the Development plan is supported by planning policy that encourages the delivery of diverse housing types in areas that are well located and serviced:

Planning Policy Framework of the Whittlesea Planning Scheme

Clause 02.03-6 – Housing – Housing location in established suburbs. “Increasing the availability of housing options within the established suburbs of the municipality will be important to address the changing demographic profile and the general decline in household size in the city.”

Clause 02.03-6 – Housing – Housing diversity. “Council aims to: Encourage greater housing choice in terms of size, type, and style to meet the needs of a diverse and changing population.”

Clause 02.03-6 – Housing – Housing integration and affordability. Council aims to: Encourage a diverse range of housing types that can assist in influencing greater housing affordability.”

Clause 16.01-1S – Housing Supply – “Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.”

Clause 16.01-1S – Housing Supply - “Support opportunities for a range of income groups to choose housing in well-serviced locations.”

Clause 16.01-1R – Housing Supply- Metropolitan Melbourne – “Facilitate increased housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.”

Clause 16.01-1L – Housing supply in established areas – Housing character and amenity strategies. “To promote increased diversity and quality in housing.”

Development Plan Overlay Schedule 20 (DPO20) of the Whittlesea Planning Scheme

The addendum provides the following development plan requirements:

* Site and context plan
* Road network Plan
* Land Use Plan and budget

**Assessment against existing Development Plan**

The proposed change in designation of the site from ‘integrated residential age in place estate’ to ‘medium density residential use’ is considered an appropriate change that still delivers against the intention of the endorsed Development Plan. The integrated living site was to be of a higher density than the standard density elsewhere in the plan.

The plans endorsed through permit 715018 showed 82 lots on the subject site, and 53 lots on what is now the social housing site. We anticipate the proposed medium density residential development will deliver a similar number of dwellings to what was originally proposed and approved.

The approved Development Plan ensures that the majority of dwellings are to be located within 400 metres walking distance of public transport. The subject site is well located with two bus stops within 100 metres.

**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

Pursuant to Clause 43.04 of the Whittlesea Planning Scheme (Development Plan Overlay), a development plan is to be prepared to the satisfaction of the responsible authority. As such, there is no statutory requirement to exhibit development plans and amendments to development plans. Notwithstanding, it is the practice of this Council to exhibit proposed development plans to potentially affected landowners and agencies to ensure community participation in important processes and decisions.

**Implementation Strategy**

**Communication**

The proponent, Baptcare, is to be notified of Council’s decision.

The submitter has been provided with the Council officer’s response to their submission.

**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 proposed Amendment to the Lalor Development Plan (Carlingford & Mosaic Living) seeks to change the land use designation of the subject site, 50S Gillwell Road, Lalor from “Integrated Residential Age in Place Estate” to “medium density residential”. It proposes to do this by attaching an Addendum to the original development plan.

The development plan amendment was exhibited to surrounding landowners and occupiers and relevant agencies. Only one submission was received relating to an adjacent site and therefore not considered in the scope of this amendment.

It is considered that the use of the site for medium density residential is an alternate use that will provide for a diverse housing type in a well located and serviced area, and that it delivers against the intention of the endorsed Development Plan and should be endorsed.

5.3.5 Petition - 605 Dalton Road Epping Nature Strip

**5.3.5 Petition - 605 Dalton Road Epping Nature Strip**

**Responsible Officer:** ActingDirector Infrastructure & Environment

**Author:** Unit Manager Landscape & Open Space Planning

**In Attendance:** Manager Urban Design & Transport

**Purpose**

The purpose of this report is to outline the response to a petition received from 15 residents requesting Council allow the nature strip mulch at 605 Dalton Road, Epping to remain and small endemic grasses and wildflowers to be planted as per the City of Whittlesea’s Urban Nature Strip Guidelines 2015.

**Brief Overview**

A petition was tabled at the Scheduled Council Meeting held on 18 April 2023 requesting Council allow the nature strip mulch at 605 Dalton Road, Epping to remain and small endemic grasses and wildflowers to be planted as per the Urban Nature Strip Guidelines 2015, and resolved to:

1. A report to Council will be prepared for the June 2023 Council Meeting, advising how the petitioners concerns have been addressed.
2. All signatories will be advised of Council’s decision following the June 2023 Council meeting.

This report intends to provide Council with an update on the petition to allow the alterations to the nature strip at 605 Dalton Road Epping to remain with changes aligning to proposed DRAFT Nature Strip Garden Guidelines 2023.

**Recommendation**

**THAT Council in responding to the petition to allow the nature strip mulch at 605 Dalton Road, Epping to remain and small endemic grasses and wildflowers to be planted as per the Urban Nature Strip Guidelines 2015, resolves to:**

1. **Allow the alterations to the nature strip to remain with changes aligning to the proposed Draft Nature Strip Garden Guidelines 2023.**
2. **Advise the head petitioner of Council’s decision.**

**Key Information**

**Background**

A petition was received by Council on Sunday 16April 2023 by lead petitioner Mr Samuel Eisen of 605 Dalton Road Epping. The petition was in relation to the modification of the nature strip, consisting of unrestrained bush mulch, native wildflowers and grasses, as suggested by the petitioner are generally permitted (if under 300mm in height) and contained within the ‘planting areas’ as depicted below.

Council’s existing Urban Nature Strip Guidelines 2015 do not allow for unrestrained mulch across the entire nature strip; however, Council is currently undertaking the review of these guidelines and have prepared a new draft Nature Strip Garden Guidelines 2023. New draft guidelines need to go through community consultation and Council endorsement prior to full adoption and becoming live.

New applications for nature strip enhancements are on hold during this period.

The proposed new draft Nature Strip Garden Guidelines 2023 allow mulch across the nature strip with clear zones around the perimeter. Council has liaised with the head petitioner and provided information about proposed guidelines. Head petitioner has agreed to make changes to the nature strip to align with the proposed draft Nature Strip Garden Guidelines 2023.

**Community Consultation and Engagement**

Council officers have met with the head petitioner on site to discuss the petition and his proposal of amendments to the nature strip. Key points from the meeting included:

* Current modifications to the nature strip do not accord to Council’s existing Urban Nature Strip Guidelines 2015.
* Council draft Nature Strip Garden Guidelines 2023 were shared with the petitioner that allow more flexibility than the previous guidelines.
* Petitioner agreed to rectify the changes to nature strip aligning to the proposed Draft Nature Strip Garden Guidelines 2023.

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

Alignment to Whittlesea 2040 and Community Plan 2021-2025:

**Sustainable environment**

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

Planting of nature strips aligns with Councils’ W2040 Sustainable Environment Goals of Valued Natural Landscapes and Biodiversity and being Climate Ready.

**Considerations**

**Environmental**

Nature strip plantings using local species provides fauna habitat and visually softens the effect of the harder surfaces of road, footpath and driveway paving, fences, and buildings. Nature strips play an important role in the environmental health of a city.

**Social, Cultural and Health**

Nature strips play an important role in the aesthetic, environmental, and social health of a city. A nature strip, or roadside verge, is one element of the formal road reserve. It is a piece of public land located between a private property boundary and the kerb, it excludes the footpath and vehicle crossing where one exists.

**Economic**

No Implications.

**Financial Implications**

There are no financial implications arising from this report. It is the responsibility of residents/property owners to maintain the nature strip abutting their property in a manner that provides for safe and unhindered movement, and this normally entails activities such as regular mowing, weeding, and the removal of litter.

**Link to Strategic Risk**

**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.

Changes made to the nature strip are compliant with the future Nature Strip Garden Guidelines 2023. There are no risks associated with this report.

**Implementation Strategy**

**Communication**

Council Officers have liaised with the resident and have agreed on minor changes to the nature strip and advised of new Nature Strip Garden Guidelines 2023.

**Critical Dates**

There are no critical dates related to this report.

**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 petition received from 15 residents requesting Council allow the nature strip mulch at 605 Dalton Road, Epping, remain and small endemic grasses and wildflowers to be planted as per the Urban Nature Strip Guidelines 2015. Council in discussions with the head petitioner agreed to minor changes to the current nature strip. The head petitioner is satisfied, and the nature strip complies with the future Nature Strip Garden Guidelines 2023.

**5.4 Strong Local Economy**

Nil reports

**5.5 Sustainable Environment**

5.5.1 Environmental Sustainability Strategy 2012 - 2022 Close Out

**5.5.1 Environmental Sustainability Strategy 2012 - 2022 Close Out**

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

**Author:** Sustainable Organisation Officer

**In Attendance:** Sustainable Organisation Officer

**Attachments:**

1. Environmental Sustainability Strategy 2012-2022 v 4 [**5.5.1.1** - 21 pages]

**Purpose**

This report presents the close out report on the implementation of Whittlesea’s *Environmental Sustainability Strategy 2012-2022*.

The *Environmental Sustainability Strategy 2012-2022* was adopted by Council on 7 May 2013. It set out 206 actions prioritised over ten years to achieve the strategic objectives and community’s vision to live sustainably in the urban and rural areas of the municipality and, ensure that our carbon footprint, water, waste, energy use, flora and fauna are managed sustainably. This is the second and final progress report on the *Environmental Sustainability Strategy 2012-2022*.

**Brief Overview**

This report summarises the initiatives undertaken by the City of Whittlesea to implement the *Environmental Sustainability Strategy 2012-2022* (ESS) which was adopted by Council on 7 May 2013. Regular reporting against the Strategy’s actions is a requirement of the adopted Monitoring and Evaluation Framework. This is the second and final progress report on the ESS.

The ESS comprised 206 actions that relate to the themes of water, biodiversity, land management, climate change, urban development and the built environment, waste management and resource recovery, and behaviour change strategies. It included 57 short-term actions, 10 short to medium-term actions, 12 medium-term actions, four long-term actions and 123 ongoing actions. Various departments and teams across Council have contributed to the implementation of the actions to achieve the ESS’s strategic objectives and the community’s vision to live sustainably in the urban and rural areas of the municipality, and ensure that our carbon footprint, water, waste, energy use, flora and fauna are managed sustainably.

The report outlines progress against the 206 actions of the plan, highlighting the key achievements and next steps for the City of Whittlesea’s contribution toward securing a sustainable, net zero emissions and climate resilient future.

In summary, the 2022 reporting shows a tremendous achievement with all but one of the 206 actions commenced. Of the 57 short, 10 short-medium, 12 medium, four long-term actions, and 123 ongoing actions, 203 have been completed, and the 3 remaining actions have been carried over into the new *Sustainable Environment Strategy 2022-2032*. All 123 ongoing actions are operational and continue to be supported across Council as part of day-to-day business operations.

**Recommendation**

**THAT Council:**

1. **Note the successful completion of the Environmental Sustainability Strategy 2012-2022 and officially close out the document.**
2. **Write to the Minister for Climate Action and the Minister for Environment to provide an update on the outcomes of the Environmental Sustainability Strategy 2012-2022.**
3. **Write to members of Parliament representing Upper and Lower House seats in our municipality to provide an update on the outcomes of the Environmental Sustainability Strategy 2012-2022.**

**Key Information**

**Background**

*Our Environment Our Future – Sustainability Action Statement 2006,* the previous State Government’s environmental sustainability framework, identified 150 priority sustainability initiatives to secure a sustainable state. It focussed on five key action areas: climate change, protecting natural assets, efficient resource use, reducing our everyday environmental impacts and government leadership. A range of policy and legislation governed each of these five areas to achieve environmentally sustainable outcomes.

As the local planning authority, manager of parks and open space, and operator of community infrastructure, Council is responsible for many activities which impact upon the environment. A sustainable environment is critical for our community’s health and well-being and our community continuously identifies the protection of the environment and responses to climate change as major concerns.

As such, Council is granted the opportunity to improve local conditions, citizens’ wellbeing and protect the local environment. Local government also has the unique opportunity to be leaders, via building community awareness and promoting change in the way we utilise and conserve our environment.

Council’s role was also guided by the principles and directions articulated in its *2025 ­ Strategic Community Plan* developed in 2009. This Strategic Community Plan identified six ‘Future Directions’ including ‘living sustainably’.

This section directed that a sustainability strategy, informed through community consultation, was to be developed to ensure residents live sustainably in our urban and rural areas.

Whittlesea’s *Environmental Sustainability Strategy 2012-2022* (ESS) was adopted by Council on 7 May 2013. It provided the City of Whittlesea with a new framework to work towards a sustainable city that supported and protected biodiversity, ecological processes and a healthy and sustainable population. The ESS replaced the City of Whittlesea’s *Local Conservation Strategy 2000* which was the framework for all local conservation and environmental activities.

The ESS comprised 206 actions related to the themes of water, biodiversity, land management, climate change, urban development and the built environment, waste management and behaviour change strategies. In summary, it included:

* 57 short-term actions to commence by Year 3 (2014/2015);
* 10 short to medium-term actions to commence by Year 5 (2016/2017);
* 12 medium-term actions to commence by Year 7 (2018/2019);
* Four long-term actions to commence after Year 7 (2019);
* and 123 ongoing actions to be monitored till 2022.

Monitoring and reporting requirements of the ESS included:

* an Environmental Indicators Report to the community in 2016;
* a five-year review – the Year 5 Progress Summary completed in 2016;
* and a 10-year full update and review – this report represents the 2022 and final reporting.

**Community Consultation and Engagement**

Extensive community consultation processes involving stakeholders, key managers and council staff, environmental and cultural groups and local community members were undertaken in the preparation and development of the ESS before it was adopted in 2013. Further targeted engagement has also been undertaken on some of the individual actions implemented over the past 10 years. Further communications will be undertaken to highlight the achievements in implementing the ESS 2012-2022 to the broader community.

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

Implementation of the *Environmental Sustainability Strategy 2012-2022* meet the objectives of Whittlesea 2040 and the Council Plan. Specifically, the Strategy’s actions have sought to be leaders in clean, sustainable living, reduce waste, preserve local biodiversity, protect waterways and green spaces and address climate change.

**Considerations**

**ESS 2022 Reporting**

Reporting on the ESS actions provides a means to monitor and evaluate Council’s progress in implementing the ESS to achieve its vision and objectives. Each responsible Council department has provided an update on the status of their ESS actions, demonstrating that implementing the ESS was a whole of Council effort.

The 2022 reporting shows a remarkable achievement in implementing the majority of the ESS actions to support Council in its to work towards a sustainable city that supported and protected biodiversity, ecological processes and a healthy and sustainable population. Of the 206 actions, all but one were commenced (99.5%).

Of the 57 short, 10 short-medium, 12 medium, four long-term actions, and 123 ongoing actions, 203 have been completed (98%), with the three remaining actions (2%) being carried over into the recently adopted *Sustainable Environment Strategy 2022-2032*.

**Table 1: Progress of ESS Actions 2016 to 2022**

|  | **Achieved\*** | | **Delays or issues identified** | | **Unsuccessful** | | **Not started** | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **2016** | **2022** | **2016** | **2022** | **2016** | **2022** | **2016** | **2022** |
| **Short term**  (commence by 2014/2015) | 68% | 98% | 21% | 0% | 0% | 0% | 11% | 2% |
| **Short–Medium term** (commence by 2016/2017) | 100% | 100% | 0% | 0% | 0% | 0% | 0% | 0% |
| **Medium term**  (commence by (2018/2019 | 8% | 100% | 0% | 0% | 0% | 0% | 92% | 0% |
| **Long term**  (commence after 2019) | 25% | 100% | 0% | 0% | 0% | 0% | 75% | 0% |
| **Ongoing** | 98% | 98% | 0% | 2% | 1% | 0% | 1% | 0% |
| ***\**** *Achieved: Actions that have been completed or are in progress with no significant issues.* | | | | | | | | |

Table 1 compares the progress made in implementing the actions between 2016, when the last progress summary was produced, and 2022, the final review of the ESS.

Short-term actions – 98% complete

* Of the 57 short-term actions, 56 are complete (98%) and one was not started (2%).
* The one remaining short-term action that was never started was action L1.5. It has been carried over into the new *Sustainable Environment Strategy 2022-2032*, which is discussed later in the report.

Short-Medium-term actions – 100% complete

* All 10 short-medium-term actions are complete and were completed by 2015-2016.

Medium-term actions – 100% complete

* All 12 medium-term actions are complete and 10 (83%) were completed by 2020-2021.

Long-term actions – 100% complete

* All four long-term actions are complete.

Ongoing actions – 98% complete

* All 123 ongoing actions are operational and continue to be supported across Council as part of day-to-day business operations. Many of these actions are now considered business as usual.
* The two ongoing actions marked as having delays or minor issues (2%) were W4.2 and CS3.4 and they have been carried over into the new *Sustainable Environment Strategy 2022-2032*, which is discussed later in the report.

**Notable ESS Achievements in 2022**

In the final year of the ten-year ESS, excellent progress was made. Some of these key achievements include:

* Council Endorsement of the Sustainable Environment Strategy (2022-2032), Climate Change Plan (2022-2032) and Sustainable Environment Action Plan (2022-2024) in late 2022.
* Cat curfew and mandatory desexing was endorsed by Council in July 2022, with an impending implementation date of 1 August 2023.
* Green Wedge Management Plan 2011-2021 reviewed.
* Continued biodiversity monitoring and tree planting at key sites including Quarry Hills Parkland, Growling Frog Golf Course.
* New Lalor Landcare Group supported during its formation in 2022.
* Endorsement and implementation of the Native Vegetation Offset Plan to allow for the acquittal of Council’s existing Native Vegetation Offset liability.
* The purchase of 100% renewable energy for all Council operations began in the 2021-22 financial year through the new VECO Power Purchase Agreement, alongside 46 other Victorian councils.
* Council embedded Climate Risk analysis into its annual Service (Operational) Risk assessment process.
* Introduce a Litter Enforcement Team to protect the environment from litter and dumped rubbish.
* Glass Recycling kerbside service was introduced.

**Notable Achievements over the 10-year life of the ESS**

Over the course of 10 years, there have been a great deal of key achievements of the ESS. The most notable achievements are outlined below.

Achievements on Water

* Construction of the Melbourne Markets Stormwater Harvesting Project which was estimated to save more than 48 million litres of drinking water every year.
* Installed alternative water supplies for 11% of the public open space in the City of Whittlesea, using a mix of recycled water and stormwater.
* Management of more than 1,000 assets (small and large-scale) that deal with stormwater pollution, most of which are inherited from developers.
* Built systems to reduce stormwater pollution in some locations, such as the wetland and stormwater harvesting system adjacent to Melbourne Markets in Epping.
* Introduced the Integrated Water Cycle Management local planning policy to ensure new developments requiring a planning permit incorporate Water Sensitive Urban Design (WSUD) techniques and to encourage opportunities for broader integrated water management outcomes. This was integrated into Clause 19.03-3L of the Whittlesea Planning Scheme.
* Worked with Melbourne Water to understand flood risk across the City of Whittlesea and to identify areas at risk of flooding. Flood modelling was completed for Plenty River, Darebin Creek and Edgars Creek catchments.
* Worked with various external stakeholders on the Upper Merri Creek sub-catchment integrated water management plan, and the Upper Merri Regional Parklands project.
* Created the Integrated Water Management hub.
* Created and recruited an Integrated Water Management Lead role.
* Successfully applied for a grant to fund a WSUD Officer role for education and compliance.
* Created a Waterbody Assessment role to assist the renovation of Council’s water assets registration and documentation.
* Undertook interdepartmental staff upskilling in water quality software use for development compliance as well as internal design purposes.
* Established a Community of Practice for water practitioners to share knowledge and work together to improve processes and find innovative solutions.

Achievements on Land

* Management of approximately 520 ha of conservation reserve with an adaptive management approach.
* Implementation and regular update of the Whittlesea Planning Scheme to protect environmental and sustainability values.
* Implementation of the Sustainable Land Management Rebate Scheme and the Environmental Works Grants Program to provide financial support for rural landowners (each year approximately 150 rural landowners have taken part).
* Successful implementation of the City’s Green Wedge Management Plan 2011-2021, with all but five of the 84 priority actions identified in the document being in progress or completed.
* Two new dedicated officer resources to help safeguard the diverse values of our Green Wedge being the permanent appointment of an Agribusiness Officer and an Environmental Protection Officer.
* Appointment of a Landcare Officer funded by DELWP/ DEECA to support the activities of existing Landcare and friends of groups and support the creation of new Landcare and friends of groups.
* New Lalor Landcare Group supported during its formation in 2022.
* Continued biodiversity monitoring at key sites including Quarry Hills Parkland, Growling Frog Golf Course.
* Implementation of Pest Plant Education and Compliance program to achieve landscape scale control of priority weed species.
* Implementation of the Pest Animal Management program in 2019-2021.
* Cat curfew and mandatory desexing was endorsed by Council in July 2022, with an impending implementation date of 1 August 2023.
* Implementation of the increased differential farm rate of 40% to better support agribusiness from 2017.
* Partnership between Council and Deakin University to produce a Land Capability Assessment report that was disseminated to the wider community and investigated the potential of regenerative agriculture in enhancing climate resilience in the peri-urban space.
* Supported the establishment of the Whittlesea Community Food and Farm Collective which will develop a hub that will grow food, use recycled water, incorporate sustainable land management practices and circular economy systems and provide training and employment opportunities in agriculture, horticulture, conservation and revegetation.
* Planned trails within the Green Wedge such as the Whittlesea Rail Trail from Mernda Station to connect to Whittlesea township, and the Plenty River Trail from the M80 Ring Road to Bridge Inn Road.
* Preparation, adoption and implementation of the Quarry Hills Parkland Master Plan.
* Since 2012, Council has doubled the size of the Quarry Hills Regional Park and planted over 20,000 trees at the site.
* Completion of the Cultural Heritage Strategy that identifies and protects heritage places across the municipality.

Achievements on Climate Change

* As of 1 July 2021, 100% renewable electricity is used in Council facilities, services and streetlights. This will cut corporate GHG emissions by approximately 66%.
* 12,500 streetlights upgraded with LED and CFL lamps, accounting for approximately 60% of Council’s streetlights.
* As of November 2021, 1.65 Megawatt of solar PV installed across 65 Council owned buildings, and 255 kWh of battery storage at 11 facilities.
* Approximately 25% of electricity used in Council facilities is produced by on-site renewable energy systems.
* Existing buildings had energy audits and upgrades completed, saving 560 MW/hr per year.
* In 2021-2022 financial year City of Whittlesea started to purchase 100% renewable energy for all Council operations though the new VECO Power Purchase Agreement, alongside 46 other Victorian councils.
* On average, approximately 16% of corporate emissions have been offset annually since the baseline year of 2011-2012. Emissions from transport and gas will continue to be offset from 2021-2022 FY.
* ESD Guidelines in place to reduce the energy use and environmental impacts of new Council buildings. New Council buildings are built as all electric (no gas appliances) and are built to a higher level of energy efficiency and have solar PV systems to provide a minimum of 50% of daytime electricity consumption installed as-built.
* In November 2021, Council installed its first public rapid (DC) electric vehicle charging station.
* Monitoring and periodic reporting of corporate greenhouse emissions since 2010-2011.
* Completion of a heat vulnerability mapping (Cool It Project) to understand the municipality’s vulnerability to heat risk.
* Participation in the development of How Well Are We adapting tool as a tool to monitor, evaluate and report on Council adaptation.
* Implementation of Environmental Upgrade Agreement program to assist local businesses with environmental upgrades.
* Climate Ready Whittlesea adopted 2017 and a more recent Climate Change Plan was adopted by Council 21 November 2022.
* Completed a Climate Change Risk Assessment, identifying economic, environmental and social impacts of changing climatic conditions on Council assets, operations and services through a series of three, three-hour workshops engaging 61 staff from 49 departments. Council has subsequently embedded Climate Risk analysis into its annual Service (Operational) Risk assessment process.

Achievements on Biodiversity

* Planting over 1,100 trees annually in street, open space, and community facility settings.
* Introduced local planning policy (Amendment C197) into the Whittlesea Planning Scheme that provides guidance on habitat corridors and native vegetation retention, net gain offsets and the Green Wedge.
* Updated the River Red Gum Protection Policy (Amendment C221) to ensure that the development of existing and future urban and rural areas considers the presence of and plans for the retention, enhancement and long-term viability of River Red Gum trees. This was integrated into Clause 12.01-1L and various Schedules in the Whittlesea Planning Scheme.
* Endorsement and implementation of the Native Vegetation Offset Plan (NVOP) to allow for the acquittal of Council’s existing Native Vegetation Offset liability.
* Purchase of 25 hectares of Grassy Eucalypt Woodland in accordance with NVOP to partially acquit Council’s native vegetation offset liability
* Embedded revegetation as a business as usual activity into the main services contract.
* Management of a Seed Production Area (SPA) for indigenous plants and a productive nursery of rare plants for later reintroductions into reserves.
* Successful establishment of native grassland restoration areas via direct seeding.
* Prioritisation of local retention, threatened species and translocating plants where required into local conservation reserves.
* Successfully secured $100,000 per annum to deliver canopy targets for additional tree planting in conservation reserves.
* Delivery of approximately 15 ecological burns annually across the municipality as required in the conservation services contract (Naturelinks).
* Levels of service approach identified for the pest animal program now embedded in the main service contract.
* Continuous delivery of annual fauna surveys of three key regional parklands, targeted survey for local threatened animal species (Growling Grass Frog and Golden Sun Moth), annual monitoring programs for threatened flora (e.g., Matted Flax Lilly) and annual benchmarking surveys conducted in support of service contract/ contractor performance (Annual Vegetation Assessment).
* Biodiversity Strategy 2019-2029 endorsed.
* Commencement of Biodiversity Asset Mapping Project to inform future decisions regarding the protection and management of Biodiversity.
* Creation of an Environmental Planning Coordinator position.
* Creation of a Biodiversity Strategy and Auditing position.
* Completion of City of Whittlesea Roadside Environmental Regulations.

Achievements on Urban Development and the Built Environment

* Introduction of the Bushfire Management Local Planning Policy (Amendment C198) to address strategic settlement planning to direct new settlement away from areas of high fire hazard. This was integrated into Clause 13.02-1L of the Whittlesea Planning Scheme.
* Introduction of the Housing Diversity and Design Local Planning Policy & in particular, changes to the General Residential Zone (GRZ) Schedules 4 and 5 (Amendment C200) in response to LiDAR evidence which linked the loss of urban tree canopy cover in the established suburbs of the City to infill development.

The GRZ Schedule 4 and GRZ Schedule 5 are contained in Clause 32.08 of the Whittlesea Planning Scheme to address landscape character and the provision of canopy trees on site for multi-unit developments.

* Introduction of the Environmentally Sustainable Development Local Planning Policy (Amendment GC110) to ensure that new development requiring a planning permit will achieve best practice across the range of ESD principles. This was integrated into Clause 15.02-1L of the Whittlesea Planning Scheme.
* Participation in the trial for the Sustainable Subdivisions Framework focusing on improving the long-term community benefits by a subdivision through the planning process.
* The development of the Local and Neighborhood Centres Revitalisation Plan which includes greening aims and improvements for active travel.
* Creation of the Environmental Sustainable Design Planner position.
* Creation of an Environmental Planning Coordinator position.

Achievements on Waste Management and Resource Recovery

* In 2021-22, collected 45,0474 tonnes of garbage, 19,103 tonnes of recycling, 19,729 tonnes of food and garden organics, 49 kg of light globes, seven kg of mobile phones, 843 kg of batteries, 79 tonnes of whitegoods, 2,600 tonnes of bundled branches, and 107 tonnes of e-waste.
* Provision of the pop-up recycling station as a mobile solution to recycling and disposal of items normally associated with moving into a new home (2017).
* Introduced the user pays service for food and garden waste, in which 55,000 households have opted-in since mid-2020, diverting 38,806 tonnes of food and garden waste per week from landfill.
* Trialed using reusable plates, cups and cutlery at four major community events in 2018-19. Wash stations were staffed by Council staff and community volunteers. This initiative saved over 2,600 pieces of food packaging from being manufactured and disposed of.
* Piloted the Whittlesea Waste Busters Program to measure the success of undertaking a targeted community education and engagement program on behaviour change.
* Successfully secured State Government funding for a Litter Prevention Officer position (2016) to investigate dumped rubbish and run an anti-littering education campaign along Council’s waterways.
* Winners of the 2015 Keep Australia Beautiful Victorian Sustainable Cities award for the Raspberry Pi Program.
* Introduced food to the garden waste bin in 2020.
* In 2019, established recycling hubs around the municipality to enable easier collection of common household items.
* ‘Food Know How’ municipal wide education program focussed on reducing food waste in 2018.
* Clean up your game – municipal wide recycling program focussed on sporting clubs.
* Introduced commercial recycling in 2017.
* Introduce a litter enforcement team to protect the environment from litter and dumped rubbish.
* Glass Recycling kerbside service was introduced.

Achievements on Community Capacity Building

* Delivery of the Collectively Caring for Climate Project. A total of 330 local residents participated including people of all ages and from diverse cultural backgrounds, including individuals, schools, artists, community groups and organisations. The artworks were printed onto a range of materials for different uses including aluminum panels (for the 17 murals), 800 road foil stickers and a series of fabric banners.
* Delivery of the GPS litter picker project with students at the Mill Park Library Makers Club.
* Subscription Australian Energy Foundation household energy program resulted in 58 solar installs between 2015 and 2020, contributing to household solar on 21.3% of dwellings across the municipality.
* Implementation of the Pest Plant Local Law Education and Compliance Program to offer weed mapping services, on-site consultation, provision of weed management advice, and educational materials.
* Established Hume Whittlesea Teachers Environment Network to provide information and resources to educators to assist with environmental education and projects.
* Undertook an Environmental Education Project to outline the environmental education framework, objectives, guiding principles, evaluation toolbox and community of practice.
* Established the Sustainability Outreach Whittlesea program which offered funding for sustainability outreach programs to schools, early years centres, community groups and businesses.
* Nature play and bush kinder activities have grown to a regular series of annual events.
* Creation in partnership with Eco Explorers, 15 ‘Nature play in my background’ videos loaded onto Council’s website during COVID-19 related restrictions.
* Partnership with Early Years and Health Planning have resulted in targeted nature plan event series called ‘Family Nature Club’ that targets disadvantaged, isolated or high needs communities.

Achievements on Change Strategies

* Sustainable purchasing was built into Council’s Procurement Policy in 2018, with a Sustainability Planning officer embedded in the Procurement team one day a week for over four years to assist with embedding sustainability into procurement systems and processes.
* Sustainability is included as one of four standard evaluation criteria with a default 10% weighting in Council’s procurement process. Sustainability questionnaire was built into Council’s tender/quotation templates (up to 5% sustainability bonus added to evaluation score).
* Sustainable procurement spend categorisation was built into the finance system and training was rolled out to all purchasing officers.
* Adaptation of Supply Chain Sustainability School to Victorian local government sector.
* eWater systems were installed in Civic Centre to reduce the need for use of chemical cleaners.

**Actions Not Complete**

Of the remaining three actions (2%), all have commenced to some degree but are yet to be completed, including two ongoing actionsand one short-term action. These actions are actively being worked on by Council, however due to several factors were unable to be completed by 2022.

Regarding action L1.5, “*Review the lease arrangements of Council owned rural land based on an assessment of the biodiversity value of the land, with a view to determining its ongoing retention*” will now be undertaken as part of the *Sustainable Environment Strategy Action Plan 2022-2024* (Biodiversity Action Plan). Since the original ESS actions, four of the existing rural parcels with high biodiversity values have been actively managed under Council's Conservation Services Contract, however lease arrangements have not been reviewed. A review of these is scheduled for 2023-24.

With action W4.2, “*Provide annual end of financial year water use reports to track progress towards the corporate water conservation goals,*” whilst the 2016 Environmental Indicators Report reported on water costs and usage from 2013-2014 – 2015-2016, further reporting has not been undertaken. This action was superseded by the integrated water management plan, *Whittlesea Water For All 2020-2030*, which will include a monitoring program. Due to system issues and resources, this has not yet commenced.

Action CS3.4, “*Every two years prepare an ‘environment indicators report’ which details progress against the indicators listed in this strategy and associated key achievements. The report will be available to the community and will assist Council in assessing whether this Strategy is meeting its stated goals.”* was only partially completed.

Although the first Environmental Indicators Report was completed in 2017, subsequent reports did not transpire due to major organisational changes in process, reporting, structure, systems, and leadership. The Integrated Planning Framework and the recently adopted *Sustainable Environment Strategy 2022-2032* include several indicators to monitor progress of environmental actions into the future.

These incomplete actions will continue to be progressed as part of the implementation of the *Biodiversity Strategy 2019-2029* and the *Whittlesea Water For All 2020-2030* strategy. Of the incomplete actions listed above, all have commenced to some degree but were unable to be completed by 2022. These actions will continue to be progressed as part of the implementation of the *Sustainable Environment Strategy 2022-2032*.

**Environmental**

The *Environmental Sustainability Strategy 2012-2022* hosted Council’s commitments towards a sustainable city that supported and protected biodiversity, ecological processes and a healthy and sustainable population for this 10-year period. Current strategies and actions are now reflected in the *Sustainable Environment Strategy 2022-2032*.

**Social, Cultural and Health**

Addressing and responding to the threat of climate change and loss of biodiversity via securing a sustainable, net zero emissions and climate resilient future will benefit the health and wellbeing of our residents.

**Economic**

No implications

**Financial Implications**

No implications

**Link to Strategic Risk**

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

**Implementation Strategy**

**Communication**

Council’s website will be updated to include a completion report of the *Environmental Sustainability Strategy 2012-2022.*

**Critical Dates**

This report represents the close out reporting on the *Environmental Sustainability Strategy 2012-2022*, in line with the Strategy’s Monitoring and Implementation 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**

The *Environmental Sustainability Strategy 2012-2022* (ESS) was adopted by Council on 7 May 2013. It set out 206 actions prioritised over ten years to achieve the strategic objectives and community’s vision to live sustainably in the urban and rural areas of the municipality and, ensure that our carbon footprint, water, waste, energy use, flora and fauna are managed sustainably.

This represents the close out report for the strategy. It demonstrates tremendous achievement with 203 actions out of a planned 206 actions commenced, including 57 short, 10 short-medium, 12 medium, four long-term actions, and 123 ongoing actions having been completed. The three remaining actions will continue to be progressed as part of the implementation of the recently adopted *Sustainable Environment Strategy 2022-2032* (SES).

The successful implementation of the ESS reflects the deeply collaborative and committed approach across various Council Departments in implementing the Strategy. This collaboration will continue with the implementation of the SES*.*

**Attachment\_5.5.1.1**

**6 Notices of Motion**

No Notices of Motion

**7 Urgent Business**

No 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 High Performing Organisation**

No Reports

**9.2 Confidential Liveable Neighbourhoods**

No Reports

**9.3 Confidential Strong Local Economy**

No Reports

**9.4 Confidential Sustainable Environment**

No Reports

**9.5 Confidential Connected Communities**

No Reports

**10 Closure**