

Agenda

Scheduled Council Meeting

Tuesday 21 November 2023 at 6:30 pm

You are advised that a Meeting of Council has been called by the Chief Executive Officer on Tuesday 21 November 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](#).

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

Emma Appleton Director Planning & Development

Agata Chmielewski Director Community Wellbeing

Sarah Renner Director Customer & Corporate Services

Debbie Wood Director Infrastructure & Environment

Frank Joyce Executive Manager Strategy & Insights

Janine Morgan Executive Manager Public Affairs

Jacinta Stevens Executive Manager Office of Council & CEO

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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 the community. Questions are required to be submitted in writing no later than 12 noon the day prior to a Scheduled Council Meeting.

Priority will be given to questions or statements that relate to agenda items. Any questions submitted after 12 noon the day prior will be held over to the following Council Meeting.

The Public Question form can be downloaded from Council's website. Refer:
<https://www.whittlesea.vic.gov.au/about-us/council/council-meetings/>

Council will hold public question time for up to 30 minutes at each Scheduled Council Meeting to allow for public questions, statements, petitions or joint letters from our community to be read.

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; and
Chief Executive Officer, Craig Lloyd.

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

Emma Appleton, Director Planning and Development;
Agata Chmielewski, Director Community Wellbeing;
Sarah Renner, Director Corporate and Customer Services;
Debbie Wood, Director Infrastructure and Environment;
Frank Joyce, Executive Manager Strategy and Insights;
Janine Morgan, Executive Manager Public Affairs; and
Jacinta Stevens, Executive Manager Office of Council and CEO.

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 Acknowledgements

1.5 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 and Confidential Meeting of Council held on
17 October 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 Community Local Law 2024

Director/Executive Manager: Director Planning & Development

Report Author: Coordinator Regulatory Programs

In Attendance: Manager Emergency Management & Regulatory Programs

Executive Summary

Following an extensive review and development process, the final *Community Local Law 2024* has been prepared. This follows extensive community engagement on the draft *Community Local Law 2024* over two phases.

The City of Whittlesea *Community Local Law 2024* is designed to complement State and Federal Laws and aims to strike the right balance between personal freedom and community responsibility, to help people live harmoniously in their local community. All Councils in Victoria are required to have a Local Law to keep people safe, protect the natural environment, improve access and enjoyment of public places and respond to poor behaviour.

The final Local Law incorporates several regulatory improvements designed to enhance community safety, protect property and align with Governance Rules. The other notable change is with regard to the use of headings, grouping of local laws into relevant 'parts' and use of images for greater readability. Minor changes to grammar have improved accessibility of information for the community.

The finalisation of the Local Law review together with the adoption and implementation of the *Community Local Law 2024* will fulfil a key Council priority commitment in Council's Community Plan Action Plan 2023-24.

Officers' Recommendation

THAT Council endorse the *Community Local Law 2024*, which has been legally certified as meeting the requirements of the *Local Government Act 2020* with an effective date of 1 July 2024, at which point the current *General Municipal Law 2014* and any incorporated documents to that Local Law will cease to be operational.

Background / Key Information

Council is required to undertake a rigorous process in the making of a Local Law. The Act provides the context for developing local laws and gives authority for Council to make local laws which are valid for 10 years.

Council began the review of the *General Municipal Law 2014* in September 2020. The review of the General Municipal Law 2014 was undertaken in accordance with the Victorian State Government's Guidelines for Local Laws Manual 2010.

The review identified a number of regulatory improvements and the benefit of drafting a new Local Law. The outcome of the review informed the development of the proposed *Community Local Law 2024* which seeks to provide a clear and concise direction for Council Officers, residents and the wider community.

The General Municipal Law 2014 cover the vast majority of compliance and enforcement activity undertaken by City of Whittlesea outside of the various state acts. The Local Law regulates how Council land is used and the protection of Council and community assets. Officers have prepared the final *Community Local Law 2024 (Attachment 1)* to be endorsed by Council.

The review and development of the Community Local Law 2024 has focussed on amending existing Local Laws where there have been issues experienced in the past and also developing additional Local Laws to address future issues expected to be experienced within the municipality.

The main changes incorporated into the final Local Law are:

- **Formatting and language** –General wording was confusing and hard to understand. It is now much simpler with the use of easy-to-understand language, use of headings and grouping of local laws into relevant 'parts'.
- **Property** – Clearer laws around property have been included that aim to ensure the safety, attractiveness and maintenance of the municipality, including stronger laws relating to hard waste and dumping of rubbish.
- **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** – Stronger laws 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 that aim to enhance the appearance of streets and public places by managing activities involving vehicles including long-term parking and vehicle storage.
- **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** – new laws have been introduced that set out the manner in which a person can behave in public places and on Council land.
- **Penalty Units** – the penalty units within the new Local Law have been updated to reflect the level of breach, with offences committed by corporations being higher.

The final Local Law has been reviewed and certified by an external Australian Legal Practitioner to confirm it meets the requirements of the *Local Government Act 2020*. A copy of the certification has been provided in this report (**Attachment 2**).

The *Local Government Act 2020* (the Act) provides the context for developing local laws and gives authority to Council to make local laws. The Local Law has many purposes, but it is principally to achieve peace, order and good governance of the municipality. The Local Law is intended to mitigate or eliminate problems and risks.

The *Local Government Act 2020* sets out a number of limitations on local laws, such as a requirement that they do not duplicate, overlap, contradict or be inconsistent with existing legislation or Planning Scheme.

Community Transition Plan

A Community Transition Plan has been developed to improve clarity and transparency for those affected by the Community Local Law 2024 in line with Council's Engagement Policy.

The Community Transition Plan outlines the key audience and stakeholders, messaging, critical dates and initiatives to ensure the successful transition to the *Community Local Law 2024*.

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 2024 works to ensure equitable, orderly and enjoyable use of public places and 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 2024.

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 Community Local Law 2024 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. This seeks to ensure the public are safe and can participate in public life.

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 2024 helps Council regulate some pests, noxious weeds 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.

Considerations of Local Government Act (2020) Principles

Financial Management

The cost is included in the current budget.

Community Consultation and Engagement

Community consultation and engagement to inform the development of the *Community Local Law 2024* was undertaken across two key phases.

Overall, there were 2164 individual participants who provided feedback. This included 644 online surveys, 1509 in person conversations at 45 community pop-up events and 11 email submissions to Council. We note that a further 300 plus people attended our community-based sessions received information but did not formally provide a contribution.

The phase 1 community engagement period ran throughout January to March 2023, the community provided feedback on what matters to them regarding safety and local amenity, and how important it is for Council to monitor those activities.

Phase 1 saw 1707 individual participants who feedback. This included 590 online surveys, 1106 in person conversations at 22 community pop-up events and 11 email submissions to Council. The Community Engagement (Phase 1) Report was presented to Council at the 27 June General Council Meeting.

The phase 2 community engagement period ran for six weeks from 29 June 2023 to 13 August 2023 inclusive.

During this time, members of the community were able to review the draft *Community Local Law 2024* and the Community Impact Statement and were invited to participate in the following engagement activities:

- complete a short online survey
- participate in a face-to-face questionnaire
- make an email or in-person submission or
- attend a public information session via the Community Local Law and Safer Communities Roadshow 2023.

Overall, there were 403 contributions made online or in-person. A further 181 out of 530 people who attended our community-based sessions received information but did not formally provide a contribution.

The Community Engagement (Phase 2) Report was published on the Engagement Hub and highlighted results from the community pop-ups and digital survey as well as a snapshot of general themes and feedback from phase 2.

Administrators, Executive Leadership Team, and Council officers across various departments were also consulted during the development of the final Local Law. The feedback received during the consultation process further informed the development of the final Local Law. The local laws of neighbouring Councils were also considered.

Other Principles for Consideration as per the *Local Government Act (2020)*

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.

The Community Local Law has been drafted in accordance with the Local Government Act 2020 and the Victorian State Government's Guidelines for Local Laws Manual 2010. It has also been legally certified by an Australian Legal Practitioner.

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community.

The Community Local Law 2024 will be made accessible to members of the municipal community in various formats including online and in hard copy and in various languages in accordance with Council's Engagement Policy.

Council Policy Considerations

Environmental Sustainability Considerations (including Climate Emergency)

The *Community Local Law 2024* will address new and emerging issues and have consideration to the protection of heritage and environment where applicable.

The environmental sustainability impacts are also set out in the Community Impact Statement.

Social, Cultural and Health

The *Community Local Law 2024* will aim to help individuals and business be aware of their compliance responsibilities and support them to meet obligations through providing information, education and awareness.

The social, cultural and health impacts are also set out in the Community Impact Statement.

Economic

The *Community Local Law 2024* will be fair, inclusive and equitable and aims to prioritise the support of businesses and the community as well as the creation of a liveable, safer and healthier municipality by regulating activities on Council land or may impact on urban character and local amenity.

The economic impacts are also set out in the Community Impact Statement.

Legal, Resource and Strategic Risk Implications

The *Community Local Law 2024* has been reviewed and certified by an external Australian Legal Practitioner to confirm it meets the requirements of the *Local Government Act 2020*.

The legal, resource and strategic risk impacts are also set out in the Community Impact Statement.

Implementation Strategy

Communication

Once the *Community Local Law 2024* is endorsed, it will be shared with the community via digital and face-to-face communications as well as direct contact with key stakeholders, updates on websites and via printed material.

The Community Transition Plan will also be shared and communicated which aims to raise awareness of the new *Community Local Law 2024* across the municipality and promote key dates.

Critical Dates

- Council Meeting to present final Community Local Law 2024 and Transition Plan for adoption: 21 November 2023
- Implementation and Transition period: 1 December 2023 – 31 June 2024
- *Community Local Law 2024* effective: 1 July 2024 at which point the current *General Municipal Law 2014* and any incorporated documents to that Local Law will cease to be operational.

All other critical dates have been captured throughout this report.

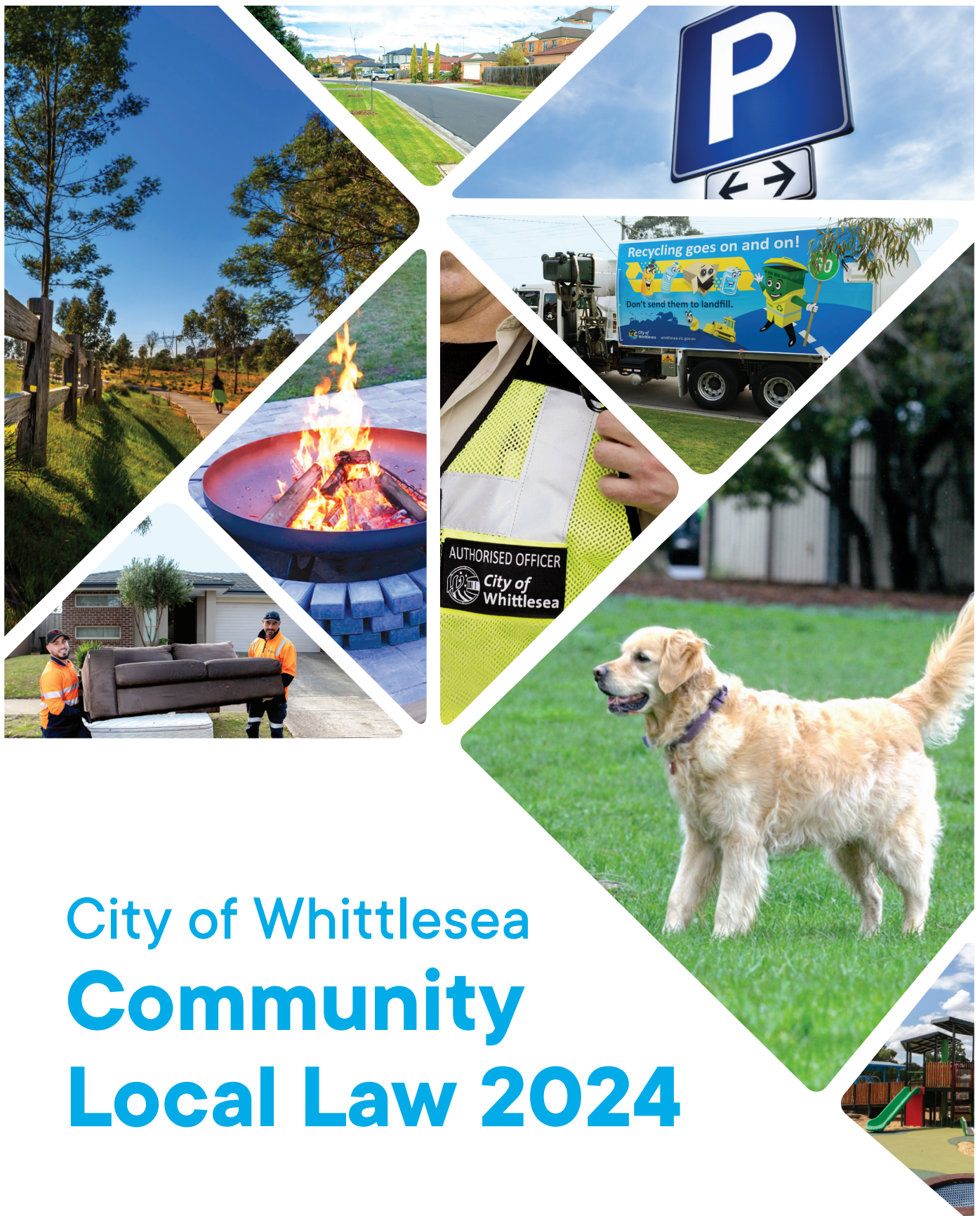
Declaration of Conflict of Interest

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.

Attachments

1. Community Local Law 2024 - FINAL [5.1.1 - 56 pages]
2. Community Local Law 2024 - FINAL - Solicitor Certification - 14112023 [5.1.2 - 1 page]



City of Whittlesea Community Local Law 2024

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**City of
Whittlesea**

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Acknowledgement of traditional owners

The City of Whittlesea recognises 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. We pay our respects to elders, past, present and emerging.

Introducing the Community Local Law 2024

All Councils in Victoria are required to have a Local Law to keep people safe, protect the natural environment, improve access and enjoyment of public places and respond to poor behaviour.

The City of Whittlesea Community Local Law 2024 is designed to complement State and Federal Laws and aims to strike the right balance between personal freedom and community responsibility, to help people live harmoniously in their local community.

The Community Local Law aims to keep pace with our fast-growing community and their changing expectations. This Law addresses issues which have emerged in recent years including the use of recreational fire pits, nature strip maintenance, managing long-term parking of trailers, caravans and boats on Council land, dumping

of rubbish, managing derelict and dilapidated buildings, dumped or abandoned shopping trolleys, managing dogs on sports fields and strengthening dog attack laws.

It was developed following extensive community consultation which included face-to-face, online, surveys, mail and at local events.

The Community Local Law been written in a way that will encourage community connectedness and belonging while protecting and enhancing the health and well-being of our community and that will ensure the City of Whittlesea is 'A Place For All'.

Our municipality

The City of Whittlesea is one of Melbourne’s largest municipalities and is the proud home to a fast-growing and diverse community.

Located in the north of Melbourne, our municipality spans approximately 490 square kilometres with a mix of established suburbs, growth areas and rural communities.

By 2040, the City of Whittlesea’s population is expected to increase by more than **60%** as we welcome around **8000** new residents each year.

To accommodate our new residents, the City of Whittlesea will see around 56,000 new homes built across the municipality. These will be made up of a mix of new housing types to meet our community’s growing and diverse needs.

Our community is proud of its diversity. We have the third largest Aboriginal and Torres Strait Islander population in metropolitan Melbourne.

Adding to the rich culture of our municipality is a multicultural community so diverse that almost half of our residents speak a language other than English at home.

More and more families are calling the City of Whittlesea home with more than half of our households comprising of families with children. Every week, 62 babies are born into families living in the City of Whittlesea.

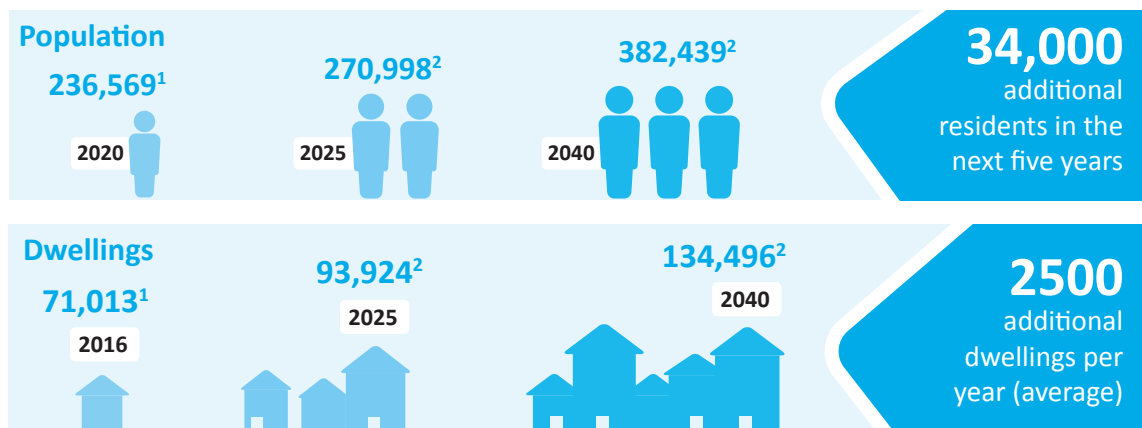
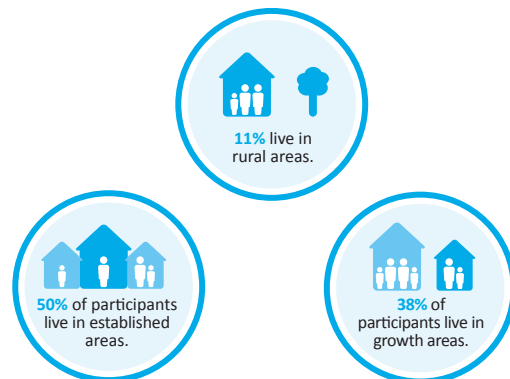
Our community’s largest age group is aged 35-59 followed by 18-34-year-olds. People aged over 60 years make up 16 per cent of our population.

Our community

Council has captured the priorities and values of people living in the City of Whittlesea’s established, growth and rural areas based on extensive feedback from people across the municipality.

Council also considered relevant demographic data about our community and other feedback received through broader engagement. Priorities differ across areas and precincts and reflect the wide-ranging community aspirations addressed in this Local Law.

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 2020 ABS Estimated Resident Population: Australian Bureau of Statistics 2021, Regional Population Growth, Australia (3218.0)

² 2025 and 2040 forecast population and dwellings: Population and household forecasts, 2016 to 2041, prepared by .id (informed decisions)

The City of Whittlesea Community Plan 2021-2025



Part 1

Preliminary

1.1 Title

This Local Law is called the *City of Whittlesea Community Local Law 2024*.

1.2 What are the objectives of this Local Law?

The objectives of this Local Law are to:

- (a) encourage and promote community connectedness and belonging
- (b) promote a physical and social environment that is safe, healthy and accessible in which the residents of, and visitors to, the City of Whittlesea can enjoy a quality of life that meets the general expectations of the community
- (c) improve the quality of the municipality's buildings and streetscapes
- (d) control, protect, and enhance the natural environment and heritage and maintain the amenity of the municipality
- (e) encourage participation and involvement in recreation, recognising the benefits this brings to the community and individual wellbeing
- (f) encourage and support community, sporting and other recreation-based community groups in the municipality
- (g) ensure the protection of **Council assets**, public places, **Council land** and the sustainable use of resources
- (h) foster vibrant and prosperous business
- (i) regulate the number and manner of keeping of animals on land and protect the environment and cultural heritage of the City of Whittlesea and provide for the peace, order and good governance of the municipality.

1.3 What authorises this Local Law?

This Local Law is made under the provisions of section 71 of the *Local Government Act 2020* and section 42 of the *Domestic Animals Act 1994*.

1.4 When does this Local Law commence?

This Local Law commences on 1 June 2024. Unless sooner revoked or extended, this Local Law will cease to operate 10 years after the date on which it commenced. Upon this Local Law becoming operative, the *General Municipal Law 2014* is revoked.

1.5 To what part of the municipality does this Local Law apply?

This Local Law applies to the whole of the municipality, except where it is apparent from its wording that a clause or provision applies to a specific area.

1.6 Are there any exemptions from this Local Law?

The **Council** may prescribe specified persons, premises or areas within the municipality to be exempt from a provision of this Local Law for a specified time and on specified conditions.

1.7 Penalty Units

Penalty units determine the amount a person is fined when they commit an infringement offence. Penalties for contravention of this Local Law will be calculated to the value of a penalty unit as per the *Monetary Units Act 2004* which is indexed on 1 July every year. The maximum penalty for any Local Law infringement is 20 penalty units.



i Council may prepare operational guidelines for the purposes of assisting Council officers in the administration and enforcement of this Local Law.

Reference is also made throughout this Local Law to the following Acts, Regulations, Rules and other documents, as amended from time to time:

1. *Apiary Code of Practice*
2. *Building Act 1993*
3. *Country Fire Authority Act 1958*
4. *Crown Land (Reserves) Act 1978*
5. *Disability Discrimination Act 1992*
5. *Domestic Animals Act 1994*
6. *Environment Protection Act 2017*
7. *Fire Rescue Victoria Act 1958*
8. *Impounding of Livestock Act 1994*
9. *Infringements Act 2006*
10. *Liquor Control Reform Act 1998*
11. *Livestock Disease Control Act 1994*
12. *Local Government Act 1989*
Local Government Act 2020
13. *Monetary Units Act 2004*
14. *Planning and Environment Act 1987*
15. *Public Health and Wellbeing Act 2008*
16. *Road Management Act 2004*
17. *Road Safety Act 1986*
18. *Road Safety Rules 2017*
19. *Sentencing Act 1991*
20. *Summary Offences Act 1966*
21. *Tobacco Act 1987*

If a provision of any document incorporated by reference, or referred to, in this Local Law is inconsistent with any provision in this Local Law the provision in this Local Law prevails.

DISCLAIMER: Where the **i** appears throughout this document, please note that these are explanatory notes or examples and do not form part of the Local Law.



1.8 Definitions

In this Local Law, unless the context or subject matter indicates otherwise, definitions are as in the *Local Government Act 2020* indicated by the words 'as in the Act'.

The words identified in **bold** throughout this Local Law are intended to have the following meaning:

Words and phrases	Meaning or extended meaning
Abandoned vehicle	has the same meaning as described in Schedule 11 of the <i>Local Government Act 1989</i> .
Act	means the <i>Local Government Act 1989</i> or <i>Local Government Act 2020</i> .
Asset	includes any road, drain, infrastructure, vehicle crossing, vegetation (including street trees) or other property owned, vested in or under the management of Council.
Authorised officer	means an officer authorised by Council under section 224 and 224A (members of Victoria Police) of the <i>Local Government Act 1989</i> .
Barbecue	includes a structure, device or contraption capable of being used for the cooking of food outdoors.
Builder	means a person who has been nominated as the builder on a building permit and, if no building permit has been issued, the person in charge of building work being carried out.
Building site	means any land on which building or excavation works are being, or are proposed to be, carried out.
Building work	has the same meaning as in the <i>Building Act 1993</i> .
Built up area	has the same meaning as in the <i>Road Safety Road Rules 2017</i> .
Busk (busking)	includes to perform to the public, whether by acting, juggling, dancing, singing, mime, statue, drawing, playing a musical instrument or otherwise entertaining passers-by, with or without reward.
Camp (camping)	includes the occupation or use of a tent, makeshift structure, caravan, campervan, moveable dwelling or any other vehicle (including under the vehicle) for sleeping all or part of a night or as temporary accommodation but excludes brief 'power napping' in a vehicle beside a highway for one hour or less.
Caravan	includes a mobile home or moveable dwelling.
Chief Executive Officer	means the person appointed by the Council to be its Chief Executive Officer or any person acting in that position (as in the Act).
Council	means City of Whittlesea.
Council land	means any land, including reserves or roads and buildings that are owned, leased, managed, occupied or vested in or under the control of Council or that it has a duty to maintain.
Domestic bird	means a small bird such as a canary, finch, budgerigar or the like that is kept in a cage or aviary but excludes a large and/or noisy bird capable of causing disturbance and discomfort to neighbours, and, for the purposes of the table of numbers and types of animals.
Drive livestock	means a single driving of livestock in or through the municipality, or from one location to another for the purpose of changing the grazing area, or for the purposes of sale or relocation after sale but excludes the grazing of livestock.
Dwelling	includes a building used as a self-contained residence with a kitchen sink, food preparation facilities, a bath or shower and a closet pan and wash basin and includes out-buildings and works normal to a dwelling.

Words and phrases	Meaning or extended meaning
E-cigarette	has the same meaning as in the <i>Tobacco Act 1987</i> .
Event	means an extraordinary and temporary organised activity where people gather.
Fire Danger Period	has the same meaning as in the <i>Country Fire Authority Act 1958</i> .
Heavy vehicle	has the same meaning as in the <i>Road Safety Act 1986</i> .
Hoon event	includes one or more vehicles being driven in a manner involving either: the loss of traction, racing, time trials or by which undue noise or smoke is caused.
Incinerator	has the same meaning as in the <i>Country Fire Authority Act 1958</i> .
Large and/or Noisy bird (including a rooster)	means, in relation to the keeping of an animal, any large and/or noisy bird capable of causing a disturbance or discomfort to neighbours particularly by noise, such as a cockatoo, macaw, peacock, large parrot, pheasant, rooster, turkey, goose or other similar-sized bird or any other noisy bird regardless of size, but excludes poultry, a domestic bird, a pigeon or other small non-noisy bird.
Licensed premises	has the meaning as in the <i>Liquor Control Reform Act 1998</i> .
Livestock	has the same meaning as in Section 3 of the <i>Impounding of Livestock Act 1994</i> .
Motor bikes and Motorised recreational vehicle	includes a motor vehicle, whether registered or unregistered, used for recreational purposes on any land (excluding a road) and includes, but is not limited to, the following motor vehicles: (a) motor vehicle with two (2) wheels, with or without a sidecar attached that is supported by a third wheel (b) a motor vehicle with three (3) wheels that is ridden in the same way as a motor vehicle with two (2) wheels; and (c) any other motorised, recreational vehicle including, but not limited to, mini-bikes, trail bikes, monkey bike, motorised scooters, motorised go-carts and quad bikes, but excludes: (a) a motorised wheelchair, or other aid used by a person with a disability or limited mobility; and (b) a motorised farm vehicle that is being used for farming purposes.
Nature strip	has the same meaning as in the <i>Road Safety Rules 2017</i> .
Nuisance	includes a state, condition or activity that is liable to be noxious, dangerous or injurious to health, and includes any noise created by an animal or any other thing that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.
Planning Scheme	means the City of Whittlesea Planning Scheme
Poultry	includes any fowl, bantam or duck (see ' <i>Large and/or Noisy bird (including a rooster)</i> ').
Procession	includes an organised group of people progressing along a road or gathering for a ceremony or function and includes a fun run and/or bicycle event.
Public place	has the same meaning as section 3 of the <i>Summary Offences Act 1966</i> , which includes any public highway, road, street, bridge, footway, footpath, court, alley, passage or thoroughfare.

Words and phrases	Meaning or extended meaning
Refuse facility	means, in relation to building works or a building site, a receptacle capable of retaining builder's refuse within a building site and preventing removal of the builder's refuse by unauthorised persons or by wind or rain.
Road	has the meaning ascribed to it in section 3 of the Act, as amended from time to time and includes a public highway (as in the Act): (a) a street; and (b) a right of way; and (c) any land reserved or proclaimed as a street or road under the <i>Crown Land (Reserves) Act 1978</i> or the <i>Land Act 1958</i> ; and (d) a public road under the <i>Road Management Act 2004</i> ; and (e) a passage; and (f) a cul de sac; and (g) a by-pass; and (h) a bridge or ford; and (i) a footpath, bicycle path or nature strip; and (j) any culvert or kerbing or other land or works forming part of the road.
Smoke	means to: (a) smoke, hold or otherwise have control over an ignited tobacco product (b) light a tobacco product; or (c) use an e-cigarette to generate or release an aerosol or vapour.
Smoke - free area	means any area prescribed by Council as 'smoke - free' or 'non-smoking'.
Total Fire Ban	has the same meaning as in Section 40 of the <i>Country Fire Authority Act 1958</i> .
Trade waste	means any waste, refuse, slops or other matter arising from or generated by any trade, industry or commercial undertaking.
Trailer	has the same meaning as in the <i>Road Safety Rules 2017</i> .
Unfit for occupation	unfit for human habitation or other occupation is a property that is unsuitable for living or working in on a daily basis. The property is likely to lack, or have restricted access to, essential services or facilities, including but not limited to water, and/or operational effluent discharge facilities, and the property is considered unsafe or unsuitable for use as a place of business or domestic inhabitation on a daily basis in the opinion of Council or its Authorised Officers.
Vehicle crossing	includes the crossover or the constructed surface between the road pavement to the property boundary for vehicle access, including any footpath section, crossing culverts, kerb and channel or layback.
Waffle pods	includes polystyrene or foam slabs, used in the construction of concrete slabs on building sites.
Waste	has the meaning ascribed to it in section 3 of the <i>Environment Protection Act 2017</i> .



Part 2

Your property

This part sets requirements which aim to ensure that the appearance of buildings and land are consistent with an image of the municipality that is safe, attractive and well maintained. This part also covers activities that may affect the environment of the neighbourhood including waste collection.

2.1 Displaying address numbers

The owner or occupier of land that has been allocated an address number must ensure that:

- (a) the address is marked with the allocated number;
- (b) the numbers are of a sufficient size and free from obstructions so that they can be clearly read under normal lighting conditions from the **road**;
- (c) in the case of land on which flats or units are situated, the allocated address number for a flat or unit is displayed on or near the front door or clearly visible and readable under normal lighting conditions from the **road** or driveway on which the land has its frontage; and
- (d) in the case of an address in a rural zone, the numbers are reflective.

Penalty: 5 penalty units

i Council or an **Authorised Officer** may allocate an address number to any land in the **municipality** and, from time to time, may make changes to any address number.

2.2 Dilapidated buildings and land

- (1) The owner or occupier of any land must not allow a building located on the land to become dilapidated.

Penalty: 20 penalty units

- (2) For the purposes of subclause (1), circumstances in which a building on land is dilapidated include any of the following:
 - (a) the exterior of the building, including any fencing on the land, is in a state of disrepair and is damaged or defaced so as to:
 - i. affect the visual amenity of the property; or
 - ii. cause the building to be out of conformity with the general standard of appearance of other buildings in the vicinity of the land; or
 - (b) architectural features, including painting, cladding, roofing of the building are not being properly maintained; or
 - (c) a building or other structure with or without a building permit that remains incomplete and any building permit has expired; or
 - (d) the building to become unfit for occupation or normal use; or
 - (e) the building having been damaged by fire or storm or other natural **event**.

- (3) The owner or occupier of land that is considered dilapidated in accordance with this clause must not allow:
- (a) the building or other structure or land to become unsightly or detrimental to the amenity of the area in which it is located; or
 - (b) must not allow any graffiti to remain on any building, wall, fence, post or other structure or object erected on that land.

Penalty: 20 penalty units

- (4) The owner or occupier of any land will commit a new offence under subclause 2.2(1) for every month that the breach continues, unless effective works have been undertaken to remedy any breach.

Penalty: 20 penalty units

2.3 Unsightly land

An owner or occupier of any land must ensure that the land:

- (a) is not unsightly or detrimental to the general amenity of the neighbourhood; or
- (b) does not give the appearance of neglect through accumulation or hoarding of rubbish, **waste** or other materials; or
- (c) does not constitute a danger to health or property; or
- (d) does not constitute a fire hazard; or
- (e) is not used or kept in any manner that may cause a **nuisance** or become detrimental to the amenity of the neighbourhood; or
- (f) is not a haven for vermin or any noxious weed; or
- (g) does not allow vegetation growth of more than 20 centimetres in height on the land if the land is located in an urban or commercial zone; or
- (h) does not allow unconstrained refuse, rubbish, rubble, demolished or discarded materials from building work or other matter to accumulate on the land so as to constitute a hazard to the health or safety of any person or environment.

Penalty: 20 penalty units

2.4 Dangerous land

- (1) An owner or occupier of any land must secure the building and land from unauthorised access, including, if required, filling in excavation, shoring works, erecting secure fencing, boarding up, use of more adequate locks and any other security option.

Penalty: 15 penalty units

- (2) An owner or occupier of any land must prevent or remedy the land from being a haven for regular anti-social or unlawful behaviour.

Penalty: 15 penalty units

- (3) An owner or occupier of any land must maintain any building on that land or part of that land in a state of good repair and appearance, not to the detriment of the amenity, including undertaking temporary repairs as required to ensure on-site safety and security and to avoid the appearance of neglect.

Penalty: 15 penalty units

- (4) An owner or occupier of any land commits a new offence under this clause for every 30 days that the breach continues unless effective works have been undertaken to remedy any breach.

Penalty: 20 penalty units

- (5) For the purposes of subclause (1), circumstances in which a building or land is dangerous, or likely to cause danger to health or property, include when the land has upon it any of the following:
- (a) any substance, materials or equipment that is dangerous, or is likely to cause danger to health or property; or
 - (b) an unsecured hole or excavation; or
 - (c) an unsecured building that is in a state of disrepair, causing it to be dangerous to health or property; or
 - (d) a haven for vermin or any noxious weed; or
 - (e) any unsecured dangerous thing likely to be an attraction to children.

2.5 Roadsides and nature strips

- (1) The owner or occupier of any land abutting the **nature strip** must maintain the **nature strip** by regularly mowing, weeding and removing any litter.

Penalty: 10 penalty units

- (2) The owner or occupier of any land abutting the **nature strip** must not cause or allow the **nature strip** to be kept in a manner which:

- is unsightly or detrimental to the general amenity of the neighbourhood
- has on it rubbish, **waste** other materials giving the appearance of neglect
- has on it hard **waste** and second hand goods, for sale, for free or for collection by another person
- is unsafe or hazardous to pedestrians and other **road** users including the placement of rocks, pickets and other solid objects.

Penalty: 10 penalty units

- (3) The owner or occupier of any land must not without a permit:

- cause or allow the modification by landscaping, cultivation, excavation or planting of vegetation, except for grass, to a **nature strip**; or
- in a rural area, cause or allow the modification by landscaping, cultivation, excavation to the natural land form of a roadside or remove any native vegetation.

Penalty: 10 penalty units

- (4) The owner or occupier of any land must not cause or allow the modification of a **nature strip** unless in accordance with the conditions of a permit.

Penalty: 10 penalty units



- i** For the purposes of Clause 2.5 and assessing whether the condition of the land abutting the **nature strip** is deemed to be unsightly or detrimental to the general amenity of the neighbourhood in subclause 2.3, if the land has upon it any of the following:
- grass or weeds present on the land which exceed 20 centimetres in height
 - uncontained rubbish, construction, excavation or demolition material
 - excessive **waste** or other materials
 - disused or parts of machinery or vehicles
 - more than one unregistered vehicle outside of shedding
 - graffiti that remains on the premises, unless any *Act* or Regulation relating to graffiti permits such graffiti to remain on the land for a longer period
 - shipping containers, unless they have a permit or other authority given by the **Council**
 - any other item or thing as determined by an **Authorised Officer**.

2.6 Obstructions to the safe use of the road and paths

- (1) The owner or occupier of land must ensure that any sign, fence, structure or other thing located on the land, and any vegetation (including grass, plants, shrubs, and trees) growing on the land does not:
- obstruct or interfere with the safe and fair use of the **road** by pedestrians and vehicles by limiting the visibility of the **road**, street lighting, traffic control devices or any other users of the **road**;
 - cause a hazard to vehicles or pedestrians or compromise the safe and convenient use of **roads** or paths;
 - encroach or lean across any footpath;
 - overhang at a height lower than 2.5 metres from the surface of any footpath or municipal reserve, and at a height lower than 4 metres from the surface of any **road**; or
 - accumulate dropped fruit, berries, leaves or other materials on a footpath so as to cause obstruction or danger to any pedestrian.

Penalty: 10 penalty units

2.7 Use of domestic waste bins

i The following clauses apply to the owner or occupier of every **dwelling** or other land to which the **Council** provides a **waste** collection service.

- (1) All domestic **waste** and recyclables must be placed in an appropriate bin in connection with the **waste** collection service.

Penalty: 10 penalty units

i **Council** may alter the shape, volume, quantity and colour of the bin bodies at any time.

- (2) The owner or occupier of every **dwelling** or other land to which the **Council** provides a **waste** collection service must:
- maintain all domestic **waste** bins in a clean and sanitary condition suitable for collection and in a tidy manner so as not to cause any health risk or be offensive to any person;
 - ensure that each domestic **waste** bin is not overfilled thereby preventing the lid from being completely closed down;
 - not cause damage or destroy any domestic **waste** bins; and
 - not place any contaminated material in a domestic **waste** bin.

Penalty: 15 penalty units

- (3) The owner or occupier of every **dwelling** or other land to which the **Council** provides a **waste** collection service must not after receiving one initial written warning place any contaminated material in a domestic **waste** bin or other **Council**-approved bin.

Penalty: 15 penalty units

2.8 Collection and storage of domestic waste bins

The owner or occupier of every **dwelling** or other land to which the **Council** provides a **waste** collection service must:

- place the domestic **waste** bins out for collection on the **nature strip** or **road** closest to the premises;
- not leave any domestic **waste** bin out for collection more than one (1) day before or one (1) day after a designated collection day;

- ensure that the domestic **waste** bin does not interfere with the free movement of pedestrian or vehicular traffic or impede the collection of **waste**; and
- not remove, add or interfere with any domestic **waste** bin or its contents left out by any other person on a **road** or on **Council land** for collection, unless employed, authorised or contracted by the **Council** for the purpose.

Penalty: 10 penalty units

2.9 Hard waste

The owner or occupier of every **dwelling** or other land to which the **Council** provides a hard **waste** collection service must:

- place out for collection any hard **waste** in a manner set by the **Council**;
- not place out for collection any hard **waste** on a **nature strip** or **Council land**, except where approved to do so by an officer of **Council** or part of an authorised **waste** program of **Council**; and
- not remove, add or interfere with any hard **waste** left out by any other person, unless employed, authorised or contracted by the **Council** for the purpose.

Penalty: 15 penalty units

2.10 Commercial and trade waste

- (1) The owner or occupier of any land must ensure that any commercial or **trade waste** is:
- kept contained in a vessel or container constructed of water-resistant materials, that is watertight and fly and pest proof;
 - emptied before it overflows but at least every seven (7) days;
 - maintained and kept in a clean condition and free from offensive odours;
 - identified by displaying a notice indicating the type of **waste** material which may be deposited and states that it is an offence to deposit material not listed in the notice; and
 - not stored or placed on **Council land** or **road** without a permit.

Penalty: 15 penalty units

- (2) A person must not deposit commercial **waste** in a public **waste** or domestic **waste** bin.

Penalty: 15 penalty units

2.11 Public waste bins

- (1) A person must not deposit any domestic **waste** or recyclables or any other **waste** material of any kind which has been generated in or from any **dwelling** in a public **waste** bin.

Penalty: 15 penalty units

- (2) A person may only place animal excrement in a public **waste** bin if it is secured in water-resistant material.

Penalty: 15 penalty units

2.12 Recreational camping

- (1) Unless permitted under a **Planning Scheme** applicable to the land, the owner or occupier of any land must not, without a permit, allow any person to place or cause to be placed for the purpose of recreational **camping** or occupation, any tent, **caravan**, campervan or other moveable **dwelling** on that land, except:

- (a) on private property for a period of up to 28 days in any year, provided that sanitation and laundry facilities of a **dwelling** on the private property are available to the occupier of that tent, **caravan**, or other moveable **dwelling**
- (b) on unoccupied land in a rural zone for a period of up to 28 days in any year, and
- i. all recreational **camping** equipment is removed when not being used or occupied
 - ii. not be unsightly and not constitute a **nuisance**
 - iii. not be for commercial purposes

Penalty: 15 penalty units

- (2) A person must not, without a permit, **camp** on any Council land unless prescribed by **Council** as being available for **camping**.

Penalty: 15 penalty units



2.13 Shipping containers

- (1) A person must not, without a permit, store, keep, repair or in any other manner use a shipping container on any land within the **municipality**.
- (2) Unless permitted under the **Planning Scheme**, a person must not, without a permit, place a shipping container on any land for a period longer than six months.

Penalty: 15 penalty units

- (3) Shipping containers placed on any land must not adversely impact the visual amenity of a neighbourhood.

Penalty: 15 penalty units

- (4) Subclause (1) does not apply to the **Council** or any person employed, contracted or authorised by the **Council** for the purpose.

2.14 Bee keeping and wasps

i In addition to the requirements of a permit issued under this Local Law, there are further requirements for the keeping of bees including the *Livestock Disease Control Act 1994* and Regulations, and all Victorian beekeepers are required to comply with the Apiary Code of Practice. The keeping of bees must also be in accordance with the **Planning Scheme**.

- (1) An owner or occupier of any land (except rural or agricultural land) must not, without a permit, keep or allow bees to be kept on that land.

Penalty: 10 penalty units

- (2) The owner or occupier of land must take reasonable steps to remove any swarm of bees on that land.

Penalty: 10 penalty units

- (3) An owner or occupier of any land on which has been detected a wasp nest or a bee swarm must not allow that wasp nest or bee swarm to remain on the land.

Penalty: 10 penalty units

2.15 Pest plants

An owner or occupier of land must eradicate from those premises any plant prescribed by **Council** to be a pest plant unless removing it is prohibited by the **Planning Scheme**.

Penalty: 15 penalty units



Part 3

Fire safety

This part sets requirements for fire prevention and other activities that may affect the environment of the neighbourhood in which the activities are conducted and includes burning of material in the open, firepits and solid fuel fires; and the generation of offensive odours, smoke and fumes.

3.1 Fire hazards

- (1) The owner or occupier of any land must not allow the land to contain anything which constitutes or is likely to constitute a fire hazard.
- (2) The owner or occupier of any land must not allow the nature strip to contain anything that is like to constitute to a fire hazard.

i For the purposes of clause 3.1, anything that constitutes a fire hazard includes undergrowth, scrub, bracken, fern, weed, stubble, grass (whether alive or dead and whether standing or not standing) and litter or any other thing as determined by an Authorised Officer.

Penalty: 20 penalty units

- (3) The owner or occupier of any land, between the months of November and March of any year, must:
 - (a) maintain on vacant land any grass, stubble, weeds, scrub, undergrowth or other like material on the land to a height that does not exceed 10 centimetres; and

Penalty: 20 Penalty Units

- (b) maintain a minimum fire break of 35 metres from every boundary.

Penalty: 20 Penalty Units

i This is the minimum requirement set for fire prevention works on vacant land. If further fuel reduction and fire mitigation works are required on any land the owner and/or occupier of that land will be issued with a Fire Prevention Notice in accordance with the provisions of the *Country Fire Authority Act 1958* or the *Fire Rescue Victoria Act 1958*.

- (4) **Council** may enter land and remove any material that constitutes a fire hazard or is likely to do so and recoup any costs incurred in carrying out such removal from the owner or occupier of the land.

3.2 Open air burning

- (1) A person must not light or allow to remain alight any fire in the open air on a day that has been declared as a **Total Fire Ban Day** or smog alert day or otherwise contravenes the provisions of the *Country Fire Authority Act 1958* or the *Fire Rescue Victoria Act 1958*.

Penalty: 20 penalty units

- (2) A person must not, without a permit, light, burn or cause or allow to be burnt a fire in the open air on any land less than 20,000m² in area in the **municipality**, except for the purposes of cooking food outdoors.

Penalty: 10 penalty units

The restriction in subclause (2) does not apply to:

- (a) a permanent or portable gas **barbecue**, solid fuel **barbecue**, pizza oven or other properly constructed appliance for the purpose of cooking food;
- (b) a fire in a chiminea, properly constructed fireplace or firepit for the purpose of outdoor heating;
- (c) **Council** staff members and any person contracted or authorised by the **Council** undertaking controlled burning off as a part of normal reserve maintenance on any **Council land** or **road**;
- (d) fire agencies carrying out training or fire hazard reduction activities; and
- (e) if an **Authorised Officer** has granted exemptions to any part of this clause in special or unusual circumstances, such as in emergencies, urgent circumstances or natural disasters.



3.3 Open air burning – Nuisance, injury and damage

A person who lights a fire in the open air must ensure that:

- (a) the fire is not a **nuisance** to another person in the vicinity or beyond the property boundary
- (b) the fire does not cause an injury to a person’s health
- (c) the fire does not have an adverse impact on visibility on any **road** beyond the property boundary
- (d) any solid fuel fire is not within more than three (3) metres from the boundary of the land
- (e) the fire is supervised at all times by an adult
- (f) there is sufficient fire protection equipment readily available for extinguishing the fire if required
- (g) any solid fuel fire is not lit under any structure or vegetation and within three (3) metres of any flammable material except for growing vegetation not exceeding one (1) metre in height
- (h) a gas **barbecue** or pizza oven or similar device placed near the boundary of the land must not be capable of causing any heat damage to a fence or any other structure or vegetation.

Penalty: 20 penalty units

3.4 Incinerators

A person must not use an **incinerator** on any land in the **municipality**.

Penalty: 20 penalty units

3.5 Burning of offensive materials and waste

A person must not light a fire on any land within the **municipality** to burn, cause or allow to be burnt any:

- (a) green or wet material, including wood;
- (b) rubber or plastic, including plastic mulch, plant pots and packaging materials;
- (c) furnishings and carpet;
- (d) materials that may cause offensive emissions of **smoke** and odour entering any neighbouring property;
- (e) petroleum, oil or oil-based products;
- (f) paint, including any container in which paint is kept;
- (g) household **waste**, food **waste**, including fish;
- (h) business or industrial **waste**, including but not limited to cardboard, fabric, silage wrap, bale twine or netting and chemical containers;
- (i) electronic equipment and recyclable materials (excluding timber); or
- (j) other offensive, noxious or toxic matter.

Penalty: 20 penalty units

Example: A firepit, chiminea or a solid fuel **barbecue** reasonably emits **smoke** when initially lit but very little when burning dry fuel. Small amounts of wafting **smoke** would not constitute an offence. Burning wet solid fuel, however, emits thick **smoke** and this affecting neighbouring properties may constitute an offence.

3.6 Wood heaters, fireplaces and firepits

A person must not use a wood heater, fireplace or firepit in a manner which causes a **nuisance** to any person.

Penalty: 20 penalty units

3.7 Outdoor ovens

A person must not use an outdoor oven in a manner which endangers or causes a **nuisance** to a person or damage to property.

Penalty: 20 penalty units

3.8 Extinguishing fires

A person who lights, causes or allows a fire to remain alight or permits the burning of any materials contrary to this clause, must extinguish the fire or burning materials immediately on being directed to do so by an **Authorised Officer**.

Penalty: 20 penalty units

3.9 Offensive emissions

A person must not allow, cause or permit offensive emissions of noise, **smoke**, dust, ashes, odour, **waste** or any other thing to enter or continue to enter a neighbouring property.

Penalty: 20 penalty units





Part 4

Your animals

This part aims to provide for the responsible care, ownership and management of animals within the municipality including regulating the number and types of animals a person may keep without a permit, and to prohibit owners of animals from allowing those animals to be a nuisance.

4.1 Keeping animals

i In relation to the keeping of an animal, any 'large animal' includes a deer, elk or similar size and type of animal but excludes horses, cattle and other **livestock**.

(1) The owner or occupier of any land must not, without a permit, keep or allow to be kept on the land any more of each species or group of animals than is stated in the table on the next page.

Penalty: 20 penalty units

(2) For the purpose of calculating the numbers of any animal kept under subclause (1), the offspring of any animal lawfully kept is to be counted from 12 weeks after its birth.

(3) Any exotic, wild, dangerous or large animal listed in subclause (1) is exempt from the operation of that clause if it is kept in accordance with a scheme by State or Commonwealth legislation.

(4) Any animal kept that is more than the number of each species or group of animals than is stated in the table under subclause (1) may be removed and impounded by **Council**.

(5) Upon notification that an animal has been impounded, the animal may be claimed by the owner up to 14 days from the date of notification and after the impounding fees have been paid in full.

(6) Where an **Authorised Officer** reasonably believes that a breach of this Local Law will continue if an impounded animal is released to the owner, **Council** will not release the animal.

(7) Where an animal has not been recovered under this Local Law, the **Council** may rehome the animal.

i Rehoming for the purposes of subclause 4.1(7) includes sale, adoption, rehoming or destruction of the animal as determined by an **Authorised Officer**.

Type of animal	Maximum allowed			
	Flats, apartments, units or townhouses	Land less than 4,000 square metres	Land between 4,000 and 20,000 square metres	Land 20,000 square metres or greater
Dogs	2	2	4	5
Cats	2	2	4	5
Poultry	Not allowed	12	24	Not regulated by this Local Law*
Pigs	Not allowed	Not allowed	Not allowed	Not regulated by this Local Law*
Large and/or Noisy Birds (including Roosters)	Not allowed	Not allowed	5	Not regulated by this Local Law*
Pigeons	Not allowed	12 pairs	20 pairs	Not regulated by this Local Law*
Domestic Birds (caged, excluding Large and/or Noisy Birds)	6	30	Not regulated by this Local Law*	Not regulated by this Local Law*
Domestic Rabbits, Ferrets, Guinea Pigs and Mice	2	4	Not regulated by this Local Law*	Not regulated by this Local Law*
Horses, Donkeys, Camels	Not allowed	Not allowed	1	Not regulated by this Local Law*
Cattle	Not allowed	Not allowed	1	Not regulated by this Local Law*
Sheep, Goats and Alpacas	Not allowed	Not allowed	2	Not regulated by this Local Law*
Large Introduced Animal (e.g. deer, elks)	Not allowed	Not allowed	Not allowed	Not allowed

4.2 Animal housing

The owner or occupier of land on which any **livestock** or any other animal is kept must ensure that any animal housing, including animal shelters, structures or enclosures on that land are:

- (a) maintained at all times in a clean and sanitary condition to the satisfaction of an **Authorised Officer**
- (b) constructed and maintained in a manner that is safe and adequate for the purpose of its use
- (c) kept free of materials or vegetation that may harbour or attract rats, mice or other pests.

Penalty: 10 penalty units

4.3 Noise and smell from animals

The owner or occupier of land on which any animal is kept must not allow noise, smell or discharge to emanate from the animal, animal housing or land which is offensive or interferes with the reasonable comfort or convenience of persons who occupy adjacent or nearby land.

Penalty: 10 penalty units

i Noise from dogs and cats is regulated by section 32 of the *Domestic Animals Act 1994*.

4.4 Animal excrement

- (1) A person in charge of any animal must not allow excrement of the animal to remain on any **road**, footpath, **nature strip**, park, oval or **Council land**.

Penalty: 10 penalty units

- (2) A person in charge of an animal on any **road**, footpath, nature strip, park, oval or **Council land** must carry a litter device suitable to clean up excrement left by an animal and must produce such litter device upon request of any **Authorised Officer** and immediately collect and dispose of the excrement in a proper and sanitary manner.

Penalty: 10 penalty units

- (3) A person in charge of an animal that is deceased must ensure that the deceased animal is buried or removed from that land in a timely manner and ensure that the deceased animal is properly disposed of in a humane manner without creating a public health or environmental hazard.

Penalty: 15 penalty units

Exemption: Livestock outside a built-up area is exempt from subclauses 4.5(1) and 4.5(2), except that, in the case of **livestock road** crossings, subclause 4.5(1) will apply if the animal excrement left on a **road** is sufficient to cause a genuine risk to public **road** safety including, but not limited to, being a contributory factor in any **road** accident.

4.5 Adequate fencing

- (1) The owner or occupier of land must ensure that the land on which any animal, including any **livestock**, is kept is adequately fenced or confined in a way that will prevent the animal from escaping from the land.

Penalty: 15 penalty units

- (2) Where the animals kept on any land are sheep, cattle, horses or other large animals, the owner or occupier of the land must ensure by adequate fencing that no animal escapes onto, or remains unattended, on a public **road**.

Penalty: 20 penalty units

- (3) No offence is committed under subclause (2) where it can be shown that extreme or unusual circumstances beyond the control of the owner or the occupier, such as wildfire, flood or dog attack, directly resulted in the escape of the animal through otherwise adequate fencing.

4.6 Preventing dog attacks

An owner or occupier of land on which a dog is kept must ensure that the land is adequately secured in a manner to which a dog cannot attack or bite any person or animal through, over, or under a fence or gate.

Penalty: 15 penalty units

4.7 Animal Management Plan

- i** Council may enter into an Animal Management Plan with the owner of any dog that is alleged to have breached section 29 of the *Domestic Animals Act 1994*.

- (1) The owner of an animal that is subject to an Animal Management Plan or agreement will be guilty of an offence if they fail to comply with a clause or requirement set out in the Animal Management Plan or agreement.

Penalty: 15 penalty units

4.8 Managing dogs on sporting grounds

- i** The purpose of the following provision(s) is to recognise that dog controls on Council land including sporting grounds and ovals is necessary, and implemented on a balanced approach, for the benefit of all members of the community.

A person must comply with any regulatory sign that sets out the manner in which dogs are to be controlled or otherwise handled on Council land, including sporting grounds and ovals.

Penalty: 10 penalty units

- i** Council requires any dog to be kept on a lead while the dog is in a reserve or other public place unless in a designated off leash area.





Part 5

Vehicles and roads

This part contains provisions which aim to enhance the appearance and safety of streets and public places by controlling activities involving vehicles in public places and minimising the impact of stationary vehicles and maintenance of public roads.

5.1 Vehicles and other recreational vehicles

i The operator onus provisions under Part 6AA of the *Road Safety Act 1986* apply to this part of the Local Law which involves vehicles.

- (1)** A person must not, without a permit, drive, ride, park or otherwise use any vehicle, including **motor bikes, motorised recreational vehicles** in or on **Council land** unless the part of the land has been designated for that purpose.

Penalty: 15 penalty units

- (2)** A person must not, without a permit:
- (a) drive, ride on or otherwise use any motor bike or other motorised recreational vehicle in a built-up area on any land other than **Council land** or a **road**, except for the purpose of directly accessing or leaving that land

Penalty: 15 penalty units

- (b) drive, ride on or otherwise use any motor bike or other motorised recreational vehicle outside a built-up area on any land other than **Council land** or a **road**, within 500 metres of a **dwelling** located on any other land.

Penalty: 15 penalty units

For the purposes of clause 5.1 (2), the owner or occupier of any land outside a built-up area will be guilty of an offence where the operator is incapable of being found guilty of the offence.

5.2 Repair and display of vehicles for sale

- (1)** A person must not dismantle, paint, service, carry out maintenance on, repair or dismantle a vehicle (including any **trailer** or **caravan** whether attached or not) on a **road**, pathway or **Council land** or allow or authorise another person to do so, except in an emergency breakdown for the purpose of removing it.

Penalty: 15 penalty units

- (2)** A person must not display a vehicle for sale on a **road** reserve or **Council land** (including a public car park).

Penalty: 15 penalty units

5.3 Abandoned, unregistered and derelict vehicles

- (1)** A person must not leave any derelict, abandoned or unregistered vehicle on any **road** or **Council land**, whether temporarily or permanently.

Penalty: 15 penalty units

- (2)** A person employed, contracted or authorised by the **Council** for the specific purpose is exempt from subclause (1) within the course of their normal duties.

- (3)** A vehicle found on any **road** or **Council land** and considered by an **Authorised Officer** to be an **abandoned vehicle** may be removed and impounded by **Council**.

i A 'derelict vehicle' is considered to be a vehicle that appears to be in a disused state or cannot move under its own power or immobile and may include one or more deflated tyres.



5.4 Storing of heavy or long vehicles

- (1) An owner or occupier of land must not keep, place or store more than one heavy or long vehicle, unless they are in shedding.
- (2) A person must not keep or store a **trailer** or **caravan** or **machinery** upon any **nature strip** or part of a **nature strip**.
- (3) A person must not keep or store an unhitched **trailer** or **caravan** upon any **road** or part of a **road** for a period greater than seven days in any one month.
- (4) A person must not, without a permit, keep or store any **heavy vehicle** or long vehicle upon any **road** or part of a **road**.

Penalty: 15 penalty units

- i** A temporary VicRoads permit does not allow for a vehicle to be parked or stored on a **road**, only to be driven to a testing centre for the purpose of becoming roadworthy.

5.5 Occupation of Council land or roads

- (1) A person must not, without a permit given by the **Council**, occupy or allow to be occupied any **Council land** or any **road** for any use including excavation, landscaping, cultivation, planting, building, erection of structures, installation of recreation facilities, fencing, storage of vehicles or goods of any kind.

Penalty: 15 penalty units

- (2) A person must not, without a permit or other written authority given by the **Council**, cause or allow the interference or damage to a roadside or **nature strip**, including but not limited to:
 - (a) removal of vegetation or soil, except to replace soil or planting of grass to a **nature strip**
 - (b) driving on or parking a vehicle or machinery
 - (c) hoarding or storage of building or other materials.

Penalty: 15 penalty units

- (3) A person who commits an offence under subclause (1) must remove and rectify any change made to **Council land** or any **road** as a result of the unauthorised occupation within the time stipulated by an **Authorised Officer**.

Penalty: 20 penalty units

- (4) If a person fails to remove and rectify any change to **Council land** or any **road** under subclause (2) the **Council** may remove and rectify the change and recover the cost of the removal and rectification from the offender.
- (5) A person employed, contracted or authorised by the **Council** for the purpose is exempted from subclauses (1), (2) and (4).
- (6) Mowing, weeding or slashing a roadside or **nature strip** is excluded from subclause (1).

5.6 Behaviour involving motor vehicles

- (1) A person must not participate in, encourage or attend a **hoon event**.

Penalty: 20 penalty units

5.7 Shopping trolleys

- (1) A person must not leave a shopping trolley on any land, a **road** or public place unless it is in an area designated by the shopping trolley owner or **Council** for that purpose.

Penalty: 10 Penalty Units

- (2) A person must not use a shopping trolley for any purpose other than for the purpose for which the shopping trolley has been specifically designed.

Penalty: 10 penalty units

- (3) The owner or proprietor of any business that makes shopping trolleys available for use must:
- ensure that no shopping trolley of that business is left on any **road** or **Council land** unless it is in an area on the footpath or **Council land** which **Council** has set aside for that purpose
 - ensure that the shopping trolley has a coin operated mechanism attached to it, or other device approved by **Council**, that deters or stops a person from removing a shopping trolley from the retail premises or demonstrates to **Council's** satisfaction that they have a regular collection system in place and undertake to respond to reports to collect shopping trolleys in a responsive manner
 - ensure that each shopping trolley displays appropriate business signage to identify ownership of the trolley.

Penalty: 10 penalty units

- (4) A shopping trolley found on a **road**, in a public place or on private property or **Council land** which is not the land on which it is usually kept may be removed and impounded by **Council**.
- (5) Upon notification that a shopping trolley has been impounded, a shopping trolley may be claimed by the owner or proprietor referred to in subclause (3) after the impounding fees have been paid in full in accordance with clause 11.5.
- (6) The owner or proprietor who does not claim an impounded shopping trolley within the time specified by **Council** for collection in any notice given is guilty of an offence.

Penalty: 10 penalty units

5.8 Street parties, festivals or events

- (1) A person must not, without a permit:
- hold a street party, street festival or **procession, event** or activity on a **road** or **Council land**
 - use an audible public address system on a **road** or **Council land**.

Penalty: 20 penalty units

5.9 Livestock on roads

- (1) A person must not, without a permit:
- drive livestock** in a rural zone for a distance greater than two kilometres along any **road** located within the **municipality**
 - undertake or allow the grazing of **livestock** on **Council land**, a **road** or roadside
 - drive livestock** on **Council land**, or on a **road** outside of a rural zone
 - leave any muck on the **road** as a result of driving or riding the **livestock**.

Penalty: 15 penalty units

- (2) A person in charge of **livestock** must not, without a permit, undertake or allow the grazing of **livestock** on **Council land**, a **road** or roadside.

Penalty: 15 penalty units

5.10 Riding horses on Council land

A person must not, without a permit, drive, ride or lead a horse or allow another person to drive, ride or lead a horse on **Council land** except in an area designated for that purpose.

Penalty: 15 penalty units



Part 6

Alcohol and smoking

Council understands the importance of respecting the safe and quiet enjoyment of public places within the municipality. This part aims to control the consumption of alcohol in public places and the regulation of smoking, recognising that these activities are also governed by legislation.

6.1 Consumption and possession of alcohol

- (1) Council may declare any area within the municipality to be an alcohol-free area.
- (2) A person must not, without a permit, consume alcohol or possess any unsealed container of alcohol on a road or in a public place.

Penalty: 20 penalty units



6.2 Smoke-free areas

i For the purposes of this clause, the term 'smoke' has the same meaning as used in the *Tobacco Act 1987* which includes the use of **e-cigarettes** and vaping devices.

- (1) Council may declare any area within the municipality to be a **smoke-free area**.
- (2) Council may erect, or cause to be erected and maintained, appropriate signage in any area which has been declared a **smoke-free area**.
- (3) A person must not **smoke** a tobacco product, **e-cigarette** or vape in or on any area within the municipality that has been declared to be a **smoke-free area**.

Penalty: 20 penalty units



Part 7

Activities on Council land

This part contains provisions which aim to enhance the appearance of streets and public places by controlling the placement of advertising signs in public places, the placement of goods and ensuring that our public spaces can be shared and enjoyed by the community. It also covers provisions that assist with regulating activities such as busking, selling and roadside trading.

7.1 Displaying goods for sale on road or Council land

- (1) A person must not, without a permit, place or display any goods for sale or samples of goods for sale or cause or allow another person to do so on any part of a **road** or **Council land**.

Penalty: 15 penalty units

- (2) A person who has placed, permitted to be placed, displayed or permitted to be displayed goods or an advertising sign on a **road** or **Council land**, with or without a permit, must move or remove them if directed to do so by an **Authorised Officer**.

Penalty: 15 penalty units

- (3) Any goods left or displayed on any part of a **road** or **Council land** contrary to this clause or displayed in contravention of any conditions of a permit may be removed by an **Authorised Officer** and impounded.

- i** Where any goods have been impounded, there must be compliance with the provisions of clause 11.5.

7.2 Roadside trading

A person must not, without a permit, erect or place on any **road** or **Council land** any vehicle, **caravan**, **trailer**, table, stall, tent or other structure for the purposes of **selling** or offering for sale any goods (including any vehicle) or services.

Penalty: 15 penalty units





7.3 Regulation of trading sites

- (1) If the **Council** has entered into an agreement by way of permit, lease, licence or otherwise in relation to trading from a particular site, a second person other than the person with whom the **Council** has the agreement must not trade from that site, whether or not that second person has a permit for another site or no particular site.

Penalty: 15 penalty units

- (2) The **Council** may, by resolution, determine a fee, charge, fare or rent in relation to the **selling** or offering for sale any goods or services from any land adjacent to a **road** or to any person who is on that **road** or adjacent land.
- (3) Where a person continues to use a trading site contrary to subclause and after direction to desist or move by an **Authorised Officer** including a reasonable time to comply with that direction, any goods and associated equipment used by that person may be removed from the site by an **Authorised Officer** and impounded.
- (4) Where any goods and equipment have been impounded, there must be compliance with the provisions of clause 11.5.



7.4 Clothing or charity bins

- (1) A person must not, without a permit, place or cause to be placed a clothing or charity bin on private land, a road reserve, in a public place or on **Council land**.

Penalty: 20 penalty units

- (2) A clothing or charity bin placed on private land, a **road** reserve, in a public place or Council land must be maintained by the owner in a clean and sanitary condition and in accordance with the conditions set out in the permit.

Penalty: 15 penalty units

7.5 Spruiking and busking

- (1) A person must not, without a permit, spruik on or use any sound amplification equipment on any **road** or **Council land**.

Penalty: 10 penalty units

- (2) A person must not, without a permit, **busk** or use any sound amplification equipment for the purpose of public entertainment or performance on any road or on **Council land**.

Penalty: 10 penalty units

- (3) A person must not, without a permit, paint or draw on any **road** or **Council land** or property for the purpose of public entertainment, performance or the collection of money.

Penalty: 10 Penalty Units

7.6 Erecting or placing of electoral, political and advertising signs

- (1) A person must not, except in accordance with a permit, erect or place an electoral, political or advertising sign on or over any part of a **road** or **Council land**, or commission or cause or in any way authorise another person to do so.

Penalty: 20 penalty units

- (2) A person must not, except in accordance with a permit, leave standing on any **road** or **Council land** a motor vehicle or motor vehicle **trailer** which contains any advertising sign or political sign other than a sign which has been painted, etched, stuck to or magnetically transferred onto the body of the motor vehicle.

Penalty: 20 penalty units

- (3) A person who has erected or placed an advertising sign on a **road** or **Council land** or on a motor vehicle or **trailer** left parked on a **road** or **Council land** without a permit must move or remove the advertising sign if directed to do so by an **Authorised Officer**.

Penalty: 20 penalty units

- (4) Where any place an electoral, political or advertising sign is erected or placed in any location contrary to this clause or in contravention of any permit condition, and the owner of the sign is unwilling or is not immediately available to remove the sign, the electoral, political or advertising sign may be removed by an **Authorised Officer** and impounded and notices served as soon as possible on the owner after the impoundment.

- (5) Any signage subject to a permit for use within or on **Council land** or subject of a **Planning Scheme** permit is exempt from this clause.

7.7 Outdoor eating facilities

- (1) A person must obtain a permit to use a footpath or any part of the **road** or any **Council land** for the purposes of an outdoor eating facility.

Penalty: 20 penalty units

- (2) Any tables, chairs, umbrellas or other equipment in an outdoor eating facility used in contravention of this clause or of any conditions of a permit may be removed by an **Authorised Officer** and impounded.

- (3) Where any tables, chairs, umbrellas or other equipment have been impounded, there must be compliance with the provisions of 11.5.

7.8 Removing the outdoor eating facility

- (1) A permit holder must move or remove the outdoor eating facility when requested to do so by an **Authorised Officer** or a member of the Victoria Police or an emergency service.

Penalty: 20 penalty units

7.9 Collections and soliciting

- (1) A person must not, without a permit, cause, allow or authorise another person to do so, from house to house, a **road** or any **Council land**:

- solicit or collect any gifts of money, subscriptions or **waste** materials;
- distribute any handbills, information brochures, books, pamphlets, place cards, notices, advertisements, goods, gifts or samples;
- sell** or offer goods or services for sale.

Penalty: 20 penalty units





Part 8

Council land, buildings and reserves

This part contains provisions which aim to protect the amenity of Council land, buildings and reserves for the community by prohibiting persons from causing damage to municipal places, buildings and reserves or acting in a socially unacceptable manner.

8.1 Conduct on Council land, buildings and reserves

- (1) A person must not, on **Council land**:
- commit any nuisance;
 - conduct an activity or behave in a manner which may likely interfere with another person's reasonable use and enjoyment;
 - act in a manner which endangers, causes harm to or injures any person or animal;
 - damage, destroy, obstruct or interfere with anything;
 - act contrary to any applicable conditions of use or signage;
 - act contrary to any restriction, closure, condition, fee, charge or hire agreement; or
 - act contrary to any lawful direction of an **Authorised Officer** or person in charge of a Council building or facility.

Penalty: 20 penalty units

8.2 Activities on Council land, building and reserves

- (1) A person must not, without a permit, on **Council land**:
- conduct a commercial event or activity;
 - participate in, or enable others to participate in an organised activity other than a sport, game or activity planned for family or social purposes;
 - hold or permit to be held a circus, carnival, festival or non-commercial event;
 - use a vehicle unless it is in an area permitted for vehicles to traverse;
 - operate tour guiding, personal training or any other organised recreational activity for commercial gain;
 - destroy, damage, remove, plant or interfere with any tree, garden bed or plant in, or on Council land, other than for the purposes of maintaining grass on a nature strip or in accordance with a permit for cultivation of a nature strip garden issued under Clause 2.5(3)(a); or
 - damage or interfere with the landform, flora, fauna, ground cover, soil or waterways.

Penalty: 20 penalty units

- (2) A person must not, while in a Council building:
- (a) act in a manner contrary to any restriction or prohibition on a sign at, on or in a Council building
 - (b) obstruct, hinder or interfere with any member of staff of Council in the performance of their duties
 - (c) use or interfere with any life-saving or emergency device, unless using the device in an emergency, or participating in an instruction approved by Council or an **Authorised Officer**; or
 - (d) bring any animal into or allow any animal under his or her control to remain in a Council building, except for an assistance animal in accordance with the *Disability Discrimination Act 1992*.

Penalty: 20 penalty units

- (3) An **Authorised Officer** may remove and impound any thing that is in or on Council land in contravention of this clause. Where any thing is impounded, there must be compliance with provisions of Clause 11.5.

8.3 Restrictions on entry

- (1) A person must not use or enter a Council building, reserve or playing arena:
- (a) when the public is prohibited; or
 - (b) without paying the applicable charge or entrance fee; unless the prior consent of Council is obtained.

Penalty: 20 penalty units

- (2) A person must not re-enter a Council building, reserve or playing arena after having been directed to leave by a member of Council staff or contracted staff member and being served with a temporary suspension letter or Notification of Prohibition of Entry.

Penalty: 20 penalty units

8.4 Notification of Prohibition from Entry

- (1) A person must not enter any specified Council building or service location for the period of time specified in a Notification of Prohibition from Entry.
- (2) Council may issue a Notification of Prohibition from Entry where there is an ongoing threat to safety or well-being of other lawful users, visitors or Council staff in any Council building or service location for a period of time, not exceeding one year with a further extension of up to six months.

Penalty: 20 penalty units

- (3) Where a person, after the expiry of a previous Notification of Prohibition from Entry:
- (a) repeats conduct upon which was prohibited in the first instance; or
 - (b) is responsible for further conduct that constitutes serious misconduct
- the person may be further prohibited from entering that or other Council buildings, as authorised by the Chief Executive Officer or other Senior Officer.
- (4) Any **Authorised Officer** issuing a Notification of Prohibition from Entry must ensure that:
- (a) a notification is a reasonable and proportionate response to the conduct;
 - (b) the person is given a right to be heard by the decision-maker including fair notice prior to a decision;
 - (c) the occupational health and safety obligations of Council are fulfilled;
 - (d) fair consideration is given to access to a place of work;
 - (e) clear explanation is given of the notification procedure, the reasons for a prohibition, the penalties and the appeal process; and
 - (f) there is a right of appeal regarding a decision to a person other than the original decision maker or their direct supervisor.

8.5 Gateways to reserves and Council land

A person must not, without a permit, install or maintain a gate or other structure to facilitate entry into a reserve or Council land from privately owned land.

Penalty: 20 penalty units

8.6 Wetlands, fountains and watercourses

A person must not, without a permit, tap into, divert or interfere, pollute, enter, swim, paddle, bath, dive or jump in a wetland, fountain, watercourse or waterbody on Council land.

Penalty: 20 penalty units



8.7 Interfering with Council assets

A person must not:

- (a) interfere with or use Council assets in such a way that causes damage or detriment; or
- (b) interfere with or use Council assets in such a way that any other person could be injured or suffer loss as a result of that interference or use; or
- (c) attach anything to the Council asset.

Penalty: 20 penalty units

8.8 Obstructions on Council land or road

- (1) A person must not, without a permit, place or cause to be placed a bulk waste container, clothing or charity bin or other waste container on a road or **Council land**.

Penalty: 20 Penalty Units

- (2) A person who is responsible for a bulk waste container, clothing or charity bin or other waste container on a road or Council land must move or remove them if directed to do so by an **Authorised Officer**.

Penalty: 20 penalty units



8.9 Events

- (1) A person must not, without a permit, undertake any of the following activities on Council land:
 - (a) organise or hold an event;
 - (b) exclusively use part or all of a municipal place or install temporary infrastructure;
 - (c) conduct or celebrate a wedding;
 - (d) construct or install a film set, or record for television or other media purposes, any event or activity, if the construction, installation or recording (as the case may be) is for fee or reward or commercial purposes (but excluding wedding and general photography or recording and any media photography or recording for news production purposes).

Penalty: 20 penalty units

i For the purposes of subclause (1), where persons are using the facility for barbecues, social gatherings, family events and any other such gathering which does not interfere with other persons or impact on the general amenity of the area, are exempt.

- (2) Subclause (1)(d) will not limit any filming of the kind prescribed by the *Filming Approval Act 2014* (Vic).
- (3) A person must not, without a permit, hold or organise any event on any land other than Council land or a road if that event may reasonably be expected to have a material impact on the neighbouring community or a materially increased risk to public safety or to Council assets.

Penalty: 20 penalty units

The following exemptions apply in respect of this clause:

- (a) an **Authorised Officer** or a delegated officer may assess an application and may decide that, based on the circumstances of the matter, a permit under sub-clause (1) or (2) is not required (although certain activities may still require a permit under Clauses 8.9); and
- (b) an event that is subject to a planning permit is exempt from the requirement of a permit under subclause (1) or (2).

i Council is a strong supporter of **events** of all sizes, from major international events through to the many unique community **events**. **Events** provide a range of economic, tourism, social and cultural benefits to our community. However, there is a responsibility on all event organisers to ensure **event** activities are sustainable, successful and safe for both **event** attendees and the broader community.



Part 9



Builders and building work

Council assets including our roads, drains and footpaths are important features of our townships and rural areas in protecting Council land and private properties, as well as linking our community to the diverse character of the municipality. This Part contains provisions which aim to improve the amenity of the municipality, in particular residential and commercial areas, by preventing nuisances and damage caused by building works.

9.1 Asset Protection permit

(1) An owner, builder, appointed agent or demolition contractor engaged to carry out building or development work on any land must obtain an **Asset Protection** permit before carrying out any building or development work and comply with the conditions set out in the **Asset Protection** permit.

Penalty: 20 penalty units

(2) On the payment of an application fee, the **Council** may issue an **Asset Protection** Permit in respect of any land where **building work** is to be carried out.

(3) An **Asset Protection** Permit may allow a person to enter land from a **road** other than by a permanently constructed vehicle crossing whether or not public **Assets** or infrastructure are likely to be damaged.

- (4) An **Asset Protection** Permit may be subject to such conditions as the **Council** determines, including but not limited to, conditions:
- (a) requiring protection works to be done;
 - (b) requiring the payment of a security bond;
 - (c) requiring that any or all public **Assets** or infrastructure damage be cleaned, repaired, replaced or re-instated within a specified time and to the satisfaction of the **Council**; and
 - (d) requiring a temporary vehicle crossing to be installed to the Council's specification before commencement of any **building work** or delivery of any equipment or materials to the land.
- (5) The amount of any security bond required under any **Asset Protection** Permit must be proportionate to the likely costs of repairing any potential damage to any existing **Council land, road** (including carriageway), channel, drain, vehicle crossing or other public **Asset** arising from the works the subject of the permit.



9.2 Building work – Fencing, run-off, refuse and emissions

i For the purposes of this clause, ‘stormwater system’ means the drainage system owned, operated or managed by Council which provides for conveyance of stormwater run-off including kerb and channel, open channels, underground pipe systems, constructed wetlands and natural waterways.

- (1)** An owner, builder, appointed agent or demolition contractor engaged to carry out building or development work on land must ensure that:
- (a) prior to the commencement of and during any **building work** on the land, the land is secured with permanent or temporary fencing which is no less than 1.5 metres high;

Penalty: 20 penalty units

- (b) a working toilet and running water must be provided on all building sites.

Penalty: 20 penalty units

- (c) the building site is developed and managed to minimise the risks of stormwater pollution, through the contamination of run-off by chemicals, sediments or gross pollutants by adopting measures to:
 - i. prevent the escape of water, contaminated water, mud, slurry or other substance from the building site
 - ii. prevent any material from the building site from entering a stormwater system
 - iii. prevent any vehicle exiting the building site carrying any mud, slurry or other substance onto the **road**.

Penalty: 20 penalty units

- (2)** All building work on the land must be confined to and take place within the boundaries of the building site.

Penalty: 20 penalty units

- (3) All builder’s refuse to be contained on the site in a refuse facility must:
 - (a) be placed on the building site on commencement of any **building works**; and
 - (b) be kept on the building site for the deposit of building refuse; and
 - (c) be designed and constructed as to prevent any building refuse within the refuse facility being blown from it by a gust of wind; and
 - (d) ensure the lid on the refuse facility remains closed at all times except when placing building refuse in the refuse facility; and
 - (e) ensure all wind-blown building refuse created or accumulated on the building site is deposited into the refuse facility upon the building refuse being created or accumulated; and
 - (f) be removed from the building site within seven days of the cessation of **building work** or the issue of an occupancy permit, whichever occurs last; and
 - (g) ensure all materials/refuse for or from the building site is contained within the boundaries of the building site.

Penalty: 20 penalty units

- (4)** No builder’s refuse is to be deposited in or over any part of a stormwater system or utility pit.

Penalty: 20 penalty units

- (5)** No soil, earth or clay is to be deposited onto any **road** from any vehicle used on a building site or a site of excavation or filling of any land.

Penalty: 20 penalty units

- (6)** All work on a building site must not emit excessive or offensive dust into the air.

Penalty: 10 penalty units

9.3 Building work – Control of waffle pods

- (1) Waffle pods on a building site must be secured on that building site and in a manner that will not allow any waffle pod or any part of a waffle pod to break free in any wind conditions.

Penalty: 20 penalty units

- (2) Discarded and left-over waffle pods must be bagged and secured to the site until removal.

Penalty: 20 penalty units

- (3) Discarded and left-over waffle pods must be removed from the building site within 48 hours of the completion of the slab pour.

Penalty: 20 penalty units

9.4 Asset Protection – Drainage

- (1) A person must not, without a permit, for any purpose, enter, destroy, damage, tap into or interfere with any drain, including the opening of any **road** or **Council land**, where any part of the drain or the **road** or land is under the control of the **Council**.

Penalty: 20 penalty units

- (2) A person granted an **Asset** Protection Permit under this clause may be required to provide a security bond or guarantee under the same security bond conditions as if the **Asset** Protection Permit was granted under Clause 7.1(1).



9.5 Asset Protection – Occupying or opening a road or Council land

- (1) A person must not, without a permit, occupy or open any **road** or **Council land**.

Penalty: 20 penalty units

- (2) For the purposes of occupying or opening a **road** or **Council land**, a permit is required for, but is not limited to, the following activities:

- (a) occupying or fencing off part of a **road** or **Council land**;
- (b) blocking any **road** with a vehicle or any other machinery or temporary structure;
- (c) removing or planting vegetation or a tree on the **road** reserve other than grass;
- (d) erecting a hoarding, scaffolding or overhead protective awning on or over a **road** or **Council land**;
- (e) using a mobile crane or travel tower to carry out **building work** on or over a **road** or **Council land**;
- (f) service connections including stormwater, water, sewer, power, telecommunications, gas connections and any other service;
- (g) making or filling a hole or excavation in any **road** or **Council land**;
- (h) removing, damaging or interfering with a temporary traffic control signal, sign, barrier or other structure erected to protect pedestrians or regulate traffic on a road;
- (i) ploughing or cultivating for firebreaks or cropping on any part of a road or Council land; and
- (j) any other activity involving the occupying or opening of a **road** or **Council land** or the tapping into of a **Council** drain on any **road** or **Council land**.

- (3) An exemption applies to a person acting contrary to this clause where the person is:
- (a) employed by the **Council** and is acting in the course of their duty; or
 - (b) contracted to **Council** for the purpose; or
 - (c) acting in accordance with a permit issued under Clause 2.5(3)(a) for the cultivation of a nature strip garden.

9.6 Completion of building works

- (1) When the **Council** receives notice of the completion of the works the subject of the permit, the land will be inspected by the **Council** and the amount of the security bond:
- must be refunded to the person who lodged it upon the **Council's** satisfaction that no damage has been caused, or that any damage caused has been repaired by, or on behalf of, that person to the **Council's** satisfaction, or when, after 30 days of receiving Notice of Completion of the works, the **Council** has not notified the person who lodged the bond of any damage requiring repair; or
 - may be retained by the **Council** to the proportion necessary to offset the costs of carrying out any works to rectify any damage, provided the person who lodged the bond is first notified of the damage and declines or fails within 30 days to repair the damage at their own expense to the **Council's** satisfaction.
- (2) The person who lodged the bond must supplement the bond by a further payment equal to the difference between the cost of carrying out any works and the amount of the bond, if the Council is satisfied that the amount of the bond is insufficient to meet such cost and it makes a demand for such payment in writing.

Penalty: 20 penalty units

- (3) For the purposes of this Part, the builder is in control of the site from the commencement of the **building works** or issuing of a Building Permit to the lodging of a Notice of Completion of the works unless the builder lodges with the **Council** a notice that the builder has vacated the site within seven days of the date of vacation.

i An **Authorised Officer** can at any reasonable time enter and inspect a building site for the purpose of ensuring compliance with any provision of this Local Law or compliance with an **Asset Protection Permit**.



9.7 Vehicle crossings or crossover – Constructing

- (1) A person must not, without a permit, construct, install, remove, relocate or alter a **vehicle crossing**, whether temporarily or permanently.

Penalty: 20 penalty units

- (2) Each owner and occupier of land must not, without a permit:
- construct or allow to be constructed; or
 - use or allow to be used a second or subsequent **vehicle crossing** to service the land.

Penalty: 20 penalty units

9.8 Vehicle crossings or crossover – Maintaining

The owner of the land must, at their own cost, ensure that any **vehicle crossing** between the **road** and the boundary of such land is maintained and kept in good condition.

Penalty: 20 penalty units

9.9 Vehicle crossings or crossover – Power to direct works

- (1) An **Authorised Officer** may direct:
- the construction of a temporary or permanent **vehicle crossing**; or
 - the repair or reconstruction of a **vehicle crossing**; or
 - the removal of a **vehicle crossing**, and the reinstatement of any kerb, channel, footpath or other areas to the satisfaction of the **Authorised Officer**, by the owner or occupier of any adjacent land at own cost.
- (2) Each owner or occupier of land to whom a direction has been given under this clause must comply with that direction by applying for a permit to do the thing which is directed.

Penalty: 20 penalty units



Part 10

Permits

Where this Local Law prohibits a person from doing a thing unless in accordance with a permit, a person who does the thing which is prohibited to be done without first obtaining a permit from the Council under this Part is guilty of an offence.

10.1 Permit requirements

Council may require any permit application to be on a form approved by **Council**.

(1) Where this Local Law requires a permit, **Council** may:

- (a) approve an application with or without amendment to the proposal
- (b) impose conditions on any approval
- (c) refuse the application for a permit.

(2) When receiving and processing applications for a permit and when imposing conditions, making corrections or considering cancellation of a permit, the **Council** or an **Authorised Officer** must have regard to the guidelines relating to permits and the Standard Permit Conditions in the *Local Law Operational Guidelines*.

(3) A permit expires on the date specified in the permit or if no such date is specified the permit will expire one year after the date of issue.

(4) The **Council** or an **Authorised Officer** may correct a permit after issuing it, if the permit contains a clerical error, an error from accident, slip or omission, an evident material miscalculation, or material mistake in the description of any person, thing, date or property referred to in the permit.

(5) Where the **Council** or an **Authorised Officer** is of the opinion that there is or has been a breach of any conditions of a permit, a Notice to Comply may be issued to the permit holder, or the permit may be cancelled or new conditions may be applied.

(6) The **Council** or an **Authorised Officer** may amend or cancel any permit if it is found:

- (a) to contain a material misstatement or concealment of facts in relation to the application for the permit;
- (b) any material change of circumstances occurs after the issue of the permit;
- (c) a failure to comply with the conditions under which the permit was issued; or
- (d) a failure to comply with a *Notice to Comply* within the time specified in relation to a breach of a condition of the permit.

(7) The **Council** or an **Authorised Officer** must notify the permit holder of the intention to amend or cancel a permit and give the permit holder an opportunity to make a written submission before the permit is amended or cancelled.



- (8) If the **Council** or an **Authorised Officer**, after considering any written submission made by the permit holder, determines to cancel or amend the permit, the amendment or cancellation must be placed in the register of permit.
- (9) Where a permit is cancelled because of a breach of any condition the **Council** may refuse any refund of any portion of the fees and charges associated with the application or the issuing of the permit.
- (10) The **Council** and any **Authorised Officer** are not liable under this Local Law for any loss or damage suffered by any permit holder or any associated person as a result of or following upon the cancellation or refusal to re-issue any permit, whether following the breach of any condition, or any other lawful reason for cancellation or a refusal to re-issue.
- (11) A permit issued by the **Council** does not confer any permanent property rights stated or inferred upon any permit holder in relation to any **Council asset**.
- (12) A permit which expires on the expiry date confers no right of re-issue upon any applicant who may have been issued with a similar permit previously.

10.2 Register of permits

- (1) A register of any permits issued by the **Council** for the purposes of this Local Law must be maintained by the **Council**.
- (2) Any cancellations or corrections of permits which have been issued under this Local Law are also to be recorded in the register.

10.3 Exemption from permit or permit fee

- (1) The **Council** may, by written notice, exempt any person or class of person from the need to obtain a permit and such exemption may be conditional, may be altered and may be cancelled.
- (2) The **Council** may, by written notice, exempt any person or class of person from the need to pay any permit fee.
- (3) An exemption from the requirement to pay a permit fee may be cancelled or corrected in the same way as a permit.



i The **Council's** fees and charges are determined annually by the **Council** in its budgeting process and are available from the **Council's** website or by enquiry direct to the **Council**.



Part 11

Administration

This Part of the Local Law provides procedures for the administration of all of our Local Laws. It provides direction on the issue of permits, notices to comply, notices of impounding, infringement notices and settling fees and charges.

11.1 Power to obtain necessary and additional information

- (1) **Council** or an **Authorised Officer** may require any applicant for a permit to provide additional information before dealing with an application for a permit or an exemption and for the purposes of administering and enforcing the provisions of this Local Law.
- (2) A person who knowingly makes any false representation or declaration (whether oral or in writing) or who knowingly omits any relevant information from an application for a permit or exemption is guilty of an offence.

Penalty: 20 penalty units

11.2 Power to direct – Notice to Comply

- (1) Notwithstanding any provision of this Local Law, an **Authorised Officer** may, by serving a *Notice to Comply*, direct any owner, occupier or other relevant person to remedy any situation that constitutes a breach of this Local Law.
- (2) A person who fails to remedy a situation within the time specified in accordance with a *Notice to Comply* is guilty of an offence.

Penalty: 20 penalty units

11.3 Power to direct – In person

- (1) An **Authorised Officer** who finds any person contravening or failing to comply with any provision of this Local Law may give that person any reasonable direction to cease the contravention or failure to comply.
- (2) A person to whom a direction is given under subclause (1) must comply with that direction.

Penalty: 10 penalty units

11.4 Power to act – Urgent circumstances

- (1) In urgent circumstances arising as a result of any failure to comply with this Local Law, an **Authorised Officer** may:
 - (a) take action to remove, remedy or rectify the failure without the necessity to serve a written warning or *Notice to Comply*; or
 - (b) take any other action necessary to abate an immediate danger or threat, provided the **Authorised Officer** has regard to the guidelines for Urgent Circumstances in the *Local Law Operational Guidelines*.

11.5 Power to impound

- (1) An **Authorised Officer** may impound any animal, item or thing associated with a contravention of this Local Law.
- (2) As soon as reasonably practicable after impounding any animal, item or thing, an **Authorised Officer** must serve a notice of impounding on the owner or other person who appears to be the owner of the impounded thing setting out:
 - (a) any fees and charges payable in respect of the impounding
 - (b) the time within which the impounded animal, item or thing must be claimed
 - (c) that **Council** may dispose of the animal, item or thing if not claimed within the specified time.
- (3) A notice of impounding will not be served where the **Authorised Officer** cannot, after making reasonable inquiries, identify or locate the owner or other person apparently responsible for the animal, item or thing.
- (4) **Council** may sell, destroy, dispose of or give away the impounded animal, item or thing if the owner has not claimed and paid within the specified time in the notice of impounding.



11.6 Injunctive remedies

- (1) A Court may grant an injunction, in such terms as the Court considers appropriate, if the Court is satisfied that a person has engaged, or is proposing to engage, in conduct that constitutes or would constitute:
- a contravention of a provision of this Local Law or of a notice, permit or direction issued or made under this Local Law; or
 - attempting to contravene a provision of the Local Law; or
 - aiding, abetting, counselling or procuring a person to contravene such provision; or
 - inducing, or attempting to induce, whether by threat, promise or otherwise, a person to contravene a provision of the Local Law; or
 - being in any way, directly or indirectly, knowingly concerned in, or party to, the contravention by a person of such a provision; or
 - conspiring with others to contravene such a provision of the Local Law.
- (2) The Court may grant the injunction on application by an **Authorised Officer of Council** or any legal representative of **Council** acting on instructions.
- (3) An application for an injunction under subclause (1) may be made *ex parte*.
- (4) The power of the Court to grant an injunction under subclause (1) restraining a person from engaging in conduct may be exercised:
- whether or not it appears to the Court that the person intends to engage again, or continue to engage, in conduct of a kind referred to in that subsection;
 - whether or not the person has previously engaged in conduct of that kind; and
 - whether or not there is an imminent danger of substantial damage to any other if the person engages in conduct of that kind.
- (5) The power of the Court to grant an injunction under subclause (1) requiring a person to do an act or thing may be exercised:
- whether or not it appears to the Court that the person intends to refuse or fail again, or to continue to refuse or fail, to do that act or thing;
 - whether or not the person has previously refused or failed to do that act or thing; and
 - whether or not there is an imminent danger of substantial damage to any other person if the person refuses or fails to do that act or thing.
- (6) If an application is made under subclause (1), the Court may, if it considers that it is appropriate to do so, grant an injunction by consent of all parties to the proceeding.
- (7) If an application is made under subclause (1), the Court may, if it considers desirable to do so, grant an interim injunction under this subclause pending a determination of any proceeding.
- (8) A Court may vary or discharge an injunction granted under subclause (6) or (7).
- (9) An injunction may be granted under this subclause during proceedings for an offence under this Local Law and may be imposed in addition to any penalty imposed in those or any other proceedings.



Part 12

Enforcement

This Part contains details on how notices to comply with local laws work, and how they are enforced as well as circumstances that could result in an infringement notice or fine being issued.

12.1 Offences

- (1) A person is guilty of an offence if the person:
- (a) does something which a provision of this Local Law prohibits to be done or makes an offence;
 - (b) fails to do something which a provision of this Local Law requires to be done;
 - (c) engages in activity without a permit or registration where a provision of this Local Law requires that person to obtain a permit or registration before engaging in that activity;
 - (d) knowingly submits erroneous, inaccurate or misleading information in an application for a permit;
 - (e) breaches or fails to comply with a condition of a permit or registration issued or an exemption given under this Local Law;
 - (f) fails to comply with a Notice to Comply as directed under this Local Law;
 - (g) fails to comply with a direction by an **Authorised Officer**; or
 - (h) fails to comply with a sign erected by **Council**.

12.2 Operator onus

Offences against clauses 2.6, 2.11, 3.2, 3.3, 3.5, 3.9, 4.5, 4.8, Part 5, 6.1, 6.2, 7.1, 7.2, 7.4, 7.5, 7.6, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6 and 8.7 in this Local Law that may be committed by the driver or operator of a motor vehicle or **trailer** are operator onus offences for the purpose of Part 6AA of the *Road Safety Act 1986* or any other provision as amended.



12.3 Notice to Comply and directions

- (1) An **Authorised Officer** may either orally or in writing direct a person to leave a public place if in the opinion of the **Authorised Officer** the person is failing to comply or has failed to comply with this Local Law.
- (2) Either as an alternative or in addition to an infringement notice, **Council** may serve a *Notice to Comply*.
- (3) A *Notice to Comply* may do one or more of the following things:
 - (a) direct the person to comply with this Local Law
 - (b) direct the person to stop the conduct which constitutes the breach of this Local Law
 - (c) direct the person to deliver to the **Authorised Officer** or to a specified person or a specified location any item or property of the person which constitutes the breach of this Local Law
 - (d) direct the person to remove or cause to be removed any item, goods, equipment or other thing that constitutes a breach of this Local Law
 - (e) direct the person to leave an area within the time specified in the notice that constitutes a breach of this Local Law.
- (4) A *Notice to Comply* must specify the time and/or date by which the person specified in the *Notice to Comply* must comply with the directions in the notice.
- (5) The time required by a *Notice to Comply* must be reasonable in the circumstances having regard to:
 - (a) the amount of work involved; and
 - (b) the degree of difficulty; and
 - (c) the availability of necessary materials or other necessary items; and
 - (d) climatic conditions; and
 - (e) the degree of risk or potential risk; and
 - (f) any other relevant factor.
- (6) A person served with a *Notice to Comply* may, before the due date on the *Notice to Comply*, request in writing to **Council** an internal review.

12.4 Infringement notices

- (1) As an alternative to prosecution, an **Authorised Officer** may serve an *Infringement Notice* on a person who they believe, on reasonable grounds, to have committed an offence against this Local Law.
- (2) Where a permit is issued part way through the financial year and is to operate for the balance of that financial year, the **Council** may vary the normal annual fee or charge by applying a fee or charge which is proportionate to the period for which the permit will apply corrected to the next higher quarter of that year.

12.5 Penalties

i The maximum penalty for an offence against this Local Law is 20 Penalty Units.

Schedule 1 to this Local Law sets out penalties for *Infringement Notice* purposes, which may be issued as an alternative to prosecution in respect of non-compliance with this Local Law, where the **Council** or an **Authorised Officer** determines to proceed by way of *Infringement Notice*.



Part 13



Meeting Procedure and Common Seal

This Part sets out the requirements to provide for the peace, order and good government of the municipal district, to regulate proceedings at Council and Delegated Committee meetings and other meetings conducted by or on behalf of Council where Council has resolved the provisions of the Local Law are to apply. Further, this Part regulates the use of the Common Seal.

13.1 Conduct at meetings

It is an offence for a person:

- (1) who fails to obey a direction of the Chair, in relation to the conduct of a **Council** Meeting or a meeting of a Delegated Committee in the maintenance of order;

Penalty: 20 penalty units

- (2) who displays improper or disorderly conduct to refuse to leave a **Council** Meeting or a meeting of a Delegated Committee when requested to do so by the Chair, Chief Executive Officer, or their Delegate;

Penalty: 20 penalty units

- (3) who fails to withdraw a remark which is, in the opinion of the Chair defamatory, indecent, abusive, offensive or disorderly in language, substance or nature, and does not, to the satisfaction of the Chair, withdraw and apologise for the remark, where called upon by the Chair to do so;

Penalty: 20 penalty units

- (4) who fails to obey a direction of the Chair, or Chief Executive Officer, or their Delegate in relation to the conduct of a Council Meeting or a meeting of a Delegated Committee and the maintenance of order;

Penalty: 20 penalty units



(5) who enters, or attempts to enter into a **Council Meeting** or a meeting of a Delegated Committee, and fail to provide their name, address and verification of identity, or provide false or misleading information as to their identity, or act otherwise in accordance with the relevant clauses related to conditions of entry, of the City of Whittlesea Governance Rules.

Penalty: 20 penalty units

13.2 Common Seal

- (1) The Chief Executive Officer must always keep the Common Seal in safe custody.
- (2) The authority to affix the Common Seal shall be given either specifically or generally by resolution of Council.

(3) Subject to subclause (2), every document to which the Common Seal is affixed must be signed by the Chief Executive Officer and one Councillor.

(4) Where a document to which the Common Seal is to be affixed concerns the Chief Executive Officer, or the Chief Executive Officer is unavailable, a document to which the Common Seal is affixed must be signed by a member of the Executive Leadership Team and one Councillor.

(5) A person must not use the Common Seal or any device resembling the Common Seal without authority from Council or the Chief Executive Officer exercising a relevant delegation.

Penalty: 20 penalty units

Schedule 1: Penalties for Infringement Notices

The table below outlines the maximum penalties and infringement notice penalties in relation to offences against the Local Law.

i If any offence under this Local Law is not set out in the table below, the infringement penalty for that offence will be the maximum of 10 penalty units.

For the purposes of this Local Law and Schedule 1, **body corporate** (BC) refers to the penalty that applies to a proprietary entity that has legal capacity in its own right, such as a company.

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Displaying address numbers			
2.1	Failing to adequately number an address	5	1
Dilapidated building and land			
2.2(1)	Allowing buildings or land to become dilapidated	20	5 8 (BC)
2.2(3)(a)	Allowing dilapidated buildings/ land to become unsightly or detrimental to the amenity of the area	20	5 8 (BC)
2.2(3)(b)	Allowing dilapidated buildings or land to have graffiti	20	5 8 (BC)
2.2(4)	Allowing a building or land to become dilapidated – continuing offence (monthly)	20	8 10 (BC)
Unsightly land			
2.3(a)	Building or land kept in an unsightly manner	10	2 4 (BC)
2.3(a)	Building or land kept in an unsightly manner (subsequent offence)	10	4 8 (BC)
2.3(b)	Building or land kept in an unsightly manner – the appearance of neglect	10	2 4 (BC)
2.3(b)	Building or land kept in an unsightly manner – the appearance of neglect (subsequent offence)	10	2 4 (BC)
2.3(c)	Building or land kept in an unsightly manner – causing a danger to health or property	10	3 4 (BC)
2.3(c)	Building or land kept in an unsightly manner – causing a danger to health or property (subsequent offence)	10	3 4 (BC)
2.3(d)	Building or land kept in an unsightly manner – causing a fire hazard	15	4 6 (BC)
2.3(d)	Building or land kept in an unsightly manner – causing a fire hazard (subsequent offence)	15	4 6 (BC)
2.3(e)	Building or land kept in an unsightly manner – causing a nuisance	10	2.5 4 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
2.3(e)	Building or land kept in an unsightly manner – causing a nuisance (subsequent offence)	10	2.5 4 (BC)
2.3(f)	Building or land kept in an unsightly manner – a haven for vermin or noxious weed	10	2 4 (BC)
2.3(f)	Building or land kept in an unsightly manner – a haven for vermin or noxious weed (subsequent offence)	10	2 4 (BC)
2.3(g)	Allowing land to have excessive vegetation growth	20	5 8 (BC)
2.3(h)	Allowing land to have unconstrained rubbish and discarded materials	20	5 8 (BC)
Dangerous land			
2.4(1)	Building or land kept in a dangerous manner – allowing unauthorised access	15	3 5 (BC)
2.4(2)	Building or land kept in a dangerous manner – allowing anti-social or unlawful behaviour	15	3 5 (BC)
2.4(3)	Building or land kept in a dangerous manner – the appearance of neglect	15	3 5 (BC)
2.4(4)	Building or land to be kept in a dangerous manner – continuing offence (monthly)	20	4 6 (BC)
Roadsides and nature strips			
2.5(1)	Failing to maintain a nature strip	10	2 4 (BC)
2.5(2)(a)	Nature strip kept in an unsightly manner	10	2 4 (BC)
2.5(2)(b)	Allow nature strip to contain rubbish or other materials	10	2 4 (BC)
2.5(2)(c)	Allow nature strip to contain hard waste or items for collection or sale	10	2 4 (BC)
2.5(2)(d)	Allow nature strip to be hazardous to pedestrians or road users	10	3 5(BC)
2.5(3)(a)	Modifying a nature strip without a permit	10	3 5(BC)
2.5(3)(b)	Modifying a roadside without a permit	10	3 5(BC)
2.5(4)	Modifying a nature strip not in accordance with a permit	10	2 5 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Obstructions or interference with the safe use of roads and paths			
2.6(a)	Obstructions or interference with the safe use of roads and paths	10	2
2.6(b)	Compromising safe use of roads and paths – hazards	10	2
2.6(c)	Obstructions – encroach or lean across the footpath	10	2
2.6(d)	Obstructions – overhanging	10	2
2.6(e)	Obstructions – materials on the footpath	10	2
Use of domestic waste bins			
2.7(1)	Placement of waste in the inappropriate bin	10	2 4 (BC)
2.7(2)(a)	Failing to maintain domestic waste bins in a clean and sanitary condition	10	2 4 (BC)
2.7(2)(b)	Failing to ensure the domestic waste bin is not overfilled	10	2 4 (BC)
2.7(2)(c)	Damaging or destroying a domestic waste bin	15	2 5 (BC)
2.7(2)(d)	Placement of contaminated material in a domestic waste bin	10	3 4 (BC)
2.7(2)(d)	Placement of contaminated material in a domestic waste bin (subsequent offence)	10	3 4 (BC)
2.7(3)	Placement of contaminated material in a domestic waste bin – following a written warning	15	4 8 (BC)
Collection and storage of domestic waste bins			
2.8(a)	Placement of domestic waste bin on the nature strip or road not closest to the premises	10	2 4 (BC)
2.8(b)	Leaving domestic waste out more than 1 day on either side of the designated collection day	10	2 4 (BC)
2.8(c)	Placement of domestic waste bins in a manner that obstructs pedestrians, traffic or impedes the collection of waste	10	2 4 (BC)
2.8(d)	Adding, removing, or interfering with a domestic waste bin placed on a road or Council land by another person	10	2 4 (BC)
Hard waste			
2.9(a)	Placement of hard waste not in accordance with the direction of the Council	15	2 5 (BC)
2.9(a)	Placement of hard waste not in accordance with the direction of the Council (subsequent offence)	15	2 5 (BC)
2.9(b)	Placement of hard waste, on Council land, not in accordance with the direction of Council	15	3 5 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
2.9(b)	Placement of hard waste, on Council land, not in accordance with the direction of Council (subsequent offence)	15	3 5 (BC)
2.9(c)	Adding or interfering with any hard waste left out by another person	15	3 5 (BC)
Commercial and trade waste			
2.10(1)(a)	Commercial waste not in a properly constructed container	15	3 5 (BC)
2.10(1)(b)	Commercial waste not emptied prior to overflow or within 7 days	15	3 5 (BC)
2.10(1)(c)	A commercial waste container is not in a clean condition or emits an offensive odour	15	3 5 (BC)
2.10(1)(d)	A commercial waste container without proscribed signage	15	3 5 (BC)
2.10(2)	Commercial waste placed in a domestic waste bin	15	3 5 (BC)
Public waste bins			
2.11(1)	Placement of domestic waste in a public waste bin	15	3 5 (BC)
2.11(2)	Placement of animal excrement in a public waste bin – not in water-resistant material	15	3 5 (BC)
Recreational camping			
2.12(1)(a)	Camping on private property for more than 28 days in a calendar year	15	2
2.12(1)(b)	Camping in a rural zone and failing to comply with conditions	15	2
2.12(2)	Camping on a road on any Council land without a permit	15	2
Shipping containers			
2.13(1)	Store, keep, repair, or use a shipping container without a permit on any land	15	3 4 (BC)
2.13(3)	Shipping containers causing adverse impact on amenities	15	3 4 (BC)
Bees and wasps			
2.14(1)	Keeping bees on land without a permit	10	2 5 (BC)
2.14 (2)	Failure to take reasonable steps to remove a swarm of bees from the land	10	2 5 (BC)
2.14(3)	Failure to take reasonable steps to remove a wasp nest or bee swam from land	10	2 5 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Pest plants			
2.15	Failure to remove pest plants from the land	15	3 5 (BC)
2.15	Failure to remove pest plants from the land (subsequent offence)	15	3 5 (BC)
Fire hazard			
3.1(1)	Land containing a fire hazard	20	5 7 (BC)
3.1(1)	Land containing a fire hazard (subsequent offence)	20	5 7 (BC)
Open air burning			
3.2(1)	Open-air burning on a total fire ban day	20	10 20 (BC)
3.2(2)	Open-air burning on land less than 20,000m ² without a permit	10	3 5 (BC)
Open-air burning – nuisance, injury and damage			
3.3	Open-air burning – causing nuisance, injury, or damage	20	5 7 (BC)
Incinerator			
3.4	Use an incinerator on any land	20	7 10 (BC)
Burning of offensive materials and waste			
3.5	Burning of offensive materials and waste	20	5 7 (BC)
Wood heaters fireplaces and firepits			
3.6	Using a wood heater, fireplace or firepit in a manner that causes a nuisance	20	5 7 (BC)
Outdoor ovens			
3.7	Use of outdoor oven in a manner that endangers or causes a nuisance to person or property	20	3 5 (BC)
Extinguishing fires			
3.8	Failure to extinguish a fire on direction from an Authorised Officer	20	7 10 (BC)
Offensive emissions			
3.9	Allow a fire to generate offensive emissions	20	5 7 (BC)
3.9	Allow a fire to generate offensive emissions (subsequent offence)	20	7 10 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Keeping of animals			
4.1(1)	Keeping excess animals on land	20	2 10 (BC)
Animal housing			
4.2(a)	Animal housing – a clean and sanitary condition	10	3 4 (BC)
4.2(b)	Animal housing – safe and adequate for use	10	3 4 (BC)
4.2(c)	Animal housing – not a haven for vermin	10	2 4 (BC)
Noise and smell from animals			
4.3	Allow offensive noise or smell to emanate from any land	10	2
Animal excrement			
4.4(1)	Failure to remove animal excrement	10	3
4.4(2)	Failure to have a device that is suitable to clean animal excrement	10	2
4.4(3)	Failure to deal with a deceased animal in a timely manner	15	3 5 (BC)
Adequate fencing			
4.5(1)	Failure to maintain fencing that is adequate to contain livestock (trespass)	15	2 4 (BC)
4.5(2)	Failure to maintain fencing that is adequate to contain livestock (public road)	20	4 6 (BC)
Preventing dog attacks			
4.6	Failure to ensure land is adequately secured to prevent a dog attack	15	3
Animal Management Plan			
4.7	Failure to comply with an Animal Management Plan	15	4
Managing dogs on sporting grounds			
4.8	Failure to comply with a regulatory sign in a municipal place	10	2
Vehicles and other recreational vehicles			
5.1(1)	Driving, riding, or parking a vehicle in or on a Municipal Place	15	3
5.1(2)(a)	Use a motorbike or other motorised recreational vehicle on land in a built-up area	15	3
5.1(2)(b)	Use a motorbike or other motorised recreational vehicle on land outside of a built-up area but within 500 metres of a dwelling on others land	15	4
Repair and display of vehicles for sale			
5.2(1)	Repair, dismantle, service or maintain a vehicle on a road	15	2
5.2(2)	Displaying a vehicle for sale on any road or municipal place	15	2

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Abandoned, unregistered and derelict vehicles			
5.3(1)	Derelict, abandoned or unregistered vehicle on a road	15	3
5.3(1)	Derelict, abandoned or unregistered vehicle on a road (subsequent offence)	15	5
Storing of heavy or long vehicles			
5.4(1)	Keeping more than one, heavy, or long vehicle on any land	15	3 6 (BC)
5.4(1)	Keeping more than one heavy, or long vehicle on any land (subsequent offence)	15	5 10 (BC)
5.4(2)	Keeping or storing a trailer or caravan on a nature strip	10	1 3 (BC)
5.4(2)	Keeping or storing a trailer or caravan on a nature strip (subsequent offence)	10	3 5 (BC)
5.4(3)	Storing an unhitched trailer or caravan on a road for more than 7 days in any one month	10	1 3 (BC)
5.4(4)	Storing a heavy or long vehicle on any road	15	3 6 (BC)
Occupation of Council land or roads			
5.5(1)	Occupation of Council land or road without a permit	15	3 5 (BC)
5.5(2)(a)	Interfering with a nature strip – removal of vegetation or soil	15	3 5 (BC)
5.5(2)(b)	Interfering with a nature strip – driving or parking	15	3 5 (BC)
5.5(2)(c)	Interfering with a nature strip – hoarding or storage of materials	15	3 5 (BC)
5.5(3)	Failing to comply with directions to reinstate Council land or road	20	5 8 (BC)
Behaviour involving motor vehicles			
5.6	Participating in or attending a hoon event	20	5
Shopping trolleys			
5.7(1)	Leaving a shopping trolley on any land unless designated for that purpose	10	2
5.7(2)	Using a shopping trolley for any reason other than its intended purpose	10	2
5.7(3)(a)	Owner or proprietor of a business fails to ensure that no trolley is left on a road or Council Land	10	2 (BC)
5.7(3)(b)	The owner or proprietor of a business fails to ensure that trolleys are fitted with an approved device	10	2 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
5.7(3)(c)	The owner or proprietor of a business fails to ensure that trolleys are fitted with identification	10	2
5.7(6)	The owner or proprietor of a business fails to ensure that trolleys are collected within the notice period	10	3
Street parties, festivals or events			
5.8(a)	Holding a street party, festival, or event without a permit	20	3 8 (BC)
5.8(b)	Using a public address system on Council land or road without a permit	15	2 5 (BC)
Livestock on roads			
5.9(a)	Driving livestock on the road in a rural zone for more than 2km without a permit	15	3 8 (BC)
5.9(b)	Roadside grazing without a permit	15	3 8 (BC)
5.9(c)	Driving livestock on the road, other than in a rural zone, without a permit	15	3 8 (BC)
5.9(d)	Leaving muck on a road as a result of driving or riding livestock	15	3 8 (BC)
Riding horses on Council land			
5.10	Drive, ride or lead a horse on Council land that is not designated for that purpose	15	3 8 (BC)
Consumption and possession of alcohol			
6.1	Consume alcohol or possess any unsealed container of alcohol on the road or in a public place	20	4
Smoke-free areas			
6.2	Smoking a tobacco product, e-cigarette or vape in a smoke-free area	20	4
Displaying goods for sale on road or Council land			
7.1(1)	Placing or displaying goods for sale on a road or Council land	15	3 8 (BC)
7.1(1)	Placing or displaying goods for sale on a road or Council land (subsequent offence)	15	3 8 (BC)
7.1(2)	Failing to remove signs or goods on direction	15	3 8 (BC)
Roadside trading			
7.2	Placing a vehicle, caravan, trailer, tent or other structure on a road or Council land without a permit for the purposes of roadside trading	15	3 8 (BC)
7.2	Placing a vehicle, caravan, trailer, tent or other structure on a road or Council land without a permit for the purposes of roadside trading (subsequent offence)	15	3 8 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Trading sites			
7.3	Failing to comply with a permit or agreement for the purposes of a trading site	15	3 8 (BC)
Clothing or charity bins			
7.4(1)	Placing a charity or clothing bin without a permit	20	5 10 (BC)
7.4(2)	Failing to maintain a charity or clothing bin in a clean and sanitary condition	15	3 8 (BC)
Spruiking and busking			
7.5(1)	Spruiking or busking without a permit on any road or on Council land	10	1
7.5(2)	Busking – use of amplification	10	1
7.5(3)	Paint or draw on a road or Council land for public entertainment or collection of money	10	1
Erecting or placing of electoral, political and advertising signs			
7.6(1)	Erect or place electoral, political, or advertising signs on or over a road or municipal place without a permit	20	3 8 (BC)
7.6(2)	Display advertising sign attached to a vehicle	20	2 6(BC)
7.6(3)	Failing to remove advertising or other sign on direction	20	3 8(BC)
Outdoor eating facilities			
7.7(1)	Providing an outdoor eating facility without a permit	20	3 8 (BC)
7.8	Failing to remove outdoor eating facility on direction	20	3 8 (BC)
Collections and soliciting			
7.9	Soliciting, collecting, distributing, or selling goods services or materials on a road, Council land or house-to-house	20	3 8 (BC)
7.9	Soliciting, collecting, distributing, or selling goods services or materials on a road, Council land or house-to-house (subsequent offence)	20	3 8 (BC)
Conduct on Council land, buildings and reserves			
8.1(a)	Behave in a manner which causes any nuisance on Council land	20	5
8.1(b)	Behave in a manner which interferes with another person's reasonable use and enjoyment	20	5
8.1(c)	Behave in a dangerous or unreasonable manner on Council land	20	5
8.1(d)	Behave in a manner which damages, destroys, obstructs or interferes with anything on Council land	20	5
8.1(e)(f)(g)	Acting contrary to requirements or direction on Council land	20	5

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Activities on Council land, buildings and reserves			
8.2(1)	Engaging in prohibited conduct for the purposes of clause 8.2(2) on Council land	20	5
8.2(2)	Engaging in prohibited conduct for the purposes of clause 8.2(2) in Council buildings	20	5
Restrictions on entry			
8.3(1)(a)	Entering a Council building contrary to requirements or direction	20	4
8.3(1)(b)	Failure to pay applicable fee or charge	20	4
8.3(2)	Re-entering or remaining in a Council building contrary to direction	20	4
Prohibition of entry to municipal buildings			
8.4(2)	Failing to comply with a Notification of Prohibition from Entry	20	5
Gateways to reserves			
8.5	Installing or maintaining a gate to facilitate entry into a reserve without a permit	20	5
Wetlands, fountains and watercourses			
8.6	Interference with wetlands, fountains and watercourses	20	5
Interfering with Council assets			
8.7(a)	Interference with Council assets that causes damage or detriment	20	5
8.7(b)	Interference with Council assets that causes injury or loss	20	5
8.7(c)	Attaching anything to Council assets	20	5
Obstructions on Council land or road			
8.8(1)	Obstructions on Council land or road	20	5
8.8(2)	Failure to remove an obstruction on Council land or road when directed	20	5
Events			
8.9(1)	Holding an event without a permit	20	5
8.9(3)	Holding an event without a permit – material impact on the community or public safety	20	5
Asset protection – permits			
9.1(1)	Failure to obtain or comply with an asset protection permit	20	4 8 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Building works – fencing, run-off, refuse and emissions			
9.2(1)(a)	Failing to ensure that land is secured with fencing during building work	20	3 6 (BC)
9.2(1)(b)	Failing to prevent or appropriately manage run-off from a building site	20	3 6 (BC)
9.2(3)	Failing to manage refuse on a building site	20	3 6 (BC)
9.2(4)	Failing to prevent building runoff from entering a stormwater system	20	8 10 (BC)
9.2(5)	Deposit earth, soil, or clay on a road from a vehicle	20	3 6 (BC)
9.2(6)	Generating excessive dust on a building site	20	3 6 (BC)
Building work – control of waffle pods			
9.3(1)	Allowing waffle pods or part thereof to break free from the building site	20	3 6 (BC)
9.3(2)	Fail secure discarded and left-over waffle pod/s	20	3 6 (BC)
9.3(3)	Fail to remove discarded or left-over waffle pod/s within 48 hours of the completion of the slab pour	20	3 6 (BC)
Asset protection – drainage			
9.4(1)	Enter, damage, or interfere with a drainage asset without a permit	20	4 8 (BC)
Asset protection – occupying or opening a road or Council land			
9.5(1)	Occupying or opening a road or Council Land without a permit	20	4 8 (BC)
Asset protection – completion of works			
9.6(2)	Failure to make payment for damages or loss in excess of a security deposit	20	4 8 (BC)
Vehicle crossings or crossover – constructing			
9.7(1)	Constructing, altering, or removing a vehicle crossing without a permit	20	3 6 (BC)
9.7(2)	Constructing or using a second vehicle crossing without a permit	20	3 6 (BC)
Vehicle crossings or crossover – maintaining			
9.8	Failure to maintain or keep in good condition a vehicle crossing or crossover	20	3 6 (BC)
Vehicle crossings or crossover – direct works			
9.9	Failure to comply with a direction of an Authorised Officer	20	3 8 (BC)

Clause	Offence	Maximum Penalty Units	Infringement Notice Penalty Units
Administration			
11.1(2)	False or misleading information on a permit application	20	5
11.2(2)	Failure to comply with a Notice to Comply in the specified time	20	3
11.3(2)	Failure to comply with lawful direction when contravening Local Law	10	2
Meeting procedure and common seal			
13.1(1)	Failure to obey the direction of the Chair	20	5
13.1(2)	Improper or disorderly conduct to refuse to leave a meeting	20	5
13.1(3)	Failure to withdraw a remark which is defamatory, indecent, abusive, offensive, or disorderly	20	5
13.1(4)	Failure to obey a direction of the Chair or CEO in relation to conduct of a Council meeting	20	5
13.1(5)	Failure to provide name, address, and verification of identity	20	5
13.2(1)	Misuse of Common Seal	20	10
13.2(2)	Use of false or misleading name for a petition or joint letter	20	5

Council Offices

25 Ferres Boulevard
South Morang VIC 3752

Email: info@whittlesea.vic.gov.au

Website whittlesea.vic.gov.au

Postal address


City of Whittlesea Locked Bag
Bundoora MDC VIC 3083

Phone: 9217 2170

National Relay Service: 133 677
(ask for 9217 2170)

Connect with us in your
preferred language:

Free telephone interpreter service

 **131 450**



ELLIOTT STAFFORD

& Associates

I, Basil Lloyd Stafford, Solicitor, of Elliott Stafford & Associates, 282A Queens Parade, Clifton Hill in the State of Victoria, a qualified person under s74(2) of the *Local Government Act 2020*, certify that I am of the opinion that the proposed City of Whittlesea Community Local Law 2024 (as amended by minor alterations and re-read by me on 14 November 2023) herewith is consistent with the Local Law requirements and I so certify pursuant to s74(1) of the *Local Government Act 2020*.



Basil Lloyd Stafford
14 November 2023

282A Queens Parade, Clifton Hill VIC 3068
t: (03) 9486 7555 | | e: lawyers@elliottstafford.com.au

Bernadette M Elliott
Principal
bernadette.elliott@elliottstafford.com.au

Basil L Stafford
In-House Counsel
basil.stafford@elliottstafford.com.au

Alison J May
Senior Associate
alison.may@elliottstafford.com.au

5.2 Quarterly Corporate Performance Report - Q1 ended 30 September 2023

Director/Executive Manager: Director Customer & Corporate Services

Report Author: Unit Manager Financial Strategy & Performance

In Attendance: Chief Financial Officer

Executive Summary

To inform Council of the Quarterly Corporate Performance Report for the period ended 30 September 2023 (Attachment 1) including financial, capital work, good governance and Community Plan Action Plan action status.

Officers' Recommendation

THAT Council:

- 1. Note the Quarterly Corporate Performance Report for the period ended 30 September 2023 (Attachments 1 - 3).**
- 2. Note the financial performance for the period ended 30 September 2023.**
- 3. Approves the establishment of two new reserves, 'Plant Replacement Reserve' and 'Community Grant Reserve' to ensure Council has funds to support the replacement of Council's plant and fleet and funding to fulfill community needs through Council driven program and initiatives.**

Background / Key Information

Community Plan Action Plan

55 of the 56 key actions included in the Community Plan Action Plan for delivery in the 2023-2024 financial year are reported completed or on track. Nine of the key actions have an operational expenditure budget allocated against them, with the budget expenditure reported on track.

Good Governance

In preparation for the return of an elected Council, and to enhance good governance practices the following documents have been reviewed and adopted by Council or the CEO:

- Governance Rules
- Election Period Policy
- CEO Employment and Remuneration Policy
- Councillor Gift Policy
- Councillor Communication Policy
- Public Transparency Policy
- Public Interest Disclosure Procedures
- Audit and Risk Committee Charter
- Staff Gift Policy

During this quarter, the return of elected Council program established a governance structure comprising of a Return to Elected Council Board and four program workstreams with the objectives of implementing a good governance foundation, empowering our teams, and supporting a high performing organisation.

The first of two Executive and Senior Leadership Teams (ELT/SLT) good governance workshops was facilitated by the VLGA and Hunt & Hunt Lawyers with a focus on good governance, roles and responsibilities, conduct and obligations.

The CEO Employment Matters Advisory Committee (CEMAC) undertook the 2022-2023 CEO performance appraisal which was subsequently approved by Council. In addition, the 2023-2024 CEO Key Performance Indicators were mutually agreed and adopted by Council.

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

All Administrators and senior staff lodged their biannual personal interest returns within the prescribed period of 30 September 2023. A summary of interest returns has been made available on Council's website. The Audit and Risk Committee members also lodged a personal interest return declaration although there is no legislative requirement under the *Local Government Act 2020*.

Capital Works

- Council adopted the 2023-2024 Capital Works Program on 27 June 2023 with a budget of \$75.37 million. Capital Works Annual Budget also includes 2022-2023 carry forwards of \$21.66 million, providing a total budget amount of \$97.03 million.
- Year to date Capital Works actual expenditure is \$11.65 million against year to date Annual Budget of \$10.56 million, which is \$1.09 million ahead of budget.

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

	Capital Works Budget \$'000
Adopted Budget 2023-24	75,365
Additional Carry forwards from 2022-23	21,662
Annual Budget	97,026
Anticipated Carry Forwards 2023-24	-
Approved Budget Adjustments Q1	-
End of year forecast at Quarter 1	97,026

Financial Performance

For the three months ended 30 September 2023, Council recorded an operating surplus of \$161.96 million, which is \$6.11 million favourable to the year to date budget.

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Quarter 1 Forecast \$'000
Operating					
Income	229,095	223,047	6,048	423,863	431,415
Expenditure	67,135	67,192	57	295,736	301,290
Surplus (deficit)	161,961	155,855	6,106	128,127	130,125
Less					
Capital non-recurrent grants	-	-	-	(6,860)	(12,663)
*Developer contributions	(11,017)	(7,392)	(3,624)	(137,856)	(137,981)
Adjusted underlying surplus	150,944	148,463	2,481	(16,589)	(20,518)

* Includes gifted assets which do not convert into cash

* Includes developer contributions which are restricted by legislation and must be used for future infrastructure investment

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

Key Information

Introduction

The Quarterly Performance Report for the period 30 September 2023 has been prepared in accordance with the regulation of the *Local Government Act 2020*. This report is designed to identify major variances against the September year to date budget.

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

- Community Plan Action Plan 2023-24 to 30 September 2023;
- Good Governance actions to 30 September 2023;
- 2023-2024 Capital Works Program to 30 September 2023; and
- Council's financial performance to 30 September 2023.

To comply with the Act, the report includes the following comparisons for the three months ended 30 September 2023:

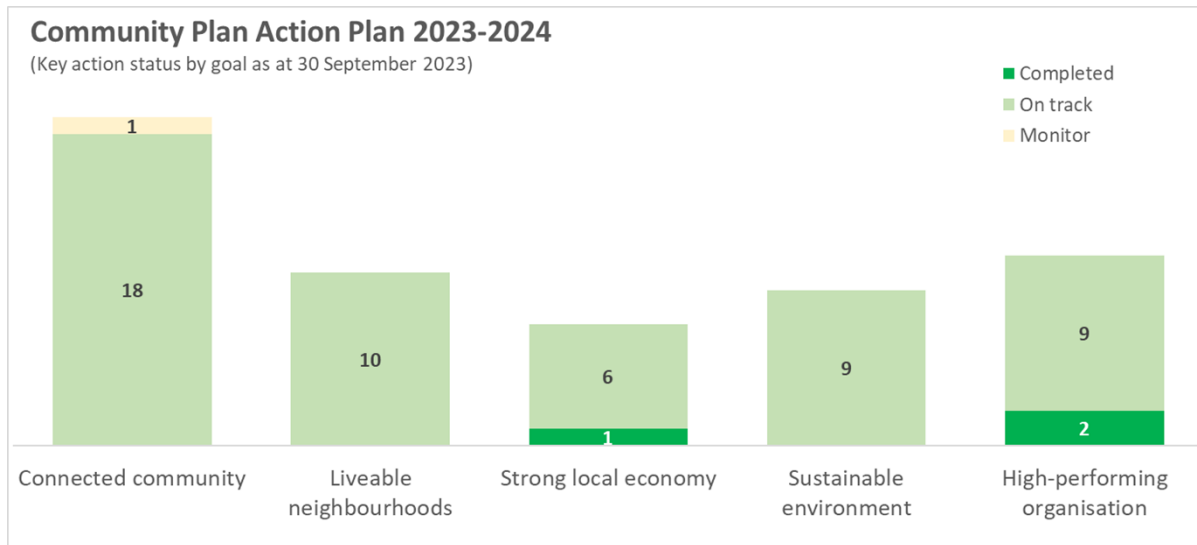
- actual and budgeted operating revenues and expenses;
- actual and budgeted capital revenues and expenses;
- actual movements in the balance sheet; and
- actual movements in the cash flow statement.

Community Plan Performance

The Community Plan 2021-2025 includes 61 key initiatives. 56 related key actions are included in the Community Plan Action Plan for delivery in the 2023-24 financial year. Of the 56 key actions included in the Community Plan Action Plan 2023-24:

- Three actions are reported "Completed";
- 52 actions are reported "On Track"; and
- One action is reported "Monitor".

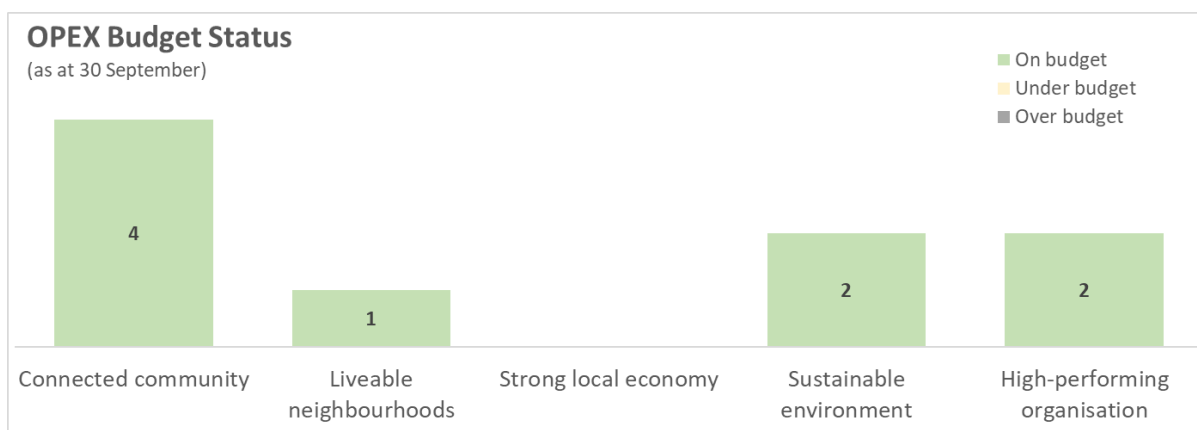
These are the key actions currently reported “On Track”, “Monitor” or “Completed”:



Below is the key action reported as “Monitor”:

Key actions	Progress Status	OPEX Budget Status
Goal 1: Connected community		
Adopt the Whittlesea Reconciliation Action Plan 2023-2027	Monitor	N/A
<u>Comment:</u> This year has been a particularly significant and sensitive time for Aboriginal and Torres Strait Islander people. We have been working with our local community and stakeholders to ensure they have the opportunity for meaningful input in the development of the Reconciliation Action Plan whilst respecting their need for space and flexibility in the current environment.		

Nine of the 56 key actions have an operational expenditure budget allocated against them; all key action budget expenditure is reported on track:



Please refer to Attachment 2 for the Quarter 1 2023-24 Performance Snapshot.

Good Governance

Council is committed to good governance and undertakes actions for continuous improvement throughout the year. Additionally, Council's preparation for the return to an elected Council has commenced through three of the four workstreams to put measures in place to establish a good governance foundation through processes, policies and guidelines. The fourth workstream commences in the next quarter with all four workstreams continuing through to October 2024.

The key achievements this quarter relating to continuous and improved good governance included:

- Scheduled Council meetings held monthly to facilitate Council decision-making. An additional unscheduled Council meeting was held in July to address a confidential matter.
- The Audit and Risk Committee, consisting of two Administrators and four independent members met on 5 and 12 September 2023 and considered a number of matters including Council's financial and performance reporting, external audit outcomes, risk management, internal audit outcomes, systems of internal control, fraud prevention systems and controls, and legislative compliance.
- At the September Council meeting, the Audit and Risk Committee's Independent Chair provided Council with the six-monthly report from the Committee, outlining the activities undertaken by the Committee.
- Biannual Personal Interest Returns were completed on time by all Administrators and senior staff. Although Audit and Risk Committee members are not required to complete personal interest returns, interest return declarations were submitted by the Audit and Risk Committee members.
- Reviewing and updating policies and procedures to continue to improve governance across Council and operations for example conflict of interest, Councillor and Staff Interaction Protocol.

Capital Program

Council adopted the 2023-24 Capital Works Program on 27 June 2023 with a budget of \$75.37 million. Capital Works Annual Budget also includes 2022-23 carry forwards of \$21.66 million, providing a total budget of \$97.03 million.

The financial expenditure performance of the Capital Works Program to 30 September 2023 is detailed below:

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Annual Budget \$'000	Quarter 1 Forecast \$'000
Property	4,404	4,194	(210)	16,179	20,101	20,101
Plant and equipment	715	1,046	331	5,773	6,241	6,241
Infrastructure	6,529	5,320	(1,209)	53,413	70,684	70,684
	11,649	10,561	(1,088)	75,365	97,026	97,026
Represented by:						
New assets	6,831	6,756	(75)	38,040	41,743	41,743
Asset renewal	3,213	2,095	(1,118)	25,497	34,899	34,899
Asset expansion	40	-	(40)	-	1,776	1,776
Asset upgrade	1,565	1,710	145	11,828	18,608	18,608
Total Capital works	11,649	10,561	(1,088)	75,365	97,026	97,026

As at 30 September 2023, capital expenditure of \$11.65 million was \$1.09 million ahead of budget.

Infrastructure Grants

A summary of recent infrastructure grants outcomes is included in the Grants Status Report (Attachment 3). A total of \$14.88 million in applications have been successful to date this financial year. Applications to the value of \$4.01 million are awaiting outcomes/announcements.

Program Impacts and Carry forwards

The delivery of many projects within the 2022-23 capital works program were impacted throughout the year. Due to delays to planning, tendering and construction activities throughout the year, \$21.66 million has been carried forward to the 2023-24 financial year to enable completion of these works.

Financial Performance

The Financial Performance Report for the period ended 30 September 2023 includes the following financial statements included in the Corporate Performance Report (Attachment 1):

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

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Quarter 1 Forecast \$'000
Operating					
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*Includes developer contributions which are restricted by legislation and must be used for future infrastructure investment

For the three months ended 30 September 2023, Council recorded an operating surplus of \$161.96 million, which is \$6.11 million favourable to the year to date budget.

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

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

Reserves

Council recommends establishing two new reserves, 'Plant Replacement Reserve' and 'Community Grant Reserve'. The Plant Replacement reserve will ensure Council have adequate funds for the replacement of Council's plant and fleet program. The Community Grant reserve will ensure the repurposing of community grant underspend to fulfil community needs through Council driven programs and initiatives.

Alignment to Community Plan, Policies or Strategies

Alignment to Whittlesea 2040 and Community Plan 2021-25:

High Performing Organisation

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

Considerations of Local Government Act (2020) Principles

Financial Management

All matters raised in this report, which have a financial implication, have been reflected in the Corporate Performance Report for the three months ended 30 September 2023 (Attachment 1).

Community Consultation and Engagement

The Community were extensively engaged and consulted in developing the 2022-23 Community Plan actions and budget.

Other Principles for Consideration

Overarching Governance Principles and Supporting Principles

(g) The ongoing financial viability of the Council is to be ensured.

Public Transparency Principles

(a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations (including Climate Emergency)

No Implications.

Social, Cultural and Health

No Implications.

Economic

No Implications.

Legal, Resource and Strategic Risk Implications

No Implications.

Implementation Strategy

Communication

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

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.

Attachments

1. Corporate Performance Report [5.2.1 - 20 pages]
2. 2021-2025 Performance Snapshot Q1 Jul- Sept 2023 [5.2.2 - 1 page]
3. Capital Grants Status Update Report - September 2023 [5.2.3 - 1 page]
4. Reserve September 2023 [5.2.4 - 3 pages]



Quarterly Corporate Performance Report

for the period ended 30 September 2023

A place for all



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Introduction and Key Highlights

Community Plan Action Plan

- 55 of the 56 key actions included in the Community Plan Action Plan for delivery in the 2023-24 financial year are reported completed or on track. Nine of the key actions have an operational budget, all of which are reported on track from an expenditure perspective.

Good Governance

- In preparation for the return of an elected Council, and to enhance good governance practices, 8 documents, including the Governance Rules and Election Period Policy were reviewed, publicly released for community feedback (if required) and either adopted by Council or the CEO.
- A governance structure with terms of reference for the Board and workstreams was established for the return to an elected Council.
- The first of two good governance workshops was facilitated for ELT/SLT, with another workshop scheduled early next quarter.
- The CEO Employment Matters Advisory Committee (CEMAC) undertook the 2022-23 CEO performance appraisal and mutually agreed and adopted the 2023-24 CEO Key Performance Indicators.
- The Audit and Risk Committee's Independent Chair provided Council with the six-monthly report from the Committee.
- All required biannual personal interest returns were lodged on time, and a summary made available on Council's website.

Capital Performance

- Council adopted the 2023-24 Capital Works Program on 27 June 2023 with a budget of \$75.37 million. Capital Works Annual Budget also includes 2022-23 carry forwards of \$21.66 million, providing a total budget amount of \$97.03 million.
- Year to date Capital Works actual expenditure is \$11.65 million against year to date Annual Budget of \$10.56 million, which is \$1.09 million ahead of budget.



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

	Capital Works Budget \$'000
Adopted Budget 2023-24	75,365
Additional Carry forwards from 2022-23	21,662
Annual Budget	97,026
Anticipated Carry Forwards 2023-24	-
Approved Budget Adjustments Q1	-
End of year forecast at Quarter 1	97,026

Financial Performance

For the three months ended 30 September 2023, Council recorded an operating surplus of \$161.96 million, which is \$6.11 million favourable to the year to date budget.

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Quarter 1 Forecast \$'000
Operating					
Income	229,095	223,047	6,048	423,863	431,415
Expenditure	67,135	67,192	57	295,736	301,290
Surplus (deficit)	161,961	155,855	6,106	128,127	130,125
Less					
Capital non-recurrent grants	-	-	-	(6,860)	(12,663)
*Developer contributions	(11,017)	(7,392)	(3,624)	(137,856)	(137,981)
Adjusted underlying surplus	150,944	148,463	2,481	(16,589)	(20,518)

*Includes gifted assets which do not convert into cash

*Includes developer contributions which are restricted by legislation and must be used for future infrastructure investment

- The forecast for the year ending 30 June 2024 is expected to have an operating surplus of \$130.13 million, which is \$2 million favourable to the Adopted Budget.
- This surplus as reported includes all revenue recognised in the financial period, including gifted assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the operating surplus is not a cash surplus; therefore, it does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment.



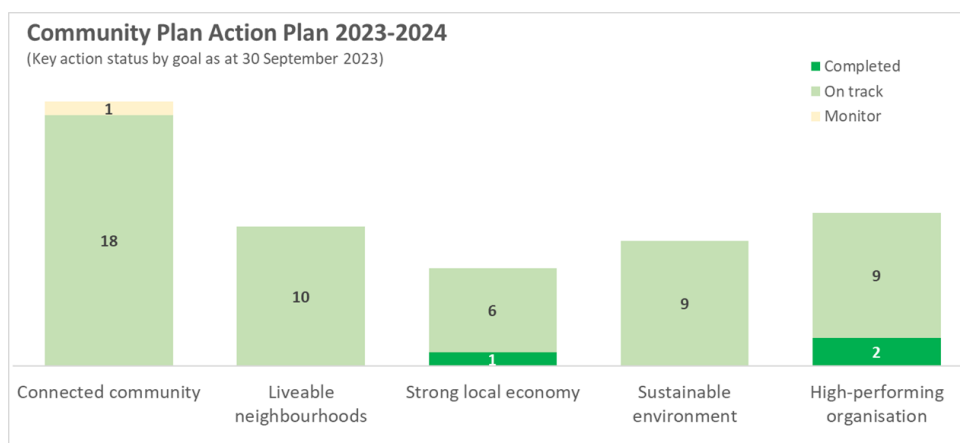
Community Plan Action Plan

The Community Plan 2021-2025 includes 61 key initiatives. 56 related key actions are included in the Community Plan Action Plan for delivery in the 2023-24 financial year. This iteration of quarterly reporting is presented by exception only.

Of the **56 key actions included in the Community Plan Action Plan 2023-24:**

- Three actions are reported as “Completed”
- 52 are reported as “On Track”
- One is reported as “Monitor”

These are the key actions currently reported “On Track”, “Monitor” or “Completed”:

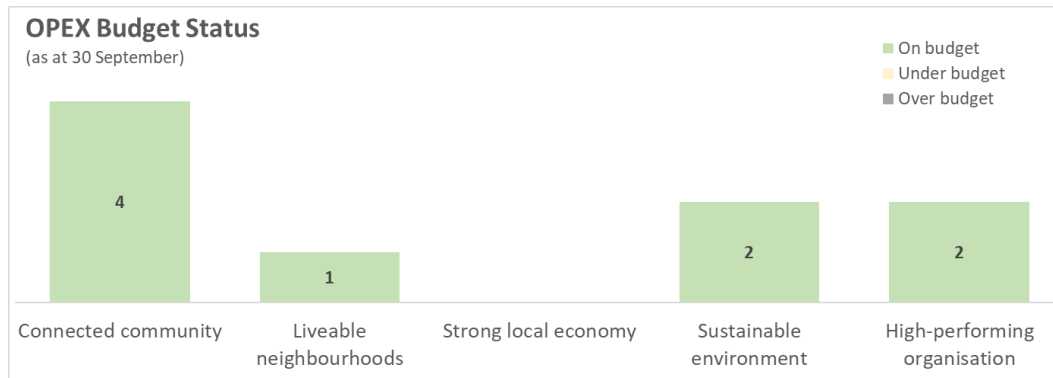


Below is the key action reported as “Monitor”:

Key actions	Progress Status	OPEX Budget Status
Goal 1: Connected community		
Adopt the Whittlesea Reconciliation Action Plan 2023-2027	Monitor	N/A
<p><u>Comment:</u> This year has been a particularly significant and sensitive time for Aboriginal and Torres Strait Islander people. We have been working with our local community and stakeholders to ensure they have the opportunity for meaningful input in the development of the Reconciliation Action Plan whilst respecting their need for space and flexibility in the current environment.</p>		



Nine of the 56 key actions have an operational expenditure budget allocated against them, all of which are on track from an expenditure perspective:



Good Governance

Council is committed to good governance and undertakes actions for continuous improvement throughout the year. Additionally, Council’s preparation for the return to an elected Council has commenced through three of the four workstreams to put measures in place to establish a good governance foundation through processes, policies and guidelines. The four workstreams commences in the next quarter with all four workstreams continuing through to October 2024.

The key achievements this quarter relating to continuous and improved good governance included:

- Scheduled Council meetings held monthly to facilitate Council decision-making. An additional unscheduled Council meeting was held in July to deal with a confidential matter.
- The Audit and Risk Committee, consisting of two Administrators and four independent members met on 5 and 12 September 2023 and considered a number of matters including Council’s financial and performance reporting, external audit outcomes, risk management, internal audit outcomes, systems of internal control, fraud prevention systems and controls, and legislative compliance.
- At the September Council meeting, the Audit and Risk Committee’s Independent Chair provided Council with the six-monthly report from the Committee, outlining the activities undertaken by the Committee.
- Biannual Personal Interest Returns were completed on time by all Administrators and senior staff. Although Audit and Risk Committee members are not required to complete personal interest returns, interest return declarations were submitted by the Audit and Risk Committee members.



- Reviewing and updating policies and procedures to continue to improve governance across Council and operations for example conflict of interest, Councillor and Staff Interaction Protocol.

Capital Performance

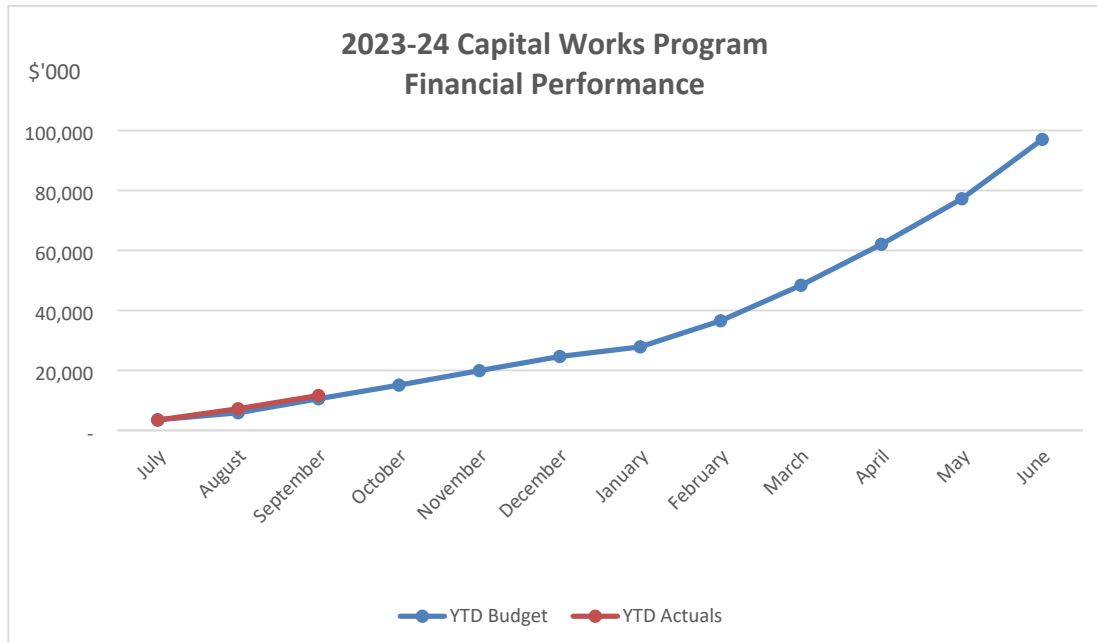
Financial Update

Council adopted the 2023-24 Capital Works Program on 27 June 2023 with a budget of \$75.37 million. Capital Works Annual Budget also includes 2022-23 carry forwards of \$21.66 million, providing a total budget amount of \$97.03 million.

The financial expenditure performance of the Capital Works Program to 30 September 2023 is detailed below:

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Annual Budget \$'000	Quarter 1 Forecast \$'000
Property	4,404	4,194	(210)	16,179	20,101	20,101
Plant and equipment	715	1,046	331	5,773	6,241	6,241
Infrastructure	6,529	5,320	(1,209)	53,413	70,684	70,684
	11,649	10,561	(1,088)	75,365	97,026	97,026
Represented by:						
New assets	6,831	6,756	(75)	38,040	41,743	41,743
Asset renewal	3,213	2,095	(1,118)	25,497	34,899	34,899
Asset expansion	40	-	(40)	-	1,776	1,776
Asset upgrade	1,565	1,710	145	11,828	18,608	18,608
Total Capital works	11,649	10,561	(1,088)	75,365	97,026	97,026

As at 30 September 2023, capital expenditure of \$11.65 million was \$1.09 million ahead of budget.



Program Impacts and Carry forwards

The delivery of many projects within the 2022-23 capital works program were impacted throughout the year. Due to delays to planning, tendering and construction activities throughout the year, \$21.66 million has been carried forward to the 2023-24 financial year to enable completion of these works.

Infrastructure Grants Update

A summary of recent infrastructure grants outcomes is included in the Grants Status Report (Attachment 3). A total of \$14.88 million in applications have been successful to date this financial year. Applications to the value of \$4.01 million are awaiting outcomes/ announcements.



Financial Performance

Operating Performance

The Financial Performance Report for the period ended 30 September 2023 includes the following financial statements included in the Corporate Performance Report (Attachment 1):

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

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Quarter 1 Forecast \$'000
Operating					
Income	229,095	223,047	6,048	423,863	431,415
Expenditure	67,135	67,192	57	295,736	301,290
Surplus (deficit)	161,961	155,855	6,106	128,127	130,125
Less					
Capital non-recurrent grants	-	-	-	(6,860)	(12,663)
*Developer contributions	(11,017)	(7,392)	(3,624)	(137,856)	(137,981)
Adjusted underlying surplus	150,944	148,463	2,481	(16,589)	(20,518)

*Includes gifted assets which do not convert into cash

*Includes developer contributions which are restricted by legislation and must be used for future infrastructure investment

For the three months ended 30 September 2023, Council recorded an operating surplus of \$161.96 million, which is \$6.11 million favourable to the year to date budget.

This surplus as reported includes all revenue recognised in the financial period, including gifted subdivisional assets (non-monetary), developer contributions and grants towards capital works projects. It is important to note that the operating surplus is not a cash surplus; therefore, it does not convert to immediately available cash for Council. Significant amounts of the surplus are restricted by legislation and must be used for future infrastructure investment. The operating result is a key figure to assess Council's financial performance. Although Council is a not-for-profit organisation, it should still generate a surplus to ensure future financial sustainability.

After eliminating non-recurrent capital grants and other items, the adjusted underlying surplus is \$150.94 million, which is \$2.48 million favourable to budget. An adjusted underlying surplus is the net surplus for the year adjusted for non-recurrent capital grants and contributions. It is an accepted



measure of financial sustainability as it is not impacted by non-recurring or once-off items of revenue and expenses that can often mask the operating results.

Financial position

The financial position as at 30 September 2023 shows a cash and investment balance of \$290.67 million compared with \$301.17 million as at 30 June 2023.

The cash and investment balance was sufficient to meet the restricted cash of \$165.97 million at the end of September 2023.

	YTD Actual \$'000	Audited 2023 \$'000
Financial assets	290,666	301,173
Restricted funds	165,966	168,936
Unrestricted cash and cash equivalents	124,701	132,237
Intended allocations	104,405	120,185
Net Available cash	20,296	12,052

Restricted cash is the amount of cash holdings Council requires to meet external restrictions such as trust funds and statutory reserves. Cash for intended allocations includes cash held to fund future capital works and project works.



Financial Statements

Comprehensive Income Statement

Comprehensive Income Statement for the period ended 30 September 2023

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget \$'000	Quarter 1 Forecast \$'000
Income					
Rates and charges	203,120	203,374	(255)	206,509	206,509
Statutory fees and fines	4,444	4,224	219	17,561	17,961
User fees	1,873	1,744	129	10,550	10,550
Grants - operating	3,584	3,387	197	30,765	28,687
Grants - capital	-	-	-	8,129	13,933
Contributions - monetary	11,017	7,392	3,624	29,571	29,696
Contributions - non-monetary assets	-	-	-	108,285	108,285
Net gain on disposal of property, infrastructure, plant and equipment	195	199	(3)	744	744
Share of Net Profits of Associate	-	-	-	200	200
Other income	4,863	2,727	2,136	11,549	14,850
Total income	229,095	223,047	6,048	423,863	431,415
Expenditure					
Employee benefits	27,427	28,178	751	113,109	113,123
Materials and services	20,880	20,835	(45)	112,045	115,463
Depreciation	12,676	12,119	(557)	48,478	50,478
Amortisation - intangible assets	-	-	-	130	130
Amortisation - right of use assets	-	-	-	498	498
Bad and doubtful debts	607	600	(7)	2,500	2,500
Borrowing costs	37	32	(5)	127	127
Finance costs - leases	-	-	-	42	42
Other expenses	5,509	5,429	(80)	18,807	18,927
Total expenditure	67,135	67,192	57	295,736	301,290
Total comprehensive result	161,961	155,855	6,106	128,127	130,125
Less					
Capital grants - non recurrent	-	-	-	(6,860)	(12,663)
*Developer contributions	(11,017)	(7,392)	(3,624)	(137,856)	(137,981)
Underlying surplus/(deficit)	150,944	148,463	2,481	(16,589)	(20,518)

*Includes gifted assets which do not convert into cash

*Includes developer contributions which are restricted by legislation and must be used for future infrastructure investment



Total year to date income is \$6.05 million favourable to budget, which is primarily due to favourable variances in the following:

- \$3.62 million favourable to budget is mainly due to greater than anticipated contributions received from developers as a result of continued growth
- \$2.14 million favourable to budget in other income attributed to higher interest received on investments following interest rate increases.

These variances are offset by the following unfavourable variance:

- (\$0.26 million) unfavourable to budget in rates and charges related to lower than anticipated supplementary rates received.

Total year to date expenditure is \$0.06 million favourable to budget, which is primarily due to the favourable variance in the following:

- \$0.75 million favourable to budget in employee costs as a result of vacant positions across the organisation not yet filled and an EBA increment has not been applied as the EBA is still under negotiation.

This variance is offset by the following unfavourable variance:

- (\$0.56 million) unfavourable to budget in depreciation as a result of an increase in the valuation of Council assets and significant gifted assets being received after the budget was adopted, therefore not factored into the budget for depreciation.

The forecast for the year ending 30 June 2024 is expected to have an operating surplus of \$130.13 million, which is \$2 million favourable to the adopted budget. Key variances contributing to this favourable variance to the budget include:

- \$5.8 million favourable to budget in capital grants as a result of unbudgeted grants expected to be received. Particularly for the Quarry Hills priority links, Granite Hills Regional Park implementation and the Whittlesea Public Gardens projects
- \$3.3 million favourable to budget in other income primarily due to higher interest anticipated to be received on investments as a result of increase in interest rates
- \$0.4 million favourable to budget in statutory fees and fines attributable to an increase in supervision fee income as a result of the growth in construction activities.

These favourable variances are partially offset by the following unfavourable variances:

- (\$2 million) unfavourable to budget in depreciation due to an increase in the valuation of Council assets as a result of a revaluation and significant gifted assets being received after the budget was adopted
- (\$2.08 million) unfavourable to budget in operating grants mainly due to the Victorian Grant Commission (VGC) grant expected to be less than anticipated following 100% of the VGC grant for 2023-24 being received in 2022-23 and recognised in line with revenue recognition criteria



- (\$3.42 million) unfavourable to budget in materials and services mostly relating to the implementation of the Customer and Digital Experience program (CX/DX) , which is fully funded through Technology Improvement reserve.

Financial Position

Financial Position for the period ended 30 September 2023

	YTD Actual \$'000	2022-23 Actual \$'000
Financial assets		
Cash and cash equivalents		
Cash on hand	4	4
Cash at bank	1,367	1,074
Term deposit	54,296	50,095
Total cash and cash equivalents	55,667	51,173
Other financial assets		
Term deposits	235,000	250,000
Total other financial assets	235,000	250,000
Total financial assets	290,667	301,173
Restricted cash and investments		
Trust funds and deposits	15,922	34,320
Asset development reserves	150,044	134,616
Total restricted cash and investments	165,966	168,936
Total unrestricted cash and cash equivalents	124,701	132,237
Intended allocations		
Cash held to fund Carried forward capital works	-	21,662
Unexpended grants and subsidies	26,337	20,455
Asset replacement reserves	78,068	78,068
Total unrestricted cash and cash equivalents	104,405	120,185



Balance Sheet

Balance Sheet as at 30 September 2023

	YTD Actual \$'000	2022-23 Actual \$'000	Net Movement \$'000
Current assets			
Cash and cash equivalents	55,666	51,173	4,493
Trade and other receivables	226,378	40,669	185,709
Other financial assets	235,000	250,000	(15,000)
Inventories	119	106	13
Other assets	4,782	6,237	(1,455)
Total current assets	521,946	348,185	173,761
Non-current assets			
Investment in associate	2,893	2,893	0
Other financial assets	22	22	0
Property, infrastructure, plant and equipment	4,353,606	4,366,282	(12,676)
Intangible assets	279	279	(0)
Right of use assets	2,412	2,412	(0)
Total non-current assets	4,359,212	4,371,888	(12,675)
Total assets	4,881,158	4,720,073	161,085
Current liabilities			
Trade and other payables	51,489	23,830	27,659
Trust funds and deposits	15,924	32,440	(16,516)
Provisions	21,112	21,672	(560)
Lease liabilities	588	588	0
Interest-bearing liabilities	1,845	2,449	(604)
Unearned Income	26,335	25,542	793
Total current liabilities	117,293	106,521	10,772
Non-current liabilities			
Provisions	1,651	1,651	0
Lease liabilities	1,880	1,880	0
Interest-bearing liabilities	9,191	9,191	0
Total non-current liabilities	12,723	12,722	(0)
Total liabilities	130,016	119,243	10,772
Net assets	4,751,142	4,600,830	150,312
Equity			
Accumulated surplus	3,067,946	2,923,827	144,119
Reserves	1,683,196	1,677,003	6,193
Total equity	4,751,142	4,600,830	150,312



Cash balance

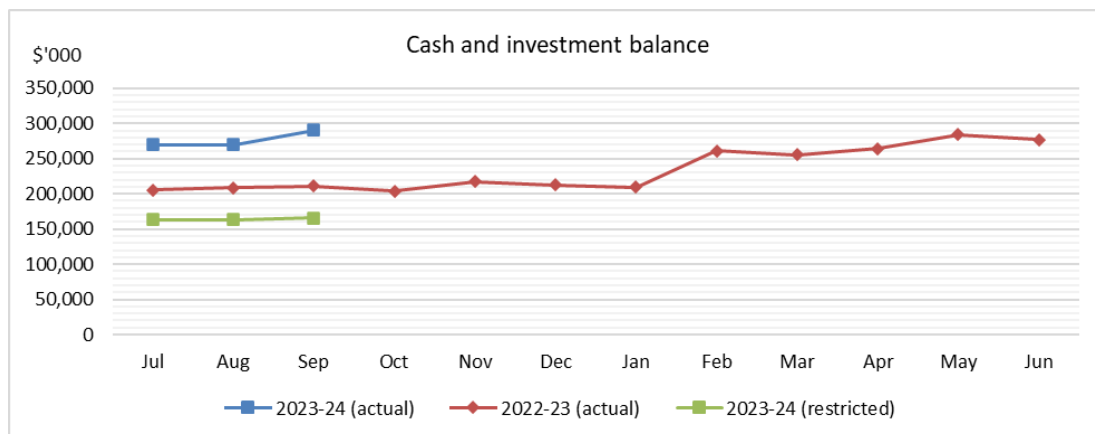
The chart below shows Council’s cash balance year to date for 2023-24 against the cash balance from the 2022-23 and restricted cash. The chart portrays:

- Actual 2023-24 cash balance
- Actual 2022-23 cash balance
- Restricted cash

Restricted cash includes:

- Trust funds and deposits
- Non-discretionary reserves including developer contributions and subdivision levy (parkland contributions)

The cash and investments balance is currently (\$17.71 million) unfavourable to the budgeted year end position. Every opportunity is taken to invest surplus cash to maximise investment returns.



Note: Cash and investments include term deposits with a maturity date exceeding 90 days which are classified as other financial assets in the Balance Sheet.

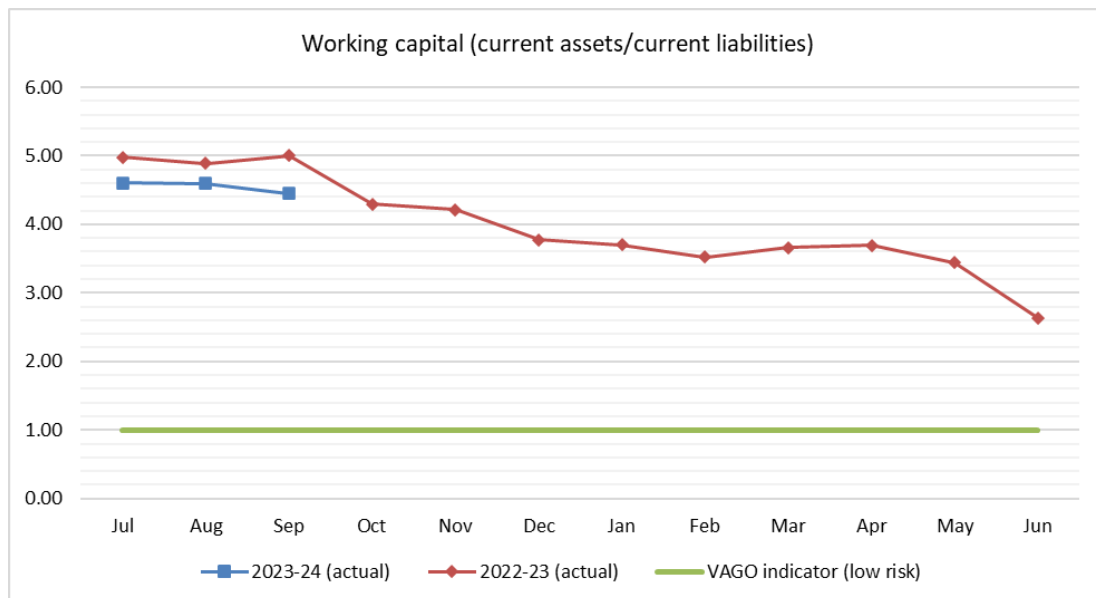


Working capital

The chart portrays:

- Actual 2023-24 working capital
- Actual 2022-23 working capital

Council’s working capital is forecast to remain well above the Victorian Auditor-General’s Office (VAGO) liquidity indicator as shown below.

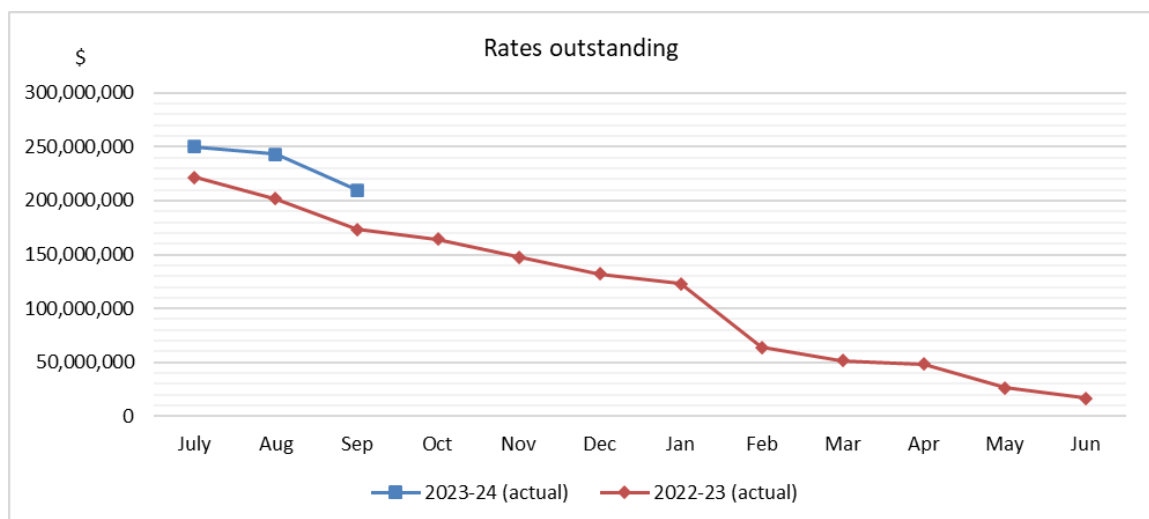
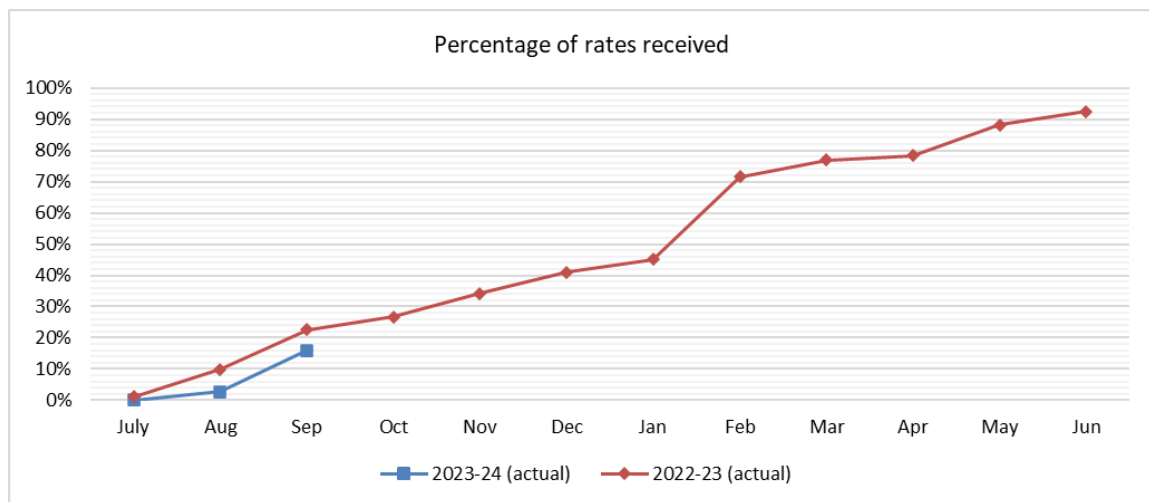




Rates debtors

As at 1 July 2023, \$222.11 million was raised in rates and charges to Council’s property base. At 30 September 2023, 16% of the rates raised have been collected compared to the same period of the 2022–23 financial year of 22%.

The following graphs show that current collection trends are slightly behind the 2022–23 collection trend.





Cash Flows

Statement of Cash Flows for the period ended 30 September 2023

	2023-24 Inflows / (Outflows) YTD Actual \$'000	2022-23 Inflows / (Outflows) Actual \$'000
Cash flows from operating activities		
Rates	10,965	184,640
Statutory fees and fines	4,286	15,223
User fees	6,198	4,853
Grants - operating	3,584	38,590
Grants - capital	-	12,630
Contributions - Monetary	11,017	23,187
Trust funds and deposits taken	26,112	6,598
Other receipts	2,945	4,289
Interest received	3,373	7,742
Net GST refund	1,671	(184)
Payments to employees	(27,987)	(103,112)
Payments to suppliers	(34,661)	(86,783)
Short-term, low value and variable lease payments	(136)	(662)
Trust funds and deposits repaid	(1,064)	(8,478)
Other payments	(4,716)	(15,772)
Net cash provided by (used in) operating activities	1,587	82,761
Cash flows from investing activities		
Payments for infrastructure, property, plant and equipment	(11,648)	(55,290)
Proceeds from sale of property, infrastructure, plant and equipment	195	685
Payments for investments	15,000	(30,000)
Net cash provided by (used in) investing activities	3,547	(84,605)
Cash flows from financing activities		
Finance costs	(37)	(192)
Repayment of borrowings	(604)	(2,364)
Interest paid - lease liability	-	(91)
Repayment of lease liabilities	0	(898)
Net cash provided by (used in) financing activities	(640)	(3,545)
Net increase (decrease) in cash and cash equivalents	4,493	(5,389)
Cash and cash equivalents at the beginning of the year	51,173	56,562
Cash and cash equivalents at the end of the period	55,666	51,173



Capital Works

Statement of Capital Works for the period ended 30 September 2023

	YTD Actual \$'000	YTD Budget \$'000	YTD Variance \$'000	Adopted Budget	Annual Budget \$'000	Quarter 1 Forecast \$'000
Property						
Land	3,224	3,000	(224)	3,100	3,300	3,300
Building	566	615	49	3,854	5,986	5,986
Building improvements	614	579	(35)	9,225	10,815	10,815
Total Property	4,404	4,194	(210)	16,179	20,101	20,101
Plant and equipment						
Plant, machinery & equipment	360	295	(65)	3,672	3,672	3,672
Fixtures, fittings & furniture	65	421	356	985	1,283	1,283
Computers & telecommunications	290	330	40	1,116	1,286	1,286
Total plant and equipment	715	1,046	331	5,773	6,241	6,241
Infrastructure						
Roads	1,738	766	(972)	15,455	18,869	18,869
Bridges	216	160	(56)	350	1,224	1,224
Footpaths & cycleways	567	411	(157)	4,490	6,671	6,671
Drainage	353	334	(19)	950	1,081	1,081
Recreation, leisure & community facilities	424	449	25	7,989	10,040	10,040
Parks, open space & streetscapes	2,491	2,554	63	20,054	27,720	27,720
Carparks	7	-	(7)	665	665	665
Waste management	-	-	-	561	561	561
Other infrastructure	733	646	(86)	2,899	3,853	3,853
Total infrastructure	6,529	5,320	(1,209)	53,413	70,684	70,684
Total capital works	11,649	10,561	(1,088)	75,365	97,026	97,026
Represented by:						
New assets	6,831	6,756	(75)	38,040	41,743	41,743
Asset renewal	3,213	2,095	(1,118)	25,497	34,899	34,899
Asset expansion	40	-	(40)	-	1,776	1,776
Asset upgrade	1,565	1,710	145	11,828	18,608	18,608
Total capital works	11,649	10,561	(1,088)	75,365	97,026	97,026



Reserves

Summary of Reserves as at 30 September 2023

	2022-23 Actual \$'000	Net transfers \$'000	2023-24 YTD Actual \$'000
Discretionary reserves			
LASF defined benefit plan liability	3,739	-	3,739
Native vegetation offset site maintenance (App. 5)	1,572	-	1,572
Strategic investment reserve (App. 1)	28,914	-	28,914
Strategic properties reserve (App. 6)	4,819	-	4,819
Synthetic turf replacement reserve	1,880	-	1,880
Technology improvement fund reserve (App. 3)	5,264	-	5,264
Transport Infrastructure reserve	28	-	28
Waste reserve (App. 2)	4,270	-	4,270
Aboriginal Gathering Place	6,000	-	6,000
Strategic Operational Projects	3,196	-	3,196
Regional Aquatic and Sports Reserve	14,283	-	14,283
Resilience and Emergency Management	449	-	449
	74,415	-	74,415
Non-discretionary reserves			
Community Infrastructure Levy	10,908	383	11,291
Developers contributions	99,588	4,707	104,295
Donnybrook Woodstock ICP	7,611	377	7,987
Epping Plaza DC	1,026	13	1,039
Net gain compensation	1,587	20	1,607
Non standard street lighting contribution	3,901	-	3,901
Parklands contributions (open space)	10,153	621	10,774
Planning permits drainage (App. 4)	10,641	71	10,711
Plenty Road duplication	80	1	81
Purchase of Lutheran Church and Cemetery	380	-	380
Street tree contributions reserve	686	-	686
Traffic lights construction	943	-	943
	147,504	6,193	153,697
Total Reserves	221,920	6,193	228,113
Reconciliation to balance sheet			
Asset revaluation reserve	1,455,083	-	1,455,083
	1,455,083	-	1,455,083
	1,677,003	6,193	1,683,196

Community Plan 2021–2025



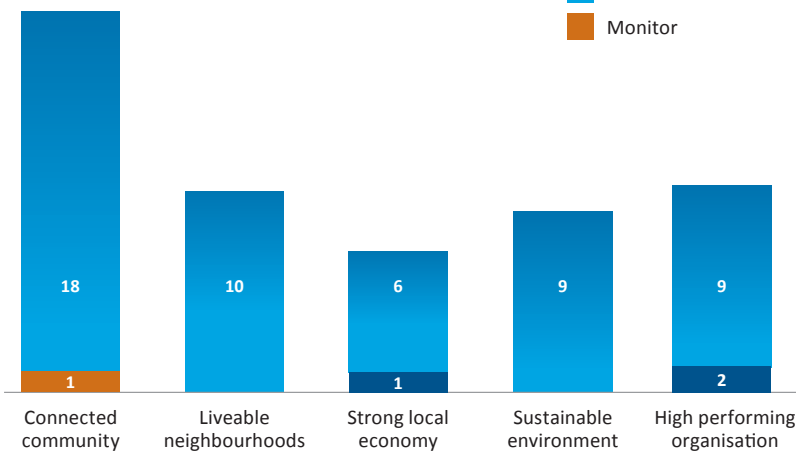
Quarter 1 Performance Snapshot July to September 2023

Key Actions status (as at 30 September 2023)

Community Plan Action Plan 2022–2023
Key Actions by Goal

Key Actions Legend

- Completed
- On track
- Monitor



Highlights

- The Draft Connected Community Strategy, Liveable Neighbourhood Strategy and Long-term Community Infrastructure Plan have been endorsed by Council for community consultation.
- The transition of the Youth Advisory Committee to a Youth Council was endorsed by Council in September to empower our young people to help shape the future of the City.
- A new expanded Community Grants program was launched in August 2023. Grants are now open all year round to enable timely support to community.
- Following a 12 month transition plan with extensive community communications, new regulations for cat confinement and mandatory cat desexing for newly registered cats came into effect on 1 August 2023.
- On 31 August 2023 we opened a Whittlesea Service Hub in Whittlesea township as part of our commitment to making it easier for our community to interact with Council.
- A contractor has been appointed to design and construct the Aboriginal Gathering Place in Quarry Hills Regional Parkland.
- An Emergency Services Exhibition will be held for the first time on 7 October 2023 after the 27th Annual Blessing of the Fleet.
- New Nature Strip Garden Guidelines that promote biodiversity and give residents more options for beautiful and sustainable nature strips came into effect in October 2023.
- Year two of the Conservation Reserve Tree Planting program has been completed with 4,600 indigenous trees planted; planning for year three is underway.
- Council assisted NEAMI National to establish and outreach service for the Mental Health Local Service for Adults and an outpost from the Epping Community Services Hub while they wait to open their new office space in South Morang.
- Council has adopted the Agri-Food Plan 2023-2026 and will be implementing the actions under the Strong Local Economy Strategy over the next three years.

Capital Grant Status Update - September 2023

Submitted

Financial Year	Grant Number	Title	Organisation Name	Project ID	Project Name	Funding Type	Grant Funding Request \$	Council Contribution \$	Other Contribution \$	Total Project Cost \$
23/24	GCW-10240	22-23 Urban Rivers and Catchments Program - Round 1 Election Commitment, Peter Hopper Lake Restoration	Department of Climate Change, Energy, the Environment and Water	CW-10707	Peter Hopper Lake renewal and upgrade	Federal	2,000,000	2,716,000	0	4,716,000
23/24	GCW-10241	2023 Investing in Our Communities Program Election Commitment, Doreen Splash Park and Playground	Department of Infrastructure and Regional Development	CW-11066	Doreen Splash Park and Playground	Federal	1,500,000	800,000	700,000	3,000,000
23/24	GCW-10247	2023 Building Blocks Early Learning Facility Upgrade, Bubup Wilam HVAC Upgrade	Department of Education and Training	CW-11079	Bubup Wilam - HVAC Upgrade Works	State	350,000	302,000	0	652,000
23/24	GCW-10248	2023 Building Blocks Minor Infrastructure, Childrens Bathroom Facilities Upgrade, South Morang Preschool	Department of Education and Training	CW-11051	Kindergarten nappy change facilities and privacy stall doors for regulatory compliance	State	44,238	0	0	44,238
23/24	GCW-10249	2023 Building Blocks Minor Infrastructure, Childrens Bathroom Facilities Upgrade, Roycroft Kindergarten	Department of Education and Training	CW-11051	Kindergarten nappy change facilities and privacy stall doors for regulatory compliance	State	39,523	0	0	39,523
23/24	GCW-10250	2023 Building Blocks Minor Infrastructure, Childrens Bathroom Facilities Upgrade, Centenary Drive Kindergarten	Department of Education and Training	CW-11051	Kindergarten nappy change facilities and privacy stall doors for regulatory compliance	State	42,389	0	0	42,389
23/24	GCW-10251	2023 Building Blocks Minor Infrastructure, Childrens Bathroom Facilities Upgrade, Edward Street Preschool	Department of Education and Training	CW-11051	Kindergarten nappy change facilities and privacy stall doors for regulatory compliance	State	37,018	0	0	37,018
							4,013,168			

Successful

Financial Year	Grant Number	Title	Organisation Name	Project ID	Project Name	Funding Type	Grant Funding Request \$	Council Contribution \$	Other Contribution \$	Total Project Cost \$
23/24	GCW-10137	Roads to Recovery, 2019-2024	Department of Infrastructure and Regional Development	CW-10789	23-24 Local Road Reconstruction / Rehabilitation	Federal	1,217,224	0	0	1,217,224
23/24	GCW-10234	2022 Building Blocks Partnership Grant - Patterson Drive Community Centre	Department of Education and Training	CW-10343	Construct Community Activity Centre - Patterson Drive, Donnybrook	State	4,500,000	4,990,500	2,709,500	12,200,000
23/24	GCW-10235	2022 Building Blocks Partnership Grant - West Wollert Community Centre	Department of Education and Training	CW-10648	Construct community centre - West Wollert	State	6,750,000	0	8,885,178	15,635,178
23/24	GCW-10239	2023 Changing Places Funding, Patterson Drive Community Centre Changing Places Facility	Department of Families, Fairness and Housing	CW-10343	Construct Community Activity Centre - Patterson Drive, Donnybrook	State	180,000	89,980	0	269,980
23/24	GCW-10242	Local Roads & Community Infrastructure, Phase 4, Traffic Management Around Schools	Department of Infrastructure and Regional Development	CW-10900	23-24 Traffic Management Around Schools	Federal	160,000	410,000	0	570,000
23/24	GCW-10243	Local Roads & Community Infrastructure, Phase 4, Footpath Reconstruction and Renewal Program	Department of Infrastructure and Regional Development	CW-10771	Footpath Reconstruction / Renewal	Federal	900,000	0	0	900,000
23/24	GCW-10244	Local Roads & Community Infrastructure, Phase 4, Missing Links Program – Whittlesea-Yea Rd	Department of Infrastructure and Regional Development	CW-11033	Missing Path Links Program - Large Links	Federal	255,000	0	0	255,000
23/24	GCW-10245	Local Roads & Community Infrastructure, Phase 4, Barry Road, Thomastown - Road Safety Project	Department of Infrastructure and Regional Development	CW-10657	Barry Road, Thomastown Road Safety Project	Federal	102,408	597,592	0	700,000
23/24	GCW-10246	Local Roads & Community Infrastructure, Phase 4, Local Road Resurfacing Works Program	Department of Infrastructure and Regional Development	CW-10784	23-24 Local Road Resurfacing works	Federal	817,592	0	0	817,592
							14,882,224			

City of Whittlesea Financial Performance Report

APPENDIX 1 - STRATEGIC INVESTMENT RESERVE

YEAR	OPENING BALANCE	TRANSFERS		CLOSING BALANCE	COMMENT
		CONTRIBUTION (IN)	ALLOCATION (OUT)		
2017-18	641,354	20,492,048 *	10,773,193	10,360,209	Transfer out funded early repayment of loan parcel
2018-19	10,360,209	8,899,410	3,000,000	16,259,619	Transfer from surplus (17/18) \$8,899,410 Funding for New Works \$2,827,475
2019-20	16,259,619	9,381,151	4,368,287	21,272,483	Transfer from surplus (18/19) \$9,381,151 Funding for Signalisation intersection Ferres Boulevard & Findon Road (PID 2039 \$1,000,000), Reconstruct courts - Dr Harry Jenkins Reserve (PID 0259 \$200,000), Construct Findon Road extension - Williamsons Road to Danaher Drive (PID 1218 \$920,913), Construct Community Activity Centre Edgars Creek (PID 1419 \$641,354), Plant Reserve \$1,606,020
2020-21	21,272,483	11,141,843	-	32,414,326	Transfer from surplus (19/20) \$11,141,843 Transfer from closure of discretionary reserves: Plant Replacement Reserve \$1,703,005, Tip Replacement Reserve \$4,806,229, Aged & Disability Minor Capital Reserve \$322,305
2021-22	32,414,326	-	-	32,414,326	Nil movement
2022-23	32,414,326	2,500,000	6,000,000	28,914,326	Transfer to establish Aboriginal Gathering Place Reserve and transfer from surplus
2023-24	28,914,326	-	-	28,914,326	

* Reserve created with transfers from accumulated surplus \$9,292,048.28 and Tip Replacement Reserve \$6,600,000 and Plant Replacement Reserve \$4,600,000

APPENDIX 2 - WASTE RESERVE

YEAR	OPENING BALANCE	TRANSFERS		CLOSING BALANCE	COMMENT
		CONTRIBUTION (IN)	ALLOCATION (OUT)		
2020-21	-	4,864,335 *	-	4,864,335	Transfer from Environmental Reserve
2021-22	4,864,335	-	-	4,864,335	Nil movement
2022-23	4,864,335	-	594,699	4,269,636	Transfer from waste reserve for Cooper street
2023-24	4,269,636	-	-	4,269,636	

* Transfer from Environmental reserve to form this reserve

City of Whittlesea Financial Performance Report

APPENDIX 3 - TECHNOLOGY IMPROVEMENT FUND RESERVE

YEAR	OPENING BALANCE	TRANSFERS		CLOSING BALANCE	COMMENT
		CONTRIBUTION (IN)	ALLOCATION (OUT)		
2017-18	4,392,719	1,546,126 *	278,003	5,660,842	
2018-19	5,660,842	1,381,232	1,530,292	5,511,782	Transfer from accumulated surplus \$1,381,232 New Works funding for \$1,530,291
2019-20	5,511,782	950,527	1,598,660	4,863,649	Transfer from accumulated surplus (18/19) \$950,527 and balance of garden waste Funding for IT computer hardware (PID 225 \$232,247), Salesforce implementation (\$1,001,711), Smart Cities program (\$132,000), Enterprise Project Management Office implementation (\$120,702), Internet of Things implementation (\$100,000), Finance System (\$12,000)
2020-21	4,863,649	1,036,201	222,182	5,677,669	Transfer from accumulated surplus \$1,036,201 Enterprise Project Management Office implementation (\$92,968), PC Replacement (\$69,154) and Network Infrastructure (\$69,154)
2021-22	5,677,669	-	-	5,677,669	Nil movement
2022-23	5,677,669	1,000,000	1,413,239	5,264,430	Funding of IT hardware purchases and transfer of accumulated surplus
2023-24	5,264,430	-	-	5,264,430	

* Transfers from accumulated surplus (2016-17) \$1,500,000 and consolidation of Telemetry Conduit Reserve \$5,540 and Computer Equipment Reserve \$40,586.14.

APPENDIX 4 - PLANNING PERMIT DRAINAGE RESERVE

YEAR	OPENING BALANCE	TRANSFERS		CLOSING BALANCE	COMMENT
		CONTRIBUTION	ALLOCATION		
2017-18	2,127,641	282,285	1,048,959	1,360,968	Funding for Queenscliff Rd drainage (PID 1884) \$1,012,235, Drainage Improvement works (PID 1064) \$36,724
2018-19	1,360,968	287,486	60,000	1,588,454	Funding for Drainage Improvement works (PID 1064) \$60,000
2019-20	1,588,454	202,222	60,000	1,730,676	Funding for Drainage Improvement works (PID 1064) \$60,000
2020-21	1,730,676	8,543,462	250,000	10,024,138	Funding for Drainage Improvement works \$250,000
2021-22	10,024,138	580,658	-	10,604,796	Planning Permit Levy contributions \$286,052
2022-23	10,604,796	35,832	-	10,640,628	Funding for Drainage Improvement works
2023-24	10,640,628	70,752	-	10,711,380	Funding for Drainage Improvement works

City of Whittlesea Financial Performance Report

APPENDIX 5 - NATIVE VEGETATION OFFSET SITE MAINTENANCE

YEAR	OPENING BALANCE	TRANSFERS		CLOSING BALANCE	COMMENT
		CONTRIBUTION	ALLOCATION		
2017-18	921,367	141,408	290,534	772,242	Funding for Various Native Vegetations \$290,534
2018-19	772,242	985,437	222,704	1,534,975	Funding for Various Native Vegetations \$290,534
2019-20	1,534,975	148,337	442,750	1,240,562	Funding for Various Native Vegetations \$173,199
2020-21	1,240,562	-	-	1,240,562	Nil movement
2021-22	1,240,562	315,655	207,941	1,348,276	Funding for Various Native Vegetations
2022-23	1,348,276	489,633	266,340	1,571,569	Funding for Various Native Vegetations
2023-24	1,571,569	-	-	1,571,569	

APPENDIX 6 - STRATEGIC PROPERTIES RESERVE

YEAR	OPENING BALANCE	TRANSFERS		CLOSING BALANCE	COMMENT
		CONTRIBUTION (IN)	ALLOCATION (OUT)		
2017-18	574,234	160,000	-	734,234	Sale of 182 & 214W Greenhills Rd, Bundoora
2018-19	734,234	3,544,149	-	4,278,384	Sale of 30 Brand Drive (net proceeds)
2019-20	4,278,384	513,820	-	4,792,204	Nil movement
2020-21	4,792,204	86,255	-	4,878,458	Bridge Inn Road and Epping Road (net proceeds)
2021-22	4,878,458	-	58,964	4,819,494	Purchase of 135 Williamson Road and 30
2022-23	4,819,494	-	-	4,819,494	
2023-24	4,819,494	-	-	4,819,494	

5.3 Community Grants Quarterly Update

Director/Executive Manager: Director Customer & Corporate Services

Report Author: Manager EPMO & Change

In Attendance: Manager EPMO & Change

This attachment has been designated as confidential in accordance with sections 66(5) and 3(1) of the *Local Government Act 2020* on the grounds that it contains Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released. In particular the attachment contains information regarding funding to community groups.

Executive Summary

This report is to provide an overview of community grant funding that has been approved in Q1 FY2023-2024.

Officers' Recommendation

THAT Council:

- 1. Notes the groups, funding and approvals for Q1 FY2023-2024 at Attachment 1.**
- 2. Notes the steps being taken for continuous improvement and awareness as stated in Attachment 1.**

Background / Key Information

Council introduced new community grant guidelines in FY2023-2024. As part of the new process, a quarterly community grants report would be introduced for council. This report included an overview of funding applications received and successful applicants.

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.

Considerations of *Local Government Act (2020)* Principles

Financial Management

The cost is included in the current budget.

Community Consultation and Engagement

Not applicable.

Other Principles for Consideration as per the *Local Government Act (2020)*

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law.
- (h) Regional, state and national plans and policies are to be taken into account in strategic planning and decision making.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of the *Local Government Act* or any other Act.

Council Policy Considerations

Environmental Sustainability Considerations (including Climate Emergency)

No Implications.

Social, Cultural and Health

No Implications.

Economic

No Implications.

Legal, Resource and Strategic Risk Implications

No Implications.

Implementation Strategy

Communication

Not Applicable.

Critical Dates

This report covers 3 July 2023 to 29 September 2023.

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.

Attachments

1. CONFIDENTIAL REDACTED - Quarterly Community Grants Report - Q 1 F Y 2324 [5.3.1 - 9 pages]

5.4 Endorsement of the marram baba Merri Creek Regional Parklands Future Directions Plan

Director/Executive Manager: Director Infrastructure & Environment

Report Author: Unit Manager Conservation Management

In Attendance: Unit Manager Conservation Management

Executive Summary

The purpose of this report is to seek endorsement for the marram baba Merri Creek Regional Parklands Future Directions Plan.

The marram baba Future Directions Plan (FDP) provides strategic direction for this future regional park along the Merri Creek. The proposed parkland extends over 2778 hectares from the Western Ring Road in Thomastown to Bald Hill in Beveridge.

The creation of the marram baba Merri Creek Regional Parklands was a 2018 election commitment by the Victorian State Government and would become Melbourne's second largest regional park. This project was delivered under the Suburban Parks Program by the Department of Environment, Energy and Climate Action (DEECA). The FDP has been supported with a \$1 million investment from DEECA in park works and infrastructure that includes trails, interpretive signage, and opportunities for traditional owners to deliver works on country.

The City of Whittlesea is one of seven stakeholders involved in the project control and working groups along with the Wurundjeri, Hume City Council, Mitchell Shire, Melbourne Water, Yarra Valley Water, Merri Creek Management Committee and Parks Victoria. The FDP establishes a common vision and guiding principles for the regional park and provides directions and actions for a more consistent approach by all stakeholders participating in co-management.

DEECA is now seeking endorsement from all stakeholder organisations prior to finalising the marram baba Future Directions Plan (Attachment 1).

Officers' Recommendation

THAT Council:

1. Endorse the marram baba Merri Creek Parklands Future Directions Plan.
2. Note the CEO will write to Department of Environment, Energy and Climate Action confirming Council's endorsement of the marram baba Future Directions Plan.
3. Write to stakeholders involved in the marram baba Merri Creek Parklands Future Directions Plan to congratulate them on the development of the plan.

Background / Key Information

The initial parkland concept was presented to Council's Executive Leadership Team (ELT) in July 2022 prior to being taken to public consultation and ideas gathering. From the initial consultation, a draft plan was developed and presented to ELT and Council Briefing in February 2023. The draft document was then presented to stakeholders and the community for further comment and feedback which has now been incorporated.

Community consultation for the FDP was led by DEECA with support of all stakeholder organisations. Initial community consultation on the regional park concept occurred during July and August 2022. The DEECA led consultation included opportunities to provide written input and leave comments on maps via its online Engage platform, participation in online information sessions, postcard mail outs to surrounding landowners and residents, distribution of information posters in community gathering spaces, and pop-up consultation events in local shopping centres and at established areas of the park. Consultation materials was distributed in English, Arabic and Punjab to align with community demographics.

Following the drafting of the plan, stakeholder endorsement was sought to go back to public consultation in April and May of 2023 using many of the same mediums for consultation.

Overall, the feedback from the different methods of engagement showed high levels of support for the FDP and the overall vision for the regional park. A summary of community consultation is provided in Attachment 2.

Additional input and suggested changes were received by stakeholders including traditional owners (right-holders), Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. The feedback from Traditional Owners was received following a separate investigation in the form of a Cultural Values Assessment.

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 plan supports the ongoing creation of a large interconnected open space alongside the municipality's western boundary. This plan supports the delivery of missing links in our walking and cycling network, included important east-west connections with our neighbouring Councils.

Sustainable Environment

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

The partnership with all stakeholders in creating the marram baba Merri Creek Parklands and the FDP is supported by the Sustainable Environment Strategy 2022-32 Key Direction 1, 'Valued Natural Landscapes' and the project outputs align with Outcomes 1.1 'Our landscapes, waters and species are protected, improved, and valued' and Outcome 3.2 'Our water resources are managed in an integrated way'.

The Sustainable Environment Strategy 2022-32 includes action *"Continue to partner with neighbouring councils to act and advocate for biodiversity and waterway health including but not limited to via the Merri Creek Management Committee, Darebin Creek Management Committee, Melbourne Strategic Assessment Local Government Liaison Group, Biodiversity Planning Network and Bushland Managers Network"*.

Considerations of Local Government Act (2020) Principles

Environmental

The FDP recognises the changing land use context of most of the upper reaches of the Merri Creek in the Whittlesea, Hume and Mitchell municipalities. It reinforces the necessity of protecting the existing natural values of the Merri Creek, surrounding public open space, and important landscapes for biodiversity protection.

Social, Cultural and Health

The FDP includes cultural asset protection and cultural land management as priority strategies for managing the marram baba Merri Creek Regional Parklands.

The FDP considers existing passive park uses such as walkers and cyclists and seeks to develop links that will create richer experiences and greater connections between surrounding land. The infrastructure investment by DEECA for the marram baba project included funding for tracks in Campbellfield and Thomastown on Parks Victoria owned land, as well as design and construction funding for the creation of interpretive and wayfinding signage. This signage suite will continue to be rolled out in future growth areas as the park extends further north up the Merri Creek corridor into suburbs such as Donnybrook, Kalkallo, and Beveridge.

Economic

No implications.

Financial Implications

The FDP Action remains high-level, noting the financial constraints and competing priorities of all partner organisations and land managers. In endorsing this plan each stakeholder aspires to continue to manage their sections of the regional park in such a way as to be consistent with the principles of the FDP. Council will support the delivery of actions via existing capital and operational budgets and new initiative bids over the life of the plan.

Other Principles for Consideration as per the *Local Government Act (2020)***Overarching Governance Principles and Supporting Principles**

(e) Innovation and continuous improvement is to be pursued.

Public Transparency Principles

(a) Council decision making process must be transparent except when the Council is dealing with information that is confidential by virtue of the Local Government Act or any other Act.

Council Policy Considerations**Environmental Sustainability Considerations (including Climate Emergency)**

No Implications

Social, Cultural and Health

No Implications

Economic

No Implications

Legal, Resource and Strategic Risk Implications

No Implications

Implementation Strategy**Communication**

The communications on Council's endorsement of the FDP will be communicated via email directly to the relevant DEECA area that manages the Suburban Parks Program. Once all stakeholders have provided endorsement and support for the FDP it is anticipated that Council will be invited by DEECA to the official launch with all relevant stakeholders.

Critical Dates

DEECA seeks to endorse the plan and launch the plan in late November/early December.

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.

Attachments

1. ATTACHMENT 1 - Future Directions Plan marram baba Merri Creek [5.4.1 - 83 pages]
2. ATTACHMENT 2 - marram baba Merri Creek engagement summary report [5.4.2 - 33 pages]



marram baba Merri Creek REGIONAL PARKLANDS

FUTURE DIRECTIONS PLAN 2023



Acknowledgement of Country

The Parklands Partners acknowledge that the Wurundjeri Woi-wurrung are the Traditional Owners of the land known as marram baba Merri Creek Regional Parklands and pay respects to their Elders past, present and emerging.

We acknowledge the Wurundjeri Woi-wurrung people and their deep spiritual connection to the marram baba Cultural Landscape and recognise that it is valued in its entirety for the spiritual, archaeological, historical, ecological and living connections that it provides to Wurundjeri Woi-wurrung people.



marram baba short-finned eel artwork by Ash Firebrace Wurundjeri Woi-wurrung artist

Executive summary

marram baba Merri Creek Regional Parklands

The Parklands are part of the traditional Country of the Wurundjeri Woi-wurrung people and encompass an area of 2,778 ha, including over 34 km of Merri Creek, 8 km of Curly Sedge Creek, 4 km of Kalkallo Creek, and the confluences of Merri Creek with Kalkallo Creek, Aitken Creek, Malcolm Creek and Curly Sedge Creek. The basalt plains of the Parklands support diverse habitats for protected plant and animal species, and are home to some of the largest remaining native grasslands in the area - galgi ngarrk grasslands and the bababi marning grasslands.

In an area of rapid urban development, the Parklands provide opportunities for existing and new communities to develop strong links with the natural environment. There are several existing parks and reserves within the Parklands enjoyed by visitors, including galada tamboore, Whittlesea Public Gardens, Northpark Nature Reserve, Bells Avenue Wetlands, Donnybrook Cemetery and John Laffan Reserve.

Traditional Owners

The lands and water of the area known as marram baba are significant for the Wurundjeri Woi-wurrung people for its songlines, creation stories and as a place for continued cultural practice. The name 'marram baba' means 'body of mother' in the Woi-wurrung language.

The flow of Merri Creek connects culturally significant places, with water having a deep spiritual meaning for the Wurundjeri Woi-wurrung people. Stone artefacts have been found along Merri Creek, and the Parklands provide protection of areas of cultural significance. The Parklands provide for opportunities to heal Country and for Aboriginal people today to continue traditional practices and connection with ancestors.

Future Directions Plan - Vision

The marram baba Merri Creek Regional Parklands Future Directions Plan (the Plan) sets out a vision, principles and strategic directions for progressive Parklands establishment, protection and management to be achieved by 2050.

The vision for the Parklands is:

marram baba Merri Creek Regional Parklands is the preeminent natural corridor running through Melbourne's north on Wurundjeri Woi-wurrung Country, connecting and nurturing culture, nature, water, and people.

The Plan recognises that the lands and water of the Parklands are part of the traditional Country of the Wurundjeri Woi-wurrung people and supports self-determination, and the goals of the Wurundjeri Woi-wurrung people for the future management of the land known as marram baba.



The Plan supports regional biodiversity and waterway health outcomes by linking, protecting, maintaining, and enhancing the natural environmental values of the Parklands. The Plan aims to improve the connection between the community and the Parklands through improved access to and within the Parklands including access points, trails, and waterway crossings. Opportunities are identified for increasing climate change resilience in the community, the natural environment, and built and green infrastructure. A connected Parklands with areas for nature-based recreation, gathering and socialising will contribute to improved community health and wellbeing, and strengthen the social connections that support resilient communities. A collaborative governance approach to the establishment, protection and management of the Parklands is supported.

The Plan is centred around six interrelated themes - *culture and identity, biodiversity, water, climate resilience, access and movement, and experience.*

Culture and Identity

The marram baba Cultural Landscape is valued in its entirety for the spiritual, archaeological, historical, ecological and living connections that it provides to the Wurundjeri Woi-wurrung community. Embedding this identity in the Parklands establishment and management is essential to build a sense of place that reflects Traditional Owner values and enhances community connections, participation and social inclusion.

The identity of the marram baba Merri Creek Regional Parklands is tied to the Wurundjeri Woi-wurrung's continued custodianship and culture, the volcanic landscape and diverse plants and animals that live within it, the flow of Merri Creek and confluences with Kalkallo Creek, Aitken Creek, Malcolm Creek and Curly Sedge Creek.

The rapid urban and industrial development, and diverse communities that are moving into the surrounding residential areas, will also influence the identity of the Parklands. This will be most significant with the emergence of Cloverton Metropolitan Activity Centre creating a new 'city' for which the Parklands will wind through the middle, viewed by tens of thousands of people every day.

Biodiversity

A key driver of biodiversity in the Parklands is the unique combination of rainfall, geology and geomorphology (the shape of the landscape) of the Merri Creek catchment. The volcanic plain supports a significant diversity of native plants and animals, with over 15% of Victoria's native plant species occurring in an area of less than 0.02% of Victoria's total area. Many of these plants and animals are endangered or threatened. The Parklands will support the significant conservation values that are protected under the Biodiversity Conservation Strategy for Melbourne's Growth Areas. However, these values are under threat from pest plants and animals, encroaching development and climate change. The Parklands provide protection against these threats and provide opportunities for people to connect with nature and contribute to improving the health of the natural environment through education programs and community stewardship.

The Plan is a tool to advocate for greater protection of the Parklands and the significant native biodiversity within it. This includes:

- Opportunities to call for greater areas of open space to allow for habitat corridors and wildlife movement.
- Access for people to commute and enjoy without impacting the biodiversity values.
- The provision of tree canopy cover to reduce heat impacts in areas of the Parklands that do not impact on the habitat of species that require access to light such as the Growling Grass Frog and native grasses.

Water and landscapes

The landscapes and ecosystems of the Parklands are shaped by the basalts of the Victorian Volcanic Plain and the water that flows over and through the Parklands. Merri Creek forms a central spine through a broad, flat valley punctuated by the volcanic cone of Bald Hill and the tributaries that join Merri Creek. The galada tamboore gorge is one of the most distinctive geological features of the Merri Creek catchment.

Merri Creek, Kalkallo Creek and Curly Sedge Creek support significant indigenous plants and provide important habitat for native animals. These natural resources are threatened by changes in land use, climate change, and increasing urban and industrial development that is reducing stormwater quality and changing flow patterns in the creeks and across the landscape.

Providing access for people to view the natural waterways and wetlands of the Parklands creates opportunities for respite from the intense urban environment and opportunities for relaxation that can lead to improved mental health outcomes. Water is at the heart of health of Country and plays an important role in a healthy Parklands ecosystem.

Climate resilience

Climate change threatens the Parklands with hotter and drier summers, more frequent heatwaves, bushfires and grassfires, and more intense storms and changes to hydrological systems. These impacts, when combined with other changes such as urban expansion, will place increased pressure on the Parklands.

The Parklands will be managed to support climate resilience including planting climate appropriate species, access to waterways for animals, cultural fire management, bushfire preventions and safety, water sensitive urban design and shade around picnic areas. The vegetation canopy coverage for the parklands was 23% in 2021. Due to the ecological priorities of the Parklands to protect grassland and Growling Grass Frog habitat it is not intended for the canopy to increase.

The establishment of connected parklands with areas for people to gather, recreate and socialise will also enhance community health and wellbeing and build social connections to support community resilience.

Access and movement

Access to open space and recreational opportunities for people of all abilities and backgrounds is an important and necessary step to ensuring the whole community can benefit from and safely experience the Parklands.

The Plan promotes greater north-south and east-west connections for walking and cycling and connections to public transport, while avoiding impacts on the high conservation values within the Parklands. As the preeminent natural corridor running through Melbourne's north, the Parklands play a strategic regional role in providing active transport opportunities for people living and working in the North Growth Corridor.

The Plan advocates for increased Parkland area so that improved trails can be provided, and the Parklands connected to other regional open space and trail networks, without impacting on conservation values. The Plan promotes better connection to waterways, places to enjoy nature, respite from heat and areas for communities to gather.

Experience

Visitor experience of the Parklands is shaped around enjoying and immersing oneself in the natural environment, gaining an appreciation of the Aboriginal cultural heritage within the landscape,

moving through the landscape, and being able to take in the landscape from scenic viewpoints. There is opportunity to create and enhance visitor areas and points of interest that showcase the changing landscape and influence how people will feel moving through corridors with riparian shrubland to wider open plains grasslands and grassy woodlands. This changing landscape provides opportunities for people to engage in recreational activities such as walking, cycling and nature play as well as participate in education programs, volunteer opportunities and citizen science.

Existing visitor areas will continue to be supported and enhanced with an emphasis on walking, picnicking and connecting people to nature. This includes galada tamboore in Campbellfield, North Park Nature Reserve in Somerton, Bell Street Wetland, Quill Reserve and Donnybrook Cemetery in Kalkallo.

Whittlesea Public Gardens in Lalor will be the key visitor area available for more active recreational activities, as well as being a gateway for walking, cycling and enjoying the creeks in the parklands.

Cloverton will also provide new visitor experiences that are co-located west of the Parklands including playgrounds, sports facilities, toilets and picnic areas. From this location, visitors will enjoy an open space link encouraging walking up to Bald Hill for wider Parkland views.

Management of the Parklands

The Plan has been developed by the Parklands Partnership Group that includes the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC), Parks Victoria, the Merri Creek Management Committee, Hume City Council, City of Whittlesea, Mitchell Shire Council, Melbourne Water, Yarra Valley Water, and the Department of Energy, Environment and Climate Action (DEECA).

The Plan supports self-determination priorities of the Traditional Owners as represented by the WWCHAC and future management of the Parklands by the WWCHAC.

The Parklands Partners will work together to collaboratively develop, protect, enhance and manage the Parklands in line with the vision, guiding principles, strategic directions, actions and management zones set out in the Plan.

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The *marram baba Merri Creek Regional Parklands Future Directions Plan* has been drafted by Mosaic Insights and REALMstudios on behalf of the marram baba Merri Creek Regional Parklands Partnership Group.

1 Introduction

The marram baba Merri Creek Regional Parklands (the Parklands) are located on Wurundjeri Woi-wurrung Country in the middle reaches of Merri Creek in Melbourne's outer northern growth area. Since 2013 the Parklands have been managed under the guidance of the *Merri Creek Marran¹ Baba Parklands Strategic Management Plan May 2013* developed by Parks Victoria, which encompassed approximately 650 ha.

In 2018, the Victorian Government committed to expanding the area of the Parklands to 2,778 ha to create a continuous chain of parks and open spaces stretching from Campbellfield to Beveridge (Figure 2). This expanded commitment was made in response to the expansion of the urban growth boundary and the need to protect the values of Merri Creek, its tributaries and parklands as residential, commercial and industrial development rapidly occurs in areas adjacent to the Parklands. The expanded boundary generally aligns with the Conservation Areas set out in the *Biodiversity Conservation Strategy (BCS) for Melbourne's Growth Corridors* and Precinct Structure Plans (PSPs).

The *marram baba Merri Creek Regional Parklands Future Directions Plan* (the Plan) sets out a vision, principles and directions for progressive establishment and co-management of the expanded Parklands by Traditional Owners and land managers. The Plan supports self-determination and the goals of the Wurundjeri Woi-wurrung people for future management of the Parklands. The Plan will protect Aboriginal cultural heritage values and areas of biodiversity values on both sides of Merri Creek. It will create new and improved access points and links for visitors, connecting a network of existing and future parks and reserves.

Urban parklands provide a range of important benefits to the environment and the community. The Parklands are no exception and provide important habitat for native animals and plants, access to natural spaces and experiences for the community, and opportunities to mitigate the impacts of climate change through sustainable water management and urban cooling.

The Plan considers the current and future values of the Parklands, and the drivers of change affecting the values and their management into the future. Developed with input from the Traditional Owners, land managers and the community, the Plan provides the basis for establishment and management of the Parklands to 2050.



Figure 1: Looking south across the Parklands from galada tamboore towards the Melbourne CBD

¹ Note: at the time of preparing the 2013 plan, the Parklands were referred to as marram baba. Recent naming analysis by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation confirmed that the name 'marram baba' is to be applied instead, meaning 'body of mother'.

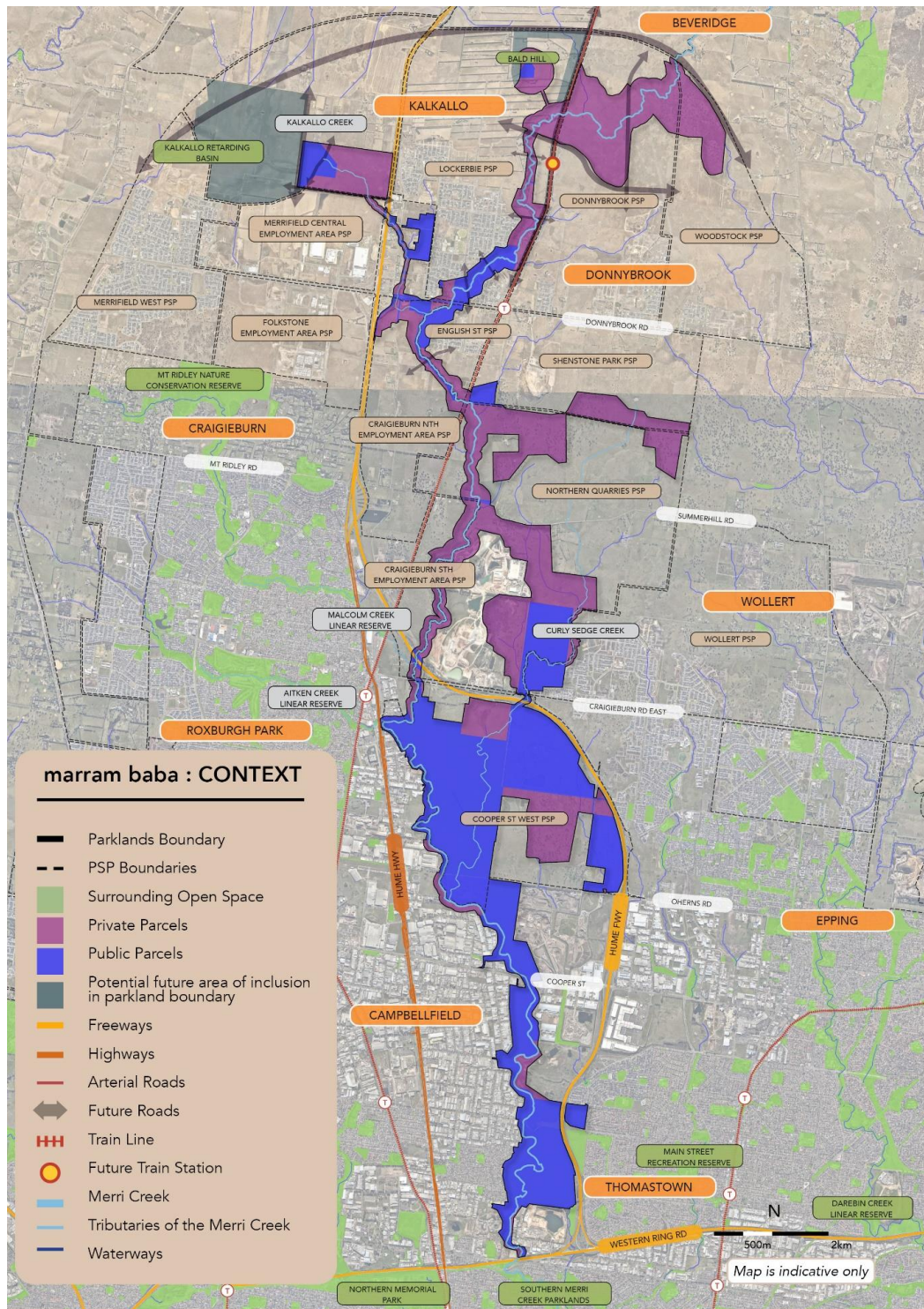


Figure 2: Context of the marram baba Merri Creek Regional Parklands

1.1 The role of the Plan

The Plan provides a framework to protect and enhance the Aboriginal cultural heritage, and the environmental and social values in the Parklands. The Plan provides guidance for co-management of the Parklands to support more detailed planning to deliver on-ground actions that will be progressively undertaken as land becomes available, visitor demand increases, and funding is allocated.

1.2 How the Plan has been developed

The Plan has been developed through a collaborative partnership between the Traditional Owners and land managers responsible for the management of public land within the Parklands. Together, these groups are referred to as the Parklands Partners. An overview of the process for developing the Plan is provided in Appendix 1.

The Parklands Partnership Group that developed the Plan will be responsible for its implementation. The Parklands Partnership Group has representatives from nine organisations:

- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC)
- Parks Victoria
- Merri Creek Management Committee
- Hume City Council
- City of Whittlesea
- Mitchell Shire Council
- Melbourne Water
- Yarra Valley Water
- Department of Energy, Environment and Climate Action (DEECA).

1.3 The objectives of the Plan

The objectives of the Plan were agreed by the Parklands Partnership Group in four categories:

Cultural heritage

- Protect and enhance the traditional and contemporary Aboriginal cultural heritage values of the Parklands
- Protect significant heritage features, such as drystone walls, that reflect changing community uses
- Provide opportunities for cultural learning.

Environmental

- Protect and enhance the biodiversity and natural values of the Parklands
- Protect terrestrial, riparian and instream habitats and overall waterway health
- Increase climate change resilience in the natural environment, the community and parklands infrastructure.

Social

- Support and foster community connections to and an appreciation for the landscape
- Support nature-based recreation, and environmental and cultural heritage learning and appreciation
- Provide better access to and within parts of the Parklands for local and regional visitors
- Provide opportunities for social connection and physical activity where appropriate.

Governance and management

- Support Traditional Owner-led management of Country and self-determination priorities
- Set out strategic directions to guide collaborative decision-making and management by the Parklands Partners
- Identify parkland management zones that guide decision making on future parkland uses, development and land management
- Identify key actions for establishing and managing the Parklands.

1.4 Relationship of the Plan to the Biodiversity Conservation Strategy and Precinct Structure Plans

The Biodiversity Conservation Strategy (BCS) for Melbourne's Growth Corridors identifies Conservation Areas and outcomes required under the Commonwealth's *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*. The BCS is being implemented as part of the Melbourne Strategic Assessment (MSA) program and is the basis for protecting (and securing) much of the northern reach of the Parklands.

The BCS identifies eight Conservation Areas along Merri Creek to mitigate the environmental impacts associated with Melbourne's urban growth. These areas contain some of the most important habitat for endangered species and ecosystems within the growth corridors. The Conservation Areas protect and enhance habitat for matters of national environmental significance including the preservation of Growling Grass Frog populations and the protection of remaining remnants of Natural Temperate Grassland. The Conservation Areas are integrated into precinct structure planning, removing the need for additional assessment and identification of areas for the protection of National and State significant ecological values.

The marram baba Merri Creek Regional Parklands Future Directions Plan is a high-level strategic plan. Precinct Structure Plans (PSPs) remain the key plans that guide future use, subdivision and urban development of most of the land around the Parklands. This includes stormwater and drainage assets, bridges, trails and interfaces between the Parklands and urban development. Detailed planning and design of land that will be transferred from private ownership to the Parklands will be based on site specific analysis, and will be documented in approved development plans. In areas outside PSPs, land is subject to development approval and this planning permit process will determine inclusion of land in the Parklands.

2 Context

2.1 Understanding the marram baba Merri Creek Regional Parklands

The Parklands are located on the traditional lands of the Wurundjeri Woi-wurrung people, where there are many places of cultural significance. The Parklands generally follow the course of Merri Creek, incorporating the lower sections and confluences of Kalkallo Creek, Malcolm Creek, Aitken Creek and Curly Sedge Creek.

This landscape is significant for the Wurundjeri Woi-wurrung people as it is an area of movement, songlines, destinations and landmarks. The volcanic plain grasslands, Merri Creek and other creek confluences play a significant role as the source of creation stories and a place for important resources and cultural practices. Stone artefacts and other archaeological remains are found within the area known as marram baba. Water has a deep meaning for the Wurundjeri Woi-wurrung people, allowing for personal connection with ancestors and the past and the continuance of traditional practice today. The flow of Merri Creek connects these culturally significant places, and its health is essential for the health of Country. The Parklands provide greater protection of Country and opportunities for Aboriginal people today to keep community, health, traditional and contemporary practices strong through access to water and the surrounding landscape.

The volcanic landscape of the Parklands supports valuable grassland and grassy woodland communities. It also provides habitat for important and vulnerable native animals including Striped Legless Lizard, Growling Grass Frog, Golden Sun Moth and the critically endangered Swift Parrot and Regent Honeyeater.

Clearing of vegetation from the land around the Parklands for agricultural development, and now urban development, has modified and continues to threaten the ecosystem values by removing indigenous plant species, fragmenting habitat, reducing water quality, changing the patterns of flow of water to the creek, and damaging the health of Country.

The Parklands are located in the North Growth Corridor, which will develop from a currently semi-rural area to accommodate significant numbers of residents and workers. Infrastructure Australia forecast that the corridor is expected to have around 137,000 residents by 2031, an increase of approximately 70% from 2020². The Parklands will be an important regional open space for the rapidly growing number of residents in northern Melbourne, and as a regional parkland will attract visitors from a wider catchment.

The Parklands boundary currently incorporates existing parks and reserves and private land. Collectively, the existing parks and reserves provide a range of functions, including nature conservation, scientific research and protection of areas of Aboriginal cultural significance. These open spaces form important habitat links, and provide areas for visitors with infrastructure to support visitation such as signage, seating, parking, and walking and cycling trails.

² <https://www.infrastructureaustralia.gov.au/map/melbourne-outer-northern-suburbs-cbd-capacity-upgrade>

Established parks and reserves within the Parklands

galada tamboore, Campbellfield

Formed by the erosion of the volcanic plain by Merri Creek over a million years ago, the landscape of galada tamboore encompasses basalt escarpments with Merri Creek flowing through its centre. The name galada tamboore means 'creek waterhole' in Wurundjeri Woi-wurrung language and is culturally significant for the Wurundjeri Woi-wurrung people.



Located just north of the Metropolitan Ring Road in Campbellfield, this 130 ha reserve is a site of biodiversity significance that contains important riparian scrub, significant grasslands and wildlife. It also provides an important function as a natural flood retarding basin.

The community can experience parts of the reserve via the Merri Creek Trail with opportunities for exercise, play, relaxation, views and nature appreciation. Access to galada tamboore from Campbellfield is through the Horne Street Picnic Area, Somerset Drive, Hattie Court Playground, Barry Road and Merri Concourse. Another way to enter is via the Whittlesea Public Gardens in Lalor.



The Merri Creek Management Committee, Friends of Merri Creek and the Wurundjeri Woi-wurrung Narrap Unit work in partnership with the land managers and have been central in the care and protection of biodiversity within galada tamboore. The land is managed by Melbourne Water, Parks Victoria and Hume City Council.

Whittlesea Public Gardens, Lalor

Located in Lalor on Barry Road, the Whittlesea Public Gardens provide over 14 ha of open space for active and passive recreation.



Recent redevelopment of the gardens includes a new playground, nature play areas and a dedicated learn-to-ride area for cyclists. Future upgrades will mean visitors can also enjoy a new skate park, basketball courts, rock climbing wall and outdoor fitness equipment.

Whittlesea Public Gardens provide a major gateway into marram baba for people living in Whittlesea and is a launching place for cycling on the Galada Tamboore shared path east of the Hume Freeway. Walking and cycling trails in the gardens connect to the grasslands of galada tamboore, the galada tamboore reserve and the Merri Creek Trail by crossing the iconic 'Ned Kelly Bridge' over the Hume Freeway.



The land is managed by City of Whittlesea.

bababi marning Grasslands, Campbellfield

Located south of Cooper Street, bababi marning (previously known as the Cooper Street Grasslands) is a nature conservation reserve that protects nationally and state significant native plains grassland. The name bababi marning means ‘mother’s hand’ in Wurundjeri Woi-wurrung language and is culturally significant for the Wurundjeri Woi-wurrung people.



The 50 ha reserve protects critically endangered grasslands and areas of high-value escarpment shrubland and Woolly Tea-tree riparian scrub, providing habitat for the nationally significant Golden Sun Moth and Striped Legless Lizard. bababi marning is also home to several important animal species including the Mistletoe Bird, Stubble Quail, Latham’s Snipe, Tawny Frogmouth, Short-beaked Echidna, Swamp Wallaby, Eastern Grey Kangaroo, Blue-Tongue Lizard and Spotted Marsh Frog.



The Merri Creek Management Committee and Friends of Merri Creek have been central in the care and protection of biodiversity within bababi marning. The reserve is managed by Parks Victoria.

bababi marning has restricted access to protect its high conservation values, but visitors are welcome to enjoy the adjacent Metrolink Circuit Reserve (lower image) managed by Hume City Council.

galgi ngarrk Grasslands, Epping and Wollert

Located primarily on the east of Merri Creek, galgi ngarrk (previously known as Craigieburn Grasslands), is the largest reserve within the Parklands and encompasses approximately 400 ha of nationally and state significant native grasslands. The name galgi ngarrk means ‘back bone’ in Wurundjeri Woi-wurrung language and is culturally significant to the Wurundjeri Woi-wurrung people.



The reserve includes remnant stony knoll grasslands and provides habitat for protected plants, animals and migratory birds, including nationally and state significant endangered species such as the Matted Flax Lily, Curly Sedge, Striped Legless Lizard, Plains Wanderer, Golden Sun Moth and Growling Grass Frog.



The Merri Creek Management Committee and Friends of Merri Creek have been central in the care and protection of biodiversity within galgi ngarrk. The reserve has restricted public access.

The land is managed by Parks Victoria.

Northpark Nature Reserve, Somerton

The Northpark Nature Reserve is located on Northpark Drive and provides an open space link and walking trail with views of Merri Creek and low escarpments. Wildlife connections under the Cooper Street bridge directly link this reserve to the bababi marning grasslands.

Most of the reserve encompasses sloping grassed areas, rocky escarpments and minor riverine landforms associated with Merri Creek. The trail provides enjoyable respite in a light industrial area with seating and views along the creek.

The 14 ha site has conservation value with Golden Sun Moth and Growling Grass Frog having been recorded in the reserve. A population of Cunningham Skink is also present at this site. The land is managed by Hume City Council.



John Laffan Reserve (Donnybrook Reserve), Kalkallo

The 7.6 ha John Laffan Reserve is used by community groups for its sports ovals and pavilion.

The reserve is the site of the confluence of Merri Creek and Kalkallo Creek and connects public land extending south along the west side of Merri Creek. The conservation area in the reserve includes rocky escarpments and outcrops, grasslands, and remnant riparian vegetation including large, old trees with hollows that provide habitat for native animals. It is an area of cultural significance for the Wurundjeri Woi-wurrung people.

The reserve will be an important link for new communities located in the Donnybrook and the English Street PSP areas. A pedestrian bridge link from the English Street PSP on the east side of Merri Creek will connect to the south-eastern corner of the reserve. The size of and facilities at the reserve are likely to change in the long term, due to the future duplication of Donnybrook Road, and the development of new, larger sporting facilities nearby.

The Merri Creek Management Committee have been central in the protection and restoration of biodiversity in the southern part of the reserve. The land is managed by Hume City Council.



Bells Avenue Wetlands, Kalkallo

The 3 ha Bells Avenue Wetlands reserve is located off Moxham Drive in Kalkallo, just west of Merri Creek. It was created as part of the adjacent housing development.

The wetlands help to remove pollutants from stormwater from local streets and provide habitat for birds and aquatic life. Visitors can relax walking around the wetlands and enjoy the children’s play space at the adjacent Quill Reserve.

The wetlands are set within the Growling Grass Frog conservation area. The land is managed by Hume City Council.



Donnybrook Cemetery and Kalkallo Commons Grassland Reserve

Donnybrook (also known as Kalkallo) Cemetery is located on Malcolm Street at Kalkallo. Established in the late 1890s, it provides an opportunity to explore remnants of local colonial history.

Surrounding Donnybrook Cemetery on the northern, eastern, and southern sides are remnant volcanic plain grasslands known as the Kalkallo Commons Grasslands. The sites provide a critical conservation area for the Gilgai Plains Grasslands, which is nationally and regionally significant. The northern part of the Grasslands can be viewed from Donnybrook Cemetery. Public access is limited to protect the important area for habitat and conservation.

South of the cemetery are the stony knoll grasslands, which show the rocky outcrops created by the volcanic activity that has shaped the Parkland landscape.

Donnybrook Cemetery is managed by the Department of Health through the Remembrance Parks Central Victoria Trust. The Kalkallo Commons Grasslands are managed by Hume City Council.



Porto Kallo Park, Donnybrook

Porto Kallo Park is located on Nature Promenade in Donnybrook and is adjacent to the Porto Kallo wetlands (a stormwater treatment wetland). The Park features a large playground that connects to a long stretch of the marram baba parklands. The Park provides a space for family recreation and a link to the Merri Creek corridor with views of Bald Hill in the distance. The land is managed by Whittlesea City Council.



Land managers

A total of 43% of the Parklands area is currently managed by land managers represented on the Parklands Partnership Group (Table 1). While this land is public, some areas have restricted public access to protect environmental values and critical public assets, and to ensure the safety of the public. The remaining 57% of the area within the Parklands boundary is currently privately-owned land that will be progressively incorporated into the Parklands by 2050.

Table 1: marram baba Merri Creek Regional Parklands area managed by partners in 2022

Land manager	Area (ha)	Proportion of total parkland area
DEECA	43	2%
Parks Victoria	458	17%
City of Whittlesea	98	4%
Hume City Council	101	4%
Melbourne Water Corporation	185	7%
Yarra Valley Water Corporation	172	6%
Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation	112	4%
Total partner-managed area	1,169	43%

2.2 Wurundjeri Woi-wurrung values

The lands and water of the marram baba Merri Creek Regional Parklands are part of the traditional Country of the Wurundjeri Woi-wurrung people, a custodianship that endures today. The name marram baba means 'body of mother' in the Woi-wurrung language.

The relationship between the Wurundjeri Woi-wurrung people and the marram baba landscape is one based on social, ceremonial, religious, ecological, archaeological and historical attachment evidenced in the study area by the ethnohistorical record and contemporary connections to place.

When I am along the Merri Creek I can feel my Mother, Grandmother and Ancestors. It helps me heal in regards to colonisation and the wellbeing of our people.

- Aunty Di Kerr, Wurundjeri Woi-wurrung Elder.

marram baba features remnant native grasslands which tell the stories of Wurundjeri Woi-wurrung ways of dwelling and land cultivation. Archaeological investigations evidence that galada tamboore (creek waterhole) has significance as a long-term camping location for families, with views of the Merri Creek. Within this landscape, various flora thrived, including kangaroo grass, river red gums, tuberous plants like murnong (yam daisy), and an array of herbs. These grasslands provided a supportive environment for these plant species, creating a vibrant ecosystem with cultural and ecological importance. The Merri Creek, or the merri merri (very rocky) creek, which runs through marram baba, attracted an abundance of animals that were cared for as totems by the Wurundjeri Woi-wurrung people. In turn, these animals could care for the Wurundjeri, providing them with food, clothing, and spiritual connection to Ancestors.

Like a mother nurtures her children, so we must nurture and look after the rivers creeks and environment; so our children's children can enjoy the wild life, flora and fauna. We can achieve this by ensuring the revegetation and restoration of creeks and rivers like the Merri Creek waterway, which encourages an abundance of bird life to the area.

- Aunty Doreen Garvey-Wandin, Wurundjeri Woi-wurrung Elder

Waterways hold immense cultural, spiritual, social and economic significance to the Wurundjeri Woi-wurrung people. They are not just physical features of the landscape but represent a living connection to their Ancestors, the land and their way of life. The preservation and protection of these waterways are crucial for the continuation of their cultural heritage and their connection to Country.

Fire was very important to Wurundjeri; firstly, fire provided my people with warmth and was used for cooking; secondly, it was used to eradicate the old and dying vegetation and promote new growth; thirdly, it was used in almost every ceremony practiced by the Wurundjeri.

- Uncle Ronald Terrick, Wurundjeri Woi-wurrung Elder.

The growing engagement with cultural fire practices can be seen as an important step toward reconciliation insofar as it recognises the expertise and wisdom of First Nations Peoples in caring for their Country.

The Plan offers an opportunity to better reflect Wurundjeri Woi-wurrung cultural values and land management priorities in future planning. The WWCHAC, which is the Registered Aboriginal Party (RAP) for Wurundjeri Woi-wurrung Country and represents the interests of Traditional Owners, prepared a Position Statement of Cultural values for the marram baba Merri Creek Regional Parklands study area. The Statement outlines seven recommendations to guide the Plan:

1. Strengthen the Management and Protection of Tangible Cultural Heritage

An Aboriginal Cultural Heritage Place (ACHP) is a location with historical or significant contemporary associations for Aboriginal people, but which lacks physical or archaeological materials. It is therefore a location where Aboriginal associations have been documented. marram baba holds an extensive presence of ACHPs that are documented on the Victorian Aboriginal Heritage Register (VAHR).

A complete assessment of the extent, nature and significance of Aboriginal Cultural Heritage Material (ACHM) has not been documented. It is essential that this be assessed to: register previously unidentified ACHM on the VAHR; avoid future impact from parkland infrastructure; and reflect accurate cultural heritage sensitivity mapping. To achieve this objective, WWCHAC seeks support from the Victorian Government, local government and other authorities. In the meantime, it is asked that all partners apply the precautionary principle to avoid any harm.

2. Protect Aesthetic and Natural Attributes

marram baba is significant to Wurundjeri Woi-wurrung people, including the diverse landscape features of Merri Creek and Kalkallo Creek, floodplains, billabongs, basalt plains, stony rises, gorges, grasslands, and grassy eucalypt woodlands. Along with preserved ecological biodiversity, this landscape represents ancestral and present-day Wurundjeri Woi-wurrung Country. The Wurundjeri Woi-wurrung community find spiritual meaning within Country that embodies the living spaces of their Ancestors and which provides a conceptual link to the traditional Country of their people. The Wurundjeri Woi-wurrung Elders and representatives would like the public to enjoy marram baba and that visitors are guided to respect the area. All partners must work together to ensure that walking and driving tracks, lookouts and other visitor attractions support, and do not damage, the significant aesthetic and natural attributes of their ancestral place and that necessary protection is put in place.

3. Support the Wurundjeri Woi-wurrung community in holistic caring for Country

For the Wurundjeri Woi-wurrung Community, both cultural significance and connection to Country in accordance with their traditions is sustained through the continuance of traditional on-Country practices and by ensuring the generational conferral of this knowledge. The Wurundjeri Woi-wurrung people are the custodians of the marram baba Cultural Landscape and hold the responsibility of caring for this place to ensure seasonal maintenance of the right ecology, habitats for totemic and Creation Ancestors and restoration of the landscape traditionally managed by Wurundjeri Woi-wurrung people. Activities such as fire practices, visits and ceremonies should be facilitated as requested by WWCHAC.

4. Conserve and Enhance the Cultural Landscape through Planning Controls

The marram baba Cultural Landscape is valued in its entirety for the spiritual, tangible heritage, archaeological, historical, ecological and living connections it provides the Wurundjeri Woi-wurrung people and other community members. It is important that development occurring alongside marram baba is not undertaken in a way that compromises the Wurundjeri Woi-wurrung Cultural Landscape. Parklands Partners must facilitate WWCHAC to review the impacts and cumulative impacts of development on a case-by-case basis and ensure WWCHAC has oversight of protective management plans for all aspects of the Parklands. This includes opportunity for WWCHAC to review and develop additional planning controls to protect the marram baba Cultural Landscape.

5. Support and Celebrate Cultural Practice

Wurundjeri Woi-wurrung people have been the Traditional Owners and custodians of the land known as marram baba for at least 65,000+ years. For the Wurundjeri Woi-wurrung Community, significance is sustained through the continuance of traditional practices and ensuring the generational conferral of knowledge. Practicing culture in many ways, including Caring for Country, undertaking archaeological assessments, walking Country, knowledge sharing and celebrations that include private ceremonies and on-Country cultural activities, enables Wurundjeri Woi-wurrung people to honour this aspect of their lives. These cultural practices are critical to belonging and connection, as well as fulfilling traditional rights and responsibilities. Partners must respect, support and celebrate cultural practice.

6. Involvement in Decision Making

Recognition and protection of the marram baba Cultural Landscape must be integrated into relevant policies and regulations to ensure adequate protection and cultural respect for the marram baba area. To ensure this is done to the satisfaction of WWCHAC, Wurundjeri Woi-wurrung representatives must be included in all decision making in relation to marram baba from now.

7. Direct Interpretation

It is recommended the use of Wurundjeri Woi-wurrung artwork and cultural design elements be reflected in any future buildings, works and infrastructure design in the Parkland. WWCHAC should direct and be involved with these usages.

2.3 History and heritage

There are many culturally significant places throughout the area known as marram baba for the Wurundjeri Woi-wurrung people. Before European colonisation, the Wurundjeri Woi-wurrung people lived along Merri Creek, Edgars Creek, Darebin Creek, the Plenty River, and the Maribyrnong River and across the vast and productive grasslands and grassy eucalypt woodlands between these waterways. The creeks, rivers, wetlands and grasslands provided a variety of fish, birdlife, animal and plant foods and the Wurundjeri Woi-wurrung people moved across the area caring for their known sources of food, fresh water, shelter, and resources. Wurundjeri Woi-wurrung values are vastly different from those of the Europeans when it comes to their connection to land. The Wurundjeri Woi-wurrung lived within defined boundaries and ensured the land could be replenished by moving when needed.

In 1835 John Batman, of English descent, led an exploration party to acquire cheap grazing land in the Port Phillip region. In June of the same year, John Batman met up with senior Wurundjeri Woi-wurrung men and according to his understanding 'negotiated' what he regarded as a formal treaty for approximately 243,000 ha. This was not the understanding of the Wurundjeri Woi-wurrung people who had a very different notion of land ownership and would not conceive of Country being sold. John Batman, along with numerous other settlers, began the pastoral expansion of sheep into the grasslands of northern and western Victoria. Two of Batman's outstations are located within the parklands on the west bank of the Merri Creek. These will be protected and featured as part of Melbourne's foundation era heritage.

The Merri and Darebin Creek area was a key region of Port Phillip in the very early years of European exploration, pastoral occupation, and farming. It was regarded as the premier farming land with the best watered land adjacent to the Merri Creek and the Darebin Creek in Wollert. The Merri Creek catchment became one of the major agricultural regions in Port Phillip in the middle to late 19th century.

Turnover of pastoral licences in the Settled District was considerable in the 1830s and 1840s, often as a result of sheep diseases, and bankruptcies by small farmers particularly during the 1840s depression. From 1840 the government continued selling lands further up the Merri Creek, in the parishes of Kalkallo and Merriang, along the Darebin Creek at Epping, and along the Plenty River.

Throughout the 1840s the major crop on the small farms, mostly between the Merri Creek and Plenty River, was wheat. In 1845 the Merri Creek had 2,067 acres (836 ha) under wheat, nearly twice as much as the next largest districts.

Fragments of history and archaeology reveal that there were at least two now forgotten mills on the Merri Creek. On the banks of the Merri Creek at Campbellfield archaeological evidence has been found of the Barber & Sons Flour Mill. The Kalkallo Steam Flour Mill was built by 1857 and had ceased production around 1872.

The intensity of dry stone walls in the Epping and Wollert area is the direct consequence of the intensive farming carried out by the small farmers who were able to settle after 1853. The vestiges of many dry stone walls from this early pastoral period - including boundary walls, animal enclosures and early 'cultivation paddocks' associated with stony rises across the landscape - still remain in the area.

In more recent years, the area has seen increased industrial and urban development in the form of manufacturing precincts as well as new suburbs to accommodate for the rapidly growing population. The Plan acknowledges the importance of incorporating the history of the Parklands and the opportunity this presents for learning and healing, particularly for those communities located adjacent to the Parklands.

Establishing the Parklands

The concept of formalising a new park along Merri Creek north of Mahoneys Road in Thomastown was first proposed in the 1929 Melbourne Metropolitan Town Planning Commission Report. It was recommended that a continuous parkland progressing north from the confluence of Merri Creek with the Yarra River be implemented, terminating in a large reservation of approximately 344 ha north of Mahoneys Road. This is the area now known as galada tamboore.

Through the 1990s, the importance of the remnant grasslands along Merri Creek became known, and the Government took action to acquire these significant parcels of land - the galgi ngarrk grasslands and bababi marning grasslands. The Hume Freeway re-alignment in 2001 created further opportunities to preserve areas of remnant vegetation. In combination with galada tamboore, this meant that large but discontinuous areas of public land existed along the Merri Creek corridor from the Metropolitan Ring Road to Craigieburn Road East.

The Friends of Merri Creek and Merri Creek Management Committee have long been advocates for the land surrounding Merri Creek. From 1989 the groups have worked closely with the Victorian National Parks Association, Parks Victoria and local environment groups to advocate for larger parkland areas along Merri Creek, produced plans to protect habitat corridors and conservation areas, and advocated for greater protections against rapidly increasing development. The groups continue to advocate for expanded parkland areas, and play an active and passionate role in the restoration, rehabilitation, protection and management of Merri Creek and its environmental values.

Since 2013, the Parklands have been managed under the guidance of the *Merri Creek Marram Baba Strategic Management Plan May 2013* which encompassed approximately 650 ha south of Craigieburn Road. The Biodiversity Conservation Strategy for Melbourne's Growth Corridors was released in June 2013 and identified the area that now makes up the marram baba Merri Creek Regional Parklands as a major biodiversity area in the North Growth Corridor. The area identified in the BCS extended the biodiversity corridor north of Craigieburn Road, which was the northern extent of the 2013 Plan.

In 2018, the Victorian Government committed to expanding the Merri Creek Parklands to create a new 2,778 ha parkland stretching from Campbellfield to Beveridge in Melbourne's north. This Plan recognises the expanded commitment and is an important step in implementation of the BCS for the North Growth Corridor.

2.4 Strategic planning context

The future planning, management, and use of the Parklands is informed by state and local government policies and strategies. The policy context for the Parklands is provided in Appendix 2.

Planning scheme zones and overlays

The Parklands lie within the municipalities of Hume City Council, City of Whittlesea and Mitchell Shire Council. The council planning scheme zones and overlays are shown below (Figure 3 and Figure 4).

Much of the private land within the Parklands boundary is zoned Rural Conservation Zone, which aims to protect areas of conservation and biodiversity value. The zoning was enacted as part of the Melbourne Strategic Assessment (MSA) commitment to protect designated Conservation Areas. Other land adjacent to or within the Parklands boundary is Urban Growth Zone, Industrial Zone and Comprehensive Development Zone. The planning for some of these areas, that were established before growth area planning, rely on development plans rather than PSPs. Urban development in these areas will have implications for the Parklands in terms of land inclusion, visual amenity, environmental protection as well as providing opportunities for trail connection and improved surveillance.

Other planning scheme zones within the parkland boundary include:

- Urban Floodway Zone along parts of Merri Creek and its tributaries
- Public Conservation and Resource Zone designed to protect and conserve the natural environment, provide facilities that assist in public education and interpretation of the natural environment and provide for appropriate resource-based uses
- Public Park and Recreation Zone designed to recognise areas for public recreation and open space, protect and conserve areas of significance and provide for commercial uses
- Areas of Public Use Zone (Service and Utility), Urban Growth Zone, Special Use Zone, Township Zone, Comprehensive Development Zone, Industrial Zone, Transport Zone, Commercial Zone, Farming Zone, General Residential Zone, and Green Wedge Zone. This zoning represents a legacy of past land uses and is not necessarily the intended future zoning of the Parklands.

The Environmental Significance Overlay (ESO) applies to a large portion of the Parklands and is designed to ensure that development is compatible with identified environmental values. In some instances the ESO that applied to Merri Creek was removed because of the planning scheme amendment that implemented the relevant PSP, leading to the uneven coverage of the ESO along the creek. The Land Subject to Inundation Overlay and Rural Floodway Overlay relate to Merri Creek and its tributaries. There are also several Heritage Overlay sites throughout the Parklands that apply to areas of post-1850 heritage.

There is an opportunity to apply a more consistent approach to the planning controls that will:

- conserve and enhance the cultural landscape as recommended by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
- apply a simpler consistent set of zones and overlays to support the waterways and parklands holistically. This will enable clearer decision-making for development plans and development applications within and adjoining the parklands.

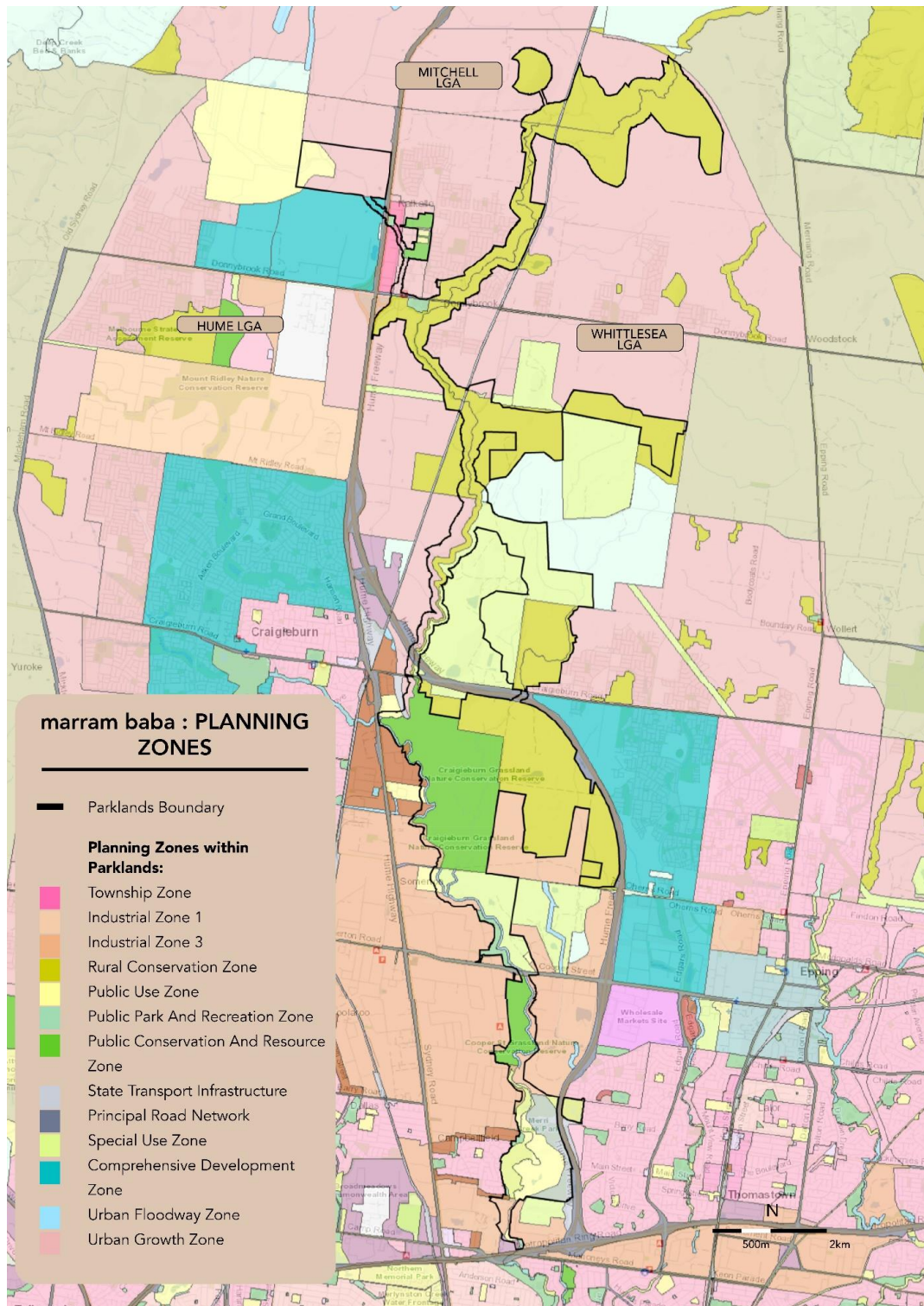


Figure 3: Planning scheme zones

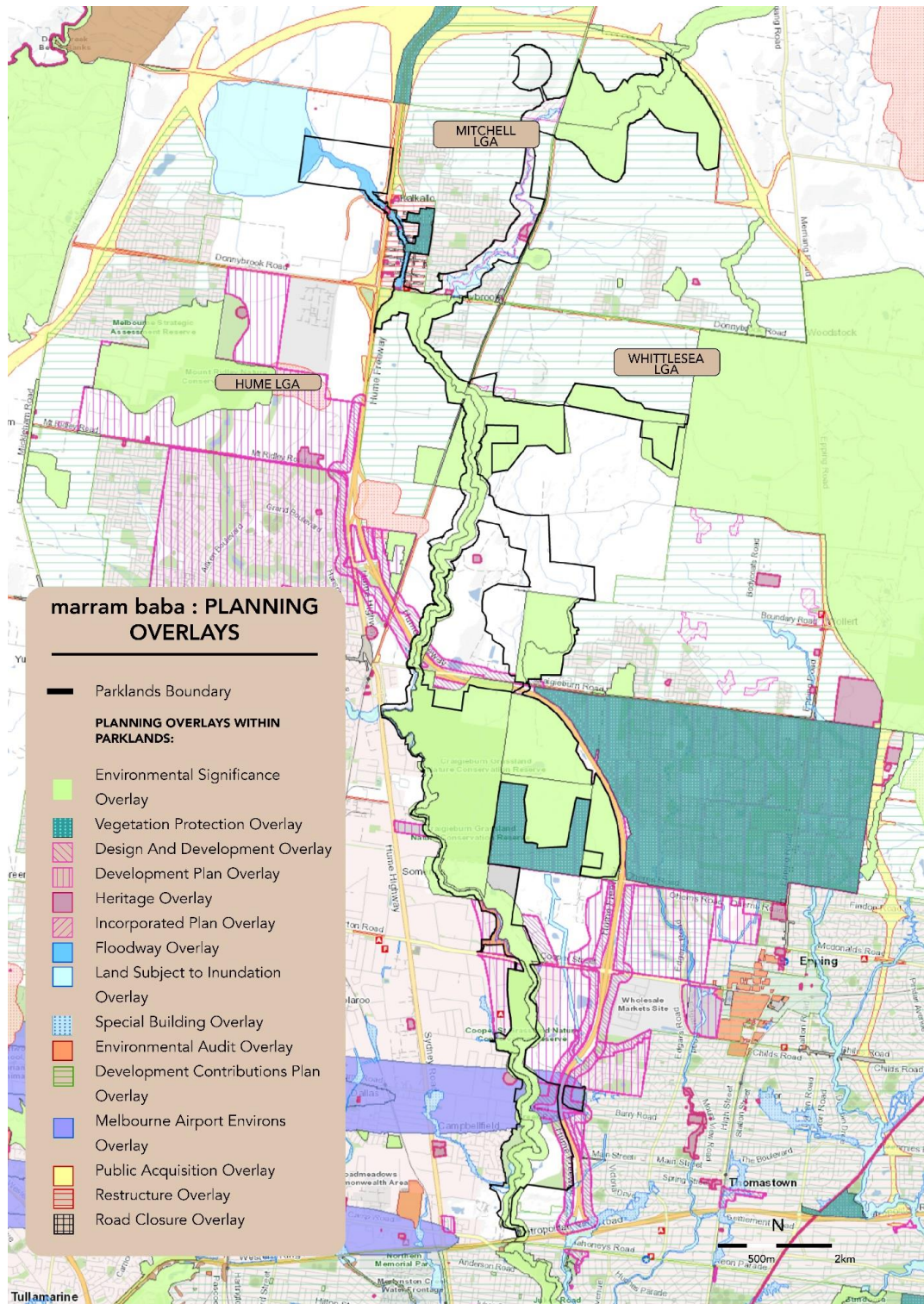


Figure 4: Planning scheme overlays

Precinct Structure Plans

A large part of the Parklands is in the North Growth Corridor which will see increased population growth and urbanisation. The North Growth Corridor Plan, released in 2012, provides a broad land use framework to guide the future planning and development of new precincts to accommodate growth. Before development can occur, detailed planning for each precinct must be undertaken in the form of a PSP, which are prepared and incorporated into Planning Schemes as a subsequent step. Many of the PSPs that are relevant to the Parklands have already been finalised.

Completed PSPs were reviewed in developing the Future Directions Plan. The planning for some PSPs is yet to commence. The relevant PSPs are shown in Figure 25 and include:

- Merrifield Central Employment Area Precinct Structure Plan 2008
- Lockerbie Precinct Structure Plan 2012
- English Street Precinct Structure Plan 2015
- Craigieburn North Employment Area Precinct Structure Plan 2016
- Donnybrook - Woodstock Precinct Structure Plan 2017
- Shenstone Park Precinct Structure Plan 2021
- Wollert Precinct Structure Plan 2017
- Northern Quarries Precinct Structure Plan (pending)
- Merrifield North Employment Area Precinct Structure Plan (pending)
- Craigieburn South Employment Area Precinct Structure Plan (pending)
- Cooper Street West Precinct Structure Plan (pending).

The Plan is consistent with the approved PSPs and recognises that new communities will benefit from an integrated open space network that provides a distinctive character and amenity. PSPs are the key plans guiding future use, subdivision and development. This includes any subsequent Development Plans that have been approved generally in accordance with the PSP.

The PSPs provide the strategic and statutory basis for land inclusion and will facilitate:

- Protection of BCS Conservation Areas including habitat for Growling Grass Frog and Nature Conservation Areas (nationally endangered woodland and grassland ecosystems that are home to many threatened species)
- The protection and recognition of areas of cultural significance
- Development that sensitively responds to, improves community access to, and protects Merri Creek and tributaries within the Parklands
- Enhanced public and active transport connections for existing and future communities into and through the Parklands, including shared trails
- Development of a network of open space along the creek corridors as well as east-west parts of the network, and a variety of recreational open spaces that adjoin or sit close to the Parklands
- Establishing residential, commercial, and industrial interfaces that will influence the character and visual amenity of the Parklands
- Identified view lines and high points that respond to the existing landscape
- Delivery of essential infrastructure including road networks, creek crossings, services, and stormwater treatment, retardation and drainage

Future pending PSPs will consider the vision and strategic directions of this Plan to support the ongoing creation of the Parklands. This includes seeking opportunities to widen the parklands in

narrow sections to support wildlife corridors and shared use walking and cycling path access.

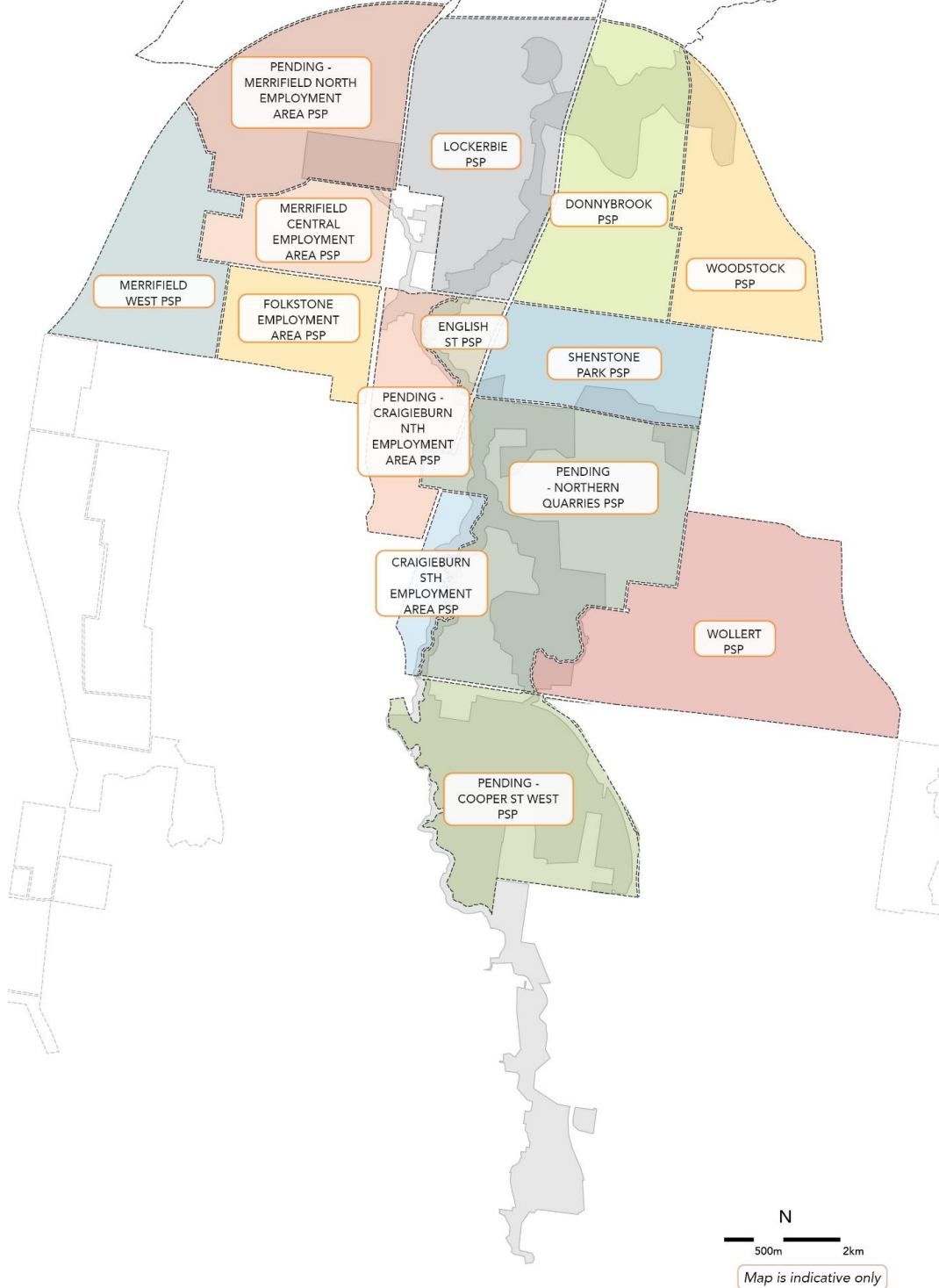


Figure 5: PSP locations (only applies to Parklands that lie north of Craigieburn Road East).

2.5 Drivers for change

The Plan responds to key trends and drivers for change that influence the current and future planning and management of the Parklands.

Traditional Owner self-determination

Aboriginal self-determination places Aboriginal people at the centre of decision-making around the issues that affect their lives. This is a central policy principle of the Victorian Government. The Victorian Aboriginal Affairs Framework 2018-2023 states that the Victorian Government must 'transform its systems and structures to support self-determination and improve outcomes for Aboriginal peoples. This applies across multiple objectives including 18.1- Increase the recognition and enjoyment of Aboriginal land, water and cultural heritage rights'

Protecting environmental values

The endorsed BCS for Melbourne's Growth Corridors identified Conservation Areas and outcomes required under the Commonwealth's *Environment Protection and Biodiversity Conservation (EPBC) Act 1999*.

Some of Melbourne's most threatened animal and plant species live in the open spaces, waterways, and wetlands of the Parklands. Within the Parklands communities of Matted Flax-lily (*Dianella amoena*) and River Swamp Wallaby-grass (*Amphibromus fluitans*) survive, which are listed under the EPBC Act. Curly Sedge (*Carex tasmanica*) is also present within the Parklands and is listed as endangered under Victoria's *Flora and Fauna Guarantee (FFG) Act 1988*. There are several important and threatened fauna species in the Parklands, ranging from common species to critically endangered species. Significant populations of the vulnerable Growling Grass Frog, Golden Sun Moth and Striped Legless Lizard are present in the Parklands.

The Parklands are a critical area of protected habitat for native plants and animals in the rapidly urbanising North Growth Corridor. The management of the Parklands must protect the natural environment from the competing demands of a growing urban population.

Community health and wellbeing

Access to nature has significant benefits in improving mental³ and physical wellbeing⁴. There has been substantial research into the health and wellbeing benefits of open space, as well as the intergenerational impacts of lack of access to open space for low-income households and communities. Approximately 260,000 people are forecast to live in the area covered by the North Growth Corridor Plan, so the Parklands will play an increasingly important role in providing access to nature for existing and new communities.

The COVID-19 pandemic highlighted the importance of public open space in supporting people coping with personal and community stress. Additionally, the pandemic, and the restrictions on movement that were put in place as part of the public health response, highlighted the inequity of community access to green space⁵. Research published during the Melbourne COVID-19 lockdown illustrated the wide disparity in access to green space close to people's homes. Hume City Council⁶, City of Whittlesea⁷ and Mitchell Shire Council⁸ recognise the important role a healthy natural environment plays in supporting community health and wellbeing in their strategic plans.

³ Francis, J., Wood, L. J., Knuiman, M., & Giles-Corti, B. (2012). Quality or quantity? Exploring the relationship between Public Open Space attributes and mental health in Perth, Western Australia. *Social science & medicine*, 74(10), 1570-1577.

⁴ Koohsari, M. J., Mavoa, S., Villanueva, K., Sugiyama, T., Badland, H., Kaczynski, A. T., ... & Giles-Corti, B. (2015). Public open space, physical activity, urban design and public health: Concepts, methods and research agenda. *Health & place*, 33, 75-82.

⁵ Zandieh, R., Nieuwenhuijsen, M., & Zandieh, M. (2020). Adaptability of Public Spaces and Mental Health Inequalities during the COVID-19 Pandemic. *The Journal of Urban Design and Mental Health*, 6(5).

⁶ Stronger Hume COVID-19 Adaptation and Resilience Plan 2022

⁷ Municipal Pandemic Readiness and Recovery Plan

⁸ Covid-19 Community Recovery Plan 2021

The establishment of the Parklands will create a connected chain of parks and increase and enhance access for the community to green space. It will provide enhanced opportunities for the community to connect with nature and engage in recreation supporting improved physical and mental health and wellbeing.

Climate change

As the climate changes, Greater Melbourne will experience rising average temperatures, more frequent and longer heatwaves, and an increased frequency and severity of grassfires and bushfires. It is expected that droughts and extreme storms will become more frequent and severe, resulting in increased pressure on green spaces and more flooding. The impact of heatwaves is exacerbated by urban development which causes the 'urban heat island effect' (UHI)⁹, where temperatures are higher in urban areas than surrounding rural areas.

The Victorian Government's Regional Climate Change Adaptation Strategy¹⁰ highlights the increasing importance of open spaces, like the Parklands, in enhancing climate resilience in the community. Green spaces and water bodies can reduce the impact of rising temperatures and heatwaves by preserving permeable, vegetated areas that allow evapotranspiration to occur and provide respite by increasing shaded areas. Currently, tree canopy cover in the Parklands is 23% of the total Parkland area. In addition to improving landscape and community resilience to climate change, the Parklands will assist in cooling the surrounding urban areas, which are particularly vulnerable to urban heat. The Parklands also play a role in mitigating flooding, which will reduce the impacts of extreme rain events on the community and infrastructure.

⁹ Melbourne Water. (2021, November 17). Urban cooling. Retrieved from Melbourne Water: melbournewater.com.au/water-data-and-education/environmental-issues/enhancing-liveability-our-commitment/urban-cooling.

¹⁰ Regional Adaptation Stakeholder Committee. (2021). Greater Melbourne Regional Climate Change Adaptation Strategy. Greater Melbourne: Department of Environment, Land, Water and Planning.

3 Parklands planning process

Understanding what makes the Parklands unique and what is important to the community and visitors has been essential for preparing the Plan.

The Plan has been drafted to support the cultural value recommendations set out by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC), and following this, stakeholder and community priorities and values.

3.1 Community consultation

Community engagement was undertaken throughout July and August 2022 to understand local knowledge and priorities for the parklands. This stage of engagement helped shape the vision, guiding principles and strategic directions for the parklands. A second round of engagement was held in April and May 2023 to seek feedback on the Draft Plan. Participants were encouraged to provide feedback via an online survey, a map survey, written submissions or at an online community consultation session.

The results of the online survey revealed the following

- 93% were 'very supportive' or 'supportive' of the vision for the parklands
- 84% felt that the Plan represents 'very well' or 'well' the importance of Aboriginal culture and commitment to work together with the Wurundjeri Woi-wurrung people
- 88% felt that the Plan represents 'very well' or 'well' the prioritisation of protecting plants and animals
- 88% supported longer walking and cycling trails, 84% supported connecting trails to other networks, 67% support shorter walking loops. Of the Punjabi and Arabic survey responses, 37% support longer walking and cycling trails, 33% support shorter walking loops, and 30% support connecting the trail to other networks

Overall, the feedback from the different methods of engagement showed high levels of support for the Plan and the vision for the Parklands.

Participants felt that the Plan positively reflects the importance of Wurundjeri Woi-wurrung cultural values and protection of biodiversity. Responses supported Traditional Owner language and artwork in the Parklands, as well as resourcing to facilitate Traditional Owner management and cultural land management practices.

A recurring issue identified by participants was the need to widen narrow areas or 'pinch points' to ensure there is enough land to support habitat connections and trail connections. There were several requests to create stronger links to Aitken Creek, Malcolm Creek, Bald Hill and the potential wallan wallan Regional Parklands.

There were some differing opinions around access to the Parklands. Some participants were supportive of more trail connections and facilities, while others wanted nature prioritised and to avoid a trail on both sides of the parklands. While some participants noted that conservation areas should be dog-free. There were concerns raised about cycle paths and conflicts with pedestrians and wildlife. Suggestions around this included separation of cycling and pedestrians in some areas, slow traffic areas, adequate widths for shared use paths, and trails outside of high priority conservation areas.

Some recurring feedback was provided around broader walking and cycling, connections to the potential wallan wallan Regional Parklands and along creek tributaries. The connection to the existing Merri Creek Trail was identified as a priority.

There was support amongst participants for community engagement in the Parklands such as through volunteering, community events, tours and activities. Supporting the parkland experience with interpretation signage including ecological, cultural and heritage stories was considered important by participants. Including links to digital content was also suggested such as QR codes for further information, audio walks, maps of park features, soundscapes and local stories.

Provision of facilities to accommodate the diversity of people within the community was important to participants. This included access for wheelchairs and opportunities for people with disabilities to visit the Parklands and participate in caring for the environment.

Some participants noted that visitor facilities located close to the edge of the Parklands would help to maintain sweeping views. Supporting these facilities with appropriate car parking was also raised.

A number of landowners raised concerns about the inclusion of their land in the Parklands and advised they did not know it needed to be protected and managed for conservation in perpetuity in accordance with the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (2013).

Monitoring and research activities in the Parklands was identified as important to ongoing management activities. There was support for immediate and long-term conservation-oriented land management including private land before it is included in the Parklands.

A number of participants noted the 2050 timeframe to complete parkland land inclusion and requested that this be accelerated due to the detrimental biodiversity impacts the delay creates.

A selection of quotes include:

"This local community is diverse and is open to learning about indigenous ways of life. I would love to see more First Nations culture around the creek - art, stories, ways to respect the nature around us."

"The Parklands are an opportunity to involve the local community and to support their learning about the indigenous history and culture of the area as well as the landscape and the biodiversity it supports."

"Conservation of the existing indigenous biodiversity should be your number one priority. Once it's gone it's gone forever"

"Urban growth is creating concrete jungles. Need accessible parkland side by side with natural landscapes"

"Connection to parkland via public transport and lots of parking areas at [the] entrance."

"People (and animals) need connectivity and to experience and appreciate the endangered grasslands."

"Use of volcanic rocks as an architectural theme throughout at least the northern half of the Parklands".

"The park is way too narrow, especially highlighted in some sections"

"Thank you for incorporating Bald Hill in the park! Is this connection wide enough as a biolink?"

"Providing information in signage and online about where paths lead so visitors know they can get out or plan their journey"

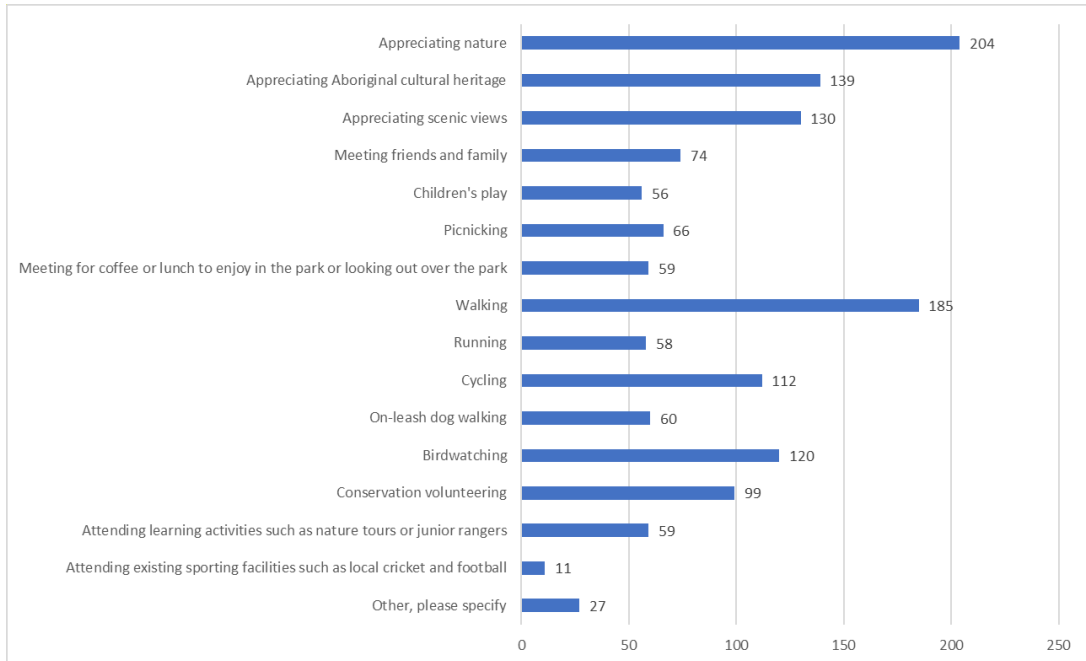


Figure 6: Activities that respondents would enjoy doing in marram baba Merri Creek Regional Parklands



Figure 7: Survey participants at marram baba Merri Creek Regional Parklands

3.2 Strategic opportunities

Understanding what makes the Parklands unique has been essential for preparing the Plan. The key considerations identified below bring together research, analysis and engagement outcomes to help shape the vision, guiding principles and strategic future directions for the Parklands.

1. The Volcanic Plain – A special parklands landscape

The Parklands lie in the landscape of the Victorian Volcanic Plain on Wurundjeri Woi-wurrung Country. This landscape was formed by lava flows; consisting of grasslands, open grassy woodlands, extinct volcanic cones, stony rises, escarpments, mineral springs and wetlands.

The Plan

- showcases the unique landscape setting and the processes that have formed it
- provides connection to Country and promotes caring for Country principles guided by Woi-wurrung cultural values

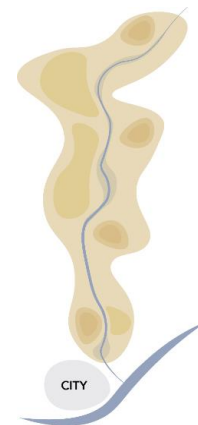


2. Merri Creek – A connection from the ranges to the city

Merri Creek rises in the forested foothills of the Great Dividing Range north of Wallan at Heathcote Junction. It flows for 70 km across and within basalt plains. It passes through rural farmland, then the fast-developing residential suburbs on the edge of the outer northern suburbs of Melbourne, and the active quarries, industrial warehouses and arterial roads in Melbourne's north. Merri Creek eventually makes its way through the inner suburbs and meets the birrarung Yarra River at Dights Falls, an important historical confluence for the Wurundjeri Woi-wurrung people.

The Plan

- sets a vision for the parklands as the 'preeminent nature corridor running through Melbourne's north'
- contributes to a continuous, connected wildlife corridor and parkland experience from inner Melbourne to the Great Dividing Range by connecting it from the Merri Creek parklands in the south to the potential wallan wallan Regional Parklands in the north
- leverages the southern section of the Merri Creek corridor as a well-known and popular active transport route for commuter and recreational users and linear parklands

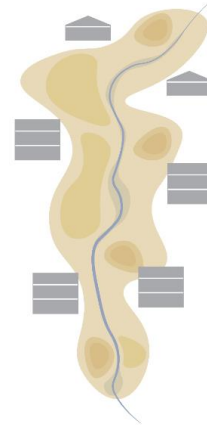


3. The Parklands - From rural to urbanised corridor

Showcasing an ancient landscape with ongoing Wurundjeri Woi-wurrung connections, the Parklands sit amongst a corridor that is rapidly changing from open farmland with fragments of remnant native vegetation to dense residential and industrial developments. Rapid urbanisation is in the growth areas that surround the Parklands including the creation of new Cloverton city, putting pressure on the Parklands as a refuge for the threatened volcanic plain grasslands, woodlands and fauna species like Growling Grass Frog and Golden Sun Moth.

The Plan

- focuses on the Parklands as one connected landscape buffered from adjacent development impacts
- protects, enhances and sustains the Parklands habitat values



4. Connection to nature

As urban growth continues, the Parklands provide an opportunity to connect the new and existing urban areas to nature, and connect existing and planned open spaces within these areas. Ecological links can also be fostered through these connections.

The Plan

- supports community connections to the Parklands and enhances community appreciation of Merri Creek, its viewlines, soundscapes, seasons and landscape qualities
- defines the Parklands as regional ecological link along the Merri Creek and supports broader ecological links along its tributaries of Kalkallo, Curly Sedge, Aitken and Malcolm Creeks



5. Opportunity for activation – key visitor areas

The ecological and cultural significance of the landscapes in the Parklands mean there are areas where it is not appropriate to encourage high levels of visitation by people. However, to prevent degradation and ensure ongoing management, strategies must find a manageable balance between no-go zones, access points, viewing points and landscapes that visitors can travel through. The Plan identifies several potential key visitor areas that are places of natural importance, landscape significance and potential recreation activity. They will form a string of connecting points along the Parklands for visitors to enjoy.

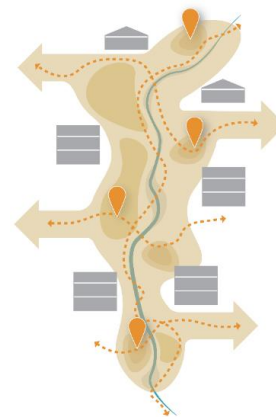


The Plan

- prioritises flourishing nature and connecting people to different landscape experiences, viewpoints, rest points and walking loops
- takes advantage of existing and co-located visitor facilities to provide gateways and activation of the Parklands
- showcases the Wurundjeri Woi-wurrung cultural landscape and places that have stories to tell. It celebrates inclusivity for community groups and people from different backgrounds and abilities.

6. Connecting the Parklands – North / South and East / West

As the urban areas around the Parklands grow, there is need and opportunity to provide better connection points and wayfinding between east and west and from north to south to support 20-minute neighbourhoods and regional access. The Plan envisions a connected Parklands that allows for travel along the existing Merri Creek Trail and galada tamboore pathway, and new trails extending through the Parklands to Kalkallo and Beveridge in the north.



The Plan

- supports an expanded Merri Creek Trail as a key shared use path in Greater Melbourne that will connect into the wider regional trail network. Biodiversity and cultural values are prioritised over the trail and in pinch points that reduce trail location opportunities more investment in adjacent land and alternative design solutions is required
- supports new trails and connection points with links into the communities to the east and west, providing commuter connections and enabling recreational walkers and cyclists to enjoy the Parklands trails.

4 The Parklands Plan

This section sets out the vision, guiding principles and strategic directions for progressive parklands establishment, protection and management to be achieved by 2050.

Vision

marram baba Merri Creek Regional Parklands is the preeminent natural corridor running through Melbourne's north on Wurundjeri Woi-wurrung Country, connecting and nurturing culture, nature, water, and people.

The vision for marram baba Merri Creek Regional Parklands was developed by the Parklands Partnership Group and will guide parklands establishment, protection and management.

Guiding principles

Five principles were established to support the Parklands vision and guide the development of the Plan. The five interconnected principles underpin the Plan and will assist Parkland Partners in the future delivery and management of the Parklands.

Cultural values

The Plan recognises that the lands, water, sky, plants, animals and more that make up the marram baba Merri Creek Regional Parklands are part of the traditional Country of the Wurundjeri Woi-wurrung people, a custodianship that endures today. The Plan supports self-determination priorities of the Traditional Owners of the land around Merri Creek, as represented by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC). The Plan supports the Wurundjeri Woi-wurrung people to care for their Country and the goal of future management of the Parklands by the WWCHAC.

The Parklands will protect significant cultural values, educate the community and visitors about the Aboriginal history of the area, and promote Aboriginal cultural heritage and the importance and continued custodianship of Country.

Natural values

Natural values include habitat for native plants and animals, creeks and wetlands, and geological features such as volcanic cones, gorges and stony rises. The Plan supports these natural values and biodiversity and waterway health outcomes by linking, protecting, maintaining and enhancing the natural environmental values of the Parklands. The Parklands will create new opportunities for environmental management of these natural values, such as establishing protected Growling Grass Frog habitat and habitat for other matters of national environmental significance including the Golden Sun Moth and Striped Legless Lizard.

The Parklands will foster healthy ecosystems and provide opportunities for people to connect with nature, contributing to improved community education and nature stewardship, social connections and health and wellbeing outcomes.

Access, recreation and enjoyment

The Parklands provide open space in the North Growth Corridor and the opportunity for people to connect with and appreciate the natural environment.

The Plan supports access into and through the Parklands by providing enhanced visitor areas, trails and creek crossings, with opportunities to immerse in nature and learn about the natural environment and cultural values. The Plan sets out strategic directions to promote safe and inclusive visitor experiences.

Resilience

The Plan sets out strategic directions to increase resilience to climate change within the community, the natural environment and parkland infrastructure. The Plan recognises the substantial ecosystem services (i.e. benefits provided to humans by natural environments) provided by the Parklands. Ecosystem services include flood mitigation, stormwater and air purification, urban cooling, noise reduction, carbon sequestration and wildlife habitat. These ecosystem services are increasingly important as the population around the Parklands grows.

The Plan will help reduce threats to the Parklands from climate hazards by promoting the planting of climate-appropriate plant species, good design and maintenance of landscapes and visitor infrastructure, and integrated water management. The Parklands will provide an important refuge for animals, particularly as urban growth continues in the areas surrounding the Parklands.

The establishment of connected parklands with areas for people to gather, recreate and socialise in nature will enhance community health and wellbeing and build social connections to support community resilience. Wherever possible these areas should be shaded by the canopy of appropriate species of tree.

Governance and management

The Plan supports a collaborative governance approach to planning, establishment and management of the Parklands.

The Plan guides the collective and individual roles of current and future ongoing land managers. This includes the principle that land managers are considered transitional until such time that the WWCHAC has been provided the capacity and resources to take on management of the Parklands.

The Plan also provides strategic directions to increase community involvement in ongoing parkland establishment, protection and management.

Themes

The strategic directions for the Parklands have been developed under six themes:

- Culture and identity
- Biodiversity
- Water and landscape
- Climate resilience
- Access and movement
- Experience

The themes and guiding principles that underpin the Plan are illustrated below (Figure 8). The themes connect to and will support the guiding principles across natural and cultural values; resilience; access, recreation and enjoyment; and governance and management.

The following section outlines the existing context and planning for the Parklands across the six themes. The strategic directions and actions within each theme will guide implementation of the Plan to establish the Parklands.

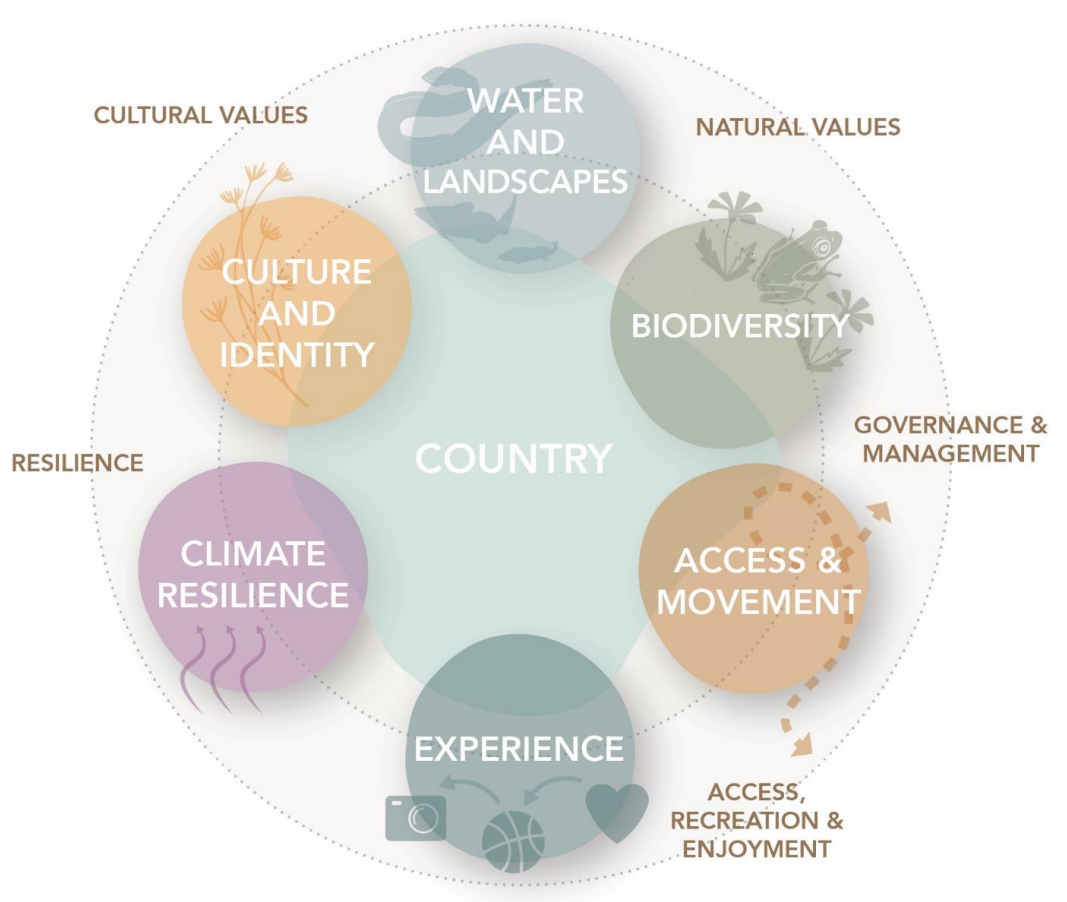


Figure 8: The interrelated principles and themes for the Future Directions Plan. The guiding principles are linked to strategic directions for each theme in the following section.

4.1 Culture and identity

'marram baba' is significant to Wurundjeri Woi-wurrung people, including the diverse landscape features of Merri Creek and Kalkallo Creek, floodplains, billabongs, basalt plains, stony rises, gorges, and grasslands and grassy eucalypt woodlands. Along with preserved ecological biodiversity, this landscape represents ancestral and present-day Wurundjeri Woi-wurrung Country. The Wurundjeri Woi-wurrung Community find spiritual meaning within Country that embodies the living spaces of their ancestors and which provides a conceptual link to the traditional Country of their people.

Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation 2022

The identity of the marram baba Merri Creek Regional Parklands is tied to the Wurundjeri Woi-wurrung's continued custodianship and culture, the landscapes of the Parklands and the biodiversity it supports. Embedding this cultural identity in the Parklands establishment, protection and management is essential to build a sense of place that reflects Traditional Ownership and enhances social connection, participation and social inclusion.

The landscape identity of the Parklands is characterised by the relatively flat volcanic plain formed by lava flows from the now extinct volcanoes at Bald Hill, Mount Fraser and Hayes Hill. The lava flows created volcanic landscape features such as stony rises, old lava flows and extinct volcanic cones.

The distinctive visual landscape is linked by the course of Merri Creek. The confluence of Merri Creek and its tributaries are an important aspect of the visual landscape in the Parklands. The formation of the modern Merri Creek and its tributaries was created by erosion of the basalt plans, which has created the distinctive bluffs, escarpments, cliffs and short sections of gorge that characterise the waterways in the Parklands.

The landscape supports grassland, riparian shrubland and grassy eucalypt woodland, and is home to a range of endangered and vulnerable native animals including the Striped Legless Lizard, Growling Grass Frog, Golden Sun Moth and the critically endangered Swift Parrot and Regent Honeyeater.

The scale of the landscape features and vegetation communities of the Parklands differs markedly to the urbanised lower reaches of Merri Creek, south of the Metropolitan Ring Road, and to the wetlands and steeper headwaters of the upper reaches of Merri Creek around Wallan and beyond to the southern slopes of the Great Dividing Range.

The agricultural identity of land surrounding the Parklands is being replaced with a suburban identity. This will comprise new areas of housing, new commercial districts including the large Cloverton Metropolitan Activity Centre, continued quarrying, and an expansion of industrial precincts and freight and logistics hubs. The importance of the northern metropolitan region in providing these essential functions reinforces the importance and identity of the Parklands in providing a place of nature and calm.

The Parklands will retain its natural and cultural identity amidst the transformation of the industry structure, employment, population, and demographic profile of surrounding areas. These changes will impact how the growing and culturally diverse population perceives and experiences the Parklands, and will influence the sense of place or place identity of emerging communities.

Parkland establishment, protection and management will aim to celebrate the Parklands' identity and invite the community to connect with and care for the environment. The Plan will support and encourage community members to engage with one another in enjoying, protecting, enhancing, and valuing the Parklands.

Strategic directions - culture and identity

The future implementation of the Plan is guided by the following strategic directions:

Wurundjeri Woi-wurrung Cultural Landscape

- The marram baba cultural landscape is valued in its entirety for the spiritual, tangible heritage, archaeological, historical, ecological and living connections it provides the Wurundjeri Woi-wurrung community. It is important that development in areas adjacent to the Parklands is not undertaken in a way that compromises the Wurundjeri Woi-wurrung cultural landscape
- Wurundjeri Woi-wurrung cultural values are embedded in Parklands establishment, protection and management. The WWCHAC will become equal partners to prepare for the long-term goal of returning Country to the Wurundjeri Woi-wurrung community
- The Parklands sustain the continuance of Wurundjeri Woi-wurrung traditional practices and the generational conferral of knowledge through activities including Caring for Country, undertaking archaeological assessments, walking Country, knowledge sharing and celebrations that include private ceremonies and on-Country cultural activities. These cultural practices enhance feelings of belonging and connection, as well as providing opportunities to fulfill traditional rights and responsibilities
- Cultural fire management recognises that fire allows for healing and caring for Country. Burning is the cultural responsibility of Traditional Owners and applies the approach of right fire, right time, and right way for the right cultural reasons. There are substantial positive impacts to Traditional Owner wellbeing and confidence through providing access and authority to practice on Country
- Wurundjeri Woi-wurrung will identify special places of significance for protection within a whole landscape of significance. Areas can be set aside as Wurundjeri Woi-wurrung Country Cultural Reserves. Lookouts, trails, and other visitor infrastructure is to support, and not damage, the significant aesthetic and natural attributes of the Wurundjeri Woi-wurrung ancestral place and necessary protection is to be put in place
- Wurundjeri Woi-wurrung language is supported for naming of the marram baba Parklands and feature areas. This acknowledges custodianship and enhances community knowledge of the cultural importance of the Parklands
- The Wurundjeri Woi-wurrung marram baba artwork and cultural design elements are reflected in any future buildings, works and infrastructure design in the Parklands. Extended roll out of the marram baba signage strategy developed in consultation with WWCHAC will enhance public knowledge of the cultural importance and sensitivity of the marram baba cultural landscape.

Biophysical identity

- Establishment, protection and good management of the Parklands celebrates the diverse landscapes, geology and natural features within the Parklands, including Merri Creek and its tributaries, wetlands, volcanic cones, stony rises, grasslands and grassy eucalypt woodlands
- Provide opportunities for people to connect with the biophysical identity of the Parklands through sensory and immersive experiences, from the open and expansive grasslands to the sheltered and quiet gorge at galada tamboore, and by showcasing the scenic views and inviting visual connection to the volcanic, creek and city landscape.

Urban identity and heritage

- Heritage sites and historic values within the Parklands associated with the farming and industrial heritage of the area are acknowledged and protected through design, maintenance and interpretation of features including dry stone walls, the remains of John Batman's outstation, and other historic values identified during parkland planning
- Planned expansion of industrial precincts and freight and logistics activity (Plan Melbourne Northern Metro Region) will need to maximise enhancement of the Parklands interface and

enable effective, safe connections by implementing high quality design. Workers from the employment areas will benefit from well-designed connections to nature

- The Parklands will weave through Cloverton - a new Metropolitan Activity Centre - that will celebrate the Parklands role as a distinctive area of conservation in a major new commercial district.

Community connection

- The Parklands provide opportunities for the diverse communities living and working in surrounding areas to connect to and increase their knowledge and stewardship of the Parklands through interpretation, education, and immersion opportunities (e.g. tours, events, volunteering, recreation and environmental groups).

Lead actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Culture and identity
1. Protect the marram baba cultural landscape as a priority. Develop protection criteria and plans with WWCHAC oversight. These will be self-determined by Traditional Owners.
2. Celebrate and share Wurundjeri Woi-wurrung culture through naming, signage and interpretation, artwork, demonstrations of traditional cultural ecological management of the land, and talks and walks on Country.
3. Develop a cohesive branding strategy for the Parklands that incorporates the marram baba artwork of the Wurundjeri Woi-wurrung people and supports a sense of place, biophysical identity, cultural and environmental values, wayfinding, and increased community awareness and stewardship of the Parklands.

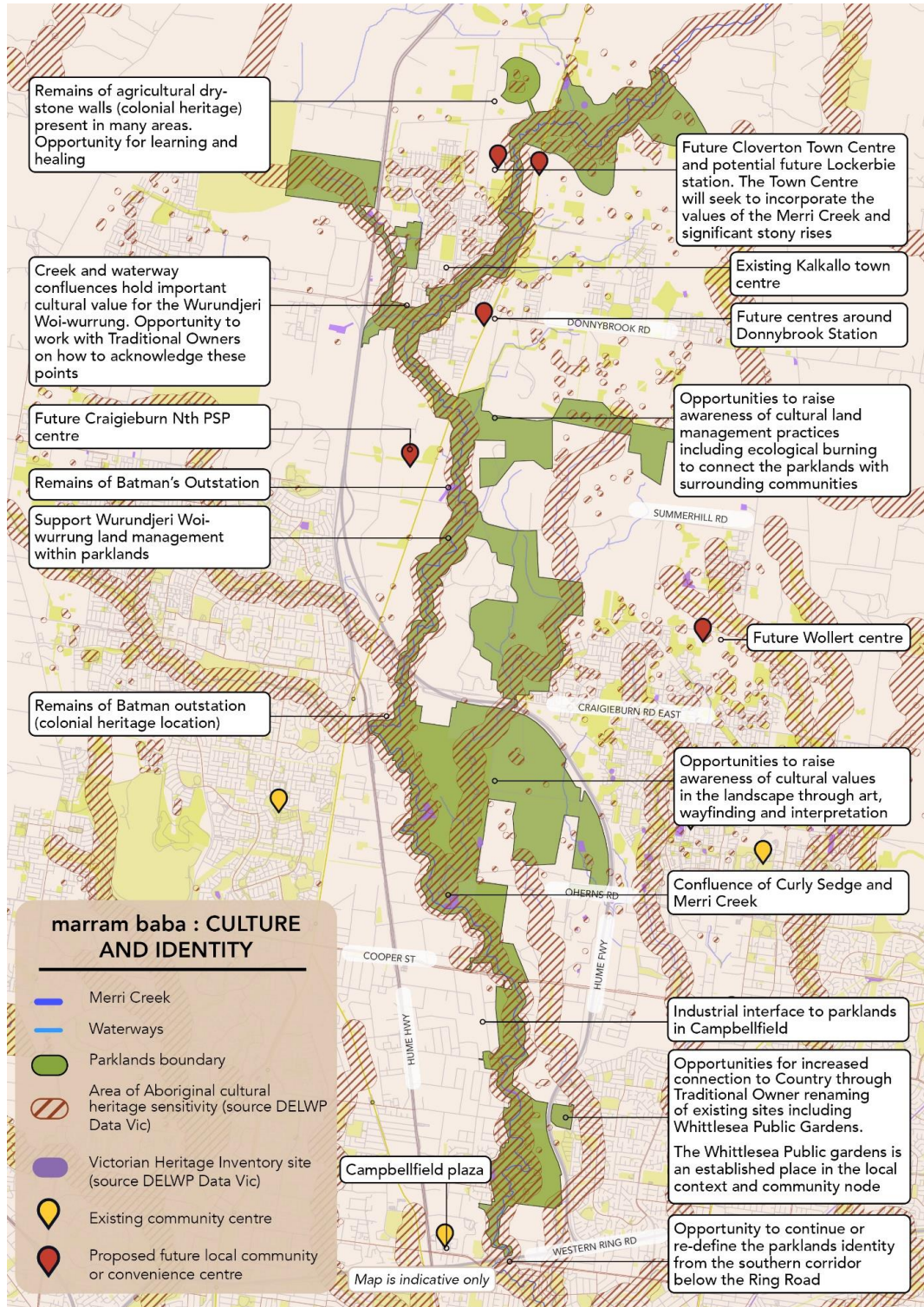


Figure 9: Key features that define the cultural identity of the Parklands and management objectives

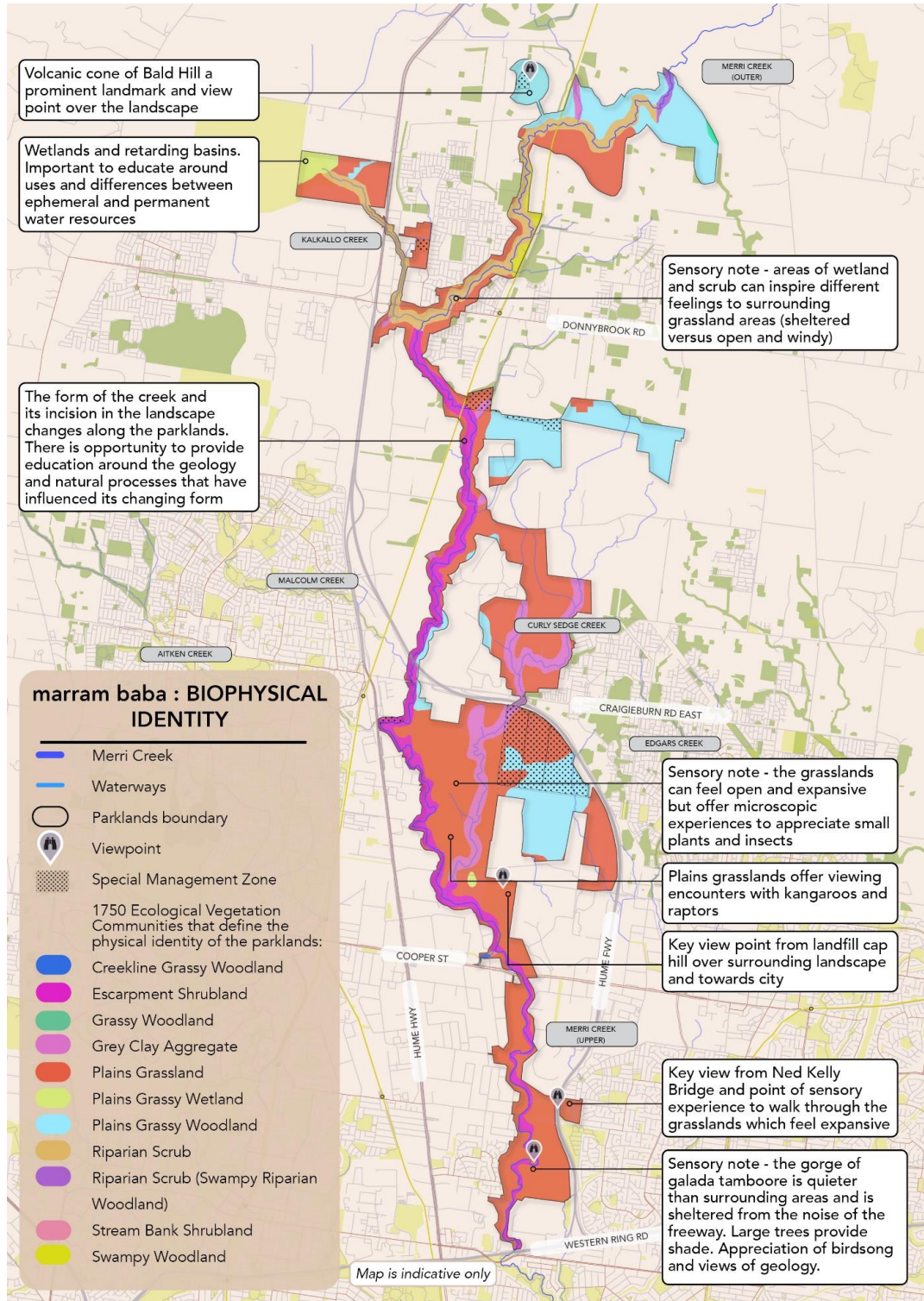


Figure 10: Key features that define the biophysical identity of the Parklands and management objectives

4.2 Biodiversity

The volcanic plain and valleys carved by waterways through the Parklands provide a range of habitats for indigenous plants and animals. The clay soils derived from the basalt flows are a key element in supporting and regulating biodiversity as they enable a high diversity of plants to survive, from wetland species to wildflowers and ancient Red Gums more than 400 years old. The Parklands contain substantial areas of important biodiversity conservation value that are poorly represented in Victoria today, including at least 454 species of indigenous plants. This is an outstandingly diverse area with over 15% of Victoria's native plant species occurring in less than 0.02% of Victoria's total area.

The Victorian Biodiversity Atlas lists an array of threatened animals native to the grasslands, grassy woodlands, and wetlands, with habitat areas provided by stony rises and eruption points within the landscape (Appendix 4). Grassland-dependent species such as Striped Legless Lizard, Grassland Earless Dragon and Golden Sun Moth, woodland-dependent birds, such as the critically endangered Swift Parrot and Regent Honeyeater, and wetland-dependent species such as Growling Grass Frog, Brown and Southern Toadlets, and Australian Little Bittern have all been recorded in the area, making the Parklands vital to the conservation of these animals.

The Parklands are home to significant populations of Growling Grass Frog which is protected under the provisions of the BCS. Nature Conservation Reserves and Conservation Areas exist in the Parklands to provide critical habitat for many EPBC and FFG listed species, such as Golden Sun Moth and Striped Legless Lizard as well as many others listed in Appendix 4.

The Grassy Eucalypt Woodland of the Victorian Volcanic Plain and the Natural Temperate Grassland of the Victorian Volcanic Plain are both critically endangered ecological communities under the *EPBC Act 1999*. The Parklands support some of the last remnants of these vegetation types and their conservation is a priority for parkland planning.

The life cycle needs of the threatened animals in the Parklands require sufficient habitat and connectivity both within the Parklands and with surrounding regional habitat corridors. For example, a wildlife bridge or underpass across major barriers such as the Hume Freeway, the rail line and (the future) Outer Metropolitan Ring transport corridor will help to connect populations across and beyond the Parklands.

The Plan identifies habitat pinch points (narrow areas) throughout the Parklands that are likely to restrict animal movement and plant dispersal. The Plan commits to investigating opportunities to widen the Parklands at these pinch points before this constraint is embedded into new development areas. The pinch points acknowledge that a walking and cycling path is to be supported in a way so that plant and animal movement is supported, with little to no impact on conservation areas.

The important natural environment values in the Parklands are threatened by weeds and pest animals, climate change and urban development. Effective management of the Parklands will maximise the ecological outcomes. Accessible open spaces provide important opportunities for people to connect with nature, contributing to improved community connection and enhanced health and wellbeing outcomes. Open spaces with ecological values offer the opportunity for environmental stewardship, volunteering, research and citizen science and education.

Strategic directions - biodiversity

The future implementation of the Plan is guided by the following strategic directions:

Protect

- Protect indigenous plants and animals in the Parklands
- Protect the Grassy Eucalypt Woodland and Natural Temperate Grasslands of the Victorian Volcanic Plain as some of the last remnants of their type in Victoria

- Protect national and state FFG and EPBC listed plant and animal species (Appendix 4) in line with relevant legislation including the requirements of the BCS. This includes investigating and applying measures to ensure protection on private land.

Restore

- Maintain, restore and enhance high-value environmental values including Grassy Eucalypt Woodland and Natural Temperate Grasslands of the Victorian Volcanic Plain and habitat for FFG and EPBC listed species in Appendix 4
- Undertake revegetation in accordance with Ecological Vegetation Class (EVC) requirements. Re-establish plant diversity by carefully managing remnant vegetation and re-planting significant and important structural species
- Ensure revegetation areas create areas of thermal variation (cool shaded and warm open) to support diverse animal habitat requirements, such as the Growling Grass Frog and reptiles.

Connect

- Focus on the establishment, protection and management of the Parklands as one connected regional landscape and an important riparian and wildlife corridor. This applies in established areas such as the west bank of the Merri Creek opposite galgi ngarrk that have not been included in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors
- Advocate for future connection of the Parklands to areas beyond the Parklands boundary to provide further biodiversity and habitat connections, including to reaches of Merri Creek upstream and downstream of the Parklands, Hernes Swamp and the potential wallan wallan Regional Parklands to the north, the Grassy Eucalypt Protected Area to the east, and along tributaries including Malcolm Creek to connect to Mount Ridley Nature Reserve to the west
- The habitat link to the Grassy Eucalypt Woodlands is very important and requires additional corridor access along Summerhill Road in pending Northern Quarries PSP, along with focus on land acquisition in the Grassy Eucalypt Investigations Area that links to Quarry Hills Parklands
- Wildlife movement is an important function of the Parklands. Design and works for roads and subdivisions to ensure viable fauna movement and avoid pinch points. This includes consideration of additional land acquisition, wider bridge spans, and animal access infrastructure.

Engage and educate

- The Parklands provide opportunities for the community and visitors to connect with and value the natural environment through education and interpretation, volunteering, research partnerships and citizen science, to foster stewardship of the Parklands
- Interpretive information applying the 'think, feel, do' framework¹¹ helps lead to positive ecological and cultural outcomes. Opportunities to interweave artwork, soundscapes and poetry can help people feel a deeper connection, combined with suggestions for people to get involved such as birdwatching or seasonal events.

Manage

- To care for Country, it is important to consider biodiversity management holistically with water, air, and soil management to help protect and enhance the widest range of ecosystem functions. Undertaking an environmental management plan aligned to Wurundjeri Woi-wurrung values will be an important future step to implement this

¹¹ Think Feel Do is an outcome-based engagement framework focused on the three outcomes of effective communication: what we want the audience to think, what we want them to feel, and, as a result, what we want them to do.

- Cultural fire is living knowledge. Aboriginal fire knowledge is shared for continual learning and adaptive management. Continue to investigate the impact of cultural fire in restoring ecological function. Traditional Owners will work together on each other’s Country to heal Country and guide practice development. Knowledge and practice are shared
- A coordinated landscape-scale approach is adopted for environmental management and the ongoing challenge of weeds and pest animals. Management of grasslands includes ecological burns to be undertaken to deliver enhancement and restoration of ecological values in the parklands
- Undertake ongoing management of protected Ecological Vegetation Classes
- Any visitor access to areas of conservation value is designed and managed to prevent disruption to critical habitat. This includes the restriction of activities such as dog walking
- Urban and industrial development at the edge of the Parklands is designed to reduce threats to natural and cultural values. Pursue opportunities to address existing poorly designed interfaces to ensure any environmental risks associated with that adjoining land use are considered and managed to minimise the impacts on biodiversity and waters values.

Lead actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Biodiversity
1. Protect, maintain and enhance biodiversity values in line with regularly reviewed conservation management plans and strategies. Undertake weed and pest species management via current and continuing implementation with focused ecological restoration works throughout the Parklands.
2. Implement habitat obligations to protect nationally significant plants and animals in line with Federal and State commitments, including the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors. Supplement this with Growling Grass Frog enhancement works for the southern area of the Parklands.
3. Investigate, and where feasible, include additional land in a future expansion of the parkland boundary to reduce the impact and encroachment on conservation values from walking and cycling activity.
4. Develop environmental educational material and signage for the Parklands, including at important features such as Growling Grass Frog wetlands, grasslands and riparian woodland. Signage should help visitors connect and care for the landscape, and help identify the native plants and animals of the Parklands.

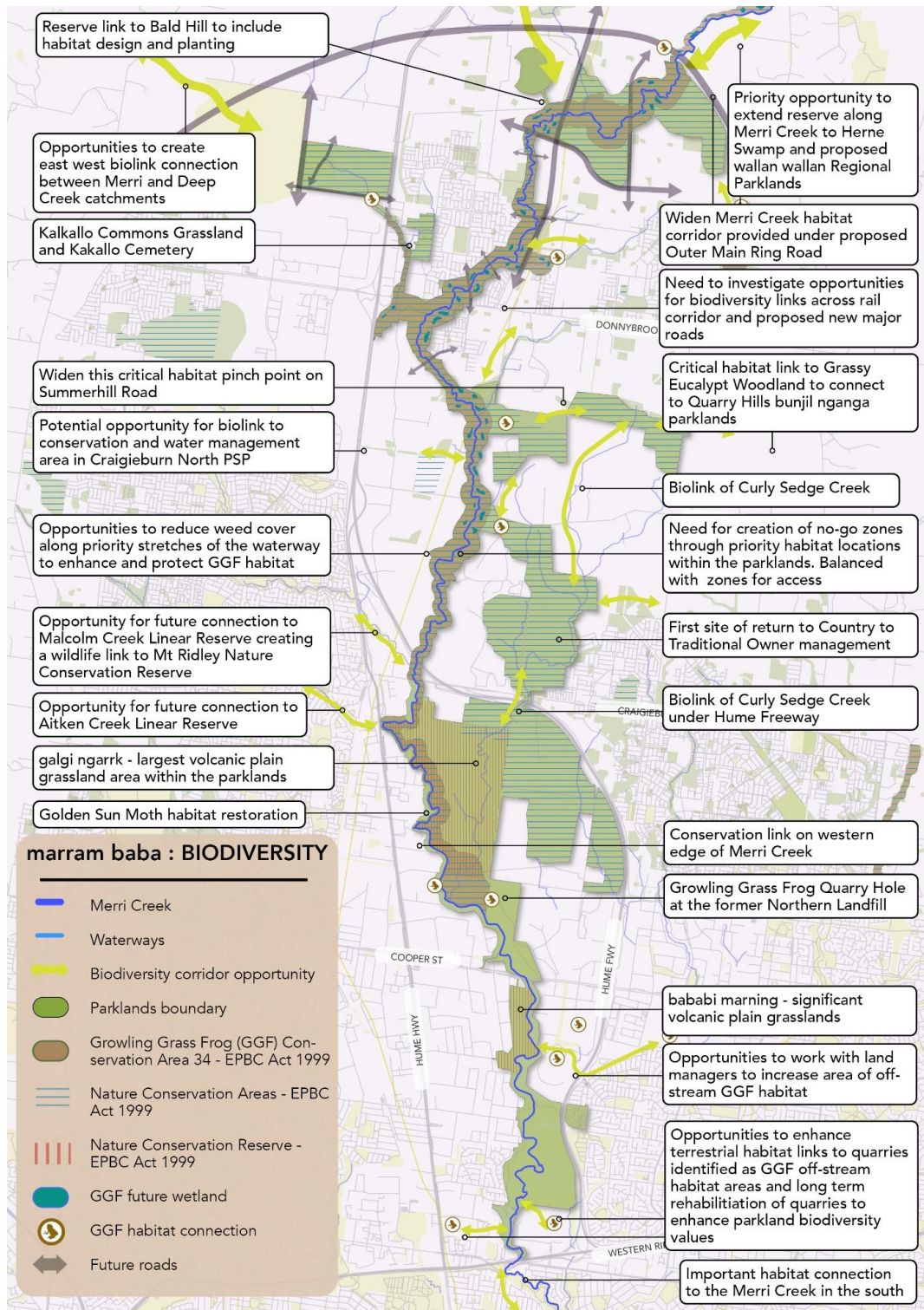


Figure 11: Parkland biodiversity values and management objectives

4.3 Water and landscape

The landscapes and ecosystems of the Parklands are shaped by the basalts of the Victorian Volcanic Plain and the water that flows over and through the Parklands. Merri Creek forms a central spine through a broad, flat valley punctuated by the volcanic cone of Bald Hill and the tributaries that join Merri Creek: Kalkallo Creek, Malcolm Creek and Aitken Creek from the west and Curly Sedge Creek from the east.

The landscape was formed by lava flows from the now extinct volcanoes at Bald Hill, Mount Fraser and Hayes Hill, which flowed south towards the confluence with the Yarra River. The modern day Merri Creek and its tributaries were formed as water cut into the basalt, eventually forming a relatively narrow 'inner' valley and an adjacent plain that is typically well-defined by escarpments, cliffs and some short gorge sections.

The geomorphology of Merri Creek and its tributaries has been extensively disturbed since colonisation. Some sites of significance and relatively undisturbed sections of waterway remain. Creating the Parklands and conservation areas is an important means to help protect these known, and yet to be known, sites of geomorphological significance.

The Parklands incorporates two geological and geomorphic sites of State Significance¹²:

- The galada tamboore gorge is one of the most distinctive landscape features of the Merri Creek catchment. Also known as the Barry Road Gorge, the site showcases a distinctive 15m high cliff and is an example of unconformity between the overlying basalt and the underlying Silurian bedrock. It also sustains a specialised vertical salt marsh plant community that thrives on saline seepage from the unconformity.
- Merri Creek Escarpment in Somerton showcases a 40m-long cliff between 2-4m high exposing the channel of an ancestral Merri Creek filled by a lava flow upon which a new stream has developed. Including this land in public ownership within the Parklands will protect the site and provide a potential education site.

Stony rises and gilgai (shallow depressions in clay soils that create ephemeral water bodies) are featured in the Parklands. This includes the regionally significant gilgai landscape in galgi ngarrk, Craigieburn, and the stony rise formation at Kalkallo Common Grasslands.

The landscape surrounding the Parklands continues to host quarry works for basalt, scoria, clay, sand and gravel to support building needs across Victoria and beyond. Groundwater management is important to protect Merri Creek and tributaries, and in the long term, remediation of these quarries will provide opportunities to remediate the landscape and expand the Parkland boundary. Remediation plans can include the retention of some quarry holes that support water and species conservation including Growling Grass Frogs.

Merri Creek and its tributaries support significant water-dependent plants and provide important habitat for native animals in the creeks and riparian zones and ephemeral wetlands across the Parklands. Groundwater is critical for some species that are part of groundwater dependent ecosystems in the Parklands. Parts of Merri Creek are sustained by groundwater inflow, especially during drought years, and the Red Gum woodlands, although located some distance away from the waterways, are likely accessing shallow groundwater.

The Parklands incorporates Donnybrook Mineral Springs, a regionally significant geological site with natural groundwater discharge and the closest known mineral springs to Melbourne.

¹² Victorian Resources Online - vro.agriculture.vic.gov.au/dpi/vro/vrosite.nsf/pages/vrohome

Waterway values are threatened by changes in the land use of the Merri Creek catchment, including areas outside the Parklands, with increasing urban and industrial development reducing stormwater quality and changing flow patterns in the creeks and across the natural landscape.

The health of water within the Parklands and the way it is managed plays a key role in the themes that underpin the Plan. At the heart, healthy water means healthy Country and healthy people. Merri Creek and its tributaries are identified as important cultural and landscape features with opportunities for connection to Country, respite from urban areas and heat, as well as providing for relaxing visitor experience that can lead to improved mental health and wellbeing. Effective integrated water management can support and enhance many of these values and functions in the Parklands.

Strategic directions - water and landscape

The future implementation of the Plan is guided by the following strategic directions:

Connect people to water

- Cultural water management processes can restore Country and deliver water justice for Traditional Owner groups. Cultural access to water is supported and aligns with the Wurundjeri Woi-wurrung Nation Statement in *Water is Life*
- Opportunities are provided for visitors to enjoy and engage with water in a safe, respectful and sustainable way
- Parklands management will support management of flows in waterways in the Parklands to mitigate and help respond to floods. Plan for visitor and neighbourhood safety and impacts on natural and built infrastructure in times of flood.

Water and landscape management

- Manage the Parklands to protect and enhance the health of ecosystems in Merri Creek, Curly Sedge Creek, Kalkallo Creek, Malcolm Creek and Aitken Creek, including their floodplains and wetlands
- To care for Country, it is important to consider surface and groundwater management holistically with flora, fauna, air, and soil management to help protect and enhance the widest range of ecosystem functions. Undertaking an environmental management plan aligned to Wurundjeri Woi-wurrung values will be an important future step to implement this
- Manage the Parklands to protect important and distinctive geological and landscape features. Expand and review surveys of geological sites to ensure conservation and significance of sites
- Parkland planning supports groundwater dependent ecosystems with greater consideration of the impact of surface-groundwater interactions. Ensure adjacent quarries are not detrimentally affecting groundwater requirements needed to sustain a healthy park landscape
- Manage urban stormwater runoff to protect and enhance waterway health and improve Parkland amenity by integrating stormwater treatment systems into the landscape, avoiding significant conservation areas and maximising their habitat and amenity value to the community
- Harvest stormwater in the Parklands to irrigate open spaces (in the limited places where there is no conflict with conservation objectives) to reduce runoff to waterways and provide water for cooling and irrigation of open spaces (where feasible and appropriate)
- Planning controls should be reviewed, updated and enforced to protect waterway and geological values in line with Traditional Owner values.

Lead actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Water and landscape
1. Undertake works and education to reduce stormwater impacts on the Parklands. Consider upgrades to wetlands and infrastructure, and investigate solutions to reduce toxic runoff from industrial areas.
2. Investigate stormwater harvesting initiatives as a sustainable source of water for irrigation and cooling in the Parklands in areas where it does not conflict with conservation values.
3. Investigate opportunities to link the Parklands with future Kalkallo Retarding Basin development, including community and biodiversity connections in line with drainage requirements currently under investigation

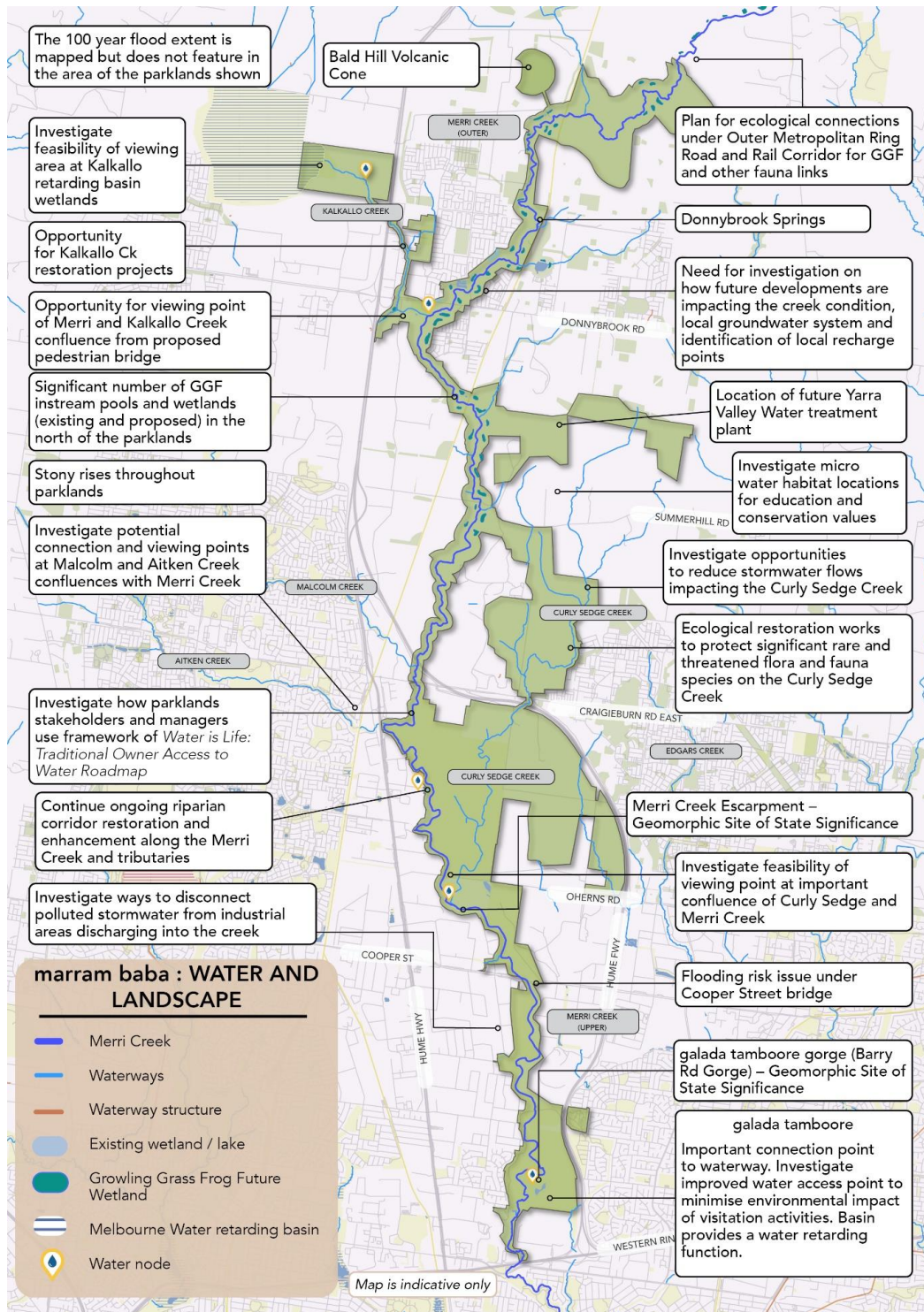


Figure 12: Parkland water values and management objectives

4.4 Climate resilience

Urban parks and green spaces provide significant ecosystem services that increase climate resilience, including mitigation of flooding in downstream communities, cooling to reduce the impact of the urban heat island on communities, and carbon sequestration. These climate-related ecosystem services are increasingly important as the population around the Parklands grows.

Climate change threatens the Parklands with hotter and drier summers, extended droughts, more frequent heatwaves and bushfires, and more intense storms and flood events. These changes threaten the environmental values and community use of the Parklands. Climate change impacts, combined with other changes such as population growth and urban development, place increased pressure on the Parklands' values and visitor experience.

The Parklands will provide an important refuge for people and animals during hot periods, particularly as urban growth continues in the areas surrounding the Parklands. At all times, and particularly in times of extreme heat, the Parklands will be managed to protect people and protected species and values from fire danger.

The total vegetation canopy coverage in the parklands was 23% in 2021¹³. It is noted that some of this coverage is likely to be invasive gorse that is intended to be removed through ongoing ecological restoration works. Due to the ecological priorities of the Parklands to protect grassland and Growling Grass Frog habitat, it is not intended that the canopy coverage will increase.

Climate change threatens human health, and this threat will be exacerbated as the population in the surrounding areas exposes more people to areas of high urban heat. The establishment of connected parklands with well-designed areas for people to gather, recreate and socialise will enhance community health and wellbeing and provide opportunities to build social connections which strengthen community resilience.

Strategic directions - climate resilience

The future implementation of the Plan is guided by the following strategic directions:

Urban heat

- Shade tree planting will be limited to areas where it does not impact on the specific habitat requirements of grasslands and Growling Grass Frog
- Maintain climate refuge opportunities for animals, especially access to water
- Promote planting of climate-appropriate, locally-indigenous species
- Provide shade where possible and drinking water at key visitor areas to reduce the impact of heat on visitors
- Alternative water sources (such as harvested stormwater and recycled water) to be used in appropriate areas (i.e. outside conservation areas) for irrigating open space to maximise cooling and increase the resilience of open spaces during droughts.

Fire regime

- Cultural fire management recognises that fire allows for healing and caring for Country. Fire management is to be viewed as more than asset protection, and future parkland planning will apply a more holistic reflection of cultural fire management
- Cultural fire is applied to achieve culturally meaningful objectives while also reducing the risk of bushfire. Land managers to recognise the authority of Traditional Owners to lead the development and application of cultural fire practice on Country
- Ecological burns are applied to support and develop biodiversity values in the parklands

¹³ Data from Vicmap Vegetation - Tree Density data from 2021

- The Parklands incorporate bushfire and grassfire management measures through design of interface landscaping, species planting, setbacks, mown fire breaks, water supply and emergency access planning
- Urban development interface buffers avoid encroaching into environmentally important areas and provide for emergency and management vehicle access.

Flooding regime

- Water sensitive urban design is implemented to mitigate floods and retain water in the landscape. Natural wetlands are protected and enhanced to acknowledge their integral role in waterway management
- Visitor infrastructure, such as trails and recreation facilities, is designed and sited to be above major flood levels or alternatively be designed to work with and acknowledge flooding
- Stormwater and flood management is implemented to reduce negative impacts from pollutants and excess urban runoff on waterways and parklands, whilst minimising the use of area within the Parklands for new stormwater infrastructure.

Parkland infrastructure

- Good siting, design, implementation and maintenance of landscape and built infrastructure enable resilience to climate change and extreme weather events
- Parkland infrastructure uses sustainable materials and renewable energy sources to minimise greenhouse gas emissions throughout their life cycle.

Lead actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Climate resilience
1. Provide trees at visitor areas and along trails where appropriate to provide shade and increased thermal comfort for visitors. Tree species will be indigenous and climate appropriate, appropriate to the conservation areas and enhance conservation values.
2. Design and construct visitor facilities to minimise their life cycle greenhouse gas emissions, and to enhance resilience to floods, heatwaves, bushfires, grassfires and storms.
3. Cultural fire management to be applied to support healing and caring for Country, including supporting ecological outcomes and managing bushfire and grassfire risks

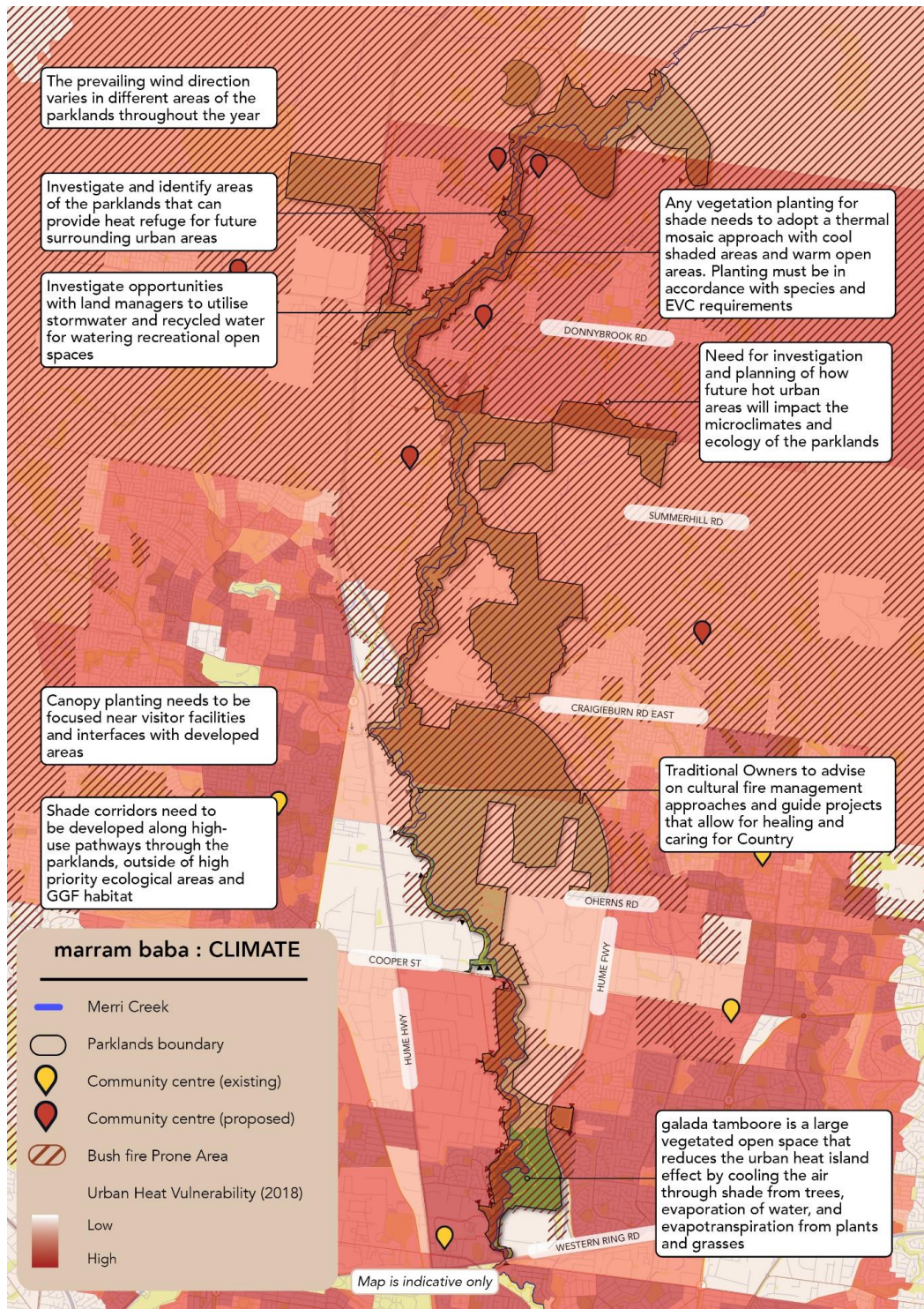


Figure 13: Parkland resilience management objectives

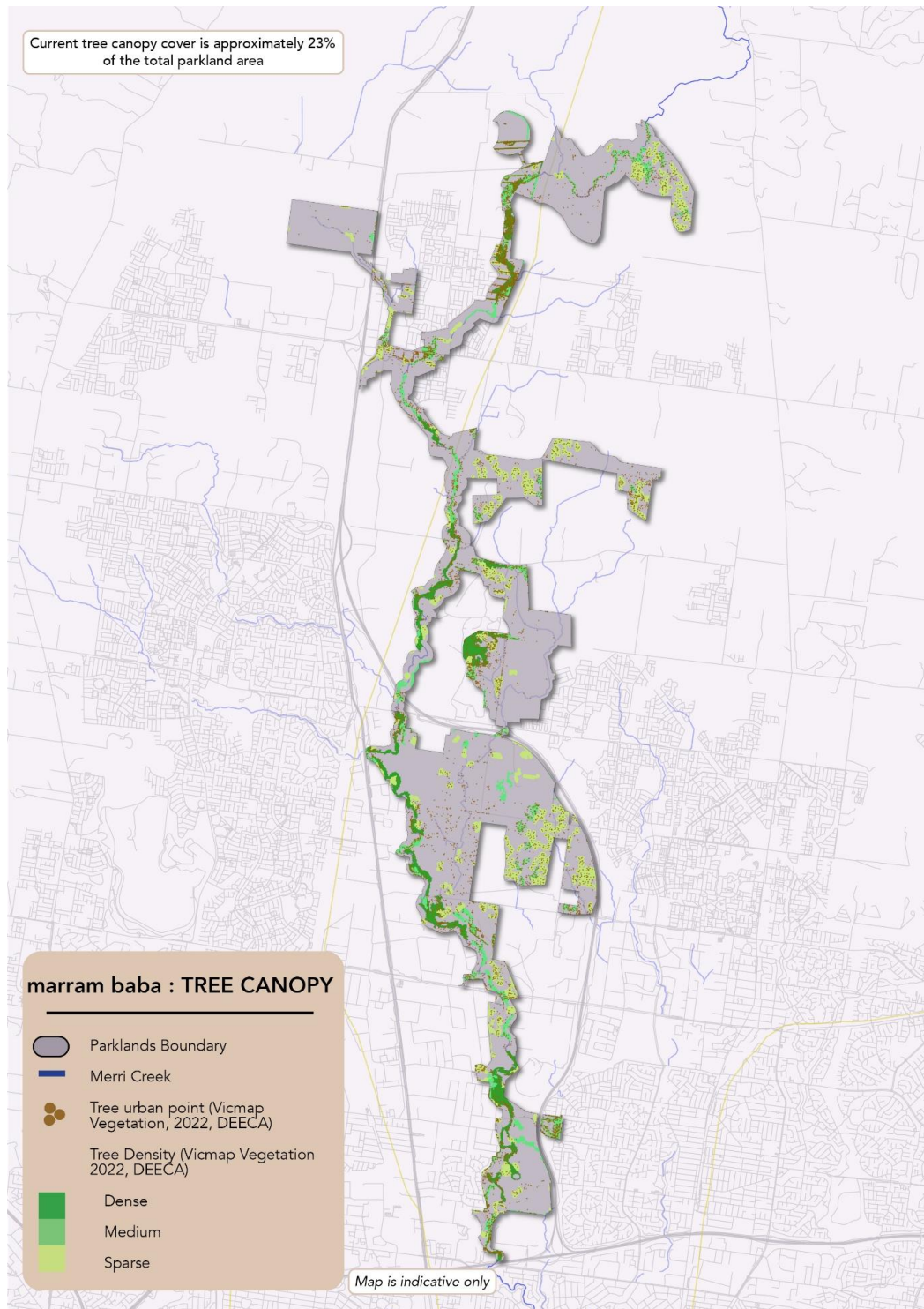


Figure 14: Tree canopy cover

4.5 Access and movement

Access to open space and nature-based recreational experiences for people of all abilities and backgrounds is an important and necessary step to ensuring the whole community can benefit from the Parklands. The benefits of access to open space are multi-dimensional, providing opportunities for interaction with nature, respite from heat, quiet calming places to reflect, places to exercise, explore and play, and places for communities to gather.

Access and movement within the Parklands will be shaped around the requirement to protect and enhance biodiversity and cultural heritage values of the Parklands. Visitors may enjoy different areas and features of the Parklands, while other areas will have restricted public access to protect the environmental values and critical public assets, and to ensure the safety of the public.

Enhanced north-south and east-west connections, connections to the waterways, creation of areas for nature-based recreation, and improved connections to established recreation areas will support greater access and movement.

As a major natural corridor running through Melbourne's north, the Parklands play a strategic regional role in providing walking and cycling opportunities for the North Growth Corridor. The Parklands facilitate the northern regional shared trail network providing opportunities for the extension of the existing Merri Creek Trail and connections to the galada tamboore Regional Pathway that follows the Hume Freeway. Direction and advocacy is required to develop a continuous trail along the creek from north to south that does not impinge on environmental values. Regional commuter trails will be separated from quieter walking loops and access paths.

The Plan acknowledges the Parklands area is narrow in several areas, which will limit opportunities for a walking and cycling path in those locations. The Plan identifies pinch points and prioritises further investigations into widening the Parklands to ensure this once-in-a-lifetime opportunity to plan for a connected trail network is maximised. Expansion of the open space corridor provided by the Parklands will benefit the tens of thousands of new residents and workers while protecting and enhancing biodiversity.

There are also opportunities to build connections to numerous regional open spaces and local reserves located within 15 km of the Parklands. These include links to the potential wallan wallan Regional Parklands and Bald Hill via a Cloverton Linear Reserve to the north; the Mount Ridley Nature Conservation Reserve via the Malcolm Creek Linear Reserve and Aitken Creek Linear Reserve in the west; and in the east the Quarry Hills Regional Park via the future MSA Grassy Woodland Reserve.

The need for east-west connections is an important consideration to ensure access to and through the Parklands. There is currently fragmented and disjointed parts of the Parklands, which result in visitors being able to experience only a small portion of the Parklands during a single visit. To link people to their desired destinations, it is important to provide connections to public transport hubs such as train stations and bus routes. Connections must also be planned for safe and easy access to existing centres in the south such as Craigieburn, Campbellfield and to the future centres of Wollert, Cloverton and Merrifield in the north.

The timing and sequencing of land being included in the Parklands is a critical barrier to providing access and continuous open space within the Parklands. Interim access opportunities that benefit park visitors will be investigated to ensure connectivity between open spaces and community places. Private landowners will continue to be consulted on the Parklands planning and opportunities to support the Parklands whilst land remains in private ownership.

A trail hierarchy should be developed that includes commuter routes (direct fast connections, likely located in conjunction with major roads and other non-sensitive easements), management tracks, recreational trails that provide a nature-based experience, and short loop walking paths that will support increased physical activity by residents. Places of meandering, safe, slow riding to be separated from busier commuter riding paths.

Strategic directions - access and movement

The future implementation of the Plan is guided by the following strategic directions:

Equitable Access

- The Parklands promote equity through all-abilities access. This will be achieved through the implementation of universal design and safety principles in future visitor infrastructure development, planning and design
- Visitor areas provide walking and cycling connections, all abilities paths and signage to public transport
- Surrounding communities are connected to the Parklands via safe walking and cycling access
- Visitor areas and trails incorporate elements for visitor comfort such as shade to ensure respite from heat, and seating at regular intervals that support people of all abilities.

Connectivity

- Improve east-west walking and cycling connections into and across the Parklands to better connect communities to the Parklands and other communities. All future bridges are to be designed to minimise the impact on biodiversity, cultural, waterway, and amenity values of Parklands. This includes investment in wider and higher bridges where they support better parkland outcomes
- The Parklands connect to trail corridors along the tributaries of Merri Creek in the Parklands including Kalkallo Creek, Malcolm Creek, Aitken Creek and Curly Sedge Creek
- Commuter pathways are connected with major roads, other non-sensitive easements such as pipetracks and powerlines, and established routes, such as the galada tamboore Regional Pathway to create regional cycling links that avoid impacting the environmental values of the Parklands
- Park information and wayfinding signage promotes awareness and enables access to the Parklands from surrounding activity centres and public transport hubs
- Interim access (alternative route) opportunities will be investigated for communities to access areas of open space or trails while the Parklands are being established
- The high demand for trails and changing recreational needs in new development areas will require land area set aside in pending PSPs and masterplans to support trail creation outside Conservation Areas in pinch points (narrow areas). A longer-term opportunity is for remediated quarries adjacent to the Parklands to dedicate areas for trails and recreation opportunities
- Explore innovative solutions for active transport in sensitive areas where additional land is not available.

Safety

- The Parklands provide safe spaces so visitors feel comfortable. Safety is a priority throughout the Parklands and design solutions will be applied including universal design principles, trail surfaces, signage, vehicle restrictions and passive surveillance. Lighting will not be installed where conservation is a priority as it is not the intention of the Parklands to support after-dark visits
- Location and design of creek crossings and other access infrastructure is not to increase flooding and risk to people and property.

Lead actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Access and movement
<p>1. Progressively implement a connected path network that supports recreation and commuter needs, visitor enjoyment and safety while protecting natural and cultural values. This includes a new loop trail in galada tamboore and a new trail in the southern-most part of the Parklands that will connect to the lower Merri Creek Trail.</p>
<p>2. Progress opportunities to widen the Parklands at identified pinch points to provide safe, comfortable walking and cycling access while protecting natural and cultural values. High priority pinch points should be identified through analysis of topography, and environmental and cultural heritage values. Additional area for connected trails will be sought in future PSPs, development plans, planning scheme amendments, and any adjacent quarry remediation planning.</p>
<p>3. Implement east-west connections for walking and cycling across the Parklands to connect communities. This includes improved shared use paths, pedestrian bridges, and maximising walking and cycling access under the future Outer Metropolitan Ring Road and Rail Corridor.</p>

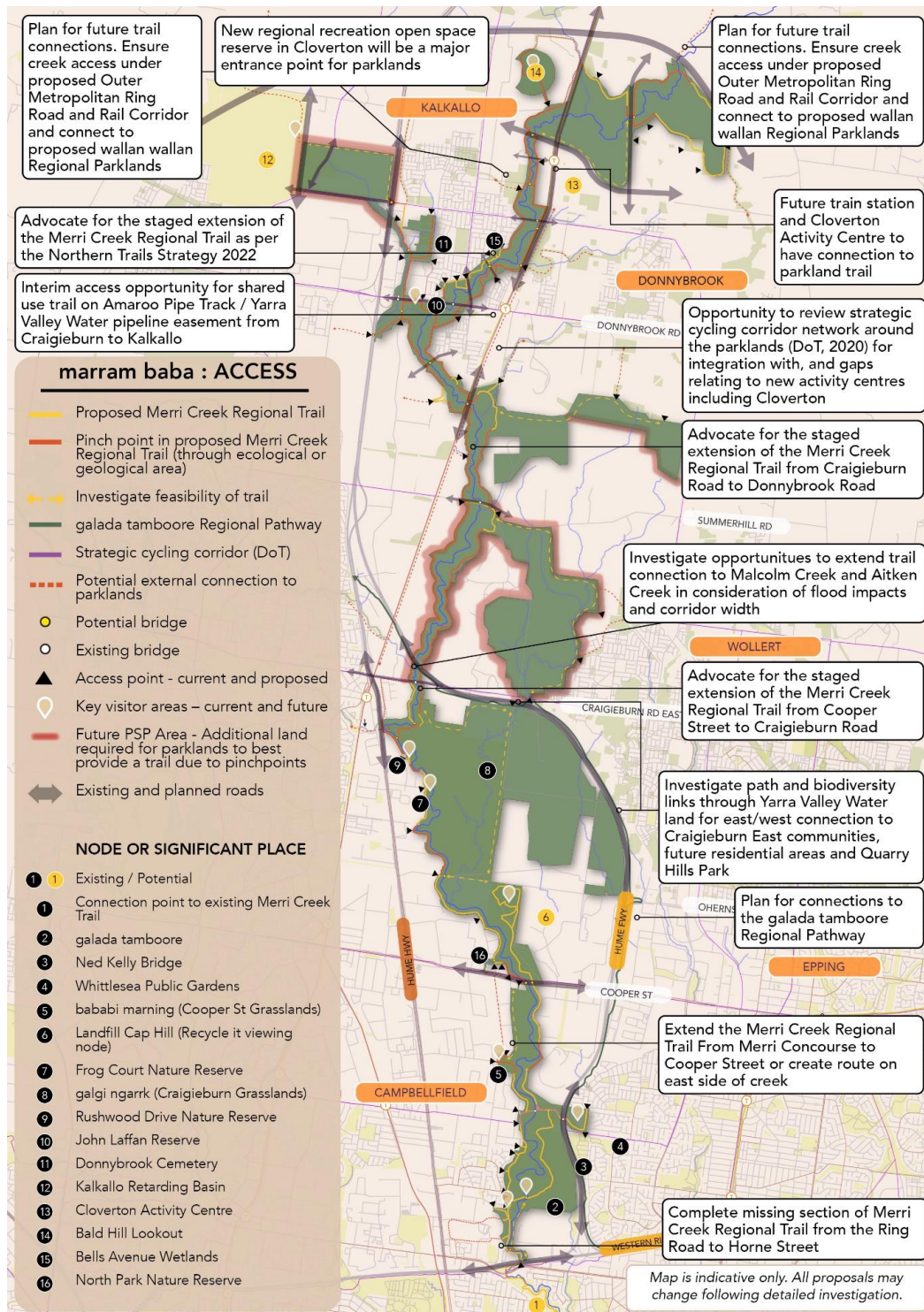


Figure 15: Existing and potential access and movement (whole corridor)

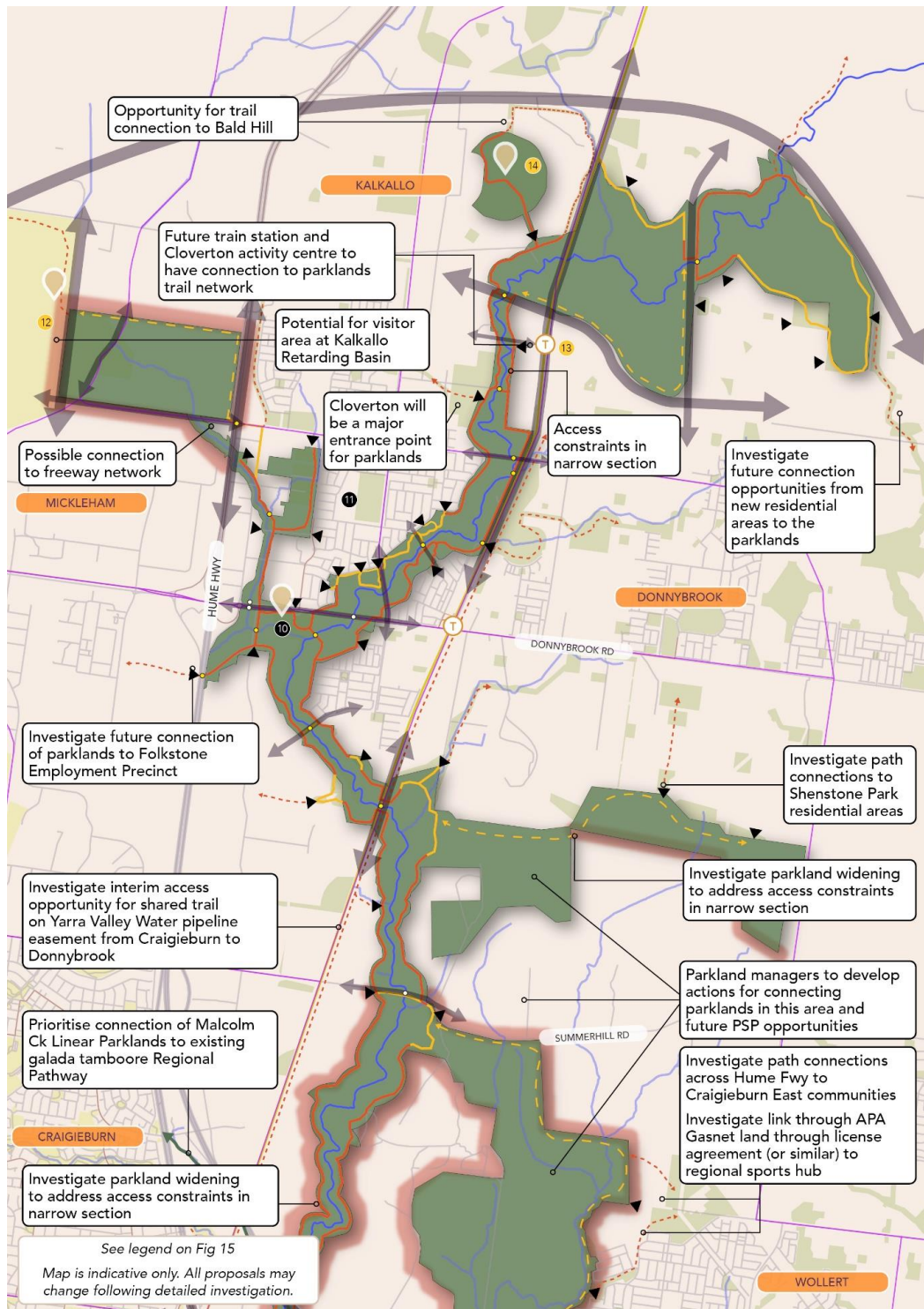


Figure 16: Existing and potential access and movement (northern portion)

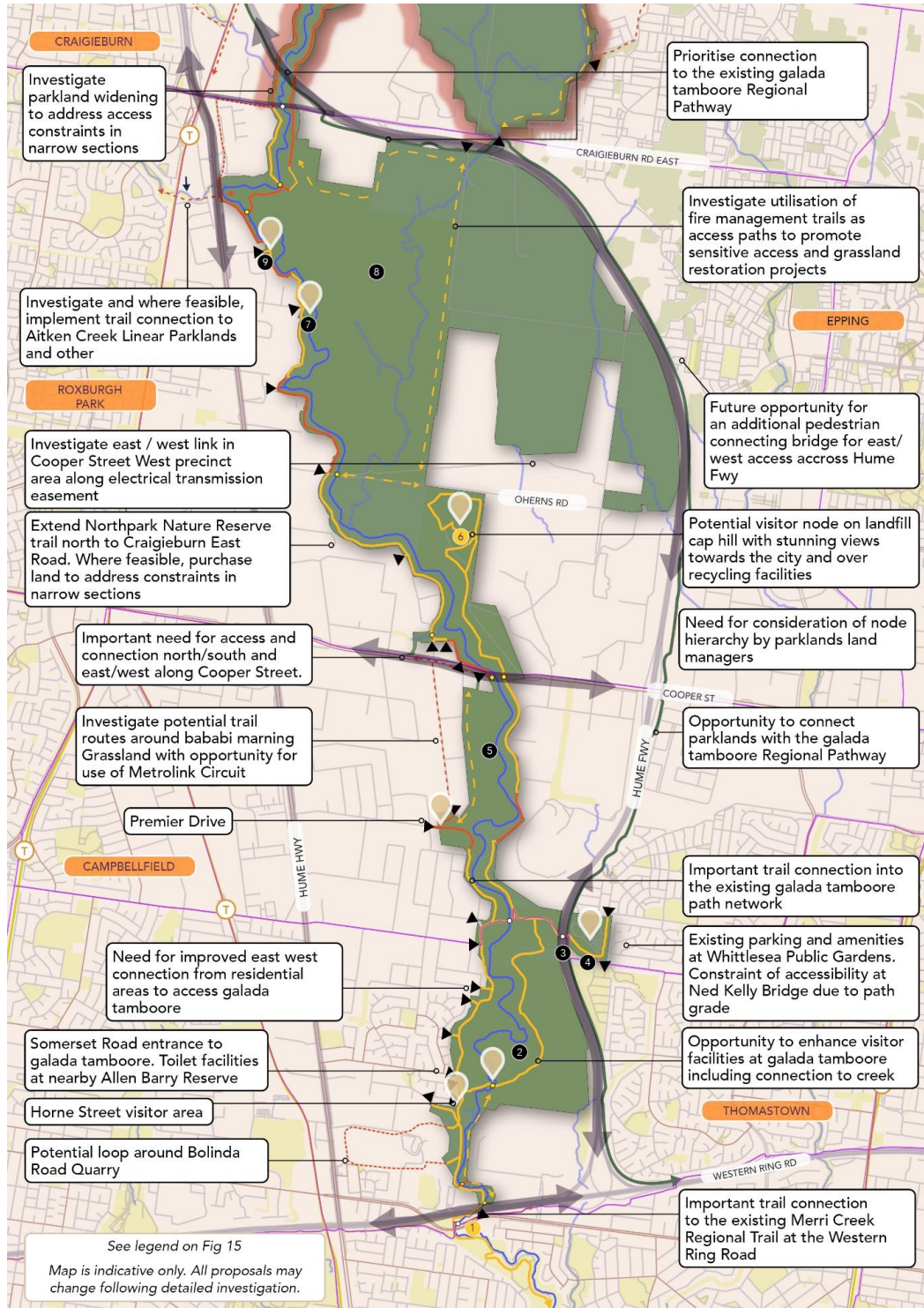


Figure 17: Existing and potential access and movement (southern portion)

4.6 Experience

The experience of the Parklands is shaped around enjoying and immersing oneself in the environment, gaining an appreciation of the natural and cultural heritage within the landscape, moving through the landscape, and being able to take in the landscape from scenic viewpoints and undertaking nature-based activities.

The sense of place characteristics that inform different people's experience of the Parklands will be strongly influenced by the variation in the water, geology and vegetation communities of the natural landscape. The volcanic plain grasslands, which are open and often windy, feel different to the more sheltered woodland areas and areas of riparian scrub adjacent to Merri Creek. Different ecological areas of the Parklands will also change in different ways across the seasons such as areas where seasonal burning takes place.

The Plan acknowledges the diverse and growing communities that surround the Parklands and that there is opportunity to further understand community recreational needs for visitor areas. It is understood that different people's experience of the Parklands is determined by a range of factors, such as cultural background, life stage, abilities and interests. Provision of knowledge and information is critical to an enjoyable experience for visitors to the Parklands.

Existing visitor areas for the marram baba Merri Creek Regional Parklands emphasise a connection to nature and culture with visitor facilities that emphasis walking, picnicking and other low impact recreational activities. These existing visitor areas include:

- galada tamboore in Campbellfield including the Horne Street Picnic Area and Hatty Court Playground
- Metrolink Circuit Reserve in Campbellfield
- North Park Reserve in Somerton
- John Laffan Reserve in Donnybrook
- Bell Street Wetlands, Quill Reserve and Klandy Drive Reserve in Kalkallo
- Donnybrook Cemetery and Kalkallo Commons Grassland in Kalkallo.

Whittlesea Public Gardens in Lalor is the key visitor parkland area that is available for more active recreational activities including playground, nature play areas, a cyclist learn-to-ride area, and outdoor equipment. This is an important entrance area for Whittlesea residents to enter galada tamboore and increasingly connected areas in the lower reaches of the Parklands.

The Parkland Partners will continue to maintain and enhance the above parks and with the expanded Parklands area will continue to investigate new visitor areas, entrance carparking and viewing sites that allow for appreciation of the landscape and natural and cultural values.

As a place of natural landscape values, situated amongst expanding residential development and industrial land uses, the Parklands provide places of calm, fresh air, views and low impact nature-based recreation. The Plan acknowledges that the Parklands will not be able to accommodate all the recreational needs of the growing communities in its surrounds. The significant conservation values of the Parklands means that certain recreation activities, such as off-leash dog exercise, must be located in and limited to suitable areas, and instead preferentially provided in nearby parks and recreation reserves outside the Parklands. There is the opportunity to work with the ongoing planning for PSPs to strategically co-locate recreation activities that require major visitor infrastructure such as toilets, parking, BBQs, dog off-leash exercise, and active recreation facilities near, but outside, the Parklands.

The Parklands will be influenced by the future development of the Cloverton Metropolitan Activity Centre (MAC) in the north of the Parklands. This Cloverton MAC will create a new 'city' with up to 20,000 residents and many thousands more workers expected to directly view and enjoy the Parklands. This includes a proposed new pedestrian bridge over the Merri Creek providing a busy

thoroughfare connecting the east and west of the activity centre, and viewing opportunity for people walking from the proposed new train station. The new city of Cloverton will include high rise offices and housing with the Merri Creek parklands running through its centre. People living, working and even those looking down from high buildings will be able to appreciate the natural and cultural values of the Parklands.

Just west of the Parklands boundary, the Cloverton activity centre will provide visitor facilities including playgrounds, picnic areas, toilets, and sporting facilities. This will be the most significant place for the community to experience the connection to the northern part of the parklands, enjoying barbeque and picnic facilities amongst river red gums. From this co-located key activity area, an open space link and wayfinding signage can help visitors walk and cycle up to Bald Hill providing a rewarding view over the Parklands.

Like many growth areas, the community surrounding the area of the proposed Cloverton MAC is culturally diverse, and consists of 46% of residents born overseas, including 26% from India providing an opportunity for different cultural groups to engage, connect and influence the future design of parklands¹⁴.

Significant urban infrastructure is planned for the area around the Parklands including the Outer Metropolitan Ring Road and Rail Corridor. This development reinforces the importance of protecting sites of high biodiversity that may have restricted visitor access, protecting soundscapes and views, as well as limiting inappropriate infrastructure and utility access into and through the parklands (with the exception of Special Use Zones). There are also opportunities to leverage the surrounding development for the Parklands, for example as trail connections.

Strategic directions - experience

The future implementation of the Plan is guided by the following strategic directions:

Landscape experiences

- Highlight seasonal changes within the Parklands through opportunities such as educational events, citizen science projects, interpretation and art. Information and programs undertaken in partnership with Traditional Owners and management groups can increase visitor awareness of topics such as cultural burning and species protection
- Provide opportunities for people to connect with different landscape experiences such as grasslands, open woodlands, and waterways; including scenic viewpoints and other rest points to invite visual, aural and other sensory connection to the landscape
- Increase viewing opportunities to showcase the natural beauty of the Parklands. This includes viewing points that may be located outside of the Parklands
- Support and enhance natural soundscapes in the Parklands, including the quiet gorge at galada tamboore, flowing creeks, and open grassland areas.

Parkland facilities

- Develop and expand visitor facilities (where appropriate) at major visitor areas within the Parklands and investigate the use of visitor facilities co-located at nearby local parks or public areas. This includes carparking at entrance points and public toilets
- Provide loop walks, and short nature-based walks designed for 30-60 minutes, for physical activity recreation opportunities that include all-ability opportunities
- Design park facilities to be environmentally sustainable and co-located with heat-refuge areas.

Wayfinding and park information

¹⁴ Hume City Council, Precinct 13: Lockerbie Community Profile, 2023

- Support inclusivity by providing Parkland information in languages that are commonly spoken in the community. This includes signage and online information
- Provide wayfinding signage and connections across and within the Parklands to link communities from both sides of the Parklands.

Education and interpretation

- Information about the cultural landscape and heritage of the Wurundjeri Woi-wurrung people to be shared under the direction of the Traditional Owners. This includes cultural tourism and education opportunities
- Community art projects to support connection to the landscape, ecology, geology, waterways, and cultural and social values of the Parklands
- Celebrate different landscapes and natural features such as the grasslands, open woodlands and waterways, through wayfinding and interpretive educational resources
- Support education programs (storytelling, community tours, citizen science) and interpretation materials (signage, audio and digital guides).

Lead actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Experience
<p>1. Develop and expand visitor facilities (where appropriate) at key visitor areas within the Parklands including co-located local parks or other public areas. Investigate, plan and develop:</p> <ul style="list-style-type: none"> • Potential visitor area with views over Inverloch Swamp at Kalkallo Retarding Basin • Visitor facilities adjacent to the Parklands at Cloverton Recreation Reserve to provide active recreation, wetlands and trails. A potential pedestrian bridge will cross the Merri Creek with viewing opportunities and a proposed open space link will encourage walking up to Bald Hill for wider Parkland views • Opportunities to co-locate visitor facilities just outside of the Parklands within pending PSPs including Northern Quarries, Craigieburn South Employment Area, Cooper Street West and Merrifield North Employment Area.
<p>2. Develop viewing areas to support visitor enjoyment, safety, and the protection of natural and cultural values. Opportunities include:</p> <ul style="list-style-type: none"> • Potential viewing point at the City of Whittlesea Northern Landfill cap on Companion Street, which provides exceptional views south towards the Melbourne CBD. Also include interpretation of the history of the cap, the adjacent recycling facilities, Growling Grass Frog habitat and Traditional Owner stories of the landscape • Viewing point at Bald Hill in the north which provides sweeping 360-degree views and opportunity for interpretation about the volcanic history of the land and the cultural landscape • Investigate potential viewing points showcasing escarpments, rapids and confluences along waterways and wetlands including the Kalkallo Retarding Basin.

<p>3. Land managers, Traditional Owners and community partners deliver and support experiences and educational opportunities that celebrate the unique and precious natural and cultural features of the Parklands. These may focus on:</p> <ul style="list-style-type: none"> • Seasonal changes in the waterways • Seasonal flora and fauna features • Importance of grasslands, grassy woodlands and geological features • Wurundjeri Woi-wurrung cultural stories and education.
<p>4. Support volunteer groups, community programs, citizen science and research partners to promote shared ecological, cultural and community Parkland values, and provide programs to support physical activity and social connections.</p>
<p>5. Continue to implement interpretive signage that shares cultural and ecological information. Support with wayfinding signage. Use marram baba Merri Creek branding for both interpretive and wayfinding signage.</p>

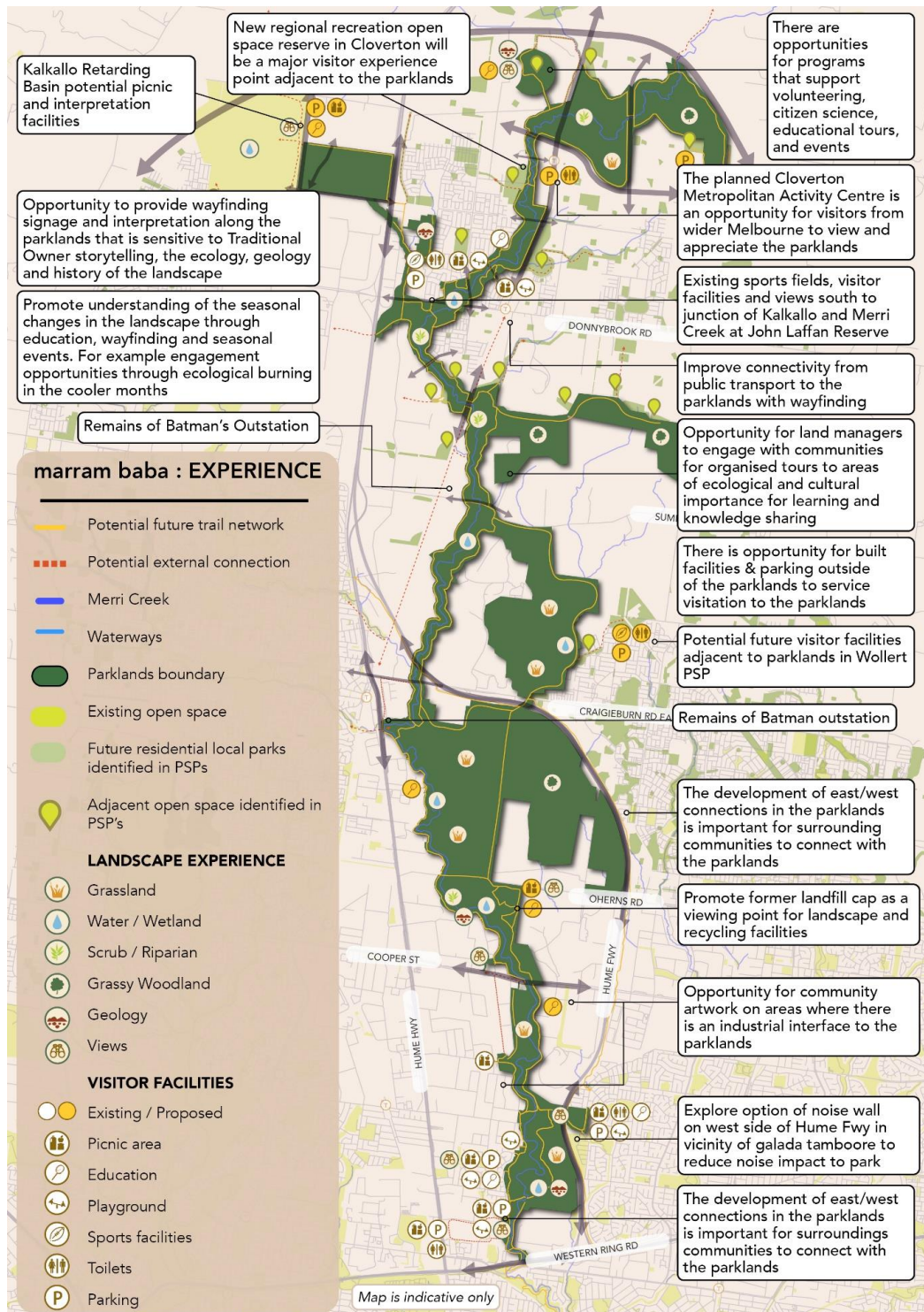


Figure 18: Existing and future experiences and activities

5 Management of the Parklands

5.1 Management and partnerships

The Plan supports a collaborative approach to planning, development and management of the Parklands. The resourcing for and implementation of actions in the Plan require collaboration between Parkland Partners, other management agencies, adjoining landowners, the community, and user groups to achieve the best outcomes for the Parklands.

5.2 Strategic directions

The future implementation of the Plan is guided by the following strategic directions:

Traditional Owners

- It is the expectation of the Traditional Owners, that Wurundjeri Country will be returned to the Wurundjeri Woi-wurrung people.
- The Parklands Partnership Group supports Traditional Owner self-determination and the goals of the Wurundjeri Woi-wurrung people for future management of the Parklands. It is considered that any land managers (that are not the WWCHAC) are managing the land as a transitional measure until the WWCHAC is provided with the capacity and resources to take on the land manager role.
- Returning land to WWCHAC will be undertaken via a suite of measures ranging from longer term legislative changes regarding land tenure and management to more immediate options including appointment of WWCHAC as a Committee of Management, WWCHAC as a partner on relevant land management decision committees, WWCHAC Narrap Unit appointed as land management contractor.
- Funding models are needed to ensure meaningful partnerships with Traditional Owners to achieve Caring for Country, as identified in Open Space for Everyone.

Parklands Partnership Group

- The Parklands Partnership Group includes Parks Victoria, Hume City Council, City of Whittlesea, Mitchell Shire Council, Melbourne Water, Yarra Valley Water, WWCHAC, Merri Creek Management Committee and DEECA.
- The Parkland Partnership will review the Plan every four years.
- These land managers will manage and make decisions about land they manage in accordance with legislative requirement and the shared vision, guiding principles, strategic directions and actions set out in the Plan.
- Parklands Partners will maintain strong relationships by continuing to meet as a Parklands Partnership Group to deliver the Plan, work through shared issues, deliver joint projects, support and monitor the Parklands establishment, provide consistent input and guidance for adjacent development, and support consistent parklands communication and connections.

Land inclusion

- DEECA will continue to progress and coordinate land inclusion for the Parklands. 57% of the Parklands is managed by Parklands Partners in 2022. The remaining land inclusion will be undertaken progressively with new properties acquired as soon as feasible. The final properties will be protected or transferred into the Parklands by 2050.
- Parklands Partners will support private land managers to undertake education and promote Parklands protection and enhancement before private land comes into the Parklands.
- Parkland Partners will use research data and monitoring to inform management planning and responses.

Planning Controls

- WWCHAC request conservation and enhancement of cultural landscape through planning controls.
- Updated and consistent planning controls applied to the Parklands and adjoining properties will help conserve and enhance the marram baba cultural landscape. The marram baba Future Directions Plan can serve as a supporting background document for any revised planning controls, and any permits issued generally in accordance with PSPs.
- PSPs are the key plan in growth areas guiding future use, subdivision and urban development of the land around the Parklands.
- Pending PSPs will consider the vision and strategic directions of this Plan to support the ongoing creation of the Parklands. This includes seeking opportunities to widen pinch points to support wildlife corridors and shared trail access.
- The Parklands extent may vary in response to future detailed site-specific analysis as part of the planning assessment process. Any Parklands boundary will only be supported if the alternative boundary ensures biodiversity, cultural and visitor access values remain protected and enhanced in accordance with the Plan.

Community

- Parklands Partners will support the local community in volunteering activities to increase community involvement in ongoing Parklands protection and management.
- Parklands Partners will continue to work with research partners and volunteer groups including 'Friends of' groups and look for opportunities to further support these groups and other community activities including clean-up events, weeding and planting days, and citizen science activities such as Waterwatch, Frogwatch and bird surveys.

5.3 Management zones

The management zones set out the primary land management purpose and reinforce the identity of different areas within the Parklands boundary. The management zones assist in determining the future land manager for each parcel of land, and are a decision support tool that the Parklands Partners will use to align planning and management activities with the governance and management guiding principles in this Plan.

The management zones will support a consistent approach for all land managers, supporting them to:

- Recognise existing legislative obligations¹⁵
- Identify priorities for Parkland establishment and land management
- Identify appropriate future land managers for different areas within the Parklands (noting these are transitional until the WWCHAC can assume responsibility for management of the Parklands)
- Land reservation purpose and supporting regulations.

Table 2 sets out the four management zones, the (in principle) land managers and the proposed management measures for each zone, and examples of areas in the Parklands that are classified into each management zone. The location of the management zones across the Parklands are mapped in Figure 19: Future management zones

¹⁵ Legislative requirements and obligations of agencies and land managers override the Future Directions Plan. Overarching support for initiatives in this Plan is provided on the understanding that further detailed designs will need to be submitted for approval.

5.4 Actions

The following actions have been developed in consultation with the Parklands Partnership Group and reflect the priorities of the land managers.

Actions - Management of the Parklands
1. Establish the marram baba Merri Creek Regional Parklands Partnership Group as an ongoing collaboration to be reviewed every four years or as required.
2. Progressively secure the transfer of private land within the Parklands boundary to Parklands Partners including land within the Biodiversity Conservation Area.
3. Investigate, and where feasible update planning controls to help conserve and enhance the marram baba cultural landscape.
4. Investigate options and, where possible, transition to land management by the WWCHAC to deliver cultural and natural resource management outcomes. Collaboratively develop a sustainable funding model that will facilitate the transition of management to WWCHAC.

Table 2: Management zones

Zone	Description	Management measures	Examples with this zone	Transitional management
Conservation	<p>Areas of significant environmental and cultural value where the emphasis is on protection, maintenance and enhancement of values and where human access is predominately restricted.</p> <p>Human interaction might include promoting the enjoyment of these areas to appreciate, learn from, and experience nature and culture.</p>	<p>Pest plant and animal management, minimising human activity, litter removal, managing interface areas, enhancing, restoring and managing habitat, ecological and cultural burning, education, monitoring and compliance.</p>	<p>Areas include galgi ngarrk and bababi marning grasslands, much of galada tamboore, Council conservation reserves, Conservation Areas, EPBC offset sites, that are or will eventually be included in the Parklands</p>	<p>Conservation Zones will be considered for management by the WWCHAC, Parks Victoria, and Melbourne Water (where it has a Growling Grass Frog conservation area reservation). Committees of Management will also be considered for management of these areas, including Merri Creek Management Committee.</p>
Conservation and recreation	<p>Areas where the management emphasis is on protection of environmental and cultural values while allowing for passive recreation in a natural setting.</p> <p>Recreational activities are provided without significant impact on natural values, and might include walking and cycling, picnicking, scenic viewing, and nature-based children’s play.</p>	<p>Pest plant and animal management, visitor infrastructure management, litter removal, interface area management, enhancing, restoring and managing habitat and revegetation of selected areas.</p>	<p>Areas include North Park Reserve, the former Northern Landfill site, and future visitor areas.</p>	<p>Conservation and Recreation Zones will be considered for management by Parks Victoria, Melbourne Water and local Councils - Hume City Council, City of Whittlesea and Mitchell Shire Council. Committees of Management will also be considered for management of these areas.</p>
Community recreation	<p>Provision of a wide range of structured recreation and sport opportunities and events that cater to community and group activities.</p>	<p>Revegetation activities and native planting, litter removal, and visitor infrastructure maintenance.</p>	<p>Areas include Whittlesea Public Gardens.</p>	<p>Community Recreation Zones will be considered for management by local Councils - Hume City Council, City of Whittlesea and Mitchell Shire Council.</p>
Special use	<p>Areas of restricted access that support the activities of the land manager while maintaining the cultural and biodiversity values of the Parklands.</p>	<p>As determined by the nature of the land value.</p>	<p>Areas include Yarra Valley Water sites and Donnybrook Cemetery.</p>	<p>As determined by the nature of the land value or asset, for example Yarra Valley Water requires restricted access to protect important public infrastructure, assets and to ensure separations distances.</p>

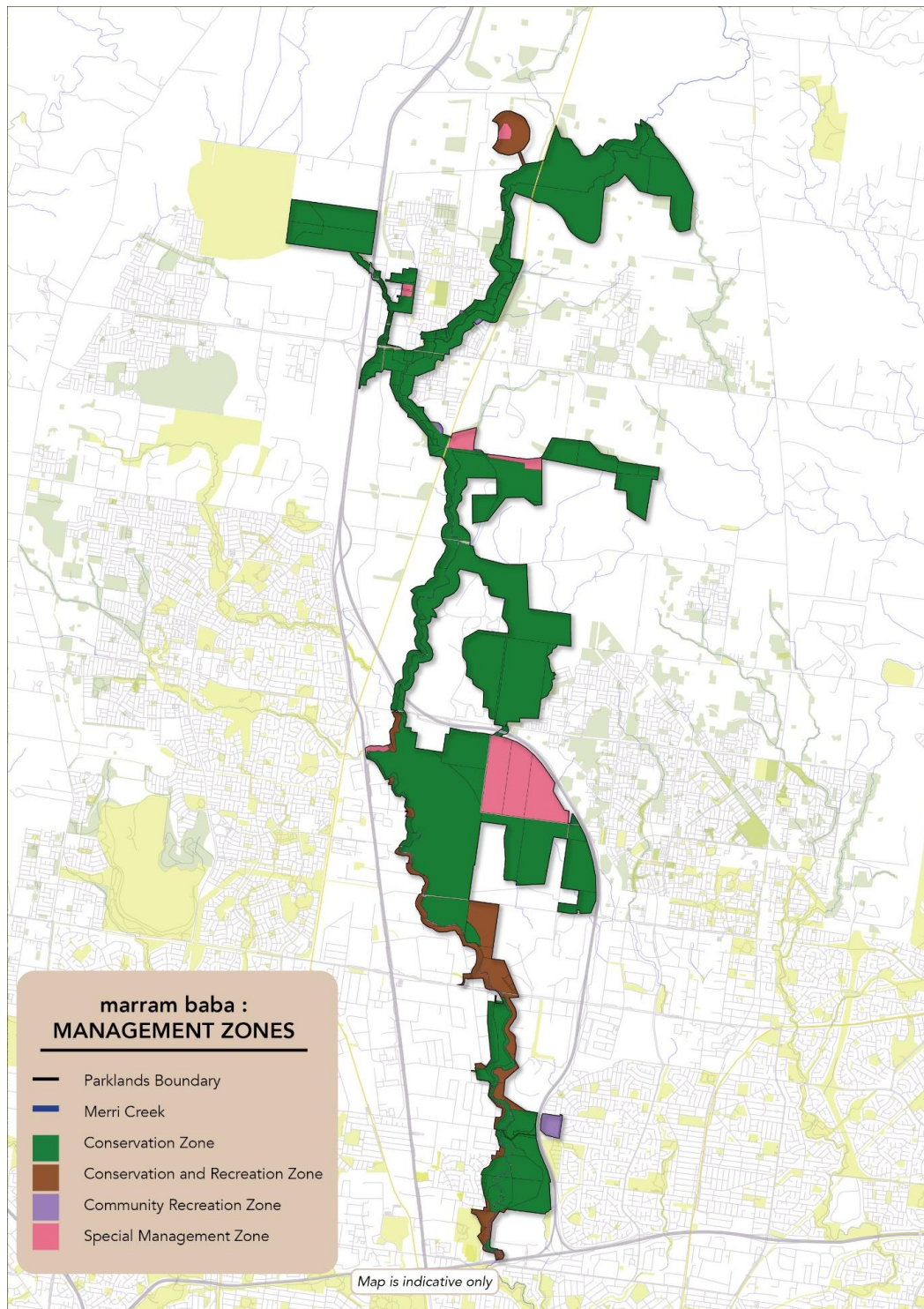


Figure 19: Future management zones

Appendix 1 Future Directions Plan method

The Future Directions Plan has been developed by the Mosaic Insights and REALMstudios team on behalf of the Parklands Partnership Group, whose members are:

- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
- Parks Victoria
- Melbourne Water
- Hume City Council
- City of Whittlesea
- Mitchell Shire Council
- Yarra Valley Water
- Merri Creek Management Committee
- Department of Energy, Environment and Climate Action.

The Plan was developed with significant input from the Parklands Partners at each phase. Workshops and meetings with stakeholders, community groups, developers, landholders and other interested parties provided valuable insights into the priorities, challenges and opportunities for the Plan.

The community were consulted through face-to-face meetings and online surveys. The community consultation findings are summarised in the marram baba Merri Creek Regional Parklands: Engagement Summary Report.

Endorsement of the Future Directions Plan will be followed by further detailed design and approvals for parkland infrastructure. Partners will be responsible for assessing against their legislative requirement and obligations. An overview of the phases is provided below.

Phase	Overview
Phase 1. Project planning	The first phase of the project focussed on identifying key stakeholders and confirming a roadmap for delivering the Plan.
Phase 2. Background review and opportunities analysis	In this phase, previous work on the Parklands (including the 2013 Strategic Management Plan) was reviewed. Information was gathered from Project Partners and a range of other sources and used to create maps that captured the current ecological, cultural and social conditions of the Parklands and its surrounds.
Phase 3. Community engagement	In this phase, the community was consulted on the vision and direction for the Parklands through a mixture of online surveys, an information session and face-to-face intercept surveys. The primary purpose of this round of engagement was to generate interest and collect ideas from the community that could be included in the Plan.
Phase 4. Draft Future Directions Plan	Following feedback from the community and stakeholders, the draft Plan was developed. The Parklands Partnership Group were closely involved in confirming the vision, principles, themes and directions for the Parklands to inform the draft Plan.
Phase 5. Consultation	The draft Plan was released and stakeholder and community feedback gathered in April - May 2023. The Parklands Partners were closely involved in reviewing and providing feedback on the draft Plan.
Phase 6. Final Future Directions Plan	Edited the Plan to account for stakeholder and community feedback. All Parklands Partners endorse their role in the Plan, and the Parkland Partnership Group endorsed the Final Plan.

Appendix 2 Policy context

The future planning, management, and use of the Parklands is informed by state and local government policies and strategies. The following key strategies strongly influence the Plan. Appendix 3 includes a complete list of strategies, plans, and policy documents reviewed in preparing the Plan.

Plan Melbourne 2017-2050

Plan Melbourne is the State Government plan to guide and manage growth in the city. Plan Melbourne sets the overall direction for open space management at a metropolitan scale through:

- **Principles:**
 - Principle 1 - A distinctive Melbourne
 - Principle 4 - Environmental resilience and sustainability
 - Principle 5 - Living locally - 20-minute neighbourhoods
 - Principle 7 - Strong and Healthy communities
- **Policies:**
 - Policy 4.4.2 - Respect and protect Melbourne’s Aboriginal cultural heritage
 - Policy 5.4.1 - Develop a network of accessible, high-quality, local open spaces
 - Policy 6.2.1 - Mitigate exposure to natural hazards and adapt to the impacts of climate change
 - Policy 6.4.2 - Strengthen the integrated metropolitan open space network
 - Policy 6.5.1 - Create a network of green spaces that support biodiversity conservation and opportunities to connect with nature
 - Policy 6.5.2 - Protect and enhance the health of urban waterways
- **Actions:**
 - Action 93 - Open Space for Everyone.

Open Space for Everyone 2021

Open Space for Everyone (2021) is the Victorian Government open space strategy for metropolitan Melbourne. The strategy provides the strategic framework for planning, acquisition, design, management, use and maintenance of the Melbourne metropolitan open space network. The strategy aims to give everyone equal access to Melbourne’s renowned parks and open spaces that are central to our health and wellbeing. The strategic framework is presented below (Figure 21).

Several actions are already in progress to fulfill the vision set out in Open Space for Everyone, including a direction specific to the Parklands: *develop a plan and fund park infrastructure to create better facilities, linkages, and access to the marram baba Merri Creek Regional Parklands, which connect stretches of mostly existing public land.*



Figure 18: Open Space for Everyone strategic framework

Protecting Victoria's Environment - Biodiversity 2037

Protecting Victoria's Environment - Biodiversity 2037 is underpinned by two goals to support Victoria's biodiversity: Victorians value nature, and Victoria's natural environment is healthy. State-wide biodiversity commitments include targets for pest and weed control, as well as revegetation and establishment of new permanently protected areas.

An invaluable contribution to the protection of biodiversity is the connection of people to nature. It is crucial to the goal of five million Victorians taking action to protect the environment. The Plan supports the goals and commitments of Biodiversity 2037.

Biodiversity Conservation Strategy for Melbourne's Growth Corridors 2013

The Biodiversity Conservation Strategy governs the protection of biodiversity in the growth corridors. It includes conservation measures to be taken for matters of national environmental significance to meet commitments to the Commonwealth government, as well as measures for matters of state importance to meet state requirements. The purpose of the strategy is to inform the preparation of the Growth Corridor Plans, outline the means of achieving conservation outcomes for matters of national environmental significance, and identify land within the growth corridors that needs to be protected and how impacts will be mitigated.

The Parklands has been identified as a major wildlife corridor providing important habitat as well as connectivity through the growth corridor. A conservation outcome that is specific to the Parklands is the protection and enhancement of important populations of Growling Grass Frogs and the protection and enhancement of habitat for other matters of environmental significance, including native grasslands, grassy woodlands, wetlands, and threatened species.

Healthy Waterways Strategy 2018-28

The Healthy Waterways Strategy covers the Port Phillip and Westernport region and considers conditions over the next 50 years. Integrated catchment management initiatives and catchment planning processes are the key components of the Healthy Waterways Strategy. The strategy provides strategic directions for managing a diverse range of waterways, including Merri Creek.

The vision specific to the Yarra catchment, of which Merri Creek is a part, is that '*Our Yarra catchment waterways are increasingly protected, respected and collaboratively cared for by Traditional Owners, government and community as living and highly valued entities. They are a linked network of thriving corridor and instream spaces which nurture biodiversity, deepen the relationship between people and nature, build resilience as our population grows and the climate changes, and contribute to wellbeing and liveability. Their ecological health and value to the community continuously improves through rehabilitated waterways and balanced uses*'.

The strategy sets out management goals for the catchment, which have directly informed the Plan:

- *Environmental values and significant ecological processes of all the Yarra Catchment waterways are protected and improved.*
- *Riparian and instream habitats provide landscape connectivity, allowing the movement of native species and promoting resilient native flora and fauna populations.*
- *Cultural and heritage values are recognised, protected, maintained and enhanced.*
- *Communities and individuals connect with and appreciate the values of waterways.*
- *An engaged and knowledgeable community acts to protect and promote waterway values.*
- *The waterways support natural system maintenance and tourism in a balanced manner.*
- *The waterways are managed in a transparent and collaborative governance framework.*
- *The cultural, historical, amenity values and landscape settings of all modified waterways are protected and improved.*

The strategy also sets out targets and performance objectives for the sub-catchments, which includes Merri Creek Upper and Merri Creek Lower.

Victorian Aboriginal Affairs Framework 2018-2023

The Victorian Aboriginal Affairs Framework is the overarching framework for working with Aboriginal Victorians, organisations and the wider community to drive action and improve outcomes and sets out whole of government self-determination enablers and principles. The vision is that *'All Aboriginal Victorian people, families and communities are healthy, safe, resilient, thriving and living culturally rich lives'*. Goals of the framework that are particularly relevant to the Plan include:

- *Acknowledge, respect and celebrate the diversity and strength of Aboriginal culture.*
- *Promote greater understanding of and respect for Aboriginal culture and communities among non-Aboriginal Victorians.*
- *Support Traditional Owner-led management and control of land, water and other natural resources.*

Victoria's Climate Change Strategy 2021

The five-point plan in Victoria's Climate Change Strategy includes investing in Victoria's natural environment to protect plants and animals, as well as creating a climate resilient Victoria through protecting landscapes, communities and ecosystems to withstand and recover from extreme weather events. Climate resilience of the community and natural environment is integrated in the Plan.

Victorian Public Health and Wellbeing Plan 2019-2023

The Victorian Public Health and Wellbeing Plan is centred on the vision of all Victorian's enjoying the highest attainable standards of health, wellbeing, and participation at every age.

The plan includes several priorities and actions that are relevant to the Parklands including:

- *Resilient and safe communities that are adapting to the public health impacts of climate change.*
- *Increase the proportion of transport trips that use active modes of transport.*
- *Increase easy access to parks, open spaces and public spaces with opportunities for physical activity where appropriate.*
- *A reduction in the prevalence of mental illness, and increased resilience among Victorian individuals, families and communities.*

Appendix 3 Strategic document review

Existing strategies, plans and policy commitments of Federal, State and Local Government and Parkland Partners were reviewed to inform parkland planning. Documents were provided by Parks Victoria, Hume City Council, City of Whittlesea, Mitchell Shire Council, Melbourne Water, Yarra Valley Water, Merri Creek Management Committee and DEECA.

The background review was critical in understanding the opportunities and constraints for parkland planning, and directly informed the Plan. A list of the documents included in the review is provided below.

Organisation	Documents
Parks Victoria	Merri Creek Marran Baba Parklands Strategic Management Plan 2013
	Disability Action Plan 2017-2020 (2017)
	Galada Tamboore Master Plan (2009)
	Nature Conservation Strategy for parks and reserves managed by Parks Victoria 2021- 2031 (2021)
	Land Management Strategy (Draft - 2021)
	Managing Country Together Framework (2019)
	Healthy Parks Healthy People Framework (2020)
	Volunteering in Parks -Vision for future (2017-2021)
	Historic Places Strategic Framework and Action Plan (2019-2022)
	Cultural Diversity Action Plan 2018-2021
Hume City Council	Open Space Strategy 2010- 2015 (2010)
	Land and Biodiversity Plan 2015-2019 (2015)
	Leisure Strategy 2013-2018 (2013)
	Walking and Cycling Strategy 2010-2015 (2010)
	Health and Wellbeing Plan 2021-2025 (2021)
	Live Green Plan 2021-2026 (2021)
	Pathways to Sustainability Frameworks 2015-2019 (2015)
	Stronger Hume Covid-19 Adaptation and Resilience Plan (2022)
	Northern Trails 2022 (also City of Whittlesea)
City of Whittlesea	Active Whittlesea Strategy 2019-2028 (2019)
	Biodiversity Strategy 2019-2029 (2019)
	Community Plan 2021-2025 (2021)
	Whittlesea Municipal Emergency Management Plan (2021)
	Health and Wellbeing Partnership Plan 2017- 2021 (2017)

Organisation	Documents
	Environmental Sustainability Strategy 2012-2022 (2012)
	Extreme Heat Sub- Plan 2021 - 2022 (2021)
	Greening Whittlesea City Forest Strategy 2020-2040 (2020)
	Walking and Cycling Plan 2022-2027 (2022)
	River Red Gum Protection Policy (2014)
	Whittlesea Township Plan (2021)
	A Place For All 2040 (2018)
	Whittlesea Bicycle Plan 2016 - 2020 (2016)
Mitchell Shire Council	Asset Management Strategy (2015)
	Economic Development Strategy 2016-2021 (2016)
	Environmentally Sustainable Design for Council Buildings Policy (2021)
	Open Space Strategy 2013-2023 (2013)
	Health and Wellbeing Plan 2021 - 2025 (2021)
	Heritage Policy (2009)
	Community Plan (2020)
	Environment Strategy 2020 - 2024 (2020)
	Heat Plan (2015)
	Play Space Strategy (2015)
	Municipal Emergency Management Plan 2021 - 2024 (2021)
	Environment Policy (2020)
	Flood Emergency Plan - A Sub-Plan of the Municipal Emergency Management Plan (2018)
	Parks and Open Space Asset Management Plan (2019)
	Sustainable Resource Management Strategy (2011)
	Urban Tree Management Polciy (2021)
Melbourne Water	Healthy Waterways Strategy (2018)
	Co-Designed Catchment Program for the Yarra Catchment - Working together for healthy waterways (2018)
	Galada Tamboore Site of Biological Significance, Campbellfield: Biodiversity Conservation and Site Management Plan (2018), by Ecology Australia
Yarra Valley Water	Yarra Valley Water 2030 Strategy
Merri Creek Management Committee	Merri Creek and Environs Strategy 2009- 2014 (2009) and Urban Growth Addendum (2013)

Organisation	Documents
	<p>Masterplan for Southern Populations of Growling Grass Frog in Merri Creek (2022)</p> <p>Flora and fauna report 2018-2019</p> <p>Rosengren N (1993a) The Merri Creek: Sites of Geological and Geomorphological Significance, prepared for Merri Creek Management Committee</p>
DEECA	<p>Pupangarli Marnmarnepu 'Owning Our Future' – Aboriginal Self-Determination Reform Strategy 2020-2025</p> <p>Plan Melbourne 2017 – 2050 (2017)</p> <p>Draft Northern Metro Land Use Framework Plan (2022)</p> <p>Open Space for Everyone: Open Space Strategy for Metropolitan Melbourne (2021)</p> <p>Protecting Victoria's Environment – Biodiversity 2037 (2017)</p> <p>Biodiversity Conservation Strategy for Melbourne's Growth Corridors (2013)</p> <p>Growling Grass Frog Masterplan for Melbourne's Growth Corridors (2017)</p> <p>Greater Melbourne Regional Climate Adaptation Strategy (2021)</p> <p>Water is Life: Traditional Owner Access to Water Roadmap (2022)</p>
Victorian Planning Authority	<p>North Growth Corridor Plan</p> <p>Precinct Structure Plans:</p> <ul style="list-style-type: none"> • Merrifield Central Employment Area Precinct Structure Plan 2008 • Lockerbie Precinct Structure Plan 2012 • English Street Precinct Structure Plan 2015 • Craigieburn Nth Employment Area Precinct Structure Plan 2016 • Donnybrook - Woodstock Precinct Structure Plan 2017 • Shenstone Park Precinct Structure Plan 2021 • Wollert Precinct Structure Plan 2017
Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC)	<p>WWCHAC Interim Statement of Cultural Values for marram baba Merri Creek Regional Parklands November 2022</p> <p>WWCHAC Response to Melbourne's Future Planning Framework and Green Wedge Agricultural Land February 2022</p>
The Victorian Traditional Owner Cultural Fire Knowledge Group	<p>The Victorian Traditional Owner Cultural Fire Strategy</p> <p>Federation of Vic Traditional Owners Corporations, DELWP, Parks Victoria, CFA</p>

Appendix 4 Victorian Biodiversity Atlas extraction

Flora and Fauna Guarantee Act (FFG) listed faunal species in the project area. EPBC Act 1999 status is also noted.

Scientific name	Common name	FFG status	EPBC Status	Taxonomic group
<i>Emydura macquarii</i>	Murray River Turtle	Critically Endangered		Reptile
<i>Ornithorhynchus anatinus</i>	Platypus	Vulnerable		Mammal
<i>Dasyurus maculatus maculatus</i>	Spot-tailed Quoll	Endangered	E	Mammal
<i>Dasyurus viverrinus</i>	Eastern Quoll	Endangered (Extinct in Victoria)	E	Mammal
<i>Pteropus poliocephalus</i>	Grey-headed Flying-fox	Vulnerable	V	Mammal
<i>Miniopterus orianae oceanensis</i>	Eastern Bent-winged Bat	Critically Endangered	E	Mammal
<i>Turnix pyrrhorothonax</i>	Red-chested Button-quail	Endangered		Bird
<i>Pedionomus torquatus</i>	Plains-wanderer	Critically Endangered	CE	Bird
<i>Lewinia pectoralis</i>	Lewin's Rail	Vulnerable		Bird
<i>Burhinus grallarius</i>	Bush Stone-curlew	Critically Endangered		Bird
<i>Antigone rubicunda</i>	Brolga	Endangered		Bird
<i>Egretta garzetta</i>	Little Egret	Endangered		Bird
<i>Ardea alba modesta</i>	Eastern Great Egret	Vulnerable		Bird
<i>Ixobrychus dubius</i>	Australian Little Bittern	Endangered		Bird
<i>Spatula rhynchotis</i>	Australasian Shoveler	Vulnerable		Bird
<i>Stictonetta naevosa</i>	Freckled Duck	Endangered		Bird
<i>Aythya australis</i>	Hardhead	Vulnerable		Bird
<i>Oxyura australis</i>	Blue-billed Duck	Vulnerable		Bird
<i>Biziura lobata</i>	Musk Duck	Vulnerable		Bird
<i>Accipiter novaehollandiae</i>	Grey Goshawk	Endangered		Bird
<i>Hieraaetus morphnoides</i>	Little Eagle	Vulnerable		Bird
<i>Falco subniger</i>	Black Falcon	Critically Endangered		Bird
<i>Ninox connivens</i>	Barking Owl	Critically Endangered		Bird
<i>Polytelis swainsonii</i>	Superb Parrot	Endangered	V	Bird
<i>Lathamus discolor</i>	Swift Parrot	Critically Endangered	CE	Bird
<i>Hirundapus caudacutus</i>	White-throated Needletail	Vulnerable	V	Bird
<i>Pomatostomus temporalis</i>	Grey-crowned Babbler	Vulnerable		Bird
<i>Anthochaera phrygia</i>	Regent Honeyeater	Critically Endangered	CE	Bird
<i>Stagonopleura guttata</i>	Diamond Firetail	Vulnerable		Bird
<i>Delma impar</i>	Striped Legless Lizard	Endangered	V	Reptile
<i>Pogona barbata</i>	Bearded Dragon	Vulnerable		Reptile
<i>Tympanocryptis pinguicolla</i>	Grassland Earless Dragon	Critically Endangered	E	Reptile
<i>Pseudemoia pagenstecheri</i>	Tussock Skink	Endangered		Reptile
<i>Pseudophryne bibronii</i>	Brown Toadlet	Endangered		Amphibian
<i>Pseudophryne semimarmorata</i>	Southern Toadlet	Endangered		Amphibian
<i>Litoria raniformis</i>	Growling Grass Frog	Vulnerable	V	Amphibian
<i>Synemon plana</i>	Golden Sun Moth	Vulnerable	V	Insect

Flora and Fauna Guarantee Act (FFG) listed flora species in the project area.

Scientific name	Common name	FFG status
<i>Comesperma polygaloides</i>	Small Milkwort	Critically Endangered
<i>Eucalyptus kitsoniana</i>	Bog Gum	Critically Endangered
<i>Amphibromus pithogastrus</i>	Plump Swamp Wallaby-grass	Critically Endangered
<i>Dianella longifolia</i> var. <i>grandis</i> s.l.	Glaucous Flax-lily	Critically Endangered
<i>Coronidium gunnianum</i>	Pale Swamp Everlasting	Critically Endangered
<i>Microseris scapigera</i> s.s.	Plains Yam-daisy	Critically Endangered
<i>Eucalyptus X studleyensis</i>	Studley Park Gum	Critically Endangered
<i>Geranium</i> sp. 1	Large-flower Crane's-bill	Critically Endangered
<i>Eucalyptus leucoxydon</i> subsp. <i>megalocarpa</i>	Large-fruit Yellow-gum	Critically Endangered
<i>Callitriche umbonata</i>	Winged Water-starwort	Endangered
<i>Carex tasmanica</i>	Curly Sedge	Endangered
<i>Goodia medicaginea</i>	Western Golden-tip	Endangered
<i>Nicotiana suaveolens</i>	Austral Tobacco	Endangered
<i>Cullen parvum</i>	Small Scurf-pea	Endangered
<i>Cullen tenax</i>	Tough Scurf-pea	Endangered
<i>Tripogonella loliiformis</i>	Rye Beetle-grass	Endangered
<i>Lachnagrostis semibarbata</i> var. <i>semibarbata</i>	Purple Blown-grass	Endangered
<i>Ranunculus diminitus</i>	Brackish Plains Buttercup	Endangered
<i>Eucalyptus sideroxydon</i> subsp. <i>sideroxydon</i>	Mugga	Endangered
<i>Podolepis linearifolia</i>	Basalt Podolepis	Endangered
<i>Geranium solanderi</i> var. <i>solanderi</i> s.s.	Austral Crane's-bill	Endangered
<i>Geranium</i> sp. 3	Pale-flower Crane's-bill	Endangered
<i>Melaleuca armillaris</i> subsp. <i>armillaris</i>	Giant Honey-myrtle	Endangered
<i>Melaleuca halmaturorum</i>	Salt Paperbark	Endangered
<i>Acacia howittii</i>	Sticky Wattle	Vulnerable
<i>Corymbia maculata</i>	Spotted Gum	Vulnerable
<i>Rhagodia parabolica</i>	Fragrant Saltbush	Vulnerable
<i>Dianella amoena</i>	Matted Flax-lily	Critically Endangered
<i>Lachnagrostis adamsonii</i>	Adamson's Blown-grass	Endangered
<i>Lepidium hyssopifolium</i> s.s.	Basalt Peppercross	Endangered
<i>Eucalyptus crenulata</i>	Buxton Gum	Endangered
<i>Xerochrysum palustre</i>	Swamp Everlasting	Critically Endangered

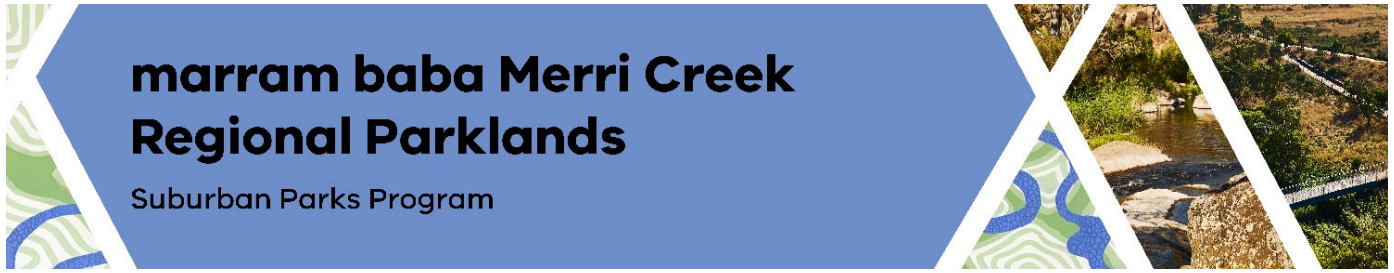
Appendix 5 Glossary of key terms

Term	Definition
Aboriginal Cultural heritage	Aboriginal Cultural Heritage refers to the knowledge and lore, practices and people, objects and places that are valued, culturally meaningful and connected to identity and Country.
Activation (of parklands)	Activation of parklands refers to new investment in park infrastructure or activities to encourage people to visit an area of parklands that has either been inaccessible or undesirable.
Biodiversity	Biodiversity encompasses all components of the living world: the number and variety of plants, animals and other living things, including fungi and microorganisms, across our land, rivers, coast and ocean. It includes the diversity of their genetic information, the habitats and ecosystems within which they live, and their connections with other life forms and the natural world.
Biophysical (identity of the Parklands)	Biophysical refers to the life-environment interactions between living things (bio), such as plants and animals, and non-living things (physical), such as rocks, soil, and water. The biophysical identity of a place is the unique life-environment interactions and processes of an ecosystem that are unique to any given place.
Community resilience	Community resilience is the sustained ability of a community to use available resources to respond to, withstand, and recover from adverse situations.
Confluence	The point where a tributary joins a larger river, called the main stem, or where two streams meet to become the source of a river of a new name.
Conservation Areas (CAs)	Conservation Areas (written with capital letters) refers to dedicated areas of high biodiversity value set out in Victoria's <i>Biodiversity Conservation Strategy for Melbourne's Growth Corridors</i> (2013) (BCS) within the Melbourne Strategic Assessment Program area. Conservation Areas in the BCS are protected from urban development through the conditions in the Strategy, and zoning and overlay controls that apply under relevant planning schemes.
'conservation areas'	'conservation areas' written without capital letters refers collectively to <ul style="list-style-type: none"> - Conservation Areas (CAs) in the BCS (e.g. "Growling Grass Frog Conservation Area 34" (CA34), managed by Melbourne Water, and the "Native Grassland Nature Conservation Area 32" (CA32), managed by the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation) - Crown land reserved for the purposes of Nature Conservation Reserve (NCR) under the Crown Lands Act 1978 (e.g. galgi ngark and bababi marning Nature Conservation Reserves managed by Parks Victoria) - Areas dedicated to conservation managed by local government (e.g. Kalkallo Common Grasslands managed by Hume City Council) - Land subject to an Environmental Significant Overlay in relevant planning schemes (e.g. galada tamboore reserve managed by Melbourne Water) - Dedicated 'offset sites' reserved under the federal <i>Environment Protection and Biodiversity Conservation Act 1999</i>, which are areas reserved to compensate for unavoidable impacts on nationally significant matters on the environment (e.g. Patullos Lane Reserve managed by Hume City Council).

Term	Definition
Cultural Fire	Fire deliberately put in to the landscape authorized and led by Traditional Owners of that Country, for a variety of purposes, including but not limited to: ceremony, protection of cultural and natural assets, fuel reduction, regeneration and management of food, fibre and medicines, flora regeneration, fauna habitat protection and healing Country's spirit. ¹⁶
Ecological Vegetation Classes (EVC)	The standard unit for classifying vegetation types in Victoria. EVCs are described through a combination of floristics, lifeforms and ecological characteristics, and through an inferred fidelity to particular environmental attributes. Each EVC includes a collection of floristic communities (that is, lower level in the classification) that occur across a biogeographic range, and although differing in species, have similar habitat and ecological processes operating.
Ecosystem services	Ecosystem services are the benefits provided to humans through the transformations of resources (or environmental assets, including land, water, vegetation and atmosphere) into a flow of essential goods and services e.g. clean air, water, and food.
EPBC offset site	Dedicated 'offset sites' reserved under the federal <i>Environment Protection and Biodiversity Conservation Act 1999</i> , which are areas reserved to compensate for unavoidable impacts on nationally significant matters on the environment In these Parklands, two 'offset sites' include Patullos Lane Reserve managed by Hume City Council, and Northern Landfill GGF Quarry Hole managed by Whittlesea City Council.
Ephemeral wetlands	Wetlands that only hold water during wetter periods of the year, and periodically dry up in summer or in periods of drought.
Floodplain	Low-lying land adjacent to a waterway that is inundated when flows in the waterway are larger than the capacity of the waterway. Floodplains often have ecosystems dependent on inundation during flood events.
Flow regime	The range of flows experienced by a waterway throughout the seasons and years which may include base flows, low flows, high flows, overbank flow and cease to flow (drying) events.
Geomorphology	The science of the physical features on the Earth's surface and the processes that form them. Landforms include valleys, plains, gorges, escarpments, gilgai and stony rises.
Gilgai	Shallow depressions that form in expansive clay soils and create ephemeral water bodies during wet periods. Gilgais are important habitats for plants and animals and can play a role in water storage and distribution.
Habitat	The natural home or environment of an animal, plant, or other organism.
Hydrological system	The short- and long-term circulation, movement and storage of surface and groundwater through various processes including evaporation, transpiration, precipitation, and runoff.
Integrated Water Management	Integrated Water Management (IWM) is a collaborative approach to the way we plan for and manage all elements of the water cycle. IWM considers how the delivery of water, wastewater and stormwater services can contribute to water security, public and environmental health and urban amenity.

¹⁶ [The Victorian Traditional Owner Cultural Fire Strategy \(ffm.vic.gov.au\)](https://ffm.vic.gov.au)

Term	Definition
Nature Conservation Reserve (NCR)	Nature Conservation Reserves refer to Crown land set aside to conserve rare or threatened species and/or plant communities that have conservation significance or provide valuable habitat. In the Parklands, galgi ngarrk (formerly known as the Craigieburn Grasslands) and bababi marning (formerly known as Cooper St Grasslands) are set aside as Nature Conservation Reserves.
Permit	The Traditional Owners and land managers responsible for the management of public land within the Parklands. At the time of writing nine organisations (including the Traditional Owners) were Parkland Partners.
Precinct Structure Plan (PSP)	<p>A Precinct Structure Plan (PSP) is a land use and infrastructure plan guiding the form of subdivision and new development of an area of land.</p> <p>PSPs sit within the Victorian planning hierarchy which comprises:</p> <ul style="list-style-type: none"> - The Planning Policy Framework (PPF) set out in all planning schemes - Plan Melbourne guiding the strategic vision for greater Melbourne - Growth Corridor Plans for metropolitan Melbourne - or where finalised Land Use Framework Plans - PSPs facilitating planning for new neighbourhoods, guiding the form of subdivision and development of land over the long term. They are incorporated into relevant local planning schemes and implemented primarily through planning permit applications. - Planning permit applications (for subdivisions or use and development) approve proposed developments (eg Development Plans) that are consistent with the relevant planning scheme and generally in accordance with the PSP.
Riparian	Land and vegetation that adjoins a waterway.
Stony rises	Small, isolated rocky outcrops that rise abruptly from the landscape at the edges of ancient lava flows that are subsequently weathered by wind and water flows.
Tributary	A tributary is a waterway that flows into a larger waterway or other body of water.
Urban cooling	The reduction of temperatures in urban areas. Examples of ways that urban cooling can be achieved include increasing vegetation to help reduce the urban heat island by providing shade, modifying thermal properties of the urban fabric, and increasing cooling through evapotranspiration.
Urban heat island	Temperatures in many urban areas are warmer than their rural surroundings. This phenomenon is known as the 'Urban Heat Island' which refers to temperature differences attributable to urbanisation.
Wildlife corridor	A wildlife corridor is a link of wildlife habitat, generally native vegetation, which joins two or more larger areas of similar wildlife habitat. Corridors are critical for the maintenance of ecological processes including allowing for the movement of animals and the continuation of viable populations.



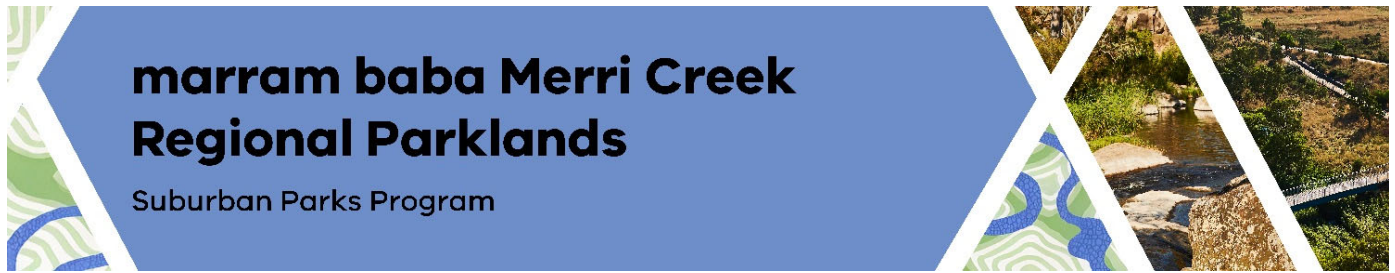
ENGAGEMENT SUMMARY REPORT

marram baba Merri Creek Regional Parklands

Feedback on Draft Future Directions Plan

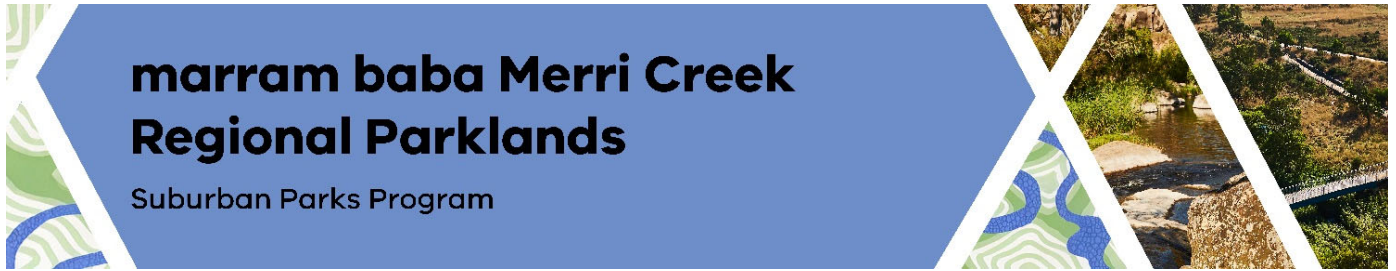
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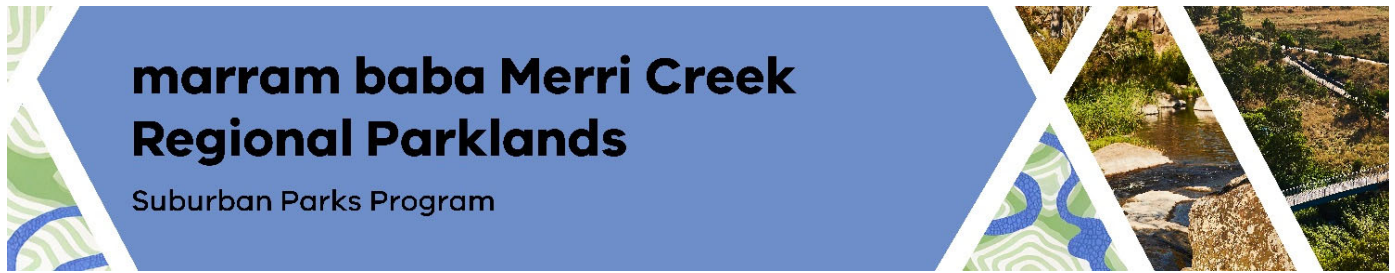


Acknowledgement of Country

The marram baba Merri Creek Regional Parklands are located on the traditional lands of the Wurundjeri Woi-wurrung people. We pay respects to Elders past and present. We acknowledge the deep spiritual connection to Country held by traditional custodians and support this in ongoing parkland planning.



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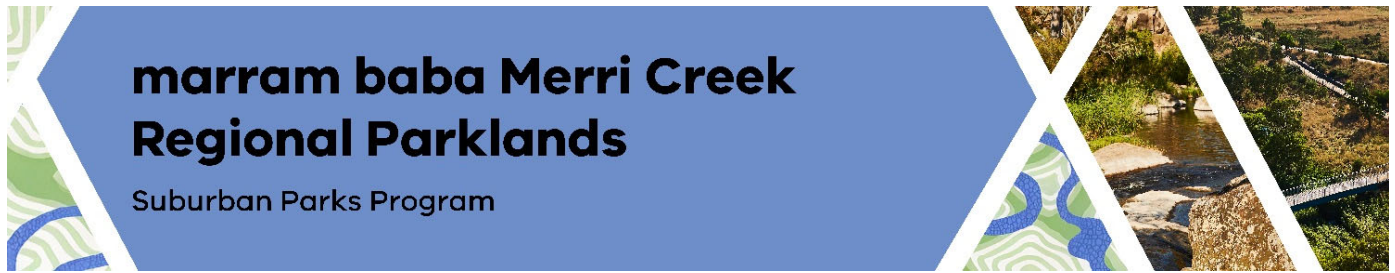
1. Engagement overview

The Draft marram baba Merri Creek Regional Parklands Future Directions Plan was released in April 2023. Community and stakeholders were able to view the draft Plan from 6 April to 8 May 2023 and provide their feedback. This document is a summary of the feedback received.

The following methods were used to consult with the community and stakeholders:

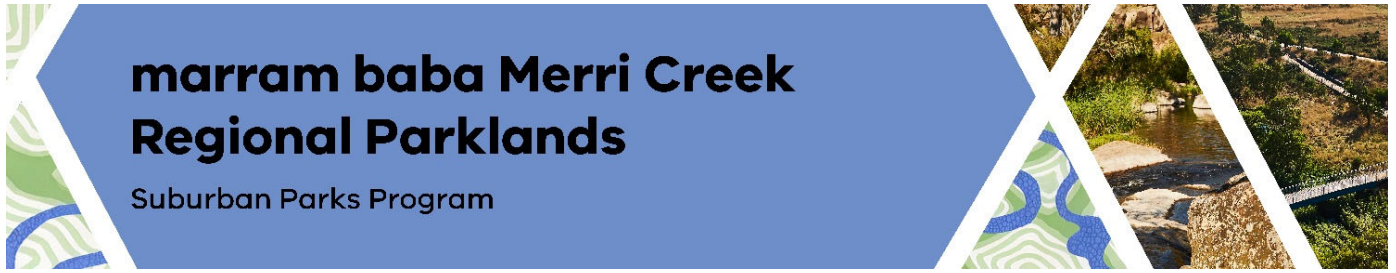
- **Online survey:** an online survey via the Victorian Government's Engage Victoria website from 6 April to 8 May 2023, which received 43 responses.
- **Map comments:** 29 comments were provided on the interactive Parklands map via the Engage Victoria website.
- **Submissions:** written submissions were invited from the public via the Engage Victoria website and a total of 7 submissions were received.
- **Translated online survey:** an online survey translated into the top two languages other than English (determined from the 2021 Australian Bureau of Statistics Census data). These languages were Arabic and Punjabi. The survey was promoted via social media posts by AMES Australia. A total of 16 responses were received (11 Arabic and 5 Punjabi) and translated to English by AMES Australia.
- **Sponsored posts:** A social media campaign targeting people over the age of 18 in postcodes close to the Parklands. For the translated posts, there were 62,456 impressions (how many people saw the posts) and 251 clicks (how many people clicked through to the survey). For the English posts, there were 87,321 impressions and 488 clicks.
- **Community information sessions:** two evening online community information sessions were held on 26 April and 2 May 2023. The first session was attended by 8 people, with an additional 3 people from the project working group. The second session was attended by 11 people, with an additional 3 people from the project working group.

The feedback from this round of engagement was used to prepare the Final Future Directions Plan.



In summary:

- Most respondents were either local community members, neighbours, or regular visitors to the Parklands.
- The majority of respondents (93%) were 'very supportive' or 'supportive' of the vision for the Parklands.
- The majority of respondents (84%) felt that the plan reflects the importance of Aboriginal culture and commitment to work together with the Wurundjeri Woiwurrung people to care for Country either 'very well' or 'well'.
- The majority of respondents (88%) felt that the draft prioritises the protection of plants and animals either 'very well' or 'well'.
- 'Biodiversity' and 'Water and Landscape' are considered the most important themes by participants.
- Support for expanding Parklands in narrow pinch points for continuous habitat.
- Support for broader walking and cycling connections.
- Concern about cycle paths and conflicts with pedestrians and wildlife – suggestions included separation of cycling and pedestrians in some areas, slow traffic areas, adequate widths for shared use paths, and trails outside of high priority conservation areas.
- Support for prioritising nature over human access.
- Desire to accelerate the establishment of the Parklands to prevent irreversible cultural and environmental degradation.
- Desire for information on how people can engage with the Parklands such as through volunteering, community tours and activities.
- Desire for wayfinding and interpretive signage to be rolled out to whole Parklands with the inclusion of digital content.
- Provision of amenities to accommodate diversity of people within the community.
- Support for immediate and ongoing conservation-oriented land management.



2. Online survey

The data and feedback from the online survey has been analysed and is presented in the sections below under the following headings: general information, visiting the Parklands, and Draft Future Directions Plan. The translated survey responses have also been included.

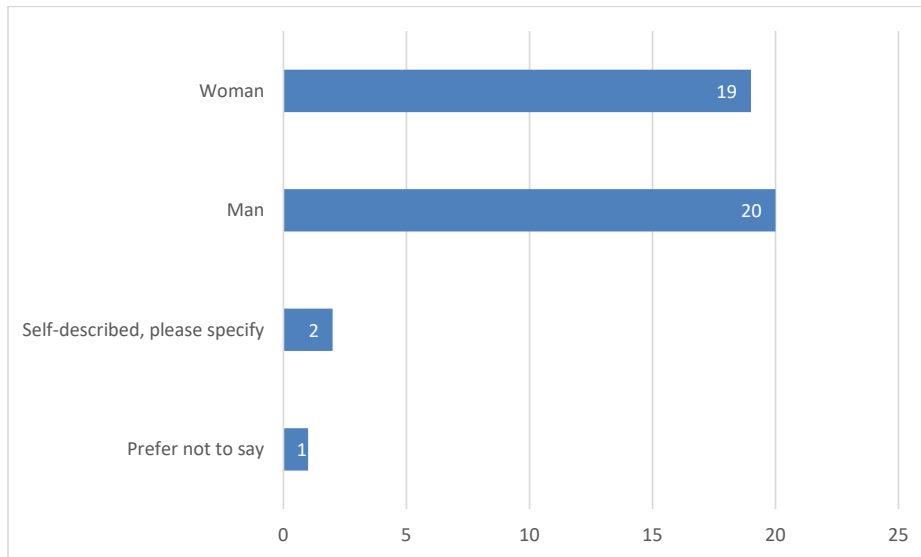
General information

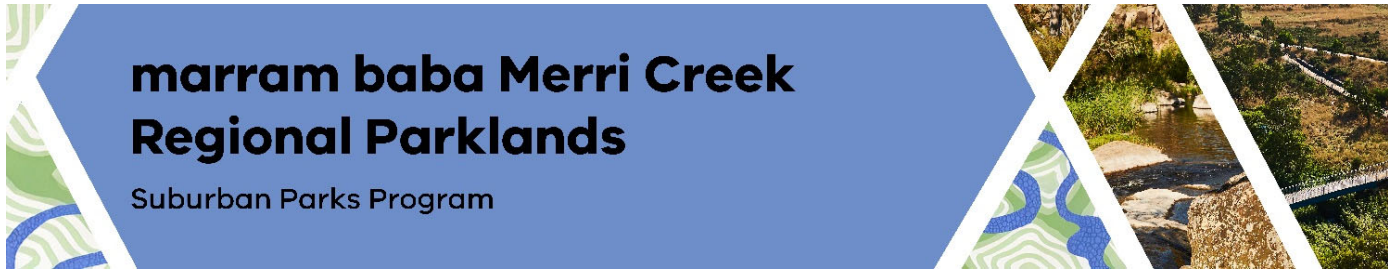
Those that participated were asked to provide some demographic information. This information is provided below.

Gender of participants

Participants were asked to provide their gender with 42 providing a response. Figure 1 shows the engagement reached a balanced sample of people by gender.

Figure 1 Gender of participants

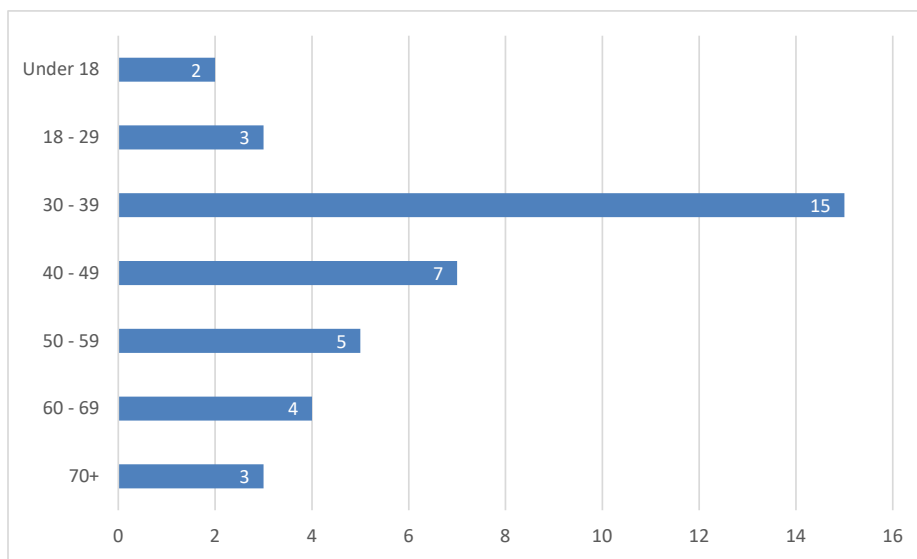


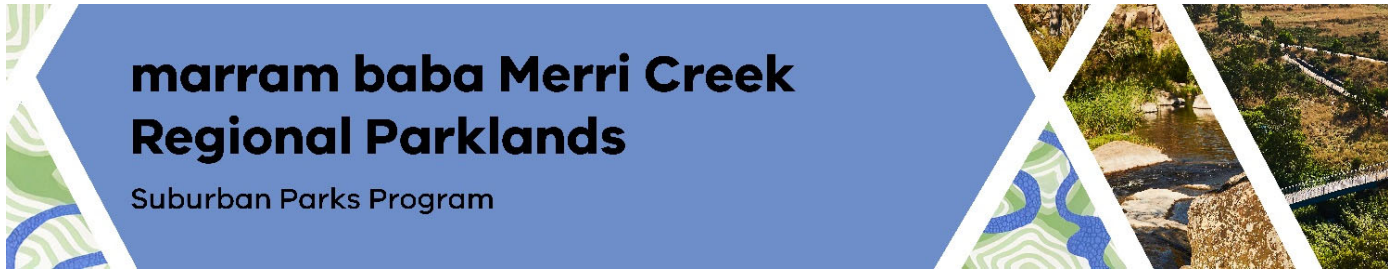


Age of participants

Participants were asked if their age fell into one of 7 ranges, with 39 providing a response to this question shown in Figure 2.

Figure 2 Age of participants

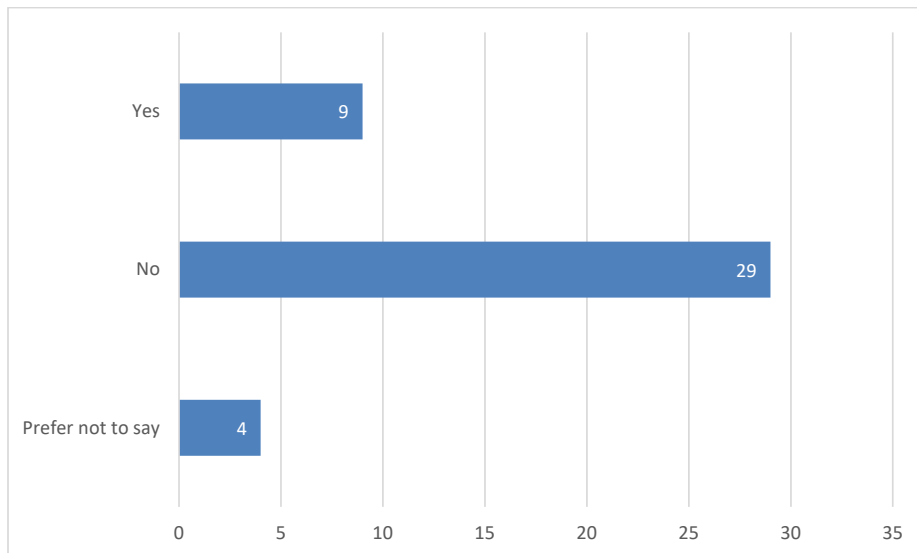


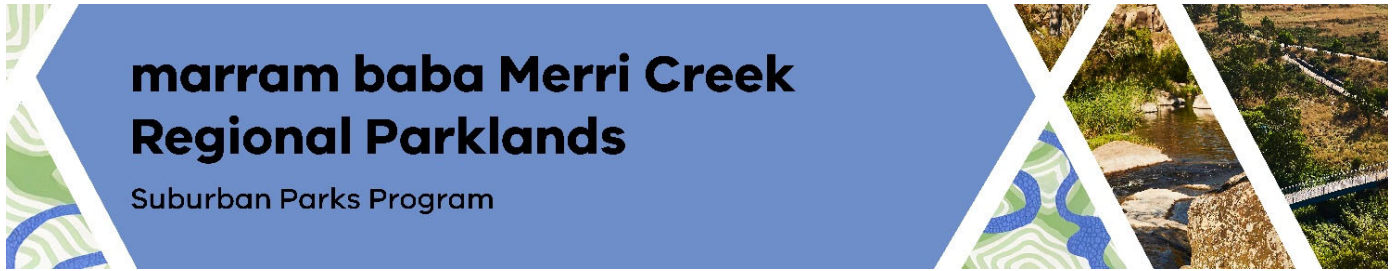


Cultural and linguistic diversity

Participants were asked if they identified as a person with a culturally or linguistically diverse background. Responses were provided by 42 people. Figure 3 shows that most people who chose to answer this question did not identify as belonging to a cultural or linguistically diverse group. Participants were not asked which cultural or language groups they belong to.

Figure 3 Cultural and linguistic diversity

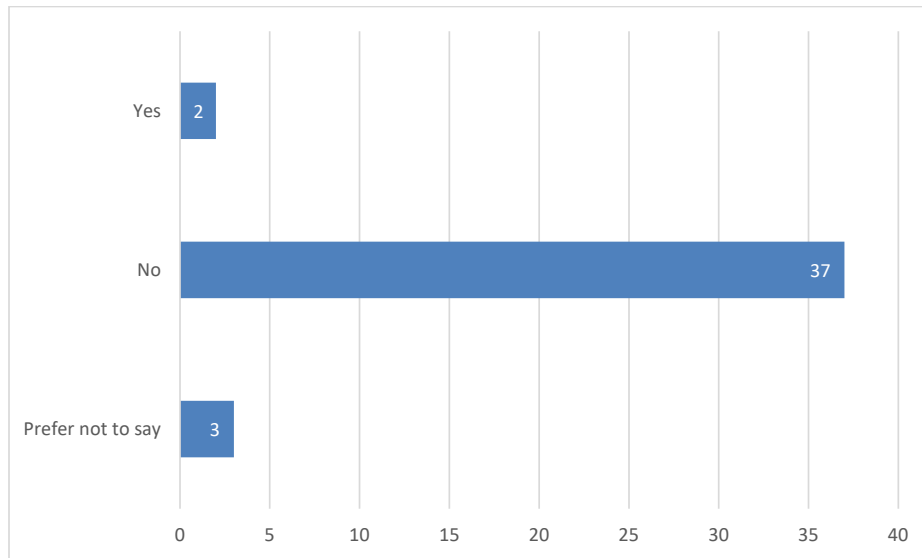




Experience of disability

Participants were asked if they identified as a person with a disability, or if they cared for a person with a disability. Responses were provided by 42 participants with around 5% (2) identifying as experiencing disability or caring for a person with disability (refer Figure 4).

Figure 4 Experience of disability

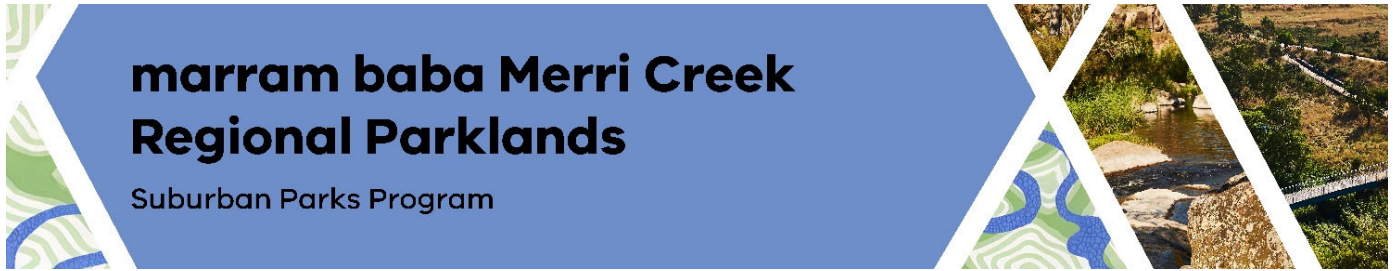


Place of Residence

Participants were asked to provide their residential postcode. In total, 38 participants provided a postcode, and 21 postcodes were represented. Four postcodes had 3 or more participants (3064, 3061, 3073, 3058) accounting for about 45% of responses. These 4 postcodes include areas both within and adjacent to the Parklands.

Participation in round 1 engagement

Participants were asked if they completed the initial survey, contributed to the map, or provided a submission in round 1 engagement for the project. Responses indicated that 19% of participants contributed to round 1 engagement.



Visiting the Parklands

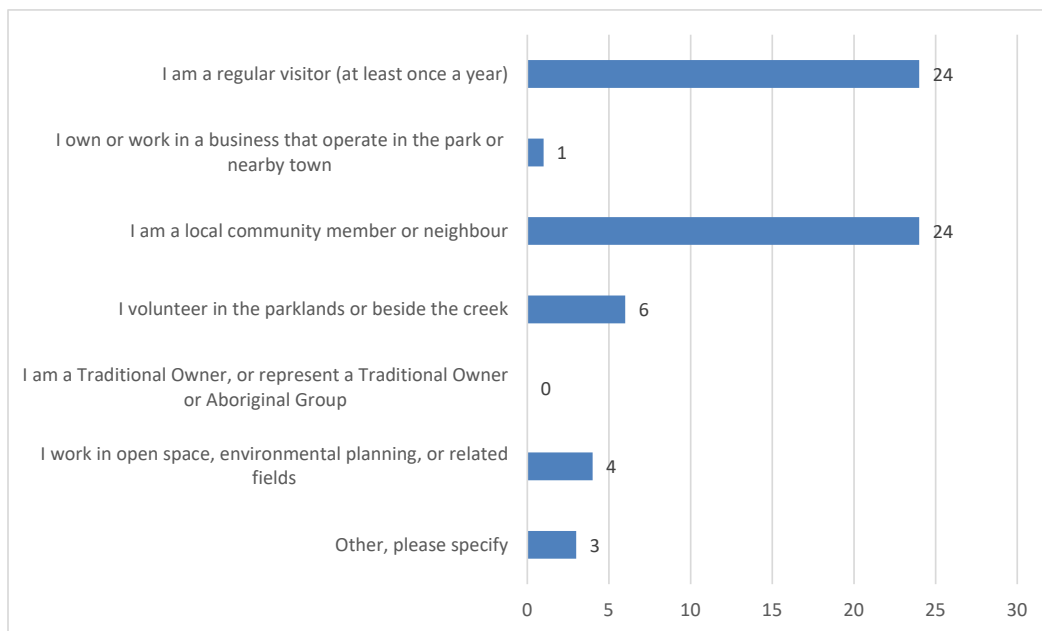
Participants were asked some questions regarding their visitation to the Parklands. This information is presented below.

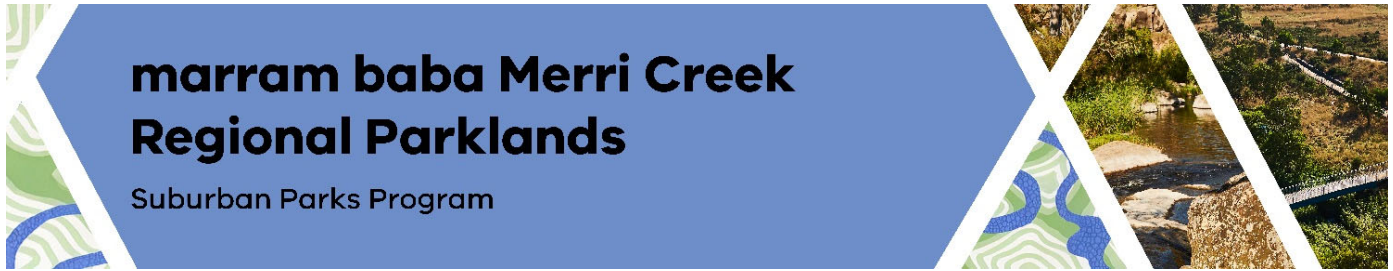
Participants’ relationship with the marram baba Merri Creek Regional Parklands

Participants were asked about their relationship to the marram baba Merri Creek Regional Parklands, selecting options from a pre-populated list. The most common responses were ‘I am a local community member or neighbour’ (24 participants) and ‘I am a regular visitor (at least once a year)’ (24 participants) (refer Figure 6).

Participants who selected an ‘other’ relationship to the Parklands listed ‘land owner representative’, ‘bushwalking club member looking for walking loops’, and a resident of Mitchell Shire hoping the northern boundary of the Parklands connects to other open space so residents have ready access to high quality Parklands.

Figure 6 Relationship with the Parklands





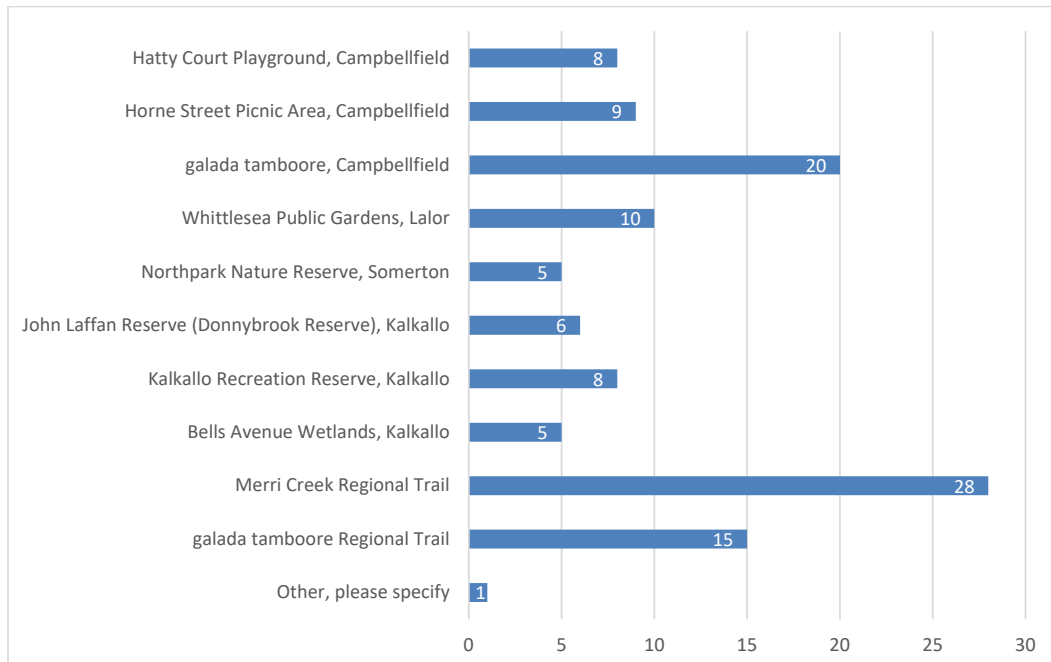
Visiting the marram baba Merri Creek Regional Parklands

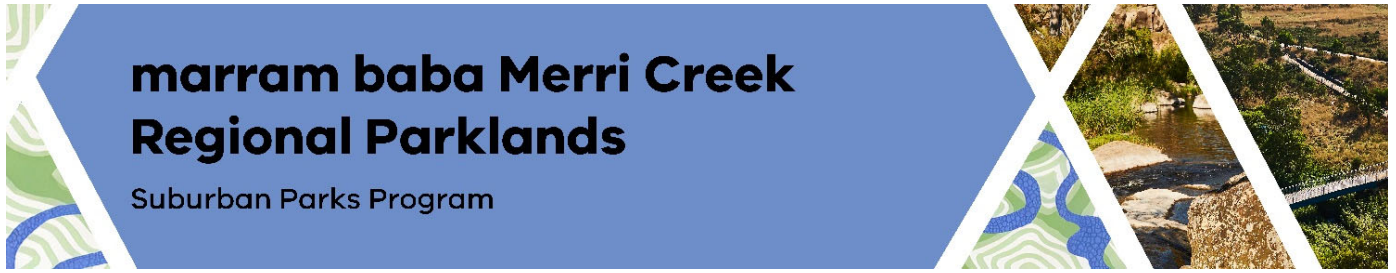
Participants were asked if they already visited open spaces within the marram baba Merri Creek Regional Parklands (Figure 7). The question allowed participants to select all options that applied. Results showed that Merri Creek regional trail was the most visited place (28), followed by galada tamboore Campbellfield (20) and the galada tamboore Regional Trail (15). There was one response for ‘other’ and this was for Curly Sedge Creek at Wollert Community Farm and galgi ngarrk (Craigieburn Grasslands).

The following responses were provided for the translated survey:

- Northpark Nature Reserve (5)
- Donnybrook Reserve (5)
- Whittlesea Public Gardens (2)
- Kalkallo Recreation Reserve (1)
- Elsewhere (1)

Figure 7 Areas visited most often

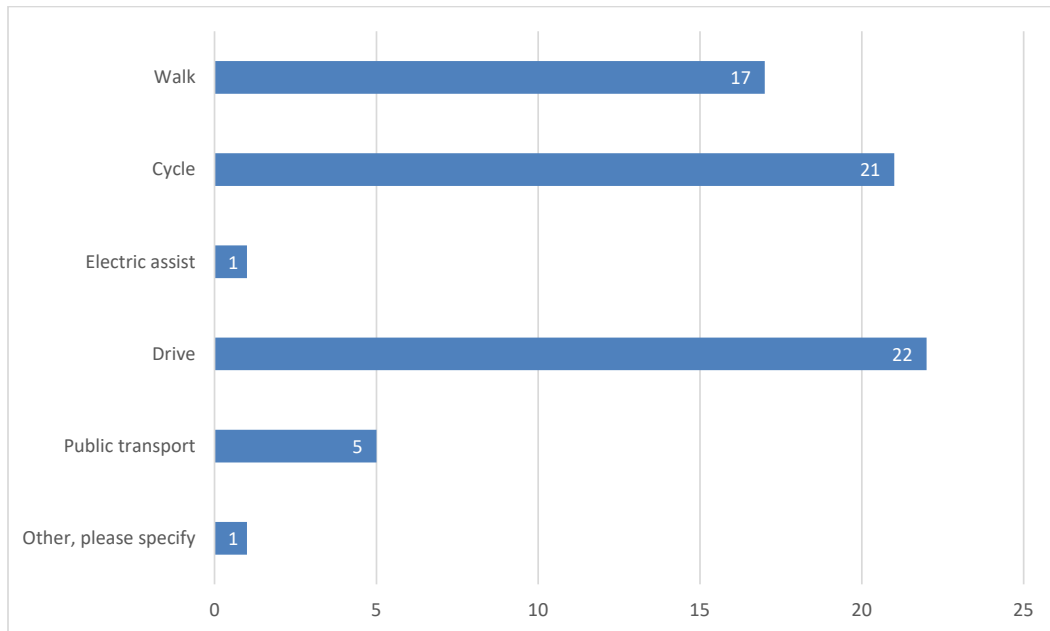


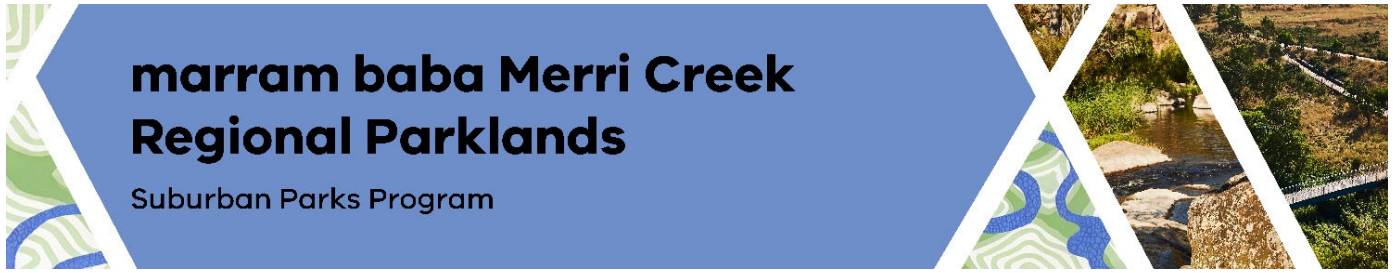


Transport to the marram baba Merri Creek Regional Parklands

Participants were asked about how they travel to the Parklands (figure 8). Participants could select multiple options. Driving was the most popular form of transport, followed closely by cycling and then walking.

Figure 8 Modes of transport to the Parklands

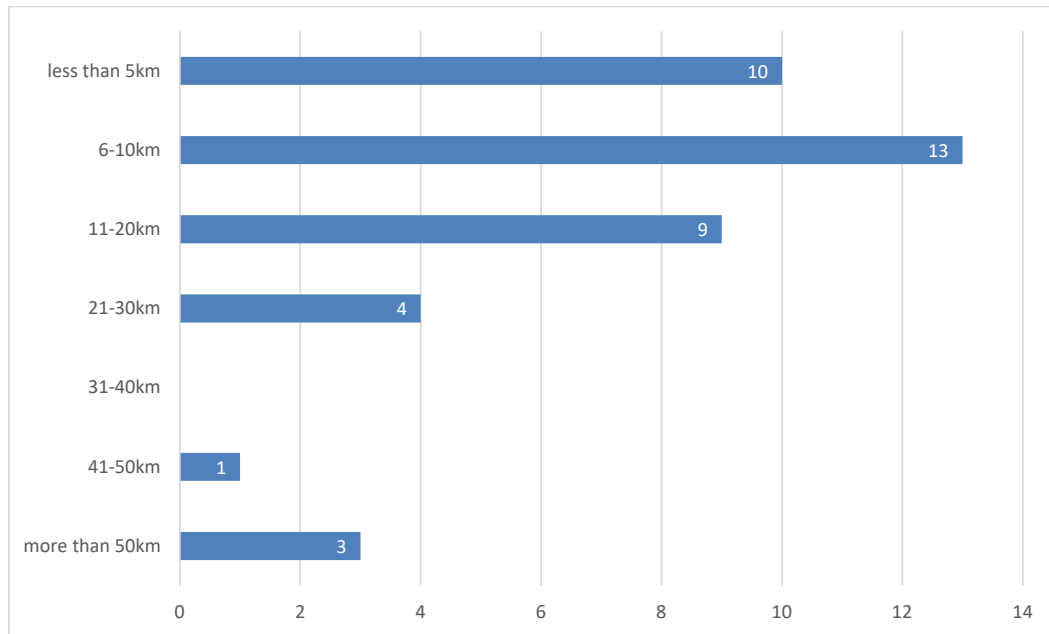


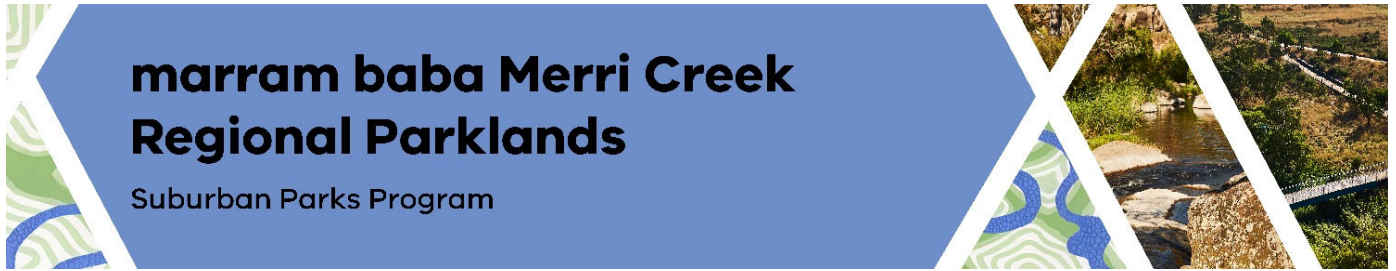


Distance travelled to the marram baba Merri Creek Regional Parklands

Participants were asked approximately how far they travel to visit the Parklands (Figure 9). Overall, participants tended to travel shorter distances to reach the Parklands with 6-10km and under 5km being the most common answers to this question.

Figure 9 Distance travelled to the Parklands (any location)

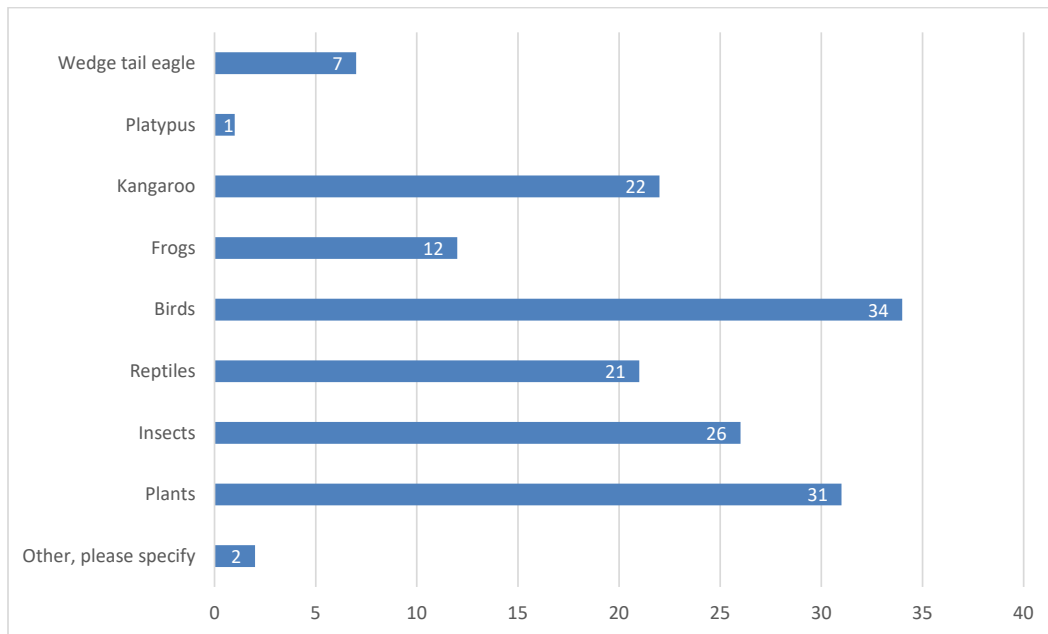


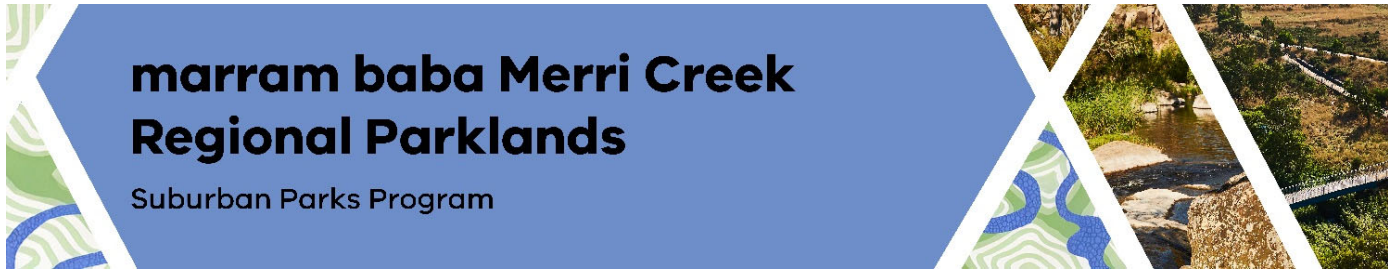


Wildlife in the Parklands

Participants were asked if they had seen any of the following wildlife during visits to the Parklands (Figure 10): wedge tail eagle, platypus, kangaroo, frogs, birds, reptiles, insects, plants, or other. Participants could select all options that applied. The most common sightings were birds (34), plants (31), and insects (26). For ‘other, please specify’ respondents noted long necked turtles, and feral/introduced plants and animals.

Figure 10 Wildlife in the Parklands





Draft Future Directions Plan

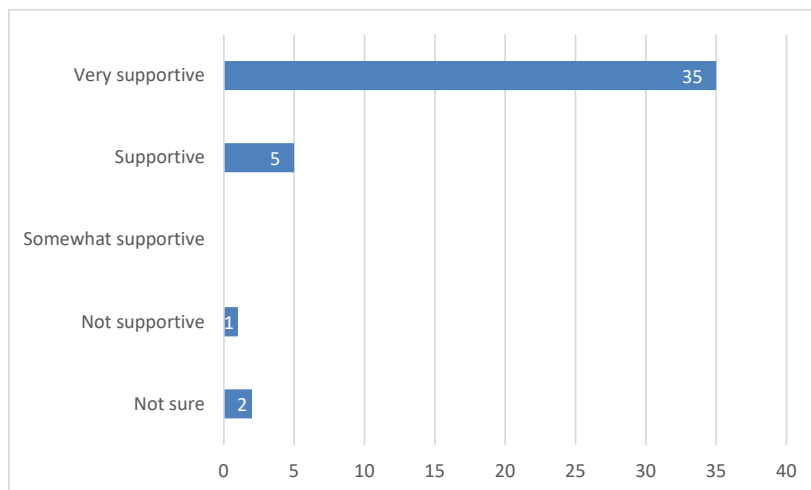
Participants were asked some questions specifically related to the Draft Future Directions Plan. The data and a summary of responses is provided below.

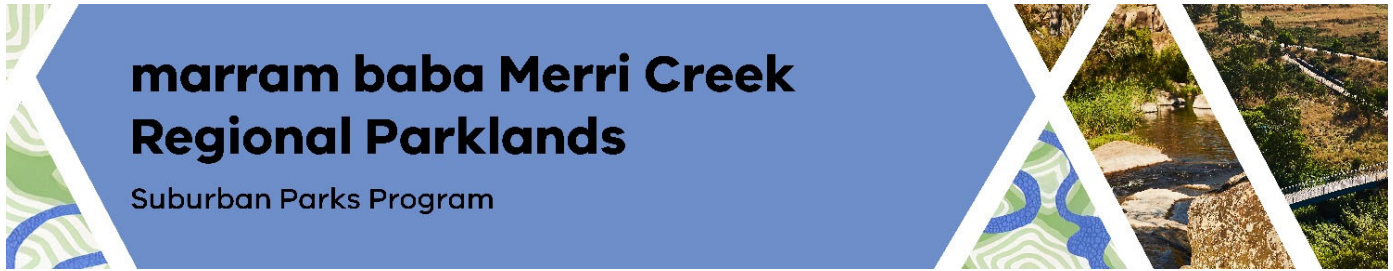
Parklands Vision

Participants were asked ‘how supportive are you of the vision for the Parklands?’ (Figure 11). The majority of respondents were ‘very supportive’ or ‘supportive’ (93%).

The translated survey responses also had high levels of support with all participants either strongly or mostly supportive of the vision.

Figure 11 Level of support for Parklands vision

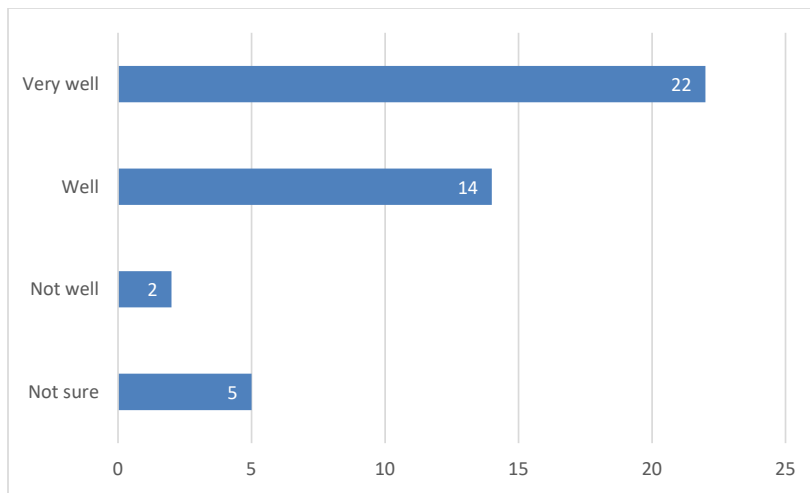


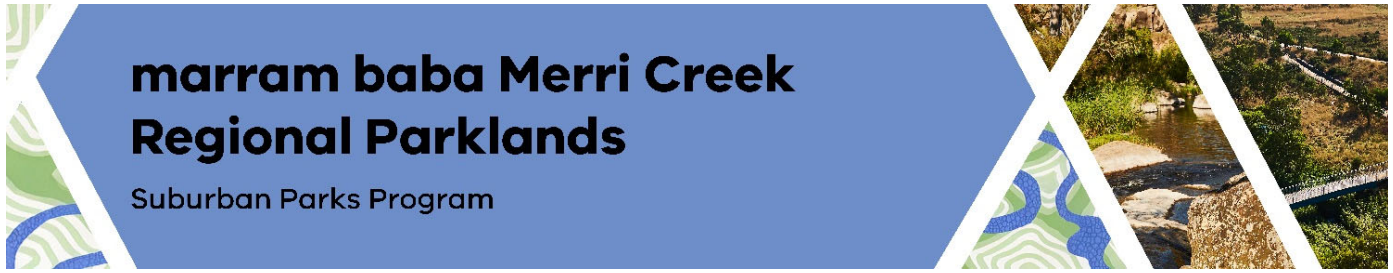


Wurundjeri Woi-wurrung culture and caring for Country

Participants were asked ‘how well do you feel the draft Plan reflects the importance of Aboriginal culture and commitment to work together with the Wurundjeri Woi-wurrung people to care for Country?’ (Figure 12). The majority of respondents considered that the plan reflects this either ‘very well’ or ‘well’ (84%).

Figure 12 Wurundjeri Woi-wurrung culture and caring for Country

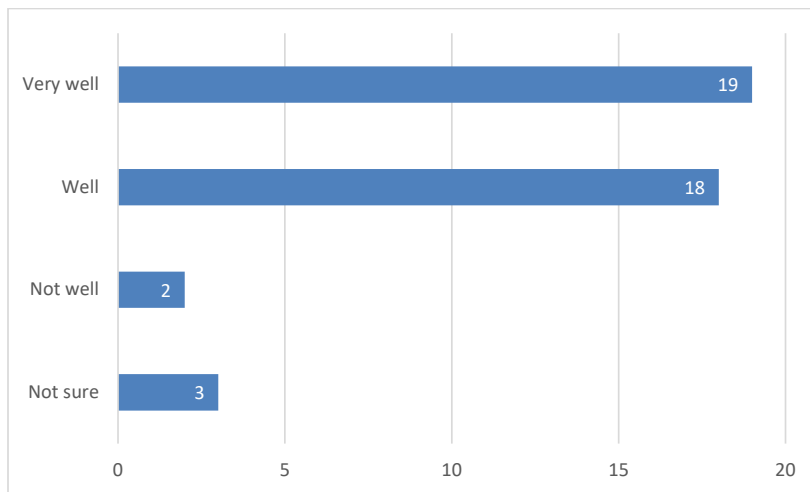




Protecting plants and animals

Participants were asked ‘how well do you think the draft plan prioritises the protection of plants and animals?’ (Figure 13). The majority of respondents indicated either ‘well’ or ‘very well’ (88%).

Figure 13 Protecting plants and animals

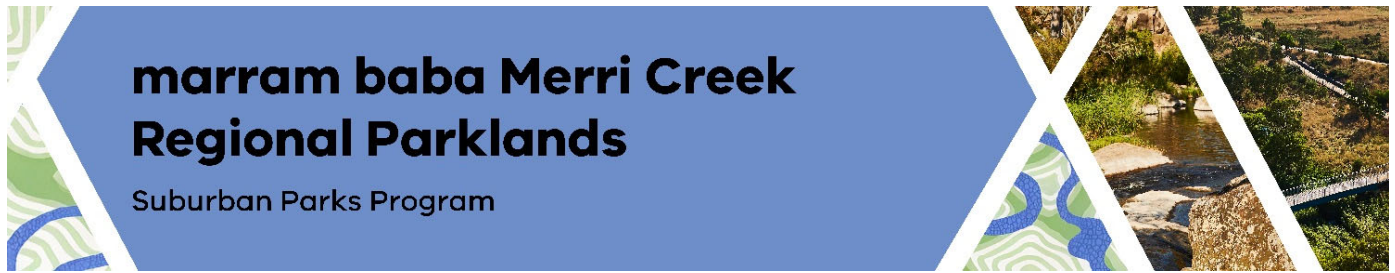


New trails and walking loops

Participants were asked about new trails and walking loops and what they would like to see included in the Parklands. There were three options provided: shorter walking loops within the Parklands (15-30 minutes), longer walking and cycling trails, and connecting the trail Parklands to other networks, such as the regional cycling network’. Respondents could select multiple options. Respondents selected the following:

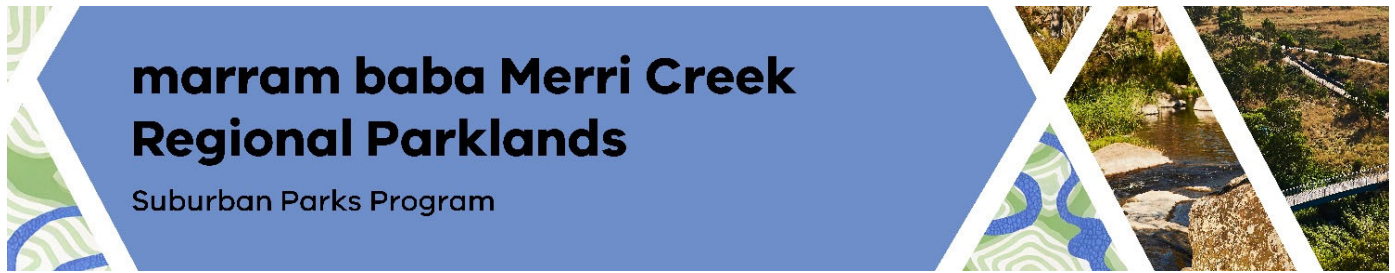
- 88% - longer walking and cycling trails
- 84% - connecting the trail to other networks
- 67% - shorter walking loops.

Of the translated survey responses, 37% longer walking and cycling trails, 33% indicated shorter walking loops, and 30% connecting the trail to other networks.



Participants were also asked if they had any additional suggestions. A summary of suggestions is presented below.

- Biodiversity:
 - *“The park is way too narrow, especially highlighted in some sections”*
 - Need protected areas for wildlife that humans can't access
 - Manage dogs, cats and other invasive species
 - Trails should be on one side of the creek to allow areas and corridors for wildlife
 - Don't connect to regional cycle network as this degrades parkland and scare and disperses wildlife
- Trails – general:
 - Shared use paths need to be of adequate width
 - More hiking trails
 - Small diversion loops as well as longer rides
 - Designated areas for walking with dogs on lead on long walks
 - *“Seamless, safe, and contiguous connectivity between north-south-east-west cycling/running/walking tracks is essential”*
 - Opportunity for recreational cycling, and limited commuter cycling.
- Trails – specific:
 - Provide access to train station
 - Connect to the existing Merri Creek Trail at the M80 as a priority
 - Look at opportunities of linking paths to Wollert Community Farm/Yarra Valley Water land and to wallan wallan Regional Park in the north.
- Design:
 - Include mention of access for people with disabilities and opportunities for them to visit and participate in caring for the environment. Potential engagement with Dementia Victoria or Disability Advocacy Victoria.
 - Community engagement such as through volunteering, community tours and activities
 - *“Providing information in signage and online about where paths lead so visitors know they can get out or plan their journey”*

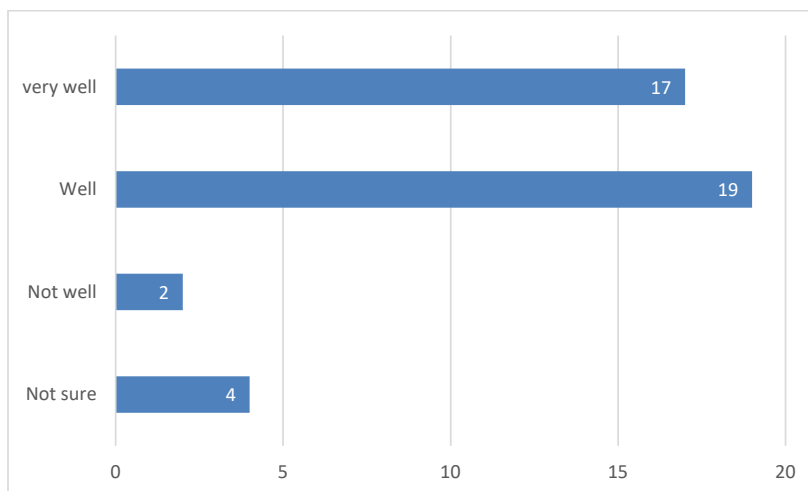


- Public toilets, seating, picnic tables, aspects to engage children, rubbish bins and dog poo bag dispensers, signage to encourage people to respect environment and not leave litter, wayfinding markers along looped routes, and interpretive signage and maps.

Visitor areas and access points

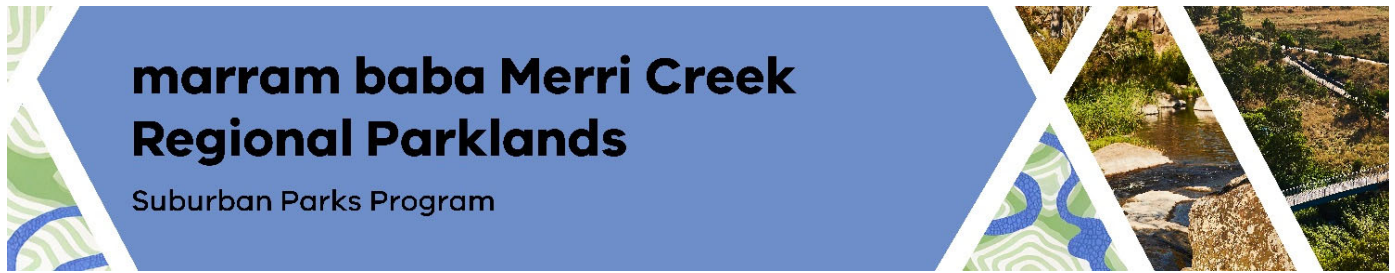
Participants were asked about visitor area and access points and how well they feel these provided access to the Parklands. The majority of respondents indicated either 'well' or 'very well' (86%).

Figure 15 Visitor areas and access points



Participants were also asked if they had any additional suggestions. A summary of suggestions is presented below.

- Biodiversity:
 - *“Widen the park's square footage”*
 - Ensure enough continuous areas of habitat to support plants and animals.
- Experience:
 - Accommodate wide range of people – playgrounds, gathering spots, quiet spots, social spots



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- Birdwatching and viewing platforms in suitable locations (ensuring some areas without human access)
- More walking trails that provide opportunities to educate visitors and that have benches or picnic tables along the way
- *“A suite of digital resources could offer a range of walks and talks in a variety of languages rather than providing too much signage”.*
- Access:
 - Provide access for wheelchairs
 - Plan visitor areas close to existing communities
- Management:
 - Include Narrap rangers in conversations for long-term management of Parklands and support their future employment
 - Bigger emphasis on burning – ensuring it is approved by relevant authorities as early as possible. *“We need cool, cultural burns”*
 - Ongoing monitoring and research - *“Inclusion of BirdNET sensor monitoring so that bird species can be recorded now and into the future”.*

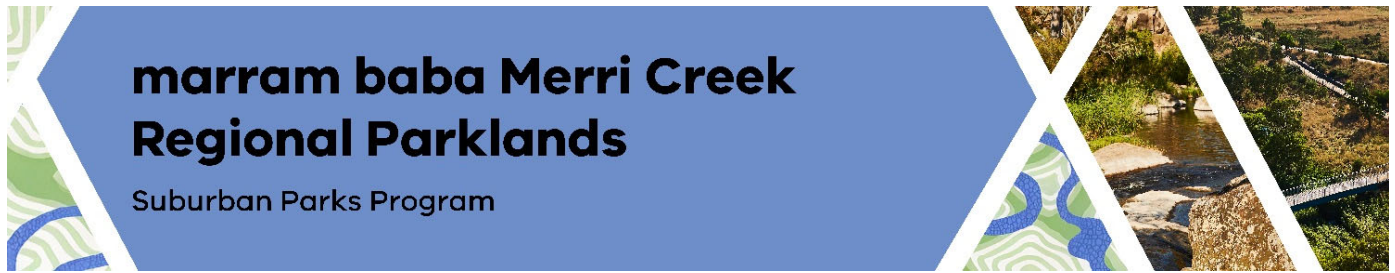
Themes

Participants were asked to rank the Draft Plan themes from 1 to 6 in order of what themes are most important to them (1 being the most important, 6 being the least important). The overall rankings were:

1. Biodiversity
2. Water and Landscape
3. Climate resilience
4. Culture and Identity
5. Access and Movement
6. Experience

The translated survey responses provided similar results. Participants were asked to select their top 3 themes (note that not all participants selected 3 options). The overall rankings were:

1. Water and Landscape (33.3%)
2. Biodiversity (28.6%)



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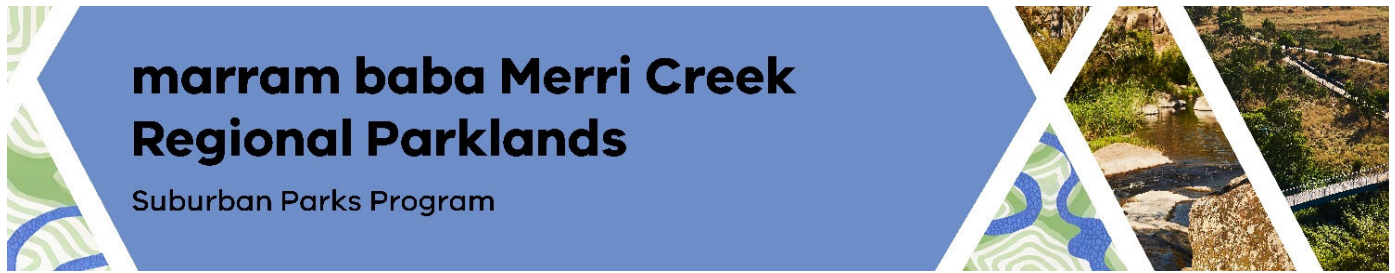
3. Access and Movement (19.0%)
4. Culture and Identity (14.3%)
5. Climate resilience and Experience (both 2.4%).

Participants were also asked if they felt there were any themes missing. Of the 11 participants that responded to this question the suggestions provided (recreation, Traditional Owners, education, research, stewardship) fit within the existing themes but may not have been clear to the respondents.

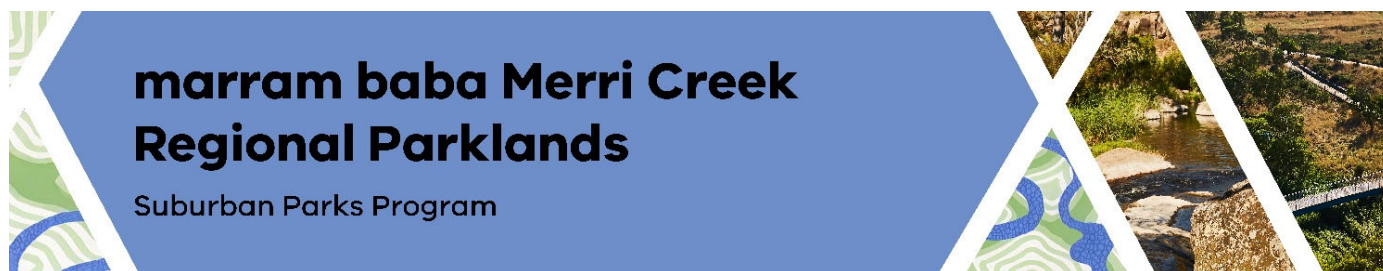
Other comments

Participants were asked if they had any other comments about the Draft Future Directions Plan. This question allowed for long text responses. A summary of comments is presented below.

- Biodiversity:
 - Too narrow in area
 - Prioritise nature over human access
 - *“Conservation of the existing indigenous biodiversity should be your number one priority. Once it's gone it's gone forever”*
 - Further highlight potential links to the wallan wallan Regional Park for larger scale ecological and fauna movement
- Experience:
 - Use Traditional Owner language
 - Look at including writing from different cultures in signage
 - Include shaded benches, car parking for people with disabilities, toilets
 - *“Use of volcanic rocks as an architectural theme throughout at least the northern half of the Parklands”.*
- Management:
 - *“Need to create the proposed park soon. The proposed timeline is too long to prevent irreversible cultural and environmental degradation”*
 - On-going maintenance is important – emptying rubbish bins, ensuring creek is clear, policing dogs on leads
 - Monitoring to ensure goals are implemented
 - Keep residents up to date with progress of Parklands



- Provide clear information about the land administration process for landowners
- *“Need an interpretation plan to translate some aspects into a framework for education, engagement and communication over time”.*



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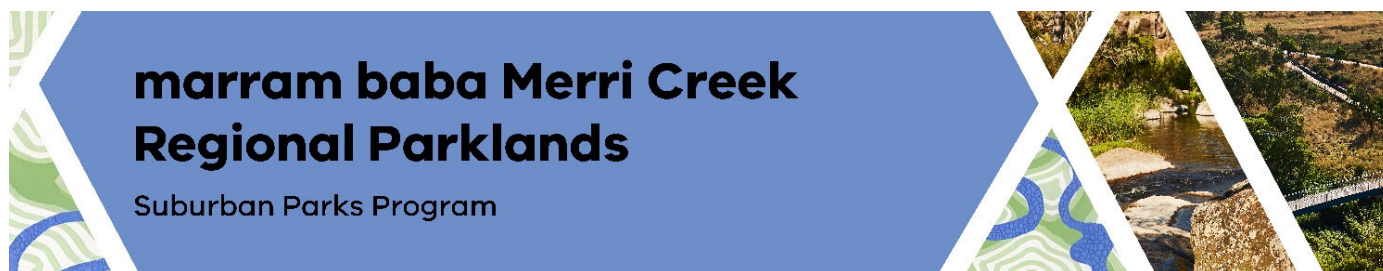
3. Map comments

There were 29 comments provided on the Parklands map. The comments are presented in Table 1 and mostly related to:

- Wider connections at pinch points
- Concern about barriers created by major roads
- Land inclusion and Parkland boundary– both relating to areas that could be included in the Parklands (particularly for habitat protection and conservation corridors) and areas that respondents indicated should not form part of the Parklands
- How acoustic environments are considered for the Parklands as part of a healthy ecosystem
- Waste management – concern about litter from highway entering the creek
- Additional shared path connections and crossings
- How the interface with development and residential houses is treated.

Table 1: Map comments

No.	Area of Parklands	Comment
1	Northeast point	I am very excited about the Parklands draft. However I certainly am concerned about the barrier formed by the outer metro ring road and the effect it could have on the expansion of the park towards the northern catchment of the Merri creek. It seems a definite pinchpoint that could limit the parks value as a biolink.
2	Bald Hill	Great to see the inclusion of Bald Hill! The link to the main park looks a bit narrow. It is hard to tell without scale on the map.
3	Connection to Bald Hill	Thank you for incorporating Bald Hill in the park! Is this connection wide enough as a biolink?
4	Connection to Bald Hill	Surely a much wider link is needed here to connect the main park with Bald Hill.
5	Narrow section before northeast area	Why is this block of land between the proposed reserve and train line not included in the reserve? The creek corridor in this section is very narrow.

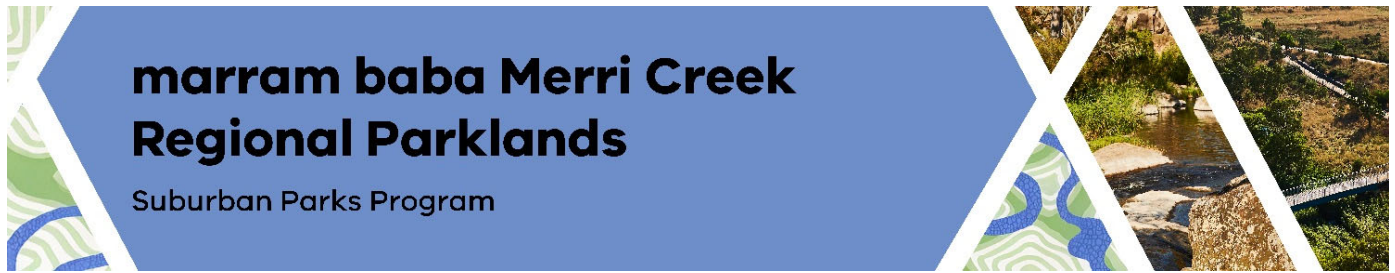


6	Hume Fwy	Waste management is needed to stop litter from the highway entering the creek.
7	Kalkallo	What is the intent for private landowners of this area. Some of these dwellings have buildings and utilities within these areas. ie, septic over-runs.
8	Malcolm St	What is the future plan for this heritage listed bridge? Will a replacement vehicular access bridge be included here for township locals. This will have further impacts for the creek.
9	Kalkallo Creek near Mitchell St	Will privacy fences be established for properties bordering the parkland?
10	Merri Creek near Donnybrook Station – Cloverton Blvd	Can we get a pedestrian/bike crossing connecting these two areas? That could save so many car trips. There is a train station there completely disconnected by the creek.
11	Kalkallo CFA at Donnybrook Rd	Map boundary is arbitrary and unnecessarily impacts the CFA & community Church facilities. Map boundary should be pushed to the southern side of Donnybrook Rd.
12	Maranatha Church at Donnybrook Rd	As this property is already developed the boundary of the parkland needs to be moved to the south side of Donnybrook Road.
13	Maranatha Church at Donnybrook Rd	The parkland design boundary line appears to cut through the front of our developed property, Maranatha Church. We would suggest that this segment of the parkland design is moved south of our front boundary so that it runs adjacent to our property boundary parallel to Donnybrook Road
14	Pinch point south of Donnybrook Rd	We've got an opportunity for a habitat corridor to the Darebin Creek Catchment, and this pinch point is not viable for that purpose. Please widen
15	Mount Ridley Nature Conservation Reserve – outside of Parklands	Is there opportunity to connect this nature reserve into the parkland also?
16	Malcolm Creek	How is the connection to Malcolm Creek going to be protected for habitat purposes?
17	Craigieburn Rd at Merri Creek	It would be good to have a safe connection to Craigieburn here
18	Craigieburn Rd eastern side	There is a good opportunity to connect the path and the parkland to Wollert Community Farm and to Curly Sedge Creek.

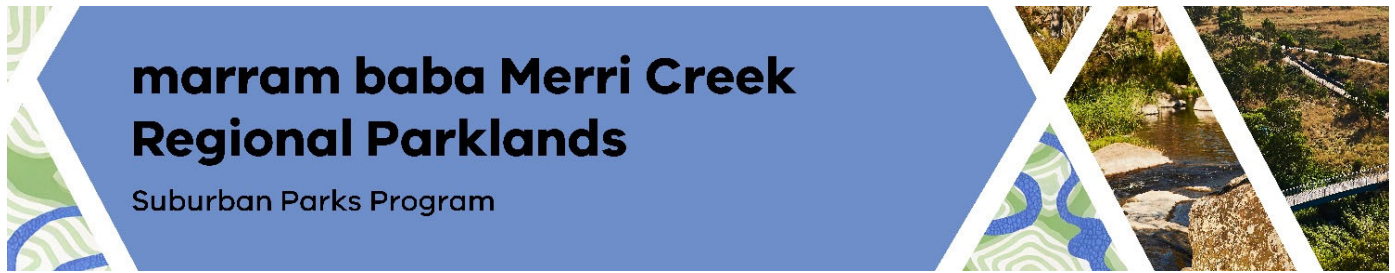
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19	Craigieburn Rd eastern side	This path extends along the boundary providing an interface to the parkland and housing estates. Urgency should be given by the Craigieburn Rd East Upgrade project to provide access to or oversight of the parkland to visitors coming along the Galada Tamboore Pathway.
20	Aitken Creek	It would be great if the Aitken Creek walkway connected to the Merri Creek paths. Currently Aitken Creek ends before the railway and traps users
21	Aitken Creek	I agree, can a connection to Aitken Creek not be achieved here?
22	Area east of Vearings Rd	The acoustic ecology of the landscapes adjacent to creeks and Hwys are often overlooked. The ethics of listening and how it is translated to Parklands and open space is often misunderstood or as unsophisticated as the language used to communicate about acoustic ecologies. The fallacies of current "sound barriers" dictated and mandated by road authorities /corp. builders and the outdated and pathetic EPA standards combined with the over engineered and thoughtless approach to caring for our acoustic environment has spearheaded landscape/ soundscape erosion and the health of Country. The principles that make for healthy ecosystems includes respect for acoustic environments. What is being considered with specific regard to acoustic ecology of the Parklands. There is opportunity to change EPA standards and to create a sophisticated dialogue around listening and landscape.
23	O'Herns Rd	It would be great to install a shared east-west path here to make a safe walking and cycling connection along O'Herns Rd.
24	O'Herns Rd portion not in Parklands	It seems appropriate that given the transmission lines overhead and gas pipeline underground, that this area remain open green space accessible to the public.
25	Burnett St	Would be great to extend the existing shared path that stops here, up to the north.
26	Shared path north galada tamboore	I think many people have absolutely enjoyed and been thankful for the sealed path connection between Campbellfield and Lalor.
27	galada tamboore to east of Hume Fwy	The base map shows this area is part of the "Galada Tamboore and marram baba Merri Creek Regional Parklands". It is not highlighted by this marram baba Merri Creek Regional Parklands project map. This area is being developed for housing. How much of it will remain



		for the Parklands? The adjoining Whittlesea Public Gardens are included within scope of this marram baba Parklands project.
28	Metropolitan Ring Rd – southern point of Parklands	Please join the galada tambore trail to the Merri Creek Trail here.
29	Metropolitan Ring Rd – southern point of Parklands	I too would like the trail to join up with that south of the freeway



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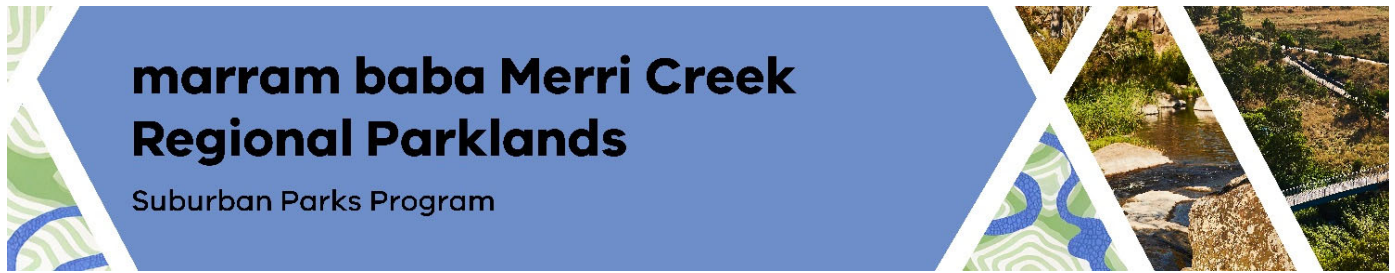
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4. Submissions

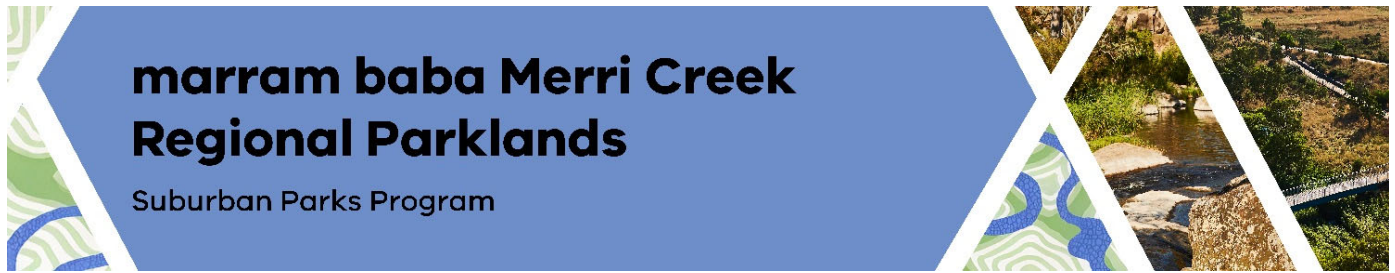
A total of 7 submissions were received. Three submissions were from landowners or landowner representatives and related to specific privately owned parcels of land.

The other 4 submissions were overall highly supportive of the Future Directions Plan. Key points raised in the submissions included:

- Experience:
 - Improve rubbish removal for sense of safety
 - Toilets and water points needed as well as shade – as shelters and trees might impeded sweeping views these should be kept to the edge of Parklands.
- Interpretation:
 - Directional and identity signage to be rolled out to whole Parklands and need a mechanism to ensure consistency across agencies
 - Develop digital content (e.g. through QR codes) could be audio walks, map of park features, local stories etc. and include multilingual content
 - Interweave ecological and cultural content where possible. Ecological content should not just be education – needs to encourage a sense of personal connection and care – ecosystem narrative of relationships between landscape, climate, plants and animals (including humans)
 - Communicate value of natural grasslands as little understanding of importance in community
 - Combine information with artwork, soundscapes and poetry.
 - Support for inclusion of Bald Hill and celebration of geological history and viewpoint
 - Batmans outstation identified as possible inclusion in Parklands.
- Biodiversity:
 - Widening of pinch points required to support wildlife/biodiversity corridors.
 - Significant conservation areas should be dog-free
 - Quarry remediation could provide Growling Grass Frog habitat.
 - Support for acknowledged connection to wallan wallan Regional Park, local parks and east-west waterways



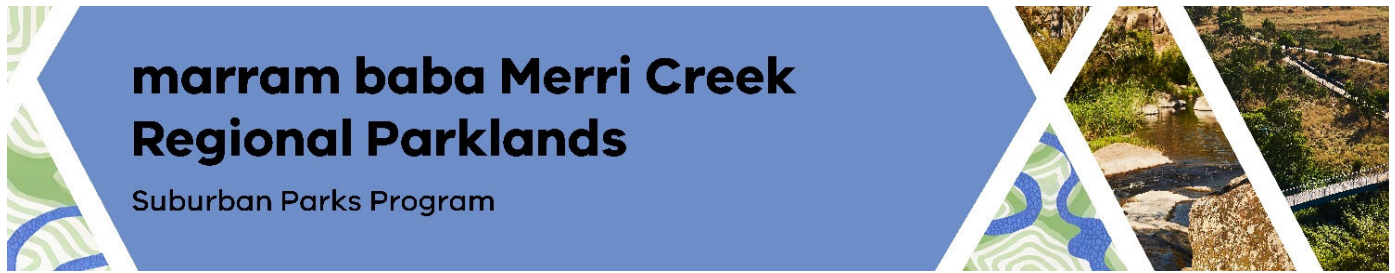
- Connect to Aitken and Malcolm Creeks
- Access:
 - Need to ensure access points have enough car parking
 - Biodiversity needs to be priority over access. Shared trail not constructed on both sides of creek. Trail to avoid conservation zones. Potentially a narrower, unpaved walking path may be appropriate in some places to allow people to enjoy nature experience
 - Separation of cyclists and pedestrians needed in some areas (slow traffic areas)
 - Connection south to Merri Trail needed as a priority.
- Land inclusion:
 - Accelerate establishment of Parklands – desire to see land included in Parklands as soon as possible (for biodiversity values, more expensive and drawn-out restoration programs)
- Management:
 - Need for the Department of Energy, Environment and Climate Action (DEECA) to be designated agency to drive implementation
 - Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) need to be appropriately resourced to manage Parklands
 - Need to show timing of actions and responsible agency/agencies
 - Need for a consolidated assessment of conservation values of areas outside of the Melbourne Strategic Assessment (MSA)/Biodiversity Conservation Strategy (BCS)
 - Additional funding required to produce more signs to strengthen parkland identity and promote values
 - Immediate and ongoing conservation-oriented land management needed to enable/ensure management on private land
 - Greater planning controls required to support Parklands and manage interface issues e.g. inclusion in planning scheme and Precinct Structure Plans (overlays, guidelines for adjoining development), more consistent zoning
 - Ongoing community input through surveys, events and conservation actions to inform ongoing development of the Parklands amenities



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- Develop an implementation framework to map stories (ecological, cultural, heritage) to specific sites for signage and digital content
- Include avenues for how people can get involved whether in conserving (weeding, planting), or deeper understanding through activities (bird watching, monitoring seasonal events).

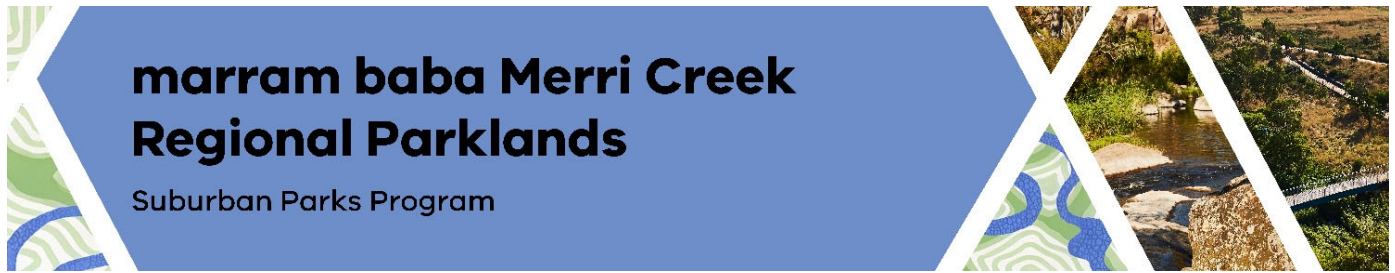


5. Information sessions

Two online community information sessions were held on 26 April and 2 May 2023 to encourage the community and interested parties to share their thoughts on the Draft marram baba Merri Creek Regional Parklands Future Directions Plan. The first session was attended by 8 people from the community and the second session by 11 people from the community. The 2 sessions had representation from Friends of Merri Creek, Victorian National Parks Association, Landcare, community members, and affected landowners.

Attendees provided the following feedback:

- Biodiversity:
 - Private land included in the Melbourne Strategic Assessment (MSA) program is not yet being managed for biodiversity conservation. Does DEECA have any strategies to deal with poor management of this land
 - Implementation plan to include details such as weed management, and this will be used to seek funding. Conservation areas under the BCS will have funding (10 years in total)
 - The acoustic ecology and protection of biodiversity should be understood and considered. There is a strategic principle in the plan relating to the acoustic ecology. Particularly around the galada tamboore canyon and Hume Freeway, flight path, industrial area – plan is laying the bed for valuing this and putting things in place to deal with this e.g. sound walls. It is important to consider what biodiversity and activation of space looks like in the broader landscape – e.g. the impact of houses and roads on flora and fauna.
- Access:
 - Queries around Parklands accessibility – most of the Parklands will not be accessible to people but there will be trails. Cultural and ecological values protected first
 - Some concerns over trail on both sides of the creek. Friends of Merri Creek would like to see trail on one side of the creek to allow for ecological values to continue on the other side. DEECA noted this will come down to a site-by-site discussion. The plan provides the foundation for arguing for more land through the Precinct Structure Plan (PSP) process and having potential path on both sides is important to support this. The PSP process will decide where



marram baba Merri Creek Regional Parklands

Suburban Parks Program

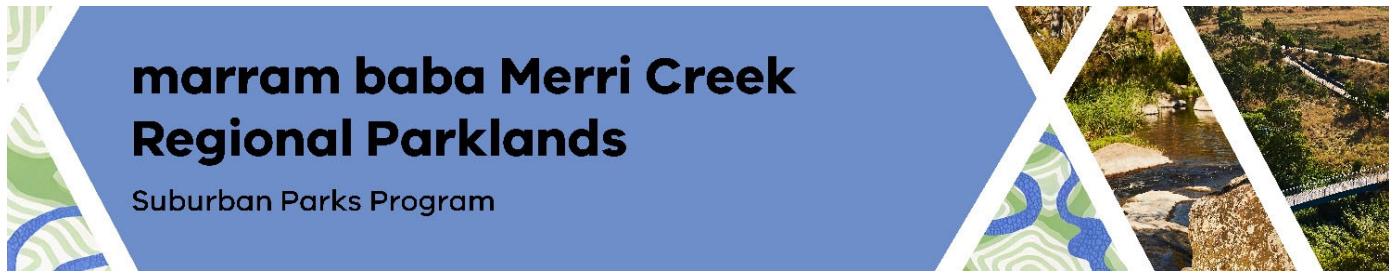
- creek crossings will be established. The trails expressed in the Future Directions Plan are already outlined in the draft PSPs
- Trail/bridge project could allow for access in future for fire management
- Post colonisation buildings could be considered as future destinations within the Parklands
- Concerns about sports fields adjacent to conservation areas. No control about adjacent land use e.g. light, acoustic, risk of industrial areas causing pollution to waterways etc. – consideration to be given in the plan to where issues with adjacent land could be managed.
- Land inclusion:
 - Several landowners raised concerns about the inclusion of their land in the Parklands and advised they did not know it needed to be protected and managed for conservation in perpetuity in accordance with the BCS for Melbourne's Growth Corridors (2013)
 - Landowners would like further information and to discuss with the MSA team next steps and transfer and management arrangements
 - Could the plan look at ecological corridors (e.g. upper reaches Edgars Creek) beyond Parklands boundaries – DEECA noted that these areas can be named in the plan but parkland boundary cannot be expanded.

Since the delivery of the online sessions, the DEECA project team and the MSA team have met with interested landowners to discuss how the MSA program will impact their property.

6. Summary

Overall, the feedback from the different methods of engagement showed high levels of support for the Future Directions Plan and the vision for the Parklands. The majority of participants felt that the Plan positively reflects the importance of Aboriginal culture and commitment to work with the Wurundjeri Woi-wurrung people to care for Country, as well as prioritising the protection of plants and animals.

One of the recurring points from participants was around pinch points and participants would like to see these areas widened to ensure there is enough land to support habitat connections.



Responses supported Traditional Owner language and artwork in the Parklands, as well as appropriate resourcing to facilitate Traditional Owner management and support for cultural land management practices.

There were some differing opinions around access to the Parklands. Some participants were supportive of more trail connections and facilities, while others want nature prioritised over human access. Some participants also noted that conservation areas should be dog-free. Concerns were raised about cycle paths and conflicts with pedestrians and wildlife. Suggestions around this included separation of cycling and pedestrians in some areas, slow traffic areas, adequate widths for shared use paths, and trails outside of high priority conservation areas.

Some recurring feedback was provided around broader walking and cycling, connections including wallan wallan Regional Park and along creek tributaries. The connection to the existing Merri Creek Trail was identified as a priority.

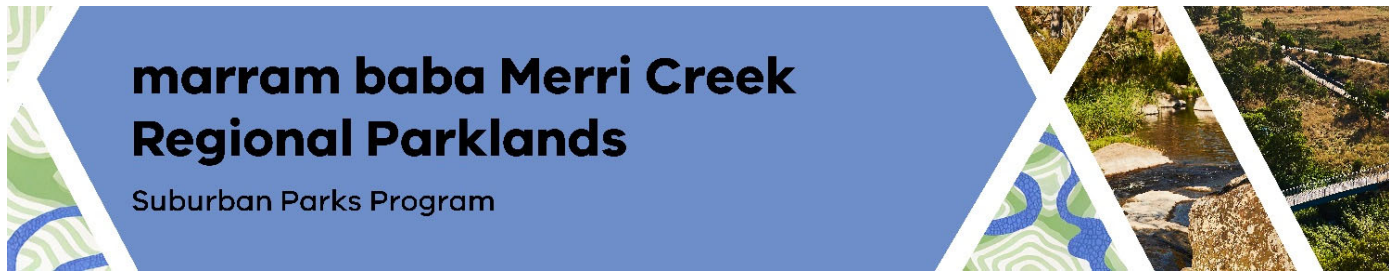
There was support amongst participants for community engagement in the Parklands such as through volunteering, community events, tours and activities. Supporting the parkland experience with interpretation signage was also noted by participants including ecological, cultural and heritage stories. Including links to digital content was also noted such as QR codes for further information, audio walks, maps of park features, soundscapes and local stories.

Provision of amenities to accommodate the diversity of people within the community was important to participants. This includes access for wheelchairs and opportunities for people with disabilities to visit the Parklands and participate in caring for the environment.

Some participants also noted that visitor facilities located close to the edge of the Parklands would help to maintain sweeping views. Supporting these facilities with appropriate car parking was also raised.

Ongoing monitoring and research activities in the Parklands was identified as important to ongoing management activities. There was support for immediate and ongoing conservation management including private land prior to inclusion in the park.

A number of participants noted the timeframe for the Parkland delivery and have a desire for the parklands to be established sooner than anticipated.



7. Conclusion

Community input was sought twice during the planning of the Draft marram baba Merri Creek Regional Parklands Future Directions Plan.

The first consultation was conducted in July and August 2022 when 261 people provided feedback through online surveys and information sessions to help Parkland Partners identify the priorities to be included in the Draft Future Directions Plan. The summary of this early consultation is published on <https://engage.vic.gov.au/marrambaba>.

This second round of consultation has provided direct feedback on the Draft marram baba Merri Creek Regional Parklands Future Directions Plan which will be used to inform the final editing of the Future Directions Plan. The Parkland Partners will also use the feedback to inform the delivery and ongoing management of the Parklands.

As the Parklands are incrementally handed over to the partners, a more detailed approach to parkland planning and implementation will be applied where many of the above points will be addressed. This will ensure the Parklands protect and enhance the cultural, heritage, landscape, biodiversity and social values present, whilst enabling public access and inspiring community enjoyment.

The project partners thank all those who have contributed during this second phase of engagement. We look forward to sharing the final marram baba Merri Creek Regional Parkland Future Directions Plan with you in late-2023.



Figure 1: Looking south across the Parklands from galada tamboore towards the Melbourne CBD