



Meeting of Council Minutes

**Tuesday 28 September 2021
At 7.00pm**

Virtual Meeting

MEETING OF COUNCIL HELD BY VIRTUAL MEANS ON TUESDAY 28 SEPTEMBER 2021

The meeting commenced at 7.01 pm.

PRESENT:

- Cr Jennie Barrera
- Cr Josh Gilligan
- Cr Adele Hegedich
- Cr Jasmine Hill
- Cr Marcel Mahfoud
- Cr Heather Marcus
- Cr Peter Maynard
- Cr Susan McIntyre
- Cr Sahana Ramesh
- Cr Mia Shaw
- Cr Robert Szatkowski

IN ATTENDANCE:

Stephen Wall	Chief Executive Officer
Jenny Wood	Coordinator Governance
Tammy Williamson	Council Business Officer

1. OPENING PRAYER & WELCOME

The Mayor, Cr Adele Hegedich, welcomed all in attendance to the meeting.

Cr Hegedich advised that the Council meeting was being live streamed in line with the COVID-19 Omnibus (Emergency Measures) Act 2020, which provides for Council to meet and is deemed to be open to the public if the meeting is live streamed.

2. APOLOGIES & REQUESTS FOR LEAVE

Nil

3. DECLARATION BY COUNCILLORS OF DISCLOSURE OF CONFLICT OF INTEREST/CONFLICTING PERSONAL INTEREST IN ANY ITEM OF THE AGENDA

Cr Marcel Mahfoud declared a general conflict of interest (private interest) in accordance with s127(2) to Item 6.4.1 - Planning Scheme Amendment C243 - Public Acquisition Overlay, Tarneit And Sayers Roads.

Cr Peter Maynard declared a general conflict of interest (public duty) in accordance with s127(2) to Item 6.5.3 - Manor Lakes North Reserve Master Plan Adoption.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

CRS PETER MAYNARD / SAHANA RAMESH

That the minutes of the Council Meeting held on Tuesday 10 August 2021 and 24 August 2021, as prepared and circulated, be confirmed.

(CARRIED)

5. DEPUTATIONS AND PRESENTATIONS

NIL

6. OFFICERS' REPORTS

6.1 PETITIONS

On 27 August 2021 Council received a petition signed by 35 people addressed to Wyndham City Council. Of those signatures, 30 fulfilled the criteria as outlined in the Wyndham Governance Rules, Section 54 and 5 did not meet the criteria

The petition states:

"The roadway exit at Lineage Logistics at 60-68 William Angliss Drive, Laverton North is easily blocked by a vehicle and in particular rigid, prime movers, semi-trailers and containers and the angle of exit is dangerous when vehicles are parked near roadway exit.

Therefore, the petitioners hereby request that a 'No Standing Zone' is implemented on either side of the roadway exit at Lineage Logistics at 60-68 William Angliss Drive, Laverton North."

Wyndham City Council notes the petition and will prepare a report to respond at the next Council Meeting on 26 October 2021

6.2 STRATEGIC REPORTS

NIL

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11. CONFIDENTIAL BUSINESS

- 11.1 personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

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12. CLOSE OF MEETING

FILE NO:

ITEM NO: 6.3.1
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS****Summary**

This report provides a summary of opportunities for Wyndham City to join national and global climate campaigns, in the lead up to the United Nations Climate Change Conference 2021 – COP26 in November.

The climate campaigns were identified by the Climate Futures and Environment Portfolio and are in alignment with Wyndham City's recently adopted 'Resilient Wyndham' Strategy (June 2021).

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Manager Climate Futures - Peter McKinnon

In providing this advice as the Manager, I have no disclosable interests in this report.

A/Coordinator Green Living - Fiona Stevenson

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- A key focus of the recently adopted Resilient Wyndham Strategy is mitigating and adapting to climate change.
- The Wyndham 2040 Community Vision highlights the community's interest in acting on climate change - 'We are responding effectively to the impacts of climate change and are working to ensure our natural environment is respected, preserved and protected.'
- The latest Intergovernmental Panel on Climate Change report shows that there is a narrow path to avoid climate catastrophe, but only through immediate, deep and sustained emissions reductions. The UK will host the 26th UN Climate Change Conference of the Parties (COP26) in Glasgow in November 2021. It is being described as the most significant climate event since the 2015 Paris Agreement.
- Signing the Better Futures Australia Declaration and joining the Race to Zero and Race to Resilience climate campaigns, demonstrates Wyndham leadership and commitment to a resilient future.

FILE NO:

ITEM NO: 6.3.1
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)****RECOMMENDATION**

That Council:

1. Sign the Better Futures Australia Declaration.
2. Apply to join the Cities Race to Zero, implementing commitments 1 to 5 as outlined in this report.
3. Apply to join the Cities Race to Resilience, implementing commitments 1 to 4 as outlined in this report.
4. Promote these campaigns to the Wyndham community.

MOTION

CR ROBERT SZATKOWSKI / JENNIE BARRERA

That Council:

1. Sign the Better Futures Australia Declaration.
2. Apply to join the Cities Race to Zero, implementing commitments 1 to 5 as outlined in this report.
3. Apply to join the Cities Race to Resilience, implementing commitments 1 to 4 as outlined in this report.
4. Promote these campaigns to the Wyndham community.

(CARRIED)

FILE NO:

ITEM NO: 6.3.1
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)****1. Background****Resilient Wyndham Strategy**

Resilient Wyndham aims to ensure that Wyndham can build back better from the COVID-19 pandemic, manage chronic stresses and is prepared for future events such as climate change, extreme weather, natural disasters and cyber-attacks. Resilient Wyndham was adopted by Council in June 2021.

A key focus of the Strategy is mitigating and adapting to climate change. This focus is supported by the following targets:

- Council decision making aligns to the science-based targets in the Paris Agreement
- Wyndham City Council operations are carbon neutral by 2023 (excluding the RDF)
- All new Council buildings are gas free (where appropriate electrical solutions exist)
- By 2040 Wyndham has transitioned to become a zero-carbon community

UN Climate Change Conference UK 2021 - COP26

The UK will host the 26th UN Climate Change Conference of the Parties (COP26) in Glasgow on 31 October – 12 November 2021. It is being described as the most significant climate event since the 2015 Paris Agreement.

COP26 aims to:

- **SECURE GLOBAL NET ZERO BY MIDCENTURY AND KEEP 1.5 DEGREES WITHIN REACH.** Countries are being asked to come forward with ambitious 2030 emissions reductions targets that align with reaching net zero by the middle of the century. To deliver on these stretching targets, countries will need to accelerate the phase out of coal, encourage investment in renewables, curtail deforestation and speed up the switch to electric vehicles.
- **ADAPT TO PROTECT COMMUNITIES AND NATURAL HABITATS.** The climate is already changing and it will continue to change even as we reduce emissions, with devastating effects. COP26 aims to work together to enable and encourage countries most affected by climate change to protect and restore ecosystems, build defences, put warning systems in place and make infrastructure and agriculture more resilient to avoid loss of homes, livelihoods and lives.
- **MOBILISE FINANCE.** To realise the first two goals, developed countries must deliver on their promise to raise at least \$100bn in climate finance per year. International financial institutions must play their part and work towards unleashing the trillions in private and public sector finance required to secure global net zero.
- **WORK TOGETHER TO DELIVER.** The challenges of climate change can only be addressed by working together. At COP26 the Paris Rulebook will be finalised (the rules needed to implement the Paris Agreement) and the aim will be to turn ambitions into action by accelerating collaboration between governments, businesses and societies to deliver on climate goals faster.

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ITEM NO: 6.3.1
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)****National and Global Climate Campaigns in the lead up to COP26**

Wyndham City has the opportunity to join the following campaigns in the lead up to COP26.

1. Better Futures Australia Declaration

The Better Futures Australia Declaration is a joint statement of support that brings together private and public sector leaders in taking ambitious climate action to ensure Australia is on track for a prosperous, climate-resilient zero emissions future, in line with the goals of the Paris Agreement.

2. Cities Race to Zero

A UN-backed global campaign to build momentum ahead of COP26. The campaign encourages companies, cities, regions, financial and educational institutions – to take rigorous and immediate action to halve global emissions by 2030.

3. Cities Race to Resilience

A UN-backed global campaign to build momentum ahead of COP26. The campaign aims to gain support from businesses, cities, regions and investors for a healthy, resilient, zero carbon transition that prevents future threats, creates decent jobs, and unlocks inclusive, sustainable growth.

2. Relevant Law***Climate Change Act 2017***

The *Climate Change Act 2017* lays out a long-term framework for mitigation and adaptation action on climate change and requires decision-makers to have regard to climate change for specific decisions and actions in a set of legislation listed in Schedule 1.

Section 22 lists the policy objectives of the *Climate Change Act 2017* –

- a. to reduce the State's greenhouse gas emissions consistently with the long-term emissions reduction target and interim emissions reduction targets; and
- b. to build the resilience of the State's infrastructure, built environment and communities through effective adaptation and disaster preparedness action; and
- c. to manage the State's natural resources, ecosystems and biodiversity to promote their resilience; and
- d. to promote and support the State's regions, industries and communities to adjust to the changes involved in the transition to a net zero greenhouse gas emissions economy, including capturing new opportunities and addressing any impacts arising from the need to reduce greenhouse gas emissions across the economy; and
- e. to support vulnerable communities and promote social justice and intergenerational equity.

Local Government Act 2020 (Vic)

Several of the overarching governance principles in the *Local Government Act 2020* create obligations for Councils in the context of climate change, including:

- Under 9(2)(c) Councils are required to promote the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks;
- Under 9(2)(b) Councils are required to give priority to achieving the best outcomes for the municipal community, including future generations;

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CHIEF EXECUTIVE OFFICER - STEPHEN WALL

RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)

- Under 9(2)(h) regional, state, and national plans and policies are to be taken into account during Council's strategic planning; and
- Under 9(2)(i) Council must ensure its decisions, actions, and information are transparent.

3. Discussion**Climate Campaign Requirements****1. Better Futures Australia Declaration**

Wyndham City would be required to sign the following declaration online to participate:

We are Australian business and industry leaders, investors, local and state and territory governments, Aboriginal and Torres Strait Islander peoples, healthcare and social institutions, farmers, developers, unions, workers, artists, academic and cultural institutions, and communities. Together, we are committed to leading by example and supporting Australia's international commitment to transition to net zero emissions before 2050.

We commit to:

- taking climate actions through individual effort and collaboration to ensure Australia contributes to limiting average global warming to 1.5°C above pre-industrial levels;
- showcasing new climate commitments and actions to inspire other Australians to realise zero emissions opportunities;
- advocating for a national response that will deliver action at the scale required to reach net zero emissions well before 2050; and
- working together, alongside and in partnership with Federal, State and Local Government leadership, to support the delivery of the Paris Agreement.

We recognise that responding to climate change requires all of us to act, alongside and in partnership with Federal, State and Local Government leadership. We invite all Australians to join us in helping to ensure our nation can, and will, meet its commitment under the Paris Agreement.

Some of the current signatories include the City of Adelaide, the United Worker Union, Moreland City Council and the Climate and Health Alliance.

2. Cities Race to Zero

Wyndham City would be required to meet the following commitments to join the Race to Zero:

Commitment	Comment
1. Publicly endorse the following Principles:	
a) We recognise the global climate emergency.	a) Wyndham City acknowledges that ...'climate change poses a risk to the people of Wyndham and resolves to strengthen existing work in its response to global warming and climate change' (December 2019 OCM)
b) We are committed to keeping global heating below the 1.5°Celsius goal of the Paris Agreement.	b) ✓ Council endorsed target
c) We are committed to putting inclusive climate action at the center of all urban decision-making, to create thriving and	c) ✓ Focus on Resilient Wyndham
	d) Partners can be engaged following

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CHIEF EXECUTIVE OFFICER - STEPHEN WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)**

Commitment	Comment
<p>equitable communities for everyone.</p> <p>d) We invite our partners – political leaders, CEOs, trade unions, investors, and civil society – to join us in recognising the global climate emergency and help us deliver on science-based action to overcome it.</p>	<p>commitment to the program.</p>
<p>2. Pledge to reach (net)-zero in the 2040s or sooner, or by mid-century at the latest, in line with global efforts to limit warming to 1.5°Celsius</p>	<p>✓ Wyndham City has committed to reaching net zero organisational emissions by 2023.</p>
<p>3. In advance of COP26, explain what steps will be taken toward achieving net zero, especially in the short- to medium-term. Set an interim target to achieve in the next decade, which reflects a fair share of the 50% global reduction in CO2 by 2030 identified in the IPCC Special Report on Global Warming of 1.5°Celsius.</p>	<p>✓ Resilient Wyndham is the vehicle for Wyndham City to achieve net zero.</p>
<p>4. Immediately proceed to planning at least one inclusive and equitable climate action as listed on www.citiesracetozero.org that will help to place your city on a resilient pathway consistent with the 1.5°Celsius objective of the Paris Agreement and begin implementation no later than 2022.</p>	<p>✓ Resilient Wyndham covers multiple inclusive and equitable climate actions.</p>
<p>5. Report progress annually, beginning no later than 2022 to your usual or the recommended reporting platform. Your 1.5°Celsius target and action commitment(s) should be shared through your regular channels of reporting. If you have not reported before, you will be contacted by partners for support.</p>	<p>✓ Wyndham City regularly reports to the Global Covenant of Mayors and through the State of the Environment Report.</p>

3. Cities Race to Resilience

Wyndham City would be required to meet the following commitments to join the Race to Resilience:

Commitment	Comment
<p>1. Integrate climate change adaptation and resilience in all aspects of urban planning and undertake a community-wide climate risk and vulnerability assessment that also includes all vulnerable communities.</p>	<p>Year 2 Resilience Strategy Action.</p>
<p>2. Plan to use available knowledge and scientific evidence, including data and spatial analysis, for decision-making and action, and outline interim targets and milestones as part of a long-term commitment for citywide action.</p>	<p>✓ Resilient Wyndham sets out targets and actions for citywide action.</p>

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ITEM NO: 6.3.1
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)**

Commitment	Comment
3. Immediately proceed to taking action by committing to at least one of the resilience actions as listed on www.citiesracetoresilience.org by COP26.	✓ Resilient Wyndham covers multiple resilience actions.
4. Report commitments by COP26 - and progress annually thereafter, to an existing or recommended reporting platform. If you have not reported before, you will be contacted by partners for support.	✓ Wyndham City regularly reports to the Global Covenant of Mayors and through the State of the Environment Report.

Climate Campaign Benefits

Benefits of Wyndham City joining the climate campaigns include:

- Formal recognition of our efforts by the United Nations Framework Convention on Climate Change;
- Strengthen Wyndham City as a champion of the Paris Agreement and equitable climate action ahead of CO26; and
- Access to a range of tools and resources to assist with taking climate action.

4. Wyndham 2040 Vision

- People and Community:
Community connection is at the heart of addressing the challenges presented by climate change. *'Community members are collaborative participants in creating, strong, supportive and environmentally sustainable neighbourhoods.'*
- Places and Spaces:
The climate campaigns will assist with *'...responding effectively to the impacts of climate change and...working to ensure our natural environment is respected, preserved and protected.'*

5. City Plan

2.2.3 Council will be a leader in environmental sustainability and adapt to climate change by increasing the energy efficiency of Council, encouraging energy efficient development, fostering bio-diversity, and supporting local agriculture by working with the state government to ensure water security throughout our area.

4.2.3 Council will strengthen its operational efficiency and sustainability by identifying and embracing new, more efficient ways to work with partners from the public and private sector, and by regularly applying rigorous evaluation of our systems, investments, expenditure, infrastructure needs, service delivery, technology use, resource application, and staff development, empowerment and flexibility.

6. Council Plan and Policies

Resilient Wyndham targets:

- Council decision making aligns to the science-based targets in the Paris Agreement
- Wyndham City Council operations are carbon neutral by 2023 (excluding the RDF)
- All new Council buildings are gas free (where appropriate electrical solutions exist)

FILE NO:

ITEM NO: 6.3.1
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**RESILIENT WYNDHAM - NATIONAL AND GLOBAL CAMPAIGNS (cont'd)**

- By 2040 Wyndham has transitioned to become a zero-carbon community

7. Regional, State and national plans and Policies

- Victoria's Climate Change Framework
- Victoria's Climate Change Adaptation Plan
- Victoria's Renewable Energy Action Plan
- Resilient Melbourne

8. Financial Viability

There will be some financial impact in terms of officer time, to join the Climate Campaigns. This impact will be minimal as reporting requirements for Race to Zero and Race to Resilience are in alignment with Wyndham City's existing reporting mechanisms (Global Covenant of Mayors and State of the Environment) for climate action and greenhouse gas emissions.

Promotion of Wyndham City's support for the campaigns will be funded through existing operational budgets.

9. Sustainability Implications

Greenhouse gas targets are based on the latest climate change science and are in alignment with targets set at the Paris Climate Conference (United Nations COP21) to keep average global temperatures to "well below" a 2°C rise from pre-industrial temperatures. The Strategy demonstrates Council's commitment to these targets.

The climate campaigns support Wyndham City's existing commitment to a safe and resilient future for both our organisation and our community.

10. Options

Not applicable.

11. Community Engagement

Online communications (Facebook, Twitter, Instagram and Green Living e-newsletter) will be used to promote Wyndham City's involvement in the campaigns and to encourage others to join.

12. Innovation and Continuous Improvement

Not applicable.

13. Collaboration

The climate declaration and campaigns are a collaboration between business and industry leaders, local and state governments, healthcare and social institutions, farmers, developers, unions, academic and cultural institutions and communities, to support international commitments to transition to net zero emissions before 2050.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN &
LIVEABILITY - LUDO CAMPBELL-
REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS****Summary**

This report recommends abandonment of Planning Scheme Amendment C243.

The Amendment proposed to apply a Public Acquisition Overlay (PAO) to the front 12 metres of 97 properties on sections of Tarneit and Sayers Roads in Hoppers Crossing to reserve land for a future service road.

During the Amendment process, many objecting submissions were received from the community. The nature of compulsory acquisition is that it affects how landowners use and develop their land, and therefore is highly sensitive. Whilst individual landowners would have been financially compensated for the acquisition of part of their land, it is recognised that the process itself would be highly impactful to affected community members. This has been a factor in considering the options for the Amendment.

Following Council's decision to refer submissions to a Panel in accordance with the Planning and Environment Act, Amendment C243 was considered by a Panel appointed by Planning Panels Victoria at a Panel hearing held on 11, 12 and 28 February 2020. The Panel report recommended that Council adopt the Amendment as exhibited, but only following further financial analysis "*to demonstrate that both the acquisition of land and the construction works are able to be accommodated within the Council's budgetary constraints*".

The current estimated cost of acquiring land and building a service road is in the order of \$73.5 million. This is a significant expenditure for Council, and in light of the current economic climate, is not considered a project that Council should pursue. It would mean those funds could not be expended on other Council projects.

Whilst a Public Acquisition Overlay may not be financially viable, the underlying issue of development pressure and transport conflicts remains, and this report recommends the preparation of a report to provide advice on alternative strategies for traffic, transport and land use responses for the local area by 30 June 2022.

Attachments

1. Planning Panel Report - *printed in separate document*

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Design & Liveability - Ludo Campbell-Reid

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Urban Futures - Aaron Chiles

In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator Urban Transformation - Claire Bickerstaff

In providing this advice as the Author, I have no disclosable interests in this report.

FILE NO:

ITEM NO: 6.4.1

DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)****Key Issues**

- Project was proposed as a solution to manage long-standing land use and access issues on Sayers and Tarneit Roads, after other approaches had been unsuccessful.
- Significant amount of negative community feedback for the proposal to compulsory acquire and compensate landowners for 12m of their property.
- Independent Planning Panel supported the proposed approach (Public Acquisition Overlay) but asked Council to further assess the costs of the project.
- Ultimately the significant costs are considered to make the Amendment unviable for Council to pursue.

RECOMMENDATION

That Council:

1. receives and notes all written submissions received following the exhibition of Amendment C243 and the Planning Panels Victoria, Panel hearing held on 11, 12 and 28 February 2020.
2. extends its appreciation to all those who made submissions.
3. notes and considers the Planning Panels Victoria Panel report and recommendations to Amendment C243.
4. abandon Amendment C243 in accordance with the Planning and Environment Act 1987.
5. in accordance with Section 28 of the Planning and Environment Act tells the Minister in writing of its decision to abandon Planning Scheme Amendment C243.
6. requests the preparation of an Ordinary Council Meeting (OCM) report with advice on alternative strategies for traffic, transport and land use responses for the local area by 30 June 2022.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)**

Cr Marcel Mahfoud declared a conflict of interest for this item and left the meeting at 7.30pm

MOTION

CRS HEATHER MARCUS / MIA SHAW

That Council:

1. Acknowledges all written submissions received following the exhibition of Amendment C243 and the Planning Panels Victoria, Panel hearing held on 11, 12 and 28 February 2020 and extends its appreciation to all those who made submissions;
2. Abandon Amendment C243 in accordance with the Planning and Environment Act 1987;
3. In accordance with Section 28 of the Planning and Environment Act, tells the Minister in writing of its decision to abandon Planning Scheme Amendment C243;
4. Notes the need for certainty for affected residents and therefore will not pursue the acquisition of land through a Public Acquisition Overlay for the purposes of a service road on Sayers Road and Tarneit Road (subject sites identified in relation to Amendment C243);
5. Requests the preparation of a report to be tabled at a future Council Meeting with advice around options of the protection of low-density neighbourhood character and amenity on Sayers Road and Tarneit Rd following an extensive community consultation process.

(CARRIED)

Cr Marcel Mahfoud returned to the meeting at 7.47pm.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)****1. Background**

Tarneit and Sayers Roads are key arterial roads in Wyndham. Both roads function as strategic transport corridors, and congestion on these two roads impacts on the wider transport network. In the future, traffic volumes of both Tarneit and Sayers Roads are expected to nearly double as urban growth to the north and west continues.

The original housing built along the thoroughfares is mostly single dwellings on one acre (4000 square metre) lots, dating from the 1980s when Hoppers Crossing represented the outermost boundary of suburban development. The properties on the south side of Sayers Road and the eastern side of Tarneit Road have direct access to the arterials via individual driveways. Due to the large lot sizes and prominent location, there is ongoing development pressure. Concerns have been consistently raised about the number of planning permit applications for multi-unit developments in the area, resulting in ad-hoc and sub-optimal vehicle access arrangements.

To address this issue, Council previously prepared Planning Scheme Amendments C185 and C204 proposing the introduction of a Design and Development Overlay (DDO) and a Development Contributions Plan (DCP). The DDO limited development within the front setback of each property, enabling a service road to be constructed in the future. The DCP required financial contributions from landowners towards the cost of the service road. Both Amendments were abandoned by Council in August 2015 after a significant number of objections from the community about the cost imposed of the DCP and the impact on individual properties of the DDO.

With development activity and vehicle access remaining an ongoing challenge, in 2017 Council resolved to proceed with the current Amendment to apply a Public Acquisition Overlay (PAO) and in 2019 resolved to refer submissions to a Panel. The PAO would identify and reserve land for the future construction of a service road. Unlike the previous approach that would have imposed a cost on all landowners, the PAO would require Council to bear the cost of both land acquisition and road construction.

As briefly summarised above, this project has a long history where Council has put forward different approaches to manage the issue of development and access on these key roads. This report enables Council to make a decision on the Amendment.

2. Relevant Law

Planning Scheme Amendment C243 has been managed by Council officers and DELWP in accordance with the requirements as set out in the Planning and Environment Act 1987.

Section 30 of the *Planning and Environment Act 1987* states that an amendment or part of an amendment lapses at the end of two years after the date of publication of the notice in the Government Gazette unless the planning authority adopts it within that period or the Minister allows a longer period for the adoption of the amendment.

As Planning Scheme Amendment C243 was due to lapse on 25 July 2021, a request was submitted to DELWP/Minister for Planning to extend the time for consideration of the amendment, and to enable Council to make a formal decision on the Amendment. This request was granted, and DELWP extended the lapse date for the Amendment to 22 March 2022. This means that Council must make a decision on the Amendment prior to this date, unless a further extension is granted.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)****3. Discussion**Submissions

Whilst 97 properties were directly impacted by the Amendment, over 100 submissions were received when Amendment C243 was exhibited, with the majority from landowners directly impacted by the Amendment, and most objecting to the proposed PAO.

The small number of the supportive submissions were from landowners who had purchased properties with an aspiration to develop, or older landowners ready to sell up and downsize, who recognised that compensation for the acquisition and construction of a service road would facilitate those outcomes.

The objecting submissions raised a number of concerns, ranging from impacts to individual properties (for example, changes to driveways, parking for caravans etc), to the perceived uncertainty of compulsory acquisition on the future use of their land.

Panel Report

The independent Planning Panel recommended that the Amendment proceed, and accepted two core propositions:

- the strategic planning merits of the Amendment; and
- that delaying a PAO could result in the delivery of a service road at a later date being impossible due to the amenity impacts and prohibitive compensation obligations (due to increasing land values and value of developments).

However the Panel also recommended that “...*Council proceed with the Amendment, but only after it satisfies itself that to do so represents ‘value for money’ and it is within the financial capacity of the Council to see through to implementation...*” (page 49 Panel Report).

In response to the Panel’s recommendation for further financial analysis, an external valuer was engaged to provide land valuations, and Council’s engineering department produced updated construction estimates. This data demonstrated that land values had increased significantly since the initial amendment was first proposed in 2012 and when Amendment C243 was first proposed in 2017. The total estimated project cost (\$73 million) would be a significant financial commitment for Council over a period of years through land acquisition to construction.

The financial implications are further discussed in this report under the heading Section 8: Financial Viability, and ultimately conclude that the cost of implementing the Amendment renders the Amendment unviable.

Non-viable option – Alternative slip-lane design

At the Ordinary Council meeting 8 October 2019, Council resolved to request officers to provide alternative design solutions to a service road. It had been suggested that a slip lane could be used instead of a service road, largely because it would require minimal land acquisition.

Council engaged Ratio to provide expert traffic engineering advice. Their evidence to the Panel assessed an option of using left-turn deceleration or slip lanes instead of a service road. The turning lane would separate vehicles accessing properties and through traffic, thereby reducing the potential crash risk. Ratio noted that the provision of deceleration lanes to access the properties would be problematic because of the length required to allow vehicles to slow down

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LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)**

to an acceptable level to make the required turn. Expert evidence from Traffix consultants also noted that slip lanes require a set diverge length which is dependent on the speed limit and that installation of slip lanes to improve safety and capacity of the arterial road network is not practical in this case.

The Department of Transport submission to the Panel rejected the slip lane proposal. The Department of Transport's response to a proposal that included lengthening of kerbside lanes to create a quasi-left turn or slip lane, and widening the kerbside lane from 2.0m to 2.5m to allow the bicycle lane to be used as a quasi-left turn lane, were that this approach: *"jeopardises the safety of cyclists and is against Safe System principles."*

The independent Panel, having reviewed the evidence and submissions before it, including a number of different concept designs and options, ultimately supported Council's concept design of a service road as the most appropriate design solution. A slip lane approach was not supported by any of the independent traffic engineer experts, the Department of Transport, or Council's traffic and engineering departments. It is therefore not considered a realistic option or alternative to a service road.

4. Wyndham 2040 Vision

- Places and Spaces:

As a rapidly growing municipality, Council needs to manage issues such as population growth, demand for housing, and infrastructure improvements. The Wyndham 2040 vision is an expression of the long-term aspirations of the community that will guide how Council directs the resources under its control. The refreshed Vision details the community's desire for a safe, connected and inclusive community that has the infrastructure and services it needs to support the growing population.

Council must guide the overall form of growth and its key infrastructure and land use elements to improve liveability for the Wyndham community.

5. City Plan

2.2.1 Council will seek to enhance the health and wellbeing of residents and visitors who experience the negative effects of commuter-stress by advocating for higher levels of accessible, affordable, low-emission public transport; increase car parking and opportunities for active transport in and around public transport hubs including train stations; and ensure new developments include infrastructure that will address our City's growth needs.

6. Council Plan and Policies

The Wyndham Planning Scheme contains a range of relevant policies that have been considered throughout the amendment process.

7. Regional, State and National Plans and Policies

There are a range of State and Regional Policies that have been considered throughout the amendment process.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)****8. Financial Viability**

Investment in key arterial roads such as Sayers and Tarneit Road needs to be weighed up against the opportunity to invest in other significant city-shaping projects that would more clearly align with delivering the Wyndham 2040 vision. Committing to the Amendment and associated land acquisition and construction of a service road, even if staged over a number of years, would require investment of approximately \$73.5 million in 2021 dollars.

Valuations of impacted properties were prepared by an expert external valuer in January 2021, resulting in an estimated total land acquisition cost of \$53.1 million. This includes anticipated service relocation costs of \$9.3 million incurred at the time of acquisition.

Data shows average land escalation in Wyndham North and Wyndham West DCPs has tripled land prices over the last six years (2014-2020).

Whilst the scope of the Amendment is land reservation and acquisition, the Panel also recommended that Council consider its financial capacity to deliver the project through to implementation (construction). Road construction costs to deliver a service road along Sayers and Tarneit Roads have been estimated at \$20.4 million, based on the service road design accepted by Panel and recommended by Council's engineers and external consultants (Ratio and Traffix). If construction is deferred for five plus years the escalation rate is estimated at 109% (0.09 x increase), with a concurrent rise in total construction cost from \$20.4m in 2021 to in excess of \$23m if deferred until 2026.

When an earlier iteration of the project was considered in 2014 (which proposed a DCP to fund the cost of the project), the total cost of the land acquisition on Tarneit Road was approximately \$2.3m. In comparison, the current cost of land acquisition on Tarneit Road is approximately \$11.6m, an increase of \$9.3m.

Importantly, the financial context in which Amendment C243 has been considered has changed considerably over time. Events such as the COVID pandemic have had an impact, as has the introduction of rate capping. Unlike other acquisitions, the acquisition of a 12m strip of land comprising frontages of people's properties provides little scope for alternative land use options and would result in a sunk cost for Council when compared to other potential investments or acquisitions that Council may wish to pursue.

The opportunity cost for the project as originally conceived is significant and considered unjustifiable given other pressing challenges and investment demands in the municipality. Allocating \$73.5 million to road improvements that are primarily a sunk cost is too great in the current post-Covid environment to recommend proceeding with the Amendment.

In this context, abandoning the Amendment is considered the most prudent action given the financial implications of land acquisition and road construction in the current economic climate.

9. Sustainability Implications

Not applicable

10. Options

One of the overarching governance principles in Section 9 of the Local Government Act 2020 is that priority be given to achieving the best outcomes for the community, including future generations. Planning for better vehicular access to Tarneit and Sayers Roads from abutting properties was intended to resolve legacy issues inherited from poor planning in the past, and respond to strategies that anticipate a more populous and congested Wyndham, and working towards a fit for purpose transport network based on efficiently functioning key movement corridors.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C243 - PUBLIC ACQUISITION OVERLAY,
TARNEIT AND SAYERS ROADS (cont'd)**

The Panel agreed that there was an issue with the current road network in this location and a service road delivered via a Public Acquisition Overlay was an appropriate response. This finding supports the original rationale to initiate and pursue the Amendment. However, the updated 2021 costs have highlighted the significant financial obligation that the project places on Council (total \$53.1million in land acquisition costs, excluding construction costs).

Although there are ways to minimise the financial risk of the project to Council, ultimately the project is so large and expensive that it has a significant opportunity cost associated that cannot be supported in the current post-Covid environment. For reasons outlined above, Council officers recommend abandonment of Planning Scheme Amendment C243.

It is also recommended that a future report is prepared to provide guidance and advice on alternative strategies for traffic, transport and land use responses for the local area following further investigation of these matters by 30 June 2022.

11. Community Engagement

Community engagement to date has occurred throughout the various phases of the project. This included a town hall style meeting, group information sessions and individual meetings with the residents that were likely to be the most materially impacted prior to the more formal notification that is legislated through the Planning Scheme Amendment process. As outlined earlier, all landowners and occupiers were notified of the proposed PAO and given the opportunity to make a formal submission. Those that did were also invited to the independent Panel hearing. A number of submitters engaged their own legal representative and traffic expert witness to put forward their case. As outlined earlier in this report, there was significant negative feedback from the community in response to the proposed Amendment.

12. Communication Strategy

All affected landowners will be notified of the decision after this meeting.

13. Innovation and Continuous Improvement

Not applicable.

14. Collaboration

Not applicable.

FILE NO: 0

ITEM NO: 6.4.2
DIRECTOR CITY DESIGN &
LIVEABILITY - LUDO CAMPBELL-
REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING POLICY****Summary**

A key action of the Wyndham Gambling Harm Minimisation Policy and Action Plan 2018-2022 was to 'review the local planning policy, *Electronic Gaming Machine (EGM) Policy Clause 22.03 of the Wyndham Planning Scheme*, to ensure it meets best practice in assessment of EGM applications.' In 2019 Council reviewed the EGM Policy, with the recommended outcome being an update and inclusion of new policy into the Wyndham Planning Scheme. The new policy guides the appropriate location and operation of electronic gaming machines, as well as introducing new application requirements for planning permits, decision guidelines and an updated list of shopping complexes where the installation or use of electronic gaming machines (EGMs) is prohibited.

Planning Scheme Amendment C252 – New Gaming Policy was publicly exhibited from July until September 2020. Following exhibition, six submissions were received, two of which did not support the Amendment, and four which supported the Amendment. At the December 2020 OCM Council resolved to refer all unresolved submissions to an independent Panel. The Panel hearing was held in June 2021 and heard from Council and submitters opposed to the Amendment. The Planning Panels Victoria (PPV) report for Amendment C252 was received by Council on 28 July 2021. The report is supportive of the Amendment and the introduction of the new gaming policy with some minor amendments recommended by the Panel. This is considered a positive outcome for Council and the community and will strongly support the community being better protected from gambling harm.

This report recommends that Council adopt the Amendment with changes as recommended by Planning Panels Victoria and submits the adopted amendment to the Minister for approval.

Attachments

1. C252 Planning Panels Victoria Report - *printed in separate document*

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Design & Liveability – Ludo Campbell-Reid

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Urban Futures - Aaron Chiles

In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator Urban Transformation - Claire Bickerstaff

In providing this advice as the Coordinator, I have no disclosable interests in this report.

Principal Planner Projects - Diana Rice

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Minimising harm from electronic gaming machines
- Planning scheme changes to implement new policy

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING
POLICY (cont'd)****RECOMMENDATION**

That:

1. Council adopt the Planning Scheme Amendment C252wynd as exhibited but with changes as recommended by the Panel Report received by Council on 28 July 2021.
2. The Amendment be submitted to the Minister for Planning for approval and gazettal in accordance with the *Planning and Environment Act 1987*.

MOTION

CRS JOSH GILLIGAN / JENNIE BARRERA

That:

1. Council adopt the Planning Scheme Amendment C252wynd as exhibited but with changes as recommended by the Panel Report received by Council on 28 July 2021.
2. The Amendment be submitted to the Minister for Planning for approval and gazettal in accordance with the *Planning and Environment Act 1987*.

(CARRIED)

FILE NO: 0

ITEM NO: 6.4.2
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING
POLICY (cont'd)****1. Background**

In June 2018, Council adopted the Wyndham Gambling Harm Minimisation Policy and Action Plan 2018-2022. A key action of the Plan is to '*review the local planning policy, Electronic Gaming Machine (EGM) Policy Clause 22.03 of the Wyndham Planning Scheme, to ensure it meets best practice in assessment of EGM applications.*'

Accordingly, in 2019 Council undertook a review of the Electronic Gaming Machines Policy, which recommended an update and inclusion of a new policy into the Wyndham Planning Scheme. The new policy guides the appropriate location and operation of electronic gaming machines, as well as introducing new application requirements for planning permits, decision guidelines and an updated list of shopping complexes where the installation or use of electronic gaming machines (EGMs) is prohibited.

The Minister for Planning authorised Council to undertake a Planning Scheme Amendment (known as C252) to implement the policy changes. The Amendment was publicly exhibited from 30 July 2020 to 17 September 2020. Following exhibition, six submissions were received, two of which did not support the Amendment as exhibited, and four which supported the Amendment. The two objecting submissions focused on concerns about new locational criteria to be included in the planning scheme that would limit the expansion of gambling venues into growth areas. A number of the supportive submissions commended Council on its leadership and initiative in reducing harm from gambling. At the 8 December 2020 OCM Council resolved to refer all unresolved submissions to an independent Panel appointed to consider proposed Amendment C252.

The Panel hearing was held in June 2021. It heard arguments from Council and submitters opposed to the Amendment as to the merits or otherwise of the proposed policy changes. There was significant opposition to the changes proposed by the Amendment from two submitters (who were either operators or landowners of current, or proposed, gaming venues) who argued that some elements of the policy equated to a 'ban' on gaming venues in newly establishing communities.

The Panel Report for Amendment C252 was received by Council on 28 July 2021 and was uploaded on Council's website on 11 August 2021 in accordance with section 26 of the *Planning and Environment Act 1987*.

2. Relevant Law

Planning and Environment Act 1987.

An amendment can be prepared by any planning authority as specified in Sections 8, 8A, 8B and 9 of the Act.

3. Discussion

The Panel supported the majority of policy changes to the Wyndham Planning Scheme sought by Council. The Panel report recommends that Planning Scheme Amendment C252 be adopted as exhibited, subject to a handful of changes. The changes primarily relate to minor wording changes that do not significantly detract from the intent of the originally exhibited amendment.

Of note, the Panel concluded that it is appropriate for policy to discourage gaming machines in growth areas, the subject of a Precinct Structure Plan, whilst there remains significant uncertainty as to the final layout and composition of the physical and social community.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING POLICY (cont'd)**

It also recommended that the Gaming Machines Policy Review – Clause 22.03 Wyndham Planning Scheme – Final Report July 2019 (the Gaming Machines Policy Review) be included as a background document, and that the Wyndham Gambling Harm Minimisation Policy and Action Plan 2018-2022 (the Policy and Action Plan) should be deleted as a background document. The Panel's reasoning for this was that the scope of the Policy and Action Plan covers matters beyond those of utility to decision-makers for gaming applications in the statutory planning process. However, as an adopted Council document the Policy and Action Plan remains of value in stating the broader vision, objectives and key actions underlying Council's position in relation to gambling (for example, advocacy). It is also included as an appendix to the Gaming Machines Policy Review document. Moreover, many of the objectives of the Policy and Action Plan have now been translated into the proposed planning scheme provisions supported by the Panel.

The main wording change recommended by the Panel is shown in the following extract from the proposed Clause 21.02. The tracked changes show Council's proposed wording in red, followed by the Panel's recommended changes in blue.

Objective 8

To site electronic gaming machines in appropriate locations and venues where the potential gambling related harm to the community will be minimised.

Strategies

- 8.1 Discourage the establishment of new gaming venues in the growth areas, the subject of Precinct Structure Plans, until they are sufficiently established to overcome any significant uncertainties related to adjoining land uses, proximity to sensitive uses and the potential for social and economic impacts on the emerging local community. ~~the new community has fully established, its demographic characteristics can be surveyed and analysed and the layout, composition and form of land use and development have been delivered.~~
- 8.2 Encourage additional EGMs to be consolidated in established venues where it can be demonstrated that they would not be proximate to areas of social and economic disadvantage, transport interchanges or convenience retail and community facilities, used by many people on a regular basis.
- 8.3 Ensure that a choice of other leisure and recreation pursuits are available proximate to gaming venues and alongside EGMs.

The Panel's proposed re-wording still achieves the intention of ensuring that new gaming venues are discouraged until such time that the characteristics of the emerging community can be determined. Council has discretion to determine what 'sufficiently established' looks like in each individual permit application, based on the specific context.

The Panel also recommended changes to the exhibited provisions that clarify and strengthen the policy. For example, at section 4.0 of the Schedule to Clause 52.28, the Panel has made the following change:

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING POLICY (cont'd)**

- ~~Gaming venues should not be established ahead of the provision of non-gambling entertainment, recreation activity and social infrastructure.~~
- In new growth areas where the community does not have access to a range of retail, non-gaming related entertainment and recreational opportunities.

The new wording (in blue) includes reference to 'a range of' (retail, non-gaming related entertainment and recreational opportunities), which was not originally included. This provision now clearly discourages gaming venues from being developed in growth areas where a range of services as listed do not exist. The provision is worded such that it would not be sufficient for simply a retail centre to be in place; it must be 'a range of' retail, non-gaming and recreational opportunities.

Another change made by the Panel in the Schedule to Clause 52.28 related to the operating hours of a gaming venue. The tracked changes are shown below:

Gaming machines should not be located:

- In venues that ~~operate 24 hours per day~~ offer access to gaming when there are no other recreation and leisure venues in the locality that are open to the public during the same period as the gaming room.
- In venues where the gaming area is more than 25 per cent of the total leasable floor area that is open to the public.

The policy originally proposed to discourage gaming in venues that operate 24 hours per day as a blanket approach. The Panel agreed with and adopted the suggestion by Council's expert witness, Mr Rob Milner, that the intention of the policy was to ensure that alternative recreation opportunities were available, and that the gaming venue wouldn't be the only entertainment option. The revised wording now clearly articulates that as the objective. To satisfy the objective, for a gaming venue to open for extended hours, the wording changes proposed by the Panel clearly indicate that a proposal would need to demonstrate that non-gaming entertainment venues in growth areas (such as an amusement parlour, function centre or cinemas), are open at the same time.

In summary, Council officers consider the Panel's overall conclusions and recommendations to be positive and are confident that the recommendations of the Planning Panel if adopted into the Planning Scheme will strengthen Council's ongoing efforts to minimise gambling harm from EGMs in growth areas. The supportive Panel report gives additional weight to the policy changes utilized by Town Planning when assessing planning permit applications going forward. Since the Panel report was released, officers have received very positive feedback from the VLGA, the Alliance for Gambling Reform and other growth area councils heartened by Wyndham's efforts to strengthen planning policy in relation to gaming applications and minimise harm from gambling.

4. Wyndham 2040 Vision

- People and Community:
This report is consistent with the Wyndham 2040 Community Vision for People and Community and progress towards objectives that everyone is able to access services for health and wellbeing and that community members are collaborative participants in creating strong, supportive and environmentally sustainable neighbourhoods.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING
POLICY (cont'd)****5. City Plan**

1.2.2 Council will endeavour to increase health and wellbeing outcomes of our community by engaging with the State and Federal Governments on gambling reform and reducing harmful alcohol and drug use, particularly among young people and other at risk community cohorts.

6. Council Plan and Policies

Wyndham Gambling Harm Minimisation Policy and Action Plan 2018-2022.

7. Regional, State and national plans and Policies

Not applicable

8. Financial Viability

Not applicable

9. Sustainability Implications

Commitment to minimizing harm from gambling in the Wyndham Community and a strengthened planning framework will contribute to the Wyndham 2040 vision to create strong supportive and environmentally sustainable neighbourhoods.

10. Options

Council can choose to either:

1. Adopt Amendment C252 as exhibited, with the changes as recommended by the Panel report.
2. Adopt Amendment C252 as exhibited, without any changes recommended by the Panel report.
3. Abandon the Amendment.

The Panel is an independent body whose role is to assess the merits of the Amendment after hearing from all parties, including expert witnesses. In this case the Panel has supported the proposed policy changes, whilst suggesting some minor wording changes to improve clarity. In officers' view the proposed wording changes by the Panel are reasonable and should be implemented.

If Council were to pursue Option 2, disregarding the Panel's recommendations, justification for such an approach would be provided to the Minister for Planning when seeking the Minister's decision on the Amendment. The wording changes proposed by the Panel are considered reasonable as discussed earlier in this report and therefore Option 2 is not recommended.

Option 3 of Abandonment is not recommended, as gambling is a key policy issue in Wyndham and this Amendment will further strengthen Council's planning policies in relation to applications for new gaming venues. It is the culmination of a significant body of work over the last few years, beginning with the policy review stage by the City Life Directorate, translation of the revised policy into Wyndham's planning provisions by the Urban Transformation team, and the Amendment process itself.

11. Community Engagement

Prior to formal exhibition of the amendment, a range of stakeholders were consulted as part of the policy review, with facilitated conversations held with Council staff, service providers, sporting clubs and residents.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PANEL REPORT FOR PLANNING SCHEME AMENDMENT C252 - NEW GAMING
POLICY (cont'd)**

The amendment was mailed to all directly impacted owners and occupiers, and to a broad stakeholder list developed by City Life officers during the review, including licence holders for all gaming venues in Wyndham.

Information about the Amendment is available on Council's website, together with a link to all documents exhibited as part of the amendment and expert witness reports tendered as part of the Panel hearing.

Submitters have been notified and provided a copy of the Panel report.

12. Communication Strategy

Not applicable

13. Innovation and Continuous Improvement

Not applicable

14. Collaboration

Council officers communicated with officers from neighbouring councils such as Hobsons Bay Brimbank and Melton when developing the new gaming policy. When the Amendment was exhibited, feedback was invited from across the western region about the impact of gambling on communities, and how the proposed amendment would support or detract from neighbouring Councils' efforts to minimize harm from gambling.

As a member of the Alliance for Gambling Reform, Wyndham works with other members of the Alliance in partnership and through collaborative opportunities to make a difference in minimising gambling harm.

FILE NO:

ITEM NO: 6.4.3
DIRECTOR CITY DESIGN &
LIVEABILITY - LUDO CAMPBELL-
REID**ENHANCING PLANNING SCHEME PROTECTIONS AGAINST MULTI-LEVEL UNIT DEVELOPMENT****Summary**

This report provides a response to Notice of Motion 603 which requested advice on a future Planning Scheme Amendment that implements minimal change areas into the Wyndham Planning Scheme in accordance with the Wyndham Housing and Neighbourhood Character Strategy.

The report provides an overview of the Housing and Neighbourhood Character Strategy and notes the importance of a strategy to direct and manage housing growth that aligns with both State and Council policy. The report recommends that a holistic approach that considers all areas of change (significant, incremental and limited) is pursued, rather than a piecemeal approach which is unlikely to be supported by the Minister for Planning.

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Design & Liveability - Ludo Campbell-Reid

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Urban Futures - Aaron Chiles

In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator Urban Transformation - Claire Bickerstaff

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- DELWP feedback on 2018 Housing and Neighbourhood Character Strategy
- Importance of a Strategy to guide residential development across the City
- Approach to reviewing and updating the 2018 Housing and Neighbourhood Character Strategy

RECOMMENDATION

That Council notes the limitations imposed by DELWP and the Victorian Government in introducing a multi-unit development ban in minimal change areas and supports the update of the 2018 Wyndham Housing and Neighbourhood Character Strategy as outlined in this report.

FILE NO:

ITEM NO: 6.4.3

DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**ENHANCING PLANNING SCHEME PROTECTIONS AGAINST MULTI-LEVEL UNIT
DEVELOPMENT (cont'd)****MOTION**

CRS JOSH GILLIGAN / SAHANA RAMESH

That Council notes the limitations imposed by DELWP and the Victorian Government in introducing a multi-unit development ban in minimal change areas and supports the update of the 2018 Wyndham Housing and Neighbourhood Character Strategy as outlined in this report.

(CARRIED)

FILE NO:

ITEM NO: 6.4.3

DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**ENHANCING PLANNING SCHEME PROTECTIONS AGAINST MULTI-LEVEL UNIT DEVELOPMENT (cont'd)****1. Background**

At the 27 April 2021 Council Meeting a Notice of Motion was carried which required that:

1. *Council officers provide advice at an upcoming Council meeting on the following:*
 - a. *A future Planning Scheme Amendment that implements minimal change areas into the Wyndham Planning Scheme in accordance with our Wyndham Housing and Neighbourhood Character Strategy 2018 (or an updated version adopted by Council);*
2. *Council endorses the scope of any future report to include advice on the limitations imposed by DELWP and the Victorian Government in introducing a multi-unit development and or townhouse ban in minimal change areas and or prohibiting a planning scheme amendment of the nature outlined in 1a; and*
3. *A report be presented by no later than the Tuesday 28 September 2021 Council meeting for consideration.*

The Wyndham Housing and Neighbourhood Character Strategy (WHNCS) 2018 and supporting documents were adopted by Council at the Ordinary Council Meeting of 7 August 2018.

Following the 2018 Council resolution, the amendment documentation to implement the Strategy was sent to the Department of Environment, Land, Water and Planning (DELWP) for authorisation. This is a required step in the Planning Scheme Amendment process. If Council wishes to make any changes to its Planning Scheme, authorisation (or permission) is required from DELWP (on behalf of the Minister for Planning) before Council commences the Planning Scheme Amendment process. In preparing and considering a Planning Scheme Amendment, Council officers and DELWP must comply with the relevant provisions of the *Planning and Environment Act 1987*. This includes the form and content of an Amendment, as well as timeframes for completing various steps of the Amendment process.

Two years after receiving Council's amendment authorisation request on 8 October 2018, DELWP responded with a refusal to Council's application for authorisation to prepare Amendment C161 to the Wyndham Planning Scheme, on 30 November 2020.

The Department considered that the 2018 WHNCS was inconsistent with the State planning policy, provisions and guidance for housing and neighbourhood character which were introduced by the State Government following Council's adoption of the 2018 WHNCS.

A key issue raised in DELWP's refusal is that the State Government has changed the General Residential Zone (GRZ) provisions since Council adopted the WHNCS 2018. Council had proposed the majority of areas to remain as General Residential Zone – which at the time was considered the 'default' residential zone in Victoria. However, the changed zone provisions introduced by the State Government now allow up to 3 storey residential development in the General Residential Zone (GRZ). This was not the intention of Council's application of the General Residential Zone and is one example of what will need to be reviewed and updated in a new or refreshed WHNCS.

DELWP recommended that a fresh housing strategy be prepared by Council, which must implement a contemporary residential planning framework consistent with the most up to date Planning Practice Notes (PPN90 and PPN91 – December 2019).

In its refusal letter DELWP also acknowledged the work already prepared by Council in the form of the Wyndham Urban Framework Plan (WUFP) – Emerging Options Paper (May 2019) and the important role of this document in providing overarching guidance about the preferred location of housing growth in Wyndham. DELWP went on to recommend that this critical strategic work should inform the updated WHNCS in relation to the preferred location of housing

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**ENHANCING PLANNING SCHEME PROTECTIONS AGAINST MULTI-LEVEL UNIT DEVELOPMENT (cont'd)**

growth and presented an opportunity to implement a contemporary residential planning framework consistent with new state government policy.

As noted above, one of the reasons for DELWP's refusal was the new approach to residential zones that DELWP introduced via two Practice Notes in 2019. This was the latest in a series of steps over the past 20 years that the State Government has undertaken to continue to refine and update planning provisions relating to housing and residential development. Examples of improvements to the residential zones include the introduction of the 'garden area' provision in 2017 that mandated a minimum percentage of a lot to be set aside as garden area in each new development. This had the effect of increasing the 'green' space in each new multi-unit development.

However, this ongoing fine-tuning of the State's approach has resulted in challenges for Councils trying to implement Housing and Neighbourhood Character Strategies that are consistent with a State policy direction. Other Councils are now in a similar situation to Wyndham whereby the State Government has directed them to update their strategies to reflect the new practice notes prior to implementation via a new Planning Scheme Amendment. Council officers have been in discussions with the Department over many months and will continue to have these discussions throughout the update of the WHNCS, to ensure that the approach taken by Council is consistent with State direction. This will hopefully avoid any issues in the future when it comes to authorisation of a Planning Scheme Amendment.

2. Relevant Law

In preparing and considering a Planning Scheme Amendment, Council officers and DELWP must comply with the relevant provisions of the *Planning and Environment Act 1987*. This includes the form and content of an Amendment, as well as timeframes for completing various steps of the Amendment process.

3. Discussion

Importance and Role of a Housing and Neighbourhood Character Strategy

Housing change is inevitable. It is an ongoing process influenced by population changes, as well as other environmental, physical, and socio-economic influences. For example, as the housing stock ages, houses are either renovated or demolished to be replaced with a new dwelling or dwellings.

It is important to understand the different roles that the State Government and Council have under the planning system in Victoria.

The State Government's role in planning is to set the overarching strategic direction for metropolitan Melbourne relating to all areas of development – location of housing, employment, infrastructure, open space etc. They also have responsibility for creating the framework for implementation of those policy objectives – the Planning Scheme. Each Council has a Planning Scheme containing provisions that implement State policies into zones, overlays and permit requirements. The State Government provides consistent provisions to act as a framework and control to what extent Council can vary these.

Managing housing growth by identifying locations which are suitable for different types of development, whether that is limited, incremental or significant, is a key policy cornerstone of Plan Melbourne. It outlines that all areas will undergo some change over time; however, it is appropriate for Council to identify the level of change expected. This is then implemented through changes to planning provisions, such as policy, and the zones that guide development and built form outcomes. The identification of the change areas must balance the need to

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LUDO CAMPBELL-REID**ENHANCING PLANNING SCHEME PROTECTIONS AGAINST MULTI-LEVEL UNIT DEVELOPMENT (cont'd)**

provide capacity for housing and population growth in appropriate locations and protect areas that have special characteristics.

Council has a critical role in guiding the location and form of housing to meet the needs of our growing population. Planning for housing change provides certainty for the community about where change is likely to occur, as well as what form it should take.

Council's approach to the WHNCS and identifying those areas of change must be consistent with Plan Melbourne and DELWP's Planning Practice Notes which outline how Councils should balance these objectives and implement them through a Strategy and ultimately a Planning Scheme Amendment.

To respond to State planning policies and provide clear directions about where housing growth should occur, Council must undertake strategic planning work that balances housing growth and protection of neighbourhood character. This ultimately results in recommendations for the application of the suite of residential zones. The structure and content of these residential zones are mandated by the State Government so that they are consistent across the State. Council can vary some limited parts of the zone to respond to the local context, however, cannot introduce a new element – such as a blanket ban on multi-unit development in particular locations. The structure, or template, of the zones that is mandated by the State Government does not enable this type of restriction to be implemented by Councils.

As outlined earlier in this report, if Council tried to amend our planning provisions to ban multi-unit developments, the first hurdle in a Planning Scheme Amendment process is receiving authorisation, or permission, from DELWP/the Minister for Planning. Any attempt to pursue a housing agenda that banned unit developments which is clearly not in accordance with State policy, would be refused by DELWP. There is no recourse for Council to appeal that decision – it is entirely at the discretion of DELWP/the Minister for Planning.

The State Government could amend the residential zones to allow Councils the discretion to ban multi-unit developments – as the ultimate planning authority this is entirely within their remit of responsibility. However, there are a number of reasons why no State Government in Victoria has attempted to pursue this, despite historic and ongoing political pressure from many Councils and communities across Melbourne to do so.

Firstly, population growth means that there is continuing demand for housing. Melbourne will need 1.6 million new homes over the next 35 years (source: Plan Melbourne page 44). Banning multi-unit developments in particular locations will simply shift that housing to other locations, as the underlying need for housing remains.

If Wyndham was permitted to ban multi-unit developments in some areas, other municipalities would surely follow the precedent. This would have the effect of pushing more new housing out to growth areas, such as those in Tarneit, Truganina and Wyndham Vale. Wyndham is already seeing the consequences of out-of-sequence development growth which has not been matched with adequate infrastructure, services and employment, and this would be exacerbated if the majority of Melbourne was 'locked-up' from any housing development. The ongoing demand for housing would be directed largely to growth areas such as Wyndham.

State Government policies explicitly state that established areas of Melbourne need to accommodate a greater share of Melbourne's growth (compared to growth areas). Plan Melbourne targets 70% of net additional dwellings to be located within established Melbourne, and 30% in growth areas. The latest available data, for 2019, shows 54% of new dwellings were in established areas, compared to 46% in growth areas. This imbalance, explains in part why growth areas are under significant pressure and require ongoing and increased investment in roads, schools, public transport etc. The target of 70% in established areas (including Wyndham's established areas in appropriate locations), would benefit both the wider community

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and the households living in each scenario. Plan Melbourne specifically notes that “it is unsustainable to keep expanding Melbourne’s outer-urban growth areas. If the city continues to expand, the natural environment will be impacted, commute times to employment and services will grow longer, and socioeconomic disparities across the city will increase” (page 45).

In addition, Clause 16.01-1S of the Planning Scheme includes the following strategies:

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

Identify opportunities for increased residential densities to help consolidate urban areas.

The community requires clarity and certainty regarding where growth and intensification are planned to occur; where growth is constrained by planning considerations; and where special neighbourhood character will be respected and protected. By identifying suitable locations for increased housing growth and change – such as in activity centres and close to train stations, this enables other areas to be protected from significant changes, and instead be identified for a less significant amount of change.

Wyndham faces a range of challenges that stem from our existing growth patterns that are primarily driven by our current housing growth. The composition of Wyndham’s housing stock is one dimensional, it delivers dislocation where housing is separated from the infrastructure and services that are needed to service the communities that live in the housing. This leads to a lack of vibrancy in our activity centres and the low densities we have historically seen cannot sustain the infrastructure required to service our communities.

Wyndham needs to provide a greater choice of housing that is affordable, meets a broad range of community needs and provides the foundation for a robust and sustainable economy. Greater housing choice supports greater housing affordability, because there are more options for people to select the housing that best meets their needs. But it is not just about housing affordability, we need a greater diversity of housing to support affordable living outcomes. Affordable living is about ensuring our community can access what they need to whether it be housing, transportation, employment, infrastructure and services in a cost effective and affordable way. Creating a more compact and connected city addresses many of these problems by creating built environments that support a diversity of housing, improved transport connectivity, vibrant activity centres and places that support investment and economic sustainability.

It is proposed that the 2018 WHNCS is updated to achieve the outcomes discussed above. This will then be implemented into the Planning Scheme using the suite of residential zones.

Approach to Updating the 2018 WHNCS

Officers consider that the review and update of the Wyndham Housing and Neighbourhood Character Strategy should occur as follows:

- Develop a contemporary Residential Development Framework Plan (RDFP) which balances competing housing and neighbourhood character objectives through prioritising preferred development outcomes for each housing change area, by preparing and doing the following:
 - o Identifying housing change areas by:
 - Reviewing the criteria for what was previously known as “Incremental Change” areas to align with new State policies;
 - Develop the new criteria to differentiate between the new categories in established residential areas of Wyndham;

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- A workshop with Councillors to further discuss these criteria.
- Preparing a new Housing Capacity Analysis to inform the new Housing and Neighbourhood Character Strategy.
- Reviewing the Neighbourhood Character Study, including:
 - review neighbourhood character areas to ensure these are still relevant and accurate;
 - translate any specific planning policy or decision requirements from the Study into local planning policy and/or decision guidelines; and
 - translate any precinct maps into the new format of the planning scheme.
- Implement the RDFP by:
 - Testing the new Residential Development Framework Plan (RDFP) with Councillors, the community and DELWP representatives.
 - Applying the zones and overlays based on the strategic outcomes and preferred built form outcomes sought by Council.
 - Changing the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) to reflect the planning outcomes sought by the Council in the new Housing and Neighbourhood Character Strategy.

The approach outlined above will deliver a holistic approach to housing that identifies what areas should be identified as minimal, incremental or substantial change. It will result in a clear picture of Council's vision for residential development across the municipality.

The alternative approach as suggested in the Notice of Motion would be to pursue an Amendment for minimal change areas, without the supporting strategic work identifying the remaining two change areas. This fragmented approach to a housing strategy is not aligned with DELWP's Practice Notes which outline how Council should undertake a strategic assessment of the whole municipality, and how each area can or should contribute to housing capacity. Attempting to protect minimal change areas only, without the supporting work to identify and quantify areas of incremental and substantial change, would be problematic, and ultimately is very unlikely to be supported by DELWP. While the 2018 WHNCS was under consideration by DELWP, Council officers raised the possibility of splitting the Amendment so that the minimal change areas could be implemented whilst the remainder of the Strategy was reviewed and updated. This was not looked upon favourably by DELWP at the time, primarily because it would result in a piecemeal rather than holistic and integrated approach.

What can a 'minimal change area' do?

In response to the second part of the Notice of Motion, this section outlines the intent of the minimal change area classification, and particularly if it can ban multi-unit / townhouse development.

Minimal changes areas have characteristics that are sufficiently special to a municipality and should be protected because of their neighbourhood, heritage, environmental or landscape characteristics. They may also include areas that have physical or other constraints to accommodate development (for example, land subject to bushfire risk, flooding or airport noise).

They sit at the lower end of the residential development spectrum, alongside incremental and substantial change, as shown in the image below.

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Source: DELWP Planning Practice Note 90 'Planning for housing'

It is likely that the update to the 2018 WHNCS will, for minimal change areas, recommend either a Neighbourhood Residential Zone, or Low Density Residential Zone (if that is the current zoning). The Neighbourhood Residential Zone recognises areas of predominantly single and double storey development and the purpose is to ensure any development respects the identified neighbourhood character, heritage or landscape characteristics.

As outlined in the DELWP Planning Practice Note 91, '*the density or number of dwellings on a lot cannot be restricted in the Neighbourhood Residential Zone unless special neighbourhood character, heritage, environmental or landscape attributes, or other constraints and hazards exist*'.

It is possible to include a minimum subdivision lot size in the Neighbourhood Residential Zone. For example, if an area was identified as having large lot sizes that contribute to a special character, a minimum lot size, could potentially be introduced. This would limit the type of any new subdivision planning permits that would be allowable, however, would still allow some development to occur if it met the minimum size requirements.

As outlined earlier in this report, it is not possible under the State Government's Victorian Planning Provisions, which apply to all Councils, to outright 'ban' multi-unit developments as outlined in the Notice of Motion. Council has some discretion in identifying the different areas of change, applying the zones, and nuancing particular requirements (such as minimum lot size mentioned above), however, these are all subject to approval by DELWP/ the Minister for Planning. All residential zones allow some form of development, appropriate to the context as determined by the Housing and Neighbourhood Character Strategy.

In relation to the question of *prohibiting a planning scheme amendment*, the reality is that The Minister for Planning does not need to do this. The reason for this is that The Minister for Planning must authorize a Planning Scheme Amendment for it to proceed and be pursued. The Minister for Planning rather than prohibiting a Planning Scheme Amendment can just refuse to authorize it. A refusal to authorize a Planning Scheme Amendment is highly likely if it is contrary to State Government policy, such as a Planning Scheme Amendment that sought to introduce a multi-unit development and or townhouse ban in minimal change areas.

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LUDO CAMPBELL-REID**ENHANCING PLANNING SCHEME PROTECTIONS AGAINST MULTI-LEVEL UNIT DEVELOPMENT (cont'd)****4. Wyndham 2040 Vision**

- Places and Spaces:
The updated Housing and Neighbourhood Character Strategy will align with the Wyndham 2040 Vision by ensuring that residential development is managed by directing more dense housing to locations close to public transport, activity centres and services, whilst protecting areas identified as having unique neighbourhood character.

5. City Plan

Earlier iterations of the Housing and Neighbourhood Character Strategy informed the City Plan and it is one of the key documents that implements the City Plan. The updated Housing and Neighbourhood Character Strategy will continue to underpin the next City Plan.

6. Council Plan and Policies

As noted above.

7. Regional, State and National Plans and Policies

The State Government has an overarching strategic document – *Plan Melbourne*, which provides direction on a range of planning matters, including housing growth, diversity and delivery. In assessing a Planning Scheme Amendment, Council officers and DELWP must consider how the strategic planning project or decision will align with, or implement, the vision and actions contained within Plan Melbourne.

Managing housing growth by identifying locations which are suitable for different types of development, whether that is limited, incremental or significant, is a key policy cornerstone of Plan Melbourne. It outlines that all areas will undergo some change over time; however, it is appropriate for Council to identify the level of change expected. This is then implemented through changes to planning provisions, such as policy, and the zones that guide development and built form outcomes. The identification of the change areas must balance the need to provide capacity for housing and population growth in appropriate locations and protect areas that have special characteristics which mean any change should be limited and responsive to the existing neighbourhood character.

Council's approach to the WHNCS and identifying those areas of change must be consistent with Plan Melbourne and DELWP's Planning Practice Notes which outline how Councils should balance these objectives and implement them through a Strategy and ultimately a Planning Scheme Amendment.

8. Financial Viability

Not applicable.

9. Sustainability Implications

Not applicable

10. Options

Council can choose to:

1. Support an update to the Housing and Neighbourhood Character Strategy as outlined in this briefing paper. This would ensure local policies on residential development are updated and strengthened by being incorporated into the Planning Scheme. This approach will ultimately support planning permit decision-making. A holistic approach that considers all

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DEVELOPMENT (cont'd)**

change areas in one Strategy and Planning Scheme Amendment is most likely to be supported by DELWP and result in the best outcome for the community.

2. Prioritise minimal change areas and prepare a Planning Scheme Amendment which only affects those areas through rezoning to Neighbourhood Residential Zone. This would delay the implementation of zoning and policy changes that impact incremental and substantial change areas, which has particular risks for incremental changes areas (currently General Residential Zones) as outlined below. As such, this option is not recommended.
3. Not pursue an update to the Housing and Neighbourhood Character Strategy and instead rely on the current zoning provisions and local policies. These are outdated and potentially allow 3 storey development in all General Residential Zones across Wyndham. Outdated policies also make it more difficult for Council planning permit decisions on neighbourhood character to be supported at VCAT. As such, this option is not recommended.

A balance needs to be reached in preparing a Housing and Neighbourhood Character Strategy. Pursuing a piecemeal approach (as outlined in Option 2) is unlikely to be supported by DELWP / the Minister for Planning. This will result in no changes being actioned within the Planning Scheme and the status quo being retained. The status quo has General Residential Zone across most of the municipality, and these provisions permit applications for 3 storey development. This is not considered appropriate for the majority of Wyndham's residential areas, and therefore there is some urgency in needing to complete the whole review of the Strategy, to ensure areas are appropriately identified and protected from inappropriate development. Diverting officer resources to focus on minimal change areas only would delay completion of the wider piece of work that affects the whole municipality and as identified earlier it is highly likely that such an approach will not be supported by DELWP/the Minister for Planning because it would result in a piecemeal rather than holistic and integrated approach.

11. Community Engagement

Not applicable for this report. The review and update of the Housing and Neighbourhood Character Strategy will include community engagement and this process will form part of a separate briefing and report to Council.

12. Communication Strategy

Not applicable.

13. Innovation and Continuous Improvement

Not applicable.

14. Collaboration

Council officers have discussed with DELWP the potential for a stand-alone Planning Scheme Amendment to implement the minimal change areas – separate to the rest of the WHNCS. DELWP were not supportive of this approach and noted their preference was to undertake a review and update of the 2018 WHNCS to reflect the new DELWP Practice Notes, and then implement those changes through a holistic Amendment. If Council tried to pursue a different approach, indications are that it would not be supported by DELWP and therefore similarly be refused as was Amendment C161.

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ITEM NO: 6.5.1
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021****Summary**

The purpose of this paper is to seek 'in principle' approval for Wyndham City's Financial Reports for the year ended 30 June 2021 which include:

- Consolidated Annual Financial Report for the year ended 30 June 2021 (Attachment 1)
- Performance Statement for the year ended 30 June 2021 (Attachment 2)
- Governance and Management Checklist (Attachment 3)

The statements have been prepared in accordance with all statutory requirements and have been audited by the Victorian Auditor General's agent HLB Mann Judd. The Audit and Risk Committee met on the 15 September 2021 to review the statements and checklist and discuss any issues with the auditors. The Committee provided in principle endorsement of statements and recommended that Council authorise the:

- Chief Executive Officer, Chief Financial Officer and two Councillor representatives to certify the final version of the statements;
- Chief Executive Officer to forward the statements to the Auditor General.

These statements are consolidated statements, incorporating Western Leisure Services Pty Ltd.

Overall, Wyndham City is currently in a sound financial position as is evident by the operating result and balance sheet.

Attachments

1. Consolidated Annual Financial Report 2020-21 - *printed in separate document*
2. Performance Statement for the year ended 30 June 2021 - *printed in separate document*
3. Governance and Management Checklist - *printed in separate document*

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer – Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Chief Financial Officer - Binda Gokhale

In providing this advice as the Chief Financial Officer, I have no disclosable interests in this report.

Financial Controller - Michael Kelly

In providing this advice as the Manager, I have no disclosable interests in this report.

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CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021
(cont'd)****Key Issues**

- Operating Result for the year
- Balance Sheet
- Performance Statement
- Governance and Management Checklist
- Statutory Requirements

RECOMMENDATION

That Council:

1. Approve "in principle" the Consolidated Annual Financial Report (Attachment 1) for the year ended 30 June 2021;
2. Authorise two Councillors, Mayor Cr Adele Hegedich and Deputy Mayor Cr Peter Maynard, to sign the Consolidated Annual Financial Report in their final form;
3. Approve "in principle" the Performance Statement for the year ended 30 June 2021 (Attachment 2);
4. Authorise two Councillors, Mayor Cr Adele Hegedich and Deputy Mayor Cr Peter Maynard, to sign the Performance Statement in its final form;
5. Approve the Governance and Management Checklist (Attachment 3); and
6. Authorise the Mayor, to sign the Governance and Management Checklist.

MOTION

CRS PETER MAYNARD / SAHANA RAMESH

That Council:

1. Approve "in principle" the Consolidated Annual Financial Report (Attachment 1) for the year ended 30 June 2021;
2. Authorise two Councillors, Mayor Cr Adele Hegedich and Deputy Mayor Cr Peter Maynard, to sign the Consolidated Annual Financial Report in their final form;
3. Approve "in principle" the Performance Statement for the year ended 30 June 2021 (Attachment 2);
4. Authorise two Councillors, Mayor Cr Adele Hegedich and Deputy Mayor Cr Peter Maynard, to sign the Performance Statement in its final form;
5. Approve the Governance and Management Checklist (Attachment 3); and
6. Authorise the Mayor, to sign the Governance and Management Checklist.

(CARRIED)

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CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021**
(cont'd)**1. Background**

Council has prepared Annual Financial Statements for the 2020-21 Financial Year detailing Council's financial performance and related performance metrics.

The Statements are audited by the Victorian Auditor General to confirm that they meet the relevant laws and fairly reflect the financial transactions undertaken for the year ended 30 June 2021 and the financial position of Council as at that date.

As the Statements reflect, Council's financial position continues to remain sound. Section 3 below provides summary of key outcomes. Detailed information is included within the attached Consolidate Annual Financial Report and Performance Statement.

2. Relevant Law

The Local Government Act 2020 (the Act) and regulations include transitional provisions that mean the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014 continue to apply to the 2020-21 reporting period.

Sections 131, 132 and 133 of the Local Government Act 1989 state that:

- the financial statements must be prepared in accordance with the regulations and include any other information required by the regulations
- the financial statements must be submitted to the auditor as soon as possible after the end of the financial year and certified in their final form by two councillors, the CEO and principal accounting officer
- the annual report must contain a copy of the auditor's report on the financial statements
- the annual report must be submitted to the Minister for Local Government within three months of the end of each financial year (30 September)

In addition to these sections of the Act Regulations 19 and 20 in part four of the Local Government (Planning and Reporting) Regulations 2014 state that:

- the financial statements must be prepared in accordance with the Local Government Model Financial Report
- the financial statements must contain a statement of capital works
- the financial statements must include specified other information as notes

3. Discussion**A. Operating Result**

The Operating Statement provides a summary of Wyndham City's income and expenditure for the period 1 July 2020 to 30 June 2021.

Wyndham City's operating result was a surplus of \$231.0 million for 2020/21. This includes \$259.4 million of monetary and non-monetary developer contributions. The timing of these contributions is difficult to predict and are a key source of variance from budget numbers

The operating result was also impacted by the increase in valuation of Land & building assets and Recreational Leisure and community facilities at \$133.6 million. The total comprehensive result was \$364.6 million.

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WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021**
(cont'd)

The total revenue for the year was \$638.2 million, major revenue items include:

Rates and charges	\$233.7 million
Contributions – non-monetary	\$185.4 million
Contributions – monetary	\$74.0 million
User fees	\$46.2 million
Grants	\$80.0 million
Statutory fees and fines	\$14.5 million
Other income	\$4.4 million
Total Income	\$638.2 million

Total operating expenses incurred for the period amount to \$407.2 million. Wyndham City's major expenditure items for the year were:

Salaries and associated costs	\$155.4 million
Materials and services expenditure	\$111.1 million
Depreciation and amortisation	\$113.0 million
Net loss on disposal of Assets	\$14.7 million
Borrowing costs	\$6.6 million
Other minor expenses	\$6.4 million
Total expenses	\$407.2 million

COVID-19 Impacts:

In response to the Government directives amidst the COVID-19 pandemic the following council facilities were either closed or operated at a reduced capacity at times during 2020/21 year:

- Landfill to residential customers
- Aqua Pulse and Eagle Stadium
- Civic Centre
- Community centres and libraries

These closures and related restrictions coupled with the council initiatives to support the community had a significant financial impact on the council during the 2020/21 financial year.

The details and explanation of the material variance between the budget and actual result are outlined in Note 1 of the Consolidated Annual Financial Report (Attachment 1, pages 13-16).

Additionally, it is important to note the following in relation to Employee costs.

The Accounts reflect that Employee costs at \$155.4m were \$3.1m higher than in 2019/20. The 2020/21 costs include temporary staff employed under the State Government Working for Victoria scheme. These costs were offset by operating grant income \$7.6m.

Excluding the impacts of costs related to this scheme, the year on year result is a favourable variance reflecting cost savings from recruitment which was put on hold as well as a reduction in casual staff impacted by closure of some Council services in line with COVID restrictions.

The Annual Statements also report on the number of Senior Officer Positions (Attachment 1, page 45). This reflects an increase in staff numbers categorised as a Senior Officers and is

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WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021
(cont'd)

primarily due to the reporting threshold of \$151,000 remaining unchanged from prior year. This has meant that a number of existing staff are required to be included due to remuneration changes within the year in line with contractual commitments.

B. Adjusted Underlying Result

A key measure of financial sustainability is the Adjusted Underlying Result, which identifies whether Council is generating enough revenue to cover operating expenses (including the cost of replacing assets reflected in the depreciation expenditure). This is calculated by excluding from the surplus of the year, the developer contributions and non-recurrent capital grants.

Surplus for the year	\$231.0 million
Grants – capital non-recurrent	\$(17.2) million
Contributions – monetary	\$(73.9) million
Contributions – non-monetary	<u>\$(185.4) million</u>
Adjusting underlying result	<u>\$(45.5) million</u>

The Adjusted Underlying Result for 2020/21 was a deficit of \$45.5 million, compared to a budget deficit of \$52.4m and prior year deficit of \$11.5 million. The decline in 2020/21 was due to a number of factors including the reduction in user fees (\$14.7) million, the net loss on disposal of assets at written down value (\$11.4) million, the Impairment of Intangible software asset (\$15.2) million partly offset by other expenditure net of rates revenue movement \$7.3 million.

C. Balance Sheet

Wyndham City's Balance Sheet summarises the assets and liabilities of Wyndham City and the net equity position of Wyndham City as at 30 June 2021.

In 2020/21, Wyndham City's overall net asset base increased by \$364.6 million compared to 2019/20. This movement is made up of the net surplus \$231.0 million and movement in Asset valuation \$133.6 million. The growth in Council's asset base is consistent with the growth trends across a broad range of measures that currently position Wyndham City as one of the fastest growing municipalities in Australia. In 2020/21, Council spent \$78.4 million in capital expenditure, 60% (\$47.2 million) of which was for the creation of new capital assets. The high growth in the asset base brings with it the challenges of maintaining, servicing and ultimately renewing a rapidly expanding asset base.

Overall, Wyndham City's net assets are \$4,916.3 million. This is made up of:

Current assets	\$654.9 million
Non-current assets	<u>\$4,494.5 million</u>
Total assets	<u>\$5,149.4 million</u>
Current liabilities	\$160.6million
Non-current liabilities	<u>\$ 72.5million</u>
Total liabilities	<u>\$233.1 million</u>
Net Assets	<u>\$4,916.3 million</u>

In 2020/21, total current assets were \$654.9 million, including \$580.4 million in cash and short-term deposits and \$72.2 million in receivables. However, \$450.0 million of the total cash was either restricted or allocated funds, which means that they must be applied for specific statutory

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WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021**
(cont'd)

purposes and commitments and cannot be used to meet daily cash flow requirements. Considering unrestricted funds only, current assets are 1.4 times current liabilities compared to 2.1 times 2019/20. The movement mainly represents the \$40 million interest bearing liability that is due to be repaid in the next 12 months. This represents a stable liquidity position for Wyndham City as at 30 June 2021.

The total non-current assets, mostly representing property and infrastructure assets, have increased by \$338.6 million from the previous year. The increase from prior year includes the revaluation of Land & building assets plus Recreational Leisure and community facilities at \$133.6 million, together with gifted assets from developers and assets constructed or purchased by Council in 2020/21.

Current liabilities rose by \$62.7 million including \$40 million interest bearing liability. In addition, the Landfill rehabilitation provision increased by \$10.4 million, Employee provisions by \$1.7 million, Trade payable increased by \$5.4 million and unearned income together with contract liabilities increased by \$5.7 million and other decreases \$0.5 million.

Non-current liabilities decreased by \$18.4 million compared to the prior year, due primarily to the reclassification of the interest-bearing liability mentioned above, a reduction in Landfill provisions of \$3.4 million partially offset by an increase in lease liabilities of \$25.0 million.

D. Performance Statement

Wyndham City must prepare a Performance Statement as soon as practicable after the end of the financial year. The Performance Statement has been prepared in accordance with the requirements of the Local Government Performance Reporting Framework (LGPRF), which is a key initiative from Local Government Victoria to improve the transparency and accountability of council performances. The framework is made up of 31 measures and is available to the public on the Know Your Council website.

The Annual Performance Statement is detailed in Attachment 2.

E. Governance and Management Checklist

The Performance Statement is supported by the Governance and Management Checklist, which is Council's assessment against the prescribed criteria provided under the LGPRF (Attachment 3).

F. Statutory Process

Sections 131-134 of the Local Government Act 1989 outline the process to be followed by local government entities to adopt and sign their Consolidated Annual Financial Report and Performance Statement.

Under these arrangements, local government entities cannot submit their statements, to the Auditor General unless they have passed the two required resolutions in respect of each statement.

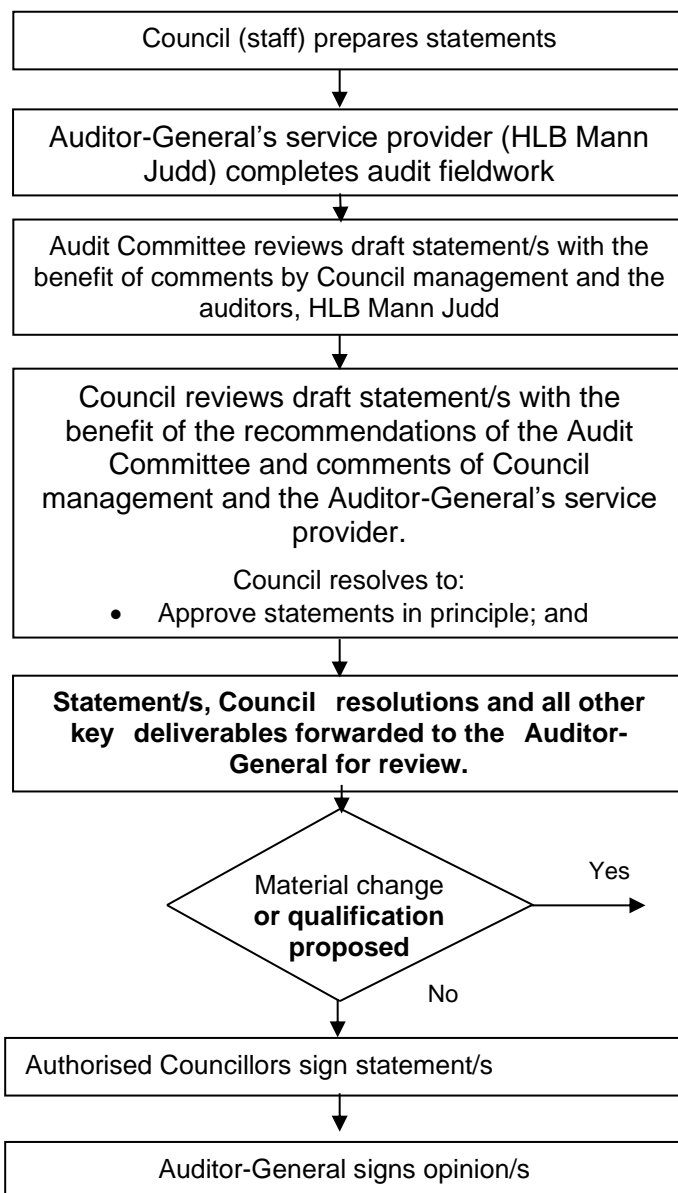
The first resolution gives "in principle" approval to the statements. The second resolution authorises two Councillors on behalf of Wyndham City to certify the statements once the Auditor General has finalised a review of the statements and any resulting amendments or changes that have been made. The statements cannot be certified prior to submission to the Auditor General and only those Councillors authorised to sign the statements may do so.

Outlined below is the process for Wyndham City in having their Consolidated Annual Financial Report and performance statement audited.

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**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021
(cont'd)**

Note: Review at the Audit and Risk Management Committee Meeting held on 15/09/2021.

Note: Council must pass these resolutions before the statements are provided to the Auditor-General for review. The statements must not be signed before presentation to the Auditor-General. These resolutions are required only once.

Note: Council may require that if any material changes or a qualification is proposed, that these matters be considered by the Audit committee and/or Council itself before authorised Councillors sign the statements.

The Consolidated Annual Financial Report and Performance Statement together with the Auditor General's reports will be incorporated into the Annual Report. The Annual Report is required to be submitted to the Minister by 30 September 2021 to meet the statutory timeframes.

4. Wyndham 2040 Vision

The Financial statements once approved, are incorporated into the annual report which includes focus on achievements towards Wyndham 2040 vision.

FILE NO:

ITEM NO: 6.5.1
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021**
(cont'd)**5. City Plan**

4.2.3 Council will strengthen its operational efficiency and sustainability by identifying and embracing new, more efficient ways to work with partners from the public and private sector, and by regularly applying rigorous evaluation of our systems, investments, expenditure, infrastructure needs, service delivery, technology use, resource application, and staff development, empowerment and flexibility.

6. Council Plan and Policies

Wyndham City's statements have been prepared in accordance with the relevant financial management policies in place, Australian equivalent to the international financial reporting standards and regulatory requirements.

7. Regional, State and national plans and Policies

Not applicable

8. Financial Viability

Council's financial position continues to remain sound. Detailed information relating to Council's financial performance is included within the attached Consolidate Annual Financial Report and Performance Statement.

Council has also prepared a Long Term Financial Plan which provides a 10 year outlook of Council's financial position based on an established set of financial parameters. The Long Term Financial Plan has been released for public comment and is expected to be formally adopted by Council in October 2021.

The financial results for 2020-21 as outlined in this report will be used to inform future updates of the Long Term Plan.

9. Sustainability Implications

The Annual Performance statement includes a number of sustainability indicators to measure financial performance and sustainable capacity (refer to attachment 2)

10. Options

Not Applicable

11. Community Engagement

The Annual Report including the Financial Statements will be accessible to the community and inform Council's ongoing community conversations and deliberative engagements regarding Council service priorities and strategies.

12. Communication Strategy

The Annual Report including the Financial Statements will be accessible to the community on the Wyndham City Council website - www.wyndham.vic.gov.au

13. Innovation and Continuous Improvement

Not applicable

FILE NO:

ITEM NO: 6.5.1

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM CITY FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2021**
(cont'd)**14. Collaboration**

Council officers have co-operated with Victorian Auditor General's Office appointed auditors in the provision of all requested information to assist the review of financial statements and performance statement. There are no outstanding requests preventing the completion of the Audit opinion.

FILE NO:

ITEM NO: 6.5.2
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**WYNDHAM TREE CANOPY COVER****Summary**

The Wyndham Tree Canopy Cover Report (**Attachment 1**) has been prepared in response to Notice of Motion 602 which sought a review of tree canopy cover and actions that could be considered to increase the amount of tree canopy cover in industrial and commercial areas, home gardens, parks, streets and other public land. The report was to include consideration of actions to accelerate the rate of tree canopy establishment and how risks associated with Council trees are managed

The Wyndham Tree Canopy Cover Report provides a series of recommendations to ensure Council meets its strategic objectives related to increasing tree canopy, including meeting its 2030 tree canopy cover targets, within the context of the future financial responsibilities and risks associated with managing an increasing number of trees.

Attachments

1. Wyndham Tree Canopy Cover Report
2. Tree and Urban Forest Policy 2021

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Manager Climate Futures – Peter McKinnon

In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator City Landscape & Environment - Lukas Nott

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Council's potential tree canopy cover targets of 25% for streets and 35% for open spaces have been brought forward to 2030 via the Resilient Wyndham Strategy.
- Council manages 217,620 public trees across its existing streets and public open spaces. These trees provide potential canopy cover of 20% across streets and 15% across open spaces.
- Council must plant an additional 41,000 street trees and 97,000 open space trees across existing urban areas between now (2021) and 2030 in order to meet targets.
- Council invests \$7.9M towards the management of existing trees and annual tree planting programs. The number of Council trees must double into the future to meet targets and accommodate urban growth. There will be a corresponding increase in maintenance and risk associated with this.

FILE NO:

ITEM NO: 6.5.2

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM TREE CANOPY COVER (cont'd)****RECOMMENDATION**

That Council:

1. Re-enforces its commitment to the tree canopy targets in the Resilient Wyndham Strategy.
2. Engage with the community, seek external funding for, and promote and advocate for tree canopy cover outcomes that achieve or exceed the 2030 targets.
3. Allocate funding in its annual budget to cover increased operational costs of planning, planting, establishment and proactive management of trees to meet the new targets, minimise risk and maximise canopy.
4. Adopts the attached updated Tree and Urban Forest Policy (2021) at **Attachment 2**.
5. Develops and implements tree protection controls to limit the removal of existing canopy trees on both public and private land.
6. Implements improvements to systems to better track and manage the tree inventory.
7. Develops a Canopy Cover Implementation Plan to ensure the new 2030 targets are achieved.

MOTION

CRS JENNIE BARRERA / ROBERT SZATKOWSKI

That Council:

1. Re-enforces its commitment to the tree canopy targets in the Resilient Wyndham Strategy.
2. Engage with the community, seek external funding for, and promote and advocate for tree canopy cover outcomes that achieve or exceed the 2030 targets.
3. Allocate funding in its annual budget to cover increased operational costs of planning, planting, establishment and proactive management of trees to meet the new targets, minimise risk and maximise canopy.
4. Adopts the attached updated Tree and Urban Forest Policy (2021) at **Attachment 2**.
5. Develops and implements tree protection controls to limit the removal of existing canopy trees on both public and private land.
6. Implements improvements to systems to better track and manage the tree inventory.
7. Develops a Canopy Cover Implementation Plan to ensure the new 2030 targets are achieved.

(CARRIED)

FILE NO:

ITEM NO: 6.5.2

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM TREE CANOPY COVER (cont'd)****1. Background**

The Draft Council Plan demonstrates a strong community commitment to a greener, more liveable City. Increased tree canopy, particularly in urban areas is considered to be a key tool in helping deliver on this community aspiration. This is also reflected in the Refreshed Wyndham 2040 Community Vision.

The City Forest & Habitat Strategy (CFHS) and Resilient Wyndham Plan provide the strategic platform to increase canopy cover across urban areas of Wyndham.

Both strategies set long-term targets to increase potential canopy coverage to 25% in streets and 35% in parks by the year 2040 across Council managed land.

In the private realm the CFHS sets 2040 targets of 15% potential canopy coverage in established areas and 10% in establishing (growth) areas (in recognition of smaller residential lot sizes).

The recent adoption of the Resilient Wyndham Plan 2021-2025 has brought forward the canopy targets in our streets and parks to 2030.

The Wyndham Tree Canopy Report has been developed with input from all relevant areas of Council involved in the planning and management of trees in both public and private land. The report has been prepared internally by Council staff.

The report considers the current costs of managing trees, risks, liability, and insurance responsibilities/obligations by Council related to trees as well as current planning processes and controls that protect existing trees and ensure the planting of additional canopy.

2. Relevant Law

Not Applicable.

3. Discussion**Key Issues and Challenges associated with managing and increasing the number of canopy trees**

- Overlapping tree management systems are creating inaccuracies and incompleteness of data around the number of trees Council must manage.
- Tree root complaints/insurance claims are a growing concern for residents across Council.
- Retrofitting trees into established residential areas (annual street tree planting program) generates many customer service requests/complaints by residents.
- Vandalism of trees continues to be an issue across Council.
- Council's Tree and Urban Forest Policy 2019 requires updating to ensure developers deliver the required number of trees in new developments, particularly for new lots with small frontages.
- Achieving new tree planting and retaining existing trees along arterial roads is a major challenge due to DoT design requirements, speed limits and road reserve widths.
- Council has limited ability to require the retention or planting of canopy trees on private property.
- Trees and leaves are considered a nuisance by some residents generating customer service requests and complaints (particularly in streetscapes).

FILE NO:

ITEM NO: 6.5.2

CHIEF EXECUTIVE OFFICER - STEPHEN WALL

WYNDHAM TREE CANOPY COVER (cont'd)**Number of trees managed in Existing Urban Areas**

The number of Council owned and managed trees is tracked in Council's Tree Inventory. The table below provides the number of trees in open spaces and streets across the existing urban area.

Number of Council Trees in Existing Urban Areas (2021)	
Location	Number of Trees
Streets	147,675
Open Space	69,945
Trees Total in Existing Urban Areas	217,620

Note: This is an extract from the tree inventory. The tree inventory does not track all trees across Wyndham.

Canopy Cover across the Existing Urban Area

The table below shows the potential canopy cover generated by trees within the existing urban areas of Wyndham.

Location	Canopy Cover Target	Current Canopy Cover
Streets	25%	20%
Open space	35%	15%*

* Open space canopy cover may be higher as tubestock tree plantings are not currently tracked in the Tree Inventory

Number of additional trees needed in Existing Urban Areas to meet Potential Tree Canopy targets

Based on assumptions of average mature tree canopy spread, and the total land area of roads and open space within the existing urban area, the number of additional canopy trees required to be planted to meet the new 2030 targets are:

Location	Current number of Trees (2021)	Additional trees required between 2021 and 2030	Total Tree population (2030)
Street trees	147,675	+41,000	188,675
Open space	69,945	+97,000	166,945
Total			355,620

Annually this equates to 5,125 street trees and 12,125 park trees per planting season between 2021 and 2030.

By 2030, assuming that Council meets its canopy targets in existing urban areas and new development continues to hand over 10,000 trees per year (90,000 trees over the next 9 years), the overall number of trees Council will be required to manage will be approximately 445,620 trees.

FILE NO:

ITEM NO: 6.5.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM TREE CANOPY COVER (cont'd)****Meeting Canopy Cover Targets in new development areas**

A review of typical subdivision plans showed that local streets were able to achieve potential future canopy cover of between 28% and 45%, comfortably above the target 25%.

However, wider streets such as collector roads and arterial roads, and streets with narrower house lot frontages are falling well short of meeting the 25% target.

In new open spaces potential canopy cover of between 30-35% were being achieved in parks. Minor changes during the design review process will allow Council's target of 35% to be achieved in all instances.

Costs associated with managing trees across Existing Urban Areas

The table below summarises the total current funding available for operational activities related to the management of the 217,620 trees across Council's streets and park network and the annual planting and maintenance of the street tree planting program.

Annual Conservation, Arboriculture and Urban Forest Budgets (21/22)	
Item	21/22 Budget
Periodic tree assessment and pruning - trees checked every 1, 2 or 3 years (to meet obligations)	\$3,752,472.00
Ongoing proactive tree maintenance	\$300,000.00
Council staff & resources	\$1,105,039.00
Street Tree Planting Program	\$2,623,304.00
Conservation tubestock tree planting	\$112,000.00
Total	\$7,892,815.00

Risk and Insurance Management

Council relies on its public liability cover, if a third party is injured and/or property damaged as a result of its business activities or occurring on Council land. Claims are assessed on their merits; Council will only accept claims where it has contributed to the loss and is deemed to be liable.

Council participates in the MAV (Municipal Association of Victoria) Liability Mutual Insurance scheme, which delivers a reliable public liability and professional indemnity insurance product to the local government sector, with a focus on working with its members to reduce their risks.

In the past 5 years, Council has on average received 135 claims per year, relevant to its public liability policy, with 12% of claims attributed to Council trees and 3% to tree roots. Over the past 5 years Council accepted 11 tree claims across this period representing a total of \$30,000.

Future risk and costs

Effective management of tree risks is essential and will support the achievement of our objectives. While an increase to our tree canopy will increase the likelihood of injury or damage arising from Council trees, the reward from a climate management and amenity perspective is higher.

As Council moves from 217,620 trees today, towards the 355,000+ trees needed to meet potential canopy cover targets for its existing streets and open spaces, it is critical that the resources required to assess, maintain and document the condition of each tree in the inventory is scaled up to meet the task.

FILE NO:

ITEM NO: 6.5.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM TREE CANOPY COVER (cont'd)****Advocacy, Education and Engagement**

Improving canopy cover outcomes on private land (which includes residential, commercial, town square and industrial land uses) via changes to the planning scheme will take time and will deliver incremental and scattered change.

Therefore, it is important that Council's continues to focus effort on community education and engagement around the importance and benefits of trees and tree canopy, including the annual free giveaway of trees.

Council should concurrently pursue and advocate for planning scheme and policy changes to improve tree canopy outcomes on both public and private land.

Proposed policy change

Adopting the revised Tree and Urban Forest Policy will have an immediate impact on Council's ability to achieve improved canopy cover outcomes in growth areas and to retain trees in existing urban areas.

To increase its effectiveness further, Council should incorporate the revised Tree and Urban Forest Policy, as local policy, into the next planning scheme review.

Proposed planning controls

- Precinct Structure Planning Guidelines - Advocacy is required to ensure that the VPA amends the PSP Guidelines in response to Council feedback.
- Planning scheme changes to require trees to be planted on private residential land will be lodged with DELWP in November 2022.
- Planning scheme changes to implement significant tree overlay and/or heritage overlay to be lodged with DELWP in December 2022.

The above changes to Council's planning controls are subject to DELWP approval and are outside of Council's direct sphere of influence.

4. Wyndham 2040 Vision

- Places and Spaces: the report and recommendations provide a pathway to meeting the community's desires and expectations for a greener, cooler and more resilient City.

5. City Plan

2.2.2 Council will build civic pride and social connection amongst residents and businesses through measured activation and regulations to create more appealing streetscapes, including improvements to signage, building fronts, and the natural environment, in order to improve and add to the special physical character of Wyndham.

2.2.3 Council will be a leader in environmental sustainability and adapt to climate change by increasing the energy efficiency of Council, encouraging energy efficient development, fostering bio-diversity, and supporting local agriculture by working with the state government to ensure water security throughout our area.

6. Council Plan and Policies

Draft Council Plan 2021-2025: A Green City - Wyndham is an environmentally sustainable place where natural environments are protected. Council will: Increase tree canopy and create green open spaces that are well maintained and attractive for all.

FILE NO:

ITEM NO: 6.5.2

CHIEF EXECUTIVE OFFICER - STEPHEN WALL

WYNDHAM TREE CANOPY COVER (cont'd)

Council has been actively pursuing increased canopy cover since the City Forest and Habitat Strategy, adopted in 2017, set canopy cover targets. This has been predominantly via the Annual Street Tree Planting Program.

Tree and Urban Forest Policy (2019): outlines how Wyndham City will manage its urban forest in order to sustain and expand a healthy tree population that benefits the community and the environment.

7. Regional, State and national plans and Policies

- Resilient Melbourne – Living Melbourne: our metropolitan urban forest
- Greening the West

8. Financial Viability

Council spends approximately \$7.9M currently on all relevant aspects of its tree planting program.

The planting of mature trees in parks is not included within current budgets. In order to improve canopy cover outcomes across parks additional mature tree planting is required. It will cost approximately \$1.4M annually for 20% of the current park planting program to be delivered as mature trees in parks (3,600 trees per annum).

Council's operational costs associated with the establishment and risk management of the tree inventory will grow in direct proportion to the number of trees in the inventory. The number of Council trees will rise from 217,620 trees across the existing urban area today, towards the 355,620+ required to achieve a cooler greener west. Adding to this the 10,000 trees handed to Council by developers each year, it is expected that Council's operational costs will grow by 5% annually between now and 2030.

Development of a Canopy Cover Implementation Plan to map out sites and species to ensure the new 2030 targets are achieved will cost approximately \$90,000.

Ensuring that council can keep pace with the increasing management of the tree inventory is critical to minimising risk to the community and cost of insurances.

The implications on the 22/23 financial year budget, if all recommendations are followed, is summarised below:

Item	22/23 Budget
Tree management, staff and resources (5% increase on 21/22)	\$5,415,386.00
Street Tree Planting Program	\$2,623,304.00
Conservation tubestock tree planting	\$112,000.00
Mature trees in parks (3,600 trees)	\$1,400,000.00
Canopy Cover Implementation Plan	\$90,000.00
Total	\$9,640,690.00

This represents an increased cost of \$1.7M for the 22/23 financial year.

Council expects that a portion of the increased costs will be offset annually by grants and tree amenity fees collected. In 21/22 Council received funding towards tree planting from both the Local Roads and Community Infrastructure (LRCI) Grants and Phase 1 of the 500,000 Trees for a Cooler Greener West Grant. Council expects to receive funds for Phase 2 in 22/23. Having a detailed Canopy Cover Implementation Plan will be an important tool to effectively target funding sources and strategic sites in future years.

FILE NO:

ITEM NO: 6.5.2

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**WYNDHAM TREE CANOPY COVER (cont'd)****9. Sustainability Implications**

The report provides a series of recommendations to ensure Council meets its 2030 tree canopy targets. Meeting these targets is a critical aspect of responding to the changing climate and developing a resilient city.

10. Community Engagement

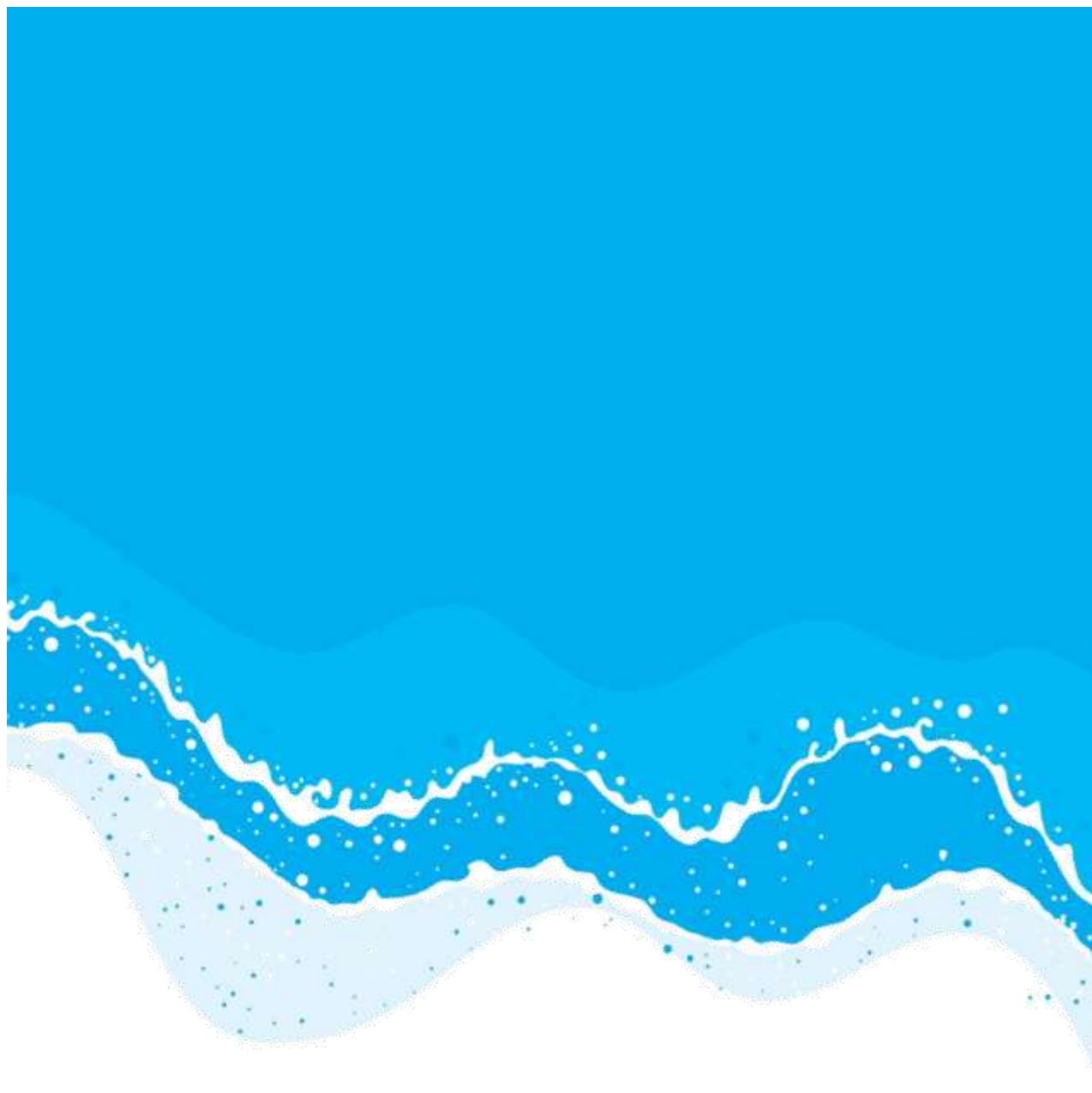
The revised canopy cover timeframes were developed and endorsed via the Resilient Wyndham Plan and its engagement processes. No additional community engagement has been undertaken.

11. Innovation and Continuous Improvement

The report recommends improvements to Council's tree inventory systems to minimize future risk and costs to Council.

12. Collaboration

This report was developed in collaboration with all areas of Council involved in the planning, approvals, planting and management of trees.



Wyndham Tree Canopy Cover Report

September 2021



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1. Introduction

Wyndham City and the West of Melbourne is known for its flat grassland landscapes and lower tree canopy cover when compared with Melbourne's leafy East.

Since 2017, Council has been focussed on addressing this by investing in annual Street Tree Planting Programs and annual tubestock planting of trees in parks and waterway corridors.

At the 27 April 2021 Council Meeting a Notice of Motion (NoM) was passed requesting:

- That Council Officers conduct a review and provide a report on tree canopy in Wyndham and actions that can be considered to increase the amount of tree canopy cover in industrial and commercial areas, home gardens, parks, streets and other public land
- That the report includes consideration of actions to accelerate the rate of tree canopy establishment and how risks associated with Council trees are managed.
- That the report be due no later than September 2021 and be presented at a Council meeting for consideration.

This report has been prepared to address the above NoM and makes recommendations to achieve an increased tree canopy cover sooner.

This report focusses on public land and public tree management. This report has identified that this is the area of influence in which Council is best placed to increase tree canopy cover across Wyndham. It is also the key focus of the aspects of the NoM related to direct cost and risk.

The report also addresses tree canopy on private land and the need to advocate for planning scheme and policy changes to improve tree canopy outcomes. However, as any new policies and guidance related to private land will only be triggered by development applications, change will be slow and scattered. It is therefore important that Council maintains its focus on public land tree planting across residential, commercial and industrial streets, open spaces and semi-public open spaces, such as car parks, in order to green Wyndham. As a result, there is less of a focus on private land outcomes in this report.

2. Strategic Context

2.1. Tree Canopy Targets

The City Forest and Habitat Strategy 2017-2040 (CFHS) provides a holistic approach to the management of Wyndham City's habitat and tree assets that will ensure integrated strategic plantings, biodiversity protection, land use planning and asset protection.

Wyndham is one of the fastest growing municipalities in Metropolitan Melbourne due to the significant amount of greenfield housing developments underway in growth areas. Canopy trees make a significant contribution to the character of Melbourne's urban areas. They also contribute to a municipality's biodiversity and liveability. Canopy trees are identified as an important mechanism for mitigating and increasing resilience to the potential impacts of climate change.

The strategic objectives of the CFHS are to:

1. Increase urban tree canopy cover and create an urban forest;
2. Protect and manage our trees as valuable council assets;
3. Improve urban and rural habitat protection, connectivity, resilience and health;
4. Engage our community in understanding and valuing our trees and natural habitat, and;
5. Manage risks and better integrate trees into the design of assets, services and the built form.

The CFHS sets specific potential tree canopy targets for different public and private land types as there are areas of the municipality that will remain as farming land or conservations zones and others that will be developed for various urban uses. Each private urban land use has limitations on the amount of tree canopy that it can realistically achieve.

Critically, the Strategy identifies that "The space available for trees in the private realm is decreasing rapidly and as such, increasing canopy cover in the public realm is vital".

Public realm tree canopy cover targets

The CFHS sets long-term targets to increase potential canopy coverage to 25% in streets and 35% in parks by the year 2040. These targets apply to public land where Council can directly undertake tree planting initiatives.

The recently endorsed Resilient Wyndham Strategy has brought forward the CFHS targets to 2030.

Private realm tree canopy cover targets

The CFHS sets 2040 targets of 15% potential canopy coverage in established areas and 10% in establishing (growth) areas, in recognition of smaller residential lot sizes. Council has a much-reduced ability to influence rapid and significant change in canopy across these areas.

Why we have potential canopy cover targets?

The CFHS set potential canopy cover targets for the years 2030 and 2040 as a tree will not reach its maximum canopy cover until ten or more years after planting.



Meeting our potential canopy cover targets sooner

Due to the relatively low number of trees in existing urban areas and the significant portion of the Municipality yet to be developed, even if Council planted the required shortfall in trees this year, the community would not see the canopy and cooling benefits of these trees for at least another decade.

Recommendation:

Bring forward the CFHS 2040 canopy targets to 2030, in line with the Resilient Wyndham Strategy, so that urban areas are cooler and greener 10 years sooner.

2.2. Influencing tree canopy cover

Council's ability to increase the number of trees and percentage tree canopy cover across public and private land is influenced by the below policies, strategies, and legislation (extract below from City Forest and Habitat Strategy).

Activity Area	Policy and Legislation
Biodiversity and conservation – management of threatened or endangered flora and fauna, protection of soils and management of noxious weeds	<ul style="list-style-type: none"> • Flora and Fauna Guarantee Act 1988 (Vic) • Protecting Victoria's Environment – Biodiversity 2037 (Vic) • Catchment and Land Protection Act 1994 (Vic) • Environment Protection and Biodiversity Conservation Act 1999 (Federal)
Waterways – compliance with the policies and regulations related to stormwater, flood management and riparian land management	<ul style="list-style-type: none"> • Victorian Waterway Management Strategy 2013 • Melbourne Water Local Government Charter • Water for Victoria Water Plan
Strategic Planning – managing urban growth, working with State planning requirements, including fire management	<ul style="list-style-type: none"> • Planning and Environment Act 1987 (Vic) • Plan Melbourne 2017-2050 (Vic) • Wyndham Planning Scheme and Municipal Strategic Statement • Precinct Structure Plans and Guidelines (Vic)
Infrastructure – compliance with policy and regulations regarding safety, damage to infrastructure and ongoing maintenance, including public safety of Council assets	<ul style="list-style-type: none"> • Road Management Act 2004 (Vic) • Electricity Safety (Electric Line Clearance) Regulations 2016 (Vic) • Utility asset protection standards (various -Vic) • Occupational Health and Safety Act 2004 (Vic)
Indigenous and other heritage protection - protecting heritage sites, ensuring rights of Traditional Owners are respected	<ul style="list-style-type: none"> • Aboriginal Heritage Act 2006 (Vic) • Heritage Act 2017 (Vic)

Across the growth areas, current Precinct Structure Plans (PSPs) provide little protection to existing trees. Phrases such as "possible retention" are typically used to describe the need to retain limiting Council's ability to require tree retention when planning applications are submitted.

PSPs do not mandate tree canopy cover outcomes across public and private land.

Council is reliant on existing planning scheme controls, the CFHS, the Resilient Wyndham Strategy, and the Tree and Urban Forest Policy 2019 to achieve greater canopy cover outcomes across the existing urban areas of Wyndham.

Recommendations:

Advocate for future Precinct Structure Plans to include clear directive language to ensure the retention of existing trees and the meeting of Council's potential canopy cover targets across public and private land.

Pursue amendments to the planning scheme and subdivision approvals process to require developers to meet Council's potential tree canopy cover targets.



3. Current and future Potential Tree Canopy Cover

3.1. Council 2017 baseline

A 2017 Council study recorded canopy and landscape coverage in 2007 and 2017 on private and public land.

Results showed that Wyndham had a low canopy cover of only 3.6% compared to other Councils in the Melbourne region. However, in the period between 2007 and 2017, Wyndham's tree canopy cover had grown by 1.2% (from 2.4% to 3.6%), a relative increase of +51% over the ten-year period.

The canopy cover assessment also found that canopy cover across the:

- private urban area increased from 2.4 per cent in 2007 to 3.4 per cent in 2017
- public urban area increased from 5.6 per cent in 2007 to 7.9 per cent in 2017

As a municipality that includes large areas outside of the Urban Growth Area (UGB), large areas of currently undeveloped farming land and substantial conservation and foreshore areas, the report focuses on the existing urban area and the growth areas specifically.

3.2. How many trees does Council have?

Council's Tree Inventory is used to track and manage trees across Council streets, parks and conservation reserves.

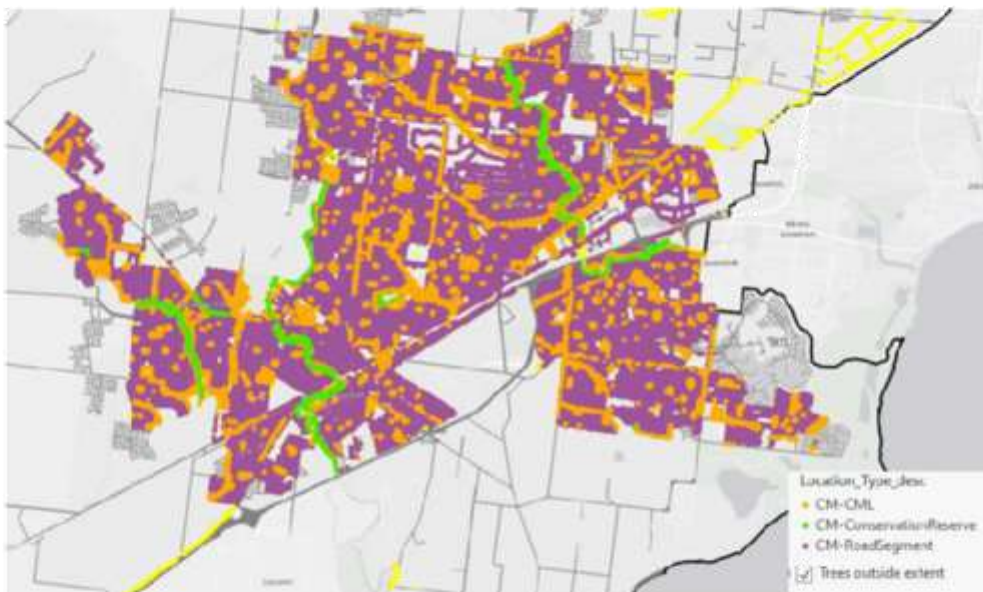


Figure 1 Council's Street Tree Inventory

The majority of Council's trees are located within the Existing Urban Area (refer Figure 2 below).

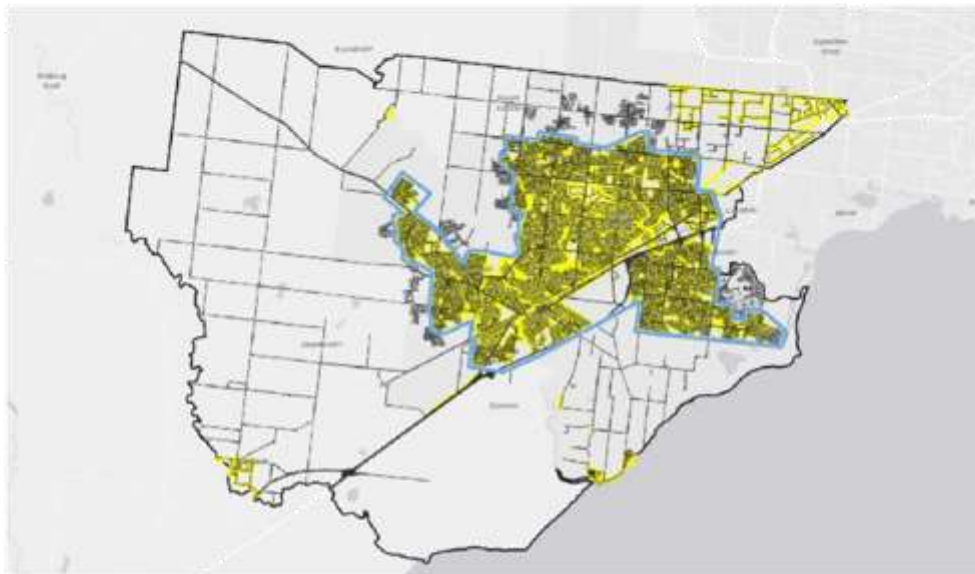


Figure 2 Existing Urban Area - Blue outline

Due to the pace of growth and the delivery and maintenance of trees by land developers, some trees within the existing urban area may not yet be Council assets, while some trees outside of the existing urban area may already have been handed to Council.

The Tree Inventory shows that Council is responsible for 217,620 trees in streets and open spaces within the existing urban area. This does not include trees in the private realm.

Table 1 Council trees in existing urban areas

Number of Council Trees in Existing Urban Areas (2021)	
Location	Trees
Streets	147,675
Open Space	69,945
Total in existing urban area	217,620

Maintenance of the Tree Inventory requires extensive field assessment and data entry. Due to COVID-19 and budgetary constraints the inventory has not been updated since the 2020 planting season. However, Council retains detailed records of all plantings that allows for a determination of total plantings across the Council.

The Tree Inventory does not track tubestock plantings of tree species. Any tubestock trees planted over the past 2 years have not yet been transferred into the Tree Inventory and are not reflected in the open space tree numbers above.



3.3. What is our current Potential Tree Canopy Cover?

An estimate of Council's current potential tree canopy cover across existing urban areas has been calculated by dividing the total area of streets and open spaces by the estimated canopy generated by the number of trees within them.

This required an average canopy area of a Council tree to be calculated.

Table 2 Average Tree Canopy Size

Average Canopy Size	
Type of tree	Average Canopy Diameter (m)
Small trees	3.5
Medium Trees	7
Large Trees	9
Overall	6.5

The average canopy size of 6.5m represents an average canopy area of 33.18m² per tree across Wyndham. This average canopy area, the total number of trees, and areas of street or open space have been used to calculate the current potential canopy cover.

$$\frac{(\text{Number of trees} \times \text{average area of canopy per tree})}{\text{total area of streets or open space}} \times 100 = \% \text{ potential canopy cover}$$

Table 3 Estimated Potential Canopy Cover

Existing Urban Area	Canopy Cover Target	Current Canopy Cover
Streets	25%	20%
Open space	35%	15%*

* It is expected that the open space forecasted canopy cover is higher as no tubestock plantings are currently tracked by the Tree inventory.

Recommendation:


All established trees resulting from tubestock planting are assessed and recorded in the Council system within 5 years of planting

3.4. How successful are we at greening existing streets and public spaces?

The data presented in table 3, indicates that Council is tracking towards a future canopy cover of 20% in streets. There are some streets across Wyndham that achieve well above the 25% canopy requirement (see Figure 3 - John Street, Werribee) with currently over 50% canopy cover.



Figure 3 John Street, Werribee – 50% Canopy Cover



There are other areas where streets are well below the targeted canopy cover, even in the CBD (see figure 4 – Daphne Crescent & Hakea Court, Hoppers Crossing).



Figure 4 Daphne Cres and Hakea Ct, Hoppers Crossing – 10-15% Potential Canopy Cover (post Street Tree Planting Program)

The data presented in table 3, indicates that Council is tracking towards a future canopy cover of 15% in our open spaces. Typical local parks across Wyndham are achieving 25%-30% canopy cover (see Figure 5 – Central Park, Hoppers Crossing). However, larger district level active and passive open spaces are achieving significantly lower canopy coverage at present.



Figure 5 Central Park, Hoppers Crossing - Existing Park - 28% tree canopy cover

3.5. How successful are we at achieving greener streets and public spaces in growth areas?

The case studies below, a selection of development plans currently under review, demonstrate that new streetscapes and open space environments nearly meet or exceed Council's targets.

The two streets below achieve 28% and 45% canopy cover, well above the 25% target.

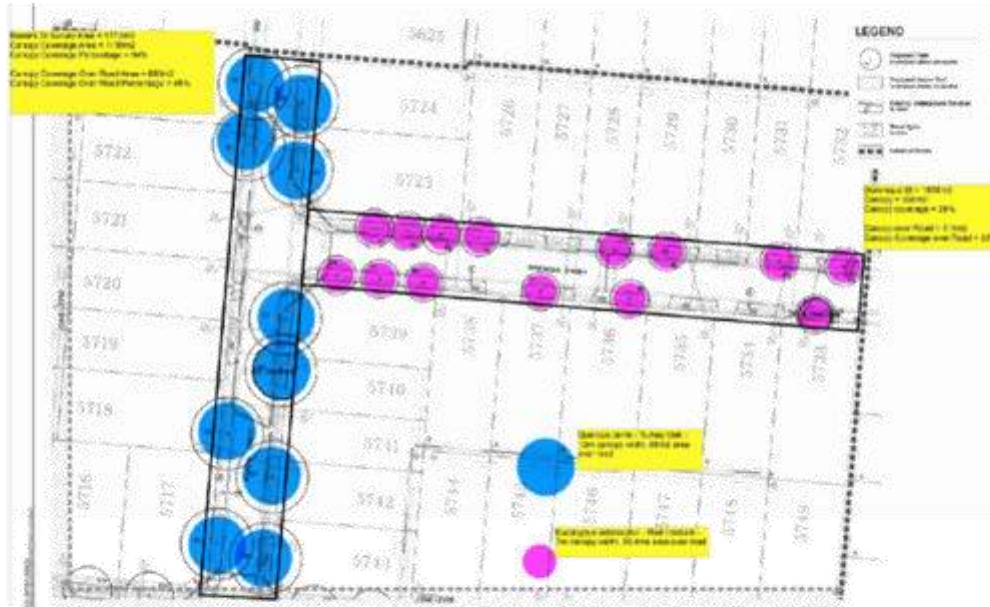


Figure 6 Growth Area – Typical Streets – 28-45% Potential Canopy Cover

However, wider streets such as collector roads and arterial roads, and streets with narrower house lot frontages are falling well short of meeting the 25% target.

In the case of the typical local passive open space reviewed (see figure 7 below), the plans submitted do not quite meet the minimum canopy cover required (35%) only reaching a 31.5% potential future canopy cover.

In this case, Council has requested the developer reviews the open space plan to ensure a minimum of 35% canopy cover is reached.

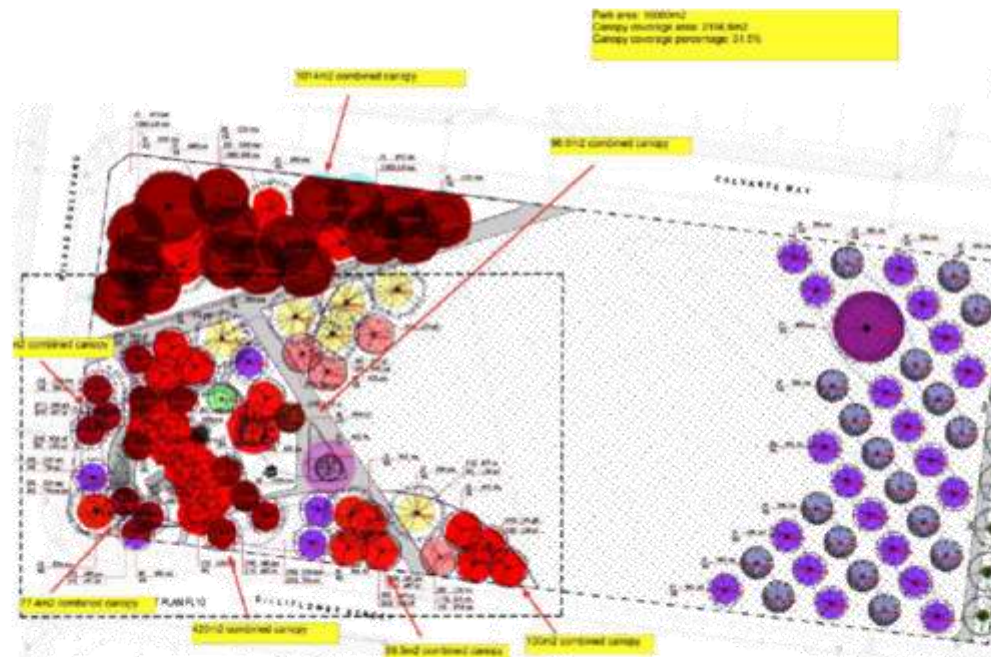


Figure 7 Growth Area – Typical Park – 32% Potential Canopy Cover

Requiring the accurate portrayal of potential canopy sizes on application plans and accompanying calculations or plans demonstrating how each stage and overall development meet or exceed the tree canopy targets will ensure that Council is not accepting urban development that will be costly to retrofit with trees in the short term.

Recommendation:

Require all development to demonstrate that each stage, and the overall plan, meet or exceed Council's potential street tree canopy targets.

4. Additional Canopy Trees required to meet Canopy Targets

Growth Areas

As demonstrated in Section 4, with minor changes to internal processes and a focus on achieving increased canopy cover wherever possible, to offset more challenging street and open space environments, the growth areas of Wyndham City will meet Council's public realm potential canopy targets. Council does not expect to be required to plant a significant number of additional trees in the growth areas.

At current rates of urban development in the growth areas, Council takes on the ownership and maintenance responsibilities of approximately 10,000 trees annually.

It is expected that approximately 90,000 trees will be handed to Council between 2021 and 2030 if current rates of growth continue.

Existing Urban Areas

As demonstrated in Section 4, the existing urban areas of Wyndham have potential tree canopy cover significantly below target and require a substantial investment in tree planting between 2021 and 2030 to make target.

Meeting the 25% Streetscape target:

Existing urban area streetscapes contain over 147,675 trees. In order to meet the 25% target a total tree population of 188,675 trees is required.

An additional 41,000 trees are required across our streets between now and 2030. This equates to planting at least 5,125 trees annually over the next 8 planting seasons to meet the target.

Meeting the 35% Open Space target:

There are 69,945 trees across open spaces within the existing urban area. In order to achieve the 35% target a total tree population of 166,945 is required. 97,000 additional trees are required across our open spaces, equating to at least 12,125 trees per annum over the next 8 planting seasons.

Table 4 Total Trees in Study Area

Location	Number of Trees (2021)	Extra trees to be planted between 2021 and 2030	Total (2030)
Street trees	147,675	+41,000	188,675
Open space	69,945	+97,000	166,945
no. trees to be managed across existing urban area (2030)			355,620

Recommendation:

Appropriate funding is made available to deliver tree planting to reach targets.



5. Protecting existing tree canopy

The Wyndham Planning Scheme, approved Precinct Structure Plans and Development Plans identify existing trees that are required to be retained. Proposed designs must demonstrate how existing trees have been incorporated and will be protected throughout development. However, large canopy trees on private property and mature stands of sugar gums across the growth areas are not protected, often due to them not being native trees.

Wyndham City set out targets and actions in the CFHS to protect existing canopy trees, including:

- All significant trees in the public realm will be identified and protected by 2022; and.
- Undertake processes to apply planning protections to all public realm trees over 35cm Diameter at Breast Height (DBH)

Council currently has some vegetation protection provisions in the Wyndham Planning Scheme but lacks specific tree protection provisions on urban private land. In order to achieve tree canopy cover targets, tree protection mechanisms across the private realm are also required.

Further work is currently underway to identify appropriate mechanisms to enhance the protection of trees in Wyndham including the development of a significant tree register and investigation of potential to protect trees on public and private land with a Diameter at Breast Height (DBH) of greater than 35cm.

It has been recommended that Council pursue a significant tree overlays and heritage overlays for individually significant trees and stands. The review of nominated significant trees on public land is complete. The heritage and arboricultural review of nominated significant trees on private land has commenced and will be complete by the end of 2022. The drafting of planning provisions to implement tree protections will occur in collaboration with Urban Futures and DELWP between now and the end of 2022, with the planning scheme amendment expected to be lodged with DELWP in December 2022.

Recommendations:

Investigate a local law that assists in the enforcement of planning permits and planning scheme protections of trees with a DBH of over 35cm.

Implement the Significant Tree Register into the planning scheme as a significant tree overlay and/or heritage overlays.

6. Growing tree canopy cover on public land

Council has programs that focus on tree planting across Wyndham including the annual Street Tree Planting Program, Trees for Schools Program, Free Tree Giveaways, and the planting of tubestock along waterways and in conservation areas.

Community groups also take part in various planting activities of tube stock across multiple nature reserves.

In the growth areas, planning approvals and the appropriate landscape designs are submitted for Council's approval that aspires to reach one tree per development lot in street scapes and deliver the appropriate number of trees in open space. Developers must follow guidance provided in the Tree and Urban Forest Policy 2019.

6.1. Annual Street Tree Planting Program

The Annual Street Tree Planting Program is an annual program that retrofits trees across existing more established suburbs. Due to a combination of poor planning and lack of enforcement around tree planting in the past Wyndham has a shortage of trees throughout its existing streets and open spaces resulting in low canopy cover in these areas. The Street Tree Planting Program aims at retrofit trees into these areas.

Council's Tree Inventory indicates where trees are planted and also identifies vacant sites that will require plantings to take place. Residents are also able to request tree planting on their nature strip. This information is used to develop Council's annual program.

Council's Street Tree Matrix support the establishment of 'The right tree in the right place'. The tree matrix assists in selecting the appropriate tree species for each site that can better adapt to the environmental conditions, deliver canopy cover, street amenity and taking into consideration maintenance and risk management. However, some streets have been retrofitted with small canopy trees at infrequent spacings resulting in a failure to meet the 25% canopy target.

Over recent years Council has made significant efforts to increase the canopy cover. In the last four years the Street Tree Planting Program has planted almost 28,000 trees. During this 20/21 planting season Council will plant almost 5,000 trees.

Recommendation:

Update the Wyndham Street Tree Species (Tree Matrix) to provide additional guidance on tree species selection to deliver the highest possible canopy cover.



6.2. Tree Amenity Fund

Council seeks to retain all existing trees within streets and on Council land adjacent to new development. However, in some instances it is not possible for all of Council's trees to be retained. If, once all alternate design and construction alternatives have been explored, a Council tree must be removed to facilitate a development outcome, then a cash payment is made to Council's Tree Amenity Fund.

The fee payable is determined via the Tree Amenity Valuation Procedure which takes into consideration the size, age and longevity of the tree, the resources required to establish and maintain the tree to date, and the amenity and environmental benefits the tree provides. If the tree valuation is over \$8,000 alternatives should be looked at before approval.

The fee is placed into the Tree Amenity Fund. These funds are used to replace amenity lost from tree removals across the municipality. Initiatives include:

- Replanting of a street tree at the same address or in the immediate vicinity of the tree which was removed;
- Funding towards the Annual Street Tree Planting Program;
- National Tree Day events;
- Trees for Schools Program;
- Habitat Heroes Program;
- Tree Species Trials; and
- Water Sensitive Urban Design trials.

Recommendation:

Ensure that the individual trees removed to facilitate development are replaced by Council (or the developer) at the completion of development to avoid future resident complaints.

6.3. Open Space and Conservation Plantings

Council plants an average of 30,000 tubestock plantings annually across the municipality. Around 18,000 are tubestock tree species. These plantings are often in collaboration with community groups or otherwise directly by the Conservation and Arboriculture team.

Most tubestock planting is a combination of multiple tree species, with a mixture of pioneer plants and long-lived species. Special attention is given to native and indigenous species especially within conservation zones.

6.4. Street Tree Species Trial

In partnership with a number of Metropolitan Councils and as part of the implementation of the CFHS, Wyndham City has begun a street tree species trial to test a 5 new tree species that are likely better suited to Wyndham's future climatic and soil conditions as a result of climate change.

The 5 trial species are scheduled to be planted at several lower-profile trial sites in September 2021 and will be monitored over the next 10 years.

6.5. Tree planting in new development

All new development areas are expected to be meeting the Tree and Urban Forest Policy 2019 guidelines that indicates at a minimum 1 tree planted per house in street scapes. Trees planted by developers are maintained by developers for 27 months. At the end of this period, they are handed over to Council and become Council assets which require regular assessments and maintenance.

When developers submit plans for approval a bond is retained by the Council. This bond is associated to all trees expected to be planted and maintained by the developer until the moment the trees are handed over to Council. On average, Council takes ownership of approximately 10,000 trees annually from developers.

In some cases, developers do not plant or hand over trees with Council retaining their bond. This creates issues including inconsistency of streetscapes and development areas, new urban areas without street trees, a requirement for Council to retrospectively plant missing streets trees and property owners not aware that a street tree was to be planted in their nature trip, resulting in customer service complaints.

Recommendations:

Advocate for changes to the State's growth area and infrastructure delivery standards that currently preclude tree planting.

Require all development to demonstrate that it meets or exceeds Council's potential street tree canopy targets.

6.6. External Initiatives and Funding

With finite resources to expand mature tree and tubestock planting, it is imperative that Council takes advantage of any other state or federal funding opportunities to increase canopy cover across Wyndham.

Recently the Victorian State Government announced a \$5 million investment in Melbourne's west to plant 500,000 new trees. From this announcement the "More Trees for a Cooler, Greener West Initiative" was created that will deliver on the State's announcement over two phases: Phase 1 will fund existing projects that can be scaled-up to commence tree planting by September 2021 via an Expression of Interest (EOI) for up to \$250,000. Phase 2 will fund new projects that will commence tree planting in optimal planting seasons in 2022 and 2023.

Council submitted an EOI in late July that will focus on planting mature trees in streetscapes and reserves, and tubestock along waterways and reserves.

Recommendation

Develop a plan to identify future areas to receive plantings. This plan should include the annual street tree program, park planting and identify other projects and initiative, such as arterial roads, that will improve canopy cover across Wyndham.



7. Public trees and tree management

The most commonly occurring challenges related to tree management and the community's interactions with trees and tree planting programs are identified below. Recommendations have been made to improve future outcomes where required.

Internal tree management systems

Council currently uses multiple systems to track and manage trees.

- The Asset Management Infrastructure Services Planning team are responsible for recording trees in new development areas.
- The Tree Inventory records the exact location and species of each tree in council streets. It does not track tubestock trees planted. The Tree Inventory is managed by an external contractor and cannot be updated by Council staff. Area assessed is determined based on available funding (~\$300,000/year).
- Tree assessment and maintenance is managed by the Conservation and Arboriculture team with some work undertaken by the team and the remainder contracted out. Tree assessments are generally paper based and are not saved into the Tree Inventory as an in-depth history of works/inspections undertaken on a tree. These records form an essential part of Council's legal obligations and support the handling of insurance claims related to trees.

The above systems do not effectively communicate with each other resulting in inaccuracies and incompleteness of data available and duplication of costs associated with tree assessments.

Recommendation:

Review and integrate Council's tree record and management systems into a single system that captures all previous and future work undertaken on each tree, by internal and external maintenance teams and is accessible to anyone working for or on behalf of Council. If integration of existing systems is not possible, consider a market ready "off the shelf" platform that can deliver a more reliable and efficient management of trees.

Tree Root Complaints

This is becoming a more common issue raised by residents, both in new developments and in established residential areas.

As the distance between house slabs and nature strips have reduced over time in newer development, resident complaints about root damage or concern about future impacts on dwelling structure has increased. Building contractors direct residents to complain to council that the nature strip tree will require a more costly house slab and therefore the tree should be removed. Or alternatively, cases where properties that have been built for several years show signs of foundation damage, residents are directed to council, often by their builder who are denying liability, to complain that the street trees are the cause.

It's imperative that going forward council takes a stronger stand on the tree selection in new developments, providing more direction in which trees species must be planted in nature strips. This will be in line with the overall objective of "Planting the right tree in the right place".

Developers often change the species of trees after the plans have been approved due to sourcing stock (or other reasons unknown to Council). This can be problematic particularly if no consideration is given to the location vs tree species.

Maintenance and assessment regimes are also a key element to be maintained with improved records of assessment and treatment process to each category of tree risk. This is particularly important when managing risk and addressing insurance claims (please further details and recommendations in section 8).

Recommendation:

Investigate potential changes to Council policy, planning approvals, planting practise, species selection, management etc. to minimise future claims against Council relating to root damage (to slabs).

Retrofitting trees in established areas

Tree planting proposals across established areas often result in resident complaints and requests not to receive a nature strip tree due to a fear of future falling branches, root damage, increased leaf litter and an inability to park on the nature strip.

The Annual Street Tree Planting Program has improved community engagement and increased communication around proposed planting in recent years. This has helped to reduce the number of resident complaints. The annual program now also provides extra information to residents about the benefits of having trees in their nature strip and the residents' roles and responsibilities regarding the nature strip and tree.

Vandalism & Accidental Damage

A common issue across the council is the illegal removal or damage of newly planted trees in nature strips and parks. Council is usually unable to prove the source of the damage and undertake enforcement measures. Council minimises acts of vandalism by providing the opportunity for residents to object to tree plantings in nature strips adjacent to their properties, as above.

Council does not currently pursue costs for trees damaged as a result of road accidents.

Council's Tree and Urban Forest Policy 2019

This policy provides specific guidance around the requirements for developers to plant trees in nature strips. Aspects of the policy's wording are allowing developers not to plant any trees at all. A revised policy has been developed which will remove these loopholes and provide additional guidance to developers and Council's planners on the appropriate design process and tree canopy and development outcomes.

Recommendation

Approve the attached revised Tree and Urban Forest Policy (2021).



Trees in Car Parks

At-grade car parks associated with commercial, industrial, Council and public transport uses typically prioritise car parking numbers over tree canopy cover and integrated water management. This creates public and semi-public open spaces as heat islands with limited amenity value.

Recommendation

Consider all public and publicly accessible private at-grade car parks as open space and seek for these to meet the open space tree canopy cover target of 35%.

Planting trees in arterial roads

Planting trees in large boulevards, arterial roads and other areas under the management of the Department of Transport is a significant issue. All trees planted in these areas require prior approval by DoT, and removal of any existing trees in DoT managed land doesn't require approval. Significant efforts are made to ensure trees are retained in road development, unfortunately most situations tree loss is unavoidable and in the worst-case scenario, new road developments in some instances will not allow for tree amenity replacement.

Due to the legislative limitations within these areas Council needs to consider that best case scenario is that tree plantings are increased across council managed roads and well beyond the 25% so that will allow offsetting residual or minimum canopy cover present in DoT managed roads.

Trees in the private realm

Council has limited ability to protect existing trees or mandate new canopy trees on private property.

When subdivisions take place, planning approvals requirement for a landscape plan only apply to areas above 300m².

As a result, Council has invested in activities such as the Tree Giveaway program (which gives 500 trees to residents annually) and community education and events to promote tree planting on private land.

Recommendation:

Increase the free tree giveaway from 500 to 1000 trees per annum.

Continue to invest in community education and events that promote tree planting and increased tree canopy outcomes.

Trees and leaves seen a nuisance

Council receives resistance from many residents who consider trees, in particular Eucalyptus species, as a danger to both people and property and whilst some of these preconceived notions can be explored and explained to residents, wild weather events often serve to further worry residents about their personal and property safety. Leaf litter can be a contentious issue for many residents who prefer to see their streets and gardens in neat and tidy conditions. Street sweeping activities currently operate on a 6-week cycle, however some residents feel this is not enough and/or still would rather have no tree on their nature strip to prevent the mess in their front yards.

Council's trees are subject to cyclic maintenance and inspections where the structural integrity of trees and their limbs are assessed, depending on set requirements for each species of tree. An increase in tree inventory will require consideration to the increased amount of maintenance. Many residents view leaf litter and bird droppings to be a nuisance.

Often council receive complaints from residents concerned that tree branches might fall and hurt people or damage property. Often leaves dropping into gardens and nature strip are seen as a irritation with increased requirements for cleaning by the residents.



8. Council Tree Costs

Council's annual costs associated with trees relate to maintenance of existing trees, contracting costs for tree planting, proactive management of trees handed over by new development, and staff costs including arboriculture and urban forest expertise (refer table 5).

Table 5 Annual tree maintenance budget

Annual Tree Maintenance Budget (21/22)	
Item	Budget value
Periodic tree assessment and pruning - trees checked every 1, 2 or 3 years (to meet insurance obligations)	\$3,752,472.00
Ongoing proactive tree maintenance	\$300,000.00
Council staff and resources	\$1,105,039.00
Street tree planting program	\$2,623,304.00
Conservation tubestock tree planting	\$112,000.00
Total	\$7,892,815.00

Council's annual tree maintenance costs (lines 1-3 above) are based on the management of the Tree Inventory of 217,620 trees. This equates to approximately \$24/tree/year.

The Conservation and Arboriculture team is responsible for undertaking or overseeing tree assessments. These assessments are important for general tree management and risk management and form the basis for decisions related to insurance claims.

The location of each tree determines the frequency of assessments required to be conducted. In general, street trees are assessed every 3 years, except for trees under power lines which are assessed annually. Trees in open spaces have 3 different classifications based on the level of use of their surroundings:

- High use areas - playgrounds, some parks or reserves with high attendance and interactive infrastructure;
- Medium use - simple open space with little or no infrastructure; and
- Low use - drainage reserve, water ways etc.

The use classification determines how often the tree needs is assessed, please see table below for details.

Table 6 Periodic tree assessments in open space

Tree assessment schedule	
Location	Regularity of assessment
High use areas	annually
Medium use areas	Every 2 years
Low use areas	Reactive basis
Trees in street	every 3years
Trees under power lines	annually

If, at any time during the year a resident lodges a complaint or concern regarding a tree the Conservation and Arboriculture team must visit the tree and conduct an assessment, irrespective of when it was last assessed. Council then provides a response to the resident. This additional visit and assessment provide extra protection to Council from a liability/insurance perspective in the event a claim is submitted.

Recommendations:

Appropriate funding is made available to ensure all necessary tree management is conducted.

Tree management funding increases proportionately to the increasing number of trees managed by Council.

All trees continue to be tracked and managed to minimise risk and insurance costs to the Council.

Ensure that an appropriate system is in place to track all trees and record all tree assessments and routine maintenance procedures.



9. Tree Risk, Compliance, and Insurance

9.1. Risk and Compliance

Effective management of risk can support the achievement of our objectives. While an increase to our tree canopy will increase the likelihood of injury or damage arising from Council trees, the reward from a climate management and amenity perspective is higher.

Council's current levels of tree assessment and maintenance make up the majority of costs associated with trees annually (refer Table 3). These tasks and their costs are essential to minimising the risks trees pose to people and property and maintaining healthy and safe trees across Wyndham.

Council must comply with Acts relating to tree safety and risk including the Electricity Safety Act (for the management of trees under power lines) and Road Safety Act (for the implementation of annual tree in road management plans). This compliance is also included within the annual tree maintenance costs within Table 5.

9.2. Insurance

As custodians of public funds, Council maintains insurance coverage to mitigate financial risks. Council relies on its public liability cover, in the event that a third party is injured and/or property damaged as a result of its business activities or occurring on Council land. Each claim is assessed on its merits, Council will only accept claims where it has contributed to the loss and is deemed to be liable. Council participates in the MAV (Municipal Association of Victoria) Liability Mutual Insurance scheme, which delivers a reliable public liability and professional indemnity insurance product to the local government sector, with a focus on working with its members to reduce their risks.

In the past 5 years, Council has on average received 135 claims per year, relevant to its public liability policy, with 12% of claims attributed to Council trees and 3% to tree roots. Council accepted 11 tree claims across this period; others were denied, referred to another party, withdrawn or remain open. Determination of these claims considers evidence provided by claimants, whether council has met its obligations in relation to tree management and maintenance, and the assessment conducted by Council arborists. They review a range of factors, including tree species and health, outcomes of council inspections and previous reported issues and any works undertaken, other trees and infrastructure in the vicinity and further environmental factors.

Tree related claims against Council have traditionally related to falling tree branches. The risk of death or injury from a tree or tree part collapse is very low. A majority of tree fall claims relate to property damage and are often the result of significant weather events. However, Council is seeing an increasing number of claims related to infrastructure damage due to tree roots. In any urban context, conflicts with tree roots in the built environment will arise. Tree growth is influenced by below-ground conditions. Tree roots are opportunistic and will proliferate wherever moisture, aeration, nutrition and soil structure are favourable, which are not governed by property boundaries. Damage may be direct or indirect:

- Direct damage is the distortion of built structures as the growing tree root exerts pressure. Direct damage by tree roots is usually limited to light-built structures such as pavements and low walls and can also be witnessed in buildings of sub-standard footings or where footing design considered the house and does not accommodate the surrounding environment.

- Indirect damage is the distortion of built structures as the growing tree root takes up soil moisture. Often there are multiple factors contributing to foundation movement which are seldom associated with root growth alone. As a result, claims of indirect tree root damage are challenging to assess.

The MAV provide guidance in relation the legal position surrounding tree root claims. Stating:

Claims in relation to tree roots can be brought under nuisance and negligence. However, they are most commonly brought under nuisance against councils. Negligence claims are generally brought where the council has chosen an unsuitable species of plant, approved the planting by others under the planning scheme etc.)

Nuisance can be defined as conduct which unreasonably and substantially interferes with another person's use or enjoyment of their land. This interference can include physical interference such as tree roots entering the property and causing damage to property.

In determining whether the interference is unreasonable it is not relevant whether the council has acted reasonably, but rather whether the tree root causes an unreasonable interference.

It is not possible to apportion a cost directly to Council's tree inventory, nor an individual cost per tree to insure. The number of tree related claims are expected to rise, not just due to the planned canopy increase but due to the expected population growth within the municipality as well as the fact that many of our trees are not yet mature. Focus is required to ensure tree related risks are well managed through good planting strategies, positioning the right trees for the location; a regular inspection regime to identify maintenance needs; appropriate and timely reactive inspections and interventions as required; a replacement program for trees past maturity; and maintenance of documentation which both provides evidence of past tree management and guides the future.

As Council moves from 217,620 trees today, towards the 355,000+ trees needed to meet potential canopy cover targets for streets and open spaces, it is critical that the resources required to assess, maintain and document the condition of each tree in the inventory is scaled up to meet the task.

Recommendation:

Continue to manage trees appropriately to mitigate Council's tree risks, assure compliance and evidence reasonable care to support the defensibility of insurance claims.



10. Improving canopy outcomes on private land

Council's ability to directly influence or require the planting of canopy trees on private land is limited.

Aspects of the planning scheme, state and local policies and guidelines that require tree planting on private land are only triggered by development applications. This results in sporadic and scattered instances of increased tree planting, often on sites where existing canopy trees and street trees are approved for removal in order to facilitate development.

Residential areas

Community education and free tree giveaways discussed earlier in this report are some of the methods by which Council seeks to encourage planting of trees on private land voluntarily.

The Victorian Planning Authority (VPA) is currently reviewing the Precinct Structure Planning (PSP) Guidelines. Council provided feedback into this review in October/November 2020. This feedback included a section on tree canopy, heat and road widths. The VPA is still finalising the new PSP guidelines and do not provide a date for their release. The new guidelines will directly impact on future PSPs to be prepared across Wyndham.

The Urban Futures Team is currently preparing an updated housing and neighbourhood charter study. This study will feed into a review and refresh of the residential zones and schedules. This provides an opportunity to include canopy tree requirements for private residential land. The planning scheme amendment is expected to be lodged with DELWP in November 2022.

Recommendation:

Advocate for future Precinct Structure Plans to include clear directive language to ensure the retention of existing trees and the meeting of Council's potential canopy cover targets across public and private land.

Pursue amendments to the planning scheme and subdivision approvals process to require developers to meet Council's potential tree canopy cover targets.

Commercial areas

Town centre streets, town squares, at-grade car parks and boulevard roads are high profile locations experienced by larger numbers of the community. Ensuring that cool publicly owned and accessible spaces are available within all town centres and commercial is important for the resilience of the Wyndham community.

Recommendation:

Prioritise the early planting of trees in commercial and town centre areas and advocate for improved tree planting and canopy cover outcomes across both the future public spaces and private lands in new and existing commercial areas.

Industrial areas

Industrial areas and sites can be heat islands due to large areas of roof, hardstand and car parking.

There is a marked difference between older established industrial zones and the newly developed industrial zones, with newly developed industrial areas typically integrating more trees into the design phase than was typical of older areas.

Improving the canopy cover of existing hardstand and car parking areas is only possible when a site is planned for redevelopment. Trees planting and establishment in industrial areas can be particularly challenging with truck and staff parking and storage occurring on nature strips.

Recommendation:

Target industrial streetscapes as part of the Street Tree Planting Program, allowing for the inclusion of tree protection measures in streetscapes where conflict with trucks, machinery and plant are likely to ensure street trees can establish.




11. Summary of Recommendations

In order to meet Council's tree canopy cover targets sooner and in the most sustainable way for the organisation, as well as protecting existing canopy trees and encouraging increased canopy tree plantings across private land it is recommended that Council:

Table 7 Summary of Recommendations

Item	Key Recommendations	Report Recommendations
1	Re-enforces its commitment to the tree canopy targets in the Resilient Wyndham Strategy.	<i>Bring forward the CFHS 2040 tree canopy targets to 2030, in line with the Resilient Wyndham Strategy, so that urban areas are cooler and greener 10 years sooner.</i>
2	Educate and engage with community, seek external funding for, and promote and advocate for tree canopy cover outcomes that achieve or exceed the 2030 targets	<i>Advocate for future Precinct Structure Plans to include clear directive language to ensure the retention of existing trees and the meeting of Council's potential canopy cover targets across public and private land.</i> <i>Pursue amendments to the planning scheme and subdivision approvals process to require developers to meet Council's potential tree canopy cover targets.</i> <i>Increase the free tree giveaway from 500 to 1000 trees per annum.</i> <i>Continue to invest in community education and events that promote tree planting and increased tree canopy outcomes.</i> <i>Update the Wyndham Street Tree Species (Tree Matrix) to provide additional guidance on tree species selection to deliver the highest possible canopy cover.</i> <i>Ensure that the individual trees removed to facilitate development are replaced by Council (or the developer) at the completion of development to avoid future resident complaints.</i> <i>Advocate for changes to the State's growth area and infrastructure delivery standards that currently preclude tree planting.</i> <i>Require all development to demonstrate that it meets or exceeds Council's potential street tree canopy targets.</i>

3	Adjusts annual budgets to meet the increased operational costs of planning, planting, establishment and proactive management of trees to meet the new targets, minimise risk and maximise canopy.	<p><i>Appropriate funding is made available to deliver of the necessary plantings to reach targets.</i></p> <p><i>Appropriate funding is made available to ensure all necessary tree management is conducted.</i></p> <p><i>Tree management funding increases proportionately to the increasing number of trees managed by Council.</i></p> <p><i>Continue to manage trees appropriately to mitigate Council's tree risks, assure compliance and evidence reasonable care to support the defensibility of insurance claims.</i></p>
4	Adopts the attached updated Tree and Urban Forest Policy (2021).	<i>Adopt the attached revised Tree and Urban Forest Policy 2021 (Draft)</i>
5	Develops and implements tree protection controls to limit the removal of existing canopy trees on both public and private land.	<p><i>Investigate a local law that assists in the enforcement of planning permits and planning scheme protections of trees with a DBH of over 35cm.</i></p> <p><i>Implement the Significant Tree Register into the planning scheme as a significant tree overlay and/or heritage overlays.</i></p>
6	Implements improvements to systems to better track and manage the tree inventory.	<p><i>Review and Integrate Council's tree record and management systems into a single system that captures all previous and future work undertaken on each tree, by internal and external maintenance teams and is accessible to anyone working for or on behalf of Council. If integration of existing systems is not possible, consider a market ready "off the shelf" platform that can deliver a more reliable and efficient management of trees.</i></p> <p><i>Require all development to demonstrate that each stage, and the overall plan, meet or exceed Council's potential street tree canopy targets.</i></p> <p><i>All established trees that resulted from tubestock planting are assessed and recorded in the Council system within 5 years of planting.</i></p> <p><i>All trees continue to be tracked and managed to minimise risk and insurance costs to the Council.</i></p> <p><i>Ensure that an appropriate system is in place to track all trees and record all tree assessments and routine maintenance procedures.</i></p> <p><i>Investigate potential changes to Council policy, planning approvals, planting practise, species selection, management etc. to minimise future claims against Council relating to root damage (to slabs).</i></p>



7	Develops a Canopy Cover Implementation Plan to ensure the new 2030 targets are achieved.	<p><i>Develop a plan to identify future areas to receive plantings. This plan should include the annual street tree program, park planting and identify other projects and initiative, such as arterial roads, that will improve canopy cover across Wyndham.</i></p> <p><i>Prioritise the early planting of trees in commercial and town centre areas and advocate for improved tree planting and canopy cover outcomes across both the future public spaces and private lands in new and existing commercial areas.</i></p> <p><i>Target industrial streetscapes as part of the Street Tree Planting Program, allowing for the inclusion of tree protection measures in streetscapes where conflict with trucks, machinery and plant are likely to ensure street trees can establish.</i></p> <p><i>Consider all public and publicly accessible private at-grade car parks as open space and seek for these to meet the open space tree canopy cover target of 35%.</i></p>
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TREE AND URBAN FOREST POLICY 2021

Date of Adoption: XX September 2021
Date of Last Review: August 2021
Date of Next Review: September 2025
Responsible Officer: Urban Forest Planner



VISION

Wyndham City will sustain and expand a healthy tree population that benefits the community and the environment, by valuing each tree as an integral part of an urban forest network.

PURPOSE

This policy outlines how Wyndham City will manage its urban forest in order to achieve the above vision.

This policy defines how Wyndham City will:

- manage individual trees from planting to whole of life tree management;
- manage and plan for growth and health of Wyndham's urban forest;
- protect the tree population as an interconnected urban forest; and
- ensure planting of trees in new development and established areas will deliver canopy coverage of 25% in streets and 35% in open space across the Council.

SCOPE

This policy applies to all trees on land owned or managed by Wyndham City, including streets, parks, reserves, and other open space.

The policy is also intended to influence utility and government authorities, along with community members, on how trees are managed on their land.

Wyndham City will encourage appropriate tree retention on freehold land.

BACKGROUND

Trees and urban forests provide multiple benefits to people and the environment. This includes (but is not limited to) mitigating the Urban Heat Island Effect, enhancing health and wellbeing, supporting biodiversity and creating neighbourhood character.

However, Wyndham City faces challenges in managing a healthy urban forest as a result of local environmental conditions, climate change, residential growth and development, and the loss of trees in the private realm.

A healthy population of trees and a functioning urban forest requires effective planning for the present and future. Wyndham City is committed to valuing our trees, providing trees in the urban environment, and implementing practices that manage, protect and enhance the tree coverage across the municipality.

Increasing Wyndham's tree population is critical in developing an urban forest. Mature trees represent a long-term investment and value; Wyndham City will continue to invest in their care and health. Wyndham City will collaborate with external stakeholders in greening initiatives that benefit the municipality.

Wyndham City



Wyndham City has a diverse population with diverse and sometimes conflicting views regarding our tree population. Engagement with the community to ensure these assets are valued and supported is essential.

This policy provides a decision-making framework for achieving Wyndham City's aim for our tree and urban forest management.

RESPONSIBILITIES

Wyndham City strategically manages trees on the land it is responsible for, in accordance with the principles set out within this policy.

Wyndham City has the final decision on tree management and removals on Council owned or managed land.

Council's Environment and Water Department is responsible for the strategic planning for Wyndham City's urban forest in accordance with this policy. This includes tree protection strategies and procedures, tree planting plans, policies and action plans, and internal and external consultation as required.

Council's Facilities and Open Space Department is responsible for the management of the trees through their lifecycle. This includes the creation of strategies, plans and procedures for the management of these trees in accordance with this policy.

Wyndham City will reference this policy in planning and designing urban spaces.

KEY RELATED DOCUMENTS AND LEGISLATION

Road Management Act 2004
Victorian Electricity Safety (Electric Line Clearance) Regulations (2015)
Planning and Environment Act (1987)
Wyndham Community Amenity Local Laws (2015)
Australian Standard AS4373:2007 - Pruning of Amenity Trees
Australian Standard AS4970:2009 - Protection of Trees on Development Sites
Australian Standard AS2303:2015 - Tree Stock for Landscape Use
Greening the West Strategic Plan
Living Melbourne: Our metropolitan urban forest
Wyndham 2040 Community Plan
Wyndham City Forest and Habitat Strategy (2017 - 2040)
Resilient Wyndham (2021 - 2025)
Wyndham Climate Change Adaptation Strategy (2016-2020)
Wyndham Open Space Strategy 2045
Wyndham Road Management Plan 2017
Wyndham Landscape Development Levels of Service
Wyndham Tree Amenity Fee Guidelines
Wyndham Tree Selection Matrix

POLICY

1. Wyndham City has set canopy cover targets of 25% across streets and 35% across public spaces (excluding grassland, growing grass frog, foreshore, and conservation areas)

To meet this target, Wyndham City will:

- Implement tree planting on Wyndham's streets, boulevards and avenues;
- Incorporate tree planting in parks, open spaces and other public areas;
- Protect and retain mature trees; and
- Encourage tree planting in the private realm.

2. Trees are valuable assets

- All Wyndham City owned, or managed trees are Council assets and will be managed as such; and
- Wyndham City owned or managed trees have a monetary value, this value is derived using Wyndham's Tree Amenity Calculator.

3. Trees will be managed for multiple benefits, including their contribution towards:

- Achieving tree canopy cover targets of 25% in streets and 35% in open spaces (excluding grassland, growing grass frog, foreshore and conservation areas);
- Reducing the Urban Heat Island Effect;
- The biodiversity and habitat of Wyndham;
- Neighbourhood character and foundation of placemaking;
- Providing connections of continuous canopy cover across the municipality; and
- Encouraging activity in open space, enhancing liveability and social interaction.

4. Tree Management and Maintenance

- Risk management is a primary management factor in tree management;
- Mitigation of risk does not necessarily result in action to a tree;
- Pruning will be undertaken in accordance with AS4373 - 2007 Pruning of Amenity Trees;
- Formative pruning will be undertaken to develop appropriate tree structure and reduce future maintenance costs;
- Tree stock planted on current or future public land will meet AS2303 - 2018 Tree Stock for Landscape Use;
- Trees will be maintained to provide clearances as per the Road Management Act (2004) and Wyndham's Road Management Plan; and
- Trees will be maintained to provide clearances as per the current Victorian Electricity Safety (Electric Line Clearance) Regulations and Wyndham's Electrical Line Clearance Management Plan.



5. Urban Forest Planning

- Trees and urban forests require technical planning to ensure the best whole of life outcome;
- All trees planted on current or future public land in Wyndham must be selected to ensure their ability to thrive in Wyndham's soil, environment and climate conditions;
- The performance of tree species will be monitored for their resilience to current and future environment and climatic conditions;
- Wyndham City will reduce the risk of disease, pests or other factors affecting a genus or species by maintaining a diverse tree population;
- Planting the right tree in the right location is critical;
- Tree species will be selected for each site from Council's tree species matrix, that will deliver the largest canopy cover possible based on available soil volume, infrastructure constraints, street orientation, consistency and character, adjacent natural and urban contexts, and the functionality of the tree. Where possible tree species must be selected that will deliver at maturity a minimum of 6.5m diameter canopy cover;
- Tree species selection will prioritise species that will provide the greatest canopy cover possible;
- In new subdivisions, a minimum of at least one street tree every 10m must be provided along both sides of each street to provide continuous canopies and shaded sidewalks;
- In established areas, Council to provide a minimum of one tree per lot frontage and at least one street tree every 10m along both sides of the street;
- Wyndham requires tree planting to take place that will guarantee a minimum future potential canopy cover of 25% in streets and 35% in open space;
- Bond value of all new trees planted in new developments/permit sites will be determined as 150% of the tree value. Failure to plant all trees as per planning application/permits or trees being in a poor state at handover of management to Council will result in forfeiture of the bond by Council;
- All public and publicly accessible private car parks must have one tree planted per every four car parking spaces. Tree species selection and car park layout must ensure that a potential tree canopy cover of 35% will be achieved.
- Tree species selected for planting near or adjacent to designated conservation reserves will be sensitive to the vegetation class and ecological function of the conservation reserve;
- Nature strips are a Wyndham City asset, priority will be given to public tree planting;
- Objections to tree planting on Wyndham City property must be submitted to Wyndham City, an objection must outline the reason and include accompanying evidence; and
- Wyndham City has the final decision on tree plantings on Wyndham City's property.

6. Tree removal to facilitate development

- Existing trees on public and private land must be included in all plans and drawings submitted with planning applications, this includes developments proposed by Wyndham City;
- Council seeks to minimise the removal of existing trees by residential, commercial, industrial and infrastructure projects wherever possible;
- Priority must be given to the retention of trees during the design and construction phases by:
 - locating driveways, services and front setbacks to avoid tree removals; and
 - using construction techniques and details that work around the existing roots and branches of any trees.
- Where removal of a Wyndham City trees cannot be avoided by design or construction methodology changes to a proposal, removal will be considered, provided that new design plans are submitted identifying location for a replacement tree to be planted within the nature strip;
- A request to remove a Wyndham City owned tree must be submitted to and approved by Wyndham City prior to any removal;
- Any Wyndham City tree approved for removal will require payment of a tree amenity fee and associate administrative costs;
- The arrangements and cost of the tree removal will be borne by the proponent of the tree removal, ensuring works are undertaken by an appropriately qualified arborist;
- Unauthorised removal and/or damage of Wyndham City trees are subject to penalties;
- Wyndham City has the right to refuse removal of its trees.

7. Tree Protection on development sites

- Wyndham City trees to be retained on or near development and other construction sites must be adequately protected both above and below ground;
- Protection of Wyndham City's trees within development and other construction sites will meet, at a minimum, AS4970 - 2009 Protection of Trees on Development Sites; and
- Failure to protect trees throughout the development process may incur penalties.



8. Tree removals - maintenance

- Wyndham City will remove a tree if it presents an immediate risk to people or property, and there are no other viable options to mitigate the risk;
- Wyndham City may remove a tree if it is diseased, unhealthy, dead or terminally damaged, although these factors will not always result in the removal of a tree;
- All tree removals over 150mm diameter at breast height must be approved by a senior Wyndham City arborist;
- All Wyndham City owned trees requiring removal will be considered for repurposing as a habitat structure;
- Community requests for a Wyndham City tree to be removed for risk or maintenance purposes will be assessed by a senior Wyndham City arborist, this may not always result in the removal of the tree; and
- Trees will not be removed because of reasons including (but not limited to):
 - Personal preference;
 - Perceived nuisance (e.g. leaf litter);
 - Limbs extending over private property;
 - A desire for parking space;
 - Allergies, unless medical advice from a medical specialist in the field of allergies is provided, demonstrating the tree significantly diminishes the quality of life and there is no other way of managing the problem; or
 - Fauna living in trees.

9. Tree Planning Controls

- Many trees in Wyndham City are subject to controls within the Wyndham Planning Scheme. Tree removal or lopping may require a planning permit.
- If the tree is indigenous, proponents must comply with relevant Victorian and Federal native vegetation requirements.
- The above requirements apply to all potential tree removals, including those proposed by Wyndham City Council.

FILE NO:

ITEM NO: 6.5.3
DIRECTOR CITY LIFE - ALLISON
KENWOOD**MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION****Summary**

The final Manor Lakes North Reserve Master Plan outlines a vision for the development of a new reserve in the west of the municipality. The Master Plan focuses on the provision of sport and recreation infrastructure to service identified community needs and guide the future development of the reserve to ensure that it meets the aspirations of the local community, sporting clubs and other key stakeholders. It showcases the unique environmental characteristics of the site, including a significant Box Gum tree.

The feedback from the public exhibition period has been considered and where deemed suitable included in the proposed final Manor Lakes North Reserve Master Plan.

Attachments

1. Manor Lakes North Reserve Master Plan Report

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Life - Allison Kenwood

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Sports & Recreation - Campbell Atkins

In providing this advice as the Manager, I have no disclosable interests in this report.

Recreation Strategy, Planning and Projects Lead - Eliel Sotero

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Delivery of active open space and sport and recreation infrastructure in line with the Wyndham Sports Strategy 2045.
- Delivery of open space in line with the Wyndham Open Space Strategy 2045.
- Delivery of facilities in growth areas of the municipality.

RECOMMENDATION

That Council adopt the Manor Lakes North Reserve Master Plan.

FILE NO:**ITEM NO: 6.5.3****DIRECTOR CITY LIFE - ALLISON KENWOOD****MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION (cont'd)**

Cr Peter Maynard declared a conflict of interest for this item and left the meeting at 8.29pm.

MOTION

CRS MIA SHAW / SAHANA RAMESH

That Council adopt the Manor Lakes North Reserve Master Plan.

(CARRIED)

Cr Peter Maynard returned to the meeting at 8.33pm.

FILE NO:

ITEM NO: 6.5.3

DIRECTOR CITY LIFE - ALLISON KENWOOD

MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION (cont'd)**1. Background**

Manor Lakes North Reserve is located on Holyoake Parade in Manor Lakes. The site is an 8.13ha active open space (AOS) that will address the recreation needs of the growing residential community in the area. The reserve is bound by a grassland conservation reserve in the north, a creek in the east, Holyoake Parade in the south and is directly adjacent to a future government school and community facility.

The Wyndham Sports Strategy originally proposed two ovals on the site as indicated on the Manor Lakes PSP. However, further investigations and an arborist's report found that an existing Box Gum tree located in the northern half of the reserve was significant and should be retained. The Master Plan has been developed to reflect the retention and protection of the significant tree. Due to the location of the Box Gum tree, the proposed northern oval could not be built at this location and will instead be constructed at the future Manor Lakes South Reserve. In lieu, six tennis courts have been moved from the future Manor Lakes South Reserve to Manor Lakes North Reserve and are included in the final Master Plan.

The final Master Plan is being presented for adoption following the public exhibition process, where feedback was sought from the broader Wyndham community.

2. Relevant Law

Not applicable.

3. Discussion

The public exhibition period took place between 3 March 2021 and 2 April 2021. A total of 1,395 people visited the project's community engagement page on The Loop, with 97 community members providing feedback on the project. Eighty three percent (83%) of people supported or strongly supported the Master Plan, 12% remained neutral and 5% did not support the project. The community indicated that they liked the tennis courts, multi-use oval, cricket nets and BBQ/picnic areas the most. Most of the commentary revolved around supporting the plan and hoping for Council to deliver this much needed open space as soon as possible.

The following table outlines the key feedback received from stakeholders and community members during the public exhibition period, with Officer responses:

Feedback	Officer Response
Active Recreation – Badminton, Volleyball Skate & BMX	Feedback received during public exhibition indicated interest in Badminton, Volleyball, Skate and BMX activity. These elements have been integrated into the Master Plan and will be further investigated during detailed design. Whilst indoor badminton will not be catered for at this reserve, a multi-use outdoor net court will be provided for the community to play outdoor badminton and volleyball. There may be an opportunity to access an indoor court within the future school gymnasium.
Public Toilets	The provision of public toilets was a common request during the consultation period. Public toilets are a standard provision and will be included as part of the pavilion building. Council will ensure that appropriate signage and wayfinding is in place to direct users to the public toilets.
Traffic – Reserve access point and car parking.	Concerns were raised by the local community, particularly residents living on Truffle Circuit, about the location

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DIRECTOR CITY LIFE - ALLISON KENWOOD

MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION (cont'd)

Feedback	Officer Response
	<p>originally proposed for the car park and its access point via the corner of Malt Drive and Truffle Circuit. A meeting was held on site with the community members to hear and understand their concerns.</p> <p>As a result, an external traffic management review was undertaken which informed an alternative car park design with entry from Holyoake Parade. This alternative design has been proposed in the final Master Plan. This new design will reduce the traffic impact on Truffle Circuit, provide access off the main road and provide enough parking spaces within the reserve.</p> <p>The concept design allows for emergency vehicle access off both Holyoake Parade and Malt Drive. The re-design required a slight modification to the location of the tennis courts and cricket nets, however will provide opportunity for more trees and vegetation to be planted in the reserve.</p>
Recreation opportunities for older adults.	<p>The following opportunities will be available for older adults upon implementation of the Master Plan;</p> <ul style="list-style-type: none"> • Sealed walking paths that circle not just within the reserve but also on both sides of Lollipop Creek; • Seating dispersed along walking paths for rest (this is a known factor to encourage use of walking paths); • A dedicated area (not programmed for sport) that is well suited for quiet enjoyment of the natural environment including significant tree and creek; • Social gathering places (shelter, seating, BBQ's); • Pavilion with social/community area that will be appropriate for targeted programming including chair exercises, body weight exercises, tai chi, yoga etc; • Two cushioned tennis courts (softer on knees and ankles than typical hard-court surfaces).
Community Gardens	<p>Requests for a Community Garden were received but this amenity has not been included in the final Master Plan. The provision of appropriate spaces across Wyndham for this purpose will be addressed through separate strategic planning and policy specific to the provision of Community Gardens.</p>
Aquatic facility in Manor Lakes	<p>There was some community interest for Council to locate a swimming pool either at this reserve or within Manor Lakes. A swimming pool has not been included in the final Master Plan as this location does not align with Council's current strategic direction informing the future provision of aquatic facilities in Wyndham.</p>

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DIRECTOR CITY LIFE - ALLISON KENWOOD

MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION (cont'd)

The final Master Plan (see attached report) proposes the following facilities:

- 1x oval (165m x 135m) with a synthetic cricket wicket;
- 6x hard court acrylic tennis courts with lighting;
- Cricket practice nets;
- Pavilion – shared use;
- Shared user pathways throughout;
- Landscaping using native and indigenous species;
- Family recreation and play spaces; and
- Car park.

The reserve will be developed in line with the Sports Facility Capital Development Guide to the level suitable for hosting junior and senior levels of competition and training for local sporting associations, clubs and schools. It will cater for shared use of sports fields and co-locate a number of user groups.

The proposed activities and facilities will greatly enhance local access to high quality public open space in this area of the municipality.

4. Wyndham 2040 Vision

- **People and Community:**
The final Master Plan will enable Wyndham residents to have opportunities to stay fit and healthy. Facilities, programs and activities at the reserve will be accessible and delivered to a high standard.
- **Places and Spaces:**
The final Master Plan will create a quality active open space reserve. The reserve will connect people with the outdoors and each other. The facilities and open space will be an inviting destination for the community to visit and enjoy.
- **Leadership and Participation:**
Wyndham will have a variety of ways for community members to volunteer in support of others.

5. City Plan

1.2.3 Council will enhance community health and wellbeing by making it easier for residents to participate in physical activities by building mainstream and accessible sporting infrastructure at the local level and providing a diversity of sporting opportunities through assisting minor and 'hard-to-locate' sports, as well as recreation and informal opportunities for physical activity.

1.2.4 Council will help to create a safer, more cohesive community by: effective planning, design and regulation of public spaces which encourage active transport and social inclusion opportunities; actively engaging with the community to improve perceptions of safety; and encouraging shared responsibility to prevent and address issues which impact on residents' sense of safety and wellbeing.

2.2.4 Council will balance social sustainability with urban development by identifying and encouraging vital community infrastructure and services prior to land development; seeking opportunities to include health impact assessments for new developments; and continuing to create open and active outdoor /public spaces in both new and existing communities.

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DIRECTOR CITY LIFE - ALLISON KENWOOD

MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION (cont'd)**6. Council Plan and Policies**

- Wyndham Sports Strategy 2045
- Wyndham Open Space Strategy 2045
- Sports Facility Capital Development Guide (2020)
- Sports Facility User Guide (2020)

7. Regional, State and national plans and Policies

- Active Victoria
- Manor Lakes Precinct Structure Plan and Development Contributions Plan
- Wyndham West Development Contributions Plan

8. Financial Viability

The final Manor Lakes North Reserve Master Plan offers a high-level indicative costing for capital infrastructure investment, estimated at between \$9.4M - \$10.4M (allowing for $\pm 5\%$). This range reflects the high-level nature of estimates at this early planning stage. Further cost planning will be undertaken during detailed design and will look to refine and rationalise costs. Value management and staging options will be considered during the detailed design phase as required.

Implementation of the Master Plan will be partly funded by:

- Grants – Where possible, applications will be made to State Government Grants such as the Growing Suburbs Fund and Sport & Recreation Victoria infrastructure grants.
- Development Contributions – Manor Lakes Development Contributions Plan and the Wyndham West Development Contributions Plan.

Council will also need to allocate provisions for maintenance and renewal over the asset's lifespan.

9. Sustainability Implications**Economic**

The proposed development will provide economic benefit and support employment creation by:

- Providing new infrastructure development and external investment from public sources (Council and potentially State and Federal government).
- Increasing activation and visitation to community facilities in Manor Lakes. Competition played at the reserve will bring flow on economic activity to the local area.
- Activity resulting from organised sport at the reserve will provide opportunities for coaching programs and health and wellness small businesses.

Social

The proposed development will deliver the following social impacts:

- Locating multiple sports together which collectively offer diverse participation opportunities across sports, generations, gender, culture and ability.
- Bringing multiple partners together to operate as a community-based hub of health, wellbeing and connection.
- Establishing a gathering place for diverse community activities.

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MANOR LAKES NORTH RESERVE MASTER PLAN ADOPTION (cont'd)

- Promoting locally accessible and low/no cost physical activity and fitness opportunities through the provision of pedestrian circuit paths in the reserve and active recreation areas for social activity.

Environmental

The Master Plan proposes:

- The retention of a significant Box Gum tree in the northern area of the reserve.
- The use of native and indigenous plants suited to local conditions at the reserve.
- A well-considered approach to stormwater drainage with localised retention prior to the point of discharge.

10. Options

Not applicable.

11. Community Engagement

Preliminary community consultation was undertaken between 7 - 28 August 2020 to inform the development of the draft Master Plan.

Public Exhibition was undertaken between 3 March – 2 April 2021 via Council's engagement platform The Loop and social media platforms. The community was notified as per the key communication activities listed below.

- Online public engagement platform used to provide information and receive feedback (The Loop);
- Emails to existing mailing lists and past respondents and users of The Loop;
- Manor Lakes Community Learning Centre newsletter;
- External groups and agencies were contacted regarding the draft Master Plan seeking their further comments;
- A meeting was held with Karen Community leaders to discuss the planning process and the draft Master Plan;
- A key contact person was provided for community members to contact directly; and
- A media release and social media promotion over the course of the public exhibition period.

The amount of traffic recorded on The Loop and number of respondents indicate a level of engagement from the community that is on par or higher than the typical level of feedback received for this type of project.

12. Communication Strategy

The final Manor Lakes North Reserve Master Plan will be made available on Council's external website (subject to adoption). Wyndham residents will be able to track the progress of the implementation of this Master Plan through the Capital Works Dashboard.

13. Innovation and Continuous Improvement

Not applicable.

14. Collaboration

The key collaboration opportunities will be through grant funding partnerships with State/Federal Government. Applications will be made as opportunities become available.

MANOR LAKES NORTH RESERVE



**MASTER PLAN
SEPTEMBER 2021**

WYNDHAM CITY COUNCIL

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Note: Subject to approval from Geographic Naming Victoria, the future site is expected to be named Holyoake Parade Reserve, consistent with the naming convention for parks and reserves in Wyndham.



INTRODUCTION

Project Purpose

The purpose of this project is to prepare a Master Plan for the future development of an Active Open Space reserve known as Manor Lakes North. The Master Plan will focus on the provision of sport and recreation infrastructure to service identified community needs.

Project Location

Manor Lakes North Reserve is located on Holyoake Pde in Manor Lakes. The site has an area of 8.13 hectares to provide active open space to address the recreation needs of the growing residential community planned in the area and adjacent residential areas in Manor Lakes and Wyndham Vale. The Master Plan will guide the development of the reserve to ensure that it meets the aspirations of the local community, sporting clubs and other key stakeholders.

Local and Regional Context

Wyndham's growth corridors require the provision of active open space facilities such as ovals, sporting pitches and pavilions. The major purpose of this project is to provide adequate recreation and open space facilities to satisfy the sporting and leisure needs of a growing community in the Manor Lakes West (Wyndham Vale West) area.

Manor Lakes North Reserve is located within in the Manor Lakes Estate, to the south of Ballan Road, east of proposed Outer Ring Road and Rail corridor, north of Lollypop Creek, and west of Eureka Drive. See Melway Map 233 C 10. The current primary access to the precinct is via Holyoake Parade and Malt Drive.

Existing sporting reserves within the proximity of the Manor Lakes North Reserve include:

- Howqua Way Recreation Reserve, located 2km south-east via Manor Lakes Blvd.
- President's Park, located 4.6 kilometres south-east via McGrath Rd
- Additional sporting reserves are to be provided to the south within the Manor Lakes Estate.

Objective

- Align the vision and principles of the Master Plan with the principles and priorities of the Wyndham Sports Strategy 2045.
- Understand the current and future sporting, active and passive recreation needs of the community within the catchment of the reserve.
- Understand the interfaces of the reserve with existing and future residential areas and neighbouring school.
- Produce a strategic master plan that addresses the following elements.
 - Level of passive open space and play space provided for in accordance with the Wyndham Open Space Strategy 2045 and the Play Space Strategy.
 - Maximises opportunities for community use of the reserve
 - Contributes to the amenity and landscape character of the neighbourhood.
 - Provides clear direction for the future of the reserve's infrastructure, including sports surfaces, specialised sporting infrastructure, structures/buildings, path network and parkland within resource constraints.
 - Produce recommendations taking into consideration the triple bottom line approach of economic, environmental and social sustainability.
 - Provide cost estimates for each component of the Master Plan.
 - Present a recommended implementation schedule of works for staging of the project in consultation with relevant council officers.

Methodology/Project Approach

The project has comprised of six main phases:

1. Review of relevant background reports and plans.
2. Site Investigation (including site features survey) and first round stakeholder engagement.
3. Needs and issues analysis and preparation of reserve concept plan options.
4. Development of Draft Master Plan including costings.
5. Public exhibition of a council endorsed Master Plan including second round of stakeholder engagement.
6. Review of community and stakeholder feedback on the Draft Master Plan and preparation of the Final Master Plan and project report.

STRATEGIC CONTEXT

Wyndham 2040

Wyndham 2040 was refreshed in 2021 following a deliberative community engagement process that acknowledged and recognised the stories and contributions that informed the first Wyndham 2040 Vision in 2016. Wyndham 2040 articulates a vision for what the community would like Wyndham to be in the future. Four themes underpin Wyndham 2040 and the following three themes support the development of Manor Lakes North Reserve:

1. People and Community

Vision:

- Wyndham celebrates its many cultures and participation in the arts and recreation is fostered.
- Everyone is able to access services for health and wellbeing and these are delivered to a high standard. Its easy to stay fit and healthy.
- Community members are collaborative participants in creating strong, supportive and environmentally sustainable neighbourhoods.

2. Places and Spaces

Vision:

- Wyndham provides safe and welcoming destinations for residents and visitors.
- Our parks and open spaces encourage people to be active and connect them with nature and the outdoors.

3. Leadership and Participation

Vision:

- Our City is home to engaged and informed residents who use their skills, knowledge and passion to effectively work together and advocate for the needs of the community.
- Wyndham will have a variety of ways for community members to volunteer in support of others.

Active Wyndham

Active Wyndham is an overarching strategy that proposes a bold long-term vision and strategic direction that aims to shift the current trend towards a more active and healthy Wyndham, where regardless of age, background or level of ability, people will feel able to consistently participate in physical activity.

Four principal themes guide the future actions needed to achieve the vision,

goals and targets. These themes include;

- *Active Places* – Facilitating regular and lifelong physical activity participation through the provision of sufficient, suitable, accessible, multi-functional, integrated and safe places and spaces for physical activities.
- *Lifelong Participation* - Developing age-suitable programs and places for physical activities within the context of demographic trends, physical inactivity levels and the intergenerational concept.
- *Inactive to Active* - Engaging Wyndham's currently inactive population to meet the recommended physical activity guidelines through education and the facilitation of organized and non-organized participation opportunities.
- *Strategic Planning & Evaluation* - Establishing consultation, evaluation and monitoring methods that will guide future planning of active places and activation programs.

The Manor Lakes North Reserve Master Plan is a key action in the Active Wyndham Action Plan.

Wyndham Sports Strategy 2017- 2045

The Wyndham Sports Strategy is a comprehensive strategy for the development and delivery of sports facilities for the City of Wyndham with an outlook to 2045. Research conducted as part of the Wyndham Sports Strategy identified that across the City as a whole, community satisfaction with current sports infrastructure is high. Parks, Gardens and Open Space



Figure 1. Wyndham Sports Strategy Key Principles.

were rated as the third most important aspect of local government service provision by residents.

The Sports Strategy notes that access to parks, gardens and open spaces are important to the whole community. Furthermore, the secondary uses of active open space for informal recreation, health and wellbeing will be important to balance with the primary function of sport.

The Wyndham Sports Strategy provides a comprehensive evidence based approach to the delivery of sport and active recreation facilities, guiding the direction for facility development with the growing long term population and facility demand firmly in mind.

The Wyndham Sports Strategy 2045 also outlines a number of key provision principles as outlined below:

The Master Plan will respond to the principles in the following ways:

Best Value:

- Provide facilities that reflect identified community needs.
- Maximise opportunities for multi-use of facilities and infrastructure.
- Open space design which promotes accessibility, inclusiveness and diversity in participation opportunities.

Maximise Participation:

- Provide sports with growth needs – ie. cricket and tennis.
- Provide for activities that reflect community interests – ie. basketball and volleyball.

Maximise multi-use options

- Cater for both formal sport and informal recreational use.
- Provide lighting to maximise opportunities for use of facilities.
- Provide an integrated path network.

Social Impact:

- Provide facilities for use by sporting clubs and community groups.
- Provide facilities for social gathering and intergenerational use.

Sustainable Partnerships:

- Provide a Master Plan that could support possible external funding applications.

- Plan facilities having regard to existing Developer Funding Contributions.
- Maximise the principles of environmental sustainable design to converse and enhance the communities future resource needs.

The Wyndham Sports Strategy has identified Manor Lakes North as an active open space reserve that will cater for Cricket and Tennis by using the sports selection framework which incorporates demand for the sport and sports selection logic.

Wyndham Open Space Strategy 2045

Manor Lakes North Reserve will be classified as a district park which is a park that serves a collection of adjacent neighbourhoods. These may provide for active sport and/or passive activities and are generally located within one kilometre of all dwellings. District parks may also protect sites of natural and heritage value and provide for landscape diversity and amenity.

Manor Lakes North Reserve Master Plan will be an important asset in the Weribee Open Space Network. Its development will be underpinned by the priorities of the Wyndham Sports Strategy 2045:

- Capitalise on sport and active recreation improving individual and community health and wellbeing.
- Connect families to the value of sport and recreation to instil a lifelong journey of sporting participation.
- Enable local access, as it is fundamental to the community's participation in sport and active recreation.
- Provide diverse ways to participate in sport and active recreation through facilitating traditional, non-traditional, organised and unorganised opportunities.
- Embed multi-use into the network to create a culture of inclusive places that support the different ways the community wants to participate, now and in the future.
- Uphold the importance of sustainable places which ensures current and future residents sport and active recreation opportunities are delivered.

Wyndham Sports Facility Capital Development Guide 2020 – 2025

The Sports Facility Capital Development Guide 2015 - 2020 outlines how Wyndham City will provide facilities that allow more people to participate more often in leisure and their local communities. The policy sets out the different levels of facility provision for active open space, facility standards to be built by Council and contribution options available for co-investment by community organisations.

Application of the policy to the specific recommendations for cricket and tennis at Manor Lakes North Reserve would result in the provision of:

- 1 x Oval for cricket use year round with centre cricket wicket, player shelters and spectator area. Optional provision of 4 cricket nets at Category C facilities
- 6 x tennis courts. Competition lighting to four courts initially, others optional pending participation demand.
- 1 x pavilion to service cricket and tennis.
- Sealed car parking including designated accessible car parking spaces.
- Appropriate reserve fencing to be considered.

The Development Guide also recommends sport facilities, including playing fields, be developed having regard to an adequate buffer zone to the boundary of the active open space reserve. An area of approximately 30m from the reserve boundary is recommended.

Carefully considered detailed designs will be required prior to construction to ensure adequate fencing, netting, landscaping and constructed barriers are installed at pinch points where required. However, where possible fencing should be minimised across the site in order to encourage casual access, functionality and amenity of the reserve as a whole.

Wyndham Play Space Strategy 2030

The Play Space Strategy 2030 provides strategic direction for purpose-designed play spaces and the programming of capital works to 2029. Whilst the Strategy contains no specific recommendations for Manor Lakes North Reserve, it does note that whilst active open space is open space that is intentionally set aside for sport, it may contain playgrounds that support these hubs for social and physical activity and to support families spectating at sports activities. All parks designated for play should have play spaces that provide social, environmental and physical elements that encourage intergenerational play.

The vision for play spaces in Wyndham is ...

Wyndham will provide a good distribution of diverse play opportunities that welcome and include people of all ages, genders, cultures, and abilities; enhance child development and independent mobility; create a connection with community and nature; and are sustainable for Council to manage.

Environmentally Sustainable Design Framework

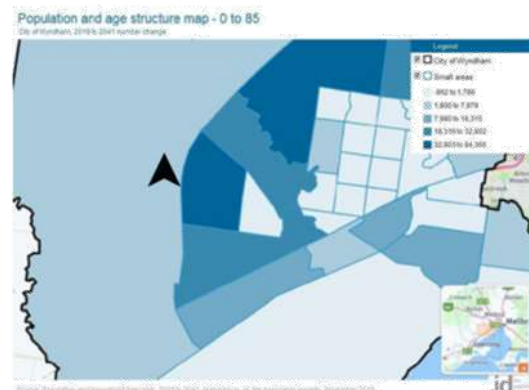
The aim of the Environmentally Sustainable Design (ESD) Framework is to incorporate ESD principles into all Council buildings including sports pavilions. The intent of the ESD Framework is to:

- Reduce the operational costs associated with Council's buildings and facilities;
- Reduce the environmental impacts of constructing, refurbishing and operating Council buildings;
- Improve energy and water efficiency of Council's buildings and facilities;
- Provide a healthy indoor environment in Council's buildings;
- Demonstrate leadership to the community by adopting and promoting sustainable building design suitable for the region's current and future climate; and
- Reduce reliance on non-renewable grid electricity.

DEMOGRAPHIC ANALYSIS

Population and forecast

The Manor Lakes suburb was home to 8,652 residents in 2019 and is forecast to grow to 41,455 residents in 2041. This increase of 32,803 residents (379%) is the second largest among all forecast areas in Wyndham, behind Tarneit (Figure 2). The growth is consistent over time, picking up in 2024 and not slowing until the late 2030s (Figure 3).



Country of birth

In terms of country of birth, Manor Lakes resembles a mixture of growth and established areas in Wyndham. The proportion of residents born in Australia (51.8%) is almost identical to that in Wyndham (52.8%). Manor Lakes has growth characteristics resembling Tameit and Truganina in the sense that India, Sri Lanka are common countries of birth, but resembles Werribee and Hoppers Crossing in the sense that previous migrant groups such as those from the Philippines and New Zealand are in the top ten (Figure 4).

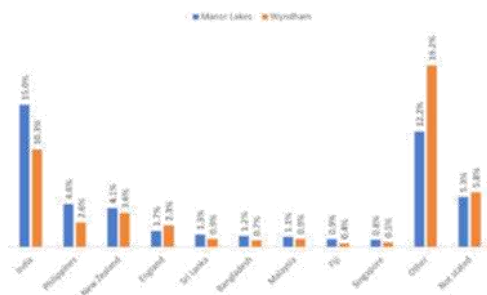


Figure 4: Top countries of birth in Manor Lakes, excluding Australia

Country of birth trends

Figure 5 below shows the growth in residents from key countries of birth between 2011 and 2016 with the exception of Australia, which grew from 2,279 to 3,380 residents. India has established itself as the second most common country of birth in a span of five years while the number of residents from the Philippines and New Zealand has almost doubled. In the top countries of birth, the only one that has seen a decline is England.

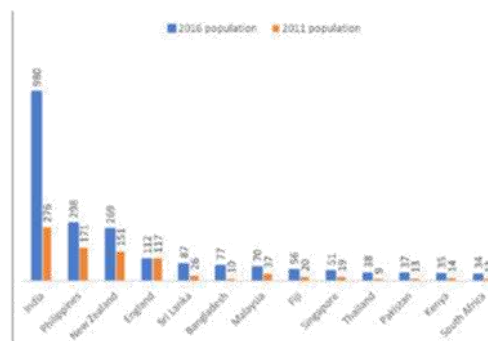


Figure 5: Growth in countries of birth between 2011 and 2016, Manor Lakes

As seen in Figure 5, some countries of birth have been growing more or more quickly than others. Table 3 shows the increase (in percentage terms) between 2011 and 2016, and offsets that against the total Manor Lakes population growth to show whether the growth in residents from key countries of birth has exceeded the overall pattern in Manor Lakes. From the table, countries of birth expected to have slowing growth rates towards the next Census are Australia and England, while the Philippines and New Zealand will see steady growth. All other countries will see significant increases towards 2021.

Country of Birth	2016 Population	2011 Population	Increase (%)	Increase (%) adjusted for total
Australia	3,380	2,279	48.3%	-28.1%
India	980	276	255.1%	178.7%
Philippines	298	171	74.3%	-2.1%
New Zealand	269	151	78.1%	1.8%
England	112	117	-4.3%	-80.7%
Sri Lanka	87	26	234.6%	158.2%
Bangladesh	77	10	670.0%	593.6%
Malaysia	70	37	89.2%	12.8%
Fiji	56	20	180.0%	103.6%
Singapore	51	19	168.4%	92.0%
Thailand	38	9	322.2%	245.8%
Pakistan	37	13	184.6%	108.2%
Kenya	35	14	150.0%	73.6%
South Africa	34	13	161.5%	85.1%

Table 3: Population growth by country of birth, 2011 to 2016, Manor Lakes

STAKEHOLDER ANALYSIS

Current User Groups

Manor Lakes North Reserve is a greenfield site and has no current user groups however a new school is currently being planned and will be constructed on the land adjoining the reserve.

Sports Demand Analysis (participation trends for each sport)

The Wyndham Sports Strategy looks at the demand across Wyndham for specific sports both now and into the future. Manor Lakes North Reserve proposes to cater for Cricket and Tennis, all growth sports in Wyndham.

Cricket

Cricket demand in Wyndham is significant (3.64% - 1 oval per 6,107 residents). Between 2013/14 and 2017 senior cricket has grown by 34% and junior cricket by 47%. Cricket participation is predominately male (84%) with most females (15%) playing mixed or in the 1 women's team and 5 and half girl's teams in Wyndham.

Cricket is participated in across all age groups with the strongest demand between 18-50 years of age (55% of all cricket participants), Under 18 (33%) and over 50 (11%) providing strong generational engagement.

Wyndham was home to 4515 participants in 2020/21 and maximised ground allocations for the season. The greatest change in the way cricket is played is in the development of social cricket. Formalised in 2014/15, this competition commenced with 36 teams in its first year and has grown to 76 teams in 2020/21. Demand has also increased in the winter with participation demanding synthetic wicket facilities at all times of the year.

Sports Australia's Cricket State of Play 2020 report ranked cricket in the top 20 most played sports in Australia with 780,509 participants. The dominant motivation to participate in Cricket for Adults 15+ years was 'Fun/enjoyment' (62.1%), but 'social reasons' were also important (36.6%). These were the two primary motivators at any age (ahead of 'Physical health/fitness') as well as the main reasons for considering taking up cricket in the next 12 months.

Tennis

Tennis is popular in Wyndham with the third highest participation base (inclusive of social participation) with club competition accounting for 44% of demand. Social (25%) and casual no fee (19%) are also significantly important to the way people engage in the sport.

Tennis demand is significant in Wyndham (4.26% or 1 court per 4,301 residents). By 2026 it is anticipated that Wyndham will need 76 tennis courts to cater for the demand. Wyndham tennis is participated in equally by men (50%) and women (50%), with junior participation representing 50% of demand. Adult participation is also important with 18-50 year old residents (37%) and residents over 50 years (12%) actively engaged in the sport.

The Summer 2019/2020 season had 579 playing members registered across eight clubs in Wyndham. Wyndham is home to eight clubs plus one tennis centre located at Saltwater Reserve in Point Cook. Residents can participate in competition, social tennis and lessons suitable for all ages. Participants can also book a court online and have a casual game of tennis with friends without being a registered member of a club.

Sport Australia's Tennis State of Play 2020 report ranked tennis as the 8th top physical activity with 5.6% and 3rd (3.7%) for top activities for sports club participation in Wyndham. The annual population estimate for Adults 15+ participating in Tennis was 929,831 (or 4.6% of the Adult 15+ population). Adult participation was slightly skewed towards males (532,603 or 5.3% of the male population), with males accounting for 57% of participation. However, Tennis participation was also high among females (397,228 or 3.8% of the female population).

AusPlay estimates that 288,974 (6.1%) Children 0-14 participated in organised Tennis out-of-school. Children's participation was also skewed towards males (63%). Compared to other sports, Tennis has one of the best retention rates past 11 years of age, especially among males. Although the peak participation rates among Adults 15+ were in 15-17 year olds, Tennis was less exposed to the age related decline in participation experienced by many other sports.

The dominant motivation to participate in Tennis was 'Fun/enjoyment' (52.9%), however 'Social reasons' (55.4%) and 'Physical health or fitness' (55.6%) were also strong motivators.



Schools

There are currently two schools (Manor Lakes P-12 and Our Lady of the Southern Cross Catholic Primary School) located within the Manor Lakes area. There are a further two primary schools planned for the Manor Lakes precinct with one adjoining the Manor Lakes North Reserve.

Community Early Learning Centre

An Integrated Family Centre will be built adjacent to the reserve and the government school.

Other Stakeholders

Sport and active recreation are an important part of most Wyndham residents lives with 77% of all residents connected to a sporting activity. Recent south asian migration has seen the development of social cricket competition in a 50 week format and increased the demand for year round cricket.



LOCAL CONTEXT AND SITE ANALYSIS

Location

Manor Lakes North Reserve is located 34km west of Melbourne CBD in Wyndham and covers 9ha on the northern side of Holyoake Parade, near the urban growth boundary. The site is bounded by a tributary of Lollypop Creek to the east, a recently developed residential street (Truffle Circuit) and planned school to the west, and rural conservation zone to the north. The site is also part of the Lollypop Hill neighbourhood currently under development by the Dennis Family Corporation.

Site Features

The site contains a significant Grey Box tree (*Eucalyptus microcarpa*) registered under the National Trust Significant tree register, as well as a remnant windrow of sugar gum trees (*Eucalyptus cladocalyx*) of varying environmental value.

Topography across the site gently grades to the east and south east towards the tributary. Sections of steeper slopes are located along the Truffle Circuit boundary as well as the eastern edge of the sugar gum wind row. Currently a large portion of the site is located within 1:100 flood extent, however with recent development this is subject to be altered.

Flat, firm rocky ground with various small weed species are scattered throughout the site, typical of previous agriculture use.

Connections

The AOS site will be a key reserve within the Manor Lakes open space network. The site will be able to connect up to existing shared pathways along the tributary as well as passive open space and parks within the existing development.

LEGEND

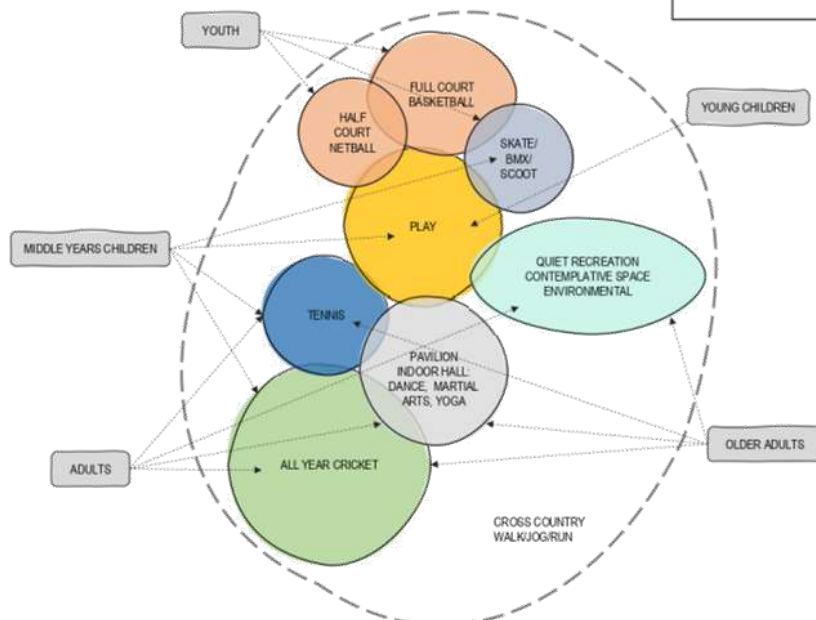
	SUBJECT SITE		PASSIVE OPEN SPACE
	CREEK CORRIDOR AND FLOOD WAY		RURAL CONSERVATION ZONE
	PROPOSED GOVERNMENT SCHOOL SITE		FUTURE PSP ZONE
	PROPOSED COMMUNITY CENTRE		EXISTING AND CURRENT DEVELOPMENT



SERVICE MIX

The Manor Lakes North Reserve Master Plan has been developed in response to several design drivers, some of which were evident prior to the master plan process commencing. The service mix should be consistent and in alignment with the Wyndham Sports Strategy and Sports Facility Capital Development Guide unless otherwise determined. The Wyndham Sports Strategy identifies Manor Lakes North Reserve as a year-round cricket and tennis venue.

Due to the presence and the need to protect a significant Grey Box tree within the reserve, only one full size cricket oval will be able to fit within the reserve as opposed to the two that were originally outlined in the Sports Strategy. This second oval has been relocated to the active open space immediately to the south that will be delivered in the future. This also presents an opportunity to create informal active recreation opportunities which could include a multi-generational playground, entry level skate park/BMX elements, a full basketball court, volleyball court and rope/rock climbing features.



Service Response	Evidence base / community need
All year Cricket	<ul style="list-style-type: none"> Demographic data. Growth of cricket in Wyndham. Sports Strategy demand analysis. School in the local area. Active Wyndham.
Walking, jogging, running track - cross country	<ul style="list-style-type: none"> Demographic data. School in the local area. Active Wyndham.
Tennis	<ul style="list-style-type: none"> Demographic Data. Sports Strategy demand analysis. Schools in the local area. Active Wyndham.
Multi Use outdoor court ie Volleyball/Badminton	<ul style="list-style-type: none"> Sports Strategy. Open Space Strategy. Demographic data. Active Wyndham.
Full Basketball/Netball Court	<ul style="list-style-type: none"> Demographic data. Active Wyndham. Open Space Strategy. Sports Strategy demand analysis.

Service Response	Evidence base / community need
Playground	<ul style="list-style-type: none"> Intergenerational play within active open spaces. Active Wyndham. Open Space Strategy. Play Space Strategy.
Informal Active Recreation Hub including BMX/Skate elements	<ul style="list-style-type: none"> Demographic data - high population of young families who tend to seek low cost or free sporting opportunities. Active Wyndham.
Play Space - Children (Age 3 to 8 years old)	<ul style="list-style-type: none"> Demographic data <ul style="list-style-type: none"> 51.7% Couples with dependents 1,190 5-11 year olds in 2019, increasing to 5,431 in 2041. Active Wyndham, Open Space Strategy and Play Space Strategy.
Play Space - Middle Years (Age 8 to 14 years old)	<ul style="list-style-type: none"> Demographic data. <ul style="list-style-type: none"> 678 12-17 year olds in 2019, increasing to 1,073 in 2041. Active Wyndham, Open Space Strategy and Play Space Strategy.
Youth Activity Space (15 to 24 years old)	<ul style="list-style-type: none"> Demographic data - the 18 to 24 age bracket will grow by 377% by 2040. Open Space Strategy.
Community Space within the pavilion for Recreational Dance and other similar activities	<ul style="list-style-type: none"> Sports Strategy: Based on the demand for the recreational dancing it is expected that by 2045, 21 district recreational dancing providers will be required across the municipality. To ensure best value facilities will be located in each district. Discussions with the community centre suggests that there would be strong demand for community dance space in this area.

COMMUNITY CONSULTATION/ FEEDBACK

Community feedback was sought on the Manor Lakes North Reserve Draft Master Plan. The consultation period was held between 7 – 28 August 2020.

The purpose of the engagement was to:


- Seek feedback from the community about the upcoming development.
- Determine how the community will use the future reserve.
- Determine community's interest of possible features within the park.
- Gain feedback to inform the final concept design of the reserve prior to council endorsement.

The Master Plan will consider the cultural and environmental values of the Reserve, sporting infrastructure requirements, landscape and amenity and pathway connections. Engagement with the community to understand what they like through the Master Plan has been undertaken. A summary of the consultation process and feedback received is provided below.

Methodology

The table below outlines the various methods and techniques used to engage with the community.

The consultation was tailored to suit Covid-19 restrictions in place at the time which resulted in the initiation of an online community engagement and consultation presence only utilising an interactive platform (Social Pinpoint) via The Loop.

Method / technique	Stakeholders engaged	Dates
 Project page on The Loop and Social Pinpoint	1524 people visited the site 113 comments were made on the draft concept plan via social pinpoint. 59 discussions were had on more than one comment	7th–28th August 2020
 Online survey	69 people participated in various parts of the survey	7th–28th August 2020
 Mail out	3559 postcards sent to the 1km catchment*	7th–28th August 2020

*Council notes that some postcards were returned to sender due to vacant land parcels.

The Social Pinpoint platform was identified as the most appropriate fun and effective community engagement interactive platform at the time of undertaking the consultation and proved to be very successful. The platform was the first time used on a Council community engagement project.



Outcome

The engagement indicated general support from the local community for the draft proposals. Feedback received was incorporated into the plan where possible.

WE ASKED

PLEASE RANK THE INFORMAL SPORTS ACTIVITIES

ANSWERS RECEIVED IN ORDER OF PREFERENCE WERE LISTED BY HOW MANY TIMES THAT WERE RANKED IN TOP 31



WE ASKED

HOW WILL THE PARK BE USED?

ANSWERS RANKED FROM HIGHEST TO LOWEST



WE ASKED

WHAT PLAYGROUND FEATURES WOULD YOU LIKE TO SEE INCLUDED?

(Answers were selected from a pre-determined list)

THE TOP 8 ANSWERS WERE:



WE ASKED

WHAT FEATURES ARE MOST WANTED?

(Answers were selected from a pre-determined list)

THE TOP 3 ANSWERS WERE:



MASTER PLAN

The Manor Lakes North Master Plan represents Council's outlined plan to increase access for all members of our community to sport and recreation facilities – allowing access regardless of age, culture, location and ability.

The design aims to create a sustainable natural reserve providing areas for reflection, low resistance activities and 'turn up and play' active recreation highlighting the site's unique features. This allows for a reserve that serves as a community sporting hub whilst encouraging wider communal participation from varying active and passive functions.

The existing cricket clubs in the local area will be able to use this new oval to expand and grow. The growing local community will be able to join the community club, be part of a team and play matches in competition. They'll also be able to use the oval and cricket nets informally for practice or social games.

Community members will be able to play tennis by joining the new club, where they'll have access to training, coaching and competition. The club will be able to run social competition for all skills levels to be able to join in and have a hit. A booking system will also be available allowing community members to book a court directly and play at a time that suits them without needing to be a member of the club.

Features such as the Lollipop creek tributary drainage corridor and existing *Eucalyptus microcarpa* (Grey Box) tree create the cornerstone of the overall design intent focusing on water, environment and community connection.

Natural features

The design aims to complement the level changes whilst adding visual interest in the informal recreation/playground areas as well as work with the existing hydrological systems present and aims to celebrate the natural overarching theme within play space areas.

The natural environment allows for the creation of respite moments and quiet contemplation activities without causing conflict with the higher paced active recreation.

Water plays a key role in the formation of this site. Bound by a tributary of Lollipop Creek to the east, the site naturally slopes towards this area providing long sweeping views along the natural creek corridor in the foreground and development in the background.

Connections

The design aims to use the proposed connections as a journey through and destination place for the community. The pathways are designed to provide the missing links to enhance the current development's footpath network.

Connectivity enables for fluidity of movement in and around the reserve. The design contains 1.3km and 800m circuit pathways. The connections allow for the community to transit through the space to the future school and Integrated Family Centre. The various pathways will circumnavigate the area for relaxation, recreational and active purposes.

- LEGEND**
- RESERVE PROPERTY BOUNDARY
 - 1 EXISTING GREY BOX TREE
 - 2 EXISTING SUGAR GUM TREES
 - 3 EXISTING GRASSLAND AREA
 - 4 PROPOSED TURF OVAL (WITH 3 SEASONS)
 - 5 PROPOSED 4 LANE CRICKET NETS
 - 6 PROPOSED PLAYERS BENCHES AND SHELTER
 - 7 PROPOSED SPECTATOR VIEWING AREAS
 - 8 PROPOSED TENNIS COURTS
 - 9 PROPOSED CAR PARKING (11 SEALED SPACES)
 - 10 PROPOSED PAVILION (WITH WASH TOILET)
 - 11 PROPOSED 3M SHARED PATHWAYS
 - 12 PROPOSED 5M GRAVEL MAINTENANCE BUFFER
 - 13 PROPOSED LEVEL CHANGE TO BE DESIGNED (SLOPE CHANGE AND INFORMAL ACTIVE RECREATION AREAS)
 - 14 PROPOSED PLAY SPACE AND INFORMAL ACTIVE RECREATION AREA (APPROX. 1000M²)
 - 15 PROPOSED COMMUNAL GATHERING SPACE, PICNIC AREA AND SMALL PLAY SPACE (APPROX. 1000M²)
 - PROPOSED MAIN ENTRY
 - PROPOSED KIT ONLY / EMERGENCY VEHICLE ENTRY AND EXIT
 - PROPOSED SECONDARY ENTRY
 - PROPOSED MAINTENANCE ACCESS
 - PROPOSED BRIDGE CROSSING
 - PROPOSED 2M OFFSET AROUND OVAL FOR SOURCE SPACE (WITH SHARED FENCING REQUIRED WHERE CONTACT OCCURS)
 - PROPOSED OVAL / COURT RUN OFF SPACE WITH APPROPRIATE PERIMETER FENCING
 - PROPOSED 5M SHARED FENCING FLEXIBLE GOAL NETTING
 - PROPOSED GRASSLAND EXTENT
 - PROPOSED 1.3KM CIRCUIT PATH
 - PROPOSED 800M CIRCUIT PATH



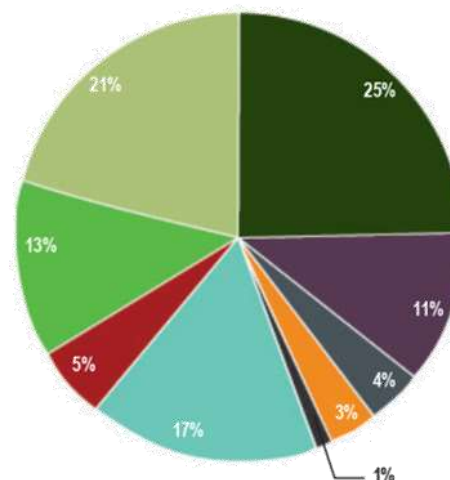
Open Space Allocation

The following diagram and plan indicate the Master Plan's open space allocation across the site. This is important to show the considered and balanced design approach across the entire site.

The open space allocations are inclusive but not limited to the following:

- Sports Fields**
These are the areas for active sporting use including the oval, tennis courts and cricket nets.
- Community Areas**
Communal areas such as the large playspace and informal recreation area in the Northern section of the site as well as the smaller adjacent to the pavilion.
- Roads and Car Parks**
Vehicular access areas including the car park, bus drop off area and general trafficked areas.
- Footpaths**
Shared pathways and connection paths around the site for pedestrian movement. The areas shown on the diagram would be concrete to cater for the higher volumes of movement
- Building**
The building area within the reserve is the central pavilion.
- Creek Corridor**
The area between the edge of the shared path to the Eastern site boundary. This area will predominately be planted to adhere to Melbourne Water guidelines.
- Tree Protection Zones**
Areas surrounding the significant Grey Box tree and Sugar Gum windrow trees. These areas are a protection buffer for the trees.

- Passive Area**
Passive recreation containing small breakout sitting areas, walking paths and native ornamental grasslands.
- Other Land Areas**
Remaining site area to be landscaped with hardscape elements such as pavements, seating and/or retaining walls and softscape elements such as trees, garden beds and/or grass.



MATERIALS PALETTE

Design Thematic

The design thematic celebrates the existing natural features of the site and add complementary materials which support their stories. Varying softscape and hardscape textures through the planting palette and use of materials relevant to the Wyndham areas will create a unique site identity. Below are some example of materials, textures and themes to be used.



The planting palette across the site is to be made in consideration to the site use and location. The site can be broken down into four key planting areas:

- Proposed plant species should be selected to be robust and suitable to provide long-term landscape amenity. A 35% potential canopy coverage across the site (excluding grassland area) should be aimed for. The precedent images shown are some examples of species suitable within the four key planting areas.

- Wyndham City Forest and Habitat Strategy (2017 – 2040)
- Melbourne Water Guidelines
- Department of Environment, Land, Water and Planning Ecological Vegetation Class (EVC) Benchmarks



Suggested Species Palette

Indicative list to be selected from but not limited to.

LEGEND

- NATIVE ORNAMENTAL GRASSLAND
- TRANSITIONAL NATIVE AND HARDY FEATURE PLANTING
- TYPICAL NATIVE AND FEATURE PLANTING
- CREEK CORRIDOR PLANTING

Botanical name	Common name	Size at Maturity				
<i>Acacia adinaea</i>	Gold Dust Wattle	1-3m x 1-2m				
<i>Acacia implexa</i>	Lightwood	5-15m x 4-7m				
<i>Acacia melanoxylon</i>	Blackwood	7m x 5m				
<i>Allocasuarina littoralis</i>	Black Sheoak	8-12m x 4-7m				
<i>Amphibromus nervosus</i>	Swamp Wallaby Grass	1.2m				
<i>Atriplex semobaccata</i>	Creeping Saltbush	0.2m x 1-2m				
<i>Austrostipa mollis</i>	Soft Spear Grass	1.2m				
<i>Banksia marginata</i>	Silver Banksia	1-10m x 1-5m				
<i>Banksia spinulosa</i> 'Bush candles'	Hairpin Banksia	0.5m x 0.75m				
<i>Baumea articulata</i>	Jointed Club-rush	0.9-2m				
<i>Bolboschoenus caldwellii</i>	Sea Club-rush	0.3-1.2m				
<i>Bursaria spinosa</i>	Sweet Bursaria	3m x 2m				
<i>Callistemon sieberi</i>	River Bottlebrush	3m x 3m				
<i>Callistemon viminalis</i> 'Little John'	Weeping Bottlebrush	1.5m x 1.5m				
<i>Carex appressa</i>	Tall Sedge	0.5-1.2m x 0.5-1m				
<i>Carpobrotus rossii</i>	Karkalla	0.2m x 1.2m				
<i>Chryscephalum apiculatum</i>	Common Everlasting	0.2m x 1m				
<i>Convolvulus erubescens</i>	Blushing Bindweed	0.15m				
<i>Correa alba</i>	White Correa	1.5m x 1.5m				

Botanical name	Common name	Size at Maturity				
<i>Correa glabra</i>	Rock Correa	1.5m x 2m				
<i>Correa reflexa</i>	Native Fuschia	0.5-1.2m x 0.5-1m				
<i>Corymbia maculata</i>	Spotted Gum	15m x 8m				
<i>Cycnogenon procerum</i> (syn. <i>Triglochin procerum</i>)	Water Ribbons	2m				
<i>Dianella 'Little Jess'</i>	Flax-lily	0.4m x 0.4m				
<i>Dianella revoluta</i>	Black-anther Flax-lily	0.8m x 0.4m				
<i>Dichelachne crinita</i>	Longhair Plume Grass	1.5m				
<i>Eleocharis sphacelata</i>	Tall Spike-rush	1-2m				
<i>Eucalyptus leucorhylon</i>	Yellow Gum	10-30m high				
<i>Eucalyptus melliodora</i>	Yellow Box	25m x 10m				
<i>Eucalyptus polyanthemus</i>	Red Box	25m x 12m				
<i>Goodenia ovata</i>	Hop Goodenia	0.1-0.3m x 1-2m				
<i>Goodenia pinnatifida</i>	Cut-leaf Goodenia	0.5m x 0.75m				
<i>Grevillea rosmarinifolia</i>	Rosemary-leaf Grevillea	2m x 2m				
<i>Hakea nodosa</i>	Yellow Hakea	4m x 3m				
<i>Hardenbergia violacea</i>	Purple Coral Pea	climber/prostrate x 3m				
<i>Hebe 'Blue Gem'</i>	Hebe	1m x 1m				
<i>Isolepis nodosa</i> (<i>Ficinia nodosa</i>)	Knobby Club-rush	0.7m x 0.7m				
<i>Juncus flavidus</i>	Yellow Rush	0.4-1.2m x 0.2-1m				
<i>Juncus pallidus</i>	Pale Rush					
<i>Lagerstroemia indica</i> 'Yuma'	Crepe Myrtle	4m x 3m				
<i>Leptospermum lanigenum</i>	Woolly Tea-tree	3m x 2m				
<i>Liriope 'Just Right'</i>	Liriope	0.5m x 0.5m				
<i>Lomandra longifolia</i>	Spiny-headed Mat-flax	0.8m x 0.8m				
<i>Melaleuca ericifolia</i>	Swamp Paperbark					
<i>Melia azedarach 'Elite'</i>	White Cedar	8m x 7m				

Botanical name	Common name	Size at Maturity				
<i>Myoporum parvifolium</i>	Creeping Boobialla	0.2m x 1-3m				
<i>Myoporum parvifolium</i> 'Fine Leaf Form'	Creeping Boobialla	Spreading				
<i>Oxalis perennans</i>	Grassland Wood-sorrel	0.25m x 0.25m				
<i>Phormium tenax</i> 'Bronze Baby'	Flax	0.75m x 0.75m				
<i>Pimelea humilis</i>	Common Rice-flower	0.5-0.6m x 0.5-1m				
<i>Poa labillardieri</i>	Tussock Grass	0.5m - 0.3m				
<i>Ptilotus macrocephalus</i>	Long-leaf Wax-flower	1.5m x 1m				
<i>Quercus coccinea</i>	Scarlet Oak	10m x 12m				
<i>Rytidosperma racemosum</i>	Slender Wallaby Grass	spreading				
<i>Themeda triandra</i>	Kangaroo Grass	0.5m x 0.4m				
<i>Tristanopsis laurina</i>	Water Gum	15m x 10m				
<i>Ulmus parvifolia</i>	Chinese Elm	13m x 10m				
<i>Vallisneria australis</i>	Eel-grass	spreading				
<i>Westringia fruticosa</i> 'Mundi'	Coast Rosemary	1.2m x 1.2m				
<i>Zelkova serrata</i> 'Green Vase'	Japanese Elm	14m x 10m				

Furniture and Structures Palette

Selection of landscape materials is to be made with consideration to the requirements and the uses of the specific location within the site. Designers should refer to recommendations and guidelines published by Wyndham City Council (including Council's standard furniture suite), and ensure that all elements proposed are robust and suitable to provide long-term landscape amenity.

The specific locations that the furniture and structure palette should consider:

- Spectator viewing areas (both seating and standing)
- Playground and picnic areas including but not limited to:
 - Shelters
 - Seatings and Tables
 - Drinking fountains
 - BBQs
 - Bike hoops
- Nodal seating areas/ respite spaces along the shared pathways



SERVICE PROVISIONS

Storm water management

The development at the AOS can be treated to Best Practice Environmental Management with Water Sensitive Urban Design assets which support Integrated Water Management objectives in the region.

The small number of impervious surfaces on site creates the opportunity for localised storm water reuse.

Raingardens, underground storage for passive tree irrigation, and a rainwater tank will treat stormwater and provide storage opportunities. One outflow point is to be provided into the tributary.

Further information on this option can be found within the Storm Water Management Plan prepared by Alluvium (dated June 2020).

Traffic Engineering

The overall traffic scheme aims to provide adequate car parking facilities with the intent to reduce congestion on local roads. The central access points into the site follows the principles of:

- Main entry into carpark off Holyoake Parade
- Exit only onto Malt Drive (where road width increases). Emergency vehicles can utilise this exit for quick access to pavilion.
- Bus area/drop off point provided near the pavilion.
- Car parking (approx. 91 spaces) area available around the western perimeter of the oval.

The principles listed above can be managed and explored further in the detailed design phase. Design specific elements such as wombat crossings, speed humps and accessible car parking spots located near the connector paths will help to link people travelling via car into the reserve.

Utilities and Maintenance

The main service connection point for the reserve is located along the Truffle Circuit and Malt Drive boundary. This includes electrical, NBN, gas and water. Larger diameter services may be required, and new tapings generated if further capacity is needed. A sewer easement runs along the school and reserve boundary however at present there is no connection point.

The pavilion is located in line with the service connection to reduce extensive

trenching through the reserve.

The reserve also contains two maintenance access points. One via the main carpark entrance to the pavilion and the other off Holyoake Parade.

Future Creek Crossing

The proposed bridge crossing connects the north-eastern part of the reserve with the existing development. The bridge listed in the PSP will be delivered by the developer.

The bridge will connect into the larger reserve shared pathway creating a loop on either side of the tributary. The crossing will also provide a vital walking path to the community walking through the reserve to the school site.





FILE NO:

ITEM NO: 6.5.4
DIRECTOR CITY LIFE - ALLISON
KENWOOD**ALFRED ROAD RESERVE MASTER PLAN ADOPTION****Summary**

The final Alfred Road Reserve Master Plan outlines a vision to establish a new reserve where local residents and visitors can participate in a diverse range of organised sport, active recreation and leisure activities. The Master Plan achieves this by creating a destination for community sport in the north of the site and providing amenity to encourage active and passive recreation pursuits in the south.

The Master Plan has been developed in line with current strategies, policies, agreements and consultation to guide the future development of Alfred Road Reserve. The feedback from the public exhibition period has been considered and where deemed suitable incorporated into the proposed final Alfred Road Reserve Master Plan.

Attachments

1. Alfred Road Reserve - Master Plan Report
2. Alfred Road Reserve - Public Exhibition Summary Report

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Life - Allison Kenwood

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Sports & Recreation - Campbell Atkins

In providing this advice as the Manager, I have no disclosable interests in this report.

Recreation Strategy, Planning and Projects Lead - Eliel Sotero

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Delivery of active open space and sport and recreation infrastructure in line with the Wyndham Sports Strategy 2045.
- Delivery of open space in line with the Wyndham Open Space Strategy 2045.
- Delivery of facilities in the growth areas of the municipality.

RECOMMENDATION

That Council adopt the Alfred Road Reserve Master Plan

FILE NO:

ITEM NO: 6.5.4

DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)

MOTION

CRS PETER MAYNARD / MIA SHAW

That Council adopt the Alfred Road Reserve Master Plan

(CARRIED)

FILE NO:

ITEM NO: 6.5.4

DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)**1. Background**

Alfred Road Reserve is approximately 21.0 hectares in area and is adjacent to existing and proposed residential housing in Riverwalk-Werribee Junction. Alfred Road Reserve is bounded by Galvin Road to the north, Browns Road to the west, Alfred Road to the south and Josephine Street to the east.

Council purchased this site in 2012-2013, as part of the Alfred Rd PSP and primarily for the purpose of reducing the shortfall of active open space in this area of Wyndham. The reserve was purchased with the understanding that there were existing stormwater flood management, transport, cultural heritage and flora/fauna considerations to be addressed. The planning undertaken to date has considered these issues and opportunities.

Site specific service planning was undertaken, guided by the Wyndham Sports Strategy and Active Wyndham Strategy. The service plan identified the opportunity for the development of key sporting activities; Cricket, Netball, Football (Soccer) and Australian Rules Football.

This development will also create an opportunity for three established community sporting clubs, Werribee Cricket Club, Werribee Junior Cricket Club and Werribee Masters Football Club, to relocate to Alfred Road Reserve and establish a new home base to continue to strengthen the experience they provide for their members and participants. Each Club has made a valuable contribution throughout the Master Plan development process.

The final Master Plan is being presented for adoption following the public exhibition process, where feedback was sought from the broader Wyndham community.

2. Relevant Law

Not applicable

3. Discussion

The draft Alfred Road Reserve Master Plan was released on public exhibition for a four week period spanning 28 April 2021 to 28 May 2021. There was a strong level of interest in the project, demonstrated through 4,031 people visiting the project page on The Loop (5,050 page views) and 129 contributors providing feedback on the project. There was strong support for the Master Plan, with 74% of contributions indicating strong support, 10% indicating a neutral view and 16% indicating opposition to the proposed Master Plan. Of those that opposed, the concerns cited related to the location of the reserve, prioritizing funding for the new road network and direct access to the Freeway, developing the Ison Road Bridge and the provision of new schools. A summary of the feedback received during the public exhibition period is included as an attachment to this Council Report.

The following table outlines a summary of the feedback received from stakeholders and community members during the public exhibition period, with Officer responses:

Feedback	Officer Response
Werribee Cricket Club and Werribee Junior Cricket Club relocation – additional junior sized ovals	A meeting was held with representatives from Werribee Cricket Club and Werribee Junior Cricket Club on 5 August to discuss the outcome of their formal submission to the public exhibition process. The meeting resulted in club representatives supporting the Final Master Plan and the additional provision of one junior oval. Club representatives will continue to be involved during the detailed design phase of the project.

FILE NO:

ITEM NO: 6.5.4

DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)

Feedback	Officer Response
	<p>The provision of the additional junior oval will allow for greater consolidation of Werribee Junior Cricket Club operations within Werribee rather than having to spread out across Truganina and Point Cook. This junior oval would be developed with a 40m boundary to a basic standard (Category C – Sports Facility Capital Development Guide) with a synthetic surface wicket and without a boundary fence.</p>
Car Parking	<p>Community contributors during public consultation provided feedback around the need for additional car parking at the reserve.</p> <p>There are 178 car park spaces (including accessible spaces) shown in the Master Plan, plus an additional 60-80 overflow parking spaces at designated grass areas around the reserve. If further parking is required during major event times, further temporary overflow parking will be established on a case by case basis. There is on-street car parking available along the east side of the reserve (Josephine Street) and potential future on-street car parking on the west side of the reserve (Browns Road).</p>
Tennis Courts	<p>Community feedback during public consultation requested that tennis courts (outdoor and indoor) be included in the Master Plan. The nearest available existing tennis courts are at Chirnside Park where there are currently four courts, with no space for further expansion.</p> <p>There is not enough space available at Alfred Road Reserve to build a facility of this size/type without detrimentally affecting the other sports being provided. An opportunity exists to consider two publicly accessible tennis courts at the future Newmarket Road Reserve Active Open Space in the Riverwalk development. Further to this, a tennis facility will be considered north of the rail line in Wyndham Vale as part of a future development.</p>
Basketball courts	<p>Community feedback during public consultation requested that a full and/or half court be included in the Master Plan. A public access half court will be included as part of the active recreation area in the Final Master Plan. There is also an existing full court basketball court within Riverwalk. There may also be opportunities to provide basketball half courts in local parks as part of future developments in the local area.</p>
Dog Park	<p>Community feedback during public consultation requested that a fenced dog park be included in the Master Plan. Examples given were a facility like the one at Presidents Park. Wyndham City is currently undertaking strategic planning for new dog off lead areas across the municipality. As part of this planning it has been determined that Alfred Rd Reserve would not be a suitable site and that there are other sites within the immediate</p>

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DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)

Feedback	Officer Response
	catchment that will be considered.
Shelters / seating around the sports grounds for spectators	Community feedback during public consultation commented that there should be plenty of shelters and seats around the sportsgrounds for spectators. There is shelter proposed at the spectator area south of the main pavilion and under the veranda of the main pavilion. Eight bench seats per oval are proposed in the Master Plan as per the Sports Facility Capital Development Guide.
Public toilets	Community feedback during public consultation commented that there needs to be public toilets provided in the reserve. In the Master Plan there are external facing public toilets proposed at both pavilion buildings.
Skate Park	Community feedback during public consultation commented that there should be a skate park provided at the reserve. Wyndham City's Skate, BMX and Bike Strategy does not nominate Alfred Road Reserve as a site for a skate park. A skate facility is being provided as part of the Level Crossing Removal at Werribee Street adjacent to Wyndham Park. This facility will service the Riverwalk-Werribee Junction catchment.
Multi use main Pavilion – management and shared use	The Clubs requested further information and raised concerns around the future shared use of the pavilion. These issues will be further considered in consultation with the Clubs during the detailed design and activation planning stages of the Master Plan implementation.

The final Alfred Road Reserve Master Plan (see attached report) proposes the following facilities:

- 1 x oval (175m x 165m) with a turf wicket table for cricket use;
- 1 x oval (165m x 135m) with a turf wicket table for cricket and Australian Rules Football use. Provision of floodlighting (training standard) for football;
- 2 x rectangle fields for soccer overlaid with 1 x oval (130m x 120m) with a synthetic surface cricket wicket;
- 1 x oval (40m boundary) with a synthetic surface cricket wicket for junior cricket only;
- 6 x Netball Courts (+2 future provision), 4 with lighting. Provision for player benches and spectator shelters;
- Cricket Practice nets - 8 x synthetic surface wickets (1 net will be available for public access casual use by members of the local community) and a turf wicket table for cricket practice;
- Shared pavilion for use by cricket, netball and Australian Rules Football with associated car parking;
- Indoor Cricket Facility (subject to grant funding from Sport & Recreation Victoria) and pavilion for shared use by cricket and soccer;
- Circuit path (1.5km loop) with distance markers and fitness stations;
- Play / Outdoor Activity / Picnic Area on residential side of reserve with 20 car spaces, and a small play space near the main pavilion;

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DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)

- Paths and feature paving, and landscaping using native and indigenous trees and plants; and
- Wetland and environmental zone.

The reserve is to be developed in line with the Sports Facility Capital Development Guide to the level suitable for hosting junior and senior levels of competition and training for local sporting associations, clubs and schools. It will cater for shared use of sports fields and co-locate a number of user groups.

The proposed activities and facilities will greatly enhance local access to high quality public open space in this area of the municipality.

4. Wyndham 2040 Vision

- People and Community:
 - The final Master Plan will enable Wyndham residents to have opportunities to stay fit and healthy. Facilities, programs and activities at the reserve will be accessible and delivered to a high standard.
- Places and Spaces:
 - The final Master Plan will create a quality active open space reserve. The reserve will connect people with the outdoors and each other. The facilities and open space will be an inviting destination for the community to visit and enjoy.
- Leadership and Participation:
 - Wyndham will have a variety of ways for community members to volunteer in support of others.

5. City Plan

1.2.3 Council will enhance community health and wellbeing by making it easier for residents to participate in physical activities by building mainstream and accessible sporting infrastructure at the local level and providing a diversity of sporting opportunities through assisting minor and 'hard-to-locate' sports, as well as recreation and informal opportunities for physical activity.

1.2.4 Council will help to create a safer, more cohesive community by: effective planning, design and regulation of public spaces which encourage active transport and social inclusion opportunities; actively engaging with the community to improve perceptions of safety; and encouraging shared responsibility to prevent and address issues which impact on residents' sense of safety and wellbeing.

2.2.4 Council will balance social sustainability with urban development by identifying and encouraging vital community infrastructure and services prior to land development; seeking opportunities to include health impact assessments for new developments; and continuing to create open and active outdoor /public spaces in both new and existing communities.

6. Council Plan and Policies

- Wyndham Sports Strategy 2045
- Wyndham Open Space Strategy 2045
- Sports Facility Capital Development Guide (2020)
- Sports Facility User Guide (2020)

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DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)**7. Regional, State and national plans and Policies**

- Active Victoria
- Alfred Road Precinct Structure Plan
- Wyndham West Development Contributions Plan

8. Financial Viability

The final Alfred Road Reserve Master Plan offers a high-level indicative costing for capital infrastructure investment, estimated by a Quantity Surveyor at between \$24.98M - \$27.61M, (allowing for $\pm 5\%$). This range reflects the high-level nature of the estimates at this early planning stage. Further cost planning will be undertaken during detailed design and will look to refine and rationalise costs. Value management and staging options will be considered during the detailed design phase as required.

The estimated cost referenced above does not include items identified to be funded by others. This includes the Indoor Cricket Facility valued at approximately \$1.5M (delivery subject to grant funding) as well as other items that are not standard policy provision to the value of \$500k.

Implementation of the Master Plan will be partly funded by:

- Grants – Where possible, applications will be made to State Government Grants such as the Growing Suburbs Fund and Sport & Recreation Victoria infrastructure grants.
- Development Contributions

Council will also need to allocate provisions for maintenance and renewal over the asset's lifespan.

9. Sustainability Implications**Economic**

The proposed development will provide economic benefit and support employment creation by:

- Providing new infrastructure development and external investment from public sources (Council and potentially State and Federal government).
- Increasing activation and visitation to community facilities in Manor Lakes. Competition played at the reserve will bring flow on economic activity to the local area.
- Activity resulting from organised sport at the reserve will provide opportunities for coaching programs and health and wellness small businesses.

Social

The proposed development will deliver the following social impacts:

- Locating multiple sports together which collectively offer diverse participation opportunities across sports, generations, gender, culture and ability.
- Bringing multiple partners together to operate as a community-based hub of health, wellbeing and connection.
- Establishing a gathering place for diverse community activities.
- Promoting locally accessible and low/no cost physical activity and fitness opportunities through the provision of pedestrian circuit paths in the reserve and active recreation areas for social activity.

FILE NO:

ITEM NO: 6.5.4

DIRECTOR CITY LIFE - ALLISON KENWOOD

ALFRED ROAD RESERVE MASTER PLAN ADOPTION (cont'd)**Environmental**

Sustainable development of the reserve will include proposed multi-use, flexible and high capacity facilities designed under environmentally sustainable design principles and landscaping with native and indigenous plants suited to local conditions at the reserve.

The development will be treated to Best Practice Environmental Management with Water Sensitive Urban Design assets which support Integrated Water Management objectives in the region. The small number of impervious surfaces on site creates the opportunity for localised storm water retention prior to the point of discharge.

10. Options

Not applicable

11. Community Engagement

Community engagement and communication has been an ongoing part of the development of this Master Plan. The online platform 'The Loop' has been used extensively to engage and communicate information about this project to the community.

The community were informed about the opportunity to provide feedback during the public exhibition process via:

- a media release
- social media posts
- 'The Loop' online platform
- direct emails with stakeholders who had expressed interest in the project
- direct contact with local sporting clubs (online survey direct emails, and phone conversation)
- direct contact with local community organisations
- direct contact with Peak Sport Agencies and State Government Departments,
- discussion at the Sports Development Portfolio meeting
- 1,500 postcards delivered to local residents
- 1 drop in face to face session, held on 25 May 2021.

A summary of the feedback received during the public exhibition period is included as an attachment to this Council Report.

12. Communication Strategy

The final Alfred Road Reserve Master Plan will be made available on Council's external website (subject to adoption). Wyndham residents will be able to track the progress of the implementation of this Master Plan through the Capital Works Dashboard.

13. Innovation and Continuous Improvement

Not applicable

14. Collaboration

The key collaboration opportunities for this project relate to grant funding partnerships with State and/or Federal Government. An example of this is the pending Metropolitan Cricket Hub grant which is currently being considered by Sport & Recreation Victoria.

ALFRED ROAD RESERVE

Final Master Plan Summary Report

03 August 2021



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1 INTRODUCTION

1.1 INTRODUCTION

Alfred Road Reserve is a 21 ha land parcel southwest of the Werribee Principal Town Centre (PTC), identified by Wyndham City Council for development as an Active Open Space reserve. It is currently undeveloped land owned and managed by Wyndham City, with a history of agricultural use dating back at least 60 years.

1.2 SITE LOCATION

Alfred Road Reserve is situated approximately 4km southwest of the Werribee PTC, in the southern part of the City of Wyndham. It is located directly west of the developing residential areas guided by the Alfred Road Precinct Structure Plan (PSP), south of the Black Forest Road South Precinct PSP, southwest of the established Westleigh Gardens residential area, and west of the newly developed Riverwalk estate. Precinct Structure Plans are also being

developed for the areas south and west of the site, which are currently open farmland. There are main roads abutting the site on its northern (Galvin Road), western (Browns Road) and southern boundaries (Alfred Road), a local road along the south-eastern boundary (Josephine Street), and an orchard borders the north-eastern section of the site. The Melbourne–Geelong rail line also runs 70m north of the site, with an existing railway crossing to Galvin Road providing north-south access. There is a proposed new main road linking areas north and south of the rail line, with the potential to improve this north-south access to the site.

As a district level open space, the proposed Alfred Road Reserve has a catchment radius of 1km. Existing sporting reserves within the area include Wyndham Vale South and Wyndham Vale North Reserves 1.5km to the north, Chirside Park 2.5km to the north-east, President's Park 3.5km north-east, and a future sporting reserve within the Riverwalk

Estate.

Nearby Lollypop Creek runs north-south approximately 275m to the south-east of the site at its closest point.

1.3 PROJECT AIM & OBJECTIVES

The aim of this project is to prepare a Master Plan for the future development of Alfred Road Reserve for the period 2021–2031. The Master Plan will confirm the vision for the reserve by showing the provision of appropriate sport, recreation and open space infrastructure, and will guide the future use and development of the reserve.

The objectives of the Alfred Road Reserve Master Plan project are to:

- Align the vision and principles of the Master Plan with the principles and priorities of the Wyndham Sports Strategy 2017.
- Understand the current and future sporting, active and passive recreation needs of the whole community within the catchment of the reserve, and the infrastructure needs of the established cricket clubs and football club that will relocate to the new AOS reserve.
- Understand the interfaces of the reserve with the Melbourne - Geelong rail line, the establishing residential areas to the east and south, and current and future adjoining land uses to the west and north.
- Understand the requirements for flood mitigation/wetlands/stormwater detention, and integration with the local road network at the reserve, which will require discussions and approvals sought from relevant Authorities.
- Produce a strategic Master Plan that addresses the following key elements:
 - Sports and physical activity infrastructure identified in the Alfred Road AOS Reserve Service Plan in line with the Sports Strategy, and the targeted consultation process during the preparation of the Master Plan;
- Level of passive open space provided for in accordance with the Precinct Structure Plan Area 43 Alfred Road and the Wyndham Open Space Strategy 2045;
- Interfaces with the adjoining land uses;
- Integration with road/footpath network of the adjoining developing residential area
- Floodplain issues and provision of wetlands;
- Tree and shade coverage provision in accordance with Wyndham's City Forest and Habitat Strategy and Wyndham's Landscape Context Guidelines;
- Utilisation of water in the environment in accordance with Wyndham's Integrated Water Cycle Management Plan;
- Safety of reserve users and minimisation of 'undesirable' use of the reserve;
- Natural integration of the built and natural landscapes;
- Capital Development Guidelines – Sports Facilities and Open Spaces; and
- Partnering with government, agencies, authorities, peak sport bodies, and the community.
- Produce a strategic Master Plan that provides clear direction for the future of the reserve's infrastructure including buildings, sporting surfaces, specialised sporting infrastructure, parkland, path network, park road network, and play space within resource constraints.
- Provide cost estimates (based on rates and quantities determined by a Quantity Surveyor) for each component of the Master Plan.
- Present a recommended implementation schedule of works for staging the project in consultation with relevant Council officers.



Fig. 1 Site Context within Wyndham

1.4 BACKGROUND & PLANNING CONTEXT

The Alfred Road Reserve Master Plan was informed by a number of planning considerations.

The following planning reports and strategies are important references to inform the strategic development of Alfred Road Reserve.

- Wyndham 2040 Community Plan (2016)
- Wyndham Sports Strategy 2045 (2017)
- Wyndham Sports Facility Capital Development Guide (2020)
- Wyndham Cricket and Australian Rules Football Strategy (2012)
- Chirnside Park Master Plan (2020)

The following is a summary of the key information and directions for Alfred Road Reserve from the above reports.

Wyndham 2040 Community Plan (2021)

Wyndham 2040 was adopted in 2016 and updated in 2021 following a locally focused, strengths based, and community-driven process, and articulates a vision for what the community would like Wyndham to be in the future.

Four themes underpin 2040, and the following two themes support the development of the Alfred Road Reserve:

1. People and Community

Vision: The people of Wyndham will be connected to each other - Wyndham residents will have opportunities to stay fit and healthy

2. Places and Spaces

Vision: Our parks and open spaces will connect people with the outdoors and each other. They will be activated and inviting

destinations for residents and visitors.

Wyndham Sports Strategy 2017-2045

The Wyndham Sports Strategy 2045 provides a comprehensive, evidence-based approach to the delivery of sport and active recreation facilities, and a guide for facility development to 2022.

The vision for sport in Wyndham is

Wyndham City will establish an integrated and sustainable sports facility network across the municipality, which will benefit the physical, mental and social wellness of the whole community now and in 2045.

The vision is informed by the following four

Best Value
Provide a legacy of facilities that are accessible, equitable and responsive to the Wyndham community's wellbeing, environment and economy

Social Impact
Ensure sports infrastructure inclusively connects residents and facilitates the development of community capacity and social leadership

Maximise Participation
Enable Council to address the access needs of growth activities and diversity of sporting opportunities in our locally diverse and globally connected community

Sustainable Partnerships
Develop strong partnerships between Council, the community and industry regarding the capital development of facilities

principles:

Important to the planning of the reserve is the provision for specific sport and recreation activities and the required facilities as stated in the Wyndham Sports Strategy 2017:

Cricket - Recommendation 42: Consider the delivery of cricket facilities in accordance with Map 5. Alfred Road Reserve – double oval for cricket.

Soccer - Recommendation 52: Plan for the delivery of soccer facilities in accordance with Map 7. Alfred Road Reserve – triple pitch (2 x turf, 1 x synthetic).

Outdoor Active Courts – Forecast Supply: deliver multi use courts in accordance with Map 11. Alfred Road Reserve – Courts x 6 for netball. Recommendation 85: Light outdoor hard courts in Active Open Space to provide 50 hours of access per week.

Walking, Jogging and Cycling Network – Recommendation 61: Identify location/s in Wyndham for the development of a soft surface cycling / walking loop which recognises a regional running catchment akin to the Tan in South Yarra.

Wyndham Sports Facility Capital Development Guidelines 2020-2025

The Sports Facility Capital Development Guide outlines how Council will provide facilities to allow more people to participate more often in leisure and their local communities. The following three principles of capital development of Council's sports facilities are relevant to the Alfred Road Reserve Master Plan:

- Maximise the flexibility of facilities through inclusive design, which promotes active leisure by the whole community, including people of varying ages, interests, gender, identities, abilities and cultures
- Ensure facilities are fit for purpose, compliant, economically sustainable and

maximise principles of Environmentally Sustainable Design (ESD) to achieve a balance between functionality and sustainability.

- Providing the community with local access to places and spaces where they can achieve health and wellbeing aspirations through physical activity and social connectedness.

The Guide sets out the different levels of facility provision for active open space, and facility standards to be built by Council.

A three-level facility hierarchy has been developed for Wyndham:

1. Category A facilities are the highest-level facilities and serve sports which play at the highest tier under state representative competition
2. Category B facilities primarily attract Wyndham residents and offer accessible sport to the whole community
3. Category C facilities will provide for sports that require a lower level of infrastructure, level of competition, or are restricted due to site constraints.

Facility development standards for key sports are outlined in the Guide and it specifies the individual facility components for cricket, netball, soccer and Australian Rules football. The Alfred Road Reserve Master Plan has been prepared with consideration of the reserve being embellished as a Category B reserve, with some facilities (larger oval size, turf wicket tables, additional cricket nets) proposed above Category B provision to meet like-for-like club facilities at current reserves.

The specific detail for cricket facility infrastructure was sourced from the following reference:

- Cricket Australia Community Cricket Facility Guidelines

Wyndham Cricket and Australian Rules Football Strategy (2012)

The Wyndham Cricket and Australian Rules Football Strategy identifies the need to reinforce Chirside Park as the City's Premier year-round Australian Rules Football venue requiring the relocation of cricket. The strategy identified the need for the development of a suitable cricket facility in Wyndham, potentially at a greenfield site centrally located in the municipality, to which Werribee Cricket Club could relocate.

The catalyst for recommendations to relocate cricket from Chirside Park and reinforce the venue as the City's premier year-round Australian Rules Football venue. This recommendation was also reflected in Wyndham Sports Strategy (2017) and is therefore an accepted key direction influencing development of the Master Plan.

Chirside Park Master Plan (2020)

Chirside Park is the current home of the Werribee Football Club (VFL), and as described in the *Wyndham Cricket and Australian Rules Football Strategy* the limited space available at Chirside Park, and development of this park into Werribee's premier year-round Category-A AFL venue requires the relocation of the Werribee Cricket Club. To that end the Chirside Park Master Plan notes that:

Cricket is to be relocated off-site to 'Alfred Rd Reserve upon completion of the development'.

As part of the adoption of the Chirside Park Master Plan it was resolved by Wyndham City Council at the Ordinary Council Meeting of 5 May 2020 that:

'Council endorse the establishment of a new home base for Werribee Cricket Club and Werribee Junior Cricket Club at Alfred Road Reserve, Werribee and

their relocation from Chirside Park and Soldiers Reserve upon the delivery of the Alfred Road site'.

1.5 DUE DILIGENCE REPORTS

As part of the due diligence undertaken for the purchase of the property, four studies were completed:

1. Flood modelling assessment
2. Environmental site assessment (likelihood of land contamination)
3. Cultural Heritage - Predictive Model and Due Diligence Assessment Report
4. Biodiversity Constraints Analysis

Flood Modelling

In 2012 a Hydraulic Modelling Assessment was undertaken by *Alluvium Consulting Pty Ltd* for the site, to determine whether filling this section of the Lollypop Creek floodplain to form the proposed active open space development conforms to Melbourne Water standards. Their analysis determined that the proposed active open space area is currently located within the Lollypop Creek floodplain, and therefore falls under the Floodplains category. Modelling for 100 year ARI events assuming a fill platform covering the entire proposed site suggested potential small increase in flood levels elsewhere in the floodplain, but that there may be opportunities to retain some flood storage within the future recreational reserve through balancing cut and fill to retain flood storage on site, avoiding adversely affecting flood levels on upstream or downstream properties, with flood-sensitive facilities arranged to avoid areas subject to inundation.

Environmental Site Assessment

An Environmental Site Assessment was completed for the site by Sinclair Knight Merz Pty Ltd (SKM) in 2012. They concluded that:

- there are no significant site contamination or hydrogeological constraints which would render the land/soils unsuitable for a particular land use or development;
- localised contamination (if any) is likely to be able to be effectively remediated or managed; and
- further assessment may include the collection of further soil samples from locations related to previous stockyard and shed areas, as well as locations chosen for site coverage purposes

Cultural Heritage

A due diligence assessment and predictive sensitive mapping for the site was conducted by Archaeological & Heritage Management Solutions Pty Ltd (AHMS) in 2012 to understand levels of archaeological sensitivity, and provide advice regarding likely Aboriginal heritage constraints, opportunities, and legal requirements. They concluded that:

- there is one Registered Aboriginal Site within 50m of the activity area and one unregistered site located within the activity area;
- The subject land is generally compatible with the proposed development and future uses; and
- the proposed activity will require completion of a mandatory Cultural Heritage Management Plan (CHMP) prior to commencement.

Biodiversity Constraints Analysis

A Biodiversity Constraints Analysis was produced by AECOM Pty Ltd (AECOM) in 2012. Based on the outcomes of this report AECOM made the following recommendations.

- A CEMP (or equivalent) should be developed prior to site clearance and construction activities. This CEMP should include a detailed section focusing on

weed eradication and control;

- Weed control works should be undertaken in line with the Catchment and Land Protection Act (1994);
- Landscaping works for the site should it be developed should consider the use of indigenous vegetation species consistent with historically mapped EVC's; and
- there is a high potential for Growling Grass Frog Category 2 habitat to be present on site, and compensatory habitat offset payments would apply if the site was developed.



1.6 DEMOGRAPHIC ANALYSIS

1.6.1 Alfred Rd Reserve catchment

A review was carried out of the population characteristics of the Riverwalk area in the south west Werribee suburb, in which Alfred Road Reserve is located¹. The review identified the following relevant demographic characteristics, however, the preferred future use of the reserve for cricket by established clubs will extend a catchment area beyond the Riverwalk area.

1.6.2 Population and forecast

The immediate catchment area around the Alfred Road reserve is the Riverwalk-Werribee Junction area in the south west of Werribee, which is bounded by the Melbourne-Geelong railway line in the north, the Werribee River in the east, the Princes Freeway in the south, and a line generally running beyond Wests Road in the west.

The area is home to 6,475 residents in 2021 and is forecast to grow to 12,403 residents by 2041. This is a growth of 5,928 residents, or 91.55% between 2021-2041. The growth is consistent until 2034, which is when the area is largely fully developed.

1.6.3 Population and Age Structure

Between 2016 and 2026, the age structure forecasts for Riverwalk-Werribee Junction indicate a 422.4% increase in population under working age, a 321.1% increase in population of retirement age, and a 288.3% increase in population of working age.

In 2016, the dominant age structure for persons in Riverwalk-Werribee Junction was ages 50 to 54, which accounted for 9.0% of the total persons.

The largest increase in persons between 2016 and 2026 is forecast to be in ages 30 to 34, which is expected to increase by 840 and account for 10.5% of the total persons.

The largest 5 year age group in 2026 is 30 to 34 years, with a total of 969 persons.

1.6.4 Country of Birth

The Alfred Road Reserve catchment is a culturally diverse area with India, the United Kingdom, and New Zealand being the most prevalent countries of birth behind Australia. Of significance is the strong growth in the number of Indians between 2011 and 2016 (over 150 additional people) and this is likely to have increased significantly between 2016 and 2021.

1.6.5 Implications for Master Plan

The above demographics suggest that the anticipated doubling in local population over the next 20 years will largely be driven by those in the 0-19 year-old age group, and the 25-49 year-old age groups, suggesting an increase predominantly in young families moving into the Alfred Road Reserve catchment. This 'active age cohort' of 5-40 years is a strong driver influencing the demand for active open space facilities, and research indicates the rate of participation by people in organised physical activity and club based activities is highest for young people.

This supports the provision of sufficient active recreation opportunities for both juniors and seniors, as well as play opportunities for the broad range of younger age residents.

Not to be overlooked is the proportion of ageing residents expected in the area, with provision of appropriate active open space opportunities to be provided also, allowing healthy ageing-in-place.

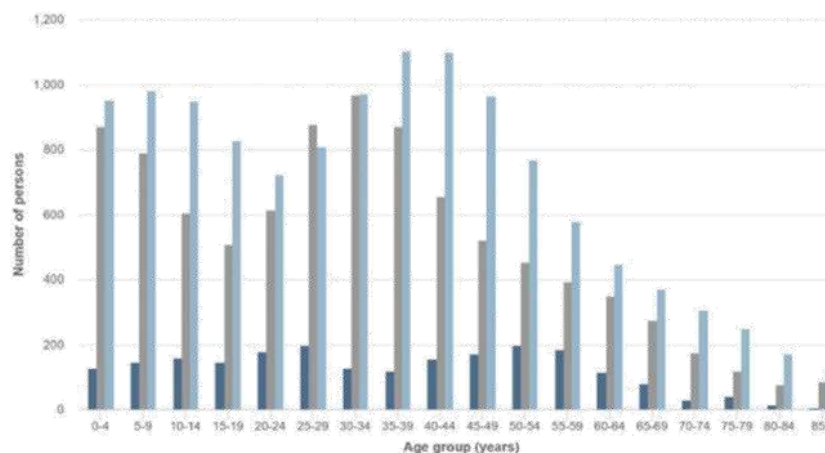
The cultural diversity of the local catchment is an asset to be supported - to that end, the provision of flexible spaces and facilities that can be adapted to a variety of needs is important to design in to the reserve at the Master Plan stage.

¹ Source: Community Profile, id consulting, 2020

Forecast age structure - 5 year age groups

Riverwalk - Werribee Junction - Total persons

2016 2026 2041



Population and household forecasts, 2016 to 2041, prepared by .id the population experts, November 2019.

Fig. 2 Age structure forecast for Riverwalk - Werribee Junction area 2016-2041

2 PRINCIPLES



2.1 PRINCIPLES

The following principles were developed to guide the planning and development of the Alfred Road Reserve Master Plan:

PLACE FOR THE COMMUNITY

- Establish facilities that have broad community use
- Locate buildings within key sight-lines to provide visual presence
- Connect with local neighbourhoods:
 - physical connection to existing and new neighbourhoods (east of the reserve)
 - physical connection to future new neighbourhoods (south and west of the reserve)
- Design utilising CPTED (Crime Prevention through Environmental Design) principles

HIGH QUALITY LANDSCAPE SETTING

- Set facilities within a high quality and integrated landscape setting
- Use appropriate planting and vegetation that complement the site's surroundings, ecological context, and history
- Establish a landscape perimeter with large canopy trees
- Use mounding to mitigate the visual impacts of the perimeter roads

CONNECTIONS

- Create a permeable site with strong pedestrian and maintenance vehicle connectivity
- Promote walkability through the site and to surrounding neighbourhoods through an integrated network of shared trails
- Carefully consider the connections to the road network to minimise disruption to surrounding neighbourhoods and best utilise valuable public space and funds
- Consider the broader context of the rail crossing closure and connections to proposed new Ison Road Bridge
- Consider future eastward connection (shared trail) on the northern boundary (to established residential area of Westleigh Road)

SERVICES AND DRAINAGE

- Locate sports fields, buildings and other infrastructure considering existing, planned or potential:
- Allow for services / connection points – power, water, drainage, sewer etc

INTEGRATE SUSTAINABILITY

- Provide site stormwater detention, cleansing and reuse
- Integrate indigenous planting throughout the site to enhance its habitat value
- Utilise green infrastructure
- Integrate solar energy into pavilion designs
- Utilise low energy fittings for site and building lighting
- Encourage passive design for buildings to minimise energy consumption

FLEXIBLE USE FACILITIES AND OPEN SPACE AREAS

- Establish high quality facilities that cater for both the active sporting clubs and informal community use
- Design to allow for adaptive uses and events to maximise public use and achieve value for money

INFRASTRUCTURE QUALITY AND PROVISION

- Provide the right quality and quantity of sport, recreation and physical as well as social community infrastructure (Wyndham's Sports Facility Capital Development Guide is key in the provision of facilities).
- Sport and recreation facilities shall encourage participation, and provide flexible shared use opportunities to meet evolving community needs.
- Optimise orientation and location of facilities
- Comply with all relevant Standards (Aust. Standards, Sport specific etc.)
- Facilities shall demonstrate a Universal Design approach.

3 STRATEGIC CONTEXT



3.1 PLANNING OVERLAYS

The site is zoned Farming Zone (FZ), but will in the near future be rezoned to PPRZ - Public Park and Recreation Zone. It is identified in the Wyndham Open Space Strategy as future District Active Open Space. It is covered by an Environmental Significance Overlay – Schedule 1 (ESO1).

3.2 ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 01

Clause 42.01 Environmental Significance Overlay - Schedule 1 applies to this site, under which the site is identified as having important waterway corridors. The objectives of the Overlay have been met. While there will be some impact to native vegetation, it will be limited to only a small area of low-quality native vegetation and hence unlikely to cause changes to existing ecological function. Habitat surveys for GSM are recommended to meet the requirements under the EPBC Act.

Under Clause 52.17 a permit is required to remove, destroy or lop native vegetation on sites greater than 0.4 hectares. Clause 52.17 requires a planning permit for the removal of native vegetation (exemptions apply).

3.3 GROWTH AREA INFRASTRUCTURE CONTRIBUTION AND HABITAT OBLIGATIONS

This land is in an area added to the Urban Growth Boundary after 2005 however it is not subject to the Growth Area Infrastructure Contribution or any Habitat Compensation Obligations as part of the Melbourne Strategic Assessment. Potential referral requirements under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) therefore apply, as does the Guidelines for the removal, destruction or lopping of native vegetation 2017. The site is also within a Bushfire Prone Area.

3.4 DEVELOPMENT CONTEXT

This Master Plan has been developed so as not to preclude neighbouring property development, and in the interests of future proofing has taken into account a number of potential future developments in the area.



Fig. 3 Planning Overlays context plan

3.5 STRATEGIC DOCUMENTS & RELEVANT GUIDELINES



Wyndham Open Space Strategy 2045

- Alfred Road Reserve classified as a district park, providing active sport and / or passive activities, serving neighbourhoods within a 1km radius
- District parks protect sites of natural and heritage value and provide for landscape diversity and amenity
- Provides a set of guiding principles which have provided a framework for the Master Plan's development (Accessible and equitable; Health and Wellbeing; Efficient; Nature and Heritage; Sustainable and Adaptable; Partnerships).



WCC - Landscape Development Levels of Service

Sets out elements that may be considered for a District level active open space, including those for

- Recreation
- Furniture & Structures
- Signage
- Vegetation & Tree Cover
- Playgrounds
- Wetland Systems

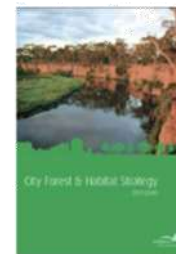


Active Wyndham Strategy

Four themes that guide future actions to achieve Strategy's vision, goals and targets:

- Active Places
- Lifelong participation
- Inactive to Active
- Strategic Planning & Evaluation

The development of the Alfred Road Master Plan is a key action in the Active Wyndham Action Plan



Wyndham City Forest and Habitat Strategy

Of direct relevance to the Alfred Road Reserve Master Plan are the 'Targets for 'Parks and Reserves'', including:

- 5.3a. Canopy cover 2040 target - 35% potential canopy cover in Council's open space
- 5.3b. 80% of suitable parks and reserve sites contain bush style plantings.

Two of the 'Focus Areas' in Parks and Reserves are also directly applicable:

- Increasing shade along footpaths
- Nature Connection: Increasing opportunities for residents to interact with nature



Wyndham City Council Play Space Strategy 2030

- The Play Space Strategy provides strategic direction for purpose-designed play spaces and the programming of capital works to 2029.
- It notes that whilst active open space is open space that is intentionally set aside for sport, it may contain Playgrounds.
- The vision for play spaces in Wyndham is

Wyndham will provide a good distribution of diverse play opportunities that welcome and include people of all ages, genders, cultures, and abilities; enhance child development and independent mobility; create a connection with community and nature; and are sustainable for Council to manage.



Wyndham Active Transport Strategy 2020

Action items of most relevance to the Alfred Road Reserve Master Plan are:

- Action 1.5 - Safety and Accessibility. Support and advocate for a safer and accessible pedestrian and cycle network.
- Action 2.2 - Council Projects. Ensure that Council projects incorporate improvements to pedestrian and cycle infrastructure.

4 STAKEHOLDER CONSULTATION



4.1 INTRODUCTION

A combination of meetings and interviews were carried out with stakeholders during the study. Some of the consultation was undertaken during the research phase of the study, whilst other meetings and interviews were designed to receive feedback on preliminary concept plans. The groups consulted are as follows.

Local Sports Clubs

- Werribee Cricket Club
- Werribee Juniors Cricket Club
- Werribee Masters Football Club

State Sports Associations

- Cricket Victoria
- Netball Victoria

Other Stakeholders

- Council staff

This section reports the key findings from the stakeholder engagement.

4.2 COUNCIL STAFF

There have been a series of discussions throughout the master planning process with relevant council staff - they key points raised through these sessions have included:

- Reserve needs to accommodate cricket, netball, soccer, and Australian Rules football
- Reserve needs to 'invite' and encourage community recreation use, it should not duplicate opportunities that already exist within the neighbourhood, i.e. there is good provision for local and district level play spaces in the Riverwalk area
- Plan for pedestrian access from all directions, and cyclists' movement in and surrounding the reserve
- Potential for recycled water for irrigation (possible connection to third-pipe)
- Potential for a wetland and environment zone
- Balance of environmental and active open space broadly supported
- Mitigation of potential flooding of the reserve is highly important
- Support the use of synthetic grass in areas of high sports use e.g. soccer
- Support the provision of a jogging/walking circuit path and opportunities for fitness exercise
- Pavilion design should be visually appealing and suitable for a range of different users.

4.3 LOCAL SPORTS CLUBS

The cricket clubs consulted are based at Chirnside Park and Soldiers Reserve, they are well established clubs with 6 senior and 24 junior teams.

- Clubs understand and accept that the reserve has been designated as their future home venue, and it will enable them to operate as a more unified entity
- Clubs understand the opportunity for their growth by establishing a new home base located in a growing residential area that is within the Werribee-Riverwalk-Werribee Junction catchment
- Clubs support the potential development of an Indoor Cricket Facility at the reserve (funded by others)
- Clubs support the use of the reserve for netball

The football club consulted is based temporarily at Wyndham Vale North Reserve, they are a well established club catering for Over 35's footballers. The club has two (2) mens teams and one (1) womens team.

- Club understands the opportunity to secure a long-term future by establishing a new home base located in a growing residential area that is within the Werribee-Riverwalk-Werribee Junction catchment
- Club understands that it would have to share facilities with other tenants

4.4 STATE SPORTS ASSOCIATIONS

Cricket Victoria

- Strong support for the use of the reserve for cricket
- Minimum facility requirements to support two existing cricket clubs, and potentially a higher level of cricket competition use was confirmed
- Support for an Indoor Training Facility to assist in the improvement of regional pathway programs and to cater for local and regional cricket demand
- Support for multi-sport reserve and shared use of facilities
- Summer and winter periods are becoming seasons for social cricket.

Netball Victoria

- Strong support for the use of the reserve for netball
- Strong support for 8 courts and floodlighting to optimise use of the facility
- Support the potential use of the reserve as a venue for multiple users - for an existing netball association's use, football/netball league use, and schools use.
- Support the activation of the courts through local school netball programs, and diversity programs tailored for the residents in the reserve's catchment.

5 SITE INVESTIGATIONS



5.1 INTRODUCTION

Site analysis of the surrounding context for the proposed Alfred Road Reserve investigated the following:

- Vehicle and Public Transport Access
- Cycling and Pedestrian Linkages
- Flooding and Drainage
- Biodiversity
- Cultural Heritage
- Geotechnical classification

5.2 VEHICLE & PUBLIC TRANSPORT ACCESS

Primary access to the Alfred Road Precinct is via the Princes Highway, an existing state arterial which runs along the eastern boundary of the precinct, connecting the site to Werribee. Galvin Road provides access across the Melbourne-Geelong Railway line to Bulban Road, an existing Council arterial that provides access to the western parts of the municipality. The Princes Freeway, located to the south of the precinct, links into the metropolitan freeway network and provides onward connection to both Melbourne and Geelong.

The Principal Public Transport Network for the Precinct includes metro rail services from the nearby Werribee Station and V-Line services through the future Regional Rail Link station identified at Black Forest Road.

Proposed improvement to the access to the Alfred Road Reserve include:

- proposed development of a future main road (Ison Road) to the south west of the proposed Reserve, and a bridge over the rail line, that will provide a link through to the proposed development of Ison Road to the north. Ison Road will provide the north-south link from the Princes Highway to Bulban Road and the developing residential estates (Harpley) to the north.
- preliminary discussions about the future upgrade of Alfred Road along the southern boundary of the site

It is expected that improvements to the public transport accessibility of the proposed Alfred Road Reserve will occur over the next decade with increased surrounding residential development.

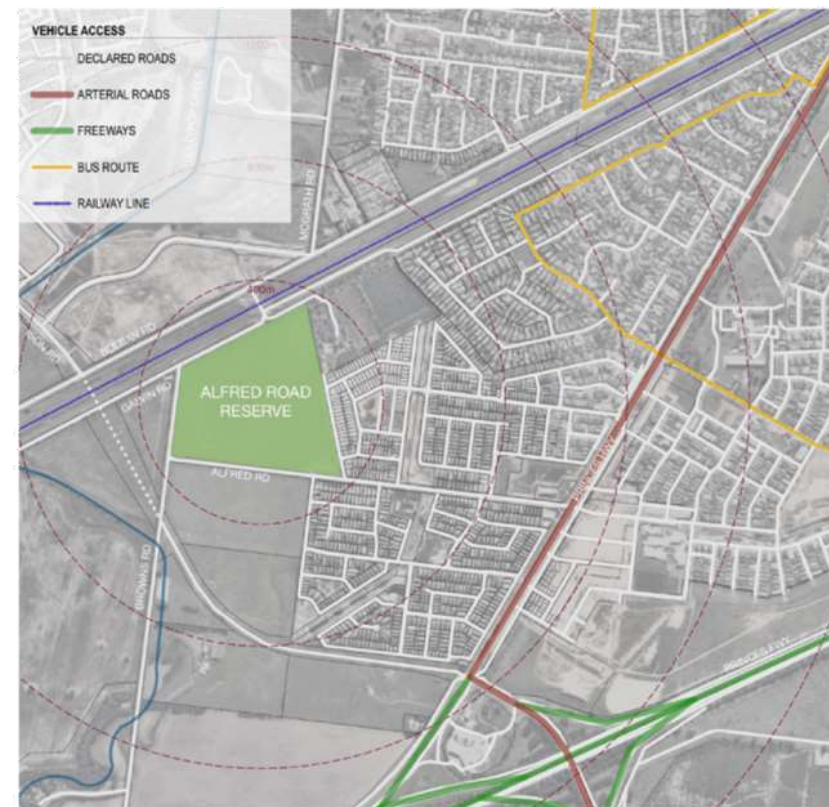


Fig. 4 Vehicle & Public Transport Access Analysis Plan

5.3 CYCLING AND PEDESTRIAN LINKAGES

A dedicated cycle path runs along Alfred Road, connecting to a shared user path adjacent the Princes Highway in the east which connects the site to Werribee Town Centre, as well as to shared user paths connecting into the developing Riverwalk estate in the east. North of the railway line a shared user path runs parallel to the railway line, and another runs north-south along McGrath Rd connecting to Wyndham Vale. It is expected that residential development will continue adjacent the site further increasing

the pedestrian catchment area for the reserve.

The preliminary discussions regarding the Ison Road development south west of the site, connecting over the railway line to the north have included discussions of shared user paths that would strengthen the north-south pedestrian and cycling links to the site. There are also preliminary discussions regarding the future development of a shared path along the unmade section of Galvin Road from Anne Street to the rail crossing/ Alfred Road Reserve.

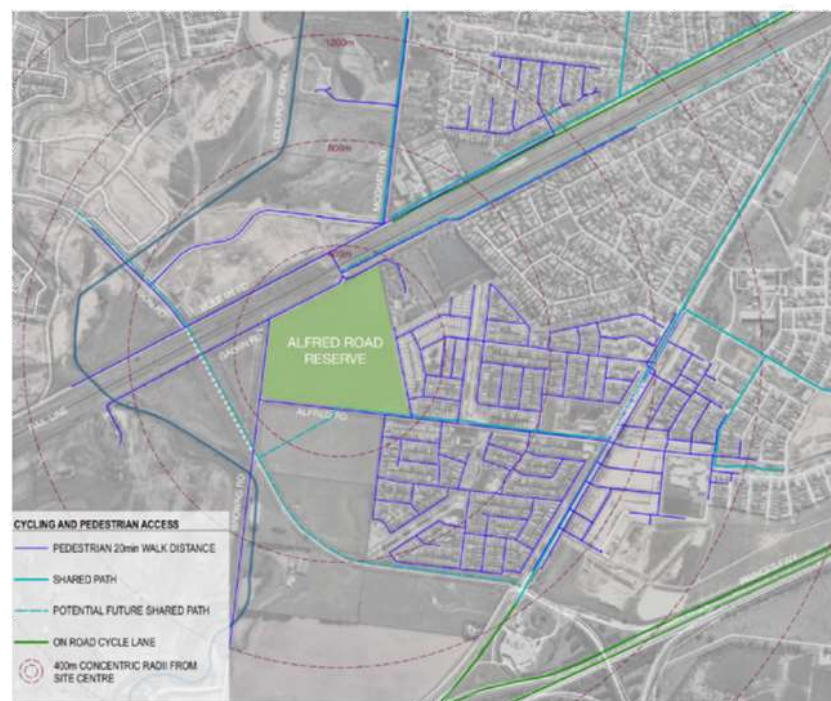


Fig. 5 Cycling and Pedestrian Linkages Plan

5.4 FLOODING & DRAINAGE

Engeny Water Management were engaged to complete hydrological and stormwater quality modelling for the site. Operating under the assumption that the area north of the railway line would be developed and made free of flooding, as well as full development of the Lollypop Creek and Alfred Road Drainage Schemes, they determined that

- the Alfred Road Reserve site is only subject to flooding in its southwest corner under 1% AEP conditions (refer Figure 6);
- a retarding basin located in the south west of the site, utilising existing culverts under Alfred Road, would attenuate flows back to predeveloped conditions 1% AEP flow prior to discharge; and
- a co-located wetland could treat the reserve's runoff to best practice targets.

5.5 BIODIVERSITY

Practical Ecology Pty Ltd were commissioned in 2020 to prepare a Preliminary Flora and Fauna and Native Vegetation Impact Assessment for the site. They determined that:

- the pre-1750 Ecological Vegetation Class was likely to be Plains Grassy Woodland;
- the majority of the existing site contained herbaceous weeds and introduced grasses;
- the only native vegetation occurs in one Habitat Zone along the northern boundary. Offsetting this if removed would require purchase of 0.054 General Habitat Units;
- there was a 'low' likelihood of any state or nationally significant fauna species occurring on site, with the exception of the Golden Sun Moth (GSM); and
- a habitat assessment was recommended to determine the likelihood of GSM occurring on site.



5.6 GEOTECHNICAL

In 2020 Geoquitar's Environmental was engaged to undertake a Classification of Wastes Report for Off-Site Disposal or Re-use for the site. A preliminary investigation of a targeted 12 test locations demonstrated concentration less than the adopted criteria for all the samples tested, and soil was classified as FILL material for off-site disposal or re-use on site. No sheathing or asbestos material was detected.

5.7 CULTURAL HERITAGE

Ochre Imprints was engaged in 2020 to provide advice on the implications of the findings from the 2012 AHMS cultural heritage due diligence report for the development of the Alfred Road Reserve Master Plan. They concluded that the assessment demonstrates that the area has Aboriginal Archaeological sensitivity through the presence of recorded Aboriginal cultural heritage within the study area and Aboriginal cultural heritage within 50m of the study area, and agreed with the assessment that a CHMP would be triggered by the proposed construction of sports and recreation facilities on site, and an approved CHMP would be required prior to construction, issuance of planning permits, licences, and work authorities.

They further noted:

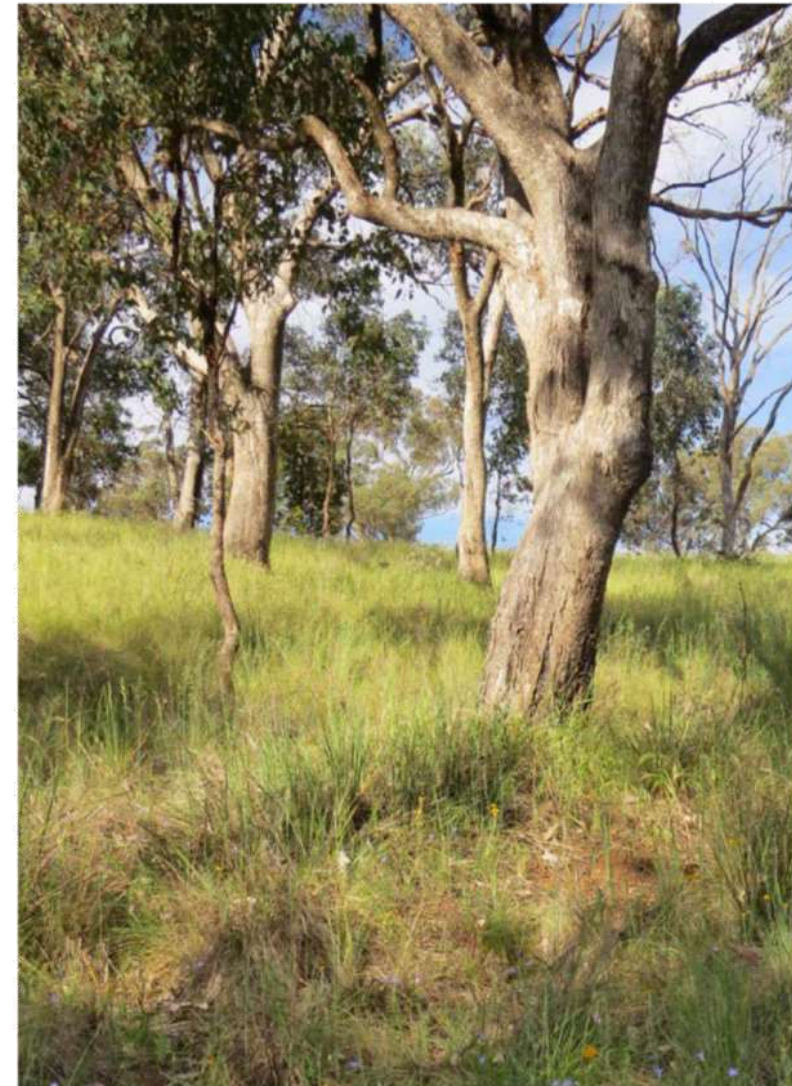
"It is not a useful aspiration to develop the Masterplan in a way that attempts to avoid Aboriginal cultural heritage.... It will likely not be possible to avoid impact to surface Aboriginal cultural heritage during such a large scale development....The CHMP will most probably involve a complex assessment that includes subsurface testing across the property. The management conditions that will be produced, based on WAC's requirements, will dictate where disturbance of Aboriginal cultural

heritage can occur and under what conditions. If the activity is unable to avoid harm, WAC may agree to that harm occurring but with additional requirements such as a surface artefact collection and/or a salvage excavation."

They lastly advise that the preparation of the CHMP should occur once the Master Plan has been developed:

"so that it can assess the areas of most impact and to ensure that the proposed activity is accurately described in the CHMP to avoid risk of not complying with the CHMP requirements should changes to the activity be required."

Refer to Figure 6 Opportunities and Constraints Plan for locations of the AAV registered and unregistered sites noted above and their 50m buffers.



5.8 OPPORTUNITIES AND CONSTRAINTS

The following plan summarises the opportunities and constraints for development of the site which have arisen from these site investigations, and assisted the layout of the Master Plan.

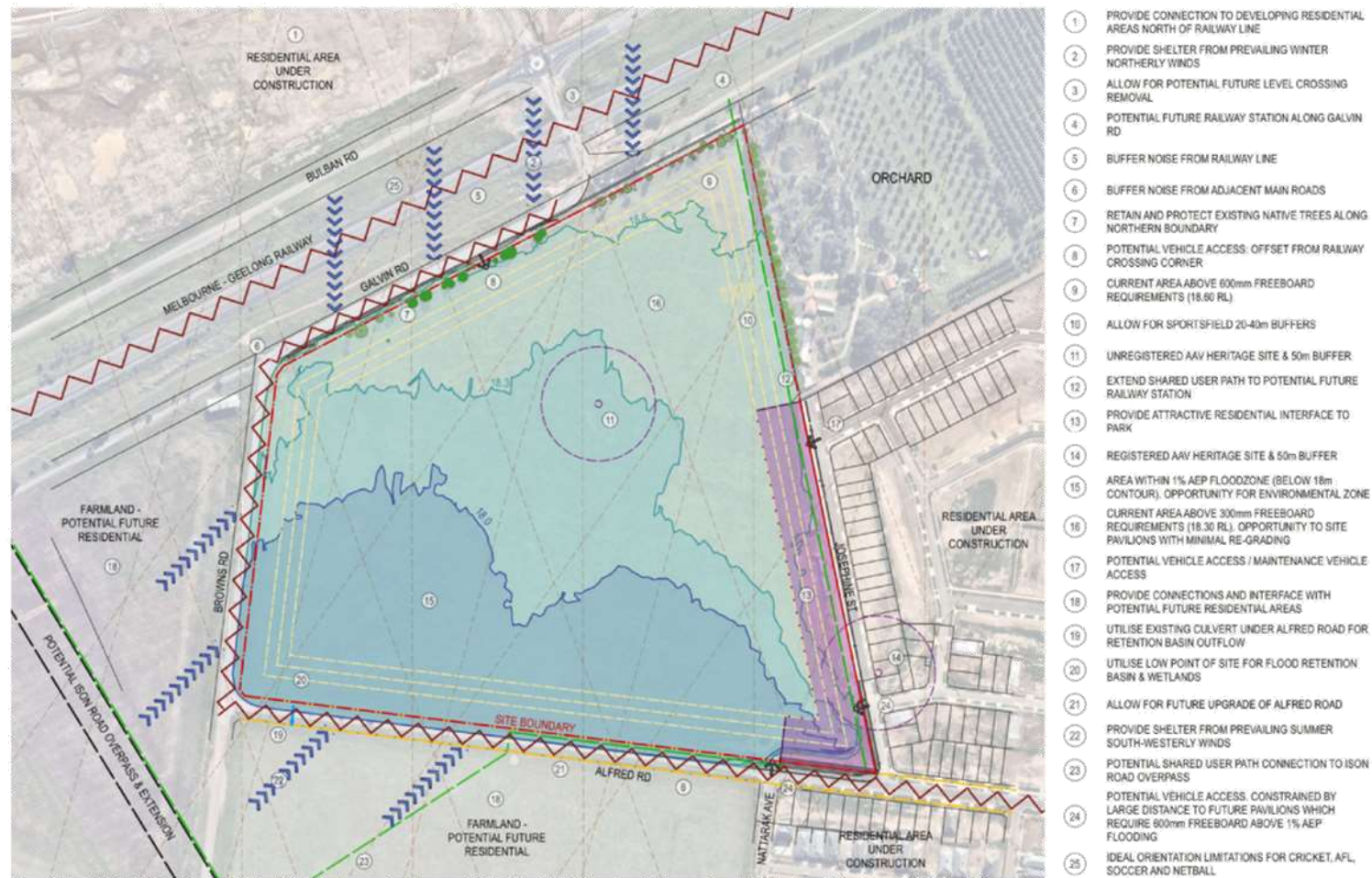


Fig. 6 Opportunities and Constraints Plan

6 PUBLIC CONSULTATION



6.1 INTRODUCTION

The Draft Alfred Road Reserve Master Plan was placed on Public Exhibition from 28 April 2021 to 28 May 2021.

The purpose of the engagement was to:

- Seek feedback from the community about the Draft Master Plan;
- Determine the community's support for the proposed layout and facilities in the Draft Master Plan;
- Determine the community's interest in possible features within the Community Recreation Area and Wetlands / Environment Zone; and
- Gain feedback to inform the final layout of the reserve prior to council endorsement.

6.2 METHODOLOGY

The public exhibition included several different stakeholder and community engagement processes, including:

- Project page on The Loop and Social Pinpoint (5,050 views from 4,031 people, 74 comments made via social pinpoint)
- Online surveys on The Loop (24 Quick Surveys and 33 Detailed Surveys completed)
- Social Media Posts (Organic and targeted advertisement posts)
- Letterbox Drop (1,500 postcards delivered to residential properties in the reserve's catchment)
- Direct Contact from residents (5 people contacted council officers directly)
- Direct Contact with key stakeholders – local sports clubs / State Sport Association (6 stakeholders were offered the opportunity to submit, with 4 submissions received)
- Indirect contact through organised

networks:

- Riverwalk Primary School Community;
- Development Victoria - Residential Communities - Riverwalk Facebook;
- Wyndham City Youth Services Network

6.3 SUMMARY OF FEEDBACK

Of the responses received from Surveys, Social Pin Map, direct contact from residents, and the submissions received from key stakeholders, the overriding feedback was supportive of the directions contained in the Draft Master Plan. Of these responses, 74% expressed support for the proposed directions, 16% were not supportive, and 10% were neutral.

Of the feedback that was not supportive of the proposed Master Plan directions, contributions cited other requests rather than the Alfred Road project itself (including spending funds on improving existing roads, extending the road network, building the Ison Road Bridge, developing a transport hub/bus terminal, developing a secondary school, and proposing that the land is in an unsuitable location).

6.4 QUICK SURVEYS AND SOCIAL PIN MAP

The most supported proposed facilities from the Quick Survey and Social Pin Map were:

- Outdoor Activity / Recreation Area (13 times selected)
- Netball Courts (12 times selected)
- 1.5km Circuit Path (11 times selected)
- Cricket / Australian Rules Oval (11 times selected)
- Overall use of space (11 times selected)

The Quick Survey Results also show support for Cricket Practice nets (10 times selected), Landscaping and trees (10 times selected) and Cricket Oval with turf wicket (9

times selected).

The facilities most suggested to be added or altered to the Master Plan are outlined below, along with considerations from the Project Control Group:

- **Tennis Courts (21 times mentioned).** Consideration of provision for tennis courts was given, but there is insufficient space on the site without detrimentally affecting other sports. Planning is ongoing for provision of tennis courts nearby, with tennis facilities to be considered in Riverwalk Reserve and in Wyndham Vale as part of future development.
- **Basketball Courts (11 times mentioned).** A public access basketball court will be included in the multi-use hardcourt area in the Master Plan, and a basketball full court exists in Riverwalk. Further development

of the local area may provide opportunities for basketball half courts in local parks.

- **Dog Park (6 times mentioned).** Strategic planning for new dog off lead areas across the municipality is ongoing, with several sites in Riverwalk-Werribee Junction being considered.
- **Additional car parking (6 times mentioned).** Overflow car parking space (60-80 spaces) in the eastern side of the reserve, and additional off-street parking on Josephine Street, is included in the Final Master Plan.
- **Additional shelter / seating (5 times mentioned).** Opportunities to incorporate more shelter and seating will be explored during the detail design stage of the Master Plan Implementation.



6.5 DETAILED SURVEY

The Detailed Surveys completed on The Loop (33 no. completed) provided feedback on respondent preferences for possible features to be included in the Wetland / Environmental Zone, and the Community Recreation Area. Features surveyed for the Environmental Zone were:

- Boardwalks;
- Interpretive Signage;
- Grasslands;
- Viewing Decks;
- Bird Blind;
- Bioretention Basin / Wetlands;

Features surveyed for the Community Recreation Zone were:

- Playground;
- Challenging Play elements;
- Bouldering/ Climbing equipment;
- Multi-use Hardcourt;
- Pump Track;
- Shelters;

The preferences and suggestions from these detailed surveys are included in the Background Research Report, and will inform the development of these zones during the detailed design phase of the Master Plan implementation.

6.6 KEY STAKEHOLDERS

Submissions were received from the following key stakeholders:

Werribee Cricket Club and Werribee Junior Cricket Club requested numerous items to be considered for inclusion in the Final Master Plan. The main items were one (1) or two (2) additional junior size ovals with synthetic surface hard wickets; an additional curator's storeroom or shed; and a white picket boundary fence around Oval 1.

Cricket Victoria (CV) supported the Draft Master Plan and suggested allowing for the future expansion of facilities by identifying a space for an additional junior playing field and for overflow car parking spaces.

Football Victoria (FV Soccer) supported the Draft Master Plan and suggested exploring opportunities for spectator seating undercover near the synthetic soccer pitch, car parking spaces on the eastern side of the reserve, and high boundary fencing behind the soccer goals to ensure safety.

Werribee Masters Football Club (WMFC) provided feedback on the future management and aspects of shared use of the pavilion, that will be addressed during the detail design and activation planning stages of the Master Plan Implementation. WMFC suggested that there should be additional car parking spaces in the reserve.

Netball Victoria have previously provided feedback with strong support for the provision of Netball facilities at this reserve.

In response to the above key stakeholder feedback, the Final Master Plan has included:

- one (1) **additional junior size oval** (40 metre boundary) with a synthetic surface hard wicket, and without a boundary fence
- **overflow car parking spaces** have been provided on the eastern side of the reserve, and **additional off-street parking** included along Josephine Street

In addition, the following opportunities will be explored during the detail design stage of the Master Plan implementation:

- possible addition of a **separate storeroom** for the curator's machinery, equipment and materials in the Main Pavilion; and
- provision of **behind goal barrier fencing** for the soccer pitches.







FINAL MASTER PLAN

0 20 40 60 80 100 m



- 1 OVAL 01. 175 x 165m CRICKET OVAL WITH 7 PITCH TURF TABLE SCOREBOARD (FUNDING BY OTHERS) ON SOUTH-EASTERN SIDE OF OVAL OPPOSITE PAVILION. PROVISION FOR SIGHT SCREENS & BEHIND WICKET CAMERAS (FUNDING BY OTHERS)
- 2 OVAL 02. 165 x 135m AFL & CRICKET OVAL WITH 6 PITCH TURF TABLE SCOREBOARD (FUNDING BY OTHERS) ON WESTERN WING OF OVAL. PROVISION FOR SIGHT SCREENS (FUNDING BY OTHERS)
- 3 PAVILION 01 - CRICKET, NETBALL & AFL FLEXIBLE USE PAVILION, INCLUDING COMMUNITY SOCIAL SPACE. TO BE SET ELEVATED APPROX. 500mm ABOVE OVALS
- 4 CRICKET TRAINING NETS - 10 PITCH TURF TABLE AND 8 SYNTHETIC PITCHES
- 5 PAVILION 02 (SOCCER) & INDOOR CRICKET / TRAINING FLEXIBLE USE FACILITY (FUNDING BY OTHERS)
- 6 TWO TURF SOCCER PITCHES (105 x 60m) WITH SYNTHETIC WICKET CRICKET OVAL OVERLAIN (130x120m)
- 7 SYNTHETIC SOCCER PITCH (105x68m)
- 8 6 NETBALL COURTS. WITH PROVISION FOR 8. FLOODLIGHTING TO COMPETITION STANDARD. 2 no. PLAYER SHELTERS PER COURT
- 9 OVAL 04. 40m BOUNDARY JUNIOR SIZE OVAL WITH SYNTHETIC WICKET
- 10 CARPARK WITH 178 SPACES (INCLUDING ACCESSIBLE PARKING BAYS)
- 11 SHARED PATH ACCESS TO RESERVE / SECONDARY MAINTENANCE ACCESS AS REQUIRED
- 12 COMMUNITY / RECREATION AREA WITH PICNIC / SHELTER AREA, DISTRICT PLAYSPACE, IRRIGATED KICKABOUT LAWN, MULTI-USE HARDCOURT ACTIVE AREA AND EXERCISE STATION
- 13 ENTRY-LEVEL GRAVEL PUMP TRACK
- 14 ENVIRONMENTAL ZONE BELOW 1:100 YEAR FLOOD LEVEL (18m CONTOUR), OPEN INDIGENOUS GRASSES AND GROUPED TREE PLANTING TO ENHANCE THE SITE'S HABITAT VALUE
- 15 RETARDING BASIN WITH WETLANDS FOR FLOOD WATER ATTENUATION AND TREATMENT
- 16 CUTOFF SWALES TO COLLECT RUNOFF FROM OVALS, PITCHES AND CARPARK AND DIRECT TO WETLANDS
- 17 EXTENSION OF EXISTING CYCLE AND PEDESTRIAN PATHS TO FUTURE CROSSING OVER ALFRED RD
- 18 PATH CONNECTIONS TO FUTURE CROSSING OVER BROWNS ROAD FOR FUTURE RESIDENTIAL DEVELOPMENT
- 19 MOUNDING UTILISING SITE-WON FILL TO PROVIDE ELEVATED VIEWING AND WIND AND NOISE MITIGATION
- 20 EXISTING NATIVE VEGETATION ALONG NORTHERN BOUNDARY RETAINED AND PROTECTED
- 21 1.5km LONG, 3m WIDTH GRAVEL RUNNING TRACK AROUND PARK, EXERCISE STATIONS AND DRINKING FOUNTAINS AT INTERVALS
- 22 ROAD RESERVE SHOWN HATCHED ALONG EASTERN BOUNDARY FOR POTENTIAL JOSEPHINE STREET WIDENING & FUTURE LAND DEVELOPMENT.
- 23 7.5m WIDTH VEHICLE ENTRY, OFFSET FROM CORNER TO RAILWAY CROSSING
- 24 REINFORCED GROUND SURFACE FOR ROLLER ACCESS BETWEEN OVAL 01 & 02
- 25 RETAIN AND PROTECT EXISTING ORCHARD HEDGEROW / WINDBREAK TREES
- 26 ALLOWANCE FOR 60 OVERFLOW PARKING SPACES AT DESIGNATED AREAS WITHIN THE RESERVE

NOTE: A MORE DETAILED ASSESSMENT OF LEVELS SHOWN AND THE FLOOD STORAGE PROVIDED WITHIN THE DETENTION AREA AND ENVIRONMENTAL ZONE WILL BE REQUIRED AS PART OF LATER DESIGN PHASES. HYDRAULIC FLOOD MODELLING IN LINE WITH MELBOURNE WATER'S REQUIREMENTS MAY ALSO BE NEEDED TO ENSURE THE PROPOSED CUT AND FILL WORKS DO NOT RESULT IN INCREASES TO EXISTING FLOOD LEVELS, OR ADVERSE IMPACTS TO ADJACENT PROPERTIES.



- (A) PAVILION ELEVATED APPROXIMATELY 500-600mm ABOVE OVALS 01 & 02 TO PROVIDE ELEVATED VIEWING. COVERED OUTDOOR SPECTATOR VIEWING TO OVALS.
- (B) SMALL JUNIOR PLAY FACILITY ADJACENT PAVILION
- (C) SHELTER & SEATING AREA ADJACENT NETBALL COURTS
- (D) BIN STORE & PICKUP LOCATION ADJACENT VEHICLE TURNAROUND
- (E) NETS TO HAVE PROVISION FOR POWER CONDUIT TO BOLLARD AT ENTRY AND CONDUIT PROVISION FOR FUTURE 350 LUX FLOODLIGHTING (FUNDING BY OTHERS)
- (F) 22-SEAT BUS PARKING
- (G) CURATOR'S SHED AND STORAGE COMPOUND
- (H) ASPHALT SEALED CARPARK WITH 178 SPACES (INCLUDING ACCESSIBLE PARKING BAYS), SECURITY LIGHTING, AND PROVISION FOR CONDUITS TO SUPPORT FUTURE ELECTRICAL CAR CHARGE POINTS
- (I) CONCRETE PATHS ADJACENT CARPARK WITH WSUD SWALE BETWEEN PARKING LANES & SHADE TREE PLANTING. SWALES CONNECT VIA PIPE TO WETLANDS
- (J) LANDSCAPE TREATMENT TO VEHICLE ENTRY AT GALVIN ROAD
- (K) HIGH AMENITY LANDSCAPE ZONE SOUTH OF PAVILION WITH SPECTATOR VIEWING TO OVALS 01 & 02. BBQ AND FLAGPOLES (FUNDING BY OTHERS)



DETAIL AREA 01

0 20 40 60 m





- (L) PROTECTIVE FENCING TO ROAD SIDE OF SYNTHETIC SOCCER PITCH AND BETWEEN SYNTHETIC AND TURF PITCHES
- (M) SPACE BETWEEN SYNTHETIC AND TURF SOCCER PITCHES FOR POSSIBLE FUTURE ACCESS ROAD FROM JOSEPHINE STREET. GRAVEL PATH / MAINTENANCE ACCESS TRACK CONNECTS TO PAVILION 02 FORECOURT
- (N) ACCESSIBLE PARKING BAYS AND MAINTENANCE VEHICLE ACCESS & TURNAROUND TO PAVILION 02 / INDOOR CRICKET FACILITY
- (O) FEATURE LANDSCAPE ZONE WITH INDIGENOUS PLANTING AROUND UNREGISTERED AAV SITE.
- (P) LIGHTING TO TRAINING STANDARD TO ALL SOCCER PITCHES (100 LUX)
- (Q) RAINWATER COLLECTION TANKS AS REQUIRED (3x100,000L TANKS)



DETAIL AREA 02

0 20 40 60 m





- (R) ACTIVE OPEN SPACE AREA, INCLUDING MULTICOURT HARDCOURT (INCLUSIVE OF CANE BALL LINEMARKING WITH SLEEVES FOR NETTING), INTERGENERATIONAL FITNESS EQUIPMENT, BEGINNERS BOULDERING EQUIPMENT.
- (S) IRRIGATED LAWN KICKABOUT AREA.
- (T) PICNIC AREA WITH 2 no. SHELTERS (20sqm EACH), BBQs, TABLES, BINS AND SEATING.
- (U) DISTRICT LEVEL PLAYSPACE WITH OPPORTUNITIES FOR 3-14 YEAR OLDS, INCLUDING INTEGRATED NATURE PLAY & INTERGENERATIONAL PLAY
- (V) BEGINNERS LEVEL GRAVEL BICYCLE PUMP TRACK
- (W) PROVISION FOR 29 no. PARALLEL PARKING SPACES TO JOSEPHINE STREET FOR COMMUNITY RECREATION AREA
- (X) LANDSCAPE BUFFER BETWEEN COMMUNITY RECREATION AREA AND JOSEPHINE STREET / NEIGHBOURING RESIDENTS
- (Y) EMERGENCY & MAINTENANCE VEHICLE ACCESS / GATE FROM JOSEPHINE STREET
- (Z) ENVIRONMENTAL ZONE GRASSLAND / KICKABOUT AREA - UNIRRIGATED



DETAIL AREA 03

0 20 40 60 m

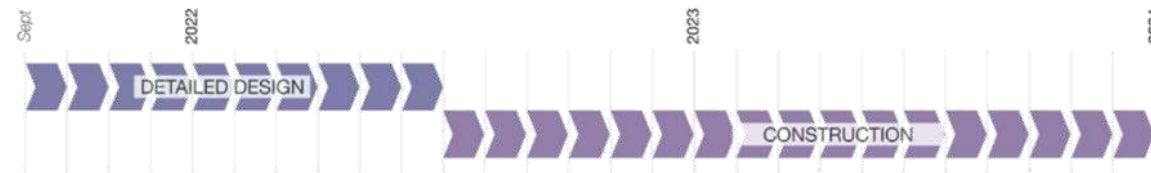


8 IMPLEMENTATION



8.1 STAGING

The adjacent diagram outlines the anticipated staging for the detailed design and construction of the Master Plan works, assuming an approximate start to detailed design in September 2021, with construction finishing in early 2024. This timeline is indicative only, and subject to future funding and budget approval.



ALFRED ROAD ACTIVE OPEN SPACE (AOS) RESERVE DRAFT MASTER PLAN

PUBLIC EXHIBITION COMMUNITY ENGAGEMENT SUMMARY REPORT



JUNE 2021

wyndhamcity



PROJECT BACKGROUND

Wyndham City Council (WCC) is planning for the development, management and future use of the new Alfred Road Active Open Space Reserve located on Alfred Road, Browns Road and Galvin Road in Werribee.

The Alfred Road Reserve Master Plan will guide the potential future development of the reserve. A range of open space facilities are proposed to create a space where people can engage in healthy activity and come together as a community.

The Draft Alfred Road Reserve Master Plan was placed on Public Exhibition from 28 April 2021 and 28 May 2021.

The purpose of the engagement was to:

- Seek feedback from the community about the Draft Master Plan.
- Determine the community's support for the proposed layout and facilities in the Draft Master Plan.








- Determine the community's interest in possible features within the Community Recreation Area and Wetlands / Environment Zone.
- Gain feedback to inform the final layout of the reserve prior to council endorsement.

The Final Master Plan includes feedback that alters or adds to the draft design based on technical, financial, environmental, cultural, and strategic planning and policy criteria.

A summary of the consultation process and feedback received is provided below.

METHODOLOGY

The below table outlines the various methods and techniques used to engage with the community.

	Method / technique	Stakeholders engaged	Dates
	Project page on The Loop and Social Pinpoint	5,050 views of the site. 4,031 people visited the site. 74 comments were made on the Master Plan via social pinpoint.	28 April – 28 May 2021
	Online surveys on The Loop	24 Quick surveys were completed 33 Detailed surveys were completed	28 April – 28 May 2021
	Social Media Posts	Organic and paid advertisement posts were completed (see Facebook table below).	28 April – 28 May 2021
	Letterbox Drop	1,500 postcards were delivered to residential properties in the catchment of the reserve.	28 April – 28 May 2021
	Direct Contact from residents	5 people contacted council officers to consult about aspects of the Draft Master Plan.	28 April – 28 May 2021
	Direct Contact with key stakeholders – local sports clubs / State Sport Associations	6 key stakeholders were directly offered an opportunity to provide a submission. 4 submissions were received.	28 April – 28 May 2021
	Indirect contact through organised networks	Riverwalk Primary School Community Development Victoria – Residential Communities – Riverwalk Facebook Wyndham City Youth Services Network	28 April – 28 May 2021

Facebook	AD 1	AD 2	Organic (11 May)	Organic (19 May)
Link Clicks	2,428	965	-	-
Reach	11,896	11,028	12,784	2,584
Engagement	180	48	134	42

SUMMARY OF FEEDBACK

Below outlines the summary of the feedback received and how it has been incorporated into the project.

OVERALL SUPPORT FOR THE DRAFT MASTER PLAN

SUPPORTIVE 74%

NEUTRAL 10%

NOT SUPPORTIVE 16%

COMMENT:

Contributions supportive of the Draft Master Plan were obtained through the Surveys, Social Pin Map, Direct Contact from residents, and the submissions received from key stakeholders.

Contributions not supportive of the Draft Master Plan cited other requests rather than the Alfred Road project itself. These included spending funds on improving the existing roads, extending the road network, building the Ison Road Bridge, developing a transport hub/bus terminal, and developing a secondary school.

FACILITIES PROPOSED IN THE DRAFT MASTER PLAN

A Quick Survey and a Social Pin Map were used to obtain feedback on the layout and facilities proposed in the draft Master Plan.

WE ASKED

WHAT DO YOU LIKE MOST ABOUT THE DRAFT MASTER PLAN?

MOST SUPPORTED PROPOSED FACILITIES (TOP 5):



**OUTDOOR
ACTIVITY /
RECREATION AREA**
(13 times selected)



NETBALL COURTS
(12 times selected)



**1.5KM CIRCUIT
PATH**
(11 times selected)



**CRICKET /
AUSTRALIAN
RULES OVAL**
(11 times selected)



**OVERALL USE OF
SPACE**
(11 times selected)

(The Quick Survey Results also show support for Cricket Practice nets [10], Landscaping and trees [10] and Cricket Oval with turf wicket [9]).

WE ASKED

IS THERE ANYTHING YOU
WOULD LIKE ADDED OR
ALTERED IN THE DRAFT
MASTER PLAN?

MOST SUGGESTED FOR CONSIDERATION FOR INCLUSION (TOP 5):



TENNIS COURTS
(21 times)



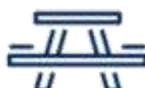
**BASKETBALL
COURTS**
(11 times)



DOG PARK
(6 times)



**ADDITIONAL CAR
PARKING**
(6 times)



**ADDITIONAL
SHELTER /
SEATING**
(5 times)

WE DID

Tennis - We considered if tennis courts could be included in addition to the netball courts at the reserve. There is not enough space to provide tennis courts without detrimentally affecting other sports. We will soon commence planning for the proposed new Riverwalk Active Open Space (AOS) Reserve in Newmarket Road. It is intended to test the feasibility of providing two tennis courts through the master planning process for that reserve. Further to this a tennis facility will be considered in Wyndham Vale as part of future development.

Basketball - Public access Half Courts are included in the multi use hardcourt active area in the Draft Master Plan. There is an existing full court basketball court within Riverwalk. There may also be opportunities to provide basketball half courts in local parks as part of future developments in the local area.

Dog Park - We are currently doing strategic planning for proposed new dog off lead areas across the municipality. Several sites in Riverwalk-Werribee Junction are being considered and a recommendation on the most suitable site will be made from the planning process.

Additional car parking - Overflow parking space on the designated Road Reserve Area (60-80 spaces) on the eastern side of the reserve is included in the Final Master Plan. Off street parking is available on Josephine Street on the east side of the reserve. Future off-street parking on Browns and Galvin Roads may be possible depending on whether the rail level crossing is closed as part of the provision of the new Ison Road Bridge (the Bridge project has received \$10M for planning in 2021/22 from the State Government). If the rail level crossing is closed, then Browns and Galvin Roads will be used by local traffic only.

Additional shelter and seating - We will consider opportunities to incorporate more shelter and seating during the detail design stage of the Master Plan Implementation.



OTHER SUGGESTED FACILITIES MENTIONED MORE THAN ONCE ON THE PIN MAP AND IN THE QUICK SURVEY WERE



PUBLIC TOILETS
LOCATED AT KEY
LOCATIONS IN
THE RESERVE



INCLUSIVITY
/ ACCESS ALL
ABILITIES PLAY
SPACE



MORE TREES
FOR WIND
PROTECTION
AND SHADE /
LANDSCAPING



A BUS ROUTE
/ PUBLIC
TRANSPORT LINK



SKATE PARK



INDOOR
BADMINTON
COURTS



SWIMMING POOL

WE DID

Included in the Final Master Plan:

Public toilets (external facing) are provided in the two (2) pavilion footprints, however they are not specifically shown on the Draft Master Plan. A public toilet to service the Outdoor Activity / Recreation Area will be included at the southern end of the Soccer / Indoor Cricket pavilion.

Some of the elements are not shown in the updated Final Master Plan. These will be explored throughout the detailed design phase:

- Universal design / Access for All Abilities
- Tree Planting final layout
- Bin locations
- Signage
- Lighting

Skate Park— the strategic plan for the provision of skate facilities consider the needs of the community across Wyndham. Alfred Road Reserve is not a nominated site for a skate facility. A skate facility is being provided as part of the Level Crossing Removal at Werribee Street adjacent Wyndham Park.

A Swimming Pool and Indoor Badminton Courts have not been included in this plan as they do not align with Council's Aquatic Strategy and the Sport Strategy. Eagle Stadium is located close to Alfred Road Reserve and provides opportunities to participate in Badminton.



WE ASKED**FOR SUBMISSIONS FROM
KEY STAKEHOLDERS****SUBMISSIONS WERE RECEIVED FROM THE FOLLOWING KEY STAKEHOLDERS:**

Werribee Cricket Club and Werribee Junior Cricket Club requested numerous items should be considered for inclusion in the Final Master Plan. The main items were:

- One (1) or Two (2) additional junior size (40 metre boundary) ovals with synthetic surface hard wickets.
- Additional curator's storeroom or shed for machinery, equipment and materials to maintain turf wickets.
- A white picket boundary fence around Oval 1.

Cricket Victoria (CV) supported the Draft Master Plan and suggested allowing for the future expansion of facilities by identifying a space for an additional junior playing field and for overflow car parking spaces.

Football Victoria (FV Soccer) supported the Draft Master Plan and suggested exploring opportunities for spectator seating undercover near the synthetic soccer pitch, car parking spaces on the eastern side of the reserve, and high boundary fencing behind the soccer goals to ensure safety.

Werribee Masters Football Club (WMFC) provided feedback on the future management and aspects of shared use of the pavilion, that will be addressed during the detail design and activation planning stages of the Master Plan Implementation. WMFC suggested that there should be additional car parking spaces in the reserve.

Netball Victoria have previously provided feedback with strong support for the provision of Netball facilities at this reserve.

WE DID

We have included one (1) additional junior size oval (40 metre boundary) with a synthetic surface hard wicket next to the south end of Ovals 1 & 2. This junior size oval will be open (no fencing) and will be used for younger age children's cricket.

We will explore the possible addition of a separate storeroom for the curator's machinery, equipment and materials in the Main Pavilion during the detailed design stage of Implementation.

We will explore the specific provision of behind goal barrier fencing for the soccer pitches during the detail design stage of the Master Plan Implementation.

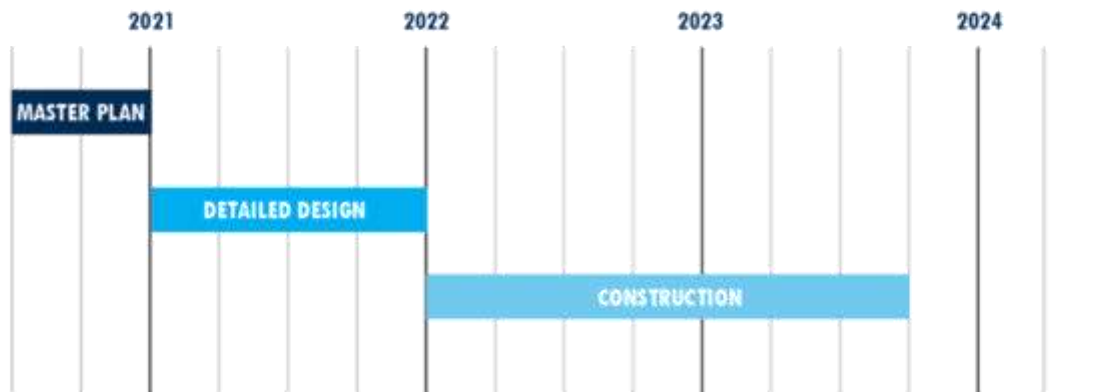
We have identified overflow car parking spaces can be provided on the eastern side of the reserve in the Road Reserve area.



NEXT STEPS

Detail of the next steps and project delivery will be phased over a three-year period anticipated to be completed by the end of 2024 subject to future funding and budget approval.

Please note: The timeline is indicative only and subject to future funding and budget approval.



How can participants stay involved/informed?

Participants can stay informed with updates available on Council's website www.theloop.wyndham.vic.gov.au

Contact details for further information

Email: masterplans@wyndham.vic.gov.au



FILE NO:

ITEM NO: 6.5.5
DIRECTOR CITY LIFE - ALLISON
KENWOOD**JAMIESON WAY COMMUNITY CENTRE AND RESERVE DRAFT MASTER PLAN****Summary**

The purpose of this report is to seek Council approval for the Draft Jamieson Way Community Centre and Reserve Master Plan, to be released for public consultation for a period of 28 days.

The Draft Master Plan has been prepared to guide the future development of the Community Centre and Reserve. It will guide Council's future investment in social and sporting infrastructure at the site to service the community.

The Draft Jamieson Way Community Centre and Reserve Master Plan is to be considered for public exhibition for a period of 28 days from 25 October to 21 November 2021.

Attachments

1. Draft Jamieson Way Master Plan

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Life - Allison Kenwood

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Service Planning, Partnering and Reform - Georgie Hill

In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator Social Infrastructure – Andrew Mitchell

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Improvement to the Jamieson Way Community Centre and Reserve that responds to changing community service needs of the local community.
- Delivery of sport and recreation infrastructure
- The additional of an indoor sports hall in response to a Council resolution on 24 August 2021.
- Public exhibition period for 28-days from 25 October to 21 November 2021.

RECOMMENDATION

That Council endorse the Draft Jamieson Way Community Centre and Reserve Master Plan for the purpose of public exhibition for a period of 28 days from 25 October to 21 November 2021.

FILE NO:**ITEM NO: 6.5.5****DIRECTOR CITY LIFE - ALLISON KENWOOD****JAMIESON WAY COMMUNITY CENTRE AND RESERVE DRAFT MASTER PLAN
(cont'd)****MOTION**

CR SUSAN MCINTYRE / JASMINE HILL

That Council endorse the Draft Jamieson Way Community Centre and Reserve Master Plan for the purpose of public exhibition for a period of 28 days from 25 October to 21 November 2021.

(CARRIED)

FILE NO:

ITEM NO: 6.5.5

DIRECTOR CITY LIFE - ALLISON KENWOOD

**JAMIESON WAY COMMUNITY CENTRE AND RESERVE DRAFT MASTER PLAN
(cont'd)****1. Background**

Jamieson Way Community Centre and Reserve is located at 59 Jamieson Way, Point Cook. It is approximately 3.6 hectares in size and contains the Jamieson Way Community Centre and associated car park, four tennis courts, four netball courts, and an open space area. The community centre is managed by the Jamieson Way Community Centre Inc. Cheetham Creek is located to the south of the reserve and Carranballac College P-9 shares a boundary to the west.

The need for a master plan was first identified in the Wyndham Sport Strategy 2045 which flagged opportunities to consider the future of netball, tennis and croquet at the site. Given the previously identified demand for additional meeting space and kindergarten services in Point Cook, a holistic approach was taken that included the community centre and associated infrastructure.

Since 2006, when the reserve and community centre were built, the population profile and the community's sporting and recreational needs have changed and will continue to do so over the next 10 years.

A draft master plan was presented at the Council Meeting on 24 August recommending the commencement of a 28-day public exhibition period. At this meeting, Cr McIntyre tabled an alternate motion (below) which was subsequently carried.

That Council:

1. *Request the CEO to prepare a revised Jamieson Way Community Centre and Reserve Draft Master Plan to include a compact sports venue which:*
 - *can accommodate sports such as badminton, volleyball and table tennis*
 - *can also be used as a multi-purpose facility for performing arts and dancing*
2. *Receive the revised Jamieson Way Community Centre and Reserve Draft Masterplan and report at the next Council Meeting on 28 September 2021.*

The revised Draft Jamieson Way Community Centre and Reserve Master Plan (attached) now proposes the following:

The Community Centre

- The relocation and expansion of sports pavilion components
- Adding a further (third) kindergarten room and expanding the associated outdoor play area
- Reconfiguring the Maternal and Child Health rooms and general administration space
- Improving internal circulation space and connection to the outdoors
- Adding new flexible meeting spaces
- Modifying the kitchen area; and
- Renewing the remaining components of the building.

Compact Sports Venue and Outdoor Sports Courts

- Adding an integrated sports pavilion and compact sports hall suitable for volleyball, table tennis, badminton, performing arts and dancing
- Providing direct visual and physical connection to the community centre and easy access for players between the change facilities, indoor sports court and the outdoor courts; and
- Adding two new netball courts and removing two tennis court

FILE NO:

ITEM NO: 6.5.5

DIRECTOR CITY LIFE - ALLISON KENWOOD

**JAMIESON WAY COMMUNITY CENTRE AND RESERVE DRAFT MASTER PLAN
(cont'd)****Reserve and Surrounds**

- Improve vehicle access, drop-off zone and circulation in existing western car park
- Create new pedestrian paths and front forecourt and plaza at main entrance to community centre
- Providing an additional 'eastern' car park to serve the indoor and outdoor sports courts and rear entrance to the community centre
- Creating a new children's playground to the west of the new sports pavilion
- Providing an upgraded path network throughout the reserve; and
- Additional planting and landscaping around the entire site

2. Relevant Law

Not Applicable.

3. Discussion**Compact Sports Venue**

A compact sports venue for activities such as badminton, table tennis, volleyball, performing arts and dance has been included in the master plan consistent with Council's resolution at the 24 August 2021 Council Meeting.

The sports venue has been located to the south of the main community centre building and is integrated with the sports pavilion. This has allowed some components to be shared between the external and internal sporting users, however, there is some duplication of amenities to allow for different cohorts of user groups at any one time.

The operating model of the integrated sports hall and pavilion has not been determined, however, flexibility in the design allows for multiple options which will be resolved during the early implementation phase of this project.

Proposed increase in kindergarten rooms

In 2022, the Victorian Government will begin the staged roll-out of free kindergarten for all three-year olds across Wyndham. Point Cook is already an area with significant demand for kindergarten places and this is forecast to increase as three-year old kinder is introduced. To accommodate this future demand for three and four year old kindergarten in Point Cook, a third kindergarten room is proposed to be added to the community centre and the kindergarten outdoor area expanded.

Tennis court provision

The provision of tennis is proposed to be revised on the site from four to two courts. This is in line with the Sports Strategy 2045 which recommends the redistribution of tennis infrastructure across Point Cook, as well as the expansion of netball at Jamieson Way Reserve.

This will also support the provision of a third kindergarten room in the community centre which has meant that additional, proximate car parking, is required on the north east corner of the site.

Revising the number of tennis courts at Jamieson Way Reserve will impact the operations of the tenant tennis club. Council will work with the Club on the best approach (remain at site, consider future relocation to alternative site etc) that meets the future aspirations of the Club whilst retaining a local tennis presence in the surrounding area.

FILE NO:

ITEM NO: 6.5.5

DIRECTOR CITY LIFE - ALLISON KENWOOD

**JAMIESON WAY COMMUNITY CENTRE AND RESERVE DRAFT MASTER PLAN
(cont'd)****Open space**

The retention of open space (active and passive) at Jamieson Way Reserve has been paramount given the significant under provision of active open space in Point Cook. In fact, Point Cook will require an additional 44.5ha of Active Open Space to meet Council's benchmarks by 2045 and thus protecting existing active open spaces is an imperative.

Large flexible unprogrammed spaces are highly valued by the community and are scarce. It is noted that the inclusion of the sports venue does encroach on this open space however this is been limited as far as practicable.

Council's 'Active Wyndham Strategy' identifies that almost 70% of Wyndham's population participate in non-organised physical activity (non-competitive, generally walking, cycling, jogging or kick-to-kick) whilst only 26% participate in organised physical activity.

The master plan will improve the non-active open space to improve opportunities for casual participation and one-off programs and events.

Staged approach to development

It is proposed that a staged approach be taken to the implementation of the master plan. This will minimise disruption or the need to relocate kindergarten services while works are being undertaken.

The staging of works will be determined through the design phase, subject to the adoption of the final masterplan and approval for funding through the annual budget process.

4. Wyndham 2040 Vision

- People and Community:
The further development of sporting and community infrastructure at Jamieson Way Reserve will enhance opportunities for the community to meet, access services and encourage a healthy and active lifestyle.

5. City Plan

1.2.3 Council will enhance community health and wellbeing by making it easier for residents to participate in physical activities by building mainstream and accessible sporting infrastructure at the local level and providing a diversity of sporting opportunities through assisting minor and 'hard-to-locate' sports, as well as recreation and informal opportunities for physical activity.

2.2.2 Council will build civic pride and social connection amongst residents and businesses through measured activation and regulations to create more appealing streetscapes, including improvements to signage, building fronts, and the natural

6. Council Plan and Policies

- Wyndham Open Space Strategy 2045 - The draft master plan is inconsistent with the Wyndham Open Space Strategy.
- Wyndham Sport Strategy 2045 - The draft master plan is inconsistent with the Wyndham Sports Strategy.
- Wyndham Learning Community Strategy 2018-2023
- Wyndham Municipal Early Years Plan 2013-2017

FILE NO:

ITEM NO: 6.5.5

DIRECTOR CITY LIFE - ALLISON KENWOOD

**JAMIESON WAY COMMUNITY CENTRE AND RESERVE DRAFT MASTER PLAN
(cont'd)****7. Regional, State and national plans and Policies**

Not applicable.

8. Financial Viability

The cost associated with the implementation of the master plan, as presented, is estimated to be \$11M. Once a final master plan is endorsed, a detailed business case will be considered through Council's annual capital works budgeting process.

Council has already received \$1.5M through the Building Blocks Partnership Agreement from the State Government to increase the capacity to deliver the additional kindergarten room. It is anticipated that Council may be able to attract up to \$2M in grant funding through the Growing Suburbs Fund, subject to the fund continuing in subsequent years. Government grants will be sought at the design phase of the project.

The change in scope has not been included in the Draft Long Term Financial Plan. If adopted, the implementation of this project will be considered as part of the annual review of the Long Term Financial Plan and as part of annual budgeting processes.

9. Sustainability Implications

Not applicable.

10. Options

Not applicable.

11. Community Engagement

Community engagement and input from user groups and stakeholders over several years has helped shape the draft Jamieson Way Community Centre and Reserve Master Plan. This has included community 'drop in' sessions, stakeholder meetings, workshops. These have been promoted through social media, flyers and Council's 'The Loop' engagement platform.

It is now proposed that, prior to finalising the Draft Jamieson Way Community Centre and Reserve Master Plan, it be placed on public exhibition for a four-week period. During the exhibition period, further discussions will be held with all key stakeholder groups, particularly in relation to the proposed addition of the compact sports venue.

12. Communication Strategy

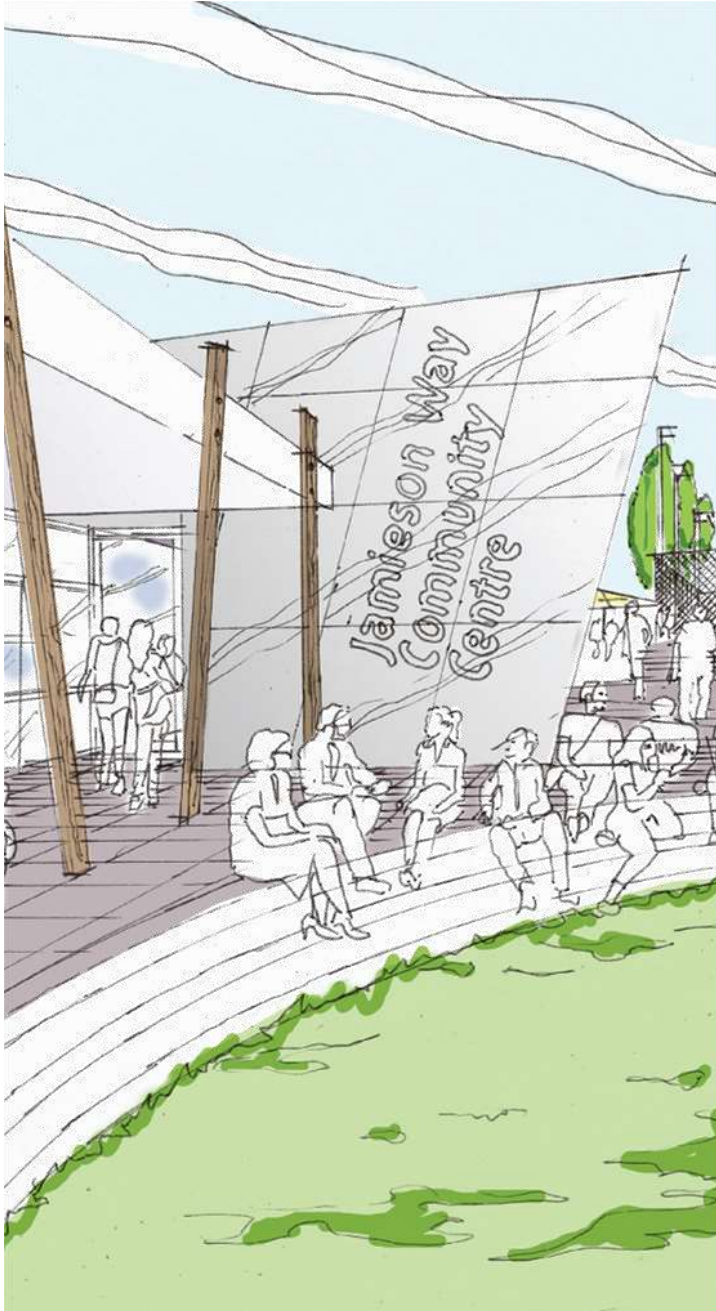
A public exhibition period will run from 25 October to 21 November 2021. A comprehensive communications and engagement plan is being prepared at the present time to ensure key stakeholders, reserve and centre users, and local residents have an opportunity to provide feedback on the draft Jamieson Way Community Centre & Reserve Master Plan.

13. Innovation and Continuous Improvement

Not applicable.

14. Collaboration

Not applicable.



DRAFT



Tract

Jamieson Way Community Centre & Reserve Master Plan

Master Plan Report

Prepared for City of Wyndham, September 2021.

DRAFT



Tract

Introduction.

The Jamieson Way Community Centre and Reserve is located on a residential street in the heart of Point Cook. The Centre is located within close proximity to the Sanctuary Lakes Shopping Centre, to the east and to the west is Carranballac P-9 College's Jamieson Way Campus. Point Cook Village Retirement Village is located to the south east of the Centre, accessible via Point Cook Rd. The Community Centre is ideally situated within a large reserve and adjacent to the Cheetham Creek wetland corridor and shared path network. This is a unique and highly valued feature of the Centre.

The Jamieson Way Reserve was one of the first reserves developed in the suburb of Point Cook. The Community Centre and Tennis and Netball Courts were completed in 2005 with infrastructure including a car park which heavily supports traffic management around the school and community facilities.

Since 2005 there has been multiple extensions to the existing Community Centre to service Kinder Services and community programs. Jamieson Way Community Centre opened in 2006 with one Kindergarten room, 2x MCH consulting rooms, a sports pavilion facility contained within the Community Centre footprint and other large and small general community space for community hire.

In 2009, the Community Centre added an additional Kindergarten room and the footprint of the building slightly increased, to allow for the growing 4-year-old Point Cook population and for functionality reasons.

In 2017, the Scouts were relocated to a neighbouring high school in Point Cook. This move increased the Centre's meeting rooms and hire-able space.

The community managed Centre currently provides a range of early years and general community services. The Centre is one of the only facilities in Wyndham that holds a regular community-based market.

Adjacent to the Community Centre is an active open space reserve providing;

- Four tennis courts with flood lighting,
- Four netball courts with flood lighting,
- A small playground and BBQ facilities at the rear of the Centre with surrounding open space for unstructured recreation and events,
- A large unstructured open space area, and
- Shared sports amenities with change rooms and bathrooms within the Community Centre footprint.

The purpose of this project is to prepare a Master Plan for the potential future redevelopment and improvement pertaining to community infrastructure, sports, recreation and open space provisions, at Jamieson Way Community Centre and Reserve.

The Master Plan will inform the effective capital investment in the ongoing use and development of the Centre and surrounding active open space.



DRAFT



Tract

Purpose of the Master Plan.

The Jamieson Way Community Centre and Reserve is one of Wyndham's longest running and most loved Community Centres. After 13 years of operation the Centre is no longer functioning as efficiently as it could be, the building is a little tired and the surrounding recreational facilities are no longer fit for purpose.

The purpose of this project is to prepare a Master Plan for the potential future redevelopment and improvement pertaining to community infrastructure, sports, recreation and open space provisions, at Jamieson Way Community Centre and Reserve.

The Master Plan will inform the effective capital investment in the ongoing use and development of the Centre and surrounding active open space.

The key strategic drivers for the master plan are the;

- City Plan 2017-21 (multiple strategies),
- Wyndham Sports Strategy 2045,
- Council's commitment to the provision of 3 and 4 year old kindergarten services, as well as
- The need to re-model the facility to ensure the building is fit for purpose based on current Community Learning Centre model requirements.

The key functional drivers for the master plan include;

- Lack of physical and visual integration between both the internal and external functions (impacts on the success of events held at the Centre and Reserve),
- A lack of space for car parking and no parking in close proximity to the recreational facilities,
- The Community Centre is at capacity for programs and activities and is seeking additional meeting space,
- Lack of storage for both the Centre and the sports facilities,
- The current sporting change facilities are being used inefficiently,
- The location of the sports pavilion away from the courts has posed challenges for teams, particularly not having direct views of the netball and tennis courts,
- The current netball facilities are not meeting the local demand for competition netball in Point Cook, and
- There is increasing demand for the provision of both 3 and 4 year old kindergarten services.

On 24 August 2021, Council considered a previous draft version of the Jamieson Way Community Centre and Reserve Master Plan. The accompanying report recommended commencing a 28-day public exhibition period before considering feedback and any recommended amendments.

At the Council Meeting on 24 August, an alternate motion was tabled and subsequently carried. The motion read;

That Council:

1. Request the CEO to prepare a revised Jamieson Way Community Centre and Reserve Draft Master Plan to include a compact sports venue which:
 - Can accommodate sports such as badminton, volleyball and table tennis
 - Can also be used as a multi-purpose facility for performing arts and dancing
2. Receive the revised Jamieson Way Community Centre and Reserve Draft Masterplan and report at the next Council Meeting on 28 September 2021.

Council officers have worked with Tract Consultants and key stakeholders to revisit the draft Master Plan and respond to the direction provided by Council. Comprehensive engagement with all stakeholders has not been possible in the production of the revised draft master plan due to the timeframes. Further engagement with stakeholders will be carried out as part of the public exhibition period.

The following plans explain the key components of the Master Plan with the inclusion of the external sports venue:

- The Site and Surrounding Context (existing conditions).
- Proposed Site Plan.
- Proposed Community Centre Functional Layout.
- Proposed Sports Hall Circulation Diagram.



DRAFT



Tract



Drawing Title

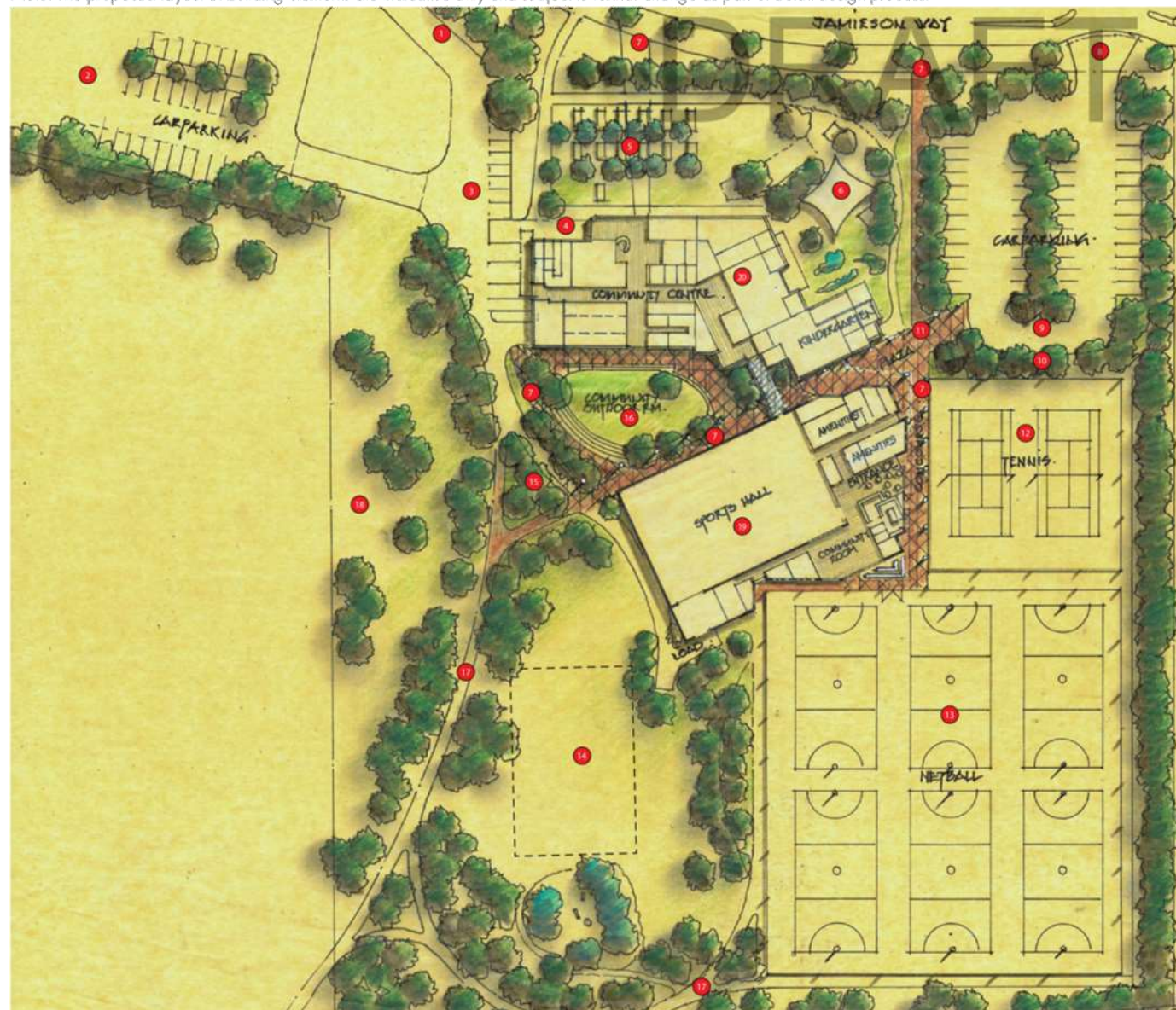
Project Name

The Site and Surrounding Context

Jamieson Way Community Centre Master Plan



Note: The proposed layout of building elements are indicative only and subject to further change as part of detail design process.



LEGEND

- 1 Main site entrance/exit
- 2 Main car park
- 3 Main drop area off
- 4 Community Centre forecourt plaza
- 5 Community garden
- 6 Secure kindergarten play area
- 7 Pedestrian entrance
- 8 Eastern site entrance
- 9 Eastern car park & drop off area
- 10 Landscape buffer
- 11 Plaza
- 12 Two public tennis courts
- 13 Six local netball courts
- 14 Passive open space/ future croquet playing field (subject to future demand)
- 15 Play area
- 16 Outdoor community room
- 17 Shared path (connected to network)
- 18 WSUD landscaping
- 19 Sports hall
- 20 Expanded Community Centre (one additional kindergarten to provide three kindergarten rooms)

Drawing Title

Project Name

Drawing No.

Revision

Date

Drawn

Checked

Project Principal

Scale

Site Plan

Jamieson Way Community Centre Master Plan

319-0094-00-U-07-DR01

00

21.09.2021

PC

PC

CW

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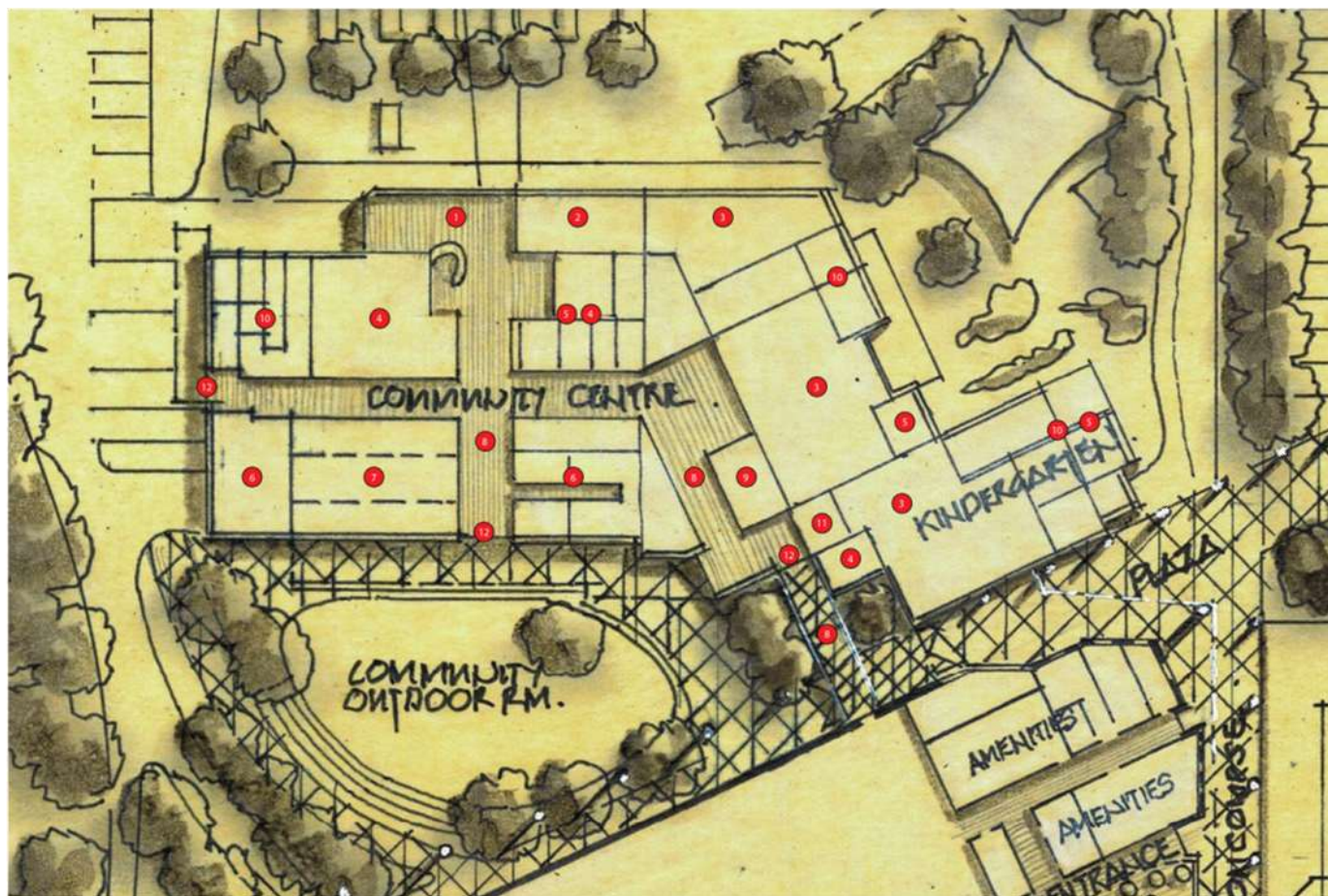
DRAFT



Tract

LEGEND

- 1 Front entrance/foyer
- 2 MCH room
- 3 Kindergarten room
- 4 Administration/office/meeting room
- 5 Storage
- 6 Community room
- 7 Hall
- 8 Circulation
- 9 Kitchen
- 10 Amenities
- 11 Kinder lobby
- 12 Secondary entrance/exit



Drawing Title

Project Name

Drawing No.

Revision

Date

Drawn

Checked

Project Principal

Community Centre Functional Layout

Jamieson Way Community Centre Master Plan

319-0094-00-U-07-DR02

01

21.09.2021

PC

PC

CW



DRAFT

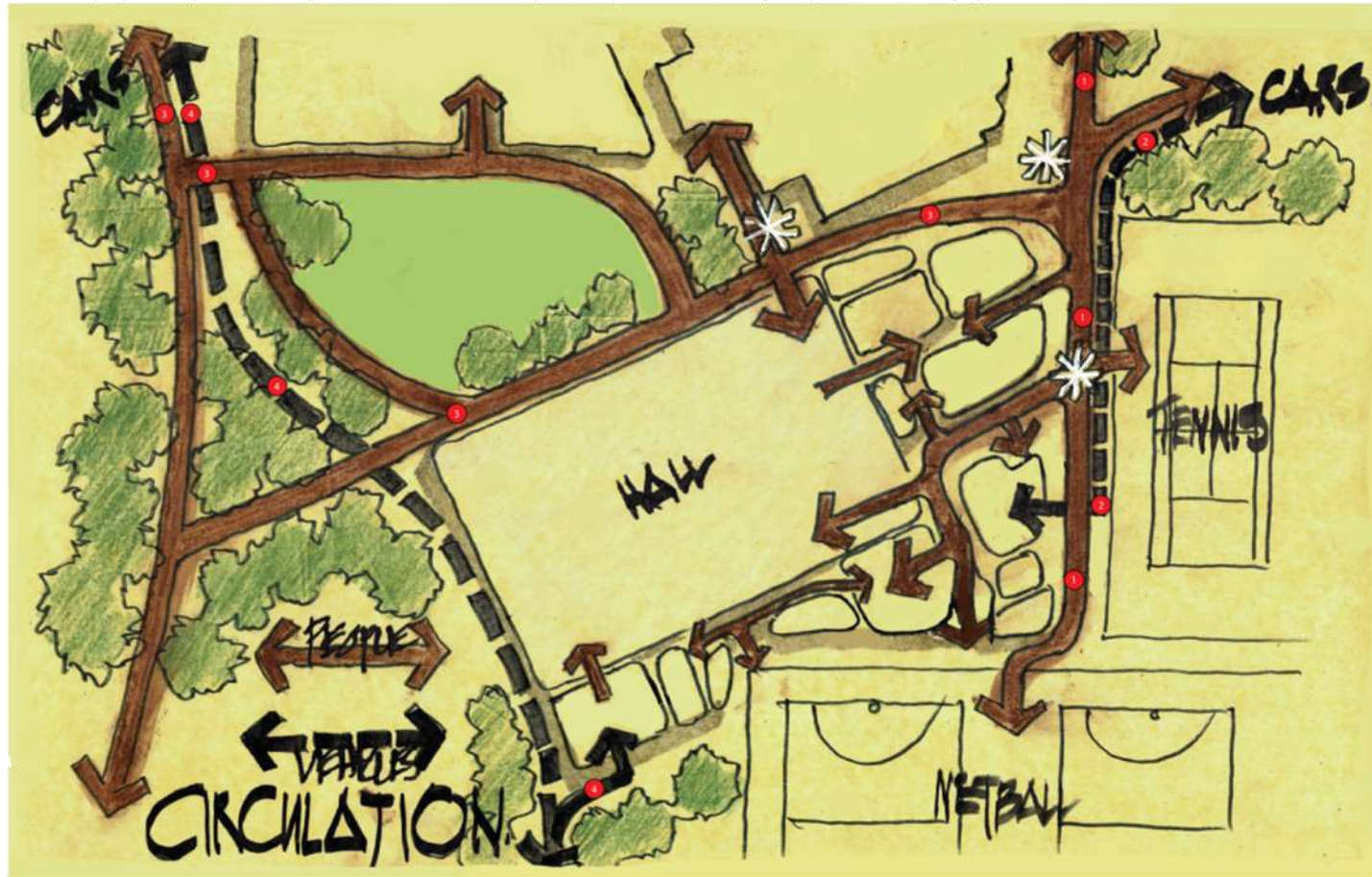
Note: The proposed layout of building elements are indicative only and subject to further change as part of detail design process.



Tract

SPORTS HALL CIRCULATION DIAGRAM - CONTEXT

The circulation diagram demonstrates the potential movement and flow of people through, around and between the community centre, the proposed new indoor sports hall and surrounding reserve's built environment.



LEGEND

- 1 North south pedestrian link
- 2 Vehicle loading/emergency access from eastern car park
- 3 East west pedestrian link
- 4 Vehicle loading/emergency access from western car park

Drawing Title	Project Name	Drawing No.	Revision	Date	Drawn	Checked	Project Principal
Sports Hall Circulation Diagram	Jamieson Way Community Centre Master Plan	319-0094-00-U-07-DR04	01	21.09.2021	PC	PC	CW



FILE NO:

ITEM NO: 6.5.6
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD****Summary**

The purpose of this report is to update Council on the outcome of giving public notice of Council's intention to enter into leases with Powercor Australia Ltd (Powercor); and to seek Council endorsement to enter into leases with Powercor to accommodate essential electricity supply infrastructure.

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer – Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Chief Financial Officer - Binda Gokhale

In providing this advice as the Chief Financial Officer, I have no disclosable interests in this report.

Coordinator Strategic Property Management - Michael Hutchison

In providing this advice as the Coordinator, I have no disclosable interests in this report.

Property Project Officer - Jaci Wagner

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- The proposed leases will make available land for important electricity supply infrastructure, some of which connect important Council projects.
- Public notification of intention to lease has been completed.
- Council is now in a position to formally consider entering into the proposed leases with Powercor.

RECOMMENDATION

That Council:

1. Grant to Powercor Australia Ltd (Powercor) a lease for:
 - (a) part of the Council-owned land within Certificate of Title Volume 12190 Folio 009 at 19 Communal Road, Wyndham Vale for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (b) part of the Council-owned land within Certificate of Title Volume 10821 Folio 437 at 9 Edgevale Way, Tarneit for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)

- (c) part of the Council-owned land within Certificate of Title Volume 11077 Folio 618 at 3 Alamanda Boulevard, Point Cook for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (d) part of the Council-owned land within Certificate of Title Volume 10859 Folio 732 at Penrose Promenade, Tarneit for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (e) part of the land currently within CA 2160 located at Woods/Alcock Road, Tarneit (site of the Truganina South East Masterplan Project) for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
2. Authorises the Chief Executive Officer to execute the leases with Powercor and associated documents at the appropriate time.

Cr Marcel Mahfoud left the meeting at 9.09pm.

Cr Marcel Mahfoud returned to the meeting at 9.11pm.

MOTION

CRS PETER MAYNARD / SUSAN MCINTYRE

That Council:

1. Grant to Powercor Australia Ltd (Powercor) a lease for:
 - (a) part of the Council-owned land within Certificate of Title Volume 12190 Folio 009 at 19 Communal Road, Wyndham Vale for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (b) part of the Council-owned land within Certificate of Title Volume 10821 Folio 437 at 9 Edgevale Way, Tarneit for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (c) part of the Council-owned land within Certificate of Title Volume 11077 Folio 618 at 3 Alamanda Boulevard, Point Cook for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (d) part of the Council-owned land within Certificate of Title Volume 10859 Folio 732 at Penrose Promenade, Tarneit for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);
 - (e) part of the land currently within CA 2160 located at Woods/Alcock Road, Tarneit (site of the Truganina South East Masterplan Project) for the term of thirty (30) years, with one (1) further term option of twenty (20) years term at the nominal rent of \$0.10 cents per annum (payable on demand);

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CHIEF EXECUTIVE OFFICER - STEPHEN
WALL

PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD
(cont'd)

2. Authorises the Chief Executive Officer to execute the leases with Powercor and associated documents at the appropriate time.

(CARRIED)

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)**1. Background**

Council has received five (5) separate requests from Powercor to enter into leases over parcels of Council land for the purpose of installing substation kiosks and/or upgrade switching stations to provide efficient electricity supply to the local community and businesses.

Following a Council Briefing on 3 July 2021, and pursuant to section 115(4) of the Local Government Act 2020 and consistent with Council's Community Engagement Policy, a Notice of Intention to Lease was advertised on the Wyndham City Council website on 19 July 2021 outlining the proposals, allowing 28 days for feedback. The feedback period closed at 5:00pm on 16 August 2021.

2. Relevant Law

Pursuant to section 115(1) of the Local Government Act 2020 (the Act), a Council's power to lease any land to any person is limited to leases for a term of 50 years or less.

Pursuant to section 115 (4) of the Act, Council undertook a community engagement process in accordance with this section of the Act and consistent with Council's Community Engagement Policy.

3. Discussion**Lease Proposal 1: 19 Communal Rd, Wyndham Vale (Existing Kiosk Substation)**

In July 2019, The Wunggurrwil Dhurrung Centre was completed. As part of this development Council required Powercor to install a kiosk sub-station in order to provide the necessary power to facilitate the opening of the centre.

Powercor installed a kiosk substation and have now requested to enter into a lease with Council for the parcel of land outlined in red in *Figure 1*, on which the kiosk substation resides. The proposed lease area is approximately 51.84m² (7.2m² x 7.2m²).

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)

Figure 1. Aerial image showing existing Kiosk Substation and proposed lease area at 19 Communal Rd, Wyndham Vale

Lease Proposal 2: 9 Edgevale Way, Tarneit (Installation and Upgrade of Switching Station)

In February 2021, Council received a request from Powercor to lease part of the Council land located at 9 Edgevale Way, Tarneit for the purpose of installing and upgrading the switching station by augmenting the existing kiosk substation located on Powercor's land at 9A Edgevale Way, Tarneit. Powercor state that this to allow the network to remain suitable for the safe and efficient distribution of electricity to the local community and businesses. The switching station will also allow Powercor to better isolate faults and reduce the duration of unplanned outages.

The proposed lease area is approximately 41.17 m² as shaded in yellow in *Figure 2* below.

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD
(cont'd)**

Figure 2. Aerial image showing proposed installation and upgrade of Switching Station at 9 Edgevale Way, Tarneit.



Figure 3. Plan showing proposed installation and upgrade of Switching Station at 9 Edgevale Way, Tarneit.

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)**Lease Proposal 3: 3 Alamanda Boulevard, Point Cook (Installation and Upgrade of Switching Station)**

In February 2021, Council received a request from Powercor to lease a part of Council land located at 3 Alamanda Boulevard, Point Cook for the purpose of installing and upgrading the switching station by augmenting the existing kiosk substation located on Powercor's land at 5A Tahitian Terrace, Point Cook. Powercor state that this to allow the network to remain suitable for the safe and efficient distribution of electricity to the local community and businesses. The switching station will also allow Powercor to better isolate faults and reduce the duration of unplanned outages.

The proposed lease area is approximately 41.17 m² as shaded in yellow in *Figure 4* below.



Figure 4. Aerial image showing proposed installation and upgrade of Switching Station at 3 Alamanda Boulevard, Point Cook.

FILE NO:

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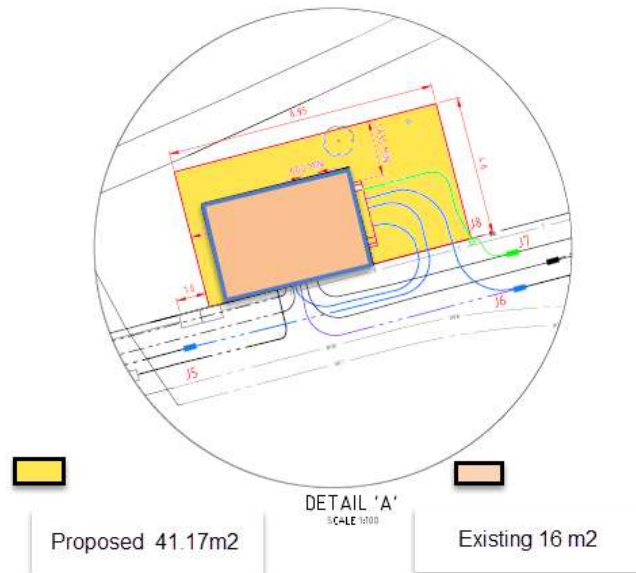
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)

Figure 5. Plan showing proposed installation and upgrade of Switching Station at 3 Alamanda Boulevard, Point Cook.

Lease Proposal 4: Penrose Promenade, Tarneit (Installation and Upgrade of Switching Station)

In February 2021, Council received a request from Powercor to lease a part of Council land located at Penrose Promenade, Tarneit for the purpose of installing and upgrading the switching station to augment the existing kiosk substation located on Powercor's land at 22 Clarafield Crescent, Tarneit. Powercor state that this to allow the network to remain suitable for the safe and efficient distribution of electricity to the local community and businesses. The switching station will also allow Powercor to better isolate faults and reduce the duration of unplanned outages.

The proposed lease area is approximately 22.98 m² as shaded in yellow in *Figure 6* below.

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CHIEF EXECUTIVE OFFICER - STEPHEN WALL

**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD
(cont'd)**

Figure 6. Aerial image showing proposed installation and upgrade of Switching Station at Penrose Promenade, Tarneit.

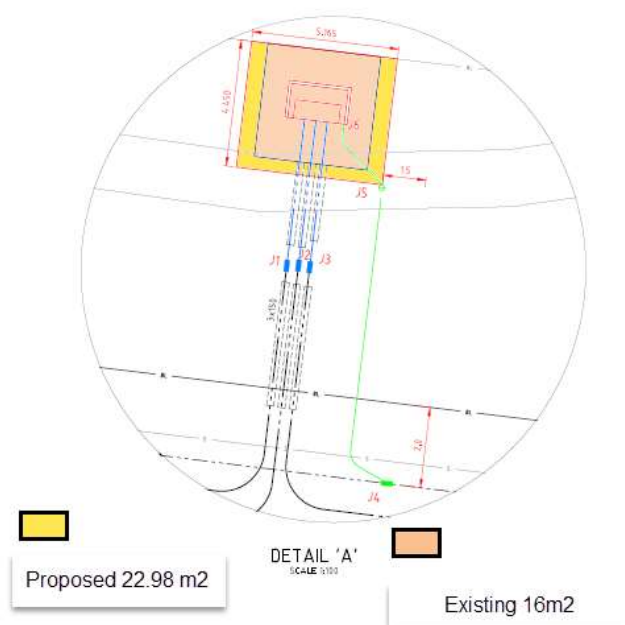


Figure 7. Plan showing proposed installation and upgrade of Switching Station at Penrose Promenade, Tarneit.

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)**Lease Proposal 5: Woods/Alcock Road Truganina – Truganina South East Integrated Family Centre and Sports Reserve (installation of a Kiosk Substation and Switch Board)**

As part of the Truganina South East Masterplan Project and in order to provide the necessary electricity supply, Powercor require a lease from Council within Woods/Alcock Road, Truganina (being for Council's new Truganina South Integrated Family Centre and Sports Reserve) to accommodate an electricity kiosk substation and switch board. The existing high voltage overhead cables also need to be relocated underground to enable construction of a sporting pavilion. As such, a high voltage switch board needs to be installed next to the kiosk substation.

The kiosk substation and switch board will be located within the discontinued section of government road formally known as Woods Road, Truganina. The proposed lease area is 51.84m² (7.2m² x 7.2m²) for the kiosk substation and 27.04 m² (5.2m² x 5.2m²) for the high voltage switch board as identified in red on the plan in *Figure 8* below.



Figure 8. Aerial image showing proposed location of lease area for Kiosk Substation and Switch Board.

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CHIEF EXECUTIVE OFFICER - STEPHEN WALL

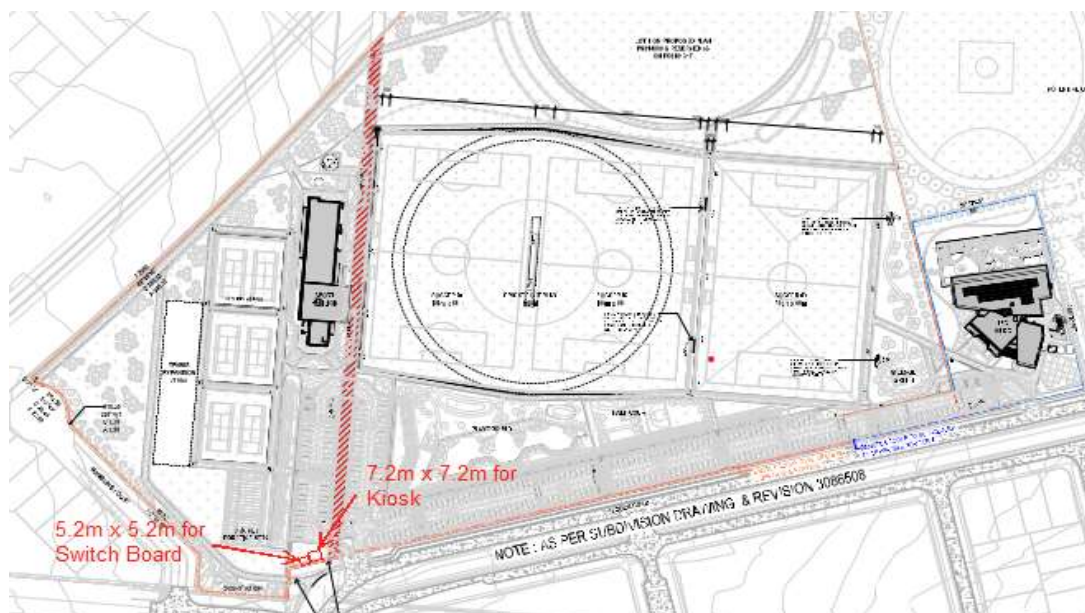
PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD
(cont'd)

Figure 9. Context plan showing proposed location of lease area for Kiosk Substation and Switch Board in the future Truganina South East Masterplan Project

4. Wyndham 2040 Vision

- Earning and Learning:
Our city will offer varied and plentiful local employment options. It will be a place of choice for businesses of all sizes and have a thriving network of small business operators.

5. City Plan

4.2.4 Council will lead Wyndham's evolution in becoming a 'Smart City' by embracing new and emerging technology; working with expert partners; applying innovative ways of problem-solving; and adopting advances in technology to find more effective and efficient solutions.

6. Council Plan and Policies

Not applicable

7. Regional, State and national plans and Policies

Not applicable

8. Financial Viability

Table 1 below provides an overview of the proposed leases. Powercor have a standard Lease template and are seeking to enter into leases for an initial term of thirty (30) years with a one (1) further term option of twenty (20) years at a nominal rent of \$0.10 cents per annum payable on demand. The proposed lease terms are consistent with similar lease types with electricity distributors across the local government sector.

Table 1: Summary of proposed Leases from Council to Powercor

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN WALL

PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD
(cont'd)

Tenant	Address	Term/Further Term Options(s).	Commencing Rent
Powercor Australia Ltd.	19 Communal Road, Wyndham Vale	30 years with a further term option of 20 years	\$0.10 cents per annum payable on demand
Powercor Australia Ltd.	9 Edgevale Way, Tarneit	30 years with a further term option of 20 years	\$0.10 cents per annum payable on demand
Powercor Australia Ltd.	3 Alamanda Boulevard, Point Cook	30 years with a further term option of 20 years	\$0.10 cents per annum payable on demand
Powercor Australia Ltd.	Penrose Promenade, Point Cook	30 years with a further term option of 20 years	\$0.10 cents per annum payable on demand
Powercor Australia Ltd.	Woods/Alcock Road, Truganina	30 years with a further term option of 20 years	\$0.10 cents per annum payable on demand.

Value to community

Electricity is seen as an essential service as defined under the Essential Services Act and the proposed leases are for facilitating essential infrastructure to Council facilities as well as to local residents and businesses.

The proposed upgrades to the electricity infrastructure within the municipality are necessary to support growing needs. Powercor have highlighted that the electricity distribution regime in Victoria was designed by the state government so that electricity distributors are to place public infrastructure on public land where possible if that is the most efficient and cost-effective solution. This is because the regulated cost of electricity to consumers is determined in part by electricity distributors' cost base. Therefore, electricity distributors are encouraged in legislation to place infrastructure on Council land, without payment, where possible.

9. Sustainability Implications

Not applicable.

10. OptionsOption 1 – Proceed to lease

Proceed with the proposals to enter into leases with Powercor at the various sites. This will ensure reliable power supply to Council buildings, the local community and businesses.

Option 2 – Do not lease

Decide not to proceed with the proposals to enter into leases with Powercor at the various sites. By not proceeding with the proposals to enter into leases with Powercor at the various sites the local community and nearby business may not have consistent or sufficient power supply in the future. Council will also need to request Powercor to remove the kiosk substation that is currently located at 19 Communal Road, Wyndham Vale, and request works for the installation of the kiosk substation to be ceased at Woods/Alcock Road, Truganina. This will affect Council's ability to deliver its objectives and future services at these locations.

FILE NO:

ITEM NO: 6.5.6

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**PROPOSAL TO ENTER INTO LEASES WITH POWERCOR AUSTRALIA LTD**
(cont'd)**11. Community Engagement**

Pursuant to section 115(4) of the Local Government Act 2020 and consistent with Council's Community Engagement Policy, a Notice of Intention to Lease was advertised on the Wyndham City Council website on 19 July 2021, outlining the proposals, allowing 28 days for feedback. The feedback period closed at 5:00pm on 16 August 2021. One email opposing the proposed lease terms was received on 17 August 2021 and responded to.

No further community engagement is required.

12. Communication Strategy

Not applicable

13. Innovation and Continuous Improvement

Not applicable

14. Collaboration

Not applicable

FILE NO:

ITEM NO: 6.5.7
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**INTERNAL ARBITRATION DECISION****Summary**

In May 2021 Cr Adele Hegedich initiated a Code of Conduct (the Code) process against Cr Peter Maynard alleging a breach of the Standards of Conduct outlined in the Councillor Code of Conduct.

The matter progressed to an Internal Arbitration process as set out in Section 11 of the *Local Government (Governance and Integrity) Regulations 2020* in August 2021.

On Wednesday 25 August 2021, the Arbiter released their decision, finding no breach had occurred. Under Section 147 (4) of the *Local Government Act 2020*, a copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting following receipt and recorded in the minutes of the meeting.

Attachments

1. Internal Arbitration Report Decision and Statement of reasons
2. Response to the resident from Cr Peter Maynard

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer – Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Executive Manager Corporate Affairs - Fiona Hando

In providing this advice as the Manager, I have no disclosable interests in this report.

Governance Coordinator - Jenny Wood

In providing this advice as the Author, I have no disclosable interests in this report.

RECOMMENDATION

That in accordance with Section 147 (4) of the *Local Government Act 2020*, the arbiter's decision and statement of reasons on the matter of an application by Cr Adele Hegedich concerning Councillor Peter Maynard (Attachment 1) is tabled and recorded in the minutes of the meeting

FILE NO:

ITEM NO: 6.5.7

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**INTERNAL ARBITRATION DECISION (cont'd)****MOTION**

CRS PETER MAYNARD / ROBERT SZATKOWSKI

1. That in accordance with Section 147 (4) of the *Local Government Act 2020*, the arbiter's decision and statement of reasons on the matter of an application by Cr Adele Hegedich concerning Councillor Peter Maynard (Attachment 1) is tabled and recorded in the minutes of the meeting.
2. The response provided to the resident by Councillor Peter Maynard be included as part of the minutes.

(CARRIED)

FILE NO:

ITEM NO: 6.5.7

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**INTERNAL ARBITRATION DECISION (cont'd)****1. Background**

Section 139 of the *Local Government Act 2020 (Act)* requires a council to develop and maintain a Councillor Code of Conduct which:

- must include the Standards of Conduct prescribed by the Local Government (Governance and Integrity) Regulations 2020 (Regulations) expected to be observed by Councillors; and
- must include any provisions prescribed by the Regulations; and
- must include provisions addressing any matters prescribed by the Regulations; and
- may include any other matters which Council considers appropriate, other than any other Standards of Conduct.

The Standards of Conduct with which Councillors are required to comply are specified in Schedule 1 to the Regulations.

Failure by a Councillor to comply with the Standards of Conduct constitutes misconduct under the Act, which may be pursued in accordance with the processes set out in this Code.

Council adopted its current Councillor Code of Conduct at the December 2020 Council Meeting.

Under the Code, a Councillor may make an application to the Principal Conduct Registrar, appointed by the State Government, to conduct an Internal Arbitration Process, as set out under Section 11 of the *Local Government (Governance and Integrity) Regulations 2020*, if the Councillor feels there has been a breach of the Standards of Conduct.

Section 147 (4) of the *Local Government Act 2020* outlines the requirement for a copy of the arbiter's decision and statement of reasons to be tabled at the next Council Meeting after receipt.

2. Relevant Law

Section 139 of the *Local Government Act 2020 (Act)* requires a council to develop and maintain a Councillor Code of Conduct.

Council adopted its current Councillor Code of Conduct at the December 2020 Council Meeting.

Section 11 of the *Local Government (Governance and Integrity) Regulations 2020* sets out the process for Internal Arbitration.

Section 147 (4) of the *Local Government Act 2020* outlines the requirement for a copy of the arbiter's decision and statement of reasons to be tabled at the next Council Meeting after the Council receives the copy of the arbiter's decision and statement of reasons.

3. Discussion**Application and Process conducted**

In May 2021 Cr Adele Hegedich initiated a Code of Conduct process against Cr Peter Maynard alleging a breach of the Standards of Conduct.

The matter progressed to internal arbitration as set out under Section 11 of the *Local Government (Governance and Integrity) Regulations 2020*, in August 2021.

FILE NO:

ITEM NO: 6.5.7

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**INTERNAL ARBITRATION DECISION (cont'd)**

A Directions Hearing was held via Microsoft Teams on Monday 5 July, 2021. In attendance were the arbiter, Council's Councillor Conduct Officer and Cr Hegedich and Cr Maynard. The matter progressed to a Full Hearing to allow a member of the community to provide evidence via a sworn statement. The Full Hearing took place via Microsoft Teams on Monday 16 August, 2021

Findings

On Wednesday 25 August 2021, the Arbiter released their Finding. Under Section 147 (4) of the *Local Government Act 2020*, a copy of the arbiter's decision and statement of reasons must be tabled at the next Council meeting following receipt and recorded in the minutes of the meeting.

4. City Plan

4.2.1 Council will strive to offer value to residents, businesses, and visitors through focusing on operational efficiency in response to changes in government legislation, while ensuring the community continues to enjoy access to high-quality services, amenities and infrastructure.

5. Council Plan and Policies

The process followed in relation to this complaint is consistent with the requirements for Internal Arbitration as specified by Code of Conduct

6. Financial Implications

Under Section 152 of the *Local Government Act 2020*, Council is required to pay the fees associated with Internal Arbitration. The Principal Councillor Conduct Registrar has set the arbiter fees at \$954 a day. The total cost to Council for this process, including the fees of the independent arbiter and transcription service was approximately \$2,100.

INTERNAL ARBITRATION PROCESS - WYNDHAM CITY COUNCIL

In the matter of an Application by Councillor Adele Hegedich concerning
Councillor Peter Maynard

**HEARING PURSUANT TO DIVISION 5 OF PART 6 OF THE
*LOCAL GOVERNMENT ACT (2020)***

Applicant:	Councillor Adele Hegedich (Mayor)
Respondent:	Councillor Peter Maynard
Date of Hearing:	16 August 2021 (online)
Arbiter:	Jan Boynton

DETERMINATION

The Arbiter is satisfied that there has been no breach of the prescribed standards of conduct by Cr Peter Maynard, and as such no finding of misconduct is made.

The Application is dismissed.

STATEMENT OF REASONS FOR DECISION

The Application

1. The Application dated 21 May 2021 by the applicant seeks a finding of misconduct against the respondent in relation to an alleged breach of the prescribed standards of conduct.
2. The Application alleges that: during a telephone conversation on 6 May 2021, between the respondent (Cr Maynard) and a community member (the Community Member), that Cr Maynard swore at the Community Member which was a breach of clause 1(c) of Schedule 1 to the Local Government (Governance and Integrity) Regulations 2020 (the Regulations) in that he engaged in abusive, obscene, or threatening behaviour in his dealings with a member of the public.

The jurisdiction of the Arbiter in relation to this Application

3. Section 143 of the *Local Government Act 2020* (the Act) provides that an Arbiter may hear an Application that alleges misconduct by a Councillor.
4. Pursuant to section 147 of the Act an Arbiter may determine whether or not a Councillor has engaged in misconduct.
5. "Misconduct" is defined in section 3 of the Act and is defined as follows:
"... any breach by a Councillor of the prescribed standards of conduct included in the Councillor Code of Conduct."
6. The standards of conduct are set out in Schedule 1 to the Local Government (Governance and Integrity) Regulations 2020, a copy of which is included as Appendix A.
7. The relevant standard of conduct pertaining to this matter is:

1. Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor –

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with *the Equal Opportunity Act 2010*; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and

- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

Hearings in this matter

8. The internal arbitration process in this matter included two hearings: a directions hearing held at 10:00 am on 5 July 2021, and the hearing held at 10:00 am on 16 August 2021, both of which were held on-line using the platform "Teams".

Evidence provided

9. The applicant provided written evidence as set out in her application, and by email on 8 July 2021 in which she forwarded a Statutory Declaration made by the Community Member.
10. The respondent provided oral evidence at the hearing on 16 August 2021.

Evidence of the Applicant

11. The applicant alleged in her application that during a telephone conversation on 6 May 2021, between the Respondent (Cr Maynard) and a community member, that while discussing the purchase of a hotel by the Council, the respondent told the Community Member to "fuck off", and a little later, while discussing proposed developments at the Alfred Road Reserve, the respondent said to the Community Member "You don't know what you are fucking talking about."
12. The applicant attached to her application an email from a support worker from The Mental Health Foundation Australia who wrote to Council on 13 May 2021 on the Community Member's behalf, relaying the allegations that form the basis of the Application and stating that the Community Member's "delicate mental health has suffered as a result of Councillor Peter Maynard's verbal assault."
13. As the hearing of the matter was held online due to the current COVID-19 restrictions preventing a face-to-face meeting, the Community Member declined to appear but provided a Statutory Declaration to support the Mayor's Application and to provide his version of the events.
14. The Statutory Declaration in part stated:
- (a) "On Thursday 6th May, I contacted Cr Peter Maynard to enquire about the purchase of a hotel by the council, the connection between alcohol consumption and family violence, and the promotion of the venue by

Councillor Peter Maynard. I advise that Councillor Peter Maynard told me to "fuck off" when questions were asked of him. When I changed the subject to proposed developments at the Alfred Road Reserve, Councillor Peter Maynard stated "You don't know what you are fucking talking about".

- (b) "I believe Councillor Maynard is well aware of my mental illness and has sort (sic) to embarrass me and exacerbate my distress in calling attention to it in many and varied snide ways. In this respect I believe that he has acted in a discriminatory and demeaning fashion not in keeping with the standards I would expect from a Wyndham City Councillor."

Evidence of the Respondent

15. The respondent provided a statement at the hearing in which he outlined that the Community Member and he had had cordial relations over the last 6-8 months and that the Community Member often contacted him on Facebook or Messenger at various times of the day and often at 10:00 pm at night.
16. The respondent advised that on the night of the 6 May when the Community Member contacted him by Facebook Messenger, they first discussed the Alfred Road sporting complex design and the conversation involved robust questioning from the Community Member, but the respondent denied telling him to "fuck off".
17. According to the respondent, the Community Member then posed questions about the Bridge Hotel and queried why the respondent had reposted a Facebook post showing young men enjoying themselves in the beer garden. The Community Member then accused the respondent of promoting alcohol consumption and drew a link to the flow-on effect of alcoholism leading to domestic violence.
18. The respondent explained to the Community Member that he abhorred domestic violence as he had lived experience of this.
19. The Community Member continued to accuse the respondent of promoting domestic violence and the respondent acknowledged that he responded with: "you don't know what you are fucking talking about."
20. The respondent asserted at the hearing:

"Was I wrong in swearing at X (Community Member), well it wasn't said to be derogatory it was said in the context of a colloquialism, a comment that is part of the Australian language, if X had indicated that he was offended I would have apologised immediately for using the word as not everyone would find it acceptable, but he didn't say anything. I was not and never have been aware of any medical conditions that X suffered from, nor would I be expected to know."

21. The respondent concluded by saying that had the Community Member rung him back and advised he was upset and offended by the language, the respondent would have apologised and attempted to explain what had triggered his response.
22. The respondent advised he would be prepared to provide a written apology to the Community Member.

Findings of the Arbiter

23. The Arbiter is satisfied that there has been no breach of the prescribed standards of conduct by the respondent, and as such no finding of misconduct is made.
24. As there has been no breach of the prescribed standards of conduct, the Application is dismissed.

Reasons for the Arbiter's Decision

25. The Arbiter is of the view that the language used by the respondent which has upset the Community Member, was colourful, inappropriate, and showed a lack of judgement by an elected representative. However, considering the circumstances involved, the Arbiter is not satisfied that the actions of the respondent amounted to a breach of the prescribed standards.
26. The Arbiter was impressed with the genuine willingness of the respondent to acknowledge his behaviour and to seek to remedy the impact by providing a written apology to the Community Member. The Arbiter considers the commitment to provide an apology appropriate and expects the respondent to follow through on this undertaking.

Jan Boynton
Arbiter

Date: 25 August 2021

Appendix A

Schedule 1—Standards of conduct

Regulation 12

1 Treatment of others

A Councillor must, in performing the role of a Councillor, treat other Councillors, members of Council staff, the municipal community and members of the public with dignity, fairness, objectivity, courtesy and respect, including by ensuring that the Councillor—

- (a) takes positive action to eliminate discrimination, sexual harassment and victimisation in accordance with the **Equal Opportunity Act 2010**; and
- (b) supports the Council in fulfilling its obligation to achieve and promote gender equality; and
- (c) does not engage in abusive, obscene or threatening behaviour in their dealings with members of the public, Council staff and Councillors; and
- (d) in considering the diversity of interests and needs of the municipal community, treats all persons with respect and has due regard for their opinions, beliefs, rights and responsibilities.

2 Performing the role of Councillor

A Councillor must, in performing the role of a Councillor, do everything reasonably necessary to ensure that the Councillor performs the role of a Councillor effectively and responsibly, including by ensuring that the Councillor—

- (a) undertakes any training or professional development activities the Council decides it is necessary for all Councillors to undertake in order to effectively perform the role of a Councillor; and
- (b) diligently uses Council processes to become informed about matters which are subject to Council decisions; and
- (c) is fit to conscientiously perform the role of a Councillor when acting in that capacity or purporting to act in that capacity; and
- (d) represents the interests of the municipal community in performing the role of a Councillor by considering and being responsive to the diversity of interests and needs of the municipal community.

3 Compliance with good governance measures

A Councillor, in performing the role of a Councillor, to ensure the good governance of the Council, must diligently and properly comply with the following—

- (a) any policy, practice or protocol developed and implemented by the Chief Executive Officer in accordance with section 46 of the Act for managing interactions between members of Council staff and Councillors;
- (b) the Council expenses policy adopted and maintained by the Council under section 41 of the Act;
- (c) the Governance Rules developed, adopted and kept in force by the Council under section 60 of the Act;
- (d) any directions of the Minister issued under section 175 of the Act.

4 Councillor must not discredit or mislead Council or public

- (1) In performing the role of a Councillor, a Councillor must ensure that their behaviour does not bring discredit upon the Council.
- (2) In performing the role of a Councillor, a Councillor must not deliberately mislead the Council or the public about any matter related to the performance of their public duties.

5 Standards do not limit robust political debate

Nothing in these standards is intended to limit, restrict or detract from robust public debate in a democracy.

Dear [REDACTED]

I am writing in regards to a conversation we had on Messenger on 13th May 2021 (one of the numerous occasions you have contacted me) during which I used what you consider to be inappropriate language.

I apologise if it caused you offence and would have acknowledged same, if you had raised it at the time.

As for your accusation that I was supporting domestic violence, which I vehemently abhor, I do raise the point that I have witnessed domestic violence first hand as a child and would never condone nor support the use of it in any shape or form.

Regards,

Cr Peter Maynard

FILE NO:

ITEM NO: 6.5.8
DIRECTOR CITY OPERATIONS -
STEPHEN THORPE**WYNDHAM REFUSE DISPOSAL FACILITY COMMUNITY REFERENCE GROUP -
2021/22 ANNUAL MEMBERSHIP REFRESH****Summary**

This report outlines the process that was used to fill two vacant positions on the Wyndham Refuse Disposal Facility (RDF) Community Reference Group (CRG), as part of the 2021/22 annual membership refresh.

The RDF CRG is a forum for community engagement about the current and future operation of the RDF and council's waste management services.

This report recommends the appointment of Joe Ferlazzo and Bianca Bragalenti be appointed as community members to the RDF CRG from 1 July 2021 to 30 June 2024.

Attachments

1. CRG Terms of Reference
2. CRG 2021/22 Expression of Interest List of Applicants
3. CRG 2021/22 Membership Refresh - Evaluation Report - **Confidential** - *printed in separate document*

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe

In providing this advice as the Director, I have no disclosable interests in this report.

Acting Manager Waste Management & Disposal - Liza McColl

In providing this advice as the Manager, I have no disclosable interests in this report.

Environmental Systems Officer - Justin Rhodes

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- The Council has a statutory obligation to have the CRG.
- The EOI process has provided the community with an equitable opportunity to join the CRG.
- The recommended applicants scored highest.

RECOMMENDATION

That Council appoint Joe Ferlazzo and Bianca Bragalenti as community representatives on the Wyndham Refuse Disposal Facility Community Reference Group from 1 July 2021 to 30 June 2024.

FILE NO:

ITEM NO: 6.5.8

DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**WYNDHAM REFUSE DISPOSAL FACILITY COMMUNITY REFERENCE GROUP -
2021/22 ANNUAL MEMBERSHIP REFRESH (cont'd)****MOTION**

CRS PETER MAYNARD / SAHANA RAMESH

That Council appoint Joe Ferlazzo and Bianca Bragalenti as community representatives on the Wyndham Refuse Disposal Facility Community Reference Group from 1 July 2021 to 30 June 2024.

(CARRIED)

FILE NO:

ITEM NO: 6.5.8
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**WYNDHAM REFUSE DISPOSAL FACILITY COMMUNITY REFERENCE GROUP -
2021/22 ANNUAL MEMBERSHIP REFRESH (cont'd)****1. Background**

Council established the RDF CRG in December 2013 to provide a regular forum for community engagement around the current and future operation of the RDF. The CRG satisfies the Council's statutory obligation under the current planning permit for a consultative committee.

The CRG operates under the Terms of Reference (ToR), provided in Attachment 1.

There are currently nine community representative positions on the CRG: six Wyndham resident representatives, one environment group representative, one community group representative and one adjacent landowner/neighbour representative. The membership term is three years, with a rotation of three positions being replaced each year to keep the membership fresh, retaining knowledge and introducing new ideas and perspectives. The CRG meet every two months.

The CRG did not meet consistently in 2020 due to COVID. The members on the CRG that were scheduled to complete their term on the 30 June 2021 had their memberships extended for another year, however there were two other mid-term resignations that needed to be filled. The ToR states that an Expression of Interest process is to be used to fill the vacant positions.

2. Relevant Law

It is a condition of the Planning Permit for the operation of the RDF that Council must convene a Consultative Committee to review complaints and generally assess compliance with the conditions of all approvals associated with the landfill operation, review environmental performance and encourage best practice techniques in the operation of the landfill, consider and recommend preventative mechanisms which may be required to minimise amenity impacts and provide comments on any plan for approval under the permit. The condition states that the CRG can fulfill this role.

It is also a condition of the EPA Works Approval for the ongoing construction of landfill cells that Council must inform the community through the CRG or alternative engagement activities of the progress of cell or leachate pond construction and cell rehabilitation works on the site and show EPA how any issues or concerns raised have been considered.

3. Discussion

Expressions of Interest (EOI) to fill the vacant positions were invited in June 2021. A total of 11 applications were received. A list of applicants is provided in Attachment 2.

A selection panel comprising the two councillor appointed representatives on the CRG, the Independent chair of the CRG and the RDF Environmental Systems Officer was established to consider the EOI applications.

The key selection criteria used to assess the applications were:

- Personal and professional experience
- Understanding of issues around the operation of the RDF
- Connections to the community and communication skills
- Understanding of the CRG role, values and principles and fit
- Availability

Four applicants were short-listed for interview. The selection panel interviewed each of the four short-listed applicants in early September 2021.

FILE NO:

ITEM NO: 6.5.8

DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**WYNDHAM REFUSE DISPOSAL FACILITY COMMUNITY REFERENCE GROUP -
2021/22 ANNUAL MEMBERSHIP REFRESH (cont'd)**

The selection panel recommends that the best way to refresh the membership of the CRG would be to appoint Joe Ferlazzo and Bianca Bragalenti.

Joe is passionate about the CRG and the future of the RDF. Joe has strong community connections through his long-term involvement in the Wyndham Repair Café and he is a long-term Wyndham resident. Joe is particularly interested in recycling, e-waste and community development. Bianca has a degree in political science and master's in international development and currently works in the waste management industry where food waste is converted into fertilizers. Bianca is passionate about sustainable waste management, innovative solutions and the environment.

The recommended appointments are considered a good fit with the existing CRG membership.

4. Wyndham 2040 Vision

- **People and Community:**
The CRG provides an opportunity for Wyndham residents with a diverse range of views about the RDF to connect and listen and learn from each other.
- **Leadership and Participation:**
The CRG provides an opportunity for community members to contribute their skills, knowledge and passion and have conversations about how the Council's management of the RDF and waste contributes to the Wyndham 2040 vision.

5. City Plan

4.2.5 Council will actively engage the community in decision-making for how we will use resources and assets to implement the community vision of "Wyndham 2040" and support residents to understand and participate in Council decision making.

6. Council Plan and Policies

The CRG provides ongoing opportunities for community engagement to inform decisions, build capacity and strengthen relationships, in accordance with the Wyndham Community Engagement Policy 2021-2025.

7. Regional, State and national plans and Policies

Not applicable.

8. Financial Viability

There are no financial implications. Membership on the CRG is voluntary.

9. Sustainability Implications

The operation of the RDF and council's waste management services has a range of ongoing economic, social and environmental implications. The CRG provides an important mechanism for the community to be engaged in these issues. There was a 50% increase in the number of applications received this year compared to previous years and this may indicate the community's continuing and growing interest in waste management.

10. Options

1. Agree with the selection panel's recommendations.

FILE NO:

ITEM NO: 6.5.8
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**WYNDHAM REFUSE DISPOSAL FACILITY COMMUNITY REFERENCE GROUP -
2021/22 ANNUAL MEMBERSHIP REFRESH (cont'd)**

2. Not agree with the selection panel's recommendation. The evaluation panel will be provided with this feedback and asked to review their recommendation. This may result in the need to conduct an additional expression of interest process and/or interviews

11. Community Engagement

The EOI process provides an equitable opportunity for community members to participate in the CRG. Unsuccessful applicants will be given the opportunity to be advised directly of the next EOI process so that they can reapply if they wish. Minutes of CRG meetings and information about the CRG is published on the Council website.

12. Communication Strategy

Successful and unsuccessful applicants will be advised of the outcome of the expression of interest process by telephone and in writing. New members of the group will be provided a welcome pack containing a range of relevant documents for background reading prior to their attendance at the first CRG meeting in October 2021.

13. Innovation and Continuous Improvement

The CRG and having ongoing dialogue with members of the community provides an opportunity for innovation and continuous improvement initiatives at the RDF.

14. Collaboration

The CRG membership includes a representative from the Metropolitan Regional Waste and Resource Recovery Group (MWRRG), the Victorian state government statutory body responsible for coordinating and facilitating the delivery of waste management and resource recovery across metropolitan Melbourne. The MWRRG representative regularly attends the CRG meetings.



Wyndham Refuse Disposal Facility
Community Reference Group
Terms of Reference

Adopted by Wyndham City Council
2 October 2018

1. Purpose

The Wyndham Refuse Disposal Facility Community Reference Group (CRG) has been established to provide a forum for consultation, provision of advice and information exchange in relation to waste management and resource recovery and the Wyndham Refuse Disposal Facility (RDF) between Wyndham City, key stakeholders and the community. It is not intended that the CRG will have any delegated powers to make decisions.

2. Objectives of the CRG

The objectives of the group are to:

- Provide for information exchange between residents, community groups, government agencies, Council and other stakeholders in relation to the RDF and waste management and resource recovery generally.
- Facilitate community awareness of the strategic planning, operations, environmental performance and any short, medium and long term development of the Facility.
- Foster understanding and cooperation between community members and Council staff in minimising the impact of the Wests Road RDF on the local community; and
- Provide input into Council's planned community engagement and education activities in relation to the Wests Road RDF and waste management and resource recovery generally, including recycling and waste diversion.

A preliminary list of issues that the group considers are within the scope of this broad topic are listed in Attachment 1. The CRG is not limited to these matters.

3. Membership

The membership of the CRG will include:

- An independent chair

Wyndham City Council

- Up to three Wyndham City Councillor representatives, including the Mayor of the day or their representative, and at least one Ward Councillor.
- One (1) executive officer
- One (1) technical officer / facility manager
- One (1) Metropolitan Waste and Resource Recovery Group (MWRRG) representative

Community members

- One (1) abutting landowner representative
- One (1) environment group representative
- One (1) ratepayer association, advocacy or business group representative
- Up to six (6) residents of Wyndham

4. Attendance by non-members

Attendance by non-members at meetings may be helpful to the CRG to provide additional expert knowledge, comparable experience or strengthening links and understanding of interests not fully represented on the group. The Chair, following consultation with the Group, but at the Chair's absolute discretion, may also invite representatives of agencies and other persons who are not formal members of the Group to provide relevant information and assist in discussions, including but not limited to:

- Additional officers or Councillors
- Expert consultants

- Environment Protection Authority (Vic)
- Other members of the community

Membership of the CRG is for a maximum term of three years or until such time as their replacement may become necessary due to a vacancy. For the purpose of retaining core committee knowledge and refreshing the membership of the group, membership replacements are to be staggered with the term of three community members concluding each year.

A vacancy arises if a member:

- resigns in writing;
- ceases to reside in Wyndham or adjacent to the Facility in the case of the abutting landowner representative.
- is absent from two consecutive meetings without leave being granted by the Chair; or
- fails to abide by the requirements of the Group, including, but not limited to, core values and principles

Full term members are to be appointed through a competitive selection process. Expression of interest will be invited from all Wyndham residents and organisations, through a public notice in the local papers, and by direct contact with relevant organisations and abutting landowners as appropriate. Outgoing members may apply for a new term.

Candidates to fill a mid-term vacancy are to be identified through a process of nomination by the CRG, Chair or Council. The membership term of a person appointed to a mid-term vacancy is the remainder of the term of that position.

A selection panel, consisting of the Chair, Councillor and Council Executive will consider all applications and recommend membership appointments to Council. Membership appointments to the CRG must be approved by Council resolution.

Community members will be chosen based on knowledge and understanding of issues that may include:

- the environment;
- community liaison;
- rehabilitation;
- development of landfills;
- an ability and interest to be involved in local community affairs;
- advocacy; and
- networks.

5. Independent Chair

The Independent Chair is appointed by the Council. The Chair is responsible for the orderly running of the CRG meeting, setting the agenda and managing business of meetings. They are to act in the interests of a fair and constructive process and endeavour to remain independent and impartial.

The Chair will review and edit the 'raw' notes of CRG meetings before they are circulated as a draft to members to ensure they reflect a balanced record of key points of agreement, action and conclusions.

If the Chair or any other member of the CRG becomes aware of any circumstances that might reasonably be considered to affect the Chair's ability to act impartially, the CRG will be informed of those circumstances and its advice will be sought on how best to manage them.

6. Core Values and Principles

Members are expected and encouraged to:

- commit time to prepare for and attend all CRG meetings and actively participate in discussions.
- respect and value the different contributions made by members and any invited guests.
- discuss matters raised at CRG meetings with their respective organisations and networks, and to bring feedback on any matters within the CRG's scope to the CRG.
- pass on accurate information and knowledge gained through the CRG process whatever their personal views may be (subject to confidentiality clause below).

Participation in the CRG does not affect participants' rights to participate in any statutory decision-making processes concerning the operation or future plans for the RDF, or to be involved in other forums or processes for input to policy on waste management or resource recovery in general.

Members are not required to endorse any particular Council decisions or outcomes resulting from community engagement or education around waste management or resource recovery. It is important for members to be able to express different views while also being respectful of individuals and the group.

In order to ensure clear and consistent communication about the CRG process (eg in response to media enquiries), only the Chair will act as a spokesperson for the CRG and then only with the agreement of the members as to the key points to be covered. Individual members are not constrained from expressing their or their interest group's opinions provided they make it clear they are not representing the whole CRG and they do not quote other members.

Matters identified as confidential should not be discussed outside the CRG. If a member does not accept or agree that the matter should be confidential then this should be raised with the Chair prior to any discussion.

Members should declare to the Chair any beneficial interest they have in a matter being discussed.

7. Extent of Authority

The CRG will be a forum for consultation, provision of advice and information exchange. The CRG has no power to commit Council to any decision or action or to direct Council officers in their duties.

The CRG is authorised to provide information and advice to the Council and community (subject to confidentiality clause above) on matters discussed in relation to the West Road RDF and to waste management and resource recovery in general.

8. Notes of meetings

In order to ensure balanced reporting of CRG meetings, the notes will be reviewed by the whole group following an initial review by the Chair. Once confirmed by the group, they will be made available on Council's website and members are free to disseminate them to their networks.

Attachment 1

Preliminary list of issues within the scope of the CRG's discussions**The Refuse Disposal Facility (RDF)**

- the strategic context for the RDF; its regional role and community awareness of this
- the height of the facility
- the amount of waste accepted at the RDF
- the image and stigma impacts, both locally and more broadly
- the financials; revenues from the RDF and how they are spent
- statutory requirements of landfills; eg re cell construction, infrastructure (including gas capture system) and capping/ rehabilitation requirements
- approvals associated with the construction of a leachate pond
- health impacts of bio aerosols associated with use of biomass as a capping material
- monitoring program (to ensure statutory compliance)
- the plan for the future of the RDF.

Waste management and resource recovery generally

- Council and State policy; how have these evolved over time?
- Community education about recycling and resource recovery; what goes in the bin
- the potential for an organics (green and food waste) "third bin"

**Refuse Disposal Facility Community Reference Group
2021/22 Membership Refresh Expression of Interest
List of Applicants**

1. Archita Shankar
2. Bianca Bragalenti
3. David Eastham
4. Emma Presponoski
5. Joe Ferlazzo
6. Margaret Rennie
7. Purandar Raj Manoharan
8. Rushthi Ibralebbe
9. Shannon O'Mahoney
10. Susanthi Liyanaarachchi
11. Tully Smith

FILE NO:

ITEM NO: 8.1
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**POST-ELECTION REVIEW OF COUNCIL'S INSTRUMENTS OF DELEGATION****Summary**

The *Local Government Act 2020* requires Council to review all delegations made under the *Local Government Act 2020* within 12 months of an election. There are three Instruments that Council is required to review to comply with the *Local Government Act 2020*:

- Instrument of Delegation from Council to the CEO (CEO's Instrument);
- Instrument of Delegation from Council to the Planning Committee (Planning Committee Instrument); and
- Instrument from Council to the LeadWest Committee (LeadWest Committee Instrument).

A review of the Instrument of Delegation from Council to Staff (Staff Instrument) is required following recent legislative and organisational changes.

Following delegation by the Environment Protection Authority (EPA) of specific powers to Council from 1 July 2021, Council is required to adopt an Instrument of Sub-Delegation under the *Environment Protection Act 2017* (EPA Instrument).

Attachments

1. Instrument of Delegation from Council to CEO - *printed in separate document*
2. Instrument of Delegation from Council to Staff - *printed in separate document*
3. Instrument of Delegation from Council to LeadWest Committee - *printed in separate document*
4. Instrument of Delegation from Council to Planning Committee - *printed in separate document*
5. Instrument of Sub-Delegation under the Environment Protection Act 2017 - *printed in separate document*

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Chief Legal Counsel - Rachel Kenyon

In providing this advice as the Manager, I have no disclosable interests in this report.

Legal Counsel - Bethany Wallace

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Review of the CEO's Instrument, Planning Committee Instrument and LeadWest Committee Instrument, as required under section 11(7) of the *Local Government Act 2020*.
- Adoption of the amended CEO's Instrument and adoption of the Planning Committee Instrument and LeadWest Committee Instrument.
- Adoption of the EPA Instrument.

FILE NO:

ITEM NO: 8.1

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**POST-ELECTION REVIEW OF COUNCIL'S INSTRUMENTS OF DELEGATION**
(cont'd)

- Adoption of the amended Staff Instrument.

RECOMMENDATION

That Council:

1. Revokes the following Instruments:
 - (a) the *Instrument of Delegation from Council to the CEO* adopted on 18 August 2020; and
 - (b) the *Instrument of Delegation from Council to Staff* adopted on 29 June 2021.
2. Adopt the following Instruments as amended:
 - (a) the attached *Instrument of Delegation from Council to the CEO*; and
 - (b) the attached *Instrument of Delegation from Council to Staff*.
3. Adopt the following new Instrument:
 - (a) the attached *Instrument of Sub-Delegation under the Environment Protection Act 2017*.
4. Revoke and adopt the following unamended Instruments:
 - (a) the attached *Instrument of Delegation from Council to the Planning Committee*; and
 - (b) the attached *Instrument of Delegation from Council to the LeadWest Committee*.
5. Authorises the affixing of the common seal of Council to the adopted Instruments and declares that they come into force with immediate effect.

FILE NO:

ITEM NO: 8.1

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**POST-ELECTION REVIEW OF COUNCIL'S INSTRUMENTS OF DELEGATION**
(cont'd)

Cr Heather Marcus left the meeting at 9.21pm.

Cr Heather Marcus returned to the meeting at 9.34pm.

MOTION

CR ROBERT SZATKOWSKI / PETER MAYNARD

That Council:

1. Revokes the Instrument of Delegation from Council to the CEO adopted on 18 August 2020.
2. Adopts the amended attached Instrument of Delegation from Council to the CEO.
3. Adopts the following new Instrument:
 - (a) the attached Instrument of Sub-Delegation under the *Environment Protection Act 2017*.
4. Revokes and adopts the following unamended Instruments:
 - (a) the attached Instrument of Delegation from Council to the Planning Committee; and
 - (b) the attached Instrument of Delegation from Council to the LeadWest Committee.
5. Authorises the affixing of the common seal of Council to the adopted Instruments and declares that they come into force with immediate effect.
6. Requests the CEO provide further Briefings in relation to the Instrument of Delegation from Council to Staff prior to it being considered for adoption at a future Council Meeting.

(CARRIED)

Cr Heather Marcus abstained from voting on this item.

COUNCILLOR JOSH GILLIGAN CALLED FOR A **DIVISION** ON THE VOTE.

The DIVISION was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR

Councillor Hill
Councillor Mahfoud
Councillor Maynard
Councillor McIntyre
Councillor Ramesh
Councillor Szatkowski

Total (6)

AGAINST

Councillor Barrera
Councillor Gilligan
Councillor Hegedich
Councillor Shaw

Total (4)

Cr Heather Marcus abstained on voting on this item.

FILE NO:

ITEM NO: 8.1

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**POST-ELECTION REVIEW OF COUNCIL'S INSTRUMENTS OF DELEGATION**
(cont'd)**1. Background**

Section 11(7) of the *Local Government Act 2020* requires Council to review specific Instruments of Delegation within 12 months of an election. The deadline for completion of the review is 23 October 2021.

Following recent legislative and organisational changes, changes to the Staff Instrument are recommended, which are outside of the scope of the section 11(7) review.

On 4 June 2021, the EPA delegated specified powers and functions under the *Environment Protection Act 2017* to Council. Council is required to adopt a new Instrument in order to sub-delegate these powers and functions to Environmental Health and City Amenity officers.

2. Relevant Law

The requirement for the post-election review arises under section 11(7) of the *Local Government Act 2020*.

3. Discussion**3.1. Review of Council's Instruments**

There are three Instruments that must be reviewed in accordance with section 11(7) of the *Local Government Act 2020*:

- (a) the CEO's Instrument;
- (b) the Planning Committee Instrument; and
- (c) the LeadWest Committee Instrument.

(a) CEO's Instrument

This Instrument delegates all powers, duties and functions from Council to the CEO, other than the prescribed exceptions under the *Local Government Act 2020*.

The CEO's Instrument restricts the CEO from:

"entering into a contract or making any expenditure that exceeds the value of \$1,000,000 (GST incl.)"

The limit of the CEO's financial delegation has not been increased since at least 2013. It is recommended that the limit of the financial delegation be increased to \$2,500,000. This increase to the limit of the delegation more accurately reflects the scale of Wyndham's procurement activities and will also facilitate a more efficient delivery of the capital works budget.

It is further recommended that the CEO's financial delegation is amended so that it is GST 'exclusive' and not 'inclusive', to align with the way that the Oracle system operates.

(b) Planning Committee Instrument and LeadWest Committee Instrument

Although these Instruments were only recently adopted by Council post-election, as they are delegations to members of delegated committees, both Instruments are caught by section 11(7) of the *Local Government Act 2020* and must be reviewed. There are no recommended changes to either of these Instruments.

FILE NO:

ITEM NO: 8.1

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**POST-ELECTION REVIEW OF COUNCIL'S INSTRUMENTS OF DELEGATION**
(cont'd)**3.2. Updates to the Staff Instrument**

This Instrument delegates the powers, duties and functions under various pieces of legislation that are not capable of being sub-delegated by the CEO and must be delegated by Council direct to staff.

Although the Staff Instrument is not caught by section 11(7) of the *Local Government Act 2020* and does not need to be reviewed, as a result of recent organisational and legislative changes, there are some recommended changes as follows:

- Removal of the delegations under the *Environment Protection Act 1970* as this Act is no longer in force;
- Individual identification of all powers, duties and functions under sections 36A-40C(2) of the *Food Act 1984*, rather than including them as one power under Part VI of that Act;
- Addition of a new power under section 40F of the *Food Act 1984* following a recent amendment to that Act;
- Removal of the power to enter into environmental upgrade agreements under section 181H of the *Local Government Act 1989*, as this power can now be sub-delegated by the CEO to a member of staff;
- Minor administrative changes to the wording of the delegations under the *Planning and Environment Act 1987*, *Residential Tenancies Act 1997* and *Road Management Act 2004* to reflect legislative changes;
- Addition of new delegations under the *Residential Tenancies Regulations 2021* which are now in force;
- Update references to 'Municipal Emergency Recovery Officer' to 'Municipal Emergency Management Officer', following a change to position title; and
- Removal of the unnecessary administrative delegation for specific Council officers to affix Council's common seal (as authorised by resolution), as how the common seal and authorisation of its use is now set out in Council's *Governance Local Law 2020*.

3.3. Adoption of the EPA Instrument

Under section 437 of the *Environment Protection Act 2017*, on 4 June 2021 the EPA delegated to Council a number of powers and functions relating to the regulation of:

- (a) on-site water waste management systems with a design or actual flow rate of sewage not exceeding 5,000 litres on any day; and
- (b) noise from construction, demolition and removal of residential premises.

Council is required to adopt this Instrument to enable Council to sub-delegate the powers and functions to Environmental Health and City Amenity officers, to exercise on behalf of the EPA.

4. City Plan

4.2.1 Council will strive to offer value to residents, businesses, and visitors through focusing on operational efficiency in response to changes in government legislation, while ensuring the community continues to enjoy access to high-quality services, amenities and infrastructure.

FILE NO:

ITEM NO: 8.1

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**POST-ELECTION REVIEW OF COUNCIL'S INSTRUMENTS OF DELEGATION**
(cont'd)**5. Council Plan and Policies**

Not applicable.

6. Regional, State and national plans and Policies

Not applicable.

7. Financial Viability

Not applicable.

8. Sustainability Implications

Not applicable.

9. Options

Council may determine to increase the CEO's financial delegation by a lesser amount, or not at all. Council may determine that the CEO's financial delegation remain GST inclusive.

10. Community Engagement

Not applicable.

11. Communication Strategy

Relevant Council officers have been consulted in relation to the recommended changes to the CEO's Instrument and Staff Instrument. Following adoption, the new Instruments will be made available to staff via the intranet.

12. Innovation and Continuous Improvement

Not applicable.

13. Collaboration

Not applicable.

FILE NO: N400081

ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION****Summary**

This report recommends the awarding of contract N400081 Bensonhurst and Brookdale Road Reserve Civil and Landscape Construction.

The project involves earth works, automated irrigation systems utilising Class A recycled water, fencing, the construction of sports fields with warm season turf varieties, LED sportsground lighting and hard and soft landscaping to both reserves. The sports fields at Bensonhurst Reserve accommodates 1 senior cricket oval and 4 soccer fields with additional works including the construction of tennis and a multi courts. The sports fields at Brookdale Reserve accommodate specialist baseball infrastructure with additional works including a car park and play space.

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer – Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Manager Climate Futures Office - Peter McKinnon

In providing this advice as the Manager, I have no disclosable interests in this report.

Capital Works Project Officer - Nick Dodd

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements;
- Provision of best value for money; and
- Ability to deliver project in specific timeframe.

RECOMMENDATION

That Council:

1. Award contract N400081 Bensonhurst and Brookdale Road Reserve Civil and Landscape Construction to Joslyn Group PTY LTD ACN167 480 748 for the sum of \$14,998,082.00 (GST inclusive).
2. Authorise the Manager Climate Futures to approve contract variations and contingencies to contract N400081 Bensonhurst and Brookdale Road Reserve.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

FILE NO: N400081**ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL****AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)**

Cr Robert Szatkowski left the meeting at 9.44pm.

Cr Robert Szatkowski returned to the meeting at 9.46pm.

MOTION

CR SAHANA RAMESH / SUSAN MCINTYRE

That Council:

1. Award contract N400081 Bensonhurst and Brookdale Road Reserve Civil and Landscape Construction to Joslyn Group PTY LTD ACN167 480 748 for the sum of \$14,998,082.00 (GST inclusive).
2. Authorise the Manager Climate Futures to approve contract variations and contingencies to contract N400081 Bensonhurst and Brookdale Road Reserve.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

(CARRIED)

FILE NO: N400081

ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)****1. Background**

Tenders were invited via a publicly defensibly process via the Wyndham City Supplier Portal on 19 June 2021 and closed on 4 August 2021. Eight (8) conforming tender submissions were received. The tender submission pricing ranged from between \$13,105,620.00 to \$16,520,421.84 EX GST.

The Council Tender Evaluation Panel (TEP) elected during the tender period to issue an extension of time of one (1) week due to the current State of Emergency Declaration due to the extended lockdown.

A detailed tender framework was provided to respondents giving tenderers the option of tendering for either site or both reserves under the one contract. The TEP post consensus evaluation meetings determined the best value for Council was to award both reserves to a single entity under a head contractor agreement.

Each tender submission was checked for arithmetical correctness, exclusions, inclusions, commercial departures to contract along with omissions/qualifications.

2. Discussion**Tender Evaluation**

The voting members of the evaluation panel are:

Capital Works Project Officer X 2;

Recreation Strategy, Planning and Projects Lead; and

Sport & Recreation Project Officer.

Category Management Partner (Non-Voting).

The evaluation panel included guidance and oversight from the procurement, Category Management Partner, to ensure best value for money is achieved, whilst ensuring both probity and best practise in procurement was achieved, in accordance with the Local Government Act 2021 (Vic), Wyndham City Council procurement policy and guidelines (2019).

The members of the evaluation panel do not have any pecuniary, direct or indirect interest in this contract and executed Conflict of Interest declarations at the 3 key stages of the evaluation process.

Tenders were evaluation in accordance with the Tender Evaluation and Probity plan and Part 1 General Conditions of Tender using the following quantitative and qualitative criteria and weightings:

	Weighting
A. Qualitative Assessment	
Demonstrated ability to meet Council's objectives through a substantively conforming tender.	Pass/Fail
Financial Capacity	Pass/Fail

FILE NO: N400081

ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)**

	Weighting
<u>Historical Performance</u> A minimum of three past projects - which are of comparable scope, scale and complexity, with detailed information of the tenderers level of involvement (lead or head contractor),	15%
<u>Resources and Capacity</u> Project personnel proposed and their competencies including the percentage (%) of time and days allocated to the project. Respondents are to illustrate the experience of the proposed key personnel, and sub contractors and detail examples of previous working relationship together on past projects.	15%
<u>Methodology and Capability</u> Respondents to outline their methodology, systems and timelines to meet Council's project timeframes. Respondents to provide a detailed a methodology that addresses the specifics and encumbrances of each site and proposed works.	20%
<u>Social and Economic Inclusion</u> Creating the conditions for socially and economically strong communities is at the core of Local Government's mandate. Respondents are to demonstrate how they will support, enhance and deliver social outcomes for the City of Wyndham for this tender.	5%
<u>Environmental Management System (EMS)</u> Respondents to detail their systems to demonstrate their understanding of applying Council's Environmentally Sustainable Design Framework to this project. Initiatives delivered around recycling / repurposing, new environmentally sustainable materials and technologies.	5%
<u>Occupational Health and Safety Management System (OHSMS)</u> Respondents to detail their systems / procedures, in compliance with ISO and statutory laws in Victoria.	5%
<u>Quality Management System (QMS)</u> Respondents to detail their management system in place for the effective and efficient documentation management required for this contract, demonstrating ISO conformance.	5%
(Quality units) Total	70%
B. Quantitative Assessment	
<u>Price 'Value for Money'</u> Respondents to note "Value for Money" is based on best price and a competitive schedule of rates.	30%

Conformance analysis was completed by the Procurement Team on close of the tender at 12:00noon 4 August 2021. Qualitative submissions were then released to the Tender Evaluation Panel (TEP) and for analysis and review.

FILE NO: N400081

ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)**

The Tender Evaluation Panel (TEP) reviewed each submission to identify key experience, resourcing and methods used to deliver the Project as outlined in the RFT including the supporting SME analysis. The TEP reviewed and scored all 8 tenders individually and provided individual results to procurement prior to meeting.

The TEP met to establish and agree on the consensus scoring for all tenders.

Bid Clarification questions were issued to required tenderers to confirm pricing validity as set down in RFT Part 1. Shortlisted tenderers confirmed their pricing was valid for 120 days.

The TEP conducted a clarifications consensus meeting to finalise qualitative scores for each submission.

The TEP reached a consensus of shortlisting 3 tenderers based on both the qualitative and quantitative scores and their response to bid clarification questions. The TEP opted to interview 3 of the 8 tenderers.

Tender Interview

Shortlisted tender interviews were conducted on 14 June 2021, each shortlisted entity presented their tender submission and 45 questions were posed by the Tender Evaluation panel during the interviews. Following the Shortlist Interviews and further internal consensus meetings the Tender Evaluation Panel elected to progress with conducting referee checks of the preferred.

The highest ranked tenderer the Joslyn Group PTY LTD confirmed the following during a second phase clarification / negotiation process:

- a) The tendered lump sum.
- b) Mobilisation to site within 4 weeks from award of the contract subject to the completion of all mandated pre-commencement document;
- c) Suitably qualified and experienced resources were available to satisfactorily undertake this contract.
- d) That the 52-week construction program period was adequate and in accordance with Council timeframe, and still able to be met given the current construction pilot light conditions in place under the Stage of Emergency Declaration in place;
- e) Confirmation of no supply chain issues for the duration of contract;
- f) Certified and Accredited Quality Management, Environmental Management and Occupation Health and Safety systems.

Referee Checks

The evaluation panel chair conducted referee checks of the preferred tenderer post shortlist interview. Each referee confirmed the preferred tenderer had completed jobs of similar size, scope complexity and dollar value, with zero OH & S issues and delivered on time and budget to the satisfaction of client. No concerns were raised by each of the referees regarding the preferred tenderers ability to deliver these works to a high standard meeting the Community and Council expectations.

FILE NO: N400081

ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)****Financial Assessment**

A financial assessment was undertaken by Creditor Watch and returned a satisfactory result.

CreditorWatch report summary – for Joclyn Group PTY LTD

- No Court Actions | No Registered Trade Defaults
- Noted as being C1 – Risk level: **Neutral Risk**
- Registered for GST
- Jocelyn Group Pty Ltd Category classification is: - **ANZSIC Classification**
Professional, Scientific and Technical Services
Professional, Scientific and Technical Services (Except Computer System Design and
Related Services)/ Management and Related Consulting Services / Management Advice
and Related Consulting Services
- ABN | A.C.N match & Business detail match with original tender submission company
details submitted in Schedule 1.
- Probability of Default Entity has a **3.00%** chance of failure within the next 12 months. *All
suppliers in this category are typically running at this level concurrently due to the effects
of the Pandemic; which poses no direct risk to council;*
- Overall Credit Score is **576 out of 850** for this industry category – seeing a reasonable
acceptable credit worthiness;
- Rated B = Low repayment risk. Payment behaviour is better than the national average.

Experience

Joslyn Group PTY LTD has satisfactorily completed a number of projects of a similar nature and complexity including Hillview Reserve for the City of Whittlesea, Aspendale Gardens Sports Ground for the City of Kingston and Melbourne City Soccer Training Facility for the City of Casey.

3. City Plan

[2.2.4 Council will balance social sustainability with urban development by identifying and encouraging vital community infrastructure and services prior to land development; seeking opportunities to include health impact assessments for new developments; and continuing to create open and active outdoor /public spaces in both new and existing communities.

4. Council Policy

Council policy on tendering as applicable to this contract has been complied with.

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ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)****5. Financial Information**

The project for Bensonhurst and Brookdale Road Reserve Civil and Landscape Construction has been incorporated into the Integrated Plan and Budget for 2021-22 Financial Year as approved and adopted by Council on 29 June 2021.

6. Social Implications

The awarding of N400081 Bensonhurst and Brookdale Road Reserve Civil and Landscape Construction will allow Council to provide aesthetically pleasing, functional, state of art facilities within the public realm that builds upon local pride for the region and local community. These facilities and associated infrastructure will encourage engagement to build social inclusion, active open spaces that address the expectations of the community given the comprehensive Master Planning community consultation process undertaken in 2019 -2020.

7. Environmental Implications

The endorsed design and proposed construction methodologies where possible will ensure environmental sustainability is achieved at each reserve.

- Hard surface areas are to be connected to Water Sensitive Urban Design (WSUD) stormwater treatments wherever feasible to do so.
- Landscaping has been designed to reduce the impact of an urban heat island effect.
- Water management and sensitivity is to be employed where suitable on site.
- Use of recycled water for irrigation purposes at both sites is to be employed.
- Installation of warm season turf varieties on playing fields and surrounds to reduce water consumption.

8. Economic/Employment Considerations

- Deliver facilities with long term feasibility and viability for all patrons, visitors and the wider community.
- Incorporate best value initiatives that will optimise use of the precinct services and facilities at the site.
- Optimise the funding and allocated capital expenditure to deliver engaging, recreational areas which not only enhance the beauty and environmental quality of neighbourhoods but will deliver multiple sporting functional activity needs.
- Contribute to the future economic development of the local area and the region.
- Where possible, the head contractor has confirmed their commitment to the use of local trades and suppliers including delivering some key social and economic initiatives.

9. Options

Council does not have the resources and/or expertise in house to perform the tasks required under this contract. The tender evaluation panel considers that the tender process used in the procurement of this contract and the tender evaluation process used to evaluate the tenders received has resulted in a best value outcome for Council meeting a strong bottom line approach.

10. Community Consultation

Community consultation was undertaken when developing the Master Plans for both reserves utilising councils Loop communication web platform along with many other community

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ITEM NO: 8.2
CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400081 - BENSONHURST AND BROOKDALE
ROAD RESERVES - CIVIL LANDSCAPE CONSTRUCTION (cont'd)**

engagement activities undertaken to see strong reach and consultation across the diverse community of Point Cook. Council fully understands the needs, functions and activities the community expected from these marquee open space sites. Further consultation will be deployed to neighboring properties prior and throughout the construction phase at each reserve.

11. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers.

12. Project Timeframe

Date of award of contract.....September 2021
Contract start dateOctober 2021
Works completion dateOctober 2022
Defects liability period12 months
Contract end dateOctober 2023

FILE NO:

ITEM NO: 8.3
CHIEF EXECUTIVE OFFICER -
STEPHEN WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM****Summary**

This report recommends the awarding of a contract to the successful tenderer/s for N400110 – Arndell Park Stormwater Harvesting System.

The project involves the construction of a 22 megaliter stormwater harvesting and irrigation reuse system and forms stage one of the Greening the Pipeline Zone 5 masterplan works.

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Stephen Wall

In providing this advice as the CEO, I have no disclosable interests in this report.

Manager Climate Futures Office - Peter McKinnon

In providing this advice as the Manager, I have no disclosable interests in this report.

A/Coordinator Coast & Water - Peter Grogan

In providing this advice as the Coordinator, I have no disclosable interests in this report.

Coordinator Greening the Pipeline - Emma Pryse

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements
- Provision of best value for money
- Previous experience in similar projects

RECOMMENDATION

That Council:

1. Award contract N400110. Arndell Park Stormwater Harvesting System to G&S Fortunato Group Pty Ltd ACN 102 562 685 for the sum of \$1,766,729.25 (GST inclusive).
2. Authorise the Manager Climate Futures to approve contract variations and contingencies to contract N400110 – Arndell Park Stormwater Harvesting System.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

FILE NO:

ITEM NO: 8.3

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM (cont'd)****MOTION**

CR JASMINE HILL / SUSAN MCINTYRE

That Council:

1. Award contract N400110. Arndell Park Stormwater Harvesting System to G&S Fortunato Group Pty Ltd ACN 102 562 685 for the sum of \$1,766,729.25 (GST inclusive).
2. Authorise the Manager Climate Futures to approve contract variations and contingencies to contract N400110 – Arndell Park Stormwater Harvesting System.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

(CARRIED)

FILE NO:

ITEM NO: 8.3

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM (cont'd)****1. Background**

Tenders were invited on Saturday 26 June 2021 and closed on Wednesday 28 July 2021.

Five (5) conforming tenders were received and are listed below. The tender submission price range is between \$1,766,729.25 and \$4,391,452.35.

The tenders were checked for arithmetical correctness and for omissions/qualifications.

2. Discussion**Tender Evaluation**

The members of the evaluation panel are:

Emma Pryse, Coordinator Greening the Pipeline

Peter Grogan, Coordinator Coast and Water

Russell Kirby, Senior Stormwater Engineer

Damien D'Aspromonte, Foresight Advisory, External Technical Advisor

The members of the evaluation panel do not have any pecuniary interest in this contract and Conflict of Interest forms (Stages 1-3) were executed by the tender evaluation panel in accordance with the governance and procurement policy during the respective evaluation phases.

FILE NO:

ITEM NO: 8.3

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM (cont'd)**

Tenders were rated using the following criteria and weightings:

	Weighting
A. Qualitative Assessment	
Financial capability	Pass/Fail
OH&S system	Pass/Fail
Tender compliance	Pass/Fail
Tender conformity	Pass/Fail
Historical performance: Successful delivery of similar like scale Design, Construct and Install projects, works or services undertaken in the last three (3) years. Submit case studies & project implementation methodologies adopted for key projects	20%
Suitable Personnel (Experience and Technical Expertise), including Subcontractors / Subconsultants (Experience and Technical Expertise)	20%
Capability (including appropriate resourcing – personnel and equipment)	10%
OH&S	5%
Quality Management System (QMS)	5%
Environmental Management System (EMS)	5%
Social and Economic Inclusion	5%
B. Quantitative Assessment	
Price	30%

The tender submitted by G&S Fortunato Group Pty Ltd is the preferred tenderer as it has the highest ranking of all submitted tenders against the selection criteria.

Tender Interview

Tender interviews were conducted on 24 August and the highest ranked tenderer G&S Fortunato Group Pty Ltd advised the following:

- The tendered lump sum is confirmed.
- G&S Fortunato Group Pty Ltd can commence works in 2 weeks from award of the contract.
- Adequate resources will be available to satisfactorily undertake this contract.
- The 20 week construction period is adequate.

Financial Assessment

A financial assessment was undertaken via Creditor Watch along with an ASIC check and returned an acceptable and satisfactory result.

FILE NO:

ITEM NO: 8.3

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM (cont'd)****Experience**

G&S Fortunato Group Pty Ltd has satisfactorily completed a number of projects of a similar nature and complexity including Melbourne Market stormwater harvesting scheme for the City of Whittlesea (\$2.8M), Melbourne Airport Road, Drainage and Sewer works (\$7.7M), Dynon Rd Cycling corridor, roadworks and drainage City of Melbourne (\$2.8M).

3. City Plan

2.2.3 Council will be a leader in environmental sustainability and adapt to climate change by increasing the energy efficiency of Council, encouraging energy efficient development, fostering bio-diversity, and supporting local agriculture by working with the state government to ensure water security throughout our area.

4. Council Policy

Council policy on tendering as applicable to this contract has been complied with.

In accordance with the Local Government Act (Vic) 2020 and Council Procurement Policy and guidelines a formal procurement plan was prepared and endorsed prior to the commencement of the tendering process. The procurement plan was adhered to and procurement provided both oversight and probity throughout the tendering and evaluation process.

5. Financial Information

The project for construction of Arndell Park Stormwater Harvesting System is a multiyear program and has been incorporated into the 2020-21 and 2021-22 Capital Works Program under W4227 Greening the Pipeline. The Integrated Plan and Budget for 2021-22 was approved and adopted by Council on 29 June 2021.

The funding required in future years for Greening the Pipeline will be included in the 2021-22 and 2022-23 budgets for approval by Council. In addition to the funding noted below for the stormwater harvesting project, the State Government have committed an additional \$8Million towards Greening the Pipeline for the Zone 5 landscaping works which will follow in 2022 and to be delivered under a separate contract.

The Council report recommends to Award contract N400110 – Arndell Park Stormwater Harvesting System to G&S Fortunato Group Pty Ltd for the sum of \$1,766,729.25 (GST inclusive).

This is a substantial construction contract, and is funded in part by Victorian government grants, Greater Western Water and Melbourne Water as outlined in Table B below.

Note: The tendered prices are GST inclusive, the following is GST exclusive

Council contribution	
2020/21 Capital Works Program	\$77,000
2021/22 Capital Works Program	\$650,000
TOTAL ALLOCATED BUDGET (A)	\$727,000

FILE NO:

ITEM NO: 8.3

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM (cont'd)**

External Funding and Developer Contributions (excl. GST)	
Greater Western Water	\$1,000,000
Melbourne Water	\$300,000
DELWP	\$800,000
TOTAL EXTERNAL FUNDING (B)	\$ 2,100,000
TOTAL AVAILABLE FUNDING (A +B)	\$2,827,000

Committed Expenditure (excl. GST)	
Design Fees	\$181,340
Stormwater Storage supply and installation	\$774,056
PM Fees	\$30,000
TOTAL (C)	\$985,396
Construction Contract	\$1,606,118
Contingency (10% of Construction Cost)	\$160,612
PM Fees (Staff Costs)	\$70,000
TOTAL (D)	\$1,836,730
TOTAL EXPENDITURE (C + D)	\$2,822,126

A contingency of 10% is considered appropriate for a project of this scale and complexity. It can be anticipated that some unforeseen circumstances, latent conditions or design details may need to be addressed.

Hence, there are sufficient funds available for this project in the capital works program. It is recommended in the Council report for contract award that the Manager of Climate Futures be delegated the responsibility to approve variations to the construction contract up to the construction contingency amounts identified in this table.

6. Social Implications

The project has many Social benefits including:

- The creation of useable open space within the MOS reserve- filling the MOS with the biofilter and the covered water storage will eliminate the risk of the fall into the MOS and negate the need for the current cyclone fencing either side of the MOS.
- Enabling greening and healthy tree canopy through providing irrigated open space and improved community health and well-being through urban cooling.

FILE NO:

ITEM NO: 8.3

CHIEF EXECUTIVE OFFICER - STEPHEN
WALL**AWARDING OF CONTRACT - N400110 - ARNDELL PARK STORMWATER
HARVESTING SYSTEM (cont'd)**

- Increasing connection with Melbourne's history, as this adaptive reuse of a heritage artefact celebrates the history of the MOS.

7. Environmental Implications

Environmental benefits include:

- Reduction in stormwater discharge into downstream waterway and wetland (Skeleton Creek and Laverton RAAF swamp).
- Meets stormwater reuse and pollutant reduction targets, identified in the Wyndham Integrated Water Cycle Management Plan.
- Creates an alternative water source for urban greening and cooling of active and passive open spaces,
- Increasing habitat connectivity.

8. Economic/Employment Considerations

Economic and Employment considerations have been considered. G&S Fortunato Group Pty Ltd are a local Melbourne Company and have social procurement and social inclusions methods in place.

9. Options

Council does not have the resources and/or expertise in house to perform the tasks required under this contract. The tender evaluation panel considers that the tender process used in the procurement of this contract and the tender evaluation process used to evaluate the tenders received has resulted in a best value outcome for Council.

10. Community Consultation

Community workshops and consultation as part of Zone 5 masterplan have occurred as part of the development of the project. The community will continue to be involved through the development of the landscape design to follow this project as part of Greening the Pipeline Zone 5 works.

11. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers.

12. Project Timeframe

Date of award of contract.....September 2021.

Contract start dateOctober 2021.

Works completion dateMarch 2022.

Defects liability period.....12 months

Contract end dateMarch 2023.

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS -
STEPHEN THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION****Summary**

This report recommends the awarding of a contract to the successful tenderer for Contract No. N400167 – Eagle Stadium Roof Rectification - Construction.

The project involves the construction of a roof over the existing roof at Eagle Stadium to address water ingress issues. The scope of work includes;

- Construction of roof over existing roof including gutters and downpipes; and
- Supply and installation of roof access safety system.

This is a lump sum contract based on rates and prices in the bill of quantities.

Attachments

Nil

Officers' Declaration of Interests

Under Section 130(2) of the Local Government Act 2020, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Project Management Office - Eilis Hughes

In providing this advice as the Manager, I have no disclosable interests in this report.

Senior Project Manager - Ashok Balakrishnan

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements.
- Provision of best value for money.
- Previous experience in similar projects.

RECOMMENDATION

That Council:

1. Award contract N400167 Eagle Stadium Roof Rectification – Construction to Professional Plumbing Contractors Pty Ltd (PPC), ACN 124 207 969 for the sum of \$2,952,997.30 (GST inclusive).
2. Authorise the Manager Project Management Office to approve variations and contingencies up to 20% of contract value to contract N400167 Eagle Stadium Roof Rectification – Construction.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION (cont'd)****MOTION**

CRS PETER MAYNARD / MARCEL MAHFOUD

That Council:

1. Award contract N400167 Eagle Stadium Roof Rectification – Construction to Professional Plumbing Contractors Pty Ltd (PPC), ACN 124 207 969 for the sum of \$2,952,997.30 (GST inclusive).
2. Authorise the Manager Project Management Office to approve variations and contingencies up to 20% of contract value to contract N400167 Eagle Stadium Roof Rectification – Construction.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

(CARRIED)

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION (cont'd)****1. Background**

Tenders were invited on Saturday 29 May 2021 and closed on Wednesday 7 July 2021, with the tender documentation requiring tenderers to respond to two design options. Two (2) conforming tenders were received and are listed below.

The tenders were checked for arithmetical correctness and for omissions/qualifications.

No.	Tenderers	Tender Price (incl. GST)
1	Tenderer A	\$ 4,558,350.50
2	Professional Plumbing Contractors Pty. Ltd. (PPC)	\$ 2,952,997.30

2. Discussion**Tender Evaluation**

The members of the evaluation panel are:

Senior Project Manager – Project Management Office

Coordinator PM Services – Project Management Office

Construction Supervisor – Project Management Office

Category Management Partner – Procurement – (Non-Voting role)

The members of the evaluation panel do not have any pecuniary interest in this contract and Conflict of Interest forms (Stages 1-3) were executed by the tender evaluation panel in accordance with the governance and procurement policy during the respective evaluation phases.

Tenders were rated using the following criteria and weightings:

	Weighting
A. Qualitative Assessment	
Historical Performance	20%
Suitable Experience and Technical Expertise	15%
Capability (including appropriate resourcing, methodology and timelines)	20%
OH&S, Quality and Environmental Management Systems	10%
B. Quantitative Assessment	
Price	35%

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION (cont'd)**

The tender submitted by Professional Plumbing Contractors (PPC) Pty. Ltd. is the preferred tenderer as it has the highest ranking of all submitted tenders against the selection criteria.

Tenderers	Qualitative Assessment (max. 60)	Quantitative Assessment (max. 35)	Total (max. 100)	Tendered Price (incl. GST)	Ranking
PPC	49.00	35.0	84.00	\$ 2,952,997.30	1
Tenderer A	50.75	22.67	73.42	\$ 4,558,350.50	2

PPC scored highly in the qualitative assessment for their experience in projects of similar nature, sound methodology, suitably qualified and experienced resources. PPC also exhibited a good understanding of Council's timeframes in completing the project.

PPC presented well in the tender interview/negotiation demonstrating that they are a very mature organization coupled with robust processes, comparable capacity and demonstrated capability in scale and complexity to deliver this key Council project and were prompt in responding to all clarifications during the evaluation process.

Tender Clarifications

Following a review of the two conforming tender submissions, the tender evaluation panel sought formal tender clarifications. These clarifications were aimed at seeking information on contractual matters, tender allowances and confirming the tenderer's commitment to the tender program and timelines.

All tenderers responded appropriately to the clarifications and within the allocated timelines. Responses were reviewed and checked for compliance by the tender evaluation panel and were deemed satisfactory. Based on the responses a formal second pass evaluation process was undertaken, and it was ratified by the tender evaluation panel to proceed to interview/negotiate with the two tenderers.

Tender Interview

Tender interviews were conducted on Wednesday 11 August 2021 with the two tenderers.

The highest ranked tenderer PPC advised the following:

- They confirmed their tendered lump sum.
- They confirmed that they can commence works and be flexible as per Council timelines.
- They discussed and confirmed their project resource structure that will be available to satisfactorily undertake this contract.
- They discussed their construction program and methodology aligning with Council's requirements.
- Demonstrated their process and procedures in delivering similar projects.
- Their willingness to partner with Council ensuring best practice, collaboration, cost efficiencies and value management were at the forefront in the delivery of a key construction project.

Preferred Design Option

The tender evaluation panel evaluated both the design options nominated within the two tender submissions and confirmed the preference is to proceed with Option 1 as it is consistent with expert advice and cost effective with minimal impact on the operations of the facility.

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION (cont'd)****Preferred Tenderer**

Following the interview process, further clarifications and review by the project Quantity Surveyor, the tender evaluation panel confirmed their nomination of PPC as the preferred contractor for this project. The decision was based on their highest overall qualitative and quantitative score and their previous experience with projects of similar nature.

Financial Assessment

A financial assessment was undertaken via Creditor Watch with an ASIC check and returned a satisfactory result.

- PPC have no Court Actions or Registered Trade Defaults.
- ABN | A.C.N registration is active.
- Entity has a 0.90% chance of credit default or failure within the next 12 months.
- Overall Credit Score is 616 out of 850 (Low Risk) for this industry category, which is an acceptable credit worthiness.
- This entity pays their respective 3rd party suppliers and sub-contractors in a timely manner.

Experience

Professional Plumbing Contractors Pty. Ltd. has satisfactorily completed a number of projects of a similar nature and complexity including:

- HMAS Cerberus for the Australian Defence Force.
- Melbourne Park Redevelopment for Development Victoria.
- Re-roof of Stage 2 facility for Bluescope Steel.
- Melbourne Connect for Lend Lease.

3. City Plan

1.2.3 Council will enhance community health and wellbeing by making it easier for residents to participate in physical activities by building mainstream and accessible sporting infrastructure at the local level and providing a diversity of sporting opportunities through assisting minor and 'hard-to-locate' sports, as well as recreation and informal opportunities for physical activity.

4. Council Policy

Council policy on tendering is applicable to this contract has been complied with.

In accordance with the *Local Government Act (Vic) 2020* and Council Procurement Policy and guidelines a formal procurement plan was prepared and endorsed prior to the commencement of the tendering process. The procurement plan was adhered to and an external probity advisor provided both oversight and probity throughout the tendering and evaluation process.

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION (cont'd)****5. Financial Information**

The Eagle Stadium Roof Rectification project was included in the Annual Plan and Budget for 2020-21 under project number W1228 with a budget of \$4 million as approved and adopted by Council on 18 August 2020. The funds were not used and there are sufficient funds available for this project in the capital works program in the Strategic Resource Plan.

6. Social Implications

Eagle Stadium plays an important role in the provision of indoor court facilities, enabling community participation in highball sports best illustrated by the facility welcoming more than one million visitors in a normal year. Water ingress at the stadium causes disruption to competition and training activities which frustrates and disappoints participants and places the administrators of the various Associations, Clubs and groups that use the stadium under pressure, many of which perform their role in a volunteer capacity.

Proceeding with the recommended option/tenderer will enable a project to be delivered that minimises disruption to Eagle Stadium operations and subsequently the impact of water ingress on community sport. Council Officers will work closely with Western Leisure Services throughout the construction phase, to minimise the impact on users and ensure that the progress of the project is clearly communicated to stakeholders and the broader Wyndham community.

7. Environmental Implications

The project will align with Council policy and have minimal impact on the Environmental Sustainable Design (ESD) design elements of the existing facility.

8. Economic/Employment Considerations

Employment for workers living in the Western Region of Melbourne could be facilitated through this project if the materials are sourced locally. This aligns with Council's commitment to supporting the local economy through job opportunities.

9. Options

Council does not have the resources and/or expertise in house to perform the construction activities/tasks required under this contract. The tender evaluation panel considers that the tender processes implemented in the procurement of this contract and the tender evaluation process undertaken to evaluate the tenders received has resulted in a best value outcome for Council and for the Wyndham community and rate payers.

10. Community Consultation

Engagement with external and internal stakeholders was undertaken throughout the design phase and will continue to occur during the construction phase and regular feedback will be provided on the progress of the project.

11. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers.

FILE NO: 00000

ITEM NO: 8.4
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400167 - EAGLE STADIUM ROOF RECTIFICATION
- CONSTRUCTION (cont'd)****12. Project Timeframe**

Date of award of contract.....30 September 2021

Contract start date 1 November 2021

Works completion date 2 May 2022

Defects liability period..... 12 months

Contract end date 1 May 2023

FILE NO: N400169

ITEM NO: 8.5
DIRECTOR CITY OPERATIONS -
STEPHEN THORPE**AWARDING OF CONTRACT - N400169 - SUPPLY AND DELIVERY OF LLDPE
GEOMEMBRANE FOR LANDFILL CELL 4 CONSTRUCTION****Summary**

This report recommends the awarding of a contract N400169 to Atarfill Australia Pty Ltd for the Supply and Delivery of Linear low-density polyethylene (LLDPE) Geomembrane for Landfill Cell 4 Cap Construction.

The project involves the supply of one of three lining materials required to be used in the construction of the final cap on landfill Cell 4 at the Wyndham Refuse Disposal Facility (RDF).

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe

In providing this advice as the Director, I have no disclosable interests in this report.

Acting Manager Waste Management and Disposal - Liza McColl

In providing this advice as the Manager and Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements.
- Provision of best value for money.
- Provision of material for the construction of landfill Cell 4 cap in a manner that is timely to ensure construction can commence without delay.

RECOMMENDATION

That Council:

1. Award contract N400169 Supply and Delivery of LLDPE Geomembrane for Landfill Cell 4 Cap Construction to Atarfill Australia Pty Ltd, ACN 625 049 443 for the sum of up to \$1,232,260.17 (GST inclusive).
2. Sign and seal the contract.
3. Advise all tenderers accordingly.

FILE NO: N400169

ITEM NO: 8.5
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400169 - SUPPLY AND DELIVERY OF LLDPE
GEOMEMBRANE FOR LANDFILL CELL 4 CONSTRUCTION (cont'd)****MOTION**

CRS PETER MAYNARD / SAHANA RAMESH

That Council:

1. Award contract N400169 Supply and Delivery of LLDPE Geomembrane for Landfill Cell 4 Cap Construction to Atarfill Australia Pty Ltd, ACN 625 049 443 for the sum of up to \$1,232,260.17 (GST inclusive).
2. Sign and seal the contract.
3. Advise all tenderers accordingly.

(CARRIED)

FILE NO: N400169

ITEM NO: 8.5
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400169 - SUPPLY AND DELIVERY OF LLDPE
GEOMEMBRANE FOR LANDFILL CELL 4 CONSTRUCTION (cont'd)****1. Background**

Landfill Cell 4 at the RDF stopped receiving waste in July 2019. Council has a legal obligation to construct a final cap on the top of all closed landfill cells. EPA Victoria have approved the design of the cap for landfill cell 4 and construction of the cap is scheduled to commence in mid-December 2021.

The cap includes three layers of synthetic type of impermeable or low permeability lining materials: LLDPE Geomembrane, Drainage Geocomposite and Geosynthetic Clay Liner (GCL) underneath a final soil and vegetation layer.

Tenders were invited for the supply and delivery of the LLDPE Geomembrane lining material on 17 July 2021 and closed on 18 August 2021. Three tenders were received. The tender submission price range is between \$1,232,260.17 and \$1,573,360.89.

The tenders were checked for arithmetical correctness and for omissions/qualifications.

2. Discussion**Tender Evaluation**

The members of the evaluation panel are:

Senior Landfill Construction Engineer

Acting RDF Operations Coordinator

Specialist Senior Project Manager

The members of the evaluation panel do not have any pecuniary interest in this contract.

Tenders were rated using the following criteria and weightings:

	Weighting
Mandatory Criteria	
Quality System – preference for system designed and certified to ISO9000 ISO 9001 standard	Pass/Fail
Conformance to Specification	Pass/Fail
A. Qualitative Assessment	
Historical performance – must have proven record of supplying materials that conform to the specification for landfill construction in accordance with the EPA BPEM requirements in Victoria	25%
Capability – capacity to supply material at the times required by Council	30%
OH&S System – preference for system design and certified to ISO 45001:2018 standard	5%
Environmental Management System	5%
(Quality units) Total	65%
B. Quantitative Assessment	
Price	35%

FILE NO: N400169

ITEM NO: 8.5
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400169 - SUPPLY AND DELIVERY OF LLDPE
GEOMEMBRANE FOR LANDFILL CELL 4 CONSTRUCTION (cont'd)**

The tenderers were provided the net area that they needed to cover however they made different assumptions around the amount of wastage for the materials resulting in different quantities being used in their respective costings. As the exact waste quantity of the material cannot be finalised until a panel layout is approved during the construction stage, the levels of wastage used on all tenders was standardized at 17.5% to ensure comparative pricing of the same total value of material required (210,336m²).

The tender submitted by Atarfill Australia is the preferred tenderer as it has the highest ranking of all submitted tenders against the selection criteria.

Financial Assessment

A financial assessment of Atarfill Australia was undertaken by Creditor Watch and returned a satisfactory result.

Experience

Atarfill Australia is an experienced supplier of LLDPE to similar landfill construction and landfill cell cap construction projects.

3. City Plan

4.2.3 Council will strengthen its operational efficiency and sustainability by identifying and embracing new, more efficient ways to work with partners from the public and private sector, and by regularly applying rigorous evaluation of our systems, investments, expenditure, infrastructure needs, service delivery, technology use, resource application, and staff development, empowerment and flexibility.

4. Council Policy

Council policy on tendering as applicable to this contract has been complied with.

5. Financial Information

The Landfill Cell 4 Cap Construction Project has been incorporated into the Annual Plan and Budget for 2021/22 as approved and adopted by Council on 29 June 2021. As a landfill owner, Council makes provision from the annual depreciation and amortisation charge to the RDF for the anticipated future costs of decommissioning, rehabilitation and long-term maintenance costs.

The total budget for the rehabilitation of Cell 4 is approximately \$16 million, including \$6.5 million allowance for the purchase of the three lining materials, including the LLDPE material. The contract value is within budget and the funds required are planned to be made available from Council's cash balance.

6. Social Implications

The construction of the final cap on landfill cell 4 is important to continue to provide essential waste disposal services to the community of Wyndham and to help keep Wyndham clean.

FILE NO: N400169

ITEM NO: 8.5
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400169 - SUPPLY AND DELIVERY OF LLDPE
GEOMEMBRANE FOR LANDFILL CELL 4 CONSTRUCTION (cont'd)****7. Environmental Implications**

Council is legally required by EPA to cap all closed landfill cells. The approved design for Cell 4 cap uses LLDPE geomembrane material to limit the negative effects that a closed landfill can have on the environment.

8. Economic/Employment Considerations

The supply and delivery of this material will provide direct jobs in manufacturing and logistics industries. The Landfill Cell 4 Cap Construction Project will provide up to 30 direct jobs in the construction industry.

9. Options

To approve or not approve the tender. There are no other options to procure this material.

10. Community Consultation

The main forum for community consultation about works at the RDF is through the Council's RDF Community Reference Group (CRG). The CRG members are highly supportive of the rehabilitation (capping) of closed landfill cells.

11. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers.

12. Project Timeframe

Date of award of contract.....30 September 2021

Contract start date4 October 2021

Contract end date31 March 2022

FILE NO: N400174

ITEM NO: 8.6
DIRECTOR CITY OPERATIONS -
STEPHEN THORPE**AWARDING OF CONTRACT - N400174 – SUPPLY AND DELIVERY OF
GEOSYNTHETIC CLAY LINER FOR LANDFILL CELL 4 CAP CONSTRUCTION****Summary**

This report recommends the awarding of a contract to the successful tenderer/s for N400174 Supply and Delivery of Geosynthetic Clay Liner (GCL) for Landfill Cell 4 Cap Construction.

The project involves the supply of one of three lining materials that is required to construct the final cap on landfill cell 4 at the Wyndham Refuse Disposal Facility (RDF).

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe

In providing this advice as the Director, I have no disclosable interests in this report.

Acting Manager Waste Management and Disposal - Liza McColl

In providing this advice as the Manager and Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements.
- Provision of best value for money.
- Provision of material for the construction of landfill cell 4 cap in a manner that is timely to ensure construction can commence without delay.

RECOMMENDATION

That Council:

1. Award contract N400174 Supply and Delivery of Geosynthetic Clay Liner for Landfill Cell 4 Cap Construction to Geofabrics Australasia ACN 120 519 520 for the sum of up to \$1,726,423.16 (GST inclusive).
2. Authorise the Manager Waste Management and Disposal of to approve the expenditure of contingency of up to \$172,642.32 to contract N400174.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

FILE NO: N400174**ITEM NO: 8.6
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE****AWARDING OF CONTRACT - N400174 – SUPPLY AND DELIVERY OF
GEOSYNTHETIC CLAY LINER FOR LANDFILL CELL 4 CAP CONSTRUCTION
(cont'd)****MOTION**

CRS PETER MAYNARD / SAHANA RAMESH

That Council:

1. Award contract N400174 Supply and Delivery of Geosynthetic Clay Liner for Landfill Cell 4 Cap Construction to Geofabrics Australasia ACN 120 519 520 for the sum of up to \$1,726,423.16 (GST inclusive).
2. Authorise the Manager Waste Management and Disposal of to approve the expenditure of contingency of up to \$172,642.32 to contract N400174.
3. Sign and seal the contract.
4. Advise all tenderers accordingly.

(CARRIED)

FILE NO: N400174

ITEM NO: 8.6
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400174 – SUPPLY AND DELIVERY OF
GEOSYNTHETIC CLAY LINER FOR LANDFILL CELL 4 CAP CONSTRUCTION
(cont'd)****1. Background**

Landfill Cell 4 at the RDF stopped receiving waste in July 2019. Council has a legal obligation to construct a final cap on the top of all closed landfill cells. EPA Victoria have approved the design of the cap for landfill cell 4 and construction of the cap is scheduled to commence in mid-December 2021.

The cap includes three layers of a synthetic type of impermeable or low permeability lining materials: Linear low-density polyethylene (LLDPE) Geomembrane lining; Drainage Geocomposite lining; and Geosynthetic Clay Liner (GCL) underneath the final soil and vegetation layer.

Tenders were invited for the supply and delivery of the GCL material on 17 July 2021 and closed on 18 August 2021. Two tenders were received. The tender submission price range is between \$1,726,423.16 and \$1,821,284.70.

The tenders were checked for arithmetical correctness and for omissions/qualifications.

2. Discussion**Tender Evaluation**

The members of the evaluation panel are:

Senior Landfill Construction Engineer

Acting RDF Operations Coordinator

Specialist Senior Project Manager

The members of the evaluation panel do not have any pecuniary interest in this contract.

FILE NO: N400174

ITEM NO: 8.6
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400174 – SUPPLY AND DELIVERY OF
GEOSYNTHETIC CLAY LINER FOR LANDFILL CELL 4 CAP CONSTRUCTION
(cont'd)**

Tenders were rated using the following criteria and weightings:

	Weighting
Mandatory Criteria	
Quality System – preference for system designed and certified to ISO9000 ISO 9001 standard	Pass/Fail
Conformance to Specification	Pass/Fail
A. Qualitative Assessment	
Historical performance – must have proven record of supplying materials that conform to the specification for landfill construction in accordance with the EPA BPEM requirements in Victoria	25%
Capability – capacity to supply material at the times required by Council	30%
OH&S System – preference for system design and certified to ISO 45001:2018 standard	5%
Environmental Management System	5%
(Quality units) Total	65%
B. Quantitative Assessment	
Price	35%

The tender submitted by Geofabrics Australasia is the preferred tenderer as it has the highest ranking of all submitted tenders against the selection criteria. The contracted sum also includes a provision for six months container hire, because this material must be stored in a dry and protected environment. A contingency of an additional 10% of the contract sum is provided to allow Council to seek a subsequent quote for the unloading of materials from the containers on site, if required.

Financial Assessment

A financial assessment of Geofabrics Australasia was undertaken by Creditor Watch and returned a satisfactory result.

Experience

Geofabrics Australasia is an experienced supplier of GCL material to similar landfill construction and landfill cell cap construction projects.

3. City Plan

4.2.3 Council will strengthen its operational efficiency and sustainability by identifying and embracing new, more efficient ways to work with partners from the public and private sector, and by regularly applying rigorous evaluation of our systems, investments, expenditure, infrastructure needs, service delivery, technology use, resource application, and staff development, empowerment and flexibility.

4. Council Policy

Council policy on tendering as applicable to this contract has been complied with.

FILE NO: N400174

ITEM NO: 8.6
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400174 – SUPPLY AND DELIVERY OF
GEOSYNTHETIC CLAY LINER FOR LANDFILL CELL 4 CAP CONSTRUCTION
(cont'd)****5. Financial Information**

The Landfill Cell 4 Cap Construction Project has been incorporated into the Annual Plan and Budget for 2021/22 as approved and adopted by Council on 29 June 2021. As a landfill owner, Council makes provision from the annual depreciation and amortisation charge to the RDF for the anticipated future costs of decommissioning, rehabilitation and long-term maintenance costs.

The total budget for the rehabilitation of Cell 4 is approximately \$16 million, including \$6.5 million allowance for the purchase of the three lining materials, including the GCL material. The contract value is within budget and the funds required are planned to be made available from Council's cash balance.

6. Social Implications

The construction of the final cap on landfill cell 4 is important to continue to provide essential waste disposal services to the community of Wyndham and to help keep Wyndham clean.

7. Environmental Implications

Council is legally required by EPA to cap all closed landfill cells. The approved design for landfill cell 4 cap uses a GCL material to limit the negative effects that a closed landfill can have on the environment.

8. Economic/Employment Considerations

The supply and delivery of this material will provide direct jobs in manufacturing and logistics industries. The Landfill Cell 4 Cap Construction Project will provide up to 30 direct jobs in the construction industry.

9. Options

To approve or not approve the tender. There are no other options to procure this material.

10. Community Consultation

The main forum for community consultation about works at the RDF is through the Council's RDF Community Reference Group (CRG). The CRG members are highly supportive of the rehabilitation (capping) of closed landfill cells.

11. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers.

12. Project Timeframe

Date of award of contract.....30 September 2021

Contract start date4 October 2021

Contract end date31 March 2022

FILE NO: N400189

ITEM NO: 8.7
DIRECTOR CITY OPERATIONS -
STEPHEN THORPE**AWARDING OF CONTRACT - N400189 - MOBILE SECURITY PATROL SERVICES****Summary**

This report recommends the awarding of a contract to the successful tenderer for Contract No. N400189 – Mobile Security Patrol Services.

The purpose of this contract is to provide necessary Mobile Security Patrol Services for required Council Facilities, and additional services for ad-hoc requests and events.

This is a lump sum contract with a schedule of rates element. The initial contract term is two (2) years, with the option of extending three (3) x one (1) year terms.

Attachments

Nil

Officers' Declaration of Interests

Under Section 130 of the *Local Government Act 2020*, officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe

In providing this advice as the Director, I have no disclosable interests in this report.

Manager Facilities and Open Space - Antoniette Michail

In providing this advice as the Manager, I have no disclosable interests in this report.

Team Leader Emergency Resilience – Steve Nangle

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements
- Provision of best value for money
- Previous experience in similar projects

RECOMMENDATION

That Council:

1. Award contract N400189 – Mobile Security Patrol Services to M.A Services Group Pty Ltd ACN 151 498 001 for the sum of \$290,210 (for year 1 of the Scheduled patrols) and a total of \$2,901,056 (GST inclusive) over the term of the contract.
2. The contract term is for two (2) years with the option of extending three (3) x one (1) year terms, up to a total maximum contract term of five (5) years.
3. Authorise the Manager Facilities and Open Space to approve contract extensions, variations and contingencies to contract N400189 – Mobile Security Patrol Services.
4. Sign and seal the contract.
5. Advise all tenderers accordingly.

FILE NO: N400189

ITEM NO: 8.7
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400189 - MOBILE SECURITY PATROL SERVICES
(cont'd)****MOTION**

CR SAHANA RAMESH / JASMINE HILL

That Council:

1. Award contract N400189 – Mobile Security Patrol Services to M.A Services Group Pty Ltd ACN 151 498 001 for the sum of \$290,210 (for year 1 of the Scheduled patrols) and a total of \$2,901,056 (GST inclusive) over the term of the contract.
2. The contract term is for two (2) years with the option of extending three (3) x one (1) year terms, up to a total maximum contract term of five (5) years.
3. Authorise the Manager Facilities and Open Space to approve contract extensions, variations and contingencies to contract N400189 – Mobile Security Patrol Services.
4. Sign and seal the contract.
5. Advise all tenderers accordingly.

(CARRIED)

FILE NO: N400189

ITEM NO: 8.7
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400189 - MOBILE SECURITY PATROL SERVICES
(cont'd)****1. Background**

This is a lump sum contract with a schedule of rates element. The initial contract term is 2 years, with the option of extending three (3) x one (1) year terms.

The scope of services in this contract includes:

- Visual security perimeter patrols of all nominated WCC buildings and facilities;
- Alarm responses for all after hours attendance at Council facilities and daily reporting of observations of attendances;
- Protection of property and facilities against theft, damage, inappropriate behaviour or other unlawful or undesirable activities when detected either by patrolling or the employment of static guards;
- Provision of Static Guard/s for security of Council meetings;
- Provision of Crowd Control and Event Guards for community events; and
- Provision of other facility security related tasks on an ad hoc basis.

Tenders for these services were invited on Saturday 3 July 2021 and closed on Wednesday 21 July 2021. Fifteen (15) conforming tenders were received, and all tender responses were checked for arithmetical correctness and omissions/qualifications.

2. Discussion**Tender Evaluation**

The members of the evaluation panel are:

Team Leader Emergency Resilience

Building Compliance & Maintenance Planner

Coordinator Infrastructure Business Management

Category Management Partner – Procurement – (Non-Voting role)

The members of the evaluation panel do not have any pecuniary interest in this contract and Conflict of Interest forms (Stages 1-3) were executed by all members in accordance with the governance and procurement policy during the respective evaluation phases.

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DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400189 - MOBILE SECURITY PATROL SERVICES
(cont'd)**

Tenders were rated using the following criteria and weightings:

	Weighting
A. Mandatory Criteria	
Financial Capability	Yes/No
A. Qualitative Assessment	
Historical Performance	20%
Capability (including – Adequate Resources, Personnel, Button Logging Equipment and Reporting, Total Patrol Time Allocation and Alarm Response time, Patrol vehicles and other Methodology)	20%
Quality System (QMS)	10%
OHS System (OHS)	10%
Environmental Management System (EMS)	5%
Social and Economic Inclusion	5%
B. Quantitative Assessment	
Price	30%

The tender submitted by M.A Services Group Pty Ltd is the preferred tenderer as it has the highest ranking of all submitted tenders against the selection criteria.

Table 1 – Ranking Table

Tenderers	Total (max. 100)	Ranking
M.A Services Group Pty Ltd	69.1	1
Tenderer B	67.5	2
Tenderer C	66.5	3
Tenderer D	60.4	4
Tenderer E	60.4	5
Tenderer F	52.8	6
Tenderer G	49.3	7
Tenderer H	47.8	8
Tenderer I	47.6	9
Tenderer J	40.3	10
Tenderer K	38.8	11
Tenderer L	38.4	12
Tenderer M	30.8	13
Tenderer N	30.0	14
Tenderer O	25.3	15

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DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400189 - MOBILE SECURITY PATROL SERVICES
(cont'd)****Tender Clarifications**

Following a review of the fifteen conforming tender submissions, the tender evaluation panel shortlisted the top five tenderers based on their respective qualitative and quantitative scores. Formal tender clarifications were subsequently sought from the shortlisted tenderers, seeking information on contractual matters, tender allowances and confirming the tenderer's commitment to the tender program and timelines.

All shortlisted tenderers responded appropriately to the clarifications and within the allocated timelines. Responses were reviewed and checked for compliance by the tender evaluation panel and were deemed satisfactory. Based on the responses, a formal second pass evaluation process was undertaken, and it was ratified by the tender evaluation panel.

Preferred Tenderer

Following the evaluation process and clarifications issued, the tender evaluation panel confirmed their nomination of M.A Services Group Pty Ltd as the preferred tenderer for this contract.

The decision was based on their highest overall qualitative and quantitative score, their previous experience with services of a similar nature, and their capability to provide the scope of services.

Financial Assessment

A financial assessment was undertaken via Creditor Watch and returned an acceptable and satisfactory result.

Experience

Headquartered in Tullamarine, M.A Security Group Pty Ltd is a national company with a large and well-known client base. Speaking to referees revealed a common thread of an experienced and solution focussed security management team that has provided near faultless contracted services. A common thread from the referees has been the responsiveness to request for ad hoc additions to the contracts.

3. City Plan

4.2.3 Council will strengthen its operational efficiency and sustainability by identifying and embracing new, more efficient ways to work with partners from the public and private sector, and by regularly applying rigorous evaluation of our systems, investments, expenditure, infrastructure needs, service delivery, technology use, resource application, and staff development, empowerment and flexibility.

4. Council Policy

Council policy on tendering as applicable to this contract has been complied with.

A formal procurement plan was prepared in accordance with the Local Government Act (Vic) 2020 and Council's Procurement Policy and endorsed prior to the commencement of the tendering process. The procurement plan was adhered to and Council's Procurement team provided both oversight and probity throughout the tendering and evaluation process.

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ITEM NO: 8.7
DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**AWARDING OF CONTRACT - N400189 - MOBILE SECURITY PATROL SERVICES
(cont'd)****5. Financial Information**

M.A. Services Group Pty Ltd returned a successful financial check from Credit Watch.

The contract for Mobile Security Patrols has been incorporated into the annual operating budget as approved and adopted by Council and will continue throughout the term of this contract.

6. Environmental Implications

M.A Services intends to be carbon neutral within five years, targeting a 20% reduction in carbon offsets each year. This includes replacing their fleet with hybrid vehicles.

7. Economic/Employment Considerations

The majority of staff allocated to these services by M.A Services live within the Municipality, providing local employment opportunities. M.A Security purchase locally where practicable and appropriate.

8. Options

Council does not have the resources and/or expertise in house to perform the services, activities or tasks required under this contract. The tender evaluation panel considers that the tendering and evaluation processes implemented in the procurement of this contract has resulted in a best value outcome for Council and the Wyndham community.

9. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers.

10. Project Timeframe

Date of award of contract.....29 September 2021

Contract start date3 November 2021

Initial Contract term end3 November 2023

Maximum Contract term end3 November 2026

.

10. **URGENT BUSINESS**

NIL

11. **CONFIDENTIAL BUSINESS**

MOTION

CRS PETER MAYNARD / JASMINE HILL

That pursuant to Section 66(1) and (2)(a) of the *Local Government Act 2020*, this meeting of Council be closed to members of the public in order for Council to discuss the following confidential matter/s:

- 11.1. personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. Personal Information.

(CARRIED)

The meeting was closed to the public at 10.01pm.

Resolutions on the confidential information were made whilst the meeting was closed to members of the public.

MOTION

CRS PETER MAYNARD / JASMINE HILL

That the meeting be re-opened to members of the public.

(CARRIED)

The meeting was reopened to the public at 10.06pm.

12. **CLOSE OF MEETING**

The meeting was declared closed at 10.07pm.