



Meeting of Council Minutes

**Tuesday 25 May 2021
At 7.00pm**

**Council Chamber
Functions Centre
45 Princes Highway
Werribee**

MINUTES

MEETING OF COUNCIL HELD AT THE COUNCIL CHAMBERS, CIVIC CENTRE, 45 PRINCES HIGHWAY, WERRIBEE ON TUESDAY 25 MAY 2021

The meeting commenced at 7.00 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:

Natalie Walker	A/Chief Executive Officer
Ludo Campbell-Reid	Director City Design & Liveability
Allison Kenwood	Director City Life
Stephen Thorpe	Director City Operations
Binda Gokhale	Chief Financial Officer
Fiona Hando	Executive Manager Corporate Affairs
Jenny Wood	Coordinator Governance
Tammy Williamson	Council Business Officer
Megan Bartolo	Governance Policy & Projects Advisor

1. **OPENING PRAYER & WELCOME**

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

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 Jennie Barrera declared a general conflict of interest (public duty) in accordance with s127(2) to Item 6.3.1 – Wyndham City Community Grants and Subsidies Policy.

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MOTION

CR PETER MAYNARD / MARCEL MAHFOUD

That the minutes of the Council Meetings held on Tuesday 20 April 2021 and Tuesday 27 April 2021, as prepared and circulated, be confirmed.

(CARRIED)

5. DEPUTATIONS AND PRESENTATIONS

NIL

6. OFFICERS' REPORTS

6.1 PETITIONS

6.1.1 PETITION 03/21 – REQUEST FOR CROSSING SUPERVISOR, CROSSWALK, SPEED HUMP AND PROVISION OF TOILET AT LITTLE GREEN PARK

On 4 May 2021 Council received a petition signed by 39 people addressed to Wyndham City Council. Of those 39 signatures, 16 fulfilled the criteria as outlined in the Wyndham Governance Rules, Section 54 and 23 did not meet the criteria.

The petition states:

"We are the residents of Chaffey Ward who live across the Tarneit Rd and Leakes Rd. The traffic in both of these roads is increasing day by day as more homes are built and now areas are being subdivided. Most of us have young kids who go to Saint John the Apostle Primary School or Tarneit Rise Primary School. Kids have to cross these two dangerous roads when the traffic is at its peak. Kids need adults to provide them safe crossing every day. We are working parents and hence not every day we can help our kids. Hence, we request the Council to provide Crossing Supervisor and cross walks (zebra crossing) across this road.

The Homewood Ent and Family St roads are becoming busy. Cars are not following the speed limit and over speeding in these roads. We require speed humps at appropriate places.

The Little Green park has no toilet facility. Kids are urinating near the bushes which creates an unhygienic spot at the park. A provision of toilets with both male and female will go a long way in make the place beautiful."

The original petition has not been attached, due to privacy reasons.

Wyndham City Council notes the petition and will prepare a report to respond at the next Council Meeting on 29 June 2021.

6.1.2 PETITION 04/21 – REQUEST FOR FREQUENT STREET SWEEPING, CRUISE STREET, POINT COOK

On 4 May 2021 Council received a petition signed by 22 people addressed to Wyndham City Council. Of those 22 signatures, 19 fulfilled the criteria as outlined in the Wyndham Governance Rules, Section 54 and 3 did not meet the criteria.

The petition states:

"The following petitioners draw the attention of the Council of the leaf matter in Cruise Street, Point Cook. Due to the trees that have been planted in the nature strip, the street and front yards are covered in leaves and remnants

from the trees. Making a terrible mess and creating a lot of work for the owners of the properties to keep it looking respectable.

Therefore, the petitioners hereby request that once a fortnight on a specific day the sweeper comes through the street cleaning the street. If it is a specific day the home owners can do their best to not have cars parked on the street and prepare the street for the sweeper."

The original petition has not been attached, due to privacy reasons.

Wyndham City Council notes the petition and will prepare a report to respond at the next Council Meeting on 29 June 2021.

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Nil

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8. COUNCIL SEAL

Nil

9. **QUESTIONS WITH NOTICE FROM PUBLIC GALLERY**

Nil

10. **URGENT BUSINESS**

Nil

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: 6.1.3
DIRECTOR CITY DESIGN &
LIVEABILITY - LUDO CAMPBELL-
REID**RESPONSE TO PETITION 02/21 - TRUGANINA P-9 PARKING ISSUES****Summary**

Wyndham City Council has received a petition regarding traffic and parking concerns at Truganina P-9 College.

The petition contains 25 signatures and requests an investigation.

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 City Transport - Melissa Falkenberg

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

Coordinator Traffic & Transport - Peter Fung

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

Key Issues

- Traffic and parking

RECOMMENDATION

It is recommended that:

1. Council officers investigate traffic and parking around the Truganina P-9 College during morning and afternoon peak times to identify potential traffic and parking solutions, including the feasibility of a pick-up/drop off zone.
2. Council officers liaise with the Truganina P-9 College as part of the above-mentioned investigation.
3. Council officers notify the lead petitioner of the investigation results accordingly.

FILE NO:

ITEM NO: 6.1.3
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**RESPONSE TO PETITION 02/21 - TRUGANINA P-9 PARKING ISSUES (cont'd)****MOTION**

CR SUSAN MCINTYRE / MARCEL MAHFOUD

That:

1. Council officers investigate traffic and parking around the Truganina P-9 College during morning and afternoon peak times to identify potential traffic and parking solutions, including the feasibility of a pick-up/drop off zone.
2. Council officers liaise with the Truganina P-9 College as part of the above-mentioned investigation.
3. Council officers notify the lead petitioner of the investigation results accordingly.

AMENDMENT

CR SAHANA RAMESH / JASMINE HILL

That:

1. Council officers investigate traffic and parking around the Truganina P-9 College during morning and afternoon peak times to identify potential traffic and parking solutions, including the feasibility of a pick-up/drop off zone **within 3 months of today's date (25 May 2021)**.
2. Council officers liaise with the Truganina P-9 College as part of the above-mentioned investigation.
3. Council officers notify the lead petitioner of the investigation results accordingly.

(CARRIED)

AMENDED MOTION

CR SUSAN MCINTYRE / MARCEL MAHFOUD

That:

1. Council officers investigate traffic and parking around the Truganina P-9 College during morning and afternoon peak times to identify potential traffic and parking solutions, including the feasibility of a pick-up/drop off zone within 3 months of today's date (25 May 2021).
2. Council officers liaise with the Truganina P-9 College as part of the above-mentioned investigation.
3. Council officers notify the lead petitioner of the investigation results accordingly.

(CARRIED)

FILE NO:

ITEM NO: 6.1.3

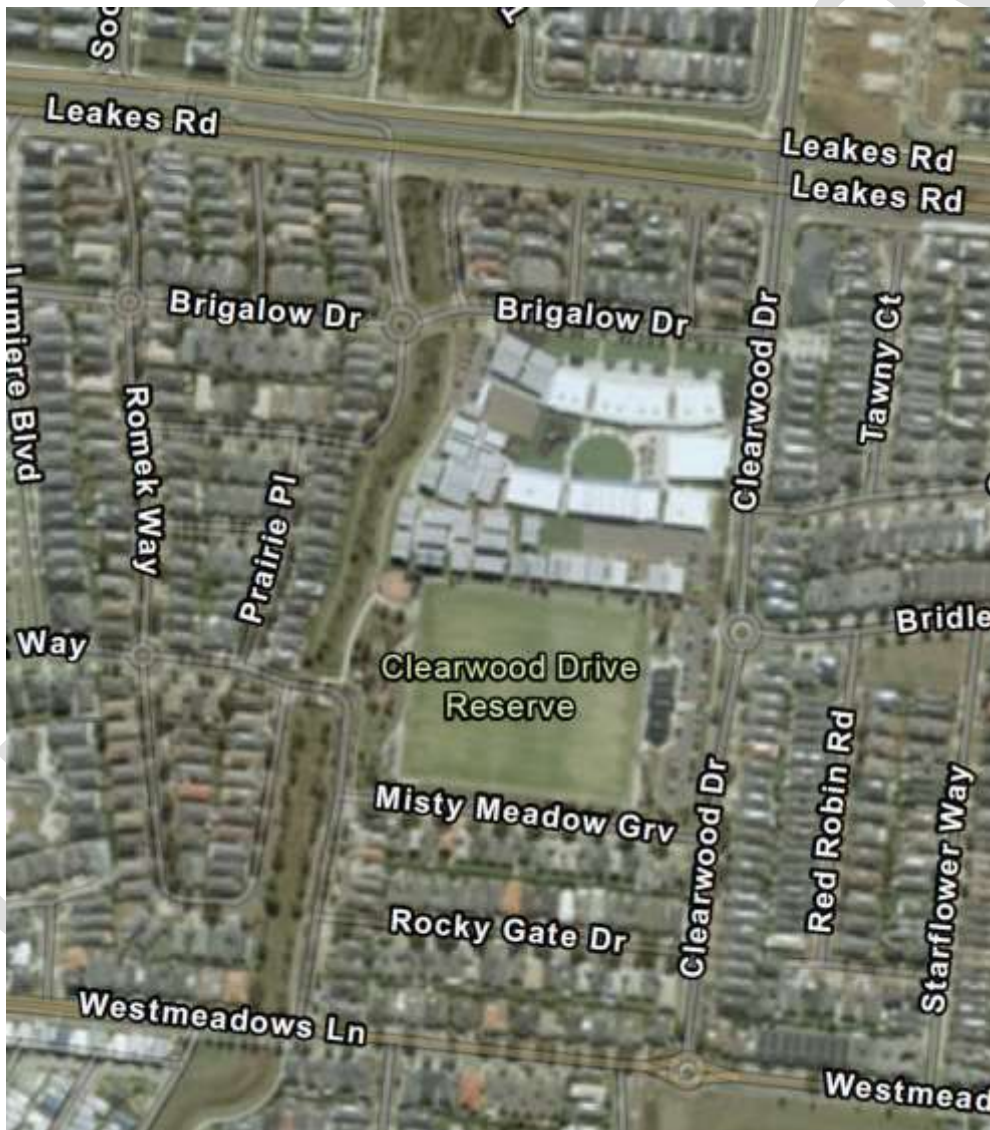
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**RESPONSE TO PETITION 02/21 - TRUGANINA P-9 PARKING ISSUES (cont'd)****1. Background**

Wyndham City Council has received a petition regarding traffic and parking concerns at Truganina P-9 College during pick-up and drop off times.

The petition contains 25 signatures and requests an investigation to identify solutions including the establishment of a pick up/drop off zone.

The Truganina P-9 College is located next to the Clearwood Reserve, south of Leakes Road (see map 1). The college opened in 2015 and since that time Truganina has experienced rapid growth, thus resulting in an associated increase in student numbers at the College.

This growth has also resulted in additional traffic around the school, particularly during morning and afternoon peaks.



Map 1. Truganina P-9 College (north of Clearwood Reserve)

FILE NO:

ITEM NO: 6.1.3
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**RESPONSE TO PETITION 02/21 - TRUGANINA P-9 PARKING ISSUES (cont'd)****2. Discussion**

The petition highlights concerns regarding traffic and parking in the area surrounding Truganina P-9 College, during pick-up and drop-off times.

The petition requests that Council:

- Investigates the feasibility of a pick-up/drop off zone for the College;
- Investigates the feasibility of other traffic/parking solutions around the College; and
- Works with the College to identify potential solutions to address parking and traffic concerns.

The concerns raised in the petition are noted and officers from Council's City Transport Department will investigate these issues, including liaison with Truganina P-9 College. The lead petitioner will be advised of the outcome accordingly.

3. Wyndham 2040 Vision

- Places and Spaces: Wyndham's transport system will be efficient. People will be able to move around easily.

4. City Plan

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.

5. Financial Viability

Details regarding financial implications will become clearer after the completion of the investigation.

6. Community Engagement

The lead petitioner will be advised of the Council decision on this matter.

It is also proposed that if any traffic and parking changes are proposed, the surrounding neighborhood will be consulted accordingly. This draft plan will also be discussed with the school. A communications plan will be developed to outline the approached strategy.

Once a proposed plan is finalized, pending the outcome of the investigation, then the wider school community will be advised accordingly. This will also be subject to the above-mentioned communication strategy.

FILE NO: 00

ITEM NO: 6.3.1
A/MANAGER COMMUNITY
PLANNING & DEVELOPMENT -
CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY****Summary**

This report presents the redesign of Wyndham City's Community Grants and Subsidies Policy for council's consideration and endorsement following an independent review of the existing policy in 2019.

There are a range of social and economic benefits that can flow to a community as an impact of community grants.

The Community Grants and Subsidies Policy informs Council's community grants program and the redesign of this program is an exciting step for this Council in developing opportunities to broaden and strengthen community-led initiatives in Wyndham now and into the future.

The new policy provides Council with clear directions for its delivery, decision-making and support for co-funded community-led initiatives in Wyndham in keeping with the direction already set by Wyndham 2040 and Council's strategic plans.

Attachments

1. Wyndham City Community Grants and Subsidies Policy

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.

A/Manager Community Planning & Development – Clifford Eberly

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

A/Coordinator Community Strengthening Programs - Tatiana Walker

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

Area Leader Community Development & Programs - Krystle Nedinis

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

Key Issues

- Community grants generate significant social and economic benefits for the City.
- The redesigned Community Grants and Subsidies Policy offers broad categories and funding streams, allowing community the opportunity to develop innovative projects that will further support community-led action and Wyndham's ongoing recovery and resilience.
- There are many opportunities for Council to strategically grow and further strengthen community-led projects, initiatives, festivals and events in Wyndham.

FILE NO: 00

ITEM NO: 6.3.1
A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)****RECOMMENDATION**

That Council:

1. Endorse the new Wyndham City Community Grants and Subsidies Policy.
2. Endorse the establishment of an Annual Community Grants Program Evaluation Panel.

Cr Jennie Barerra declared a conflict of interest and left the Chamber at 7.14pm.

MOTION

CR SAHANA RAMESH / MARCEL MAHFOUD

That Council:

1. Endorse the new Wyndham City Community Grants and Subsidies Policy.
2. Endorse the establishment of an Annual Community Grants Program Evaluation Panel.

AMENDMENT

CRS JOSH GILLIGAN / JASMINE HILL

That Council:

1. Endorse the new Wyndham City Community Grants and Subsidies Policy.
2. Endorse the establishment of an Annual Community Grants Program Evaluation Panel.
3. That the policy be amended to require a list of successful applicants from each 'Medium Grants' round to be provided to Councillors immediately after final approval of each round by the Director of City Life.

(CARRIED)

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 Gilligan
Councillor Hegedich
Councillor Hill
Councillor Mahfoud
Councillor Marcus
Councillor McIntyre
Councillor Shaw
Total (7)

AGAINST

Councillor Maynard
Councillor Ramesh
Councillor Szatkowski

Total (3)

FILE NO: 00

ITEM NO: 6.3.1
A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)****AMENDED MOTION**

CR SAHANA RAMESH / MARCEL MAHFOUD

That Council:

1. Endorse the new Wyndham City Community Grants and Subsidies Policy.
2. Endorse the establishment of an Annual Community Grants Program Evaluation Panel.
3. That the policy be amended to require a list of successful applicants from each 'Medium Grants' round to be provided to Councillors immediately after final approval of each round by the Director of City Life.

(CARRIED)

Cr Jennie Barrera returned to the Chamber at 7.27pm.

FILE NO: 00

ITEM NO: 6.3.1
A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)****1. Background**

Councils occupy a unique position as grant-makers. Council grant programs are structured to enable a wide-range of community-led activities and projects to be realised in response to diverse and changing local priorities, issues and opportunities, within the municipality's overall strategic direction.

Council provides a range of community grant and funding streams targeting businesses, organisations, groups, service providers and community members. The purpose of each program is complementary and does not duplicate funding opportunities. The community grants program is the largest grants program in Council and encompasses a range of target recipient cohorts and project types.

In 2014, Council adopted the current Community Grants and Subsidies Policy following an extensive review and program redesign process. The changes focused the program on local government's grant-making role within the context of Wyndham's rapid growth, increasing cultural diversity, changing age and demographic profiles.

It resulted in the creation of six funding streams with objectives to:

- build capacity and social capital through community strengthening activities;
- ensure that streams and outcome areas were relevant to multiple community cohorts and localities to meet the needs of Wyndham's diverse communities; and
- schedule regular funding rounds to accommodate rapid change, with adequate administrative processes and timelines.

As mandated by the Community Grants and Subsidies Policy, an independent review of the 2014 Community Grants Program was undertaken in 2019. In summary, it found that the program:

- is appropriately managed according to principles of good practice for grant making;
- is broadly meeting community need and Council's strategic objectives; and
- achieves high levels of satisfaction among grant applicants and recipients with respect to the program's delivery, purpose and value.

Post Review and Covid-19 Response

In 2020, Council paused community grants and the redesign of the community grants program, as officers worked closely with communities to respond to the challenges of the pandemic. This included a commitment to consider a community grants response during the recovery phase, which resulted in Council opening a one-off round of recovery grants on 10 February 2021. Utilising the current policy and guidelines, projects to support community-led and community-based initiatives that contribute to Wyndham's community recovery, respond to local challenges and strengthen resilience will receive priority funding.

Further funding will be made available under the redesigned Community Grants and Subsidies Policy and will also reflect the current and emerging impacts of COVID 19. The new program will offer broad categories and funding streams, allowing community the opportunity to develop innovative projects that will further support community-led action and Wyndham's ongoing recovery.

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ITEM NO: 6.3.1
A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)****2. Relevant Law**

Councils governance and controls are required to comply with legislative requirements in the Local Government Act. These requirements include operational accountability and transparency to minimise risks of fraud and corruption as well as reputational risks.

Further, Council's grants programs typically support their legislated role of 'fostering community cohesion and encouraging active participation in civic life,' by strengthening communities' social capital and building the capacity of residents, groups and organisations.

3. Discussion

As per the Independent Community Grants review recommendations, the new program will see some key changes to the architecture of the program:

- Replacing Neighbourhood Grants; Identity, Inclusion and Connection Grants; and Annual Community Strengthening, Health and Environment Grants streams with Small, Medium and Large Grants. **This change will effectively simplify the program and broaden the scope of what can be applied for across all streams.** The purpose and assessment criteria have been amended to reflect this.
- Increasing the funding cap for Medium Grants (replacing Identity, Inclusion and Connection Grants) from \$5K to \$15k to reduce the gap between Medium and the \$40K cap for annual Large grants.
- Increasing the funding cap for Incorporated Organisations under Small Grants (replacing Neighbourhood Grants) from \$1K to \$2K. Under this stream individuals and un-incorporated groups are still eligible to apply for up to \$500.
- Integrating funding for events and festivals into the proposed Small, Medium and Large streams to maintain simplicity and availability frequency of the new program.
- Introducing an evaluation framework for the new program that captures relevant data on both the funded projects/events, the overall community grants program, and ongoing community and community service organisation feedback with clear, shared and pre-defined measures of success to be developed. This is a key element, as it will allow Council to base future decisions on community grants on community input and an objective measure of effectiveness.
- Under the existing Community Grants and Subsidies Policy, projects which have been funded three times are considered ineligible for future funding. This has posed challenges for many grass roots organisations trying to develop sustainable project models within the timeframe. This clause has been removed and a list of funding prioritisation principles developed to help manage dependency and incentivise applicant and project sustainability, and to encourage key outcomes that benefit the Wyndham community and economy.

The shift to categories based on size of grants rather than themes will further enable community to lead grant project direction and purpose in line with the principles of public value and community outcomes embedded in the proposed guidelines.

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A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)**

These changes are reflected in the redesigned Community Grants and Subsidies Policy for attached and the table below.

Grant type	Small Grants (Monthly)	Medium Grants (Biannual/ 2 times a year)	Large Grants (Annual)
Amount (GST exclusive)	Up to \$2,000 (Incorporated Organisations only) Up to \$500 (Individuals/non-Incorporated Groups)	Up to \$15,000 80% initial payment / 20% final payment for grants above \$5,000	Up to \$40,000 80% initial payment / 20% final payment for grants above \$5,000
Frequency	Monthly (always open)	Biannual (2 times a year)	Annual (once a year)
Assessment process	Recommendation on eligibility by Grants Officer in collaboration with relevant council staff.	Recommendation by an Assessment Panel of Senior Council Officers. Director Sign-Off	Recommendation by an Assessment Panel of Senior Council Officers then reviewed by Cr Evaluation Panel followed by an independent review of process and recommendations.
Decision and timing	Final approval by the Director City Life (Approximately 4 weeks)	Final approval by the Director City Life (Approximately 12 weeks)	Final approval by Council at a Council Meeting (Approximately 16 weeks)

No changes were recommended for Community Pathways Scholarships, Core Community Subsidy and the Facility Subsidy.

Sign Off Process

As per the attached Community Grants and Subsidies Policy, it is recommended that an assessment panel of Senior Council Officers will make recommendations for both the Small & Medium grant rounds, with Director sign off required for both. Large Grant (Annual) rounds will continue to go to Council meetings for endorsement.

For the latter, the grant assessment and evaluation processes will remain largely unchanged, with Large Grants (Annual) reviewed by a Community Grants Program Evaluation Panel prior to being presented to Council meetings for final endorsement. A recommendation to establish this panel is included within this report and an updated Terms of Reference and Councillor appointment process will be brought to Council.

4. Wyndham 2040 Vision

The Community Grants and Subsidies Policy and resulting program has significant alignment across the 2040 Vision, including:

- *People and Community:*
The people of Wyndham will be connected to each other. Our communities will be welcoming. We will be known for listening to and learning from the diversity of all residents.

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A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)**

- *Places and Spaces:*
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.
- *Earning and Learning:*
Residents will be able to share skills and build knowledge at community centres.
- *Leadership and Participation:*
Our city will be home to passionate residents who are always having conversations about how to build a better community. Residents will seek out ways to use their skills, knowledge and passion to build the community we have envisioned.

The Wyndham 2040 Vision is a guiding document in the support for community groups and organisations to develop grant applications.

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 purpose of the provision of grants is to support Wyndham based community groups and not-for-profit community organisations to deliver on their goals and aims that align with aspects of Council's strategic objectives.

Council's current strategic objectives have been informed by the Wyndham 2040 Community Vision, along with but not limited to the following documented plans and strategies:

- Reconciliation Action Plan
- Wyndham City Plan
- Wyndham Community Health, Wellbeing and Safety Plan
- Towards Equality
- Accessibility Action Plan 2019-2022
- Wyndham Festival and Events Framework
- Child, Youth and Family Interim Plan 2019-2020
- Family Friendly Cities Charter
- Volunteer Strategy 2019-2024
- Sports Strategy 2045
- Environment & Sustainability Strategy 2016-2040
- Waste and Litter Strategy 2016-2040.
- Community Strengthening Framework
- Social and Economic Inclusion Framework

Relevant documents can be found at the following web address:

<https://www.wyndham.vic.gov.au/planspoliciesstrategies>

FILE NO: 00

ITEM NO: 6.3.1
A/MANAGER COMMUNITY PLANNING &
DEVELOPMENT - CLIFFORD EBERLY**WYNDHAM CITY COMMUNITY GRANTS AND SUBSIDIES POLICY (cont'd)****7. Regional, State and National Plans and Policies**

The Community Grants and Subsidies Policy will provide the required direction to guide Council in undertaking good governance and best practice in grant making in its various roles in relation to grant making in Wyndham.

8. Financial Viability

Community grants and subsidies are fully funded as a part of Council's operational budget.

The review confirmed that the grants budget pool is sufficient to meet the current level of quality applications received by Council, however given the fast-growing nature of Wyndham, incremental increases could effectively deliver further community benefit. It is recommended that this occur over the life of the policy and is reviewed annually.

9. Communication Strategy

If Council endorses the new Community Grants and Subsidies Policy, the new grants program will be launched in the new financial year and a communications plan with key messages about the new program will be created.

Priorities and themes for grant rounds will be informed by the Wyndham 2040 Vision, to ensure the community vision is achieved through community-led activities.

10. Innovation and Continuous Improvement

A mandate to conduct an independent review delivers continuous improvement for the grants program by providing an impartial, comprehensive assessment of the performance of the current program to inform future directions.

COMMUNITY GRANTS AND SUBSIDIES POLICY

Policy Ref: QA

Date of Adoption:

Date of next Review:

Responsible Officer: Manager Community Planning and Development

This policy complies with the Charter of Human Rights Legislation

INTRODUCTION

This policy relates to the provision of grants and subsidies by Wyndham City Council. Grants and subsidies are provided in order to achieve outcomes towards Council's strategic objectives.

LEGISLATIVE CONTEXT – PROCUREMENT POLICY

Under Section 108 of the Local Government Act 2020, Councils are required to adopt and comply with a procurement policy. Wyndham City Council's Procurement Policy was adopted in 2019.

Funding provided under the Grants and Subsidies Policy will generally not:

- result in Council acquiring or transfer ownership to Council of any goods, works, or property of other kinds, nor
- perform activities or services for which Council is directly responsible, either through statute or other accepted authority, to deliver to residents; and, as a result, is considered to be outside the definition of 'purchasing goods, services and works'.

As such, grants under this policy are not considered to be required to comply with the Procurement Policy or the requirements of Section 108 of the Local Government Act 2020.

STRATEGIC OBJECTIVES

The purpose of the provision of grants is to support the delivery of aspects of Council's current strategic objectives which have been informed by the *Wyndham 2040 Community Vision*, along but not limited to:

- Reconciliation Action Plan
- Wyndham City Plan
- Wyndham Community Health, Wellbeing and Safety Plan
- Towards Equality
- Accessibility Action Plan 2019-2022
- Wyndham Festival and Events Framework
- Child, Youth and Family Interim Plan 2019-2020
- Family Friendly Cities Charter
- Volunteer Strategy 2019-2024
- Sports Strategy 2045
- Environment & Sustainability Strategy 2016-2040
- Waste and Litter Strategy 2016-2040
- Community Strengthening Policy and Framework
- Social and Economic Inclusion Framework
- Festivals and Events Framework

This includes superseded versions of the above strategies and plans over the life of this policy that can be found at: <https://www.wyndham.vic.gov.au/planspoliciesstrategies>

The main grants offered under this policy are Small, Medium and Large Grants. These categories ensure the program is inclusive and broad in scope, encouraging a diversity of applications, whilst encompassing a range of expected outcomes derived from the strategic objectives and council documents listed above. Other Wyndham City policies relevant to this Grants and Subsidies Policy include:

- Procurement Policy;
- Access and Inclusion policies;
- Community Strengthening Policy and Statement; and
- Strengthening Community Service Organisations in Wyndham Strategic Statement

Whilst these plans and strategies have formed the basis for the development of Wyndham City's grants and subsidies, this policy is likely to remain relevant beyond their lifespan. At each review of this policy, strategic objectives will be refreshed to reflect any superseded policies or strategies and consideration will be made for their continued relevance to the policy.

In addition, a mechanism to support identification and promotion of Council annual priority focus areas will be established and communicated to encourage grant applications.

POLICY STATEMENTS

GRANTS

A grant is an arrangement where money is paid by Council to a recipient in order to assist the recipient to achieve its goals as well as to achieve outcomes towards Council's adopted strategic objectives.

Specifically, grants are provided in line with the role of local government in grant giving: to fund projects designed to meet pre-defined community development outcomes. Grants will not be awarded to fund service delivery which is the sole responsibility of State and/or Commonwealth governments, ongoing operational costs or ongoing staffing.

Council does not expect to receive equal economic value directly in return. However, recipients are required to act in accordance with the terms and conditions of agreements including reporting on expenditure.

Council will only provide grants as a result of transparent submission-based processes that meet eligibility criteria, have clear budgets, links to Council's strategic objectives, application processes and application assessment processes.

SUBSIDIES

A **core community subsidy** will be provided to organisations that Council considers to be of significant long-term importance to the community and where Council considers itself to be the most appropriate organisation to provide financial assistance. The categories that these organisations belong to are:

- Not for profit organisations established with Council support to manage Council owned community centres and deliver on their community purpose;
- Key emergency services or organisations that deliver emergency prevention and resilience activities to the Wyndham community; and/or

- Not for profit organisations that provide broad community-based access to physical learning resources in rural Wyndham, or to early years or youth populations.

Organisations may be added to the list of organisations receiving core community subsidies if it is considered that the organisation fits one of the three agreed categories and that adding the organisation will contribute to equity and fairness.

Individual subsidy amounts for each organisation to be approved by the Chief Executive Officer and allocated in accordance with this policy and within the parameters of the budget approved by Council.

Core community subsidies will be administered through negotiation of service agreements up to four years. Recipients are required to act in accordance with terms and conditions of agreements including reporting on expenditure as specified.

From time to time, Council may consider adding categories of organisations to those receiving core community subsidies. This may only be achieved through acceptance of a Council report on the matter in relation to long term importance to the community and the appropriateness of Council providing financial assistance.

A **facility subsidy** is an arrangement where a community group is given discounted use of a Council facility or, in special circumstances, an alternative facility. Facility subsidies will be administered through negotiation of user or subsidy agreements. Recipients are required to act in accordance with the terms and conditions of said agreements.

Facility subsidies will only be provided as a result of transparent submission-based processes that meet eligibility criteria, have clear program budgets, links to Council's strategic objectives, eligibility criteria, application processes and application assessment processes.

Specific types of organisations are eligible to apply for facility subsidies, and the list of organisations may be added to from time to time if a community need for access to facilities is identified.

PRINCIPLES OF GRANTS AND SUBSIDIES PROVISION

Wyndham City Council's grants and subsidies will be provided in line with the following principles:

- To minimise cost shifting, funding will not be provided for service delivery which is the sole responsibility of State and/or Commonwealth governments, ongoing operational costs and/or ongoing staffing (See glossary for relevant definitions).
- Access and support will be provided in the application process, particularly to those who are experiencing disadvantage.
- Grant delivery will be governed by specific, documented processes and procedures which promote fairness, transparency and appropriate risk management.
- Private businesses and political organisations are ineligible for all grants, subsidies and sponsorships.
- Activities must demonstrate regard for Council's commitment to work with the community to ensure Wyndham is an inclusive, safe and welcoming city, which celebrates our diverse heritage and cultures and helps residents to stay healthy, active, and connected.
- Projects are expected to contribute to the overarching goals of Wyndham's Community Strengthening Framework – i.e. building organisations, building skills, building equality, building involvement and building identity.
- Both ethno-specific and cultural-specific projects and events may be supported.

FUNDING PRIORITISATION PRINCIPLES

The following principles relate exclusively to the grant programs under this policy (Small, Medium and Large Grants) and funding will only be provided for activities with a defined timeframe and objectives. These principles are not directly relevant to subsidy programs as they explain the basis for assessment and evaluation of fixed-term projects.

To discourage grant recipient dependency, to incentivise applicant and project sustainability, and to encourage key outcomes that benefit the Wyndham community and economy, the following funding priority principles will be included in the application assessment process and funding evaluation framework.

Higher priority will be given to projects that:

- explicitly contribute to Council's strategic objectives and official public communications;
- increase the self-sufficiency of community organisations;
- reduce environmental impact and/or provide energy, water and waste efficiencies;
- build skills, capacity and governance of community groups;
- demonstrate local collaboration and partnerships;
- create and support the establishment of new and innovative community events and festival
- activate places and spaces; and/or
- complement place-based service integration.

Higher priority will be given to applications that demonstrate evidence of:

- procuring goods and services from local businesses, from businesses that are social enterprises and/or Victorian Aboriginal and/or Torres Strait Islander businesses;
- planning for respectful Acknowledgement of the Traditional Owners of lands on which Wyndham City is being built, including budgeting for cultural performances, where appropriate;
- committing to sound environmental practices.

Lower priority will be given to:

- the project outcomes that may duplicate those of existing Council, State or Commonwealth programs;
- applicants who have been awarded a Medium or Large council grant within the previous 12 months; and/or
- activities that have previously been awarded a Medium or Large council grant that are ongoing without an adequate sustainability plan.

ELIGIBILITY CRITERIA

As a minimum requirement to be considered for funding under this policy, the applicant and/or the auspice, where applicable, must:

- have adequate public liability insurance;
- operate within the Wyndham municipality or offer a project in Wyndham, where at least 80 per cent of the targeted participants are Wyndham residents (except Little River community projects);
- have appropriate insurance and adhere to sound workplace health and safety practices (and pandemic regulations and advice when applicable);

- have no debt to council, or have entered into scheduled payment arrangements with council, which are being met;
- have met acquittal conditions for previous council grants;
- supply financial statements and other relevant information upon request;
- meet all conditions associated with receiving the grant;
- have its most recent 12 months of financial statements assessed as low risk by council if applying for \$20,000 or more; and
- have not received an offer for sponsorship of a festival or event from council;
- demonstrate the proposed activity is consistent with Local, State and Federal laws including the Charter Human Rights and Responsibilities Act 2006 and the Victorian Equal Opportunity Act 2010.

Some expenditure is ineligible to be considered as project expenditure for the purpose of a grant application. This includes:

- political activities;
- capital works;
- projects or activities that are the responsibility of the State or Federal Government;
- initiatives that do not focus on or directly benefit the Wyndham community;
- applications where the applicant organisation/s promote and/or benefit directly from electronic gaming machines or activities at a business where these machines operate;
- initiatives that advantage the self-interest of an applicant or that promote the business or profit interest of the applicant or their associates, or where applicant committee/board members make a commercial profit;
- activities benefiting a group that does not have an open membership;
- projects that have already begun prior to a grant application being submitted;
- research that is not primarily focussed on the Wyndham community;
- applications submitted after the closing date;
- applications from schools for curriculum-based activities or where no broader community participation is included;
- requests for ongoing operational costs, including salaries, rent, and insurance etc.;
- applications seeking funding to cover outstanding loans or debts;
- applicant's public liability insurance or any other insurance policies;
- projects run solely for fundraising purposes, without broader community benefit;
- activities in facilities where little or no public access is available or where accessibility (and facilities) for people with disability is not adequate; and/or
- applicants who fail to provide information requested by Council Officers for the purposes of assessment of funding applications or funded activity progress.

Senior Council Officers involved in the management and assessment of grants can approve reasonable project variation requests that remain aligned with the overall aims of a funded project within their relevant financial delegation level.

CO-FUNDING

Applicants applying for more than \$1,000 are required to co-fund projects as shown below:

Amount of council funding requested	Minimum co-funding requirement
Up to \$1,000	No requirement

\$1,001 - \$15,000	2:1 ratio of council funding to applicant co-funding
\$15,001 - \$40,000	1:1 ratio of council funding to applicant co-funding

Co-funding consists of cash and/or in-kind contributions towards a project or event and can include other grants secured by applicants, sponsorship (except council sponsorship for events and festivals) and other contributions that make up the project or event budgets.

COMMUNICATION STRATEGY

Effective communication and reporting arrangements for grants and subsidies are essential for transparency and public accountability. Wyndham City Council's website is a key tool in achieving outcomes towards this. In view of this, the following must be provided in an ordered and logical way on council's website:

Grants and Subsidies policy;

- Eligibility criteria, Program Guidelines and the online application portal for all programs;
- Previous recipients, funding amounts and project names (for current and previous financial year);
- Opening and closing dates for all application-based programs (where applicable);
- Referral to other opportunities for community to seek resources;
- Contact details for further information and application support for all programs; and
- A summary of the annual program's funded projects.

A mechanism to support identification and promotion of Council annual priority focus areas will be established and communicated to encourage grant applications.

In addition to this, council will ensure that people without direct access to the internet are not disadvantaged in their ability to access grants and subsidies. Council officers will support these applicants to apply online.

CONTINUOUS IMPROVEMENT

Each of council's grants and subsidies will be subject to periodic reviews in order to ensure they remain responsive to the community's needs and in line with council's strategic objectives. A live evaluation process will be in place that includes the analysis of program implications that is informed by regular surveying of participants of grants training, applicants and recipients of funding.

The review will include analysis of:

- The relevance of the eligibility criteria;
- The effectiveness of the communication strategy;
- The effectiveness of the application assessment processes;
- Risk management;
- The links between the funded projects and council's strategic objectives; and
- Application and completion report question and response parameters.

Every fourth year, a review will be undertaken that will include evaluation framework findings and broader analysis of feedback from grant and subsidy recipients.

Grant type	Small Grants (Monthly)	Medium Grants (Biannual/ 2 times a year)	Large Grants (Annual)
Amount (GST exclusive)	Up to \$2,000 (Incorporated Organisations only) Up to \$500 (Individuals/non-Incorporated Groups)	Up to \$15,000 80% initial payment / 20% final payment for grants above \$5,000	Up to \$40,000 80% initial payment / 20% final payment for grants above \$5,000
Frequency	Monthly (always open)	Biannual (2 times a year)	Annual (once a year)
Eligibility	Not-for-profit Incorporated Organisations. Individuals and un-Incorporated Groups up to \$500.	Not-for-profit Incorporated Organisations	Not-for-profit Incorporated Organisations
Purpose	<ul style="list-style-type: none"> Projects that build social connections, strengthened community cohesion, encourage inclusion, support people's health and wellbeing, and/or improve sustainability practices and our local natural environment Events and Festivals 	<ul style="list-style-type: none"> Projects that build social connections, strengthened community cohesion, encourage inclusion, support people's health and wellbeing, and/or improve sustainability practices and our local natural environment Events and Festivals 	<ul style="list-style-type: none"> Projects that build social connections, strengthened community cohesion, encourage inclusion, support people's health and wellbeing, and/or improve sustainability practices and our local natural environment Events and Festivals
Typical projects	As described in Wyndham City communications and/or evidenced as a priority in published Council Strategies and Plans.	As described in Wyndham City communications and/or evidenced as a priority in published Council Strategies and Plans.	As described in Wyndham City communications and/or evidenced as a priority in published Council Strategies and Plans.
Application process	Apply through an online form. Assistance with the application can be provided on request.	Apply during an open round through an online form. Assistance with the application can be provided on request.	Apply during an open round through an online form. Assistance with the application can be provided on request.
Assessment process	Recommendation on eligibility by Grants Officer in collaboration with relevant council staff.	Recommendation by an Assessment Panel of Senior Council Officers.	Recommendation by an Assessment Panel of Senior Council Officers then reviewed by Cr Evaluation Panel followed by an independent review of process and recommendations.
Decision and timing	Final approval by the Director City Life (Approximately 4 weeks)	Final approval by the Director City Life (Approximately 12 weeks)	Final approval by Council at a Council Meeting (Approximately 16 weeks)
Contract	Exchange of Letters	Funding Agreement	Funding Agreement
Responsible Department	Community Planning and Development	Community Planning and Development	Community Planning and Development

Grant Type	Community Pathways Scholarships	Core Community Subsidy	Facility Subsidy
Amount	Up to \$500 for individuals or up to \$1,000 if auspiced Up to \$1,000 for individuals competing overseas	Case by case basis via needs assessment	Up to 50% of the cost of hire for one full day's hire
Frequency	Fortnightly (always open)	As needed (up to 3 years)	Always Open
Eligibility	Individuals Individuals auspiced by a non-profit organisation Individuals are eligible for a scholarship once per financial year	Not for profit organisations and key emergency services as described in Typical Projects section	Not for profit organisations, schools and Wyndham based emergency services. One event per financial year at Encore Events Centre or Wyndham Cultural Centre.
Purpose	To assist Wyndham residents to progress a pathway in competitive events, the arts, or with their secondary school education	To ensure the ongoing viability of organisations of significant importance to the community and council	To support affordable and equitable access to indoor community activity spaces owned and managed by council
Typical Projects	<ul style="list-style-type: none"> Individuals 25 or younger or over 50 competing or officiating in a national or international sport or recreation competition with progressive competition-based entry Emerging professional artists participating in professional development opportunities Community leadership development training, conferences, forums or workshops Students in need of financial support for educational and auxiliary school activity participation costs 	<ul style="list-style-type: none"> Organisations established with council support to manage council owned community centres and deliver on their community purpose Key emergency services or organisations that deliver emergency prevention and resilience activities to the Wyndham community The provision of broad community-based access to physical learning resources in rural Wyndham, to early years and youth populations 	<ul style="list-style-type: none"> Wyndham school performances, graduation ceremonies and formals etc. Local community group events, celebrations and gatherings Emergency service forums and functions
Application process	Through an online form. Assistance with the application can be provided on request	Through an online form. Assistance with the application can be provided on request	Directly to Encore Events Centre or Wyndham Cultural Centre respectively
Assessment process	Recommendation on eligibility by Grants Officer in collaboration with relevant council staff	Recommended by relevant council department	Administrative assessment process
Decision and timing	Final approval by the Manager Community Planning and Development (Approximately 2 weeks)	Final approval by the CEO (Approximately 8 weeks)	Final approval by relevant Coordinator (Approximately 3 weeks)
Contract	Exchange of letters	Funding Agreement	Exchange of letters
Responsible Department	Community Planning and Development	Community Planning and Development	Community Planning and Development

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ITEM NO: 6.4.1
DIRECTOR CITY DESIGN &
LIVEABILITY - LUDO CAMPBELL-
REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE****Summary**

Planning Scheme Amendment C236 proposes to amend the Wyndham Planning Scheme to introduce heritage planning controls to sites of local heritage significance within the Manor Estate and in Carter Avenue Werribee. Heritage studies have found the sites to be of local heritage significance and recommend the application of the Heritage Overlay.

Interim planning controls (Amendment C239) were approved by the Minister for Planning until permanent controls (Amendment C236) are approved, to prevent any potential demolition of the heritage places. Exhibition of Amendment C236 to affected property owners and occupiers took place from 19 October to 4 December 2020. One submission was received and subsequently resolved and withdrawn. This report recommends the Amendment is therefore adopted by Council.

Attachments

1. Amendment C236 - Explanatory Report
2. Amendment C236 - HO Map 15 - Manor Estate
3. Amendment C236 - HO Map 16 - Carter Avenue
4. Amendment C236 - Heritage Overlay Schedule

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 Planning Projects Officer - Kristien Van den Bossche

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

Key Issues

- Proposed Heritage Overlay – residential precincts in Werribee

FILE NO:

ITEM NO: 6.4.1

DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER
AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)****RECOMMENDATION**

That Council:

1. Adopt Planning Scheme Amendment C236.
2. Submit the adopted Amendment to the Minister for Planning in accordance with Section 31(1) of the Planning and Environment Act 1987 for approval.
3. Authorise the Director City Design & Liveability to make minor changes that do not alter the intent of the Amendment, if required.

Cr Robert Szatkowski left the Chamber at 7.31pm.

MOTION

CRS JOSH GILLIGAN / MARCEL MAHFOUD

That Council:

1. Adopt Planning Scheme Amendment C236.
2. Submit the adopted Amendment to the Minister for Planning in accordance with Section 31(1) of the Planning and Environment Act 1987 for approval.
3. Authorise the Director City Design & Liveability to make minor changes that do not alter the intent of the Amendment, if required.

(CARRIED)

Cr Robert Szatkowski returned to the Chamber at 7.34pm.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)****1. Background**

The Amendment affects two separate areas: the 'Manor Estate, Werribee' and the 'Carter Avenue Precinct, Werribee.' These sites were identified for further investigation of heritage potential as part of the Housing and Neighbourhood Character Strategy (2018).

Council engaged Heritage Alliance to assess the sites for potential heritage significance. The studies confirmed the places as being of local heritage significance and recommended that the Heritage Overlay be applied to these places.

Manor Estate

The Manor Estate is a residential area 1.4km north west of the Werribee City Centre, bound by the Werribee River, Edgar Street, and Manorvale Parade, Werribee. The Manor was constructed by Percy Chirnside, son of pastoralist Andrew Chirnside, in 1895-1896 and burnt down in 1966. The Manor once stood on land which is now known as 1-3 Nadda Court and 24 Wattamolla Avenue, Werribee. Parts of the estate are currently protected in Heritage Overlay under listing HO102 "The Manor (remnants) Wattamolla Ave, Werribee -The heritage place is the large trees and stone wall remnants of the Manor."

The current Heritage Overlay mapping only covers the stone wall remnants and some trees in a Council reserve.

The Heritage Alliance study has identified further evidence of a number of trees, moveable structures, such as a horse trough and two stone columns, and archaeological remnants such as buried brickwork beneath established homes, stepping stones in the Werribee River, a 20th century pump and a well.

Works by the Rotary Club of Wyndham and the Werribee River Association has resulted in two columns found in the Werribee River concreted into place on a podium in the Council reserve adjacent the Werribee River.

Some items have been located outside of the current Heritage Overlay mapping, and the Heritage Overlay schedule which was drafted in 1999 is no longer accurate. It is proposed to amend the existing Heritage Overlay listing and mapping to reflect recent findings and include a Statement of Significance in the Planning Scheme.

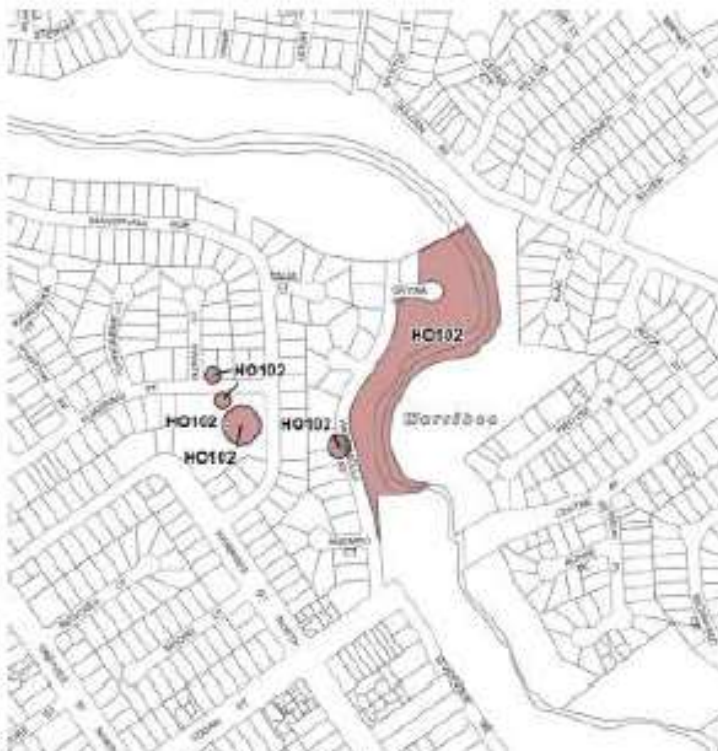
Locally significant elements of built and natural heritage such as the trees and retaining wall are proposed to be included in the Heritage Overlay and protected under the Planning and Environment Act (1987). Archeological artefacts and places are included in the Victorian Heritage Inventory and protected under the Heritage Act (2017).

A site card, recording archaeological remnants found at the site has been sent to Heritage Victoria. The Heritage Act 2017 protects all historical archaeological sites in the State, and all known sites are included in the Heritage Inventory. Before beginning any works, it is the responsibility of the property owner and/or developer to:

- find out if a property might be listed as an archaeological site; and
- obtain the approval of the Executive Director, Heritage Victoria to undertake works.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER
AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)****Fig 1: Existing Heritage Overlay mapping****Fig 2: Proposed Heritage Overlay mapping**

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)**

Tree controls are proposed on the identified significant trees in the Manor Estate. This will ensure careful consideration of any loss of heritage significant vegetation. Exceptions apply if the tree presents an immediate risk of personal injury or damage to property, or where action is required to keep the tree clear of power lines.



Peppercorn, near Guyra Court



Elm, Werribee Street Reserve

Carter Avenue, Werribee

Carter Avenue, Werribee, is a residential street consisting of 20 allotments and is located 300 metres south of the Werribee City Centre. It is an extension of the Carter Estate, Werribee which is already protected by a separate Heritage Overlay: "Carter Housing Estate (HO21): Carter's Housing Estate, Bounded by College Road and Anderson Street and comprises properties in Mary Avenue and Carter Crescent."

The Heritage Alliance study found that the Carter Avenue Precinct is of local significance for its development as a large-scale worker housing estate for the Carter Brothers' factory employees, being a rare form of housing development (being a worker housing estate) developed by a private employer.

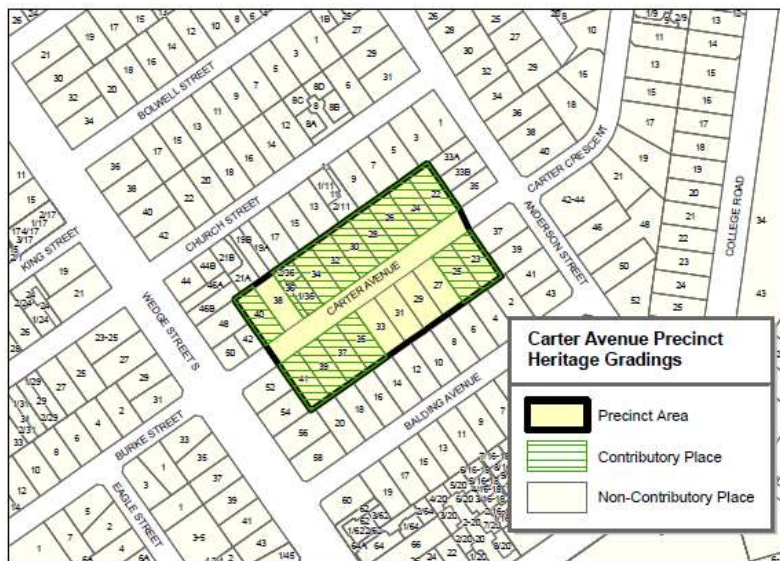
The Carter Avenue precinct is of local significance for the development of a particular small house type developed by architect WJ Bliss. The aesthetic character of the precinct comes from the substantial number of these houses completed, their cottage scale, their alignment and the use of brick walls and tiled pyramidal roofs. The study designates each property in the Precinct as either Contributory or Non-Contributory to the heritage significance of the precinct.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)**

Fig. 1: Carter Avenue study area precinct (centre of map) – with the existing Carter Estate area in heritage overlay HO21 to the north east.



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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER
AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)***36 Carter Avenue*Heritage Victoria / Heritage Council – “Heritage Overlay Guidelines” (2007)

Heritage Victoria has produced guidelines for development, if land is affected by a Heritage Overlay, including that of heritage precincts. Places which are in precincts can be graded either Significant, Contributory or Non-Contributory.

Significant heritage places are individually important places of state, municipal or local cultural heritage significance.

Contributory buildings contribute to the significance of the heritage precinct that they are located in. They are not considered to be individually important places of significance, however, when combined with other significant and/or contributory heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct. Non-Contributory places are places within a heritage precinct that have no identifiable cultural heritage significance. They are included within a Heritage Overlay because any development of the place may impact on the cultural heritage significance of the precinct or adjacent Significant or Contributory heritage places. Developers are often able to remove, alter or develop Non-Contributory elements or sites, provided that it occurs in a manner appropriate to the significance, character and appearance of the heritage area.

In Carter Avenue, the dwellings and integrated garages and facades and front fences at numbers 22, 24, 26, 28, 30, 32, 34, 35, 36, 39, 40 and 41 on Carter Avenue, Werribee, are defined as being Contributory to the significance of the Precinct. These houses are constructed of similar materials, using face brick and Marseille pattern roof tile in a mid-late 1940s styling, are single storey and have the same alignment and layout.

The dwellings and integrated garages and facades at numbers 23, 25, 27, 29, 31, 33, and 38 on Carter Avenue, Werribee are of local significance as they also form part of the estate on land bought by the Carters for Carter homes development. However, these houses were constructed

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later, using face brick and Marseille pattern roof tile in a mid to late 1950s and 1960s styling. These dwellings are defined as being Non-Contributory to the significance of the Precinct.

The Heritage Overlay is proposed to be applied to the entire precinct. The Statement of Significance for the precinct sets out the Contributory and Non-Contributory elements. Design guidelines have been prepared to accompany the Statement of Significance and provide guidance on appropriate development. It is therefore proposed to include a new statement of significance, together with design guidelines as Incorporated Documents, and to update the Heritage Overlay Schedule and mapping.

Number	Address	Grade
22	Carter Avenue	Contributory
24	Carter Avenue	Contributory
26	Carter Avenue	Contributory
28	Carter Avenue	Contributory
30	Carter Avenue	Contributory
32	Carter Avenue	Contributory
34	Carter Avenue	Contributory
36	Carter Avenue	Contributory
38	Carter Avenue	Non Contributory
40	Carter Avenue	Contributory
23	Carter Avenue	Contributory
25	Carter Avenue	Contributory
27	Carter Avenue	Non Contributory
29	Carter Avenue	Non Contributory
31	Carter Avenue	Non Contributory
33	Carter Avenue	Non Contributory
35	Carter Avenue	Contributory
37	Carter Avenue	Contributory
39	Carter Avenue	Contributory
41	Carter Avenue	Contributory

Clause 43.01 Heritage Overlay and Schedule

The Heritage Overlay is a planning control that is applied to land (either an individual place or a precinct of places) where heritage significance has been identified. The purpose of the Overlay is to ensure that heritage places are conserved and enhanced, and that development does not negatively impact the significance of the heritage place.

The control contains different triggers for a planning permit, such as demolition, subdivision and works which change the appearance of the heritage place. A planning permit is generally not required under the Heritage Overlay for routine maintenance and repairs, provided these don't change the appearance of the heritage place.

The Heritage Overlay Schedule can be amended to trigger a requirement for a permit for tree removal, external painting, and exemption from notice for development of buildings and works which are not significant.

It is proposed to amend the Heritage Overlay Schedule to apply paint controls to the Carter Avenue precinct, as the Statement of Significance identifies the face brickwork as contributing to the heritage significance of the dwellings and painting the face brickwork would detract from this aspect of significance.

Changes Prior to Adoption/Approval

The following changes are required to the Amendment documentation:

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)**

- Corrections to Amendment documentation as per earlier advice regarding Ministerial Amendment C239.
- Delete references to moveable objects such as the horse trough at 1 Guyra Ct, Werribee, as per DELWP advice and to be in line with DELWP Planning Practice Note (PPN01) – Applying the Heritage Overlay (2018).

2. Relevant Law

Under Section 12 of the *Planning and Environment Act (1987)*, Council as a Planning Authority is regularly reviewing and preparing amendments to the Wyndham Planning Scheme. The application of the Heritage Overlay requires Council, as Planning Authority, to amend the Planning Scheme.

Pursuant to Sections 13 and 14 of the Planning and Environment Act 1987, Council is also the Responsible Authority in administering and enforcing the Wyndham Planning Scheme and has duties in administering and enforcing the Scheme.

Planning Scheme Amendment (PSA) Process

An Amendment to the Planning Scheme is undertaken in accordance with the requirements of the *Planning and Environment Act (1987)* and generally involves the following steps:

1. Subject to Council's agreement, authorisation is sought from the Minister for Planning to prepare and exhibit the Amendment.
2. Exhibition of the Amendment is carried out in accordance with the directions of the Minister's authorisation
3. The Amendment is returned to Council to consider submissions (if any) and to decide whether to adopt or abandon the Amendment. Where submissions cannot be resolved, an independent Planning Panel may be required.
4. An independent Planning Panel is appointed by the Minister to consider the submissions and report its findings to the planning authority.
5. Council must then decide to make any changes, adopt or abandon the Amendment.
6. Should Council adopt the Amendment, it will be submitted with the Minister for approval and gazetted into the Planning Scheme.

Interim and Permanent Heritage Controls

Amendment C236 seeks to apply permanent heritage controls over the identified heritage places in the Manor Estate and Carter Avenue Precinct. Amendment C239 has already applied interim heritage controls over the identified heritage places in the Manor Estate and Carter Avenue, until such time as permanent controls are approved.

Once a final decision is made on the permanent controls proposed by Amendment C236, the interim controls will be removed and replaced by the permanent controls.

3. Discussion**Strategic Basis for the Amendment*****Plan Melbourne 2017-2050***

The Amendment supports Plan Melbourne, and specifically supports Direction 4.4 "Respect Our Heritage as We Build for the Future".

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LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)***State Planning Policy Framework*

The Amendment supports the objectives of the Planning Policy Framework, specifically Clause 15.03-1S Heritage conservation - To ensure the conservation of places of heritage significance.

Local Planning Policy Framework

The Amendment implements the objectives and strategies of Council's MSS:

- Clause 21.03 (Environmental and Landscape Values), particularly the objective to safeguard the visual, natural and cultural heritage values of urban and rural landscapes.
- Clause 21.06 (Built Environment and Heritage), particularly the objective to identify, recognise and protect places of heritage, cultural and social significance.
- Clause 22.05 (Heritage Conservation Policy), particularly the following objectives:
 - To recognise, conserve and enhance places in Wyndham identified as having architectural, cultural, natural or historic significance.
 - To ensure that any additions, alterations and replacement buildings are sympathetic to the heritage area and/or surrounds.
 - To ensure that the cultural significance of a site, involving the aesthetic, historic, scientific, architectural or social value of a place to past, present and future generations, is assessed and used to guide planning decisions

Appropriateness of the Proposed Heritage Overlay

The Amendment meets the DELWP and Heritage Victoria requirements and practice notes for preparing a Planning Scheme Amendment and applying the Heritage Overlay. The sites have been identified in heritage studies as being of local heritage significance.

A Statement of Significance has been prepared for each heritage place, which establishes the importance of the place and addresses the criteria used to justify the application of the overlay. The Statement of Significance for the Carter Avenue Precinct and Design Guidelines set out the Contributory and Non-Contributory elements of the Precinct and provides guidance on appropriate and inappropriate development.

Moveable Objects and Archaeological Remnants

The DELWP "Applying the Heritage Overlay" Practice Note (2018) defines what a heritage place can be and states that this cannot include movable or portable objects. As such, the two columns and horse trough cannot be recognised in the Schedule to the Heritage Overlay. It is noted that both sites are located on Council land which is unlikely to be developed.

All historical archaeological sites in Victoria are protected under the provisions of the *Heritage Act 2017*, and it is necessary to obtain an approval from the Executive Director of Heritage Victoria, in accordance with the Heritage Act for any works which may affect the historical archaeological values of a place.

A site card recording the archaeological items discovered by residents, and sites of archaeological potential - the sites of the original Manor location at 1-3 Nadda Court and 24 Wattamolla Avenue, has been submitted to Heritage Victoria.

Conclusion

The Amendment is consistent with objectives relating to heritage conservation contained within the Planning Policy Framework and Municipal Strategic Statement of the Wyndham Planning Scheme and are supported by the principles of Plan Melbourne (2017-2050). The Amendment ensures that heritage places are recognised and accorded appropriate protection.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)**

It is therefore recommended that Council adopt Amendment C236 and submit it to the Minister for Planning for approval.

4. Wyndham 2040 Vision

- People and Community: The amendment is consistent with our vision for People and Community: The country beginnings of our towns and shire will be remembered.
- Places and Spaces: The amendment is consistent with our vision for Places and Spaces: Our city will offer a diverse range of housing types and built environments that contribute to the quality of life of residents at all ages.

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.

6. Council Plan and Policies

The Amendment will enable Council to meet its obligations and strategic objectives in:

- Identifying, recognising and protecting places of heritage, cultural and social significance; Protecting and enhancing the distinctive sense of place, cultural identity and landscape within Wyndham (Municipal Strategic Statement).
- Celebrating our diverse heritage and cultures (Wyndham City Plan 2017-2021).

7. Regional, State and National Plans and Policies

State Government policy in heritage matters, requires local government to regularly review, identify and protect its important heritage places and planning controls. The Amendment will enable Council to meet its obligations and strategic objectives in:

- Implementing the objectives of planning in Victoria by balancing the present and future interests of all Victorians, and conserving and enhancing buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value (*Planning and Environment Act (1987)*).
- Ensuring the conservation of places of heritage significance (State Planning Policy).
- Recognising the value of heritage when managing growth and change through the continuous identification and review of currently unprotected heritage sites (Plan Melbourne).

8. Financial Viability

Councils are required to consider amendments against the objectives of planning in Victoria (*Planning and Environment Act 1987*), which includes economic effects. It is a long-standing approach that the primary consideration in the application of the Heritage Overlay is the heritage significance of the place; and the broader impacts on the community in the application of the Heritage Overlay, rather than the financial impact on individual landowners.

The planning scheme amendment results in costs to Council, as the proponent of the amendment. The costs relate to public notice and statutory fees.

FILE NO:

ITEM NO: 6.4.1
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)**

When the amendment is completed, there will be a minor increase in the number of planning permit applications received due to new triggers in the Planning Scheme. This increase can be accommodated within existing Council resources. Statutory planning application fees will apply.

9. Sustainability Implications

The Amendment will result in the protection of sites of local significance within the municipality through planning controls. This will have positive social effects by recognising buildings, streetscapes, and precincts that make the area a distinctive neighbourhood for its local population and visitors to the area. The protection and enhancement of significant heritage sites will help residents appreciate the history and development of their local area, providing historic continuity and a sense of place.

The inclusion of the Manor Estate trees on the HO Schedule will require a planning permit for consideration by Council for any works to the trees. This will ensure careful consideration of any loss of significant vegetation.

The Amendment will have positive economic effects by facilitating decision making and retaining the urban qualities that make heritage places distinctive for locals and visitors. Conservation and adaptive reuse of heritage places also has wider direct and indirect benefits, including the formation of new business and jobs, the stimulation of tourism and private investment, increased property values and instilling a sense of community pride.

Any cost imposition on developers will be offset by the greater social benefits brought by protecting the community's heritage.

10. Options

Section 29 of the *Planning and Environment Act (1987)* provides the planning authority with the opportunity to adopt the amendment or part of it with or without changes.

Section 28 of the *Planning and Environment Act (1987)* provides the planning authority with the opportunity to abandon the amendment, this option is not recommended.

One submission was received, resolved and ultimately withdrawn. No further submissions were received. As such, adoption of the amendment is recommended and considered the most appropriate option.

11. Community Engagement

In November 2018, Council officers met with affected property owners in the Manor Estate and Carter Avenue. The findings of the studies, draft heritage citations and amendment timeframes were discussed with residents, who provided additional information to the drafting of the studies.

Amendment C236 was placed on public exhibition late last year. Letters were sent to owners and occupiers of properties proposed to be included in the heritage overlay, in addition to letters to the relevant government ministers and notices in the local paper and the government gazette. Copies of the amendment were also placed on display at the Civic Centre for the exhibition period.

One submission was received from a resident in the Manor Estate, whose property contained a tree proposed to be protected by a Heritage Overlay. The submission queried whether an arborist had inspected the health of the (Elm) tree and the implications of the Heritage Overlay on the tree.

Council's arborist inspected the tree in 2018 and again in December 2020. It was determined that the tree was in good condition.

FILE NO:

ITEM NO: 6.4.1

DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PLANNING SCHEME AMENDMENT C236 - HERITAGE OVERLAY - CARTER
AVENUE, WERRIBEE & MANOR ESTATE WERRIBEE (cont'd)**

Under the controls of the Heritage Overlay, a planning permit is required to remove, destroy or lop a tree if the schedule to the overlay specifies the heritage place as one where tree controls apply. This does not apply where it is necessary to keep the whole or any part of a tree clear of an electric line, or if the tree presents an immediate risk of personal injury or damage to property.

This submission was subsequently withdrawn as the submitter was satisfied with the information provided by Council officers. No further submissions were received.

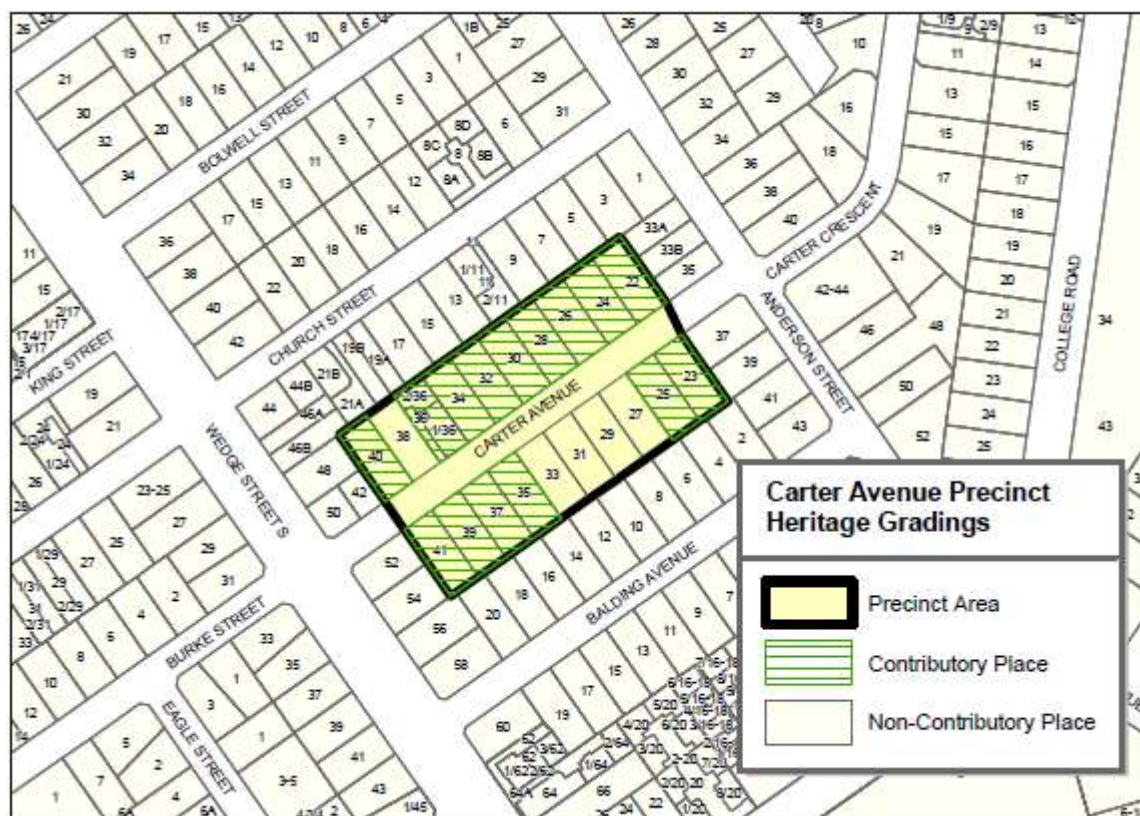
*Planning and Environment Act 1987***WYNDHAM PLANNING SCHEME****AMENDMENTS C236****EXPLANATORY REPORT****Who is the planning authority?**

This amendment has been prepared by the Wyndham City Council, which is the planning authority for this amendment.

The Amendment has been made at the request of Wyndham City Council.

Land affected by the Amendment

The Amendment applies to the following parcels of land:

Carter Avenue, Werribee:

22 Carter Avenue WERRIBEE VIC 3030

V8267 F644 L27 LP24138 Deutgam Parish

24 Carter Avenue WERRIBEE VIC 3030

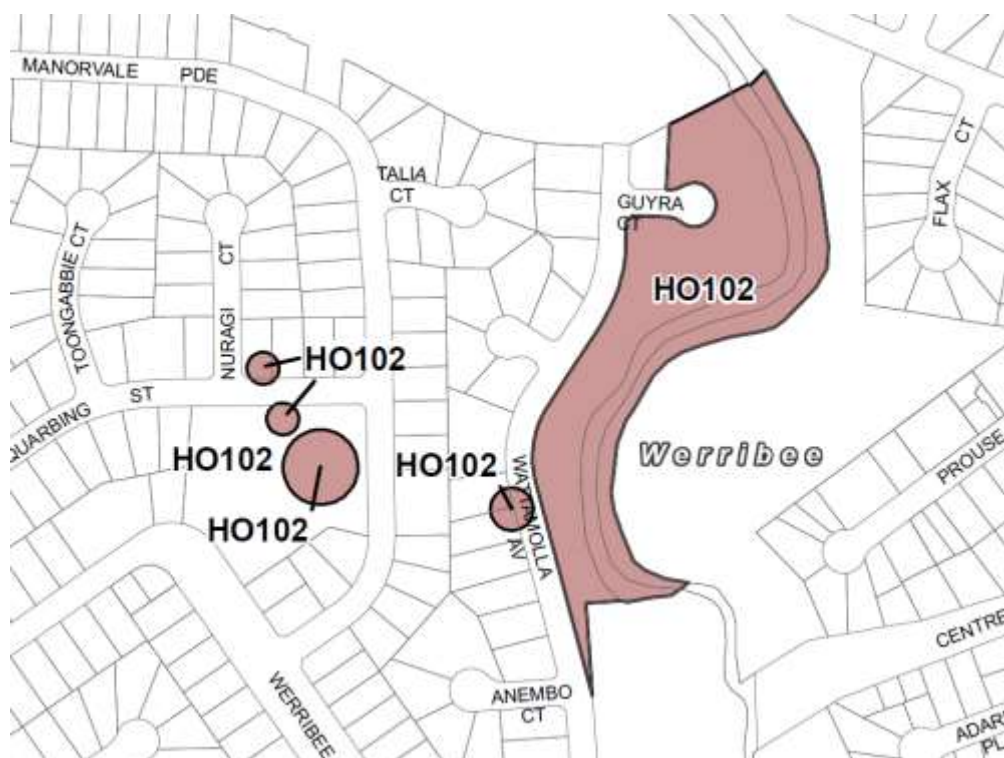
L26 LP24138 Deutgam Parish

26 Carter Avenue WERRIBEE VIC 3030

V8267 F645 L25 LP24138 Deutgam Parish

28 Carter Avenue WERRIBEE VIC 3030	V8204 F417 L24 LP24138 Deutgam Parish
30 Carter Avenue WERRIBEE VIC 3030	V9639 F536 L23 LP24138 Deutgam Parish
32 Carter Avenue WERRIBEE VIC 3030	V8204 F417 L22 LP24138 Deutgam Parish
34 Carter Avenue WERRIBEE VIC 3030	V10000 F642 L21 LP24138 Deutgam Parish
1/36 Carter Avenue WERRIBEE VIC 3030	V 12047 F 542 L 1 PS 811727 Deutgam Parish
2/36 Carter Avenue WERRIBEE VIC 3030	V 12047 F 543 L 2 PS 811727 Deutgam Parish
38 Carter Avenue WERRIBEE VIC 3030	V 9683 F803 L19 LP24138 Deutgam Parish
40 Carter Avenue WERRIBEE VIC 3030	V 9571 F447 L18 LP24138 Deutgam Parish
40A Carter Avenue WERRIBEE VIC 3030	V 12227 F 005 L 2 PS 832485 Deutgam Parish
23 Carter Avenue WERRIBEE VIC 3030	L4 LP24138 Deutgam Parish
25 Carter Avenue WERRIBEE VIC 3030	V 8327 F686 L5 LP24138 Deutgam Parish
27 Carter Avenue WERRIBEE VIC 3030	L6 LP24138 Deutgam Parish
29 Carter Avenue WERRIBEE VIC 3030	V 8327 F685 L7 LP24138 Deutgam Parish
31 Carter Avenue WERRIBEE VIC 3030	L8 LP24138 Deutgam Parish
33 Carter Avenue WERRIBEE VIC 3030	V 8286 F259 L9 LP24138 Deutgam Parish
35 Carter Avenue WERRIBEE VIC 3030	L10 LP24138 Deutgam Parish
37 Carter Avenue WERRIBEE VIC 3030	V 8204 F422 L11 LP24138 Deutgam Parish
39 Carter Avenue WERRIBEE VIC 3030	V 8204 F504 L12 LP24138 Deutgam Parish
41 Carter Avenue WERRIBEE VIC 3030	L13 LP24138 Deutgam Parish

Manor Estate, Werribee:



16 Wattamolla Avenue WERRIBEE VIC 3030 V 8860 F 127 L 65 LP 88736 Mambourin Parish
 18 Wattamolla Avenue WERRIBEE VIC 3030 L 66 LP 88736 Mambourin Parish
 23 Quarbing Street WERRIBEE VIC 3030 V 9331 F 585 L 203 LP 126638 Mambourin Parish
 25 Quarbing Street WERRIBEE VIC 3030 V 9331 F 584 L 202 LP 126638 Mambourin Parish
 178 Werribee Street North WERRIBEE VIC 3030 V 8983 F 267 L RES1 LP 94141 Mambourin Parish
 1 Guyra Court WERRIBEE VIC 3030 V 9639 F 090 L RES1 LP 200184 Mambourin Parish
 CA 2004 Mambourin Parish Heaths Road WERRIBEE VIC 3030
 CA 2063 Deutgam Parish Heaths Road WERRIBEE VIC 3030

What the amendment does

The Amendment creates a new listing HO136 for the 'Carter Avenue Precinct', by including 20 sites of local heritage significance in the Schedule to the Heritage Overlay. The amendment also activates the external paint control, and notice for fences and outbuildings control in the Schedule.

The Amendment makes changes to the 'Manor (remnants)' (HO102) listing in the Schedule to the Heritage Overlay, by including 8 additional properties. The amendment also activates tree controls in the Schedule.

The Amendment amends the Schedule to Clause 74 (Incorporated Documents) to include new statements of significance for both precincts, and development guidelines for Carter Avenue.

Interim heritage controls have been applied through Amendment C239 to ensure protection of the sites until permanent controls are approved through Amendment C236.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to ensure sites of local heritage significance, identified in heritage studies, are protected under the Heritage Overlay.

The Amendment will assist Council in achieving its strategic objectives in recognising and protecting heritage sites and encouraging appropriate development that respects places with identified heritage values.

Manor Estate, Werribee

The site is identified as being of local historical significance to the City of Wyndham and meets the following criteria for heritage significance, as set out in the 'Applying the Heritage Overlay' Practice Note 1 (August 2018)

- Criterion A - Importance to the course, or pattern, of Victoria's cultural history.
- Criterion C - Potential to yield information that will contribute to an understanding of Victoria's cultural history.
- Criterion E - Importance in exhibiting particular aesthetic characteristics.

The citation recommends that the Heritage Overlay schedule and mapping be amended to remove items which are no longer extant and include identified trees, including activating the tree controls in the Schedule.

Carter Avenue, Werribee

The Carter Avenue precinct is of significance for historical, rarity, aesthetic and associative reasons to the City of Wyndham and meets the following criteria for heritage significance, as set out in the 'Applying the Heritage Overlay' Practice Note 1 (August 2018)

- Criterion A - Importance to the course, or pattern, of Victoria's cultural history.
- Criterion B - Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
- Criterion E - Importance in exhibiting particular aesthetic characteristics.
- Criterion H - Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

House nos 22, 24, 26, 28, 30, 32, 34, 36 & 40 and Nos, 35, 39 & 41 on Carter Avenue, Werribee are of local heritage significance. Carter Avenue is an extension of the Carter Estate based around Carter Crescent - Mary Avenue. Carter Avenue was developed from 1940-42 and then into the 1960s. These houses use face brick and Marseille pattern roof tile in a mid- late 1940s styling but retain similar materials, single storey height, the same alignment and layout as the later houses listed below.

House nos, 23, 25, 27, 29, 31 & 33 on Carter Avenue, Werribee are of local heritage significance. Carter Avenue is an extension of the Carter Estate based around Carter Crescent - Mary Avenue. Carter Avenue was developed from 1940-42 and then into the 1960s. These houses use face brick and Marseille pattern roof tile in a mid to late 1950s and 1960s styling but retain similar materials, single storey height, the same alignment and layout as the earlier houses listed above.

All dwellings, brick garages, and low scale brick fencing, in Carter Avenue are Contributory, except for 27, 29, 31, 33, 38 Carter Avenue, which are Non Contributory.

The citation recommends the application of the Heritage Overlay to the Contributory dwellings, brick garages, and low scale brick fencing, of the following properties: 22, 24, 26, 28, 30, 32, 34, 36, 40, 23, 25, 35, 37, 39 and 41 Carter Avenue.

Dwellings at 27, 29, 31, 33 and 38 Carter Avenue are to be retained in the proposed Heritage Overlay as Non Contributory dwellings, so that any development will be in keeping with the Contributory development.

The citation recommends paint controls and demolition controls be applied to Contributory brick houses of significance, including integrated garages, integrated facades, and low scale brick fencing, and activation of the exemption from notice under clause 43.01-4.

The Amendment will result in a net community benefit by improving community perception regarding heritage planning controls and assist in the conservation of places by encouraging development that respects heritage significance.

How does the Amendment implement the objectives of planning in Victoria?

By including sites of local heritage significance in the Wyndham Planning Scheme, the amendment implements the following objectives of planning in Victoria —

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), ..., (d);*
- (g) to balance the present and future interests of all Victorians.*

How does the Amendment address any environmental, social and economic effects?

It is not anticipated that the Amendment will have any negative impacts on the environment. The Amendment will encourage reuse, restoration and adaptation of heritage places. Retention of places will reduce building waste associated with demolition and construction of new buildings and it will also conserve embodied energy in existing buildings.

The Amendment will have positive social effects by recognising buildings, streetscapes, and precincts that make the area a distinctive neighbourhood for its local population and visitors to the area. The inclusion of heritage places in the Heritage Overlay will ensure that the heritage value of these sites is considered as part of any planning permit application process and enable the protection of this part of the municipality's history for present and future generations.

The Amendment will have positive economic effects by facilitating decision making and retaining the urban qualities that make these areas distinctive for locals and visitors.

Does the Amendment address relevant bushfire risk?

The affected land is located in established, low bushfire risk areas. The proposed amendment to the Scheme will not increase bushfire risk, nor is bushfire risk management required to support the amendment.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The Amendment is consistent with the following Ministerial Directions:

- Ministerial Direction on the Form and Content of Planning Schemes, pursuant to section 7(5) of the *Planning and Environment Act 1987*.
- Ministerial Direction No.9 - Metropolitan Strategy, which requires that the amendment support the provisions of Plan Melbourne 2017-2050. Specifically, the Amendment is supported by the following policy directions:
 - Direction 4.4 - Respect Melbourne's heritage as we build for the future: The Amendment will encourage new development to be designed and sited to respect the identified significance of heritage places.

- Ministerial Direction No.11 – Strategic Assessment of Amendments.

How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

The Amendment seeks to achieve the objectives of the State and Local Policy of the Wyndham Planning Scheme in recognising and protecting places of local heritage significance.

The Amendment supports the following objectives of the State Planning Policy Framework:

- Clause 15.03-1S Heritage conservation - To ensure the conservation of places of heritage significance

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Amendment implements the objectives and strategies of Council's MSS:

- Clause 21.03 (Environmental and Landscape Values), particularly the objective to safeguard the visual, natural and cultural heritage values of urban and rural landscapes.
- Clause 21.06 (Built Environment and Heritage), particularly the objective to identify, recognise and protect places of heritage, cultural and social significance.
- Clause 22.05 (Heritage Conservation Policy), particularly the following objectives:
 - To recognise, conserve and enhance places in Wyndham identified as having architectural, cultural, natural or historic significance.
 - To ensure that any additions, alterations and replacement buildings are sympathetic to the heritage area and/or surrounds.
 - To ensure that the cultural significance of a site, involving the aesthetic, historic, scientific, architectural or social value of a place to past, present and future generations, is assessed and used to guide planning decisions
 - To promote a better appreciation and wider understanding of the City's heritage.

How does the amendment support or implement the Municipal Planning Strategy?

This strategic consideration only applies if the planning scheme includes an MPS at Clause 02.

N/A

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the Victoria Planning Provisions. The Schedule to the Heritage Overlay is the proper Victorian Planning Provision tool for the introduction of heritage controls for places identified as having heritage significance.

The Amendment addresses the requirements of the Planning Practice Note "Applying the Heritage Overlay, 2018". This Practice Note specifies that places identified in local heritage studies should be included in the Heritage Overlay if the significance of the place can be established.

How does the Amendment address the views of any relevant agency?

The views of any relevant agencies have not been sought. Council will engage with relevant agencies, affected property owners and community groups during the public exhibition of the Amendment

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The Amendment is not expected to have any significant impact on the transport system as defined under Section 3 of the Transport Integration Act 2010.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The inclusion of additional heritage places may contribute to a minor increase in the number of planning permit applications on an annual basis. However, this increase can be accommodated within existing Council resources.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, at the following places:

- During office hours, at the office of the planning authority;

Wyndham City Council
Civic Centre
45 Princes Highway WERRIBEE
www.wyndham.vic.gov.au
- The Amendment is available at Council's website
<https://www.wyndham.vic.gov.au/services/building-planning/planning-scheme-amendments/current-planning-scheme-amendments>
- The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 4 December 2020.

A submission must be sent to:

Wyndham City Council

PO Box 197

WERRIBEE, VIC 3030

Or via email to: mail@wyndham.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

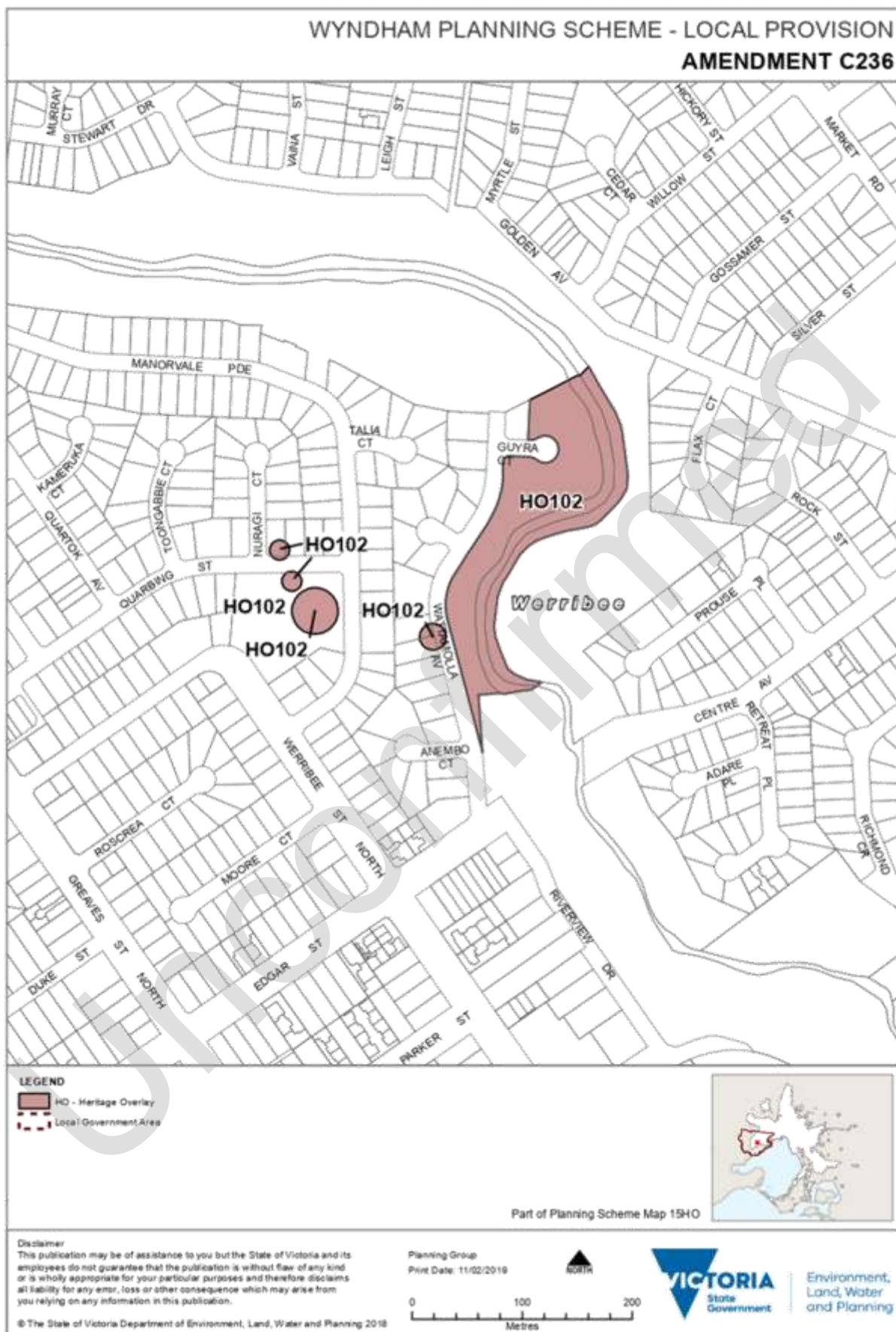
- directions hearing: Week commencing 1 March 2021
- panel hearing: Week commencing 29 March 2021

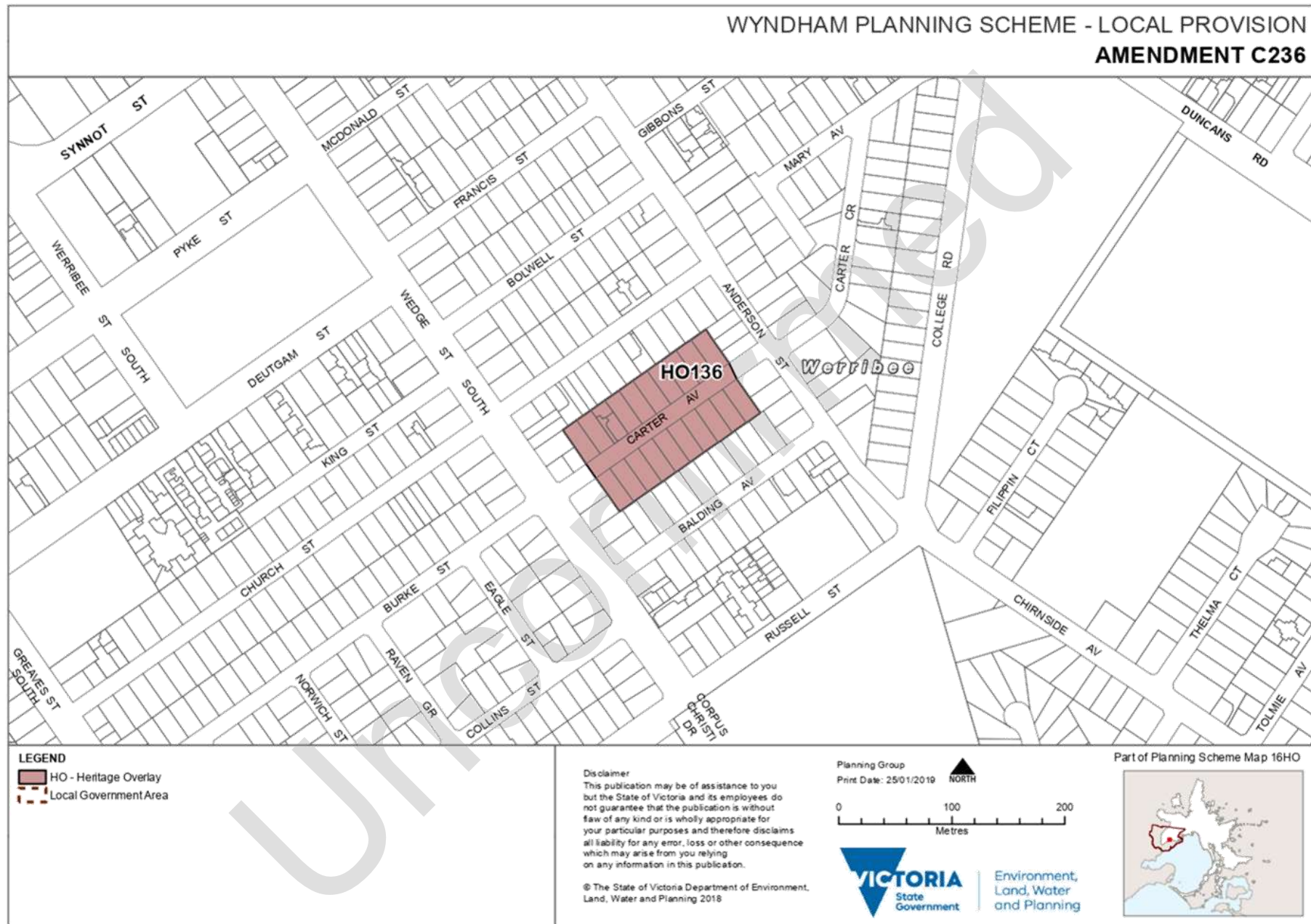
ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Carter Avenue, Werribee	22 Carter Avenue WERRIBEE	Wyndham C236 003ho Map 16 Exhibition
	24 Carter Avenue WERRIBEE	
	26 Carter Avenue WERRIBEE	
	28 Carter Avenue WERRIBEE	
	30 Carter Avenue WERRIBEE	
	32 Carter Avenue WERRIBEE	
	34 Carter Avenue WERRIBEE	
	1/36 Carter Avenue WERRIBEE	
	2/36 Carter Avenue WERRIBEE	
	38 Carter Avenue WERRIBEE	
	40 Carter Avenue WERRIBEE	
	40A Carter Avenue WERRIBEE	
	23 Carter Avenue WERRIBEE	
	25 Carter Avenue WERRIBEE	
	27 Carter Avenue WERRIBEE	
	29 Carter Avenue WERRIBEE	
	31 Carter Avenue WERRIBEE	
	33 Carter Avenue WERRIBEE	
	35 Carter Avenue WERRIBEE	
	37 Carter Avenue WERRIBEE	
	39 Carter Avenue WERRIBEE	
	41 Carter Avenue WERRIBEE	
The Manor (Remnants)	16 Wattamolla Avenue WERRIBEE	Wyndham C236 001d-hoMap15 Exhibition Wyndham C236 002hoMap15 Exhibition
	18 Wattamolla Avenue WERRIBEE	
	23 Quarbing Street WERRIBEE	
	25 Quarbing Street WERRIBEE	
	178 Werribee Street North WERRIBEE	
	Heaths Road WERRIBEE CA 2004 Mambourin Parish	
	Heaths Road WERRIBEE CA 2063 Deutgam Parish	

	1 Guyra Court WERRIBEE	
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Unconfirmed





AMENDMENT C236WYND

**System Note: The following ordinance will be modified in Sub-Clause:43.01
HERITAGE OVERLAY, Schedule: SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY**

Unconfirmed

AMENDMENT C236WYND

2.0

C236wynd

Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO1	Ford Werribee River, Werribee	No	No	No	No	No	No		No
HO2	Main Outfall Sewer, Hoppers Crossing, Laverton North, Truganina, Werribee, and Williams Landing.	-	-	-	-	Yes Ref No H1932	No		-
HO3	Werribee System - Diversion Weir. The heritage place is the diversion weir.	-	-	Yes	No	No	No		No
HO5	House 949 Aviation Road, Werribee South The heritage place is the house and concrete farm building.	No	No	No	No	No	No		No
HO6	Carramar House and Farm Lot 1 LP205808, 1055 Aviation Road, Werribee South The heritage place is the house, garden and outbuildings.	No	No	Yes	No	No	No		No
HO7	Hegarty's House 24 Ballan Road, Werribee	No	No	Yes	No	No	No		No

AMENDMENT C236WYND

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the house and front garden (to the extent that early layout and features remain).								
HO8	Campbells House and Store 85 Edgars Road, Little River The heritage place is the building only.	-	-	No	No	No	No		No
HO9	The Peppercorns 1625 Boundary Road, Mt Cottrell The heritage place is the house, bluestone ruin and stone walls.	No	No	No	Yes	No	No		No
HO10	Volant House (now Arva) 1645 Boundary Road, Mt Cottrell The heritage place is the house and associated features including dry stone walls around the main paddocks, including the boundary walls, paddock walls and stone enclosure.	No	No	No	Yes	No	No		No
HO11	Evans House (former) 725 Boundary Road, Truganina The heritage place is the house and immediate setting.	No	No	No	No	No	No		No
HO12	Wernbee Racecourse Bulban Road, Werribee	No	No	No	No	No	No		No

AMENDMENT C236WYND

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the whole of the racecourse.								
HO13	Devine House (ruins) Lot CA 34 Psh Bulban, Bulban Road, Mambourin The heritage place is the house ruin and immediate setting.	No	No	No	No	No	No		No
HO14	House 780 Bulban Road, Werribee The heritage place is the house, stone walls and mature plantings along driveway.	No	No	Yes	No	No	No		No
HO15	Werribee Park Primary School 10 Cayleys Road, Werribee South The heritage place is the original school buildings.	No	No	No	No	No	No		No
HO16	Kelly Park Cherry Street, Werribee The heritage place is the whole of park. Recent buildings do not contribute to the significance of the park and are not protected, however redevelopment of, or changes to these buildings should consider the significance of the place.	No	No	Yes	No	No	No		No

AMENDMENT C236WYND

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO17	Chimside (Corpus Christi) Gates Chimside Ave (cnr Russell Street), Werribee The heritage place is the gate structure, fixings and remnant railing.	-	-	No	No	No	No		No
HO18	Cobbledicks Ford and Reserve Cobbledicks Ford Road, Mt Cottrell The heritage place also includes the dry stone walls around the reserve, along the west side of Dukelows Road and north and west side of Cobbledicks Ford Road.	No	No	Yes	Yes	No	No		No
HO19	Water Tank Melbourne Water Western Treatment Plant, Cocoroc Road, Werribee.	-	-	-	-	Yes Ref No H1416	No		-
HO20	Werribee Guides Hall Soldiers Reserve, College Road, Werribee The heritage place is the building.	No	No	No	No	No	No		No
HO21	Carter's Housing Estate, Bounded by College Road and Anderson Street and comprises properties in Mary Avenue and Carter Crescent. The heritage place is all of the estate including public spaces, roadways and larger street trees.	-	-	Yes	No	No	No		No

AMENDMENT C236WYND

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO22	Werribee Railway Station, Comben Street, Werribee	-	-	-	-	Yes Ref No H1309	No		-
HO23	Cottrell Street Sports and Physio Centre 90 Cottrell Street, Werribee The heritage place is the house, especially street façade.	No	No	No	No	No	No		No
HO24	Racecourse Hotel 78-80 Cottrell Street, Werribee The heritage place is the 1930s and earlier sections of the building.	No	No	No	No	No	No		No
HO25	George Chimside Experimental Dairy Lot 4, PS 332021, Crawfords Road, Werribee South. The heritage place is the remaining features of house, cheese room and garden setting.	-	-	Yes	No	No	No		No
HO26	Cunningham House 51 Cunninghams Road, Werribee South The heritage place is the house and the irrigation channel.	No	No	No	No	No	No		No
HO28	Robertson Farm Complex	No	No	No	Yes	No	No		No

AMENDMENT C236WYND

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	CAG Sec 22 Psh Tarneit, Derrimut Road, Tarneit The heritage place is the whole of site enclosed by stone wall.								
HO30	Wine Cellars Lot 2 LP208740 Derrimut Road, Tarneit The heritage place includes the Vineyard Estate, wine cellar, ruins, dry stone walls, mulberry trees and other archaeological features located on the west side of Skeleton Creek north of Leakes Road.	No	No	Yes	Yes	No	No		No
HO31	Werribee Primary School 2 Deutgam Street, Werribee The heritage place is the extent of the 1919, 1922 and 1938 buildings and their setting.	No	No	No	No	No	No		No
HO32	Villa Franca, 35-39 Deutgam Street, Werribee.	-	-	Yes	No	No	No		No
HO33	Diggers Road Soldiers Memorial Hall 450 Diggers Road, Werribee South The heritage place is the hall.	No	No	No	No	No	No		No
HO34	Portelli House and Shop 650 Diggers Road, Werribee South	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the shop/house building and shopfront including petrol bowser.								
HO35	Dam CA B Sec 18 Psh Tarneit, Dohertys Road, Mt Cottrell The heritage place is the dam and immediate surrounds.	No	No	No	Yes	No	No		No
HO36	Doherty House Lot 1 LP97350, 1103 Dohertys Road, Truganina The heritage place is the house and stone walls and their immediate setting.	No	No	No	Yes	No	No		No
HO37	Eynesbury (part) Staughtons Bridge site Lot 1B PS543210 Dohertys Road, Tarneit Springhill Road, Eynesbury	-	-	-	-	Yes Ref No H362	No		-
HO38	Missen House (site) CA C Sec 22 Psh Tarneit, Dohertys Road, Truganina The heritage place is the house, stone walls and plantings.	No	No	Yes	Yes	No	No		No
HO39	Truganina Cemetery	No	No	Yes	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	Woods Road, Truganina The heritage place is the cemetery.								
HO41	Bambra Park 2 Dukelows Road, Mt Cottrell The heritage place is the house and garden.	No	No	No	Yes	No	No		No
HO42	Cobbledicks House (Ruin) 2 Dukelows Road, Wyndham Vale The heritage place is the bluestone ruin and immediate surrounds.	-	-	No	Yes	No	No		No
HO43	Dukelow house 215 Dukelows Road, Tarneit The heritage place is the house.	No	No	No	No	No	No		No
HO44	Kurrajong Trees Duncans Road, Werribee	No	No	Yes	No	No	No		No
HO45	Braemor 630 Duncans Road, Werribee South	No	No	No	No	No	No		No
HO46	Building and Water Tower 818 Duncans Road, Werribee South The heritage place is the tower and small building.	No	No	No	No	No	No		No
HO47	Deveney House	No	No	Yes	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	835 Duncans Road, Werribee South The heritage place is the house and garden.								
HO48	Former Werribee Estate School and School Teachers House 849 Duncans Road, Werribee South The heritage place is the house, fenced area, timber shelter shed, trees, and irrigation channel and rear and sides.	No	No	Yes	No	No	No		No
HO49	Fowlers House and Silo 885 Duncans Road, Werribee South The heritage place is the concrete house, silo, dam and remains of cheese factory.	-	-	No	No	No	No		No
HO50	Grahams Dairy 1107 Duncans Road, Werribee South The heritage place is the concrete building.	No	No	No	No	No	No		No
HO52	Little River Uniting Church NE Corner Edgars Road and Boadles Lane, Little River.	-	-	Yes	No	No	No		No
HO53	Mouyong Lots 1 & 2 PS609745 Edgars Road, Little River.	No	No	No	Yes	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the bluestone shearing shed and the dry stone walls to the south of the shed paddock and north of Mouyong Road, bluestone building and their immediate surrounds.								
HO54	Shaw House 115 Edgars Road, Little River The heritage place is the house and immediate garden setting, and dry stone wall.	No	No	Yes	Yes	No	No		No
HO55	Richmond and McNaughton Properties 230 Edgars Road, Little River The heritage place is the ruins, bluestone stores, two timber houses, bluestone wells, bluestone and dry stone walls, and the immediate setting of each building.	No	No	No	Yes	No	No		No
HO56	Old Little River Hotel 16 Flinders Street, Little River	-	-	Yes	No	No	No		No
HO57	Powell Shops and Service Station 5 & 7 Glen Street, Werribee The heritage place is the shops and service station.	No	No	No	No	No	No		No
HO58	Houses	No	No	Yes	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	63-65 Greaves Street, Werribee The heritage place is two dwellings, especially those elements visible from the street, and including the fence and hedge on the southern house "Osterley".								
HO59	St Andrews Catholic Church 101-105 Greaves Street, Werribee The heritage place is the church reserve, including all buildings and setting.	No	No	No	No	No	No		No
HO60	Anderson Homestead Site Lot B PS708632, South of Lollypop Creek, Greens Road, Wyndham Vale The heritage place is the bluestone ruins.	No	No	No	No	No	No		No
HO61	Chaffey Irrigation Scheme Riverbend Historical Park, Heaths Road, Werribee The heritage place is the house site, trees, well, and the plough and dray.	No	No	Yes	No	No	No		No
HO62	Hogan House Lot 3 Hogans Road, Tarnait The heritage place is the extent of the ruined building and immediate surrounds.	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO64	Werribee Park K Road, Werribee The heritage place includes graves, headstones, the bluestone wall at Werribee Park Golf Course, and the Dry Stone Ha ha Wall.	-	-	-	-	Yes Ref No H1613	No		-
HO66	House 22-26 Little River Road, Little River The heritage place is the original one room blue stone cottage.	No	No	No	No	No	No		No
HO67	Ball House 135-173 Little River Road, Little River The heritage place is the house, shed/barn and immediate setting including dry stone walls.	No	No	No	Yes	No	No		No
HO68	Euneane's Poultry Farm 3-19 Lock Ave, Werribee The heritage place is the existing brick warehouse building.	No	No	No	No	No	No		No
HO69	Jack Carter's Poultry Farm 60-68 Lock Ave, Werribee The heritage place is the main building (nos. 60-62, 64-66), red brick building (no. 68) and the silos.	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO70	Adapted Railway Carriage 500 O'Connors Road, Werribee South The heritage place is the railway carriage/building.	No	No	No	No	No	No		No
HO71	Tardrew House 510 (518) O'Connors Road, Werribee South The heritage place is the house and garden.	No	No	Yes	No	No	No		No
HO72	Rothwell Bridge Old Melbourne Road, Little River	-	-	-	-	Yes Ref No H1454	No		-
HO73	Tarcombe 2-54 Old Melbourne Road, Little River The heritage place is the house, former shearing shed/stables and mature trees.	-	-	Yes	No	No	No		No
HO74	Point Cook Homestead & Stables, Point Cook Homestead Road, Point Cook.	-	-	-	-	Yes Ref No H1509	No		-
HO75	State Research Farm, Princes Highway, Werribee.	-	-	-	-	Yes Ref No H1961	No		-

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO76	Werribee Satellite Aerodrome, Princes Highway (Geelong Road) and Farm Road, Werribee	-	-	-	-	Yes Ref No H1884	Yes		-
HO77	Werribee Cemetery Railway Ave, Werribee The heritage place is the whole of cemetery except for lawn cemetery area.	No	No	No	No	No	No		No
HO78	Geodetic Survey Baseline, Princes Highway, Hoppers Crossing South Base Stone, Railway Reserve (rear of 301 Princes Highway, Werribee). North Base Stone, 1245 Sayers Road, Tarnet. Green Hill Extension Marker, off Springhill Road, Eynesbury.	-	-	-	-	Yes Ref No H1957	No		-
HO79	House (Former police paddocks area) 1-3 Rainsford Street, Werribee The heritage place is the house.	No	No	No	No	No	No		No
HO80	Bull House 35 River Street, Little River The heritage place is the house and oil shed.	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO82	Bulban Reserve Rothwell Road, Little River The heritage place is the extent of the reserve and its landscape features.	No	No	Yes	No	No	No		No
HO83	Little River Mechanics Institute 8 Rothwell Road, Little River The heritage place is the building and lamp.	No	No	No	No	No	No		No
HO84	Christ Church 48-50 Rothwell Road, Little River The heritage place is the church building. Later fence and gate and the bluestone gutter along Rothwell Road are contributory.	No	No	No	No	No	No		No
HO86	Barrie House (former) 1-3 Rothwell Street, Little River The heritage place is the entire site.	No	No	No	No	No	No		No
HO87	Former Grooms House 8 Rothwell Street, Little River The heritage place is the house.	No	No	No	No	No	No		No
HO88	Bates House 13 Rothwell Street, Little River	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the house.								
HO89	Roland Carter House 51-59 Russell Street, Werribee	No	No	Yes	No	No	No		No
HO91	Little River Railway Station and Goods Yard 19-27 River Street, Little River	-	-	-	-	Yes Ref No H1572	No		-
HO93	Wattle Park 85-87 Sewells Road, Werribee The heritage place is the ruined bluestone house and the Edwardian weatherboard house.	No	No	No	No	No	No		No
HO94	Former Picture Palais 15-19 Station Place, Werribee The heritage place is the main façade.	No	No	No	No	No	No		No
HO95	Crossroads Uniting Church (Former St Thomas' Presbyterian Church), Cnr Synnot Street and Duncans Road, Werribee	-	-	-	-	Yes Ref No H628	No		-
HO97	Muswell 9-11 Synnot St, Werribee	-	-	Yes	No	No	Yes		No
HO98	St Thomas Church of England 119-121 Synnot Street, Werribee	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the 1900 church, 1859 church, 1940s-50s hall and the front fence on Synnot Street. Modern brick extension to 1900 church is excluded.								
HO99	Police House (former) 129 Synnot Street, Werribee	No	No	No	No	No	No		No
HO100	Water Tower & Office 1 Tower Road, Werribee	-	-	Yes	No	No	No		No
HO101	Sumiya 6 Wattamolla Ave, Werribee The heritage place is the house and garden.	No	No	Yes	No	No	No		No
HO102	The Manor (remnants) Wattamolla Ave, Werribee The heritage place is the large trees and stone wall remnants of the Manor (V 9639 F 090 L RES1 LP 200184 Mambourin Parish) Statement of significance: Manor Estate, Werribee	No	No	Yes Pine Tree, Moreton Bay Fig (CA 2063 Deutgam Parish & CA 2004 Mambourin Parish); Peppercorn tree (1 Guyra Ct, Werribee);	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
				Elm Trees (23 & 25 Quarbing Street, Werribee, 178 Werribee Street North, Werribee); Elm Tree (16 & 18 Wattamolla Drive, Werribee).					
HO103	Little House 56-58 Wattle Ave, Reserve on Bowery Court and 77, 85 & 87 Wattle Ave, Werribee The heritage place is the house, mature trees within the property grounds, the mature trees in the reserve to the north, and olive trees on eastern side of road at 77, 85 & 87 Wattle Ave.	No	No	Yes	No	No	No		No
HO104	Chimside Park Pt CA 3 Sec 5A Psh Deutgam Watton Street, Werribee	No	No	Yes	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the whole of the park, including mature trees and remnant vegetation along the river, the grandstand and kiosk, entry gates, Hume and Hovell memorial, earlier swimming pool (in the river). The recent building and facilities are not included.								
HO105	Troup Park and Weighbridge Watton Street, Werribee The heritage place is the reserve, weighbridge building and apparatus.	-	-	Yes	No	No	No		No
HO106	War Memorial Cnr Watton Street and Station Place, Werribee The heritage place is the war memorial and immediate setting.	-	-	No	No	No	No		No
HO107	Deney's Clock Cnr Watton Street and Station Place, Werribee The heritage place is the clock.	-	-	-	-	No	No		No
HO109	Callanan's Chemist 47 Watton Street, Werribee	-	-	-	-	Yes Ref No H1956	No		-
HO110	Former Shire Hall	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	49 Watton Street, Werribee The heritage place is the whole building excluding recent additions to the rear.								
HO111	Milk Bar and Bolero Cards and Gifts 63-65 Watton Street, Werribee The heritage place is the shop plus some internal features, in particular the strong room at 63 Watton Street.	No	Yes	No	No	No	No		No
HO112	Commercial Hotel 101-111 Watton Street, Werribee The heritage place is the hotel.	No	No	No	No	No	No		No
HO113	Bridge Hotel 197-199 Watton Street, Werribee The heritage place is the 1926 hotel, excluding the drive in bottle shop and other recent additions.	No	No	No	No	No	No		No
HO114	Silver Birches, 211 Watton Street, Werribee. Tree controls apply to Norfolk Pines.	-	-	Yes	No	No	No		No
HO115	Masonic Centre, 223 Watton Street, Werribee.	-	-	Yes	No	No	No		No
HO116	House 23-25 Wedge Street South, Werribee	No	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place is the house.								
HO117	House 36 Wedge Street, Werribee The heritage place is the house and fence.	No	No	No	No	No	No		No
HO118	Rockleigh 111 Werribee Street, Werribee The heritage place is the house only.	No	No	No	No	No	No		No
HO119	Skeleton Creek Water Reserve and Water Holes Pt CA 3 Sec 15 Psh Truganina Woods Road, Truganina The heritage place is the water reserve as shown on the Parish of Truganina plan, the waterholes just downstream of the confluence of Dry Creek and Skeleton Creek and the dry stone walls and the remnants of the bluestone building.	No	No	No	Yes	No	No		No
HO121	McNaughton Reserve 95-109 You Yangs Road, Little River The heritage place is the extent of the reserve and its landscape features.	No	No	Yes	No	No	No		No
HO122	Grant Bridge	Yes	No	No	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	You Yangs Road, Little River The heritage place is the bridge.								
HO123	St Michael's Catholic Church 1-3 You Yangs Road, Little River The heritage place is the church building, three large sugar gums along road way forming part of the setting for the church, and visual links between the church, the former Methodist church and railway station complex.	No	No	Yes	No	No	No		No
HO124	Little River Recreation Reserve 15-31 You Yangs Road, Little River The heritage place is the reserve, including memorial entrance gates and concrete pavilion.	No	No	Yes	No	No	No		No
HO125	Truganina ARP Hall Woods Road, Truganina The heritage place is the ARP Hall and immediate surrounds, including playground equipment.	No	No	No	No	No	No		No
HO126	Truganina Settlement Oak Tree Cnr Dohertys & Woods Roads, Truganina The heritage place is the oak tree.	No	No	Yes	No	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
HO127	St Andrews Primary School 110-112 Greaves Street, Werribee The heritage place is the original red brick building on the corner of Greaves and Stawell Streets.	No	No	No	No	No	No		No
HO128	Former Convent of St Joseph of the Sacred Heart 31-39 Mortimer Street, Werribee The heritage place is the large single storey brick complex and surrounds.	No	No	No	No	No	Yes		No
HO129	Carroll House (Toowoomba) 32 River Street, Little River The heritage place is the entire site excluding the recent lean to addition to the dwelling.	No	No	No	No	No	No		No
HO130	Little River Farmers Common Stone Walls The heritage place is the dry stone walls either side of Edgars Road, Little River, and walls extending perpendicular for 100 metres either side and along Narraburra Road, McPhersons Road and Bulban Road.	No	No	No	Yes	No	No		No
HO131	Wesleyan Chapel Site West of 865 Boundary Road, Tameit/Truganina (Lot 1 TP23043)	No	No	No	Yes	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	The heritage place includes the dry stone walls around the former Wesleyan chapel site and the encompassed land, including archaeological remains and garden walls from the chapel site, along Skeleton Creek and on the eastern boundary of the chapel reserve.								
HO132	Ballan Road Walls, Werribee	No	No	No	Yes	No	No		No
HO133	Old Melbourne Road Walls Little River Road, Little River between Old Melbourne Road and the Princes Freeway The heritage place is the dry stone walls along both sides of Little River Road/Old Melbourne Road.	No	No	No	Yes	No	No		No
HO134	A and B ranked dry stone walls	No	No	No	Yes	No	No		No
HO135	Little River Farmers Common South The heritage place is dry stone walls on Flinders Street, Rothwell Road and McLeans Road in the Little River township, to the south of the Melbourne-Geelong railway line	No	No	No	Yes	No	No		No
HO136	Carter Avenue Precinct, Werribee The heritage place is the dwellings, brick garages, and low height brick fences at 22-41 Carter Avenue, Werribee	Yes	No	No	Yes - Front fences: 22, 24, 25, 26, 28,	No	No		No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Name of Incorporated Plan under Clause 43.01-2	Aboriginal heritage place?
	Statement of significance: Carter Avenue Precinct, Werribee Heritage design guidelines: Carter Avenue Precinct, Werribee - Heritage design guidelines				32, 35, 39 Carter Avenue Garages - 26, 28, 35, 37, 39 Carter Avenue				

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**System Note: The following ordinance will be modified in Sub-Clause:72.04
DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME, Schedule:SCHEDULE
TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**

1.0

C236wynd

Incorporated documents

Name of document	Introduced by:
40 Wallace Avenue, Point Cook, Incorporated Document, December 2015	C206
Alfred Road Precinct Structure Plan, April 2013	C159
Ballan Road Precinct Structure Plan, June 2014 (Amended December 2014)	C141
Black Forest Road North Precinct Structure Plan, December 2015	C170
Black Forest Road South Precinct Structure Plan, April 2013	C169
Black Forest Road South Native Vegetation Precinct Plan, April 2013	C169
Carter Avenue Precinct, Werribee - Heritage Design Guidelines (2020)	C239wynd
Carter Avenue Precinct, Werribee - Statement of Significance (2019)	C239wynd
Cell "B" Development Contributions Plan, October 1997	C9
Cherry Creek Youth Justice Redevelopment Project Incorporated Document, August 2018	C222
Coogee Energy Titanium Project - Native Vegetation Offsets, October 2014	C196
East Werribee Employment Precinct, Precinct Structure Plan, September 2013 (Amended June 2014)	C181
East Werribee Employment Precinct, Native Vegetation Precinct Plan (September 2013)	C179
East Werribee Employment Precinct, Development Contributions Plan (September 2013 – Amended July 2017)	GC75
Eynesbury Station Incorporated Plan, September 2001	C20
Fibre Optic Project, Integrated Approval Requirements, December 2002	VC17
Lincoln Heath South Precinct Structure Plan, September 2015	C194
Lot 2, LP138922, 391-395 Point Cook Road, Point Cook April 2008	C117
Manor Lakes Development Contributions Plan, March 2012 (Amended July 2017)	GC75
Manor Lakes Native Vegetation Precinct Plan, March 2012	C154
Manor Lakes Precinct Structure Plan, March 2012	C154
Melbourne Geelong Interconnection Project, June 2010.	C138
Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017	GC74
Palmers Road and Robinsons Road Upgrade (Sayers Road to Western Freeway, Truganina) Incorporated Document, July 2012	C121
Point Cook Concept Plan, 2007 Addendum	C91
Point Cook West Development Contributions Plan, October 2012 (Updated July 2017)	GC75
Point Cook West Precinct Structure Plan (including the Point Cook West Native Vegetation Precinct Plan), October 2012 (Updated September 2013)	C193
Quandong Precinct Structure Plan, November 2018	C219wynd

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Name of document	Introduced by:
Rail Gauge Standardisation Project, Integrated Approval Requirements, December 2002	VC17
Regional Fast Rail Project, Integrated Approval Requirements, December 2002	VC17
Regional Rail Link Project Section 2 Incorporated Document, March 2015	GC26
Riverdale Precinct Structure Plan, September 2014	C176
Small Lot Housing Code (Victorian Planning Authority, November 2019)	GC150
Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring and the E6 Transport Corridor, July 2010 (updated May 2012)	C180
Tarneit North Precinct Structure Plan, September 2014 (Amended December 2014)	C141
Tarneit West Development Contributions Plan, May 2008 (Amended July 2017)	GC75
The Laverton Employment Node and Major Activity Centre Incorporated Plan, July 2006 (Amended Version C June 2015)	C199
The Manor Estate (remnants), Werribee – Statement of Significance (2019)	C239wynd
The Truganina Cemetery Environmental Management Plan for Wyndham City Council (Native Vegetation Management Services, November 2004).	VC68
Truganina Precinct Structure Plan, September 2014	C175
Truganina Employment Precinct Development Contributions Plan (December 2009)	C124
Truganina Employment Precinct Structure Plan (December 2009)	C124
Truganina South Community Precinct Structure Plan (including the Truganina South Native Vegetation Precinct Plan), May 2011	C123
Truganina South Precinct Development Contributions Plan, June 2011 (Amended July 2017)	GC75
Westbrook Precinct Structure Plan, June 2014	C172
Westmeadows Lane and Marquands Road Development Contributions Plan December 2007 (Amended July 2017)	GC75
West Werribee Dual Water Supply Project Incorporated Document, February 2012	C146
Water for a Growing West Project Incorporated Document, July 2014	GC18
West Gate Tunnel Project Incorporated Document, December 2017	GC93
Wyndham Harbour Development (October 2012)	C156
Wyndham North Development Contributions Plan, September 2014 (Amended July 2017)	GC75
Wyndham West Development Contributions Plan, (Amended July 2017)	GC75

FILE NO:

ITEM NO: 6.5.1
CHIEF FINANCIAL OFFICER - BINDA
GOKHALE**FINANCIAL MANAGEMENT REPORT - QUARTER 3 - 2020/2021****Summary**

The preparation of a quarterly Financial Report is a statutory requirement under section 97 of the *Local Government Act 2020 (the Act)*.

This paper provides a report on Council's financial results for the first three quarters of the 2020/21 financial year covering the period 1 July 2020 to 31 March 2021 (Year to Date March) and compares this against the 2020/21 budget set for the equivalent period.

The report identifies that the results have been impacted by the extended COVID-19 lockdown in the first half of the year and the resulting effect on Council's services. Certain services were not able to be provided due to restrictions, whilst other support services were prioritised to meet community needs and expectations through this pandemic. The results also reflect a level of recovery anticipated over the remainder of this financial year.

The year to date March results therefore reflect both lower revenue and lower expenditure when compared to Year to Date (YTD) budget:

- Total operating revenue of \$257.9M which is \$8.2M lower than the budgeted amount of \$266.1M. The lower revenue is primarily due to the extended closure of Council facilities required under the COVID-19 Stage 4 lockdown in the first half of the year.
- Total operating expenses incurred of \$185.9M which is \$32.2M lower than the budgeted amount of \$218.1M. The lower expenditure is an outcome of lower workforce related costs. Closure of key Council facilities and building facilities also contributed to a lower level of operating expenditure for Materials and Services.
- As a result of the above, the Underlying Operating position reflects a favourable result to budget of \$24.5M.

The report also provides a forecast outlook as at Quarter 3 for the full 2020/21 financial year. This is compared against the full year budget in order to identify the expected variations from Council's original annual budget expectations.

Consistent with the year to date results, the full year forecast reflects a reduction of both revenue and expenses when compared to the full year operating budget:

- Total operating revenue of \$342.4M which is \$9.9M lower than the full year budgeted amount of \$352.3M. Q3 forecast assumes that whilst operations will recover to some extent for the second half of the year, most of the decrease in revenue was generated in the first half of the year as a consequence of COVID-19 lockdown restrictions.
- Total operating expenses before depreciation & amortisation of \$260.9M is favourable to the budgeted position by \$33.9M. Q3 forecast assumes savings within the financial year in employee benefits of \$18.6M, and \$13.9M from the materials and services category.
- As a result of the above, the year end Underlying Operating forecast, reflects a favourable result to budget of \$24.1M. This will reduce the budgeted operating deficit after depreciation from \$52.4M to \$28.3M

Attachments

1. Financial Management Report - Quarter 3 - 2020/21

FILE NO:

ITEM NO: 6.5.1
CHIEF FINANCIAL OFFICER - BINDA
GOKHALE**FINANCIAL MANAGEMENT REPORT - QUARTER 3 - 2020/2021 (cont'd)****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 Financial Officer - Binda Gokhale

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

Financial Controller - Johnny Marinis

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

Finance Manager - Alex Nava

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

Key Issues

- Financial results as at 31 March 2021.
- 2020/21 Financial and Capital expenditure full year forecasts.

RECOMMENDATION

That Council note the information provided in the Financial Management Report for Quarter 3 Financial Year 2020/21 as required under Section 97 of the *Local Government Act 2020*.

MOTION

CRS JENNIE BARRERA / SAHANA RAMESH

That Council note the information provided in the Financial Management Report for Quarter 3 Financial Year 2020/21 as required under Section 97 of the *Local Government Act 2020*.

(CARRIED)

FILE NO:

ITEM NO: 6.5.1
CHIEF FINANCIAL OFFICER - BINDA
GOKHALE**FINANCIAL MANAGEMENT REPORT - QUARTER 3 - 2020/2021 (cont'd)****1. Background**

The preparation of a quarterly Financial Report is a statutory requirement under section 97 of the *Local Government Act 2020 (the Act)*. This section requires that:

1. As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
2. A quarterly budget report must include:
 - (a) a comparison of the actual and budgeted results to date; and
 - (b) an explanation of any material variances; and
 - (c) any other matters prescribed by the regulations.

Council's process is to thoroughly review the key revenue and expenditure items each quarter for material movements when compared against the budget. This is to determine if these movements are purely timing related over the course of the year. As an example, a timing difference may be due to project expenditure budgeted to be incurred in one month which may have been delayed to a future month within that year.

Alternatively, the reason for the variance may be more 'permanent' in nature for that year whereby a specific initiative anticipated to be undertaken in that year, will no longer proceed.

The report provides an overview of Council's financial results for the first three quarters of the 2020/21 financial year covering the period 1 July 2020 to 31 March 2021 (Year to Date March) and compares this against the 2020/21 budget set for the equivalent period. The report also includes an update on the capital works program for the year and provides a forecast financial outlook for the end of the financial year.

2. Discussion**Financial Performance**

The financial results have been impacted by the extended COVID-19 lockdown and the resulting effect on Council's services. Certain services were not been able to be provided in the first half of the year due to restrictions, whilst other support services were prioritised to meet community needs and expectations through the pandemic.

The year to date March results therefore reflect both lower revenue and lower expenditure when compared to Year to Date (YTD) budget.

- Total operating revenue of \$257.9M which is \$8.2M lower than the budgeted amount of \$266.1M. The lower revenue is primarily due to the extended closure of Council facilities required under the COVID-19 Stage 4 lockdown in the first half of the year.
- Total operating expenses incurred of \$185.9M which is \$32.2M lower than the budgeted amount of \$218.1M. The lower expenditure is an outcome of lower workforce related costs. Closure of key Council facilities and building facilities also contributed to a lower level of operating expenditure for Materials and Services.
- As a result of the above, the Underlying Operating position reflects a favourable result to budget of \$24.5M.

FILE NO:

ITEM NO: 6.5.1
CHIEF FINANCIAL OFFICER - BINDA
GOKHALE**FINANCIAL MANAGEMENT REPORT - QUARTER 3 - 2020/2021 (cont'd)**

Consistent with the year to date results, the full year forecast reflects a reduction of both revenue and expenses when compared to the full year operating budget:

- Total operating revenue of \$342.4M which is \$9.9M lower than the full year budgeted amount of \$352.3M. Q3 forecast assumes that operations will be closer to 2020/21 budget expectations for the second half of the year, and that most of the decrease in revenue was generated in the first half of the year as a consequence of COVID-19 lockdown restrictions.
- Total operating expenses before depreciation & amortisation of \$260.9M is favourable to the budgeted position by \$33.9M. Q3 forecast assumes permanent savings in employee benefits of \$18.6M, and \$13.9M from the materials and services category.
- As a result of the above, the year ending Underlying Operating forecast, reflects a favourable result to budget of \$24.1M, which will reduce the budgeted operating deficit after depreciation from \$52.4M to \$28.3M.

It's important to note that whilst we anticipate favourable variances against budget, Council's overall position is still an operating deficit. We need to continue to manage through uncertain times for the remainder of the financial year, as evidenced by the recent snap lockdowns in Qld and WA. COVID will continue to have an impact on our operations and may present unexpected challenges for the remainder of the year, as we attempt to transition to a COVID normal. Focus on financial management will be critical to ensure prioritised services are delivered and maximum benefits provided to our community.

Capital Works

The delivery of planned capital works during 2020/21 has had some unavoidable delays due to pandemic-related restrictions. While all budgeted projects are expected to continue to completion, some expenditure will continue into the early parts of 2021/22. The forecast has been updated to reflect these delays, and we are currently forecasting a total capital spend of \$89m. The program has been managed with agility within the total capital works budget of approximately \$106M, to allow additional projects to be introduced to respond to opportunities, needs and risks arising during the year.

3. 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.

4. Council Plan and Policies

The Annual Plan and Budget takes into consideration the Council Plan and related operational policies.

5. Financial Viability

This Report addresses the financial viability of Council in the context of reporting against budget expectations for the 2020/21 Financial year.

Council will be preparing its Long-term Financial Plan which will cover a 10yr financial outlook. This will be informed by Council's City Plan together with its Service and Asset strategies and policy setting.

FILE NO:

ITEM NO: 6.5.1
CHIEF FINANCIAL OFFICER - BINDA
GOKHALE**FINANCIAL MANAGEMENT REPORT - QUARTER 3 - 2020/2021 (cont'd)****6. Sustainability Implications**

Council's Long Term Financial Plan will be finalised in October 2021 as required by the Local Government Act 2020. The long term plan will consider financial sustainability objectives, related metrics and measures together with statement of risks identified and options to ensure they are managed within Council's risk appetite.

7. Community Engagement

Council's annual budget is underpinned by an extensive community deliberative process regarding services and community priorities.

8. Innovation and Continuous Improvement

Council continues to review and drive improvement in its management reporting processes to ensure that our community is kept well informed regarding financial outcomes.

9. Collaboration

All service areas of Council are engaged and collaborate on the development of annual operational and capital budgets. Monthly meetings are held with internal stakeholders to ensure that the operation drivers and financial outcomes are reviewed and understood. Quarterly reports are developed also in collaboration with service and project managers.



Q3 Financial Management Report

2020/21

March 2021

1. Executive Summary

This is the Q3 Financial Management Report provided by Council for the 2020/21 Financial Year.

The report provides an overview of Council's financial results for the first three quarters of the 2020/21 financial year covering the period 1 July 2020 to 31 March 2021 (Year to Date March) and compares this against the 2020/21 budget set for the equivalent period.

The results are impacted by the extended COVID-19 lockdown and the resulting effect on Council's services. Certain services have not been able to be provided due to restrictions, whilst other support services have been prioritised to meet community needs and expectations through this pandemic.

The year to date March results therefore reflect both lower revenue and lower expenditure when compared to Year to Date (YTD) budget:

- Total operating revenue of \$257.9M which is \$8.1M lower than the budgeted amount of \$266.1M. The lower revenue is primarily due to the extended closure of Council facilities required under the COVID-19 Stage 4 lockdown.
- Total operating expenses incurred of \$185.9M which is \$32.1M lower than the budgeted amount of \$218.1M. The lower expenditure is an outcome of lower workforce related costs. Closure of key Council facilities and building facilities also contributed to a lower level of operating expenditure for Materials and Services.
- As a result of the above, the Underlying Operating position reflects a favourable result to budget of \$24.5M.
- Council also recognises as revenue, monies received from developer contributions, value of assets transferred to Council 'Gifted Assets' and grants received for capital projects. These amounted to \$84.7M for the first 3 quarters of the year, which was lower than budget by \$71.4M. The majority of the non monetary contributions are financially registered at the end of the financial year, once the developers finish the projects and hand it over to Council. Therefore, the current YTD variance is predominantly timing in nature.

The report also provides a forecast summary for the 2020/21 financial year result as at the end of Quarter 3 and compares it against the full year budget in order to identify the expected variations from Council's original annual expectations.

Consistent with the year to date results, the full year forecast reflects a reduction of both revenue and expenses when compared to the full year operating budget:

- Total operating revenue of \$342.4M which is \$9.8M lower than the full year budgeted amount of \$352.3M. Q3 forecast assumes that operations will be closer to 2020/21 budget expectations for the second half of the year, and that most of the decrease in revenue was generated in the first half of the year as a consequence of COVID-19 lockdown restrictions.
- Total operating expenses before depreciation & amortisation of \$260.9M is favourable to the budgeted position by \$33.9M. Quarter 3 forecast assumes permanent savings in employee benefits of \$18.6M, and \$13.9M from the materials and services category.

- As a result of the above, the year ending Underlying Operating forecast, reflects a favourable result to budget of \$24.1M, which will reduce the budgeted operating deficit after depreciation from \$52.4M to \$28.3M

Further information on the key revenue and expense categories is provided in the Income Statement Report in Section 3 and in the related commentary within subsequent sections.

2. Background

In setting the 2020/21 Budget, consideration was given to the effect of COVID-19 on our community and Council's operations. This was informed by the Government's response to the pandemic and Council's own assessment through its community interactions and critical response processes:

- Based on the economic outlook at the time, a level of recovery and transition to a 'COVID Normal' was anticipated through the first three quarters.
- Overall, the budget assumed that Council would receive less cash from payment of annual rates as businesses and households felt the impacts of a weaker economy.

What we did see was an extended period of lockdown in the first half of the year which had a direct impact through lower service related revenue and expenditure, details as outlined in this report.

Council's process is to thoroughly review the key revenue and expenditure items each quarter for material movements when compared against the budget. This is to determine if these movements are purely timing related over the course of the year. As an example, a timing difference may be due to project expenditure budgeted to be incurred in one month which may have been delayed to a future month within that year.

Alternatively, the reason for the variance may be more 'permanent' in nature for that year whereby a specific initiative anticipated to be undertaken in that year, will no longer proceed.

Council also actively manages its cashflow. We have experienced greater than anticipated level of 2020/21 Council rates being paid, with around 87% of the first three rates instalments being received.

This is extremely pleasing considering the social and economic impacts some of our residents and businesses endured during 2020. We continue to work with our most vulnerable residents at this time and seek to provide assistance with options for rate deferral or payment plans tailored to individual circumstances in line with our hardship policies.

Uncertainty around the impact of the pandemic will continue for some time, which Council will actively and closely monitor. In terms of financial management, this means that Council will need to continue to review and prioritise service needs based on community health, social and economic support in changing circumstance in an agile manner, and decide whether any adjustments are required for our full year forecast, both from an operational and capital perspective.

3. Financial Statements and Commentary – 31 March 2021:

	Actual YTD Mar 2021	Budget YTD Mar 2021	Variance YTD Mar 2021	Q3 Forecast Full Year	Budget Full Year	Variance
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Revenue from ordinary activities						
Rates and charges	\$175,728	\$174,679	\$1,049	\$233,976	\$232,905	\$1,072
Operating Grants	\$33,253	\$27,226	\$6,027	\$42,459	\$35,675	\$6,784
User fees	\$34,480	\$45,108	-\$10,628	\$45,985	\$59,044	-\$13,059
Statutory fees and fines	\$10,936	\$13,902	-\$2,966	\$15,459	\$17,650	-\$2,191
Other revenue	\$3,432	\$4,904	-\$1,471	\$4,353	\$6,723	-\$2,371
Contributions - cash	\$118	\$253	-\$135	\$248	\$317	-\$69
Total Operating Revenue	\$257,947	\$266,072	-\$8,125	\$342,479	\$352,313	-\$9,834
Expenses from ordinary activities						
Employee benefits	\$105,386	\$120,575	\$15,189	\$144,982	\$163,585	\$18,603
Materials & Services	\$74,589	\$89,604	\$15,015	\$107,763	\$121,656	\$13,893
Other expenses	\$3,950	\$5,095	\$1,146	\$5,428	\$5,955	\$527
Finance costs	\$1,987	\$2,787	\$800	\$2,824	\$3,715	\$891
Total Operating Expense	\$185,911	\$218,060	\$32,149	\$260,997	\$294,911	\$33,914
Underlying Operating Surplus/(Deficit) before Depreciation & Amortisation	\$72,036	\$48,011	\$24,025	\$81,482	\$57,402	\$24,080
Depreciation & amortisation	\$81,842	\$82,364	-\$521	\$109,818	\$109,818	\$0
Underlying Operating Surplus/(Deficit) after Depreciation & Amortisation	-\$9,807	-\$34,352	\$24,546	-\$28,336	-\$52,416	\$24,080
Capital surplus / deficit	\$84,682	\$156,070	-\$71,388	\$232,425	\$210,778	\$21,647
Net Surplus / (Deficit)	\$74,876	\$121,718	-\$46,842	\$204,089	\$158,363	\$45,727

Note: Capital surplus is the money Council obtains mainly from Capital grants and Development contributions to fund infrastructure projects within the municipality.

Revenue

➤ Rates and Charges

March YTD, rates and charges category shows a net increase of \$1.0M when compared to YTD budget.

There is an additional \$1.6M revenue recognised in supplementary rates from new properties developed within Wyndham, which is an indication of continued construction activity in the municipality.

Offsetting the additional revenue from supplementary rates, and in an effort to support ratepayers in hardship during the current pandemic, the following rebates have been applied as endorsed by Council:

- Residential ratepayers in Wyndham who are in receipt of JobKeeper are eligible to apply for a \$100 rebate on their rates notice this year. As at the end of March, 2,151 applications were received and processed. March YTD, Council has granted JobKeeper rate rebates for a total of \$214K.
- For pensioners, Council provided an additional rebate of \$50 to those receiving the State Government pensioner rate rebate. This was actioned as part of the annual rates notice. March YTD, Council has granted COVID-19 Pension rates rebate for a total of \$410K.

Quarter 3 forecast for the full financial year predicts an increase in revenue of \$1.1M for this category compared to budget. Expectations on supplementary rates for the full year is \$1.8M which will be partially offset by \$705K of the unbudgeted rebates described above.

➤ Grants

Revenue from grants is \$6.0M higher than assumed in the budget.

Council has received additional grants that were not assumed in the budget from the Commonwealth and the State governments aimed at promoting economic recovery and supporting the community in the aftermath of the pandemic. Some of these grants were not considered initially and there were adjustments to some of those already included in the 2020/21 budget. The main unbudgeted grants received are as follows:

- \$3.9M grant for kinder support. This is a one-off grant paid by the Victorian government after announcing that kinder services would be free in 2021 as part of the economic recovery initiative from the global COVID-19 pandemic. Consequently, Council has not charged enrolment fees to eligible 3 and 4 year old children.
- \$824K of additional Financial Assistance grants will be received for the full year, of which \$612K has been received as at the end of March 2021.
- \$500K grant received from the State government to help restaurants and local business to improve their facilities with parklets and outdoor tables in an effort to comply with the COVID-19 safety measures and social distancing protocols, and \$330K from the Department of Premier and Cabinet for the Multicultural COVID-19 project.

- \$319K provided by Commonwealth government grants for In-Home support services budgeted and received in 19/20. However, in line with recent changes in accounting regulations and the matching principle, these grants are now recognised as revenue in the current 2020/21 financial year.

In addition to the \$6.0M of unbudgeted grants already received, Quarter 3 forecast expects a further increase in grants of \$0.78M compared to budget over the remainder of the year. Some of the confirmed unbudgeted grants that increased the Q3 forecast include:

- \$283K for the Jobs Victoria Advocates Grant aimed at supporting jobseekers in their communities.
- \$212K additional Financial Assistance Grants.
- \$120K additional to the Werribee Tarneit Community revitalisation project aimed at helping vulnerable people to enter the workforce and maintain employment.
- \$80K additional for the Sleep and Settling initiative.

➤ **User Fees**

Revenue in several service units across Council has been severely impacted year to date. 2020/21 budget already anticipated significant reductions due to COVID-19, but the COVID-19 second wave was more severe and prolonged than initially anticipated. Key areas contributing to the \$10.62M lower revenue compared to budget include:

- \$3.58M - Daily transactions at the landfill and volumes of waste brought by commercial customers were impacted by lockdown restrictions.
- \$3.0M – Fees from Kinder services. (Expected to be offset by the grants received from the Victorian government).
- \$2.0M – Closure of Pools and Sports facilities (including Western Leisure Services).
- \$914K – Lower than budget in Fees and Charges collected from Wyndham Community Centres and other premises.
- \$600K – Cancellation of recreational activities and events planned.

Quarter 3 forecast predicts a total revenue shortfall of \$13.1M in 2020/21 for this category mainly due to a further reduction in landfill revenue of \$3.7M in the last quarter of the year, as consequence of the finalisation of the MWRRG (Metro Waste and Resource Recovery Group) contract which will not be renewed. The expected drop in waste tonnage at the landfill will also result in lower expenditure in cover material costs and EPA Levy. So whilst we will see a drop in revenue, we expect the net position to remain stable.

Partially offsetting the above, Western Leisure Services expects additional \$500K in revenue for the last quarter of year due to the lifting of most of the COVID-19 related restrictions for aquatic centres and sports facilities.

➤ **Statutory Fees and Fines:**

Enforcement activities were placed on hold during the first half of the year to support the community during the pandemic, resulting in lower revenue of \$2.25M mainly from traffic and local laws compliance fines. Statutory fees also show lower revenue of \$707K mainly in town planning (\$406K) and Growth planning (\$205K) due to lower activity caused by the COVID-19 restrictions.

Quarter 3 forecast estimates that revenue from statutory fees will be back to almost budget expectations, and a mild recovery in infringement activity that will take this category to a total of \$2.19M below budget.

➤ **Other Revenue**

YTD, other revenue category is \$1.5M lower than budget. The key reason for the decrease is due to \$1.3M less revenue obtained from Council's term deposits as a consequence of lower interest rates.

Q3 forecast predicts that other revenue will be lower than budget by around \$2.4M for the full year mainly due to the lower than budgeted interest rates on Council's term deposits. The Reserve Bank has been maintaining record low interest rates and this is expected to continue through course of this financial year.

Expenses

➤ **Employee Costs**

March YTD, this category shows an underspend of \$15.18M across Council. Quarter 3 forecast expects this favourable variance will flow through to the end of the year and produce net annual employee cost savings of \$18.6M compared to budget.

The main reason for the variances in the Employee costs are made up of two sub-categories as described below:

Remunerations to Permanent and Casual employees

- Permanent employees – March YTD, salaries and wages for permanent staff was \$7.7M lower than budget, with Council focussing only on recruiting community facing and essential roles during the pandemic. The year-end forecast reflects a total underspend of \$9.26M which is expected to flow through to the end of this financial year.
- Temporary, Casual staff and Overtime – This expenditure was significantly reduced or not required in some areas where services were not permitted to operate. This included pools, kindergarten, community centres and libraries with a total underspend of \$3.32M as compared with budget. Quarter 3 forecast expects a yearly reduction of \$4.1M. Due to the pandemic, most of these services were either drastically reduced or put on hold in the first half of the year.

Oncosts and other employee expenses

- Training & development and Conferences & Seminars - March YTD, these categories were below budget by \$1.47M mainly due to the cancellation of most of face to face events as a consequence of the lockdown. Quarter 3 forecast expects at least \$1.0M in savings will be able to be realised as at the end of the financial year.

- Other employee expenses directly related to Expenditure such as superannuation, annual leave and allowances paid show a YTD underspend of \$1.79M. Quarter 3 forecast expects total savings of \$2.67M in these categories by year end as a consequence of the lower level of recruitment.

Unconfirmed

➤ **Materials and services**

Year to date, Materials and Services expenditure is \$15.0M lower than budget. Quarter 3 forecast reflects that \$13.9M of this amount can be expected to be realised for the financial year. The most significant YTD variances and forecast outlook are described below:

- March YTD, Council shows an underspend of \$4.2M from Council's Landfill operations. The savings in landfill operations are mainly as a result of lower EPA levy and cover materials required as operations reduced during the pandemic. Total savings of around \$6.1M are expected by year end.
- March YTD, there is approximately \$2.6M of lower spend across expense categories such as utilities (electricity, water and gas), petrol, printing & stationery. This is reflective of the closure of Council facilities and a significant number of staff working from home and not travelling to work each day. Quarter 3 forecast anticipates that at least \$2.9M will flow through as savings for the full year.
- March YTD, expenditure on contractor services, materials for asset maintenance, repairs and municipality beautification works show an underspend of \$5.4M resulting mainly due to works unable to be undertaken during lockdown restrictions. Quarter 3 forecast expects that Council will have a strong focus on resuming and escalating the program in the last quarter of the year, reducing the underspend by year end to \$877K.
- March YTD, consultant services were \$1.4M under budget. Quarter 3 forecast predicts full year savings of \$2.4M, as this category of expenditure continues to be closely monitored to ensure that it is incurred only on prioritised service initiatives.

➤ **Other Expenses and Finance Costs**

Other expenses and Finance Costs categories show an underspend of \$1.9M. The key reasons that account for the favourable variance are as follows:

- \$665K relates to higher interest expense that was budgeted assuming that Council would earlier refinance a borrowing of \$40M subject to market conditions. This borrowing has not yet taken place and therefore the interest expense has not been incurred.
- \$407K relates to yearly grants yet to be distributed to the community through programs such as Neighbourhood Grants and Scholarship Pathways.
- \$338K relates to unpaid sponsorships. Due to COVID-19 sponsorship opportunities were limited.
- \$280K relates to yearly contributions yet to be made to community centres and organisations aimed at community wellbeing not run by Council.

Q3 forecast predicts that the above-mentioned borrowing will not occur in 2020/21, and savings from interest expense will increase to \$890K. In addition, \$526K underspend in grants, sponsorships and contributions is expected to be reflected in the results as at end of the financial year.

Balance Sheet Statement

	Budget 2020/21	Actual Mar-21 2020/21	Q3 Forecast 2020/21
	\$'000	\$'000	\$'000
Assets			
Current Assets			
Cash and cash equivalents	\$450,954	\$576,408	\$542,589
Other assets	\$2,835	\$320	\$1,648
Trade and other receivables	\$95,519	\$168,566	\$31,727
Inventories	\$125	\$140	\$127
Non-current assets classified as held for Sale	\$7,270	\$0	\$2,070
Total Current Assets	\$556,703	\$745,434	\$578,160
Non-Current Assets			
Trade and other receivables - non current	\$0	\$23,213	\$6,085
Property, Infrastructure, plant and equipment	\$4,360,171	\$4,043,131	\$4,335,875
Intangible assets	\$43,013	\$16,388	\$28,359
Right of Use Asset	\$12,123	\$10,372	\$25,516
Total Non-Current Assets	\$4,415,308	\$4,093,104	\$4,395,835
Total Assets	\$4,972,011	\$4,838,538	\$4,973,996
Liabilities			
Current Liabilities			
Trade and other payables	\$26,968	\$40,049	\$32,375
Trust funds and deposits	\$22,332	\$43,957	\$31,464
Provisions - current	\$47,144	\$28,183	\$32,103
Lease Liability	\$1,686	\$634	\$2,149
Total Current Liabilities	\$98,130	\$112,822	\$98,090

Non-Current Liabilities			
Interest bearing loans and borrowings	\$95,000	\$55,000	\$55,000
Provisions - non current	\$13,726	\$4,823	\$5,178
Landfill Rehabilitation	\$0	\$34,685	\$28,011
Lease Liabilities - Non-Current	\$10,612	\$9,847	\$23,587
Total Non-Current Liabilities	\$119,338	\$104,356	\$111,776
Total Liabilities	\$217,468	\$217,178	\$209,866
Net Assets	\$4,754,543	\$4,621,360	\$4,764,130
Equity			
Accumulated surplus	\$2,531,298	\$2,550,662	\$2,643,660
Reserves	\$2,223,245	\$2,070,699	\$2,120,470
Total Equity	\$4,754,543	\$4,621,360	\$4,764,130

(Note: +1/-1 variances in these statements will be due to rounding of source data)

Key Balance Sheet categories described below:

Assets

Cash and cash equivalents

Cash and cash equivalents include cash and investments such as cash held in the bank and the value of investments in deposits and term deposits.

However, Council's cash and cash equivalents are subject to restrictions that limit the amounts available for discretionary use. YTD March, the amount of Cash and Cash equivalents considered as restricted is \$513.2M (\$414.2M in reserves from contributions, \$43.9M from trust and funds deposits and \$55M in borrowings) which represents 89% of the cash that Council holds.

Trade and other receivables

Trade and other receivables are monies owed to Council by ratepayers and other debtors for the collection of rates, outstanding infringements, waste received at the landfill and other services that Council provides.

Property, infrastructure, plant and equipment

The category of Property, infrastructure, plant and equipment predominantly represents the value of Council's land, building, roads and landfill assets. The increase in this category is due to gifted assets and from assets constructed and acquired by Council as part of the annual capital works program.

Liabilities

Trade and other payables

Trade and other payables are those suppliers of operational and capital goods and services to whom Council owes money as at balance date.

Interest bearing loans and borrowings

Council has 2 borrowings under the program established by the Local Government Financial Vehicle (LGFV). A \$40M loan which is due on 12 November 2021 and additional \$15M due on 23 June 2026.

Cash Flow Statement

	Budget 2020/21	Actual Mar-21 2020/21	Q3 Forecast 2020/21
	\$'000	\$'000	\$'000
Cash flows from operating, investing and financing activities			
Rates	\$172,922	\$171,596	\$232,706
Grants	\$54,803	\$40,527	\$69,315
Receipts from customers	\$122,567	\$107,515	\$128,445
Net GST refund / payment	\$11,507	\$8,131	\$9,037
Payments to Suppliers/Capital	-\$258,254	-\$120,297	-\$217,094
Payments to employees	-\$160,962	-\$101,842	-\$138,253
Interest	\$4,698	\$2,737	\$4,353
Borrowings	\$40,000	\$0	\$0
Proceeds from sale of property, plant and equipment, infrastructure	\$10,165	\$60	\$1,420
Finance Costs	-\$3,347	-\$1,236	-\$2,824
Trust funds and deposits	\$2,026	\$13,732	\$221
Repayment of Lease Liability	-\$1,626	-\$1,109	-\$1,331
Net increase (decrease) in cash and cash equivalents	-\$5,500	\$119,814	\$85,995
Cash and cash equivalents at the beginning of the financial year	\$456,454	\$456,454	\$456,454
Cash and cash equivalents at the end of the financial year	\$450,954	\$576,268	\$542,449

Q3 forecast cash flow shows an improvement of \$91.5M compared to 2020/21 budget. This provides a stable outlook in line with Council's threshold cashflow settings. The key reasons for the cash flow movements can be explained as follows:

- 2020/21 budget expected lower rates collection as Council delayed the instalment due dates as a measure to help ratepayers during the COVID-19 lockdown. However, based on March YTD information, the rates collection process has been close to normal increasing the cash forecast expectation to \$232.7M, with approx. 87% of the first 3 rates instalments being paid, despite the implementation of the COVID hardship policy to assist those residents most in need.
- Capital and Operating grants cash inflows are expected to increase \$14.5M compared to budget due to an effort from the State and Commonwealth government to incentivise the local economy through Councils with the creation of projects and programs funded by grants.
- The increase of cash in the Receipts from Customers category is mainly due to additional \$17.0M of cash contributions from developers that will fund future capital projects. To offset this, the closure of Community facilities due to the COVID-19 lockdown, along with the finalisation of the MWRRG contract in the landfill are expected to negatively impact the Council cashflow by approximately \$11.2M.

- Outflow of cash from Payment to Suppliers/Capital category is expected to reduce by \$41.1M mainly from savings in Materials and services and Capital works expenditure not spent during the year due to delays as a consequence of the COVID-19 lockdown.
- Payments to employees is expected to reduce by \$22.7M mainly due to vacancies and savings from casual positions not required during the pandemic.
- Partially offsetting the above, an inflow of \$40M from borrowings were included in the 2020/21 budget, however, the expectation for Q3 forecast is that this borrowing will not take place.

4. Working for Victoria

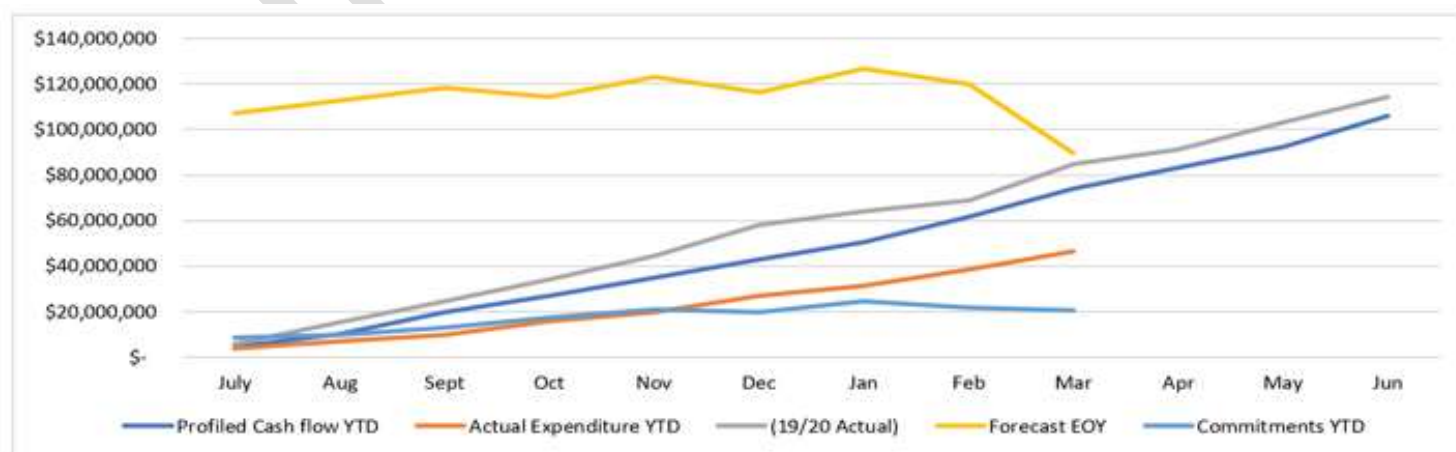
Council applied for a grant under the Victorian Government 'Working for Victoria' initiative and received approval for a total amount of \$8.0M to be spent on casual and short term employment opportunities in 2020/21. The amount received March YTD was \$5.2M. Recruitment process commenced at the end of September and progressed as the lockdown restrictions eased.

The aim for Council is to provide a short term employment opportunity to approximately 180 people to contribute in key projects across nine different areas such as Community support, Sports and Recreation, Facilities and Open Space, Community Planning and Development, among others. The program will conclude in the June quarter, and an external audit of the process has begun to ensure the acquittal of the grant in full during 2020/21.

Given the timing of when this grant was approved and the special nature of this grant, it was not incorporated in the 2020/21 budget.

5. Capital Works

The delivery of planned capital works during 2020/21 has had some unavoidable delays due to pandemic-related restrictions. While all budgeted projects are expected to continue to completion, some expenditure will continue into the early parts of 2021/22. The forecast has been updated to reflect these delays, and we are currently forecasting a total capital spend of \$89m. The program has been managed with agility within the total capital works budget of approximately \$106M, to allow additional projects to be introduced to respond to opportunities, needs and risks arising during the year.



Row Labels	Sum of Total Budget	Sum of Actual Cost	Sum of Committed Cost	Sum of Forecast
Bridges	\$ 1,800,000.00	\$ 1,669,003.00	\$ -	\$ 1,669,003.00
Buildings	\$ 14,090,139.00	\$ 7,214,979.19	\$ 1,334,557.76	\$ 11,967,250.65 ^a
Computers and Telecommunications	\$ 6,525,274.86	\$ 4,846,306.89	\$ 1,319,694.58	\$ 8,491,101.98 ^b
Drainage	\$ 1,500,000.00	\$ 79,017.64	\$ 150,641.41	\$ 131,017.64 ^c
Footpaths & Cycleways	\$ 2,441,801.00	\$ 1,620,779.42	\$ 165,149.69	\$ 2,480,345.92
Heritage Plant and Equipment	\$ 257,500.00	\$ 11,750.00	\$ 8,250.00	\$ 216,750.00
Land	\$ 4,950,000.00	\$ 1,310,816.58	\$ 29,860.73	\$ 9,089,725.67 ^d
Land Improvements	\$ 13,000,000.00	\$ 5,751,779.84	\$ 4,391,766.29	\$ 9,265,106.24 ^e
Library Books	\$ 950,000.00	\$ 382,891.41	\$ 830,865.51	\$ 874,516.41
Other Infrastructure	\$ 3,417,210.00	\$ 488,102.70	\$ 142,315.64	\$ 1,880,859.36 ^f
Parks, Open Space and Streetscapes	\$ 8,140,000.00	\$ 3,850,531.57	\$ 1,823,640.95	\$ 6,929,447.33 ^g
Plant, Machinery and Equipment	\$ 3,301,000.00	\$ 1,810,323.28	\$ 362,452.28	\$ 2,844,393.71
Recreational, Leisure & Community Facilities	\$ 22,143,411.00	\$ 7,234,834.95	\$ 2,685,563.37	\$ 18,291,558.03 ^h
Roads	\$ 22,644,744.00	\$ 8,254,642.70	\$ 3,300,824.93	\$ 14,683,903.46 ⁱ
Waste Management	\$ 890,742.00	\$ 455,000.00	\$ -	\$ 455,000.00 ^j
Grand Total	\$ 106,051,821.86	\$ 44,980,759.17	\$ 16,545,583.14	\$ 89,269,979.40

^a Eagle Stadium roof repairs being delayed into 21/22

^b Additional expenditure on technology was required to support working from home.

GIS and Enterprise Telephony project experienced some delays from 19/20 into 20/21.

^c Main works on K Road Cliffs have been delayed into 21/22. Design is continuing.

^d Unbudgeted acquisition of land in Tarneit to support road development.

^e The commencement of work on Cell 6 was delayed from 19/20 into 20/21, and Cell 7 into 21/22.

^f Some of the Lighting the West work will be delayed from 20/21 into 21/22.

^g Commencement of construction of Greening the Pipeline has been delayed into 21/22. This is mainly externally funded.

^h Several projects have had delays into 21/22 including Galvin Park Soccer Facility, Tarneit North Masterplan and Truganina South East Masterplan

ⁱ Several projects have had construction slowed or delayed from 20/21 into 21/22, including the Bulban Road upgrade.

Responsibility for the Boundary/Derrimut intersection has been taken over by the state government.

^j RDF water mains upgrade delayed into 21/22.

Capital Works Highlights in Q3

Active Transport Network

In Werribee, new footpaths along Mambourin, Mortimer, Edgar and Parker streets are now complete. Construction of Bowman Street and Retreat Place is now underway, with construction to begin shortly on new footpaths along Tyrone Street, Raven Grove, and Church, Eagle, Norwich, Burke, McDonald, Collins, Rainsford and Kiama streets as well as Tesron Court.

Over in Hoppers Crossing works along Whitsunday Avenue are now complete, and footpath designs are underway for First, Second, Third and Fourth avenues, Bedford and Lyndall Courts and Warrenwood and Baden Drive.

Meanwhile, a new footpath along Parklea Way in Tarneit is also complete, construction of a new footpath in Yanga Avenue in Tarneit is currently underway, work is due to begin on a new footpath



along Vaughan Close in Wyndham Vale as well as Cheviot Way in Truganina. Several more are in the planning stage.

In addition, a new shared walking and cycling path at Riverbend Historical Park is now complete. This project included upgrades to the footpath, line marking, and directional signs from Heaths Road to Cottrell Street, Werribee, creating a link between Heaths Road and the Werribee River Trail.

Construction is also complete on 2.5km of shared paths that will make it easier for residents to get to Tarneit train station and other local landmarks without driving.

The project included several upgrades along the walking and cycling path network along the Melbourne Water pipe track reserve, including a new shared path link through Goddard Street Reserve, new section of path on Thwaites Road and improved road crossings at Toucan Road, Thwaites Road, Tableland Road, Penrose Promenade, Brinbrook Street, Crossway Avenue and Wilandra Drive.

This provides Tarneit residents with new opportunities to walk or cycle to nearby landmarks – including Tarneit train station, Tarneit Community Centre and Julia Gillard Library and Penrose Community Centre – without needing to battle traffic.

These works are a key part of the *Wyndham Active Transport Strategy*, a 10-year plan to connect the missing links in our walking and cycling paths that currently make journeys on foot, bike, scooter, wheelchair and the like harder than they need to be



Local roads program

Construction is now complete on a road reconstruction along Charlotte Crescent and Honour Avenue in Wyndham Vale, Werribee's King Street (pictured), Bethany Road and Woodville Park Drive in Hoppers Crossing, and Atrium Drive, Berrimah Place and Bishop Close in Tarneit.

The final touches to road reconstructions in Pandelis Avenue in Tarneit, and Chesterfield Drive, Mayfair Street, Bloomsbury Place and Pembroke Lane, all in Wyndham Vale, are currently underway.

This is part of a \$11.75 Wyndham City spend over 2020/21 to resurface and reconstruct various local roads throughout the municipality to make them smoother and safer for all road users.



Wyndham City Solar Project

Council has been installing solar panels on all Council buildings since 2014/15. Currently a total of 59 Council buildings now have solar panels installed and this number is expected to increase to 70 buildings total by end of 2020/21. The works program not only includes the installation of grid-connected solar PV

systems to existing council buildings but is also responsible for appropriate design and delivery of renewable energy systems for new capital works building projects. This includes roof mounted solar panels, inverters, framing, energy storage systems and remote energy and performance monitoring equipment.

By the end of 2020/21 Council will have invested an additional \$1.36 million to install solar panels across our community buildings, kindergartens and sporting pavilions. This includes investing in new hardware upgrades to allow advanced remote monitoring of operations, solar generation, site energy consumption and overall impact across existing Council solar assets.

Buildings included for 2020/21 include the Dunnings Road Reserve Pavilion, Featherbrook Sports Pavilion, The Grange Reserve Pavilion, Presidents Park Hockey Pavilion, Wilmington Kindergarten and Community Centre, Werribee West Family Centre, Thomas Chirnside Kindergarten and the new Municipal Pound site.



The Wyndham Solar City Project has been designed to reduce the energy demands and greenhouse emissions of the municipality's community buildings. With short payback periods the Wyndham Solar City Project not only provides a return on investment but paves the way for reduced operating costs, leaner operations and long-term clean energy production and offsets for our facilities.

Arndell Park synthetic pitch replacement

Work is now complete on a \$918,000 high-usage FIFA 1 Star Rating synthetic pitch at Arndell Park in Truganina.

This new state-of-the-art pitch replaces the reserve's previous surface, which had been out of action due to drainage issues and pitch safety concerns.

Synthetic surfaces require no irrigation during warmer months, resulting in lower maintenance costs.

The surface can also stand higher hours of use compared to grass pitches, which is a big win for tenant club the Truganina Hornets Soccer Club (pictured) and the wider Truganina Community.



FILE NO:

ITEM NO: 6.5.2
DIRECTOR CITY LIFE - ALLISON
KENWOOD**NAMING OF NEW COMMUNITY CENTRE IN TARNEIT (RIVERDALE PSP)****Summary**

This report recommends that Council endorse the community's preferred name for the community centre currently being constructed at 6 Congo Drive, Tarneit.

It is proposed the endorsed name be submitted to Geographic Names Victoria (GNV) to continue with the formal naming process that includes a further 30 day community engagement period.

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 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

Community Infrastructure Officer - Renae Jeziorowski

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

Key Issues

GNV's 'Naming rules for places in Victoria' (2016) stipulates the formal process for naming roads, features and localities in Victoria. Once a name has been chosen it is required to be formally submitted to GNV to carry out a further 30-day community engagement process before formal approval can be given.

RECOMMENDATION

That Council:

1. Note the results of the community consultation survey for the preferred name for the upcoming community centre at 6 Congo Drive, Tarneit.
2. Endorse the name "Dianella Community Centre" to be submitted to Geographic Naming Victoria to continue with the legislated naming process.

FILE NO:

ITEM NO: 6.5.2

DIRECTOR CITY LIFE - ALLISON KENWOOD

NAMING OF NEW COMMUNITY CENTRE IN TARNEIT (RIVERDALE PSP) (cont'd)**MOTION**

CRS HEATHER MARCUS / SAHANA RAMESH

That Council:

1. Note the results of the community consultation survey for the preferred name for the upcoming community centre at 6 Congo Drive, Tarneit.
2. Endorse the name "Dianella Community Centre" to be submitted to Geographic Naming Victoria to continue with the legislated naming process.

(CARRIED)

COUNCILLOR ROBERT SZATKOWSKI 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 Barrera
Councillor Hegedich
Councillor Mahfoud
Councillor Marcus
Councillor Maynard
Councillor McIntyre
Councillor Ramesh
Councillor Szatkowski

Total (8)**AGAINST**

Councillor Gilligan
Councillor Hill
Councillor Shaw

Total (3)

FILE NO:

ITEM NO: 6.5.2

DIRECTOR CITY LIFE - ALLISON KENWOOD

NAMING OF NEW COMMUNITY CENTRE IN TARNEIT (RIVERDALE PSP) (cont'd)**1. Background**

A new community centre in the Riverdale Precinct Structure Plan (PSP) in Tarneit is under construction and due to be completed in mid-2021. This community centre is one of three to be delivered within the Riverdale Precinct Structure Plan over the next 10 years and therefore requires a unique name.

The community centre will provide the local community in Tarneit access to a wide range of community services for all ages in a safe, welcoming, high quality and sustainable facility. The centre is located in the Riverdale PSP west of Davis Road and is co-located with a town centre, government school, and has an indicative non-government school site and sporting infrastructure nearby.

It is classified as a Level 2 facility and will include:

- Early education & care services (3 and 4y/o Kinder),
- Maternal Child Health,
- Consulting rooms,
- Community gathering space,
- Wide range of programs to suit all ages,
- Meeting spaces

A name selection process has been undertaken with representatives from the Werribee District Historical Society Inc, KU Children's Services (who will be providing Early Education and Care) and staff from Council including the Project Working Group, Governance and the Family and Local History Librarian, to identify preferred names to be taken out to community consultation.

Consistent with Council's Geographic Naming Policy and the GNV's 'Naming rules for places in Victoria' (2016), the following criteria was considered in arriving at the preferred names:

- Unique name that reflects its purpose and location.
- Align with key Council strategic statements and policies (including Geographic Naming Policy, Towards Equality and the Reconciliation Action Plan).
- Proportionate to the category of community infrastructure (in this case, a level 2 community centre)
- Consistency to connect place and make sense of location.
- Diversity and history of Wyndham.
- Relevance to the site.

Four preferred names were identified in the process and were put forward to GNV for 'in principle' approval prior to engaging with the broader community. GNV assesses names in the context of the principles outlined in the 'Naming rules for places in Victoria' (2016). This early engagement was conducted with GNV to protect against the community selecting a name that was not supported by GNV, which would have elongated the process and may have required additional consultation. Only names that aligned with the GNV naming rules were put forward for pre-approval.

GNV gave in principal approval to names 'Chaffey Channel Community Centre' and 'Dianella Community Centre'.

At the Council Meeting on 2 March 2021, Council endorsed a resolution to undertake community consultation from 3 to 31 March 2021 to determine a preferred name. Community consultation invited community members to vote on the two options that were determined at the March Council Meeting;

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ITEM NO: 6.5.2

DIRECTOR CITY LIFE - ALLISON KENWOOD

NAMING OF NEW COMMUNITY CENTRE IN TARNEIT (RIVERDALE PSP) (cont'd)

- **Chaffey Channel Community Centre** - The name Chaffey Channel was given to an historic irrigation channel that passed through the site where the new community centre is now located.
- **Dianella Community Centre** - Dianella is a flora species indigenous to the area. Its use as a name is consistent with the selection criteria.

With the assistance of the Community Development Manager at Frasers Property (the developer of the Grove estate where the community centre is located), residents were notified of Council's 'The Loop' survey through various facebook posts. This included 'The Grove resident group private', 'Grove Project facebook' page and various Wyndham pages. A media release was also prepared.

The Wyndham facebook posts had a large reach with the first post on 3 March 2021 reaching 7,374 people and the second posted on 27 March 2021 reaching 3,920 people. These posts were also shared numerous times.

The Loop page had 781 views, 19 followers and a total of 208 votes were received. The results are as follows:

Answer	Percent	Count
Chaffey Channel Community Centre	24.52%	51
Dianella Community Centre	75.48%	157
Total	100%	208

2. Relevant Law

In accordance with the Geographic Place Names Act 1998 (the Act), 'Naming rules for places in Victoria, statutory requirements for naming roads, features and localities' (2016) and Council's Geographic Naming Policy (2017), Council is the naming authority for this community centre.

The 'Naming rules for place in Victoria' uphold the guidelines in the Act and are mandatory for naming authorities. Exemption requests to principles H (Using commemorative names) and I (Using commercial and business names) outlined in the rules must be sought prior to commencing any public consultation or reaching a decision on the final naming process.

The naming process includes a legislated 30-day community engagement process run by GNV.

3. Discussion

The Loop survey that was undertaken included officer contact details for any questions or feedback from the community. Feedback was received during the consultation process from the Werribee River Association and the Werribee District Historical Society.

The Werribee River Association commented on the following:

- Whilst Dianella is a native plant, it is named after a Greek goddess. If the name has to be linked to indigenous history, then a traditional owner's name for the centre could be used with the suggestion of "Tarneet".
- "Chaffey" would also be acceptable as it is part of the river's history.

The Werribee District Historical Society commented on the following:

- Preference for "Chaffey Community Centre" as the name is simpler to "Chaffey Channel Community Centre"
- The Chaffey No. 1 Pump Site is close by and will be recognised as State Significance once opened up for public access.

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ITEM NO: 6.5.2

DIRECTOR CITY LIFE - ALLISON KENWOOD

NAMING OF NEW COMMUNITY CENTRE IN TARNEIT (RIVERDALE PSP) (cont'd)

- The Dianella plant is not only native to Wyndham, but to many other areas.

Whilst feedback received from the two groups were in preference for “Chaffey Community Centre”, a clear majority of the votes received from the community were for “Dianella Community Centre” which made up three quarters of all votes (75.48%).

4. City Plan

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.

5. Council Plan and Policies**Geographic Naming Policy 2017**

The Geographic Naming Policy provides a consistent approach to geographic naming requests and ensures that all Wyndham features, localities and roads are appropriately named whilst preserving its history. The policy identifies the key considerations for Council when deliberating on geographic naming requests.

The following principles must be used in conjunction with the relevant statutory requirements related to the naming of roads, features and localities. They are consistent with the GNV naming rules and are designed to ensure no ambiguity, confusion, errors or discrimination are caused by the naming, renaming or boundary change process:

- Ensuring public safety;
- Recognising public interest;
- Linking the name to a place;
- Ensuring names are not duplicated;
- Names must not be discriminatory;
- Recognition and use of Indigenous Australian names;
- Dual names;
- Using commemorative names;
- Using commercial and business names;
- Language;
- Directional names to be avoided;
- Assigning extent to a road, feature or locality;

The naming themes, as outlined in Council's Geographic Naming Policy 2017, have been considered in arriving at the preferred name. These are:

- location (including locality and road names);
- Aboriginal heritage and language;
- prior uses of the land and the people associated with it;
- local flora and fauna;
- significant contributors to the community who are deceased including women;
- social and historical events;
- historical exploration and settlement; and
- recognition of cultural diversity in Wyndham.

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ITEM NO: 6.5.2

DIRECTOR CITY LIFE - ALLISON KENWOOD

NAMING OF NEW COMMUNITY CENTRE IN TARNEIT (RIVERDALE PSP) (cont'd)

The policy states that names are only to be used outside the above themes upon discretion and where it is necessary to do so.

6. Regional, State and national plans and Policies

Geographic Place Names Act 1998, 'Naming rules for places in Victoria' (2016).

7. Financial Viability

Financial costs associated with the naming process are included in the project budget. There are minor additional cost implications such as temporary identification signage for the building should the building open prior to a formal name being adopted.

8. Sustainability Implications

Not applicable.

9. Options

Not applicable.

10. Community Engagement

In determining a preferred name to submit to GNV, Council officers undertook a community survey on The Loop community engagement platform that presented two options.

The survey period ran from 3 to 31 March 2021. All feedback and survey results have been considered.

Further opportunity for community input will occur following Council's endorsement of a preferred name to submit to GNV.

It is proposed that should a name be endorsed, that the formal legislated consultation process as part of GNV process will occur between 26 May to 25 June 2021. This process allows for further community feedback that will be presented back to Council.

11. Communication Strategy

The formal consultation as part of the GNV process will be promoted utilising the following channels.

- Public notice;
- Social media platforms;
- Existing networks in the Tarneit and broader community.

12. Innovation and Continuous Improvement

Not applicable.

13. Collaboration

Not applicable.

FILE NO:

ITEM NO: 6.5.3
A/CHIEF EXECUTIVE OFFICER -
NATALIE WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND EXPANSION FUND****Summary**

This report outlines the objectives and application and assessment process for the WynLocal Manufacturing and Primary Producer Development and Expansion Fund.

The fund forms part of the endorsed WYNLocal Economic Support package in response to the global COVID-19 pandemic.

In recommending recipients for funding the report details the following:

- Business entity recommended for funding
- Location of business
- Description of business operations
- Annual turnover of business
- Level of funds allocated for funding
- Project to which the funds will be applied.

The report seeks Council endorsement of the Panel recommendations in distributing the fund.

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.

A/Chief Executive Officer – Natalie Walker

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

Manager Climate Futures Officer - Peter McKinnon

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

Business Relations Advisor - Daryl Wilson

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

Key Issues

- Economic impact of COVID19.
- Supporting innovation, product development and diversification in local manufacturing and primary production.
- Value adding to state and federal government support of key industry sectors.

FILE NO:

ITEM NO: 6.5.3

A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)****RECOMMENDATION**

That Council:

1. Note the recipients and funding allocated to Wyndham businesses under the Manufacturing and Primary Producer Development and Expansion Fund,
2. Endorses the distribution of \$250,000 under the fund and
3. Endorses the recommendations of the assessment panel in the dispersal of funds to successful applicants under the Fund.

MOTION

CRS MIA SHAW / PETER MAYNARD

That Council:

1. Note the recipients and funding allocated to Wyndham businesses under the Manufacturing and Primary Producer Development and Expansion Fund,
2. Endorses the distribution of \$250,000 under the fund and
3. Endorses the recommendations of the assessment panel in the dispersal of funds to successful applicants under the Fund.

(CARRIED)

FILE NO:

ITEM NO: 6.5.3

A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)****1. Background**

In response to the pending economic impact of COVID19, Council endorsed the \$5million WynLocal Economic Support Package at a Special Meeting on 23 March 2020.

Supporting our community and more specifically our business community in uncertain times through the provision of immediate measures to contain emerging and anticipated adverse economic impacts; the package also provided a level of flexibility to scale up support where COVID impacts extended over the medium to longer period.

The Manufacturing and Primary Producer Development and Expansion Fund is a WynLocal initiative targeting two industry sectors critical to the future growth of the local and national economies.

As the Fund forms part of the original Council endorsement of March 2020, the administration and assessment of the grant process was handled operationally.

This item has formed part of a recent briefing at the Future Focused Economy Portfolio meetings.

2. Relevant Law

Not applicable.

3. Discussion

The flow on impact of COVID-19 is presenting major challenges to all business across the country with the Federal and State Governments' Economic Stimulus/Survival Packages designed to inject money into the economy and provide financial support to businesses and employees with the objective of minimising business closures and job losses.

Wyndham City Council has implemented a number of initiatives to further support these multi-billion-dollar initiatives through the WynLocal Economic Support Package.

Aligning with both Federal and State government initiatives to build local manufacturing and primary production capability and expand existing export markets, the WynLocal Manufacturing and Primary Production Development & Expansion Fund (the Fund) adds to these initiatives.

The Fund was initiated through the implementation of a competitive application process.

Eligibility:

To be eligible for funding, applicants were required to demonstrate the business:

- (a) has its principal place of business within Wyndham;
- (b) has a current, active ABN;
- (c) is classified within the Manufacturing Division (Division C) or Agriculture (Division A) of the Australian and New Zealand Standard Industrial Classification;
- (d) has been trading for a minimum of 12 months prior to 1 March 2020 and submitted an annual return to the ATO for the period 2018/2019;
- (e) has reported an annual business turnover of at least \$500,000 for the 2018/19 financial year; and
- (f) is compliant with all relevant local, state and federal legislation.

Applicants were invited to submit an Expression of Interest to assist the determination of eligibility and alignment with the Fund criteria. Those applicants assessed as suitable were invited to complete a formal written application which was assessed by an internal assessment panel; adopting a similar approach to that undertaken in the assessment of public tenders.

FILE NO:

ITEM NO: 6.5.3

A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)**

Projects considered for funding aimed to:

Drive local industry sustainability and growth

- Build existing capabilities and capacity of existing manufacturers
- Enable research and development which explores product and market diversity
- Develop new opportunities or leverage existing opportunities such as the Victorian State Government's Export Recovery Package to build export market diversity and growth
- Enhance the city's reputation as a future new economy manufacturing centre

The Fund provided for the following levels of funding:

Manufacturing and primary production businesses which reported a turnover of at least \$500,000 up to \$1 million for the financial year 2018/19: maximum of \$10,000

- Manufacturing and primary production businesses which reported a turnover of at least \$1 million up to \$3 million for the financial year 2018/19: maximum of \$20,000
- Manufacturing and primary production businesses which reported a turnover of more than \$3million for the financial year 2018/19: maximum of \$30,000

Funding options

Applicants were invited to apply for one of two available funding streams.

- Stream 1
 - Projects with a focus on research & development, building existing capabilities and product diversification
- Stream 2
 - Projects with a focus on export market penetration, diversification and growth

Assessment

Applications were assessed against the following key assessment criteria which was published as part of the Fund's terms and conditions.

A. Confirmation that the applicant meets all eligibility criteria (mandatory)

B. Alignment with the Fund's objectives (40%)

- Stream 1: Research & Development
 - Build existing capabilities and capacity of existing manufacturers and primary producers
 - Enable research and/or development which delivers product enhancement and diversification
 - Drive local industry sustainability and growth
 - Enhance the city's reputation as a future new economy manufacturing centre
 - Retain the city's reputation as a place of agricultural significance
- Stream 2: Export diversity & growth
 - Develop new opportunities or leverage existing opportunities such as the Victorian State Government's Export Recovery Package to build export market diversity and growth
 - Drive local industry sustainability and growth
 - Enhance the city's reputation as a future new economy manufacturing centre

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WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)**

- Retain the city's reputation as a place of agricultural significance
- C. Provision of a clear and realistic budget and implementation plan including articulation of three key milestones (40%)
 - Services and products required in the delivery of projects to be costed as part of an application
 - Schedule of dates including project commencement and completion
 - Funding and in-kind contributions to be clearly defined
- D. Forecast outcomes (20%)
 - Clear articulation of project benefits including direct and/or indirect outcomes for the business, the industry and Wyndham City.

Twenty applications were submitted seeking total funding of \$390,000.

The following provides a list of recommended recipients and project description. Project descriptions have been refined to protect any intellectual property which may be associated with the projects.

Business name	Avweld Australia
Location	Truganina
Business description	Manufacturing: Premium quality animal nutrition milk replacers made with Australian dairy ingredients
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000
Project description	Indonesian Export Market Penetration: As a major paper manufacturing country, Indonesia has been identified by Avweld as a potential focus for export market growth through improved online presence, personnel travel to explore market opportunities and repair and replacement of components from Indonesia at Avweld's Laverton North facility.. This project supports significant expansion into a strategically identified market
Business name	Velisha Farms
Location	Werribee South
Business description	Agriculture: Vegetable production
Annual turnover (range)	\$1million to \$3million
Funding allocated	\$20,000
Project description	Industry Induction Education: Velisha farms have identified an opportunity to build capacity through the development of education products for the fresh produce sector. This project will support the development and delivery of the Sustainable Education Expertly Demonstrated Program (SEED) to enhance

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WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)**

	work safe obligations and safe food handling obligations. This unique program will be available to all Wyndham horticultural businesses and beyond
Business name	Mainstream Aquaculture
Location	Werribee
Business description	Aquaculture: Production and processing of barramundi
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000
Project description	Retail Trade Packaging: With the onset of COVID19 Mainstream's primary revenue source (restaurants) was effectively closed. Responding to this closure Mainstream transitioned the business to focus on retail trade and direct to home sales. However, to affect this change packaging and distribution was contracted to a company based in the outer eastern suburbs of Melbourne. This project will support new "in-house" processes and equipment at the Werribee based facility ensuring no reliance of third-party suppliers outside the city and the retention and expansion of Mainstream's employment base.
Business name	PG Papertubes
Location	Laverton North
Business description	Manufacturing spiral wound paper tubes
Annual turnover (range)	\$1-\$3million
Funding allocated	\$20,000
Project description	Creel Upgrade Project: Creels are metal structures designed to deliver paper ply with consistent tension in the paper making process. These creels have been used in the industry as "straight-line" machinery taking up significant factory floor space and creating OH&S issues. This project supports PG's development of a unique vertical prototype creel system which takes up less valuable floor space whilst improving both safety and consistency in tension.
Business name	TransHume
Location	Werribee
Business description	Manufacturing: Hollow concrete transmission poles.
Annual turnover (range)	\$1million to \$3million
Funding allocated	\$20,000
Project description	Point of Installation Manufacturing: This project supports the development of a pilot facility and new

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	technologies and processes which will enable production to take place close to the point of installation. For remoter communities in Australia as well as overseas; including third world economies such as Kenya and Ethiopia, the advancement of this process has capacity to deliver cost solutions to isolated communities in what would otherwise be unaffordable infrastructure.
Business name	Tollman
Location	Laverton North
Business description	Manufacturing: Chemical solutions for a variety of industries including agriculture, cleaning, food processing and personal care.
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000
Project description	Glyphosate Formula Development: Glyphosate is a widely used safe herbicide used in Australia to control broadleaf plants and grasses. As manufacturers of glyphosate this project supports the development of a stable, efficacious formula of premium quality which will position Tollman to build market share in a very competitive market typically characterised by large multi-national companies
Business name	Shadowfax
Location	Werribee South
Business description	Agriculture: Viticulture and wine making
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000
Project description	Expansion of Export Markets beyond China: Shadowfax have been increasing fruit production targeting growth in export sales. Whilst recent growth has been achieved in the China market recent changes to Chinese policy have created barriers to this market. This project will explore new markets in a competitive industry that has dramatically changed post COVID19.
Business name	Nature's Dairy Australia
Location	Truganina
Business description	Manufacturing: Value added Ultra-High Temperature and Chilled Extended Life dairy products for world leading brands
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000

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A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)**

Project description	Procurement Project & Design: Nature's Dairy is planning a \$4.8million expansion of their Truganina facility to enable production of new product categories, scale up production of high value categories including A2 and build export market capability. This project supports the development of a project design and equipment procurement report which will add significant value to program execution
Business name	Future Tech Windows & Doors
Location	Laverton North
Business description	Manufacturing: Windows and Doors
Annual turnover (range)	\$500k to \$1million
Funding allocated	\$10,000
Project description	Flyscreen Frame Enhancement: Investment in new framing profiles to diversify product offer and penetrate new markets. This project will deliver in-house capabilities which are currently sourced from non-local third-party suppliers, building bottom line revenue and future business growth capacity
Business name	ProviCo Rural
Location	Truganina
Business description	Manufacturing: Premium quality animal nutrition milk replacers made with Australian dairy ingredients
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000
Project description	Polygain: Polygain is a Polyphenol Rich Sugarcane Extract. This project supports R&D trials aimed at commercialising PRSE for the agricultural industry. Potential benefits include but are not limited to reduction in methane outputs in cows and other herbivorous animals and reduced reliance on antibiotics to maintain udder health in milking cows.
Business name	Shadowfax
Location	Werribee South
Business description	Agriculture: Viticulture and wine making
Annual turnover (range)	More than \$3million
Funding allocated	\$30,000
Project description	Expansion of Export Markets beyond China: Shadowfax have been increasing fruit production to satisfy domestic demand and target growth in export

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WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)**

sales. Whilst recent growth has been achieved in the China market recent changes to Chinese policy have created barriers to this market. This project will explore new markets in a competitive industry that has dramatically changed post COVID19.

4. Wyndham 2040 Vision

- **Earning and Learning:**
The Manufacturing and Primary Production Development and Expansion Fund will influence the growth of the local economy in targeted industry sectors that have capacity for long term business sustainability and growth and by extension access to local job opportunities for resident workers.

5. City Plan

3.2.1 Council will grow a diverse economy by tapping into the diverse international knowledge and connections of our community, and look to develop strategic and collaborative national and international relationships for commerce, education, and investment

6. Council Plan and PoliciesEconomic Growth Strategy 2017-2021

Wyndham will have a diversity of industry sectors that are meeting the demands of the future economy, responding to local needs, generating exports and growing employment opportunities. (page 43)

"Sustaining a strong manufacturing sector can be achieved through innovation, the application of lean manufacturing principles and adaptation including the sourcing of new national and international markets. Manufacturing more than almost every other industry sector has the capacity to deliver higher levels of employment and deliver higher levels of economic on-flows." (page 20)

"Given the economic on-flow impacts of manufacturing there is significant opportunity for Wyndham to grow the economy not just from new investment in new companies but by developing the capacity of existing businesses." (page 45)

7. Regional, State and national plans and Policies

In response to COVID19, the Federal Government has identified six priority manufacturing sectors to access \$1.5billion in funding. These sectors are resources technology and critical minerals processing, food and beverage, medical products, recycling and clean energy, defence and space.

The WynLocal Manufacturing and Primary Producer Development and Expansion Fund aligns with this policy direction; adding value through access to Council funding by local manufacturers and primary producers; including those operating outside the identified Federal Government priority sectors.

The Victorian State Government has also identified priority manufacturing and primary production sectors including defence technologies, food and fibre, medical and pharmaceuticals, space technologies and construction technologies.

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A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)****8. Financial Viability**

The budget allocated to the Manufacturing and Primary Producer Development and Expansion Fund is part of Council's WynLocal Economic Support Package and allocation of funds is within the endorsed budget.

Successful fund applicants will be required to enter a funding agreement with Council. This agreement outlines the obligations of the applicant to deliver the project as outlined in the project proposal.

Funding will be released by way of three equal payments aligned to three key project milestones:

- project commencement
- mid project delivery
- project completion

Applicants will be required to complete a written report at mid project and project completion outlining the progression of the funded initiatives. This report is intended to satisfy Council that the funds provided to the applicant are being utilised in line with the approved project. Once satisfied Council will release funds to the applicant.

9. Sustainability Implications

Enabling responsible business sustainability and growth influences sustainability and growth of the local economy. Positive on flow effects include:

- Economic
 - local employment generation
 - increased economic output, revenue and payment of salaries and wages which are re-invested back into the local economy
 - increase of local exports and decrease in local imports
- Environmental sustainability
 - access to local jobs delivers less travel to work time, less reliance on motor vehicles and lowering of carbon emissions
- Social strengthening and cohesion
 - a stronger connected and harmonious community driven by less travel to work time and greater family, recreation and community connection time

Applicants were required to provide a risk assessment including any positive or negative environmental impacts. Responses were weighted at 10% of the assessment criteria.

10. Options

Not applicable.

11. Community Engagement

The intent of the fund aligns with Council's Economic Development Strategy, which was developed in consultation with community and key stakeholders.

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WALKER**WYNLOCAL MANUFACTURING AND PRIMARY PRODUCER DEVELOPMENT AND
EXPANSION FUND (cont'd)**

In working through the challenges presented by COVID19, Council's Economic Growth Unit has taken a proactive and intensified approach in the delivery of the industry engagement program; which in part is designed to gain a better understanding of the challenges and opportunities faced by local businesses at any given period. Council has also maintained strong links with industry peak bodies including active participation in and support of the Committee for Wyndham's "Business Connect Wyndham" program.

A CEO lead industry roundtable initiative was also undertaken during the early stages of COVID19 with the specific aim of gaining a greater understanding of how Council could effectively support business sustainability and economic resilience.

12. Communication Strategy

Details of the Fund were communicated through a variety of channels including:

- Wyndham City Council website
- Business Matters in Wyndham e-newsletter
- Media Release to all relevant outlets
- Social media platforms including Facebook and LinkedIn
- Industry peak bodies

Recipients of the fund are included in this report.

Progress of funded projects will be monitored, and as per the signed funding agreement all recipients must complete a final report outlining the outcomes delivered. Subject to commercial in confidence matters, this information will be used in case study articles published by Council.

13. Innovation and Continuous Improvement

The Fund seeks to drive business innovation and continuous improvement with a focus on:

- Building existing capabilities and capacity of existing manufacturers and primary producers
- Enabling research and development which explores and develops product enhancement and diversification
- Developing new opportunities or leverage existing opportunities to build market diversity, locally, nationally and internationally

A report will be prepared to inform any proposed improvements to future business funding programs offered by Council. This report will be tabled at a Future Focused Economy Portfolio Committee for discussion; with feedback from the Committee considered prior to the implementation of any similar programs.

14. Collaboration

Not applicable.

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ITEM NO: 6.5.4
A/CHIEF EXECUTIVE OFFICER -
NATALIE WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND****Summary**

This report outlines the objectives and application and assessment process for Council's Economic Growth initiative; Small Business Entrepreneurship and Innovation Fund.

In recommending recipients for funding the report includes the following:

- Business stage of development
- Business entity
- Location of business
- Description of business operations
- Level of funds allocated for funding
- Project to which the funds will be applied

This report seeks Council endorsement of fund recipients as detailed in this report.

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.

A/Chief Executive Officer – Natalie Walker

In providing this advice as the A/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.

Business Relations Advisor - Daryl Wilson

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

Key Issues

- Supporting the enhancement of entrepreneurship capacity
- Encouraging and supporting business innovation
- Influencing accelerated business sustainability and growth

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ITEM NO: 6.5.4

A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)****RECOMMENDATION**

That Council:

1. Notes the recipients and funding allocated to Wyndham businesses under the Small Business Entrepreneurship and Innovation Fund;
2. Endorses the distribution of \$202,000 under the Fund;
3. Endorses the recommendations of the assessment panel in the dispersal of funds to successful applicants under the Fund.

ALTERNATIVE MOTION

CRS JOSH GILLIGAN / MIA SHAW

That Council:

1. Notes the recipients and funding allocated to Wyndham businesses under the Small Business Entrepreneurship and Innovation Fund;
2. Endorses the distribution of \$200,000 under the Fund;
3. Reject the panel recommendation to award \$2,000 in relation to the 'Wyndham Review' business application; and
4. Endorse all other recommendations of the assessment panel in the dispersal of funds to successful applicants under the Fund.

(LOST)

COUNCILLOR MIA SHAW 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 Barrera
Councillor Gilligan
Councillor Hegedich
Councillor Marcus
Councillor Shaw

Total (5)**AGAINST**

Councillor Hill
Councillor Mahfoud
Councillor Maynard
Councillor McIntyre
Councillor Ramesh
Councillor Szatkowski

Total (6)

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ITEM NO: 6.5.4
A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)****MOTION**

CR ROBERT SZATKOWSKI / SAHANA RAMESH

That Council:

1. Notes the recipients and funding allocated to Wyndham businesses under the Small Business Entrepreneurship and Innovation Fund;
2. Endorses the distribution of \$202,000 under the Fund;
3. Endorses the recommendations of the assessment panel in the dispersal of funds to successful applicants under the Fund.

PROCEDURAL MOTION

CR SAHANA RAMESH / JASMINE HILL

That the motion be put to a vote.

MOTION

CRS JOSH GILLIGAN / MIA SHAW

Motion of dissent of the Chair

(LOST)

Cr Adele Hegedich abstained from voting on this item.

PROCEDURAL MOTION

CR SAHANA RAMESH / JASMINE HILL

That the motion be put to a vote.

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A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)****MOTION**

CR ROBERT SZATKOWSKI / SAHANA RAMESH

That Council:

1. Notes the recipients and funding allocated to Wyndham businesses under the Small Business Entrepreneurship and Innovation Fund;
2. Endorses the distribution of \$202,000 under the Fund;
3. Endorses the recommendations of the assessment panel in the dispersal of funds to successful applicants under the Fund.

(CARRIED)

Cr Adele Hegedich 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 Marcus
Councillor Shaw

Total (4)

Cr Adele Hegedich abstained from voting on this item.

FILE NO:

ITEM NO: 6.5.4

A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)****1. Background**

At the Ordinary Meeting of 7 April 2020, Council endorsed the initiation of a Small Business Entrepreneurship Fund (the Fund) as an ongoing operational program for commencement in the 2020/2021 financial year. The adoption of the program delivered on Major Project #7 of Wyndham City's Economic Growth Strategy.

A total allocation of \$200,000 was included in the Council budget to fund the program for 2020/2021 with applicants invited to seek funding for \$2,000, \$5,000 or \$10,000.

Whilst the fund was endorsed at a time when COVID19 was in the early stages of disrupting business activity and economic growth, the project's intent and focus was developed well before that period. While the impact of existing economic conditions is considered in the initiation of economic growth programs at any given time, the level of impact of COVID19 on individual enterprises was not included as part of the assessment criteria for this program.

Specifically, as outlined in the endorsed report of April 2020; the Small Business Entrepreneurship and Innovation Fund aims to *"provide a platform for local small businesses at all stages of growth, including the initial start-up phase, to be offered a level of financial support to meet the very specific needs of each enterprise."*

Assessment and administration of the Fund was addressed operationally consistent with Council endorsement and the unique nature of this Covid specific fund.

2. Relevant Law

Not applicable

3. Discussion

In line with Council's endorsed report the Fund was initiated through the implementation of a competitive application process.

Eighty-four applications were received seeking funding totaling \$754,000

The following outlines details of the Fund.

Eligibility

To be eligible for funding, applicants were required to demonstrate that the business: is non-employing business - sole proprietorships and partnerships without employees or;

- is a micro-business - businesses employing 5 people or less; either fulltime, part time or a combination of fulltime and part time

To be eligible for funding, applicants were required to demonstrate that the business:

- has its principal place of business within Wyndham;
- has a current, active ABN;
- is compliant with all relevant local, state and federal legislation.

Funding options

Applicants were invited to apply for one of two available funding streams.

Stream 1:

Businesses that have been trading for a period of less than 24 months. This included businesses that may still be in the early start-up phase and have yet to transact any sales.

Stream 2:

Businesses that have been trading for a period of more than 24 months and demonstrate capacity for continued sustainability and growth.

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A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

Examples of the types of initiatives to be considered for funding included but were not limited to:

- investment in business training and skills development programs which focus on accelerating business start-up initiation and/or accelerating business growth and/or diversification
- investment in innovative product and service research and/or development
- investment in developing new technologies
- investment in export capacity building initiatives
- investment in projects that demonstrate a capacity to:
 - enable productivity
 - enable market competitiveness
 - enable scalability
 - enable long term sustainability

Assessment

Adopting underlying principles of supporting viable projects, enabling entrepreneurship and encouraging innovation, applications were assessed against the following key assessment criteria which was published as part of the Fund's terms and conditions.

Stream 1 Business Start-ups and early stage enterprises

New enterprises or entrepreneurs who are developing a new product or service were assessed on the following criteria:

- Evidence of a current level of own investment (including financial and personal time) to the project
- Evidence of there being a reasonable stage of development in place
- Evidence that a proof of concept and proof of opportunity for their chosen market(s) has been achieved
- Demonstration of a level of understanding of the progression of stages required to commercialisation
- Evidence of possessing at least a general understanding of the proposed business model
- Capacity to qualify the specific value generated from funds being introduced
- Demonstrated understanding of balancing business growth with environmental sustainability

Stream 2 Business Growth Builders:

Existing businesses which are seeking to grow scale were assessed on the following criteria:

- Evidence that the application of funds will facilitate/drive the expansion of the current business model
- Evidence that the application of funds will facilitate/drive the identification and penetration of new markets

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A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

- Development of new products or services to initiate a 'pivot' required by competitive forces.
- Capacity to qualify the specific value generated from funds being introduced
- Demonstrated understanding of balancing business growth with environmental sustainability

Applications were assessed by an internal assessment panel, adopting a similar approach to that undertaken by Council in the assessment of public tenders.

The terms and conditions of the fund allowed for the assessment panel to recommend a level of funding less than that requested by the applicants. This option was actioned by the panel for seven projects which were multi-faceted and assessed as being worthy of part funding to support project delivery.

Whilst innovation was a key selection criterion; applications were required to provide detailed evidence that their proposal was much more than just a good idea and that they had invested a high level of planning and research and proof of concept. Most particularly new start-up applications needed to demonstrate that their business aspirations demonstrated commercial viability.

The following provides a list of recommended recipients. Project descriptions marked with * have been described in broad terms to protect intellectual property.

Stream 1: Business Start Ups and Early Stage Enterprises (\$2,000 funding)	
Business name	Beantalking
Location	Hoppers Crossing
Business description	Video Marketing Agency
Project description	Support a new initiative enabling local businesses to develop their own marketing podcasts
Business name	Swan Veterinary Care
Location	Werribee
Business description	Entrepreneurship training and industry certification
Project description	Support the development of a specialist palliative care mobile clinic for animals
Business name	Miss Mary Jewellery
Location	Werribee
Business description	Manufacture and sales of polymer clay jewellery
Project description	Support the expansion of a very young business including diversification of manufacturing capability
Business name	Wyndham Review
Location	Point Cook
Business description	Online newspaper

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WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

Project description	Support the development of a multi-lingual website
Business name	Yumiie Homefood Marketplace
Location	Point Cook
Business description	Online platform for home cooks
Project description*	Support the development of an online platform supporting home-based food businesses
<i>Stream 1: Business Start Ups and Early Stage Enterprises (\$5,000 funding)</i>	
Business name	Automotive Care
Location	Laverton North
Business description	Automotive repair workshop
Project description	Support the delivery of automotive training for local students
Business name	Be the Brewster
Location	Wyndham Vale
Business description	Beverage and coffee brewing supply
Project description*	Support investment in new technology to improve inhouse production
Business name	Bouj Lash & Brow Clinic
Location	Werribee
Business description	Lash and brow cosmetic services
Project description	Support the initiation of a new business including digital platform capacity
Business name	Kristine Real International
Location	Truganina
Business description	Digital design and marketing
Project description	Support the initiation of a new business including digital platform capacity
Business name	Sweet as a Daisy
Location	Wyndham Vale
Business description	Home Made Food Production
Project description	Support the development of online capacity
<i>Stream 1: Business Start Ups and Early Stage Enterprises (\$10,000 funding)</i>	

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WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

Business name	Inner Outer
Location	Werribee
Business description	Recruitment and Training
Project description	Support the development of an industry specific online training platform
Business name	Soterius
Location	Point Cook
Business description	Biosensor technology developer
Project description*	Support the development of biosensor technology that addresses a major community health issue
Business name	ITMAN
Location	Truganina
Business description	Information Technology Consultancy
Project description*	Support the development of a data analytics and graphic design portal
Business name	OMM Label
Location	Werribee
Business description	Fashion garments for breastfeeding mothers
Project description	Support export business training and digital presence enhancement
Business name	Mr Kloud
Location	Truganina
Business description	Digital app developer
Project description*	Support further development of an app that focusses on a circular economy outcome
Stream 2: Business Growth Builders (\$2,000 funding)	
Business Name	Deborah Dickson Coaching
Location	Werribee South
Business description	Life Coaching
Project description	Support the development of online training and self-development platform

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WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

<i>Stream 2: Business Growth Builders (\$5,000 funding)</i>	
Business Name	Perfect Party Supplies
Location	Tarneit
Business description	Party supplies
Project description*	Support development of digital technology to enhance customer offer
Business Name	Rollys Rolls
Location*	Tarneit
Business description	Ice Cream and Confectionery Retailer
Project description*	Support product range expansion
Business Name	Security Concepts
Location	Wyndham Vale
Business description	Security services
Project description*	Support the development of industry specific software
<i>Stream 2: Business Growth Builders (\$10,000 funding)</i>	
Business Name	Connect Auz
Location	Werribee
Business description	Information Technology solutions
Project description*	Support the development of a satellite imaging sensor that supports the agribusiness sector
Business Name	Neevista
Location	Point Cook
Business description	Digital consulting services
Project description*	Support the development of a specialist food app
Business Name	R Square Consulting
Location	Williams Landing
Business description	Information Technology Consulting and Training
Project description*	Support the development of a business efficiency focused digital tool
Business Name	HiCom Accounting
Location	Tarneit

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WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

Business description	Accounting
Project description*	Support the development of an industry specific customer relationship management tool
Business Name	Pixosoft
Location	Williams Landing
Business description	Software development
Project description*	Support the development of software designed to assist schools, teachers and students
Business Name	Nightollie
Location	Werribee
Business description	Bedwetting alarm treatment solutions
Project description*	Support the development of new and improved product design
Business Name	Business Addicts
Location	Hoppers Crossing
Business description	Coworking space
Project description	Support the development of a specialist recording studio for small business
Business Name	Cat Napping Suburban Retreat
Location	Hoppers Crossing
Business description	Indoor boarding cattery
Project description*	Support the design of an industry specific app aimed at improving customer experience
Business Name	Transition Sports
Location	Hoppers Crossing
Business description	Sports training facility
Project description	Support the delivery of a specialised sensory room for the benefit of people with a disability
Business Name	3ARK
Location	Hoppers Crossing
Business description	Construction industry technical support
Project description	Support a detailed market research project to inform future marketing strategies

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A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)****4. Wyndham 2040 Vision**

- Earning and Learning:
The Small Business Entrepreneurship and Innovation Fund will influence the growth of the local economy by:
 - enabling start-ups
 - accelerating growth in existing businesses
 - building the entrepreneurship capacity of individuals seeking to start or grow revenue generating enterprises and by extension
 - support the growth of local job opportunities for resident workers.

5. City Plan

3.2.1 Council will grow a diverse economy by tapping into the diverse international knowledge and connections of our community, and look to develop strategic and collaborative national and international relationships for commerce, education, and investment

6. Council Plan and Policies

Economic Growth Strategy: Major Project #7 – “Develop a business case for the establishment of a funding support program specific to start-ups, emerging and fast growth companies”

7. Regional, State and national plans and Policies

Not applicable

8. Financial Viability

The \$200,000 allocated to the Fund was included in the Annual Plan and Budget 2020/21

The structure of funding request levels of \$2,000, \$5,000 and \$10,000 resulted in a total fund allocation of \$202,000.

Subject to the signing of a funding agreement payments will be made to each recipient in two equal parts at project commencement and project completion. Payment of the second allocation will be subject to the recipient providing evidence of project delivery. Council will reserve the right to withhold payment if such evidence is not provided to the satisfaction of Council.

9. Sustainability Implications

Enabling responsible business sustainability and growth influences sustainability and growth of the local economy. Positive on flow effects include:

- Economic
 - local employment generation
 - increased economic output, revenue and payment of salaries and wages which are re-invested back into the local economy
 - increase of local exports and decrease in local imports
- Environmental sustainability
 - access to local jobs delivers less travel to work time, less reliance on motor vehicles and lowering of carbon emissions
- Social strengthening and cohesion

FILE NO:

ITEM NO: 6.5.4
A/CHIEF EXECUTIVE OFFICER - NATALIE
WALKER**SMALL BUSINESS ENTREPRENEURSHIP AND INNOVATION FUND (cont'd)**

- a stronger connected and harmonious community driven by less travel to work time and greater family, recreation and community connection time

Applicants were required to respond to the question: *"Will your project improve or diminish environmental sustainability, or will the affect be neutral?"* Responses were weighted at 5% of the total assessment criteria.

10. Options

Not applicable

11. Community Engagement

The intent of the Fund aligns with Council's Economic Development Strategy which was developed in consultation with community and key stakeholders. The fund was developed in consultation with the Future Focused Portfolio Committee prior to formal endorsement by Council.

12. Communication Strategy

Details of the Fund were communicated through a variety of channels including:

- Wyndham City Council website
- Business Matters in Wyndham e-newsletter
- Media Release to all relevant outlets
- Social media platforms including Facebook and LinkedIn
- Industry peak bodies

Recipients of the fund are included in this report.

Post the delivery of individual projects Council will showcase selected projects through a variety of platforms including the business focused Wyndham Business e-magazine.

13. Innovation and Continuous Improvement

The initiation of this Fund is not typically offered by most other Local Government Authorities and Council's leadership in this space has been recognised by the local business community and other community stakeholders.

As with any new program lessons have been learned in the delivery of the fund thus far and this learning process will continue through the course of program delivery until all funded programs have been completed. A report will be prepared to inform any proposed improvements to the fund for the next financial year. This report will be tabled at a Future Focused Economy Portfolio Committee for discussion with feedback from the Committee considered prior to the implementation of the second year of the program.

14. Collaboration

Not applicable

FILE NO: 0

ITEM NO: 6.5.5
DIRECTOR CITY DESIGN &
LIVEABILITY - LUDO CAMPBELL-
REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM****Summary**

Council at its meeting held in February 2021 resolved to pass the following Notice of Motion (No.598):

“That Council undertakes a strategic planning review with a report brought back for consideration by no later than the May 2021 Ordinary Council Meeting outlining what further steps can be taken to put in place stronger planning controls around sites designated for non-government schools and community infrastructure within a Precinct Structure Plan (PSP) in both a local and state government context.”

The above motion was prompted by the outcome of a VCAT decision that approved the amendment of Planning Permit WYP9114/16 to replace land identified in the Truganina Precinct Structure Plan for a 9.6 ha non-government primary and secondary school site for residential development.

Council has reported the circumstances of this case to the Minister for Planning and the Victorian Planning Authority (VPA) in a bid to have planning controls for the reservation of non-government school sites strengthened as part of the current review of the Precinct Structure Planning Guidelines. Options for strengthening current provisions are outlined in this report.

Council will also be seeking the support of Victorian Councils at the next Municipal Association of Victoria Council meeting on 21 May 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.

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 Strategic Planning - Elio Comello

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

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ITEM NO: 6.5.5
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)**Key Issues**

- The need to strengthen current Victorian Planning Provisions and the PSP Planning process to deliver non-government schools in the Urban Growth Zone / PSP Areas.
- The need for the State Government to fill the gap in the provision of schools where a private sector buyer cannot be found to develop land which is designated for a non-government school in a Precinct Structure Plan.

RECOMMENDATION

That Council:

1. write to the Minister for Planning to request that a bespoke applied zone for use in PSP's be developed for non-government schools by the State Government in conjunction with Councils and the non-government school sector.
2. initiate a campaign to encourage landowners and developers who control land on which non-government schools are identified in Precinct Structure Plans (PSP's) to pledge to protect land for future schools, giving their communities greater certainty and confidence that such infrastructure will be provided.
3. seek to enter into Section 173 Agreements with willing landowners and developers to secure the protection of land for future schools, giving their communities greater certainty and confidence that such infrastructure will be provided.
4. note the advice and recommendations presented in this report on what further steps can be taken to put in place stronger planning controls around sites designated for non-government schools and community infrastructure within a Precinct Structure Plan (PSP) in both a local and state government context and the challenges and limitations on Council action that exist.
5. endorse the actions taken to date to bring this matter to the attention of the Minister for Planning and Environment, the Victorian Planning Authority, and other Councils via the Municipal Association of Victoria State Council meeting.

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DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)**ALTERNATIVE MOTION**

CRS JOSH GILLIGAN / MIA SHAW

That Council:

1. write to the Minister for Planning to request that a bespoke applied zone for use in PSP's be developed for non-government schools by the State Government in conjunction with Councils and the non-government school sector.
2. initiate a campaign to encourage landowners and developers who control land on which non-government schools are identified in Precinct Structure Plans (PSP's) to pledge to protect land for future schools, giving their communities greater certainty and confidence that such infrastructure will be provided.
3. seek to enter into Section 173 Agreements with willing landowners and developers to secure the protection of land for future schools, giving their communities greater certainty and confidence that such infrastructure will be provided.
4. note the advice and recommendations presented in this report on what further steps can be taken to put in place stronger planning controls around sites designated for non-government schools and community infrastructure within a Precinct Structure Plan (PSP) in both a local and state government context and the challenges and limitations on Council action that exist.
5. endorse the actions taken to date to bring this matter to the attention of the Minister for Planning and Environment, the Victorian Planning Authority, and other Councils via the Municipal Association of Victoria State Council meeting.
6. write to the local state members for Tarneit, Werribee and Altona asking them to personally pledge support for the introduction of a bespoke applied zone for use in PSPs be developed for non-government schools by the State Government in conjunction with Councils and the non-government school sector.

(CARRIED)

1. Background

However, the Catholic Education Office (CE Office) declined to purchase the land as a due diligence report commissioned by it had confirmed the presence of lead on part of the site. While the CE Office was aware that the site would be decontaminated by ID Woods Pty Ltd to a level considered safe for development, it chose to avoid the purchase of sites that had a history of contamination, even where the land has been rehabilitated to a standard that is considered satisfactory for development.

Requirement 33 of the Truganina PSP states that “Where the Responsible Authority is satisfied that land shown as a non-government school site is unlikely to be used for a non-government

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LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)

school, that land may be used for an alternative purpose which is generally consistent with the surrounding land uses and the provisions of the applied zone."

However, the PSP practice note 'Development of non-government school sites for an alternative purpose' states:

"It is not possible (or appropriate) to force land owners to hold sites for a non-government school indefinitely, but it is reasonable to expect them to hold it for a period of time relative to the pace of development in the area, and to take steps to negotiate with the non-government school provider that has strategically justified the need for the site". (emphasis added)

Council officers refused to grant the request to amend the endorsed plan on the grounds that the school site was still strategically justified to meet community needs for primary and secondary education, the surrounding area was still in development, and that the request to develop the land for residential was premature as the medium term was yet to expire.

While VCAT accepted Council's Expert Evidence regarding social need for schools and education, ultimately, it held that it was not possible or appropriate to force a landowner to hold sites for the establishment on a non-government school indefinitely, particularly given in this case the identified lead agency (Catholic Education Office) no longer wished to construct a school on the land. As no other agency had come forward to purchase the site, VCAT was satisfied that it was unlikely, albeit not impossible, that a purchaser will do so in the future (emphasis added). In these circumstances, VCAT determined it was appropriate to allow an alternative use of the land, in this case its subdivision into 227 additional residential lots.

As noted in the VCAT determination, this case highlights the extreme difficulty in providing non-government schools to meet the needs of the community.

Council has since reported the circumstances of this case to the Minister for Planning and the Victorian Planning Authority (VPA) in a bid to have planning controls for the reservation of non-government school sites strengthened as part of the current review of the Precinct Structure Planning Guidelines.

This report discusses options for the protection and preservation of land for future schools and other community infrastructure in Wyndham. This is a complex area of planning and many of the levers that are available to address this issue rest with the State Government. This report identifies opportunities for Council to be more proactive in this space, while also identifying actions that could be pursued by the State Government.

2. Relevant Law

Planning and Environment Act 1987 - establishes a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

Precinct Structure Plans – an incorporated document in the Planning Scheme. Precinct structure planning is fundamental to the planning and development of Victoria's growth areas and they seek to develop new places for Victorians to live, both today and for future generations. The development of greenfield sites, along with urban consolidation, is an important part of the State Government's strategy to address strong population growth and the housing and employment demands that flow from this.

Precinct Structure Planning Guidelines - provide an integrated framework for practitioners and planning authorities to guide preparation of PSPs in greenfield growth areas across Victoria. In accordance with Ministerial Direction 12 – Urban Growth Areas, all planning authorities must apply the Guidelines unless the Minister for Planning approves otherwise. In metropolitan Melbourne, PSPs are generally prepared by the Victorian Planning Authority.

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LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)**3. Discussion****Wyndham Population Growth and School needs in Wyndham**

Wyndham is one of the largest and fastest growing municipalities in Australia, forecast to grow to 512,591 by 2041. (Source: Id community forecast).

Fourteen (14) babies are born to Wyndham mothers each day, equating to approximately 4.5 primary school classes each week.

More than half of Wyndham households are families with children. The majority of these are households with children under 15 years old.

High growth has increased demand for services and infrastructure, though provision has not kept pace with community needs. Development occurring in Wyndham has been heavily skewed towards housing, this has produced a poor quantum and mix of local jobs and services. This means, for example, that families travel longer to reach schools and places of employment in Wyndham compared to the rest of Melbourne. It also means that people living in some neighbourhoods do not enjoy convenient access to basic services like public transport and schools.

Currently, as shown in Table 1, Wyndham has 52 primary and secondary school sites, 61% of which are Government, 29% Catholic, and 10% independent.

Table 1 – All School Sites in the City of Wyndham - 2020

School Sites	No. of City of Wyndham School Sites (2020)	% of All School Sites in the City of Wyndham (2020)
Total Government school sites	32	61%
Total Catholic school sites	15	29%
Total Independent school sites	5	10%
All school sites	52	100%

Source: Robert Panozzo, ASR Research Pty Ltd, 6 March 2020 (Expert Evidence, VCAT Hearing)

Based on population forecast projections and school facility provision ratios shown in Tables 3 and 4, respectively, the City of Wyndham will require the equivalent of 115 school sites by 2041, consisting of 74 Government school sites, 32 Catholic school sites, and 9 other independent school sites.

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LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)**Table 2 – City of Wyndham Dwelling and Population Forecasts 2020-2041**

	Year						No. Change from 2020 to 2041	% Change from 2020 to 2041
	2020	2021	2026	2031	2036	2041		
Dwellings	96,535	101,645	124,198	143,572	162,408	178,366	81,831	85%
Total Population	288,212	302,650	364,162	417,361	469,396	512,591	224,379	78%
Total 5 to 11 Population	34,094	36,247	43,865	49,445	54,295	58,412	24,318	71%
Total 12 - 17 Population	20,696	22,055	28,961	34,522	38,906	42,250	21,554	104%

Source: City of Wyndham Population and household forecasts, 2016 to 2041, prepared by .id, the population experts, November 2019.

Source: Robert Panozzo, ASR Research Pty Ltd, 6 March 2020 (Expert Evidence, VCAT Hearing)

Table 3 – School Provision Ratios

1 Government Primary School per 3,000 dwellings (source: Department of Education & Training)
1 Government Secondary School per 10,000 dwellings (source: Department of Education & Training)
1 Catholic Primary School per 8,000 dwellings (source: Catholic Education Melbourne)
1 Catholic Secondary School per 16,000 dwellings (source: Catholic Education Melbourne);
0.9 'Other' independent schools per 10,000 children aged 5 to 17 years ¹ (source: City of Wyndham current provision level – 2020).

Source: Robert Panozzo, ASR Research Pty Ltd, 6 March 2020 (Expert Evidence, VCAT Hearing)

While government schools hold the greatest share of school enrolments, there is a significant reliance on the non-government sector for the provision of education. The situation in Wyndham is consistent with national and state averages. In 2020, Government schools across Australia held the greatest share of enrolments (65.6 per cent), followed by Catholic schools (19.4 per cent) and independent schools (15.0 per cent). In Victoria, the split between Government and non-government (Catholic and Independent) was 64.03 per cent and 35.97 per cent, respectively. These numbers have remained relatively steady over the last decade. (source: <https://www.abs.gov.au/statistics/people/education/schools/latest-release>)

As enunciated in Wyndham's Advocacy Strategy, Wyndham continues to grow, and we urgently need more schools. To meet the educational needs of our growing communities, we not only need an ongoing pipeline of new schools, we also need to be able to secure land reserved in Precinct Structure Plans for non-government school sites for the long term needs of the community.

As shown in Figures 2 and 3 below, pupils and students in Wyndham's growth areas have on average half the number of schools compared to Greater Melbourne.

Wyndham is also home to some of the most overcrowded schools in Victoria.

We're also about to experience an explosion in the number of children who are secondary school age.

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Figure 2 - Wyndham Primary Schools per 2000 pupils compared to Greater Melbourne

PRIMARY SCHOOLS PER 2000 STUDENTS*

Source: Schools4Wyndham Advocacy Strategy (<https://schools4wyndham.org.au/#how-your-suburb-compares>)

Figure 3 – Wyndham Secondary Schools per 5000 students compared to Greater Melbourne

**SECONDARY SCHOOLS
PER 5000 STUDENTS**

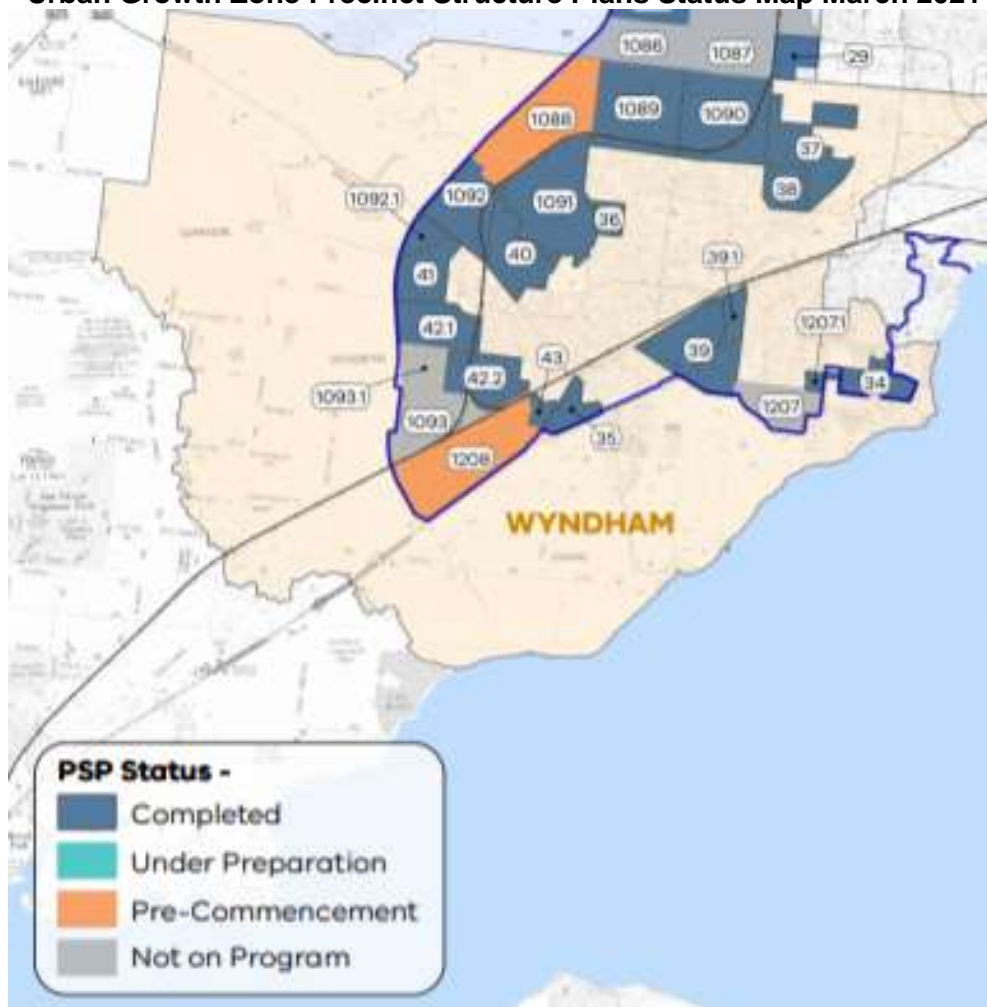
Source: Schools4Wyndham Advocacy Strategy (<https://schools4wyndham.org.au/#how-your-suburb-compares>)

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(cont'd)**The Urban Growth Zone (UGZ) and Precinct Structure Plans (PSP)**

As shown in Figures 4, 5 and 6 below, most new schools in Wyndham (both government and non-government) are to be delivered in land that has been identified for future urban development, i.e. within the Urban Growth Zone / Precinct Structure Plan Areas of the municipality

Figure 4 – Urban Growth Zone Precinct Structure Plans Status Map March 2021

Source: Victorian Planning Authority <https://vpa-web.s3.amazonaws.com/wp-content/uploads/2021/04/Precinct-Structure-Plans-Status-Map-March-2021.pdf>

Figure 5 – Wyndham Government Schools – Existing, Planned, Proposed and New Sites Needed

[illegible]

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The UGZ has four purposes:

1. To manage the transition of non-urban land into urban land.
2. To encourage the development of well-planned and well-serviced new urban communities in accordance with an overall plan.
3. To reduce the number of development approvals needed in areas where an agreed plan is in place.
4. To safeguard non-urban land from use and development that could prejudice its future urban development.

The above objectives are achieved via the preparation and implementation of Precinct Structure Plans incorporated into the Wyndham Planning Scheme. Another advantage of the PSP process has been to protect such uses from third party appeal rights. This has helped to provide greater certainty and confidence to local communities and other stakeholders about future development in growth areas and to allow for 'whole of community' development. Despite these supposed advantages, PSP's have not come without challenges in terms of delivering school sites. Examples of which include the recent VCAT case discussed in this report and problems with the impact of non-government schools on Development Contributions Plans discussed later in this report.

Victorian Planning Provisions (VPP)

The Victoria Planning Provisions (VPP) are the planning policies and controls upon which all land use planning decisions are made.

When any provision in the VPP is amended, all planning schemes containing that provision are also amended. Only the Minister for Planning can amend the VPP. These cannot be amended by a Council.

The VPP are reviewed from time to time to:

- Make more permit-required land uses 'as of right' where consistent with the purpose of the zone.
- Reduce referral requirements where possible.
- Remove or amalgamate zone and overlays where duplication occurs.
- Clarify common points of confusion and complexity, ensure consistency.
- Correct anomalies, update references and improve useability.

The VPP were last reviewed in 2018.

The planning of future schools is generally covered under VPP 19 – Infrastructure, which directs that:

- Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely. (emphasis added)
- Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities. (emphasis added)
- Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes. (emphasis added)

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- Planning should facilitate efficient use of existing infrastructure and human services.
- Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning. (emphasis added)
- Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.
- Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

The key directions of VPP19 already provide a clear and consistent framework within which decisions about the use and development of land for future schools can be made. They already clearly express, state, regional, local and community expectations for the planning of future schools and provide for the implementation of State, regional and local policies to support the above outcomes and expectations.

So what can be done to provide greater certainty and confidence to local communities, developers and other stakeholders about future development in the growth areas and to allow for “whole of community development”.

Use of the Public Use Zone for Schools?

An option explored is the potential application of the Public Use Zone (PUZ2 – Education) available in the Planning Scheme to recognize public land use for public utility and community services and facilities. The outcome would be similar to how the Public Park & Recreation Zone (PPRZ) may be used to recognize areas for public recreation and open space. Under this scenario, any proposal to change the use of the land would require a Planning Scheme Amendment rather than an appeal to VCAT.

While the use of the PUZ2 zone may be appropriate for recognizing future planned government school sites and other Public Use Zones could be used to identify other State Government and Local Government community infrastructure, it can't be used for recognizing non-government school sites. The reason for this is that non-government school sites are private land and land that is not public land must not be included in a public land zone.

The Practitioner's Guide to Victoria Planning Schemes (April 2020) also advises that “*land should not be automatically included in a public land zone just because it is public land. There will be situations where a public land zone is not the most appropriate zone... For example, although the public land zone makes provision for its potential application to public land used for the purpose of 'education', most schools can be included in the surrounding zone, particularly residential zones. Public land zones should be applied in consultation with the relevant public land manager. A public land manager should be able to use and develop public land for any purpose under the relevant land management legislation without the need for a permit.*”

Section 173 Agreements?

Another option is the potential utilization of a section 173 Agreement. A Section 173 Agreement is in effect a contract between the Council and a landowner that places restrictions on land. These agreements are named after Section 173 of the *Planning and Environment Act 1987*.

Council, as the Responsible Authority can negotiate an agreement with an owner of land or a purchaser in anticipation of that person becoming the owner to set out conditions or restrictions on the use or development of the land, or to achieve other planning objectives in relation to the land. It is not possible for a Section 173 agreement to be entered into with a developer or occupier of land without the owner or prospective owner also being a party. This is because the owner must agree to the obligations under the agreement being recorded on the title to the land.

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The benefit of a Section 173 agreement is that it can be recorded on the title to the land so that the owner's obligations under the agreement bind future owners and occupiers of the land. A Section 173 agreement can also be enforced in the same way as a permit condition or planning scheme. The purpose of an agreement is to make it easier to achieve planning objectives for an area or particular parcel of land than is possible when relying on other statutory mechanisms

However, negotiating agreements can be involved and time-consuming and require all parties to agree to the conditions or restrictions on the use or development of the land. A potential option for Council could be to seek developers to enter such agreements as part of a campaign whereby developers could pledge to protect land for future schools, giving their communities greater certainty and confidence that such infrastructure will be provided. It may be worthwhile identifying and approaching developers who would be open to supporting such an approach as an initial first step. This could be seen as a potential marketing advantage for those developers willing to provide this level of certainty as it would provide certainty to the customers to whom they are selling land.

Planning Scheme Amendment?

It is very important that Councils (and Communities) can rely upon PSPs and planning controls to set land aside for non-government schools in growth areas. To ensure orderly planning through the development of a PSP, adequate provision must be made for education purposes, including non-government schools, and community infrastructure in general.

School infrastructure is vital for growing communities and significant effort is put into identifying appropriate school sites, both government and non-government, during the preparation of PSPs. The removal of a non-government school site from a PSP is therefore a matter of considerable strategic importance to growing communities. It is essentially a prospectus upon which residents make an investment of life savings in a new home. Decisions that would result in schools being removed from a PSP should not be made lightly or through a non-strategic process such as a planning permit decision. The removal of non-government school sites from a PSP (an incorporated document within Planning Schemes) should preferably only occur via a Planning Scheme Amendment process. Council has already written to the Minister for Planning on this matter as discussed below in the Section titled Advocacy Actions.

Planning Practice Notes (Information Sheets) and PSP Guidelines?

Another option to be considered is the review of Planning Practice Notes and PSP Guidelines that may be relied upon to guide the interpretation and implementation of the Victorian Planning Provisions.

The Victorian Planning Authority's PSP practice note (Information Sheet) titled "Development of Non-Government Schools for an Alternative Purpose" could be improved to provide clearer guidance. This Practice Note should be updated to bolster the catchment-development test, so that any decision to approve an alternative use for a non-government school site ought to not be taken until development of the potential school catchment was appropriately advanced. This could involve guidance and mechanisms that result in the land being reserved for the planned use for longer periods of time than is currently the case.

For some time, there have also been problems with the way that unplanned non-government school sites (i.e. those not identified in a PSP) are implemented through PSPs and their relationship to Development Contribution Plans (DCP) / Infrastructure Contribution Plans (ICP). There may be capacity to review the PSP Guidelines to include the ability to have a floating non-government school capacity within a PSP and any accompanying DCP/ICP that would ensure DCPs and ICPs are not diluted if additional non-government school sites are contemplated after approval of the PSP, DCP/ICP.

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(cont'd)

The residential sequencing of growth and timely delivery of social infrastructure is a critical part of providing new communities with the promise of a 20 minute neighbourhood – a key policy direction of Plan Melbourne. As enunciated in the new draft PSP Guidelines that are currently under review by the Victorian Planning Authority and Minister for Planning, *“living locally means ensuring that facilities and services are planned to meet a community’s daily needs near to where they live (a local catchment). PSPs achieve this objective by identifying public land required for state and non-state schools and council-operated community facilities. The challenge is in ensuring these vital community assets are delivered when new communities are moving in, and that they are designed and delivered to maximise integration and shared use. Education and community infrastructure facilitate a wide variety of opportunities, activities and services that respond to the individual and community’s social needs. Public and private investment in education and community infrastructure should support social equity and inclusiveness.”*

The State Government needs to ensure that its practice notes and planning scheme amendment processes in relation to the delivery of non-government schools and community infrastructure delivers upon the intentions of the draft PSP Guidelines discussed above.

New school zones?

If the current Victorian Planning Provisions are not sufficiently robust to provide communities with the certainty they seek with the delivery of planned schools, it may be timely to consider the use of a bespoke applied zone in PSPs for non-government schools that could be developed by the State in conjunction with Councils and the non-government school sector.

The design of bespoke planning tools is something that is currently being considered in other challenging planning spaces. The proposed introduction of a State Resource Overlay to protect Strategic Extractive Resource Areas is one such example.

It would be worthwhile writing to the Minister for Planning to request that a bespoke applied zone in PSPs for non-government schools be developed by the State in conjunction with Councils and the non-government school sector.

Social Implications of the VCAT Decision

VCAT’s decision to overturn Wyndham City’s original planning decision and approve amendments to Planning Permit WYP9114/16.07 sets a precedent which should concern all Victorian Councils. Once a site is developed and its land use redetermined it is virtually impossible to reverse.

While it is appreciated that in this case the land reserved by the PSP for a non-government school site was approved for conversion to 227 housing lots after the developer was unable to find a private education sector buyer, the resulting scenario is that the affected suburb and community will have a gap in both education provision and education choice.

As outlined above, there is strong and significant reliance on the non-government sector for education. In Wyndham, approximately 39% of planned school sites are for the Catholic and other independent schools. Across Victoria, the share of school enrolments is 65% government and 35% non-government.

Such over-reliance in Victorian Government planning on the presence of independent school sites in Precinct Structure Plans may further contribute to a shortfall of school provision in areas which are already struggling to meet the growing demand for schools, including interface areas and growing regional cities.

Where land that was allocated to a non-government school is developed as housing lots this will exacerbate the situation by creating additional demand on limited social infrastructure.

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Councils like ours largely rely on PSPs to ensure an equitable balance of community assets to satisfy the needs of residents versus urban development to create jobs and manage burgeoning population growth and demand in our city.

Advocacy Actions

Given the above implications Council has to date written to the Minister of Planning drawing his attention to the decision by VCAT, and asked him to direct the Victorian Planning Authority to review the practice notes around non-government schools to ensure that the strategic importance of non-government school sites is appropriately recognised and that the removal of non-government school sites be considered through a Planning Scheme Amendment process rather than planning permit processes, or alternatively prepare a Ministerial Direction in relation to these matters.

Urban Futures has also made a direct submission to the Victorian Planning Authority to the current review of the PSP Planning Guidelines seeking appropriate update of the PSP Guidelines and PSP Practice Notes as outlined above in this report.

It is noted that Council has also submitted a motion to the Municipal Association of Victoria State Council Meeting on 21 May 2021 seeking the support of Victorian Councils as follows:

The MAV calls on the Victorian Government to:

1. Take steps to meet their obligations to ensure that there are sufficient numbers of school places available and accessible to the community in areas where the private sector fails to provide planned numbers of non-government schools, and
2. Ensure that land allocated for non-government schools in Precinct Structure Plans is utilised for the intended purpose of providing schools for communities, and
3. Where a private sector buyer cannot be found to develop land which is designated for a non-government school in a Precinct Structure Plan, the Victorian Government acquire that land and construct a government school to meet local demand for school places.

4. Wyndham 2040 Vision

- People and Community:
Education infrastructure facilitates a wide variety of opportunities, activities and services that respond to the individual and community's social needs.
- Places and Spaces:
Planning is to recognise social needs by providing land for a range of accessible community resources, such as education.
- Earning and Learning:
Wyndham will be known for great schools and universities. There will be lots of ways for people to learn and gain employment. The provision of an adequate and diverse range of schools is an integral base for the earning and learning vision.

5. City Plan

3.2.4 Council will commit to developing a diverse range of quality education opportunities, thereby improving career prospects and, in turn, the emotional health and social wellbeing of residents. We will work to establish partnerships with, and attract, higher education providers; advocate for increased and improved schools' infrastructure from other levels of government; work in partnership to attract private schools into Wyndham; and ensure access to sustainable kindergarten services.

FILE NO: 0

ITEM NO: 6.5.5
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)

Seeking to ensure that land allocated for non-government schools in Precinct Structure Plans is utilised for the intended purpose of providing schools for communities is consistent with this objective.

6. Council Plan and Policies

Wyndham Residential Growth Management Strategy – provides direction for managing growth in Wyndham in a way that aims to overcome barriers to the timely delivery of community infrastructure and to promote more opportunities for local residents and businesses in Wyndham. Incorporates the pursuit of benchmarks for the provision of community infrastructure, including government and non-government schools.

Wyndham Social Infrastructure Planning Framework 2040 (Updated 2012) – contains infrastructure benchmarks adopted for the Planning of Precinct Structure Plans.

Wyndham Advocacy Strategy – Schools 4 Wyndham Campaign - We're asking for the Victorian Government to work with us in making sure our families have access to schools that are planned and built to meet our community's needs.

7. Regional, State and National Plans and Policies

- Victorian Planning Provisions
- Plan Melbourne 2017 – Metropolitan Strategy (20 Minute Neighbourhoods)
- Precinct Structure Planning Guidelines
- PSP Practice Notes and Information Sheets (PSP Notes for Non-government schools & Development of Non-Government Schools for an Alternative Purpose")
- Truganina Precinct Structure Plan

8. Financial Viability

Not Applicable

9. Sustainability Implications

High growth has increased demand for services and infrastructure, though provision has not kept pace with community needs. Development occurring in Wyndham has been heavily skewed towards housing, this has produced a poor quantum and mix of local jobs and services. This means, for example, that families travel longer to reach schools and places of employment in Wyndham compared to the rest of Melbourne. It also means that people living in some neighbourhoods do not enjoy convenient access to basic services like schools.

10. Options

1. Continue to rely on the existing Victorian Planning Provisions for the delivery of schools for the Wyndham community
Or
2. Seek positive changes that strengthen the intended outcomes of the Victorian Planning system and Precinct Structure Planning Guidelines to deliver non-government schools for the Wyndham community.

11. Community Engagement

Not Applicable

FILE NO: 0

ITEM NO: 6.5.5
DIRECTOR CITY DESIGN & LIVEABILITY -
LUDO CAMPBELL-REID**PROTECTING & PRESERVING LAND FOR FUTURE SCHOOLS IN WYNDHAM**
(cont'd)**12. Communication Strategy**

Not Applicable

13. Innovation and Continuous Improvement

This report has identified options and opportunities to strengthen the robustness of the Victorian Planning system to deliver planned schools in the Urban Growth Zone / Precinct Structure Plan Areas of the municipality and metropolitan Melbourne as outlined above.

14. Collaboration

Council is seeking the support of Municipal Association of Victoria Council at the next MAV Council meeting on 21 May 2021. Proposed motion is outlined in this report.

FILE NO:

ITEM NO: 6.5.6
DIRECTOR CITY OPERATIONS -
STEPHEN THORPE**LOCAL LAWS REFORM****Summary**

At the Council Meeting on 27 April 2021, Council resolved to request a report be provided considering the merits of amending the City Amenity Local Law 2015 to include:

- a) a clause requiring residents to maintain their nature strip, with a penalty to be prescribed; and
- b) a clause allowing an Authorised Officer to direct the owner of any vacant land to erect fencing so as to enclose vacant land where it has been established that the land has been subject to rubbish dumping.

This report examines the merits of these Local Law inclusions with consideration of the extent and impact of overgrown nature strips and rubbish dumped on vacant land in Wyndham. The Local Law is scheduled for review in 2022.

Attachments

1. Beautification of Nature Strips Policy

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 City Amenity & Safety - Richard Mangueret

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

Key Issues

- Overgrown nature strips can affect the general amenity of Wyndham's roadsides and neighbourhoods.
- Dumped litter on vacant blocks is a community concern.

RECOMMENDATION

That Council:

1. Update the Beautification of Nature Strips Policy to provide a clear description of the expectations for nature strip maintenance by residents in Wyndham.
2. Include consideration of a clause requiring residents to maintain their nature strips in the City Amenity Local Law Review in 2022.
3. Provide support to owners of vacant land to understand the benefits of fencing their land if it has been the target of persistent littering or rubbish dumping.

FILE NO:

ITEM NO: 6.5.6

DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**LOCAL LAWS REFORM (cont'd)****MOTION**

CR SAHANA RAMESH / JOSH GILLIGAN

That Council:

1. Update the Beautification of Nature Strips Policy to provide a clear description of the expectations for nature strip maintenance by residents in Wyndham.
2. Include consideration of a clause requiring residents to maintain their nature strips in the City Amenity Local Law Review in 2022.
3. Provide support to owners of vacant land to understand the benefits of fencing their land if it has been the target of persistent littering or rubbish dumping.

(CARRIED)

FILE NO:

ITEM NO: 6.5.6

DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**LOCAL LAWS REFORM (cont'd)****1. Background**

In response to a Notice of Motion, a resolution was passed at the Council Meeting on 27 April 2021 requesting that a report be provided considering the merit of amending the City Amenity Local Law 2015 to include:

- a) clause requiring residents to maintain their nature strip to a standard to be set by Council, with a penalty to be prescribed; and
- b) a clause allowing an Authorised Officer to direct the owner of any vacant land to erect fencing so as to enclose vacant land where it has been established that the land has persistently been subject to rubbish dumping.

2. Relevant Law

The *Local Government Act 2020* gives Council powers to make Local Laws for or with respect to any act, matter or thing in respect of which the Council has a function or power under this Act or any other Act. A Local Law must be consistent with the local law requirements; that includes such things as being consistent with any Act, not duplicate or be inconsistent with a planning scheme, and being clear and unambiguous.

3. Discussion

The two areas of concern are maintenance of the nature strip, essentially by cutting the grass, and fencing vacant land where there is repeated rubbish dumping or littering. It is relevant to consider the extent of the problem, approaches taken by other councils, and the ability to enforce a local law amendment.

a. Nature Strip Maintenance

Currently, there are no Local Laws requiring residents to maintain nature strips. Council's website states: "*While nature strips are the responsibility of Wyndham City, residents are expected to maintain their nature strip by regular mowing and picking up any litter.*" There is no expectation that residents will maintain nature strip trees or backfill utility trenches or other works.

Council has adopted a Beautification of Nature Strips Policy (2008). The Policy relates to permitted landscaping and plantings on nature strips, but also notes that the usual practice is for residents to maintain nature strips. One of the allowable materials for nature strips within the Policy is turf grass, maintained to a maximum height of 300mm.

To support the Policy, Council employs a Nature Strip Technical Officer, who helps residents in carrying out their responsibilities for nature strips. They respond to requests from the public about overgrown or hazardous nature strips. This includes contacting residents and requesting that they undertake works on the nature strip to ensure it does not present a hazard to safety or reduce neighborhood amenity. In extreme cases where the nature strip is presenting a safety hazard or obstructing the view of traffic, Council may undertake works to cut grass on the nature strip to make the street safe.

Legal advice has been sought regarding amending the Local Law and Council is able to make a Local Law requiring that residents maintain nature strips. No case law or precedent has been found which could give an indication as to how enforcement of such laws would be viewed by the Magistrates Court.

FILE NO:

ITEM NO: 6.5.6

DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**LOCAL LAWS REFORM (cont'd)**Extent of the problem

There are 96,115 occupied private dwellings in Wyndham and most Wyndham residents cut the grass on the nature strip outside their home voluntarily. When residents do not maintain the nature strip, it may be because they have valid reasons, such as illness, physical limitations, disability, or lack of proper equipment (i.e. they don't own a lawn mower).

In 2020, the Nature Strip Technical Officer responded to 2695 requests from residents relating to overgrown, obstructed, damaged, or hazardous nature strips. Of those requests, 2051 were specifically about overgrown grass at 1594 individual properties (313 properties had multiple requests for the same address). There is no data available on the resolution rate. The Nature Strip Technical Officer says most residents mowed their nature strip when requested.

Benchmarking

At present, two Victorian Councils have Local Laws requiring residents to maintain nature strips. Advice provided from these municipalities is that they regularly enforce these respective clauses in their Local Laws, and residents largely comply.

When considering the enactment of a Local Law, it is important to consider both the benefits and challenges that the law could impose.

Benefits	Challenges
Improved amenity and visual appearance of a location on the rare occasion that residents do not voluntarily comply.	Negative community perception or feedback because Council is forcing compliance
Costs incurred by Council mowing nature strips could be offset by infringement revenue.	Perception of nature strip 'ownership' and control with increased illegal use (i.e. parking on nature strips).

In the review of a Local Law a Community Impact Statement is required, which enables the community to provide feedback on the impact of the policy.

It is worth noting that Wyndham's current Beautification of Nature Strips policy has 300mm as the maximum height, and the two other Victorian Councils that have a Local Law both use 30cm as the maximum height for vegetation.

In addition to clarification of expectations for resident maintenance of the nature strip, the Beautification of Nature Strips Policy should be updated to include guidelines on what exceptions or assistance can be offered to those who have a genuine reason for not being able to maintain the nature strip.

Merits

In 2020, 1,594 of the 96,115 properties in Wyndham had overgrown nature strips reported. The majority of residents mowed the nature strip on request. The ability to require the nature strip to be maintained or receive a fine is unnecessary in most cases but might be useful for the small number of properties where the request to cut the grass is ignored.

b. Fencing of Vacant LandExtent of the problem

Vacant land can be a target for the dumping of domestic waste or building materials. In 2020, there was an average of 9350 vacant blocks in Wyndham throughout the year. During that time,

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DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**LOCAL LAWS REFORM (cont'd)**

2504 customer requests were received about unsightly vacant land, of which 847 requests related to 633 individual properties where complainants mentioned 'litter', 'rubbish' or 'dumped'. Of the properties that had multiple requests, 121 had more than two complaints over the course of a year, and 39 properties had 3 or more complaints about them in one year.

If rubbish is dumped on private property, the owner is responsible for the removal of the litter under the unsightly property clauses of the City Amenity Local Law. Council will assist the landowner in prosecution if the identity of the dumper is not able to be established. All issues relating to overgrown grass or litter on vacant property are managed by the Municipal Fire Prevention Officer.

There are no clauses in the current City Amenity Local Law requiring vacant blocks to be fenced at the direction of Council. When advice is sought by property owners who have been the victims of littering, they are encouraged to fence their land to discourage litterers, which in turn prevents the owner from incurring repeated litter removal costs. It is often more cost effective to fence the land than to continuously remove dumped rubbish.

If Council were to require fencing of vacant land, consideration would need to be given to the type of fencing required. Temporary fencing of the kind that is used at building sites is effective, however it can be expensive. Any Local Law enacted would need to allow Council to specify the height and materials that would be acceptable for an effective fence.

Legal advice has been sought regarding amending the Local Law and Council is able to make a Local Law requiring that landowners fence vacant land.

Benchmarking

Five Victorian Councils have a fencing requirement in their Local Law. Three Councils responded to our requests for information: Brimbank City Council, Hobsons Bay Council and Kingston Council. All Councils stated that the Local Law was seldom used. Brimbank City Council stated that they found most land owners voluntarily fenced their land if they were the target of persistent dumping. Kingston and Hobsons Bay Councils stated that their laws were not used in relation to litter and are only likely to be used if the property was a danger to the public.

When considering the enactment of a Local Law, it is important to consider both the benefits and challenges that the law could impose.

Benefits	Challenges
Fencing may deter people from dumping litter on vacant blocks.	Litterers will likely still dump the rubbish on another unfenced block or in a park or on a roadside.
	Property owners who live interstate or overseas may have difficulty complying.
	May be difficult to manage for rubbish dumping on property boundaries.

Council is not responsible for litter dumped on private land and if any costs are incurred in cleaning up private land, they are charged to the property owner.

The behavior of litterers suggests that once they have loaded the rubbish into their vehicle, it is likely that when encountering a vacant block with fencing, they would simply move on to dump the litter at an unfenced property, park or roadside.

Increased education and engagement with vacant landowners to advise them of the benefits of fencing their land, and/or offering incentives for vacant landowners that voluntarily fence their land may be effective. Council will continue to focus on reducing littering throughout the

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DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**LOCAL LAWS REFORM (cont'd)**

community through education and enforcement, with an updated Environment Protection Authority (EPA) Act coming into effect on 1st July 2021 which has substantially increased the penalties for littering.

Merits

In 2020, 39 of the 9,350 vacant blocks in Wyndham received a complaint about rubbish dumping more than twice. This is indicative of persistent rubbish dumping at those locations, which would be the subject of any Local Law amendment. It is not many properties, although some attract community attention.

If there is a risk of continued rubbish dumping (i.e. more than 3 times) it is most likely going to be cheaper for the landowner to fence the block than to continue removing the rubbish. Based on the experience of other councils, more effort to help owners of vacant land understand the cost/benefit of fencing is likely to be as effective as a change to the Local Law.

The work that is underway to review and improve booked green and hard waste collection services and provide better access to tip vouchers will reduce the likelihood that residents will dump their rubbish. Fencing of vacant land is more likely to move the problem than to prevent it.

4. Wyndham 2040 Vision

- Places and Spaces:

Reducing litter and overgrown nature strips throughout the municipality will increase the appeal of places and spaces within Wyndham.

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.

Encouraging or requiring maintenance of nature strips and reducing the amount of litter dumped on vacant land will create a more appealing streetscape.

6. Council Plan and Policies

Council has adopted a Beautification of Nature Strips policy. The Policy predominately relates to permitted landscaping and plantings on nature strips, but also notes that the usual practice is for residents to maintain nature strips.

7. Regional, State and national plans and Policies

Any proposed amendment to the Local Law must be made in accordance with Section 73 of the *Local Government Act 2020*.

8. Financial Viability

In 2019/20, Council spent approximately \$30,000 on maintaining, repairing and reinstating nature strips. If a penalty is imposed for residents failing to maintain nature strips, in line with other offences in the Local Law it would likely be two penalty units, or \$330 at current penalty unit rates. Where an owner fails to remove dumped rubbish from a vacant block, Council may engage a contractor to carry out the works and charge the costs to the property owner. These fees are recovered through a debt recovery process if necessary.

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DIRECTOR CITY OPERATIONS - STEPHEN
THORPE**LOCAL LAWS REFORM (cont'd)****9. Sustainability Implications**

Not Applicable.

10. Options

1. Amend the Local Law to include make it an offence for the resident not to cut the grass on the nature strip outside a property and for landowners not to fence land when directed to do so as a result of persistent rubbish dumping or littering. It would be recommended that this be done in 2022 as part of the Local Law review.
2. Continue with current processes to encourage residents to cut the grass on nature strips and increase communication with owners of vacant land to consider fencing to prevent persistent rubbish dumping or littering.

11. Community Engagement

In Council's 'Wyndham in Focus' 2020 Annual Community Satisfaction Survey, 12 responses specifically mentioned the lack of nature strip maintenance as an issue.

Data from Council's Customer request Management System has been used to understand the number of service requests or complaints lodged by the community in 2020.

12. Communication Strategy

Any amendment to the Local Law is required to go through Council's community engagement process. If the Local Law is amended, a Communication Plan will be created to educate all affected residents, property owners and stakeholders about the new requirements. This would give all residents and landowners the opportunity to comment on any proposed changes.

13. Innovation and Continuous Improvement

Not Applicable.

14. Collaboration

Consultation occurred within Council with relevant officer, and benchmarking was carried out with Councils that have Local Laws with provisions like those proposed in the Notice of Motion.



Beautification of Nature Strips Policy

Adopted by Wyndham City
April 2008

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1. INTRODUCTION

Recognising the impacts of climate change and drought on traditional approaches to gardening and landscaping, this Policy allows residents to have an alternative approach to nature strips. The Policy has been developed to provide clear direction to residents about what they can do on the nature strips abutting their properties. Where a modification to the nature strip complies with the requirements of this Policy and any additional Guidelines that are prescribed in this Policy, a person will not be required to apply for a permit under Wyndham City's Community Amenity Local Law (2015). If the proposed modification does not comply with this Policy, a permit is required.

The objective of the Policy is to ensure that if nature strips are modified, they are landscaped and maintained appropriately. At the same time, Wyndham City needs to minimise the risk to the community that could arise from the activity and provide for the unobstructed and safe flow of pedestrian traffic, access for postal deliveries, the safety of vehicles using the road, kerbside parking of vehicles and safe and practical conditions for emptying rubbish and recycling bins.

2. SCOPE OF THIS POLICY

This Policy must be read in conjunction with the requirements applying to a particular use or activity in Wyndham City's Community Amenity Local Law (2015). If the Local Law specifically applies the requirements of this Policy or any Guidelines referred to in this Policy, a failure to comply with those requirements may be an offence and may incur a penalty under the Local Law.

This Policy does not apply to nature strips which incorporate the principles of water sensitive urban design such as swales or rain gardens which are required to be maintained in accordance with the design intent. No additional planting or works may be undertaken in these areas.

The following Guidelines are to be used in conjunction with this Policy:

- Establishment of Grassed Nature Strips
- Establishment of Granitic Sand Nature Strips
- List of Species suitable for Use in Landscaping Nature Strips

3. DEFINITION OF A NATURE STRIP

A nature strip is an area of public land between the property boundary and the back of kerb, excluding any public pavement. In most cases a nature strip is grassed, but in the circumstances provided for in this Policy, it can be modified by an alternative landscape treatment.

4. PURPOSE AND BENEFITS OF A NATURE STRIP

This Policy acknowledges that well maintained nature strips add to the appearance and presentation of the City and its streetscapes. They can bring economic benefits to businesses and property owners. Wyndham City encourages property owners to recognise the value of nature strips and to take pride in maintaining them.

Nature strips are an integral part of Wyndham's urban environment because they:

- accommodate power poles, light poles and a range of underground services such as water and gas supply pipes, storm water, sewage, telephone and, sometimes, electrical cables;
- allow for pedestrian access along the street where there is no footpath;
- provide a flat space for the kerbside collection and emptying of rubbish and recycling bins;
- allow vehicles to park safely at the kerbside and for door opening space between the road and footpath;
- provide for pedestrian, pram, pusher and wheelchair traffic between the road and footpath;
- can act as additional footpath space when two or more people walk together;
- allow for visibility of and for motorists, cyclists and pedestrians at intersections, curves in the road and near driveways;
- provide space for street tree planting;
- can absorb rainwater and reduce storm water run off; and
- can visually soften the effect of hard streetscape elements such as roads, footpaths, driveways, fences and buildings.

The Policy is also intended to achieve a balance between the benefits that well maintained nature strips provide to Wyndham's urban environment while recognising that any risks that could arise as a result of landscaping are managed to minimise loss and damage.

5. MAINTENANCE OF NATURE STRIPS

Generally Wyndham City does not carry out maintenance of nature strips, except for street trees which are cared for and maintained by Wyndham City.

The usual practice is for residents of abutting properties to maintain nature strips by regular mowing, edging turf, weeding and picking up litter.

6. REQUIREMENTS APPLYING WHEN LANDSCAPING NATURE STRIPS

6.1 Is a permit required?

Modifying nature strips by appropriate landscaping is permitted, provided the modifications comply with this Policy. If any proposed landscaping treatment does not comply with this Policy and any accompanying Guidelines, a permit is required under the Local Law.

An application for a permit should be made to Wyndham City's Urban Spaces & Civil Works Unit (Phone: 9742 0777).

6.2 Grassed Nature Strips

Traditionally most nature strips have been turfed or grassed. Guidelines on how to establish a grassed nature strip and information on suitable grass varieties are available on request (see contact details in Section 12).

6.3 Planting Nature Strips

Residents can plant nature strips abutting their property with a range of ground cover plants and low growing shrubs. A preferred species list is available on request (see contact details in Section 12).

Plants other than those identified in the preferred species list may be planted, but Wyndham City will not permit the use of plants that are:

- woody, prickly or spiky plants; or
- shrubs which grow to more than 500mm in height and/or obscure a driver's line of sight; or

- species considered to be environmental weeds within Wyndham.

6.4 Conditions applying to planting

- Ground covers and grasses may be planted on the nature strip on the following conditions:
- adequate space from the back of kerb is kept clear of plantings to allow for people to enter and exit their vehicles and properties safely;
- plantings on corner blocks are limited to ground cover plants to ensure a good line of sight for motorists and pedestrians;
- adequate space is left for placing rubbish and recycling bins for collection; and
- 1.2 metres from the property line is kept clear to allow for pedestrian access, mail, paper and other deliveries.

6.5 Street Trees

If a resident requires a street tree in the nature strip, a request can be made to Wyndham City's Tree Planting Unit (Phone: 8734 2702). The planting of street trees is subject to the requirements of Wyndham City's Street Tree Strategy.

6.6 Mulching

Fine gravel mulches to a depth of 75mm such as compacted washed granitic sand, lilydale toppings, or tuscan toppings may be used instead of planting.

Pine bark 6mm to 15mm in size, or pine wood or hardwood chips 12mm to 25mm in size, to a depth of 75mm and natural in colour may also be used instead of planting, except where a nature strip is also used as a bus stop.

Where a fine gravel or wood chip mulch is used on the nature strip:

- it is not allowed onto the footpath, driveways or in the kerb and channel;
- the level of the mulch must not extend above the level of the footpath or kerb; and
- the mulch on the nature strip must be maintained in a reasonably level and weed free condition.

6.7 Paving

Other than the footpath, hard paving such as concrete or asphalt is not permitted without a permit from the Wyndham City, as it inhibits access to underground services. It also increases storm water runoff and reduces the recharge of ground moisture which occurs with a permeable surface such as grass or fine gravel mulches.

Stepping stones are permitted, but must have a non-slip surface. Materials that could create a tripping hazard are not permitted. All paving levels must be flush with the finished level of adjoining surfaces at the time of construction or installation, and maintained at that level at all times.

6.8 Fire Hydrant Visibility

Any modifications to the nature strip must not cover, obscure or hide any fire hydrant or their marker posts.

6.9 Excavation & Cultivation

As far as possible, all excavation and cultivation should be by hand as mechanical excavation (bobcat/dingo) or cultivator (rotary hoe) may cause damage to underground infrastructure and services. Care needs to be taken when excavating or cultivating near street trees to ensure no damage is caused to the root system.

Prior to carrying out any excavation or cultivation on the nature strip, the resident or their contractor

should contact 'Dial Before You Dig' (Telephone 1100) to establish the location of underground services. Damage caused to underground services may result in severe fines and repair costs, but can also result in serious injury or death.

The resident or their contractor is responsible for repairing any damage to Wyndham City assets caused by any landscape works.

Any excavation works on the nature strip that do not comply with this Policy, or that interferes with the road or with a vehicle crossing requires a permit under the Local Law.

6.10 Parking on nature strips

Parking is not permitted on nature strips irrespective of the surface used. Where residents wish to construct a parking bay on the nature strip, an application must be made to Wyndham City for a permit.

7. ITEMS NOT PERMITTED ON THE NATURE STRIP

In addition to any item which an Authorised Officer of the Wyndham City considers may constitute a risk, items that must not be installed or which are not permitted as part of landscaping the nature strip include:

- shredded plant products such as wood chips and bark, other than that specified in Section 6.6 of this policy, or pea straw or similar;
- rocks or pebbles greater than 7mm diameter;
- bluestone pitchers, railway sleepers or retaining walls;
- scoria;
- artificial turf;
- irrigation systems;
- letterboxes, which must be on private property;
- temporary or permanent electrical wiring, including tree lights; and
- metal stakes or star pickets.

8. SAFETY MEASURES

During landscaping works, the resident or their contractor is responsible for erecting high visibility safety fencing, signage and other public protection to ensure site safety. This fencing, signage or public protection must not interfere with the footpath or be a hazard in itself. Wooden stakes must be used for safety fencing. Metal star pickets must not be used on nature strips because of the potential risks of electrocution if any power cable is inadvertently damaged.

When the modification is completed, the landscaping on the nature strip must be maintained in a safe condition at all times.

9. UTILITIES AND MAINTENANCE WORK

Wyndham City and utility companies that supply water, gas, electricity and telecommunications may from time to time require access to the nature strip to do maintenance work. The utility companies are required to reinstate the nature strip following maintenance work, but are not required to reinstate residential nature strips that have been modified and landscaped other than in grass.

Wyndham City cannot guarantee that utility companies or maintenance contractors will reinstate or replace plants, mulch, or any other modifications made to the nature strip, to the condition existing prior to maintenance work.

Wyndham City will not be responsible for replacing plants or landscaping as a result of such works.

10. FAILURE TO MAINTAIN NATURE STRIPS

10.1 How nature strips are maintained

Nature strips modified in accordance with this Policy must be kept in a well maintained and safe condition by the resident at all times by:

- ensuring that plants are pruned so that they do not protrude onto pathways, driveways or over the kerb;
- keeping plants other than street trees pruned to a height of no more than 500mm at all times; and
- keeping the nature strip free of weeds and rubbish, any tripping hazards and any protruding objects.

10.2 Failure to maintain a nature strip

Where a resident fails to maintain a nature strip modified in accordance with this policy and:

- the condition of the nature strip is a traffic or pedestrian hazard; or
- it does not provide appropriate pedestrian access; or
- it is a safety or fire hazard; or
- it interferes with the visibility of motorists, cyclists and pedestrians at intersections, curves in the road and near driveways; or
- impacts unfavourably and significantly on the local amenity, an Authorised Officer may enforce the requirements of this Policy under the Local Law.

10.3 Maintenance and reinstatement

If the resident fails to comply with the requirements of a Notice to Comply, the Wyndham City will arrange for maintenance or reinstatement of the nature strip. The cost of maintenance or reinstatement will be charged to the resident.

11. ENFORCEMENT

11.1 Notice to Comply

If a nature strip has been landscaped in contravention of the Local Law or this Policy, the resident will be issued with a Notice to Comply to reinstate the nature strip. A Notice to Comply may require that the specific problem be fixed by a date which is usually 14 days from the date on the notice.

11.2 Failure to Comply

Failure to comply with the Notice to Comply may result in the resident being subject to Court proceedings.

11.3 Removal

If an Authorised Officer considers that the state of the nature strip creates an imminent risk to users of the nature strip, that it limits or prevents access and appropriate use of the nature strip or that the vision of motorists and cyclists is affected, an Authorised Officer may take immediate action to remove the landscaping and reinstate the nature strip to a safe condition.

11.4 Reinstatement

If the Wyndham City has to reinstate the nature strip, the cost of the reinstatement will be charged to the resident who did the landscaping.

12. ENQUIRIES AND ADDITIONAL INFORMATION

For further information regarding this policy contact Wyndham City's Urban Spaces & Civil Works Unit on 9742 0777.

For information on landscaping treatments or to obtain copies of:

- The guidelines for establishment of grassed nature strips; or
- The guidelines for establishment of granitic sand nature strips; or
- The list of species suitable for use in landscaping nature strips;

Contact Wyndham City's Urban Spaces & Civil Works Unit on 9742 0777. These guidelines are also available on the Wyndham City's Web Site at www.wyndham.vic.gov.au.

Unconfirmed

FILE NO:

ITEM NO: 7.1
COUNCILLOR JASMINE HILL**NOTICE OF MOTION 607 - IMPROVING LIBRARY SERVICES IN WYNDHAM**

TAKE NOTICE that at the Council Meeting to be held on 25 May 2021, it is my intention to move the following motion:

That Council Receive a report on library service and infrastructure planning by the Council Meeting in November 2021, including:

- a. an analysis on the accessibility (i.e. commuting distance and duration) of libraries for all dwellings in Wyndham,
- b. the population serviced by each library as defined by the most accessible library for each dwelling
- c. the capacity of each library as defined by the number of dwellings it is designed to service (limited by foot traffic, or other KPI),
- d. benchmarking of service accessibility and utilisation (capacity versus serviced) against the Victorian average, and
- e. options available to the council to improve areas of Wyndham that fall below the benchmark

RATIONALE

Libraries in Wyndham are a highly valued community service. Libraries not only provide access to a diverse range of literature that can uplift our culture, arts and education. Modern libraries now also provide an intellectual meeting place, the ideal environment for study, and access to experts on a wide range of learning topics. Our libraries are one of the key assets that provide the council with positive influence on the culture of our community and the future health and wealth of our people.

There are currently five libraries situated across the municipality and a further four are planned to meet the future needs of our growing suburbs. The four additional libraries have been located in the Precinct Structure Plans, allowing for an analysis of the future end-state availability and efficiency of this key service.

The last report on library facilities was conducted in 2018. Over the last 3 years, significant deviations from forecasts have occurred that warrant a comprehensive refresh of the plan.

Community feedback that has been received indicates that the history of library construction and localised densities of population growth across Wyndham has left an imbalance of service coverage across the city. The requested report will provide the factual information that will validate or disprove this concern and enable Council to make informed decisions on possible improvements to the library facilities across the city.

**CR JASMINE HILL**

Date: 25 May 2021

FILE NO:

ITEM NO: 7.1
COUNCILLOR JASMINE HILL**NOTICE OF MOTION 607 - IMPROVING LIBRARY SERVICES IN WYNDHAM**
(cont'd)**OFFICER COMMENTS****Legal Implications**

Neutral.

Financial Implications

There may be financial implications associated with the review and preparation of service and infrastructure requirements. These would be considered as part of subsequent budget processes.

Policy Implications

The Library Services Strategy 2018-2040 highlighted the need for additional service planning work to be undertaken to develop innovative approaches to improve community access to library services across Wyndham. In line with this strategy, this work is underway to understand future service models for library services in Wyndham, including consideration of infrastructure responses to meet current and future community need.

Resource Implications

The report can be developed within current resources.

MOTION

That Council receive a report on library service and infrastructure planning by the Council Meeting in November 2021, including:

- a. an analysis on the accessibility (i.e. commuting distance and duration) of libraries for all dwellings in Wyndham,
- b. the population serviced by each library as defined by the most accessible library for each dwelling
- c. the capacity of each library as defined by the number of dwellings it is designed to service (limited by foot traffic, or other KPI),
- d. benchmarking of service accessibility and utilisation (capacity versus serviced) against the Victorian average, and
- e. options available to the council to improve areas of Wyndham that fall below the benchmark.

FILE NO:

ITEM NO: 7.1
COUNCILLOR JASMINE HILL**NOTICE OF MOTION 607 - IMPROVING LIBRARY SERVICES IN WYNDHAM
(cont'd)****MOTION**

CR JASMINE HILL / PETER MAYNARD

That Council receive a report on library service and infrastructure planning by the Council Meeting in November 2021, including:

- a. an analysis on the accessibility (i.e. commuting distance and duration) of libraries for all dwellings in Wyndham,
- b. the population serviced by each library as defined by the most accessible library for each dwelling
- c. the capacity of each library as defined by the number of dwellings it is designed to service (limited by foot traffic, or other KPI),
- d. benchmarking of service accessibility and utilisation (capacity versus serviced) against the Victorian average, and
- e. options available to the council to improve areas of Wyndham that fall below the benchmark.

AMENDMENT

CRS JOSH GILLIGAN / MIA SHAW

That:

1. Council receive a report on library service and infrastructure planning by the Council Meeting in November 2021, including:
 - a. an analysis on the accessibility (i.e. commuting distance and duration) of libraries for all dwellings in Wyndham,
 - b. the population serviced by each library as defined by the most accessible library for each dwelling
 - c. the capacity of each library as defined by the number of dwellings it is designed to service (limited by foot traffic, or other KPI),
 - d. benchmarking of service accessibility and utilisation (capacity versus serviced) against the Victorian average, and
 - e. options available to the council to improve areas of Wyndham that fall below the benchmark.
2. Council reaffirms its commitment to delivering the Williams Landing Library and Community Centre;
3. Council recognises that all libraries in accordance with the existing Library Service Strategy 2018-2040 must first be delivered before any new proposed sites arising from this newly proposed report;
4. Council notes that budgetary pressures make any new proposed libraries outside of those

FILE NO:

ITEM NO: 7.1

COUNCILLOR JASMINE HILL

NOTICE OF MOTION 607 - IMPROVING LIBRARY SERVICES IN WYNDHAM
(cont'd)

currently proposed in the Library Strategy 2018-2040 are unlikely to be delivered in the foreseeable future; and

5. Council will not consider acquisition of land for any sites within the scope of this report

(LOST)

COUNCILLOR PETER MAYNARD 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 Gilligan
Councillor Marcus
Councillor Shaw

AGAINST

Councillor Barrera
Councillor Hegedich
Councillor Hill
Councillor Mahfoud
Councillor Maynard
Councillor McIntyre
Councillor Ramesh
Councillor Szatkowski

Total (3)**Total (8)****MOTION**

CR JASMINE HILL / PETER MAYNARD

That Council receive a report on library service and infrastructure planning by the Council Meeting in November 2021, including:

- a. an analysis on the accessibility (i.e. commuting distance and duration) of libraries for all dwellings in Wyndham,
- b. the population serviced by each library as defined by the most accessible library for each dwelling
- c. the capacity of each library as defined by the number of dwellings it is designed to service (limited by foot traffic, or other KPI),
- d. benchmarking of service accessibility and utilisation (capacity versus serviced) against the Victorian average, and
- e. options available to the council to improve areas of Wyndham that fall below the benchmark.

PROCEDURAL MOTION

CRS JOSH GILLIGAN / MIA SHAW

That the motion be put to a vote.

FILE NO:

ITEM NO: 7.1
COUNCILLOR JASMINE HILL**NOTICE OF MOTION 607 - IMPROVING LIBRARY SERVICES IN WYNDHAM**
(cont'd)**MOTION**

CR JASMINE HILL / PETER MAYNARD

That Council receive a report on library service and infrastructure planning by the Council Meeting in November 2021, including:

- a. an analysis on the accessibility (i.e. commuting distance and duration) of libraries for all dwellings in Wyndham,
- b. the population serviced by each library as defined by the most accessible library for each dwelling
- c. the capacity of each library as defined by the number of dwellings it is designed to service (limited by foot traffic, or other KPI),
- d. benchmarking of service accessibility and utilisation (capacity versus serviced) against the Victorian average, and
- e. options available to the council to improve areas of Wyndham that fall below the benchmark.

(CARRIED)

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 Barrera
Councillor Hill
Councillor Mahfoud
Councillor Maynard
Councillor McIntyre
Councillor Ramesh
Councillor Szatkowski

Total (7)**AGAINST**

Councillor Gilligan
Councillor Hegedich
Councillor Marcus
Councillor Shaw

Total (4)

FILE NO:

ITEM NO: 7.2
COUNCILLOR MIA SHAW**NOTICE OF MOTION 608 - STATE MANAGED ROADS**

TAKE NOTICE that at the Council Meeting to be held on 25 May 2021, it is my intention to move the following motion:

That Council:

1. Write to the Department of Transport (DoT) seeking an audit of Wyndham's State Arterial Roads to assess the performance and condition of those roads against the relevant DoT standards, specifications, contracts and Road Management Plan requirements.
2. Investigate methods, with DoT, to ensure the community can more easily identify the responsible maintaining agent for roads.
3. Write to the Minister for Roads outlining the community's frustration with the current state of maintenance of state road assets and the need for the network to keep pace with the growing and changing needs of Wyndham.

RATIONALE

In March 2019 my Notice of Motion (NoM) was endorsed which dealt with the growing and unsustainable traffic and transport issue in our City Centre. I spoke about Synnot Street, Duncans Road and the Riverside Industrial Precinct amongst many other issues. The Notice of Motion in 2019 was about addressing these concerns and putting in place an action plan for what we as a Council can do and what we need to advocate for.

Council has done a lot of work in this space and one of the key actions from my NoM for Werribee was the development of local area traffic management studies. I'm pleased to advise these are underway for both the Wattle Avenue and Riverside Precincts. More details on this will be coming soon.

Which brings me to advocacy and this NoM. In December 2017 the State Government entered into a Public Private Partnership (PPP) that included the maintenance of all state arterial roads in Wyndham for a 20-year period.

In addition to the delivery of some important upgrade projects the PPP proposed "enhanced maintenance outcomes". The PPP arrangements (managed on behalf of the state by DoT/VicRoads) envisaged an initial transition period and phased adoption of the maintenance responsibilities by the Contractor due to the initial high level of focus on delivering the capital upgrades. Now the PPP transition and initial stage is nearing the end as the capital upgrades are almost complete, meaning that the contractor is moving towards having full responsibility.

It is therefore timely to review and benchmark the current state of the network and the process for identifying the pipeline of priorities for ongoing upgrades to ensure the roads, roadsides and road related infrastructure (e.g. noise walls, roadside shoulders and intersections) match the community requirements and expectations and respond to the unprecedented growth that has occurred in Wyndham.

**CR MIA SHAW**

Date: 25 May 2021

FILE NO:

ITEM NO: 7.2
COUNCILLOR MIA SHAW**NOTICE OF MOTION 608 - STATE MANAGED ROADS****OFFICER COMMENTS (delete those not applicable)****Legal Implications**

The Road Management Act 2004 (together with the associated Road Management Plans & Code of Practice) provide a framework for the clear allocation of road asset ownership, maintenance and management.

The Department of Transport (DOT) is the responsible road authority for state arterial roads in Wyndham. As such Council needs the Department's support for any changes in road operations and/or management issues including maintenance.

Financial Implications

The state has a 20-year commercial contract in place for the maintenance of arterial roads in Wyndham. As such DOT's ability to meet any requests for change from Council will be coloured by the commercial conditions of the PPP contract.

In line with the Code of Practice certain upgrades would transfer maintenance responsibilities to Council together with any associated costs. For example, if new kerb lines are introduced Council takes on the back of kerb maintenance issues.

Policy Implications

A review of State Arterial roads in Wyndham would also require a review of Council's own main roads. The audit may see a change in responsibilities (either to or from Council) for roads and road related issues. This would need careful communication and engagement with the community.

Resource Allocation Implications

Officer time may be required to provide responses or information to any road management review.

MOTION

That Council:

1. Write to the Department of Transport (DoT) seeking an audit of Wyndham's State Arterial Roads to assess the performance and condition of those roads against the relevant DoT standards, specifications, contracts and Road Management Plan requirements.
2. Investigate methods, with DoT, to ensure the community can more easily identify the responsible maintaining agent for roads.
3. Write to the Minister for Roads outlining the community's frustration with the current state of maintenance of state road assets and the need for the network to keep pace with the growing and changing needs of Wyndham.

FILE NO:**ITEM NO: 7.2
COUNCILLOR MIA SHAW****NOTICE OF MOTION 608 - STATE MANAGED ROADS**

Cr Robert Szatkowski left the Chamber at 9.39pm.

Cr Robert Szatkowski returned to the Chamber at 9.42pm.

Cr Peter Maynard left the Chamber at 9.42pm.

Cr Peter Maynard returned to the Chamber at 9.45pm.

MOTION

CRS MIA SHAW / HEATHER MARCUS

That Council:

1. Write to the Department of Transport (DoT) seeking an audit of Wyndham's State Arterial Roads to assess the performance and condition of those roads against the relevant DoT standards, specifications, contracts and Road Management Plan requirements.
2. Investigate methods, with DoT, to ensure the community can more easily identify the responsible maintaining agent for roads.
3. Write to the Minister for Roads outlining the community's frustration with the current state of maintenance of state road assets and the need for the network to keep pace with the growing and changing needs of Wyndham.

(CARRIED)

10. URGENT BUSINESS

NIL

11. CONFIDENTIAL BUSINESS

Cr Josh Gilligan left the Chamber at 9.48pm and did not return to the meeting.

Cr Mia Shaw left the Chamber at 9.48pm and did not return to the meeting.

MOTION

CRS PETER MAYNARD / ROBERT SZATKOWSKI

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.

(CARRIED)

The meeting was closed to the public at 9.48pm.

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 9.50pm.

12. CLOSE OF MEETING

The meeting was declared closed at 9.51pm.