



City of Whitehorse

AGENDA

Council Meeting

To be held in the Council Chamber
Nunawading Civic Centre

Our Council meetings remain open to the public via Live Stream only.
Please do not attend in person. Meetings can be viewed via Council's live
stream platform <https://webcast.whitehorse.vic.gov.au/video.php>

on

Thursday 25 November 2021

at 7:00pm

Members: (Mayor) Cr Liu, Cr Barker, Cr Carr, Cr Cutts, Cr Davenport, Cr Lane,
Cr McNeill, (Deputy Mayor) Cr Massoud, Cr Munroe, Cr Skilbeck,
Cr Stennett

Mr Simon McMillan
Chief Executive Officer

Recording of Meeting and Disclaimer

Please note every Council Meeting (other than items deemed confidential under section 3 (1) of the Local Government Act 2020) is being recorded and streamed live on Whitehorse City Council's website in accordance with Council's Live Streaming and Recording of Meetings Policy. A copy of the policy can also be viewed on Council's website.

The recording will be archived and made publicly available on Council's website within 48 hours after the meeting on www.whitehorse.vic.gov.au for a period of three years (or as otherwise agreed to by Council).

Live streaming allows everyone to watch and listen to the meeting in real time, giving you greater access to Council debate and decision making and encouraging openness and transparency.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is understood your consent is given if your image is inadvertently broadcast.

Opinions expressed or statements made by individual persons during a meeting are not the opinions or statements of Whitehorse City Council. Council therefore accepts no liability for any defamatory remarks that are made during a meeting.

TABLE OF CONTENTS

1	WELCOME AND APOLOGIES.....	2
2	DISCLOSURE OF CONFLICT OF INTERESTS	2
3	COUNCIL REPORTS.....	2
3.1	INFRASTRUCTURE.....	2
3.1.1	ENDORSEMENT OF FLOOD MANAGEMENT STRATEGY PORT PHILLIP AND WESTERNPORT 2021-2031 AND ACTION PLAN 2021-2026	2
3.1.2	OPENING PUBLIC TOILETS WALKER PARK	6
4	CONFIDENTIAL REPORTS.....	10
4.1.	CONTRACTUAL MATTER	10
5	CLOSE MEETING	10

AGENDA

- 1 WELCOME AND APOLOGIES
- 2 DISCLOSURE OF CONFLICT OF INTERESTS
- 3 COUNCIL REPORTS
- 3.1 INFRASTRUCTURE
- 3.1.1 **Endorsement of Flood Management Strategy Port Phillip and Westernport 2021-2031 and Action Plan 2021-2026**

ATTACHMENT

SUMMARY

This report recommends that Council authorises the Chief Executive Officer to endorse the Flood Management Strategy Port Phillip and Westernport 2021-2031 as shown in Attachment 1 and Action Plan 2021-2026 as shown in Attachment 2 that have been prepared by Melbourne Water.

Preparation of the Strategy and Action Plan has been led by Melbourne Water. All 50 partner organisations who have flood management responsibilities in the Port Phillip and Westernport catchment, including State government, councils, water authorities and emergency services have been invited to endorse the Strategy and Action Plan. Whitehorse City Council staff have participated in the consultation sessions held to inform the preparation of the documents.

Endorsing the Strategy and Action Plan is an opportunity for organisations and agencies to continue to work together to make the region safer for our community.

RECOMMENDATION

That Council authorise the Chief Executive Officer to endorse the Flood Management Strategy Port Phillip and Westernport 2021-2031 as shown in Attachment 1 and Action Plan 2021-2026 as shown in Attachment 2.

BACKGROUND

The average annual damage (AAD) costs of flooding in the Port Phillip and Westernport catchment is estimated to be \$735 million. Climate change and urbanisation are an increasing flood risk. By 2100 it is estimated the AAD cost of flood will be \$1,647 million without intervention. Collective action is needed to address the intractable problem of flooding. Agencies, organisations and the community can achieve more together than working alone.

The Strategy sets the ten year direction for flood management in the region, it focuses on agencies taking a collaborative approach and outlines how partners will work together to plan for, avoid and reduce flood risks while supporting emergency preparation and response.

The Strategy is a 'refresh' of the Flood Management Strategy Port Phillip and Westernport 2015. During the review of the Strategy, it was determined that the vision and objectives were directionally appropriate and sufficiently ambitious. They were largely maintained, with a small addition to recognise the opportunity for better aligning flood outcomes with integrated water management.

The Strategy is supported by two consecutive five-year Action Plans. This reflects the opportunity for learning and enhancement mid-way through the ten year cycle.

Council's own flood management work fits within the overall direction of this Strategy.

3.1.1

(cont)

DISCUSSION

All 50 partner organisations that have flood management responsibilities, including state government, councils, water authorities and emergency services have been invited to endorse the strategy and action plan.

Endorsing the Strategy is an opportunity for partners to commit to a shared vision and direction and to continue to work together to make the region safer for our community.

Endorsement for agencies will signify:

- Agreement with the vision, objectives and directions;
- Commitment to actions (subject to funding); and
- Commitment to participate in a co-delivery process to facilitate collaboration and alignment between partners.

The strategic approach is directed by a vision and objectives, with associated ten year Strategy outcomes (see figure 1 below). Under each outcome, the Strategy identified focus areas, which guide the actions contained within the Action Plan.

The Strategy has a regional flood management focus, and does not specify any place-based solutions to flooding problems. Place-based solutions will be developed during the implementation of the Strategy.

The Strategy maintains a commitment to deliver the existing suite of solutions, including infrastructure works, whilst recognising the need to expand the suite of tools we have for managing flood risks. Partners will continue to work with the community, through the delivery of the Strategy, to identify the right mix of flood management solutions for each location.

The Strategy's key direction provides a greater emphasis on:

- Working to expand the suite of tools to manage flood risk;
- Looking for opportunities and efficiencies in land use planning;
- Empowering the community to become flood resilient;
- Increasing the focus on delivering and sharing contemporary and relevant flood information;
- Embedding climate change in decision making; and
- Aiming to achieve maximum public value through investment, and contributing to a safer, cooler and more liveable city.

Strategy commitments that are relevant to councils include:

- Significant increase in the flood modelling program (Focus Area 1) to deliver updated flood maps in 234 catchments over the next five years;
- Development of a community flood knowledge portal to empower communities by providing people with the information they need to make informed decisions and to prepare for flood events (Actions 2.6 – 2.8);
- Investigating opportunities to reduce the time it takes to incorporate new flood hazard information into planning schemes (Action 4.1);
- Incorporating climate change scenarios into the information used to inform planning scheme amendments (Action 4.4) and drainage schemes in greenfield areas (Action 4.5); and
- Leverage the integrated water management (IWM) forums to better incorporate flood outcomes into IWM projects (action 6.2).

The Strategy and Action Plan will supported by a Monitoring, Evaluation, Reporting and Improvement Plan (MERI) prepared by Melbourne Water. A regional co-delivery process will facilitate ongoing collaboration and alignment between partners on the implementation of the Strategy. Melbourne Water is currently reviewing the existing processes that are used to facilitate co-delivery of flood projects to develop this process.

The Strategy direction supports Council's flood modelling and management work for various catchments.

3.1.1 (cont)



CONSULTATION

Melbourne Water has consulted with partners and stakeholders to build the content of the Strategy and Action Plan through face to face and online consultation. Partners and stakeholders from 62 organisations, including Whitehorse, were consulted in order to build the content of the Strategy and Action Plan. During an eight-week consultation period, two workshops were facilitated with partners to present the draft Strategy and Action Plan content and gain feedback. In addition, an online submission process was run. From this Melbourne Water received and consolidated submissions from partners outlining feedback on the Strategy and Action Plan.

The community was consulted online via YourSay web platform. Questions were focussed on asking what assistance the community required to be flood ready. In addition, issues such as managing climate change, empowering diverse communities, community awareness, preparedness, response and recovery were also examined.

3.1.1

(cont)

The strategy and action plan has been noted by the Minister for Water and approved by the Flood Leadership Committee. Following the endorsement process, the Strategy and Action Plan will be released, along with the MERI Plan. Endorsing partners will receive a copy of the Strategy and Action Plan. All endorsing partner logos will be included in the final Strategy and Action Plan.

The strategy and action plan will be made available on the Melbourne Water website.

FINANCIAL IMPLICATIONS

In recognition of the different budgetary processes of local government, Melbourne Water has confirmed that endorsement by a council will signify:

- Agreement with the vision, objectives and directions;
- Commitment to participate in a co-delivery process to facilitate collaboration and alignment between partners; and
- No specific funding obligations.

Accordingly, endorsement of the Strategy and Action Plan by Council does not commit Council to deliver a priority project, or to fund identified flood management opportunities as a lead organisation or collaborative partner, other than are what are Council's enduring responsibilities.

POLICY IMPLIATIONS

There are no policy implications associated with endorsing the Strategy and Action Plan. The Strategy and Action Plan are aligned with the Whitehorse Community Vision and Council Plan.

While flood management and safety is not directly identified in the Community Vision, Theme 5 – Sustainable Climate and Environmental Care has priorities around our natural environment when making decisions including creeks, wetlands and lakes.

Similarly, the Council Plan does not directly address flooding, however is aligned to this matter under Strategic Direction 5: Sustainable Climate & Environmental Care; Objective 5.2: Consider our natural environment when making decisions including creeks, wetlands, lakes, bushlands, flora and fauna; Strategy 5.2.2: Develop strategies to maintain and improve water quality of local waterways.

ATTACHMENT

- 1 Flood Management Strategy 2021
- 2 Action Plan

3.1.2 Opening Public Toilets Walker Park

SUMMARY

This report is in response to Notice of Motion No. 156 from the Council meeting on 18 October 2021 that Council receive a report outlining the costs and implications of opening public toilets at Walker Park seven days a week. One public toilet block is near the tennis clubrooms and the other is located at the rear of the grandstand/pavilion. Both toilets are currently open on request for an organised event or if there is a sports activity that weekend at the park.

The additional cost to open the public toilet seven days a week for a 12 months period is approximately \$7,300 excluding GST for the toilet near the tennis clubrooms and \$7,850 excluding GST for the toilet at the rear of the grandstand/pavilion. This would be an ongoing cost and increase with CPI each year. There is no allocated funding in the budget for this. There are other toilets with similar use that could be considered for additional opening and an approach that considers one toilet at a time does not consider overall service needs of the community.

A range of criteria need to be assessed when considering the opening times of a public toilet and it is recommended that the planned review of public toilets be developed and be used to inform responses to requests for additional services.

RECOMMENDATION

That Council:

- 1. Retains the current opening arrangements for the public toilets at Walker Park; and***
 - 2. Considers the need for additional opening hours for public toilets after the planned review of public toilets is completed.***
-

BACKGROUND

At the Council meeting on 18 October 2021, it was resolved 'That Council receive a report outlining the costs and implications of opening public toilets at Walker Park seven days a week.'

There are 41 facilities classed as public toilets managed by Council within the City of Whitehorse. They come in two primary forms:

- 25 toilet facilities are open seven days per week; and
- 16 toilet facilities are open only on weekends on request for an organised event or if there is a sports activity that weekend where the toilets are located.

There are two public toilet facilities in Walker Park. There is one toilet at the rear of the grandstand/pavilion and one in the south east corner next to the tennis clubrooms. Both of these toilets are currently only open on the weekends on request or if there is a sports activity that weekend at the park.

Council currently does not have an adopted policy or strategy to guide changes and improvements in this area of service.

3.1.2

(cont)

At the Council meeting on 20 June 2021, part of the resolution to adopt the Budget 2021/2022 included:

- iv. Allocating \$10,000 towards the opening of the Mont Albert Reserve Pavilion and Springfield Park Pavilion public toilets seven days per week for the 2021/22 financial year as a Proof of Concept trial, to inform a Public Toilet Strategy that is proposed to be developed.
- v. Council absorbing expenditures from item iv above within the Operating Budget 2021/22.

In addition to financial implications, matters of likely utilisation and safety of the public toilet should be considered.

DISCUSSION

Cost

The main implication of increasing the opening times for the public toilets in Walker Park is cost. Costs for cleaning services have risen recently due to the COVID-19 pandemic with extra soap being provided, toilet paper being stolen and higher grade disinfectants required. The additional cost to open the public toilet seven days a week for a 12 months period is approximately \$7,300 excluding GST for the toilet near the tennis clubrooms and \$7,850 excluding GST for the toilet at the rear of the grandstand/pavilion. This includes opening, cleaning, restocking, closing and an allowance for additional callouts. This would be an ongoing cost and increase with CPI each year.

The public toilets near the tennis courts in Walker Park are an old style public toilet block. The toilets at the rear of the grandstand/pavilion are newer toilets that were constructed as part of the recent pavilion upgrade. There are more cubicles in the toilets at the rear of the grandstand/pavilion and that is why the costs of cleaning and servicing are higher. There are also toilets within the pavilion that are exclusively used by the sporting clubs and they are not open to the public.

Both public toilets in Walker Park do not have the function to automatically open and close. It would be a significant capital cost to convert these toilets to this style of toilet. Even with automatic open and closing there is still a significant cost to service the toilets as they cannot be opened without being cleaned and inspected.

In the 2021/22 Budget there is already a requirement to absorb expenditure of \$10,000 towards the opening of the Mont Albert Reserve Pavilion and Springfield Park Pavilion public toilets seven days per week for 12 months as a proof of concept trial, and to absorb the costs to develop a Public Toilet Strategy.

The resources of the current contractor are at the limit. There would be a stepped increase in cost for any further toilets proposed to be opened seven days per week as the contractor would need to increase resources of people and vehicles allocated to the contract.

User Demand

The current public toilet service opening hours has evolved over time. Not all public toilets need to be considered for daily opening as there is insufficient demand or there are other toilets nearby. Many parks are frequented by local residents for short periods of time, meaning the need to use a public toilet is low – people simply go home to use a toilet. A useful resource for the public to locate the nearest public toilet is 'The National Public Toilet Map' website that has an interactive map showing the location of public toilets.

3.1.2

(cont)

The demand for a public toilet in Walker Park would have temporarily increased as there has been an increased use of parks during the COVID-19 restrictions. This demand is now reducing as services, schools and community sports are reopening and the toilets are now open weekends with cricket starting again. In addition, public toilets are available nearby at the Council Civic Centre or library. These have been closed recently due to COVID-19 restrictions.

During the last two years through all the COVID-19 lockdown restrictions there has been one reported request to extend the opening times for the toilets in Walker Park.

If one of the public toilets in Walker Park is to be opened seven days per week, it is recommended that it be the toilet near the tennis clubrooms. This is in a more visible location compared to the other toilets that are at the rear of the grandstand/pavilion and is cheaper to open.

Priority assessment

There are 16 weekend facility toilets that could be considered to open every day of the week. There has been a preliminary assessment done on these to determine their priority to be open based on the number of requests, the number of people who use the park during weekdays, the location of other public toilets in the vicinity and suitability of the facility.

The top two toilets that were assessed as a first priority for every day opening and were included as part of the 2021/22 Budget are:

- Springfield Park - Pavilion
- Mont Albert Reserve – Pavilion

Both of these are now open every day during 2021/22 as a proof of concept trial for 12 months.

The following seven locations are assessed as the next toilets that could be considered for opening every day:

- Morton Park - Pavilion
- Koonung Park - Pavilion
- Highbury Park
- Forest Hill Reserve - Pavilion
- Heatherdale Reserve - Pavilion
- Walker Park – Pavilion or Walker Park - Stand-alone
- Vermont Reserve - Pavilion

The following six toilets are a low priority or not considered feasible to open seven days per week:

- Sparks Reserve North - Pavilion
- Sparks Reserve South - Pavilion
- Ballyshanassy Reserve - Pavilion
- Mirrabooka Reserve - Pavilion
- City Oval
- Wembley Park - Stand-alone

A more detailed assessment of priorities and costs is to be done as part of the development of a Public Toilet Strategy.

Safety

Not all public toilets can be considered safe at all times. Unfortunately public toilets attract antisocial behaviour and unless they are appropriately designed and in an area where there is an element of frequent activity, they can become unsafe places. Some of the public toilet locations that are only open on weekends or during events do not have sufficient activity to provide the casual surveillance to consider them safe for opening during the quieter times of the week.

3.1.2

(cont)

CONSULTATION

There will be consultation undertaken as part of the development of a Public Toilet Strategy.

FINANCIAL IMPLICATIONS

There is \$260,000 allocated in the Budget 2021/22 to open, close, clean and service public toilets. It is forecast that this budget will be overspent by \$10,000 to open the toilets at Springfield Park and Mont Albert Reserve. The deficit will be funded from service changes and savings in other areas.

The additional cost to open the public toilet seven days a week for a 12 months period is approximately \$7,300 excluding GST for the toilet near the tennis clubrooms and \$7,850 excluding GST for the toilet at the rear of the grandstand/pavilion. This would be an ongoing cost and increase with CPI each year. There is no allocated funding in the budget for this and there are other toilets with similar use that could be considered for additional opening.

There would be a stepped increase in cost for any further toilets proposed to be opened seven days per week as the contractor would need to increase resources of people and vehicles allocated to the contract. The resources of the current contractor are at the limit and extra services are significant additional scope to the current contract.

POLICY IMPLICATIONS

A Public Toilet Strategy is to be developed.

4 CONFIDENTIAL REPORTS

RECOMMENDATION

That in accordance with Section 61 (1) and 66 (2)(a) of the Local Government Act 2020 the Council should resolve to go into camera and close the meeting for the consideration of this item, as the matter to be discussed is confidential information for the purposes of section 3 (1) of the Local Government Act 2020, because it is legal privileged information, being information to which legal professional privilege or client legal privilege applies (Section 3(1)(e)); and because it is or (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage (Section 3(1)(g(ii))).

This ground applies because the matter concerns contractual and legal matters.

{ TC "4.1. Contractual Matter }

5 CLOSE MEETING