



MELTON CITY COUNCIL

**Minutes of the Ordinary Meeting of the
Melton City Council**

21 November 2016

**THESE MINUTES CONTAIN REPORTS DEALT WITH AT A
CLOSED MEETING OF COUNCIL**

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MELTON CITY COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE MELTON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, 232 HIGH STREET, MELTON ON 21 NOVEMBER 2016 AT 7.00PM

Present: Cr S Ramsey (Mayor)
Cr B Turner (Deputy Mayor)
Cr S Abboushi
Cr L Carli
Cr M De Santis
Cr K Hardy
Cr G Kesic
Cr K Majdlik
Cr M Mendes

Mr K Tori, Chief Executive Officer
Mr L Shannon, General Manager Corporate Services
Mr M Heaney, General Manager Community Services
Mr P Bean, General Manager Planning and Development
Ms C Denyer, Manager Legal and Governance
Ms T Spiteri, Governance Coordinator
Ms E Haley, Acting Coordinator Communications
Mr L Stokes, Manager Operations
Ms D Schembri, Acting Waste Services Coordinator

1. OPENING PRAYER AND RECONCILIATION STATEMENT

The Mayor, Cr Ramsey read the opening prayer and reconciliation statement.

2. APOLOGIES AND LEAVE OF ABSENCE

Nil.

2.1 JOURNEY TO THE G – MULLAGH WILLS FOUNDATION

Procedural Motion

Crs Hardy/Turner

That the standing orders be suspended at 7.05pm for the presentation of the Mullagh Wills Foundation Message book for signing by the Mayor, Councillors and Chief Executive Officer.

CARRIED

Procedural Motion

Crs Hardy/Kesic

That standing orders be resumed at 7.20pm.

CARRIED

3. CHANGES TO THE ORDER OF BUSINESS

Nil.

4. DEPUTATIONS

Nil.

5. DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR

Having previously advised the CEO in writing and, in accordance with s.77B of the *Local Government Act 1989* (the Act) Cr Majdlik declared a direct conflict of interest in Item 12.9 Telecommunications Tower Brookside Reserve – Vodafone.

6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of Council held on 17 October 2016 and Special Meeting of Council held on 8 November 2016 be confirmed as a true and correct record.

Crs Majdlik/Carli. That the recommendation be adopted.

CARRIED

7. RECORD OF ASSEMBLY OF COUNCILLORS

7.1 RECORD OF ASSEMBLY OF COUNCILLORS IN ACCORDANCE WITH SECTION 80A(1) OF THE LOCAL GOVERNMENT ACT 1989

- 19 September 2016 Record of Assembly of Councillors
- 17 October 2016 Record of Assembly of Councillors
- 7 November 2016 Record of Assembly of Councillors
- 14 November 2016 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 19 September, 17 October, 7 November and 14 November 2016 attached to this Agenda be received and noted.

Motion

Crs Majdlik/Carli

That the Record of Assembly of Councillors dated 19 September, 17 October, 7 November and 14 November 2016 attached to this Agenda be received and noted, with a correction to the 14 November 2016 record to include Cr Kesic, who was present at the meeting.

CARRIED

LIST OF APPENDICES

1. Record of Assembly of Councillors - 19 September 2016
2. Record of Assembly of Councillors - 17 October 2016
3. Record of Assembly of Councillors - 7 November 2016
4. Record of Assembly of Councillors - 14 November 2016

8. CORRESPONDENCE INWARD

8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- Hon Jacinta Allan MP – Minister for Major Projects Minister for Public Transport – Public facilities and staffing at Diggers Rest station.
- Inspector Kathryn Rudkins – Melton Local Area Commander – Provision of 24 hour 'Main Hub' for policing at Caroline Springs.

RECOMMENDATION:

That the Parliamentarian and Departmental letters received by the Mayor be received and noted.

Crs Majdlik/De Santis. That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. Correspondence Inwards - Hon Jacinta Allan MP - dated 18 October 2016
2. Correspondence Inwards - Inspector Kathryn Rudkins - dated 10 October 2016

9. PETITIONS AND JOINT LETTERS

Nil.

10. RESUMPTION OF DEBATE OR OTHER BUSINESS CARRIED OVER FROM A PREVIOUS MEETING

Nil.

11. PUBLIC QUESTION TIME

Name	Question asked of Council
Sara Spencer	Not in attendance.
Garrick Oates	The purpose of the PowerCor Easement, St Arnaud Road Eynesbury.
David O'Connor	Details of the community participation for the 'The City you Imagine' in Diggers Rest Township.
David O'Connor	Council to provide the scope of works for the Norm Raven Reserve as part of the St Genevieve Estate.
Rhonda Dixon	Not in attendance.
Ann Fairweather	Consideration of Council Meetings at Caroline Springs.

Procedural Motion

Crs Majdlik/Abboushi

That the recommendations as printed in Items 12.1, 12.2 and 12.8 be adopted in block.

CARRIED

12. PRESENTATION OF STAFF REPORTS

12.1 AUTHORISATION OF AFFIXING THE COMMON SEAL OF COUNCIL

Author: Dominique Roberts - Governance Officer

Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

For Council to adopt the schedule of documents requiring the Common Seal of Council.

RECOMMENDATION:

That the Council Seal be affixed to the documentation as detailed in the Schedule for Authorising of Affixing of the Common Seal of Melton City Council dated 21 November 2016.

Crs Majdlik/Abboushi. That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Documents requiring the Common Seal of Council to be affixed are detailed in **Appendix 1**.

2. Background/Issues

Use of the Council Seal is required where Council, as a body corporate, executes a document.

The *Local Government Act 1989* (S.5(2) and (3)) prescribes that a Council must have a common seal, and that the common seal must –

- a. bear the name of the Council (which name may refer to the inhabitants of the municipal district) and any other word, letter, sign or device the Council determines should be included; and
- b. be kept at the Council office; and
- c. be used in accordance with the local laws of the Council.

Council's Meeting Procedure Local Law (2013) prescribes the use of Council's Common Seal and the authorized officers who must be present and sign every document to which the common seal is affixed.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. *A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability*

2.6 *Ensure timely compliance with statutory and regulatory obligations.*

4. Financial Considerations

There are no financial considerations relating to the use of the Council Seal.

5. Consultation/Public Submissions

Not applicable.

6. Risk Analysis

Ensuring that the Council Seal is only affixed in accordance with a resolution of Council controls the potential risk of the Seal being incorrectly affixed to a document.

7. Options

Not applicable.

LIST OF APPENDICES

1. Schedule for Authorising of Affixing the Common Seal.

12.2 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Tracy Spiteri - Governance Coordinator

Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To present the aggregated minutes of Advisory Committee meetings yet to be considered by Council.

RECOMMENDATION:

That Council:

1. note the minutes of Advisory Committee meetings at **Appendix 1, 2, 3, 4, 5, 6 and 7.**

Crs Majdlik/Abboushi. That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

In accordance with section 3(1) of the *Local Government Act* 1989 (the Act), Council may establish a) Advisory Committees for the purpose of providing advice, or b) Special Committees which are delegated powers, duties or functions of Council. The establishment of an Audit Committee, considered an Advisory Committee of Council, is dealt with under section 139 of the Act.

A Council appointed Advisory Committee meeting where at least one Councillor attends and which considers matters that are intended or likely to be the subject to a decision of Council, is considered an assembly of Councillors. In accordance with section 80A of the Act, a written record of an assembly of Councillors must, as soon as practicable, be reported at an ordinary meeting of the Council. The minutes of the Advisory Committees attached to this report forms the written record of the assembly detailing matters considered and any Councillor conflicts disclosed.

2. Background/Issues

Advisory Committees are established by a resolution of Council. The role of an Advisory Committee, including the limits of power, are clearly defined in the Terms of Reference adopted by Council.

The membership of Committees will vary depending upon its specific role. Committee membership will generally comprise a Councillor/s, council staff and community representatives and may include key stakeholders, subject matter experts and/or community service providers and organisations.

Councillor representation on Advisory Committees is generally for one year and is reviewed annually at the Statutory Meeting of Council. Councillor representation on current Council Committees and to other organisations for 2016 were adopted by Council at the Ordinary Meeting held 10 November 2015.

Advisory Committees meet regularly during the year and minutes of all meetings are scheduled to be presented at the next Ordinary Meeting of Council.

Advisory Committee Meetings minutes attached to this report for Council acknowledgement and endorsement:

Meeting Date	Advisory Committee	Attached
18 August 2016	Early Years Partnership Committee Meeting Minutes	Appendix 1
18 August 2016	Reconciliation Advisory Committee Meeting Minutes	Appendix 2
25 August 2016	Community Learning Board Meeting Minutes	Appendix 3
13 September 2016	Leisure Advisory Committee Meeting Minutes	Appendix 4
13 September 2016	Community Safety Advisory Committee Minutes	Appendix 5
15 September 2016	Disability Advisory Committee Meeting Minutes	Appendix 6
20 October 2016	Community Learning Board Meeting Minutes	Appendix 7

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability

2.3 Facilitate community engagement in planning and decision making

4. Financial Considerations

Advisory Committee are not responsible for operational expenditure and cannot direct Council officers to act without the consent of Council. Operational expenses and administrative actions arising from an Advisory Committee meeting are accommodated within Council's recurrent budgets, unless otherwise requested within the minutes of the meeting and detailed in a recommendation to Council for consideration.

5. Consultation/Public Submissions

Advisory Committees are one method of Council consulting and communicating with the community. Such a Committee may be established to provide strategic level input into a broad area of Council operations, such as community safety or arts and culture. An Advisory Committee may also be established for a specific time-limited project, such as a review of a Local Law.

6. Risk Analysis

With a mandatory responsibility to report to Council and restricted to making recommendations for Council consideration, risks attached to Advisory Committee actions are substantially mitigated.

It is prudent for Council to carefully consider any and all recommendations arising from Advisory Committee minutes, as Advisory Committees may canvass significant issues and significant expenditure in their deliberations.

7. Options

Advisory Committees are a Committee of Council, therefore Council has the discretion to accept, reject, amend or seek further information on any of the Committee minutes and/or recommendations.

LIST OF APPENDICES

1. Early Years Partnership Committee Meeting Minutes - 18 August 2016
2. Reconciliation Advisory Committee Meeting Minutes - 18 September 2016
3. Community Learning Board Meeting Minutes - 25 August 2016
4. Leisure Advisory Committee Meeting Minutes - 13 September 2016
5. Community Safety Advisory Committee Minutes - 13 September 2016
6. Disability Advisory Committee Meeting Minutes - 15 September 2016
7. Community Learning Board Meeting Minutes - 20 October 2016

12.3 COUNCILLOR REPRESENTATION NOMINATIONS ADVISORY COMMITTEE MEETING MINUTES - 14 NOVEMBER 2016

Author: Tracy Spiteri - Governance Coordinator
Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To present the minutes of the Councillor Representation Nominations Advisory Committee (CRNAC) meeting held on Monday, 14 November 2016.

RECOMMENDATION:

That Council:

1. note the minutes of the Councillor Representation Nominations Advisory Committee (CRNAC) meeting held on Monday, 14 November 2016
2. adopt the recommendations arising within the minutes.

Motion

Crs Majdlik/Kesic

That Council:

1. note the minutes of the Councillor Representation Nominations Advisory Committee (CRNAC) meeting held on Monday, 14 November 2016
2. adopt the recommendations arising within the minutes
3. appoint Cr Majdlik as the second nominated councillor on the Ravenhall Prison Project – Community Advisory Group (CAG)
4. amend the Terms of Reference for the Property Development Advisory Committee (PDAC) from two to three Councillors

Amendment Motion

Cr Carli with consent of Cr Majdlik/Kesic

5. withdraw the Councillor recommendations in relation to the Property Development Advisory Committee (PDAC) from the minutes and deal with this matter separately.

CARRIED

Now dealing with the recommendations to the Property Development Advisory Committee (PDAC), the Mayor noted there were three nominations being Cr Ramsey, Cr Kesic and Cr Hardy for three positions.

The Mayor called for any further nominations.

Cr Carli nominated herself.

The Mayor put the four nominations for the three positions to the vote, with each Councillor having three votes.

Before the vote was taken, Cr Carli sought leave to provide a personal explanation which was granted. Cr Carli noted that the Minutes reflected her objection to Cr Hardy's nomination to the Property Development Advisory Committee. She further stated:

“In my personal opinion it is not appropriate for a person who has been previously employed in the property and development industry to be appointed to this important role and that is why I asked

for it to be taken out.”.

Cr Carli called for a division of Council on all votes.

Those in favour of Cr Carli:

For:

Crs Abboushi, Carli, De Santis and Majdlik

Those in favour of Cr De Santis:

For:

Crs Abboushi, Carli, De Santis, Majdlik, Mendes, Ramsey and Turner

Those in favour of Cr Hardy:

For:

Crs Hardy, Kesic, Mendes, Ramsey and Turner

Those in favour of Cr Ramsey:

For:

Crs Abboushi, Carli, De Santis, Hardy, Kesic, Majdlik, Mendes, Ramsey and Turner

The Mayor declared the three Councillors with the most votes as representatives elected to the Property Development Advisory Committee (PDAC) being Crs Ramsey, De Santis and Hardy.

REPORT

1. Executive Summary

The appointment of Councillors as representatives on external bodies and advisory committees plays an integral part in Councillors exercising their representation and advocacy responsibilities on behalf of the community.

It is an established practice to annually review the Councillor representation on Special Committees, Advisory Committees and other organisations. This process allows Councillors the opportunity to consider the committees and groups to which they are able to represent on behalf of Council for the forthcoming calendar year.

2. Background/Issues

At the Ordinary Meeting 8 September 2015, Council adopted the Terms of Reference (ToR) for the Councillor Representation Nominations Advisory Committee (CRNAC) which outlines the establishment, composition and operating procedures in the recommending of Councillor membership to committees (Council and other), boards, peak bodies and other decision making bodies for which a Councillor representative is required.

Apart from the meetings of the Council, there are a wide range of committees/organisations where the constituted membership includes representation from Council. Such representation plays an essential role in policy development, advocacy, planning and provision of a wide range of services directly relevant to the community and provides a framework for Council to receive community feedback and external advice.

There are basically two groups of committees that relate to Council:

- Advisory Committees of Council that consider issues and make recommendations to the full Council. The Committee's role is defined in its approved terms of reference.
- Special Committees of Council that have delegated power.

There are organisations external to Council that also include representation of Council by Councillors.

Councillors/Council Officers appointed to these groups/committees will have a responsibility to report to Council. These reports can be in writing or in the form of minutes of the meetings. In particular, where there are no Council Officers present/or minutes taken, items of significance from those meetings can be read into the minutes of the Council meeting via a short verbal report with a report in writing appended to the Council Minutes.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability.

2.3 Facilitate community engagement in planning and decision making

4. Financial Considerations

Costs associated with Councillor representation on Committees and external bodies are borne through normal budget estimates each financial year.

5. Consultation/Public Submissions

The CRNAC is an Advisory Committee of Council that enables Councillors to nominate which committee and/or peak bodies or organisations they intend to be Councils representative on. Consequently, no public consultation is required.

6. Risk Analysis

Advisory Committee minutes must be reported to Council and are restricted to the making of recommendations only for Council consideration, therefore there are no risks associated with this Advisory Committee.

7. Options

The CRNAC is an Advisory Committee of Council, therefore Council has the discretion to accept, reject or vary the nominations as detailed in the Committee minutes and/or recommendations.

LIST OF APPENDICES

1. Councillor Representation Nominations Advisory Committee Meeting Minutes - 14 November 2016

12.4 ANNUAL RISK MANAGEMENT REPORT

Author: Anthony Hinds - Risk and Performance Manager
Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To present the outcomes of staff actions detailed in Council's Risk Register for the 2015 – 16 year.

RECOMMENDATION:

That the report be received for information.

Motion

Crs Majdlik/Turner

That Council officers provide a detailed report of the 39 risks that were entered into the risk register at 30 June 2016, including but not limited to, the full nature of the risk, how it was managed, what shortcomings were discovered and what has been implemented to reduce further risks of the same nature occurring again.

CARRIED

REPORT

1. Executive Summary

Council manages its significant risks using an online Risk Register, with governance provided by the internal Risk Management Committee. From 1 July 2015 to 30 June 2016: Council had 39 recorded risks; three strategic risks were modified after Risk Management Committee review; five operational risks were completed or deleted; and nine risks were overdue for completion.

2. Background/Issues

Council has had an organisation-wide approach to risk management since 2008, and uses an online Risk Register to record significant risks, and mitigation actions.

The internal Risk Management Committee provides oversight and governance regarding risk management, and is chaired by the Chief Executive.

Six-monthly reports regarding Council's strategic risks are presented to the Audit Committee, and annual reports are presented to Council.

A. Total number of risks

At 30 June 2016, 39 identified risks to Council were entered in the Risk Register:

7 strategic risks	Failure of service provider; economic environment; natural disaster/loss of IT; growth pressures; change of State or Federal government policy; significant misconduct; and internal leadership.
5 corporate risks	Public safety; fraud and corruption; staff OHS (working alone); staff OHS (aggressive customers); and climate change.

27 operational risks	8 for City Design, Strategy & Environment 6 for Operations 5 for Engagement & Advocacy 2 each for Finance, and Planning Services 1 each for Capital Projects, Families & Children, People & Culture and Recreation & Youth
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B. Risks added

No new risks were added from 1 July 2015 to 30 June 2016, but risks were regularly reviewed by the Risk Management Committee.

Three strategic risks were modified in that period following these reviews:

- ‘Change of State or Federal government policy’ was amended to reflect the risks to Council posed by the introduction of rate capping, and the potential of the regulation of service levels by the Essential Services Commission; these may restrict Council's income, and its ability to respond appropriately to community need, respectively
- ‘Growth pressures’ was amended to reflect that a potential shortfall in approved Developer Contribution Plan receipts may not only affect delivery of local infrastructure, but also delivery of local services and contributions towards regional level infrastructure
- ‘Internal leadership’ was amended to reflect the risk that the community may disengage from Council were it to drift into maladministration: where an overly bureaucratic approach communicates a self-serving organisation rather than one focused on community need.

C. Risks removed

Five operational risks were either completed or deleted in the period:

- Three regarding Council's responses to climate change adaptation
- Two regarding the Toolern Joint Venture.

That means that either all agreed mitigations were actioned with no extra ones identified; or it was decided they were no longer a risk to Council.

D. Risks overdue

At 30 June 2016, nine risks were overdue for completion:

- Three regarding Council's response to climate change adaptation; and two regarding native vegetation, and vegetation offsets – these were due to a long-term staff absence
- Two regarding staff OHS issues – the safety issues themselves are being managed appropriately currently, but agreed actions to enable increased management oversight and trend analysis going forward are yet to be completed, but a plan is in place for completion
- One regarding public safety and one regarding project management: both issues are being managed appropriately now but future improvements have been identified which are yet to be completed. Plans are in place to address these.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability
 - 2.1 *Build community trust through socially responsible governance for long term sustainability*

4. Financial Considerations

There are no financial considerations as a result of preparing this report.

5. Consultation/Public Submissions

Consultation and/or public submissions were not required in the preparation of this report.

6. Risk Analysis

A risk analysis is not required for this report.

7. Options

Nil

LIST OF APPENDICES

Nil

12.5 2016 - 2017 COUNCIL ANNUAL ACTION PLAN

Author: Anthony Hinds - Risk and Performance Manager
Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To present the proposed 2016 – 2017 Council Annual Action Plan for Council’s consideration.

RECOMMENDATION:

That Council adopt the 2016 – 2017 Council Annual Action Plan.

Crs Majdlik/Mendes. That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Each year Council produces an Annual Action Plan identifying the key activities that Council will undertake to achieve the strategic outcomes, objectives and strategies identified in the Council Plan 2013-2017.

There are 148 actions identified from across Council’s service units detailed in the proposed 2016 - 2017 Council Annual Action Plan as detailed in **Appendix 1**.

Progress against these activities is reported to Council in a quarterly progress report and at the end of the year in Council’s Annual Report.

2. Background/Issues

The Council Plan 2013-2017 (Council Plan) details the vision for the community, and the strategic outcomes, objectives and strategies to be undertaken in the work toward that vision.

The vision for the community is that Melton is “A Proud Community Growing Together.” The Council Plan identifies four (4) themes to guide the work of the organisation. These themes are:

1. Managing our growth
2. A well governed and leading organisation
3. Diverse, confident and inclusive communities
4. Community health and wellbeing.

Each year Council produces an Annual Action Plan identifying key activities that Council will undertake in implementing the Council Plan. The Annual Action Plan includes projects, programs, services and service enhancements that will occur within a twelve (12) month period.

The 2016 - 2017 Annual Action Plan includes 148 actions, with 13 actions being carried forward from the 2015 - 2016 Annual Action Plan.

Some significant initiatives included in the 2016 - 2017 Annual Action Plan include:

- Develop Caroline Springs sub regional tennis facility

- Complete Abey Road Bridge construction to provide a vital link between Melton South and the Toolern Growth area
- Develop 20 year Community Vision
- Implement the 1000 Books Before School program in partnership with State Library of Victoria
- Develop the Electric Line Clearance Plan and submit for approval by Energy Safe Victoria
- Provide Commonwealth Home Support services to eligible people over 65 years
- Deliver the Integrated Family Support Program to vulnerable families as referred through the Brimbank Melton Child FIRST Alliance
- Deliver community development initiatives for residents in small townships and new developments
- Deliver baby sleep settling sessions to new parents
- Deliver men's health and wellbeing activities from Melton and Taylors Hill Men's Sheds

The list of actions above is not exhaustive, and the Annual Action Plan itself provides only a selection of the work being delivered by Council.

Progress against all of the actions in the Annual Action Plan is detailed in quarterly progress reports presented to the Ordinary Meeting of Council and the end of year outcomes are detailed in Council's Annual Report.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability

2.1 Build community trust through socially responsible governance for long term sustainability

4. Financial Considerations

The Council Action Plan is resourced via the adopted 2016 - 2017 Council Budget.

5. Consultation/Public Submissions

Actions contained in the 2016 - 2017 Annual Action Plan are a result of Council's ongoing engagement with community and prioritisation processes through annual business planning and budget development.

6. Risk Analysis

Nil.

7. Options

That Council:

1. Adopt the 2016 – 2017 Council Annual Action Plan as detailed at **Appendix 1**;
2. Not adopt the 2016 – 2017 Council Action Plan and refer back to officers for further work; or
3. Provides an alternative option as considered by Council.

LIST OF APPENDICES

1. 2016 - 2017 Council Annual Action Plan

12.6 MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2013-2017: PROGRESS REPORT

Author: Kate Hills - Team Leader, Health Promotion and Planning
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To update Council on the implementation of the Municipal Public Health and Wellbeing Plan 2013-2017.

RECOMMENDATION:

That Council:

1. note the Annual Progress Report: Annual Action Plan 2015-2016 for the Municipal Public Health and Wellbeing Plan 2013-2017 as presented at **Appendix 1**; and
2. note the Annual Action Plan 2016-2017 for the Municipal Public Health and Wellbeing Plan 2013-2017 as presented at **Appendix 2**.

Crs Turner/Abboushi. That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Under the Public Health and Wellbeing Act (2008), Councils are legislated to develop Municipal Public Health and Wellbeing Plans (MPHWP). The MPHWP is the strategic document that establishes Council's vision for community wellbeing and is closely aligned with the Council Plan 2013-2017 and the Municipal Strategic Statement.

Council endorsed the MPHWP 2013-2017 at the Ordinary meeting of Council in October 2013. Each year annual action plans are developed which provide the operational accountability for how Council will achieve the vision of the MPHWP.

The Annual Action Plan 2015-2016 (**Appendix 1**) is the third annual action plan with a number of outcomes that have been achieved.

The MPHWP now enters its fourth and final year of implementation and the Annual Action Plan 2016-2017 (**Appendix 2**) further details how Council will continue to promote and protect community health and wellbeing.

2. Background/Issues

Municipal Public Health and Wellbeing Plans are a requirement under the Public Health and Wellbeing Act (2008), and Council endorsed the MPHWP 2013-2017 at the Ordinary meeting of Council in October 2013.

The MPHWP aims to create a safe and well community for all and identifies four themes to achieve this:

1. Healthy Places – A sustainable City that promotes community health and wellbeing.
2. A Healthy Community – A safe, inclusive and connected community.

3. Healthy People – A culturally rich, active, safe and connected City.
4. Healthy Lifestyles – A City of people leading healthy and happy lives.

MPHWP Annual Action Plan 2015-2016

The Annual Action Plan 2015-2016 is the third of four annual action plans that support the implementation of the MPHWP. The following table highlights some of the key outcomes against each theme:

Theme	Key Outcomes
1. Healthy Places	<ul style="list-style-type: none"> ▪ Developed an activation plan for the new Bridge Road Athletics and Hockey facilities. ▪ Developed an Integrated Transport Strategy to guide the development of a transport system that will provide community members with a range of transport options.
2. A Healthy Community	<ul style="list-style-type: none"> ▪ Implemented the Condom Vending Machine Project in partnership with Women's Health West. ▪ Managed the Graffiti Response Team charged with exercising the provisions of the Graffiti Prevention Act.
3. Healthy People	<ul style="list-style-type: none"> ▪ Supported implementation of the Linking Melton South Project in collaboration with Djerriwarrh Health Services. ▪ Implemented the Taylor's Hill Men's Shed initiative.
4. Healthy Lifestyles	<ul style="list-style-type: none"> ▪ Worked to promote suitable breastfeeding friendly locations throughout the municipality. ▪ Promoted healthy eating within sports clubs and leisure facilities.

The Annual Action Plan 2015-2016 included 58 actions. The following table provides a status update on the actions:

Status	Description	Number of actions
Achieved	The action is completed.	43
Partially achieved	The action has commenced and is due to be completed within the timeframe of the MPHWP 2013-2017.	14
Not achieved	The action has not been achieved for multiple reasons.	1

MPHWP Annual Action Plan 2016-2017

The Annual Action Plan 2016-2017 builds on the previous Action Plans and further develops a whole of Council approach to integrated health planning. It recognises that health and wellbeing is not solely the responsibility of the health sector, rather that everyone has a role to play in health and wellbeing, directly or indirectly, and a whole-of-Council and whole-of-community approach is required.

The following table highlights some key actions committed to deliver against each theme:

Theme	Key Actions
1. Healthy Places	<ul style="list-style-type: none"> ▪ Develop and implement Climate Resilience Checklist for Council assets. ▪ Develop Environment Plan to address climate change impacts and the protection of natural resources.

Theme	Key Actions
2. A Healthy Community	<ul style="list-style-type: none"> ▪ Collaborate to deliver improved, coordinated health services promotion and issue based campaigns with community providers. ▪ Implement the Community Leadership Program.
3. Healthy People	<ul style="list-style-type: none"> ▪ Undertake a gender equity audit of sports facilities and apply for State Government funding to support targets to increase participation in sport by women. ▪ Deliver health and wellbeing programs for older adults and promote key events such as Seniors Festival Week.
4. Healthy Lifestyles	<ul style="list-style-type: none"> ▪ Develop an Alcohol Management Framework informed by harm minimisation and health promotion principles. ▪ Implement Sports Clubs Healthy Eating in the West Project in partnership with Wyndham City Council.

A copy of the Annual Progress Report: Annual Action Plan 2015-2016 and the Annual Action Plan 2016-2017 will be provided to the Victorian Department of Health and Human Services as part of Council's monitoring and evaluation requirements under the Public Health and Wellbeing Act (2008).

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City
2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability
3. Diverse, Confident and Inclusive Communities: A culturally rich, active, safe and connected City.
4. Community Health and Wellbeing: A City of people leading healthy and happy lives.

4. Financial Considerations

Implementation of the Municipal Public Health and Wellbeing Plan 2013-2017 is resourced across the organisation, with actions accommodated within individual service unit operational plans and budgets.

5. Consultation/Public Submissions

Each year, Council produces an Annual Action Plan identifying the activities and initiatives that Council will work towards achieving. The actions contained within the Annual Action Plans are developed in consultation with key external stakeholders and service providers, and the broader community.

6. Risk Analysis

Failure to address key public health and wellbeing concerns in the community may provide some risk to the residents in the City of Melton. To improve community health and wellbeing, Council continues to consult with the community to ensure public health and wellbeing issues are addressed where possible.

7. Options

Nil

LIST OF APPENDICES

1. MPHWP Annual Progress Report: Annual Action Plan 2015-2016
2. MPHWP Annual Action Plan 2016-2017

12.7 SHARED FACILITIES FUND - EXPRESSION OF INTEREST

Author: Matthew Wilson - Manager Community Planning
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To inform Council about the Expression of Interest submitted to the State Government's 2016-17 Shared Facilities Fund for a proposed Community Hub incorporating a Teaching Kitchen at 33-35 Mowbray Crescent, Kurunjang.

RECOMMENDATION:

That Council note the Expression of Interest submission to the Shared Facilities Fund for \$2.35M for a proposed Community Hub incorporating a Teaching Kitchen at 33-35 Mowbray Crescent, Kurunjang (**Appendix 2**).

Crs De Santis/Mendes. That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The State Government officially launched the 2016-17 Shared Facilities Fund (SFF) on 13 September 2016. The SFF provides a \$50M investment into community facilities co-located with schools. Two-thirds of the \$50M total funding is allocated to projects in the seven growth areas of Casey, Wyndham, Whittlesea, Hume, Melton, Cardinia, and Mitchell.

Local Government Authorities are targeted as eligible to submit Expressions of Interest for the fund. The SFF will target high priority community infrastructure projects that contribute to:

- Community strengthening and wellbeing;
- Improved ability to respond to community needs and demands;
- Enhanced school and community pride; and
- Culture and community education.

Successful applicants will be required to enter into a Community Joint Use Agreement with the Department of Education that outlines the parties involved and respective responsibilities to each other.

Expressions of Interest opened on 13 September 2016 and closed on 18 November 2016.

The project identified by Officers to submit to the SFF is a Community Hub incorporating a Teaching Kitchen to be constructed at 33-35 Mowbray Crescent, Kurunjang. The Expression of Interest amount submitted to the SFF was \$2.35M.

2. Background/Issues

Council has received the 2016-17 Shared Facilities Fund application guidelines (**Appendix 1**) which outline how Council can submit Expressions of Interest for funding and the funding criteria. Grant round opened on 13 September 2016 and closed on 18 November 2016.

The SFF is intended to fund projects that have a direct benefit for communities as shared facilities with schools across the following infrastructure types:

- Early learning hubs – including early childhood education and care services;
- Performing Arts Centres and libraries (in addition to other multi-purpose community rooms);
- Sports and recreation facilities;
- Community shaping, multiservice centres; and
- Community health facilities.

All infrastructure projects must commence construction within 12 months of funding being announced and service delivery must be ready to commence once construction has been completed. It is also noted that any one Council will not receive more than 10% of the total 2016-17 SFF funding pool (which is a total of \$50M). This means that any one Council will not receive in excess of \$5M.

Purpose of the SFF

The 2016-17 SSF Guidelines state that the fund “...contributes to local infrastructure needs by providing funding to develop community facilities on school sites across Victoria. The funding allocated through this program will support schools, local councils and other institutions to develop shared facilities arrangements. This fund can be used to implement a range of community infrastructure projects on school sites, including early learning centres, sporting facilities and community hubs.”

Given that two-thirds of the total funding pool of \$50M will be directed to seven growth municipalities, the 2016-17 SFF is prioritizing critical local infrastructure needs for communities in fast growing outer suburbs such as Melton.

Assessment Criteria

The Guidelines also outline that applications for the Shared Facilities Fund will be assessed against the following criteria:

Individual Project Assessment

Criterion 1 – Why is this project required? Who will benefit and how? – 60%

Applications will be required to demonstrate the extent to which the project addresses an identified need in the community by:

1. Clearly identifying the need or gap in infrastructure provision that the project will address.
2. Clearly identifying the expected benefits (social, economic, and/or environmental) that the project will deliver.
3. Demonstrating (by quantifying) the breadth and depth of the need or gap in infrastructure provision.
4. Demonstrating the breadth and depth of the expected benefits, including who will benefit and how.
5. Demonstrating how the outcomes will deliver the objectives of the SFF.

Criterion 2 – What is the value of the service delivery model – 30%

Applications must:

6. Demonstrate the relationship between the service delivery model of the proposal, the need for the project, and the expected benefits.
7. Explain how the project benefits will be sustained once the infrastructure is delivered and the service commences.

Previous performance in service delivery of projects will also be taken into account in the assessment of this criterion.

Criterion 3 - Council and community support for the project – 10%

Applications must:

8. Demonstrate that the project is a recognised strategic priority and is consistent with key plans such as the current Council Plan and Strategic Resource Plan, community plans or structure plans and/or policy documents.
9. Demonstrate the level of support at the community level. This could be demonstrated by engagement activities from community members or groups.

Program-Wide Criteria

A program assessment panel will consider four program-wide factors. These factors are:

10. Geographic distribution - no more than approximately 10 per cent of the total 2016-17 SFF funding pool will be allocated to a single council.
11. Diversity of infrastructure/project types - the assessment will ensure that funded projects represent a mix of targeted infrastructure.
12. Consistency with State priorities – the panel will consider how each project aligns with local and state priorities.
13. Benefits to other local schools - the assessment will consider the benefit of a development in the context of accessibility and usage arrangements for other schools in a given local area.
14. Site location – suitability of school site and land use. By exception, proposals that are not on school land but are directly adjacent to schools may be considered, where appropriate tenure arrangements can be negotiated.

As stated above, Expressions of Interest opened on 13 September 2016 and closed on 18 November 2016. It is expected that the assessment and approval process will be undertaken by Government through January to March 2017, and shortlisted projects will be invited to develop a Community Joint Use Agreement between the School and Council prior to a formal funding announcement in May 2017.

Project – Kurunjang Community Hub incorporating a Teaching Kitchen

The project that Council has submitted to the Expression of Interest process is for a Community Hub incorporating a Teaching Kitchen to be co-located next to the Kurunjang Primary School.

The need for a community facility and Council programming in Kurunjang has been identified through community surveying. Local residents identified issues including:

- Perceptions of safety;
- Housing stress;
- Food insecurity;
- Low ratings regarding sense of community; and
- Access to services and facilities.

The Community Hub model is an ideal vehicle to address locally identified issues and also build on local community strengths. A staff presence acts as a conduit between Council and community, serves as an information and referral point, and provides the opportunity to facilitate place-based activities that respond to community need and interest. The provision of a facility provides a gathering space for community and the option to create an outreach service hub with visiting Council and external services to bridge the gap in service provision and access. A Community Hub can work to establish partnerships with existing groups and organisations and add value to those existing relationships and activities. Place-making also

plays a role in community pride and connection and can be facilitated by the Community Hub in partnership with others. The Community Hub element of the proposed facility will address a gap in the provision of this Council service to the northern part of the Melton township area.

The Teaching Kitchen element of the Community Hub is a way to build skills and knowledge in children and residents about healthy food cultivation and preparation. It is a way to introduce “pleasurable” food education to children during their learning years, in order to form positive food habits for life. Pleasurable food education emphasises the flavours as well as the health benefits of fresh, seasonal, delicious food. Dishes cooked reflect the vegetables, herbs and fruits grown, season-by-season, by the children in their organic gardens, and also reflect the Australian Dietary Guidelines. Kitchen educators emphasise balance and moderation, and endorse the concept of preparing fruit-based desserts ‘sometimes-only’. Pleasurable food education is designed to be fully integrated into the curriculum or learning framework as it offers infinite possibilities to reinforce literacy, numeracy, science, cultural studies and all aspects of environmental sustainability. Furthermore, it delivers observable social benefits to all children, including those with special needs, and encourages critical thinking, teamwork, an understanding of cause and effect, and increased levels of observation.

There are also identifiable benefits for the community in addition to the benefits for children. These benefits include developing awareness for the environment, fostering community participation and building strong links between the school and community, improving diets physical activity levels of households, and an increase in community pride.

It is envisaged that through the Community Joint Use Agreement the local residents and the Kurunjang Primary School will have access to utilise the benefits of the full facility footprint.

The proposed Community Hub will comprise the following spaces:

- Two larger community rooms for active, passive and learning programming;
- A meeting room for smaller meetings and for consultations with visiting service providers;
- A small consultation room for use by school welfare officers to enable meetings with families away from formal school facilities;
- A standard kitchen space large enough for cooking demonstrations and classes;
- An office space to accommodate up to 4 staff that would cater for a Neighbourhood Programs Officer, School staff, Council staff or other visiting service providers;
- A foyer space;
- A Teaching Kitchen to accommodate a full class;
- A Dining area,
- A Harvest Table where produce can be discussed and studied; and
- A Kitchen Garden.

It is estimated that the cost of the project is in the range of \$2.35M, with Council contributing the parcel of land to the project. The current value of the land is estimated at \$221,000.

The Proposed Site

The site identified for the project is a Council owned parcel of land at 33-35 Mowbray Crescent, Kurunjang (**Appendix 2**). The Property Title shows that the site is approximately 2,743m² has frontage to Mowbray Crescent, shares boundary with Kurunjang Primary School to the West of the property, and is reserved for municipal purposes. The site is in the general residential zone, and Council currently identifies it as passive open space. It does not have any playground or recreational equipment within the site, but it does have a footpath acting as a thoroughfare from Mowbray Crescent to Raglan Court. It is proposed that the shared boundary between the properties will be addressed through the project to

provide seamless access for the school to the teaching and meeting spaces within the facility. It is also proposed that a thoroughfare through the site will be maintained to ensure that the local community is able to walk through the site.

Program Activation and Resourcing

The provision of the Community Hub incorporating a Teaching Kitchen assists Council to achieve objectives within both the Council Plan and the Municipal Public Health and Wellbeing Plan. It also assists Kurunjang Primary School to achieve educational outcomes with students, and engagement in lifelong learning outcomes with parents and families. Resourcing to activate the facility will involve a commitment by both Council and the Kurunjang Primary School, and is subject to the Expression of Interest being successful.

The required level of staffing and operational resourcing will be subject to further work by Officers, however, it is noted that Council will incur a new recurrent expense to activate this new facility and program in the Kurunjang and surrounding area.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City
 - 1.2 *Build a sense of place through an engaging range of community facilities and shared open spaces*

4. Financial Considerations

Subject to a successful Expression of Interest and subsequent funding application, the project has been added to Council's 10 Year Capital Works Plan at no additional cost to Council. It has been included in the Capital Works Plan for design in 2017/18 and construction in 2018/19.

The financial impact of resourcing the activation of the facility will be subject to a future Council report should the Expression of Interest be successful.

5. Consultation/Public Submissions

Consultation has occurred with the Principal of Kurunjang Primary School and Council Officers around the proposed project.

Further community engagement will occur if the Expression of Interest process progresses successfully.

6. Risk Analysis

The risk identified in this report is that community expectations that a facility will be provided may be raised as a result of the Expression of Interest submission. Further community engagement and communication may be necessary to explain that the project is subject to a successful outcome of the Expression of Interest process.

7. Options

Council has the option to:

1. Note the submission to the Shared Facilities Fund for \$2.35M for a proposed Community Hub incorporating a Teaching Kitchen at 33-35 Mowbray Crescent, Kurunjang; or
2. Not support the submission and direct Officers to withdraw the Expression of Interest to the Shared Facilities Fund.

LIST OF APPENDICES

1. Shared Facilities Fund 2016-17 Guidelines
2. 33-35 Mowbray Crescent, Kurunjang

12.8 AIR SERVICES AUSTRALIA LEASE COMPLETED NEGOTIATIONS

Author: Christine Denyer - Manager Legal and Governance
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To inform Council of the completed lease negotiations with Airservices Australia and seek from it a formal decision to execute the lease documentation

RECOMMENDATION:

That Council:

1. having received no submissions pursuant to section 223 of the *Local Government Act* 1989, enter into a 9 year lease with Airservices Australia (with an option of 10 years) for the use of part of the land at 231-319 Faulkners Road, Mount Cottrell for any purpose consistent with the permitted functions, purposes and obligations of Airservices Australia under the *Air Services Act* 1995 (Cth) at an annual rental of \$28,000 plus GST per annum commencing 1 January 2016 in the form set out at **Appendix 1**; and
2. authorise the proper execution of the lease by affixation of the common seal.

Crs Majdlik/Abboushi. That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report is presented further to a report to the Ordinary Meeting of Council (in camera) made 14 July 2015 on the basis of which Council resolved to offer an annual commencing rental to Airservices Australia (AA) in the sum of \$28,000 plus GST with annual CPI increases.

Negotiations on that rental amount and all other clauses in the document have now been completed and a draft lease is presented to Council in a form ready to be executed by the parties, should Council see fit (**Appendix 1**).

Public Notice of Council's intention to lease the land was given on 10 November 2015 and no submissions were received.

The current lease expired on 31 October 2016 and is in 'overhold'.

2. Background/Issues

On 17 March 2007, Council purchased a large parcel of land known as 231-319 Faulkners Road, Mt Cottrell which was (and still is) subject to three separate leases (two in respect of telecommunications activities).

One of the tenants, Airservices Australia has occupied part of the site since 1996, that is, prior to Council's purchase of the site.

The current lease expired on 31 October 2016 and is currently in 'overhold'.

Negotiations commenced with AA and with another tenant of the site (whose lease was due to expire within a year of AA's) in late 2014.

A valuation was obtained by Council conducted by Matheson Stevenson Valuations (MSV).

In negotiating the two leases at the same time and based on the same valuation, it was also intended to bring the timing of the two leases into line so that both commenced and expired at the same times. This would potentially give Council more options in the future in terms of amalgamation of the sites and was also thought to be administratively more convenient and cost effective.

On the basis of the valuation, a lease was drawn up and presented in draft to both tenants for their comment, prior to the statutory advertisement period and formal endorsement by Council provided it saw fit.

The other tenant was agreeable to the lease and its terms. Consequently, at the Ordinary meeting of Council on 16 December 2014 Council resolved to enter into a 10 year lease with that tenant commencing on 1 January 2015.

AA on the other hand, took issue with the rental valuation amount of \$28,000 pa and negotiations became protracted. Eventually AA made a counter offer in relation to the annual rental of \$18,000. A report was presented to Council at the Ordinary Meeting (in camera) held 14 July 2015 where Council resolved to stand by the rental amount determined by MSV's valuation.

Negotiations on the clauses in the lease have been ongoing since the resolution of 14 July 2015. When those negotiations were close to complete it was agreed between the parties (subject to Council approval) that in order to achieve the aim of synchronization of the 2 leases and in order to allow Council to recoup some of the increased rental lost by reason of the protracted negotiations, that the lease to AA would commence on 1 January 2016 and run for a period of 9 years (with an option of 10 years). This would also mean an adjustment in Council's favour of the annual rent paid in November 2015.

A public notice of Council's intention to lease the land appeared in the Melton Leader on 10 November 2015. Whilst that advertisement was placed some 11 months ago, it is relative the commencement date of the lease (1 January 2015) and is thus not considered 'stale'.

Council received no submissions in relation to the notice and the proposed lease.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability

2.5 Advocate in the best interests of our community and region

4. Financial Considerations

The proposed lease does not commit Council to an increase or reduction in operation or capital expenditure.

The commencing rent is \$28,000 with increases for CPI and market review upon exercise of the option for a further term of 10 years.

5. Consultation/Public Submissions

Council has carried out consultation in relation to this lease in accordance with the Local Government Act 1989. Public Notice of Council's intention to lease the land was given in the Melton Leader on 10 November 2015 as well as Council's website.

No submissions were received.

6. Risk Analysis

Council has been a party to a lease at this site since it purchased the property in 2007. Entry into the lease is therefore maintaining the status quo.

The existing lease however expired on 31 October 2016 and is currently in 'overhold'.

If Council decides not to enter into this lease there is a chance that AA may find another site and give notice to Council of its intention to terminate the lease.

Unless and until it is renewed or terminated the lease will be in 'overhold' on the same terms as the existing lease.

7. Options

1. Resolve to enter into the lease as set out in the recommendation.
2. Let the lease expire and/or remain in 'overhold' unless and until terminated by one of the parties.

LIST OF APPENDICES

1. Proposed form of lease commencing 1 January 2016

Cr Majdlik confirmed her conflict of interest previously declared a direct conflict of interest at Item 5 of this Agenda and left the Chamber 8.01pm.

12.9 TELECOMMUNICATIONS TOWER BROOKSIDE RESERVE - VODAFONE

Author: Christine Denyer - Manager Legal and Governance
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To report back to Council on the results of the independent testing of emission levels at 3 nominated locations.

RECOMMENDATION:

That Council:

1. notes the contents of the RF EME Survey Report of Total Radiation Solutions Pty Ltd dated 26 September 2016 at **Appendix 1**
2. forward a copy of the RF EME Survey Report to Brookside College, Brookside Early Learning Centre, all tenant clubs utilising Brookside Reserve and the organisers of the petition previously received by Council.

Motion

Crs Hardy/Kesic

That Council:

1. notes the contents of the the RF EME Survey Report of Total Radiation Solutions Pty Ltd dated 26 September 2016 at **Appendix 1**
2. forward a copy of the RF EME Survey Report to Brookside College, Brookside Early Learning Centre, all tenant clubs utilising Brookside Reserve and the organisers of the petition previously received by Council
3. in the event that the electro magnetic radiation levels are changed by the Australian Radiation Protection and Nuclear Safety Agency, that this be notified to Council and to the lessee, and the lessee be notified to change/alter the facility pursuant to those and any other relevant regulations.

The Mayor declared the Motion CARRIED on her casting vote

Cr Ramsey called for a division of Council

For:

Crs Hardy, Kesic, Turner and Ramsey

Against:

Crs Abboushi, Carli, De Santis and Mendes

The Mayor declared the division CARRIED on her casting vote

REPORT

1. Executive Summary

The results of the independent testing of emission levels at the 3 locations nominated by Council pursuant to its resolution of 30 May 2016 are attached in the RF EME (radiofrequency electromagnetic energy) Report at **Appendix 1**.

The RF EME Report indicates that the emission levels are well below the Radiation Protection Standard (RPS3) established by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The 3 nominated locations were:

1. synthetic soccer pitch – distance from monopole approximately 58m;
2. Brookside College – distance from monopole approximately 204m; and
3. Brookside Early Learning Centre – distance from monopole 224m.

In addition, a test was also conducted, although not requested at,

4. Brookside Children's and Community Centre.

2. Background/Issues

This matter has been the subject of a number of previous reports to Council following on from its decision to enter into a lease dated 9 December 2015 with Vodafone for telecommunications infrastructure (a Monopole) installed at 72-80 Caroline Springs Boulevard, Caroline Springs and the subsequent receipt by Council of a petition containing approximately 1,400 signatures calling for a cancellation of that lease.

At the Ordinary Meeting of Council on 4 April 2016 Council resolved to enter into discussions with Vodafone regarding the possibility of a relocation of the telecommunications infrastructure and obtain a full report of those discussions including in relation to any other possible sites and any associated costs ('the April 4 resolution').

A copy of the report which informed the April 4 resolution and which provides a further and detailed background, is attached at **Appendix 2**.

That report may be summarised as follows:

- the petitioners seek a cancellation of the lease between Council and Vodafone for telecommunications infrastructure installed at 72-80 Caroline Springs Boulevard, Caroline Springs;
- Council has complied with all statutory obligations;
- Council cannot resolve to unilaterally end the lease;
- Council can however amend or vary the lease by mutual agreement; and
- the likelihood of that agreement is considered low, in particular given the likely costs that it is estimated that Vodafone would have incurred in installation of the infrastructure.

Following the April 4 resolution, Council Officers met with representatives from Vodafone on Friday, 13 May 2016 at 11am.

Council Officers subsequently reported back to Council to the Ordinary meeting held on 30 May 2016. A copy of that report is at **Appendix 3** (without attachments) setting out the advice from Vodafone at that meeting, which may be summarised as follows:

- Vodafone has no appetite to relocate.
- Vodafone spent 18 months investigating possible sites in the Brookside area before arriving at the current site.
- Vodafone chose the current site because it was clearly and decisively the best option available. The assessment was on a number of criteria including, but not limited to, tenure (the ability to obtain a lease agreement or other agreement to occupy the site) and coverage.

- The site achieves 90% of Vodafone's desired coverage from a new tower in this vicinity.
- Vodafone is of the view that it has followed due process and complied with the law and the current science.
- Vodafone representatives advised that the RF EME levels at the site are well below the maximum. So confident are they of this that Vodafone officers advised that in order to allay resident's concerns Vodafone would be prepared to undertake, via an accredited independent testing agency, testing of emission levels at various specific locations nominated by Council. This offer was made unconditionally and would be a one-off testing process to clearly establish the levels at each of these locations adjacent to the mobile phone tower.

On the basis of this report, Council resolved to have 3 locations independently tested in relation to RF EME levels and receive a report of the results of the testing as soon as those results became available ('the May 30 Resolution').

In accordance with the May 30 Resolution, Vodafone arranged for the independent testing of the RF EME levels by an accredited tester.

The RF EME level tests were conducted, at Vodafone's request, by Total Radiation Solutions Pty Ltd (TRS) on 26 September 2016.

Pursuant to the 30 May Resolution, the 3 nominated locations tested were:

1. synthetic soccer pitch – distance from monopole approximately 58m;
2. Brookside College – distance from monopole approximately 204m; and
3. Brookside Early Learning Centre – distance from monopole 224m.

In addition, a test was also conducted, although not requested at,

4. Brookside Children's and Community Centre.

The RF EME Survey Report attached at **Appendix 1** indicates that the RF EME levels at all 4 sites are well below the Radiation Protection Standard (RPS3) established by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The highest measured cumulative RF EME level of all four locations was 0.025% of the RPS3 general public limit and was at Brookside College.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability
2.5 Advocate in the best interests of our community and region

4. Financial Considerations

There are no immediate financial considerations.

5. Consultation/Public Submissions

The emission level testing was in response to public concerns received by way of a petition. The petition was received after the lease had commenced and after the public notice period had expired. No further public consultation has occurred.

6. Risk Analysis

Council has issued a permit for the use and entered into a binding lease with Vodafone which has commenced. That lease does not contain a provision which allows Council to unilaterally terminate the lease. Accordingly, if Council does attempt to end the lease it would expose Council to significant financial risk.

7. Options

1. Note the Report and take no further action.
2. Seek further legal advice.

LIST OF APPENDICES

1. RF EME Survey Report by Total Radiation Solutions dated 26 September 2016
2. Council Report dated 4 April 2016 - Telecommunications Infrastructure Lease - Petition Response
3. Council Report dated 30 May 2016 - Telecommunications Tower Brookside Reserve - Vodafone (without attachments)

Cr Majdlik returned to the Chamber at 8.09pm.

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

Verbal reports were received from Crs Turner and Ramsey.

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

Crs Turner, Hardy, Mendes, De Santis, Majdlik, Carli, Abboushi and Ramsey addressed the Chamber in respect to a variety of matters of significance.

15. NOTICES OF MOTION**15.1 NOTICE OF MOTION 436 (CR MAJDLIK)****Councillor: Kathy Majdlik - Councillor****MOTION:**

That Council Officers provide a report to Council detailing:

1. the hierarchy of parks that applies within the municipality
2. the standard of lighting installed in each 'level' of park
3. the impact financially and on neighbourhood amenity of increasing the standard of lighting in parks, including via the use of solar lighting options.

Crs Majdlik/Carli. That the recommendation be adopted.

CARRIED

15.2 NOTICE OF MOTION 437 (CR MAJDLIK)**Councillor: Kathy Majdlik - Councillor****MOTION:**

‘That post the 2016 Melton City Council’s Annual Christmas Carol Event, Councillors support the rotation of the Christmas Carol’s event across the municipality, for a more fairer distribution of locations within our municipality.’

Crs Majdlik/Carli. That the recommendation be adopted.

CARRIED

Cr Majdlik called for a division of Council

For:

Crs Abboushi, Carli, De Santis, Majdlik and Mendes

Against:

Crs Hardy, Kesic, Ramsey and Turner

The Mayor declared the division CARRIED

15.3 NOTICE OF MOTION 438 (CR MAJDLIK)**Councillor: Kathy Majdlik - Councillor****MOTION:**

‘That Council officers provide a report outlining how Council decides and distributes the equity between various community groups (such as the Lions, Rotary Clubs and others) throughout the different events that Council is responsible for throughout the year, and include in the report how Council can look at a more fairer distribution between the various Community Groups (and its different branches) within our municipality.’

Crs Majdlik/Turner. That the recommendation be adopted.

CARRIED

15.4 NOTICE OF MOTION 439 (CR CARLI)**Councillor: Lara Carli - Councillor****MOTION:**

At the next Ordinary Meeting of Council, officers provide a detailed report outlining the costs associated with rotating Ordinary Council monthly meetings between the Caroline Springs Civic Centre/Library and the Melton Civic Centre for 2017.

Crs Carli/Kesic. That the recommendation be adopted.

Amendment Motion:

Cr Mendes

That the report include reference to safety of the general public and Councillors.

Cr Mendes

Amendment withdrawn.

CARRIED

16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Majdlik

1. Update on Westwood Drive and what is the expected timeframe for its start and completion date.
2. Does Council have an strategy in relation to how the affected surrounding local road networks will cope with the sudden increased traffic volume at various intersections once Westwood Drive is complete?

Cr Carli

1. Publicity of the snake catching program on Council's website.

Cr Turner

1. Can Officers advise the timelines for the completion of Abey Road and Bridge Road bridges?
2. State Govt has released information of \$2.24M for the Melton Railway Station for 270 more car parking bays to be completed during 2017. Does Council know when the works start?
3. Update on Council's knowledge of Police number coming to Melton soon and also the police numbers being pushed for 2017.

Cr Abboushi

1. Completion date of the Caroline Springs Railway Station and when will it be operational?
2. What is Council doing about traffic issues in the mornings at the entry/exit points at Caroline Springs Boulevard and Westwood Drive at Ballarat Road, and what is happening with regard to managing road works during the day and is there planned night works to reduce traffic disruption?

Cr Hardy

1. Barriers Road & Coburns Rd interchange, from Barriers Road the right turn signal has not been installed. Where is this process up to and when will we get notification from Vic Roads of when they are going to start?

17. MOTIONS WITHOUT NOTICE

Cr Mendes

That Council officers investigate potential sites in Diggers Rest for a dog off lead park and report back to Council within three months with indicative costings.

Cr Turner

That Council officers report back to the next Ordinary meeting the options available regarding the opening or not of Thrice Lane and Gloaming Ride.

18. URGENT BUSINESS

Nil.

19. CONFIDENTIAL BUSINESS

Procedural Motion

That pursuant to section 89(2) of the *Local Government Act 1989* the meeting be closed to the public to consider the following reports, that are considered confidential for the reasons indicated:

19.1 Application for Ministerial Approval to extend At-Call Hard Waste Collection Contract

This report is confidential in accordance with s89(2)(d) as it relates to contractual matters.

19.2 Contract No. 17/002 for the Construction of the Melton Town Centre Streetscape Redevelopment - Stage 3

This report is confidential in accordance with s89(2)(d) as it relates to contractual matters.

Crs Majdlik/Carli. That the recommendation be adopted.

CARRIED

Procedural Motion

Crs Majdlik/Hardy

That the meeting be opened to the public.

CARRIED

20. CLOSE OF BUSINESS

The meeting closed at 9.05pm.

Confirmed

Dated this

.....CHAIRPERSON