



MELTON CITY COUNCIL

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

16 October 2017

**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 16 OCTOBER 2017 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 P Bean, General Manager Corporate Services
Mr M Heaney, General Manager Community Services
Mr L Shannon, General Manager Planning and Development
Mr B Baggio, Manager Planning Services
Ms C Denyer, Manager Legal and Governance
Ms T Spiteri, Governance Coordinator
Ms E Clark, Acting Communications 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.

3. CHANGES TO THE ORDER OF BUSINESS

Procedural Motion

Crs Kesic/Hardy.

That Item 13, 'Reports from Delegates Appointed to Other Bodies' and Item 14, 'Councillor Representation and Acknowledgements' be combined with Councillors having up to 3 minutes and the Mayor up to 5 minutes to give their reports and that Item 12.16, 'Contracts for Award – 17/023 Fraser Rise Pavilion and Sports Field' be heard as the first order of business under Item 12, Presentation of Staff Reports.

CARRIED

4. DEPUTATIONS

Nil.

Cr Abboushi left the Chamber at 7.06pm.

Cr Abboushi returned to the Chamber at 7.07pm.

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

Cr De Santis declared an indirect conflict of interest in Item 12.12 of this Agenda by reason of impact on residential amenity the details of which were provided to the CEO in writing prior to the meeting.

6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 18 September 2017 be confirmed as a true and correct record.

Motion

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**

- 18 September 2017 Record of Assembly of Councillors
- 25 September 2017 Record of Assembly of Councillors
- 2 October 2017 Record of Assembly of Councillors
- 9 October 2017 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 18 September, 25 September, 2 October and 9 October 2017 attached to this Agenda be received and noted.

Motion

Crs Majdlik/Carli.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. 18 September 2017 Record of Assembly of Councillors
2. 25 September 2017 Record of Assembly of Councillors
3. 2 October 2017 Record of Assembly of Councillors
4. 9 October 2017 Record of Assembly of Councillors

8. CORRESPONDENCE INWARD

8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- The Hon Lily D'Ambrosio MP - Minister for Energy, Environment and Climate Change and Minister for Suburban Development – Container Deposit Legislation
- The Hon Lily D'Ambrosio MP - Minister for Energy, Environment and Climate Change and Minister for Suburban Development – Temporary Regulatory Controls on Waste Management

RECOMMENDATION:

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

Motion

Crs Majdlik/Carli.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. Correspondence Inwards - The Hon Lily D'Ambrosio MP - dated 7 September 2017
2. Correspondence Inwards - The Hon Lily D'Ambrosio MP - dated 7 September 2017

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
Garrick Oates	The Creation of a Local Law to ban cats in Eynesbury.
David O'Connor	Strategies to address safe pedestrian access, right of way access and additional parking facilities within the Glitter Road, Diggers Rest precinct.
David O'Connor	Council support for a community driven mini festival to celebrate 'Harmony Day' in Diggers Rest.

Procedural Motion

Crs Majdlik/Turner.

That the recommendations as printed in Items 12.1, 12.2, 12.5, 12.8, 12.10, 12.11, 12.15, and 12.17 be adopted en bloc.

CARRIED

12. PRESENTATION OF STAFF REPORTS

Item 12.16 'Contracts for Award – 17/023 Fraser Rise Pavilion and Sports Field' to be heard as the first order of business under staff reports, as noted in Item 3 of this Agenda.

12.16 CONTRACTS FOR AWARD - 17/023 FRASER RISE PAVILION AND SPORTS FIELD

Author: Michael Reidy - Capital Works Officer
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 17/023 for the construction of the Fraser Rise Pavilion and Sports Fields.

RECOMMENDATION:

That Council:

1. Receive and note the Tender Evaluation Reports found in **Confidential Appendix 1** (separately circulated).
2. Award Contract No. 17/023 for the construction of the Fraser Rise Pavilion and Sports Fields to Melbcon Pty Ltd for the amount of \$11,980,269.00 (excluding GST).
3. Delegate execution to the Chief Executive Officer in relation to all relevant contract documentation for this contract.

Motion

Crs Majdlik/Kesic.

That Council:

1. Receive and note the Tender Evaluation Reports found in **Confidential Appendix 1** (separately circulated).
2. Award Contract No. 17/023 for the construction of the Fraser Rise Pavilion and Sports Fields to Melbcon Pty Ltd for the amount of \$11,980,269.00 (excluding GST).
3. Delegate execution to the Chief Executive Officer in relation to all relevant contract documentation for this contract.
4. That Council name the facility City Vista Pavilion and Sports field.

CARRIED

Cr Majdlik called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

REPORT**1. Executive Summary**

Council committed to the construction works for Fraser Rise Pavilion and Sports Fields including the entry road, car park and electrical infrastructure for the future Fraser Rise Community Hub. Council committed funding of \$11,022,075 across two financial years of \$1,350,000 in the 2016/17 and \$9,672,075 in 2017/18.

This Project is based upon a partnership between Council and George Cross Soccer Club. George Cross will contribute \$1 million to the Capital Cost of the Project and then maintain the Pavilion and sports fields for 20 years.

The project includes the construction of a pavilion, including a bistro, function room and bar, four sports fields and associated car parking, infrastructure and landscaping.

Prior to going to tender, Council officers engaged a Quantity Surveyor (QS) to prepare a detailed cost estimate for this project as there was concerns about meeting the allocated budget of \$10,522,075.00. The QS estimated that the project would cost \$11,142,000.00. The lowest tender received was \$12,365,171.00. Through a value management process with the recommended contractor the tender price has been reduced by \$384,000.00 to \$11,980,269.00.

It is recommended that the contract be awarded to Melbcon Pty Ltd for the amount of \$11,980,269.00 with an additional allocation of \$1,488,194 in Council's 2018/19 budget to meet the shortfall and deliver the project.

2. Background/Issues**Contract 17/023 Fraser Rise Pavilion and Sports Fields**

This Project is based upon a partnership between Council and George Cross Soccer Club. George Cross will contribute \$1 million to the Capital Cost of the Project and then maintain the Pavilion and sports fields for 20 years. The project includes the provision of a 150 seat Bistro, Function Room and Bar within the pavilion and an NPL standard soccer pitch with 200 Lux of lighting for night games.

Based upon the approved plans for the Pavilion and the Sports Fields, George Cross is ready to enter into 20 year lease with Council. This lease will be signed upon the signing of a contract for the construction of the Pavilion and the Sports Fields. The completion construction of the project expected to take 12 months, plus the establishment period for the two natural grass soccer pitches.

It should be noted that the Taylors Hill West PSP specified two AFL/cricket ovals for the Project. The Council therefore needed to apply for an amendment to the PSP to allow for four soccer pitches in lieu of the two AFL/cricket ovals. The amendment was submitted to the Minister for Planning on September 2016 and approved in May 2017.

In addition, Council prepared a Voluntary Cultural Heritage Management Plan (CHMP) for this Project based on advice received from a suitably qualified consultant. The field work for this CHMP was completed in June this year, and the CHMP Report is before AAV for

approval. This approval is expected before the end of October 2017 and construction cannot commence until this approval is obtained.

Council committed to the construction works for Fraser Rise Pavilion and Sports Fields including the entry road, car park and electrical infrastructure for the future Fraser Rise Community Hub. Council committed funding of \$11,022,075 across two financial years of \$1,350,000 in the 2016/17 and \$9,672,075 in 2017/18.

An Expression of Interest (EOI) was advertised on 29 March 2017 and closed 24 April 2017. 13 companies submitted an EOI and following an evaluation six contractors were shortlisted to be invited to submit to the Request for Tender phase. The Request to Tender was advertised on 16 June 2017 via Councils tender portal and closed on 28 July 2017. A total of six tender submissions were received and assessed on the basis of the evaluation criteria outlined in the tender documents.

The tender evaluation summary is provided in the **Confidential Appendix 1** separately circulated to this report.

Completion of the project will be dependent upon the start date, with construction of the project expected to take 12 months, plus the establishment period for the two natural grass soccer pitches.

Project Scope

This construction contract for the Fraser Rise Pavilion and Sports Fields will provide the construction of:

a. Construction of Fraser Rise Sports Pavilion, including:

- Bistro
- A commercial grade kitchen to service the bistro, including preparation and storage areas
- Canteen space to address both the eastern and western pitches.
- 2 x rooms for umpire / officials.
- 2 x first aid rooms.
- 2 x main change rooms for National Premier Leagues (NPL) pitch.
- 6 x smaller change rooms.
- Storage
- Commercial and administrative space
- Tiering or mounding adjacent to the Main Pitch to allow spectator viewing to both the east and the western grass pitches.
- Veranda overhangs to provide spectator cover to the east and the west of the northern Pavilion.

b. External Works – Sports Fields

- 2 x synthetic soccer pitches with spectator fencing, ball protection fencing and sports field lighting. Both pitches to be Fédération Internationale de Football Association (FIFA) 1 Star (certification required). Size 100m x 60m plus run-offs.
- 2 x grass soccer pitches with spectator fencing, ball protection fencing and sports field lighting. The Main Pitch to meet NPL standards. Pitch size: Main Pitch 105m x 68m plus run-offs and second grass pitch 100m x 60m plus run-offs.
- The soccer pitches will conform to the following design requirements, utilising appropriate references and manuals:

- Compliance with BCA guidelines
 - Compliance with appropriate sporting body guidelines in particular Football Federation Victoria (FFV) standards and guidelines with one pitch and a portion of the Pavilion to meet NPL guidelines
 - Community Sporting Facility Lighting Guide, AS 2560, and FFV lighting requirements.
- c. External Works – Car Parks and Landscaping
- Appropriate car park spaces to service the Pavilion, Sports Fields and the adjacent Community Hub.
 - An Access Road providing access to these car parks, as well as to the adjacent Secondary College opening in January 2018.
 - Landscaping including all hard surfaces, tree planting, soft landscaping, furniture, and lighting

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way

3.1 *A City that strategically plans for growth and development*

4. Financial Considerations

The funds allocated to this Project are as follows:

Table 1 - Budget Status

Funding Source	\$
Carry Forward from 2016/17	\$1,350,000
Funding Source	\$
Allocated in Council's 2017/18 budget	\$9,172,075
TOTAL AVAILABLE FUNDS	\$10,522,075

Prior to going to tender, Council officers engaged a Quantity Surveyor (QS) to prepare a detailed cost estimate for this project as there was concerns about meeting the allocated budget of \$10,522,075.00. The QS estimated that the project would cost \$11,142,000.00. The lowest tender received was \$12,365,171.00 exceeding both the QS cost estimate and the original budget. Through a value management process with the recommended contractor the tender price has been reduced by \$384,000.00 to \$11,980,269.00. Part of this saving was achieved by allocating an additional \$255,000 to the adjacent Fraser Rise Community Hub Project for additional access road and civil infrastructure that will service that development. However, there is still a shortfall in the budget that will require an additional allocation of \$1,488,194 in Council's 2018/19 budget to deliver the project.

The project's QS, determined that the much of this cost difference could be attributed to civil costs and external electrical costs which seemed to have escalated in cost within the industry. As such, they were closely linked to bringing infrastructure to a large green field site that will accommodate the pavilion and four soccer fields, as well as the Fraser Rise Community Hub. Another major factor in this cost escalation is the number of Government

and Private Capital Projects involving significant civil works that are currently being undertaken and tendered in Victoria.

A financial assessment of the recommended contractor was undertaken by Corporate Scorecard and returned a 'Satisfactory' result.

5. Consultation/Public Submissions

Consultation with the community, affected property owners and commuters to notify them of disruptions throughout the construction works will form part of the project planning and delivery after the award of this Contract.

6. Risk Analysis

The following measures have been put in place to reduce or eliminate the risk to Council for this project.

- Engagement of a suitably qualified construction company
- Advertised an open expression of interest to construction companies via The Age and on the Tendersearch website
- Select tender to construction companies shortlisted through the open expression of interest process
- Required companies tendering for the construction phase to comply with Council's occupational health and safety requirements.
- To assist in the selection of a construction company with suitable occupational health and safety work practices, Council requires construction companies invited to tender to provide third party accreditation of their Occupational Health and Safety Management System.
- Council required the tenderers to provide evidence of public liability insurance and work cover.
- Conducted referee checks for the appointment of the construction company.
- Conducted Corporate Scorecard financial check on the preferred contractor.

7. Options

Council has the option to:

1. Adopt the Officers' recommendations as presented in this report.
2. Not adopt the Officers' recommendation as presented in this report.

LIST OF APPENDICES

CONFIDENTIAL Appendix1 - separately circulated

12.1 AUTHORISING THE AFFIXING OF 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 16 October 2017.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Documents requiring the Common Seal 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
- b. be kept at the Council office
- 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 authorised officers who must be present and sign every document to which the common seal is affixed.

3. Council Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability

5.3 Effective civic leadership, advocacy, partnerships and good governance.

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. Authorising of Affixing the Common Seal - dated 16 October 2017

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 and 4**
2. adopt recommendations arising within the Minutes.

Motion

Crs Majdlik/Turner.

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 2017 were adopted by Council at the Ordinary Meeting held 21 November 2016.

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
17 August 2017	Heritage Advisory Committee Meeting Minutes	Appendix 1
30 August 2017	Road2Zero Steering Committee Meeting Minutes	Appendix 2
11 September 2017	Military Commemoration Investment Committee Meeting Minutes	Appendix 3
13 September 2017	Community Safety Advisory Committee Meeting Minutes	Appendix 4

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing 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 Committees 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. Heritage Advisory Committee Meeting Minutes - dated 17 August 2017
2. Road2Zero Steering Committee Meeting Minutes - dated 30 August 2017
3. Military Commemoration Investment Committee Meeting Minutes - dated 11 September 2017
4. Community Safety Advisory Committee Meeting Minutes - dated 13 September 2017

12.3 MUNICIPAL AUDIT COMMITTEE MINUTES - 30 AUGUST 2017

Author: Cheryl Santoro - Senior Administration Officer
Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To present to Council the minutes of the Municipal Audit Committee meeting held on Wednesday, 30 August 2017.

RECOMMENDATION:

That Council:

1. note the minutes of the Municipal Audit Committee meeting held on Wednesday, 30 August 2017 at **Appendix 1**
2. adopt the recommendations arising within the minutes
3. note the Year End Monthly Finance Report 2016/2017 at **Appendix 2**.

Motion

Crs Majdlik/Hardy.

That the recommendation be adopted.

CARRIED

Cr Ramsey called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

The minutes of the Audit Committee meeting held on 30 August 2017, are appended to this report as **Appendix 1**. The Committee considered various issues in relation to risk, financial management and governance and the minutes contain recommendations for the consideration of Council.

2. Background/Issues

It is a requirement within the Terms of Reference of the Municipal Audit Committee to meet and report on decisions and recommendations to the Council of consideration.

Issues discussed and recommendation made by the Committee are noted in the minutes for action by both individuals and Council.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability

5.4 An organisation that demonstrates excellence in local government leadership and customer and community service.

4. Financial Considerations

A provision has been provided in this year's budget for the remuneration on a fee per meeting basis for independent members of the Committee, with an additional amount paid to the Chairperson.

5. Consultation/Public Submissions

The Municipal Audit Committee consists of Crs Carli and Hardy and three independent external members Mr Adam Roberts, Mr Alan Hall and Mr Robert Tommasini.

6. Risk Analysis

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

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

7. Options

The Audit Committee is an Advisory Committee of Council, and Council therefore has the discretion to accept, reject or amend its recommendations.

LIST OF APPENDICES

1. Audit Committee Minutes - dated 30 August 2017
2. Year End Finance Report - dated 30 June 2017

12.4 RESPONSE TO NOTICE OF MOTION 460 - HIGH-BALL INDOOR STADIUM FOR THE MELTON TOWNSHIP AREA

Author: Trudy Martin - Coordinator Leisure Centres
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To present to a report to Council in response to Notice of Motion 460 adopted at the Ordinary meeting of Council held 6 March 2017 regarding site locations for a highball indoor stadium.

RECOMMENDATION:

That:

1. Council approve the Toolern precinct (**Appendix 1**) as the site to develop a new 5 Court High Ball Indoor Stadium.
2. Officers identify and include a new High Ball Indoor Stadium program into the 10 year Capital Works Program.
3. Officers include \$1M for the design of a High Ball Indoor Stadium to be identified in the 2018/19 financial year.
4. Council not extend the current Joint Use Agreement (JUA) for the Melton Indoor Recreation Centre (MIRC) which expires December 2019 and advise the State Government and the Melton Secondary School Council of the decision.
5. Officers commence discussions with the Melton Secondary School Council for access to the MIRC on a short-medium basis.

The Mayor vacated the Chair and the Deputy Mayor filled the position of Chairperson.

Motion

Crs Ramsey/Mendes.

That Council:

1. Council approve the Toolern precinct (**Appendix 1**) as the site to develop a new 5 Court High Ball Indoor Stadium.
2. Officers identify and include a new High Ball Indoor Stadium program into the 10 year Capital Works Program.
3. Consider funding \$1M for the design of a High Ball Indoor Stadium to be identified in the 2018/19 financial year.
4. Council not extend the current Joint Use Agreement (JUA) for the Melton Indoor Recreation Centre (MIRC) which expires December 2019 and advise the State Government and the Melton Secondary School Council of the decision.
5. Officers commence discussions with the Melton Secondary School Council for access to the MIRC on a short-medium term basis.

CARRIED

Cr Ramsey called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Chairperson declared the Motion CARRIED

The Mayor resumed the Chair.

REPORT**1. Executive Summary**

The purpose of this report is to advise Council of the assessment process undertaken and outcomes as outlined in the NoM 460 raised at the 6 March 2017 meeting.

'That Council Officers prepare a report for Council, detailing an assessment of possible sites for a new five (5) court high-ball indoor stadium in Melton Township, inclusive of an analysis of potential funding sources for such a facility.'

There were six (6) sites assessed by the evaluation panel with the preferred site to develop a 5 court high-ball indoor stadium being the Toolern PSP Precinct. The six (6) sites assessed included:

- Existing site – Melton Secondary College
- Melton Recreation Reserve
- Toolern PSP Council owned land
- Bridge Road Sports Precinct
- Victoria University
- MacPherson Park.

Whilst the costing of a new 5 court stadium have not been fully developed, it is likely to cost in the order of \$17M - \$20M based on recent high ball indoor stadium projects undertaken. This project is not currently listed in the Ten Year Capital Works Program and would need to be included for prioritisation and consideration in the future.

Potential funding sources for a new facility would primarily be a combination of Council and State Government. The State Government under the Community Sports Infrastructure Fund have a specific funding category for Better Indoor Stadiums where Councils can apply for up to \$3M toward the costs of constructing a new stadium.

Should Council resolve not to enter into a new Joint Use Agreement at the current site, and seek the development of a new stadium at an alternate site, it is also proposed that \$1M for the design stage of the project be allocated to commence the project in the 2018/19 financial budget.

2. Background/Issues

At the Ordinary Meeting of Council held on the 6 Mach 2017, the following Notice of Motion was carried.

'That Council Officers prepare a report for Council, detailing an assessment of possible sites for a new five (5) court high-ball indoor stadium in Melton Township, inclusive of an analysis of potential funding sources for such a facility.'

The Executive confirmed the following locations as being suitable to assess for a new high ball indoor stadium:

- Existing site – Melton Secondary College
- Melton Recreation Reserve
- Toolern PSP Council owned land
- Bridge Road Sports Precinct
- Victoria University
- MacPherson Park

The weighting criteria and evaluation panel were presented and endorsed by the Executive as outlined below.

Evaluation Panel

- Chief Executive Officer – Kelvin Tori
- General Manager Planning & Development – Luke Shannon
- General Manager Corporate Services – Peter Bean
- General Manager Community Services – Maurie Heaney
- Manager City Design, Strategy & Environment – Laura-Jo Mellan

Criteria

1. Accessibility and Location (30%)
2. Financial Outcomes / Value for Money to Council (25%)
3. Capacity to deliver Civic Precinct / Presence / Co-location opportunities (20%)
4. Economic Development Impacts / Stimulus / Revitalisation opportunity (20%)
5. Compliance with Melton Planning Scheme / PSP (5%)

The consolidated outcome of the panels' assessment process is outlined in the table below:

Site	Score
Existing site – Melton Secondary College	329
Melton Recreation Reserve	343.75
Toolern PSP Council owned land	473
Site	Score
Bridge Road Sports Precinct	406.5
Victoria University	284
MacPherson Park	294

Issues for Consideration

Planning for a new 5 court stadium within the Melton Township

Based on the site evaluation criteria used to assess potential sites, consistent with the Open Space Strategy and the Indoor Sports Strategy which states Council provides one (1) indoor high ball sports court per 10,000 residents, the Toolern growth area, specifically the Toolern PSP Council owned land is the recommended site to construct a 5 court indoor high-ball stadium. This stadium will service the existing population in the Melton Township along with the future population growth in the Toolern precinct.

This project is currently not part of the Capital Works Program and will need to be included for future consideration. Should the project be considered as a high priority, a budget amount of \$1M for the design and preliminary planning stages of the project will need to be included in the 2018/19 financial year.

Current Indoor Stadium – Melton Indoor Recreation Centre (MIRC)

The current Indoor Stadium directly servicing the Melton Township is the MIRC located on at the Melton Secondary College corner High Street and Coburns Road Melton. The facility is owned by the State Government (Education Department) and is currently managed by Council under a Joint Use Agreement (JUA). The building was officially opened in 1979 and is now 38 years old.

An additional third court was constructed in the early 2000's. The current 20 year JUA is due to expire in December 2019 with an optional renewal period of a further 10 years.

Council currently manages and operates the centre and is responsible for all building maintenance, core equipment, utility costs, garden maintenance and centre bookings. Major tenants of the facility include Melton Basketball Association (1,956 members), Melton Netball Association (80 members), Samoan Church Group (60 members), and Weight Watchers (40 members). Several Council run programs are also conducted at this facility (340 participants).

Due to the condition of the facility, accessibility and extremely limited to no ability to support future growth as indicated above, it is recommended that Council not seek to renegotiate another JUA for access to the MIRC. It is recommended in accordance with requirements of the JUA, Council notify the State Government within 12 months of the expiry date of Council's decision not to extend the JUA by a further 10 years.

Should Council support this recommendation, Council will also need to commence discussions with the Melton Secondary College to maintain access to the MIRC beyond the existing term of the JUA until a new stadium is constructed. Council could seek to enter into a lease agreement / hire agreement for a short-medium term to facilitate continued access for the existing sporting associations and user groups.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way

3.1 A City that strategically plans for growth and development.

4. Financial Considerations

Should Council endorse a new High Ball Indoor Stadium, an estimated amount of \$17M would be required, although further work would need to be undertaken following a detailed design, inclusive of quantity surveyor cost estimates.

Potential funding sources for a new facility would primarily be a combination of Council and State Government. The State Government under the existing Community Sports Infrastructure Fund have a specific funding category for Better Indoor Stadiums where Councils can apply for up to \$3M toward the costs of constructing a new stadium.

5. Consultation/Public Submissions

A consultation process was undertaken as part of the Indoor Sports Strategy (2015) which identified the need for additional courts at the Caroline Springs Leisure Centre. Community feedback in regards to the MIRC was that it is an aging facility and has limitations to court access due to heavy use by major tenants such as the Melton Basketball & Netball

Associations. It was recognised that additional courts are required to service the Melton Township and adjacent population.

6. Risk Analysis

- The development of a 5 court indoor stadium is not currently listed in the Capital Works 10 year Program.
- Ongoing access to the existing facilities at the MIRC for the period between the existing Joint Use Agreement expiring and a new stadium being constructed.
- Not meeting the requirements of the current JUA for access to the MIRC by notifying the State Government no later than December 2018 of Council's intention to either extend the current JUA by a further 10 years or not to enter into another JUA.

7. Options

Council has the option to:

1. Adopt the Officers' recommendations as presented in this report.
2. Consider developing a 5 court indoor stadium for the Melton Township in stages (3 courts with additional 2 courts).

LIST OF APPENDICES

1. Proposed stadium site map - Toolern - undated

12.5 RESPONSE TO NOTICE OF MOTION 482 & 483 - TARLETONS ROAD TRAFFIC DATA COLLECTION AND ANALYSIS

Author: Kerry Walton - Coordinator Traffic and Transport
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To present to Council the results of the traffic data collected on Tarletons Road in response to Notice of Motion 482 & 483.

RECOMMENDATION:

That Council:

1. Note the content of the report.
2. Consider funding the upgrade of Tarletons Road to a rural standard sealed road, comprising two sealed traffic lanes to facilitate two way traffic movements, as part of the 2018/19 Capital Works budget.
3. Write to the residents of Tarletons Roads to advise them of the outcome of this report.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Tarletons Road is a single lane sealed and unsealed rural road approximately 3.2km long running in an east west direction between Leakes Road and Plumpton Road in Bonnie Brook (refer **Appendix 1**).

At its Ordinary Meeting of 29 May 2017, Council resolved:

'That Council Officers write to VicRoads requesting that the speed limit for Tarletons Road be reduced from 80 km/h to 50 km/h and that appropriate approvals be sought to reduce the truck load limit and that truck signage be installed reducing truck load limits.'

'That Council Officers provide a full report on the sealing of Tarletons Road detailing all specifications carried out and the details of the contractor that completed work on Tarletons Road.'

Tarletons Road had for many years consisted of two sections of a single lane sealed pavement with the remainder being gravel. Following ongoing representation from landowners and a petition Council resolved to seal an additional section of this road. The works occurred in 2014.

Council has undertaken a traffic data collection and analysis of Tarletons Road, to determine the extent of traffic related issues raised by residents of Tarletons Road.

The data indicated that traffic volumes have increased along the road and that the road is carrying volumes beyond what is considered suitable for a single sealed traffic lane.

A review of design standards for rural roads suggests that a single sealed traffic lane with unsealed shoulders is appropriate where traffic volumes are less than 150 vehicles per day and where the road generally caters for local residents.

The data has indicated the average weekday traffic volume has increased from 157 vehicles per day (2015) to 409 vehicles per day (2017).

It is proposed that Tarletons Road be upgraded to a sealed road pavement width of 7 metres to facilitate safe two way traffic movements and to cater for heavy vehicles in the same manner as the adjoining Leakes Road and Plumpton Road, and the cost to upgrade this road (\$1.1M) be allocated in the 2018/19 Capital Works Budget.

2. Background/Issues

At its Ordinary Meeting of 29 May 2017, Council resolved:

'That Council Officers write to VicRoads requesting that the speed limit for Tarletons Road be reduced from 80 km/h to 50 km/h and that appropriate approvals be sought to reduce the truck load limit and that truck signage be installed reducing truck load limits.'

'That Council Officers provide a full report on the sealing of Tarletons Road detailing all specifications carried out and the details of the contractor that completed work on Tarletons Road.'

Residents of Tarletons Road have expressed concerns of safety on the road as the single sealed lane requires motorists to pull over to the left into the unsealed shoulders to allow approaching vehicles to pass safely. Their concerns also extend to the increased traffic volumes using the road including trucks, and the speed to which they travel along the road.

Tarletons Road

Tarletons Road is classified as a rural road running in an east west direction between Leakes Road and Plumpton Road in Bonnie Brook, with a total length of 3.2km.

Tarletons Road contains approximately 2.7km of a 4.2m wide single sealed lane located in the centre of the road and unsealed shoulders of approximately 1.4m in width on either side of the lane, making a total road formation width of approximately 7m.

There is a small length of the road, approximately 540m in length, east of Leakes Road which comprises a 6m wide carriageway and is unsealed. This section of road is located in a natural flood plain which presents a high water table, along with native vegetation qualities.

The current posted speed limit is 80km/h, VicRoads endorsed the lowering of the speed limit from 100 km/h in early 2017. Council subsequently resolved to seek to have the limit reduced to 50km/h, however this was not approved.

To review the concerns raised by the residents, Council has recently undertaken traffic data collection to analyse the type of traffic using the road (passenger vehicles and heavy vehicle types), traffic volumes and the speed to which the vehicles travel along the road.

The data has indicated the following:

- The average weekday traffic volume has increased from 157 vehicles per day (2015) to 409 vehicles per day (2017).
- The average weekday heavy vehicle volume using the road in 2015 was 10.2% (16 vehicles) compared to 12.9 per cent (53 vehicles) in 2017.

- The average speed of vehicles was 81km/h and the 85th percentile traffic speed of 97km/h. (85th percentile is defined as 'The speed at or below which 85 per cent of all vehicles are observed to travel'). No speed data has been collected prior to 2017

Analysis

Volumes

The traffic data collected indicates that the majority of traffic using Tarletons Road travel in the eastbound direction in the afternoon. This further indicates that motorists are avoiding the intersection of Leakes Road and Melton Highway, preferring to use the intersection of Plumpton Road and Melton Highway which is controlled with a roundabout.

A summary of traffic data (weekday average) for Tarletons Road and the other key connecting roads, Plumpton Road and Leakes Road, is shown in the following table.

Road	Eastbound (vpd)		Westbound (vpd)		Northbound (vpd)		Southbound (vpd)	
	Total vehicles	Trucks	Total vehicles	Trucks	Total vehicles	Trucks	Total vehicles	Trucks
Tarletons Rd	261	32	148	21				
Plumpton Rd					4,152	551	3,686	523
Leakes Rd					1,981	373	1,783	272

(vpd = vehicles per day)

The volume of truck traffic on Tarletons Road is approximately 4.9 per cent of the truck traffic on Plumpton Road and 8.2 per cent of the truck traffic on Leakes Road.

The total volume of traffic on Tarletons Road is approximately 5.2 per cent of the traffic on Plumpton Road and 10.8 per cent of the traffic on Leakes Road.

A review of design standards for rural roads suggests that a single sealed traffic lane with unsealed shoulders is appropriate where traffic volumes are less than 150 vehicles per day and where the road generally caters for local residents.

Whilst the traffic volumes on Tarletons Road are low in comparison to both Plumpton Road and Leakes Road, they do however exceed the criteria for the use of a single sealed traffic lane. Based on the existing traffic volumes and considering the growth expected from the Rockbank North PSP and Plumpton PSP areas, it would be appropriate to widen Tarletons Road to a sealed road width of 7.0m (2 x 3.5m traffic lanes and shoulders).

Widening Tarletons Road to provide two sealed traffic lanes would:

- Provide a safe carriageway for the existing and future traffic volumes on this road; and
- Safely cater for all vehicles to use Tarletons Road, including passenger vehicles and trucks.
- The estimated cost of these works would be \$1.1M (approximately).

Vehicle Speeds

To address the speeding concern Council previously applied to VicRoads in July 2017 for authorisation to reduce the speed limit from 80km/h to 50km/h, to which VicRoads did not support due to the 50km/h speed restriction not being consistent with State speed limit policy.

Concerns of vehicles speeding along Tarleton's Road can now be addressed by the Victorian Police and Council officers have requested Victorian Police to undertake enforcement activities within Tarletons Road.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way

3.1 A City that strategically plans for growth and development.

4. Financial Considerations

The cost to upgrade Tarletons Road would be approximately \$1.1M (note a detailed design has not been undertaken and this cost is an estimate only).

5. Consultation/Public Submissions

Council has received representations from some residents of Tarletons Road concerning traffic volumes, vehicle speeding and road condition.

Should Council resolve to refer the upgrade of the subject road to the Capital Works Program, it would be appropriate to write to property owners in Tarletons Road advising them that the upgrade has been referred to the Capital Works budget for consideration of funding in the 2018-19 financial year.

6. Risk Analysis

Option 1

The risk of adopting Option 1 (upgrading Tarletons Road to a rural road standard comprising of two sealed traffic lanes) is:

- Increased pressure on Council's Capital Works Budget for funds.

Option 2

The risk of adopting Option 2 (Maintain Tarletons Road in its current configuration with a single sealed traffic lane) is:

- A crash occurring along the road causing injury to vehicle occupants.
- Increased maintenance costs of maintaining the road due to the increased volumes of vehicles using the road.

7. Options

Council has the option to:

1. Acknowledge that widening works are appropriate and refer the project for consideration to the 2018/19 Capital Works budget for consideration against other priority projects.
2. Commit to undertaking the works as part of the 18/19 Capital Works program.
3. Maintain Tarletons Road in its current configuration with a single sealed traffic lane.

LIST OF APPENDICES

1. Locality Map - dated 3 October 2017

12.6 RESPONSE TO NOTICE OF MOTION 506 - YOUNG DIGGERS PROGRAM

Author: Andrew Mason - Coordinator City Amenity and Compliance
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To respond to Notice of Motion 506 and consider providing support to the 'Young Diggers' program in Melton.

RECOMMENDATION:

That Council:

1. Enter into an agreement with Melton's Partners of Veterans under s84Y of *The Domestic Animals Act* to give selected dogs to the 'Young Diggers' Program.
2. Waive all Council costs with respect to any dog selected for the Young Diggers Program.

Motion

Crs De Santis/Kesic.

That the recommendation be adopted.

CARRIED

Cr Majdlik called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

At its Ordinary Meeting of 21 August 2017, Council resolved:

That Officers provide a detailed report on Council supporting and/or assisting the 'Young Diggers' program in Melton which retrains dogs for use with PTSD sufferers, by:

1. *Allowing representatives of the program access to dogs in the pound, for assessment purposes, that are beyond the statutory holding period*
2. *Transferring ownership of selected dogs to the Young Diggers program at no cost.*

In accordance with s84Y of the *Domestic Animal Act*, Council can enter into agreements with community foster care networks and other bodies where Council gives the organisation a

dog or cat that has been seized or held beyond the statutory holding period, providing that the dog or cat is de-sexed and implanted with a permanent identification device.

In this context, this report provides an overview of current s84Y agreements that Council is a party too, how the process works and the costs associated with providing support to the Young Diggers Program.

2. Background/Issues

At its Ordinary Meeting of 21 August 2017, Council resolved:

That Officers provide a detailed report on Council supporting and/or assisting the 'Young Diggers' program in Melton which retrains dogs for use with PTSD sufferers, by:

- 1. Allowing representatives of the program access to dogs in the pound, for assessment purposes, that are beyond the statutory holding period*
- 2. Transferring ownership of selected dogs to the Young Diggers program at no cost.*

In accordance with s84Y of the *Domestic Animal Act*, Council can enter into agreements with community foster care networks and other bodies where Council gives the organisation a dog or cat that has been seized or held beyond the statutory holding period, providing that the dog or cat is de-sexed and implanted with a permanent identification device.

Council currently has 18 written s84Y agreements with foster care networks and has scope to enter into further agreements with other bodies. Council sends an average of 21 dogs to foster care networks / shelters each month.

The Melton Partners of Veteran through the Young Diggers dog squad trains canine companions and assistance dogs to support serving and ex-serving Australian defence force members dealing with post-traumatic stress disorders (PTSD).

There are more than 10,000 young Australian veterans living with post-traumatic stress disorder. The dog squad helps defence families to better cope with the effects of PTSD and saves the lives of many rescued dogs.

Dogs for the program are being brought from interstate and having to be trucked down from Tamworth or Brisbane for training. Currently more than 30 dogs have been trained in Victoria for the dog squad and more than 200 dogs are trained nationally.

The importance of this program is acknowledged and Council can under *The Domestic Animal Act* enter into an s84Y agreement, to support the Young Diggers Program.

However it should be noted that Councils Adoption Program in recent months has been active in pushing local adoption and the current adoption rate has increased from approximately one dog per month 2016 to seven dogs per month from June 2017. Council needs to service its own Adoption Program and cannot guarantee the number of dogs per month that can be given to each of the organisations it has s84Y agreements with.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
 - 1.5 *Environments that enable and encourage positive public health and wellbeing outcomes.*

4. Financial Considerations

Council can give selected dogs to the Young Diggers program at no cost. Before the release of a dog it must be registered, de-sexed and implanted with a permanent identification device.

Maximum cost per dog to Council will be:

Minimum boarding fee (8 days x \$13)	\$ 104
Registration fee to State Government	\$ 4
De-sexing cost	\$ 190
Micro-chipping cost	\$ 27.50
Total	\$ 325.50

The maximum cost per dog will be lower if the dog is already de-sexed or if the dog is already implanted with a microchip.

5. Consultation/Public Submissions

Not required.

6. Risk Analysis

The recommendation does not present a risk to Council. However it should be noted that Council needs to service its own adoption program and therefore the number of dogs per month under any s84Y agreements is not guaranteed.

7. Options

Council has the option to:

1. Enter into an agreement with Melton's Partners of Veterans under s84Y of The *Domestic Animals Act* to give selected dogs to the 'Young Diggers' Program.

LIST OF APPENDICES

Nil

12.7 RESPONSE TO NOTICE OF MOTION 508 - INSTALLING BALL PROTECTION FENCING AT BURNSIDE RECREATION RESERVE

Author: Troy Scoble - Manager Recreation & Youth
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To provide Council a response to Notice of Motion 508 tabled at the Ordinary Meeting of Council held on 18 September 2017.

RECOMMENDATION:

That Council endorse the program and priorities for installation of ball protection fencing at reserves throughout the City of Melton, as presented at **Appendix 2**.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

Cr Majdlik for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

This report has been prepared in response to Notice of Motion 508, tabled at the Ordinary Meeting of Council on 18 September 2017.

‘That Council officers prepare a brief report to Council outlining the costs of installing a safety net barrier to be installed on the north east side of the football goal posts at Burnside Recreation Reserve.’

This report outlines the funding provided under the Ball Protection Fencing program, the assessment undertaken and priorities identified for implementation for each reserve using risk criteria appropriate to community sport.

The report also identifies the current priority projects identified for implementation for the 2017/18 and the 2018/19 financial years.

The cost of installing a safety net barrier on any given reserve based on recent installations is \$21,000.

2. Background/Issues

Council has committed \$42,000 in the Ball Protection Fencing program for the 2017/18 financial year to install ball protection fencing at reserves across the municipality. The program is an ongoing capital program to reduce the risk at a number of reserves across the municipality expected to be completed in 2021/22.

Ball Protection Fencing is now a standard provision item at all new Active Recreation Reserves. This program operates to address those historic issues at existing reserves.

The remaining playing surfaces without ball protection fencing will be considered, taking into account the risk factors at each reserve.

A recent risk assessment has been completed by Officers at reserves and the schedule and priority of future installation is now being determined by assessing reserves and playing fields against a number of risk factors.

These include:

1. Level of acceptable risk of people or property (vehicles, buildings etc) being struck by balls exiting the playing fields.
2. Level of risk to people / participants retrieving balls once they exit the playing field i.e. vehicle traffic, drainage culverts, uneven surfaces in creeks and water courses.

The existing assessment of reserves against this criteria is provided in **Appendix 1** and the program for future years is listed in **Appendix 2**. The assessment highlights the risks relating to each of the reserve that are currently present and require addressing.

Whilst the Macpherson Park Oval 1 Northern end and the Macpherson Park Soccer Northern end were both scheduled for the 2017/18 financial year, these projects have been deferred pending the outcome of recent grant applications to State Government to develop the reserve.

Therefore, scheduled for the 2017/18 financial year are:

- Burnside Recreation Reserve Oval 1.
- Hillside Recreation Reserve.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
1.3 Equitable, inclusive and accessible community and health infrastructure and services.

4. Financial Considerations

There is \$42,000 committed to the Ball Protection Fencing Program in the 2017/18 budget. The program is scheduled to run for a further 5 years. This would include a further investment of \$210,000 into ball protection fencing plus CPI.

5. Consultation/Public Submissions

A number of clubs have participated in the Council 223 Budget submission process and/or approached Council and officers directly requesting ball protection fencing this year and in previous years.

6. Risk Analysis

All remaining reserves present a certain level of risk to persons and property. Whilst it is identified that all reserves require ball protection fencing, existing budget supports on average 2 ball protection fences per year.

Officers will continue to review the risk matrix provided with this report to inform the following years ball protection fencing program of works.

7. Options

Council has the option to:

- Continue with the program of installation as outlined within the report.
- Provide additional funding to support the acceleration of program delivery.

LIST OF APPENDICES

1. Ball Protection Fencing Assessment Criteria - undated
2. Ball Protection Fencing Capital Program 2017/18 - undated

12.8 COMMUNITY FUNDING OUTCOMES 2016/17

Author: Danielle Vandermeij - Community Funding Officer
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To provide an overview of outcomes of Council's and partners 2016/17 Community Grants Program.

RECOMMENDATION:

That Council:

1. Receive and note the outcomes of Council's Community Grants Program for the 2016/17 financial year, as presented at **Appendix 1**.
2. Receive and note the outcomes of The Club Caroline Springs and the Harness Racing Victoria/Tabcorp Park funding programs, as presented at **Appendix 1**.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Melton City Council's Community Grants Program provides support for the development of community led initiatives. The program includes Council funded grants and community benefit funds from venue partners, The Club Caroline Springs and Harness Racing Victoria/Tabcorp Park, which are administered by Council. The provision of community grants values the contribution of local residents and community groups in enhancing local community wellbeing and social connectedness.

The program enables the development of local skills and interests through supporting initiatives, activities and events that:

- Enhance community wellbeing and social connectedness; increase civic participation
- Strengthen capacity and learning of local groups and individuals
- Foster opportunities for partnership and collaboration
- Promote the uniqueness, heritage and cultural diversity of our City.

During the 2016/17 period, the Community Grants Program, inclusive of The Club Caroline Springs and Harness Racing Victoria/Tabcorp Park grants, provided opportunities to 68 funding submissions from 116 received requests. This report details the recipients of funding, and provides summary of the initiative, passion and commitment that individuals and local groups are delivering for our community.

2. Background/Issues

Council recognises and values the important contribution individuals and community groups provide to the local community. Local community organisations are ideally placed to understand local needs and encourage community participation to create significant benefit for the community through the instigation of local programs and projects.

Council provides financial support to facilitate these benefits through the Community Funding Program. In 2016/17 the program grant categories consisted of:

- Council Annual Grants Program
- Council Monthly Responsive Grants Program
- Council Resident Achievement Donation
- The Club Caroline Springs Grants Program
- The Harness Racing Victoria/Tabcorp Park Grants Program.

2016/17 Community Funding Allocation

The 2016/17 community funding allocation was \$295,000 comprising of \$195,000 in Council funded grants and \$100,000 in community benefit funds from venue partners. Of the available \$295,000, a total of \$257,455.66 was distributed to successful grant applicants. Details of the distribution of funds are provided in the following table and **Appendix 1**.

Program	Amount Available	Amount Approved
Council Community Grants Program	\$195,000	\$154,455.76
Council Partner Grant Programs <i>Note: includes The Club Caroline Springs Grant Program (\$50,000) and Harness Racing Victoria/Tabcorp Park Grants Program (\$50,000)</i>	\$100,000	\$102,999.90

It is further noted that in the Council Partner Grant Program, \$3,000 was returned to this category from a grant awarded in 2015/16, therefore resulting in the Amount Approved in 2016/17 totaling \$102,999 and exceeding the Amount Available of \$100,000.

2016/17 Council Community Grants Program Categories

Council directly provided community funding through the following two program categories:

Category One – Community Grants Program (CGP)		
Grant Name	Purpose	Amount Available
Monthly Responsive Grants	Financial assistance for projects that provide a timely response to emerging community needs/issues and for supporting establishment costs of new groups.	Up to \$2,500
Annual Grants	To support projects and initiatives that: <ul style="list-style-type: none"> - Increase community participation - Provide services that strengthen community wellbeing - Promote and develop local pride - Promote community leadership. 	Up to \$10,000

Category Two – Donation Fund		
Resident Achievement	Recognises achievements and financial sacrifices made by residents participating in leisure and cultural activities at a higher level.	International <\$750 Interstate <\$500 State <\$250

2016/17 Council Partner Grant Program Categories

Council administered applications for the following grant programs in partnership with venue partners.

Community Grants Program		
Grant Name	Partner	Funding Available
The Club Caroline Springs Grants Program	The Club Caroline Springs (\$50,000)	Access to community grants providing \$50,000 across 2 categories: Community Support Grants < \$5,000 available for community events and programs. Infrastructure / Equipment Grants < \$10,000 to purchase equipment or contribute towards physical infrastructure.
Harness Racing Victoria/Tabcorp Park Grants	Harness Racing Victoria/Tabcorp Park Grants (\$50,000)	Access to community organisations and service providers to Community Support Grants < \$4,000 available for community events and programs. Infrastructure / Equipment Grants < \$7,500 to purchase equipment or contribute towards physical infrastructure. School Welfare Support Grants <\$5,000 to support the implementation of welfare structures and programs.

All eligible applications adhered to promoted guidelines and acquittal requirements. Allocation of funding was recommended via appointed selection and assessment panels against predetermined assessment criteria. Assessment panels were comprised of Council officers, Councillors and community representatives.

A summary of outcomes across funding categories of the Council Community Grants Program and the Partner Grant Programs that were administered by Council can be found in **Appendix 1**.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
 - 1.2 A safe and equitable community.

4. Financial Considerations

The following tables below provide a summary of the successful allocation of funds across all program areas for the 2016/17 financial year:

Category One - Council Community Grants Program		
Grant Name	Number of successful applications	Amount Funded
Monthly Responsive Grants	9	\$21,389.50
Annual Grants	21	\$124,066.26
Category Two – Donation Fund		
Resident Achievement	17	\$9,000.00
TOTAL Community Grants Program		\$154,455.76
The Club Caroline Springs Grant Program		
Grant Name	Successful number of applications	Amount Funded
The Club Caroline Springs Grant Program	10	\$50,000.00
Harness Racing Victoria/Tabcorp Park Grant Program		
HRV/Tabcorp Park Grant Program	11	\$52,999.90
TOTAL Council Partner Grant Programs		\$102,999.90

5. Consultation/Public Submissions

All funding available was extensively promoted across our community through:

Local Press	<ul style="list-style-type: none"> - Display of public notices in local papers - Advertisement advising of funding round openings and opportunities - Press releases advising of local funding opportunities
Community Information Sessions	Conducted throughout the financial year, the sessions advise community members and organisations on processes and best practice for application writing. It also provides an opportunity for discussions for proposals for Council funding programs.
Website	All general information, contact details, guidelines and application forms are available for viewing and download from Councils' Grants Page of its website.
Facebook	Grants information was made available and promoted on Council's Facebook page.
Information Brochures	Community Grants Programs guidelines and application forms are made available at community centers, civic centers and libraries.
Officer Support	Officers provide advice to potential applicants at specific and general meetings with community.
Community Funding Cheque Presentation Nights	<p>The SHARE event occurred in June 2017 at the Caroline Springs Library. The event:</p> <ul style="list-style-type: none"> - formally launched Council's new community training calendar - recognised community projects - featured a keynote speech - provided an opportunity for community members and organisations to contribute <p>The Club Caroline Springs Grants cheque presentation event was held on 22 March 2016</p> <p>The Harness Racing Victoria/Tabcorp Park Grants cheque presentation event was held on 5 April 2017.</p>

6. Risk Analysis

Community Grant opportunities provided and administered by Council are promoted and provided in accordance with Council objectives, guidelines and process.

7. Options

Nil.

LIST OF APPENDICES

1. Community Funding Summary - dated 2016/17

Cr Kesic left the Chamber at 8.03pm.

Cr Kesic returned to the Chamber at 8.06pm.

12.9 NAMING REQUEST - BRIDGE ROAD ATHLETICS FACILITY

Author: Adrian Cope - Open Space Planning Coordinator
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To advise Council on the request from the Melton Little Athletics Club to consider naming of the Bridge Road Athletics Facility.

RECOMMENDATION:

That Council:

1. Do not support the naming of the Bridge Road Athletics track.
2. Officers advise the Melton Little Athletics Club of the process required, should they wish to pursue the naming of the Bridge Road Athletics Facility in the future.

Motion

Crs Hardy/Turner.

That Council officers commence further dialogue with the Melton Little Athletics Club, to discuss opportunities to honour and recognise the significant contribution of the late Barry Taylor to the Melton Little Athletics Club.

CARRIED

REPORT

1. Executive Summary

The Melton Little Athletics Club has approached Council to consider naming of the Bridge Road Athletics Facility in memory of Barry Taylor who recently passed away (refer previous correspondence in **Appendix 1**). Barry Taylor had been a key figure within the club, having been a founding member and serving on the committee for 47 years. Barry was named the Melton Citizen of the Year in 2010 for his contribution to the community via his dedication to the youth of Melton through his continual involvement of the Melton City Little Athletics Centre. Barry also received recently a club volunteer recognition award at the City of Melton Sports Awards.

The initial approach has been assessed against Council's Naming of Council Facilities Policy, which refers to the Guidelines for Geographic Place Names Victoria in regards to the procedure for naming. The guidelines are now obsolete and have been replaced by the Naming rules for places in Victoria 2016.

The new guidelines outline both the policy and procedure for the initiation of a naming request by members of the public for community facilities.

The naming of the Bridge Road Athletics Facility in memory of Barry Taylor requires further consideration, and it is recognised that he has made an invaluable contribution to the Melton Community and the Melton City Little Athletics Centre. However the initial approach from the

Melton Little Athletics Club does not currently meet the requirements of the Naming rules for places in Victoria 2016 for its consideration.

2. Background/Issues

The Melton Little Athletics Club has approached Council to consider naming the Bridge Road Athletics Facility in memory of Barry Taylor who recently passed away. Barry Taylor had been a key figure within the club, having been a founding member and serving on the committee for 47 years. Barry was named the Melton Citizen of the Year in 2010, for his contribution to the community via his dedication to the youth of Melton through his continual involvement of the Melton City Little Athletics Centre. Barry also received recently a club volunteer recognition award at the City of Melton Sports Awards.

Council's Naming Policy outlines the options and procedures available for the naming of reserves and/or facilities. Clause 4.1.4 of the policy states: The procedure for naming of facilities is to be undertaken in line with the procedures outlined within the Guidelines for Geographic Place Names Victoria.

The Guidelines for Geographic Place Names Victoria are now obsolete and have been replaced by the Naming rules for places in Victoria 2016.

Section 6 of the updated guidelines, which outlines the process for the initiation of a naming proposal by the public, defines what should be included as part of a proposal submitted by the public. These elements required include:

- The proposed name.
- The location of the road or feature, including a map (and, if relevant, its current name).
- Background information on why the naming authority should consider naming or changing the name or boundary, e.g. why the proposed name is considered appropriate (include any history or local relevance).
- The reason for the proposal (why the current name is not considered appropriate or any other relevant information).
- Contact details of the proposer(s) and information on public consultation that has occurred and/or support and non-support that has been gathered from community members or groups.
- A statement saying that the proposed name conforms to the relevant principles and requirements in the naming rules.

A checklist, available in the guidelines, can be used to help ensure appropriate information is provided to the naming authority. Upon receiving the proposal from the public, the naming authority should initiate the formal proposal process that are detailed in the guidelines.

The naming of the Bridge Road Athletics Facility in memory of Barry Taylor requires further consideration, and it is recognised that he has made an invaluable contribution to the Melton Community and the Melton City Little Athletics Centre. However the request from the Melton Little Athletics Club needs to meet the requirements of the Naming rules for places in Victoria 2016 guidelines.

It is recommended that the Melton Little Athletics Club is informed that a submission in accordance with the Naming rules for places in Victoria 2016 is required.

It is the Officers view that this request would initiate numerous requests from other Clubs or individuals across the City, and therefore is not supported.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
 - 1.1 *A community where all people feel welcome, valued and proud.*

4. Financial Considerations

There are no financial considerations at this time.

5. Consultation/Public Submissions

No formal community consultation has been undertaken in relation to this submission.

The Naming rules for places in Victoria 2016 outline the consultation process that is required to be undertaken by the Melton Little Athletics Club as part of a formal submission in relation to their request.

6. Risk Analysis

There are risks associated with this request, with the most significant being the precedent set by Council in relation to naming of community facilities requests from community groups, organisations and individuals.

7. Options

That Council:

1. Endorse the Officers recommendation as presented in the report.
2. May determine to name the facility in any shape or form in memory of Barry Taylor.

LIST OF APPENDICES

1. Previous correspondence - dated 9 March 2016

12.10 FRASER RISE SECONDARY COLLEGE - INFRASTRUCTURE WORKS

Author: Matthew Hutchinson - Design and Traffic Coordinator
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To present to Council a proposal for the construction of footpaths and indented parking along two streets adjacent the new Fraser Rise Secondary College and inclusion of the works in Council's Capital Works Program and budget.

RECOMMENDATION:

That Council:

1. Fund \$480,000 (Stage 1) works of un-budgeted expenditure to construct indented parking and footpaths adjacent to the new Fraser Rise Secondary College.
2. Commence works as soon as practical to enable works to be completed prior the opening of the school in early 2018.
3. Refer the remaining works at City Vista Court (Stage 2) to the Capital Works Program and 2018/19 Budget process.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The Taylors Hill West Precinct Structure Plan (PSP) included land for a government P-6 primary school and a non-government school. After subsequent modeling the Department of Education & Training (DET) decided to use the allocated land for a 7-12 secondary college.

As the site is now to be wholly used as a government school Council have no means to be able to collect Developer Contributions (DCs) or to require the construction the road infrastructure associated with the development and required through the PSP as the Minister for Education is exempt from the requirements of the Planning Scheme. This leaves council with a \$1.4million funding shortfall and the necessity to construct the road infrastructure to enable the school to function appropriately.

There are two stages of works (refer **Appendix 3**) required to deliver the infrastructure to service the school:

- Stage 1 which comprises the construction of the required footpaths on City Vista Court, Enterprise Circuit and the reserve to the east of the school site and indented parking on Enterprise Circuit.
- Stage 2 which comprises the undergrounding of power lines and the construction of bike lane and indented parking on City Vista Circuit.

It should be noted that the construction of the southern portion of any works on City Vista Circuit on the southern portion of the school site are dependent on DET acquiring the land.

This report recommends Council allocate funding to complete the Stage 1 works prior to the school opening in Term 1 2018. The Stage 1 works are estimated to be \$480,000.

2. Background/Issues

The 2010 Taylors Hill West PSP included land allocations for both a government P-6 primary school plus a non-government school and identified infrastructure required to service this site and the wider area. Since the approval of the PSP, no commitment was provided by a private provider to develop the non-government school site.

Subsequent modeling by the Department of Education and Training (DET) indicated that a P-6 primary school in Taylors Hill West was not the priority. DET proposed instead using the two parcels of land for a 7-12 secondary school.

Under the Taylors Hill West Developers Contributions Plan (DCP), a non-government school would have been required to pay DCs for the development of land. Based on the land size (5.31ha) and DCP rate this equates to approximately \$1.4 million.

This \$1.4 million would have contributed to a range of DC funded works within the THW PSP. The Minister for Education is exempt from the requirements of the Planning Scheme and as such, is not required to pay Developer Contributions (DCs). This means that Council will not be able to collect DCs for the non-government school site, creating a net shortfall of approximately \$1.4 million.

In addition, the non-government school would have been subject to a planning permit application which would have required the construction of a local access road and undergrounding of power as conditions on the permit. Given the Minister for Education's exemption, no permit is required and the mechanism to secure delivery of these projects is no longer available to Council.

Council wrote to the DET on 3 October 2016 (refer **Appendix 1**) requesting additional financial contributions to share the costs of these mutually beneficial civil works.

Unfortunately the response from the DET on 1 December 2016 (refer **Appendix 2**) was they were unable to assist as its available capital funding is fully committed to building the school.

The DET were prepared however contribute the land required construct the footpath and indented parking at nil cost to Council.

Works on the school have commenced and the school will be operational on the 30 January 2018 (commencement of Term 1 2018). This leaves Council with some critical infrastructure to construct prior to the schools opening day. Without these works there will no footpaths to access the school and no parking creating congestion in the surrounding neighborhood.

It is proposed that the remaining infrastructure works be undertaken in two stages:

Stage 1:

- construction of the required footpath on City Vista Court;
- construction of the required footpath and indented parking on Enterprise Circuit; and
- construction of the required footpath within reserve at the eastern boundary of the school

The cost of these Stage 1 works is estimated to be \$480,000.00. It should be noted that the construction of the southern portion of the footpath on City Vista Court adjacent to the school site is subject to DET acquiring the southern property which is currently under negotiation. This acquisition does not impact the rest of the works in Stage 1.

Stage 2:

- undergrounding of power lines
- construction of bike lane and indented parking on City Vista Circuit

The cost of the Stage 2 works is estimated to be \$760,000.00. Again it should be noted that the construction of the southern portion of any works on City Vista Circuit on the southern portion of the school site are dependent on DET acquiring the land (refer **Appendix 3**).

If Council approve the Stage 1 works they will be awarded and constructed prior to the school opening in 2018.

The Stage 2 works will be referred to the Capital Works Program and 2018/19 Budget process.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way

3.4 A flexible, safe and health promoting transport network that enables people to move around.

4. Financial Considerations

The estimated cost of Stage 1 of the project is \$480,000, which is required to be completed in the 2017/18 financial year and is currently under budgeted. The inclusion of the works will result in an overspend in the current budget.

5. Consultation/Public Submissions

Council has been in discussion with the school architects and the principal who are supportive of the works. Residents will be notified prior to works commencing. Additional consultation with the nearby residents is not required as footpaths and parking bays would be considered normal infrastructure in a street next to a school.

6. Risk Analysis

A potential delay for the project is the land acquisition the DET are negotiating on the southern allotment. If the acquisition was delayed Council would not be able to construct the sections of path affected on City Vista. Although not ideal the most critical infrastructure being the works on Enterprise Circuit can proceed irrespective of the land acquisition issues.

The risks associated with Option 2 is that parking would be difficult to control with no footpaths to designate the pedestrian areas the safety of school children would be compromised.

7. Options

Council has the option to:

1. Fund \$480,000 (Stage 1) works of un-budgeted expenditure to construct indented parking and footpaths adjacent to the new Fraser Rise Secondary College and refer the remaining works at City Vista Court (Stage 2) to the Capital Works Program and 2018/19 Budget process noting that the timing of construction of Stage 2 works.
2. Delay the installation of the footpath and parking bays at Enterprise Circuit until the 18/19 capital works program.

LIST OF APPENDICES

1. Melton City Council letter to DET - dated 3 October 2016
2. DET response to Melton City Council - dated 1 December 2016
3. Layout Plan - dated 27 September 2017

12.11 PLANNING APPLICATION PA 2017/5599 - USE AND DEVELOPMENT FOR A CHILDCARE CENTRE WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT 143 BROOKLYN ROAD, BROOKFIELD

Author: Joseph Oyelowo - Development Planner
Presenter: Bob Baggio - Manager Planning Services

PURPOSE OF REPORT

To consider and determine the above planning application, previously deferred by Council to a future meeting.

RECOMMENDATION:

That Council issue a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 7** of this report.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Background

Executive Summary

It should be noted by Council that at its Ordinary meeting of 21 August 2017, it resolved at the request of the applicant that consideration of the application be deferred to a further meeting of Council.

Since that time, the applicants have submitted a further Traffic Engineering report and amended one of the proposed access points, in an attempt to address resident concerns relating to traffic safety and congestion.

A summary of the additional information and proposed changes is included in Section 5 of the report under the heading – ‘Amended Proposal’. In light of this, subsequent changes have also been made to the ‘Planning Assessment’ section of the report.

Applicant:	Port Phillip Building Services
Proposal:	Childcare Centre
Existing Land Use:	Dwelling
Zone:	Neighbourhood Residential
Overlays:	Nil
Number of Objections:	24
Key Planning Issues:	Suitability of the site and location Traffic safety and congestion
Recommendation:	Approve application

The Land and Surrounding Area

The subject land is generally referred to as 143 Brooklyn Road, Brookfield and described as Lot 1 on Plan of Subdivision 734817. The land is located on the south west corner of Brooklyn Road and Campbell Court approximately 700 metres west of Coburns Road. The land has an area of 2,564 square metres.

Other features of the site are as follows:

- There is an existing single storey dwelling with five bedrooms and large shed on the site with a U shaped driveway.
- It is rectangular in shape except for a splay at the north-eastern corner, has a primary frontage to Brooklyn Road of 41 metres and a side abuttal to Campbell Court of 51 metres.
- It is well landscaped with extensive vegetation.
- Vehicle access/exit from the land is from two single vehicle crossovers on the northern frontage to Brooklyn Road.

Brooklyn Road is a connector road consisting of two lanes. Parallel kerbside parking is provided on the north side of Brooklyn Road as well as a bicycle lane. The land forms part of an area that is commonly known as the Brookfield Acres Estate. The Estate is generally bounded by Brooklyn Road to the north, Arnolds Creek to the south and east and Clarkes Road to the west.

The surrounding area comprises predominately of established dwellings, however the Melton Christian College is located approximately 230 metres and Genesis Gym approximately 600 metres east of the site. The College consists of students from prep to year 12. Other schools that are located 1.2 kilometre east of the subject land are Straughton College, St Anthony's Catholic School and Melton South Primary School.

Refer to **Appendix 1** for a locality plan.

Planning History

In 2014, the land was rezoned from Residential 1 to Neighbourhood Residential, as part of a broad planning scheme change which introduced the new residential zones across the municipality.

In 2015, Council approved a planning permit for a two lot subdivision which created the subject lot. The other lot created is currently vacant.

The Application

The application proposes the use and development of the land for a Childcare Centre with associated car parking and landscaping.

The proposal is summarised as follows:

- Alteration and additions to the existing dwelling are proposed to allow the building to be used as a childcare centre to accommodate 90 children. The extension will maintain the single storey, hipped roof form.
- Hours of operation will be 7.00am to 6.30pm - Monday to Friday.
- The number of staff available on the premises will be 10.
- Windows and rollers doors to the garage, some internal walls, walk in robe to the master bedroom, laundry, bathroom and robe for bedroom 2 and 3 will be removed. While the pergola will be demolished.
- The proposed ground floor will consist of five play rooms for various ages including associated change areas, cot rooms and storage. There will also be five play areas resulting in one per play room.

- The floor plan will also consist of an entrance foyer, reception and meeting room, staff storage area, central kitchen, two staff rooms, toilets and laundry.
- The outdoor play area will consist of a playground with equipment and surfacing.
- Car parking for 21 cars including one disabled space will be located on the north side of the property boundary. The driveway will be paved to Council's specifications.
- A free standing non-illuminated business sign will be erected within the property boundary located on each side of the internal driveway. Each business sign will contain the words 'Little Sunflowers – Childcare & Early Learning'.
- There will also be a sculpture of a sunflower located within the front landscape area. The sculpture will be 1.5 metres wide and 2 metres high.

A traffic impact assessment report was submitted as part of the application. The report addresses issues associated with the expected traffic impacts of the proposal, including likely effects on car parking provision and demand on the adjacent road network.

The traffic report indicates that the peak hour of the proposed childcare care centre does not coincide with the peak school hour traffic. From the empirical assessment carried out it is submitted that the peak hour of the childcare centre will be 7.30am to 8.30am and 4pm to 5pm while that of the Melton Christian College is 8am to 9am and 3pm to 4pm. The conclusion of the report was that the traffic movement generated by the proposal can be appropriately accommodated within the surrounding street network.

Refer to **Appendix 2** for plans of the proposal.

Planning Controls

Zone	Clause 32.09 - Neighbourhood Residential Zone (NRZ)	Permit required for the use and development of a childcare centre.
Overlays	Nil	Nil
Particular Provisions	Clause 52.05 – Advertising signs Clause 52.06 – Car Parking	Permit required for the business identification signs. 0.22 car spaced are required per child. 90 children are proposed equating to 19 car spaces The application makes provision for 21 spaces.

A full assessment of the proposal against the relevant State and Local planning policies is included in **Appendix 3**.

Is the land affected by a Restrictive Covenant?

The land was affected by a Restrictive Covenant however this expired on 28 February 1995. A Section 173 Agreement relates to storm water management, limits the number of dwelling on the land to one, and restricts any further subdivision of the land. The proposal is consistent with Agreement.

Is the land of Cultural Heritage Sensitivity?

The Aboriginal Heritage Regulations 2007 specify the circumstances in which a cultural heritage management plan is required for an activity or class of activity.

Council's GIS does not identify the land as having Aboriginal Cultural Heritage Sensitivity. Hence, a cultural heritage management plan is not required.

2. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way.

3.1 A City that strategically plans for growth and development.

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions

Public notification of the application

The application was subject to notification. The notification was satisfactorily completed and 24 objections were received.

The grounds of objection may be summarised as follows:

- There is no need for another child care centre as there are ample childcare centres in Melton already.
- The proposed childcare centre is incompatible with the residential nature of the neighbourhood.
- Insufficient car parking is provided on-site, resulting in on-street car parking issues.
- The childcare centre would add to the noise and increase traffic congestion on Brooklyn Road principally caused by the nearby school.
- Concern that if Council approves this application it may set a precedent for further businesses establishing in the area.
- Other concerns such as overshadowing from shade sails and vegetation removal, property devaluation, and scale of the proposed building.

A response to the objections is provided in **Appendix 4**.

Referral of the application

The application was referred to Council's Engineering Department (Traffic Section) for comment and advice. A complete list of responses is included in **Appendix 5**.

5. Issues

Amended Proposal

Since consideration of the application being deferred at the August Council meeting, the applicants have submitted a further Traffic Engineering report, which found as follows:

1. *A review of the existing conditions along Brooklyn Road, Brookfield confirms that there are no turn lanes along most of Brooklyn Road. However, the results of the Sidra analysis above show that queue length for vehicles turning right into Campbell Court is well within acceptable limits. For this reason, while the development will generate additional turning movements between the site and Brooklyn Road these can occur safely without the need for designated turn lanes.*
2. *In the unlikely case when a vehicle must queue to turn right into Campbell Court, the lane includes a bike lane and parking lane with a width of 6.45 metres. Based on aerial images, there is typically very little parking occupancy adjacent to the turning lane.*

Therefore this is adequate width for an eastbound through movement to pass a propped right-turning vehicle safely while giving way to cyclists, albeit at a lower speed.

3. *Thus the additional traffic generated by the proposal can be adequately accommodated within the surrounding street network.*

In terms of access, the report found:

4. *The current proposal has separate entry and exit access directly onto Brooklyn Road. It is proposed that the eastern crossover is used for entry and the western crossover for exit from the site.*
5. *The main concern with the existing proposal is the close proximity of the site entry point to the intersection at Campbell Court. Their close proximity will create some confusion for entering traffic as to whether the left or right turn is into the site or Campbell Court. A better outcome would be to have the site entry from the side street on Campbell Court. Shifting of the entry to Campbell Court would also allow two additional on-site parking spaces. (emphasis added)*

The site exit could be retained in its currently proposed location or could also be shifted to be combined with the entry on Campbell Court, either location will work appropriately.

In response to the above comments, the applicants have lodged amended plans which show:

- The relocation of the entry crossover from Brooklyn Road to Campbell Court.
- The provision of three additional car parking spaces provided on site, bringing the total to 24, which is five more than the statutory requirements.

Refer to **Appendix 6** for amended plans of the proposal.

Planning Assessment

The Neighbourhood Residential Zone has as one of its purposes:

'To allow educational, recreational, religious, community and a limited range of other non-residential uses in appropriate locations.'

It is considered that the main issues for Council to consider with this application is whether:

- The site is in an appropriate location for the use.
- The residential amenity of the area will be detrimentally affected by the proposal.
- Traffic safety is compromised by the proposal.

While it is acknowledged that a child care centre is a non-residential use, it is generally considered that this type of use can be appropriate in a residential area provided that it does not unreasonably cause a detriment to the amenity of surrounding residents.

The advantage of co-locating non-residential uses within a residential area is that access to services will be easily and quickly accessible. In addition, childcare centres positively support families by providing an environment where young children will be able to stay while enabling the parents to participate in work and community life.

The existing single storey building will not be demolished to make way for the proposed childcare centre. The only works that will be carried out are internal renovations and a minor extension to the rear of the building to make the different children rooms bigger. The other construction works that will be carried out is the car parking area located within the front setback of the property. The height of the building will not be increased as such there will not be an issue of visual bulk or overshadowing. The building will still resemble a residential dwelling, in keeping with the existing neighbourhood character.

Some of the objectors in close proximity to the subject land have raised concerns about the noise of children generated by childcare centres. In this respect, the applicants have agreed

to a permit condition for acoustic fencing along the western and southern boundaries to reduce any noise impacts to adjoining properties. The precise design, material and height of the acoustic screening or any other measures to minimise noise would be subject to an acoustic report to be prepared to the satisfaction of the responsible authority.

Most of the objections to the proposal was about the traffic congestion and safety on Brooklyn Road. The traffic report originally submitted by the applicant provides empirical evidence and analysis to demonstrate that the amenity effect of the extra traffic generated by the proposed childcare centres will be negligible compared to the traffic already generated by the existing College along Brooklyn Road. A concern however has been expressed in the more recent traffic report that the location of the entry point on Brooklyn Road may cause some confusion to motorists turning into or out of Campbell Court. The amended plans propose to relocate this access point onto Campbell Court, which also provides the opportunity to provide three additional on-site car spaces.

In addition the peak hour for the childcare centre will be 7.30am to 8.30am and 4pm to 5pm while that of the Melton Christian College is 8am to 9am and 3pm to 4pm. In this instance it is evident that the peak hour of the proposed childcare centre will not coincide with the peak school hour traffic. In addition Council's Traffic Engineers has not raised any concerns regarding the empirical evidence and analysis presented in the traffic report, or the amended access arrangements.

6. Options

Council can either support the application by issuing a Notice of Decision to Grant a Permit or not support the proposal by issuing a Notice of Refusal.

7. Conclusion

The application has been assessed against the State Planning Policy Framework, Local Planning Policy Framework, Zone provisions and Clause 65 of the Melton Planning Scheme.

It is considered that the proposal generally complies with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be approved as outlined in **Appendix 7**.

LIST OF APPENDICES

1. Locality Plan - dated 3 August 2017
2. Plans for the Proposal - dated 30 March 2017
3. Assessment against Planning Scheme - undated
4. Response to objections - undated
5. Referral Comments - undated
6. Amended Plans - dated 14 September 2017
7. Notice of Decision - undated

Cr De Santis left the Chamber at 8.09pm having declared an indirect interest at Item 5 of this Agenda.

12.12 PLANNING APPLICATION PA 2015/4986/2 - AMENDMENT TO PERMIT AND PLANS ASSOCIATED WITH THE USE AND DEVELOPMENT OF THE LAND FOR THE PURPOSE OF A CHILDCARE CENTRE AT 1911 GISBORNE-MELTON ROAD, KURUNJANG

Author: Cam Luong - Development Planner
Presenter: Bob Baggio - Manager Planning Services

PURPOSE OF REPORT

To consider and determine the above application.

RECOMMENDATION:

That Council issue a Notice of Decision to Amend a Permit subject to the conditions outlined in **Appendix 6** of this report.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Background

Executive Summary

Applicant:	McLauchlan & Associates Pty Ltd
Proposal:	Amendment to permit for a child care centre
Existing Land Use:	Unoccupied building that was previously used a child care centre
Zone:	Low Density Residential
Overlays:	Environmental Significance (Schedule 2)
Number of Objections:	Eight
Key Planning Issues:	Suitability of the proposed use Access Car parking provision Noise Waste-Water Treatment System
Recommendation:	A Notice of Decision to Amend a Permit be issued.

The Land and Surrounding Area

The subject site has an area of approximately one hectare and is located on the eastern side of Gisborne-Melton Road, Kurunjang. Other features of the site are as follows:

- The site is irregular in shape.
- The site contains an existing building, which was previously used as a child care centre.
- There is an existing crushed rock car parking area, which appears to be overgrown with weeds.
- The land is not connected to reticulated sewerage.
- A tributary of the Toolern Creek runs north-south through the subject land.
- The site contains planted and remnant native vegetation.

The surrounding area is generally characterised by a mix of existing residential development. On the western side of Gisborne-Melton Road is conventional residential development, whereas the eastern side is characterised by larger low density allotments upwards of 4,000 square metres in area.

Refer to **Appendix 1** for a locality plan.

Planning History

Council at its meeting on 27 June 2016, resolved to support a planning application for a Child Care Centre on the subject land. The application at the time generated 14 objections, however the permit was subsequently issued on 5 August 2016.

The permit contains a range of conditions, including acoustic fencing along the northern boundary, provision of an appropriate on-site waste water system, and access works on Gisborne-Melton Road to enable safe access to and from the site.

The permit has yet to be acted upon. Refer to **Appendix 2** for a copy of the permit.

It may also be of interest that the site was previously used as a Child Care Centre under a permit issued in 1994.

The Application

The current application before Council is to amend the permit and plans authorising the proposed use.

The proposed changes are summarised as follows:

- The existing building is to be extended to the north-east. The proposed addition would create another three play rooms, and add another 274.56sqm of gross building area.
- Although the size of the building has increased, the applicant has indicated that the maximum number of children would be reduced from 175 to 138 (a reduction of 37 children).
- The roofline/form of the building would also be modified to ensure that proposed extension would be more complementary to the surrounding area.
- The external façade of the existing brick veneer building would also be rendered, and windows would be replaced (modernised) or removed according to the changes to the internal arrangements of the building.
- A new verandah would be constructed on the western, northern, and eastern elevations to provide shaded areas for outdoor play.

- The area generally to the front of the building has now been nominated as being used for outdoor play areas.
- The plans also now show that a 1.9 metre high non-climbable fence would enclose the outdoor play areas.
- The disability access ramp to the building has been redesigned.
- The number of car parking spaces has also been reduced from 40 to 30.

The applicants has also indicated they are willing to connect the site to reticulated sewerage in order to address some of the residents' concerns.

Refer to **Appendix 3** for plans of the amended proposal

Planning Controls

Zone	Clause 32.08 – Low Density Residential Zone	A permit is required to use and develop the land for the purpose of Child Care Centre.
Overlays	Clause 43.04 – Environmental Significance Overlay (Schedule 2)	The purpose of the ESO is to identify, protect, and conserve wetlands, waterways, and riparian strips that are deemed to be environmentally significant. A permit is required to undertake buildings and works within an ESO.
Particular Provisions	Clause 52.06 – Car Parking	0.22 car spaces are required per child. 138 children are proposed equating to 30.36 car spaces. The application makes provision for 30 car spaces, and complies with requirement of the Melton Planning Scheme.

A full assessment of the proposal against the relevant State and Local planning policies is included in **Appendix 4**.

Is the land affected by a Restrictive Covenant?

The land is affected by a Restrictive Covenant.

Council officers are satisfied that the proposal will not breach any of the obligations contained in the restrictive covenant.

Is the land of Cultural Heritage Sensitivity?

The land is not considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*.

2. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way.

3.1 A City that strategically plans for growth and development.

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions

Public notification of the application

The application was subject to notification. The notification was satisfactorily completed and eight objections were received.

The grounds of objection may be summarised as follows:

- The removal of native vegetation
- Concerns with the capacity of the septic system
- The safety concerns with children in proximity to the creek
- Lighting after hours
- Potential traffic issues (congestion, delays, and safety) along Gisborne-Melton Road.
- Noise from children playing will impact on the peaceful and tranquil environment
- Concerns that the 'sensory garden play area', will become a de facto play area.

A response to the objections is provided in **Appendix 5**.

Referral of the application

The application was re-referred to a number of Council Departments for comment and advice. A complete list of responses is included in **Appendix 6**.

5. Issues

Planning Assessment

On the basis that the proposed use and development of the site for a child care centre has an existing valid permit, Council's assessment of this application is largely confined to the amendments being proposed. As previously indicated, these changes essentially relate to:

- The alterations to the building façade, and increased size and scale of the building.
- Reduction in the number of children and corresponding reduction in the number of car parking spaces
- Willingness by the applicant to connect the development to reticulated sewerage rather than relying on an on-site waste disposal system.

It is also noted that functional layout plans for the access works have been submitted to and approved by VicRoads.

On balance, it is considered that notwithstanding the objections received to the application, that the amended proposal will have less of a potential detriment to surrounding residents and the environment. The proposed connection to the sewer is a significant concession which ensures that possible removal of existing vegetation and contamination of the watercourse is minimized. The reduction in the number of children also reduces the intensity of the use in terms of potential noise and traffic safety.

The proposed building changes while increasing the size of the building is considered reasonable and still in keeping with the character of the surrounding area.

6. Options

Council can either support the application by issuing a Notice of Decision to Amend a Permit or not support the proposal by issuing a Notice of Refusal to Amend a Permit.

7. Conclusion

The application has been assessed against the State Planning Policy Framework, Local Planning Policy Framework, Zone/Overlay provisions and Clause 65 of the Melton Planning Scheme.

It is considered that the proposal generally complies with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be approved as outlined in **Appendix 7**.

LIST OF APPENDICES

1. Locality Plan - dated 27 September 2017
2. Copy of existing permit - 5 August 2016
3. Plans of Proposal (re-submitted - 27 September 2017)
4. Assessment against State and Local planning policies - undated
5. Response to Objections - undated
6. Referrals - undated
7. Conditions on Notice of Decision to Amend a Permit - undated

Cr De Santis returned to the Chamber at 8.11pm.

12.13 PLANNING APPLICATION PA 2015/4891 - SEVEN LOT SUBDIVISION AT 2389 - 2485 DIGGERS REST-COIMADAI ROAD, TOOLERN VALE

Author: Joseph Oyelowo - Development Planner
Presenter: Bob Baggio - Manager Planning Services

PURPOSE OF REPORT

To consider and determine the above planning application.

RECOMMENDATION:

That Council issue a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6** of this report.

Motion

Crs Carli/Mendes.

That Council issue a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6** of this report, and including conditions recently provided by Powercor.

CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Tomkinson Group
Proposal:	Seven lot subdivision
Existing Land Use:	Cornwall Park Stud
Zone:	Part Green Wedge, part Rural Conservation and part Public Use
Overlays:	Environmental Significance (Schedules 1 and 2) Heritage Overlay (Schedule 19) Bushfire Management
Number of Objections:	Three
Key Planning Issues:	Extension of Cornwall Park Drive Subdivision Design Heritage and environmental considerations
Recommendation:	Approve the application

The Land and Surrounding Area

The subject site is a significant land parcel of 278.6 hectares which is located on the south side of Diggers Rest-Coimadai Road in Toolern Vale. The land holding is known as Cornwall Park Stud, and has extensive abuttal to the Djerriwarrh Creek along its western boundary.

The land is irregular in shape and contains existing dwellings, farm sheds and ancillary development mostly contained near the north-western section of the land. Some of these buildings have heritage significance including:

- The Federation styled main house
- Former coach house/stables
- Interwar bungalow cottage.

A small part of the land contains an existing Western Water infiltration plant.

The majority of the existing native remnant vegetation is located on the western part of the land in proximity to the creek. Other existing vegetation including windrows are scattered across the site. Existing access to the land is from Diggers Rest-Coimadai Road, just before the road dips down into the creek valley. This section of the road is restricted to 60km/hr for motorists, whereas other sections of the road have a 100km/hr speed limit.

The table below details the adjoining properties:

North	<p><u>2130-2170 Diggers Rest-Coimadai Road and 2172-2270 Diggers Rest-Coimadai Road, Toolern Vale</u></p> <p>The subject site fronts Diggers Rest-Coimadai Road to the north. The two lots opposite are used for rural / farming purposes and contains single dwellings.</p>
East	<p><u>1-11 Cornwall Park Court, 2227-2361 Diggers Rest-Coimadai Road and 2-200 Porteous Road, Toolern Vale</u></p> <p>The north east corner of the site abuts an eleven lot subdivision (1-11 Cornwall Park Court, Toolern Vale). The lots are approximately one hectare in size. The lots are all developed with single dwellings. The lots were formed as part of a historic rural subdivision that excised part of the subject site.</p> <p>2227-2361 Diggers Rest-Coimadai Road, Toolern Vale is approximately 122 hectares in area. It has previously been subdivided to accommodate five lots (approximately 1.5 hectare lots in area) that are developed with single dwellings. The primary lot is used for rural / farming purposes and includes various structures on the land (including a dwelling).</p> <p>2-200 Porteous Road, Toolern Vale is used for rural / farming purposes. A dwelling is located on the land towards the south east corner.</p>
South	<p><u>2-92 Harkness Road, Melton West</u></p> <p>The subject site adjoins a vacant farming / rural property to the south.</p>
West	<p><u>385 - 429 Diggers Rest Road, Coimadai</u></p> <p>The site is bound by Djerriwarrh Creek to the west. The land opposite the Creek to the west is within the Shire of Moorabool and is used for a mix of rural and farming purposes.</p>

Refer to **Appendix 1** for a locality plan.

Planning History

In 2003, Council approved a rural lot subdivision which excised 11 one hectare lots and created Cornwall Park Drive to access these lots. The balance (Lot A) comprises the subject land, has an area of 278.6 hectares and is accessed via Diggers Rest-Coimadai Road.

It should be noted that a Section 173 Agreement prohibiting future subdivision was included as part of that approval. The agreement was required to be included on the title for Lot A but

was omitted in error. As a consequence the owner of the balance lot is able to lodge a further application for subdivision.

The Application

The initial application submitted proposed a two lot subdivision as follows:

- Lot 1 largely containing the Rural Conservation zoned land with a total area of 98.8 hectares.
- Lot 2 predominantly in the Green Wedge Zone with a total area of 189.8 hectares.

Subsequent amendments to the application have resulted in the current proposal. The current proposal seeks to subdivide the subject land in two stages into a total of seven lots. No additional buildings are proposed as part of the subdivision.

The subdivision will create seven lots as follows:

Stage	Lot	Description	Approximate Size
Stage 1	Lot 1	Small lot fronting Cornwall Park Court, will be accessed from Cornwall Park Court.	1ha
Stage 2	Lot 2	Irregular shaped lot, fronts Diggers Rest-Coimadai Road, will be accessed from the extended rural standard road.	40ha
	Lot 3	Regular shaped lot, accessed from rural standard road extension from Cornwall Park Drive.	40ha
	Lot 4	Irregular shaped lot, accessed from rural standard road extension from Cornwall Park Drive.	40ha
	Lot 5	Regular shaped lot, accessed from rural standard road extension from Cornwall Park Drive.	40ha
	Lot 6	Irregular shaped lot, accessed from rural standard road extension from Cornwall Park Drive	41 ha
	Lot 7	Irregular shaped lot which abuts the creek and contains the majority of existing buildings and native vegetation. This lot would be accessed from the existing access onto Diggers Rest-Coimadai Road.	77ha

The applicant provided the following justification for the proposal:

1. *A logical subdivision layout, producing six unconstrained lots all with a minimum 40ha (with the exception of the 1ha lot fronting Cornwall Park Court), and one lot in two zones retaining all existing infrastructure.*
2. *Trees on the site are retained where practical, and the access road and all boundaries have been careful aligned along existing fence lines wherever possible. This will result in trees retained along the road reserves and new boundary lines.*
3. *The subdivision does not result in any loss of vegetation.*
4. *All existing agricultural activity associated with Cornwall Park Stud may continue, as Lot 7 retains all infrastructure and buildings.*
5. *The sensitive Djerriwarrh Creek and Rural Conservation Zone remains on one title, and management may continue as it has done under the ownership of Cornwall Park Stud.*

6. *The internal access road will be constructed to rural standard - a Rural Access Road, 20m road reserve, with 4m gravel pavement and 1.5m shoulders. A court bowl will be provided at the end of the road to facilitate emergency and service vehicle movements.*
7. *Existing vegetation will remain on site, either within new lots, or within road reserves.*
8. *All areas subject to more sensitive planning controls will be retained in one lot, rather than spread across multiple titles and/or ownership. The sensitive land uses will be protected by the various overlays within one lot (Lot 7). This is a logical outcome and better aligns with the purpose of the Rural Conservation Zone. The remaining six lots will be in one zone Green Wedge Zone with no overlays.*

Refer to **Appendix 2** for plans of the proposal

Planning Controls

State Planning Policies	Clause 11 – Settlement
	Clause 13 – Environmental Risks
Local Planning Policies	Clause 22.08 – Rural Land Use Policy
Zone	Clause 35.04 – Green Wedge Zone
	Clause 35.06 – Rural Conservation Zone
	Clause 36.01 – Public Use Zone 1 (Service & Utility)
Overlays	Clause 42.01 – Environmental Significance Overlay 1 and 2
	Clause 43.01 – Heritage Overlay (HO19)
	Clause 44.06 – Bushfire Management Overlay
Particular Provisions	Clause 52.01 – Public Open Space Contribution and Subdivision
	Clause 52.27 – Planning for Bushfire
General Provisions	Clause 64.03 – Subdivision of land in more than one zone
	Clause 65 – Decision Guidelines
	Clause 66 – Referral and Notice Provisions

This proposed subdivision is somewhat unusual, in the sense that it is relying on the rural lot excision provisions of the zone for only one lot (Lot 1) which is located in proximity to other smaller lots along Cornwall Park Drive. It should be noted that all the other lots comply with the minimum lot area in the two zones of 40ha.

In terms of the existing heritage building, it is noted that they are all located within the largest of the lots (Lot 7) which has an areas of 77ha. Under the Heritage Overlay controls, all works to these buildings will require further planning approval from Council.

A full assessment of the proposal against the relevant State and Local planning policies is included in **Appendix 3**.

Is the land affected by a Restrictive Covenant?

The site is not encumbered by any Covenants or Section 173 Agreements. The site is encumbered by several easements. The proposed subdivision will not impact upon these easements.

Is the land of Cultural Heritage Sensitivity?

Part of the land is considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*; however the proposal constitutes an exempt activity which does not require a cultural heritage management plan.

2. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way.

3.1 *A City that strategically plans for growth and development.*

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions**Public notification of the application**

The application was subject to notification. The notification was satisfactorily completed and three objections were received.

The grounds of objection may be summarised as follows:

- Adverse impact on amenity of the area: The peace and quiet of the area will be impacted upon because of additional high traffic flow.
- The increase in road users will increase the wear and tear to the local road (Cornwall Park Drive).
- The lots under Green Wedge Zone could potentially be further subdivided in the future.
- A safer entry and exit point with greater visibility and lower speed traffic is required as an alternative to Cornwall Park Drive.
- If the proposal is approved there is potential for flooding at the bottom of Cornwall Park Drive.
- Concern about the street numbering of the additional lots.

A response to the objections is provided in **Appendix 4**.

Referral of the application

The application was referred to a number of Council Departments for comment and advice. The application was also required to be referred to VicRoads, Western Water and the CFA.

A complete list of responses is included in **Appendix 5**.

It is noteworthy that no internal or external referral objected to the application.

5. Issues**Planning Assessment**

In considering this application, it is considered that the main planning issues relate to:

- Whether further subdivision of this land is appropriate?
- Whether the extension of Cornwall Park Drive has potential to cause unreasonable detriment to existing residents?

- Whether the proposal is consistent with the adopted Western Plains North Green Wedge Management plan?
- Potential environmental and heritage issues with creating a lot adjacent to the Djerriwarrh Creek.'

Is further subdivision of this land appropriate

The creation of lots smaller than the minimum subdivision area in the zone is prohibited unless the subdivision is the re-subdivision of existing lots or a subdivision to create a lot for a utility installation. The proposal seeks to create lots that comply with the minimum lot area in the two zones of 40ha. Lot 1 is the only lot that relies on the rural lot excision provisions by creating a balance lot of 1ha.

In addition all existing activities associated with the Cornwall Park Stud will continue, as the proposed Lot 7 will contain the horse stables, associated buildings and fields.

Therefore, it is considered that the proposed subdivision is appropriate because it will not create lots that cannot be used for agricultural/rural purposes.

Does the extension of Cornwall Park Drive have potential to cause unreasonable detriment to existing residents

Cornwall Park Drive is proposed to be extended in order to provide access to five lots. Being lots 2, 3, 4, 5 and 6. Hence, the amount of traffic generated along the road will be negligible as there will be no through traffic to roads further south.

The applicant has indicated that the extended road will be to a rural standard with a 4m gravel pavement. The proposed rural access road will have to be constructed to Council's standards. That means the road will have to be spray sealed. Amended plans will be required to be submitted to demonstrate this.

Is the proposal is consistent with the adopted Western Plains North Green Wedge Management plan

The Western Plains North Green Wedge Management plan includes several key recommendations including the protection of agricultural viability and environmental features and limiting small lot subdivisions. The proposal is consistent with these recommendations in that it creates lots that can still be used for agricultural purposes as well as protecting environmental features of the site.

In addition, a Section 173 Agreement would be imposed on all the lots restricting further small lot subdivisions

Potential environmental and heritage issues with creating a lot adjacent to the Djerriwarrh Creek

The proposed works associated with the subdivision will not compromise the environmental values or the heritage buildings on the subject site. This is because the roads, the access and/or drainage will not be constructed in the areas affected by the Environmental Significance or Heritage Overlay.

In addition there will be a requirement to submit a Construction Management Plan and Land Management Plan. The plans will ensure that the subdivision constructions works or the management of the land post construction is carried out to Council's satisfaction.

6. Options

Council can either support the application by issuing a Notice of Decision to Grant a Permit or not support the proposal by issuing a Notice of Refusal.

7. Conclusion

The application has been assessed against the State Planning Policy Framework, Local Planning Policy Framework, Zone/Overlay provisions and Clause 65 of the Melton Planning Scheme.

It is considered that the proposal generally complies with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be approved as outlined in **Appendix 6**.

LIST OF APPENDICES

1. Locality Plan - dated 26 September 2017
2. Plans for the Proposal - undated
3. Assessment against Planning Scheme - dated 27 September 2017
4. Response to Objections- dated 27 September 2017
5. Referral Comments - dated 27 September 2017
6. Notice of Decision - dated 27 September 2017

12.14 PLANNING APPLICATION PA 2017/5675 - USE AND DEVELOPMENT OF A TAKE-AWAY FOOD PREMISES (MOBILE TAKE-AWAY FOOD VAN) AT 1/997 - 999 WESTERN HIGHWAY, RAVENHALL

Author: Joseph Oyelowo - Development Planner
Presenter: Bob Baggio - Manager Planning Services

PURPOSE OF REPORT

To consider and determine the above planning application.

RECOMMENDATION:

That Council issue a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6** of this report.

Motion

Crs Turner/Kesic.

That the recommendation be adopted.

CARRIED

Cr Majdlik called for a division thereby setting aside the vote.

For:

Crs Hardy, Kesic, Mendes, Ramsey and Turner.

Against:

Crs Abboushi, Carli, De Santis and Majdlik.

The Mayor declared the Motion CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Fatih Vanliogu
Proposal:	Kebab food van
Existing Land Use:	Industrial and showrooms
Zone:	Industrial 3
Overlays:	Nil
Number of Objections:	Two including a petition with three signatories
Key Planning Issues:	Suitability of the site and location Unreasonable amenity Impacts Adequacy of on-site car parking
Recommendation:	Support the application

The Land and Surrounding Area

The subject site has an area of 1.04 hectares and is located on the south-eastern corner of Westwood Drive and Western Highway, opposite the BP Service Station in Ravenhall. Other features of the site are as follows:

- The site contains three existing showrooms fronting the Highway, with a row of car parking spaces adjacent to the front boundary.
- Along this section of the Highway are numerous petrol stations, food and drink premises (including KFC, McDonalds, Hungry Jack’s, cafes, etc.).
- Council has previously approved a take away food van to operate from the land at 1021 Western Highway, Ravenhall – which is located about 210m from this site.

Refer to **Appendix 1** for a locality plan.

The Application

The application proposes the use and development of a mobile take-away food van. The proposal is summarised as follows:

- The food van is proposed to be located on the westernmost car parking space at the front of the site.
- It will sell kebabs and drinks.
- The van is rectangle in shape with dimensions of 4.7m by 2.35m (11sqm) with a total height of 2.5m. The external walls consists of a combination of metal panel and timber finish.
- Several advertising signs with the business name, menu and other graphics are proposed in proximity to the serving window. No free standing advertising signs are proposed.
- Trading hours will be 10am-2am (Monday to Sunday), with two staff members.
- More than 20 car parking spaces are available on the subject site.

Refer to **Appendix 2** for plans of the proposal.

Planning Controls

Zone	Clause 33.03 – Industrial 3 Zone)	Permit required for the use and development
Overlays	Nil	Nil
Particular Provisions	Clause 52.06 – Car Parking	Car parking requirement is 4 spaces to each 100 square metres of leasable floor area. The floor area will be 11.045 square metres. The proposed use will require no parking space.
	Clause 52.05-8 – Advertising Signs	Permit required for business signs that exceed a total advertising area of 8 square metres for all signs.

A full assessment of the proposal against the relevant State and Local planning policies is included in **Appendix 3**.

Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant.

Is the land of Cultural Heritage Sensitivity?

The land is not considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*.

2. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way.

3.1 *A City that strategically plans for growth and development.*

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions**Public notification of the application**

The application was subject to notification. The notification was satisfactorily completed and two objections were received.

The grounds of objection may be summarised as follows:

- Concern that late night weekend trade may result in intoxicated people gathering at the premises.
- Concern for theft and property damage.
- Adverse amenity impact on the surrounding area with regard to noise, litter, odour emanating from the proposed use.
- Lack of public toilet facilities.
- Lack of room for patrons to park - loss of car parking spaces associated with the proposed use given that the food van will occupy an existing car space and the server will face into another existing car space and render those car spaces not usable for car parking.
- Other tenants of the subject site raised concerns that visibility of their shop fronts will be hindered by the location of the take away food van.

A response to the objections is provided in **Appendix 4**.

Referral of the application

The application was referred to a number of Council Departments for comment and advice.

A complete list of responses is included in **Appendix 5**.

5. Issues**Planning Assessment**

In assessing this proposal, it is instructive to consider the planning circumstances of the existing kebab van which is located just over 200m from the subject site. In that case, a planning permit was issued by Council in March 2012. This was a temporary permit for two years. Following the expiry of that permit, Council issued a further one in October 2014 which allowed the continuation of the use for a further five years until October 2019.

The permit requires the use to operate only between the following hours:

- 10:00am – 10:00pm (Sunday – Wednesday)
- 10:00am – 2:00am the following day (Thursdays)
- 10:00am – 4:00am the following day (Fridays and Saturdays).

In May 2016, Council did refuse an application to amend the permit which sought approval for some tables and chairs on the adjoining car parking space and an increase in the operating hours.

This application before Council for consideration is in many ways similar to the above use. In response to the objections received to this application the applicants have advised that:

1. *Operating hours will be outside of business hours of all opposing businesses (5 pm - 2am) not affect customer flow and traffic*
2. *Location of the food van will be changed within the site to not block any signage and "views" of existing businesses*
3. *Pest control will be performed quarterly at the site to help improve existing pest issues that current business are unable to control, as well as to eliminate any risk of food contamination*
4. *All rubbish generated by our food van and its customers will be collected nightly and disposed away from site in mention.*
5. *Patrolling security will be hired to control malicious behaviour of any sort.*

While Council does not have a policy position for temporary food vans on private land, it does have a 'Mobile Food Van Policy' applicable to public land. It should be stressed that this Policy is obviously not relevant to this application and is administered under the Local Law, however some of its requirements may provide guidance to assessing this proposal. In that Policy, the locational criteria for MFVs is:

- proximity to surrounding businesses and commercial precincts;
- no obstruction to roads, footpaths, traffic signals and road signage;
- minimum clearance of 25 metres from a school crossing or other similar traffic control facility;
- minimal disruption to surrounding residential areas;
- availability of parking.

Although the approval of this application would result in the establishment of two similar food vans within relatively close proximity (250m), this is not in itself considered a reason to reject the application. Its location within an established industrial / commercial area, and proposed hours of operation, should ensure that any detriment to surrounding properties is limited. It is also proposed that a temporary two year permit be issued, to enable monitoring of the use and reconsideration of its suitability at the expiry of that period.

It is therefore recommended that the application be supported, subject to appropriate conditions.

6. Options

Council can either support the application by issuing a Notice of Decision to Grant a Permit or not support the proposal by issuing a Notice of Refusal.

7. Conclusion

The application has been assessed against the State Planning Policy Framework, Local Planning Policy Framework, Zone provisions and Clause 65 of the Melton Planning Scheme.

It is considered that the proposal generally complies with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be approved as outlined in **Appendix 6**.

LIST OF APPENDICES

1. Locality Plans - dated 26 September 2017
2. Plans for the Proposal - undated
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Notice of Decision - undated

12.15 CONTRACTS FOR AWARD – 18/001 CIVIC CENTRE OFFICE ACCOMMODATION

Author: Leigh Ryall - Strategic Portfolio Coordinator
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 18/001 for the design of Melton City Council Office Accommodation.

RECOMMENDATION:

That Council:

1. Receive and note the Tender Evaluation Reports found in **Confidential Appendix 1** (separately circulated).
2. Award Contract No. 18/001 for the design of Office Accommodation at the Melton Civic Centre to Peddle Thorp Melbourne Pty Ltd (Peddle Thorp) for the amount of \$1,250,499. (excluding GST).
3. Delegate execution to the Chief Executive Officer in relation to all relevant contract documentation for this contract.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The principal administration base for the municipality is located in the Melton Township at the corner of High Street and Smith Street. The current administrative offices were constructed in 1992 and there has been regular capital expenditure to upgrade and modify the building to accommodate additional staff requirements and relocations.

In order to provide sufficient accommodation for the expanding service delivery and staff workspace requirements, Council has had to acquire additional facilities and utilise other Council buildings to continue its operations which impacts on Council's administration, operations and customer service capabilities.

Council committed to undertake design work for an extension to the current Civic Centre to meet staff accommodation requirements for the next 14-20 years. Council currently has \$7.9M in reserve for the short to medium term solution. It is estimated the total project cost will be in the order of \$15-\$20M and are estimated to be expended across four financial years which will be considered as part of the 2018/19 budget process.

Tenders have been sought from architectural led design teams to provide design and contract administration services. The design and construct supervision fees will be expended from the \$7,900,000.00 budget currently allocated with the recommended tender for these works being for the amount of \$1,250,499.

2. Background/Issues

The principal administration base for the municipality is located in the Melton Township at the corner of High Street and Smith Street. The current administrative offices were constructed in 1992 and there has been regular capital expenditure to upgrade and modify the building to accommodate additional staff requirements and relocations. However in the context of growing service needs of the municipality there is a need to grow staff resources to deliver on services. The current building is therefore becoming overcrowded which is impacting on staff amenity and the ability to provide adequate customer service to the community.

As one of the key identified growth areas for metropolitan Melbourne, the City of Melton has also been experiencing significant population growth. During 2014-15, the City of Melton had the fifth fastest and largest growth in Victoria (4.0 per cent). Population projections indicate Melton will become the second fastest growth Municipality in metropolitan Melbourne with a population of 315,908 persons by 2036, making it almost the size of the Canberra today.

In order to provide sufficient accommodation for the expanding service delivery and staff workspace requirements, Council has had to acquire additional facilities and utilise other Council buildings to continue its operations which impacts on Council's administration, operations and customer service capabilities. Council's administrative (office based) staff are now located across 5 different locations in and near Melton township and at the Caroline Springs Civic/Library.

An investment in the provision of office accommodation is required to enable the delivery of services for the short to medium term, due to the following:

- Residential growth requiring an increase in the provision of community services, resulting in an increase in staff numbers.
- The existing office accommodation has reached capacity. The current building provides 275 workstations.
- Council does not have the economic viability relative to Council priorities, to relocate to Toolern in the short to medium term.

Council committed to undertake design work for an extension to the current Civic Centre to meet staff accommodation requirements for the next 14-20 years. Council currently has \$7.9M in reserve for the short to medium term solution. It is estimated the total project cost will be in the order of \$15-\$20M and are estimated to be expended across four financial years which will be considered as part of the 2018/19 budget process.

Tenders have been sought from architectural led design teams to provide design and contract administration services. An EOI was advertised on 8 July 2017 and closed 24 July 2017 with 24 companies submitting an EOI. Following an assessment of submission, five companies were shortlisted and invited to submit a Request for Tender. The Tender was advertised on 31 August 2017, closing on 19 September 2017 with all five companies submitting a Tender

The tenders were evaluated on the basis of the evaluation criteria outlined in the tender document. The tender evaluation summary is provided in the **Confidential Appendix 1** separately circulated to this report.

The project brief is for the engagement of an architectural led design team including a required technical disciplines to deliver which includes.

- The design of a multi-level building with a gross floor area of approximately 4,000m² to accommodate approximately 240-270 staff workstations in an open plan design.
- The building is to contain meeting rooms, meeting spaces and amenities including toilets, a tea station (s), a lunch area (s) and print area (s).
- Integration with the existing Civic Centre building.

- Detailed documentation and construction supervision.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way

3.1 A City that strategically plans for growth and development.

4. Financial Considerations

At present there is \$7,900,000 in reserve for this project and the estimated total project cost is \$15-\$20M. Council have agreed to consider a budget request as part of the 2018/2019 budget process for the remaining budget required to construct the new accommodation. The design and construct supervision fees will be expended from the \$7,900,000.00 budget currently allocated with the recommended tender for these works being for the amount of \$1,250,499.

An independent financial assessment has been completed by Corporate Scorecard, and Peddle Thorp returned a 'satisfactory' to 'strong' result'.

5. Consultation/Public Submissions

The project will be required to submit a series of permit applications, and these will require the public advertising.

6. Risk Analysis

The following measures have been put in place to reduce or eliminate the risk to Council for this project.

- An internal assessment panel consisting of members of the Executive team and relevant technical staff.
- The advertising of an expression of interest, to identify capable companies to be invited to directly tender the project.
- A thorough procurement process involving a compulsory onsite briefing during the expression of interest stage, the development of a clear project brief, the use of an industry standard contract, a compulsory onsite briefing during the direct tender stage, interviewing of the four preferred contractors and reference checks.
- An independent financial assessment of the short-listed companies to determine their ability to service the financial needs of the contract.

7. Options

Council has the option to:

1. Adopt the Officers' recommendations as presented in this report.
2. Not adopt the Officer's recommendation as presented in this report.

LIST OF APPENDICES

CONFIDENTIAL Appendix 1 - separately circulated

Item 12.16 'Contracts for Award - 17/023 Fraser Rise Pavilion and Sports Field' of this Agenda was heard as the first order of business under staff reports under Item 12 of this Agenda.

12.17 DRAFT 2017-2021 DOMESTIC ANIMAL MANAGEMENT PLAN

Author: Andrew Mason - Coordinator City Amenity and Compliance
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To consider the draft 2017-2021 Domestic Animal Management Plan and its release for consultation.

RECOMMENDATION:

That Council release the draft 2017-2021 Domestic Animal Management Plan for public consultation for 28 days.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The *Domestic Animals Act* 1994 ('the Act') requires that each municipal council prepare an animal management plan. Melton City Council has therefore developed the draft 2017-2021 Domestic Animal Management Plan (the Plan), in accordance with the legislative guidelines. The Plan will allow the Council to undertake a consistent approach to animal management issues throughout the municipality by providing a strategic planning focus to the activities undertaken by Council in relation to domestic animal management.

It is recommended that The Plan be out for public consultation for 28 days to get community feedback and inform the development of the final plan.

2. Background/Issues

Council is required to prepare a Domestic Animal Management Plan (DAMP) every four years in accordance with section 68A of the *Domestic Animals Act* 1994. Council adopted its first DAMP at the Ordinary meeting of Council held 24 November 2008.

There is increasing public view that punitive enforcement of laws alone will not result in lasting voluntary changes in behaviour. Therefore, enforcement of the Act and Local Laws should be balanced with media and public education material for responsible animal management.

In developing the Plan, Council has sought to balance the competing needs of animal owners, the broader community and the domestic animals that share people's lives. Council also recognises the positive health and wellbeing outcomes that arise from domestic animals ownership. It is expected over the life of the plan there will be measurable improvements in animal welfare, responsible domestic animal ownership and compliance with relevant

legislation. The programs and activities set out in the plan have therefore been developed with the aim to encourage more people to enjoy the pleasure derived from animal companionship, within a framework of responsible ownership.

In this context it is recommended that the draft 2017-2021 Domestic Animal Management Plan be released for public consultation for 28 days to obtain feedback on the draft Plan.

All submissions made by the community through this public consultation process will be reviewed and appropriate changes to the draft 2017-2021 Domestic Animal Management Plan will be made and the final draft plan will be presented to Council at the Ordinary Meeting of December 2017.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way

3.2 *Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

4. Financial Considerations

There will be minor financial costs for public advertising. These cost can be absorbed in the current budget.

5. Consultation/Public Submissions

The draft plan will be available for public comments for 28 days and will be advertised through public notices in the newspaper, Council's website and social media.

6. Risk Analysis

The recommendation does not increase the risk to Council.

7. Options

Council has the option to:

1. To release the draft 2017-2021 Domestic Animal Management Plan out for public consultation for 28 days.
2. Not release the draft 2017-2021 Domestic Animal Management Plan out for public consultation for 28 days.

LIST OF APPENDICES

1. Domestic Animal Management Plan - dated 2017-2021

12.18 SOCIAL PROCUREMENT FRAMEWORK REVIEW

Author: Charles Obwana - Procurement Coordinator
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To brief Council on the review of the Social Procurement Framework.

RECOMMENDATION:

That Council note the contents of the report.

Motion

Crs Abboushi/Hardy.

That the recommendation be adopted.

CARRIED

Cr Abboushi called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

As reported to Council on 24 July 2017, Council has in place a Social Procurement Framework (SP Framework) which became effective on 3 June 2015.

At the Ordinary Meeting of Council on 24 July 2017 Council resolved, amongst other things, that Council:

“...2 continue to apply the Social Procurement Framework and at the same time proceed with the scheduled review of the Framework

...4 officers brief Council on the outcomes of the Social Procurement Framework Review.”

The Social Procurement Framework Review Working Group undertook consultations with the incumbent Roads and Parks & Open Space Contractor, Citywide as well as other Councils in order to benchmark their social procurement practices.

The findings of the review were:

- Council has implemented a comprehensive Social Procurement Framework in comparison to other Councils.

- Overall positive Contractor feedback on achieving Council's social procurement objectives in relation to the Roads and Parks & Open Space Contract.
- Overall positive internal stakeholder feedback and support of the Framework in relation to direct benefits to our community and the reputation of the organisation.

Accordingly, the SP Framework RWG recommended to the Executive of Council that the SP Framework be endorsed unamended, which was approved by the Executive.

2. Background/Issues

'Social procurement' broadly refers to using procurement to address or aim to cure a specific social ill or improve a specific social problem. Examples include, youth unemployment, refugee skill levels.

As reported to Council on 24 July 2017, Council has in place a Social Procurement Framework (SP Framework) which became effective on 3 June 2015 (**Appendix 1**). The SP Framework provides guidelines for all Council tenders and suggests that social procurement be a criteria in service contracts of 5 or more years. The SP Framework is imbedded in Council's current practices and will continue to be adhered to.

For example, in 2015 a social procurement criteria was included in the Roads and Parks & Open Space contracts advertised by Council. The social procurement aspect was specifically aimed at youth unemployment and was concerned with the number of trainees proposed in the tenderer's organizational structure. Citywide was successful in winning both contracts.

The SP Framework was scheduled for review in July 2017.

At the Ordinary Meeting of Council on 24 July 2017 Council resolved, amongst other things, that Council:

"...2 continue to apply the Social Procurement Framework and at the same time proceed with the scheduled review of the Framework

...4 officers brief Council on the outcomes of the Social Procurement Framework Review."

The Social Procurement Framework Review Working Group (SP Framework RWG) consisted of Officers working across various Business Units including Capital Projects, Procurement, Operations and Engagement & Advocacy.

The RWG resolved as part of the review;

- to undertake consultation with Citywide as the incumbent Roads and Parks & Open Space Contractor;
- to obtain feedback from internal stakeholders managing the Roads and Parks & Open Space contracts; and
- to undertake a benchmarking exercise with other Council's social procurement practices.

The findings of the consultation and benchmarking exercise were used to guide the RWG in its review of the SP Framework.

Review Findings

1. Council has implemented a comprehensive Social Procurement Framework in comparison to other Councils.
2. Overall positive Contractor feedback on achieving Council's social procurement objectives in relation to the Roads and Parks & Open Space Contract.
3. Overall positive internal stakeholder feedback and support of the SP Framework in relation to direct benefits to our community and the reputation of the organisation.

Accordingly, the SP Framework RWG recommended to the Executive of Council that the SP Framework be endorsed unamended, which was approved by the Executive.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

4. A strong local economy and a lifelong learning City: A City rich in local employment and education opportunities

4.2 More local employment options with an increasing number of residents employed.

4. Financial Considerations

Nil

5. Consultation/Public Submissions

External Consultation – Citywide

Consultation was undertaken with Council's Roads and Parks & Open Space contractor, Citywide with the following response received.

Positives

- Individuals recognising the opportunity to partake in the training programs to increase their level of employable skills have proven to be some of the most dedicated workers.
- Likelihood of candidates securing full-time employment at the end of their training period. In one case it is expected that the individual will likely become a future leader in one of the teams.
- Job satisfaction of Citywide Supervisors, Team Leaders and fellow workers that they are contributing to the professional development of individuals and contributing to the wellbeing of the community.

Setbacks

- Reliability, punctuality and work ethic have been an issue with some of the candidates.
- Candidates having limited experience or basic qualification (e.g. car licence) thus making deployment each day a challenge when they require close supervision or transport.
- Inappropriate workplace behaviour by candidates leading to the termination of program participation.
- Prolonged recruitment of suitable candidates.
- Inadequate pre-employment training and job preparation by training providers.

Improvement Opportunities

- Better training for Team Leaders in managing individuals in the workplace.
 - Some trainees have personal circumstances and behavioural issues that take a higher focus in team management and recognition of triggers that may influence individual's behaviour.
- Better structure and delivery of training modules by the training providers.
- More regular contact by Case Managers with trainees and Citywide Team Leaders.

Internal Consultation – Operations Business Unit

Consultation was undertaken with Council's Operations Business Unit who are responsible for managing both the Roads and Parks & Open Space contracts, with the following response received.

- Overall support of the SP Framework and the outcomes that it provides
- Whilst there is more work and cost involved in procuring these services the team believes the benefits outweigh this.
- Council is deemed to be advanced in the social procurement space and this has direct benefits to our community and the reputation of the organisation.

Benchmarking – Other Councils

Officers engaged with other Councils in order to benchmark on their Social procurement practices. Councils approached did not have a standalone Framework such as Melton Council's but rather incorporated "Social Procurement clauses" as part of their Procurement policy. Below are examples of Social Procurement clauses as embedded in the Council policies.

Yarra City Council

Social Sustainability:

Council is committed to socially sustainable procurement. This means that in all procurement, Council will assess the social impact, including any impact on Council employees, suppliers and their employees, and the community. Where possible, Council will prioritise the purchase of goods, services and works that have a positive social impact on the community.

Existing contracts may also be varied so that social impacts are incorporated. Council Officers should engage all suppliers in social procurement practices where appropriate and seek their cooperation to explore possibilities for subcontracting to social benefit suppliers, for example when particular social issues in a community are not being addressed using traditional approaches.

Hobson's Bay City Council

Social Procurement

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works.

Depending on the nature of the procurement, Council will explore opportunities in engaging Social Enterprises for the procurement of goods, services and works:

- *this may result in engagement as a contractor or subcontractor*
- *social Enterprises should be considered when conducting and Request for Quotation process*

Brimbank City Council

Social Procurement

Council is committed to ensuring that social procurement is a consideration in procurement activities.

Maribyrnong City Council

Social Procurement

Council supports social procurement because of the positive social impacts this provides to both Council and the community.

The decision within Council to engage with social procurement may originate in a number of ways.

For example, if:

- *Council has scope for the inclusion of social benefits when issuing a tender;*
- *A current contract is soon to expire, allowing for a revision of service delivery and contracting arrangements; and/or*
- *When particular social issues in a community are not being addressed using traditional approaches.*

Existing contracts may also be varied so that social impacts are incorporated for the delivery of goods and services. In this case Council officers should engage all suppliers in social procurement practices where appropriate and seek their cooperation to explore possibilities for subcontracting to social benefit suppliers.

Where it has been determined that social benefits are being pursued as a component of the procurement activity, Tender documents or Requests for Quotation should contain:

- *Suitable social clauses and weightings to achieve the desired social benefits;*
- *Appropriately designed response statements to allow suppliers to clearly articulate how they will deliver social impacts; and*
- *Social clauses that are framed as measurable deliverables rather than aspirations.*

A pre-tender briefing may be necessary to explain the detail of the social clauses, particularly if they refer to complex matters with which mainstream suppliers may not be familiar.

6. Risk Analysis

If Council adopts the recommendation there are no additional risks to those which exist in relation to any tender.

7. Options

Direct a further review.

LIST OF APPENDICES

1. Social Procurement Framework - dated 3 June 2015

Cr Abboushi left the Chamber at 8.49pm.

Cr Abboushi returned to the Chamber at 8.53pm.

Cr Majdlik left the Chamber at 8.55pm.

Cr Majdlik returned to the Chamber at 8.58pm.

The Mayor left the Chamber at 9.00pm and the Deputy Mayor filled the position of Chairperson.

The Mayor returned to the Chamber at 9.02pm and assumed the Chair.

Cr Hardy left the Chamber at 9.11pm.

Cr Hardy returned to the Chamber at 9.12pm.

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

Verbal reports were received from Crs Carli, Abboushi, De Santis, Majdlik, Kesic, Mendes, Turner, Hardy and Ramsey.

Cr Turner presented the Mayor the Victorian 2017 Resilient Australia Award (RAA) received for the Emergency Ready Communities project. The award was presented to Melton City Council in partnership with Wyndham City Council for the initiative which empowered local community groups to become disaster ready.

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

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

15. NOTICES OF MOTION

15.1 NOTICE OF MOTION 513 (CR DE SANTIS)

Councillor: Melissa De Santis - Councillor

NOTICE:

That Council:

1. Approve in principle live streaming of Ordinary meetings of Council with implementation to occur when Burnside Children's and Community Centre opens and also include Council's Civic Centre Chambers.
2. Conduct such live streaming via a dedicated YouTube channel as its streaming platform.
3. Develop a detailed policy and procedure on live streaming of Council Meetings.
4. Note the Council Report presented on the 29 May 2017, Item 12.5 – Response to Notice of Motion 465 – Live Streaming of Council Meetings.

Motion

Crs De Santis/Carli.

That Council:

1. Approve in principle live streaming of Ordinary meetings of Council with implementation to occur when Burnside Children's and Community Centre opens and also include Council's Civic Centre Chambers.
2. Conduct such live streaming via a dedicated YouTube channel as its streaming platform.
3. Develop a detailed policy and procedure on live streaming of Council Meetings.
4. Note the Council Report presented on the 29 May 2017, Item 12.5 – Response to Notice of Motion 465 – Live Streaming of Council Meetings.

LOST

Cr Carli called for a division thereby setting aside the vote.

For:

Crs Abboushi, Carli, De Santis and Majdlik.

Against:

Crs Hardy, Kesic, Mendes, Ramsey and Turner.

The Mayor declared the Motion LOST

15.2 NOTICE OF MOTION 514 (CR HARDY)

Councillor: Ken Hardy - Councillor

NOTICE:

That Council Officers provide a report identifying recreation reserves in Melton that may be in need of a safety net barrier.

WITHDRAWN

15.3 NOTICE OF MOTION 515 (CR MENDES)**Councillor: Michelle Mendes - Councillor****NOTICE:**

That Council Officers prepare a report to consider providing a local sports grant, per quarter for each ward, based on specific criteria, to cover uniform and fees for residents below the age of 18 to allow them to participate in their chosen sport.

Motion

Crs Mendes/Kesic.

That Council Officers prepare a report to consider providing a local sports grant, per quarter for each ward, based on specific criteria, to cover uniform and fees for residents below the age of 18 to allow them to participate in their chosen sport.

CARRIED

15.4 NOTICE OF MOTION 516 (CR MENDES)

Councillor: Michelle Mendes - Councillor

NOTICE:

That Council Officers prepare a report on possible locations for a multipurpose facility for a Hockey and Futsal field in the City of Melton eastern corridor.

Motion

Crs Mendes/Kesic.

That Council Officers prepare a report on possible locations for a multipurpose facility for a Hockey and Futsal field in the City of Melton eastern corridor.

CARRIED

15.5 NOTICE OF MOTION 517 (CR MENDES)

Councillor: Michelle Mendes - Councillor

NOTICE:

That Council Officers provide a report on the cost of installing security cameras at kindergarten and child care centres in the City of Melton.

Motion

Crs Mendes/Turner.

That Council Officers provide a report on the cost of installing security cameras at Council owned kindergarten and child care centres in the City of Melton.

CARRIED

15.6 NOTICE OF MOTION 518 (CR TURNER)

Councillor: Bob Turner - Councillor

NOTICE:

That Council consider giving a warning notice to drivers that are illegally parked for first offences only.

Motion

Crs Turner/Hardy.

That Council consider giving a warning notice to drivers that are illegally parked for first offences only.

CARRIED

15.7 NOTICE OF MOTION 519 (CR RAMSEY)**Councillor: Sophie Ramsey - Councillor****NOTICE:**

That Council officers report on the adequacy or otherwise of toilet facilities at Melton Bowling Club, and indicate what capacity exists to address any identified need within the project scope of the current works scheduled at the club.

The Mayor vacated the Chair and the Deputy Mayor filled the position of Chairperson.

Motion

Crs Ramsey/Hardy.

That Council officers report on the adequacy or otherwise of toilet facilities at Melton Bowling Club, and indicate what capacity exists to address any identified need within the project scope of the current works scheduled at the club.

CARRIED

Cr Kesic called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Chairperson declared the Motion CARRIED

The Mayor resumed the Chair.

15.8 NOTICE OF MOTION 520 (CR HARDY)**Councillor: Ken Hardy - Councillor****NOTICE:**

That Council:

1. Authorise the CEO to investigate potential sites for a Hospital Precinct within the municipality.
2. Precinct to be a minimum of 15Ha to accommodate Public Hospital, Private Hospital and Allied Health Facilities.
3. Encourage Councillors to utilise their networks to initiate conversation with State and Federal Government representatives aimed at achieving development of a hospital precinct in Melton.
4. Forward a copy of this motion to the State Minister for Health and the Premier, with request for a briefing meeting aimed at achieving a commitment to place hospital funding in forward estimates for delivery by 2022-23.

Motion

Crs Hardy/Kesic.

That Council:

1. Authorise the CEO to investigate potential sites for a Hospital Precinct within the municipality.
2. Precinct to be a minimum of 15Ha to accommodate Public Hospital, Private Hospital and Allied Health Facilities.
3. Encourage Councillors to utilise their networks to initiate conversation with State and Federal Government representatives aimed at achieving development of a hospital precinct in Melton as per Council's relevant policy framework.
4. Forward a copy of this motion to the State Minister for Health and the Premier, with request for a briefing meeting aimed at achieving a commitment to place hospital funding in forward estimates for delivery by 2022-23.

CARRIED

Cr Kesic called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

15.9 NOTICE OF MOTION 521 (CR HARDY)**Councillor: Ken Hardy - Councillor****NOTICE:**

That prior to a guest speaker being engaged for the Council International Women's Day event, a report be presented to Council for approval of any proposed speaker.

Motion

Crs Hardy/Mendes.

That prior to a guest speaker being engaged for the Council International Women's Day event, a report be presented to Council for approval of any proposed speaker.

Cr Majdlik requested the mover to agree to additional words, *'that a defined capped budget amount be set for all future guest speakers with a recommendation from Council Officers, to be determined prior to the next International Women's Day event'*, however these words were declined by the mover of the motion.

The motion was then voted on unamended and was

CARRIED

Cr Carli called for a division thereby setting aside the vote.

For:

Crs Hardy, Kesic, Mendes, Ramsey and Turner.

Against:

Crs Abboushi, Carli, De Santis and Majdlik.

The Mayor declared the Motion CARRIED

Cr Kesic left the Chamber at 10.14pm.

Cr Kesic returned to the Chamber at 10.17pm.

15.10 NOTICE OF MOTION 522 (CR DE SANTIS)

Councillor: Melissa De Santis - Councillor

NOTICE:

That Council support ongoing funding for the 'Platypus Festival' held by the 'Friends of Toolern Creek' for an amount of \$10,000.00 per annum.

Motion

Crs De Santis/Majdlik.

That Council support ongoing funding for the 'Platypus Festival' held by the 'Friends of Toolern Creek' for an amount of \$10,000.00 per annum.

LOST

Cr Majdlik called for a division thereby setting aside the vote.

For:

Crs Abboushi, Carli, De Santis and Majdlik.

Against:

Crs Hardy, Kesic, Mendes, Ramsey and Turner.

The Mayor declared the Motion LOST

Procedural motion

Crs Hardy/Turner

That the meeting be extended a further 45minutes.

CARRIED

Motion

Crs Mendes/Kesic

That Council Officers meet with the organisers of the Platypus Festival and all the environmental groups, to ascertain the groups organisational funding requirements and capacity going forward, and report to Council prior to the consideration of the 2018/19 budget with a recommendation for the level of the Council support for an environmental festival which is able to be provided consistent with Council's policy.

CARRIED

Division

Cr Ramsey called for a division thereby setting aside the vote.

For:

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

Against:

Nil.

The Mayor declared the Motion CARRIED

15.11 NOTICE OF MOTION 523 (CR TURNER)**Councillor: Bob Turner - Councillor****NOTICE:**

That Council Officers assess options to change Council's current Waste Service to provide more opportunity for residents to dispose of their excess waste that may be contributing to dumped rubbish. Including the option of special waste collection days, with the consideration of skips being supplied on a rotational basis around the City of Melton for residents to dump excess rubbish.

Motion

Crs Turner/Kesic.

That Council Officers assess options to change Council's current Waste Service to provide more opportunity for residents to dispose of their excess waste that may be contributing to dumped rubbish. Including the option of special waste collection days, with the consideration of skips being supplied on a rotational basis around the City of Melton for residents to dump excess rubbish.

CARRIED

16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE

16.1 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Turner

1. With regards to Notice of Motion 392 (Cr Dunn) and increased access to 'The Willows' and Morton Homestead, can a further update be provided on the progress of this matter.

16.2 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Carli

1. What was the cost of the Mayoral Dinner dance and was it within budget?

17. MOTIONS WITHOUT NOTICE

17.1 MOTION WITHOUT NOTICE

Cr Kesic

That Council refer to the 2018/19 budget for a provision of a public toilet at Lake Caroline, and in the interim Council officers identify appropriate location options and indicative costings.

17.2 MOTION WITHOUT NOTICE

Cr Kesic

That Council:

1. install 'Dog off Lead' signs indicating fines and penalties, at the two waterways in Caroline Springs, being Lake Caroline and the Caroline Springs linear reserve (extending from Lake Caroline to Rockbank Middle Road)
2. install additional dog bag dispensers and rubbish bins at each of the locations.

17.3 MOTION WITHOUT NOTICE

Cr Abboushi

Preamble:

Pursuant to a resolution of this Council 'Local Content' must be a criteria in all contracts for which Council conducts a tender and be weighted at 10% minimum. Pursuant to the Social Procurement Guidelines, 'Social Procurement' is recommend as a criteria in all service contracts of 5 years or more.

Motion

That in all reports to Council for it to make a decision in relation to the award of a contract, the officer report (via the confidential attachment or in the contents of the report) indicate the following:

- what the criteria for 'Local Content' was weighted at
- whether or not 'Social Procurement' was included as a weighted criteria
- if so, the amount of weighting given to 'Social Procurement'
- whether or not the contract, via general or special conditions or within the specification, contains specific provisions in relation to Local Content and/or Social Procurement.

17.4 MOTION WITHOUT NOTICE

Cr Turner

That all unbudgeted expenditure proposed via a notice of motion be referred to the next budget for consideration, unless such expenditure is of an urgent nature and is unanimously supported by all Councillors.

18. URGENT BUSINESS

Nil.

19. CONFIDENTIAL BUSINESS

Procedural Motion

Crs Majdlik/Hardy.

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 Municipal Audit Committee Meeting Minutes 30 August 2017 - Confidential Report

This report is confidential in accordance with s89(2)(f) as it relates to legal advice.

19.2 Recommendations of Semi-Annual Grants Round One Assessment Panel Meeting

This report is confidential in accordance with s89(2)(h) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person.

19.3 Future Aquatic and Leisure Centre for the Eastern corridor

This report is confidential in accordance with s89(2)(e) as it relates to proposed developments.

CARRIED

Procedural Motion

Crs Majdlik/Carli

That the meeting be opened to the public.

CARRIED

20. CLOSE OF BUSINESS

The meeting closed at 10.40pm.

Confirmed

Dated this

.....CHAIRPERSON