



MELTON CITY COUNCIL

Notice is hereby given that the Ordinary Meeting of the Melton City Council will be held via a videoconference on 17 August 2020 at 7:00pm.

THIS AGENDA CONTAINS REPORTS TO BE DEALT WITH AT A CLOSED MEETING OF COUNCIL

Kelvin Tori
CHIEF EXECUTIVE

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1. OPENING PRAYER AND RECONCILIATION STATEMENT

The Chairperson will read the opening prayer and reconciliation statement.

Prayer

‘Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this Council, direct and prosper its deliberations to the advancement of Thy glory and the welfare of the people whom we serve – Amen.’

Reconciliation Statement

Melton City Council acknowledges that the land it now occupies has a history that began with the Indigenous occupants, the Kulin Nation. Council pays its respects to the Kulin Nation people and their Elders and descendants past and present.

2. APOLOGIES AND LEAVE OF ABSENCE

The Chairperson will call for any apologies received from any Councillors who are unable to attend this meeting.

3. CHANGES TO THE ORDER OF BUSINESS**4. DEPUTATIONS****5. DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR**

Pursuant to Section 77A, 77B, 78A, 78B, 78C, 78D, 78E and 79 of the Local Government Act 1989, any Councillor must declare any direct or indirect interest, and any conflict of interest, in any items contained within the Notice Paper.

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

That the Minutes of the Ordinary Meeting of Council held on 20 July 2020 be confirmed as a true and correct record.

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**

- 20 July 2020 Record of Assembly of Councillors
- 3 August 2020 Record of Assembly of Councillors
- 10 August 2020 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 20 July, 3 and 10 August 2020 attached to this Agenda be received and noted.

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1. Record of Assembly of Councillors - dated 20 July 2020
2. Record of Assembly of Councillors - dated 3 August 2020
3. Record of Assembly of Councillors - dated 10 August 2020

8. CORRESPONDENCE INWARD

8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- Steve McGhie – State Labor Member for Melton – Soil from the Westgate Tunnel Project at the Ravenhall landfill site; with letter from Hon Jacinta Allan MP attached.

RECOMMENDATION:

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

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1. Letter from Steve McGhie - State Labor Member for Melton - dated 27 July 2020 with letter from Hon Jacinta Allan MP attached.

9. PETITIONS AND JOINT LETTERS

The Chief Executive will table a petition received from Mr Sam Arora requesting Footpath construction on Leakes Road to access Rockbank station produced using change.org and containing 137 signatures. A Memo to Councillors with a copy of the petition has been sent.

The Chief Executive will table any other petitions and/or joint letters received prior to this meeting.

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

Nil.

11. PUBLIC QUESTION TIME**Recommended Procedural Motion**

That Standing Orders be suspended to enable the questions to be responded to in the same manner as if the author of the question was present.

If carried, the Public Questions will be read by the CEO and responded to by the appropriate officer.

Recommended Procedural Motion

That Standing Orders are resumed.

12. PRESENTATION OF STAFF REPORTS

12.1 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Rebecca Bartlett - Acting Governance Officer
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. adopt the minutes of the Advisory Committee meeting at **Appendix 1**
2. adopt recommendations arising within the Minutes.

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 2020 were adopted by Council at the Ordinary Meeting held 9 December 2019.

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
12 May 2020	Preventing Family Violence Advisory Committee	Appendix 1

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

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

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.

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1. Preventing Family Violence Advisory Committee Meeting Minutes - dated 12 May 2020

12.2 RESULTS OF THE 2020 ANNUAL HOUSEHOLD SATISFACTION SURVEY

Author: Michelle Venne-Rowe - Social Planning Officer
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To present the Annual Household Satisfaction Survey 2020 results for consideration.

RECOMMENDATION:

That the Council receive the report and note the results of the Annual Household Satisfaction Survey for 2020 as at **Appendix 1**.

REPORT

1. Executive Summary

Council has commissioned a Community Satisfaction Survey annually since 2014/15.

Usually conducted door to door, in 2020 it was conducted as a telephone survey (including both mobile and landline phones). A total of 804 residents were randomly surveyed from a sample drawn proportionally from across the municipality.

Completed between April and June each year, respondents broadly represent the City's community profile.

The survey measures importance of Council's services and facilities, and then satisfaction with:

- 35 Council services and facilities (in 2020)
- Council's governance and leadership
- Customer service
- Planning for population growth
- Planning and housing development
- Performance of Council 'across all areas of responsibility' and
- The impact of Covid-19 on the household.

The key finding from the survey is that satisfaction with most aspects of Council performance were stable or increased marginally this year, with overall satisfaction back above the long-term average since the program commenced in 2015.

2. Background/Issues

This year the Survey was conducted by Metropolis Research as a telephone survey. In total 804 households participated during May 2020, representing random sample reflecting the demography of the municipality.

While the negative influence of the COVID-19 pandemic asserted on community sentiment cannot be discounted, the results outlined in the survey this year, clearly represent a solid

level of community satisfaction with the performance of Council across the full range of services and facilities, as well as governance and leadership performance of Council.

The key issues remain as detailed in the municipality remain:

- traffic management
- road maintenance and repairs
- safety
- policing
- crime
- parks
- gardens and open spaces
- parking.

Governance and leadership – as a group declined by less than one percent this year to 6.81, which, is broadly consistent with previous years. This result is almost identical to the 2019 metropolitan Melbourne average, and remains “good”.

Customer service – as a group declined by 1.1 per cent this year to 7.67, a “very good” level. Consistent with previous years, satisfaction with customer service in the City of Melton remains measurably (4.8%) higher than the 2019 metropolitan Melbourne average.

Council services and facilities – the average satisfaction with the 35 included services and facilities remained essentially stable this year at 7.50, and remains “very good”. This result is almost identical to the metropolitan Melbourne average of 7.48.

Higher and lower satisfaction with services and facilities – the services and facilities with measurably higher than the average satisfaction with all services and facilities were local library service, the green waste collection, regular garbage collection, regular recycling, and health services for babies, infants, and toddlers. The services and facilities with satisfaction lower than the average satisfaction were parking enforcement, the maintenance and repair of sealed local roads, footpath maintenance and repairs, and public toilets.

Improvements in satisfaction with services and facilities - satisfaction with 17 services and facilities increased this year, although the increase in satisfaction with only three were statistically significant, those being local traffic management (up 5.1%), Council activities promoting local business growth (up 4.9%), and street sweeping (up 4.5%).

Decreases in satisfaction with services and facilities - there were 18 Council services and facilities that recorded a decline in satisfaction this year, although only one was statistically significant, that being the maintenance and repair of sealed local roads (down 5.1%). Other services and facilities to report the largest declines in satisfaction were public art and exhibitions (down 8.6%), Family Support and Emergency Relief (down 5.9%), the provision of community arts and cultural events (down 5.7%), and Melton Learning (down 5.0%). Despite these declines, satisfaction with these services remains “good” and “very good”.

Planning and development – as a group increased 2.4 per cent this year to 7.20, and remains “good”. Planning and development satisfaction results can be somewhat volatile from year to year in response to circumstances on the ground. These results are generally consistent with the metropolitan Melbourne averages and a little higher than the western region councils’ averages. Planning and development is not a significant issue in the City of Melton, with just three per cent raising it as one of the top three issues in the municipality. The metropolitan Melbourne average in 2019 was 7.9 per cent.

Issues to address in the City of Melton - the three most commonly raised issues in the City of Melton this year remain traffic management (13.6%), road maintenance and repairs

(11.6%), and safety, policing and crime related issues (11.2%). Note, these figures relate to the percentage of survey respondents who said these categories were an issue for them.

However, the overall importance of safety, policing and crime issues continue to decline in importance across the community again this year, from a very high 31.8 per cent in 2017 to 6.7 per cent this year, and is now similar to the 2019 metropolitan Melbourne average of 6.3 per cent. For the increasingly smaller proportion of respondents raising the issue, it remains a negative influence on their satisfaction with Council's overall performance.

Traffic management issues appear to exert only a mildly negative influence on satisfaction with Council's overall performance, suggesting that residents are aware of the limitations of Council in fixing these metropolitan traffic congestion and commuting issues. It is also noted that traffic management is the most common issue raised across metropolitan Melbourne, and is significantly more prominent in a number of other outer growth area municipalities than in the City of Melton. The decline in the importance of this issue this year may well be influenced by the COVID-19 lockdowns.

Issues exerting a negative influence on satisfaction with Council's overall performance – there were six issues that appear to exert a measurably negative influence on overall satisfaction; safety, policing and crime (47 respondents), health and medical services – mostly hospitals (36 respondents), road maintenance and repairs (86 respondents), cleanliness of the area (23 respondents), footpaths (35 respondents), and Council rates (35 respondents). Importantly, these issues were raised by only a relatively small proportion of residents, however for these individuals the issues do appear to negatively influence their satisfaction with Council.

Perception of safety at night in the City of Melton – declined this year, following two years of improvement, at 5.68 this year, down from 6.18 last year. It is noted that 30.1 per cent of respondents felt unsafe in the public areas of the municipality at night this year. This result remains lower than the 2019 average for metropolitan Melbourne (6.84) and the western region councils (6.57). The perception of safety from crime is still a significant issue for many in the community, particularly this year in Kurunjang and Taylors Hill.

Summary

The 2020 Survey results indicate that Council is performing comparatively well and in line with the metropolitan Melbourne and growth area councils' averages.

While satisfaction with some aspects declined marginally (but within the margin of error) this year, overall are consistent with the long-term average. There were notable increases in satisfaction with cleaning (up 4.2%), and Council activities supporting local business growth (up 4.9%).

Satisfaction with the delivery of services and facilities by Melton City Council is consistent with the metropolitan Melbourne averages, and importantly, there were no services and facilities included in the survey that recorded satisfaction scores at less than a "good" level.

Key Indicator	2019 Metro.	2019 Melton	2020 Melton
Overall Satisfaction	6.93	6.87	6.93
Waste and Recycling	8.19	8.39	8.37
Community services	7.66	7.77	7.66
Recreation and Culture	8.02	7.73	7.62
Cleaning	7.31	7.12	7.42
Communication	7.17	7.39	7.41
Parks and Gardens	7.74	7.22	7.29

Enforcement	7.18	7.12	7.24
Local Business Growth	7.07	6.87	7.21
Infrastructure	7.08	7.05	7.06
Transport infrastructure	7.07	7.07	6.98

Key Indicator	2015 Melton	2016 Melton	2017 Melton	2018 Melton	2019 Melton	2019 Metro.
Overall Satisfaction	6.84	6.92	6.51	7.12	6.87	6.93
Community (& Leisure)*	7.88*	7.93*	8.14	7.40	7.77	7.66
Recreation / Leisure*	7.88*	7.93*	7.69	7.51	7.71	7.90
Waste management	7.94	7.85	7.77	7.77	7.83	7.81
Communications	7.28	7.57	7.09	7.27	7.17	7.17
Local Laws	7.21	7.22	7.05	7.25	7.12	7.18
Infrastructure	7.16	7.18	6.79	7.01	7.05	7.12

(*) Community and leisure facilities were split into two groups (Community services and Recreation / Leisure services and facilities) in 2018, as they more accurately reflect service operations.

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

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

4. Financial Considerations

The 2020 Annual Customer Satisfaction Survey was delivered within the 2019/20 operational budget.

5. Consultation/Public Submissions

The community was notified that the survey was being conducted via the telephone this year via an article on the council web pages and verbally advised by the Customer Service team, should an enquiry be made. The overview report will also be made available to the public via the Council website, and a summary of results included in the Council's Annual Report.

6. Risk Analysis

No Risks have been identified in relation to this report.

7. Options

That Council receive the Metropolis Household Survey Report.

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1. Metropolis Annual 2020 Customer Satisfaction Survey Results - dated July 2020

12.3 2020-2021 COUNCIL & WELLBEING ANNUAL ACTION PLAN

Author: Bob Baker - Corporate Planning and Performance Coordinator

Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To present the proposed 2020 – 2021 Council and Wellbeing Annual Action Plan for Council's consideration.

RECOMMENDATION:

That Council adopt the 2020 – 2021 Council and Wellbeing Annual Action Plan as detailed in **Appendix 1**.

REPORT

1. Executive Summary

Each year Council produces an Annual Action Plan identifying the key activities that Council will undertake to achieve the strategic outcomes, objectives and strategies identified in the Council and Wellbeing Plan 2017-2021 (The Plan).

There are 107 actions identified from across Council's service units detailed in the proposed 2020 - 2021 Council and Wellbeing Annual Action Plan (The 2020-21 Annual Action Plan) as detailed in **Appendix 1**.

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

2. Background/Issues

The Council and Wellbeing Plan 2017-2021 details the vision for the community, and the strategic outcomes, objectives and strategies to be undertaken in the work toward that vision.

The vision for the community is that Melton is "A Thriving Community Where Everyone Belongs." The Council Plan identifies five (5) themes to guide the work of the organisation. These themes are:

1. A proud, inclusive and safe community
2. A thriving and resilient natural environment
3. A well planned and built City
4. A strong local economy and a lifelong learning City
5. A high performing organisation demonstrating leadership and advocacy

Each year Council produces an Annual Action Plan identifying key activities that Council will undertake in implementing the Council and Wellbeing Plan. The 2020-21 Annual Action Plan includes projects, programs, services and service enhancements that will occur within a twelve (12) month period.

The 2020 - 2021 Annual Action Plan includes 107 actions, inclusive of 54 actions being carried over from the 2019 - 2020 Council Annual Action Plan.

Some significant initiatives included in the 2020 - 2021 Annual Action Plan include:

- Implement the Safe Cities Proud Communities Plan
- Implement Equality and Respect 2030
- Commence the provision of kindergarten and Material Child Health services at Eynesbury Station ELC with a support of Early Years providers
- Complete the Arnolds Creek Kindergarten Extension Project inclusive of starting date first term 2021
- Implement year four of the Intercultural Action Plan 2017-2021
- Implement the Reconciliation Roadmap 2018-21
- Implement the Integrated Water Management Plan
- Plan and undertake capital upgrade works to the Melton Recycling Facility in line with the adopted Master Plan
- Deliver the Water Sensitive Urban Design Construction program
- Conduct a feasibility study for an Arts and Cultural Facility in the City
- Commence construction of Stage 2 of the MacPherson Park Redevelopment
- Commence construction of the Eynesbury Active Open Space precinct
- Commence design and construction of Diggers Rest Recreation Reserve assets
- Implement 'Moving Melton', Council's integrated transport strategy
- Work with the landowner to develop the Mt Atkinson Major Town Centre Urban Design Framework
- Deliver new Library Access Points at Aintree (Timbertop) and Fraser Rise Children's and Community Centres
- Develop the 2021-2025 Council and Wellbeing Plan in accordance with Statutory timelines

The list of actions above is not exhaustive, and the 2020-21 Annual Action Plan itself provides only a selection of the work being delivered by Council.

Progress against all of the actions in the 2020-21 Annual Action Plan is detailed in quarterly progress reports presented to the Ordinary Meeting of Council and the end of year outcomes are detailed in Council's Annual Report.

At June 30 2021, a total of 550 actions across 119 strategies will have been undertaken across the four years of the 2017-2021 Council and Wellbeing Plan.

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

The 2020-21 Annual Action Plan is resourced via the adopted 2020 - 2021 Council Budget.

5. Consultation/Public Submissions

Actions contained in the 2020 - 2021 Annual Action Plan are a result of Council's ongoing engagement with community and prioritisation processes through annual business planning and budget development.

6. Risk Analysis

Nil.

7. Options

That Council:

1. Adopt the 2020 – 2021 Annual Action Plan as detailed at **Appendix 1**;
2. Not adopt the 2020 – 2021 Annual Action Plan and refer back to officers for further work; or
3. Provides an alternative option as considered by Council.

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1. 2020-2021 Council and Wellbeing Annual Action Plan

12.4 COUNCIL'S 2020 COMMUNITY EVENT PROGRAM IN RESPONSE TO COVID-19

Author: Heidi Taylor - Events Coordinator

Presenter: Sean McManus - Manager Engagement & Advocacy

PURPOSE OF REPORT

To outline the recommended approach for Council's remaining major event program for 2020 and community funded events in response to the COVID-19 pandemic.

RECOMMENDATION:

That Council:

1. Cancel Lakeside Alive (October 2020) and Djerriwarrh Festival (November 2020) due to COVID-19 restrictions placed on large gatherings.
2. Not provide any funding for proposed community run Carols by Candlelight events in 2020 and that event organisers be formally notified prior to any event planning commencing.
3. Support the-preliminary planning of an appropriate Council Carols by Candlelight to be held in Melton Recreation Reserve with the decision to proceed being made in mid-November based on the COVID-19 restrictions at that time.

REPORT

1. Executive Summary

Council has a proud track record in running a safe and diverse mix of community events, while also facilitating the community to run their own events. Given the current climate and the restrictions imposed on public gatherings due to COVID-19, it is prudent for Council to consider options and the social and financial impacts of running these events in an unknown climate and make a decision on the preferred way forward.

When COVID-19 restrictions on large outdoor gatherings were first imposed in March, planning for Council's major event program was placed on hold. These restrictions resulted in the cancellation of the Melton Plate and Flavour Fest in the week leading up to these events. Community Event permits were also suspended in order to comply with federal and state guidelines. No community events, large or small, have been held since COVID-19 restrictions were implemented in March 2020.

Due to the long planning times required to successfully deliver a major event, this report addresses the likelihood of delivering Lakeside Alive (scheduled for October), Djerriwarrh Festival (November) and Carols by Candlelight (December). It further considers Council's recurrent funding commitments and implications for community events scheduled for the remainder of the year, namely the Diggers Rest and Caroline Springs Carols by Candlelight events.

2. Background/Issues

Due to the COVID-19 global pandemic, events of all sizes have been cancelled, with the majority of them postponed up until the end of 2020. Some of these events include the

Melbourne International Film Festival (August), the Royal Melbourne Show (September), Queenscliff Music Festival (November), Melbourne Fringe Festival (November), Loch Hart Music Festival (November) and Listen Out Music Festival (October). Such cancellations have been necessary to assist in reducing the spread of COVID-19. The early cancellation of events also ensures that event organisers do not unnecessarily commit resources and budget. Generally under contract obligations, large events require upfront payments to contractors and artists. The early cancellation of events ensures there is no loss of funds that would not be refunded with a late cancellation.

With the current COVID-19 situation, the long term implications is still very much uncertain. However, it is acknowledged and accepted that events will have to approach planning differently and set robust policies to reduce the negative impact of potential cancellations, as well as future uncertainty. Any easing of restrictions for late 2020 will likely involve a significant change to crowd numbers, crowd management and OHS practices. It is appropriate to consider Council's approach for the remainder of 2020 to ensure responsible financial management and provide certainty to the community.

Lakeside Alive and Djerriwarrh Festival 2020

During Victoria's first lock down in March due to COVID-19 all planning for Council events in 2020 was put on hold until a time when there was greater certainty about what events could or could not be delivered. Planning for three of Council's major events – Lakeside Alive (October), Djerriwarrh Festival (November) and Carols by Candlelight (December) was consequently paused pending a potential easing of restrictions. The viability of delivering these events was to be reviewed in July. At the time of writing this report, Stage Three COVID-19 restrictions are in place in metropolitan Melbourne and other regional areas until mid-August and likely to be extended. As of late July the number of daily COVID-19 cases are consistently over 300 -400 with an easing of restrictions not looking likely. The potential for large scale gatherings at public events also appears unlikely for the remainder of 2020.

Events of the scale of Djerriwarrh Festival and Lakeside Alive require 6-9 months of planning as a significant percentage of the event's programming involves the contribution from a large number of additional stakeholders (e.g. internal Council business units, community groups including service and sporting clubs, service organisations, schools, businesses and sole traders). Considerable time is also dedicated to risk planning to ensure all health and safety obligations are met, including engaging emergency services (e.g. Victoria Police, SES). Due to the long lead times required for the planning of large-scale events and the prohibition on mass gatherings and the continuing uncertainty as a result of COVID-19 restrictions, it is recommended that Lakeside Alive (scheduled for October) and Djerriwarrh Festival (scheduled for November) be cancelled for 2020. This provides certainty to the community and stakeholders and provides budget certainty with no recurrent funding being consumed in planning for events that will likely not proceed.

Community Event Funding

There are currently two community groups (In Church and The Lions Club Diggers Rest) who receive recurrent funding (\$40,000 and \$10,000 respectively) from Council for the purpose of running their own community Carols by Candlelight event.

As these events also require a long lead time in planning, there is considerable financial risk to Council to allocate these funds in the current environment as it is likely that they will be required to commit funds early to secure staging, audio visual requirements, performers and other suppliers. Under standard contract agreements in the events industry, many of these costs are non-refundable in the event of any cancellation.

In the unlikely scenario that restrictions on mass gatherings will be lifted, it can be reasonably assumed that there will be an additional layer of OHS guidelines including social distancing, hygiene measures, crowd number and management restrictions and other COVID-19 guidelines. The implementation of such measures is likely to be challenging for community groups to manage and importantly, be at odds with the established scope and objectives of these events for which funding has been formally resolved.

Given the current conditions and restrictions surrounding mass gatherings due to COVID-19, and the likelihood that no mass gatherings will be allowed for the remainder of 2020, it is recommended that the provision of council funding should be cancelled for 2020 and the event organisers notified before any planning for these events commences.

While unfortunate for the community groups involved, the early decision to cancel the event protects Council's financial investment given the events are highly likely not to proceed at all or in accordance with the original event scope for which funding was approved.

Carols by Candlelight 2020

Whilst considered one of Council's major events, the program design of Carols by Candlelight relies less on the external contribution (e.g. internal Council business units, community groups including service and sporting clubs, service organisations, schools, businesses and sole traders). However it can be reasonably assumed that the event would not be able to be held in its existing event format if restrictions were lifted. With this in mind, it is recommended to undertake preliminary planning for a modified version of the event. While it is likely that restrictions on public events will not be lifted, preparing for a modified version in consideration of lower crowd numbers, enhanced social distancing and OHS requirements allows Council the opportunity to undertake a small scale community event should restrictions be eased.

There is still uncertainty about what it will take for the safe running of community events, however, reserving the right to hold the event provides Council the opportunity to assess and redesign Carols to accommodate event safety measures and guidelines. Council will reserve the right to cancel the event in the instance it does not comply with regulations with the appropriate lead time to avoid financial loss. All of which is achievable given the primary design of the event's programming.

Modifications to the existing Carols by Candlelight event model will include:

- Relocating the event to Melton Recreation Reserve (sports oval).
- Determining the official capacity of the event based on the event site layout and physical distancing recommendations
- In order to monitor crowd number, event to be fenced (by making use of existing pedestrian barriers).
- Ensuring availability of handwashing facilities with soap and water and/or hand rub dispensers.
- Regulating the flow and density of people entering, attending, and departing the event.
- Preregistering attendees (for contact tracing purposes), designating seating areas, marking the site
- Keeping the duration of the event to a minimum to limit contact among participants (3 hours)
- Advising people to observe physical distancing, respiratory/cough etiquette, and hand hygiene practices

It is recommended that Council review the event model four weeks prior to the event to ensure that it meets with any official guidelines for large outdoor gatherings. In the instances the event needs to be cancelled, it can be done so with minimal financial loss to Council, and enough lead time to manage community expectations.

2021 Events

Council is continuing to plan for Australia Day 2021 event and Flavour Fest 2021 in partnership with Woodlea as per normal with a review on the need to amend or cancel these events to be considered in November 2020.

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

Lakeside Alive and Djerriwarrh Festival have recurrent budgets of \$80,000 and \$268,000 respectively and no funding has yet been expended.

Council contributes \$50,000 towards community Carols by Candlelight events (\$40,000 for INChurch to deliver the event in Caroline Springs, and \$10,000 for The Lions Club Diggers Rest to deliver the event in Diggers Rest).

The total budget for Carols by Candlelight is \$75,000. These funds are available in the recurrent funding for Engagement and Advocacy. Under the proposed preliminary planning for a modified Carols event, if the event were determined to be cancelled in November there would be minimal loss of funds (less than 10% of total budget allocated).

5. Consultation/Public Submissions

No consultation was undertaken in the preparation of this report

6. Risk Analysis

There are high levels of uncertainty regarding the capacity to hold large scale events in the current COVID-19 environment for the remainder of 2020. It is considered appropriate to cancel Lakeside Alive and Djerriwarrh Festival given the long lead times needed to plan and deliver these events and prevent any financial loss.

Due to the uncertainty around what the government will allow for large group gatherings for the remainder of 2020, there is a risk that community groups that intend to hold significant community events (that typically attract a large number of people) may not possess the abilities or resources to adhere to any new COVID19 safety regulations. Furthermore any adjustments to these events to apply restrictions will compromise the scope and objectives of the event for which funding has been formally resolved. Cancelling Council funding for these events minimises the risk of loss of funds due to the community event not proceeding or being delivered in a variation of existing funding expectations.

Marketing for Lakeside Alive, Djerriwarrh Festival and community Carols by Candlelight events has not yet commenced, therefore, in cancelling these events the risk of community disappointment is low. The cancellation of Lakeside Alive, Djerriwarrh Festival and community carols events protects ratepayers funds, aligns with industry practice with many major events being cancelled for the remainder of 2020, and would meet community and government expectations in the current COVID-19 environment.

Due to Council's existing tendered contractors (e.g. infrastructure, audio visual suppliers), and Council's capacity to modify and relocate Carols by Candlelight, the risk of financial loss due to cancellation is low. To avoid financial loss due to cancellation, Council needs to provide written notification to contractors 28 days prior to the event. COVID-19 restrictions will be monitored, along with event advice as issued by the Government. Late cancellation

for Council's Carols by Candlelight does not unnecessarily impact on other internal or external stakeholders.

7. Options

- That Lakeside Alive 2020 and Djerriwarrh Festival 2020 are cancelled in response to the current Government restrictions on mass gathering pertaining to COVID-19.
- That planning for Lakeside Alive 2020 and Djerriwarrh Festival 2020 commence with the view to deliver a modified version (with what remaining planning time permits) noting that the events are likely not able to proceed and cancellation could result in significant financial loss.
- Provision of council funding for community Carols by Candlelight Events is cancelled for 2020.
- Provision of council funding be put on hold/cancelled until certainly about the scale and scope of running a community event post Covid-19 is established.
- That planning for a modified Melton City Council's Carols by Candlelight 2020 commence – with the event plan to be assessed against any State or Federal restrictions on mass gatherings in early November to determine whether or not the event can be delivered safely and in accordance with official recommended COVID19 safety measures.
- Cancel Melton City Carols by Candlelight for 2020.

LIST OF APPENDICES

Nil

12.5 MELTON CEMETERY: RESULTS OF GEOPHYSICAL SURVEY TO CONFIRM EXISTENCE ON UNMARKED GRAVES

Author: Sean McManus - Manager Engagement & Advocacy
Presenter: Sean McManus - Manager Engagement & Advocacy

PURPOSE OF REPORT

To inform Council of the outcome of a geophysical survey undertaken in the south-east historic corner of Melton Public Cemetery.

RECOMMENDATION:

That:

1. Council received for information
2. Due to the verification of unmarked graves located in the south-east corner of the Melton Cemetery, as marked in **Attachment 1**, the section be:
 - a. formally closed and protected with no capacity for future burials
 - b. appropriately and respectfully acknowledged as a site containing historical unmarked graves
3. Following advice from Aboriginal Victoria, the form of presentation and commemoration of the site be informed by stakeholder consultation including the Melton Historical Society, Traditional Owners and the Melton City Council Reconciliation Advisory Committee.

REPORT

1. Executive Summary

Melton City Council is the Trust for the Melton Public Cemetery, having management responsibility for the Cemetery. Council records and anecdotal history indicate that the south-east corner of the cemetery contains a number of unmarked graves including early settlers buried between 1860 and 1896 and remains of Aboriginal people that were exhumed and relocated from the Greenhills Station in Toolern Vale after its purchase by Matthew Ingle Browne in 1869.

At present this section of the cemetery is unmarked and not acknowledged; it remains unused without any landscaping or beautification treatment or markers to indicate the presence of graves. In January 2020, Council was awarded grant of \$15,000 from the Cemeteries and Crematoria Regulation Unit of the Department of Health and Human Services to undertake a geophysical survey of the south-east corner of the Melton Public Cemetery. This exercise aimed to locate unmarked graves believed to be located in the area to confirm historical records, to prevent future disturbance and to appropriately mark and commemorate the section. It also provided the opportunity to determine if there were areas of the site that could potentially be opened up for future burials and extend the life of the cemetery.

The geophysical survey using ground-penetrating radar was completed by Hunter Geophysics in early June 2020. The survey results (attached) indicates there are 112 unmarked graves and four unknown soil disturbances in the south-east corner of the Melton Public Cemetery. The report provides a robust evidence base to support the existence of unmarked graves in accordance with Council records and local anecdotal history. With such a significant number of unmarked graves it is not appropriate to expand the life of the cemetery and open up any additional plots in the zone.

It is recommended the site be formally protected, beautified and acknowledged as a place of rest for early settlers and for the Aboriginal people relocated from the Toolern Vale property with stakeholder consultation to inform the appropriate memorial and presentation of the site.

2. Background/Issues

The Melton Cemetery, located on the corner of O'Neills Road and Centenary Avenue is owned by the State Government. Melton City Council is the Trust for the 2.4 hectare site and has operational responsibilities for burial and ashes interments and maintenance.

Serving the community since 1861, the Melton Public Cemetery is the only official cemetery to have existed in the City of Melton. Originally administered by a trust, the cemetery transferred to Council's control in 1922 and is currently managed by Council's Engagement & Advocacy Department. The cemetery currently experiences up to 80 interments annually.

Council records indicate that that the south-east corner of the Melton Public Cemetery contains a number of unmarked graves. These have likely been interred in the area between 1860 and 1896. This section is one of the earliest operating sections of the cemetery. The Shire of Melton Heritage Study – Volume 4, states the following:

- The Melton Cemetery is historically significant at a LOCAL level. It is thought to contain the remains of numerous Aboriginals, and the remains of many of the district's early European settlers.
- The earliest authorized burial date is the 5th November 1861.
- Early wooden memorials have been destroyed by bushfires and time.
- at the south east corner of the cemetery, rest the bones of Aboriginal people found on Greenhills Station. Matthew Ingle Browne had the remains removed to the Melton Cemetery, and paid for the Presbyterian minister to read a prayer. The interment book (lost) indicated the 'bones of aborigines,' but it is not known how many bodies these represented...Close by are the bones of workers from the old Rockbank quarry, killed when the shot exploded unexpectedly. Buried beside the Kororoit, their remains were exposed several times after folds. Eventually, Sir WJ Clarke had them brought to the Cemetery.

The south-east corner is currently not used, has no landscaping features and there is no public acknowledgement or markers to indicate the presence of graves. Council is currently developing a management plan for the cemetery. As part of this plan it was considered important to confirm the existence of unmarked graves to prevent accidental exhumation and to ensure the appropriate and respectful management of the site and commemoration of those interred. It was also considered an option to determine potential sections of the area that could be made available for future burials.

To verify the existence of unmarked graves, in November 2019 Council sought a formal quotation for a geophysical survey to be undertaken of the subject site. Hunter Geophysics, who specialise in the detection of unmarked graves, was identified as the suitably qualified contractor to undertake the works at a cost of \$21,400.

Council subsequently applied for a grant for \$21,400 from the Cemeteries and Crematoria Regulation Unit of the Department of Health and Human Services to undertake the

geophysical survey. Council was successful with the works being partially funded, with a grant of \$15,000 provided in January 2020.

Hunter Geophysics completed the survey in early June 2020 (report attached which indicates subject site surveyed). There are a number of geophysical methods that can be used to detect unmarked graves. The most common is ground-penetrating radar, which is the method undertaken by Hunter Geophysics. This survey was specifically designed for the detection of unmarked graves.

Key report findings:

- The survey indicated there are 112 unmarked burial sites.
- Four areas of unknown soil disturbance were indicated. These areas generally do not exhibit the same characteristics as unmarked graves; however, it is possible that these areas actually contain multiple burials, at different depths and on different alignments, which may obscure individual graves. Therefore, these areas should also be treated as if they are unmarked graves.

The report provides a robust evidence base to support the existence of unmarked graves in accordance with Council records and local anecdotal history. It is considered verification that the south-east corner of the Melton Cemetery contains unmarked graves of early settlers and the relocated remains of Aboriginal people that were exhumed and relocated from the Greenhills Station in Toolern Vale (likely indicated by the large area of unknown soil disturbance.)

With such a significant number of resting places across the entire section, it is not considered appropriate to expand the life of the cemetery and open up any additional plots in the zone.

The geophysical survey has provided the opportunity to verify historical records and appropriately commemorate and acknowledge the presence of historical remains. At present, this area of the cemetery is unmarked and not acknowledged. It remains unused without any landscaping or beautification treatment.

With the presence of unmarked graves verified, it is considered appropriate to:

- formally close and protect the south-east corner of the Melton Cemetery
- acknowledge the site as a place of rest for early settlers and for the Aboriginal people relocated from Greenhills Station property in Toolern Vale
- beautify the zone as place of reflection with a suitable memorial acknowledging both Aboriginal and early settler remains.
- inform the treatment of any memorial and presentation of the site through stakeholder consultation including the Melton Historical Society and Traditional Owners of the land.

The findings will be considered in the Council Master Plan for works to be conducted for landscaping and other treatments of the cemetery, with purpose to inform and assist in the direction of future use of the area.

Aboriginal Victoria has been informed of the survey results and has been provided with a copy of the heritage study. Aboriginal Victoria is currently undertaking its own investigation that may assist to confirm and provide further clarification on Council's historical records.

It is considered appropriate to consult with key stakeholders to help guide the appropriate acknowledgement and memorialisation of the site. Following advice from Aboriginal Victoria, the Engagement and Advocacy and Community Planning teams will collaborate to coordinate community engagement that will input into the potential memorial treatment to be established in the space. While the Melton Public Cemetery is located on recognised traditional lands of the Wurundjeri people, there is no evidence to indicate the Aboriginal

heritage of those remains relocated to the cemetery. With this in mind, the stakeholder groups identified include:

- The Traditional Owner Groups through the Melton City Council Reconciliation Advisory Committee
- The Melton and District Historical Society
- Greater Melbourne Cemeteries Trust
- Victorian Aboriginal Heritage Council
- Aboriginal Victoria

The scope of the consultation is to respectfully acknowledge the space as a resting place, designing the memorial space including wording on any commemorative installations. There will be no disruption or removal of any remains from their current resting place.

Unmarked grave locations will be electronically mapped and appropriately noted in Council records and considered in any treatment of the site.

The geophysical survey has demonstrated a number of positive outcomes:

- Confirmation of local history
- Avoidance of accidental exhumation of unmarked graves
- Opportunity to constructively consult with the local community and Traditional Owner Groups
- To respectfully and appropriately protect and commemorate the site as a resting place

The recommendations outlined above are considered an appropriate and respectful response to the survey findings.

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

The geophysical survey was undertaken at a cost of \$21,400, with a State Government grant providing \$15,000 and Council contributing \$6,400.

It is anticipated that a budget of \$50,000 would provide adequate scope to beautify the section and cover the costs of appropriate signage and memorials to acknowledge the historical significance of the site.

5. Consultation/Public Submissions

No public consultation was undertaken in the preparation of this report. Aboriginal Victoria has been engaged on this matter and will provide advice to Council that may help inform the scope of community consultation and management of the site. Once advice from Aboriginal Victoria is received community consultation will be undertaken to inform landscaping and commemoration works.

6. Risk Analysis

N/A

7. Options

- To not proceed with any further action and leave the site as is
- Formally acknowledge the site as a place of rest without stakeholder consultation
- To enact the actions as recommended.

LIST OF APPENDICES

1. Survey Area Map - dated 2 July 2020
2. Survey Report - dated 17 June 2020

12.6 ENVIRONMENT PLAN 2017-2027 PROGRESS REPORT

Author: Dr Lawrie Conole - Coordinator City Environment & Sustainability
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To provide an update report to Council on the progress of actions from the Environment Plan 2017-2027.

RECOMMENDATION:

That Council note the Environment Plan 2017-2027 progress report as presented at **Appendix 1**.

REPORT

1. Executive Summary

The City of Melton Environment Plan 2017-2027 was adopted by Council at the Ordinary Meeting of 24 July 2017, providing direction for Council's environmental sustainability over the following ten years. The Plan identifies key current and emerging environmental issues in the municipality and proposes actions to address them.

The Environment Plan includes an overarching vision, key principles, goals and objectives along with three-year rolling action plans under each of its three themes: Built Environment, Natural Environment and Resource Use.

This Report provides an update on progress during the first three-year action plan (2017-2020). A full review of the current Environment Plan will follow during the second half of 2020.

A detailed summary on the status of each action in the Environment Plan is attached at **Appendix 1**.

2. Background/Issues

The Environment Plan 2017-2027 is Council's primary strategic document for improving environment and sustainability outcomes in the municipality. Since its adoption in July 2017, Council has been progressing towards achieving the goals and objectives outlined in the plan through implementation of its action plans.

The Environment Plan provides 116 actions divided into the themes of Built Environment, Natural Environment and Resource Use.

Appendix 1 provides a detailed summary on the status of each action in the Plan. The following table provides a summary of progress against actions:

Status	Description	Number of actions
Achieved	The action is completed.	21
On track	The action is on track and expected to be completed according to the timeline indicated.	44
Ongoing	The action has been implemented and will continue to progress.	30
Not on track	The action has been delayed impacting on the current timeline. An explanation and any remedial action is provided in the 'progress comments' column in the table attached at Appendix 1 .	19
Redundant	The action is no longer relevant. An explanation is provided in the 'progress comments' column in the table attached at Appendix 1 .	2
Total		116

Key achievements to date include:

- A Power Purchase Agreement (PPA) was signed with other Victorian councils to procure 100% of Council's energy from renewable sources, supported by the Environment Plan target of achieving net zero emissions by 2040.
- The Integrated Water Management Plan 2018-2028 was adopted by Council providing a 10-year action plan for sustainable and integrated water management.
- Council reviewed its environmental data capture and management tool Planet Footprint and changed providers to Carbonmetrix to enable a more integrated approach to monitoring and reporting on environmental performance.
- Council is one of the Project Control Group councils to further develop, improve and test the Western Alliance for Greenhouse Action (WAGA)'s How Well Are We Adapting climate change adaptation monitoring and evaluation tool.
- The pilot Nature Stewards program was delivered with Outdoors Victoria, supporting local engagement and enhanced appreciation of the City's unique biodiversity and ecosystems, with round two to be delivered in the 2020/21 financial year.
- Council has rolled out a centrally controlled irrigation system to enable more efficient management of open space water usage, which is already realising savings in water usage.
- The updated Municipal Strategic Statement includes clauses that relate to climate change risk, providing strengthened strategic support for implementing strategies to manage and mitigate climate change.
- A Project Manager has been appointed to the rooftop solar program, and budget secured for work to progress in the 2019/20 financial year.

The Environment Plan importantly set Council's short- and long-term corporate greenhouse gas reduction target of 20% reduction on 2015/16 levels by 2020/21, and zero net emissions by 2040.

As at February 2020, Council is not on track for meeting its short term target by the expected timeline due to delayed delivery time of two key actions, namely a bulk streetlight changeover and the rooftop solar program.

As streetlights represent the bulk of corporate greenhouse gas emissions, the short-term target was largely to be achieved through changing over Council's decorative streetlights. Due to a ban on the import, export and manufacture of mercury vapour lights, Powercor has announced that it will be completing a changeover of the remaining street lighting over a nine year period at no cost to Council. As a result, although Council will not achieve its short-term emissions reduction target, this has resulted in the changeover progressing nonetheless, but at a significant cost-saving for Council as a business case prepared prior to the ban indicated that a changeover would have been in the range of \$2.4 to \$20.5 million.

The significant portion of the remaining emissions reduction was to be achieved through a roll-out of rooftop solar panels on 12 priority buildings identified in a 2016 renewable energy pre-feasibility report. Although the payback period will likely be extended, a Project Manager has been appointed to the program and budget secured for work to progress in the 2019/20 financial year.

Despite a delay in the delivery of these actions, as a result of committing 100% of its energy procurement to a Power Purchase Agreement (PPA), Council is still on track for its long-term emissions reduction target of zero net emissions by 2040.

While Council has achieved or is on track for 95 actions, there are 19 that are not on track. Several of the 19 are identified as medium term actions and these will be examined in the 2020/21 review of the Environment Plan later this year, to update the action or timeline if required.

3. Council and Wellbeing Plan Reference and Policy Reference

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

2. A thriving and resilient natural environment: A City that preserves and enhances its natural environment for future generations

2.4 A City growing and developing sustainably.

4. Financial Considerations

Some actions from the Environment Plan are contained within the current Council approved 2019/2020 budget. Others will require consideration in future budget processes.

5. Consultation/Public Submissions

Internal and community consultation was undertaken throughout the development of the Environment Plan 2017-2027.

6. Risk Analysis

Nil

7. Options

Nil

LIST OF APPENDICES

1. Table of Actions and Progress - Environmental Plan 2017-2027 - undated

12.7 CLIMATE CHANGE ADAPTATION PLAN

Author: Kate Barclay - Acting Manager City Design, Strategy & Environment

Presenter: Laura-Jo Mellan - Executive Manager Property and Projects

PURPOSE OF REPORT

To consider the adoption of the Climate Change Adaptation Plan

RECOMMENDATION:

That Council adopt the City of Melton Climate Change Adaptation Plan 2020-2030 (**Appendix 1**).

REPORT

1. Executive Summary

City of Melton is already experiencing the impacts of climate change. In the future, we can expect further changes – hotter summers, drier winters, longer bushfire seasons and more frequent extreme weather events. All of these changes directly impact the way Council delivers services, manages assets such as roads, drains and buildings, and assists vulnerable residents.

Council has been responding to climate change, attempting to reduce its own contribution, through reducing emissions via energy efficiency upgrades and on-site renewable energy.

The *Climate Change Adaptation Plan 2020- 2030* (the Plan) contained at **Appendix 1** represents Council's response to these current and anticipated future changes. While Council is already managing many of these impacts, this Plan provides a formal and coordinated climate change adaptation framework for the future.

Adaptation is the means by which to strengthen communities and systems to reduce vulnerability to climate change impacts. It is a process that involves identifying risks, and then developing priorities and actions to minimise the risks.

The Climate Change Adaptation Plan (the Plan) represents Council's response to these current and anticipated future changes. While Council is already managing many of these impacts, this Plan provides a formal and coordinated climate change adaptation framework and action plan for the future.

Actions are organised across five themes underpinned by a strategic objective, priority actions and an implementation plan:

- Community Wellbeing and Emergency Management
- Open Space and Water Security
- Assets and Infrastructure
- Planning, Buildings and Regulations
- Governance and Risk

This document is a requirement of the adopted Environment Plan 2017-2027 and sets actions for Council and was prepared in consultation with Councillors, Executive and internal

business units. As a corporate, internal facing document, the Climate Change Adaptation Plan was not subject to public consultation. However feedback received through the preparation on the Environment Plan 2017-2027 has informed the preparation of the plan.

2. Background/Issues

City of Melton is already experiencing the impacts of climate change. In the future, we can expect further changes – hotter summers, drier winters, longer bushfire seasons and more frequent extreme weather events. All of these changes directly impact the way Council delivers services, manages assets such as roads, drains and buildings, and assists vulnerable residents.

Council has been responding to climate change, attempting to reduce its own contribution, through reducing emissions via energy efficiency upgrades and on-site renewable energy, and will continue to cut emissions to achieve net zero emissions by 2040 as set out in the Environment Plan 2017-2027.

The *Climate Change Adaptation Plan 2020- 2030* (the Plan) contained at **Appendix 1** represents Council's response to these current and anticipated future changes. While Council is already managing many of these impacts, this Plan provides a formal and coordinated climate change adaptation framework for the future.

Adaptation is the means by which to strengthen communities and systems to reduce vulnerability to climate change impacts. It is a process that involves identifying risks, and then developing priorities and actions to minimise the risks.

There are two approaches to addressing the impacts of climate change:

- *Adaptation* which is *adjustment* to climatic effects (actual or expected), managing for preparedness, responsiveness, recovery, resilience, or to use opportunities.
- *Mitigation* is *minimising* climatic effects (actual or expected) by reducing sources of, or enhancing sinks for, greenhouse gases.

Many actions address both, and these are the actions that should be prioritised. For example, retrofitting a building with solar panels can provide energy security for reliable cooling in extreme heat events (adaptation), while reducing emissions through renewable energy substitution (mitigation).

Through the adopted *Environment Plan 2017-2027* and *Integrated Water Management Plan 2018-2028* a strong framework has been developed to support the implementation of a range of mitigation actions. The *Climate Change Adaptation Plan 2020-2030* will provide the framework for complimentary adaptation actions.

Successful adaptation is a *proactive* and *long-term* process that encompasses:

- Improved awareness and understanding of trends, hazards and risks
- Responsiveness through changed practices and policies; and
- Monitoring and review to enable learning and continued adaptation.

The aim of this Plan is to manage the risks of a changing climate to maximise positive outcomes and build the resilience of the City of Melton. To achieve this aim the Plan has been organised across five themes which are consistent with a range of state and regional policies and plans. Each theme is underpinned by a Strategic Objective and Priority which are outlined below.

Theme 1: Community Wellbeing and Emergency Management

- Strategic Outcome: Our community is prepared and resilient in the face of climate change

- Strategic Priority: Communication to raise awareness and understanding, and empowerment to take collective action, with particular attention paid to vulnerable populations

Theme 2: Open Space & Water Security

- Strategic Outcome: Our green spaces and natural environment are resilient, and continue to support our health and wellbeing as climate changes
- Strategic Priority: Provision and renewal of green infrastructure with design and forms that are matched to climate hazards and risks

Theme 3: Assets & Infrastructure

- Strategic Outcome: Our built assets and infrastructure are resilient, and continue to support our health and wellbeing as climate changes
- Strategic Priority: Provision of public infrastructure that will withstand future climate change impacts, and renewal of built assets and infrastructure with design and materials that are matched to climate hazards and risks

Theme 4: Planning, Building & Regulation

- Strategic Outcome: Climate change projections and risks inform, and are embedded in, all aspects of Council planning, regulation and operations
- Strategic Priority: Work through state and local planning and regulatory mechanisms to facilitate a more climate resilient City

Theme 5: Governance & Risk

- Strategic Outcome: Council identifies and responds to climate-related exposure to increased costs, expanded liability risks and insurance claims
- Strategic Priority: Work with other councils and levels of government to understand the financial and legal risks and responsibilities of local government in a changing climate

To deliver on these Strategic Objectives and Priorities, each theme has a series of Actions which are supported by a detailed Implementation Plan.

In summary, the *Climate Change Adaptation Plan 2020-2030* provides Council with a 10-year framework to support the implementation of the adopted Environment and Integrated Water Plans and seeks to ensure that we continue to manage the impacts of climate change in a coordinated way.

3. Council and Wellbeing Plan Reference and Policy Reference

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

2. A thriving and resilient natural environment: A City that preserves and enhances its natural environment for future generations

2.2 A 'low-carbon city' well-adapted to changing climate conditions.

4. Financial Considerations

The Climate Change Adaptation Plan 2020-2030 and associated Implementation Plan were developed in-house. A number of workshops were held with relevant stakeholders and undertaken by an external facilitator which was funded through the recurrent budget of City Design, Strategy & Environment.

Some actions of the Climate Change Adaptation Plan will be implemented using existing Council resources, as part of general staff responsibilities or through recurring budgets. Other actions will be funded through the Annual Budget process and their implementation subject to future funding.

Further, Council will continue to utilise opportunities for external funding as they become available to assist in conducting further feasibility studies and in undertaking works related to the Climate Change Adaptation.

5. Consultation/Public Submissions

This document is a requirement of the adopted Environment Plan 2017-2027 and sets actions for Council. The Plan was prepared in consultation with Councillors, Executive and internal business units. As a corporate, internal facing document, the Climate Change Adaptation Plan was not subject to public consultation. However feedback received through the preparation on the *Environment Plan 2017-2027* has informed the preparation of the Plan.

6. Risk Analysis

If Council choose not to adopt the Climate Change Adaptation Plan and associated Implementation Plan, there are a number of associated risks which are outlined in more detail at **Appendix 1** but can be summarised as follows:

1. A lack of clear guidance in Council's response to climate change impacts to inform decision making in accordance with legislative requirements;
2. A lack of environmental leadership to the community;
3. Increased impact on City of Melton's most vulnerable residents which may have an impact of service delivery;
4. Reputational and service delivery risks if climate change adaptation actions are not implemented;
5. Financial risks as the lack of a clear plan may result in missed opportunities for grant and other funding;
6. Impact Councils ability to meet the objectives of the adopted Melton City Council *Environment Plan 2017-2027* or the Paris Agreement, the Victorian governments Take2 Pledge and the international Covenant of Mayors all of which Melton City Council is a signatory too.

7. Options

Council has the option to:

1. Adopt the City of Melton Climate Change Adaptation Plan 2020-2030 (**Appendix 1**);
2. Not adopt the City of Melton Climate Change Adaptation Plan 2020-2030 (**Appendix 1**).

LIST OF APPENDICES

1. Climate Change Adaptation Plan 2020-2030 - dated June 2020

12.8 CONTRACT NO. 20/038 - MELTON RECYCLING FACILITY STAGE 2 - DESIGN SERVICES

Author: Lauren Pammer – Senior Projects Officer
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 20/038 - Melton Recycling Facility Stage 2 Design Services

RECOMMENDATION:

That Council:

1. Award Contract No. 20/038 Melton Recycling Facility Stage 2 – Design Services to WSP Australia Pty Ltd for the amount of \$775,872 (ex GST).
2. Delegate execution to the Chief Executive Officer in relation to all relevant contract documentation for this contract.
3. Advise all Tenderers accordingly.

REPORT

1. Executive Summary

The purpose of this report is to seek approval to award contract 20/038 in the amount of \$775,872 to WSP Australia Pty Ltd for design services for stage 2 of the Melton Recycling Facility.

The project will involve the design of critical infrastructure such as resource recovery facilities, a new re sale shop, services and access roads. The completion of these works will provide the municipality with a facility that promotes best practice waste management activities, maximizes opportunities for diversion of waste from landfill, is able to cost effectively track and manage waste received as well as establishing a sustainable business model for the future operation of the site.

An expression of interest for design services was run in early 2020 with 4 companies selected to progress to a direct tender phase.

Council has applied and been successful in gaining funding from The Growing Suburbs Fund and Sustainability Victoria, whilst receiving a loan for the balance from the State Governments Community Infrastructure Loan Scheme. Construction of stage 2, as per the agreed funding milestones is scheduled to begin in May 2021 and be completed in September 2022.

2. Background/Issues

Council operates the Melton Recycling Facility (MRF) located off Ferris Road in Cobblebank. This is an important component of the City of Melton's waste and resource recovery service for residents and local businesses. In 2017, Council commissioned an independent review

of the facility which looked at the current performance of the site, opportunities to improve the re sale shop provision, establish long term strategic opportunities and inform the development of Councils waste management strategy.

Key findings from the report included:

- The site is well positioned, with suitable buffer distances from other sensitive activities
- The site is large enough for future expansion to cater for growth in the Melton area
- The current site is well laid out with the resale shop and recovery areas situated before the waste disposal area
- Relocating the facility or duplication in another location is not considered cost effective or practical
- Resource recovery is considered reasonable for this type of site but can be improved with short and medium term improvements
- Without additional resource recovery activities the facilities residual waste disposal capacity could be reached by 2018/19.

Outcomes of the report noted:

- The MRF will reach operating capacity by 2018/19 unless a significant upgrade is undertaken
- The site is not handling materials in what would be described as best practice
- There is significant room for improvement in material handling methodology in order to promote the diversion of items from landfill and in return reduce costs to Council

Overall the report concluded that the continual operation of the site in the current manner would result in a facility unable to meet the needs and expectations of Council's residents and will result in an increased level of dissatisfaction by customers through delays, increased costs and poor perceptions of the operating practices employed at the facility.

The report recommended the following upgrades:

- An additional recyclables drop-off area prior to the site gatehouse to promote removal of recyclables from the waste stream prior to entering site
- Further segregation of recyclable material from waste received within the facility to minimize landfill
- Improved handling methodologies for both recyclables and residual waste
- Improved transport options to reduce Councils cost per tonne for the removal and disposal of materials from the site
- Improved disposal infrastructure to accommodate the forecasted increase in activities over the life of the facility
- Improved environmental management systems

Stage 1 works, which were completed in 2019 focused on the short term improvements to improve waste diversion until 2020/21 and included for:

- Construction of a new gate house and weighbridges
- Construction and demolition material storage bunkers
- New Cardboard and plastics recycling baler
- Construction of a new street sweeper bay
- Construction of a new access road

In June 2018, Council adopted the Master Plan for the Melton Recycling Facility and also committed to stage 2 (medium term improvements) of the project beginning in the 2019/20 financial year. As per the Council Report, stage 2 works will see the delivery of the following components

- Provision of a large undercover shed for general waste drop-off

- Semi-trailer loading tunnel
- Provision of new Resale Shop infrastructure
- Provision of new Front End Resource Recovery Infrastructure
- Alterations to site roads to suit reconfiguration
- Provision of all necessary services to meet the needs of this development

In completing stage 2 of this project, Council will have achieved the following objectives:

1. To design and develop a waste management facility that will be able to meet the needs of local residents over the longer term
2. To develop an operation that will promote best practice waste management activities within the local area
3. To maximize opportunities for the diversion of waste from landfill
4. To enable Council to effectively track and manage waste received at the facility
5. To enable Council to operate the facility in a cost-effective manner and enable a sustainable business model to be implemented at the site

Design Scope

The project design budget is inclusive of:

- Detailed design services for an upgraded recycling facility inclusive of;
 - Demolition of buildings where required
 - New front end resource recovery infrastructure
 - New large undercover general waste shed including loading tunnel and resource recovery area
 - Alterations to road network
 - Services to site
- Construction documentation
- Contract administration

Procurement

EOI Evaluation

An open expression of interest was released in March with 12 submissions received. Upon review it was determined that only 1 company presented as potentially capable of providing the full level of services required for this project. A second EOI was released in May and resulted in 9 companies submitting.

Based on the Expression of Interest, 4 contractors were shortlisted to progress to the direct tender phase.

The Tender Evaluation Panel for the assessment of tender submissions consisted of the Officer's outlined in Table 1.0.

Table 1.0: Tender Evaluation Panel

Panel member	Position
Les Stokes	Manager Operations
Sarah Taylor	Acting Coordinator Waste, Graffiti and Cleaning
Lauren Pammer	Senior Projects Officer

All three officers made a declaration that they did not have a conflict of interest in relation to any of the tender submissions.

All tender responses were evaluated by the Tender Evaluation Panel against the Evaluation Criteria set out below.

Table 2.0: Selection Criteria and Weighting

Selection Criteria	Weighting
Cost to Council	50%
Organisations' previous experience in similar sized and scoped projects. Skills, qualifications and experience of staff	15%
Understanding of project and proposed methodology	25%
Local Content	10%

The direct tender was released in June 2020 with prices received from the 4 direct tenderers.

Clarifications were undertaken and prices were adjusted to ensure all tenders priced on the same items and therefore evaluated equally. Revised tender prices were received from the 4 direct tenderers. Revised tender prices ranged from \$946,460 to \$652,440 (ex GST).

The Tender Evaluation Panel agreed to interview the 2 lowest price tenderers.

Following further clarification/information obtained during and after the interviews, a detailed tender evaluation was completed by the Tender Evaluation Panel. The detailed tender evaluation was based on Council's criteria for evaluation of tenders as set out in the tender documentation.

On this basis, the preferred design firm is WSP. Whilst WSP were not the lowest price submission, they did however score higher on the other three selection criteria which gave them a higher score overall.

WSP is a large engineering firm capable of documenting building and civil structures. WSP has a desire to provide a design that meets Council's current and future recycling facility requirements. This was evident in their understanding that a key component of the design will be the investigation of current and future waste streams and volumes, user behaviours, Councils sustainability objectives, unique site constraints and future trends, all of which will ultimately determine the scale and function of the final structures.

It is critical that the MRF Upgrade is designed to enable operational efficiencies, maximising resource recovery and reducing operating costs. The selection of a designer that understands the complexities of operating a transfer station and the future trends in waste processing is the most critical decision that will Council make for this project and will have long lasting impacts.

The evaluation panel therefore recommends the award of Contract 20/038 Melton Recycling Facility Stage 2 to WSP Australia Pty Ltd.

3. Council Plan Reference and Policy Reference

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

2. A thriving and resilient natural environment: A City that preserves and enhances its natural environment for future generations

2.1 *A resource efficient City*

2.1.4 *Facilitate municipal waste management strategies to reduce waste to landfill*

4. Financial Considerations

The budget for this project has been approved by Council at \$7,750,000 inclusive of design, authority approvals, construction including all services, structural and civil components and contract administration.

Budget

Year	Budget (\$)
2019/20	\$500,000
2020/21	\$3,400,000
2021/22	\$3,850,000
Total	\$7,750,000

Funding Sources

Year	Amount (\$)
Growing Suburbs Fund	\$3,000,000
Melton Council*	\$4,650,000
Sustainability Victoria	\$100,000
Total	\$7,750,000

* Via the State Governments Community Infrastructure Loan Scheme

Project Budget Breakdown

Year	Amount (\$)
Design & Approvals	\$900,000
Building Costs	\$6,850,000
Total	\$7,750,000

The recommended tender amount of \$775,872 (ex GST) is below the budget allocation of \$900,000 for this component of the project.

5. Consultation/Public Submissions

The following stakeholders have been consulted during this process:

- Melton Council Waste Management Services
- Melton Council Capital Projects
- State & Federal Government Funding Bodies (Growing Suburbs, Sustainability Victoria, Community Infrastructure Loan Scheme)
- Resident and user survey underway via Councils have your say web page and Facebook
- The current operators of the facility

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 from Waste Services and Capital Projects

Completion of an expression of interest process, to identify capable companies to be invited to directly tender the project.

The development of a clear project brief, the use of an industry standard contract and interviewing of the two preferred contractors and reference checks.

7. Options

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Re-advertise the tender seeking further submissions.

LIST OF APPENDICES

Nil.

12.9 CONTRACT No. 20/040 - PROVISION OF FLEET MANAGEMENT AND NOVATED LEASING SERVICES

Author: Sam Rumoro - Manager Finance

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 20/040 for the Provision of Fleet Management and Novated Leasing Services commencing Tuesday 1 September 2020 for the period of two years with a 2 year option to extend at Council's option.

RECOMMENDATION:

That Council:

1. Awards Contract No. 20/040 for the Provision of Fleet Management and Novated Leasing Services to LeasePlan Australia Limited for the period of two years with a 2 year option to extend at Council's option.
2. Authorise the Chief Executive Officer to execute all relevant contract documentation.
3. Advise all Tenderers accordingly.

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 20/040 for the Provision of Fleet Management and Novated Leasing Services. The main aim of the service is the provision of fleet management services to Council including leasing and novated leasing. The aim of these services is to reduce Councils' fleet costs, risk position, Fringe Benefit Tax liability and carbon footprint whilst retaining employee satisfaction and benefits.

This report provides details regarding the tender process, submissions received and the methods undertaken by the Tender Evaluation Panel in selecting the preferred supplier.

Following the advertisement of the tender, eight submissions were received. After completing the tender evaluation process, the panel are recommending contractor LeasePlan Australia Ltd. The panel interviewed 3 providers and LeasePlan Australia Ltd was assessed have having the best proposal which matched Council's needs.

2. Background/Issues

The aims of this tender process as outlined in the tender specification was to establish a professional services agreement for the provision of fleet management and novated leasing services.

Council fleet has approximately 140 vehicles:

- 32 commuter vehicles: Generally vehicles specific for business usage and/or driven to and from work;
- 65 full private 'Benefit' vehicles provided as part of an employee's remuneration package which are for 100% private use; and

- 43 pool vehicles. Business use only vehicles, parked at Council premises.

Council currently supplies both business usage vehicles and private usage vehicles. Employees currently have a choice of vehicle based on the position category and price. Employees also currently provide a contribution towards the vehicle operational cost to minimise Fringe Benefit Tax. Vehicles for business usage are varied in specification.

The objectives of this contract are to improve fleet performance, release capital/funds, drive measurable cost savings, reduce administration, risk and emissions.

Procurement

The tender for the Provision of Fleet Management and Novated Leasing Services Contract No. 20/040 was advertised in The Age on Saturday, 16 May 2020, on Tenderlink and Council's website from Friday, 15 May 2020 and closed at 5pm Friday 5 June 2020.

Council received 8 tenders of which three tenders were shortlisted for interviews.

The Tender Evaluation Panel for the assessment of tender submissions consisted of the Officer's outlined in Table 1.0.

Table 1.0: Tender Evaluation Panel

Panel member	Position
Peter Bean	General Manager Corporate Services
Sam Rumoro	Manager Finance
Janine Munro	Workforce Performance Coordinator
Tegan Finch	Graduate Accountant

No member of the Tender Evaluation Panel declared any conflict of interest in relation to this tender evaluation.

All tender responses were evaluated by the Tender Evaluation Panel against the Evaluation Criteria set out below.

Table 2.0: Selection Criteria and Weighting

Selection Criteria	Weighting
<p>Capability & Experience</p> <p>Demonstrated capacity to perform and previous experience in providing novated and fleet management services. Experience and expertise in providing the above mentioned services for Councils and other public regulated entities was of particular importance</p>	40%
<p>Methodology</p> <p>The proposed methodology for undertaking the service, including the proposed sequence of work, an implementation/transition program, IT systems and technologies to be used to support the delivery of the services</p>	15%
<p>Quality Management</p> <p>Governance structure and broader risk management processes and practices</p>	15%

Pricing Consideration of pricing with respect to a margin above cost of borrowed funds and management fees for both novated lease solution and fleet management solution	20%
Local Content Local content was also considered (mandatory 10% weighting)	10%

Weighted criteria was scored using the following Scoring System in Table 3.0 set out below.

Table 3.0: Scoring System

Description	Evaluation	Score
Excellent	<ul style="list-style-type: none"> Compliant Exceeds all aspects of the evaluation criterion and the additional input adds value Tenderer has an excellent understanding of the requirements. Excellent probability of success 	5
Very good	<ul style="list-style-type: none"> Compliant Exceeds some aspects of evaluation criterion (and meets all other aspects of the evaluation criterion) Tenderer has a good understanding of the requirements Very good probability of success 	4
Good	<ul style="list-style-type: none"> Compliant Meets the selection criterion Good probability of success 	3
Acceptable	<ul style="list-style-type: none"> Fails some aspects of the selection criterion Some minor weaknesses Low level of understanding of the requirements Low probability of success 	2
Marginally Acceptable	<ul style="list-style-type: none"> Fails some aspects of the selection criterion Some major weaknesses Low level of understanding of the requirements Low probability of success 	1
Unacceptable	<ul style="list-style-type: none"> Non-Compliant Fails to address many aspects of the selection criterion Very low level of understanding of the requirements Very low probability of success 	0

Interviews were held on Friday 3 July 2020 with the 3 highest scoring tenders.

Term of Contract

The provision of fleet management and novated leasing services commences on Tuesday 1 September 2020 for the period of two years with a 2 year option to extend at Council's option.

Form of Contract

Pricing is to remain fixed for the term of the contract with respect to management fees and margin above cost of borrowed funds for the leasing aspect of the service.

Current Servicing Arrangements

Currently Councils fleet is mainly managed in-house with the provision of fleet fuel and maintenance contracted out to Custom Service Leasing Pty Ltd.

Basis for Recommending a Tenderer

All three tenderers that were interviewed provided quality submissions with the necessary experience and expertise to undertake the service. The panel felt that LeasePlan Australia Ltd had the best submission in terms of price, capability and experience. Their submission was the most detailed and overall pricing was superior to other tenderers.

3. Council 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

A comparison of submitted pricing models was undertaken. LeasePlan Australia Ltd offered best value for money with overall margin over cost of borrowed funds the best of the tenderers and management fees comparing favourably with other tenderers.

5. Consultation/Public Submissions

No consultation was required as part of this tender process or in the preparation of this report.

6. Risk Analysis

If Council choose to take no action, Councils fleet would continue to be fully owned and managed in-house.

If Council adopts the recommendation, the transition over time of 65 Council owned full private 'Benefit' vehicles, to privately owned novated leasing arrangement would reduce risk to Council in owning those 'Benefit' vehicles.

7. Options

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Continue to manage Councils fleet in-house with the provision of fleet fuel and maintenance to go to tender in coming months.

LIST OF APPENDICES

Nil.

12.10 PLANNING APPLICATION PA 2019/6759 - USE AND DEVELOPMENT OF THE LAND FOR A CHILD CARE CENTRE WITH ASSOCIATED CAR PARKING AND LANDSCAPING AND ERECT AND DISPLAY A BUSINESS IDENTIFICATION SIGN AT 222 CLARKES ROAD BROOKFIELD

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 5** of this report.

REPORT

1. Background

Executive Summary

Applicant:	PD Studio
Proposal:	Use and development of a Child Care Centre
Existing Land Use:	Vacant
Zone:	Neighbourhood Residential (Schedule 1)
Overlays:	Nil
Number of Objections:	26
Key Planning Issues:	<p>Suitability of the location for a non-residential use</p> <p>Whether the built form, height, scale, setbacks and design are an acceptable response to the residential and neighbourhood setting</p> <p>Off-site amenity impacts.</p> <p>Does the proposal appropriately provide for car parking and traffic movements</p> <p>Precedent</p> <p>Property Devaluation</p>
Recommendation:	Approve application

The Land and Surrounding Area

The subject site has an area of 2,175m² and is on the eastern corner of Clarkes Road and Brooklyn Road in Brookfield. Other features of the site are as follows:

- The site is rectangular in shape and vacant.
- An existing 3 metre wide drainage and sewerage easement adjoins the rear south-eastern corner boundary.

The surrounding area can be characterised as an established residential area comprising contemporary single and double storey detached brick dwellings with concrete tiled and colourbond clad roofing with associated garages and large colourbond clad outbuildings. The land directly opposite the site on the western side of Clarkes Road is vacant. However, Council has issued a planning permit (PA2018/6057) for a multi lot staged residential subdivision and associated removal of native vegetation on this land which will be known as Botanica Springs Zone C.

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

The Application

The application proposes the use and development of a Child Care Centre. The proposed development is summarised as follows:

- The proposed building will be single storey with a total floor area of 638 square metres and an overall height from the natural ground level of 4.2 metres. External materials, colours and finishes consist of brick with a rendered finish, timber cladding, aluminium framed doors and windows and colourbond clad roofing.
- The Child Care Centre comprises a lobby/reception area, office, staff room, kitchen, 6 activity rooms, cot room and an outdoor play area (714 square metres).
- The centre will accommodate a maximum of 102 children. Hours of operation are 6.30am to 6.30pm Monday to Friday.
- A total of 22 car spaces are provided on the subject land at the frontage to the site.
- A business identification sign in the form of a 2.7 metre x 2.9 metre high sign is attached to the rendered feature wall near the front entry to the centre. The advertisement area of the sign will be 7.83 square metres. The sign will be non-illuminated and advertise details (name) of the proposed use.

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

Planning Controls

Zone	(Clause 32.09 – Neighbourhood Residential Zone)	A permit is required for use and development of land for a Child Care Centre
Overlays	Nil	Not applicable
Particular Provisions	(Clause 52.05 – Signs) (Clause 52.06 – Car Parking)	A permit is required to erect and display a business identification sign A permit is required to reduce the car parking requirement. 0.22 car spaces are required per child. 102 children are proposed equating to 30 car spaces The application makes provision for 22 car spaces.

A full list of the relevant Planning Policies within the Melton Planning Scheme are 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 considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*; however as it has been subject to significant ground disturbance the proposal does not require a cultural heritage management plan.

Expert advice was submitted concerning a child care centre planning application (PA2018/6342) at 232 Clarkes Road. The report provides evidence to support the claim that there has been significant ground disturbance on the land and the surrounding area because of the subdivision works to the Brookfield Rise estate. According to the Aboriginal Heritage Act 2006 Practice Note: Significant Ground Disturbance, this report reasonably satisfies the level of enquiry Level 1—common knowledge that the area has been subject to ground disturbance, Level 2—prior development and use of land, public available records, including aerial photographs which allow a reasonable inference that the surrounding area has been subject to significant ground disturbance and Level 3—land use historical documents, old maps and photographs. It is considered that the standard of proof presented in this report shows that the Brookfield Rise estate including the land that forms part of this application has been subject to ground disturbance. 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 Submissions³

Public notification of the application

The application was subject to notification. The notification was satisfactorily completed and 26 objections were received. The grounds of objection may be summarised as follows:

- The proposed use is not suitable in a residential area;
- Noise;
- Insufficient car parking;
- Increased traffic/traffic congestion;
- Approval for this proposal will set a precedent for more child care centres; and
- Loss of property value.

A response to the objections is provided in **Section 5 below**.

Referral of the application

The application was referred to several Council Departments for comment and advice. A complete list of responses is included in **Appendix 4**. Of particular note are the comments from Council's Urban Designers who commented that car parking within the front setback should be avoided as it is not in keeping with the neighbourhood character of the area as outlined under Council's Housing Character and Assessment Guidelines. It is recommended

that the car parking be located to the rear of the building with access from the existing vehicle crossover at the south-west corner of the site.

It should be noted that Council's Housing Character and Assessment Guidelines apply to residential use and development only and do not apply to non-residential land use and development such as Child Centres. The adjoining properties and surrounding area are characterised by a mix of landscaped front setbacks along with circular driveways and large concrete areas within the front setback. Also, the car park for the recently completed Council owned and operated Child Care and Community Centre at 249 Clarkes Road Brookfield (approximately 310 metres south-west of the site) is within the front setback. Therefore, it is considered that the proposal is consistent with the neighbourhood character of the area and a redesign of the car parking area is not warranted in this instance. Issues

Planning Assessment

Having considered the objections, applicable provisions and policies within the Melton Planning Scheme the application subject to appropriate conditions warrants the issuing of a Notice of Decision to grant a permit. In considering this application, it is considered that the main planning issues relates to:

- Is this a suitable location for a non-residential use?
- Is the built form, height, scale, setbacks and design an acceptable response to the residential and neighbourhood setting?
- Off-site amenity impacts.
- Does the proposal appropriately provide for car parking and traffic movements?
- Precedent.
- Property Devaluation.

Is this a suitable location for a non-residential use?

The objectors raised concerns that the proposed child care centre is not suitable in a residential area. Non-residential uses are permitted within the Neighbourhood Residential Zone, but must be in an appropriate location and where the use serves local community needs. Clause 19.02-2S provides guidance where an appropriate location should be. It requires that a child care centre should be located to maximise access by public transport and safe walking and cycling routes and provide safe vehicular drop-off zones.

The proposed location of the child care centre is considered appropriate as the proposal will sufficiently use existing infrastructure and services including the existing road network (Clarkes Road and Brooklyn Road) and will also be well located in relation to existing infrastructure and services and community services including public open space, public transport, shops, schools and other community facilities including the Council owned and operated Child Care and Community Centre located approximately 310 metres to the south-west of the subject land. It is also noted that Council has issued a planning permit (PA2018/6057) for the multi-lot staged residential subdivision of the land directly opposite the subject site. This permit includes conditions requiring Clarkes Road to be upgraded to a 24 metre wide road reserve with kerb and channel along with the provision of footpaths and a shared hike/bike path. Land has also been set aside along Brooklyn Road to increase the width of this road reserve to 25 metres. The plans also include the provision of an active open space reserve and the future provision of a Neighbourhood Activity Centre, School site and medium density housing site in the north-east corner of this land.

It should also be noted that earlier this year Council issued a Notice of Decision to Issue a Permit for a Child Care Centre on a vacant lot at 232 Clarkes Road – which is relatively close to this site. That application is subject to a VCAT review instigated by objectors, with a decision yet to be made.

A child care centre provides valuable community service and is a needed offering in this area

given that the subject land is within a growth area where people of a range of ages and family types are settling down. The advantage of locating non-residential uses within a residential area is that services will be easily and quickly accessible by walking or cycling. Also, child care centres positively support families by providing an environment where young children will stay while enabling the parents to take part in work activities and community life.

In a recent VCAT decision (P2560 Shand vs Melton City Council) relating to the establishment of a child care centre in a residential area at 143 Brooklyn Road Brookfield, the Tribunal made the following comments:

“While the surrounding land use pattern is primarily residential in nature that is not unusual within a residential zone. Nor does it prohibit the potential establishment of non-residential land uses which are of a nature that complement and integrate with a residential neighbourhood (paragraph 7)”.

“A child care centre provides a valuable community service and is a needed and necessary offering in today’s society. In most neighbourhoods, residentially zoned land will provide the most suitable land for the establishment of new childcare centres. It is evident for obvious reasons that industrial zoned land is not suitable for this type of land use. Often commercially zoned land is also not suitable, having regard to the size of available lots, and/or the economic reality of the pricing of land in those zones. For these reasons, it is likely that we, as a community, are going to continue to see the growth of childcare centres being established primarily on residentially zoned land (paragraph 10)”.

Is the built form, height, scale, setbacks and design an acceptable response to the residential and neighbourhood setting?

The proposed development makes a positive design contribution to the streetscape and is consistent with the Planning Policy Framework (PPF) and Local Planning policy Framework (LPPF) as the built form of the development complements the character of the surrounding area. The siting, layout, setbacks, single-storey height/scale and built form of the proposed development will respect and complement the established neighbourhood character of the area which is characterised by contemporary style single and double-storey detached dwellings. The proposed building is setback 20.47 metres from the frontage to Clarkes Road and will not visually dominate the existing residential streetscape. The design and external materials and finishes for the proposed building will be consistent with the established neighbourhood character of the area.

The location of the car park within the front setback is also consistent with the established neighbourhood character of the area where there is a mix of landscaped front setbacks along with circular shaped concrete driveways and large concrete areas within the front setback. A 2.59 metre wide landscape area is proposed along the front boundary of the site along with a 1.5 metre wide landscape area along the northern and southern boundaries. As outlined earlier in this report, the car park for the recently established Council owned and operated Child Care and Community Centre at 249 Clarkes Road Brookfield is also within the front setback.

Off-site amenity impacts

Off-site amenity impacts are generally measured by way of overlooking, overshadowing, visual bulk and noise. The single-storey nature of the proposal, with adequate setbacks from the property boundaries of the subject land, means that off-site impacts by way of overlooking, overshadowing and visual bulk are appropriately addressed.

The submitted overshadowing diagrams shows that more than 40 square metres of the secluded private open space of the property to the south and east of the subject land will receive more than five hours of sunlight between 9am and 3pm on 22 September. Noting that a small portion of the secluded private open space of these dwellings is overshadowed between these hours. There will be no unreasonable overlooking from the childcare centre given the single-storey nature of the proposal and the proposed setbacks from the boundaries of the subject land.

The visual bulk of this proposed building will not be dissimilar to the extent of bulk caused by existing dwellings on surrounding residential lands. With appropriate setbacks, it is considered that the proposed built form will not cause unreasonable visual bulk impacts to the adjoining properties.

Objectors are concerned about the increase in noise from the proposed centre. Noise from child care centres is often a contentious issue in residential neighbourhoods. While the noise of children playing will be heard from time to time, that will mostly occur during the day on weekdays when fewer of the surrounding residences are occupied. At weekends and evenings, there will be little to no activity occurring on the land, and the valued quiet residential environment will remain as currently exists.

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 proposed hours of operation for the child care centre are considered appropriate in the context of the land and surrounds. Amenity related conditions will form part of the permit to minimise off-site amenity impacts. Also, an acoustic report will be required to be submitted to mitigate the emission of noise from the site.

Does the proposal appropriately provide for car parking and traffic movements?

Residents have raised several concerns about the proposal, including insufficient car parking and increased traffic/traffic congestion. The grounds of objection are acknowledged, however, cannot be substantiated.

Based on the requirements of Clause 52.06 of the Melton Planning Scheme, the required number of car spaces for each use is calculated in the table below.

Uses	Car parking rate	Number of health practitioners/children/bedrooms	Number of car spaces required
Child Care Centre	0.22 to each child	102	30

The proposal provides 22 car spaces with a shortfall of 8 car parking spaces. According to Clause 52.06-7, the applicant submitted a Car Parking Demand Assessment to justify the reduction in car parking spaces. Council's Traffic Engineers have conducted an assessment of the Car Parking Demand Assessment and determined to support the reduction in the car parking requirement. Therefore, the number of car spaces provided on the land for the proposed use satisfies the relevant requirements of the Melton Planning Scheme.

Based on the requirements of Clause 52.34 bicycle facilities are not required for the proposal as a child care centre is excluded from the use listed in column 1 of the table to Clause 52.34.

The dimensions of the car spaces along with the aisle width between car spaces also comply with the requirements under Clause 52.06. The plans submitted as part of the application also show that access and exit will be via the existing vehicle crossover (proposed to be extended) at the south-west corner of the site.

The proposal will cause the generation of additional traffic. Council's Traffic and Transport Department did not raise any concerns with the proposal concerning traffic and advised that Clarkes Road can accommodate the amount of additional traffic likely to be generated by the proposal.

Precedent

Residents have raised concerns that approving this application will set a precedent for more childcare centres in the area. Each planning application is approved on their merits as Council Officers must be satisfied that a proposal will produce an acceptable outcome. The design response satisfies Council Officers that subject to appropriate conditions the proposal will produce an acceptable outcome.

Property Devaluation

Residents have expressed concerns that approving this proposal will devalue their property. This is a genuine concern, however it is a well-established planning principle that depreciation of land or property values because of a proposed development is not a relevant planning consideration.

Other issues

The proposed business identification sign generally satisfies the requirements under Clause 52.05 of the Melton Planning Scheme, the objectives and requirements of Council's Advertising Signs Policy and the objectives and standards of Council's Advertising Signage Design Guidelines (2017). According to Section 4.5 (Residential Areas) of the Guidelines, the number of signs to be displayed should not exceed one with a maximum advertisement area of 3 square metres.

A variation to the guidelines in terms of the size of the sign is appropriate given that only one sign will be displayed on the proposed building. The sign will be consistent with the single storey built form and scale of the proposed building.

5. 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.

6. 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 5**.

LIST OF APPENDICES

1. Locality Map - dated 29 June 20120
2. Development Plans - dated 29 June 2020
3. Relevant Planning Policy Provisions - undated
4. Referral Comments - undated
5. Notice of Decision to Grant a Permit Conditions - undated

12.11 PLANNING APPLICATION PA 2020/6959 - ELECTRONIC MAJOR PROMOTION SIGN AT 122 HIGH STREET, MELTON

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

PURPOSE OF REPORT

To consider and determine the planning application.

RECOMMENDATION:

That Council issue a Notice of Decision to Refuse to Grant a Permit subject to the grounds outlined in **Appendix 5** of this report.

REPORT

1. Background

Executive Summary

Applicant:	Human Habitats
Proposal:	Electronic Major Promotion Sign
Existing Land Use:	A service station and associated uses is currently under construction and nearing completion
Zone:	Industrial 1 Zone
Overlays:	None
Number of Objections:	None
Key Planning Issues:	Compliance with planning policy Precedence
Recommendation:	Refuse application

The Land and Surrounding Area

The subject site has an area of 6,088m² and is located on the northern side of High Street, Melton. Other features of the site are as follows:

- The site is irregular in shape.
- The land is currently being developed for the purpose of a service station, motor vehicle repairs, convenience shop, food and drink premises and a car wash. The development approved under Planning Permit PA2017/5884/2 is currently under construction and nearing completion.
- The Ryans Creek lineal open space reserve is located directly to the west of the site.

The surrounding area can be characterised is an established industrial area, which is used for a variety of industrial and commercial purposes. On the opposite side of High Street are several car dealerships (including Holden, Nissan, and Toyota).

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

The Application

The application proposes to erect and display an electronic major promotion sign on the subject land.

The proposed development is summarised as follows:

- The sign will have a display area that is 12.44m wide x 3.29m height.
- The sign will be attached to a monopole structure and will be elevated approximately 5.7m above the natural ground level. The overall height of the sign will be 10m.

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

Planning Controls

Zone	(Clause 33.01 – Industrial 1 Zone)	Outlines that the “ <i>Sign requirements are at Clause 52.05. This zone is in Category 2.</i> ”
Particular Provisions	(Clause 52.05 – Signs)	<p>The proposed major promotion sign can be considered as:</p> <ul style="list-style-type: none"> • A <u>sky sign</u>, which is defined as “A sign... fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.”; and • An <u>electronic sign</u>, which is defined as “A sign that can be updated electronically. It includes screens broadcasting still or moving images.”; and • A <u>major promotion sign</u>, which is defined as “A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited. <p>A permit is required for the proposed sign.</p>

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 considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*; and an approved cultural heritage management plan was submitted with the planning application (associated with Planning Permit PA2017/5884). The approved cultural heritage management plan covers the entire subject site.

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 no objections were received.

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 which is a determining referral authority in this case. A complete list of responses is included in **Appendix 4**.

5. Issues

Planning Assessment

The proposal can be classified as an electronic, major promotion, and sky sign.

There are a number of electronic major promotion signs that are located along the Western Highway in the municipality. However, this proposal is considered to be first electronic major promotion sign that has been proposed along the High Street, Melton.

The assessment of the proposal reveals that it is deemed to be inconsistent with Council's Advertising Signage Design Guidelines. The guidelines outline that:

Electronic signage may be permitted in the following locations only:

- *Major Activity Centres provided a community benefit can be demonstrated; or*
- *Adjacent to a Freeway which does not have a rural or residential interface.*

Electronic Signs are strongly discouraged within all other areas in the City of Melton."

The subject site is neither a Major Activity Centre, nor adjacent to a freeway. Furthermore, in relation to Major Promotion Signs, the guidelines outline that:

"Major Promotion Sign it will only be considered appropriate within the City of Melton when the sign:

- *Has concealed its supports, cabling, lighting and electrical within the sign design.*
- *Is well removed from other Major Promotion signs to ensure they do not dominate the streetscape (or landscape).*

*Are confined to Gateways (see Section 4.7 of these Guidelines for locations) and/or Major Activity Centres, abut a Road Zone Category 1 (RDZ1), and are located away from residential areas."*The Guidelines does not specifically identify Gateway locations, however, outlines that *"a number of prominent entries into the City of Melton which deserve appropriate protection from visual intrusions. Gateways are important as these areas are typically the most trafficked areas in the City of Melton and create an impression of the City for residents, visitors and those passing through"*.

The subject site can potentially be viewed as a gateway location, given, that industrial precinct along High Street is a highly trafficked area and generally viewed as being the entry into the more established parts of Melton. In relation to gateway locations, the guidelines outlines the need to:

- *Discourage major promotion signs and sky signs in these locations.*

- *Discourage major promotion signs and sky signs on open sites where they will be a dominant visual element in the landscape and detract from the visual amenity of the road or rail corridor.*

The proposal is likely to have a negative impact on the visual amenity of the immediate surrounding area, given, that this section of High Street is a highly trafficked area and the sign would be located adjacent to a branch of the Ryan Creek lineal open space reserve. The proposal is strongly discouraged by Council's adopted *Advertising Signage Design Guidelines*, and should be refused.

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 does not comply with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be refused as outlined in **Appendix 5**.

LIST OF APPENDICES

1. Locality Plan - dated 28 July 2020
2. Plans of Proposal - dated 2 March 2020
3. Assessment against State and Local Planning Policies - undated
4. Referral Comments - undated
5. Grounds of Refusal - undated

12.12 INSTRUMENTS OF DELEGATION UPDATE

Author: John Whitfield - Governance Coordinator
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To seek the approval of Council of the updated S5 Instrument of Delegation to the Chief Executive Officer and updated S6 Instrument of Delegation to Members of Council Staff.

RECOMMENDATION:

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Melton City Council (Council) RESOLVES THAT –
 - 1.1 There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *S5 Instrument of Delegation to The Chief Executive Officer*, subject to the conditions and limitations specified in that Instrument. (refer **Appendix 1**)
 - 1.2 The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - 1.3 On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - 1.4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

 2. In the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation Melton City Council (**Council**) RESOLVES THAT –
 - 2.1 There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *S6 Instrument of Delegation to Members of Council Staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument. (refer **Appendix 2**)
 - 2.2 The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - 2.3 On the coming into force of the instrument all previous delegations to Members of Council Staff (other than the Chief Executive Officer) are revoked.
 - 2.4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
-

REPORT

1. Executive Summary

A Council may, by Council resolution, make an Instrument of Delegation and delegate to a member of its staff a range of powers, duties or functions of a Council under the *Local Government Act 1989* ('the 1989 Act'), the *Local Government Act 2020* ('the 2020 Act'), or any other applicable Act.

The *Local Government Act 2020* commenced on 6 April 2020 and the purpose of this report is to seek Council's approval of the draft *S5 Instrument of Delegation to The Chief Executive Officer* that contains key delegations to the CEO now that the 2020 Act is in place.

This report also seeks Council approval of the updated *S6 Instrument of Delegation – Members of Staff*. The draft S6 Instrument is largely unaffected by the introduction of the 2020 Act. This draft does remove the previous reference to s 98(1) of the 1989 Act at the beginning of the Instrument now that this piece of legislation has been repealed.

The draft S5 Instrument of Delegation to The Chief Executive Officer and the draft S6 Instrument of Delegation – Members of Staff now presented to Council will provide for the proper and efficient use of Council's powers in allowing Council staff to undertake the day to day management of the organisation in a timely and responsive manner.

2. Background/Issues

This report to Council seeks its approval of the updated S5 Instrument of Delegation to the Chief Executive Officer and for the updated S6 Instrument of Delegation to Members of Staff.

Well-constructed Instruments of Delegation are important as a person exercising a delegation is effectively 'standing in the shoes of the Council'. A decision made under delegation is a decision of the Council. A delegation in force does not prevent Council from making the decision.

With the recent commencement of the *Local Government Act 2020* (2020 Act), Maddocks Lawyers have provided an update to the Delegations and Authorisations Service to which Melton City Council subscribes.

The new powers of delegation commence on 1 May 2020. However, unless sooner revoked, an existing delegation made by a Council or its CEO under the *Local Government Act 1989* (1989 Act) continues in force until 1 September 2020.

Council must have its new delegations in place by 1 September 2020.

S5 Instrument of Delegation by Council to CEO

Section 11(1)(b) of the 2020 Act provides for a Council to delegate powers, duties and functions to its CEO – with some exceptions and limitations.

The 2020 Act allows for the CEO to make an expenditure, including by way of entry into a contract, which is not included in the budget, provided that any such delegation contains a monetary limit. The proposed amount set out in the Schedule is \$500,000.

Matters that cannot be delegated to the CEO pursuant to section 11(2) of the 2020 Act are listed as Conditions and Limitations in the Schedule to the draft S5 Instrument.

This Instrument also confirms, pursuant to section 11(4) of the 2020 Act, that a Council may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days.

Council should also note that in addition to the 'compulsory' conditions and limitations mentioned above, the draft S5 Instrument includes the following additional limitations on

delegated power to the CEO. They are the removal of the CEO's power under the 2020 Act to adopt the Community Vision, Financial Plan, Asset Plan or Revenue and Rating Plan.

S6 Instrument of Delegation – Members of Staff

Maddocks Lawyers have also updated the S6 Instrument of Delegation to Members of Staff. This Instrument is largely unaffected by the introduction of the 2020 Act. This draft does remove the previous reference to s 98(1) of the 1989 Act at the beginning of the Instrument now that this piece of legislation has been repealed

The S6 Instrument of Delegation - Members of staff covers a range of powers, duties and functions under specific Acts and Regulations where, in Maddocks' opinion, the delegation must be from the Council direct to the position, rather than through a sub-delegation from the Chief Executive Officer. In Maddocks' view these delegations must be direct from Council as the legislation or provisions contained in this instrument do not allow for sub-delegation.

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

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

4. Financial Considerations

There are no financial considerations relevant to this matter.

5. Consultation/Public Submissions

There is no requirement for public consultation in this process.

6. Risk Analysis

The same risks apply in decision making by Officers as for decisions by Council. Namely that the decision could be tainted by conflict of interest, be ultra vires and may be subject to administrative review by a Court or Tribunal.

7. Options

1. Adopt the Recommendation as presented.
2. Amend the delegations as it sees fit, for example, but not placing additional limitations on the CEO such as the removal of the CEO's power under the 2020 Act to adopt the Community Vision, Financial Plan, Asset Plan or Revenue and Rating Plan.

LIST OF APPENDICES

1. S5 Instrument of Delegation to the Chief Executive Officer - undated
2. S6 Instrument of Delegation - Members of Staff - undated

12.13 ELECTED COUNCILLOR COMMITMENTS - REVISED COUNCIL MEETING DATES

Author: John Whitfield - Governance Coordinator
Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To inform Council of a schedule of dates for elected Councillors and to seek Council approval for some changes in meeting dates.

RECOMMENDATION:

That Council:

1. adopt the following revised Council Meeting dates and locations for 2020 with these meetings to commence at 7.00pm:
 - 1.1 Monday 16 November 2020 at the Melton Civic Centre - Council Meeting for the election of the Mayor and Deputy Mayor and setting of the 2021 Meeting Schedule; previously scheduled for Tuesday 10 November 2020;
 - 1.2 Monday 30 November 2020 at the Melton Civic Centre; previously scheduled for Monday 23 November 2020;
 - 1.3 Monday 21 December 2020 at the Melton Civic Centre; previously scheduled for Monday 14 December 2020; and
 2. Note the Elected Councillor Commitments – Schedule of Indicative Dates at **Appendix 1**.
-

REPORT

1. Executive Summary

With the Victorian local government general elections fast approaching, this report seeks to provide an indicative schedule of dates for elected Councillors at **Appendix 1** for Council to note. Some of these dates have been impacted by the continuing restrictions to the community due to the COVID-19 pandemic.

The first change that needs to be accommodated is the deadline for the declaration of the poll. It was to be Friday 6 November 2020 but due to COVID-19 measures that are being put in place by the Victorian Electoral Commission that date is now Friday 13 November 2020.

In turn, this requires a change of meeting to elect the Mayor (which according to the Local Government Act 2020 is technically summoned by the CEO following an election) from Tuesday 10 November 2020 to Monday 16 November 2020.

Because of these date changes it is suggested that the Council meeting dates for November and December be pushed back by one week to 30 November 2020 and 21 December 2020 respectively.

Dates for Councillor induction sessions and workshops have been and will be set with these meeting dates in mind. It should be noted that the Schedule of Indicative Dates is subject to change. It is unclear yet what, if anything, will be proscribed by the regulations in relation to Councillor induction, as allowed for by section 32 of the Local Government Act 2020.

2. Background/Issues

With the Victorian local government general elections fast approaching, this report seeks to provide a Schedule of Indicative Dates for elected Councillors at **Appendix 1**. Some of these dates have been impacted by the continuing restrictions to the community due to the COVID-19 pandemic.

A key date change is the final date by which the election results are required to be declared by. This was Friday 6 November 2020 but due to COVID-19 measures that are being put in place by the Victorian Electoral Commission during the conduct of the election and the count, that date is now Friday 13 November 2020.

Because of this it is recommended that the Council Meeting for the election of the Mayor and Deputy Mayor (and setting of the 2021 Meeting Schedule) be held on Monday 16 November 2020 at the Melton Civic Centre. It was previously scheduled for Tuesday 10 November 2020. This meeting will in fact be formally set by the CEO. Pursuant to the *Local Government Act 2020* (s230(16)), the CEO must summon a Council meeting within 14 days after the public declaration of the election result.

Because of these changes, it is recommended that the Council meeting previously scheduled for Monday 23 November 2020 be now held Monday 30 November 2020 (at the Melton Civic Centre) and that the Council meeting previously scheduled for Monday 14 December 2020 be held Monday 21 December 2020 (at the Melton Civic Centre).

If COVID-19 restrictions remain in place on these dates, appropriate online and live streamed meeting arrangements will be made. The Local Government Act 2020 currently only permits online meetings until 1 November 2020.

Also impacted by the later declaration of the poll are the arrangements being made for Councillor induction sessions and workshops; both internally and externally. These workshops are typically arranged through the VLGA and the MAV and have been left off this first version of the schedule while arrangements are made.

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

4. Financial Considerations

No change to current financial aspects of Council meetings and new Councillor induction matters.

5. Consultation/Public Submissions

No public consultation is required.

6. Risk Analysis

No change to current risks connected to Council meetings and new Councillor induction matters.

7. Options

That Council either:

1. Adopt the officer's recommendation; or
2. Set alternative dates for the Council meetings for November and December 2020 noting that the meeting to elect the Mayor and Deputy Mayor must be summoned by the CEO pursuant to the Act.

LIST OF APPENDICES

1. Elected Councillor Commitments - Schedule of Indicative Dates - undated

12.14 MAYORAL BALL 2020 - DONATION IN LIEU

**Author: Jayde McBurnie - Team Leader Health Promotion and Planning
& Christine Denyer - Manager Legal and Governance
Presenter: Christine Denyer - Manager Legal and Governance**

PURPOSE OF REPORT

To advise on an alternative to the Mayoral Ball 2020 - unable to be held due to Covid-19

RECOMMENDATION:

That the Council:

1. note that the Mayoral Ball 2020 cannot be held because of the COVID-19 pandemic;
2. support the Mayor's suggestion to donate \$10k each to:
 - Women's Health West; and
 - McAuley Community Services for Women.
3. organise an online presentation of donations

REPORT

1. Executive Summary

The COVID-19 pandemic will prevent the Mayoral Ball from taking place in 2020 and accordingly officers approached the Mayor seeking input for an alternative way to mark the year.

Reflecting upon her Mayoral year, and in particular the effects of the COVID-19 pandemic, the Mayor suggested officers explore the rates of family violence in the municipality during the pandemic and those services dedicated to victim survivors of family violence with a view to donating the money that would have been spent on the Mayoral Ball.

COVID-19 has had significant impacts on experiences and rates of family violence for residents in our municipality. Data from Victoria Police suggests that family violence call outs during May-July in the City of Melton have increased by up to 20 per cent compared to the same time last year. Local specialist family violence services are struggling to meet demand with case management wait lists of up to six months.

2. Background/Issues

The Mayoral Ball is an annual event hosted by the Mayor of the Day in either September or October in any given year. The Mayoral Ball represents a chance to come together as a Council, Executive and Community and celebrate the successes of the Mayoral year.

Sadly, the COVID-19 pandemic will prevent the Mayoral Ball from taking place in 2020 and accordingly officers approached the Mayor seeking input for an alternative way to mark the year.

Reflecting upon her Mayoral year, and in particular the effects of the COVID-19 pandemic, the Mayor suggested officers explore the rates of family violence in the municipality during

the pandemic and those services dedicated to victim survivors of family violence with a view to donating the money that would have been spent on the Mayoral Ball.

Officer Research

Officer research reveals that the COVID-19 pandemic has compounded the impact of family violence for women in our municipality. Victoria Police and family violence specialist workers report an increase in severity of incidents in homes with an existing history of violence, as well as increased reports of family violence occurring for the first time. Data from Victoria Police suggests that family violence call outs during May-July in the City of Melton have increased by up to 20 per cent compared to the same time last year. Local community leaders report rising rates of family violence, which may not be reported to police and therefore are not captured in this statistic. Family violence specialist practitioners are also reporting new forms of violence. These include perpetrators demanding that women wash their hands and body excessively, to the point that they bleed, spreading rumours that victims had COVID-19 so no one would come near them, and not letting women out of their homes in order "to protect them" from coronavirus.

Support-seeking for victim survivors is challenging with a significant reduction in opportunistic disclosures through existing settings (such as schools and medical appointments), and a new reliance on accessing services by phone, often when the perpetrator is nearby. Victim survivors' experiences of escaping family violence is further impacted by the pandemic with a reduction in material and financial aid available through existing avenues. Specialist family violence services in the municipality have seen a dramatic increase in victim survivors seeking support during the pandemic. This increase has resulted in long wait lists of up to six months for case management for these clients. Our local services are struggling under the pressure of demand and need our support.

There are two dedicated providers of services for women experiencing family violence in the western region: Women's Health West and McAuley Community Services for Women.

Amount and Acquittal

Officers suggest a total donation amount of \$20k, with \$10k to each of the two dedicated service organisations receiving \$10k each.

If the officer recommendation (or a version of it) is resolved, an online presentation of the grants would be held at a date to be determined.

Other relevant information

It should also be noted that there is a Special Committee for the purposes of a grants process in lieu of a ball which could be utilised as an alternative to the officer recommendation allowing a grants process up to \$20k. That said, because the provisions of the Local Government Act 2020 no longer provide for special committees, but instead, delegated committees, this committee would ultimately need to be re-established by 1 September 2020 as a delegated committee. Given the time constraints, and the need to have any process completed by 22 September 2020, as the Council goes into 'caretaker mode', officers believe that the Mayor's suggestion of the family violence grant, with the resolution of Council, is preferable.

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

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

4. Financial Considerations

The Mayoral Ball is a longstanding annual event. To that end, there is an amount in the recurrent budget in the order of the amount proposed to be donated.

5. Consultation/Public Submissions

N/A

6. Risk Analysis

Even if the Mayoral Ball could legally be held in late September or October (which is unclear at the time of this report), the health risks would be substantial and unjustified under the circumstances.

7. Options

1. Decide to grant a different amount to the two listed entities;
2. Decide to grant an amount to another or other entities;
3. Decide to re-establish the existing special committee as a delegated committee with the same delegation (and run a grants process).
4. Take any other action the Council sees fit.

LIST OF APPENDICES

Nil

12.15 EYNESBURY - PROPOSAL FOR RESTRUCTURING TO CONSOLIDATE ENTIRE TOWNSHIP IN CITY OF MELTON

Author: Kel Tori - Chief Executive Officer
Presenter: Kel Tori – Chief Executive Officer

PURPOSE OF REPORT

To advise Council of a request from Roberts Day, acting for Eynesbury Township Pty Ltd, to have the Local Government boundaries realigned to facilitate the Eynesbury township being wholly contained within the City of Melton.

RECOMMENDATION:

That

- a) Council write to City of Wyndham requesting that they approve a proposal for the LGA boundary between City of Melton and City Of Wyndham to be altered so as to consolidate the entire Eynesbury Township within the City of Melton, so as to enable City of Melton to submit a request to the Minister for Local Government for a minor boundary change pursuant to Section 238(2) of the *Local Government Act 2020*, and
- b) On agreement being received from City of Wyndham, Council authorise the CEO to submit an application to the Minister for Local Government for a minor boundary change pursuant to Section 238(2) of the *Local Government Act 2020*.

REPORT

1. Executive Summary

Eynesbury Township currently straddles the local government boundary between the Cities of Wyndham and Melton. Council have been requested by the developers of the Eynesbury Township to commence a process to have the boundary between Wyndham and Melton realigned so that all of the township falls within the City of Melton. The process to achieve this is contained within the *Local Government Act 2020*.

2. Background/Issues

The township of Eynesbury straddles the Local Government boundary between City of Wyndham and the City of Melton. While all the development that has occurred within the Township has so far been on the Melton side of the border, it will inevitably extend across the border into Wyndham.

This cross border situation creates a number of complexities for the developers of Eynesbury, and for the two municipalities, which would be alleviated by realigning the boundary. This would also avert impending issues relating to service delivery to the entire township at later stages in its development.

Roberts Day, acting for Eynesbury Township Pty Ltd the developers of Eynesbury have formally written to Council (**Appendix 1**) requesting that Council consider entering into a process to bring about a realignment of the boundary so that effectively all of Eynesbury Township would fall within the City of Melton.

Sections 234-238 of the *Local Government Act 2020* prescribe how municipal restructures can be brought about, and as this proposal is a relatively minor boundary adjustment, if City of Wyndham are in agreement, the Minister could pursuant to Section 238(2) of the Act approve the adjustment without the need for a “Restructuring Advisory Panel” to be established.

Should the City of Wyndham not agree, then Council would need to consider whether it wished to request the Minister to convene a Restructuring Advisory Panel to advise on the merits of the proposal.

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

There are no costs associated with this proposal. Should the restructure be approved, there would be obligations on Council with regard to management of the area, planning oversight, infrastructure development and service delivery. Council would also generate rate income from the area transferred.

5. Consultation/Public Submissions

The proposal is put forward by the developer, and the recommendation is to consult with the City of Wyndham as the other major stakeholder

6. Risk Analysis

It is obvious that the developer has some frustration from being required to negotiate across two Councils in respect of their development. The current situation is a risk in that there may not be a consistent approach from the two Councils, leading to less desirable outcomes.

7. Options

Options are:

1. Proceed as recommended
2. Decline the request
3. Go direct to the Minister without consulting City of Wyndham

LIST OF APPENDICES

1. Letter fom Roberts Day - Eynesbury Township - dated 14 July 2020

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

Reports on external Committees and external Representative Bodies for which Councillors have been appointed by Council.

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

Address from Councillors in relation to matters of civic leadership and community representation, including acknowledgement of community groups and individuals, information arising from internal Committees, advocacy on behalf of constituents and other topics of significance.

15. NOTICES OF MOTION

15.1 NOTICE OF MOTION 705 (CR ABBOUSHI)

Councillor: Steven Abboushi - Councillor

Notice was given at the Ordinary Meeting of Council held on 20 July 2020 of my intention to move the following motion at the Ordinary Meeting Council to be held on 17 August 2020

MOTION:

That given the escalation in anti-social behaviour in the Aintree Estate, that Council contact the Woodlea developer and discuss the possibility to reintroduce security patrols in the Estate.

OFFICER'S COMMENTS:

Nil.

15.2 NOTICE OF MOTION 706 (CR RAMSEY)**Councillor: Sophie Ramsey - Councillor**

Notice was given at the Ordinary Meeting of Council held on 20 July 2020 of my intention to move the following motion at the Ordinary Meeting Council to be held on 17 August 2020.

MOTION:

That Council officers provide a report to Council on any works (preferably traffic lights) necessary to improve safety at the intersection of Exford and Bridge Roads, Melton South. This will include details of the proposed timing of such works.

OFFICER'S COMMENTS:

The current 2020/21 draft budget includes the construction of a roundabout at this intersection, which was identified through a recent corridor study. Traffic signals are identified for delivery into the future, when traffic volumes trigger this infrastructure item.

Through the delivery of a roundabout at this location, pedestrian facilities will be provided to allow a connection across Exford Road in the form of pedestrian refuge islands. This will allow pedestrians to cross Exford Road one lane at a time.

15.3 NOTICE OF MOTION 707 (CR ABBOUSHI)

Councillor: Steven Abboushi - Councillor

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 17 August 2020

MOTION:

That Council officers investigate options and associated costings for a future dog park in the Burnside Heights area and report to Council.

OFFICER'S COMMENTS:

Nil.

15.4 NOTICE OF MOTION 708 (CR ABOUSHI)**Councillor: Steven Abboushi - Councillor**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 17 August 2020

MOTION:

That officers provide a report to Council, with costings, to enable Council to consider, due to the substantial increase in waste volumes as a result of the coronavirus pandemic, providing an additional free 240 litre rubbish bin until 31 August, 2021 for residents with medical or special needs, households with two or more members using nappies and households with three or more residents.

OFFICER'S COMMENTS:

Council Officers will prepare a report for Council, however the following initial assessment is provided for consideration.

Current Waste Volumes

The table below shows the waste disposal volumes (landfill) from our kerbside bins over the last 7 months. Whilst we have seen a slight increase during the COVID pandemic, it is not felt to be such an increase that would warrant the need for the distribution of additional bins to the residential households.

	Jan	Feb	Mar	Apr	May	Jun	Jul
Disposal Tonnes (T)	2689.02	2349.78	2577.46	2710.58	2562.96	2655.42	2767.45

Waste Strategy / Education

With the recent introduction of FOGO on 1st July 2020 – we are encouraging residents to opt in for a green bin to free space up in the red bin and reduce landfill impact. As you may be aware previous audits conducted in August 2019 indicated approx. 50% of the contents of the average red bin was organic waste.

A number of webinars have been conducted and further being planned to educate residents on methods to reduce landfill. Council officers feel that the introduction of an additional waste bin may discourage support for recycling and the uptake of the green organics bin.

Other Councils

Hobsons bay are currently offering an upgrade to a 240 lt bin, or where a 240 is already in place, eligible households will receive the service free during the nominated period.

To be eligible, the household must have four or more residents, households that have special medical needs, and households with two or more household members using nappies.

Hobsons Bay currently offer a 240 lt bin in their current bin options, therefore have the 240 lt bins are in circulation. After the “free” period is over households can opt to keep the bin upgrade and pay the associated waste charge or downgrade back to a 120lt.

Currently Melton residents can request an additional 120lt waste bin if required for \$153 per year (supply and service) by contacting customer service. A 240lt general waste bin is not currently an option to our residents, therefore the 240lt bin would be a new service.

It may be worth noting that the Melton City Council General Local Law (2015) Part 7 – Waste Management, Clause 95 Prohibited Waste - states that medical waste must not be placed in a Council provided bin.

Costs

The Council report will need to assess the cost of this proposal, however if taken up by 20% of residents, this could cost in the order of \$1.75M for 12 months. We are currently unaware of the numbers that would be eligible for the additional bin under this proposal however Council currently provide a waste service to approx. 55,000 of households in the municipality. The development of a policy and application process would be required as well as administration resources to assess and process the applications.

Council would also need to consider the following cost to implement the service;

Supply

- Manufacturing time for bins – approx. 3 months
- Supply of 240lt bin – approx. \$30.00 per bin (depending on volumes)
- Delivery of bins – approx. \$5.00 per bin

Servicing

- Per lift cost – Current contract lift price is \$0.7973 per lift of the current 120lt general waste bin.
- Disposal costs – \$104 per Tonne (each bin would hold approx. 15kg)
- Variation to the current waste contract would be required
- An additional truck will be required by the contractor to complete handle the additional volume of waste (Current service uses 8 trucks)

After the Additional Bin Period:

- Retrieval of bins at the end of the nominated period – \$10.00 per bin (includes cleaning of the bin)
- Storage or disposal options for the 240lt bins removed from circulation

15.5 NOTICE OF MOTION 709 (CR HARDY)**Councillor: Ken Hardy - Councillor**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 17 August 2020

Preamble

With the current COVID-19 pandemic, more than 75,000 vegetarian meals & around 12,000 groceries hampers have been supplied to people in self-isolation, elderly and also frontline workers. (Health workers were also supplied with free groceries and cooked food). Providing free blankets have also been added to help in the winter months with many families and individual suffering in the cold. This is ongoing for the foreseeable future.

MOTION:

That Council, in recognition of the significant number of meals supplied to the Melton community by the Sikh Temple, and the continuing demand for this level of support in the current State of Disaster, provide a one-off grant to the Sikh Temple of \$20,000 to assist them in their charitable work

OFFICER'S COMMENTS:

An alternative option is for Council to establish a recovery fund for food/meals relief, with an initial allocation to be determined to be allocated via a grants program, or to expedite under delegation to the CEO for officers to administer. Community groups and organisations would be eligible to seek financial support for the food/meals relief provided to City of Melton residents via this fund.

15.6 NOTICE OF MOTION 710 (CR TURNER)**Councillor: Bob Turner - Councillor**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 17 August 2020

MOTION:

That Council create a web page/website listing emergency relief items including food supplies that are available to our community in the City of Melton. It should then be advertised and made available to assist those in our community in need.

OFFICER'S COMMENTS:

This can be actioned in accordance with the proposed motion. The details of the locally and regionally accessible services are available, and can be published on Council's website.

15.7 NOTICE OF MOTION 711 (CR ABBOUSHI)**Councillor: Steven Abboushi - Councillor**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 17 August 2020

MOTION:

That Council, in recognition of the significant number of food staples supplied to the Melton community by Combined Churches Caring Melton and the continuing demand for this level of support in the current State of Disaster, provide a one-off grant to Combined Churches Caring Melton of \$20,000 to assist them in their charitable work.

OFFICER'S COMMENTS:

Council provides \$20,500 per annum in financial support to the Combined Churches Caring Melton Food Bank. However, current reports are that the Food Bank is experiencing very high demand due to the impacts of COVID19 on unemployment. Therefore, additional support from Council may assist with meeting this demand.

An alternative option is for Council to establish a recovery fund for food/meals relief, with an initial allocation to be determined to be allocated via a grants program, or to expedite under delegation to the CEO for officers to administer. Community groups and organisations would be eligible to seek financial support for the food/meals relief provided to City of Melton residents via this fund.

- 16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE**
- 17. MOTIONS WITHOUT NOTICE**
- 18. URGENT BUSINESS**

19. CONFIDENTIAL BUSINESS

Recommended Procedural Motion

That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020* the meeting be closed to the public to consider the following reports that are considered to contain **confidential information** on the grounds provided in section 3(1) of the *Local Government Act 2020* as indicated:

19.1 Response to Notice of Motion 656 (Cr Majdlik)

- (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

Recommended Procedural Motion

That the meeting be opened to the public.

20. CLOSE OF BUSINESS