



# MELTON CITY COUNCIL

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

**20 July 2020**

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

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## MELTON CITY COUNCIL

### MINUTES OF THE ORDINARY MEETING OF THE MELTON CITY COUNCIL HELD VIA A VIDEOCONFERENCE ON 20 JULY 2020 AT 7:00PM

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

Mr K Tori, Chief Executive Officer  
Mr P Bean, General Manager Corporate Services  
Mr M Heaney, General Manager Community Services  
Mr L Shannon, General Manager Planning and Development  
Ms LJ Mellan, Executive Manager Property and Projects  
Mr B Baggio, Manager Planning Services  
Ms C Denyer, Manager Legal and Governance  
Mr J Whitfield, Governance Coordinator  
Ms R Bartlett, Acting Governance Officer

#### 1. OPENING PRAYER AND RECONCILIATION STATEMENT

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

#### 2. APOLOGIES AND LEAVE OF ABSENCE

Nil.

#### 3. CHANGES TO THE ORDER OF BUSINESS

##### **Procedural Motion**

Crs Ramsey/Abboushi

That Item 13, 'Reports from Delegates Appointed to Other Bodies' and Item 14, 'Councillor Representation and Acknowledgements' be combined with Councillors having up to 3 minutes and the Mayor up to 5 minutes to give their reports.

CARRIED

**Procedural Motion**

Crs Kesic/Majdlik

That Item 18, 'Urgent Business' be heard directly after Item 11, 'Public Question Time'.

CARRIED

**4. DEPUTATIONS**

Nil.

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

Nil.

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

That the Minutes of the Ordinary Meeting of Council held on 22 June 2020 be confirmed as a true and correct record.

**Motion**

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

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

- 22 June 2020 Record of Assembly of Councillors
- 13 July 2020 Record of Assembly of Councillors

**RECOMMENDATION:**

That the Record of Assembly of Councillors dated 22 June and 13 July 2020 attached to this Agenda be received and noted.

**Motion**

Crs Abboushi/Kesic.

That the recommendation be adopted.

CARRIED

**LIST OF APPENDICES**

1. Record of Assembly of Councillors - dated 22 June 2020
2. Record of Assembly of Councillors - dated 13 July 2020



## 8. CORRESPONDENCE INWARD

### 8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- Tim Pallas – Minister for Economic Development & Minister for Industrial Relations - Government Response to Coronavirus
- Ben Morton – Assistant Minister to the Prime Minister and Cabinet – Australians stranded overseas

#### RECOMMENDATION:

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

#### Motion

Crs Turner/Ramsey

That the recommendation be adopted.

CARRIED

#### LIST OF APPENDICES

1. Letter from Tim Pallas, Minister for Economic Development & Minister for Industrial Relations - dated 30 June 2020
2. Letter from Ben Morton - Assistant Minister to the Prime Minister and Cabinet - dated 30 June 2020

**9. PETITIONS AND JOINT LETTERS**

Nil.

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

Nil.

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

Crs Majdlik/Sebire

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.

CARRIED

<b>Name</b>	<b>Question asked of Council</b>
Lisabeth Clifford	<i>“Re: the proposed toilet block on The Esplanade, how many people have requested this versus how many people have expressed their objection to this?”</i>
Lisabeth Clifford	<i>“Are these requests for this toilet block actually from Melton City Council ratepayers?”</i>
Nick	<i>“Regarding the plans of a public toilet on The Esplanade Caroline Springs. Have you reviewed other issues that are more important \ (drug deals around lake Caroline, drinking alcohol late at night, hoons speeding) and more priority at the moment that should be addressed prior to placing public toilets so close only a few meters away from homes in the area?”</i>
Nick	<i>“Regarding the plans of a public toilet on The Esplanade Caroline Springs, Are you 100% sure this is the best location for everybody’s health &amp; safety?”</i>
Jim Vouloumanos	<i>“How many residents had requested for a toilet to be built in Lake Caroline? and why were NO residents advised of these toilets being built, especially those residents that live across from the proposed site. I say NO residents were advised, because back in August last year apparently there was mail sent out but nobody received it. Is this a breach of policy also?”</i>
Jim Vouloumanos	<i>“How many locations in Lake Caroline were considered for the site of this toilet, and please confirm where were these locations exactly?”</i>
Elizabeth Mico	<i>“Currently there are safety issue around Lake Caroline... being drug deals, syringes and other rubbish being dumped in the park &amp; street, and thieves praying on the public. These happen at all hours of the day and night. Rather than introduce another issue for residents &amp; Police to worry about, what is being done to battle the current safety concerns around the Lake? CCTV cameras perhaps, as we don’t see more Police presence at all?”</i>

Elizabeth Mico	<i>“Residents believe this toilet is not needed, especially in front of their homes (West Waters complex have toilets, and Caroline Springs Square have multiple toilets for public use). If the toilet is to be built, why can’t it be located on Caroline Springs Boulevard, where there is constant traffic, and the Police Station? This will make it safer, especially to clean.”</i>
Colin Milvain	<i>“The view of the lake from our property will be materially obstructed due to the proposed construction of the toilets. We purchased this property for lake views, and paid accordingly. We are very disappointed and upset about this. Please advise of the decision making process, specifically around the impact to the immediate residents effected with loss of views to the lake?”</i>
Colin Milvain	<i>“The inconsistencies in dialogue from the council (employees and councillors) regarding the process is concerning (addressed last Friday 17 July to each of you from my lawyer via email). Do you agree this project needs to be paused until a proper local advertising period is conducted by the council?”</i>
Issam Nabulsi	<i>“Where if not on the edge of an industrial zone 1 location could this project be located, not in a residential or commercial zone, not even in an established industrial zone. If you look at the project brief it calls for connectivity with the environment and other adjacent zones. The edge of an undeveloped industrial zone is the perfect location for this use.”</i>
Issam Nabulsi	<i>“Can planning confirm that applications for industrial uses on surrounding properties that are in section 1 of the table of uses on surrounding properties cannot be objected to based on use and that in fact only works can be objected to - by anyone including adjoining industrial zone users?”</i>
David O’Connor	<i>“In Winter 2017, Melton City Council proudly launched the first edition of its new look and feel Moving Ahead newsletter. Whilst the publication is of extreme quality and a valuable community resource, to many, it remains one of Melton’s best kept secrets. Would Council please undertake to update the website providing online access to Moving Ahead, inclusive of the previous issues currently unavailable for download?”</i>
Vicki Arapovic	<i>“What assurance can the Council give the residents that the proposed Toilet Block adjacent to Lake Caroline will not be open for abuse by drug dealers, paedophiles, and other illegal activities that regularly congregate after dark in and around Lake Caroline?”</i>

**Procedural Motion**

Crs Majdlik/Turner.

That Standing Orders are resumed.

CARRIED

## 18. URGENT BUSINESS

As per a previous Procedural Motion carried at this meeting at Item 3, Item 18 has been moved to immediately after Item 11, 'Public Question Time'.

### Procedural Motion

Crs Kesic/Abboushi

That, in accordance with clause 6.16 of the *Meeting Procedure Local Law 2013*, Council accept a motion regarding the contract for the construction of the toilet facility at Lake Caroline as an item of urgent business as it relates to or arises out of a matter which has arisen since distribution of the agenda and cannot safely or conveniently be deferred until the next Council Meeting.

CARRIED

### Motion

Crs Kesic/Majdlik.

1. That Council seek to vary the contract for the construction of the toilet facility at Lake Caroline, so as not to locate the facility at that location.
2. That the General Manager Planning and Development oversee negotiations with the contractor by the Officer named in the contract in terms of financial liability associated with the variation, seeking to have the pre-fabricated toilet facility located away from Lake Caroline at an alternate site recommended by Council officers and with consultation with residents in the vicinity of the new location of the toilet facility to be by registered post.
3. Authorise the CEO to enter into a variation in accordance with the CEO's existing delegation.

CARRIED

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

### For:

Crs Abboushi, Carli, Hardy, Kesic, Majdlik, Mendes, Ramsey, Sebire and Turner

### Against:

Nil

The Mayor declared the Motion CARRIED

**Procedural Motion**

Crs Majdlik/Ramsey

That the recommendations as printed in Items 12.1 and 12.2 be adopted en bloc.

CARRIED**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.

**Motion**

Crs Majdlik/Ramsey

That the recommendation be adopted.

CARRIED

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**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
4 June 2020	Disability 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.

## **LIST OF APPENDICES**

1. Disability Advisory Committee Meeting Minutes - dated 4 June 2020



## 12.2 AUDIT COMMITTEE MINUTES - 1 JULY 2020

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

### PURPOSE OF REPORT

To present to Council the minutes of the Audit Committee meeting held on Wednesday 1 July 2020.

### RECOMMENDATION:

That Council:

1. Note the minutes of the Audit Committee meeting held on Wednesday 1 July 2020 (with the exception of those reports considered in camera) at **Appendix 1**.
2. Adopt the recommendations arising within the minutes.

### Motion

Crs Majdlik/Ramsey.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The minutes of the Audit Committee meeting held on 1 July 2020 (with the exception of those reports considered in camera) are appended to this report as **Appendix 1** (without attachments).

The Audit Committee is an advisory committee of Council.

The minutes contain recommendations for the consideration of Council.

### 2. Background/Issues

The Audit Committee is an independent advisory committee appointed by Council pursuant to Section 139 of the *Local Government Act 1989* ('the Act').

The primary objective of the Audit Committee is to assist Council to fulfil its corporate governance responsibilities through the effective conduct of its responsibilities for accounting and financial reporting practices, management of risk, maintaining a reliable system of internal controls, operation of good governance and facilitating sound organisational ethics.

The Audit Committee makes recommendations to Council for its consideration. These recommendations are set out in the minutes attached at **Appendix 1** (without attachments) for matters at the Audit Committee are considered in open session. Those matters considered in camera are the subject of a report in the Confidential Business section of this agenda.

### **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**

Any and all financial considerations are set out within the reports and minutes of the Audit Committee.

### **5. Consultation/Public Submissions**

Not applicable.

### **6. Risk Analysis**

A risk analysis is contained within each report to the Audit Committee.

Risks identified by the Audit Committee and recommendations in relation to same should be carefully considered by Council as these represent an independent and forensic appraisal of the issues.

### **7. Options**

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

## **LIST OF APPENDICES**

1. Audit Committee Meeting Minutes - dated 1 July 2020

## 12.3 COUNCIL'S SERVICE DELIVERY RESPONSES AND OUTCOMES DURING COVID-19

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

### PURPOSE OF REPORT

To update Council on the outcomes achieved for the community through service delivery innovations during the COVID-19 pandemic.

### RECOMMENDATION:

That Council note the report.

#### Motion

Crs Ramsey/Turner

That the recommendation be adopted.

CARRIED

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

#### For:

Crs Abboushi, Carli, Hardy, Kesic, Majdlik, Mendes, Ramsey, Sebire and Turner

#### Against:

Nil

The Mayor declared the Motion CARRIED

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## REPORT

### 1. Executive Summary

Council has had to respond to the fast evolving COVID-19 pandemic in an agile and innovative way. It has sought to maintain and adapt service delivery wherever possible, even in the midst of forced closures due to physical distancing requirements.

Many programs have gone online, and creative solutions to engage, support, nurture, educate and entertain have been employed, from online videos to musical performances on porches.

Community health and wellbeing and staff safety have been, and remain, the focus, to date in addressing the critical concerns of social isolation, food security, financial hardship and business sustainability.

**Appendix 1** details how Council has done everything practicable during the pandemic to adapt to a new service delivery environment, and the outcomes that have been achieved,

from Maternal & Child Health, Young Communities, Ageing Well, Arts, Recreation and Economic Development.

## 2. Background/Issues

Council has been monitoring, and responding to, developments regarding COVID-19 since before the pandemic declaration by the World Health Organisation on 11 March 2020. The Crisis Management Team (CMT), consisting of the Executive and key managers and coordinators, has been meeting on a daily basis since 24 March. CMT receives situation reports from affected service units; considers the latest health advice and directions from Victoria's Chief Health Officer, the Commonwealth Chief Medical Officer, the Victorian Premier and the Prime Minister; and determines appropriate messaging for the community and staff, to ensure accurate and up-to-date information is provided to all parties.

Since March, Council's service delivery responses have been required to rapidly adapt and change, by virtue of the State directions enforcing physical distancing. Officers have been motivated and engaged by a commitment to do whatever practicable to meet our community's heightened needs at this time of sickness, anxiety, isolation, uncertainty and, for many, financial hardship. There has also been great creativity and innovation displayed in helping meet those needs, and continuing to enable 'business as usual' to take place in new ways. This has demonstrated new service models that will have efficiency and effectiveness benefits post-COVID; officers recognise that once State restrictions on gatherings and physical distancing are eased, service delivery will take place in a 'new COVID normal'.

Staff have adapted service delivery methods and models in response to community need. They have done so innovatively by consulting with their target communities about how best those services can be delivered, given physical distancing and hygiene requirements, and accounting for the agility of those communities to move services online or to other delivery modes. Regular and ongoing consultation has taken place with key stakeholder groups, such as cultural committees, sporting associations, health networks and emergency service agencies.

In addition, nearly 100 staff have been redeployed, either in different roles in their existing service unit, or in different service units all together. Staff without work in their substantive roles were matched with service units with increased need for resources, to ensure ongoing meaningful work for Council staff. In combination with the provision of Special Leave, this has meant that Council has not been required to stand down any employees, enabling our workforce to feel supported, and remained engaged.

We are continuing to provide community relief and response, and are beginning to plan for recovery. The ongoing social and economic impacts of this pandemic will be felt for years to come, and service units continue to monitor community needs and respond in ways that are in accordance with State restrictions.

**Appendix 1** provides an update on relevant service delivery changes from March to June 2020, the community outcomes that have been achieved or delivered, and the means by which these have been achieved or delivered.

## 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

*5.2 A flexible, innovative and creative organisation that responds to rapidly changing community and operating environments.*

#### **4. Financial Considerations**

The financial impacts of the pandemic, in broad terms, have centred around revenues not collected, rates/charges waived or deferred and expenditure that has not been used or been redirected to the support package from Council. Revenues have been impacted through rate relief and fee waivers, costs have been shifted from in person to online service delivery, and in some areas savings have been made due to the cancellation of programs. It is anticipated that the overall negative impact on the 2020 – 21 budget will be in the order of \$5.3M, due to lower than expected rates growth, lower fees, loss of interest and other factors. This impact will continue to be felt throughout the 2020-21.

#### **5. Consultation/Public Submissions**

No external consultation was undertaken in the preparation of this report.

#### **6. Risk Analysis**

Foremost in the minds of all Council staff designing, modifying, delivering and implementing service delivery changes and outcomes under COVID-19, is the need to keep our community members and staff safe and healthy. This involves physical, emotional, mental and cultural safety. Staff conduct and implement dynamic risk assessments, in regards to a range of hazards, impacting all parties: these have included, but are not limited to, infectious diseases, food security, social isolation, anxiety and depression, and financial hardship.

The Crisis Management Team has met daily to oversee and endorse the myriad of changes to service delivery and the resulting impacts on residents and staff. The key principle it has always applied is to fully align Council with the Victorian and Federal Health directives, and to do whatever is practicable to maintain a safe environment for all.

#### **7. Options**

The report has been prepared as an information item for Council.

#### **LIST OF APPENDICES**

1. Council's service delivery innovations, and outcomes, during the COVID-19 pandemic

The meeting was adjourned at 8:23pm.

The meeting resumed at 8:35pm.

## 12.4 GROWING SUBURBS FUND SUBMISSIONS

**Author: Maurie Heaney - General Manager Community Services**  
**Presenter: Maurie Heaney - General Manager Community Services**

### PURPOSE OF REPORT

To inform Council of the submissions made to the growing Suburbs Fund 2020/21.

### RECOMMENDATION:

That Council note the submissions to the Growing Suburbs Fund (GSF) 2020/21 for the following projects in priority order:

1. Diggers Rest Community Pavilion – \$2.5m
2. Kirkton Park, Kurunjang - \$140k
3. Orbis Avenue Reserve, Fraser Rise - \$140k
4. Cardinia Avenue Reserve, Taylors Hill - \$140k

### Motion

Crs Mendes/Hardy.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The State Government launched the Interface Growth Fund (IGF) in July 2015 announcing a \$50M investment in the outer suburbs to support the delivery of critical local infrastructure needs for growing communities. The ten Councils referred to as the Interface Councils are eligible for the funding are Cardinia, Casey, Hume, Melton, Mitchell, Mornington Peninsula, Nillumbik, Whittlesea, Wyndham and Yarra Ranges.

Council has been successful in obtaining \$29,158M across the five rounds and compared to all other Councils have the received funding for the most number of projects and have the best record in achieving the milestone commitments.

Over the five rounds of the Growing Suburbs Fund (GSF) the State Government has funded \$250M in total. A further \$25M has been committed over the next 6 months, the expanded fund will prioritise 'shovel-ready' projects that will have immediate economic and social impact for the ten Interface and 6 peri-urban Councils.

Applications opened 9 June 2020 and closed 13 July 2020.

## 2. Background/Issues

The 2020/21 GSF will fund new, expanded or upgraded infrastructure projects within Melbourne's ten interface and six peri-urban councils. The program will support projects that have a direct benefit to communities and surrounding catchment areas across the following broad infrastructure categories:

- Community health and Well-being
- Early Education, Learning and Training
- Sport, Recreation and Leisure facilities that have dedicated community space and support multi use purposes
- Environmental and Climate change resilience
- Place making, Civic amenity, and Community connecting

Only projects that are "shovel ready" will be funded under the 2020/21 GSF.

All infrastructure projects must commence construction within 6 months of the grant being announced and must be completed within a 12 month timeframe from the start of construction.

All submissions will require a mandatory council resolution providing support for the application and a priority order of projects.

Applications will be assessed against the following project assessment criteria:

### **Criteria 1 – Why is this project required?**

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

- demonstrating the connection between the project and a rapidly growing community clearly identifying the need or gap in infrastructure provision that the project will address
- demonstrating how the project aligns with and delivers against current state policy objectives
- demonstrating how the project will deliver on the purpose of the GSF and the desired outcomes
- demonstrating how the project will add to local economic activity and employment creation. Applications that directly address needs resulting from population growth will be favourably considered.

### **Criterion 2 – Who will benefit and how? – 25%**

Applications must clearly demonstrate the extent to which the project will deliver benefits to the locality and:

- contribute to improved gender equality and the needs of diverse communities
- clearly identify the intended benefits (social, economic, and/or environmental) that the project will deliver
- demonstrate the breadth and depth of the expected benefits including who will benefit and how.

### **Criterion 3 – What will be delivered – 20%**

Applications must provide details of what the funding will be used for and:

- demonstrate that schematic site-specific plans have been developed
- demonstrate consistency with climate change, environmentally sustainable design, and universal design principles. Consideration should be given to

achieving positive environmental outcomes e.g. reducing operational costs, reducing environmental impacts of construction, energy and water efficiencies

- explain how the proposed infrastructure will be managed and its benefits sustained once the infrastructure is delivered.

#### **Criterion 4 – How will the project be delivered - 20%**

Applications must provide details that:

- demonstrate a sound approach to delivering the project, providing realistic timeframes for delivery, and demonstrating that the project is financially viable and represents value for money
- demonstrate capacity to implement and/or source expertise to manage the delivery of the project
- outline the proposed funding contributions for the project. Projects that have significant council contributions and attract further public, not-for-profit or private sector investment are desirable and strongly encouraged. Applications must identify how council will fund the difference if applications for other funding contributions are unsuccessful.

#### **Criterion 5 -The extent of council and community support for the project – 10%**

Applications must:

- demonstrate that the project is a recognised strategic council priority and is consistent with key council plans such as the current Council Plan and Strategic Resource Plan, community plans or structure plans and/or policy documents
- demonstrate the level of support at the community level. This could be demonstrated by engagement activities, co-contributions or in-kind support from community members or groups
- demonstrate the increase in activities and community use of the facility the project will support.

#### **Program wide criteria**

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

- consistency with state priorities– the panel will consider how each project aligns local and State priorities
- leveraged funding – Councils are expected to contribute funding to the delivery of each project. A notional program wide funding leverage of \$1 for \$1 is in place.
- geographic distribution - no more than 10 percent of the total pool of funding will be allocated to a single council
- diversity of infrastructure/project types - the assessment will seek to ensure that funded projects represent a mix of infrastructure
- Council's past performance will be taken into consideration
- consideration of the Green Star Rating certification for design, construction and operations for sustainable buildings.

#### **Application Process and Key Time Frames**

Action	Date
Applications Open	9 June 2020
Applications Close	13 July 2020
Assessment and Decision Making	3 August 2020
Announcements	17 August 2020



Funding Agreements Executed	31 August 2020
Construction Commencement	Within 6 months of the funding announcement
Construction Completion	Within 12 months of commencement

As noted above, there are a number of conditions to the funding program that require Council approval. Council is to list the projects in a priority order and is required to identify a project or program to bring forward into the 2020/21 financial year to replace the value of the funding that Council receive from the Growing Suburbs Fund.

It is proposed the priority order of the projects is:

- Diggers Rest Community Pavilion
- Kirkton Park, Kurunjang
- Orbis Avenue Reserve, Fraser Rise
- Cardinia Avenue Reserve, Taylors Hill

The project recommended to be bought forward into the 2020/21 financial year, is the refurbishment of the Melton Civic Centre.

### 3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

### 4. Financial Considerations

The draft 2020/21 Budget allocates \$1,500,000 of developer contributions towards the design and construction of the Diggers Rest Community Pavilion and Oval No. 02, and a \$60,000 for a scoreboard upgrade, and a further \$3,059,000 of developer contributions in 2021/22.

This funding application to the Growing Suburbs Fund seeks to attract \$2,500,000 for the multi-purpose community meeting space within the Community Pavilion.

The draft 2020/21 Budget allocates \$892,000 to the Parks Development Program, and the program proposed the design and construction of Kirkton Park, the Orbis Avenue Reserve and the Cardinia Avenue Reserve.

Please refer to table 2.0 below for a summary:

Table 2.0: Funding Applications

Project	Location	Funds sought from GSF	Estimated Project Value
Diggers Rest Community Pavilion	Diggers Rest	\$2,500,000	\$8,500,000
Kirkton Pak	Kurunjang	\$140,000	\$375,000
Orbis Avenue	Fraser Rise	\$140,000	\$685,00
Cardinia Avenue	Taylors Hill	\$140,000	\$374,000

## **5. Consultation/Public Submissions**

Extensive community engagement has occurred over the last 12 months in relation to the Diggers Rest project. This was part of the original master plan development, and in the last 12 months to assist to inform the design project for the oval and pavilion project. Due to the COVID-19 situation online engagement sessions and have been undertaken and community submissions have been received. Letters of support have also been provided by key stakeholders supporting the development of this project. Online engagement has taken place with the clubs. Officers will continue consult with the community on each of the projects proposed to seek funding from the GSF.

## **6. Risk Analysis**

Each of the recommended projects have a business case that includes an assessment of the risks involved in delivery the project and these will continue to be actively managed.

## **7. Options**

That Council:

1. Endorse the priority order list contained within the recommendation.
2. Not endorse the recommended priority order projects.

## **LIST OF APPENDICES**

Nil

## 12.5 SAFE CITY, PROUD COMMUNITIES PLAN 2020-2024

Author: Jayde McBurnie - Team Leader Health Promotion and Planning

Presenter: Maurie Heaney - General Manager Community Services

### PURPOSE OF REPORT

To present the Safe City, Proud Communities Plan (2020/2024) to Council for endorsement.

### RECOMMENDATION:

That Council:

1. Endorse the Safe City, Proud Communities Plan 2020-2024 as attached at **Appendix 1**, and
2. Endorse the discontinuation of the Road2Zero Steering Committee and Community Safety Advisory Committee and the establishment of a Safe City Advisory Committee.

### Motion

Crs Ramsey/Kesic.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The purpose of the plan is to set Council's direction for strengthening road and community safety over the next four years. It outlines a whole-of-organisation collaborative approach to road and community safety. Included in the document is the four year action plan with specific strategies and actions to be delivered.

This report is presented to Council for consideration and endorsement.

### 2. Background/Issues

The development of the Safe City, Proud Communities Plan was informed by community conversations, key stakeholders and a strong evidence-base for safe and connected communities. A Discussion Paper outlining data and information providing background for the Plan is attached for Councils information at **Appendix 2**.

#### Learnings from evidence review:

Review of current best practice, road and community safety data, and community feedback led to the following key principles for Council action:

- initiatives should be planned at the individual, environmental and societal levels in order to address the many determinants of safety
- a place-based approach is essential as experience of safety differs across the municipality and in specific settings

- initiatives should target the most vulnerable cohorts
- a community development approach should be taken as a positive sense of safety is strongly correlated with strong, connected and active communities.

In recognition of bringing together the road and community safety portfolios into one holistic plan, it is proposed that the current Road2Zero and Community Safety Advisory Committees are discontinued and a Safe City Advisory Committee is established. There is duplication of membership in both current committees and similar content is often raised. This proposal has been discussed and supported by members of both existing committees, and a Terms of Reference for the new committee will be presented for Council consideration at a future meeting. A recommendation to formally dissolve of the current Road2Zero and Community Safety Advisory Committees and to establish a Safe City Advisory Committee is made in this report, with delegation from Council to be determined during the next term of Council coinciding with timing of planned Committee reviews.

**The Safe City, Proud Communities Plan identifies the four pillars for action:**

- People and behaviours: Addressing individual behaviours to improve road and community safety.
- Community and connection: Promoting social capital, community cohesion and connection to foster safe communities.
- Environments for safety: Building and maintaining physical environments and social conditions that promote safety.
- Collaboration and coordination: Taking a whole-of-organisational approach to road and community safety.

A four-year action plan outlines specific strategies to be implemented under each pillar.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

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

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

### **4. Financial Considerations**

This project is funded in Council recurrent budget in Community Planning.

### **5. Consultation/Public Submissions**

Over 150 community members were engaged through 'community conversations' held at three locations in October and November 2019:

- CS Square Shopping Centre, Caroline Springs - 55 community members
- Hannah Watts Park, Melton – 49 community members
- Ageing Well Network – 48 community members

These conversations built on existing community consultation data from the Annual Household Satisfaction Survey (2019) and the Council Plan and Community Vision consultation Survey.

Using these methods, over 1000 residents were able to provide their insights regarding road and community safety. Community safety and traffic management were consistent priorities for City of Melton residents, alongside a strong need for strengthening the sense of belonging for residents in the municipality.

Members of the Road2Zero Steering Group and Community Safety Advisory Group were briefed on the plans progress and provided opportunity to review the draft Plan.

## **6. Risk Analysis**

There are no identified risks related to the endorsement of the Plan.

## **7. Options**

Council has the following options:

1. Endorse the Plan and endorse the discontinuation of current associated advisory committees and establishment of new Safe City Advisory Committee.
2. Endorse the Plan and retain current advisory committees.
3. Not endorse the Plan, and retain current advisory committees.

## **LIST OF APPENDICES**

1. Safe City, Proud Communities Plan 2020-2024
2. Road and Community Safety Discussion Paper - dated June 2020

## 12.6 COMMUNITY FUNDING OUTCOMES 2019/20

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

### PURPOSE OF REPORT

To provide a report of outcomes of the 2019/20 Community Grants Program, Young Communities Grants Program, and World Environment Day Grants Program.

### RECOMMENDATION:

That Council note the outcomes of the Community Grants Program, Young Communities Grants Program, and World Environment Day Grants Program for the 2019/20 financial year, as presented at **Appendix 1**.

#### Motion

Crs Majdlik/Turner

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

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

During the 2019/20 period, the Community Grants Program provided opportunities to 103 funding submissions. There were 147 requests during this term.

The Young Communities Grants Program provided opportunities to 28 funding submissions from 33 received requests.

The World Environment Day Grants opened in April this year, with the intention of assessing and expending the funds in time for World Environment Day on 5 June. Due to COVID-19, the process has been delayed, applications will be assessed and funding expended in the 2020/2021 financial year.

This report details the recipients of funding, and provides summary of the initiative, passion and commitment that individuals and local groups are delivering for our community.

### 2. Background/Issues

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

for the community through the creation of local programs and projects. Council provides financial support to community through the Community Grants Program, Young Communities Grants Program, and World Environment Day Grants Program in support of the outcomes listed below.

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

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

The Young Communities Grants Program promotes a positive profile for young people living in Melton. It enables young people to explore and express their ideas, providing opportunities to personally develop their skills. It also creates projects that involve young people and empowers youth by delivering something engaging, relevant and stimulating.

The Young Communities Grants Program:

- Supports young people and community members working with young people;
- Builds resilient young people through opportunities to further personal development;
- Strengthens relationships and create opportunities for collaboration between Council and our community;
- Strengthens relationships and supports local schools, community groups and organisations to work with young people in developing new innovative and inclusive initiatives, activities and events, which promotes wellbeing and social connectedness for young people within the City; and
- Enables young people to explore and express their ideas, providing opportunities to personally develop their skills.

The World Environment Day Grants Program provides opportunity for community organisations to deliver environmental projects or programs that have a positive impact on the local environment and/or promote environmental stewardship and sustainability.

The World Environment Day Grants Program:

- Increases community participation in conservation and sustainability;
- Promotes and develops local pride in the City's natural environment; and
- Promotes community leadership in conservation and sustainability.

Council provides financial support to facilitate these benefits through the Community Grants Program, Young Communities Grants Program, and World Environment Day Grants Program.

**2019/20 Council Grant Program Categories**

Council directly provided community funding through the following program categories:

<b>Community Grants Program</b>		
<b>Grant Category</b>	<b>Purpose</b>	<b>Amount Available</b>
Responsive Grants	Financial assistance for projects that provide a timely response to emerging community needs/issues.	Up to \$2,000
Establishment Grants	Supporting establishment costs of new groups.	Up to \$1,500
Semi-Annual Grants	<b>Access to community grants across 2 categories:</b> Community Project Grants – up to \$10,000 Entry-Level Grants – up to \$2,000	Up to \$10,000
Resident Achievement Contributions	Recognises achievements and financial sacrifices made by residents participating in leisure and cultural activities at a higher level.	International \$750 Interstate \$500 State \$250
<b>Young Communities Grants Program</b>		
Project Grants	For projects that aim to address the issues faced by young people in the City of Melton.	Up to \$5,000
Individual Grants	For young individuals (12–25 years) from the City of Melton to further their skills through chosen activities.	Up to \$500
<b>World Environment Day Grants Program</b>		
Environmental Grants	For projects with a primary focus on flora and fauna.	Up to \$10,000
Sustainability Grants	For projects with a primary focus on promoting resource efficiency (waste, water, energy), reducing litter, minimising greenhouse gas emissions, or promoting climate change adaptation.	Up to \$10,000

**2019/20 Council Partner Grant Categories**

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

<b>Community Grants Program</b>		
<b>Grant Category</b>	<b>Partner</b>	<b>Funding Available</b>
The Club Caroline Springs Grants	The Club Caroline Springs & Melbourne Racing Club (\$50,000)	<b>Access to community grants providing \$50,000 across 2 categories:</b> Community Project Grants – up to \$10,000 Entry-Level Grants – up to \$2,000
Harness Racing Victoria/Tabcorp Park Grants	Harness Racing Victoria & Tabcorp Park (\$50,000)	<b>Access to community grants providing \$50,000 across 2 categories:</b> Community Project Grants – up to \$10,000 Entry-Level Grants – up to \$2,000.



All applications were assessed for eligibility and against promoted assessment criteria.

Allocation of funding was recommended via appointed assessment panels comprised of Council Officers, Partner representative, Councillors and community representatives.

### 2019/20 Community Funding Allocation

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

Details of the distribution of funds are provided in the following table and **Appendix 1**.

Program	Amount Available	Amount Approved
Council Community Grants Program	\$205,000.00	\$189,032.26
Program	Amount Available	Amount Approved
Council Partner Grants <i>Note: includes The Club Caroline Springs Grant Program (\$50,000) and Harness Racing Victoria/Tabcorp Park Grants Program (\$50,000)</i>	\$100,000.00	\$100,000.00
Council Young Communities Grants Program	\$20,000.00	\$19,977.14
Council World Environment Day Grants Program	\$40,000.00	Delayed due to COVID-19 to be continued in the 2020/21

### 3. Council and Wellbeing Plan Reference and Policy Reference

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

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

### 4. Financial Considerations

The following tables below provide a summary of the successful allocation of funds across all program areas for the 2019/20 financial year:

Community Grants Program		
Grant Category	Number of successful applications	Amount Funded
Semi-Annual Grants	40	\$150,012.20
Responsive Grants & Establishment Grants	27	\$32,770.06
Resident Achievement Contributions	12	\$6,250.00
The Club Caroline Springs Grants	11	\$50,000.00
HRV/Tabcorp Park Grants	13	\$50,000.00
<b>TOTAL Community Grants Program</b>		<b>\$289,032.26</b>

<b>Young Communities Grants Program</b>		
<b>Grant Category</b>	<b>Successful number of applications</b>	<b>Amount Funded</b>
Project Grants	3	\$10,000.00
Individual Grants	25	\$9,977.14
<b>TOTAL Young Communities Grants Program</b>		<b>\$19,977.14</b>

## 5. Consultation/Public Submissions

All funding available was extensively promoted across our community through:

Community Information Sessions	Conducted throughout the financial year, the sessions advise community members and organisations on processes and best practice for application writing. It also provides an opportunity for discussions for proposals for Council funding programs.
Website	All general information, contact details, guidelines and application forms are available for viewing and download from Councils' Grants Page of its website.
Facebook	Grants information was made available and promoted on Council's Facebook page.
Information Brochures	Community Grants Programs guidelines and application forms are made available at community centres, civic centres and libraries.
Officer Support	Officers provide advice to potential applicants at specific and general meetings with community.

## 6. Risk Analysis

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

Council officers are currently reviewing the Councils Community Grants program, due to COVID-19 with a report to be presented to Council when completed.

## 7. Options

Nil.

## LIST OF APPENDICES

1. Community Grants Funding Report 2019-2020

## **12.7 PLANNING APPLICATION PA 2019/6572/1 - USE THE LAND FOR A PLACE OF ASSEMBLY, MINOR SPORTS AND RECREATION FACILITY, EDUCATION CENTRE AND ALTER ACCESS TO A ROAD IN A ROAD ZONE AT 160 - 170 GREIGS ROAD, TRUGANINA**

**Author: Valentine Sedze - 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 Refuse to Grant a Permit subject to the grounds outlined in **Appendix 6** of this report.

### **Motion**

Crs Abboushi/Kesic.

That Council issue a Notice of Decision to Grant a Permit subject to the following conditions:

1. Before the use and development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
  - a) The overflow car park located in front of the proposed multi-purpose building relocated to the rear of buildings.
  - b) Landscaping within proposed car parking areas in accordance with Melton City Council, Off-Street Car Parking Guidelines.
2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
4. Before the use hereby permitted starts, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority. Once satisfactory, such a plan will be endorsed and must be implemented to the satisfaction of the Responsible Authority. The Plan must provide the following details of a regular private waste (including recyclables) collection service for the subject land including:
  - The type/s and number of waste bins.
  - Screening of bins.
  - Type/size of trucks.
  - Frequency of waste collection.
  - Hours of collection (to comply with EPA Regulations).

The endorsed Waste Management Plan must not be amended without prior written consent of the Responsible Authority.

5. All waste collection must be collected by a private contractor to the satisfaction of the Responsible Authority in accordance with the endorsed Waste Management Plan forming part of this permit.
6. The gravel surface and access to facilities must be DDA compliant, including adequate slope, surface type and width of access ways to the satisfaction of the Responsible Authority.
7. No fewer than 86 car spaces must be provided on the land for the use and development, including two spaces clearly marked for use by disabled persons and designed in accordance with Australian Standard AS2890.6 - 2009.
8. A vehicle crossing must be constructed or modified in accordance with Melton Council Rural standards. A works within road reserve consent shall be taken out for the construction of the vehicle crossing.
9. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
10. Stormwater drainage must be stored from any proposed buildings and shall be directed to a point 18m downslope from the building for disposal.
11. Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
  - a) Paved with crushed rock or gravel of adequate thickness as necessary to prevent the formation of potholes and depressions according to the nature of the sub-grade and the vehicles which will use the areas.
  - b) Adequately drained.
  - c) Marked to indicate each car space and all access lanes.

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

12. All works associated with the development that is retained as the responsibility of the owner of the site to upkeep must be maintained in perpetuity to a standard that is to the satisfaction of the Responsible Authority. Otherwise rectification works at the direction of and to the satisfaction of the Responsible Authority must be undertaken within a timeframe as directed by the Responsible Authority.
13. All existing conditions affected by the development works must be reinstated at no cost and to the satisfaction of the Responsible Authority.
14. Before the development starts, a landscape plan prepared by a person suitably qualified or experienced in landscape design must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:

- a) Location and identification of all proposed plants.
- b) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- c) A survey (including botanical names) of all existing vegetation to be retained, relocated and/or removed.
- d) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary.
- e) Details of surface finishes of pathways and driveways.

All species selected must be to the satisfaction of the Responsible Authority.

- 15. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose, including that any dead, diseased or damaged plants are to be replaced.
- 16. Before the occupation of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 17. Construction activities must be managed so that the amenity of the area is not detrimentally affected, through:
  - a) Transport of materials, goods or commodities to or from the land.
  - b) Inappropriate storage of any works or construction materials.
  - c) Hours of construction activity.
  - d) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste and storm water runoff, waste products, grit or oil.
  - e) Presence of vermin.
  - f) Any other way as determined by the Responsible Authority.
- 18. The use hereby approved must be managed to the satisfaction of the Responsible Authority so that the amenity of the area is not detrimentally affected, through:
  - a) Transport of materials, goods or commodities to or from the land.
  - b) Appearance of any building, works or materials.
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - d) Presence of vermin.
  - e) Any other way as determined by the Responsible Authority.

In the event of any nuisance being caused to the neighbourhood by activities related to the use, the Responsible Authority may direct, in writing, such actions or works, as deemed appropriate, to eliminate or mitigate such nuisance being undertaken.

19. No external sound amplification equipment or loud speakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
20. Noise levels emanating from the premises must not exceed those required to be met under State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.
21. The site must at all times be kept in a neat and tidy condition to the satisfaction of the Responsible Authority. Any litter must be immediately removed from the site and surrounding area at the direction of the Responsible Authority.
22. Signage to the satisfaction of the Responsible Authority must be provided directing drivers to the areas set aside for car parking and must be maintained to the satisfaction of the Responsible Authority. The area of each sign must not exceed 0.3m<sup>2</sup>.
23. Before the use starts of the development hereby approved, three copies of a Management Plan (MP) must be submitted to and approved by the Responsible Authority. The MP must be to the satisfaction of the Responsible Authority. When approved, the MP will be endorsed and will then form part of this permit. The MP must include the following information to the satisfaction of the Responsible Authority:
  - a) The maintenance of a complaints register and corrective action taken to resolve the concern;
  - b) A traffic management plan to manage traffic and parking flow when there is a festival and cultural celebration event;
  - c) Staffing and other measures which are designed to ensure the orderly arrival and departure of patrons;
  - d) Measures to control noise emissions from the premises;
  - e) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing;
  - f) Collection of rubbish from roads, car parks and public reserves in the vicinity of the premises used by patrons;
  - g) Contact point during hours of operation;
  - h) Staff communication arrangements; and
  - i) Any other measures to be undertaken to ensure minimal amenity impacts from the premises.

The approved MP must be complied with at all times to the satisfaction of the Responsible Authority and the endorsed MP must not be amended without the written consent of the Responsible Authority.

24. The permit holder of the permitted uses must ensure that they notify patrons of the premises to exit the site quietly, so as to not disturb neighbouring properties. This must include signs

in prominent locations within the car parks so that it can be easily seen by patrons leaving the site.

25. The Education Centre approved by this permit must not be used as a primary or secondary school to the satisfaction of the Responsible Authority.
26. The uses hereby approved must only operate during the following hours and with the following maximum number of patrons at one given time, unless with the prior written consent of the Responsible Authority:
- a) Monthly seminars on Friday from 6.00pm and 10.00pm with a maximum of 20 patrons;
  - b) Festival and cultural celebrations held six times a year on Saturday and Sunday from 10.00am to 6.00pm with a maximum of 150 patrons;
  - c) Administration and counselling services from Monday to Friday from 4.00pm to 6.00pm with a maximum of 4 visitors and 6 staff;
  - d) Religious school, weekly Saturday classes from 9.00am to 12.00pm with a total of 32 students and 5 staff;
  - e) Sporting activities on Friday and Saturday from 7.00pm to 10.00pm with a maximum of 20 youth;
  - f) Saturday and Sunday committee meetings from 2.00pm and 5.00pm with a maximum of 8 patrons;
  - g) At any other times for cleaning the premises.
27. Except with the written consent of the Responsible Authority, no more than 6 festival and cultural celebrations events attended by no more than 150 patrons may be held in each calendar year. The permit holder must keep a tally of festival and cultural celebrations events held in each calendar year to the satisfaction of the Responsible Authority. The record must be made available for inspection by, or a copy provided to, the Responsible Authority upon request.
28. This permit will expire if one of the following circumstances applies:
- a) The use and development is not started within two years of the date of this permit.
  - b) The use is discontinued for a period of two years.
  - c) The development is not completed within four years from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards (for a request to extend the time to commence the development) or twelve months after the permit expires (for a request to extend the time to complete the development).

CARRIED

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

**For:**

Crs Abboushi, Carli, Hardy, Kesic, Majdlik, Mendes, Ramsey, Sebire and Turner

**Against:**

Nil

The Mayor declared the Motion CARRIED**REPORT****1. Background****Executive Summary**

Applicant:	Nabulsi Issam
Proposal:	Use the land for a place of assembly, minor sports and recreation facility, education centre and alter access to a road in a Road Zone
Existing Land Use:	Existing two dwellings, caretaker residence and outbuildings
Zone:	Urban Growth – Schedule 9 (UGZ9), Industrial 1 (Applied Zone), Applied Road Zone on Greigs Road.
Overlays:	Infrastructure Contributions Overlay – Schedule 3 (ICO3) Part Heritage Overlay (HO204)
Number of Objections:	Two objections Two submissions in support of proposal
Key Planning Issues:	Strategic justification Site location suitability Community concerns Whether the proposal generally in accordance with Mt Atkinson and Tarneit Plains Precinct Structure Plan
Recommendation:	Refuse application

**The Land and Surrounding Area**

The subject site has an area of 2.023 hectares and is located on the north side of Greigs Road, approximately 670m east of the intersection on Troups Road North and Greigs Road. Other features of the site are as follows:

- The site is regular in shape.
- The site is devoid of native vegetation.
- It contains two existing dwellings, a caretaker's residence, outbuildings (i.e. shed, workshop building and double carport) and an informal car park adjoining the existing shed and workshop building.
- Two existing vehicle gravel crossovers off Greigs Road.
- The site abuts Greigs Road which will be a future secondary four lane arterial Road. Greigs Road will be realigned to be angled and will connect to Hopkins Road which is proposed to be upgraded to six lane arterial road. A future Griegs Road reserve linear open space and local road (service open space) is proposed along the site's frontage between the upgraded Greigs Road and the site's frontage. An off road shared path is also proposed within this linear open space in front of the site.



The surrounding area is characterised by rural residential development as well as vacant rural land. South of the site is the emerging Olivia residential estate. The future Mt Atkinson Town Centre will be located on the south eastern side of the site and the future Outer Metropolitan Road (OMR) is located immediately west of the site.

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

### **The Application**

The application proposes the use of the land for a place of assembly, minor sports and recreation facility, education centre to facilitate cultural, educational and social activities for the local community.

The proposed uses are summarised as follows:

- The existing first dwelling (190m<sup>2</sup>) will be converted into an administration and meeting block. This building will be used for:
  - Weekly committee meeting comprising of up to 8 members, generally on Saturday or Sunday between 2.00pm and 5.00pm;
  - Monthly seminar for a maximum of 20 patrons, generally on Friday evening between 6.00pm and 10.00pm;
  - Visitors and enquiries (occasional);
  - Counselling and guidance (by appointment) and
  - Housing two staff as required and up to four visitors between 4.00pm and 6.00pm.
- The existing second dwelling (80m<sup>2</sup>) will be converted to a weekend religious school. The weekend school is likened to a Christian Sunday school or Biblical study school. The weekend school is not a primary school or secondary school.
- The religious school will have weekly Saturday classes from 9.00am to 12.00pm with a maximum of 32 students and five staff during its hours of operation.
- The existing shed (440m<sup>2</sup>) will be converted into a multi-purpose space that will provide shelter for patrons during wet weather and used for sports and recreational activities during weekends and school holidays.
- The proposed multi-purpose space will provide wet weather shelter for occasional festival/cultural celebrations occurring approximately six (6) times per year with a maximum of 150 patrons, held on Saturday and Sunday between 10.00am and 6.00pm and sporting activities for a maximum of 20 youths on Friday and Saturday between 7.00pm and 10.00pm.
- The site will generally accommodate approximately 20-40 patrons at one given time between the hours of:
  - 4.00pm and 6.00pm Monday to Thursday;
  - 9.00am and 10.00pm Friday and Saturday; and
  - 10.00am – 6.00pm on Sunday.
- No external buildings and works are proposed to the existing buildings. Only internal alterations are proposed.
- Vehicle access to the site is proposed via the existing vehicle crossover from Greigs Road that will be widened to facilitate two way vehicle movements. The existing driveway and vehicle crossover will be widened from 5m to 6.1m. The second existing vehicle crossover from Greigs Road, located to the west of the vehicle access point to be retained will be removed.
- Formalisation of 30 existing onsite car spaces by line marking. This includes 28 car spaces within an existing at grade gravel car park and 2 car spaces within an existing carport.

- Two informal overflow car parks with a total of 56 car spaces. The two overflow informal car parks will be cleared of all vegetation and will be used for occasional festival/cultural celebrations, at which up to 150 patrons will be on-site at one given time.
- The site has a total of 86 car spaces.
- A total of 10 bicycle spaces are proposed on-site.
- The planning application was submitted with a Traffic Engineering Assessment prepared by Traffix Group dated November 2019 and Town Planning Report prepared by Planning and Property Partners dated 12 November 2019.

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

**Planning Controls**

Zone	Clause 37.07 – Urban Growth Zone (Schedule 9)	A planning permit is required for any use in Section 2 of the applied zone (Industrial 1).
	Clause 33.01 – Industrial 1 Zone)	A planning permit is required for use of the land for a place of assembly, minor sports and recreation facility and education centre within the Industrial 1 Zone. The use of land for an Education Centre is prohibited in the IN1Z if a primary or secondary school is proposed.
	Clause 36.04 (Road zone)	A permit is required to construct a building or construct or carry out works for a use in Section 2.
Overlays	Clause 45.11 – Infrastructure Contributions Overlay (Schedule 1)	<p>A permit must not be granted to construct a building or construct or carry out works until an Infrastructure Contributions Plan has been incorporated into the Melton Planning Scheme.</p> <p>An Infrastructure Contributions Plan has been incorporated into the Melton Planning Scheme and applies to this proposal. Developer Contributions will be required to be paid in accordance with the Mt Atkinson and Tarneit Plains Infrastructure Contributions Plan towards provision of future local community facilities.</p>
	Clause 43.01 – Heritage Overlay, HO204	No building and works are proposed in the area covered by HO204 – Greigs Road Dry Stone Wall Precinct.

<p>Particular Provisions</p>	<p>(Clause 52.06 – Car Parking)</p>	<p>A rate of 0.4 car spaces to each student on the site at any time is required for an education centre. A maximum of 32 students are proposed to be accommodated within the premises at any one time resulting in the need for the proposal to provide a total of 12 car spaces on-site.</p> <p>A rate of 0.3 car spaces to each patron permitted is required for a place of assembly. A maximum of 150 are proposed to be accommodated within the premises six times a year resulting in the need for the proposal to provide a total of 45 car spaces on-site.</p> <p>The Melton Planning Scheme does not specify a car parking requirement for a minor sports and recreation facility. The provision of car parking for the minor and sport recreation facility is therefore to the satisfaction of the Responsible Authority. The submitted traffic report however applies the place of assembly car parking rate (0.3 car spaces to each patron permitted) to the Friday Evening demand of up to 40 patrons which includes 20 youths participating in sporting activities within the multi-purpose space and 20 patrons at a monthly seminar on a Friday evening. For 40 patrons this equates to 12 car spaces.</p> <p>Based on the above car parking requirements, the proposal requires 69 car spaces. The application makes provision for 86 car spaces.</p>
	<p>Clause 52.29 (Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road)</p>	<p>A planning permit is required to create or alter access to a road in a Road Zone, Category 1.</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 not considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*.

## 2. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

## 3. Financial Considerations

No Council related financial considerations are involved with the application.

## 4. Consultation/Public Submissions

### Public notification of the application

The application was subject to notification. The notification was satisfactorily completed and two objections and two submissions in support of the proposal were received.

The grounds of objection may be summarised as follows:

- Proposal is inconsistent with Mt Atkinson and Tarneit Plains Precinct Structure Plan (PSP).
- Use does not meet the objectives of the applied Industrial 1 Zone.
- Traffic congestion and safety concerns.
- Amenity concerns due to social, cultural and educational gatherings.
- Property devaluation.

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

### Referral of the application

The application was referred to a number of Council Departments for comment and advice. The application was also required to be referred to VicRoads which is a determining referral authority in this case. A complete list of responses is included in **Appendix 5**.

## 5. Issues

### Planning Assessment

The Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF) of the Melton Planning Scheme place a strong emphasis on protecting industrial areas from encroachment by incompatible uses that might limit future development opportunities and discourage non industrial land uses in industrial areas that will prejudice the availability of land in identified areas for future industrial use and compromise the viability of the area for industrial use.

The purpose of the Industrial 1 Zone is to implement the Municipal Planning Strategy and the Planning Policy Framework and to provide for manufacturing industry, the storage and

distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities. The proposed uses do not support the second purpose of the zone. The uses do not provide for industry, storage or distribution of goods.

Whilst it is acknowledged that the proposed uses may be located in some established industrial areas, a distinction can be made in this instance as the proposed uses will be located in an undeveloped industrial area. The early establishment rather than later, of non –industrial uses in an undeveloped industrial area is likely to limit or impact negatively upon the areas future development as envisioned in the Mt Atkinson and Tarneit Precinct Structure Plan (PSP). The Melton Planning Scheme and the PSP encourages the proposed uses to be located within or adjacent to activity centres or local convenience centres adjacent to community hubs that are easily accessible to the community.

The vision for the PSP described at Section 2.1 states that jobs will be located close to where the new communities in Melton live, and an attractive interface between residential and employment areas will be provided. Tree-lined streets, fine-grained mixed use areas, well-designed office buildings with an address to residential areas, and landscaped easements will enable a positive interaction between employment and residential uses. The proposal is contrary to this vision in that it will result in the loss of industrial land that has locational advantages which will capitalise on the potential future Mt Atkinson train station, the Western Freeway, the future widening of Hopkins Road and the future OMR. Notwithstanding the site has a residential interface to the south, It is considered that the site should be used primarily for industrial uses and not community uses that may establish a conflict in amenity expectations of future users in the area. Additionally, a future 60m wide secondary arterial road reserve (Greigs Road) with a linear open space reserve directly abutting the site's frontage will assist in protecting the residential amenity of future residents south of the site.

Whilst there is relevant policy to support community uses, in this instance, it is considered that the policies to support community uses do not outweigh the industrial policies. The proposal is not generally in accordance with the PSP, and is contrary to the objectives of the zones and relevant policy, in that it is inappropriately located, and is contrary to proper and orderly planning of the area.

It is noted that there is ambiguity in the nature of the proposed education centre, and lack of information about the type of indoor recreational activities and cultural activities that will occur on site. Insufficient information has been submitted with the application to enable the appropriate categorisation of the proposed uses.

Other concerns relate to the inappropriate location of the overflow car park in front of the multi-purpose building and lack of landscaping within the car parking areas as required by City of Melton off-street car parking Guidelines. These issues can be addressed by amended plans if the proposal is supported.

Concerns expressed by residents regarding traffic congestion and safety impacts due to increase in traffic volumes, and amenity impacts are acknowledged. Council's Traffic and Transport Unit and VicRoads have reviewed the proposal and have raised no concerns.

## **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 Planning Policy Framework, Local Planning Policy Framework, Zone/Overlay provisions, Clause 65 of the Melton Planning Scheme and Mt Atkinson and Tarneit Precinct Structure Plan.

It is considered that the proposal generally does not comply with the relevant requirements of the Planning Scheme and Mt Atkinson and Tarneit Plains Precinct Structure Plan.

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

### **LIST OF APPENDICES**

1. Locality Plan - dated 26 June 2020
2. Plans for the Proposal - dated 8 March 2018
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Grounds of Refusal - undated

## 12.8 PLANNING APPLICATION PA 2019/6853/1 - CONSTRUCTION OF 10 DOUBLE STOREY DWELLINGS AT 8 VINKO COURT, FRASER RISE

Author: Valentine Sedze - Development Planner  
Presenter: Bob Baggio - Manager Planning Services

### PURPOSE OF REPORT

To consider and determine the above proposal.

### RECOMMENDATION:

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

### Motion

Crs Majdlik/Kesic.

That Council issue a Notice of Refusal to Grant a Permit on the following grounds:

1. The height, scale and built form of the proposed dwellings is inappropriate and out of character with development in the surrounding area, particularly the semi-detached nature of the double storey dwellings and minimal separation between buildings which will have a dominating impact upon the streetscape and surrounding area.
2. The proposal does not satisfactorily address the objectives and standards of ResCode pursuant to Clause 55 of the Melton Planning Scheme, with respect to neighbourhood character, dwelling entry, front setback, parking location objectives and solar access to open space.
3. The proposal represents an overdevelopment of the site.

CARRIED

## REPORT

### 1. Background

#### Executive Summary

Applicant:	Jontian Group
Proposal:	Construction of ten double storey dwellings
Existing Land Use:	Vacant
Zone:	Urban Growth – Schedule 1 (UGZ1), General Residential – Schedule 1 (GRZ1)
Overlays:	Development Contributions Plan Overlay (DPO1)
Number of Objections:	Seven
Key Planning Issues:	Strategic justification

	Respect for Neighbourhood Character Off-site amenity impacts Adequacy of on-site car parking Taylors Hills West Precinct Structure Plan
Recommendation:	Approve application

### The Land and Surrounding Area

The subject site has an area of 2012m<sup>2</sup> and is located on the corner of Hawking Crescent and Vinko Court in Fraser Rise. The site is located within the Taylors Hills West Precinct Structure Plan in the Infinity Estate. Other features of the site are as follows:

- The site is irregular in shape.
- The site is vacant and adjoins 11 triple storey dwellings to the south.
- The site adjoins vacant land to north where a current planning application proposes 11 dwellings.

The surrounding area can be characterised as predominantly residential with a mix of single storey, double storey and few examples of triple storey dwellings. There are a few examples of medium density developments in the immediate area.

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

### The Application

The application proposes construction of ten double storey dwellings.

The proposed development is summarised as follows:

- Each dwelling will comprise a laundry, toilet, wash basin, open plan kitchen/dining/living and a double garage at ground level and 3 bedrooms and a bath located at the first floor.
- A shared internal accessway is proposed for Dwellings 1 to 10 with vehicle access to the site via the existing crossover off Vinko Court.
- The proposed development will be constructed from a combination of face brickwork, render, weatherboard and concrete roof tiles. The development will have maximum height of approximately 7.6m.
- Secluded private open space areas of the development will range between 25m<sup>2</sup> and 47m<sup>2</sup>.
- Private open space areas of the development will range between 40m<sup>2</sup> and 66m<sup>2</sup>.
- Two dedicated visitor car spaces are proposed on-site.

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

### Planning Controls

Zone	Clause 37.07- Urban Growth Zone (Schedule 1)	Provisions for building and works under the applied zone, General Residential 1 apply.
	Clause 32.08 – General Residential Zone	Permit required to construct two or more dwellings on a lot.



Overlays	Clause 45.06 – Development Contributions Plan Overlay (Schedule 1)	<p>A permit must not be granted to construct a building or construct or carry out works until a Development Contributions Plan has been incorporated into the Melton Planning Scheme.</p> <p>A Development Contributions Plan has been incorporated into the Melton Planning Scheme and applies to this proposal. A Development Contributions Plan has been prepared for the Taylors Hill West PSP. The Plan outlines a summary of costs attributable to the development area, and a summary of contributions by way of levies payable by the development. The subject site was created as part of Stage 16 of Planning Permit No. PA2012/3628/1. Development Contributions for Stage 16 were paid prior to issue of Statement of Compliance for this stage.</p>
Particular Provisions	Clause 52.06 – Car Parking	<p>Two car spaces are required for each three bedroom dwelling and one car space for each two bedroom dwelling.</p> <p>Two visitor car spaces are also required for every five dwellings.</p> <p>A total of 22 car spaces are required and provided.</p>

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

#### **Clause 55 – ResCode**

Under the requirements of the zone, the development of two or more dwellings on a lot must meet the requirements of Clause 55 of the Planning Scheme. Clause 55 requires that a development:

- must meet all of the objectives
- should meet all the standards.

If the Council however is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

#### **Is the land affected by a Restrictive Covenant or Section 173 Agreement?**

The land is not affected by a Restrictive Covenant.

A Section 173 Agreement AL394585X is registered on Title.

The agreement specifies timing of the land to be vested to the Responsible Authority, payment of land credit amounts in accordance with the Public Infrastructure Plan (PIP), payment of development contributions in accordance with the PIP and the infrastructure that was to be delivered as part of the staged multi subdivision under Planning Permit No.PA2012/3628/1.

**Is the land of Cultural Heritage Sensitivity?**

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

**2. Council and Wellbeing Plan Reference and Policy Reference**

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

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

3.1 A City that strategically plans for growth and development.

**3. Financial Considerations**

No Council related financial considerations are involved with the application.

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

The application was subject to notification informal notification. The informal notification was satisfactorily completed and seven objections were received. Council cannot consider the submissions as formal objections as the proposal is exempt from notice and review.

The grounds of objection may be summarised as follows:

- Dwelling density.
- Loss of on-street car parking, and increase in parking demand and safety issues created with additional traffic.
- Loss of natural light.
- Property devaluation.
- Loss of privacy.
- Existing road network will be unable to accommodate additional traffic generated by the development.
- Inadequate infrastructure to support development.
- The area already has a number of medium density developments.

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

**Referral of the application**

The application was referred to Infrastructure Planning and Traffic and Transport for comment and advice. A complete list of responses is included in **Appendix 5**.

**5. Issues****Planning Assessment****Strategic justification**

The applied zone to the land is General Residential which allows a modest level of housing growth and diversity. The proposal meets the overarching objectives of housing policies within the Planning Policy Framework and Local Planning Policy Framework. Matters relating to housing affordability, housing diversity, efficient use of land and the location of more intensive residential development amongst other policy objectives are aspects that are built into the Infinity Estate through the Precinct Structure Plan (PSP) process. The proposal accords with Zoning provisions, State and Local policies as it is consistent with the Taylors Hill West Precinct Structure Plan.

***Neighbourhood character***

The land proximate to the site is predominantly developed with one and two storey dwellings with pitched roofs and various material and finishes. The area is also characterised with a few examples of triple storey dwellings. A triple storey development with 11 dwellings directly abuts the site to the south. The proposed development layout, side setbacks, built form, external materials and design of the proposed development will respect and complement the established neighbourhood character of the area. The proposal demonstrates a high level of compliance with Clause 55 –ResCode subject to amendments which include provision of sufficient transitional space areas around dwelling entries, lighting along the accessway and appropriate treatments for habitable room windows adjoining the internal accessway to minimise vehicular noise.

***Off-site amenity impacts***

The proposal complies with relevant standards in relation to overlooking, overshadowing, daylight to existing habitable room windows, side and rear setbacks.

***Car parking and Traffic***

Provision of car parking for each dwelling and visitor car parking complies with the requirement of Clause 52.06 of the Planning Scheme. For easy internal circulation, amended plans are required to show the internal accessway with an internal radius of at least 4 metres at changes of direction.

Residents have expressed concern regarding traffic congestion, off-street impacts and safety impacts due to increase in traffic volumes as a result of the development. Council's Traffic Engineers are satisfied that the local road network can accommodate the anticipated increase in traffic that will be generated by the proposal.

**6. Options**

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

**7. Conclusion**

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

It is considered that the proposed development is respectful of the prevailing character of the surrounding area and generally complies with the Taylors Hill West Precinct Structure Plan and objectives and standards of Clause 55 - ResCode. The design of the development with recessed upper floors and separation of the upper floors between dwellings assist in breaking up the building mass and providing visual relief from the adjoining properties. The proposed built form is also generally in keeping with the surrounding area. The General Residential Zone anticipates modest housing growth which facilitates a diversity of housing types in locations offering good access to services and transport – which is achieved on this site.

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

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

**LIST OF APPENDICES**

1. Locality Plan - dated 1 July 2020
2. Plans for the Proposal - dated 30 April 2020
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Proposed Conditions - undated

## 12.9 PLANNING APPLICATION PA 2019/6856 - USE AND DEVELOPMENT OF THE LAND FOR A MEDICAL CENTRE AND AN ASSOCIATED DISPENSARY WITH ASSOCIATED CAR PARKING AND LANDSCAPING AND CONSTRUCTION OF A DWELLING AT 129 BROOKLYN ROAD, BROOKFIELD

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 Grant a Permit subject to the conditions outlined in **Appendix 6** of this report.

#### Motion

Crs Hardy/Ramsey

That Council issue a Notice of Refusal to Grant a Permit on the following grounds:

1. The proposal is inconsistent with Clause 17.02-2S (Out-of-centre development) of the Melton Planning Scheme, which discourages the expansion of single use retail, commercial and recreational facilities outside activity centres. In particular, the applicant has not appropriately demonstrated that the proposed use is of net benefit to the community in the region served by the proposal.
2. The proposal is contrary to the purpose of the Neighbourhood Residential Zone, as the applicant has not appropriately demonstrated that the proposed use predominantly serves a local community need.
3. The proposal has potential to exacerbate traffic congestion and safety issues in this section of Brooklyn Road.

CARRIED

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## REPORT

### 1. Background

#### Executive Summary

Applicant:	Planning & Property Partners Pty Ltd
Proposal:	Use and Development of the land for a Medical Centre and an associated Dispensary with associated car parking and landscaping and construction of a dwelling on the land.
Existing Land Use:	Existing dwelling
Zone:	Neighbourhood Residential Zone (Schedule 1)

Overlays:	None
Number of Objections:	Twelve
Key Planning Issues:	Neighbourhood Character Traffic Congestion along Brooklyn Road Car parking Loss of Privacy
Recommendation:	Approve Application

### The Land and Surrounding Area

The subject site has an area of 4,302 m<sup>2</sup> and is located on the southern side of Brooklyn Road. Other features of the site are as follows:

- The site is rectangular in shape.
- It contains an existing single storey dwelling located near the front of the site.

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

The surrounding area comprises predominately of established dwellings, however the Melton Christian College is on the opposite side of the road, and Genesis Gym is approximately 300 metres east of the site. The College provides education to students from prep to year 12.

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

### The Application

The application seeks approval for the use and development of the land for a Medical Centre and an associated Dispensary with associated car parking and landscaping and the construction of a dwelling.

The proposed development is summarised as follows:

- The existing dwelling and its immediate surrounds would be converted to a medical centre and associated dispensary (shown a pharmacy on the plans).
- The new medical centre building would operate with no more than six practitioners at any one time.
- The proposed operational hours are as follows:
  - Monday to Friday 8:00am to 8:00pm
  - Saturday & Sunday 8:00am to 12:00pm
- Twenty-two (22) car parking spaces, including one (1) disabled car parking space will be provided in front of the site.
- A new dwelling would be constructed at the rear of medical centre. The new dwelling would be single-storey in height, comprise of four bedrooms, and will have an overall building area of 282m<sup>2</sup>. The dwelling would be constructed with a variety of building materials including brick, timber cladding, and zinc roofing.
- The applicant has indicated that a subsequent application would be lodged to subdivide the land into two lots, one measuring 2223m<sup>2</sup> and the other 2077m<sup>2</sup>.
- A plans also show that an elevated sign would be displayed within the front landscape setback, however, no details have been provided.

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

**Planning Controls**

Zone	(Clause 32.09 – Neighbourhood Residential Zone)	A permit is required is required for the use and development of the land for the purposes of a Medical Centre and an associated Dispensary. A permit is technically not required to construct the proposed dwelling, given, that a permit is not required to construct one dwelling on a lot. However, it forms part of the overall proposal.
Particular Provisions	(Clause 52.06 – Car Parking)	The car parking rate of a medical centre is 5 car spaces to the first person providing health services plus 3 car spaces to every other person providing health services. The application makes provision for 22 car spaces. The number of car parking spaces provided meets the requirements of Clause 52.06.
	(Clause 52.07 – Loading and unloading of vehicles)	A permit may be granted to reduce or waive these requirements if either the land area is insufficient or adequate provision is made for loading and unloading vehicles to the satisfaction of the responsible authority.

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*; however as it has been subject to significant ground disturbance the proposal does not require a cultural heritage management plan.

**2. Council and Wellbeing Plan Reference and Policy Reference**

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

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

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

**3. Financial Considerations**

No Council related financial considerations are involved with the application.

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

The application was subject to notification. The notification was satisfactorily completed and

12 objections were received.

The grounds of objection may be summarised as follows:

- Traffic Congestion along Brooklyn Road.
- Increase of noise from increased traffic and people.
- Not enough car parking.
- Increased risk of criminal behaviour by people who want to steal from the pharmacy.
- Devaluation of property.
- Infrastructure impacts.
- Loss of privacy.
- Change in neighbourhood character.

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

#### **Referral of the application**

The application was referred to a number of Council Departments for comment and advice. A complete list of responses is included in **Appendix 5**.

## **5. Issues**

### **Planning Assessment**

#### **Is this non-residential use appropriately located**

Non-residential uses are permitted within the Neighbourhood Residential Zone, however, they must be in appropriate locations and where the use serves the needs of the local community. The proposed medical centre is relatively small in size and would act to improve health services within the immediate surrounding area. Brooklyn Road is also a local collector road, which is considered to be suitable location for non-residential uses.

There are a number of established and approved non-residential uses within the immediate surrounding area including:

- 152-156 Brooklyn Road – Existing Education Centre (Melton Christian College).
- 143 Brooklyn Road – Council approved a Childcare Centre at its Ordinary Meeting on the 16 October 2017. The construction of the childcare centre is nearing completion.
- 122 Brooklyn Road – A planning permit was issued for a Childcare Centre with centre nearing completion.
- 15-21 Coburns Road – Existing Gym (Genesis Fitness).

#### **Neighbourhood character**

The *Housing Character Assessment and Design Guidelines (House Rules)* adopted by Council, October 2015 provides useful guidance on the preferred outcomes for the areas neighbourhood character and should be considered in this context, albeit that the proposal does not include residential uses. In *House Rules*, the subject site is located in the Lifestyle Suburban (LS3) character area. Lifestyle Suburban areas comprise large houses in expansive grounds that provide a sense of openness reflective of the rural landscape that existed before development occurred.

The essential components of this character, which will be maintained into the future, are:

- Buildings sited well back from the road and generally also from side boundaries
- Buildings and hard surfaces occupying only a small proportion of the site
- Continuity of soft landscape across adjacent lot frontages
- Retention of large feature trees
- Retention of some remnants of vegetation from the pre-residential landscape, where they



exist.

The rural look and feel of these areas is to be strengthened by:

- Using open, agricultural-style fencing
- Avoiding boundary treatments with an urban or suburban appearance.

The proposal is generally consistent with the preferred neighbourhood character elements as outlined in Housing Character Assessment and Design Guidelines (House Rules), given, that the low-scale homestead dwelling would be renovated and converted to the Medical Centre and Dispensary, the agricultural-style front fencing would be retained, new car parking areas would be setback at 3.6 metres from the Brooklyn Road frontage to provide adequate opportunities for landscaping.

The proposed dwelling located at the rear of the medical centre would be located on an allotment (subject to a future subdivision application) that is 2,077m<sup>2</sup> in area, and would occupy a relatively small portion of the site, allow for substantial setbacks from adjoining properties, and large private open spaces. The proposed dwelling would be generally consistent with the established and preferred character of the area. As previously indicated, the proposed dwelling technically does not trigger the need for a planning permit.

#### **Traffic congestion along Brooklyn Road**

A Transport Impact Assessment (prepared by One Mile Grid – Traffic Engineers) has been provided the applicant. The assessment concludes that *“The anticipated traffic volumes generated by the development is not expected to have an impact on the operation of the Brooklyn Road or the surrounding road network”*.

Council’s Traffic Engineers have reviewed the assessment, and have not raised any issues regarding external traffic impacts.

#### **Car parking/bicycle spaces/loading and unloading bays**

For the proposed 6 medical practitioners a total of 20 car spaces are required to be provided on-site. The proposal meets the car parking requirements as required in Clause 52.06 (Car Parking).

A total of eight (3) bicycle parking spaces will be provided.

The proposal does not include provision of loading/unloading bays as such a waiver of this requirement is sought. It is generally accepted that deliveries to medical centres are delivered by a van or car. Such vehicles would use on-site car spaces for short periods of time to drop off goods. For this reason, a waiver of this requirement is acceptable.

Council’s Traffic and Transport Unit has reviewed the proposal and have no objections to the proposal in its current form.

#### **Overshadow/Overlooking/Privacy**

A number of adjoining land owners have raised privacy concerns about the proposal due to existing fencing arrangements, which includes 1.9m wire mesh fencing along the southern property boundary, 1.6m paling fencing along the front portion of the western boundary. These concerns can be addressed as a condition on permit, which requires boundary fencing to be replaced with a new timber paling or colourbond fencing that is at least 2.0 metres in height.

## **6. Options**

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

## 7. Conclusion

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

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

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

## LIST OF APPENDICES

1. Locality Plan - dated 29 June 2020
2. Plans of Proposal - undated
3. Assessment against State and Local Planning Policies - undated
4. Response to objections - undated
5. Referral Comments - undated
6. Notice of Decision to Grant a Permit conditions - undated

## **12.10 CONTRACT No. 20/046 - PROFESSIONAL SERVICES CONTRACT IT STRATEGIC RESEARCH & ADVISORY SERVICES AND IT CONSULTANCY SERVICE PANELS**

**Author: Robert Zucca - Coordinator Service Desk**  
**Presenter: Peter Bean - General Manager Corporate Services**

### **PURPOSE OF REPORT**

To seek Council's appointment of a panel of suppliers to Contract No. 20/046 for Provision of Professional Services Contract, IT Strategic Research & Advisory Services and IT Consultancy Service Panels to successful bidders, following a tender process which conforms to Section 186 of the *Local Government Act 1989*.

### **RECOMMENDATION:**

That Council appoint the panel of suppliers, as set out in the Table of successful panel members in this report, to Contract No. 20/046 for Provision of Professional Services Contract, IT Strategic Research & Advisory Services and IT Consultancy Service Panels for a term of one year.

#### **Motion**

Crs Majdlik/Ramsey

That the recommendation be adopted.

CARRIED

## **REPORT**

### **1. Executive Summary**

Melton City Council continually develops its information technology platform to ensure it supports the organisation's service delivery needs. This ongoing technology platform development requires Council to utilise the expertise of various technology-related professional service suppliers in the areas of information technology strategy, system development and technology work practises. Council intends to procure such technology-related professional services from a panel of suitably qualified service providers selected through a tender process.

This report seeks Council resolution to appoint a panel of suppliers to Contract No. 20/046 for the Provision of Professional Services Contract, IT Strategic Research & Advisory Services and IT Consultancy Service Panels for a term of one year.

### **2. Background/Issues**

Melton City Council must use the expertise of various technology-related professional services providers to assist in the development of its technology platform. Council currently procures such services in an ad-hoc manner as project needs arise. This ad-hoc approach to technology-related professional service procurement creates delays to project delivery timeframes and increases the risk of procurement fraud. By undertaking a tender to establish an approved panel of suitably qualified professional service providers, the risk of procurement fraud is reduced while also allowing technology-related development to progress at speed.

Over the past year, technology-related professional service providers, have assisted in the delivery of various information technology programs. Programs such as the business transformation program aiming to deliver services to citizens online while improving operational efficiency, the information security program aiming to improve the way we secure information and the technology platform program aiming to develop the technology platform so that it continues to support organisation service delivery. These programs and other projects will again require the assistance of technology-related professional service providers for completion.

The tender was publicly advertised on 17 June 2020 and closed 3 July 2020. A total of 19 tenders were submitted and all submissions were reviewed for compliance to the tender process. The Tender Evaluation Panel found two [2] submissions were non-compliant and were removed from the tender evaluation process.

Members of the Tender Evaluation Panel, comprising of eight (8) Council staff from the IT department and one (1) independent Council staff member from outside the IT department. The Tender Evaluation Panel members conducted a complete review of all tender submissions on 7 July 2020.

The Tender Evaluation Panel completed the evaluation review based on the set evaluation criteria. The Tender Evaluation Panel Report is provided in **Appendix 1** attached to this report.

The Tender Evaluation Panel identified 17 successful tender submissions from organisations that met the evaluation criteria. The Tender Evaluation Panel seek to appoint the following suppliers to the IT Strategic Research & Advisory Services and IT Consultancy Service Panels.

#### Table of successful panel members

IT Strategic Research & Advisory Services Panel (Section 1)	IT Consultancy Services Panel (Section 2)
<ul style="list-style-type: none"> <li>• Gartner</li> </ul>	<ul style="list-style-type: none"> <li>• eXpressIT Solutions (Part 3)</li> </ul>
<ul style="list-style-type: none"> <li>• Deloitte</li> </ul>	<ul style="list-style-type: none"> <li>• Pario Solutions Group (Part 1)</li> </ul>
<ul style="list-style-type: none"> <li>• Telstra</li> </ul>	<ul style="list-style-type: none"> <li>• The Agility Concept (Part 2 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Terra Firma (Part 1)</li> </ul>
	<ul style="list-style-type: none"> <li>• deMoel consultancy (Part 1, 2 and 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• BDO (Part 1 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Telstra (Part 1, 2 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Deloitte (Part 1, 2 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Information Professionals (part 1)</li> </ul>
	<ul style="list-style-type: none"> <li>• KPMG (Part 1 &amp; 2)</li> </ul>
	<ul style="list-style-type: none"> <li>• Solution Architects (Part 1 &amp; 2)</li> </ul>
	<ul style="list-style-type: none"> <li>• Dialog Information Technology (Part 1, 2 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Galaxy42 (Part 1, 2 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Crux Consulting (Part 1)</li> </ul>
	<ul style="list-style-type: none"> <li>• Xello (Part 2 &amp; 3)</li> </ul>
	<ul style="list-style-type: none"> <li>• Equal Bytes (Part 1)</li> </ul>

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

### **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

*5.2 A flexible, innovative and creative organisation that responds to rapidly changing community and operating environments*

### **4. Financial Considerations**

Council spends approximately \$900,000 per year on various technology related professional service providers.

### **5. Consultation/Public Submissions**

Key internal information technology stakeholders were engaged to provide input into the range of professional services required under this tender.

### **6. Risk Analysis**

There are no risks with this tender as information technology service providers are already used to advise and develop the information technology platform.

### **7. Options**

Council has the option to:

1. Adopt the Officers' recommendation as presented in this report.
2. Accept existing professional services procurement delays and added project costs by continue to procure such services using current methods.

## **LIST OF APPENDICES**

1. Tender Evaluation Panel Report - dated 13 July 2020

## 12.11 LOCAL GOVERNMENT ACT 2020 IMPLEMENTATION.

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

### PURPOSE OF REPORT

To advise Council on the proposed implementation of the actions required by the new *Local Government Act 2020*

### RECOMMENDATION:

That Council:

1. Notes the contents of the report and work required by the *Local Government Act 2020*.
2. Advise its intention to adopt the draft Governance Rules set out at **Appendix 3** and seek submissions in relation to the draft by:
  - Advertising in the Melton Moorabool Star Weekly and the Brimbank North West Star Weekly; and
  - Exhibiting a copy of the draft Governance Rules on the Council's website.
3. Convene an online meeting of the Section 223 Submissions Advisory Committee to hear from anyone who states in his/her submission a desire to be heard in person, online, at 7.00pm on Monday 24 August.
4. Bring back a report in relation to any and all submissions and make a final decision in relation to the draft Governance Rules at the online meeting of Council taking place at 7.00pm on 31 August 2020.
5. Deal with any other outstanding matters that relate to the first Key Deadline at that same meeting.

### Motion

Crs Majdlik/Turner

That Council:

1. Notes the contents of the report and work required by the *Local Government Act 2020*.
2. Advise its intention to adopt the draft Governance Rules set out at **Appendix 3** but with the following amendments:
  - On page 12, in Division 3 – Business of Meetings, Item 18, include the words “in consultation with the *Mayor*” and;
  - On Page 23, in Division 8 - Public Question Time, Item 53.3 include the words “unless extended by further blocks of 15 minutes duration by resolution, up the maximum of 2 further blocks”

and seeks submissions in relation to the draft by:

- Advertising in the Melton Moorabool Star Weekly and the Brimbank North West Star Weekly; and
- Exhibiting a copy of the draft Governance Rules on the Council's website

3. Convene an online meeting of the Section 223 Submissions Advisory Committee to hear from anyone who states in his/her submission a desire to be heard in person, online, at 7.00pm on Monday 24 August.
4. Bring back a report in relation to any and all submissions and make a final decision in relation to the draft Governance Rules at the online meeting of Council taking place at 7.00pm on 31 August 2020.
5. Deal with any other outstanding matters that relate to the first Key Deadline at that same meeting.

CARRIED

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## REPORT

### 1. Executive Summary

The 2020 Act comes into operation in the following Stages.

Stage 1 - 6 April 2020

Stage 2 - 1 May 2020

Stage 3 - 24 October 2020

Stage 4 - 1 July 2021

Within each stage there are Key Deadlines. These are set out at **Appendix 1**, with the first Key Deadline approaching on **1 September 2020**.

Local Government Victoria (LGV) has released a number of drafts for comment via its engage.vic.gov.au website however have not yet settled any draft template.

Officers believe that it is useful to at least *consider* the adoption of the template document in all cases. Using the standard templates has many benefits in including the sharing of practices, the ease with which updates and amendments can be made across the sector and the overall certainty and uniformity that templates will bring to the sector. It also brings the imprimatur of LGV.

However given that the Governance Rules require a process of community, Council is not in a position to wait for the LGV templates for the Governance Rules.

Instead, Council has purchased a copy of the Maddocks' template Governance Rules, which are attached at **Appendix 3**. These rules reflect best practice in meeting procedure drafted by a law firm which acts for many Councils in the sector. Minor changes were made to the template to make it workable (name, times etc.).

Given the current Covid-19 environment and that fact that section 223 of the 1989 Act is still operational, Council believes that the best method of community engagement is via the provisions of section 223. This section requires Council to advertise its intention to adopt the draft Rules and take submissions in relation to same for 28 days. It also requires that anyone indicating in their submission that they wish to be heard in person must be given a hearing.

### 2. Background/Issues

The *Local Government Act 2020* commenced operation on 6 April 2020 (the 2020 Act).

The 2020 Act is a principles based piece of legislation, allowing Councils some flexibility in implementation. It is seen to be a less proscriptive Act than the *Local Government Act 1989* (the 1989 Act).

The Act is guided by the overarching Governance Principles and the following 5 themes:

1. Community Engagement
2. Strategic Planning
3. Financial Management
4. Public Transparency
5. Service Performance

The 2020 Act comes into operation in the following Stages.

Stage 1 - 6 April 2020

Stage 2 - 1 May 2020

Stage 3 - 24 October 2020

Stage 4 - 1 July 2021

Within each stage there are Key Deadlines. These are set out at **Appendix 1**, with the first Key Deadline approaching on **1 September 2020**.

#### Required Documentation

Most, but not all, of what is required by the 2020 Act involves a review, or minor changes to, what is already business as usual (BAU). There are some new policies/documents required however the bulk are a review of existing documents.

There are two broad issues in implementing the changes brought by the 2020 Act - *timing* and *content*.

Governance will oversee the timing of work (Work Plan at **Appendix 2** current as at 18 June 2020) and will also assist other business units in terms of content.

A review by Governance will be conducted of all new policies and procedures to ensure:

- Compliance with the Local Government Act 2020:
- Overarching Governance Principles and the Five Supporting Principles
- Provisions of the 2020 Act that might relate to the subject matter
- Climate change (also part of Overarching Governance Principles)
- Gender Equity (as per Council's Equality and Respect 2030 and where required by the 2020 Act)
- Compliance with the Charter of Human Rights

A change to the Policy Approval Process Policy to reflect this was approved by Council at its meeting on 11 May 2020.

#### Local Government Victoria Templates

Local Government Victoria (LGV) have assembled a sector led group that will produce scalable templates for all of the documents required by the 2020 Act.

Officers believe that it is useful to at least *consider* the adoption of the template document in all cases. Using the standard templates has many benefits in including the sharing of practices, the ease with which updates and amendments can be made across the sector and the overall certainty and uniformity that templates will bring to the sector. It also brings the imprimatur of LGV.

LGV has released a number of drafts for comment via its [engage.vic.gov.au](http://engage.vic.gov.au) website however have not yet settled any draft template.

This has the potential to delay the *ideal* timing of the works – though LGV advise that templates will be released within the Key Deadlines.



First Key Deadline

The first Key Deadline is 1 September 2020 and requires the adoption of the following by Council:

1	Governance rules	<i>Which will, among other things, replace the Council's Meeting Procedure Local Law 2013.</i>
2	Councillor Expenses policy	<i>Replacing the existing Councillors and Special Committee Members Resources, Support and Expenses Policy</i>
3	Delegated Committees	<i>Replacing special committees – not applicable to this Council other than LeadWest, which will be the subject of a separate report.</i>
4	Asset Committees	<i>Not applicable to this Council.</i>
5	Audit & Risk Committee Charter	<i>Replacing the existing Audit Committee Charter</i>
6	Public Transparency Policy	<i>New policy</i>

Governance Rules

The 2020 Act sets out what the Governance Rules must contain.

The 2020 Act sets out that a Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.

Until a Council adopts Governance Rules under the 2020 Act, the *Meeting Procedures Local Law 2013* made by the Council under the *Local Government Act 1989* apply.

Given that the Governance Rules require a process of community engagement (eg a section 223 process including a 28 day period for submissions), Council is not in a position to wait for the LGV templates for the Governance Rules.

Instead, Council has purchased a copy of the Maddocks' template Governance Rules, which are attached at **Appendix 3**. These rules reflect best practice in meeting procedure drafted by a law firm which acts for many Councils in the sector. Minor changes were made to the template to make it workable (name, times etc.).

**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 inherent financial considerations.

**5. Consultation/Public Submissions**

The 2020 Act requires that Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules.

Given the current Covid-19 environment and that fact that section 223 of the 1989 Act is still operational, Council believes that the best method of community engagement is via the provisions of section 223. This section requires Council to place an advertisement in a

newspaper generally circulating in the municipality, advertising its intention and taking submissions in relation to same for 28 days. This section also provides that anyone indicating in their submission that they wish to be heard in person must be given a hearing.

## **6. Risk Analysis**

Not commencing the process of community engagement for the Governance Rules at this time makes it almost impossible to comply with the 1 September 2020 deadline. Noncompliance with the 2020 Act risks a direction by the Minister pursuant to section 175. Failure to comply with a direction may lead to a recommendation of a suspension of all of the Councillors of a Council. Whilst the 2020 Act permits a Council to apply for a compliance exemption, it must provide certain evidence which would not be met in relation to any application to avoid the Governance Rules.

## **7. Options**

Council has the option to:

1. Adopt the officers recommendation;
2. Request further information and convene another meeting of Council to meet by no later than Friday 24 July 2020 to advertise the draft Governance Rules and seek submissions under section 223 and to set a new date for an online meeting of the Section 223 Submissions Advisory Committee to hear from anyone who wishes to be heard in person.

## **LIST OF APPENDICES**

1. Key Deadlines Local Government Act 2020 - dated 15 June 2020
2. Local Government Act 2020 Implementation Plan - as at 18 June 2020
3. Draft Governance Rules - undated

Cr Ramsey left the videoconference at 9:07pm.

Cr Ramsey returned to the videoconference at 9:08pm.

### **13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES**

Verbal reports were received from Crs Ramsey, Hardy, Turner, Kesic, Majdlik, and Carli.

### **14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS**

Crs Ramsey, Hardy, Turner, Kesic, Majdlik, and Carli addressed the meeting in respect to a variety of matters of significance.

#### **Motion**

Crs Ramsey/Turner.

That Council write to Australia Post to request that it reintroduce mail delivery services to the residents of Strathtulloh Estate.

CARRIED

The Mayor, Cr Carli, vacated the Chair.

The Deputy Mayor, Cr Abboushi took the Chair.

## 15. NOTICES OF MOTION

### 15.1 NOTICE OF MOTION 697 (CR CARLI)

**Councillor: Lara Carli - Councillor**

#### **NOTICE:**

That Council write to the Department of Transport seeking the installation of a noise wall on the Calder Freeway, adjacent to the Punjel Estate in Diggers Rest to mitigate the noise generated by the increasing volumes of traffic on the Calder Freeway.

#### **Motion**

Crs Carli/Mendes

That Council write to the Department of Transport seeking the installation of a noise wall on the Calder Freeway, adjacent to the Punjel Estate in Diggers Rest to mitigate the noise generated by the increasing volumes of traffic on the Calder Freeway.

CARRIED

**15.2 NOTICE OF MOTION 698 (CR CARLI)**

**Councillor: Lara Carli - Councillor**

**NOTICE:**

That Council seek approval from the Department of Transport to introduce an 80kmph speed along the length of Plumpton Road, Plumpton.

**Motion**

Crs Carli/Kesic

That Council seek approval from the Department of Transport to introduce an 80kmph speed along the length of Plumpton Road, Plumpton.

CARRIED

The Deputy Mayor, Cr Abboushi, vacated the Chair.

The Mayor, Cr Carli took the Chair.

### 15.3 NOTICE OF MOTION 699 (CR TURNER)

**Councillor: Bob Turner - Councillor**

**NOTICE:**

That Council write to Jacinta Allan, the Minister for Transport Infrastructure, Melissa Horne the Minister for Public Transport and Minister for Ports and Freight, & Jaala Pulford, Minister for Roads & Minister for Road Safety and The TAC asking for an update on the timeline for erecting the traffic lights at the intersection of High Street and Coburns Road in Melton.

**Motion**

Crs Turner/Ramsey

That Council write to Jacinta Allan, the Minister for Transport Infrastructure, Melissa Horne the Minister for Public Transport and Minister for Ports and Freight, & Jaala Pulford, Minister for Roads & Minister for Road Safety and The TAC asking for an update on the timeline for erecting the traffic lights at the intersection of High Street and Coburns Road in Melton.

CARRIED

**15.4 NOTICE OF MOTION 700 (CR TURNER)****Councillor: Bob Turner - Councillor****NOTICE:**

That Council write to Jacinta Allan, the Minister for Transport Infrastructure, Melissa Horne the Minister for Public Transport and Minister for Ports and Freight, & Jaala Pulford , Minister for Roads & Minister for Road Safety and The TAC requesting a timeline for the works planned to remove the rail crossing on Coburns Road and to construct the proposed underground road tunnel.

**Motion**

Crs Turner/Hardy

That Council write to Jacinta Allan, the Minister for Transport Infrastructure, Melissa Horne the Minister for Public Transport and Minister for Ports and Freight, & Jaala Pulford , Minister for Roads & Minister for Road Safety and The TAC requesting a timeline for the works planned to remove the rail crossing on Coburns Road and to construct the proposed underground road tunnel.

CARRIED

**15.5 NOTICE OF MOTION 701 (CR RAMSEY)****Councillor: Sophie Ramsey - Councillor****NOTICE:**

That Council officers prepare a report on setting up an advocacy campaign allowance or fund if toxic waste or soil from the Westgate tunnel becomes an issue for the City of Melton.

**Motion**

Crs Ramsey/Turner

That Council officers prepare a Council led campaign with appropriate funding allocated that advocates against contaminated soil from the West Gate Tunnel Project being dumped at the Melton Regional Landfill in Ravenhall and that Brimbank City Council be invited to be a campaign partner.

CARRIED

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

**For:**

Crs Abboushi, Carli, Hardy, Kesic, Majdlik, Mendes, Ramsey, Sebire and Turner

**Against:**

Nil

The Mayor declared the Motion CARRIED



**15.6 NOTICE OF MOTION 702 (CR ABBOUSHI)****Councillor: Steven Abboushi - Councillor****NOTICE:**

That In light of COVID-19 and restrictions on our Scouting community to meet in person, that Council purchase two World Scout Flags and fly them each year during World Scout Day at both City of Melton libraries.

**Motion**

Crs Abboushi/Kesic.

That In light of COVID-19 and restrictions on our Scouting community to meet in person, that Council purchase two World Scout Flags and fly them each year during World Scout Day at both City of Melton libraries.

CARRIED

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

**For:**

Crs Abboushi, Carli, Hardy, Kesic, Majdlik, Mendes, Ramsey, Sebire and Turner

**Against:**

Nil

The Mayor declared the Motion CARRIED

**15.7 NOTICE OF MOTION 703 (CR ABBOUSHI)****Councillor: Steven Abboushi - Councillor****NOTICE:**

That Council install CCTV cameras for a trial period of 3 years at strategically identified locations around Lake Caroline to assist in addressing actual and perceived safety concerns from residents, and that Council use the period of 3 years to research the effectiveness of this CCTV installation as a crime deterrent, a means to improve perceptions of safety amongst local residents, and to increase the confidence of residents to use the Lake for exercise and associated facilities at the reserve.

That associated costs be included in the 2020/21 draft budget.

**Motion**

Crs Abboushi/Majdlik.

That Council install CCTV cameras for a trial period of 3 years at strategically identified locations around Lake Caroline to assist in addressing actual and perceived safety concerns from residents, and that Council use the period of 3 years to research the effectiveness of this CCTV installation as a crime deterrent, a means to improve perceptions of safety amongst local residents, and to increase the confidence of residents to use the Lake for exercise and associated facilities at the reserve.

That associated costs be included in the 2020/21 draft budget.

CARRIED

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

**For:**

Crs Abboushi, Carli, Hardy, Kesic, Majdlik, Mendes, Ramsey, Sebire and Turner

**Against:**

Nil

The Mayor declared the Motion CARRIED

**15.8 NOTICE OF MOTION 704 (CR KESIC)**

**Councillor: Goran Kesic - Councillor**

**NOTICE:**

That the Council officers prepare a report on whether and when the existing Rockbank Township will get a gas connection.

**Motion**

Crs Kesic/Hardy

That the Council officers prepare a report on whether and when the existing Rockbank Township will get a gas connection.

CARRIED

**16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE****16.1 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Ramsey

How much do CCTV units cost? Do we have a budget already cast to put CCTV cameras in some strategic places? Eg. At the front of MacPherson Park

**16.2 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Hardy

In relation to the lack of gas in Rockbank, will the new gas pipeline or easement be able to assist the Rockbank area to gain a gas supply?

**16.3 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Turner

What is the timeline for a bus interchange at the Woodgrove Shopping Centre? How long will it be until it is finished? What will it look like?

**16.4 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Turner

Is there anything we can do about the variation in petrol prices in the Melton municipality? Can we advocate to the fuel companies not to have such different prices at their service stations? Can the Council investigate putting petrol prices within 20 kilometres of Melton up on its website?

**16.5 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Carli

Can we please have an update on the right hand turning lane from Gourlay Road into the Taylors Hill Shopping Centre? When will works commence at that location?

**16.6 COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Abboushi

Can I please get an update to a Motion I put forward in May that Council write to the Minister for Police and the Police Commissioner regarding the escalation in violence and anti-social behaviour in the Aintree Estate? Has correspondence come back?

**17. MOTIONS WITHOUT NOTICE****17.1 COUNCILLOR'S MOTIONS WITHOUT NOTICE**

Cr Abboushi

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.

**17.2 COUNCILLOR'S MOTIONS WITHOUT NOTICE**

Cr Ramsey

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.

As per a previous Procedural Motion carried at this meeting at Item 3, Item 18, 'Urgent Business' was moved to immediately after Item 11, 'Public Question Time'.

## 19. CONFIDENTIAL BUSINESS

### Procedural Motion

Crs Majdlik/Ramsey.

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 Confidential Audit Committee Minutes - 1 July 2020

(e) legal privileged information, being information to which legal professional privilege or client legal privilege applies;

#### 19.2 Sale of Land at 83-105 Abey Road

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

CARRIED

**Procedural Motion**

Crs Majdlik/Ramsey.

That the meeting be opened to the public.

CARRIED

**20. CLOSE OF BUSINESS**

The meeting closed at 10:00pm

Confirmed

Dated this

.....CHAIRPERSON