



MELTON CITY COUNCIL

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

22 June 2020

**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 22 JUNE 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

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 25 May 2020 be confirmed as a true and correct record.

Motion

Crs Majdlik/Ramsey.

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

- 25 May 2020 Record of Assembly of Councillors
- 1 June 2020 Record of Assembly of Councillors
- 9 June 2020 Record of Assembly of Councillors
- 10 June 2020 Record of Assembly of Councillors
- 15 June 2020 Record of Assembly of Councillors
- 17 June 2020 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 25 May, 1, 9, 10, 15 and 17 June 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 25 May 2020
2. Record of Assembly of Councillors - dated 1 June 2020
3. Record of Assembly of Councillors - dated 9 June 2020
4. Record of Assembly of Councillors - dated 10 June 2020
5. Record of Assembly of Councillors - dated 15 June 2020
6. Record of Assembly of Councillors - dated 17 June 2020

8. CORRESPONDENCE INWARD

Nil.

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/Hardy

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

Cr Hardy left the videoconference at 7:16pm.

Cr Hardy returned to the videoconference at 7:17pm.

Cr Abboushi left the videoconference at 7:25pm.

Cr Abboushi returned to the videoconference at 7:25pm.

Name	Question asked of Council
Thomas Halloran	<p><i>“As highlighted in the council’s annual report, the City of Melton is forecast to triple in size within the next 30 years, which will make Melton significantly larger than Canberra is today.</i></p> <p><i>This growth is being driven almost exclusively by overseas immigration, both directly to our city but also indirectly as residents of middle-ring suburbs are gradually pushed to Melbourne’s suburban fringes. Melton residents are feeling the squeeze on services and infrastructure, while seeing their quality of life eroded with the loss of large backyards and open spaces, over-development in residential areas, traffic jams, and – significantly – a huge cultural shift in our demographic make-up.</i></p> <p><i>Do Councillors agree the current rate of growth is excessive, and has the Council consulted with the community to gauge if artificial growth on this scale is actually desired by existing residents?”</i></p>
Thomas Halloran	<p><i>“What - if anything - can the Council do to oppose such growth being imposed on us by the state and federal governments as immigration re-commences post-COVID?”</i></p>
Rosemary Hare	<p><i>“As the representative of the Melton Bridge Club (a small group of 12 members who usually meet every Tuesday 7-10 at Arnolds Creek Community Centre and have done for the last five years) I would like to know why we are being discriminated by the non-opening of Arnolds Creek in light of the lifting of community restrictions and the opening of other centres.</i></p> <p><i>We understand the need to maintain excellent hygiene standards in this Covid crisis (indeed most of our members are in the most at risk age groups) and would undertake any training course to facilitate our use of the facility of up to 12 people on a Tuesday evening.</i></p>

	<p><i>I would personally accept responsibility to ensure that all precautions were taken as advised. Our club is in danger of closing if we do not get back to regular playing soon, which would be a pity as we provide a much needed incentive for older people to get out and socialise. We have also before this been running session at Melton Library to attract new players.”</i></p>
Harpreet Singh	<p><i>“Respected Councillors and Council Executives</i></p> <p><i>I write to realign everyone’s perspective to the original petition, when you review the report and recommendations to be considered in agenda 12.2 for the meeting dated 22 June 2020.</i></p> <p><i>I am concerned that some factual and conceptual errors in the report may affect your opinion.</i></p> <p><i>The report only highlights the level of compliance achieved and does not touch on aspect of the non-compliant driver behaviour. The report does not state the highest recorded non-compliant vehicle speed and downplays the fact that nearly 15% of the vehicles were over the acceptable speed limit. If I understand correctly, as per the quoted daily vehicle traffic of 1800 along Lexington Drive, these 15% non-compliant drivers equate to more than 250 speeding instances near school zone on a daily basis which is alarming in itself.</i></p> <p><i>The core purpose of the petition is to target such non-compliant drivers, who ignore the street signage (intentionally or unintentionally), via improved permanent infrastructure and not just awareness campaigns.</i></p> <p><i>The report also adds confusion; by reviewing the location of the supervised crossing. It is to note that the petition does not challenge the location of the supervised crossing. However the hump itself at the supervised crossing can be reviewed, when considering the overall safety improvements along Lexington Dr. If the experts continue to see the current speed hump and the crossing as an inseparable single entity, it actually throws many potential, more effective solutions off the table.</i></p> <p><i>All the petitioners have agreed to the fact that speed hump at the supervised crossing does not force the drivers to reduce their speed as they are enter the school zone , and therefore the humps should be better located to increase the safety of pedestrians at the supervised crossing.</i></p> <p><i>The vehicle speed investigation in front of 44 Lexington drive would never give a true assessment as the location is very closer to the turn. Vehicles only start increasing their speed after they have fully turned into Lexington Dr. For the drivers entering Lexington Drive from the Rockbank Middle Road end, they see a long straight stretch of road allowing them to increase their speed towards the supervised crossing. A speed hump is a must in that 130m long straight road before they reach the supervised crossing. Ideally the council can take advantage of the existing pedestrian infrastructure in front</i></p>

	<p><i>of 38 Lexington Drive and install a speed hump at that location.</i></p> <p><i>On the north end, when the drivers approaches the supervised crossing from the Camden Way side (Community centre side), they actually Do Not have a clear sightline of the crossing as they travel around the bend. There can be cars parked in the parking lane after school hours hindering the line of sight. At times, it is not possible for the drivers to see the pedestrians waiting to cross the road. The bend itself is not sharp enough to force the drivers to reduce their speed. I request on behalf of the petitioners, that the location of the proposed hump in front of 28 Lexington drive (Appendix 1) to be reviewed and placed in between the Entry and Exit of the Community Centre. This new location will not affect any household.</i></p> <p><i>Irrespective of what Council decides to do about the current speed hump at the supervised crossing, two new humps are needed to force the drivers to slow down before they approach the supervised crossing. The above suggested two hump locations have ample street light and cause negligible inconvenience to the residents. Cost of the speed humps should never be a consideration, at least not around school zones. Additional speed humps along Lexington Dr are Council's prerogative as per your investigations, but safety of the pedestrian and children cannot be compromised.</i></p> <p><i>Finally I request you to seek an improved report with consideration of the above suggested solutions before any voting takes place on the matter. If required, I along with many other petitioners can be present at the Council meeting to share our views in person.</i></p> <p><i>Can Councillors seek an improved report incorporating the suggestions as per my supporting letter; one between entry and exit of the Burnside Community Centre and another between 38 and 40 Lexington Dr (where a temporary pedestrian crossing used to be)? Councillors need to know all possible options before any voting takes place on our petition."</i></p>
<p>Michelle Spiteri</p>	<p><i>"As a result of the increasing volumes of traffic on Hopkins Road, the significant closures and detours in place in the surrounding road network and and the development occurring in the Tarneit West growth area, traffic volumes on Troups Road South have steadily increased in the last 12 months and will continue to rise as drivers use this road to save time on their commute and avoid traffic hot spots in the area.</i></p> <p><i>Similarly commercial and heavy articulated traffic use Troups Road South as a direct route to service the development in the area to save time.</i></p> <p><i>These factors strongly support the reality that this road is a much needed road in this network and yet, it is still being treated and maintained as a rural road in a remote area. It has also come to the attention of residents that</i></p>

	<p><i>maintenance on this road can only take place if the road is closed to traffic as conditions have been deemed unsafe for the crew. Surely this is another indicator that the current conditions of this road need immediate and direct attention by council and that it needs to be made a 2020/2021 budget priority. Common sense and appropriate traffic modelling will surely support that this road needs to be sealed before other roads are closed for realignment or resurfacing to ensure the safety of all and the integrity of this road network..</i></p> <p><i>When will Troups Road South be upgraded to a sealed road and what will be done in the interim to manage the constant maintenance required to keep it in an acceptable condition ?”</i></p>
Michelle Spiteri	<p><i>“What is Council doing about the increasing dumping of rubbish on Troups Road South which has become a daily occurrence ? Often rubbish is dumped on the road making this busy corridor and thoroughfare an even more dangerous road.”</i></p>
David O’Connor	<p><i>“Again, I make reference to Notice of Motion 542 (Cr. Carli) which was carried at the March 5, 2018 Ordinary meeting of Council.</i></p> <p><i>The Motion proposed that Council write to VicRoads regarding a series of undertakings to address some serious safety issues along Vineyard Road in Diggers Rest, which included a speed limit reduction from 80km/hr to 60km/hr.</i></p> <p><i>According to Council, as at October 19, 2018 no formal response from VicRoads had been received.</i></p> <p><i>However, it’s understood that Council did receive an email from VicRoads October 3, 2018 advising that VicRoads would further investigate other safety improvements including “review of the current speed limit and ways to encourage safe behaviours for all road users”.</i></p> <p><i>In response to a recent email from the Sunbury/Diggers Rest Bicycle Users Group (see attached), would Council please write to VicRoads, seeking an update and feedback with respect to the aforementioned investigations, together with the proposed actions to move forward?”</i></p>
Isaac Lam	<p><i>“1. A traffic light or at least no right side turn on t junction of Tenterfield Drive and Westwood Drive is needed urgently . So far one dead accident happen nearby and another car accident happen this noon around 12pm.</i></p> <p><i>2. This matter had been addressed to a Councillor and sadly to say no action taken by the council till this far and to many disappointment to parents who have study at Kcps.”</i></p>

Procedural Motion

Crs Majdlik/Ramsey.

That Standing Orders are resumed.

CARRIED

Procedural Motion

Crs Majdlik/Kesic

That the recommendations as printed in Items 12.1, 12.5 and 12.12 be adopted en bloc.

CARRIED**12. PRESENTATION OF STAFF REPORTS****12.1 LEADWEST COMMITTEE MEETING MINUTES**

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

PURPOSE OF REPORT

To present the confirmed minutes of LeadWest Committee meeting held 19 February 2020 and the unconfirmed minutes of the LeadWest Committee meeting held 13 May 2020.

RECOMMENDATION:

That the confirmed minutes of the LeadWest Committee meeting held 19 February 2020 (refer **Appendix 1**) and the draft minutes of the LeadWest Committee meeting held 13 May 2020 (refer **Appendix 2**) be received and noted.

Motion

Crs Majdlik/Kesic.

That the recommendations be adopted.

CARRIED

REPORT**1. Executive Summary**

In accordance with section 3(1) of the *Local Government Act* 1989 (the Act), Council may establish:

- a) Advisory Committees for the purpose of providing advice, or
- b) Special Committees which has delegated powers, duties or functions of Council.

The LeadWest Committee is a special committee of Council under section 86 of the Act. This committee was established on 27 May 2019 and became operative on 1 July 2019.

The purpose of the LeadWest Committee is to oversee the preparation and implementation of the LeadWest Strategic Plan and identified sub projects as adopted and agreed by member Councils.

As a special committee, it has delegated powers and functions in an Instrument of Delegation and Schedule and has Terms of Reference that govern its operations, meeting and reporting arrangements.

It is recommended that the confirmed minutes of the LeadWest Committee meeting held 19 February 2020 (refer **Appendix 1**) and the draft (or unconfirmed) minutes of the meeting of the LeadWest Committee held 13 May 2020 (refer **Appendix 2**) be received and noted by the Council.

2. Background/Issues

At its Ordinary Meeting held 27 May 2019 the Council established the LeadWest Committee as a Special Committee of the Council. At that meeting the Council adopted an Instrument of Delegation and Schedule and Terms of Reference for this committee.

At its Ordinary Meeting on 9 December 2019 and as part of the Council's annual review of committee representatives, Council resolved that Cr Sophie Ramsey and Mr Kelvin Tori, the Chief Executive Officer be its representatives to the LeadWest Committee with Cr Ken Hardy as a Proxy representative.

Rather than waiting for the LeadWest Committee to confirm the minutes of its previous meeting at the next committee meeting, the unconfirmed or draft minutes of each committee meeting will be reported to Council when they become available.

Attached to this report are:

1. The confirmed minutes of the LeadWest Committee meeting held 19 February 2020; and
2. The draft minutes of the meeting of the LeadWest Committee held 13 May 2020.

3. Council and Wellbeing Plan Reference and Policy Reference

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

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability
 - 5.3 *Effective civic leadership, advocacy, partnerships and good governance.*

4. Financial Considerations

The formation of the LeadWest Committee and adoption of a new Strategic Plan for LeadWest is designed to provide a cost effective funding model for each member Council and more focused outcome driven approach which is aligned to agreed regional priorities.

Funds will be allocated by the Committee within Council's approved budget for the development of the new Strategic Plan.

The ongoing budget for the LeadWest Committee will include two components. Firstly, to deliver the projects in the four year implementation plan, recommendations will be made to member Councils for consideration in each Council's annual budgeting process. Secondly, a payment of a base contribution to apply equally to all Councils.

5. Consultation/Public Submissions

The LeadWest Committee will provide a mechanism for a regional approach to advocacy and the delivery of a ten-year Strategic Plan. The Strategic Plan will be underpinned by a rolling four-year implementation plan which will be delivered by teams from across the six Councils implementing specific projects. This Plan will be prepared following extensive consultation including a focus on engaging Councillors from the member Councils.

Special committee meetings are open to the public and the meeting dates, times and venues for the LeadWest Committee will be advertised as required by section 89 of the Act.

Like Council meetings, a special committee can be closed to members of the public if the meeting is discussing any of the following—

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

6. Risk Analysis

Nil.

7. Options

As the LeadWest Committee is a special committee of Council with powers and functions as set out in its Instrument of Delegation and Schedule, the Recommendation is that the confirmed minutes of the LeadWest Committee meeting held 19 February 2020 (refer **Appendix 1**) and the draft minutes of the LeadWest Committee meeting held 13 May 2020 (refer **Appendix 2**) be received and noted.

LIST OF APPENDICES

1. Minutes of the LeadWest Special Committee Meeting - dated 19 February 2020
2. Draft Minutes of the LeadWest Special Committee Meeting - dated 13 May 2020

The meeting was adjourned at 7:34pm.

The meeting resumed at 7:37pm.

12.2 RESPONSE TO PETITION - ROAD SAFETY INFRASTRUCTURE ALONG LEXINGTON DRIVE, BURNSIDE

Author: Tom Lay - Traffic Engineer

Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To respond to the petition tabled at the Ordinary Meeting of Council on Monday 2 March 2020 containing over 80 signatures requesting that Council install an additional two or more speed humps on Lexington Drive in Burnside to increase safety around Burnside Community Centre and Burnside Primary School.

RECOMMENDATION:

That Council;

1. Note the costs and risks provided in this report associated with the installation of traffic calming devices on Lexington Drive, Burnside.
2. Request officers to deploy the Speed Awareness Trailer on site to raise awareness of the speed of vehicles in the area.

Motion

Crs Kesic/Abboushi

That Council

1. Defer consideration of the report to allow for further consultation with the community;
2. Include discussions about extra crossovers in its consultation with the community;
3. In the interim, deploy the Speed Awareness Trailer on site while the community consultation takes place.

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. Executive Summary

At the Ordinary Meeting of Council on Monday 2 March 2020, a petition was tabled containing over 80 signatures requesting that Council install an additional two or more speed humps on Lexington Drive to increase safety around Burnside Community Centre and Burnside Primary School.

Council Officers have investigated speeding concerns on Lexington Drive which consist of reviewing and assessing the existing raised school crossing and the requirement for additional traffic calming devices, in accordance with Council's Traffic Calming Policy. The assessment indicated that the existing raised school crossing is located in the most suitable location to reduce vehicles and that additional traffic calming devices are not warranted on Lexington Drive.

Council officers will deploy the Speed Awareness Trailer on Lexington Drive to raise awareness of the 40km/h speed limit during school pick up and drop off periods and encourage road users to drive safely.

2. Background/Issues

At the Ordinary Meeting of Council on Monday 2 March 2020, a petition was tabled containing over 80 signatures requesting that Council install an additional two or more speed humps on Lexington Drive in Burnside to increase safety around Burnside Community Centre and Burnside Primary School.

The installation of traffic calming devices on the local road network is determined through an assessment undertaken in accordance with Council Traffic Calming Policy.

Council's Traffic Calming Policy has an objective method of assessing and prioritising traffic calming requests. It establishes a balance in policy and resourcing between engineering, education and law enforcement interventions in road safety. The need for traffic calming devices is evaluated based on a range of factors including traffic volumes, speed, crash history, vulnerable road users, road design and other activity generators in the area.

Lexington Drive is a local access road, comprising one traffic lane in each direction with indented parallel parking lane on both sides of the road and carries approximately 1,800 vehicles per day. It has a default speed limit of 50km/h however, a 40km/h school zone applies during the school pick up and drop off periods. There has been no recorded vehicle crash statistics along Lexington Drive in the last 5 years.

Council officers have reviewed the location of the existing raised school crossing and is satisfied with the location for the following reasons:

- The raised school crossing is located approximately 90m south of Camden Way and approximately 130m north of Rockbank Middle Road. Inspection indicates that the school crossing is visible from both north and south approaches and that there are clear sightlines around the bend south of Camden Way.
- The raised school crossing is located in a position that will have the effect of reducing vehicle speed along Lexington Drive. As can be seen in the survey results, vehicle speeds have been reduced to approximately 40km/h throughout the day between No. 26 and No.44 Lexington Drive.
- Typically school crossings are located adjacent or near the school entrance. Thereby increasing the likelihood that the crossing will be utilised.
- The raised school crossing location is approximately mid-way between parking lanes which encourage users to cross the road at one location.

- The raised school crossing is located in the vicinity an existing street light to ensure that the traffic calming device (the raised platform) is visible to motorist travelling at night.

In addition, Council officers will be installing speed humps signs to comply with the requirements of the Australian Standards and to raise awareness of the existing raised school crossing.

Council officers have also investigated vehicle speeds along Lexington Drive where traffic data were collected via automatic traffic tube counts at three different locations along Lexington Drive. The locations selected are at midpoint where it is likely to generate the highest vehicle speeds. The results of the data collection revealed the following:

- Outside No. 14 Lexington Drive where it is a residential area and a default speed limit of 50km/h that applies throughout the day, the 85th percentile speed recorded was 52km/h. During the morning and afternoon period periods, the results indicated that between 8 and 9am and between 3 and 4pm, the 85th percentile speed was 51.7km/h and 52.3km/h, respectively. This is within the marginal tolerance of the default urban speed limit of 50km/h, therefore under Councils Traffic Calming Policy does not warrant the installation of traffic calming devices.
- Outside No. 26 Lexington Drive where it is a school zone and the speed limit is reduced to 40km/h during the school pick up/drop off periods, the results indicated that between 8 and 9am and between 3 and 4pm, the 85th percentile speed was 40.6km/h and 40.5km/h, respectively. Outside the school peak periods where the speed limit is 50km/h, the 85th percentile speed was 42km/h. This is below the default urban speed limit of 50km/h, therefore under Councils Traffic Calming Policy does not warrant the installation of traffic calming devices.
- Outside No. 44 Lexington Drive where it is a school zone and the speed limit is reduced to 40km/h during the school pick up/drop off periods, the results indicated that between 8 and 9am and between 3 and 4pm, the 85th percentile speed was 37.7km/h and 37.9km/h respectively. Outside the school peak periods where the speed limit is 50km/h, the 85th percentile speed was 40km/h. This is below the default urban speed limit of 50km/h, therefore under Councils Traffic Calming Policy does not warrant the installation of traffic calming devices.

Based on the assessment and applying the traffic calming principles, the analysis indicates that additional traffic calming devices along Lexington Drive are not warranted. Whilst additional traffic calming devices are not warranted, a number of options were investigated for consideration;

Option 1 - Use of Speed Awareness Trailer

The deployment of Council's Speed Awareness Trailer on Lexington Drive would raise community awareness and remind drivers of the 40km/h speed limit during school pick up/drop off periods. This would encourage drivers to slow down, drive safely and be aware of other road users including pedestrians. The Speed Awareness Trailer displays the speed of oncoming vehicles and, depending on the recorded speed, shows a different message to the driver.

Option 2 - Construction of traffic calming devices

The construction of asphalt speed humps would see devices placed on Lexington Drive, adjacent to No. 14 and No. 28 Lexington Drive. This option requires consultation with affected residents in the adjoining road network.

It should also be noted that this option will see three traffic management devices (two speed humps and one raised school crossing) within a short distance. As can be seen from the traffic data collected, the location of the existing raised school crossing has been place in a suitable location thus reducing the vehicles speeds not just during school pick up/drop off but

throughout the day hence additional traffic calming devices (speed humps) are not warranted as per Council's Traffic Calming Policy.

As mentioned, Lexington Drive has been assessed for traffic calming devices in accordance with Council's Traffic Calming Policy. An assessment of the options above has been undertaken. Whilst no action is required in the form of physical treatments, Council officers will be installing speed humps signs to comply with the requirements of the Australian Standards and to raise awareness of the existing raised school crossing. The Speed Awareness Trailer will be deployed to raise awareness of vehicle speed as drivers travel through on this road.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

Option 1

The placement of Council's Speed Awareness Trailer on site, the financial costs associated with this option would be in the order of \$400 which can be accommodated within the existing Engineering Services operating budget.

Option 2

The construction of two asphalt speed humps would see a budget allocation of \$24,000 required. Given the estimated cost, a capital budget allocation would be required.

5. Consultation/Public Submissions

Option 1

Consultation with residents is not proposed for the placement of Council's Speed Awareness Trailer on site.

Option 2

In the event traffic calming devices were constructed, we would undertake a consultation process with relevant stakeholders in accordance with Council's Traffic Calming Policy.

6. Risk Analysis

Option 1

The risk associated with the adoption of Option 1 is minimal. An investigation has occurred in line with Council's Traffic Calming Policy that additional traffic calming devices are not deemed required.

Option 2

This option would see traffic calming devices constructed that are not warranted in this instance, and would not align with Council's Traffic Calming Policy outcomes. Community consultation is also required in accordance with the adopted Policy, which may also see affected residents oppose the proposed works due to other factors including increased noise levels and aesthetic purposes.

7. Options

Whilst traffic calming devices are not warranted, a number of options were investigated for consideration;

Option 1

Deploy Council's Speed Awareness Trailer on site.

Option 2

Construction of traffic calming devices on Lexington Drive in the form of asphalt speed humps, located adjacent to No. 14/15 and No. 28 Lexington Drive. (Please refer to **Appendix 1**).

LIST OF APPENDICES

1. Option 2 - Traffic calming device locations in Lexington Drive, Burnside - dated 26 May 2020

The meeting was adjourned at 7:52pm.

The meeting resumed at 8:05pm.

The Mayor, Cr Carli, vacated the Chair.

The Deputy Mayor, Cr Abboushi took the Chair.

12.3 RESPONSE TO NOTICE OF MOTION 662 (CR CARLI) - REPORT ON ASSESSMENT OF ENTRY TREATMENTS OF ESTABLISHED AREAS IN THE MUNICIPALITY.

Author: Wayne Kratsis - Parks and Open Space Coordinator - Operations
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To respond to Notice of Motion 662 requesting a condition assessment of entry treatments and outline maintenance requirements.

RECOMMENDATION:

That Council:

1. receive and note the condition assessment and identified works.
2. continue to maintain all entry treatments.
3. renew only the elements that comply with current landscape guidelines at the end of the treatments useful life.

Motion

Crs Carli/Majdlik

That Council:

1. receive and note the condition assessment and identified works.
2. continue to maintain all entry treatments.
3. renew only the elements that comply with current landscape guidelines at the end of the treatments useful life.
4. officers prepare a report to come back to Council in 6 months reporting which established areas have received works, what kind of treatment occurred, the total cost of the works and what further works on entry treatments are still to come.

CARRIED

REPORT

1. Executive Summary

This report reviews Councils entry treatments, their condition, compliance with current guidelines and priorities for future maintenance activities. The Audit identified several maintenance issues that have subsequently been addressed and entry treatments requiring renewal that will be delivered in the 20/21 financial year.

This report proposes that current practices with respect to renewal of entry treatments continue, i.e. Entry Treatments remain a feature in the landscape, the identification of suburb and street names on existing walls be maintained and only “marketing” estate names be removed at the end of the assets life.

2. Background/Issues

At the Ordinary Meeting of Council on 9 December 2019, Notice of Motion 662 (Cr Carli) was considered and Council resolved the following:

That Council Officers undertake an assessment of entrance treatments of established areas within the municipality, and bring a report to Council detailing the estate name, condition of entrance treatment, refurbishment required, approximate cost and assessed priority.

Entry treatments historically comprised well landscaped gardens with signage promoting the estate name or similar wording. Council experienced an increase in the standard of entry treatments over time as developers sought to market their estates. This resulted in lighting, water features, solid rendered walls, elevated planter boxes and public art to name a few.

Council now restricts the over embellishment of entry statements and seeks to deliver quality infrastructure within the open space. Permanent marketing of estate brands is no longer permitted in public open space, recognising that these communities will integrate within the broader community and share a place in the municipality. This has achieved more consistency and requires the developer to deliver sustainable landscapes that remain a Council asset in perpetuity.

This review has identified that some treatments still feature ‘legacy’ branding. Council currently removes this component of the entry treatment when the asset reaches the end of useful life. Accordingly, for the purpose of this report these treatments have been noted as non-compliant where this work remains pending.

Each asset has been inspected to collate data on their condition, summary attached in **Appendix 1**. It was found that almost half of the assets could benefit from some form of maintenance. The following table summarises the findings:

Non-compliant entry treatments	38
Compliant entry treatments	43
Total number of entry treatments	81
Total number with works required.	40

The nature of the works required varied, however by far the most frequently identified need was painting. This low cost activity could deliver significant benefits across the asset base in the short term. The primary cause of deteriorating condition is age followed by the quality and longevity of the construction materials used. As a result of this assessment the following maintenance activities have been identified:

Defect	Number of treatments	Works Priority	Total Cost est.
Letters Missing	3	2	\$600
Minor Garden Maintenance Required	9	2	\$1500
New Landscaping Required	3	3	\$3,000
Wall Leaning	1	2	\$1,000
Capping needs repair	9	2	\$7,000
Rendering repairs needed	3	2	\$10,000
Painting needed	35	2	\$2,000
End of useful life	3	1	\$10,000

NB: Where works are delivered 'in house' labour costs are not factored in.

Officers intend to commence implementing these repairs at the commencement of the 20/21 financial year. Immediate action to resolve any urgent and business as usual items such as graffiti or physical damage has already occurred.

Each action is categorised as either Priority 1 being within 6 months, Priority 2, 12 months and longer term works Priority 3 to be reassessed annually as required.

Works will be scheduled accordingly and ensure that:

- PRIORITY 1 (Short Term - 6 Months)

Entry treatments currently at the end of useful life will be replaced with compliant landscape treatments. On the basis of current findings it is intended that entry treatment signage at the following locations will be removed in the short term. All will be replaced with a combination of trees and shrubs to enhance the landscape. The Kurunjang sign will be replaced with corporate signage as it is a compliant treatment.

Estate	Location
Hillside 2000	Beattys Rd, Hillside
Kurunjang	Gisborne - Melton Road
Sugargum Farm	Cnr Melton HWY and Gourlay Rd

- PRIORITY 2 (Medium Term - 12months)

Entry treatments that require minor maintenance such as missing parts, painting or plant replacement. This work will be undertaken by Council's open space improvement team as part of their regular work.

- PRIORITY 3 (Long Term – greater than 12 months)

Entry treatments that are currently in good order however feature branding not consistent with current guidelines to be replaced with a landscape treatment at the end of useful life. Inspections will occur annually to identify when this signage reaches end of life and removal to occur within 6 months of identification.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

4. Financial Considerations

All maintenance works of entry treatments is funded within existing recurrent budgets. In the event that renewal works are required, these are funded from the open space furniture renewal budget which is a capital works program budget allocation.

5. Consultation/Public Submissions

Where an entry statement is at the end of its useful life contact is made with adjacent residents to inform them of the works taking place. All steps are taken to incorporate the community vision in any subsequent work undertaken. Replacement plantings and other complimentary embellishment is carried out to ensure the amenity of the streetscape is not depleted.

6. Risk Analysis

Residents can form familiar associations with entry statements and commercial branding marketed by developers. The mitigation control is to maintain and retain the statement until it ceases to serve a useful purpose. The adopted landscape guidelines also provide guidance and support to Council officers in delivering these necessary works.

The above risk exists only for legacy entry statements as current developments feature compliant landscape designs to be maintained in perpetuity.

7. Options

The Audit identified several maintenance issues that have subsequently been addressed, and the three entry treatments requiring renewal will be delivered in the 20/21 financial year.

This report proposes that current practices with respect to renewal of entry treatments continue, i.e. Entry Treatments remain a feature in the landscape, the indentation of suburb and street names on existing walls be maintained and only "marketing" estate names be removed at the end of the assets life.

Alternative Options:

1. Council maintain all entry treatments and renew 'like for like' at end of useful life.
2. Council program staged disposal of non-compliant entry treatments prior to the end of their useful life.

LIST OF APPENDICES

1. Summary of Entry Treatment Audit - undated

The Deputy Mayor, Cr Abboushi, vacated the Chair.

The Mayor, Cr Carli took the Chair.

12.4 PREPARATION OF THE MUNICIPAL BUDGET 2020/21

Author: Sam Rumoro - Manager Finance

~~Presenter: Peter Bean – General Manager Corporate Services~~

Presenter: Sam Rumoro – Manager Finance

PURPOSE OF REPORT

To endorse the proposed Municipal Budget for the 2020/2021 financial year and Strategic Resource Plan 2020/2024 and commence the statutory process to exhibit this proposed budget to receive submissions.

RECOMMENDATION:

That:

1. In accordance with Section 127 of the *Local Government Act* 1989 ('the Act'), the draft Municipal Budget 2020/2021 and Strategic Resource Plan 2020/2024, as attached at **Appendix 1**, be the 'proposed budget' for 2020/2021,
2. The Chief Executive Officer be authorised to:
 - a. Give 'public notice' of the preparation of such proposed budget, in accordance with Section 129 of the Act.
 - b. Make available for public inspection a copy of the proposed budget as set out in the public notice.
3. In accordance with Section 223 of the Act, a Section 223 Submissions Advisory Committee meeting be held via a videoconference on Thursday 6 August 2020 at 7:00pm to hear from any person who wishes to be heard in support of his/her submission pursuant to the public notice and report to Council accordingly.
4. The Chief Executive Officer be authorised to undertake the necessary administrative procedures to enable the Committee to meet, consider such submissions and prepare a report to Council.
5. Council approve Council Officers to commence work from 1 July 2020 on projects listed in the proposed Budget 2020/21 Capital Works Program to enable works to progress.
6. In accordance with Section 130 of the Act, a Council Meeting be held via a videoconference on Monday 31 August 2020 at 7.00pm to consider adoption of the Municipal Budget 2020/2021 and Strategic Resource Plan 2020/2024.

Motion

Crs Majdlik/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

REPORT

1. Executive Summary

Section 127 of the *Local Government Act 1989* ('the Act') requires that Council prepare a budget for each financial year, and that the budget contain the following information:

- Financial statements in the form and containing the information required by the regulations;
- A description of the services and initiatives to be funded in the budget;
- A statement as to how the services and initiatives will contribute to achieving the strategic objectives specified in the Council Plan;
- Major initiatives to be undertaken during the financial year;
- For services to be funded in the budget, the prescribed indicators of service performance that are required to be reported against in the performance statement;
- The amount which the Council intends to raise by general rates, municipal charges, service rates and service charges;
- Whether the general rates will be raised by uniform rate or differential rate and information required relating to differential rates as per section 161(2) of the Act; and
- Any other information required by the regulations.

The average general rate and the municipal charge will not increase in 2020/2021 (0% rate rise).

The proposed budget in this report has been prepared for public display and to receive public comment. It is proposed that public submissions close on Wednesday 22 July 2020 and be heard by Council's section 223 Submissions Advisory Committee on Thursday 6 August 2020.

It is further proposed that the budget will be considered and adopted by the Council at a Council Meeting to be held on Monday 31 August 2020.

2. Background/Issues

Council commenced its budget process for 2020/2021 in October 2019. The proposed budget has been prepared giving consideration to the growing needs of the community, service delivery demands, 'high priority' requests received from the public via various forums, surveys and requests from Councillors. The proposed budget reflects the priority of Council in delivering high quality and best value services and infrastructure to the community. After much review and discussion, the proposed budget has been finalised and is presented for consideration.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

2.1 *A resource efficient City.*

4. Financial Considerations

The table below lists the more significant new projects and initiatives.

Project Description	Budgeted for 2020/21 \$'000
Building & Building Improvements	
Melton Recycling Facility Expansion	\$3,400
Building Components Annual Renewal Program	\$3,000
Eynesbury Station Early Learning Centre	\$2,170
Western Region Emergency Network Warehouse	\$2,000
Taylor's Hill Youth & Community Centre – building extension and ground upgrade	\$2,000
Solar Retrofit Program	\$1,200
Brookside Community Pavilion	\$850
Roads, Drainage, Footpath & Bridge Works	
Sealed Roads Renewal Program	\$3,923
Boundary Road - Mt. Cottrell to The Mall	\$3,461
Taylor's Rd and Westwood Dr Intersection	\$2,900
Caroline Springs Boulevard & Rockbank Middle Road Intersection	\$2,450
Brooklyn Road and Station Road Signalised Intersection	\$2,150
Alfred Road Contribution, Cobblebank	\$1,200
Footpath Renewal Program	\$1,191
Mount Cottrell Road and Greigs Road Intersection- construction of roundabout	\$1,150
Silverdale Estate - sound walls	\$1,000
Taylor's Road and Gourlay Road Signalised Intersection	\$1,000
Recreational Projects	
Cobblebank Indoor Stadium	\$22,000
Eynesbury Recreation Reserve AOS - Stage 1 and Stage 2	\$7,600
Melton Secondary College Sports Oval and Pavilion	\$2,000
Macpherson Park Redevelopment - Stage 2	\$1,500
Diggers Rest Community Pavilion and Oval No. 02	\$1,500

Project Description	Budgeted for 2020/21 \$'000
Renewal of Synthetic Playing Surfaces	\$1,100
Plumpton Aquatic & Leisure Centre	\$1,000
Parks Development Program	\$920
Others	
Plant and Machinery	\$1,364

Table above excludes carry forward capital expenditure

Council continue to make significant investment in infrastructure assets in the order of \$105.63 million in capital works in 2020/21.

The proposed budget includes total income of \$439.65 million, inclusive of developer contributed infrastructure assets valued at \$174.95 million. The following table provides a breakdown of this income with comparative amounts for the 3rd quarter forecast 2019/20.

	2019/20 \$ millions	2020/21 \$ millions	Per cent Change
Rates & Charges Income <i>see note below</i>	124.17	132.20	6.47%
Grants & Subsidies	32.47	37.36	15.06%
Fees & Charges	18.21	15.83	-13.04%
Developer Contributions- Cash	70.84	66.49	-6.14%
Developer Contributions- Assets	107.60	174.95	62.59%
Net Gain (loss) on Asset Sales	2.19	4.80	119.13%
Other Income	7.70	8.02	4.09%
Total Income and Receipts	363.18	439.65	21.06%

The total increase in Rates and Charges income, includes rates income received from supplementary valuations during the year due to growth. The average general rate and the municipal charge will not increase in 2020/2021 (0% rate rise).

The total budgeted operating expenditure is \$189.54 million as detailed below.

	2019/20 \$ millions	2020/21 \$ millions	Per cent Change
Staff costs	58.61	63.34	8.07%
Material and services	79.95	79.46	-0.61%
Depreciation / Amortisation	37.02	37.64	1.70%
Other Expenditure	9.00	9.10	1.11%
Total Expenditure	184.58	189.54	2.68%

The proposed budget has been prepared taking into consideration Council's Strategic Resource Plan (SRP).

Differential Rating Categories

The proposed budget includes differential rating categories as detailed below:

- General Rate
- Vacant Land Rate
- Retirement Village Rate
- Extractive Industry Land Rate
- Commercial and Industrial Developed Land Rate
- Commercial and Industrial Vacant Land Rate
- Rural Living Land Rate
- Rural Land Rate
- Urban Growth Land Rate.

Full definitions of the differential rating categories are included of the attached proposed budget. This section also provides a detailed analysis of the number of properties, valuation and the rates raised by each differential rating category proposed.

Waste Management Charges

The Waste Management Charges included in the proposed budget is detailed in the following table.

Service Option	Bin Garbage	Green	Recycle	Full year charge
A	120 litre bin	240 litre bin	240 litre bin	\$370
B	80 litre bin	240 litre bin	240 litre bin	\$329
C	120 litre bin	120 litre bin	240 litre bin	\$316
D	80 litre bin	120 litre bin	240 litre bin	\$276
E	120 litre bin	No Bin	240 litre bin	\$263
F	80 litre bin	No Bin	240 litre bin	\$226
Additional Bin				\$161

Municipal Charge

The proposed budget proposes a levy of \$150 per property as the Municipal Charge for 2020/2021 year, no increase in municipal charge from 2019/2020 year.

Fees and Charges

The Fees & Charges for various services provided by Council were reviewed and increased where appropriate. The recommended Fees & Charges schedule is included in the proposed budget.

Environmental Enhancement Rebate

The properties in Rural Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Farming Zone, Special Use Zone 5 and Urban Growth Zone may be entitled to an Environment Enhancement Rebate subject to certain conditions being met as per the approved Environmental Enhancement Guidelines.

The amount of rebate applicable for Rural Living, Rural and Urban Growth properties are based on the Differential Rating applied to the property.

The proposed budget proposes the following rebates be allowed for eligible properties within the referred rating categories.

Differential Rating Category	EER Rebate Available
Rural Land	50% of the rate up to a maximum of \$10,000
Rural Living Land	25% of the rate up to a maximum of \$10,000
Urban Growth Land	25% of the rate up to a maximum of \$10,000
General Rate (with approved Precinct Structure Plan)	25% of the rate up to a maximum of \$10,000

Costs for exhibiting the budget will be approximately \$2,700 for advertisements in the local and state newspapers and this has been incorporated into the current budget.

5. Consultation/Public Submissions

Council undertook two Community Engagement sessions on 8 and 9 October 2019. Proposals received from the community were considered in developing the proposed budget.

Council, in accordance with section 223 of the Act, will be inviting submissions on the proposed budget from the community, to be considered by Council before finalising the budget.

It is proposed the Section 223 Submissions Advisory Committee consider all the submissions received on 6 August 2020 and make recommendations to the Council, which will consider the recommendations before it formally adopts the 2020/2021 Municipal Budget.

6. Risk Analysis

The process of endorsing the proposed budget and seeking public submissions is prescribed in the Act. The process set out in this report complies with the Act and, as such, there is no risk associated with placing the proposed budget on public exhibition and seeking feedback/submissions.

7. Options

Council is required to have the budget adopted by 31 August 2020. Council could defer endorsing the proposed budget at this time which would delay the public consultation process.

However, there is no reason to defer commencing the public consultation process as it will allow the maximum amount of time to consider submissions received and make any adjustments to the proposed budget and have it adopted by Council before 31 August 2020.

LIST OF APPENDICES

1. Draft Municipal Budget 2020/2021 and Strategic Resource Plan 2020/2024

12.5 REVISED COUNCIL AND WELLBEING PLAN 2017 - 2021

Author: Bob Baker - Corporate Planning and Performance Coordinator

Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To present the revised Council and Wellbeing Plan 2017 – 2021 for endorsement

RECOMMENDATION:

That Council endorse the revised Council and Wellbeing Plan 2017-2021 at **Appendix 1**

Motion

Crs Majdlik/Kesic

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

As prescribed by the *Local Government Act 1989 (Vic)* ('the Act') Council is required to consider its Council Plan annually. The Act also requires that Council must review the Strategic Resource Plan during the preparation of the Council Plan, and adopt the Strategic Resource Plan not later than the 30 June each year.

Following consultation with management, some content in the Council and Wellbeing Plan 2017-2021 has been revised to ensure the information reflects Council's service delivery, organisational structure, Council membership and revised demographic forecasts.

The review found that all of the existing Themes, Outcomes, Strategic Objectives and Strategies expressed Council's direction, and identified the Mayor's and Chief Executive Officer's messages and the Organisation Structure were the only elements of the Council and Wellbeing Plan to be adjusted.

Should Council endorse the revised Council and Wellbeing Plan on 22 June 2020, the details of the adjustments to the 2017-2021 Council and Wellbeing Plan will be forwarded to the Minister for Local Government pursuant to section 125(10) of the *Local Government Act 1989*.

2. Background/Issues

The Council and Wellbeing Plan is reviewed on an annual basis to ensure that the strategic direction of Council is articulated and implemented by the organisation. The annual review is good governance practice and is also required by the *Local Government Act 1989*.

The *Local Government Act 1989*, requires:

125(7) - At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

125(8) - Subject to the following two provisions, a Council may make any adjustment in considers necessary to the Council Plan.

125(9) - A person has the right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under 125, subsections

2(a) – the strategic objectives of the Council,

2(b) - strategies for achieving the objectives for at least the next 4 years and

2(c) – strategic indicators for monitoring the achievement of the objectives.

125(10) - If a Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment, advise the Minister of the details of any adjustment to the Council Plan.

125(11) - A copy of the current Council Plan must be available for inspection by the public at:

- The council office and any district offices, and
- Any other place required by the regulations

In addition, a Council must ensure that the current Council Plan is published on the Council's Internet website.

As the adjustments to the Plan don't include any elements identified in 125 (9) above, the revised plan has not been put out to invite community submissions under section 223 of the Act.

The *Local Government Act 1989* also states that if a Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment advise the Minister of the details of the adjustment to the Council Plan. If endorsed, the revised Council and Wellbeing Plan will be provided to the Minister accordingly, and also placed on Council's website.

The Strategic Resource Plan is revised as part of the 2020 - 2021 budget process taking into consideration the latest information available on the 2017 – 2021 Council and Wellbeing Plan, capital works and human resources within the planned operations of Council. The revised Strategic Resource Plan is presented to Council for consideration as part of the 2020 - 2021 budget process.

The review of the Council and Wellbeing Plan undertaken for the final year of the 2017-2021 Council and Wellbeing Plan found that the existing Strategic Objectives, Strategies and Strategic Indicators were still relevant to Council direction and the organisational operation. Therefore, it is recommended that no change is made to any of these elements of the Plan.

Additionally, analysis of the Council Annual Action Plans to date demonstrates that Council has delivered outcomes against all of the existing Strategic Objectives.

The review conducted an assessment of Council's ability to demonstrate the achievement of the objectives and found the actions in the Council and Wellbeing Annual Action Plans in combination with the Strategic Indicators will provide evidence that the objectives have been achieved.

Therefore, adjustments to the revised 2017-2021 Council and Wellbeing Plan have been made to updates to the Mayor, Chief Executive Officer, and Our Organisation sections.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The Council and Wellbeing Plan 2017-2021 is financed through the Strategic Resource Plan. Both the Council Plan and Strategic Resource Plan are reviewed annually and are aligned with the Annual Action Plan, Budget, and Capital Works Program.

5. Consultation/Public Submissions

As the adjustments to the Plan don't include any elements identified in 125 (9) above, the revised plan has not been put out to invite community submissions under section 223 of the Act.

6. Risk Analysis

The revised version of the 2017-2021 Council and Wellbeing Plan will ensure the Annual Report is compliant with the Local Government Planning and Reporting Regulations.

7. Options

Nil

LIST OF APPENDICES

1. Revised Council and Wellbeing Plan 2017-2021

Cr Sebire left the videoconference at 8:26pm.

Cr Sebire returned to the videoconference at 8:27pm.

12.6 CAROLINE SPRINGS GEORGE CROSS FOOTBALL CLUB - REQUEST FOR RELIEF

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

PURPOSE OF REPORT

To seek Council's response to a formal request from Caroline Springs George Cross Football Club for Council to continue to maintain the City Vista Sporting Complex and provide financial support for utility costs at the venue.

RECOMMENDATION:

That Council in recognition of the impact of COVID-19 on the commercial operation of the City Vista Sporting Complex:

1. continue to maintain the City Vista sporting surfaces from 29 October 2020 up to 28 February 2021
2. pay the utility costs for the City Vista Sporting Complex for the period 1 July 2020 to 28 February 2021
3. review during February 2021 the situation relating to return to sport and Government easing of COVID-19 restrictions, to determine whether any further concessions under the lease agreement are justified.

Motion

Crs Majdlik/Kesic

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Caroline Springs George Cross Football Club leases the property known as the City Vista Sports Complex.

A request was received Friday 5 June from the Caroline Springs George Cross Football Club, for Councils consideration of assistance in waving the utilities and maintenance cost of the City Vista Sports Complex inclusive of utility costs, due to the COVID-19 pandemic.

Recommendations are presented to Council for consideration.

2. Background/Issues

The City Vista Sports Complex is located in the suburb of Fraser Rise, this project was delivered by Council in conjunction with the Caroline Springs George Cross Football Club (CSGCFC) pursuant to a long term; 20 year lease to the Club.

COVID-19 pandemic has had a wide spread effect across the community and has resulted in many changes to the way businesses and sporting clubs operate. This has seen the closure of all facilities and has had a major impact on sport and participation. With the Victorian Government beginning to ease restrictions, we are seeing sporting clubs/groups reactivating their training under specific guidelines in preparation for competitive play sometime in the future (dates yet to be determined).

Specifically over the last 3 months as a direct result of the COVID-19 pandemic Caroline Springs George Cross Football Club has advised that they have seen a cease of revenue which includes:

- Food and Beverage service(s);
- Game tickets, entry and membership fees; and
- Reduced income from Western United Football Club whom utilise the Complex/Complex.

Due to the loss of revenue, Caroline Springs George Cross Football Club have sought from Council relief pursuant to their lease specifically a waiver of all utilities and maintenance costs on the site for a period of 12 months. **(Appendix 1)** The Victorian Government recently introduced the Commercial Tenancy Relief Scheme including the COVID-19 *Omnibus (Emergency Measures) (Commercial Leases and Licences) Regulations 2020* which apply to tenants and landlords under certain eligible leases. The purpose is for both parties to engage in good faith negotiations in order to mitigate the effect and response to the COVID-19 pandemic. The Scheme and Regulations have been considered by way of a guide in relation to the Club's request.

Council is currently maintaining the sports surfaces at the City Vista Sports Precinct which is in line with the lease agreement until 29 October 2020. This reflects the official handover date that is highlighted in the agreement. If Council were to continue to maintain the sports surfaces it would be from 29 October 2020 up to 28 February 2021 with a review to take place at this time.

Whilst the Victoria Government has begun easing restrictions on sport, it is the Officers opinion that it is still unclear if and when sport will be returned in its full capacity with all players and matches resuming. This will depend on the Victorian Government and official sporting association providing clear direction(s) to their clubs.

Due to the unknown recovery time frames on sport it may be best to review the situation again in February 2021. Reflection on this is that if sport does return it will generate additional expenditure for the club in some form. Officers will ensure that we are fully engaged with Caroline Springs George Cross Football Club during this time.

Council should note:

1. Council in accordance with Regulation 10(4)(d)(iii) and 14(2), must give appropriate regard to Council's financial ability as a landlord to provide financial relief. It is not sufficient to ignore the request for assistance purely because the lease is a peppercorn lease and must assess each matter on a case by case basis. These principles are weighed against whether a failure to offer sufficient relief would compromise a tenant's capacity to fulfil the tenant's ongoing obligations under the lease
2. Whilst not stated in the tenant's request, both parties acknowledge that delivery of the leased area was delayed and this impacted on the tenant's ability to use the site for

some months prior to the pandemic. Council should consider this, as well as any other offsets that have may, or may not, have been provided to the tenant.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The estimated utilities cost to date is \$170,000.00 Council should note that a large portion of the figure will relate to irrigation costs (water supply) and sports ground lighting. Officer believe that the amount will be reduced in time.

The monthly grounds and utility costs to date are approximately:

1. Synthetic fields is \$3,123.80 + GST p/m
2. Natural turf fields is \$14,573.33 + GST p/m
3. Utility costs estimated at \$14,000.00 p/m

There is capacity due to the low utilisation to reduce the maintenance costs on these grounds. This will be a discussion that will take place with Caroline Springs George Cross Football Club and the maintenance provider.

5. Consultation/Public Submissions

Council Officers have been well engaged with the Caroline Springs George Cross Football Club in relation to this request. Should Council be minded to consider the request, Officers will continue to engage with Caroline Springs George Cross Football Club as it is with all sporting clubs, as they return to train and play.

6. Risk Analysis

Due to Council's major investment into the City Vista sports initiative, it is critical that grounds and the infrastructure are maintained to protect the ongoing surfaces and reduce the possibility of Council having to replace or rebuild the facilities. Further, a failure to offer sufficient relief could compromise the tenant's capacity to fulfil its ongoing obligations under the lease.

Council officers recognise that the final decision could potentially impact Council across its property portfolio and the upcoming budget.

7. Options

Council has the option to:

1. Endorse the recommendation and support the Caroline Springs George Cross Football Club as per the Officers recommendations in this report.
2. Continue to pay all utility costs for a period of 12 months up until 21 June 2021 and continue the management the maintenance of the sports grounds for a period of 12 months from the 29 October 2020 as per the tenant's request.
3. Not to support the clubs request and advise the club accordingly.

LIST OF APPENDICES

1. Letter from Caroline Springs George Cross Football Club - undated

Cr Majdlik left the videoconference at 8:32pm.

Cr Majdlik returned to the videoconference at 8:33pm.

12.7 MELTON SOUTH PRIMARY SCHOOL - REQUEST ACCESS TO OPEN SPACE

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

PURPOSE OF REPORT

To seek Council endorsement to lease for a period of 3 years a portion of open space located at the Northcott street Recreation Reserve for use by Melton South Primary School.

RECOMMENDATION:

That Council:

1. in accordance with section 191 of the *Local Government Act* 1989 lease a portion of the Northcott Street Recreation Reserve, as at **Appendix 1**, for use by Melton South Primary School for a term of 3 years with a peppercorn rental with the school being responsible for the costs of installation of fencing and maintenance to school grounds.
2. Delegate authority to the Chief Executive Officer to negotiate the proposed lease terms and execute any necessary documentation to give effect to the lease.

Motion

Crs Turner/Ramsey

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

REPORT

1. Executive Summary

This report provides information to Council on discussions with the Melton South Primary School and Council Officers on the opportunity to utilise a portion of Northcott Street Recreation Reserve for a 3 year term. The space that has been allocated for usage is 2000m².

The Melton South primary school population has escalated significantly in the last 4 years with additional relocatable classrooms now relocated on the site which has reduced the play space for the children.

The school principal has approached Council Officers with a request to access a small section of the Recreation reserve at Northcott Street Recreation Reserve.

The space has been assessed and is supported to be provided under lease agreement for use by the School for a term of 3 years.

2. Background/Issues

The Melton South Primary School is located on the corner of Exford Road and Northcott Street in Melton South. With the growth in population in the City of Melton, the school has grown from 427 students in 2015 to over 1000 students in 2020 with enrolments continuing to increase. This growth has seen an increase in the number of portable classrooms that have been placed on what is the existing school oval. This has impacted on the available play space for students in the school yard.

The Melton South Primary School Principal and School Council with support of the Victorian School Building Authority have forwarded correspondence to Council seeking access to a portion of Council land at the rear of the school located at the Northcott St Recreation Reserve. The proposal outlined that the space is required to be fenced.

The school principal has indicated that the cost relating to the fencing will be funded by the school if this proposal is supported by Council. All maintenance within the fenced area will be maintained by the school.

The space outlined at **Appendix 1** would be a suitable space, to provide support to the school and have no negative impact on the sporting clubs and the usage of the Northcott Street Recreation Reserve.

The next primary school to be constructed within this area is Bridge Road Primary School which will be adjacent to the Bridge road early years community Centre. Which is anticipated for opening for the first term in 2022.

Officers support the School to fund the fence to meet their needs for this area. Discussions with Council's Legal and Governance team indicate the most appropriate agreement would be a short term lease. The proposed lease will provide the school with the additional space required with the maintenance of the proposed leased area to be the responsibility of the school.

Pursuant to section 191 of the *Local Government Act 1989* (the Act), where Council proposes to lease land to a public body it may do so with or without consideration and it is not required to publically advertise its intention and call for submissions. Therefore should Council be minded to enter into the proposed lease, it is able to delegate authority to the Chief Executive Officer to negotiate the lease terms and execute the necessary documentation to give effect to the lease.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The proposed lease will be for a term of 3 years with a peppercorn rental and there is otherwise no financial impact to Council in entering into an agreement with the primary school.

5. Consultation/Public Submissions

Discussions have been ongoing with the Melton South Primary School Principal with support from the Melton South Primary School Council. The proposal is also supported by the Victoria School Building Authority.

Section 191 of the Act, provides that where Council transfers, exchanges or leases land to a public body, it may do so with or without consideration and without the need to advertise its intention and call for submissions. In other words, a lease to a public body, does not trigger the advertising requirements that are set out in section 190 of the Act.

6. Risk Analysis

N/A

7. Options

The options for Council:

- To proceed with a 3 year lease for the use of a portion of the Northcott Street Recreation Reserve by Melton South Primary School.
- Not support the proposal to enter into an agreement with the school for access to this space.

LIST OF APPENDICES

1. Northcott St Land Proposal - undated

12.8 COMMUNITY SPORTS INFRASTRUCTURE STIMULUS PROGRAM - PROPOSED PROJECTS

Author: David Caligari - Manager Capital Projects
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To outline the details for the Community Sports Infrastructure Stimulus Program and determine Council's priority projects for submissions to the funding program.

RECOMMENDATION:

That Council endorse the applications submitted to the Community Sports Infrastructure Stimulus Program for the following projects in priority order:

1. Melton Recreation Reserve Pavilion - \$2.7M funding for a \$3.5M project
2. MacPherson Park Stage 2 Soccer Pavilion - \$2.5M funding for a \$3M project
3. Diggers Rest Recreation Reserve Oval 2 - \$1.5M funding for a \$2.2M project

Motion

Crs Ramsey/Hardy

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

REPORT

1. Executive Summary

The State Government has recently announced the Community Sports Infrastructure Stimulus Program (CSISP). The \$68 million program will support Victoria's economy by working with Local Government Authorities, Alpine Resort Boards and sporting organisations to fast-track shovel-ready community sport and active infrastructure projects across Victoria. This initiative is part of the Victorian Government's \$2.7 billion Building Works package, designed to support sports infrastructure projects and create thousands of jobs for Victorians. Each local council or alpine resort board can submit up to three (3) applications requesting up to \$10 million for each application. Applications must be worth a minimum of

\$1 million in funding requested and Councils are required to provide a minimum of 10 percent of the project funding.

Officers have reviewed the program guidelines and compared these two projects that form part of the 2020/21 draft budget. The following projects have been identified as being the most eligible to receive funding under the program and are shown in priority order.

1. The Melton Recreation Reserve Pavilion. This project forms part of the Hannah Watts Park Master Plan and includes the provision of a new pavilion to service the existing oval and netball courts.
2. The MacPherson Park Stage 2 Soccer Pavilion. This project forms part of the Macpherson Park Master Plan and includes the provision of a new pavilion to service the existing soccer fields.
3. The Diggers Rest Recreation Reserve Oval 2. This project forms part of the Diggers Rest Recreation Reserve Master Plan and includes the realignment and increase in size of Oval 2.

Applications for the program closed on Friday June 19 2020 with the above projects being supported via a letter from the Chief Executive Officer. This report seeks endorsement of the funding applications to further support the projects inclusion in the program.

2. Background/Issues

Coronavirus (COVID-19) has resulted in far reaching implications for the Victorian community and generating jobs and economic activity will be critical to the revival of Victoria's economy.

The \$68 million Community Sports Infrastructure Stimulus Program will support Victoria's economy by working with Local Government Authorities, Alpine Resort Boards and sporting organisations to fast-track shovel-ready community sport and active infrastructure projects across Victoria.

The program is part of the Victorian Government's \$2.7 billion Building Works package, designed to support shovel-ready projects to get thousands of people back to work.

The desired outcomes of the program are to:

- Provide a stimulus to local economic activity by planning, building and operating new or redeveloped significant community sport and active recreation infrastructure
- Respond to demand for new participation opportunities by considering strategic and well-planned projects that have broad community and sector support
- Improve diversity and inclusion by increasing participation by disadvantaged and under-represented groups identified in Active Victoria.
- Packaging of similar projects across multiple sites are permissible. For example, this may include grouping play spaces or sports lighting installations across multiple sites.
- Significant additional scope to existing projects to provide new participation opportunities. This may include new elements to a project that otherwise could not be delivered.

Along with recipients being required to commence construction within six (6) months of executing a funding agreement, projects will need to be completed within two years unless the project is of significant scale where completion within that timeframe isn't practical.

Council can submit up to three (3) applications.

Applications for funding from this program must be between \$1 million and \$10 million.

A 10 percent minimum local financial contribution of the funding amount sought is required to be committed and confirmed by Council for each application submitted. For example, a grant request of \$1 million should be matched with a contribution of at least \$100,000.

The timeframe for application is as follows:

- Applications open 28 May 2020
- Applications close 19 June 2020
- Outcomes advised late July 2020
- Funding agreements executed July 2020 onwards

Due to applications for the program closing on Friday June 19 2020, the above projects have been supported via a letter from the Chief Executive Officer. This report seeks endorsement of the funding applications to further support the projects inclusion in the program.

3. Council and Wellbeing Plan Reference and Policy Reference

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

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way
 - 3.2 *Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

4. Financial Considerations

The recommended projects are within Council's draft 10 year Capital Budget. Any funding obtained from the CSISP will reduce the contribution required by Council for the project

5. Consultation/Public Submissions

Consultation has occurred with the relevant sporting clubs and will continue to occur on each of the projects proposed to seek funding from the CSISP.

6. Risk Analysis

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

The projects are required to be shovel – ready with construction to commence within six month of signing funding agreements and completed within two years.

7. Options

That Council endorse the priority order list contained within the recommendation.

LIST OF APPENDICES

Nil

The meeting was adjourned at 9:04pm.

The meeting resumed at 9:08pm

12.9 PLANNING APPLICATION PA 2017/6447 - USE AND DEVELOPMENT OF LAND FOR A 3 STOREY MIXED USE COMMERCIAL BUILDING, COMPRISING OF 3 APARTMENTS, CHILD CARE CENTRE, OFFICE, FOOD AND DRINK PREMISE, BASEMENT CAR PARKING, AND A REDUCTION IN THE CAR PARKING REQUIREMENTS AT 17 SCOTT STREET

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 Ramsey/Kesic

That Council issue a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6** of this report with the addition of Condition 1(d) as set out below:

- 1(d) External lighting and surveillance cameras to be provided to the satisfaction of Council both during construction and after the use commences.

CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Skyline Developments
Proposal:	Three storey mixed use development
Existing Land Use:	Existing building is divided into two separate tenancies, which are occupied by a Tattoo Parlour and a Martial Arts Studio
Zone:	Commercial 1 Zone
Overlays:	None
Number of Objections:	Six objections and one submission in support
Key Planning Issues:	Car parking issues

	Traffic congestion Built-form
Recommendation:	Approve application

The Land and Surrounding Area

The subject site has an area of 425m² and is located on the western side of Scott Street, Melton. Other features of the site are as follows:

- The site is rectangular in shape
- It is located at the southern end of the Scott Street Neighbourhood Activity Centre
- A single-storey commercial building is located on the subject land. The building is divided into two separate tenancies, which are occupied by a Tattoo Parlour and a Martial Arts Studio
- The land is bounded by a service laneway along the southern and western property boundaries
- A Council Open Space Reserve is located to the south of the laneway.

The surrounding area can be characterised as an established residential area, which generally comprises of single-storey attached dwellings. The Scott Street Neighbourhood Activity Centre comprises of a mix of single and double-storey commercial buildings with public parking along Scott Street.

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

The Application

The application proposes the use and development with a three storey mixed use commercial building comprising a food and drink premise, office, childcare centre, three apartment units and a reduction in the car parking requirements.

The proposed development is summarised as follows:

- The existing single-storey commercial building would be demolished, and replaced with a three-storey building with basement car parking.
- The building would be constructed with a variety of building materials, including brick veneer, render, and a large variety of cladding materials.
- Three apartments would be located on the first floor. Each of the apartments would have two bedrooms and the usual amenities.
- Each of these apartments have been allocated with one car parking space and a storage area of 14 cubic metres within the basement.
- A child care centre (early learning centre) would be located on the second floor. The child care centre is proposed to cater for up to 33 children. Six car parking spaces have been allocated to the child care centre. The child care centre would operate from 6am to 6pm (Monday to Friday).
- A food and drink premises and office would be located on the ground floor. The office would have a gross leasable floor area of 114.62 square metres. The food and drink premises would have a gross leasable floor area of 106.50 square metres. Each of these premises would be allocated with two car parking spaces.
- A total of 13 car parking spaces (including 9 spaces in the basement) are provided on the subject land.

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

Planning Controls

Zone	(Clause 32.08 – Commercial 1 Zone)	<p>The use of the land for the purpose of a child care centre is a permit required use.</p> <p>Planning permit approval is not required to the use the land for the purposes of a shop nor office.</p> <p>Planning permit approval is not required to the use the land for a dwelling (nested under accommodation), if the frontage at ground floor level does not exceed 2 metres. The dwellings do not have a frontage at ground level, therefore, no permit is required to use the land for the purpose of a dwelling.</p> <p>Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works.</p>
Particular Provisions	(Clause 52.06 – Car Parking)	<p>A child care centre use is required to provide 0.22 car spaces are required per child. A maximum of 33 children are proposed equating to 7 car spaces.</p> <p>An office use is required to provide 3.5 spaces per 100 square metres of leasable area. The office would have floor area of 114 square metres equating to 4 car spaces.</p> <p>A food and drink premises (pizza shop) is required to provide 4 spaces per 100 square metres of leasable area. The office would have floor area of 106 square metres equating to 4 car spaces</p> <p>Each two bedroom dwelling is required to provide 1 car space equating to 3 car parking spaces.</p> <p>A total of 18 is required under Clause 52.06 for the combination of uses. A total of 13 car parking spaces are located on site. As such, the proposal has a shortage of 5 car parking spaces.</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 six objection were received.

The grounds of objection may be summarised as follows:

- Excessive car parking demand
- Traffic congestion along the Scott Street and the along the rear laneway.
- A three-storey building is too large
- There is already enough food and drink premises
- Increase in noise due to apartments.

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

Proposed Uses

The proposed mix of commercial uses are all quite common within the Commercial 1 Zone. The provision of residential accommodation on the upper floors is also generally encouraged in Activity Centres, and is also encouraged as it improves housing choice (i.e. residents may want to live in other forms of housing). The proposal is supported by State and Local Planning Policies that generally encourage concentration of retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.

Car Parking Demand and Traffic Generation

A Car Parking Demand Assessment (including assessment of traffic generation) has been provided by the applicant. The assessment indicates that the parking demand of the non-residential uses will vary according to the time of day. The provision of 3 staff spaces for the childcare centre and 2 spaces for the offices is expected to accommodate the long-term parking demand of those uses. The long-term demand of the food and drink premises staff can be accommodated on-site within the garage.

The short-term demand of parents/guardians is estimated at 3-4 spaces with some parents expected to park in the short-term spaces adjacent to the building, where surveys show numerous spaces to be available at the busier pick-up and drop off times, i.e. 8:30am and 5:30pm. The customer demand of the food and drink premises is estimated at 2 spaces during the lunch time period, which would be accommodated on-street well after the morning peak of

the childcare centre.

It further outlines that peak traffic generation of the offices would be expected to be predominantly in the opposite direction to the dwellings and equate to no more than 2 vehicles per hour (vph). The highest traffic generation, at any time, attributable to parents/guardians is expected to equate to of 0.8 vph per child, equating to 26vph (2-way) in the AM and PM peak hours. The estimate equates to 13 parent cars arriving and then departing over the hour, and, a car movement every 2 – 3 minutes.

It concludes that in the worst case and assuming that the traffic of all uses coincide, then the total increase of 32vph is estimated. The addition of up to 32vph (2-way) is not expected to have any discernible impact on traffic operating conditions along the ROW or its intersections with Scott Street. Council's Traffic and Transport Engineers have not raised any glaring issues with the analysis provided.

From a technical perspective the applicant is only seeking a reduction 5 car parking space from the requirements outlined in Clause 52.06 (Car Parking Provisions) of the Melton Planning Scheme, which is quite considered reasonable.

Built-form and Design

The subject land is located at the southern end of the Scott Street Neighbourhood Activity Centre. The Activity Centre is flanked with 90 degree car parking on its western side and parallel car parking its eastern side. The subject land is bounded by a laneway on its southern and western boundaries. To the south of the laneway is a public open space reserve, which has recently been improved (within the last 2 years) by Council.

The construction of a three-storey building is allowable within commercial zoned areas. This type of intensity is quite common to commercially zoned areas in the inner city, however, it would be the first instance of this type of development within the Melton Township. Although, the occurrence of triple-storey built-form in itself is unique, it does not automatically mean that it should be refused.

The subject land is uniquely positioned at the southern end of the Scott Street Neighbourhood Activity Centre, and adjacent of the public open space reserve (small local pocket park). A well designed building with highly articulated finishes along the southern frontage would act to improve the amenity of the area. The re-development of 17 Scott Street is one of a handful of applications lodged with Council in recent years, and the approval of such development may act to spur other re-development opportunities and the re-vitalisation of the Scott Street Neighbourhood Activity Centre.

The southern elevation of the building is highly articulated with the use of a variety of building materials, recesses, and brick treatments. The food and drink premises located on the ground floor has been designed with a dining area that has folding doors that open onto the laneway, and provides a degree of activation to the public open space reserve (which is an improvement to the current situation). The balconies of the apartments on the first floor have been designed to front onto the public open space reserve to provide passive surveillance for the open space reserve (again, it is seen as an improvement to the current situation).

The second floor (child care centre) is recessed so that the building steps in from the southern property and western property boundaries. The shadow diagrams provided by the applicant indicates that there would be quite minimal overshadowing of adjoining residential properties to the west (of the laneway) and the public open space reserve to the south.

The re-development of the subject land can be viewed as being a positive planning outcome for the Scott Street Activity Centre.

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 30 April 2020
2. Plans of Proposal - dated 14 February 2020
3. Assessment against relevant policies - undated
4. Response to Objections - undated
5. Referral comments - undated
6. Conditions on Notice of Decision to Grant a Permit - undated

12.10 CONTRACT No. 20/034 - CONSTRUCTION OF BURNSIDE HEIGHTS RECREATION RESERVE CARPARK EXTENSION

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

PURPOSE OF REPORT

To seek Council endorsement for the award of Contract No.20/034 for Burnside Heights Recreation Reserve – Carpark Extension.

RECOMMENDATION:

That Council:

1. Award Contract No. 20/034 for Burnside Heights Recreation Reserve - Carpark Extension and additional lighting submitted by Metro Asphaltting for the sum of \$298,376.62 (excl. GST).
2. Council allocate the additional funds of \$78,376.62 in the 2020/21 budget for completion of lighting and additional parking bays.
3. Delegate to the Chief Executive Officer the execution of all contract documents.

Motion

Crs Majdlik/Kesic

That the recommendation be adopted.

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

REPORT

1. Executive Summary

The purpose of this report is to seek Council approval for the award of Contract No. 20/034 for Burnside Heights Recreation Reserve – Carpark. This project is identified on the Burnside Heights Recreation Reserve Masterplan to provide an additional 60 car parks at the recreation reserve.

The report also provides an option for Council consideration to install conduits for future lighting of the car park as well as installing the lighting for the car park as tender options in this contract.

The evaluation process identified the cost to deliver the project with 60 car parks is \$260,421.12. This is an additional \$40,421.12 over the existing budget of \$220,000. Cost were also sought as an option to provide lighting to the car park, with a tender cost of \$37,955.50. The overall costs of 60 carparks and lighting is \$298,376.62.

The assessment panel recommends that Council consider the 60 car parks and the lighting required to finish the project and believe that this would be the best overall result.

2. Background/Issues

The Burnside Heights Recreation Reserve Carpark project is identified on the Burnside Heights Recreation Reserve Masterplan to provide an additional 60 car parks at the recreation reserve. This project will support the traffic management of the reserve and other facility usage in the area.

Existing car park at the reserve accommodates 117 car parking bays. As participation at the reserve has continued to grow, nearby facility demand in the area has continued to accelerate. There is also no formal car parking servicing oval 2 at the reserve with cars spilling into the street on major training and event days.

The Burnside Heights Recreation Reserve is one of the most heavily utilised reserves in the Municipality. The reserve provides facilities to winter (Football) and summer (Cricket) tenants that are some of the largest user groups in the municipality. Usage currently sees parking on side streets in the area, and the additional 60 car spaces will support better disbursement of traffic and vehicle's across the whole the of reserve.

The tender was publicly advertised on 15 February and closed 10 March 2020. A total of three tenders were submitted and all contractors were identified as having the capability and resources to undertake the project. Metro Asphaltting submitted the second lowest price.

Upon clarification sought from the interview panel Metro Asphaltting emerged as the lowest price tenderer.

Members of the Tender Evaluation Panel, comprising of three Council staff conducted the interview session with all contractors on the 8 April 2020 via the online [video conferencing platform Zoom](#). The Evaluation Panel completed the evaluation review based on the set evaluation criteria.

The tender evaluation summary is provided in the **Confidential Appendix** attached to this report.

The tender process identified the cost of both tender options to be approximately \$15,000 for the conduits to be installed to support a future lighting system and \$37,955.50 for the full lighting system to be installed.

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

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 current budget (2019/20) for the Burnside Heights Recreation Reserve Car Park project is \$220,000.

Based on the tender evaluation process, Burnside Heights Recreation Reserve - Carpark project requires a total project budget of \$260,421.12 (excluding GST) to deliver the existing scope of 60 car spaces. This is \$40,421.12 above the existing approved budget.

Additional tender options for Council consideration are:

- Installation of electrical conduits to support a future lighting system – approximately \$15,000
- Installation of the full lighting system for the car park is \$37,995.50.

5. Consultation/Public Submissions

This carpark relates to the Burnside Heights Masterplan, which consultation occurred approximately 3 year ago. Council has received previous reports on this Masterplan.

6. Risk Analysis

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

a. Engagement of a suitably qualified construction company:

- Required companies tendering for the construction phase to have previous project experience with carpark construction and associated drainage works
- Required companies tendering for the construction phase to have a good understanding of public and staff safety
- Required companies tendering for the construction phase to have a good understanding of installation methodology especially in civil works
- Completed reference checks on their performance

b. Engagement of a financially capable construction company:

- Council required the tenderers to provide evidence of public liability insurance and work cover.

7. Options

Council has the options to:

1. Reduce the scope of the project to 40 car spaces to align with the current \$220,000.budget
2. Increase the budget to deliver 60 car spaces at a cost of \$40,421.12, as per the original scope.
3. Consider the Officers' recommendations as presented in this report to deliver the 60 car spaces and increase scope to include lighting of the car park.

LIST OF APPENDICES

1. Tender Evaluation Panel Report - Contract 20/034 Burnside Heights Recreation Reserve Carpark Extension - undated - **CONFIDENTIAL**

Designated as confidential information by the Chief Executive Officer pursuant to Section 77(2)(c) of the *Local Government Act 1989* and subsection (l) of the Confidential Information definition in Section 3(1) of the *Local Government Act 2020*

12.11 CONTRACT No. 20/044 - MELTON COURT HOUSE CAFE UPGRADE

Author: Jane Johnson - Capital Projects Officer
Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 20/044 for Melton Court House Café upgrade works commencing June 2020.

RECOMMENDATION:

That Council:

1. Awards Contract No.20/044 for Melton Court House Café to Stokes Rousseau Pty Ltd for the sum of \$417,243.00 (excl GST) commencing June 2020
2. Authorise the Chief Executive Officer to execute all contract documentation.
3. Increase the budget allocation to the project by an additional \$270,000 (excl GST) for FY20/21.

Before the vote was taken, Cr Kesic foreshadowed a Motion, should the Motion moved by Cr Mendes and seconded Cr Ramsey be lost.

Motion

Crs Mendes/Ramsey

That the recommendation be adopted.

LOST

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

For:

Crs Mendes, Ramsey, Sebire and Turner

Against:

Crs Abboushi, Carli, Hardy, Kesic and Majdlik

The Mayor declared the Motion LOST

Motion

Crs Kesic/Hardy.

That Council officers prepare a report for the next Council meeting to address the following matters:

- Pursuant to the *Local Government Act 2020*, cease all negotiations regarding the Melton Court House Café upgrade contract forthwith.
- Advertise as per Public Tender Expression of Interest (Section 108 of the *Local Government Act 2020*) for the Melton Court House Café operations which would be underpinned in a Commercial Lease.

- The scope of works to include that the Operator is expected to fit out the premises at their own expense, exclusive of structural, mechanical, electrical and plumbing affixed to the leased premises by and at the expense of the Operator.
- All personal property, furnishings and equipment and all other trade fixtures installed in or hereafter by or at the expense of the Operator shall remain the property of the Operator.
- The Operator agrees to a security deposit with the Council for the full and faithful performance by the Operator of all the terms of this lease required by the performance by the Operator.
- The Operator is expected to negotiate in good faith a commercial lease that reflects the costs of the new works and services that the Council has undertaken to upgrade the Melton Court House Café.
- The Public Tender documents to be viewed and agreed to by Council before the said documents are advertised.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 20/044 for Melton Court House Café upgrade works.

Council received a report at its Ordinary meeting held on 4 March 2019 advising that the then current lease holders of the Courthouse Café were negotiating the sale of the lease but part of the condition of sale was for refurbishment works needed to be undertaken. The purpose of the facility changed significantly when the Melton Town Centre project was delivered and it now serves as the focal point of the northern end of the Centre with enormous potential as a regional destination point for visitors to enjoy everything that Melton central has to offer. At that meeting Council approved an amount of \$250,000 towards proposed infrastructure enhancements to the café (Council meeting 4 March 2019) while detailed plans could be developed to fully scope the costs and evaluate the opportunities this development could deliver to fully activate the Melton Town Centre. Having worked with the prospective purchaser of the lease and sought advice from hospitality experts who know the Melton area and catchment the project will deliver an offering not currently provided in the Melton area and one that is found more so in the inner city areas. It is proposing indoor/outdoor dining all year round and is designed so that it is integrated with its surrounds such as the amphitheatre lawn sections along Palmerston Street. Changes to the current building and deck area are: new commercial kitchen with cool room, gas connections and grease-trap, new bifold door to the deck, new glass balustrade and permanent outdoor furniture to the deck, internal layout and cosmetic upgrades, new gas fireplaces and associated services and building works.

The tender evaluation summary is provided in the **Confidential Appendix** attached to this report.

2. Background/Issues

The former Melton Courthouse ceased functioning as a Courthouse some time ago and after some time of being unoccupied, Council (as committee of management) established the Visitor Information Centre there where it provided brochures and advice to visitors about all

things Melton. It proved to be a very functional service from that central and high profile location. After some years it was decided to expand the offering at the former courthouse and convert a section of it to be a basic café to service small numbers of visitors as seating inside is very limited and move the Visitor information Centre into the front corner room of the facility so as to allow the two entities to function together.

When Council was successful with significant Federal and State Government financial support towards the "Pride of Melton" project a sizeable outside deck area and access way via the eastern wall was added but the opportunity to expand and use this additional space effectively was never really taken up. This was due to the original fit out not lending itself to being able to accommodate the volume and type of meals required for the new size of the café and the operator was not experienced for this type of business.

An experienced operator has been identified and contributed to the design in conjunction with heritage consultant, heritage architects, specialist kitchen design consultant and engineers. Plans have been developed to enhance the functionality of the space and improve use of the deck constructed under the Pride of Melton Town Centre project.

Tenders were sought from four suitably qualified contractors from the Construction Supplier Register in accordance with the Ministerial Approval dated 17 May 2012. This Ministerial Approval means that an invitation to tender can be made directly to entities listed on the Construction Supplier Register, rather than an open invitation advertised in a newspaper. All four entities invited have experience in delivering heritage projects. Four responses were received and through the evaluation process were identified as having the experience, capacity and resources to undertake the project.

Construction plans have been approved by the Department of Environment, Land, Water and Planning (DELWP) as Landowner of the Crown Allotments of the Former Melton Court House and Melton Public Purposes Reserve.

Whilst in normal commercial arrangements there would be an expectation for an operator to undertake the fit out of the facility, it has been decided that it is in Council's best interests to undertake the works on the Heritage building as it is the Committee of Management for the building and all responsibility for any works rest with it in accordance with the *Crown Land (Reserves) Act 1978*. Also, in order to achieve the outcomes in relation to integration with rest of the Melton Town Centre it is important that works are closely managed and supervised in keeping with Council's expectations.

In addition to the construction cost in the budget breakdown, the consultants fees relate to the costs of the Heritage Architect, structural engineers and design consultants, The authority fees are in reference to the gas connection to the property which is some distance from the building and any remediation works that may be required from those works being undertaken. The fixed furniture and fittings was removed from the contractor's costings because it is schedule of furniture with a set pricing schedule and as such can be managed separately from the construction program.

The situation of Council bearing the cost to develop the facility will be reflected in a new lease. The operator is seeking a 20 year lease over the facility in the form of a 10 +10 year period which is in keeping with commercial arrangements of this type.

3. Council Plan Reference and Policy Reference

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

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

4.1 A diverse economy that fosters business growth, encourages new investment and leads and responds to change

4. Financial Considerations

The Melton Court House Café project requires an overall budget of \$520,000 (excluding GST).

The budget components for the project are as follows:

Funding Source	Amount \$
19/20 Carry forward City of Melton	\$250,000
20/21 City of Melton	\$270,000
TOTAL	\$520,000

An amount of \$250,000 was included in the 2019/20 budget and has been carried forward to the current year while detailed plans were completed. A QS cost plan has been undertaken which closely aligns with the amounts received from Contractors quoting for the works.

The additional funds needed for the works would be incorporated in the 2020/21 budget.

The budget components for the project are as follows:

Budget	Amount \$
Construction – Building Works (this Contract)	\$417,243.00
Consultant Fees	\$36,050.00
Authority Fees	\$12,700.00
Fixed Furniture & Fittings	\$24,000.00
Contingency (7%)	\$30,007.00
TOTAL	\$520,000.00

5. Consultation/Public Submissions

Key stakeholders were consulted in order to determine the user requirements. Information collected through this consultation was used to develop the tender specifications. Consultation with the community, affected property owners and commuters to notify them of disruptions throughout the construction works will form part of the project delivery after the award of this Contract.

6. Risk Analysis

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

1. Engagement of a suitably qualified construction company with heritage experience
 - Construction companies invited to tender were selected for their experience in delivering works on heritage listed properties
 - All construction companies that were invited to tender are on the pre-qualified Construction Supplier Register
 - Referee checks have been conducted
 - Third party accreditation of Occupational Health and Safety Management Systems are in place
2. Engagement of a financially capable construction company:
 - The engagement of an independent and expert consultant to conduct a financial review of the respondent

3. Development of risk management plans for the project
4. Supervision of construction works to be undertaken by Melton City Council

7. Options

Council has the options to:

1. Adopt the Officer's recommendations as presented in this report.
2. Redesign and seek further submissions for the works.

LIST OF APPENDICES

1. Tender Evaluation Panel Report - Contract No. 20/044 Melton Court House Cafe - undated - **CONFIDENTIAL**

Designated as confidential information by the Chief Executive Officer pursuant to Section 77(2)(c) of the *Local Government Act 1989* and subsection (l) of the Confidential Information definition in Section 3(1) of the *Local Government Act 2020*

12.12 CONTRACT No. 20/050 - MICROSOFT LICENCES RENEWAL CONTRACT

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

PURPOSE OF REPORT

To seek Council's approval to delegate the award of Contract No. 20/050 for the Provision of Microsoft Licences for 3 years starting 1st July 2020 to 30th June 2023 to the Chief Executive Officer to a successful supplier, following a Request for Quotation process which conforms to Section 186 of the *Local Government Act 1989*

RECOMMENDATION:

That Council:

1. Delegate the award of Contract No. 20/050 for the Provision of Microsoft Licences to the Chief Executive Officer, subject to the following conditions;
 - a. Officers request for quotes from the panel of preferred suppliers on the existing Municipal Association of Victoria (MAV), Microsoft Licence Arrangement Contract Number: NPN2.17-3,
 - b. Officers submit an evaluation report to the Chief Executive Officer with a recommendation to award the contract to a single supplier,
 - c. Authorise the Chief Executive Officer to execute the contract for a term of 3 years, and
 - d. Sign and seal the Contract documents.

Motion

Crs Majdlik/Kesic

That the recommendation be adopted.

CARRIED

REPORT**1. Executive Summary**

Melton City Council has a requirement to renew its existing Microsoft Licences and take advantage of the pre-negotiated MAV Microsoft Licences Arrangement (Contract Number: NPN2.17-3). The pre-negotiated MAV Microsoft Licences Arrangement was conducted by MAV on behalf of Victorian councils. The MAV arrangement consists of a panel of five suppliers:

- a) Winc Australia Pty Ltd
- b) Data#3 Limited
- c) SoftwareONE
- d) Insight Enterprises Australia Pty Ltd
- e) Rhipe Australia Pty Ltd

Under the cover of the MAV Microsoft Licences Arrangement, favourable prices and conditions have been negotiated. The maximum contract term is 3 years with no option for further terms.

Council will invite all five preferred suppliers to provide quotations for the provision of Microsoft Licencing via the Vendorpanel portal. Council's internal supplier selection panel will undertake a thorough review of all quotations received where they will be weighted and a successful supplier will be selected.

This report seeks Council resolution to ultimately delegate the award of Contract No. 20/050 for the Provision of Microsoft Licences to the Chief Executive Officer under the conditions outlined above.

2. Background/Issues

Currently, Council procures Microsoft Licences under the prior MAV contract which ends on 30th June 2020. The current Microsoft Licence supplier is WINC. Council is committed to continue using Microsoft products, such as windows, office, outlook etc. The preferred supplier, in addition to the provision of Microsoft Licences, offer value add services, such as support services, account management and software migration services.

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 has a recurrent budget for this category of services. In the financial year 2018/19, Council spent approximately \$500,000 per annum, on Microsoft Licences.

5. Consultation/Public Submissions

Key internal stakeholders were engaged via a series of workshops aimed at identifying;

- a) future requirements for systems and solutions,
- b) where efficiencies can be gained by reducing the number of licences no longer used or retired, and
- c) best value for money and best fit for purpose software licence packages.

6. Risk Analysis

There are no additional risk associated with entering into a new Microsoft Licensing contract as the software is currently in use within the organisation.

7. Options

Council has the option to:

1. Adopt the Officers' recommendation as presented in this report.
2. Conduct a tender for Microsoft Licenses separate to the MAV Microsoft License tender.

LIST OF APPENDICES

Nil

12.13 LIVE STREAMING AND LOCATION OF COUNCIL MEETINGS 2020

Author: Christine Denyer - Manager Legal and Governance
~~Presenter: Kel Tori - Chief Executive Officer~~
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To consider the location of the balance of meetings scheduled to be held at Burnside in 2020 and the installation of cameras for live streaming at the Burnside Community Centre.

RECOMMENDATION:

That Council:

1. Until 1 November 2020, in accordance with amendments to the *Local Government Act 2020*, conduct all Council meetings either remotely (via Zoom and live streamed) or at the Melton Civic Centre without a public gallery (live streamed) depending upon the assessed status of Covid-19 threat, and as determined by the CEO in consultation with all Councillors at least four days prior to the meeting (with notice to be provided on Council's website).
2. Otherwise, hold the balance of Council meetings scheduled in 2020 at the Melton Civic Centre (live streamed).
3. Not install cameras for live streaming at the Burnside Community Centre at this time.

Motion

Crs Ramsey/Mendes

That the recommendation be adopted.

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

REPORT

1. Executive Summary

At its Ordinary Meeting held 2 April 2020 Council received a report (Item 12.2) with information regarding Council Meetings in light of the state wide (Class 2) Public Emergency.

It subsequently resolved, in part, as follows:

That Council:

1. *Engage Interstream to provide equipment and live streaming...*
2. *Changes the location of the April and June 2020 meetings from the Burnside Community Centre to the Melton Civic Centre.*
3. *Requests a report to the June 2020 meeting to consider the location of the balance of meetings scheduled to be held at Burnside in 2020 and the installation of cameras for live streaming at the Burnside Community Centre...*

This report is to address resolution number 3 in light of resolution 1 being acted upon and in light of further legal developments.

Subsequent to that resolution, the *COVID-19 Omnibus (Emergency Measures) Act 2020* amended the Local Government Act 2020 ('the Act') for the prescribed period. The prescribed period is from 1 May 2020 to 1 November 2020.

The amendments to the Act allow for two options:

1. the Council sit by electronic means of communication where the requirement to have the meeting open to the public will be satisfied if the meeting is streamed live on the Internet site of the Council;
- or
2. the Council can sit in person in the chamber and close the public gallery where the requirement to have the meeting open to the public will be satisfied if the meeting is streamed live on the Internet site of the Council.

Both options limit the location of a Council meeting to a place where live streaming can be provided.

In reliance of these amendments, Council has held four electronic meetings which were, as required, also live streamed.

Beyond the prescribed period, if maximum numbers and/or social distancing is to continue, whether by law or by recommendation, then, as said in the report to the 2 April 2020 Council meeting:

The easiest and most appropriate venue in which to maintain these measures for a Council meeting (and pre-meeting Council briefing) is in the Melton Civic Centre. Compared to the Burnside Community Centre, the briefing rooms are larger, the chamber has larger desks and the ability for more to be brought in and the microphone system is better.....

The accessibility of live streaming arguably makes the reason to hold the meetings at Burnside redundant as live streaming means that the meeting can be viewed from anywhere in the municipality (and beyond).

That said, Council could also live stream from Burnside. If Council is minded to purchase cameras for live streaming for Burnside then officers would need to obtain a more specific quotation, based on the 'portable' nature of the AV at that location. It is noted that as Burnside is a venue heavily used by the Community there are risks that live stream equipment at Burnside could be tampered with as the communications room at that location is accessible to general hall users. This creates a greater risk of technical problems prior to or during a live stream meeting.

2. Background/Issues

The Council received a report at its Ordinary Meeting held 2 April 2020 with information regarding Council Meetings in light of the state wide (Class 2) Public Emergency.

It subsequently resolved, in part, as follows:

That Council:

1. *Engage Interstream to provide equipment and live streaming ...*
2. *Changes the location of the April and June 2020 meetings from the Burnside Community Centre to the Melton Civic Centre.*
3. *Requests a report to the June 2020 meeting to consider the location of the balance of meetings scheduled to be held at Burnside in 2020 and the installation of cameras for live streaming at the Burnside Community Centre...*

This report is to address resolution number 3 in light of resolution 1 being acted upon and in light of further legal developments.

Subsequent to that resolution, the *COVID-19 Omnibus (Emergency Measures) Act 2020* amended the Local Government Act 2020 ('the Act') for the prescribed period. The prescribed period is from 1 May 2020 to 1 November 2020.

The amendments to the Act allow for two options:

1. the Council (or Delegated and Special Committee) can sit by electronic means of communication where the requirement to have the meeting open to the public will be satisfied if the meeting is streamed live on the Internet site of the Council (or made available soon after in the case of Delegated or Special Committees);
- or
2. the Council can sit in person in the chamber and close the public gallery where the requirement to have the meeting open to the public will be satisfied if the meeting is streamed live on the Internet site of the Council (or made available soon after in the case of Delegated or Special Committees).

Both options limit the location of a Council meeting to a place where live streaming can be provided.

In reliance of these amendments, Council has held four electronic meetings which were, as required, also live streamed.

The number of people that viewed the meetings, as reported by Interstream are set out in the table below.

Meeting Date	Number of viewers
11 May 2020	28
14 May 2020	116
19 May 2020	37
25 May 2020	304

It should be noted that at for these meetings, live streaming was the only choice available to those wishing to attend the meeting. It is unclear what the viewing numbers will be like once the option to attend the chamber is reinstated.

Beyond the prescribed period, if social distancing is to continue, whether by law or by choice, then, as said in the report to the 2 April 2020 Council meeting:

The easiest and most appropriate venue in which to maintain these measures for a Council meeting (and pre-meeting Council briefing) is in the Melton Civic Centre. Compared to the Burnside Community Centre, the briefing rooms are larger, the chamber has larger desks and the ability for more to be brought in and the microphone system is better.....

What, if any, social distancing laws or recommendations will be in place moving forward are unknown. Council should place itself in the best position to respond safely and flexibly, particularly for the remainder of 2020.

Burnside

The accessibility of live streaming arguably makes the reason to hold the meetings at Burnside redundant as live streaming means that the meeting can be viewed from anywhere in the municipality (and beyond).

That said, Council could also live stream *from* Burnside. While a detailed quote from Interstream for setting up live streaming equipment at the Burnside Community Hall has not been requested, the report to the 2 April 2020 Council meeting said:

The approximate set up cost – hardware (three HD cameras, streaming box and control tablets) is \$17,060 plus GST per venue.

If Council is minded to purchase cameras for live streaming for Burnside then officers would need to obtain a more specific quotation, based on the 'portable' nature of the AV at that location. It is noted that as Burnside is a venue heavily used by the Community there are risks that live stream equipment at Burnside could be tampered with as the communications room at that location is accessible to general hall users. This creates a greater risk of technical problems prior to or during a live stream meeting.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The installation of equipment costs at the Burnside Community Hall is approximately \$17,060 plus GST.

These costs are not accounted for in the draft 2020/21 budget.

5. Consultation/Public Submissions

There has been no further public consultation than that conducted in early 2019 with the results reported to the Ordinary Meeting of Council on 27 May 2019 at Item 12.12 of that Agenda.

The number of viewers over the first four live streamed Council meetings indicates a keen interest in viewing Council meetings in this manner however it is noted that presently it is the only way to view the meetings and this may have skewed the numbers.

6. Risk Analysis

Health risks, and compliance with any laws in this regard, are the main risks that are relevant to Council's decision as to the location of the meetings for the balance of the 2020 year.

Council must comply with any maximum capacity laws and follow all social distancing recommendations to allow for a safe and legally compliant environment for Councillors and staff.

The legal risks of live streaming, in terms of defamation, have been considered at length in previous reports. Using live stream at the Burnside Community Hall does not increase or lessen this risk.

There is however a greater risk of technical difficulties live streaming from Burnside because it does not use dedicated AV equipment (but rather portable equipment) and that equipment is accessed by members of the community and other Council users.

7. Options

Council has the option to do one or more of the following:

1. Adopt all or part of the recommendation as set out at the beginning of this report.
2. Decide to install cameras for live streaming at the Burnside Community Centre and continue to hold meetings at Burnside as scheduled in August and October 2020 (provided that installation is possible in that time).

LIST OF APPENDICES

Nil.

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

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

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

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

Procedural Motion

Crs Ramsey/Majdlik.

With the time being 10:29pm, that the meeting be extended by 30 minutes.

CARRIED

(It was later clarified that, in accordance with Council's Meeting Procedure Local Law 2013, the meeting be extended by one 45 minute interval).

15. NOTICES OF MOTION**15.1 NOTICE OF MOTION 694 (CR KESIC)****Councillor: Goran Kesic - Councillor****NOTICE:**

That Council write to the Prime Minister, The Hon. Mr Scott Morrison, and the Minister for Government Services, The Hon. Mr Stuart Robert requesting that the Federal Government extends its funding assistance programs for the public sector to include displaced local government employees as a result of the COVID-19 disruptions.

Motion

Crs Kesic/Abboushi

That Council write to the Prime Minister, The Hon. Mr Scott Morrison, and the Minister for Government Services, The Hon. Mr Stuart Robert requesting that the Federal Government extends its funding assistance programs for the public sector to include displaced local government employees as a result of the COVID-19 disruptions.

CARRIED

15.2 NOTICE OF MOTION 695 (CR KESIC)**Councillor: Goran Kesic - Councillor****NOTICE:**

That Council write to the Victorian Government to:

- a. Ensure that any financial assistance offered to businesses with gambling interests as part of a COVID-19 recovery package is conditional on permanently reducing gambling harm such as reducing, surrendering and extinguishing electronic gaming machine entitlements/licenses; and
- b. Enact a moratorium on Victorian Commission for Gambling Liquor Regulation applications on gaming licenses until the social and economic impact of COVID- 19 can be determined, or at least until outbreaks of the pandemic are over, the economy has fully recovered and unemployment levels are significantly reduced.

Motion

Crs Kesic/Ramsey

That Council write to the Victorian Government to:

- a. Ensure that any financial assistance offered to businesses with gambling interests as part of a COVID-19 recovery package is conditional on permanently reducing gambling harm such as reducing, surrendering and extinguishing electronic gaming machine entitlements/licenses; and
- b. Enact a moratorium on Victorian Commission for Gambling Liquor Regulation applications on gaming licenses until the social and economic impact of COVID- 19 can be determined, or at least until outbreaks of the pandemic are over, the economy has fully recovered and unemployment levels are significantly reduced.

CARRIED

Cr Ramsey left the videoconference at 10:38pm.

Cr Ramsey returned to the videoconference at 10:39pm.

15.3 NOTICE OF MOTION 696 (CR KESIC)

Councillor: Goran Kesic - Councillor

NOTICE:

That Council write to the Federal Government requesting that it:

- a. Empower and sufficiently resource Australian Communication and Media Authority (ACMA) to block illegal gambling websites and promote community education around the harms and risks;
- b. Implement a temporary moratorium, with consideration to making it permanent, on online wagering advertisements given the increased vulnerability of Australians to gambling harm during this crisis and absence of professional sports leading to increasingly risky markets; and
- c. Implement stronger safe guards to protect users of simulated gambling products such as online poker machine apps including restricting access to children, issuing consumer warnings and consider blocking such apps.

Motion

Crs Kesic/Hardy.

That Council write to the Federal Government requesting that it:

- a. Empower and sufficiently resource Australian Communication and Media Authority (ACMA) to block illegal gambling websites and promote community education around the harms and risks;
- b. Implement a temporary moratorium, with consideration to making it permanent, on online wagering advertisements given the increased vulnerability of Australians to gambling harm during this crisis and absence of professional sports leading to increasingly risky markets; and
- c. Implement stronger safe guards to protect users of simulated gambling products such as online poker machine apps including restricting access to children, issuing consumer warnings and consider blocking such apps.

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

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

Cr Ramsey

Has a hard copy of the survey on the Melton Hospital been put into the Melton and Caroline Springs Libraries?

16.2 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Ramsey

Has there been any progress on the traffic lights at the intersection of Station Road and Brooklyn Road?

16.3 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Turner

Has there been any update on the crossing of the railway line on Coburns Road?

16.4 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Turner

Is the roundabout at High Street and Coburns Road going to become an intersection with traffic lights and is there a timeline for that?

17. MOTIONS WITHOUT NOTICE

17.1 COUNCILLOR'S MOTIONS WITHOUT NOTICE

Cr Carli

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.

17.2 COUNCILLOR'S MOTIONS WITHOUT NOTICE

Cr Carli

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

17.3 COUNCILLOR'S MOTIONS WITHOUT NOTICE

Cr Turner

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 corner of High Street and Coburns Road in Melton.

17.4 COUNCILLOR'S MOTIONS WITHOUT NOTICE

Cr Turner

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.

17.5 COUNCILLOR'S MOTIONS WITHOUT NOTICE

Cr Ramsey

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.

18. URGENT BUSINESS

Nil.

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 Melton Waves Leisure Centre 2020/21 Service Delivery Plan

- (g) private commercial information, being information provided by a business, commercial or financial undertaking that—
 - (i) relates to trade secrets; or
 - (ii) if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage;

19.2 Alfred Road Construction

- (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 10:54pm

Confirmed

Dated this

.....CHAIRPERSON