



MELTON CITY COUNCIL

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

10 December 2018

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

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MELTON CITY COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE MELTON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, 232 HIGH STREET, MELTON ON 10 DECEMBER 2018 AT 7.00PM

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

Mr K Tori, Chief Executive Officer
Mr P Bean, General Manager Corporate Services
Mr M Heaney, General Manager Community Services
Mr L Shannon, General Manager Planning and Development
Mr B Baggio, Manager Planning Services
Ms LJ Mellan, Manager City Design, Strategy and Environment
Ms C Denyer, Manager Legal and Governance
Mr L Stokes, Manager Operations
Mr J Whitfield, Governance Coordinator
Ms E Haley, Communications Coordinator

1. OPENING PRAYER AND RECONCILIATION STATEMENT

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

2. APOLOGIES AND LEAVE OF ABSENCE

Cr S Abboushi

3. CHANGES TO THE ORDER OF BUSINESS

Procedural Motion

Crs Ramsey/Hardy.

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

CARRIED

4. DEPUTATIONS

Presentation of the 2018 Djerriwarrh Festival Street Parade Awards by the Mayor, Cr Bob Turner

Most Outstanding Achievement – Group that best exemplifies the spirit of the parade

Dream Big – Felipe Cornejo, Jan White, Tenzin McDonald and Amy McDonald attending.

Most Outstanding School – Most imaginative and innovative school

Coburn Primary School – Rachelle Spence and Glenn Heath attending

Community Spirit Award – Most imaginative and innovative community or social club

Melton Christian Ministers Association – Steven Jones attending

Best Themed – Embraces the ALL THAT GLITTERS theme

Melton Primary School – Daniel Roberts attending

Mayoral Commendation

Instrument Fusion – Melissa Condello attending

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 12 November 2018 be confirmed as a true and correct record.

Motion

Crs Majdlik/Carli.

That the recommendation be adopted.

CARRIED

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

- 12 November 2018 Record of Assembly of Councillors
- 26 November 2018 Record of Assembly of Councillors
- 29 November 2018 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 12, 26 and 29 November 2018 attached to this Agenda be received and noted.

Motion

Crs Carli/Majdlik.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. 12 November 2018 Record of Assembly of Councillors
2. 26 November 2018 Record of Assembly of Councillors
3. 29 November 2018 Record of Assembly of Councillors

8. CORRESPONDENCE INWARD

8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- The Hon Greg Hunt MP – Minister for Health – Build Melton Hospital Campaign
- Catherine King - Shadow Minister for Health and Medicare – Build Melton Hospital Campaign

RECOMMENDATION:

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

Motion

Crs Majdlik/Kesic.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. Letter from the Hon Greg Hunt MP - dated 7 November 2018
2. Letter from Catherine King - Shadow Minister - dated 1 October 2018

9. PETITIONS AND JOINT LETTERS

Nil.

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

Nil.

11. PUBLIC QUESTION TIME

Name	Question asked of Council
Anna Bardsley	Based on my own experiences, has the Council considered the harm of pokie machines on the community, and do they believe that it is responsible for Council to enter into a long term lease with the Essendon Football Club?
Anna Bardsley	Based on the gambling figures for both Melton and AFL Clubs in Victoria and the trend of AFL Clubs to divest their interests in pokies, should the Council do something to try and reverse the trend, such as removing pokies from Council owned facilities?
Megan Wells	Given that the City of Melton has \$133 million in the bank and doesn't need \$300,000 a year in pokies rental payments from Essendon Football Club, has Council considered converting the Melton Country Club into the Melton RSL and offering the Diggers a peppercorn rent to run the facility as a pokies-free venue after the current lease expires in February 2022?
Megan Wells	Were representatives from the Essendon Football Club invited to a Councillor briefing session before tonight, and, if so, why wasn't the same opportunity granted to the opponents of the proposed pokies lease, such as representatives from The Alliance for Gambling Reform?
Karen Harris	With regard to the Planning Application for Rosina Drive, with cars parked on the both sides of the street it is difficult to get down the street, so how does Council expect a garbage truck to achieve this?

Name	Question asked of Council
Karen Harris	Are Council more interested in making money rather than the rights of the people who live on Rosina Drive, many for decades?
Judith Robles	With regard to the Planning Application for Rosina Drive, it is not uncommon for a household to have 2 - 3 vehicles. With each residence providing only one parking space, there will be excess vehicles parked in Rosina Drive with more vehicles on the street if people are entertaining. Does the Council have a plan to limit or even restrict parking in Rosina Drive?
Terry Manning	Does Council agree that removing homes in established areas and replacing them with two or more houses will result in more noise, more traffic jams and more parking problems which will impact on the quality of life for all concerned?
Alice Lowman	Do any Council members live or have a rental property on Rosina Drive or even imagine what it would be like to have 4 x 2 or 4 x 4 dwellings built either side of their home that they have occupied for 40+ years?
Alice Lowman	What plans does Council have to rectify the congestion getting out of Rosina Drive onto Barries Road?
Rhoda Manning	Are the residents of Melton expected to accept homes being demolished and replaced with 2 or more houses by developers and investors and additional cars without complaining at the deteriorating standard of living?
Noel Uren	Has Council thought about the loss of sunlight to homes that have solar panels, especially the afternoon sun, by allowing the building of high rise apartments?
Noel Uren	How many multi story dwellings does Council plan to allow in the Rosina Drive area?

In accordance with Council's Meeting Procedure Local Law 2013, two questions from one person was not read out at the meeting as the person who submitted the questions was not present in the Council Chambers.

Procedural Motion

Crs Ramsey/Majdlik.

That the recommendations as printed in Items 12.1, 12.6, 12.7, 12.11 and 12.14 be adopted en bloc.

CARRIED

12. PRESENTATION OF STAFF REPORTS

12.1 AUTHORISING THE AFFIXING OF THE COMMON SEAL OF COUNCIL

Author: Rebecca Bartlett - Acting Governance Officer
Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

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

RECOMMENDATION:

That the Council Seal be affixed to the documentation as detailed in the Schedule for Authorising of Affixing of the Common Seal of Melton City Council dated 10 December 2018.

Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

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

2. Background/Issues

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

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

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

- c. be used in accordance with the local laws of the Council.

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

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

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

5. Consultation/Public Submissions

Not applicable.

6. Risk Analysis

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

7. Options

Not applicable.

LIST OF APPENDICES

1. Authorising and Affixing of the Common Seal of Council - dated 10 December 2018

Procedural Motion

Crs Majdlik/Ramsey.

That Item 12.16 'Planning Application PA 2017/5872/1 - Development of the land with 10 double-storey dwellings At 8 Joan Street, Melton' and Item 12.17 'Planning Application PA 2018/6320/1 - Development of the land with four double - storey dwellings At 16 Rosina Drive, Melton' be heard immediately after Item 12.4 in the 'Presentation of Staff Reports'.

CARRIED

12.2 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Rebecca Bartlett - Acting Governance Officer

Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

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

RECOMMENDATION:

That Council:

1. note the minutes of Advisory Committee meeting at **Appendix 1**
2. adopt recommendations arising within the Minutes.

Motion

Crs Majdlik/Ramsey.

That Council:

1. note the minutes of the Advisory Committee meeting at **Appendix 1** with a correction to the minutes to reflect that Cr Majdlik was an apology at the Disability Advisory Committee meeting rather than being in attendance.
2. adopt recommendations arising within the Minutes.

CARRIED

REPORT**1. Executive Summary**

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

A Council appointed Advisory Committee meeting where at least one Councillor attends and which considers matters that are intended or likely to be the subject to a decision of Council, is considered an assembly of Councillors. In accordance with section 80A of the Act, a

written record of an assembly of Councillors must, as soon as practicable, be reported at an ordinary meeting of the Council. The minutes of the Advisory Committees attached to this report forms the written record of the assembly detailing matters considered and any Councillor conflicts disclosed.

2. Background/Issues

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

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

Councillor representation on Advisory Committees is generally for one year and is reviewed annually at the Statutory Meeting of Council. Councillor representation on current Council Committees and to other organisations for 2017 were adopted by Council at the Ordinary Meeting held 21 November 2016.

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

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

Meeting Date	Advisory Committee	Attached
4 October 2018	Disability Advisory Committee	Appendix 1

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

2.3 Facilitate community engagement in planning and decision making.

4. Financial Considerations

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

5. Consultation/Public Submissions

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

6. Risk Analysis

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

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

7. Options

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

LIST OF APPENDICES

1. Disability Advisory Committee Meeting Minutes - dated 4 October 2018

12.3 LEASE - MELTON COUNTRY CLUB

Author: Maree Stellini - Legal Officer
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To present to Council all relevant information for it to make a decision as to whether or not to enter into a new lease with Essendon Football Club to replace the existing lease in relation to the property known as the Melton Country Club.

RECOMMENDATION:

That Council:

1. Decide to enter into a new lease with Essendon Football Club to replace the existing lease for the premises known as the Melton Country Club for a term (including further terms) of 29 years with a commencing market rent of \$294,364.21 including GST
2. Authorise the CEO to execute a lease in substantially the same form as that attached at **Appendix 1**.

Motion

Crs Hardy/Ramsey.

That the recommendation be adopted.

CARRIED

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

For:

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

Against:

Nil

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

At the Ordinary meeting of Council on 26 March 2018, Council resolved, amongst other things, to consider entering into a new lease with the Lessee to replace the existing lease, for the premises situated at 28-30 Reserve Road, Melton known as the Melton Country Club and to place a public notice in a local newspaper calling for submissions in relation to the proposed lease.

Two public notices were in fact placed in a local newspaper. The further notice was placed, given the time lapse between the commencement and finalisation of the process, in order to ensure that Council properly complied with its statutory obligations.

In the result, the two public notices yielded 11 submissions. No submitters wished to be heard in person. Only one of the submissions is known to be from a resident of the municipality. A further one is from a group based in Carlton and the remaining 9 are from addresses unknown. All 11 argue that gambling causes social harm and thus Council should not grant a lease which allows gambling.

The relevant Council policy in relation to gambling recognises the harm caused by gambling and seeks to minimise that harm whilst at the same time providing a framework for Council to make decisions in relation to gambling.

The proposed lease is in line with Council's policy in that it is an existing destination gaming venue, operates as a member based club and has the lowest level of losses vis-à-vis number of machines within the municipality.

It is therefore recommended that the lease be granted in the form of the draft lease attached at **Appendix 1**.

2. Background/Issues

At the Ordinary meeting of Council on 26 March 2018, Council resolved, amongst other things, to consider entering into a new lease with the Lessee to replace the existing lease, for the premises situated at 28-30 Reserve Road, Melton known as the Melton Country Club and to place a public notice in a local newspaper calling for submissions in relation to the proposed lease.

A public notice is required by the *Local Government Act* 1989 ("the Act") for a lease such as the one proposed, at least 4 weeks before the lease is made.

A public notice was published in the Melton & Moorabool Star Weekly newspaper on 3 April 2018. In that public notice the 'commencing rent' was stated as being 'market value (valuation being obtained)'. No objections were received with the 28 day period that followed.

Subsequently Council officers obtained a valuation from Opteon Property Valuers on 21 August 2018.

After receiving the valuation, and given the lapse in time since the first public notice, Officers thought it prudent to place a further public notice in relation to the proposed lease. A notice was published in the Melton & Moorabool Star Weekly on 25 September 2018 with the 'commencing rent' stated as being \$294,364.21.

11 submissions were received during the 28 day period that followed. These are summarised in the table below and attached in full at **Appendix 2**.

	Name	Suburb	Nature of Objection
1	Karen Hickman	Melton	Family has suffered extreme poverty, lack of educational opportunities and severe abuses as a result of gambling. Gambling is connected to alcohol and drug additions and family violence. Included a self-described 'template letter' from 'Pokies Play You' facebook page.
2	Alliance for Gambling Reform	Carlton	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.

	Name	Suburb	Nature of Objection
3	Megan Wells	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
4	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
5	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
6	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
7	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
8	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
9	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
10	<i>Name undecipherable</i>	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.
11	Ian Brett	<i>Not stated</i>	Country Club 'annual losses of about \$6million', Essendon '4 th biggest AFL pokies club'. Essendon is 'a big strong club and can do well without profiting from addictive poker machines'.

No submitters expressed a desire to be heard in person and accordingly, no hearings were required.

With all statutory obligations therefore complete, Council must now make a decision as to the granting or otherwise of the proposed lease.

Of the 11 submissions received from two public notices, only one is known to be from a resident of the municipality. One is from a group based in Carlton and the other nine are from addresses unknown. These submissions all assert harm caused by gambling as the reason that Council ought not grant the proposed lease.

The proposed lease allows gaming by its permitted use.

Council has a Responsible Gambling Policy which aims to minimise the harm of gambling, while establishing a transparent decision-making framework to guide Council's position on gambling related matters, in particular electronic gaming machines (EGM's).

Section 9 of the policy, titled 'Contract Management' deems that the policy is to be considered in relation to any lease or lease renewal and that 'when required' a report be presented to Council. After assessment of the proposed lease vis-à-vis the policy, it is noted relevantly that this venue:

- operates as a member based Club, which is a preferred model for gaming venue operation within the City of Melton;
- is existing and currently operates as a gaming venue;
- is a destination gaming venue; and
- operates from the lowest EGM expenditure base of all seven venues within the City of Melton, despite having among the highest number of gaming machines (Gambling Harms Awareness Week fact sheet).

In consideration of the submissions as against the relevant Council policy, it is recommended that the lease be granted.

The proposed new lease has been drafted to reflect updated leasing practice, is in plain English and includes standard clauses in relation to matters such as alterations and damage insurance, allowable use of premises etc.

The proposed new lease in draft form is attached at **Appendix 1**. Should Council resolve to enter into a new lease with the Lessee, the new lease will be in substantially the same form as that attached.

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 current lease yields \$287,184.62 per annum including GST with an annual CPI increase.

The commencing rent of the proposed lease will see Council receiving \$ 294,364.21 including GST from 1 December 2018 per annum for the initial term of four (4) years.

Legal costs in respect of the lease preparation are estimated to be in the order of \$5,000. The lease is governed by *Retail Leases Act 2003* ("RLA") and therefore, pursuant to section 51 of the RLA, the legal costs associated with the lease preparation cannot be borne by the lessee. The costs are within the recurrent legal budget.

5. Consultation/Public Submissions

The Act requires that for a lease of this nature Council place a public notice in a newspaper circulating in the municipality. Council placed two public notices in respect of this proposed lease. The first on 3 April 2018 in the Melton & Moorabool Star Weekly newspaper. In that public notice the 'commencing rent' was stated as being 'market value (valuation being obtained)'. No objections were received with the 28 day period that followed.

Following receipt of the valuation and given the lapse in time, a further public notice was placed in the same publication on 25 September 2018 with the 'commencing rent' set out as \$294,364.21.

11 submissions were received in total. These are set out in detail above.

6. Risk Analysis

If Council resolves to not enter into a new lease with the Lessee, the existing lease will continue. It is due to expire on 28 February 2022.

7. Options

Council has the option to:

1. Adopt the recommendation as set out.
2. Decide not to proceed with a new lease to the Lessee. Council would then continue to manage the land as part of its broader land portfolio until such time as the lease expires 28 February 2022.

LIST OF APPENDICES

1. Draft lease to Essendon Football Club for the premises known as the Melton Country Club - undated
2. Public Notice Submissions - various dates

12.4 OPTIONS FOR A POSSIBLE SALE OF THE PREMISES KNOWN AS THE MELTON COUNTRY CLUB

Author: Maree Stellini - Legal Officer
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To provide options to Council on the possible sale of the premises known as the Melton Country Club situated at 28 – 30 Reserve Road, Melton.

RECOMMENDATION:

That Council note the report.

Motion

Crs Ramsey/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The purpose of this report is for Council to consider options available to it in respect of a possible sale of the premises known as the Melton Country Club situated at 28 – 30 Reserve Road, Melton (“the premises”).

The premises occupies approximately 1917.54m². The premises forms part of the whole area of land contained in certificate of title volume 9189 folio 074 (“the land”). The total area of the land is 45379m² and includes the Melton Recreation Reserve (“the Reserve”), the Melton Bowling Club and a shared car park.

Accordingly, in order to sell the premises and not the land in its entirety (which is the assumption upon which this report has been written), Council would need to undertake the necessary statutory processes to subdivide the premises from the balance of the land, rezone and potentially change the use.

The premises could then be sold with any current lease (which would necessarily be transferred at the time of sale).

2. Background/Issues

A report was presented to the Ordinary Meeting of Council on 26 March 2018 whereby Council resolved amongst other things to bring back a report to explore the options to sell the premises.

In preparing this report it has therefore been assumed that only the premises be sold, and not the balance of the land upon which the premises is situated.

The premises occupies approximately 1917.54m². The premises forms part of the whole area of land contained in certificate of title volume 9189 folio 074. The total area of the land

is 45379m2 and includes the Reserve, the Melton Bowling Club and a shared car park. A plan of the area is attached at **Appendix 1**.

The premises has been in operation for approximately 30+ years and has been leased to the Essendon Football Club ("EFC") since 29 December 1995. The current lease is due to expire on 28 February 2022. Council is/has also considered a new lease, in replacement of the existing lease, commencing 1 December 2018 for a period of 29 years including options (subject to a separate decision by Council at the report item immediately preceding this report in this agenda).

The premises currently contains a bistro, is a licensed alcohol and gaming venue and is used as a social and recreational club.

In order to sell the premises and not the land in its entirety, Council would need to first undertake the necessary statutory processes to subdivide the premises from the balance of the land, rezone and potentially change the use as explained further below.

Subdivision

If Council is minded to sell the premises it will be necessary to commence the process to subdivide the premises from the balance of the land. Broadly, this will entail:

1. Engaging a licensed land surveyor to identify the boundaries of part of the land in which the premises is situated and to prepare a Plan of Subdivision as well as any other requirements of Council as the Responsible Authority;
2. Once the Plan of Subdivision has been prepared, the land surveyor will be required to lodge a concurrent planning permit application under the *Planning and Environment Act 1987* ("PA Act") and a subdivision certification application under the *Subdivision Act 1988* ("SA Act") with Council;
3. Following receipt of the above, it will be necessary for Officers to undertake the required processes pursuant to the PA Act and SA Act which includes the public notice requirements.
4. Publication of a public notice can be completed by three different methods. The appropriate method will be determined upon assessment however broadly, the three methods are as follows:
 - a. Letters to adjoining land owners allowing minimum 14 days for submissions (Council allows 21 days to receive submissions to allow ample time for service);
 - b. Placement of an A3 notice board at the front of the property for a minimum period of 14 days;
 - c. Placement of a public advertisement in a newspaper that circulates within the municipality.
5. The application will also be required to be referred to external authorities such as utilities service providers;
6. Following the steps set out above, Officers will review and form a view to either support or refuse the subdivision application and present a report to Council with their recommendation for a resolution to be made;
7. Should a decision be made by Council to issue a planning permit for the subdivision, it will first be necessary for Council as the landowner, to comply with all conditions of the permit before the land can be subdivided and separate Certificate of Titles are issued for each lot of the subdivision. This may include undertaking civil works upon advice from various utility service providers to ensure that each lot is connected to all services such as; water, power, gas etc.). Information of which is unknown at this time;

8. Upon compliance with any and all planning permit conditions, the land surveyor will be in a position to submit the necessary documentation with Land Use Victoria;
9. Council will also be required to engage legal representation in order to facilitate the registration of the subdivision application with Land Use Victoria and to secure separate certificate of titles for each lot within the subdivision.

The out of pocket costs of the subdivision stage are broadly estimated at between \$10,000 and \$50,000.

The process to subdivide the premises, is separate and distinct to the statutory process as set out in the *Local Government Act 1989* ("LGA") and discussed further below.

Subsequent to a subdivision, the property can continue to be managed under Council's property portfolio. Officers can then bring back a report to Council for a decision to be made in respect of commencing a sale process noting here however that prior to commencing a sale process, the zoning of the premises will need to be considered.

Rezoning

The entire title has a number of planning zones which apply:

- Public Use - Service and Utility
- Public Park and Recreation Zone
- Environmental Significance Overlay
- Land subject to inundation

The premises is zoned Public Park and Recreation Zone ("PPRZ"). The purpose of the PPRZ is to recognise areas for public recreation and open space, to protect and conserve areas of significance where appropriate, and to provide for commercial uses where appropriate.

If Council is minded to sell the premises then it will be necessary (once the premises has been subdivided as per the steps broadly outlined above) to rezone the premises in order to reflect the intended future operation of the premises. The following is a broad outline of the process that would need to be undertaken in order to rezone the premises:

1. Consultation between Council and the Department for Environment, Land, Water, and Planning ("DELWP") would need to be undertaken by Council Officers to determine the appropriate future zoning of the premises;
2. A draft Planning Scheme Amendment to be prepared and a report to be presented to Council;
3. Council would be required to make a decision in seeking Authorisation from the Minister for Planning to progress with the Planning Scheme Amendment;
4. Should Council receive Authorisation from the Minister for Planning, the amendment would be required to be exhibited in accordance with section 19 of the PA Act calling for submissions;
5. Should no submissions be received, the adoption of the Planning Scheme Amendment can be considered as is;
6. Should submissions be received in respect of the Planning Scheme Amendment, Officers will be required to review and determine whether the submissions are of a nature in which they could be resolved. If it is determined that the submissions cannot be resolved, Council will be required to request that the Minister for Planning establish an independent Planning Panel to consider the unresolved submissions;
7. An independent Planning Panel would be established in order to allow submitters to be heard and their submissions to be considered in detail;

8. Upon conclusion of the independent Planning Panel hearings, a report will be prepared and provided to Council Officers (“the Planning Panel report”). The Planning Panel report will set out a number of recommendations ranging from making adjustments to the Planning Scheme Amendment to abandoning the Planning Scheme Amendment;
9. Officers will then be in a position to provide a report to Council for a decision to be made in respect of the Planning Scheme Amendment;
10. Should Council resolve to adopt the Planning Scheme Amendment this will be submitted to the Minister for Planning for approval.

Should the Minister for Planning approves the Planning Scheme Amendment, notice will be placed in the Government Gazette and the rezoning of the premises will come into effect upon the appropriate gazette dated.

The out of pocket costs of the rezoning stage are broadly estimated at between \$20,000 and \$65,000.

This process is separate and distinct to the sale process as set out in the LGA and discussed further below. Subsequent to a subdivision and rezoning, the property can continue to be managed under Council’s property portfolio.

Change of use pursuant to the Local Government Act 1989

If Council is minded to sell the premises and the land is to be used for a purpose other than what it was originally acquired for or is no longer necessary or desirable being ‘Public Use – Service and Utility and Public Park and Recreation Zone’.

Pursuant to section 192 of the LGA, Council would need to formally resolve it is no longer required for the purpose it was originally acquired, or is no longer necessary or desirable to use the land for such purpose. The following steps would need to be undertaken:

1. A report and subsequent resolution of Council to give public notice of its proposal to use the land for a use other than that for which it was acquired;
2. Publication of a public notice in a newspaper that circulates within the municipality setting out Council’s intention inviting submissions for a 28 day period. Pursuant to Section 223 of the LGA, any person making a submission has the right to be heard in person before the Council or a Committee established for this purpose;
3. Should there be no person whom wishes to be heard in person, Officers will bring back a report to Council for a resolution to be made to formally resolve to change the use of the premises;
4. Should any person be wish to heard in person, they will be provided with the opportunity pursuant to section 223 of the Act;
5. Officers will bring back a report to Council to make a decision whether or not to change the use of the premises.

The out-of-pocket costs of this process are broadly estimated between \$250 - \$500.

This process is separate and distinct to the sale process as set out in the LGA and discussed below.

Sale

If Council is minded to sell the premises, the statutory process pursuant to sections 189 and 223 of the LGA will need to be followed. Broadly the statutory process is as follows:

1. A report and subsequent resolution of Council to give public notice of its proposal to sell the premises
2. Obtain a market valuation of the premises (the valuation must be obtained not more than 6 months prior to the sale)

3. Publication of a public notice in a newspaper that circulates within the municipality setting out Council's intention to sell the premises and inviting submissions for a 28 day period. Pursuant to Section 223 of the LGA, any person making a submission has the right to be heard in person before the Council or a Committee established for this purpose
4. Should there be no person whom wishes to be heard in person, Officers will bring back a report to Council to formally resolve to proceed with a sale or not
5. Should any person wish to be heard in person, they will be provided with the opportunity pursuant to section 223 of the Act
6. A report and subsequent resolution of Council to resolve to sell the premises.

The out-of-pocket costs of the sale including valuation are broadly estimated between \$10,000 and \$25,000.

Any submissions received must be considered when making a final decision on the proposed sale.

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 current lease yields \$287,184.62 per annum including GST and includes an annual CPI increase. If Council are likely to enter into a new lease with EFC the commencing rent as of 1 January 2019 will be \$294,364.21 including GST. By selling the premises, Council will forego the consistent yearly income.

The costs of each different process are set out above.

Further costs may be incurred depending on the method of sale chosen by Council and whether this requires the intervention of a licensed real estate agent. Should Council resolve to sell the premises by way of a public auction, requiring the services of a licensed real estate agent; then it is likely that further increased costs will be incurred. The licensed real agent's fees will include marketing and administration expenses and commission that is likely to be a percentage of the sale price. It is therefore difficult for Officers to estimate the likely costs to be incurred at this time.

5. Consultation/Public Submissions

Public consultation is required in relation to every process as set out above.

6. Risk Analysis

By selling the premises, Council will forego the consistent yearly income that the current lease yields and will be disposing of a piece of real estate that is likely to appreciate over time.

Depending upon the method of sale, Council may have little to no control over the purchaser and the future use of the premises.

7. Options

1. Adopt the recommendation as set out; or
2. Officers bring back a report to commence the relevant statutory process to subdivide and rezone the premises (as well as change the use) and in due course to sell the premises.

LIST OF APPENDICES

1. Map of 28 - 30 Reserve Road, Melton - undated

Items 12.16 and 12.17 were moved to immediately after Item 12.4 in the Agenda pursuant to an earlier resolution.

12.16 PLANNING APPLICATION PA 2017/5872/1 - DEVELOPMENT OF THE LAND WITH 10 DOUBLE-STOREY DWELLINGS AT 8 JOAN STREET, MELTON

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

PURPOSE OF REPORT

To enable Council to determine its position on this application which is subject to a failure appeal which is scheduled for consideration by VCAT on 8 February 2019.

RECOMMENDATION:

That Council advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6** of this report.

Motion

Crs Ramsey/De Santis.

That Council advise VCAT, the permit applicant and objector that it would have issued a Notice of Refusal for Planning Application PA2017/5872 for the development of land with ten double-storey dwellings at 8 Joan Street, Melton on the following grounds:

1. The scale and intensity of the proposal is considered to be out of character with the surrounding area particularly the minimal separation between buildings, and development is being squeezed onto the site which is symptomatic of an overdevelopment.
2. The proposal does not satisfactorily address the objectives and standards of ResCode pursuant to Clause 55 of the Melton Planning Scheme, with respect to neighbourhood character, dwelling diversity, side and rear setbacks and overlooking.
3. The proposal will set a precedent for similar inappropriate residential development on other lots in the area.

CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Richmond Bridge Investment Pty Ltd
Proposal:	10 double storey dwellings

Existing Land Use:	Existing single storey dwelling
Zone:	Residential Growth
Overlays:	Nil
Number of Objections:	One
Key Planning Issues:	Strategic justification Adequacy of on-site car parking Respect for Neighbourhood Character Off-site amenity impacts Objector concerns
Recommendation:	Advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to conditions.

The Land and Surrounding Area

The subject site has an area of 1,619m² and is located on the east side of Joan Street in Melton. Other features of the site are as follows:

- The site is regular in shape.
- It contains an existing single storey dwelling located near the front of the site.
- An existing drainage and sewerage easement is located at the centre of the site.

The surrounding area can be characterised as predominantly residential with single dwellings on each lot. Approximately 250m north east of the site is Melton Town Centre shopping strip located on High Street and the Woodgrove Shopping Centre is approximately 1km west of the site.

It should be noted that Council has previously refused planning applications for a 10 dwelling development at 6 Joan Street, and an 18 dwelling development at 17 Joan Street. Both of these applications are listed for appeal hearings at VCAT early in 2019.

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

The Application

The application proposes the development of ten double-storey dwellings.

The proposed development is summarised as follows:

- The existing dwelling is to be demolished and replaced with the proposed dwellings.
- Nine dwellings each containing two bedrooms and a single garage.
- One dwelling containing four bedrooms and a double garage.
- The dwellings have a contemporary design with a range of external wall materials including brick and colorbond cladding.
- All dwellings will be accessed from one shared crossover off Joan Street.
- Two visitor car spaces.
- 9 trees located on-site will be removed.
- A 1.5m high steel picket front fence with an angled 1.2m brick front fence on the western property boundary.

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

Planning Controls

Zone	(Clause 32.07 – Residential Growth Zone)	Permit required to construct two or more dwellings on a lot.
Particular Provisions	(Clause 52.06 – Car Parking)	Two car spaces are required for each three bedroom dwelling and one car space for each two bedroom dwelling. One visitor car space is also required for every five dwellings. A total of 13 car spaces are required and provided.

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

Clause 55 – ResCode

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

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

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

House Rules - Housing Character Assessment & Design Guidelines

The Housing Character Assessment & Design Guidelines as adopted at the Ordinary Meeting of Council on 13 October 2015. The site is located within the (Garden Suburban 2 (GS2) character area). The essential components of the (GS2) which need to be maintained into the future are:

- Front gardens are visible from the street, forming part of the street landscape.
- Front setback retained, and the majority of it used as permeable garden landscape.
- The impression of separation between buildings from the streetscape.

The preferred Character Statement requires that as change occurs, space will be provided for more tree planting, so these areas can become greener and leafier, by:

- providing for a canopy a tree on the site.
- minimising interruption of nature strips by driveways, so that regularly-spaced street tree avenues can be planted or retained.

Built form intensity will be greatest close to commercial areas.

The preferred housing types of Melton's GS2 area are:

- Dual occupancy
- Villa units
- Duplex
- Apartment.

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 one objection was received.

The grounds of objection may be summarised as follows:

- Loss of on-street car parking, and increase in parking demand and safety issues created with additional traffic.
- Local road network cannot accommodate additional traffic.
- Inconsistency with the existing neighbourhood character.
- Waste collection.
- Impact on sewerage and drainage infrastructure.
- Dwelling density.
- Increased noise.

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

Referral of the application

The application was referred to Engineering Services, City Design Unit and Waste Services for comment and advice. A complete list of responses is included in **Appendix 5**. Of particular note is the City Design comments which relate to separation between dwellings, walls on boundary, visual bulk, form and appearance of the development have satisfactorily been addressed in the submitted amended plans dated 19 April 2018.

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

The land is zoned Residential Growth and in principle, is apt for an intensification of residential development. The proposal meets the overarching objectives of housing policies within the PPF and LPPF as it would provide for urban consolidation in an area which has good access to local services and facilities. State policy objectives also include encouraging development that improves housing choice and accommodates future housing needs. In terms of strategic location, the subject site is appropriately located for infill residential

development given the size, its zoning, proximity to public transport, public open spaces and community infrastructure.

Neighbourhood Character

The aspects of neighbourhood character which are of particular note relate to detached single storey dwellings with single driveways on generous lots predominantly ranging from 500m² to 2,000m², the sense of spaciousness, the generous landscaped front setbacks ranging from 5m to 22m, low front fences or absence of front fences, separation between dwellings and “backyard scape” mainly comprising open space, vegetation and smaller outbuildings. The dwellings are predominantly constructed of brick veneer with gable or hipped roofs, clad in tiles.

It is recognized that the existing neighbourhood character will be subject to substantial change over time given the site is located within the Residential Growth Zone where a greater density of residential development is anticipated than other residential zones. The Residential Growth Zone allows provision of housing at increased densities in buildings up to and including four storeys.

The objector is concerned that the proposal represents an overdevelopment and that this overdevelopment will adversely affect neighbourhood character. It is considered that the scale of the development is appropriate within this strategic location, being in the Residential Growth Zone, where increased density and change in residential character is supported by relevant policy of the Melton Planning Scheme. The proposed development is also consistent with the approved development at 10 Joan Street, Melton which allows construction of 10 double storey dwellings.

The proposal generally complies with the guidelines for the Garden Suburban 2 (GS2) character area under Council’s Housing Character Assessment and Design Guidelines and the ResCode requirements subject to conditions. The proposal will complement the emerging character as supported under the zone.

Off-site amenity impacts

The objector is concerned about the increase in noise from future residents and traffic generated by the proposed development. Whilst noise issues can arise as a result of development, the noise generated will be residential in nature and not unreasonable in a residential area.

Car parking and Traffic

Provision of car parking for each dwelling complies with the requirement of Clause 52.06 of the Melton Planning Scheme.

The proposal provides two visitor car spaces as required by Clause 52.06 of the Melton Planning Scheme.

The objector has expressed concern regarding traffic congestion, off-street impacts and safety impacts due to increase in traffic volumes as a result of the development. It is considered that the local road network can accommodate the anticipated increase in traffic that will be generated by the proposal.

Impact of development on existing trees on-site and adjoining properties

An arborist report prepared by Arbor Solutions Pty Ltd has been submitted with the application. The arborist report recommends consideration of the Tree Protection Zone (TPZ) of trees on the adjoining properties, removal of trees with poor or fair structure and removal of trees where it is not practical to retain if a high density development is proposed. Given the intensity of the development no existing trees will be retained however the proposed landscaping includes canopy trees.

The encroachment of the development into the TPZ of one existing tree (Tree 7) located at 6 Joan Street, Melton on the adjoining property is considered minor and is unlikely to impact on the health and vitality of the tree. However it is noted that all trees located at 6 Joan Street are proposed to be removed as part of a current application to allow construction of

ten dwellings.

The arborist report concludes that the development will not negatively impact the existing trees on the adjoining properties subject to the recommendations in the arboricultural report being undertaken.

6. Options

Council can either advise VCAT, the permit applicant and the objector that it would have supported the application by issuing a Notice of Decision to Grant a Permit or not supported the proposal by issuing a Notice of Refusal.

7. Conclusion

The application has been assessed against the Planning Policy Framework, Local Planning Policy Framework, Zone 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 Council advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to conditions outlined in **Appendix 6**.

LIST OF APPENDICES

1. Locality Plan - dated 4 July 2018
2. Plans for the Proposal - dated 19 April 2018
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Proposed Conditions - undated

12.17 PLANNING APPLICATION PA 2018/6320/1 - DEVELOPMENT OF THE LAND WITH FOUR DOUBLE - STOREY DWELLINGS AT 16 ROSINA DRIVE, MELTON

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

PURPOSE OF REPORT

To consider and determine the above planning application.

RECOMMENDATION:

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

Motion

Crs Ramsey/De Santis.

That Council issue a Notice of Refusal for Planning Application PA2018/6320 for the development of land with four double-storey dwellings at 16 Rosina Drive, Melton on the following grounds:

1. The scale and intensity of the proposal is considered to be out of character with the surrounding area particularly the minimal separation between buildings, and the overall built form and visual bulk which presents the impression that the development is being squeezed onto the site which is symptomatic of an overdevelopment.
2. The proposal does not satisfactorily address the objectives and standards of ResCode pursuant to Clause 55 of the Melton Planning Scheme, with respect to neighbourhood character, dwelling diversity, side and rear setbacks and overlooking.
3. The proposal will set a precedent for similar inappropriate residential development on other lots in the area.

CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Trajcevski Betti
Proposal:	4 double storey dwellings
Existing Land Use:	Existing single Storey dwelling
Zone:	Residential Growth
Overlays:	Nil
Number of Objections:	25
Key Planning Issues:	Strategic justification

	Adequacy of on-site car parking Respect for Neighbourhood Character Off-site amenity impacts Objector concerns
Recommendation:	Support planning application

The Land and Surrounding Area

The subject site has an area of 629.46m² and is located on the south side of Rosina Drive in Melton. Other features of the site are as follows:

- The site is regular in shape.
- It contains an existing single storey dwelling located near the front of the site.
- An existing drainage and sewerage easement adjoins the rear boundary.

The surrounding area can be characterised as predominantly residential with single dwellings on each lot. The subject site is located approximately 450m east of Woodgrove Shopping Centre.

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

The Application

The application proposes the development of four double storey dwellings.

The proposed development is summarised as follows:

- The existing dwelling is to be demolished and replaced with the proposed dwellings which will be staggered down the site.
- Each dwelling contains two bedrooms and a single car garage.
- The dwellings have a contemporary design with a range of external wall materials including scyon matrix finish, brick and render, with concrete tiled roofs.
- All dwellings will be accessed from one shared crossover and driveway adjacent to the western boundary of the site.

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

Planning Controls

Zone	(Clause 32.07 – Residential Growth Zone)	Permit required to construct two or more dwellings on a lot.
Particular Provisions	(Clause 52.06 – Car Parking)	Two car spaces are required for each three bedroom dwelling and one car space for each two bedroom dwelling. A total of four spaces are required and provided.

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

Clause 55 – ResCode

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

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

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

House Rules - Housing Character Assessment & Design Guidelines

The Housing Character Assessment & Design Guidelines as adopted at the Ordinary Meeting of Council on 13 October 2015. The site is located within the (Garden Suburban 2 (GS2) character area). The essential components of the (GS2) which need to be maintained into the future are:

- Front gardens are visible from the street, forming part of the street landscape.
- Front setback retained, and the majority of it used as permeable garden landscape.
- The impression of separation between buildings from the streetscape.
- Garage and carports occupy a minor portion of the dwelling frontage.

The preferred Character Statement requires that as change occurs, space will be provided for more tree planting, so these areas can become greener and leafier, by:

- providing for a canopy tree on the site.
- minimising interruption of nature strips by driveways, so that regularly-spaced street tree avenues can be planted or retained.

Built form intensity will be greatest close to commercial areas.

The preferred housing types of Melton's GS2 area are:

- Dual occupancy
- Villa units
- Duplex
- Apartment.

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 25 objections were received.

The grounds of objection may be summarised as follows:

- Overlooking.
- Loss of privacy.
- Loss of on-street car parking, and increase in parking demand and safety issues created with additional traffic.
- Local road network cannot accommodate additional traffic.
- Inconsistency with the existing neighbourhood character.
- Dwelling density/overdevelopment.
- Increased noise.
- Loss of daylight
- Overshadowing.
- Litter during construction.
- Development will set a precedent.
- Property devaluation.
- Loss of security.
- Collection of waste bins.

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

Referral of the application

The application was referred to Engineering Services and Waste Services for comment and advice. A complete list of responses is included in **Appendix 5**.

5. Issues

Planning Assessment

Strategic Assessment

The land is zoned Residential Growth and in principle, is apt for an intensification of residential development. The proposal meets the overarching objectives of housing policies within the PPF and LPPF as it would provide for urban consolidation in an area which has good access to local services and facilities. State policy objectives also include encouraging development that improves housing choice and accommodates future housing needs. In terms of strategic location, the subject site is appropriately located for infill residential development given the size, its zoning, proximity to public transport, public open spaces and community infrastructure.

Neighbourhood Character

The aspects of neighbourhood character which are of particular note relate to detached single storey dwellings with single driveways on generous lots predominantly ranging from 400m² to 1000m², the sense of spaciousness, the generous landscaped front setbacks ranging from 6m to 9m, low front fences or absence of front fences, separation between dwellings and “backyard scape” mainly comprising open space, vegetation and smaller outbuildings. The dwellings are predominantly constructed of brick veneer with gable or hipped roofs, clad in tiles.

It is recognized that the existing neighbourhood character will be subject to substantial change over time given the site is located within the Residential Growth Zone where a greater density of residential development is anticipated than other residential zones. The Residential Growth Zone allows provision of housing at increased densities in buildings up to and including four storeys.

Objectors are concerned that the proposal represents an overdevelopment and that this

overdevelopment will adversely affect neighbourhood character. It is considered that the scale of the development is appropriate within this strategic location, being the Residential Growth Zone, where increased density and change in residential character is supported by relevant policy of the Melton Planning Scheme.

The proposal generally complies with the guidelines for the Garden Suburban 2 (GS2) character area under Council's Housing Character Assessment and Design Guidelines and the Rescode requirements subject to conditions. The proposal will complement the emerging character as supported under the zone.

Off-site amenity impacts

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

Objectors are concerned about the increase in noise from future residents and traffic generated by the proposed development. Whilst noise issues can arise as result of development, the noise generated will be residential in nature and not unreasonable in a residential area.

Car parking and Traffic

Provision of car parking for each dwelling complies with the requirement of Clause 52.06 of the Melton Planning Scheme. No visitor car parking is required for the proposed development.

Residents have expressed concern regarding traffic congestion, off-street impacts and safety impacts due to increase in traffic volumes as result of the development. It is considered that the local road network can accommodate the anticipated increase in traffic that will be generated by the proposal.

6. Options

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

7. Conclusion

The application has been assessed against the Planning Policy Framework, Local Planning Policy Framework, Zone 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 20 November 2018
2. Plans for the Proposal - dated September 2018
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Proposed Conditions - undated

12.5 RESPONSE TO NOTICE OF MOTION 564 (CR ABBOUSHI) - FOOD ORGANICS RECOVERY SERVICE

Author: Les Stokes - Manager Operations
Presenter: Les Stokes - Manager Operations

PURPOSE OF REPORT

To respond to Notice of Motion 564 (Cr Abboushi) in relation to exploring options for the introduction of a food scrap recovery service for City of Melton residents.

RECOMMENDATION:

That Council:

1. Implement the recovery of food organics in the residential green waste collection service from 1 July 2020
2. Retain the residential green organics collection service as an 'opt in' service.
3. Retain the frequency of collection for the residential green organics service as a fortnightly service and general waste as weekly.

Motion

Crs Majdlik/Ramsey.

That Council:

1. Implement the recovery of food organics in the residential green waste collection service from 1 July 2020
2. Retain the residential green organics collection service as an 'opt in' service.
3. Retain the frequency of collection for the residential green organics service as a fortnightly service and general waste as weekly.
4. Undertake public consultation during 2019 to socialise any changes with the community.

CARRIED

REPORT

1. Executive Summary

The introduction of a food organics recovery service via the use of household green waste bins delivers on Council environmental policy direction and aligns strongly with State Government objectives. There is strong support for and uptake of food organics recovery across Victoria and Metropolitan Melbourne.

The introduction of a quality, well understood and cost effective food organics recovery service for Melton residents is achievable by 1 July 2020.

2. Background/Issues

At the Ordinary Meeting of Council on 28 May 2018, Notice of Motion 564 (Cr Abboushi) was considered and Council resolved the following:

That Council Officers explore options to introduce a food scrap recycling service for City of Melton residents and report to Council.

In October 2016, the Metropolitan Waste and Resource Recovery Group (MWRRG) released the Metropolitan Waste and Resource Recovery Implementation Plan. This Plan sets the strategic direction for waste management in Metropolitan Melbourne, aligning with State and Federal Policy for waste management and resource recovery and seeks to;

1. Reduce waste sent to landfill.
2. Increase organic waste recovered.
3. Deliver community, environmental and economic benefits.
4. Plan for Melbourne's growing population.

The Metropolitan Waste and Resource Recovery Implementation Plan indicates that councils in Metropolitan Melbourne send approximately 878,000 tonnes of municipal solid waste to landfill, of this, 36 per cent (386,320 tonnes) is food waste.

Sustainability Victoria and the MWRRG have identified "FOGO Services" (the service of collecting food waste in the residential organics (green waste) bin, as an opportunity to realise all four strategic objectives. This report provides a high level summary of the benefits and risks associated with this implementing service.

Environmental Benefits

There are a number of environmental impacts of sending food waste to landfill. Organic waste that is decomposed in the anaerobic conditions of a landfill produces methane, a potent greenhouse gas with at least 25 times stronger global warming potential than carbon dioxide.

Most landfills serving metropolitan Melbourne collect some landfill gas, but only 30-50% of emissions from food organics are likely to be captured at landfills, with the balance emitted to the atmosphere. It is therefore preferable to process organic material either via an aerobic process such as composting or under controlled anaerobic conditions so that the methane is captured.

The prioritisation of organics recovery is therefore one of the most effective measures for reducing greenhouse gas emissions, and represents opportunity for Council to meet its targets as outlined in Council's Environment Plan, Take 2 Pledge and Global Covenant of Mayors Agreement.

Organics Recovery Options

The simplest and easiest way to recover organics from the municipal solid waste stream is one of the following:

1. Home composting
2. Worm farming
3. The introduction of a food organics recovery service (FOGO)

Council undertakes a range of programs and activities to encourage composting and worm farming in the home. There is however low take up of these options in our municipality, with many residents perceiving these options as unviable or time consuming.

In the coming months, Officers will look to survey residents on these options and will look to introduce new initiatives to encourage uptake. In the interim, this report looks to explore the viability of food organics recovery services via the kerbside organics service.

Current Services

City of Melton Residents “opt in” to one of the following kerbside collection option:

Option	Waste (red lid)	Recycle (yellow lid)	Organics (green lid)	Cost (18/19)
A	120L	240L	240L	\$335.00
B	80L	240L	240L	\$298.00
C	120L	240L	120L	\$287.00
D	80L	240L	120L	\$250.00
E	120L	240L	none	\$238.00
F	80L	240L	none	\$205.00

Services are currently performed:

- Weekly for waste collections
- Fortnightly for recycling collections, and
- Fortnightly for organics collections

Rates data (as at 31 August 2018) confirmed 31,302 residents have opted for an organics bin (green lid), representing more than 60 per cent of all residential properties.

Waste Volumes

According to the MWRRG Implantation Plan, approximately 40 per cent of the contents of the garbage (red lid) bin contains food waste, and the recovery of organics from the municipal waste stream therefore represents a sizeable opportunity to reduce waste to landfill

Based on the City of Melton tonnage data from 2017/2018, Officers estimate that City of Melton residents disposed of 10,500 tonnes of food waste at Melbourne Regional Landfill, the equivalent of approximately 1,200 waste collection trucks.

With 60% of residents currently paying for an organics bin, the opportunity to increase resource recovery through the introduction of a food organics recovery service appears to be a potentially viable and relatively simple option.

FOGO in Other Councils

The following Councils have already implemented kerbside organics recovery services:

- Bass Coast
- Benalla
- Colac Otway
- Corangamite
- East Gippsland
- Glen Eira
- Greater Bendigo
- Greater Shepparton
- Hume (fruit and vegetable only)
- Indigo
- Moira
- Moonee Valley
- Moyne
- Nillumbik
- Southern Grampians
- Strathbogie
- Wangaratta
- Wodonga
- Wyndham (fruit and vegetable only)

The following Councils are currently undertaking trials in pockets of their municipalities, with a view to rolling out the services municipal wide:

- Darebin
- Surf Coast
- Yarra City
- Warrnambool

The following Councils have plans to implement FOGO services within the next 12 months:

- Boroondara
- Brimbank (currently considering service options)
- Hobsons Bay
- Maroondah
- Whitehorse.

Section 5 of this report discusses consultation and community engagement on the topic of FOGO carried by the MWRRG and specific feedback obtained from Melton Residents at the 2018 Djerriwarrh Festival.

Lessons Learnt from FOGO implementation

There are numerous studies and reports reviewing the implementation of FOGO in Australia. The following have been reviewed by Council Officers in order to determine and recommend a FOGO model that will suit the City of Melton.

- In 2017, MWRRG commissioned Swinburne University to undertake qualitative research on the experiences of interstate councils providing a FOGO service. From 49 identified councils, detailed interviews were conducted with officers from 12 Councils from across Australia as well as Moira Shire Council in regional Victoria.
- The rollout of services in South Australia (SA) arose from a major pilot study undertaken by Zero Waste South Australia in 2009-10. The study was conducted over 12 months and involved 17,000 households across 10 municipalities. Many subsequent services have been informed by these trials.
- Metropolitan councils in SA are constrained by legislation that mandates a weekly residual service and this has led to the adoption of a fortnightly organics service. This legislation was implemented following adverse public reaction to the reduction of garbage bin services from weekly to fortnightly in two council areas following their FOGO trial.
- In addition to service configuration, the research and interviews explored a full range of service considerations including designing an education and engagement program both pre and post introduction of a FOGO service, supply of caddies and compostable bags/liners, and overcoming barriers and challenges including problematic waste such as nappies.
- The City of Wodonga and Indigo Shire in the North East region of Victoria began a three bin system to collect food and organic waste in 2012 with the support of funding from Sustainability Victoria. A final milestone report was published in 2016.
- In 2017, the Goulburn Valley Waste and Resource Recovery Group published its report on garden and food waste collection by Moira, Strathbogie and Mitchell from 2012 In 2018.
- Barwon South West Waste and Resource Recovery Group commissioned Blue Environment to review the experiences of Victorian and interstate councils in introducing FOGO services.

Factors found to influence performance of a FOGO service are:

1. Whether the FOGO model is a universal or voluntary opt-in service

Universal services generally have higher diversion and recovery rates, although levels of food diversion per household are determined by other factors such as garbage collection frequency and bin sizes.

2. Whether the organics bin should be collected weekly or fortnightly

Fortnightly garbage services promote food and garden organics diversion and increased commingled recycling. The best performing systems coupled this with a weekly FOGO service and in doing so, achieved diversion from landfill of 30-50 per cent by weight. By contrast, the best performing councils with weekly garbage and fortnightly FOGO have only reduced landfilled garbage by 20-25 per cent by weight.

Some councils have had strong community opposition to moving to a fortnightly garbage service, but most have found that this manageable if a weekly FOGO service is provided.

3. The effectiveness and intensity of community engagement programs

Effective community engagement is essential to the success of a FOGO service. Getting households to divert food waste is a significant behaviour change for most people. Some residents (20-30 per cent) will initially feel that they do not need a FOGO service because they 'don't produce much food waste' or 'compost everything at home'. However, once FOGO services are introduced they are typically popular and supported by 80-85 per cent of the community.

Most households are familiar with and supportive of commingled recycling, and effective promotion of FOGO has achieved impressive levels of diversion.

4. Whether kitchen caddies and compostable bags/liners make a significant difference to on-going participation in food waste diversion.

Kitchen caddies and compostable bags/liners have been provided by some Councils as a way of supporting residents with the changes in service. This can be costly for Councils, however some have chosen to implement these options for the first six to 12 months and then require residents to purchase them if they wish to keep using them.

Compostable bags/liners can only be used if the FOGO processor can manage them, and unfortunately this is not an option for City of Melton residents as Veolia Environmental is unable to breakdown the compostable bags in the current maturation process.

Veolia has proposed the use of newspaper or paper towel instead of compostable bags, and Council would need to consider its education strategy to ensure levels of contamination (in particular – bags) are kept out of the organics collection service.

5. Whether the restriction of certain foods will impact participation rates

Some Councils have chosen to restrict certain foods from their FOGO Services as a way of 'easing into the service'. Negative perceptions around odour and mess are a factor to be considered, and some Councils have chosen to implement fruit and vegetable scraps only as a way of starting their FOGO services.

This can however lead to confusion and lower uptake of service, and Councils who have implemented this option have plans to extend their organics recovery options once their community are on board.

Given a FOGO service is a new option to Melton Residents it is recommended at the nature of the kerbside organics collection service remain as a fortnightly collection and an "opt in" service post implementation, with Officers to report back on the findings of the community

engagement session prior to the commencement. Thereafter any operational decisions, initiatives or solutions to manage and encourage take up of the service will be determined by Officers in line with the recurrent operational budget.

It should be noted that Council Officers are about to commence work on the development of Council's Waste Strategy, this development will include formal engagement with Councillors and the Community, possibly through a reference group, this group would also receive updates on the implementation of the FOGO service. A report will be provided to the February 2019 Ordinary Meeting of Council regarding this strategy development.

Whilst the feedback summarised in Section 5 appears positive, it is important that any change in service be adequately planned to minimise risks and operational challenges.

Some of the risks and challenges that will need to be managed are:

- lack of community awareness and understanding of the FOGO service and how to use it correctly
- high levels of bin contamination resulting in rejected loads at the composting facility and/or reduced compost quality
- resistance to having a FOGO service and having to pay for it through rates
- nuisance factors (vermin, pests, odour) deterring people from taking up and/or maintaining a FOGO service

The long term benefits of a FOGO service will far outweigh any interim operational challenges whilst the service is being implemented. The introduction of a FOGO service presents Council with a significant opportunity to meet the commitments of the Climate Change Act, with clear alignment to Council's Environment Plan, the Global Covenant of Mayors Agreement and Take 2 Pledge.

Adequate planning and extensive community engagement will enable Officers to mitigate the associated risks, and it is therefore recommended that Council agree to implement FOGO from 1 July 2020. This will enable Officers a 12 month period from the commencement date of Contract No. 18/013 – Provision of Waste Collection Services, for sufficient planning and engagement with the community prior to its implementation.

Resources will be required for the implementation of FOGO services for a minimum of 12 months (6 months pre and post commencement of FOGO) with a view to conducting a FOGO specific survey and campaign in the lead up, followed by a period of support for residents and supervision of contamination post roll out.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

2.4 A City growing and developing sustainably.

4. Financial Considerations

The City of Melton currently disposes of its kerbside waste at the Melbourne Regional Landfill (Ravenhall) currently operated by Cleanaway. The rate of disposal is guaranteed via a Landfill Services Deed of Agreement, which expires in 2021. The rates applied by Cleanaway were secured under a competitive tender and are unlikely to change until the expiry of the deed.

The rate of disposal is however subject to the State Government Landfill levy (currently \$64.30 per tonne). This levy is reviewed and increased annually, with minimal notice

provided to Council. This risk needs to be noted by Council, as it is predicted that landfill levies will significantly increase at the expiry of this deed, as there are limited disposal options available to Councils.

The City of Melton currently processes its kerbside green waste through in-vessel composting technology at Veolia Environmental (Bulla). The rates for processing is guaranteed under an Organics Processing Deed of Agreement (tailored for North West Councils), which currently expires in 2036. The rates applied by Veolia were secured under a competitive tender and will remain until the end of the agreement (subject to CPI).

The current agreement with Veolia provides options for Council to process food with green waste, and many Councils have already enacted this option with Veolia.

When considering the viability of the food organics recovery service, the cost of processing needs to be considered, however as indicated above, the cost of processing organics through the Veolia composting facility vs the Melbourne Regional Landfill offers current savings of approximately \$10 per tonne.

Based on the 2017/2018 data, Officers estimate a potential savings in disposal costs through an organics collection service of approximately \$100,000 per annum.

It should be noted that the organics collection services tender under Contract 18/013 have included the provision of food organics, therefore there will be no increase in collection fees should council support the introduction of this service.

5. Consultation/Public Submissions

In May 2017 MWRRG commissioned social research to explore the likely success factors for introducing a FOGO service into metropolitan Melbourne. The research focused on four south eastern municipalities (Monash, Glen Eira, Frankston and Bayside) who had expressed interest in exploring a FOGO service.

The key objectives of the research were to:

- establish the appeal of a FOGO service
- explore optimal service designs for the service rollout
- understand barriers/concerns and motivations to participate in the FOGO service
- understand the impact of supporting tools on the successful implementation of the FOGO service
- explore the most appropriate messaging and terminology to use to ensure optimal understanding of the service.

Based on their behaviours and attitudes survey respondents broadly fell within four segments:

- 28 per cent “FOGO Lovers”: This segment loved the FOGO concept, would be likely to use a FOGO service and appeared unlikely to contaminate it. This group would be the easiest to manage and could become advocates for the FOGO service.
- 40 per cent “FOGO’s OK”: The biggest segment, this group liked the concept and were likely to use the service. This group is a key demographic as they are less likely to already use some kind of home based solution compared to the FOGO lovers. However, this segment may contaminate based on their current reported experiences with the recycling bin. Engagement, education and support would be critical for appealing to this group to ensure success of the service.
- 22 per cent “Non Food Recyclers”: This group disliked the FOGO concept and said they would be unlikely to use the service. This is the segment most likely to resist the

concept of a FOGO service and respond negatively. Education and enforcement would be required to manage this segment of the community.

- 10 per cent “Composters”: This group reported being unlikely to use the service because they were happy with the food recycling systems they had in place. This segment would be unlikely to contaminate the FOGO bin. Although this segment reported they were unlikely to participate, there are opportunities to promote FOGO as a service that will allow them to recycle the food scraps they would be unlikely to place in a worm farm or compost heap such as citrus, meat scraps etc.

Based on analysis of feedback and findings, the social research made the following recommendations:

- Roll out of a universal FOGO as a weekly collection
- Maintenance of a weekly general garbage waste collection
- Kitchen caddies provided as optional
- Compostable bags universally provided by council
- Communicate the benefits of FOGO to the community

Feedback from City of Melton Residents

Officers acknowledge that the demographics in the City of Melton may differ from the demographics in the South East, and any changes would require strong community support. At the recent Djerriwarrh Festival held on Saturday 10th November 2018, Officers surveyed 102 residents to understand their opinions with respect to FOGO Services, a summary of the results is below;

- Feedback from the public was positive
- When asked if residents would use a FOGO service, 99 out of 102 residents confirmed they would use the service if it were introduced.
- A total of 3 residents confirmed they would not use FOGO services. Their reasons being due to already composting at home (rural home owners).
- 99 per cent of residents felt a voluntary “Opt-in” service would be suitable for the City of Melton
- Most residents felt the service would need to be free to ensure sufficient uptake

6. Risk Analysis

Should Council chose not to implement FOGO it has the potential of effecting its ability to the meet its commitments under the Environment Plan, the Global Covenant of Mayors Agreement and Take 2 Pledge.

The implementation of a FOGO service as recommended, i.e. “opt in” with no change to current waste service schedules, is unlikely to receive adverse reaction from the community.

7. Options

Council could chose not to implement a FOGO service.

LIST OF APPENDICES

Nil

12.6 RESPONSE TO NOTICE OF MOTION 581 (CR KESIC) - INVESTIGATION INTO COST TO LAUNCH THE CITY OF MELTON MONTHLY MAGAZINE, INCLUDING PRINTING AND DISTRIBUTION TO OUR RESIDENTS

Author: Elissa Haley - Coordinator Communications
Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To respond to Notice of Motion 581 to investigate and prepare a report on how much it would cost to launch the City of Melton monthly magazine, its printing and distribution to residents.

RECOMMENDATION:

That Council:

1. Note the costs to produce a monthly newsletter.
2. Develop a whole of City of Melton Communications Plan that:
 - a. outlines an evidence-based framework by which Melton City Council will keep its residents informed of matters that affect them and interest them, via the channels and frequency they most prefer.
 - b. articulates the full suite of Council's mainstream communication channels inclusive of print, electronic and online and recommended editorial approach.
3. Be presented with the Communication Plan for consideration.
4. Remains with the current communications approach and newsletter format pending the development and consideration of an evidence-based Communication Plan.

Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Hard copy community newsletters have been an important channel in Council's communication approach and this report responds to the Notice of Motion 581 by detailing the costs of introducing a monthly community newsletter. However, the report also notes the importance of considering this channel and any further investment in the context of an overall communication program informed by a robust evidence base.

Melton City Council has a number of mainstream communications channels including:

- Council's corporate website and sub-sites
- 12 social media accounts, including corporate Facebook page with 11,000 followers
- Weekly media releases

- *Moving Ahead* community newsletter - 1 x municipal wide and one tailored to a specific ward per year.
- Fortnightly *Moving Ahead* community news full page ad, including Mayor's message and Ward Talk, in the *Melton and Moorabool and Brimbank and North West Star Weekly*
- Annual rates brochure
- Annual waste and recycling guide
- Key corporate publications including the Annual Report
- *Positive Ageing* newsletter distributed three times a year through specific program areas
- Electronic newsletters for specific program areas including Economic Development, Community Capacity, Recreation and Major Developments
- Paid print and online advertising
- Direct mail
- Marketing material for programs, events and services including direct mail outs

This communications approach has evolved with the increasing emergence of online and social media communication channels. While there are measures of success for respective communications channels, there is currently no overarching strategy that underpins Council's communications approach. Before any further investment is determined for specific communication channels, it is recommended that Council review its communications approach and develop an evidence based integrated and tailored communications program informed by community research that:

- Provides residents with the information they most want in the format and frequency they want to receive it
- Aligns editorial across mainstream channels and tailors information to specific communities
- Provides the right information in the right channel in consideration of demographic preferences
- Profiles Melton City Council events, activities, services and advocacy campaigns/achievements
- Embeds a planning framework to proactively plan communications
- Maintains a regular program of evaluation to ensure planned approaches are evidence based.

2. Background/Issues

Council has distributed a printed newsletter to all households for over 15 years.

In 2016, Council officers undertook a review of the *Moving Ahead* community newsletter.

Prior to 2014, *Moving Ahead* was produced quarterly each year as a 20 page hardcopy magazine that was distributed to households and businesses via Australia Post. After an internal review in 2014, *Moving Ahead* was reduced to three issues per year, two delivered in hardcopy and one delivered electronically via Council's website, promoted via direct mail out (rates notice insert) and Facebook.

In May 2016, Council conducted a Household Survey which included a question about how residents preferred to receive information from Council.

Comparison with the Household Survey completed in 2014 showed significant variations in preferred communication methods across the board, with the highest shifts occurring in direct mail (down 16.2 per cent), social media (up 16.3 per cent) and *Moving Ahead* (down 13.1 per cent).

CHANNEL	2014	2016	VARIANCE
Direct Mail	47.5%	31.3%	-16.2%
Social Media	10.3%	26.6%	+16.3%
Moving Ahead	38.5%	25.4%	-13.1%

These responses showed a clear swing away from in-house print media as a preferred method of communication, and an overall increase in the community's desire to seek out information digitally, whether on social media or through Council's website (up 10.2 per cent).

As a result, a further revamp of the preparation, design, print and distribution of the *Moving Ahead* newsletter was undertaken in 2016/2017.

In May 2017, Council distributed the first of four, new format *Moving Ahead* newsletters. The revamped *Moving Ahead* was made up of 4 x 4 page hardcopy newsletters, that included one budget special (August), and 3 x 4 page place-based newsletters that covered each Council Ward (Coburn, Cambridge and Watts, published in May, November and February respectively).

In terms of content, there was a shift towards more place-based content, including feature articles with an overall Council focus that were re-worked to target community specific services, hubs and activities. Key activity centres, programs, events and services for each area are featured, with a continued focus on non-time specific activities (to minimise errors experienced during lead time). Each newsletter has a greater, localised community feel and contains information that's relevant to households in particular areas.

In summary:

- Pre-2014
4 x 20 page newsletter, hardcopy, distributed unaddressed mail through Australia Post to all households
- 2015—2016
3 x 16 page newsletter
2 x hardcopy, distributed unaddressed mail through Australia Post
1 x digital distribution
- 2017—current
4 x 4 page newsletter, hardcopy, distributed unaddressed mail through Australia Post
1 x municipality wide (August)
3 x Ward-based (May, November and February)
This method sees residents get two newsletters every year – 1 x municipal wide and one tailored to a specific ward.

Issues and considerations

When publishing a printed community newsletter the following factors must be taken into consideration.

1. The lead time required to effectively manage writing, designing, approval process, print and distribution; and the accuracy and relevance of information included.

The longer the production lead time, the less accurate and specific information becomes. For example, events can be cancelled or change location, costs for services can alter,

buildings or park openings can be delayed etc.

Lead time increases with the size of the publication. A four page newsletter requires five weeks lead time, including print and distribution. This includes one week for printing and two weeks for distribution. Longer publications, as specified below, require a minimum of two weeks for print. An eight page newsletter will require approximately eight weeks lead time and a 16 page newsletter will require approximately 10 weeks lead time.

2. Additional staff resources would be required to facilitate the production of a monthly newsletter as outlined in section 4 of this report.

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

3.5 *A City that encourages and enables people to work, shop and spend time locally*

4. Financial Considerations

Council currently allocates a budget of \$54,000 for the production, print and distribution of the four-page, *Moving Ahead*.

The table below outlines the approximate costs per annum of producing both a four page, eight page and 16 page, monthly community newsletter.

Options	Design cost	Print cost	Distribution cost	Photography	Additional resource cost	Total cost per annum
4 page monthly newsletter	\$5980	\$85,500	\$136,000	\$2000	1 X .5 EFT Band 6 \$50,000	\$279,480
8 page monthly newsletter	\$12,100	\$165,000	\$263,340	\$5000	1 X .8 EFT Band 6 \$80,000	\$525,440
16 page monthly newsletter	\$19,680	\$238,000	\$263,340	\$7500	1 x 1 EFT Band 6 \$100,000	\$628,520

A shift to a monthly community newsletter imposes a significant increase in recurrent costs and additional resources. With this in mind, it is recommended that prior to making any changes to the existing communications approach, further research be undertaken to ensure a robust evidence base supports Council's investment in a communications program so that the channels, content, and frequency are those most preferred by residents.

5. Consultation/Public Submissions

Each year, Council conducts a Household Survey to determine levels of satisfaction with Council's performance across a number of indicators, and to identify issues that the community wish to prioritise for Council attention and advocacy.

In 2018, respondents were again asked to nominate all the methods by which they would prefer to receive or seek information from Council.

The overwhelming majority (94.0%) of respondents nominated at least one method by which they would prefer to seek or receive information from Council.

There has been a substantial change observed in the top five methods by which respondents prefer to seek or receive information from Council this year, with attention drawn to the significant decline in the proportion of respondents nominating Council's printed newsletter *Moving Ahead*. The proportion of respondents nominating this method has declined from 38.5% in 2015 and 33.1% in 2017 to just 11.4% this year.

Despite the decline in the proportion of respondents that prefer information via the regular Council newsletter, it is noted that direct mail/letterbox drop of printed information remains the most commonly nominated method of receiving information from Council, up this year from 42.1% to 46.1%. This result suggests that many in the community value printed material being provided directly to their home, but not necessarily in the form of a regular Council newsletter.

With the City of Melton growing by 7000 residents per year, it is timely to undertake a strategic review of Council's overall communications approach and undertake further specific research with the community on communications needs and preferences.

Given the significant cost implications of a introducing a monthly printed newsletter, it is critical that any such investment is underpinned by a robust evidence base that supports this tactic as a preferred channel. Further research can support an informed communication direction for Council to ensure the channels it invests in are the channels and frequency the community most prefers.

6. Risk Analysis

If Council decides to change the direction of the *Moving Ahead* newsletter without undertaking specific research, it risks significant cost and resource implications that are not informed by evidence-based data.

Additional risks include the accuracy, timeliness and relevancy of information given the significant production lead times required for monthly publications.

7. Options

1. Remain with the current *Moving Ahead* community newsletter format pending the development of a communications plan presented to Councillors informed by communications specific research.
2. Determine a change in the frequency and size of the *Moving Ahead* community newsletter in accordance with the cost and resource implications as detailed in this report and summarised below:
 - a) Produce and distribute a four page monthly community newsletter at an approximate cost of \$279,480 per annum.
 - b) Produce and distribute an eight page monthly community newsletter at an approximate cost of \$525,440 per annum.
 - c) Produce and distribute a 16 page monthly community newsletter at an approximate cost of \$628,520 per annum.

LIST OF APPENDICES

Nil

12.7 RESPONSE TO NOTICE OF MOTION 584 (CR KESIC) - COUNCIL SERVICE DELIVERY

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

PURPOSE OF REPORT

To present a response to Notice of Motion 584 adopted at the 17 September 2018 Ordinary Meeting of Council in relation to Council service delivery.

RECOMMENDATION:

That the report be noted.

Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Council resolved by Notice of Motion 584 (Cr Kesic/Cr Hardy) at the 17 September 2018 Ordinary Meeting of Council as follows:

“That a report be presented to a Council Meeting by December 2018 with:

1. A listing of each current Council service and works that is delivered in-house;
2. A listing of what current Council service and works are outsourced, what is the annual cost of each and what is the comparison cost for delivering each service or works internally, and identify the capital cost and establishment cost associated with each service;
3. Options for Council to consider to deliver any outsourced services and works above in house and next steps to do so.”

Attached as **Appendix 1** is the listing related to Items 1. and 2. above.

In respect of options to deliver any outsourced services and works in-house, it is noted that over time Council has brought back in-house a number of services that have been delivered by contract, and it has been determined that better outcomes could be achieved by returning them to in-house delivery mode. There are however a number of significant services and works that continue to be delivered under contract, and for these reviews have continued to indicate that the significant cost involved in returning them to in-house delivery is not justified.

There are also a number of “occasional” or highly specialized services that are more appropriately delivered by contract as the volume or nature of the service would not justify the resource level required to deliver it by in-hose mode.

2. Background/Issues

Council delivers a very extensive range of services and works to the local community, the vast majority of these are delivered in-house, however some significant elements are delivered under external contract.

The attached **Appendix 1** provides a detailed list of services and works delivered by Council, and for outsourced items also details the current cost, the comparison cost estimate for in house delivery, and a high level assessment of the capital cost and establishment cost associated with bringing delivery in-house.

During the 1990's, under Commissioners and in the period of Compulsory Competitive Tendering, a large number of Council services were outsourced. In the intervening period a number of the have been returned in-house including Information Technology, Engineering Services, Environmental Health and Occupational Health and safety.

On the other hand a number of significant services have continued to be delivered externally, however all of these services have been the subject of detailed external assessment as to the veracity of continuing outsourced delivery, inclusive of a comprehensive assessment of the option of returning to in-house delivery. In all such cases the significant capital cost, and higher operating costs have dictated that "Best Value" is achieved via the outsourced mode.

It is therefore the case that this report does not canvass the option of bringing in-house any of the currently outsourced services, rather noting that such assessments are best conducted in the lead up to the expiry of major contracts.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

Detailed in the attached **Appendix 1**.

5. Consultation/Public Submissions

No public consultation has been undertaken in preparing this report.

6. Risk Analysis

This report is prepared for Councillor information and there are no associated risks.

Should Council determine to further investigate bringing back in-house any currently outsourced service, Council would need to have regard to existing contractual terms.

7. Options

Council has the option to seek further information in relation to any of the services or works detailed in this report.

LIST OF APPENDICES

1. Listing of Council Services - undated

12.8 RESPONSE TO NOTICE OF MOTION 590 (CR DE SANTIS) - LIVE STREAMING OF COUNCIL MEETINGS

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

PURPOSE OF REPORT

To respond to Notice of Motion 590 in relation to live streaming of Council Meetings.

RECOMMENDATION:

That Council:

1. Develops (and in due course approves) a live streaming policy
2. Engage Interstream to provide equipment and live streaming services at Melton Civic Centre and Burnside Community Centre
3. Conducts a review of the live streaming (including usage) after 18 months and brings back a report to Council.

Motion

Crs De Santis/Carli.

That the recommendation be adopted.

LOST

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

For:

Crs Carli, De Santis, Kesic and Majdlik

Against:

Crs Hardy, Mendes, Ramsey and Turner

The Mayor declared the Motion LOST on the casting vote of the Mayor

Motion

Crs Majdlik/Carli.

That Council:

1. Conduct community consultation regarding the live streaming of Council meetings.
2. Receive a report on the outcome of that community consultation in due course.

CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting of Council held 12 November 2018 Council resolved to '*support the live streaming of future Council meetings via internet and the installation of the appropriate visual and audio equipment required to successfully run this streaming*'.

There are three main methods by which live streaming can be achieved:

Option 1 – engage Interstream to equip Council and provide live streaming services (ie use that entity's platform) including editing (if necessary), bookmarking and posting to Council's archive/website.

Option 2 – procure the required equipment and software and use a dedicated YouTube Channel via Council's own IT systems (with no ability to edit unless a new staff resource were procured).

Option 3 – engage (via normal procurement) a contractor to film and stream each meeting including editing (if necessary), bookmarking and posting to Council's archive/website.

Options 1 and 3 have the lowest risk of defamation (by way of publication of the post-meeting content) because of the ability to edit the content before posting to the website.

Option 1 is being used by 40 Councils in Australia with good feedback to the author of this report from a number of Councils. To the extent that is widely used by those Councils that live stream it is a 'proven' method and the product can be viewed and is 'known'.

The end product for Option 3 is somewhat 'unknown' but it has the advantage of being able to be tailored to suit Council.

In addition to the inability to edit the post meeting content for Option 2, that option also comes with 'advertisement' type links on the side of the screen that are out of Council's control and may contain objectionable material.

2. Background/Issues

At the Ordinary Meeting of Council held 12 November 2018 Council resolved to '*support the live streaming of future Council meetings via internet and the installation of the appropriate visual and audio equipment required to successfully run this streaming*'.

Now that the decision has been taken to support live streaming, the question then becomes which method should be used.

This report provides information as to different live streaming options available and the approximate costs of each, together with other considerations which should be decided upon before the live streaming commences.

The question of whether Council should live stream its meetings has been before Council previously on two occasions (when the motion put was ultimately lost). A detailed report was presented to the Council at the Ordinary Meeting on 29 May 2017. That report outlined three main methods of live streaming.

This report provides updated information and costs on those three methods as follows:

Option 1 – Self-Managed Solution externally hosted

Provided by an Australian company with an expertise in Local Government webcasting solutions. It requires initial set up costs for hardware, software and other equipment and ongoing costs for live streaming services, streaming set up and archive storage.

Council is aware of two service providers, Interstream and Apstream.

Interstream's pricing model is a set cost per month, which includes the creation of an indexed/bookmarked archive (regardless of the number of meetings streamed and the number of archives retained). The pricing model of Apstream is structured on a 'per meeting basis' and doesn't include creation of an indexed/bookmarked archive.

Interstream seems to be the main provider to Local Councils. Accordingly, this report sets out only Interstream's features and costs.

Main Features

- used by 40 Councils across Australia
- short set up time – 1-2 weeks to select and purchase equipment
- broadcast quality HD cameras
- approximate set up costs – hardware (three HD cameras, streaming box and control tablets) \$17,060* per venue
- ongoing cost of approximately \$1,260 per month* regardless of the number of meetings held per month, which also provides the opportunity to stream other meetings, should Council be so inclined, or any other public forum held in the Council Chamber eg. declaration of the poll after an election, section 223 meetings etc
- full control over data content, which is hosted on contractor's server
- potential to display 'live minutes' or 'powerpoint' in a 4-way split screen
- provision for viewers to email a questions/comments during the meeting
- archive available within 48hrs, with data storage residing within Australia
- provision for indexing/bookmarking of archived meetings to provide ease of navigation for viewers of agenda items considered during meetings
- free editing of archive after meetings if necessary, in the event of objectionable language or acts of an individual, which may have been recorded. This goes some way to protecting Council against defamation
- hosted by the provider on its website so that heavy usage will not 'clog' Council's own website (average use is 100 users per live stream but can peak with a controversial meeting).

A number of Councils use Interstream. Councils that have recently adopted Interstream's solution include Hobsons Bay, Geelong and Whitehorse.

Links to these Councils' websites as are follows:

- Hobsons Bay <http://webcast.hobsonsbay.vic.gov.au/video.php>

The snipped screen shot below of a previous meeting shows a 4 way screen. This is how the live stream would be viewed.

The screen shot also shows bookmarked items. After the live streamed meeting the relevant bookmarks can be added for ease of reference.

Ordinary Council Meeting Date: 13 November 2018, 7pm, [Download Meeting](#) Filesize: 373mb


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Order of Business

- [1 Council Welcome and Acknowledgement](#)
 - [2 Apologies](#)
 - [3 Disclosure of Interests](#)
 - [4 Minutes Confirmation](#)
 - [5 Councillors' Questions](#)
 - [6 Public Question Time](#)
 - [7 Petitions/Joint Letters](#)
 - [8 Business](#)
 - [8.1 Office of the Chief Executive](#)
 - [8.1.1 Chief Executive Officer - Report on Operations](#)
 - [8.2 Corporate Services](#)
 - [8.2.1 Quarterly Financial Report - Period Ended 30 September 2018](#)
 - [8.2.2 Audit Committee - Membership, Fee Structure and Charter](#)
 - [8.3 Strategic Development](#)
 - [8.3.1 Draft Newport Structure Plan - Consideration of Submissions](#)
 - [8.3.2 Environmentally Sustainable Development Policy Statement](#)
- Geelong City Council: <https://webcast.geelongaustralia.com.au/video.php>

Likewise, the snipped screen shot below of a previous meeting shows a 4 way screen. This is how the live stream would be viewed.

Also and likewise, the screen shot shows bookmarked items. After the live streamed meeting the relevant bookmarks can be added for ease of reference.

Ordinary Council Meeting - 23 October 2018

Filesize: 514mb, [Download](#)



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Agenda

- [SECTION A – PROCEDURAL MATTERS](#)
- [1. Acknowledgement](#)
- [2. Apologies](#)
- [3. Leave of Absence](#)
- [4. Confirmation of Minutes](#)

- City of Whitehorse: <https://webcast.whitehorse.vic.gov.au/video.php>

This is Interstream's most recent installation.

The feedback provided to Melton from the Governance Officer at Whitehorse was glowing.

* *Indicative costs (ex GST) provided by 'Interstream'.*

Option 2 – Self-Managed 'in-house' Solution, using either:

- a dedicated YouTube channel as streaming platform, or
- a dedicated YouTube channel, via Facebook Live, as streaming platform.

YouTube is a free live streaming service very familiar to many users of the internet. It is capable of streaming to all mobile and hand held devices.

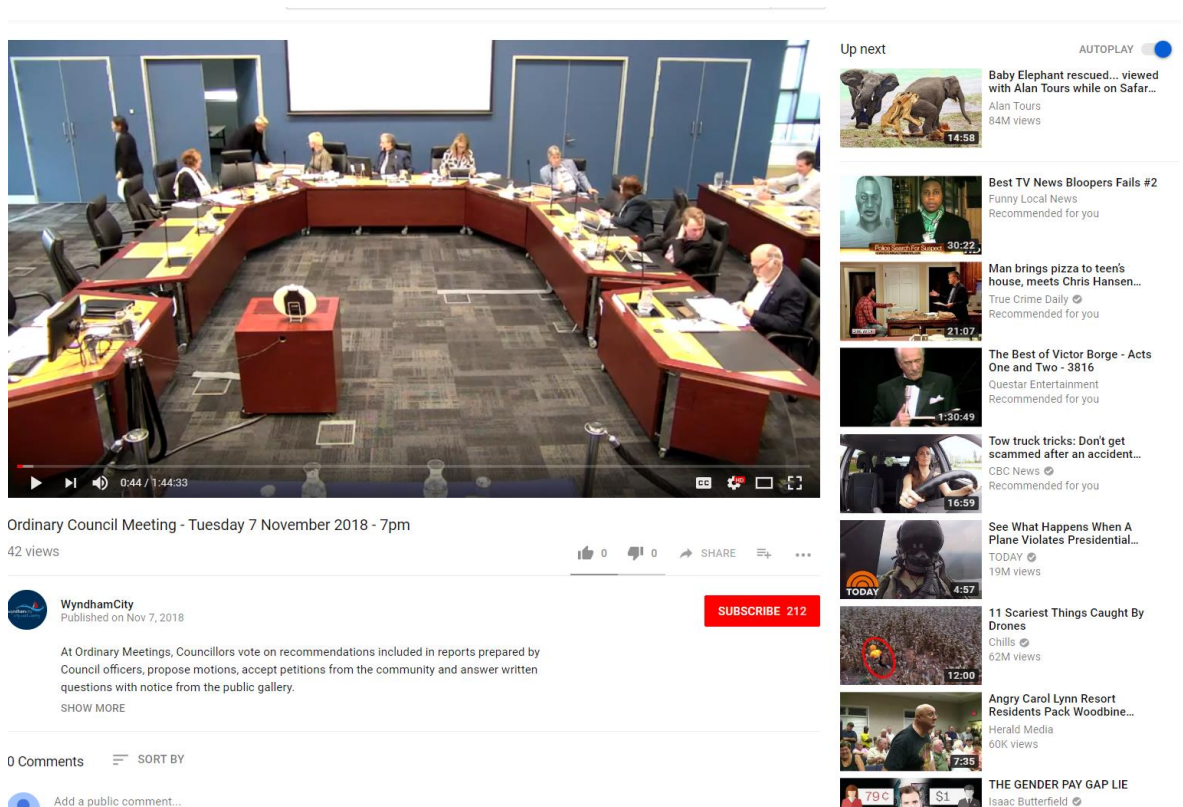
Main Features

- cost effective software and archives free
- easy to use for the viewer and accessible on mobile and hand held devices
- estimated set up costs – hardware \$20,295 for Burnside Community Centre and \$31,269 for Melton Council Chamber
- data content is in a public domain over which Council has no control
- no provision for indexing/bookmarking of archived meetings, thereby making it more difficult for viewers to navigate agenda items considered at meetings during playback after the meeting
- any editing of archive after meetings (if necessary) in the event of objectionable language or acts of an individual inadvertently recorded, must be undertaken by Council employees. Currently no employees could undertake this.

- YouTube site has advertisements along the side, which are out of Council’s control and may contain objectionable content
- would need to ensure that current Council IT internet and systems at Council can cope with this – fundamentally this should be possible
- may require reconfiguration of the chamber at Melton for a good, one camera view (see example of Wyndham below).

A number of Councils use this solution including Wyndham City Council, which can be viewed at <https://www.youtube.com/watch?v=pykRxNGn5ZE>

A snipped screen shot of Wyndham is below.



Option 3 – Fully Outsourced Solution

Professional providers of ‘ad-hoc’ services.

This solution based on a cost per meeting is estimated at \$1,100 ex GST per meeting.

Main Features

- no set-up cost and immediate start
- using Australian designed software
- fully operated and staffed by a contracted service provider
- professional looking end product (eg ability to zoom in etc)
- post production editing and posting to website \$500
- solution is portable such that provider could also live stream other events such as carols by candlelight, citizenship ceremonies, festivals etc
- solution is able to be tailored to the requirements of Council (within technical limits).

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The options below are not accounted for in the current budget.

Option 1

Initial costs \$17,060 per venue

Ongoing costs \$1,260 per month

Option 2

Initial costs \$ 20,295.00 Burnside and \$31,269 Melton

Ongoing costs – minimal (software licence fee)

Option 3

No initial costs.

Ongoing costs - \$1,600 per meeting including publishing to website.

5. Consultation/Public Submissions

There has been no public consultation.

6. Risk Analysis

This report will not canvass the relevant risks of live streaming per se given that pursuant to the resolution which brought about this report Council has already decided to support live streaming. That said it is noted that a policy (and possibly procedure) would need to be developed to address the risks of live streaming itself.

The risks insofar as the different options are concerned are as follows:

Option 1

Less risk of defamation in the post-meeting webcast as it can be edited by Interstream.

Less risk of technical problems as Council would be assisted by Interstream.

Option 2

More risk of defamation post-meeting as any editing would need to be performed by Council in circumstances where we currently do not have this resource.

More risk of technical problems as Council would be running its own Youtube site.

Option 3

Less risk of defamation in the post-meeting webcast as it can be edited by the provider.

Depending upon the size of the provider, a risk of provider failure, noting that another provider could probably relatively easily be found – but perhaps not at short notice.

7. Options

1. Adopt the recommendation as set out at the beginning of this report. (**Option 1** above)
2. Develops (and in due course approves) a live streaming policy
Sources equipment and software and live streaming services via a YouTube (**Option 2** above)
Conducts a review of the live streaming (including usage) after 18 months and brings back a report to Council.
3. Develops (and in due course approves) a live streaming policy
Engages a contractor pursuant to normal procurement processes to live stream Council meetings and place the recorded meeting on its website (**Option 3** above)
Conducts a review of the live streaming (including usage) after 18 months and brings back a report to Council.

LIST OF APPENDICES

Nil

Cr Majdlik left the Chamber at 8:23pm.

12.9 RESPONSE TO NOTICE OF MOTION 591 (CR DE SANTIS) - ADVOCACY RELATING TO INVESTMENT IN PROJECTS ADDRESSING FAMILY VIOLENCE

Author: Liz Smith - Health Promotion and Planning Team Leader
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To respond to Notice of Motion 591 (Cr De Santis) in relation to advocacy for State Government investment in family violence projects such as family violence housing and social housing in the City of Melton.

RECOMMENDATION:

That Council endorse Council Officers to advocate to the State Government in relation to investment in family violence projects in the City of Melton.

Motion

Crs De Santis/Carli.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting of Council held on 12 November 2018 Council resolved via Notice of Motion 591;

'That Council officers prepare a report on the opportunities to advocate to the State Government to invest in projects relating to family violence such as family violence housing and social housing within the Melton municipality.'

The 2016 Royal Commission into Family Violence concluded that family violence often disrupts victims' housing security. Council recognises that safe and affordable housing is central to stabilising a victim survivor's life. This report outlines opportunities for Council to advocate to State Government to invest in family violence related housing projects within the City of Melton.

2. Background/Issues

The 2016 Royal Commission into Family Violence concluded that family violence often disrupts victims' housing security. The current response to family violence largely assumes that women will leave their home when family violence occurs. This exacerbates the effects of the violence, adversely affects children's education, health and wellbeing, and disrupts victims' social and economic participation. It also often results in homelessness for the victims.

Safe and affordable housing is central to stabilising a victim's life. One of the biggest barriers to finding housing is the limited availability of social housing stock, long waiting lists and the lack of affordability in the private rental market. With stable accommodation victim survivors can turn their mind to rebuilding their own and their children's lives and (re)connecting with the community.

There are a number of potential funding streams through the State Government that could address the social housing needs in the City of Melton. These include the Social Housing Growth Fund and Social Housing Investment Planning Grants. The Social Housing Investment Planning Grants provide up to \$200,000 to local government to increase the supply of land available for social housing projects, and to encourage new and innovative working relationships between local government and community housing providers that will progress future projects.

The Social Housing Growth Fund addresses the shortage of supply by establishing a \$1 billion fund to pay for a pipeline of projects to deliver more social housing. The State Government works in partnership with community housing providers to unlock private sector investment in new social housing. Local Government is identified State Government as a potential partner in projects funded through this Growth Fund.

A recent local government example of successful advocacy can be seen at Cardinia Shire Council who received a Social Housing Investment Planning grant of \$144,780 in 2018. The grant is being used to fund a study to identify social housing needs with a land audit to identify appropriate parcels of council-owned land for a pipeline of new social housing projects.

In addition, there are a number of opportunities for Council to advocate to State Government to highlight the social housing needs in the City of Melton with consideration to population growth and housing service provision gaps.

The key advocacy opportunities to State Government identified by officers are to:

- write to the relevant Ministers to consider Melton City Council as a potential partner for appropriate social housing investment streams, such as the Social Housing Growth Fund and Social Housing Investment Planning Grants,
- advocate for a Support and Safety Hub (Orange Door) to be located in the City of Melton which will play a key role in helping women and children with safe and stable housing,
- contribute to joint Preventing Violence Together partnership advocacy submissions to state government in relation to family violence,
- continue to liaise with the State Government on potential opportunities for a women's refuge to be considered in the municipality.

Some of the above opportunities may also be facilitated through Council's Family Violence Advisory Committee.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

4. Financial Considerations

There are no financial implications involved in endorsing the recommendation to advocate to State Government.

5. Consultation/Public Submissions

Nil

6. Risk Analysis

There are no risks identified in endorsing the recommendation.

7. Options

Nil

LIST OF APPENDICES

Nil

Cr Majdlik returned to the Chamber at 8:25pm.

12.10 RESPONSE TO NOTICE OF MOTION 595 (CR KESIC) - ROTATION OF COUNCIL BRIEFINGS

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

PURPOSE OF REPORT

To respond to Notice of Motion 595 (Cr Kesic) in relation to the possibility alternating Council briefings between Burnside Community Centre and the Melton Civic Centre.

RECOMMENDATION:

That Council note the report.

Motion

Crs Kesic/Majdlik.

That Council:

1. Commence a trial, for a period of no longer than six months, of Councillor briefings to alternate between the Burnside Community Centre and the Melton Civic Centre; and
2. Receive a report on this matter at the conclusion of the trial period.

CARRIED

REPORT

1. Executive Summary

This report responds to Notice of Motion 595 (Cr Kesic) which was adopted at the Ordinary Meeting of Council dated 12 November 2018.

That Council officers prepare a Council report, as soon as possible, to consider Councillor Briefing sessions to alternate between the Burnside Community Centre and Melton Civic Centre with that report to include all relevant matters including the impact of Burnside Community Centre use and the cost to implement.

This was moved by Cr Kesic and seconded by Cr Abboushi.

A report is presented to Council for consideration.

2. Background/Issues

The Burnside Community Centre has been constructed over the last 12 months and now has access available to the community involving a number of user groups. The facility opened in October 2018.

In designing this facility consideration was also to have the option for the facility to be available for Council meetings, and the necessary works that will need to occur for this to take place. The facility now has a large multipurpose room, a kitchen that is capable of food

preparation for Council meetings and most importantly community groups. Design also took in to account having a small community room for community access but most importantly the capability for Councillors having access for Council meetings and Agenda discussions. This community room is approximately 32 sqm in size and has direct access to the kitchen for catering purposes.

The small community/meeting space has the capability to accommodate up to 14 persons. Briefing sessions that occur currently at the Melton Civic Centre via Civic room 1 and 2 have the capability to cater up to 40 people. Civic room 2 alone has the capability for seating 21 people. Both Civic rooms have access to technology for ease of access for briefing documentation and presentations.

Relevant Matters

To utilise this space for briefings, the impact will be that the community will cease to have access from approximately 4pm the night of the briefing to about 10am the morning after the briefing. This window would need to take place to ensure the facility would be cleaned and in a presentable state for the next user group to access.

The Councillor's support staff will need to be in attendance at the Burnside Community Centre prior to the briefing for additional set up and engagement with Councillors.

Cost deliverable

Catering would still need to take place at the Burnside Community Centre there would be no additional cost in relation to what occurs currently at the Melton Civic Centre.

Officers will need to ensure that the facility is cleaned and presentable for community access the following day, which would require additional cleaning.

Additional cleaners or Council staff would need to be allocated to complete this task.

In relation to the size of the Councillor's room or community room there would be limited opportunities to have external consultant's presentations in this room due to its size as it was never designed to have alternate briefing sessions or presentations sessions at this center. The focus of this facility was always to accommodate alternate opportunities for Council Meetings i.e. Pre Meeting Agendas and clarifications prior to the Council Meeting.

Briefing meeting considerations

In order to alternate Council briefings to occur at the Burnside Community Centre, Council will need to consider the following:

- the available of catering for Councillors at briefing sessions
- Cleaning and refreshing of the amenities prior and post briefing sessions
- Staff resources or EFT required to deliver each briefing including set up of room /kitchen and pack down
- Possibility of having to reduce the briefing capacity on the briefing schedule for this to occur due to the size of the room.

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

5.1 Deliberative engagement and effective communication with the community that informs planning and decision making.

4. Financial Considerations

Cost of alternating Council briefings to the Burnside Community Centre including staff resources and components are as follows:

Cleaning staff time or EFT required	Approx \$2696.00
Transport of catering	Nil
Catering	Nil

5. Consultation/Public Submissions

Nil.

6. Risk Analysis

Holding alternate briefing sessions between the Burnside Community Centre and Melton Civic Centre does come with some risk. These include:

- The space was originally intended to be available to community groups/individuals under a booking process.
- By implementing a rotation of briefings at this facility it would reduce the capacity by somewhat 15 to 20 evenings.

7. Options

Council to endorse the officer's recommendations presented within this report:

1. Council may choose to endorse the position to alternate briefings between Burnside Community Centre and the Melton Civic Centre
2. Council may choose to not endorse the position to alternate briefings between Burnside Community Centre and the Melton Civic Centre.

LIST OF APPENDICES

Nil

12.11 MELTON: A CITY FOR ALL PEOPLE 2017-2021 ACTION PLAN REPORT

Author: Coral Crameri - Manager Community Care
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To present to Council the Melton: A City for All People 2017 - 2021 Year One Action Plan Report and the Year Two Action Plan for endorsement.

RECOMMENDATION:

That Council receive and note:

- Year One Action Plan Report, as presented at **Appendix 1**.
- Year Two Action Plan, as presented at **Appendix 2**.

Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

At the 13 November 2017 Ordinary Meeting of Council the Melton: A City for all People 2017 – 2021 was endorsed. The document provides a strategy for early years (children), youth, older people and people with a disability. It represents a ‘whole of life’ comprehensive strategy that reflects the aspirations of Council and the community.

A key requirement of the strategy is the development of an annual action plan which will be presented to Council annually.

Recommendations are presented to the Council for consideration.

2. Background/Issues

The Melton: A City for All People 2017 - 2021 strategy and Year One Action Plan was informed by extensive consultation with the community, partner agencies, Council officers and Councillors.

The Year One Action Plan identified a series of measureable actions under each of the five key themes:

- Theme 1 - Being inclusive
- Theme 2 - Being connected
- Theme 3 - Being happy and healthy
- Theme 4 - Being all you can be

- Theme 5 - Being heard

Melton: A City for All People Year One Action Plan identified 93 actions to deliver. **Appendix 1** provides a detailed summary on the status of each action inclusive of the reporting period from 1 October 2017 to 30 September 2018.

The following table provides a summary of progress:

Status	Description	No. of Actions
Achieved	The Action is completed	87
Postponed	The Action has been deferred to the Year Two Action Plan	6
Total		93

Major achievements include:

- Engagement with schools across the municipality on more than 20 occasions regarding youth related issues and opportunities.
- Crime Prevention: 40+ case management services provided well exceeding the funding agreement requirements and nomination for the Afroshine Australia awards.
- Burnside Stage 2 development and completion.
- Attracting 567 seniors to the 2017 Seniors Festival.
- Preparation for the roll-out of the National Disability Insurance Scheme across the municipality.
- Attracted \$100,000 State Government funding for Changing places facility.
- Increasing Council's accessibility to the community by implementing initiatives that support community to access programs and services with a no wrong door approach through the provision of Saturday Maternal and Child Health Sessions, Shopping Centre Playgroups and Children's Weeks events.
- Developing ways to reach families experiencing vulnerabilities by implementing for families to access services and supports within the municipality such as the Right@home Program, Melton South Pop-Up Hub and Supporting Children and Families in the Early Years (Compact) Action Plan.

Year Two Action Plan

Following the completion of the Year One Action Plan, the officer working group undertook a review of existing actions and conducted additional internal consultation to develop the Year Two Action Plan.

Melton: A City for All People 2017 - 2021 Year Two Action Plan identifies a series of measureable actions that apply to all cohorts or in some instances are cohort specific. The Year Two Action Plan identifies 75 actions to deliver from 1 October 2018 to 30 September 2019.

The result is the Melton: A City for All People 2017 - 2021 Year Two Action Plan that provides clear measurable outcomes in response to the strategic issues identified in the five themes contained in the strategy.

It supports and builds upon Council's Annual Action Plan identified through the Council and Wellbeing Plan 2017 - 2021.

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

The implementation of Year Two Annual Action Plan forms part of Council's existing operational budget commitment and also is supported by both State and Federal Government Grants.

5. Consultation/Public Submissions

The consultation undertaken for the development of both the Year One and Year Two Action Plans has been predominantly undertaken within the service units responsible for delivery of the plan. This has also been influenced by the Council and Wellbeing Plan which forms the core with further internal and external consultations undertaken with service providers, Council Advisory Group members, our partner agencies and State Departments.

6. Risk Analysis

Endorsement of Melton: A City for All People 2017 - 2021 Year Two Action Plan will ensure effective planning and compliance with relevant legislation inclusive of annual reporting on the key outcomes in relation to the key themes for service planning and delivery over the 2017 - 2021 period.

7. Options

That Council endorse the recommendation as presented in this report.

LIST OF APPENDICES

1. Melton: A City for All People 2017 - 2021 Year One Action Plan
2. Melton: A City for All People 2017 - 2021 Year Two Action Plan

Cr Carli left the Chamber at 8:34pm.

Cr Carli returned to the Chamber at 8:38pm.

12.12 CHILD SAFE POLICY, PROCEDURE AND CODE OF CONDUCT

Author: Brendan Ball - Manager Families and Children
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To advise Council of obligations relating to compliance with the Victorian Government Child Safety Standards and present a Policy, Procedure and Code of Conduct for adoption.

RECOMMENDATION:

That Council adopt the Child Safe Policy (**Appendix 1**), Procedure (**Appendix 2**) and Code of Conduct (**Appendix 3**).

Motion

Crs Ramsey/De Santis.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

One of many recommendations of the Betrayal of Trust inquiry into handling of child abuse allegations in religious and non-government institutions was to establish Child Safe organisations by embedding mandatory Child Safe Standards and a reportable conduct scheme.

The seven compulsory standards introduced by the Victorian government under the *Child Wellbeing and Safety Act 2005* are designed to protect children from harm.

The purpose of the Child Safe Policy, Procedure and Code of Conduct is to provide for the safety of children with whom we interact. In accordance with the Child Safe Standards, these documents detail each person's responsibility to provide for children's safety, to prevent child abuse and to report child abuse where there is a reasonable belief that it has occurred. The documents also detail Council's overarching obligations and reporting processes.

The Child Safe Policy, Procedure and Code of Conduct are presented to Council for consideration and endorsement.

2. Background/Issues

What are the Child Safe Standards?

There are seven Standards:

Child Safe Standard 1 – Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

Child Safe Standard 2 – A Child Safe Policy or Statement of Commitment to Child Safety.

Child Safe Standard 3 – A Code of Conduct that establishes clear expectations for appropriate behaviour with children.

Child Safe Standard 4 – Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel.

Child Safe Standard 5 – Processes for responding to and reporting suspected child abuse.

Child Safe Standard 6 – Strategies to identify and reduce or remove risk of child abuse.

Child Safe Standard 7 – Strategies to promote the participation and empowerment of children.

In order to meet the requirements of the Child Safe reforms and to establish the organisation as a community leader in child safety, Council has produced a Policy, Procedure and Code of Conduct to which all Councillors, staff, volunteers and labour hire contractors are required to comply.

All staff training has commenced and will be completed by the end of the 2018 calendar year. To date, 45 per cent of Council staff have attended the training session provided by Child Wise and further training sessions are currently scheduled for the remainder of staff to attend prior to the end of this calendar year. A special training session for Councillors will be arranged for early 2019.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

4. Financial Considerations

The Melton City Council Policy, Procedure, Code of Conduct, training and communications materials have been developed within existing Council resources. It is anticipated that any further expenditure to maintain Council's commitment to the Child Safe Standards will be modest and will also be met within existing resources.

5. Consultation/Public Submissions

Staff and volunteers have been engaged in the development of the Policy and Procedure, and are attending training provided by Child Wise, an external specialist provider in this field.

6. Risk Analysis

- a. Failure to comply with the Child Safety Standards. All organisations in Victoria that provide services or facilities for children are required to comply with Child Safe Standards, to ensure that the safety of children is promoted, child abuse is prevented and allegations of child abuse are properly responded to. In order to mitigate this risk, Council Officers will work closely with the Department of Health and Human Services through quarterly meetings to ensure alignment with the Child Safe Standards Compliance Monitoring Framework (2018-19).

- b. Failure to provide Child Safe Standards training. All staff have been directed to undertake training provided by Child Wise by the end of December 2018. In order to mitigate this risk, People & Culture have a training register that will allow the identification of any staff who have not attended the training so that follow up may be undertaken. An ongoing training program is being developed for new starters to the organisation.

7. Options

Nil

LIST OF APPENDICES

1. Child Safe Policy - undated
2. Child Safe Procedure - undated
3. Child Safe Code of Conduct - undated

Cr Ramsey left the Chamber at 8:38pm.

Cr Ramsey returned to the Chamber at 8:40pm.

Cr Kesic left the Chamber at 8:41pm.

12.13 HANNAH WATTS PARK PRECINCT MASTER PLAN

Author: John Rifat - Project Officer Capital Projects

Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

PURPOSE OF REPORT

For Council to consider the strategic vision and direction set out in the Hannah Watts Park Precinct Master Plan.

RECOMMENDATION:

That Council:

1. Endorses the Hannah Watts Park Precinct Master Plan Report contained at **Appendix 1**.
2. Note that the final design and budget for each Precinct of the Master Plan is subject to a detailed design process that will incorporate further community consultation and briefings of Council.

Motion

Crs De Santis/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The Hannah Watts Park Precinct encompasses 22 hectares of the Melton Township and includes:

- Hannah Watts Park
- Melton Recreation Reserve
- The Willows Historical Park
- Police Paddock
- Melton Country Club
- Melton Bowls Club.

The Hannah Watts Park Precinct is a strategically important community asset and is well utilised by the broader community. Whilst well utilised, the Hannah Watts Park Precinct has not experienced major redevelopments in recent years. This has contributed to aging and

increasingly unsuitable infrastructure, a layout which does not optimally utilise the space, and is not responding to the increasing population or expectations of the Melton Township.

At present there is no holistic strategic vision for the Precinct. This highlights a risk for Council, as without a master plan future works may not adequately consider the priorities of other user groups, or take advantage of the available opportunities.

In developing this master plan, two rounds of community consultation were undertaken to understand the existing issues within the Precinct, and to gain feedback on the proposed Master Plan. Feedback from the consultation played a key role in informing the Master Plan throughout the design development process.

The report sets out a number of recommendations informed by site analysis and community consultation, and makes recommendations which are set out in stages. The cost of implementing all recommendations for all stages has been estimated to cost \$26.2M, noting that this is preliminary only and subject each precinct is subject to a detailed design and budget process. It is also important to note the masterplan will be implemented in stages.

The Master Plan provides a considered direction for the Precinct, outlining upgrades to address the identified constraints and opportunities. It is recommended that Council endorses the Hannah Watts Park Precinct Master Plan Report contained at **Appendix 1**.

2. Background/Issues

The development of a master plan for the Hannah Watts Park Precinct and the detailed design and construction of Stage 1 of the Precinct's redevelopment (Precinct 1A), formed part of a successful 17/18 Growing Suburbs Fund Application. Council engaged Urban Initiatives in February 2018 as the principal consultant to develop a master plan for the Hannah Watts Park Precinct. Urban Initiatives are the same consultant who have designed and are superintending the Hannah Watts Park Upgrade, currently under construction in accordance with timelines stipulated by a successful Growing Suburbs Fund application.

The Hannah Watts Park Precinct, which is the subject of the master plan, comprises of event spaces, play spaces, environmental reserves, heritage assets and sporting facilities. For the purpose of the Master Plan and staged redevelopment of the precinct (refer **Appendix 1**), these have been separated into eight distinct precincts, with each containing a unique set of recreation functions and user groups:

- Precinct 1A – Gateway, Picnic and Playspace (Hannah Watts Park)
- Precinct 1B – Reservoir and Picnic Area (Hannah Watts Park)
- Precinct 2 – Police Paddock and Raglan Cottage
- Precinct 3 – Toolern Creek Trail
- Precinct 4 – Informal Recreation Space
- Precinct 5 – Melton Recreation Reserve
- Precinct 6 – Active Recreation and Youth Precinct
- Precinct 7 – The Willows Historical Park
- Precinct 8 – The Melton Country Club and Bowls Club

Whilst well utilised, the Hannah Watts Park Precinct has not experienced major redevelopments in recent years. This has contributed to aging and increasingly unsuitable infrastructure, a layout which does not optimally utilise the space, and is not responding to the increasing population or expectations of the Melton Township.

In past years infrastructure has been installed without a comprehensive knowledge of the broader opportunities and potential impacts to other user groups.

The Hannah Watts Park Precinct Master Plan has been developed to provide clear direction for the renewal and upgrade of this important community park precinct to ensure facilities are utilised to their full potential, do not infringe on the functionality of other users, address ageing assets, incorporate community feedback, accommodate the challenges of the municipality such as population growth, access to open space, reputation, physical and mental health.

The master plan will also provide direction to Council's capital works 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

A quantity surveyor nominated a preliminary cost against all proposals within the master plan, inclusive of all construction works, preliminaries, consultancy fees, authority fees, design contingency and construction contingency. It is important to note that these nominated costs are estimates only and subject to detailed design and costings as part of the staged redevelopment of the Precinct.

The total nominated cost is \$26.2M, which is separated into precincts as follows:

- Precinct 1A: Gateway, Picnic and Playspace (Hannah Watts Park) – \$493,050
- Precinct 1B: Reservoir and Picnic Area (Hannah Watts Park) - \$1,370,242
- Precinct 2: Police Paddock and Raglan Cottage - \$665,811
- Precinct 3: Toolern Creek Trail - \$5,341,770
- Precinct 4: Informal Recreation Space - \$422,340
- Precinct 5: Melton Recreation Reserve - \$11,356,915
- Precinct 6: Active Recreation and Youth Precinct - \$4,514,225
- Precinct 7: The Willows Historical Park - \$1,000,380
- Precinct 8: The Melton Country Club and Bowls Club - \$1,077,200

The nominated sum for Precinct 1A does not include works currently under construction as the Stage 1 Hannah Watts Upgrade, and represents the balance of works identified by the Master Plan for Precinct 1A.

The breakdown of what works are envisaged for each precinct and summary the preliminary costings can be found in section 8 of the Hannah Watts Park Precinct Master Plan report (**Appendix 1**). The further details of the preliminary costings are provided in the Quantity Surveyor Report contained in **Appendix 3**, which was used to inform the above costs.

5. Consultation/Public Submissions

Two rounds of extensive community and stakeholder consultation were undertaken in the master plan design development process. The first occurred at the early concept stage to gather preliminary input and ideas. The second was undertaken at the draft master plan stage to review the plan and obtain feedback to incorporate into the final master plan.

The community consultation was promoted with on-site signage, letterbox drops, Facebook posts, emails to user groups, and direct invitations to key stakeholders. The consultation involved:

- Online surveys
- On-site consultation sessions
- Key stakeholder workshops
- Staff workshops
- Individual meetings with sporting clubs.

The consultation reached a large number of community stakeholders, resulting in over 300 completed surveys across both rounds, and face to face feedback from groups including:

- Melton Rotary Club
- Melton Bowls Club
- Melton Country Club
- Melton South Football Netball Club
- Melton South Junior Football Netball Club
- Melton CFA
- The Willows Historical Society
- Wurundjeri
- Vietnam Veterans
- Friends of Toolern Creek
- Melbourne Water
- DELWP
- Council officers.

The concept stage consultation feedback revealed a mixed level of satisfaction for the existing Precinct, with many users content, albeit interested in seeing improvements. There were a number of constraints identified however, particularly from the sport clubs, which helped shape the draft master plan.

The draft master plan consultation revealed broad support for the master plan proposals by both residents and user groups. While the consulted stakeholders raised some issues with the master plan, most have been addressed by adjustments, with notable exceptions including:

- More parking areas and larger carparks than what is proposed. This was deemed not viable without compromising valuable parkland space. Existing carpark layouts have been reviewed and made more efficient without reducing the overall numbers. Police Paddock is to continue to be used as overflow parking as required.
- Relocation of netball courts closer to the sport pavilion than what has been proposed. Alternative nominated locations could not be accommodated without compromising existing spaces, and provide limited benefit when compared to what is proposed.

The expanded details of the consultation can be found in section 4 of the Hannah Watts Park Precinct Master Plan report (**Appendix 1**). The full details are provided within the consultation reports contained in the Master Plan Appendices (**Appendix 2**).

6. Risk Analysis

Risk mitigation measures incorporated into the design development process are as follows:

- Engagement of a suitably qualified principal consultant and sub-consultants
- Site analysis, including:
 - An arboriculture assessment & report
 - An ecological assessment
 - An electrical services report
 - An irrigation analysis
 - A review of Council's 2018 building audits pertaining to the Precinct
 - A review of background documents.
- Undertaken high level feasibility assessments for the proposals contained within the master plan
- Completed extensive community consultation at both the concept stage and draft master plan stage.

It should also be noted that without a strategic direction of the site, there is a risk that infrastructure in the park fails or is replaced in an ad-hoc way that does not result in the best value for council or meet the needs of the wide range of users.

7. Options

Council has the options to:

1. Endorse the Hannah Watt Park Precinct Master Plan Report noting that each precinct is subject to a detailed design and costing process.
2. Request revisions to the master plan report and endorse subject to these revisions being incorporated in the Master Plan Report
3. Not endorse the Hannah Watts Park Master Plan Report.

LIST OF APPENDICES

1. Hannah Watts Park Precinct Master Plan Report - dated 22 November 2018
2. Hannah Watts Park Precinct Master Plan Appendices - undated
3. Quantity Surveyor Report - dated 23 November 2018

12.14 AMENDMENT C198 TO THE MELTON PLANNING SCHEME - CITY OF MELTON HERITAGE ASSESSMENTS PROJECT 2018

Author: Myles Graham - Strategic Planner
Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

PURPOSE OF REPORT

To consider the *City of Melton Heritage Assessments Project 2018* and the associated Planning Scheme Amendment C198 to the Melton Planning Scheme.

RECOMMENDATION:

That Council:

1. Adopt the findings of the *City of Melton Heritage Assessments Project 2018* (**Appendix 1**).
2. Seek authorisation from the Minister for Planning to prepare Planning Scheme Amendment C198 to the Melton Planning Scheme to implement the findings of the *City of Melton Heritage Assessments Project 2018*.
3. Upon receipt of authorisation, prepare and exhibit Amendment C198 to the Melton Planning Scheme in accordance with the relevant requirements of the *Planning and Environment Act 1987*.
4. Authorise the General Manager Planning and Development and Manager City Design, Strategy and Environment to negotiate and resolve any issues that are raised by submitters during the exhibition process prior to the amendment being reported back to Council for referral to a Planning Panel or adoption of the amendment.

Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The protection of local heritage is an important legislated role that Councils undertake in Victoria. Recognising the unique heritage assets within the municipality, the *Shire of Melton Heritage Study* was completed in two stages from 2001 to 2007. This facilitated the subsequent protection of a range of heritage assets through formal listing on the Heritage Overlay.

As the City of Melton has grown and development has increased, so too has the pressure placed on places of heritage significance. Consequently, a detailed investigation was commissioned by Council of 13 specific places to determine whether these are of sufficient

heritage significance to warrant being added to the Schedule to the Heritage Overlay within the Melton Planning Scheme.

Amendment C198 proposes to implement the findings of this investigation, titled the *City of Melton Heritage Assessments Project 2018 (Appendix 1)*, to add nine places to the Schedule to the Heritage Overlay. Four of the 13 places investigated were deemed to have been altered to an extent that they do not meet the threshold for inclusion on the Heritage Overlay.

All nine places recommended for inclusion are within the urban growth boundary and are deemed to be the heritage places most at-risk of being lost due to development pressure.

2. Background/Issues

Councils play an important role in preserving local history by carrying out heritage studies and permanently protecting heritage through the Planning Scheme. All planning schemes in Victoria must implement and further the objectives of planning in Victoria. One of the objectives of the *Planning and Environment Act 1987* is to:

Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

The *Shire of Melton Heritage Study* was completed in two stages from 2001 to 2007. One of the objectives of Stage 1 of the study was to identify all post-contact places of potential heritage significance.

Of the 650 places that were identified in Stage 1, 475 were identified as being 'Places of Potential Heritage Significance'. Of these 475 places, only 191 places were assessed in further detail in Stage 2 of the study. The following recommendations were made on these places as part of Stage 2:

- 109 were recommended for inclusion in the Schedule of the Heritage Overlay of the Melton Planning Scheme, completed as part of Amendment C71 in 2007.
- 56 places were identified as 'Conservation Desirable' – that is any place where a heritage assessment should be prepared prior to any development proposal that might impact upon it
- 22 sites were listed as places which might be considered worthy of heritage protection in a future study.

Places recommended for future investigation and potential protection have since been incrementally addressed (depending on priority) through a range of processes, such as the development of Precinct Structure Plans. Recent development pressure has necessitated the detailed investigation of an additional 13 specific places, identified through Stage 2 of the Heritage Study, to determine whether these are of sufficient significance to be added to the Schedule to the Heritage Overlay within the Melton Planning Scheme.

This specific investigation is supported by the *Council and Wellbeing Plan 2017-2021*, which commits Council to 'support the conservation and restoration of heritage places (Strategy 3.1.6). The adopted City of Melton Heritage Strategy 2017-2021, also includes the following action:

Continue to implement recommendations from the Melton Heritage Study 2007, including:

- *Review schedules of heritage places identified for further investigation in the Melton Heritage Study 2007.*
- *Undertake documentation and assessment of places listed in the Conservation Desirable Schedule in the Melton Heritage Study 2007.*

City of Melton Heritage Assessments Project 2018

The *City of Melton Heritage Assessments Project 2018* (**Appendix 1**), involved the assessment of the 13 priority places to determine whether they warrant inclusion in the Schedule to the Heritage Overlay within the Melton Planning Scheme. The study was undertaken by RBA Architects & Conservation Consultants.

The 13 places assessed as part of the subject study were included in the *Shire of Melton Heritage Study 2007* under the following categories:

- 10 were identified as 'Conservation Desirable' places.
- 2 were listed as places which might be considered worthy of heritage protection in a future study (nos 170 and 374).
- Place no.270 was not included in Stage 2 of the study, though was identified as a potential heritage site in Stage 1 of the study.

The methodology adopted for the assessment was in accordance with the processes and criteria outlined in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance*, known as the *Burra Charter* (Australia ICOMOS, 2013). The key tasks included:

- Site inspections. Most places were visible and able to be assessed from the road.
- Historical research and analysis of the extant fabric in relation to documentary evidence.
- Preparation of a physical description.
- Assessment of the significance of each site based on the research and the extant fabric.
- Preparation of citations (statement of significance, history and description) for those places warranting heritage protection, with reference to the Planning Practice Note 1.

Project findings

Of the 13 places assessed, RBA Architects and Conservation Consultants found that:

- Nine places meet the threshold for local significance and should be included in the Schedule to the Heritage Overlay.
- Four places have been altered to an extent that they do not meet the threshold for inclusion in the Heritage Overlay.

The full assessment of the 13 places is detailed in **Appendix 1** with an overview of the assessment provided in Tables 1 & 2 below. **Appendix 2** shows the geographic locations of the nine places recommended for inclusion, with Table 1 providing an overview of these places.

Table 1 – Places recommended for inclusion in the Heritage Overlay

ID No.	Place	Address	Description
170	Behlen Shed	Brooklyn Road, Melton South (on the railway reserve, part of 2-98 Staughton Street)	Constructed during the mid-1960s for the Grain Elevators Board. The shed also has associations with the chaff industry which was a major industry in the Melton South area. Other structures associated with this industry have been lost.
183	Former Melton Stud	325 Clarkes Road, Brookfield	Established in 1906 by highly regarded and successful racehorse breeder E E D Clarke (member of the important Clarke family), Melton Stud is a relatively early thoroughbred stud. The

ID No.	Place	Address	Description
			Sugar Gums as well as the stallion box and associated exercise yard are contemporary with the Federation period house. The grave of the noted sire 'The Welkin' also remains. All elements recommended for inclusion in the Heritage Overlay are largely intact.
239	House and outbuildings (Tara Stud)	2-6 Sherwin Court, 2 Killarney Drive, 2a Sherwin Court, Melton	Largely intact Old English Revival Style house and 3 largely intact outbuildings (2 stables and 1 office), metal horse walker and associated Cypress trees in adjacent reserve. Representative of facilities employed during the mid-20th century for the horse industry, which was an important industry for the Municipality. Historically, the stud is also associated with notable local identities including the Hornbuckle and Nixon families.
270	Staughton Infant Grave	430-458 Exford Road, Weir Views	1880 grave of infant Rupert Werribee Staughton, the fourth child of Harry Werribee and Anna Maria Staughton of Exford Estate. Associated with the prominent Staughton family, it is one of relatively few isolated marked graves in the Municipality (outside a cemetery) that retain its original gravestone and is in its original location.
271	House	398-428 Exford Road, Weir Views	Largely intact weatherboard house likely constructed during the first decade of the 20th century, probably for a farm manager or the like. Associated with the Exford Estate of which it was part until the turn of the 21st century.
312	Water Reserve, Beattys Road	701A Beattys Road, Aintree (Crown Allotment 1 of 3; SPI: 8A~18\PP2927)	Associated with initial subdivision of land and located adjacent to the important crossing of Beattys Road over Kororoit Creek. One of only a few identified water reserves that remain. It includes a dry stone wall which reflects the practices of early land owners in the Melton area.
316	Former Fulham Park	1267-1289 Beattys Road, Grangefields	Selection era house constructed circa 1860s with basalt walls. Few houses of the type/age survive in the Melton area. The site and the riveted vessels are associated with the operations of the Cockbill family who established a pig and poultry stud during the early 20th century and also operated a knackery.
318	Beattys Bridge	Beattys Road, crossing of Kororoit Creek, Aintree	Timber bridge over Kororoit Creek, likely constructed during the late 19th/early 20th century. There are relatively few timber bridges from this period that remain in the Melton area. The bridge and the nearby section of cobblestone road both have the potential to yield information about early road infrastructure. Both are also associated with the important crossing of Beattys Road over Kororoit Creek.

ID No.	Place	Address	Description
392	Tibbermore	687 Hopkins Road, Truganina	Early basalt section of house probably constructed during the 1860s or 1870s. One of a few buildings, or remnant buildings, that survive in the Municipality which are evocative of an early phase of European settlement. The earlier section of house has been incorporated into a Federation period dwelling that has been altered externally.

Table 2 – Places not recommended for inclusion in the Heritage Overlay

ID No.	Place	Address	Description
76	Cottage	3 Diggers Rest- Coimadai Road, Diggers Rest	The house's origin and date of construction has not been confirmed, though the front section of the house likely dates to the 19th century. This part of the house is much altered and was likely relocated to the site during the mid-20th century for Albert Edward Tame to support the wire factory that had been established at Diggers Rest.
371	House	405 Greigs Road, Truganina	Substantially altered house likely constructed during the Interwar period and possibly relocated to the subject site. The house has been heavily compromised through the introduction of a prominent dormer addition and an upper level balcony. There are no strong historical associations
374	House	879 Greigs Road, Thornhill Park	Federation period section of house with mid-20th century additions. Whilst the remnant section of the Federation period house is partly intact, its original presentation is difficult to interpret. No other Federation period fabric remains. There are a few outbuildings with various construction dates. One possibly dates from circa 1930 whilst others are later. There is no obvious key phase of development and no strong family associations. Extant sections of dry stone walls that are not included in the Mount Cottrell Dry Stone Wall Precinct (HO200) should be included in the existing Heritage Overlay.
452	Stoneleigh	875-941 Troups Road, Truganina	Whilst the house is associated with well-known local identities the Troup family, it is in poor condition and has been considerably altered. The house is recognisable as a Federation period dwelling, though it is surrounded by later buildings – the additions to the house and the outbuildings are much later and do not relate to the early phase of development.

Planning Scheme Amendment C198 – Additions to the Heritage Overlay

To ensure ongoing protection of the nine recommended heritage places, they must be listed under Clause 43.01 of the Melton Planning Scheme – the Heritage Overlay. To give effect to this change, a formal Planning Scheme Amendment is required

Amendment C198 proposes to implement the findings of the *City of Melton Heritage Assessments Project 2018* into the Melton Planning Scheme by:

- Including an additional nine places in the Schedule to the Heritage Overlay located at clause 43.01 (as summarised in Table 1 of this report).
- Incorporating the statements of significance for each of these places as contained in **Appendix 1** into the Melton Planning Scheme.

Including these places in the Schedule to the Heritage Overlay, and incorporating the statements of significance will allow an assessment of the heritage value of the properties, and the impact that proposed development may have upon them should Council receive any development proposals for the subject properties.

Strategic assessment

Ministerial Direction No 11 requires amendments to be assessed against a number of guidelines. This strategic assessment has been undertaken and it is considered that the amendment adequately addresses the guidelines.

One of the objectives of the *Planning and Environment Act 1987* is to:

Conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

The City of Melton's *Municipal Strategic Statement* includes an objective 'to protect and enhance areas of environmental, historical and cultural significance and sensitivity'.

The purpose of Clause 43.01 – Heritage Overlay of the Melton Planning Scheme is as follows:

- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

As local historic assets are at risk, the Heritage Overlay is the most appropriate planning control available to ensure long term protection. This Amendment will directly contribute towards Council's legislated obligation to conserve heritage within the municipality.

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 *City of Melton Heritage Assessments Project 2018* was undertaken by RBA Architects & Conservation Consultants at a total cost to Council of \$38,180. Council officer time and resources are involved in the preparation of the amendment. Council is also required to pay the mandatory fees associated with the amendment process. Should the amendment proceed to a Panel, costs will be incurred, including for potential legal representation. The costs associated with Planning Scheme Amendments are covered by the recurrent budget of City, Design, Strategy and Environment.

5. Consultation/Public Submissions

City of Melton Heritage Assessments Project 2018

Council sent letters and sought to make contact with property owners to arrange site access where necessary. Site surveys were largely limited to a visual assessment of each property from the road and were undertaken in February and March 2018. Place no. 392 was not visible from the road and a site inspection of this property was not possible, however, direct contact was made with the property owner regarding the study. As a result, the assessment of this place relied on earlier photographs. This approach is an accepted methodology for the inspection of heritage places.

Amendment C198

Planning scheme amendments are subject to an exhibition process in accordance with the *Planning and Environment Act 1987*. This includes direct notification to affected land owners, notification to government agencies and prescribed Ministers, a notice placed in a local newspaper, and a notice placed in the Government Gazette.

Council staff, including a Heritage Advisor will be available to meet with land owners and undertake site visits if requested during the consultation period. Any submissions received during the exhibition process will be assessed by Council officers who will seek to work with submitters to resolve issues where appropriate.

Once the exhibition period closes, a further report will be provided to Council summarising any submissions made to Amendment C198, the changes made to the amendment as a result of exhibition and recommending whether a Planning Panel is required.

6. Risk Analysis

If Council chooses not to seek authorisation to prepare a Planning Scheme Amendment, it would prevent the protection of significant heritage places from future development.

Council would also risk not meeting its obligations under the *Planning and Environment Act 1987* regarding the conservation and enhancement of heritage places.

7. Options

Council can resolve to either:

- Adopt the findings of the *City of Melton Heritage Assessments Project 2018* (**Appendix 1**) and seek authorisation to prepare and exhibit a Planning Scheme Amendment in accordance with the *Planning and Environment Act* and authorise the General Manager Planning & Development and Manager City Design, Strategy & Environment to negotiate and resolve any issues; or
- Not adopt the findings of the *City of Melton Heritage Assessments Project 2018* (**Appendix 1**) and not proceed with the Planning Scheme Amendment.

LIST OF APPENDICES

1. City of Melton Heritage Assessments Project 2018 - dated 19 November 2018
2. Heritage Places Location Map - dated 19 November 2018

Cr Kesic returned to the Chamber at 8:46pm.

12.15 AMENDMENT C200 TO THE MELTON PLANNING SCHEME - MUNICIPAL STRATEGIC STATEMENT RE-WRITE PANEL REPORT

Author: Kate Barclay - Senior Strategic Planner

Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

PURPOSE OF REPORT

To consider the recommendations of the Planning Panel on Amendment C200 to the Melton Planning Scheme.

RECOMMENDATION:

That Council:

1. Accept Panel's recommendation and adopt Amendment C200 to the Melton Planning Scheme as contained at **Appendix 2**.
2. Submit the Amendment to the Minister for Planning for approval.

Motion

Crs Hardy/Kesic.

That Council:

1. Defer consideration of Amendment C200 to the Melton Planning Scheme to the March 2019 Ordinary Meeting of Council
2. Receive a further dedicated briefing on Amendment C200 to the Melton Planning Scheme in February 2019 ensuring all issues have been canvassed and allowing Councillors community consultation and research if necessary.

LOST

Motion

Crs Majdlik/Carli.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Amendment C200 seeks to ensure the Local Policy Framework (LPPF) is consistent with, and is underpinned by, the structure and themes at the State Planning Policy Framework (SPPF) level. The amendment aligns the municipal profile, key issues and influences, vision and strategic framework plan with the *Council and Wellbeing Plan 2017-2021*.

At its Ordinary meeting on 24 July 2017, Council resolved to prepare and exhibit Amendment C200 to the Melton Planning Scheme. Following this resolution, Council officers sought authorisation to commence the amendment from the Department of Environment Land, Water and Planning (DELWP).

Authorisation was received on 3 April 2018 and the amendment was publicly exhibited from the 17 May 2018 to 16 July 2018. Nine submissions were received, six objecting to the amendment and three supporting the Amendment.

At its Ordinary meeting on 20 August 2018 (**Appendix 3**), Council resolved to request the Minister for Planning to establish an independent Planning Panel to consider unresolved submissions received in response to Amendment C200 in accordance with the *Planning and Environment Act 1987*.

On 28 August 2018, Planning Panels Victoria appointed a one person Panel to hear and consider unresolved submissions to Amendment C200. The Panel conducted a Directions Hearing on 17 September 2018, and considered the submissions at a Panel Hearing on 15 October 2018.

Council officers continued to liaise with submitters prior to the Panel Hearing and prepared tracked changes to the planning scheme ordinance where Council supported the suggested changes to address some of the issues raised by submitters.

The revised planning scheme ordinance formed part of Council's submission to the Planning Panel.

Council officers received the Panel Report (**Appendix 1**) on 9 November 2018. The Panel considered all of the submissions and concluded that the MSS rewrite was a significant undertaking by Council, was fundamentally sound and strategically justified. Recommending only two minor changes to the exhibited Amendment documentation.

It is now recommended that Council accept the Panel's recommendation and adopt Amendment C200 to the Melton Planning Scheme (**Appendix 2**).

2. Background/Issues

Municipal Strategic Statement (MSS)

The MSS provides the policy foundation for the Melton Planning Scheme. The MSS also provides an opportunity for an integrated approach to planning across all areas of a Council's operations and should express links to the Council Plan.

The MSS is dynamic and enables community involvement in its ongoing review. The MSS should be continually refined as a planning authority develops and revises its strategic directions in response to the changing needs of the community.

A review of the Melton Planning Scheme in 2012 identified that it was completely outdated and contradicted the State Planning Policy, it was also failing to provide adequate guidance for the community, planners and Council on how discretion should be exercised when considering a planning permit application.

The 2012 review recommended a comprehensive plan for Council to rewrite its planning scheme. Council resolved to adopt the recommendations of the 2012 Planning Scheme Review at the 26 July 2012 Council meeting. The review agreed that a series of work be undertaken before the MSS could be re-written. Those recommendations were forwarded to the Minister for Planning and a series of work to develop a range of plans and strategies to be undertaken was developed.

A number of strategies and plans have now been prepared and adopted by Council to specifically inform the re-write of the MSS as directed by the Minister for Planning.

These strategies and plans adopted by Council over the last four years include:

- *Significant Landscape Features Strategy* (Adopted May 2016)

- *Melton Open Space Plan 2016-2026*, (Adopted 4 April 2016)
- *Moving Melton – Integrated Transport Strategy November 2015*, (Adopted 15 December 2015)
- *House Rules – Housing Character Assessment and Design Guidelines* (Adopted October 2015)
- *Western Plains North Green Wedge Management Plan September 2014*, (Adopted 23 September 2014)
- *House Smart – Housing Diversity Strategy March 2014*, (Adopted 27 May 2014)
- *Melton Retail and Activity Centres Strategy March 2014*, (Adopted 1 April 2014)

In addition to the abovementioned strategies and plans, work on a range of other strategies, plans and guidelines has also been undertaken as detailed in the *MSS Background Report June 2017*.

Amendment C200 will:

- Deliver a revised and up to date MSS
- Ensure Local Planning Policy Framework (LPPF) is consistent with, and is underpinned by the structure and themes at the State planning Policy Framework (SPPF) level
- Align the MSS, municipal profile and vision with the *Council and Wellbeing Plan 2017-2021*
- Provide an updated strategic framework reflective of the City of the Melton in 2017 and beyond
- Identify key issues and influences affecting the municipality
- Identify themes to assist land use and development planning and decision-making under the Melton Planning Scheme.

Legislative Requirements

A planning scheme review must comply with Section 12B of the *Planning and Environment Act 1987 (the Act)* and *Planning Practice Note 32 - Review of Planning Schemes* (Practice Note). Councils are required to undertake a review of their planning scheme every four years. The Practice Note recommends the planning scheme review occur following the review of the Council Plan, and states:

‘The review also provides the opportunity to evaluate the planning scheme to ensure it:

- *Is consistent in form and content with any directions or guidelines issued by the Minister under section 7(5) of the Act*
- *Sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies*
- *Makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.’*

The Practice Note also states: *‘the review is an audit of the performance of the planning scheme at a point of time and will inform the continuous improvement of the planning scheme by addressing ... what has been achieved since the last review.’*

The Act and Practice Note also require a planning scheme to be consistent with the State Planning Policy Framework (SPPF), including the metropolitan planning strategy, Plan Melbourne.

The Local Planning Policy Framework (LPPF), which includes the MSS, contains land use and development policies adopted by Council. Hierarchically, the content of the LPPF must be consistent with any policies within the SPPF.

Amendment C200

The Amendment proposes to implement the findings of the *Municipal Strategic Statement Rewrite Background Report June 2017*.

It proposes to rewrite and update the Local Planning Policy Framework (LPPF) by replacing the existing Municipal Strategic Statement (MSS) at Clause 21 of the Melton Planning Scheme with a new MSS to improve its usability and align with the structure and themes of the State Planning Policy Framework (SPPF).

The amendment also makes subsequent changes and deletes several local policies at Clause 22 as many of these have been updated and included at Clause 21 consistent with the current recommended structure of the MSS.

The amendment replaces the current LPPF with a new LPPF by:

- Replacing the existing MSS - Clauses 21.00 to 21.05 inclusive with new Clauses 21.01 to 21.12.
- Replacing Clauses: 22.02 to 22.05 and 22.07 to 22.09 with [no content] and incorporating relevant policy into the revised MSS where appropriate.

The revised MSS replaces six existing clauses and inserts an additional six clauses, while the number of local planning policies has been reduced from 12 to five.

The contents of the amendment are detailed in **Appendix 2** and the key changes to the existing outdated MSS are summarised in the table below:

Proposed Clause	Old Clause	Key Changes
Clause 21.01 Introduction	Clause 21.00 Municipal Strategic Statement Clause 21.01 Snapshot of Melton City in 2014 Clause 21.02 Key Issues in the City Clause 21.03 Planning Visions and Objectives for Melton	Updates the strategic directions of the municipality, key land use issues and includes relevant sections of the <i>Melton Council and Wellbeing Plan 2017-2021</i> .
Clause 21.02 Settlement	Clause 21.01 Snapshot of Melton City in 2014 Clause 21.03 Planning Visions and Objectives for Melton Clause 21.04 Housing within the Established Residential areas	Incorporates sections of the existing clauses that are still relevant and inserts issues and objectives from recently adopted Council strategies that inform the current direction for settlement within the municipality.
Clause 21.03 Environment and Landscape Values	Clause 21.01 Snapshot of Melton City in 2014 Clause 21.03 Planning Visions and Objectives for Melton	Expands upon the existing Clause 21.01-11 Environment and Landscape Character. It Includes the relevant land use initiatives from the adopted City of Melton <i>Environment Plan 2017-2027</i> and the <i>Significant Landscape Features Strategy May 2016</i> .

Proposed Clause	Old Clause	Key Changes
Clause 21.04 Environmental Risk	Clause 21.01 Snapshot of Melton City in 2014	Expands on issues relating to planning for flood and fire events and introduces objectives relating to planning for and mitigating climate change. It Includes the relevant land use initiatives from the adopted City of Melton <i>Environment Plan 2017-2027</i> and the <i>Significant Landscape Features Strategy May 2016</i> .
Clause 21.05 Natural Resource Management	Clause 21.01 Snapshot of Melton City in 2014	Expands on issues relating to agriculture and supports Clause 13 (Environmental risk) of the State Planning Policy Framework
Clause 21.06 Activity Centre and Retail Provision	Clause 21.05 Activity Centres and Retail Provision	Reformats and rewords the adopted Clause that implements the <i>City of Melton Retail and Activity Centres Strategy, March 2014</i> to accord with the format specified in the Practice Note and advice from the Department of Environment Land Water and Planning.
Clause 21.07 Built Environment and Heritage	None This new Clause is required by the VPP	Introduces strategies from the adopted <i>Melton Housing Character Assessment Guidelines: Character Statements and Guidelines, September 2015</i> as well as other built form, principles and initiatives. Objectives and Strategies relating to Heritage are also introduced for the first time.
Clause 21.08 Housing	Clause 21.04 Housing within Established Residential Areas	Updates the directions introduced by Council's <i>Housing Diversity Strategy in 2014</i> and introduces well-being initiatives relating to harm minimisation and liveability.
Clause 21.09 Economic Development	Clause 21.01 Snapshot of Melton City in 2014	Updates and expands upon Clause 21.01-6 (Melton's Economic Base) and introduces objectives and strategies relating to Council's <i>Economic Development and Tourism Plan 2014-2030</i> and other economic initiatives.
Clause 21.10 Transport	Clause 21.01 Snapshot of Melton City in 2014	Introduces Council's integrated Transport Strategy – <i>Moving Melton - Melton Integrated Transport Strategy, November 2015</i>
Clause 21.11 Infrastructure	Clause 21.01 Snapshot of Melton City in 2014	Introduces priorities for the delivery of specific infrastructure in accordance with <i>Melton Advocacy Priorities</i> .
Clause 21.12 Local Areas	Clause 22.09 Eynesbury Station Policy	Deletes the local policy for Eynesbury and updates and includes the planning

Proposed Clause	Old Clause	Key Changes
		policy for Eynesbury in the Local Areas Clause, consistent with the current MSS format.

Local Planning Polices 22.02 to 22.05 and 22.07 to 22.09 are replaced with [no content] and the relevant policy has been incorporated into the revised MSS where appropriate and consistent with State Planning Policy requirements.

Planning Panel

At its ordinary meeting on 20 August 2018 (**Appendix 3**), Council resolved to request the Minister for Planning to establish an independent Planning Panel to consider unresolved submissions received in response to Amendment C200 in accordance with the *Planning and Environment Act 1987*.

On the 28 August 2018, Planning Panels Victoria appointed a one person Panel to hear and consider unresolved submissions. The Panel conducted a Directions Hearing on 17 September 2018, and considered the submissions at a Panel Hearing on 15 October 2018.

There were four submitters who requested to be heard at the Panel Hearing. It is important to note that all 9 submissions (refer to section 5) were considered by the Planning Panel, whether the submitter was heard at the Planning Panel or not.

Planning Panel Report

Council officers received the Panel Report (**Appendix 1**) on 9 November 2018. The Panel considered all of the submissions and concluded that the MSS rewrite was a significant undertaking by Council and was fundamentally sound and strategically justified.

The Panel noted that the amendment attracted a total of nine submissions including six objecting, mostly on discrete issues that suggested improvements to the drafting. The Panel noted that no submission sought abandonment of the Amendment or any substantial change to the Amendment.

The Panel recommended that Melton Planning Scheme Amendment C200 be adopted as presented in Councils Submission with the following changes:

1. Insert at Clause 21.01 Figure 2, the footnote: "Proposed Kororoit Creek Regional Park (exact boundary to be determined)", as consistent with the West Growth Corridor Plan.
2. Amend the legend of Figure 2 'Strategic Framework Plan' to identify the 'Ravenhall Precinct waste and resource recovery hub and quarries' and make any required consequential changes to the Local Planning Policy Framework text.

It is recommended that Council adopt Amendment C200 to the Melton Planning Scheme subject to minor changes recommended by the Panel. Council officers as required by the *Planning and Environment Act 1987* made the report public on the 23rd November 2018. Officers also notified all submitters that the report was available.

Amendment VC148 – Planning Policy Framework (PPF)

Amendment VC148 introduced on 31 July 2018 is part of the Smart Planning programs reforms to simplify and modernize Victoria's planning policy.

The new (PPF) has been introduced to:

- Improve the operation of planning policy in planning schemes across Victoria
- Make planning schemes more efficient, accessible and transparent
- Enable the better alignment of state planning policy with local planning policy
- Ensure policy is consistent across state, regional and local tiers.

The existing State Planning Policy Framework has been largely operated in the same way for over 20 years and has been the subject of many reviews over that time.

The introduction of a new Planning Policy Framework is the first stage of a suite of amendments being implemented by DELWP. The amendment replaces the existing State Planning Policy Framework (SPPF) and includes all state and regional planning policies.

All planning schemes in Victoria will ultimately need to be translated into the new PPF format, until that time transitional arrangement provisions have been included in all Victorian planning schemes to allow the existing SPPF and MSS to continue to operate.

Council officers will continue to work with DELWP to have the Melton Planning Scheme translated.

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

Council officer time and resources are involved in the preparation, exhibition, and adoption of the amendment. Statutory fees such as those associated with a Planning Panel are required to be borne by Council as the Responsible Authority. Planning scheme amendments and the associated panel costs are budgeted for within the unit's recurrent budget.

In addition to the costs for the Amendment, Council has spent a considerable amount of money over the past four years in the preparation and development of plans and strategies that have informed the re-write of the MSS.

5. Consultation/Public Submissions

Public Exhibition

The amendment was on public exhibition from 17 May 2018 to 16 July 2018 and involved the following forms of notification:

Public notices were placed in the local newspapers, the *Melton and Moorabool Star Weekly*, the *Brimbank and Northwest Star Weekly* and the Victorian Government Gazette.

The amendment was also posted on DELWP's and Councils website during the exhibition period.

The adjoining municipalities of Brimbank, Moorabool, Macedon, Wyndham and Hume were also notified of the amendment, in addition letters were sent to prescribed Ministers.

- Letters were sent to the following Government Departments and Agencies previously notified of the commencement of the work to update the MSS:
- Victorian Planning Authority
 - VicRoads
 - Transport for Victoria
 - Department of Environment, Land, Water and Planning
 - VicTrack
 - Public Transport Victoria
 - Melbourne Airport
 - Melbourne Water
 - Transport for Victoria
 - VicRoads
 - Southern Rural Water
 - Western Water
 - City West Water
 - Telstra
 - Australian Pipelines Association
 - Ausnet
 - Citipower & Powercor Australia
 - Country Fire Authority
 - Downer Utilities Australia Pty Ltd
 - Jemena
 - Heritage Victoria
 - Department of Economic Development, Jobs, Transport and Resources
 - Environment Protection Agency Victoria
 - Victoria Police – Melton
 - Aboriginal Victoria

During the exhibition period community consultation drop in sessions were held across the municipality, these sessions were advertised in the local newspaper as follows:

- 5 June - Caroline Springs
- 12 June - Diggers Rest
- 14 June - Melton

The sessions held across the three locations were attended by approximately 60 members of the community and provided an opportunity to discuss the changes to the MSS and other recent strategies and plans adopted by council.

Submissions

A total of nine written submissions were received in response to the amendment, including a late submission from the Country Fire Authority (CFA), supporting the amendment.

Six of the submissions requested changes to the amendment in some form, the other three submissions supported the amendment.

A summary of issues raised through submissions considered by the Planning Panel are detailed below:

- Reference should be made to mitigating the potential for land use conflicts with the Parwan Waste Water Treatment Plant.
- Reference should be made to mitigating the potential for future land use conflict in the non-urban areas adjacent the parts of Moorabool identified for future development in Parwan and Hopetoun Park North as part of the Bacchus Marsh Urban Growth Framework.
- Clause 21.01 Municipal Profile, should reference the role of industrial land and industry of state-wide significance. This should include reference to Ravenhall

Precinct, Melbourne Regional Landfill, closed Melton landfill, waste water treatment plants, high pressure pipelines and materials recycling.

- Clause 21.01-3.2 Non-Urban Land, could be strengthened with regard to protecting and maintaining separation distances between existing industry and infrastructure to avoid land use conflicts.
- Regional Park boundaries shown on Figure 2 - Strategic Framework Plan are inconsistent with GC99 and should be amended.
- Clause 21.03 Environment and Landscape Values, should be amended to include further strategic work to remove land from the Environment Significant Overlay where no significant environmental factors are demonstrated.
- Melton Landscape – Significant Landscape Features Strategy May 2016 should not be a reference document within Clause 21.03 as it does not display an accurate position of the environmental values of the Kororoit Regional Park area, noted as “*Conservation Areas and Parklands*” within that reference document.
- Clause 21.04-2 Floodplains, should be amended as the two functions of protecting the community from flooding and maintaining environmental process are not exclusive, “where possible and practical for the development” should be added to the two strategies.
- Clause 21.11-2.1 Protection of Infrastructure, should be improved for clarity with respect to the roles of City West Water and Western Water.
- Clause 21.11 Infrastructure, contradicts the State Planning Policy Framework, in that it does not seek a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.
- Clause 21.11 Infrastructure, is not sufficiently linked to an objective or strategy in the MSS, will not help council make a decision, will not help any other person to understand whether a proposal is likely to be supported or not, and is not clear.

Council officers continued to liaise with submitters prior to the Panel Hearing and prepared tracked changes to the planning scheme ordinance where Council supported the suggested changes to address some of the issues raised by submitters.

Prior to the Panel Hearing, City West Water withdrew its submission on the basis that it was satisfied with the changes proposed by Council to address the submission.

The revised planning scheme ordinance formed part of Councils submission to the Planning Panel (**Appendix 2**).

6. Risk Analysis

Council has a statutory obligation to review its planning scheme, should council choose to not proceed with Amendment C200 then Council will be continuing to operate with an outdated MSS inconsistent with the current *Council and Wellbeing Plan 2017-2021* and therefore not meeting a statutory obligation.

In addition, if the amendment to revise the MSS does not proceed, it will result in a number of Council adopted strategies, policies and guidelines not being implemented into the planning scheme as intended. If the amendment is not supported it will also have implications for Council officers when deciding on planning permit applications and in VCAT hearings in the absence of updated policy.

7. Options

Council can resolve to either:

1. Accept Panel's recommendation and adopt Amendment C200 to the Melton Planning Scheme as contained at **Appendix 2**.
2. Abandon Amendment C200 to the Melton Planning Scheme.

LIST OF APPENDICES

1. C200 Panel Report - dated 9 November 2018
2. C200 Planning Scheme Ordinance - undated
3. C200 Council Report requesting appointment of a Planning Panel dated - 20 August 2018

12.18 CONTRACT No. 19/012 - COBBLEBANK (FORMALLY MELTON) INDOOR STADIUM

Author: Lauren Pammer - Project Officer - Civil Projects
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/012 Cobblebank (formally Melton) Indoor Stadium Design Services.

RECOMMENDATION:

That Council:

1. Awards Contract No. 19/012 Cobblebank (formally Melton) Indoor Stadium Design Services to Mantric Architecture for the sum of \$993,528 (excl. GST)
2. Receive and note the Tender Evaluation Reports found in the **Confidential Appendix**.
3. Delegate to the Chief Executive Officer the execution of all contract documents in relation to this contract.

Motion

Crs Ramsey/De Santis.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report recommends the award of Contract No. 19/012 Cobblebank (formally Melton) Indoor Stadium Design Services to Mantric Architecture for the sum of \$993,528 (ex GST).

At the Ordinary Meeting of Council held 17 October 2017 Council approved the Toolern PSP precinct as the site to develop a new 5 Court High Ball Indoor Stadium.

The project will involve the design of a maximum 5 court high ball stadium, amenities and community spaces that will provide the community with increased program participation opportunities, thereby addressing the lack of indoor court provision in Melton.

An expression of interest for design services was run in mid-2018 with 4 companies selected to progress to a direct tender phase.

Council has applied for \$10,000,000 funding from Building Better Regions which will require construction to start in September/October 2019 (if successful). To meet this deadline Council will need to award the design contract at this December 2018 Ordinary Meeting of Council. Council resolved via Notice of Motion 597 to allocate \$500,000 towards the commencement of design works of a High Ball Indoor Stadium for Melton at the 12 November 2018 Ordinary Meeting of Council. This allocation will allow design works to commence with the remaining \$500,000 provided for in the 2019/20 budget process.

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

2. Background/Issues

The current indoor stadium servicing the Melton Township is the Melton Indoor Recreation Centre (MIRC) located at the Melton Secondary College corner of High Street and Coburns Road Melton. The facility is owned by the State Government (Department of Education) and is currently managed by Council under a joint use agreement (JUA). The 3 court facility's current 20 year JUA is due to expire in December 2019. Council has resolved not to extend the agreement beyond this date.

Based on site evaluation criteria used to assess potential sites, consistent with the Open Space strategy and the Indoor Sports Strategy which states Council provides one (1) indoor high ball sports court per 10,000 residents, Council resolved the following at the Ordinary Meeting of Council in October 2017:

1. to adopt the Toolern precinct as the site to develop a new 5 Court High Ball Indoor Stadium.
2. to include a new High Ball Indoor Stadium program into the 10 year Capital Works Program.
3. to consider funding \$1M for the design of a High Ball Indoor Stadium in the 2018/19 financial year. (note: the \$1m budget allocation was deferred to the 2019/20 financial year).

This stadium will service the existing population in the Melton Township along with the future population growth in the Cobblebank area. The new indoor stadium will increase community participation and provide greater access for a range of sports including basketball, netball, badminton, table tennis, futsal, school programs and community health and wellness programs.

Consistent with its vision to have a positive impact on economic activity, enhance community facilities, create jobs and encourage community cohesion, Council has resolved to provide funding for the undertaking of the design of approximately 10,195sqm of vacant land at 206 Ferris Rd Cobblebank for the indoor stadium.

Scope

The project design will include for:

- Design services for up to a maximum 5 court high ball stadium including;
 - Show court and spectator seating
 - Amenities, change rooms, storage, first aid, referees rooms
 - Reception and café
 - Car parking and landscaping
 - Services to site

Through an expression of interest phase via the Construction Supplier Register, 4 design teams were successful in progressing to the direct tender phase.

All tender responses have been evaluated against the Evaluation Criteria specified in the Procurement Guidelines with each weighted to reflect its relative importance and noted below.

- Capability & Experience
- Methodology
- Price

- Local Content

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

3. Council Plan Reference and Policy Reference

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

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

1.5 Environments that enable and encourage positive public health and wellbeing outcomes

4. Financial Considerations

Council resolved to allocate \$500,000 via Notice of Motion 597 towards the commencement of design works of a High Ball Indoor Stadium for Melton at the 12 November 2018 Ordinary Meeting of Council. This allocation will allow design works to commence with the remaining \$500,000 provided for in the 2019/20 budget process.

After a detailed cost analysis by an independent quantity surveyor, a recommendation to Council will be made as to the delivery options including for a possible staged construction depending on level of scope adopted.

A funding application to Building Better Regions could see \$10,000,000 contributed from the Federal Government, reducing Council's commitment. The indoor stadium will also be a priority for Council when submitting other funding opportunities throughout 2019 such as Growing Suburbs and Sport and Recreation Victoria Better Indoor Stadiums.

5. Consultation/Public Submissions

The following stakeholders have been consulted during this process:

- Melton Council Recreation & Youth
- Melton Council Capital Projects
- State & Federal Government Funding Bodies (Better Indoor Stadiums, Growing Suburbs, Building Better Regions)
- Letters of support for funding applications received by Netball Victoria, Melton Netball Association, Melton Badminton, Australian Futsal Group, Table Tennis Victoria, Melton Table Tennis Group, Melton Basketball Association, Belgravia Leisure and Basketball Victoria

6. Risk Analysis

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

- An internal assessment panel consisting of members from Strategic Planning, Recreation and Capital Projects
- Completion of an expression of interest via the Construction Supplier Register, to identify capable companies to be invited to directly tender the project.
- The development of a clear project brief, the use of an industry standard contract and interviewing of the two preferred contractors and reference checks.

7. Options

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Do not support the Officer's recommendation.

LIST OF APPENDICES

1. Contract No. 19/012 Cobblebank Indoor Stadium - Tender Evaluation - undated - **CONFIDENTIAL**

Designated as confidential by the Chief Executive Officer pursuant to Section 77(2)(c) and Section 89(2)(d) of the *Local Government Act 1989*.

12.19 CONTRACT No. 19/022 - MELTON RECYCLING FACILITY INFRASTRUCTURE UPGRADE STAGE 1

Author: Craig Halley - Capital Projects Officer
Presenter: Les Stokes - Manager Operations

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/022 for Melton Recycling Facility Infrastructure Upgrade Stage 1 commencing January 2019.

RECOMMENDATION:

That Council:

1. Award Contract No. 19/022 for Melton Recycling Facility Infrastructure Upgrade Stage 1 to Ace Infrastructure Pty Ltd for the fixed lump sum amount of \$1,812,448 (excl. GST).
2. Bring forward \$952,833 (excl. GST) from future years of the Capital Works Program and allocate into the 2018/19 budget to deliver Contract No.19/022.
3. Delegate execution to the Chief Executive Officer in relation to all relevant contract documentation for the above contract.

Motion

Crs Majdlik/Kesic.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 19/022 for Melton Recycling Facility Infrastructure Upgrade Stage 1.

Melton Recycling Facility (MRF), located off Ferris Road, Cobblebank, is an important component of Council's waste and resource recovery service for residents. An Operational Review completed by Rawtec in 2017 identified that the MRF would reach and exceed its operational capacity by 2020/21 without infrastructure investment to increase capacity.

This contract delivers Stage 1 of the MRF Master Plan. The Master Plan was adopted by Council at the Ordinary Council Meeting held 25 June 2018. The project includes a new relocated gatehouse, two new weighbridges, modified entry road, new concrete and demolition material storage bunkers and new street sweeper drop-off bay.

Sustainability Victoria have partnered with Council and provided a grant for this project. This Stage 1 project will be completed by June 2019 to coincide with the expiry and renewal of the MRF operational contract (subject of separate Council report). A further Stage 2 redevelopment is planned for 2019/20 and 2020/21 to significantly enhance capacity.

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

2. Background/Issues

Council currently operates the Melton Recycling Facility (MRF) located off Ferris Road, Cobblebank. In 2017, Council commissioned specialist consultancy firm Rawtec to undertake an Operational Review of the MRF to assess current performance and identify areas for improvement as well as establish a long term strategic and infrastructure plan for the facility.

A key finding of the review was that the current site will reach its operational capacity by 2020/21 without investment in recycling infrastructure to increase capacity.

The operational review recommended short-term (Stage 1) improvement works to enhance capacity. These Stage 1 works will be delivered through this contract and forms part of the successful grant application to Sustainability Victoria's Infrastructure Grant Program.

In 2018, Council commissioned Tonkin Consulting to prepare a master plan for the MRF. The master planning process resulted in strategic changes to the site layout culminating in the re-location of the gatehouse and weighbridge forward of the retail shop. The layout changes contributed to the requirement to bring forward the entry road from Stage 2. This provides significant benefits in enabling the construction of Stage 2 to occur with limited effect on site operations and removes the need for Council to fund an interim access road that would become redundant within two years.

An Expression of Interest (EOI) was advertised on 25 August 2018. The EOI closed on 17 September 2018 with three civil contractors submitting an EOI. Following an evaluation process, all three civil contractors were identified as having the capability and resources to undertake the project and were subsequently invited to the Request for Tender (RFT) phase.

The RFT for the above contract was released to the three civil construction contractors on 3 October 2018 and closed on 25 October 2018.

A total of three tender submissions were received. Two of the three contractors were shortlisted for interview following evaluation.

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

3. Council Plan Reference and Policy Reference

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

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

2.1 A resource efficient City

4. Financial Considerations

The Melton Recycling Facility Infrastructure Upgrade Stage 1 project requires an overall budget of \$2,015,928 (excl. GST).

The completed master plan process achieves a seamless integration between the Stage 1 project and upcoming Stage 2 project resulting in the identification of a need to bring forward the construction of the future Stage 2 access road. The funds required to achieve this are \$952,833 (excl. GST).

It is a recommendation of this report that Council allocate \$952,833 (excl. GST) into the 2018/19 Capital Budget to deliver this important project.

Funding Sources	Amount \$ GST Excl.
Melton City Council 2018/19 (adopted budget)	\$671,595
Sustainability Victoria Infrastructure Grant	\$391,500
Melton City Council (budget allocation required in 2018/19)	\$952,833
TOTAL	\$2,015,928

The total project budget components for the project are as follows:

Expenditure	Amount \$ GST Excl.
Construction (this Contract)	\$1,812,448
Construction Contingency	\$100,000
Other fees (Consultant Fees, Permits)	\$103,480
TOTAL	\$2,015,928

The budget and estimated spend profile across the expenditure year is as follows:

Expenditure Year	Budget	Expenditure
2018-19	\$1,063,095 \$952,833**	\$2,015,928
TOTAL	\$2,015,928	\$2,015,928

** 2018/19 budget allocation requested as part of this report

A financial assessment was undertaken by Corporate Scorecard and returned a sound result.

5. Consultation/Public Submissions

Key stakeholders were consulted during the development of the MRF master plan in 2018. Consultation was undertaken with a broad cross-section of Council staff, current site operators, and other local government authorities. This consultation helped inform the design and user requirements. Information collected through this consultation informed the Stage 1 scope. It is expected that stakeholders, including the public, will be kept informed throughout this project.

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 contractors:
 - Advertised an open expression of interest to commercial construction contractors via The Age and on the Tendersearch website.
 - Select tender to civil construction companies shortlisted through the open expression of interest process.
 - Civil construction companies shortlisted required to have a good understanding and demonstrated experience with similar projects.

- Required companies tendering for the construction to have sound occupational health and safety systems to ensure the safety of contractors and the public.
 - Reference calls were made to previous clients to check on performance
2. Engagement of a financially capable civil construction company:
 - The engagement of an independent and expert consultant (Corporate Scorecard) to conduct a financial review of the company.
 - Council required the tenderers to provide evidence of public liability insurance and work cover.
 3. Development of risk management plans for the project.

7. Options

Council has the following options available:

1. Adopt the Officers' recommendations as presented in this report.

LIST OF APPENDICES

1. Contract No. 19/022 Melton Recycling Facility Infrastructure Upgrade Stage 1 - Tender Evaluation - undated - **CONFIDENTIAL**

Designated as confidential by the Chief Executive Officer pursuant to Section 77(2)(c) and Section 89(2)(d) of the *Local Government Act 1989*.

12.20 CONTRACT No. 18/013 – PROVISION OF WASTE COLLECTION SERVICES

Author: Les Stokes - Manager Operations
Presenter: Les Stokes - Manager Operations

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 18/013 for the Provision of Waste Collection Services commencing 1 July 2019 to 30 June 2026 with an option for a further two year extension at Council's discretion.

RECOMMENDATION:

That Council:

1. Award Contract No. 18/013 for the Provision of Waste Collection Services to JJ Richards and Sons Pty Ltd for the sum of \$378,364.32 pa (excl. GST) and the attached schedule of rates (excl. GST) contained in **Confidential Appendix**, commencing 1 July 2019 for a period of 7 years.
2. Delegate to the Chief Executive Officer the execution of all contract documents.
3. Advise all Tenderers accordingly

Motion

Crs Ramsey/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 18/013 for the Provision of Waste Collection Services.

The service involves the collection of waste, recycling and organic material from residential house-holds, council buildings and public place bins.

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

2. Background/Issues

In the 2017/2018 financial year, Council conducted a review of all of the waste collection contracts. The recommendations from this review found operational synergies between the kerbside, public waste and council building collection services and hence they have been combined under one agreement. Officers expect this should result in long term financial and operational benefits to Council.

Minor changes have been made to the frequency of collections for public place waste collections and council building waste collections in line with service demand or usage, generally increasing collections to cater for growth.

This contract involves collection of waste, recycling and organics from residential households, council buildings and public place bins. The service statistics (as of 31 August 2018) that apply to this contract are as follows;

- Weekly collection of 51,459 kerbside waste bins from households
- Fortnightly collection of 48,931 kerbside recycling bins from households
- Fortnightly collection of 31,302 kerbside organics bins from households
- Scheduled collections for 218 waste bins from council buildings
- Scheduled collections for 136 recycling bins from council buildings
- Scheduled collections for 4 organics bins from council buildings
- Scheduled collections for 1 cardboard bin from a council building
- Scheduled collections for 791 public waste bins
- Scheduled collections for 136 public recycling bins
- Scheduled collections for 2 public cigarette bins

The contractor will:

- Collect waste from residential properties, public places and Council buildings in accordance with Council priorities
- provide a safe and efficient service to Residents, Staff and Visitors of the City of Melton;
- provide guidance and advice to residents with respect to sustainable disposal options;
- provide visibility to Council of the Services, including by collecting and maintaining statistics and service information on behalf of Council;
- provide exceptional customer service to the community, acting as Councils main interface for all calls, emails and queries regarding the Services outlined in the specification;
- administer direct correspondence to residents to improve service delivery outcomes and address operational issues (including issues of contamination); and
- Supply, delivery and coordinate new bins, bin replacements, repairs and maintenance.

Current Service Arrangements

The services to be performed under Contract 18/013 are currently provided under two separate contracts;

1. Provision of Kerbside Collection Services – Contract 12/001 delivered by JJ Richards and Sons Pty Ltd
2. Provision of Public Place, Litter and Dumped Rubbish Collection Services – Contract 13/003 delivered by Urban Service Solutions Pty Ltd

Tender Process

The tender for Contract 18/013 was conducted in two phases and in accordance with Council's Purchasing Manual.

Council initially sort Expressions of Interest (EOI) from suitably qualified organisations. These organisation were shortlisted against a set of mandatory criteria.

Providing contractors meet the minimum requirements of the EOI, they were shortlisted and received a request for tender on 14 September 2018. A total of 5 contractors responded to the EOI, all progressing to the Request for Tender phase.

Tenders closed on Monday 15th October 2018 and a total of 2 Tender submissions were received.

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

A detailed summary of the evaluation process and outcomes is provided in **Confidential Appendix**.

3. Council Plan Reference and Policy Reference

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

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

5.3 Effective civic leadership, advocacy, partnerships and good governance

4. Financial Considerations

Council's Recurrent Budget contains an allocation of \$5,962,355 for the tendered services.

Based on this assessment the recommended tenderer's price is within the recurrent budget allocation recently adopted by Council.

A financial assessment was undertaken by Corporate Scorecard and returned a satisfactory result.

5. Consultation/Public Submissions

Tenderers were invited to attend a Tender Briefing session during the tender period on Thursday 4th October 2018.

Four of the five organisations who submitted expressions of interest attended the briefing.

6. Risk Analysis

Should Council choose not to award this contract, the existing service contracts will expire and Council would have to cease providing these services until such time that they were procured under an advertised tender.

7. Options

Council has the options to:

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

LIST OF APPENDICES

1. Contract No. 18/013 Provision of Waste Collection Services - Tender Evaluation - dated November 2018 - **CONFIDENTIAL**

Designated as confidential by the Chief Executive Officer pursuant to Section 77(2)(c) and Section 89(2)(d) of the *Local Government Act 1989*.

12.21 CONTRACT No. 18/010 – OPERATION AND MANAGEMENT OF MELTON RECYCLING FACILITY

Author: Les Stokes - Manager Operations
Presenter: Les Stokes - Manager Operations

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 18/010 for the Operation and Management of Melton Recycling Facility commencing 1 July 2019 to 30 June 2022 with an option for a further two year extension at Council's discretion.

RECOMMENDATION:

That Council:

1. Awards Contract No. 18/010 for the Operation and Management of Melton Recycling Facility the sum of \$4,719,572.00 pa (excl. GST) submitted by Outlook (Vic) Inc. commencing 1 July 2019 for a period of 3 years.
2. Delegate to the Chief Executive Officer the execution of all contract documents.
3. Advise all Tenderers accordingly.

Motion

Crs Majdlik/Carli.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 18/010 for the Operation and Management of Melton Recycling Facility.

The service involves the management, sorting, transporting and disposal of materials received within the transfer station and Resale Shop. Services will also include the management of customers and transactions via the gate house and weighbridge.

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

2. Background/Issues

This contract involves the management, sorting, transporting and disposal of materials received within the transfer station and Resale Shop

The contractor will:

- operate and manage the facility weighbridge and gatehouse;
- operate and manage the Resale Centre;

- receive and manage the recovery of reusable and recyclable materials, which shall include the transporting of materials to appropriate disposal locations or coordinating the collection of materials by suitable contractors;
- receive and reliably transfer residual waste to landfill; and
- manage OHS and environmental requirements at the site on behalf of Council.

The services to be performed under Contract 18/010 are currently provided under contract 11/017 Operation and Management of Melton Recycling facility - delivered by Urban Service Solutions Pty Ltd.

In 2016, Officers engaged an industry consultant (Rawtech Consultants) to undertake a full operational review of the site. Council considered these recommendations at its Ordinary Meeting on Monday 25th June 2018 and a Master Plan for the site was adopted, resulting in significant changes to the site layout and infrastructure over the next three years.

Contract 18/010 incorporates the upcoming changes to the site and will require the operator to adopt two operating models during the term of the contract. As such the Tender pricing has been packaged in categories to allow adjustment to the contract pricing as the project progresses.

Due to the complexity of the recycling market and the risk of rising landfill costs, Tenderers were also invited to submit non-confirming Tenders. Revenue received via the Resale Shop and Gatehouse will also be payable to the contractor under Contract 18/010 in order to reduce the management fee and incentive resource recovery. A summary of the financial impact is provided in Section 4 (Financial Considerations) with further information contained in the **Confidential Appendix**.

Tenderers were also afforded the opportunity to price in additional resourcing and equipment to manage customer safety and complaints. This fee is referred to as Transition Services' as per service package 3 below.

The base line data and statistics for the respective Service Packages are included in the table below:

Service Package	Key statistics (2017/2018)
Service Package 1 – Transfer Services	
Landfill Volumes (Tonnes)	25,000
Recovered Volumes (Tonnes)	27,000
Service Package 2 – Gatehouse and Weighbridge	
Vehicle Movements (per annum)	88,000
Service Package 4 – Resale centre	
Volumes (Tonnes)	1,400

Confirming Tenderers have submitted pricing as follows:

Current Operating Model (from commencement of contract to handover of new infrastructure);

- Service Package 1 – Transfer Services
- Service Package 2 – Gate House and Weighbridge
- Service Package 3 – Transition Services
- Service Package 4 – Resale Shop

Current Operating Model (from commencement of contract to handover of new infrastructure);

- Service Package 1 – Transfer Services
- Service Package 2 – Gate House and Weighbridge
- Service Package 3 – Transition Services
- Service Package 4 – Resale Shop

The tender for Contract 18/010 was conducted in two phases and in accordance with Council's Purchasing Manual. Council initially sort Expressions of Interest (EOI) from suitably qualified organisations. These organisations were shortlisted against a set of mandatory criteria.

Provided contractors meet the minimum requirements of the EOI, they were shortlisted and the received a request for tender on 14 September 2018, with tenders closing on Monday 22nd October 2018. A total of 6 contractors responded the EOI, with 4 progressing to the Request for Tender phase.

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

A detailed summary of the evaluation process and outcomes is provided in the **Confidential Appendix**.

3. Council 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

Council's Recurrent Budget contains a net allocation of \$5,647,000 for the tendered services as per the table below:

Site Management & Transport Costs	\$4,250,000.00
Transfer Station Landfill Disposal Costs	\$2,460,000.00
Green Waste Processing Costs	\$437,000.00
Other Material Processing Costs	\$600,000.00
Total Recurrent Budget	\$7,747,000.00
Revenue (Gate House and Resale Shop)	\$2,100,000.00
Net Position	\$5,647,000.00

Based on this assessment the recommended tenderer's price is within the recurrent budget allocation recently adopted by Council.

A financial assessment was undertaken by Corporate Scorecard and returned a satisfactory result.

5. Consultation/Public Submissions

Tenderers were invited to attend a Tender Briefing session and site tour on Thursday 4th October 2018 during the tender period. Two of the four Tenderers attended. All tenderers were required to demonstrate their knowledge of the contract terms and scheduled site works during the tender interviews, so as to demonstrate their understanding of the complexities of Contract 18/010.

6. Risk Analysis

Should Council choose not to award this contract, the existing service contracts will expire and Council would have to cease providing these services until such time that they were procured under an advertised tender

7. Options

Council has the options to:

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

LIST OF APPENDICES

1. Tender Evaluation Report - Operation and Management of Melton Recycling Facility - November 2018 - **CONFIDENTIAL**

Designated as confidential by the Chief Executive Officer pursuant to Section 77(2)(c) and Section 89(2)(d) of the *Local Government Act 1989*.

Cr Ramsey left the Chamber at 9:13pm.

Cr Ramsey returned to the Chamber at 9:14pm.

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

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

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

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

Motion

Crs Carli/Majdlik.

That Council write to the retiring Chief Executive Officer of LeadWest Ltd, Mr Craig Rowley, to thank him for his excellent work over the last eight years.

CARRIED

15. NOTICES OF MOTION**15.1 NOTICE OF MOTION 598 (CR MAJDLIK)****Councillor: Kathy Majdlik - Councillor****NOTICE:**

That Council officers provide a report outlining the options that are available and the potential implementation (including costs) for the recycling of food wastage, particularly the system that can be used with Council's 'green bins' as per other Councils in Australia.

Cr Majdlik withdrew Notice of Motion 598 as it pertains to Item 12.5 on the meeting agenda that has already been considered.

15.2 NOTICE OF MOTION 599 (CR KESIC)

Councillor: Goran Kesic - Councillor

NOTICE:

That Council send a Christmas message of appreciation and goodwill to all our armed forces personnel serving overseas.

Motion

Crs Kesic/Hardy.

That Council send a Christmas message of appreciation and goodwill to all our armed forces personnel serving overseas.

CARRIED

15.3 NOTICE OF MOTION 600 (CR RAMSEY)**Councillor: Sophie Ramsey - Councillor****NOTICE:**

That officers report on options to assist community groups in publicising significant events or occasions, given that flagpoles in central Melton and Caroline Springs are only available for promoting Council events.

Motion

Crs Ramsey/Majdlik.

That officers report on options to assist community groups in publicising significant events or occasions, given that flagpoles in central Melton and Caroline Springs are only available for promoting Council events.

CARRIED

15.4 NOTICE OF MOTION 601 (CR RAMSEY)

Councillor: Sophie Ramsey - Councillor

NOTICE:

That Council refer to the 2019/20 Budget installation of traffic lights at the intersection of Brooklyn Rd and Station St, Melton South.

Motion

Crs Ramsey/Hardy.

That Council refer to the 2019/20 Budget installation of traffic lights at the intersection of Brooklyn Rd and Station St, Melton South.

CARRIED

15.5 NOTICE OF MOTION 602 (CR RAMSEY)**Councillor: Sophie Ramsey - Councillor****NOTICE:**

That Council refer to the 2019/20 Budget construction of a signalised pedestrian crossing on Brooklyn Rd to facilitate access between the railway station and the Melton South Shopping Centre.

Motion

Crs Ramsey/Hardy.

That Council refer to the 2019/20 Budget construction of a signalised pedestrian crossing on Brooklyn Rd to facilitate access between the railway station and the Melton South Shopping Centre.

CARRIED

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

For:

Crs Carli, De Santis, Hardy, Kesic, Majdlik, Mendes, Ramsey 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

When is the report regarding the possible Performing Arts Centre to be presented to the Council?

17. MOTIONS WITHOUT NOTICE

17.1 MOTIONS WITHOUT NOTICE

Cr Majdlik

That Council refer the removal of both roundabouts with the installation of full pedestrian and traffic lights at the following locations in Caroline Springs to the 2019/20 Budget discussions:

1. Caroline Springs Boulevard and The Crossing
2. Caroline Springs Boulevard and Rockbank Middle Road

17.2 MOTIONS WITHOUT NOTICE

Cr Majdlik

That Council officers report to Council, after working with the Principal of the Rockbank Primary School, to outline how Council can better assist in resolving the parking issues around the school, including the consideration of a School Crossing Supervisor.

17.3 MOTIONS WITHOUT NOTICE

Cr Majdlik

That Council refer to the 2019/20 Budget discussion, the all-weather shelters for the City Vista Sports Pavilion for both the northern and southern components of the pavilion facing the main soccer pitch.

17.4 MOTIONS WITHOUT NOTICE

Cr De Santis

That Council:

1. Officers provide a brief report at the next Ordinary Meeting of Council outlining the hosting of an annual conference or forum focussed on preventing family violence with the conference or forum to provide an opportunity for other Councils and service providers to attend and discuss matters around the prevention of family violence.
2. Refer this matter to the 2019/20 Budget discussions and consider allocating approximately \$30,000 to \$35,000 in the 2019/20 Budget deliberations.

17.5**MOTIONS WITHOUT NOTICE**

Cr Ramsey

That Council officers provide a report with an update on our advocacy to get traffic lights at the following three locations:

1. Leakes Road and Melton Highway
2. Coburns Road and High Street; and
3. Norton Drive and High Street

18. URGENT BUSINESS

Nil.

19. CONFIDENTIAL BUSINESS

Procedural Motion

Crs Majdlik/Kesic.

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

19.1 Provision of Acoustic Fencing for lots in the Silverdale Estate abutting the Western Freeway

(f) as it relates to legal advice.

19.2 Appointment of Independent Audit Committee Member

(a) as it relates to personnel matters.

CARRIED

Procedural Motion

Crs Majdlik/Hardy.

That the meeting be opened to the public.

CARRIED

20. CLOSE OF BUSINESS

The meeting closed at 9.59pm.

Confirmed

Dated this

.....CHAIRPERSON