

Please note that the resolution at
Item 12.23 is the subject of a
Rescission Motion by Cr Abboushi



MELTON CITY COUNCIL

Minutes of the Ordinary Meeting of the Melton City Council

19 August 2019

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

TABLE OF CONTENTS

1.	OPENING PRAYER AND RECONCILIATION STATEMENT	7
2.	APOLOGIES AND LEAVE OF ABSENCE	7
3.	CHANGE TO THE ORDER OF BUSINESS	7
4.	DEPUTATIONS	8
5.	DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR	8
6.	ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	8
7.	RECORD OF ASSEMBLY OF COUNCILLORS	9
	7.1 RECORD OF ASSEMBLY OF COUNCILLORS IN ACCORDANCE WITH SECTION 80A(1) OF THE LOCAL GOVERNMENT ACT 1989	9
8.	CORRESPONDENCE INWARD	10
	8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR	10
9.	PETITIONS AND JOINT LETTERS	11
10.	RESUMPTION OF DEBATE OR OTHER BUSINESS CARRIED OVER FROM A PREVIOUS MEETING	11
11.	PUBLIC QUESTION TIME	11
12.	PRESENTATION OF STAFF REPORTS	12
	12.23 PLANNING APPLICATION PA 2019/6553/1 - USE AND DEVELOPMENT OF THE LAND FOR THE PURPOSE OF A PLACE OF WORSHIP WITH ASSOCIATED CAR PARKING AT 527-561 HOLDEN ROAD, PLUMPTON	12
	To consider and determine the above planning application.	

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- 12.1 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES 18**
To present the aggregated minutes of Advisory Committee meetings yet to be considered by Council.
- 12.2 RESPONSE TO NOTICE OF MOTION 604 (CR MAJDLIK) - ROCKBANK PRIMARY SCHOOL PARKING CONCERNS AND THE CONSIDERATION OF A SCHOOL CROSSING SUPERVISOR 21**
To respond to Notice of Motion 604 (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.
- 12.3 RESPONSE TO NOTICE OF MOTION 610 (CR ABBOUSHI) - TRAFFIC CALMING DEVICES AND PEDESTRIAN FACILITIES ON VARIOUS ROADS WITHIN FRASER RISE 24**
To respond to Notice of Motion 610 (Cr Abboushi) in relation to reviewing the entire length of City Vista Court Fraser Rise, Aspire Boulevard Fraser Rise, and surrounding roads where necessary to assess the need for traffic calming devices, pedestrian facilities and any other road needs to cater for the growing number of road users in the area.
- 12.4 RESPONSE TO NOTICE OF MOTION 624 (CR ABBOUSHI) - ESTABLISHING A SPORTING LEAGUE OVAL AT SPRINGSIDE WEST SECONDARY COLLEGE 28**
The purpose of the report is to respond to Notice of Motion 624 (Cr Abboushi) carried at the 1 April 2019 Ordinary Meeting of Council.
- 12.5 RESPONSE TO NOTICE OF MOTION 630 (CR ABBOUSHI) - CONSIDERATION OF 'NO RIGHT TURN' SIGNAGE 32**
To respond to Notice of Motion 630 (Cr Abboushi) that Council officers consider installing a "No Right turn" traffic sign opposite McDonald's drive-through exit on Caroline Springs Boulevard.
- 12.6 RESPONSE TO NOTICE OF MOTION 639 (CR CARLI) - BOLLARD INSTALLATION IN TAYLORS HILL 34**
To respond to Notice of Motion 639 (Cr Carli) that Council officers prepare a report for consideration at the August Ordinary Meeting of Council relating to options to increase safety at the corner of 91 Loddon Drive and Calder Park Drive, Taylors Hill.
- 12.7 ANNUAL COMMUNITY SATISFACTION SURVEY RESULTS 2019 36**
To present to Council the results of the Annual Community Satisfaction Survey 2019.

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- 12.8 COMMUNITY FUNDING OUTCOMES 2018/19 40**
To provide a report of outcomes of the 2018/19 Community Grants Program.
- 12.9 FINANCIAL CONTRIBUTION TO RESILIENT MELBOURNE PROJECT 45**
To seek endorsement of a financial contribution of \$15,000 to the Resilient Melbourne Project for the 2019/20 financial year.
- 12.10 UNESCO LEARNING CITIES CONFERENCE 2019 48**
To advise Council of an invitation received from UNESCO Institute of Lifelong Learning to have a Melton City Council delegation attend the 4th International Conference on Learning Cities to be held in Medellin, Columbia from 1-3 October 2019.
- 12.11 GAMBLING HARM PREVENTION AND REDUCTION POLICY AND RESPONSE TO NOTICE OF MOTION 615 (CR RAMSEY) 51**
To seek Council's endorsement of the new Gambling Harm Prevention and Reduction Policy, which is to replace the previous Responsible Gambling Policy 2014, and responds to Notice of Motion 615 carried at the 4 March 2019 Ordinary Meeting of Council.
- 12.12 PLANNING APPLICATION PA 2019/6635 - REMOVAL OF RESERVE STATUS ON PART OF RESERVE No. 1 ON LP55461 AND SUBDIVISION TO CREATE LOT 1 ON PS829638B (BALANCE TO REMAIN AS RESERVE) AT 3-13 McDONALD STREET, MELTON SOUTH 54**
To consider and determine the above planning application.
- 12.13 SALE OF PART OF THE LAND SITUATED AT 3 - 13 McDONALD STREET, MELTON SOUTH 59**
To present to Council a proposal to sell part of the land situated at 3 – 13 McDonald St, Melton South
- 12.14 AMENDMENT C216 TO THE MELTON PLANNING SCHEME - REZONING PART OF LAND AT 3-13 McDONALD STREET, MELTON SOUTH FROM PUBLIC PARK AND RECREATION ZONE TO PUBLIC USE ZONE 3 62**
To consider the preparation and exhibition of Amendment C216 to the Melton Planning Scheme to rezone part of the land at 3-13 McDonald Street, Melton South from the Public Park and Recreation Zone to Public Use Zone 3 to facilitate the use and development of the land for community care accommodation.

- 12.15 CONTRACT No. 19/044 - CONSTRUCTION OF BLOOMSBURY DRIVE RESERVE UPGRADE 66**
To seek Council's approval for the award of Contract No. 19/044 for Bloomsbury Drive Reserve Upgrade commencing September 2019 to February 2020.
- 12.16 CONTRACT No. 19/058 - CONSTRUCTION OF ARBOUR BOULEVARD RESERVE UPGRADE 71**
To seek Council's approval for the award of Contract No. 19/058 for Arbour Boulevard Reserve Upgrade commencing September 2019 to March 2020.
- 12.17 CONTRACT No. 19/012 - COBBLEBANK INDOOR STADIUM DESIGN CONTRACT VARIATION 76**
To seek Council's approval for additional expenditure variation to design fees for Contract 19/012 Cobblebank Indoor Stadium Design.
- 12.18 CONTRACT No. 19/052 - CONSTRUCTION WORKS INCLUDING ROAD WIDENING, SIGNALISED PEDESTRIAN CROSSING AND ASSOCIATED LANDSCAPING WORKS AT CITY VISTA COURT, FRASER RISE. 80**
To seek Council's approval for the award of Contract No 19/052 for the construction works including Road Widening, Pedestrian Crossing, Signal and Landscaping at City Vista Court Fraser Rise commencing September 2019.
- 12.19 CONTRACT No. 19/053 - CONSTRUCTION WORKS INCLUDING ROAD WIDENING AND UPGRADE OF TARLETONS ROAD BONNIE BROOK. 85**
To seek Council's approval for the award of Contract No. 19/053 for Construction Works including Road Widening and Upgrade of Tarleton's Road Bonnie Brook commencing September 2019.
- 12.20 CONTRACT No. 19/054 - MANAGEMENT AND OPERATION OF EARLY YEARS SERVICES - FRASER RISE AND TIMBERTOP (AINTREE) CENTRES 88**
To seek Council's approval for the award of Contract No. 19/054 for the Management and Operation of Early Years Services at Fraser Rise Children's and Community Centre and Timbertop (Aintree) Children's and Community Centre located within our municipality commencing 1 January 2020 to 31 December 2026.

12.21	PLANNING APPLICATION PA S173/2019/16/1 - AMENDMENT TO A DEVELOPMENT PLAN REFERENCED IN AN EXISTING SECTION 173 AGREEMENT BY AMENDING THE PURPOSE OF THE SUBJECT SITE ON THE APPROVED DEVELOPMENT PLAN FROM COMMERCIAL TO A MEDIUM DENSITY HOUSING SITE TO FACILITATE CONSIDERATION OF A PLANNING APPLICATION FOR CONSTRUCTION OF 10 DWELLINGS AT 1 JAMES MELROSE DRIVE, BROOKFIELD	92
	To consider and determine the above planning application	
12.22	PLANNING APPLICATION PA 2019/6489/1 - USE AND DEVELOPMENT OF A CHILDCARE CENTRE WITH ASSOCIATED LANDSCAPING, DISPLAY OF BUSINESS OF BUSINESS IDENTIFICATION SIGNS, REDUCTION IN CAR PARKING, ALTERATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1), REMOVAL AND VARIATION OF A SEWER AND DRAINAGE EASEMENT AT 512 - 514 HIGH STREET AND 160 COBURNS ROAD, MELTON	97
	To consider and determine the above planning application.	
13.	REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES	104
14.	COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS	104
15.	NOTICES OF MOTION	105
15.1	NOTICE OF MOTION 641 (CR ABBOUSHI)	105
15.2	NOTICE OF MOTION 642 (CR RAMSEY)	106
15.3	NOTICE OF MOTION 643 (CR RAMSEY)	107
15.4	NOTICE OF MOTION 644 (CR HARDY)	108
15.5	NOTICE OF MOTION 645 (CR MENDES)	109
15.6	NOTICE OF MOTION 646 (CR ABBOUSHI)	110
15.7	NOTICE OF MOTION 647 (CR MENDES)	111
15.8	NOTICE OF MOTION 648 (CR MENDES)	112
15.9	NOTICE OF MOTION 649 (CR MENDES)	113
15.10	NOTICE OF MOTION 650 (CR MAJDLIK)	114

16.	COUNCILLOR'S QUESTIONS WITHOUT NOTICE	115
17.	MOTIONS WITHOUT NOTICE	117
18.	URGENT BUSINESS	117
19.	CONFIDENTIAL BUSINESS	118
19.1	RESPONSE TO NOTICE OF MOTION 623 (CR MAJDLIK) - INVESTIGATION OF OPTIONS IN POTENTIALLY PURCHASING LAND	
	To consider the response to Notice of Motion 623 for Council Officers to investigate options in potentially purchasing land within the municipality.	
19.2	RECOMMENDATIONS OF THE SEMI-ANNUAL GRANTS ASSESSMENT PANEL MEETING	
	To present the recommendations for the allocation of funds within the Semi-Annual Grants Program (round one of 2019/20).	
20.	CLOSE OF BUSINESS	119

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 19 AUGUST 2019 AT 7.00PM

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

Mr K Tori, Chief Executive Officer
Mr P Bean, General Manager Corporate Services
Mr M Heaney, General Manager Community Services
Mr L Shannon, General Manager Planning and Development
Mr B Baggio, Manager Planning Services
Ms C Denyer, Manager Legal and Governance
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 K Majdlik and Cr S Ramsey

3. CHANGES TO THE ORDER OF BUSINESS

Procedural Motion

Crs Carli/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

Nil.

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

Nil.

6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 22 July 2019 be confirmed as a true and correct record.

Motion

Crs Abboushi/Kesic.

That the recommendation be adopted.

CARRIED

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

- 22 July 2019 Record of Assembly of Councillors
- 29 July 2019 Record of Assembly of Councillors
- 5 August 2019 Record of Assembly of Councillors
- 12 August 2019 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 22 & 29 July 2019 and 5 & 12 August 2019 attached to this Agenda be received and noted.

Motion

Crs Carli/Mendes.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. 22 July 2019 - Record of Assembly of Councillors
2. 29 July 2019 - Record of Assembly of Councillors
3. 5 August 2019 - Record of Assembly of Councillors
4. 12 August 2019 - Record of Assembly of Councillors

8. CORRESPONDENCE INWARD**8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR**

- The Hon James Merlino MP - Deputy Premier, Minister for Education - 2019-20 State Budget funding allocation to various schools in the City of Melton

RECOMMENDATION:

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

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. Correspondence Inwards - The Hon James Merlino MP - dated 8 August 2019

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
Victor Agosta	* Not in attendance.
David O'Connor	It's understood that discussions have taken place with local stakeholders regarding the proposed look and feel of the new shelter and toilet block at the Stan Payne Reserve in Diggers Rest. Would Council please provide the wider community, especially those who provided feedback to the initial consultation phase, with a preview of what is expected to be delivered as part of the \$800,000 Stan Payne Reserve, Growing Suburbs Fund initiative?
David O'Connor	Given the rapid growth of our municipality, it's acknowledged that the Melton Civic Centre has exceeded capacity and is well due for renewal or refurbishment. What is the current status, if any, with respect to this issue?
Amy Stubberfield	What measures are you taking to improve the safety of students getting to and from school in the municipality including what money was allocated in the last budget?
Amy Stubberfield	What steps are you taking to curb illegal dumping? What money is allocated in the budget to address this?
Ray Brown	* Not in attendance.

* In accordance with Council's Meeting Procedure Local Law 2013, if a person who submitted a question is not present at the Council's Ordinary Meeting, their question is not read out or replied to at the meeting and a written response is provided.

12. PRESENTATION OF STAFF REPORTS

Procedural Motion

Crs Carli/Hardy.

That the recommendations as printed in Items 12.1, 12.8, 12.11, 12.15, 12.16, 12.18, 12.19 and 12.20 be adopted en bloc.

CARRIED

Procedural Motion

Crs Carli/Abboushi.

That Item 12.23, 'Planning Application PA 2019/6553/1 - Use and development of the land for the purpose of a place of worship with associated car parking At 527-561 Holden Road, Plumpton', be heard immediately before Item 12.1.

CARRIED

12.23 PLANNING APPLICATION PA 2019/6553/1 - USE AND DEVELOPMENT OF THE LAND FOR THE PURPOSE OF A PLACE OF WORSHIP WITH ASSOCIATED CAR PARKING AT 527-561 HOLDEN ROAD, PLUMPTON

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

PURPOSE OF REPORT

To consider and determine the above planning application.

RECOMMENDATION:

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

At 7:32pm the Mayor, Cr B Turner, vacated the Chair and the Deputy Mayor, Cr L Carli, took the Chair.

At 7:36pm the Deputy Mayor, Cr L Carli, vacated the Chair and the Mayor, Cr B Turner, resumed the Chair.

Motion

Crs Abboushi/Kesic.

That Council defer this matter to allow for further consultation with the applicant and the Sikh community.

LOST

Motion

Crs Carli/Mendes.

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

CARRIED

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

For:

Crs Carli, Sebire, Abboushi, Hardy and Mendes

Against:

Crs Kesic and Turner

The Mayor declared the Motion CARRIED

REPORT**1. Background****Executive Summary**

Applicant:	VJ Agosta and Associates Pty Ltd
Proposal:	Use and development of the land for the purpose of a place of worship with associated car parking
Existing Land Use:	Existing single storey dwelling
Zone:	Green Wedge
Overlays:	Part Melbourne Airport Environs Overlay – Schedule 2 (MAEO2) Part Public Acquisition Overlay – Schedule 3 (PAO3)
Number of Objections:	Four
Key Planning Issues:	Strategic justification Suitability of the use in the area
Recommendation:	Refuse application

The Land and Surrounding Area

The subject site has an area of 5 hectares and is located on the south side of Holden Road. Other features of the site are as follows:

- The site is irregular in shape.
- It contains an existing single storey dwelling located on the north western corner of the site and outbuildings.
- Mount Kororoit is located west of the site.
- The rear of the site is heavily encumbered by the future road alignment of the Outer Metropolitan Ring (OMR) transport corridor.

The surrounding area can generally be characterised by a mixture of rural living and farming activities. South west of the site is a quarry. Broad expansive rural landscapes and vistas exist across the area, more particularly viewed from the north. The openness of this landscape is emphasised by the relative flatness and by the current large lots sizes (generally over 40 hectares) and lack of development.

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

The Application

The application proposes the use and development of the land for the purpose of a place of worship with associated car parking

The proposed use and development is summarised as follows:

- Redevelopment and extension of a large existing dwelling on the site for use as a Sikh temple.
- Approximately half of the existing dwelling structure would be renovated to create a 103m² worship hall.
- The other half would include the caretaker's wing which would provide a small living room, two bedrooms, two bathrooms and an office.
- A large extension at the rear of the structure would comprise a new 169m² dining hall with kitchen.
- Toilet facilities measuring 9.15m by 2.9m.
- The alterations and additions would use materials such as weatherboard and shiplap cladding as well as colourbond steel roofing.
- The Sikh temple is to accommodate a maximum of 50 people at one given time.
- The place of worship is an off-shoot of a very large temple in Craigieburn and will offer only small limited religious practice, not extending to festival and holy days.
- 17 on-site gravel car parking spaces are located east of the dwelling, including a double carport.

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

Planning Controls

Zone	(Clause 32.08 – General Residential Zone)	Permit required for use and development.
Overlays	(Clause 45.08 – Melbourne Airport Environs Overlay (Schedule 2))	A permit is required to construct a building or construct or carry out works for a place of worship.
	(Clause 45.01 – Public Acquisition Overlay (Schedule 3))	No permit is required.
Particular Provisions	(Clause 52.06 – Car Parking)	The car parking rate for a place of worship is 0.3 car spaces per patron. For 50 patrons, 15 car spaces are required. The application makes provision for 17 car parking spaces.

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

Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant, however the land is affected by Section 173 Agreement which prevents the subject site from being further subdivided.

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 four objections were received.

The grounds of objection may be summarised as follows:

- Inappropriate location for the use.
- Light spill onto adjoining land and Holden Road from high voltage pole lighting recently installed on the subject site.
- The unsealed section of Holden Road is not designed to carry additional traffic.
- Dust nuisance due to additional traffic using Holden Road.
- Vehicle movements into and out of the site have increased recently. It appears the development has commenced.
- Proposal will impact on quality of life due to noise, littering, and increased volume of traffic generated by the use.
- The site is located near the existing Sikh temple on Melton Highway.
- Insufficient infrastructure to support the use as part of Holden Road is unsealed and there is no reticulated sewerage in the area.
- Potential land use conflicts with agricultural related activities i.e. spraying of chemicals, livestock etc.
- Concern that the temple is not Melton residents but followers of the Craigieburn temple.
- Impact of proposal on the water pressure of the reticulated private water supply line.
- Part of the site will occupy the future Outer Metropolitan Ring and is under a flight path.
- The site will be subjected to significant noise levels as it is under a flight path and the future Outer Metropolitan Ring will partly traverse the site.

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

Referral of the application

The application was referred to Council's Environmental Health Unit, Infrastructure Planning Unit, Traffic and Transport Unit and City Environment and Sustainability Unit for comment and advice. The application was also required to be referred to VicRoads and Melbourne Airport. A complete list of responses is included in **Appendix 5**.

5. Issues**Planning Assessment**

The Planning Policy Framework (PPF), Local Planning Policy Framework (LPPF) and Particular Provisions of the Melton Planning Scheme place a strong emphasis on protecting and avoiding the permanent loss of agricultural land, protecting the green wedge areas from inappropriate development, preserving the integrity of the non-urban character of the green wedge land and discouraging urban based uses in non-urban areas. A place worship is an urban use. The effect of allowing an urban use into a non-urban area undermines the intent of relevant policy to draw a clear and sustainable urban boundary. The proposed use and development is contrary to the objectives of the zone and relevant policy, in that it is inappropriately located, would result in loss of agricultural land and future land use conflicts and have a long term effect on the agricultural value of the land and right to farm.

The green wedge policy of the Melton Planning Scheme also directs Council to have regard to any relevant green wedge management plan. In this case it is the Western Plains North Green Wedge Management Plan (WPNGWMP). The WPNGMP provides a framework to support sustainable land use, land management and development within the green wedge. It is a document that is helpful in resolving the competing strategic planning objectives within the Green Wedge and the implementation of relevant policy. In the WPNGMP, the subject land sits within Precinct 3 - Leakes Road – Holden Road, where discretionary uses are not supported to avoid future conflict with agricultural activities. Discretionary uses (such as churches or schools) within Precinct 3 can only be considered on sites abutting the Melton Highway. The subject site does not abut the Melton Highway, as such the proposal should not be supported. If the proposal were approved, it could have a 'domino effect' and lead to further uses that negatively impact on the Western Plains North Green Wedge area and its significance.

The WPNGMP envisages a vegetative buffer between the proposed Outer Metropolitan Ring (OMR) and the Green Wedge. Whilst VicRoads has not objected to the application, it is considered that the proposal is likely to cause long term conflicts with either the Outer Metropolitan Ring (OMR) or OMR vegetative buffer as they both traverse the site.

Clause 21.05-1 (Agriculture) of the Melton Planning Scheme identifies Precinct 3 - Leakes Road – Holden Road, as a key area for agriculture as such should be protected from the intrusion of urban related uses considering the opportunities presented by recycled water available in the area. The intent of this relevant policy is to ensure that green wedges are not impacted by non-agricultural uses, but be protected and allow for uses that will encourage agricultural activity where appropriate and the proposal fails to adequately address this issue.

The subject site is considered to be inappropriate for the use and development and has failed to respond to the PPF, LPPF, Zone and the WPNGMP.

Whilst the proposed building and works are considered minor in nature, it is considered that the proposal would be more suitable if it were located within the Urban Growth Boundary.

6. Options

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

7. Conclusion

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

It is considered that the proposal generally does not comply with the relevant requirements of the Planning Scheme.

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

LIST OF APPENDICES

1. Locality Plan - dated 30 July 2019
2. Plans for the Proposal - dated 25 February 2019 and 6 March 2019
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Grounds of Refusal - undated

12.1 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Emily Ciantar - Acting Governance Officer

Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

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

RECOMMENDATION:

That Council:

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

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

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

A Council appointed Advisory Committee meeting where at least one Councillor attends and which considers matters that are intended or likely to be the subject to a decision of Council, is considered an assembly of Councillors. In accordance with section 80A of the Act, a written record of an assembly of Councillors must, as soon as practicable, be reported at an ordinary meeting of the Council. The minutes of the Advisory Committees attached to this report forms the written record of the assembly detailing matters considered and any Councillor conflicts disclosed.

2. Background/Issues

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

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

Councillor representation on Advisory Committees is generally for one year and is reviewed annually at the Statutory Meeting of Council. Councillor representation on current Council Committees and to other organisations for 2019 were adopted by Council at the Ordinary Meeting held 12 November 2018.

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
20 June 2019	Community Learning Board	Appendix 1
25 July 2019	Heritage Advisory Committee	Appendix 2

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

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

5. Consultation/Public Submissions

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

6. Risk Analysis

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

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

7. Options

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

LIST OF APPENDICES

1. Community Learning Board Meeting Minutes - dated 20 June 2019
2. Heritage Advisory Committee Meeting Minutes - dated 25 July 2019

12.2 RESPONSE TO NOTICE OF MOTION 604 (CR MAJDLIK) - ROCKBANK PRIMARY SCHOOL PARKING CONCERNS AND THE CONSIDERATION OF A SCHOOL CROSSING SUPERVISOR

Author: Michael Smith - Traffic & Transport Engineer
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To respond to Notice of Motion 604 (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.

RECOMMENDATION:

That Council note the outcome of the report and the changes implemented as shown in **Appendix 1**.

Motion

Crs Abboushi/Carli.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting of Council held on 4 February 2019, the following Notice of Motion 604 (Cr Majdlik) was resolved:

'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.'

Traffic and Transport Coordinator Kerry Walton met on site with the principal of Rockbank Primary School Darryl Spiteri, the Mayor Cr Bob Turner and Cr Kathy Majdlik at the afternoon school pick up time on Friday 22 February 2019 to see in person any issues relating to the car park area and discuss possible solutions.

Based on discussions on site at this meeting, several changes to the car park were proposed and accepted by the Principal. The works have subsequently been implemented. An overview of the works can be seen in **Appendix 1**.

2. Background/Issues

It has been requested that Council officers meet the principal of Rockbank Primary School on site to better assist in resolving the parking issues around the school regarding safety and availability of parking.

A parking occupancy investigation on site found that the peak usage of the sealed car park had 41 unrestricted spaces used out of 48 available, 6 staff parking spaces used out of 8 available, 3 pick-up/ drop-off spaces used out of 4 available and 11 unsealed spaces used out of a potential 19 available. A total of 15 unrestricted spaces were available for parents, one pick up/ drop off space was available for parents and 2 spaces were available for staff at peak time. It was also found that only 6 vehicles were parked on-street within 300m of the school gate. Based on the parking occupancy observed on site, construction of additional parking is not warranted.

Site inspections occurred during school drop off times to understand how the current arrangement operates and how it can be improved. Appropriate traffic management and road design principles were applied and feedback from Rockbank Primary School Principal Darryl Spiteri was considered to determine appropriate changes to be implemented.

A variety of changes have been implemented to improve the safety and parking space numbers in the car park by increasing visibility for pedestrians, clarity on how the car park should be used and where vehicles must give way to other vehicles and pedestrians. These changes are shown in **Appendix 1**.

The car park changes were provided to Principal Darryl Spiteri who confirmed that the changes were acceptable and the works have since been completed.

Children's crossing supervisors were considered, but due to clear site lines, low vehicle speeds and low vehicle numbers in the car park the additional safety benefits would be negligible compared to pedestrian crossings and would require ongoing staffing costs.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The estimated cost of works undertaken is \$5,000.

5. Consultation/Public Submissions

Consultation occurred with the Principal of Rockbank Primary School, both face to face and also via email.

6. Risk Analysis

The existing car park arrangement has adequate parking availability to cater for the school and recreation facility, but there was uncertainty as to how the car park was to be used by vehicles and pedestrians. The recommended changes required the closure of parts of the car park area to complete the works, which were undertaken outside peak school drop off and pick up times to reduce risk.

7. Options

Option 1: Note the outcome of the report and the changes implemented as shown in **Appendix 1**.

LIST OF APPENDICES

1. Rockbank Primary School Car Park Changes - dated April 2019

12.3 RESPONSE TO NOTICE OF MOTION 610 (CR ABBOUSHI) - TRAFFIC CALMING DEVICES AND PEDESTRIAN FACILITIES ON VARIOUS ROADS WITHIN FRASER RISE

Author: Michael Smith - Traffic & Transport Engineer
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To respond to Notice of Motion 610 (Cr Abboushi) in relation to reviewing the entire length of City Vista Court Fraser Rise, Aspire Boulevard Fraser Rise, and surrounding roads where necessary to assess the need for traffic calming devices, pedestrian facilities and any other road needs to cater for the growing number of road users in the area.

RECOMMENDATION:

That Council adopts Option 1, to refer the construction of three pedestrian refuge islands to the Capital Works Program for consideration in the 2020/21 financial year.

Motion

Crs Abboushi/Kesic.

That Council defer this matter for a further Council briefing.

CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting of Council held on 4 February 2019, the following Notice of Motion 610 (Cr Abboushi) was resolved:

'That Council Officers review the entire length of City Vista Ct Fraser Rise, Aspire Blvd Fraser Rise, and surrounding roads where necessary to assess the need for traffic calming devices, pedestrian facilities and any other road needs to cater for the growing number of road users in the area. Council Officers to report the outcomes of the review as soon as reasonably practicable.'

City Vista Court and Aspire Boulevard are classified as collector roads that have recently connected to allow through traffic from Taylors Road to Beattys Road through to the Melton Highway. There are several parkland reserves, a new school (Springside West Secondary College) and a recreation facility adjacent to the roads.

The Taylors Hill Precinct Structure Plan (PSP) identifies road hierarchies to ensure a safe road network. City Vista Court and Aspire Boulevard are collector roads and as such, road humps are not appropriate on these roads. The surrounding local roads have generally been designed with shorter road lengths or already include traffic calming devices and appropriate intersection treatments. Council's road network will continue to be monitored and addressed in accordance with Council's Traffic Calming Policy. At this time, there are no apparent traffic or safety concerns that require treatment.

Pedestrian refuges are the most appropriate treatment to be installed at parkland reserves where pedestrian volumes are expected to be more significant to improve safety for pedestrians crossing City Vista Court and Aspire Boulevard. This treatment allows pedestrians a safer path of travel by staging their road crossing and only needing to look at one direction of traffic at a time, provides a safe location for pedestrians to wait between traffic lanes and increases driver awareness at these locations, whilst maintaining efficient vehicle movement.

Based on the above, the construction of pedestrian refuges at three locations adjacent parkland reserves has been referred to the Capital Works Program for consideration in the 2020/21 financial year.

2. Background/Issues

It has been requested that Council officers review the entire length of City Vista Court Fraser Rise, Aspire Boulevard Fraser Rise, and surrounding roads where necessary to assess the need for traffic calming devices, pedestrian facilities and any other road needs to cater for the growing number of road users in the area.

The Taylors Hill Precinct Structure Plan (PSP) identifies the road hierarchies to ensure a safe road network. City Vista Court and Aspire Boulevard are classified as collector roads, their primary function is to connect local roads to the wider arterial roads. Both roads comprise separate parking lanes with a single lane in each direction and are designed to cater for future public bus routes. The roads have a number of intersection treatments comprising 8 roundabouts and a modified T-intersection, regularly spaced that assists in slowing traffic speeds whilst facilitating traffic movements for the intersecting roads.

Traffic Calming Review

Melton City Council's Traffic Calming Policy (the Policy) provides Council Officers with an adopted procedure for assessment of requests for the implementation of traffic calming devices.

The Policy is in accordance with Australian Standards, which considers traffic calming devices such as road humps only suitable for local residential roads that are bounded by Arterial Roads and Collector Roads. It should be noted that the presence of road humps on collector roads significantly increases the likelihood of drivers using neighboring local roads to avoid the road humps which in turn increases traffic on roads not designed to cater for a higher number of vehicles.

The surrounding local road network has generally been designed with shorter road lengths or already includes traffic calming devices and appropriate intersection treatments. As such, the surrounding roads do not require further traffic calming devices at this time. Council will continue to monitor the local road network and address future speeding concerns in accordance with the Policy.

It is widely believed that traffic calming measures, such as road humps, roundabouts or lower speed limits will reduce hooning. Extensive research and experience across Australia shows this is not always the case as some instances the traffic calming devices provide a challenge for some drivers to commit hooning offences such as burn outs over the road humps and burnouts around roundabouts.

Law enforcement is the single most meaningful method of controlling anti-social behaviour.

Pedestrian Facilities Review

Current pedestrian facilities on Aspire Boulevard and City Vista Court include pram ramps at T-intersections and pedestrian refuges at roundabouts. This is the typical arrangement for other collector roads in the municipality such as O'Neills Road and Palmerston Street in Melton, and a majority of roads throughout Victoria.

The upgrade of the southbound lane of City Vista Court between Enterprise Circuit and Royale Drive is scheduled for completion in the 2019/2020 financial year. This includes the installation of pedestrian operated signals, which will provide a safe pedestrian crossing point across City Vista Court adjacent to the proposed main gate of the school, located in front of 54A Aubisque Close.

As development continues and vehicle and pedestrian numbers increase, there will be a demand for improved pedestrian facilities to enable safe crossing of Aspire Boulevard and City Vista Court. Australian Standards identify pedestrian refuges improve safety for pedestrians while still maintaining efficient traffic flow for vehicles. Pedestrian refuges benefit pedestrians by allowing them to cross one lane of traffic at a time and provide a safer storage space in the middle of the road while waiting for the other direction of traffic. As pedestrian refuges have concrete islands and signage in the middle of the road, this will increase driver awareness of pedestrians crossing at key locations and increase the likelihood of drivers maintaining appropriate speeds.

Other pedestrian facilities considered for City Vista Court and Aspire Boulevard were pedestrian (zebra) crossings and pedestrian operated signals. Pedestrian crossings are not appropriate due to low pedestrian numbers, higher vehicle numbers and the increased risk of a complacent driver not noticing a pedestrian on the crossing due to the infrequency of pedestrians using the crossing, especially outside peak times such as the evening. Pedestrian operated signals are also not appropriate due to the high cost of installation, the infrequency of use, and the increased delays for vehicles.

Based on the above, the construction of pedestrian refuges at three locations adjacent parkland reserves has been referred to the Capital Works Program for consideration in the 2020/21 financial year. The approximate locations are shown in **Appendix 1**.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The estimated cost to provide Option 1 is approximately \$80,000

There is no financial cost associated with Option 2.

5. Consultation/Public Submissions

Consultation with relevant stakeholders including but not limited to immediately affected residents and businesses will be conducted prior to any construction works in accordance with Council policy.

6. Risk Analysis

Option 1

The risk of adopting Option 1 is minimal, however there will be an impact to on street car parking for adjacent homes in the three locations and traffic speeds may remain above 50km/h.

Option 2

The risk of adopting Option 2 is that pedestrians will continue to cross two lanes of traffic and find it more difficult to find a gap in traffic to cross the road, which may result in unsafe gaps being chosen by pedestrians.

7. Options**Option 1**

Refer the construction of pedestrian refuge islands to the Capital Works Program for consideration in the 2020/21 financial year at three (3) locations to facilitate safe pedestrian crossing to parkland reserves on Aspire Boulevard and City Vista Court.

Option 2

Maintain existing road infrastructure on City Vista Court and Aspire Boulevard.

LIST OF APPENDICES

1. City Vista Court and Aspire Boulevard Pedestrian Crossing Locations - dated 2 August 2019

12.4 RESPONSE TO NOTICE OF MOTION 624 (CR ABBOUSHI) - ESTABLISHING A SPORTING LEAGUE OVAL AT SPRINGSIDE WEST SECONDARY COLLEGE

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

PURPOSE OF REPORT

The purpose of the report is to respond to Notice of Motion 624 (Cr Abboushi) carried at the 1 April 2019 Ordinary Meeting of Council.

RECOMMENDATION:

That Council note the report.

Motion

Crs Abboushi/Hardy.

That Council:

1. note the report; and
2. actively seek state and/or federal funding to assist in the development of this oval, where funding has been identified an application submitted and that officers to report back to Council on the progress and details of the relevant funding submission.

CARRIED

REPORT

1. Executive Summary

At the 1 April 2019 Ordinary Meeting of Council, Council resolved via Notice of Motion 624 raised by Cr Abboushi:

That Council officers commence discussions with the Principal of Springside West Secondary College about the potential of establishing a sporting league oval on the school site. These discussions to include the Victorian School Building Authority and the possibility of a partnership arrangement with the school and Council and a report be provided back to Council outlining potential options.

This report provides a response to Notice of Motion 624 and outlines discussions had with both the Principal of the Springside West Secondary College and the Victorian School Building Authority and options for sportsground development including cost estimates for development on the school site.

2. Background/Issues

The Springside West Secondary College is located adjacent to the recently developed City Vista Sports Precinct. The school has approximately 500 students with expansion planned for between 1500 – 2000 students.

The school currently has an open space area with goal posts, however whilst shaped into an oval is not a formed / established sportsground and not at an appropriate standard for any

community group usage. The college has approached Council to investigate opportunities for developing a sportsground on site that could service the school and surrounding community where it is identified an undersupply of sportsgrounds exists.

Officers have held discussions with the Principal of the Springside West Secondary College to scope and concept plan a potential sportsground project. For a joint use arrangement with the school providing community usage of the sportsground to be beneficial the scope would need to include:

- A sportsground that can be used for a range of purposes and sports. The ground itself needs to be developed as per key association standards (AFL Football and Cricket)
- Sportsground lighting to support after hour usage
- A basic pavilion providing change amenity
- Adequate car parking to support community usage of the sportsground

This scope would be similar to the scope agreed and currently in process for development at the Melton Secondary College.

A concept plan has been overlaid onto the Secondary College master plan for reference on how the sportsground and change amenity could potentially be cited and accessed for community usage (**Appendix 1**).

Officers have also held discussions with the Victoria School Building Authority regarding funding opportunities and whilst they are supportive of a project and entering in a joint use agreement for ongoing access and usage for community, they indicated there is currently no Shared Facilities funding available to support this project. The VSBA advice was to develop the project and advocate for future funding to relevant funding bodies.

Key Issues / Considerations

Joint Use Agreement

Should Council and the Springside West Secondary College commit to partnering in a project and being funded for delivery, a Community Joint Use Agreement would also have to be developed for the ongoing management and maintenance of the facility. The secondary college have indicate they would expect Council to fund the maintenance and management costs associated with the ongoing provision of this space for community usage.

Sportsground

The sportsground has been planned for a senior size sportsground to accommodate community usage. There are two options available for the development of the sportsground which include synthetic or turf. Whilst prepared to undertake further discussion regarding options, the Secondary College have indicated there preference for a turf sportsground. The school have indicated that in a Joint Use Arrangement Council would be responsible for the ongoing management and maintenance of the facility post construction.

Should Council agree in the future to support this project and meet management and costs in a Joint Usage Agreement, consistent with the Melton Secondary College project, Officer preference for the sportsground surface would be for a synthetic sportsground to be developed at a level that supports competition by cricket and AFL accredited for competition usage. The maintenance costs and logistical issues associated with maintaining a school based turf sportsground with a large student population at a level suitable for community usage are significant. Maintaining a turf sportsground requires ongoing weekly and sometimes daily maintenance which can cause issues for both the school and Council.

Sportsground Lighting

A sportsground lighting system would be required to be installed to support community usage of the sportsground. A large percentage of usage by community will be training usage therefore the system needs to be developed a suitable lighting lux level (50 lux) for training.

Installation of a lux level for competition usage can support increasing the flexibility in how the space can be used and could be considered.

Pavilion / Change Amenity

A modular pavilion providing basic change amenity and first aid would be suitable for a facility like this. It will be non-obtrusive on the school footprint and provide the required amenity to support community sportsground usage.

Modular pavilion provision is ideally suited to school sites due to the limited impacted of construction, speed of delivery and flexibility in usage.

Car parking

Whilst the City Vista Sports Precinct is located adjacent to the south of the Secondary College, car parking supporting usage of that site is at capacity. To activate another sportsground with no car parking on site would require Council to activate the space shown in the concept plan that was highlighted for overflow car parking as part of the City Vista Sport Precinct Project.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

4. Financial Considerations

For the purpose of this report, the following cost estimates are provided based on current live projects that the City of Melton are involved in delivering.

- Turf sportsground including irrigation system \$1.4m OR
- Synthetic sportsground to AFL accredited level up to \$2.2m pending site conditions
- Sportsground lighting system to training standard \$250,000
- Modular Pavilion providing basic required amenity \$900,000
- Activation of overflow car park. Update to \$700,000 which includes contingency would be required.
- Ball Protection fencing \$90,000

This project would potentially also commit Council to ongoing operating maintenance costs regardless of the sportsground surface. These include annually:

- Resource to manage access, community usage and ongoing maintenance
- Turf maintenance approximate \$60,000 - \$80,000 per year including irrigation costs
- Sportsground maintenance at \$18,000 per year for a synthetic sportsground

There is currently no funding allocated toward this project and the VSBA have indicated currently there is no funding programs that support this project similar to the previous Shared Facilities Fund.

5. Consultation/Public Submissions

Discussions have been held with both the Principal of the Springside West Secondary College and the Victorian School Building Authority. Both are supportive of a partnership to develop this sportsground facility at the college. Further details of those discussions are provided in the body of the report.

6. Risk Analysis

There are currently no risks associated with this project.

7. Options

Council has the option to note the report.

LIST OF APPENDICES

1. Concept Plan - Springside West Secondary College Sport Facility Development Project - undated

12.5 RESPONSE TO NOTICE OF MOTION 630 (CR ABBOUSHI) - CONSIDERATION OF 'NO RIGHT TURN' SIGNAGE

Author: Tom Lay - Traffic Engineer

Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To respond to Notice of Motion 630 (Cr Abboushi) that Council officers consider installing a "No Right turn" traffic sign opposite McDonald's drive-through exit on Caroline Springs Boulevard.

RECOMMENDATION:

That Council:

1. Note the signage currently in place is appropriate and complies with the Australian standards.
2. Requests officers continue to liaise with Victoria Police regarding illegal manoeuvres and behaviour related issues.

Motion

Crs Abboushi/Mendes.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting of Council held on 29 April 2019, the following Notice of Motion 630 (Cr Abboushi) was resolved:

'That Council consider installing a "No right turn" traffic sign opposite McDonald's drive-through exit on Caroline Springs Boulevard and report to Council'

It has been reported that on some occasions, motorists are illegally turning right out of the McDonald's drive-through to head southbound on Caroline Springs Boulevard or to head east onto Commercial Road.

Council officers have carried out an investigation and determined that the current signage is in accordance with the Australian Standards to inform drivers that they are only permitted to turn left when exiting McDonald's drive-through.

2. Background/Issues

Caroline Springs Boulevard is classified as a major collector road consisting of two traffic lanes in each direction separated by a centre median. Its function in the road network is to move traffic between local and arterial roads at a moderate capacity. Caroline Springs Boulevard in the vicinity of Commercial Road currently carries approximately 25,000 vehicles per day.

It has been reported that on some occasions, motorists are illegally turning right out of the McDonald's drive-through to head southbound on Caroline Springs Boulevard or to head east onto Commercial Road. Council has been requested to consider installing a "No Right turn" traffic sign opposite McDonald's drive-through exit on Caroline Springs Boulevard.

Council officers have carried out an investigation and determined that the current signage is in accordance with the Australian Standards to inform drivers that they are only permitted to turn left when exiting McDonald's drive-through. The current signage includes a one-way direction sign, a left chevron sign, and a painted left turn only arrow pavement marker. The installation of an additional No Right turn sign is not required and adds no value to the current signage arrangements.

Illegal manoeuvres and behaviour related issues are an enforcement issue to be addressed by the Victorian Police. It should also be noted that the penalty for a breaching a one-way sign is 10 penalty units compared to a No Right turn sign which is only 5 penalty units under the Victorian Road Safety Rules.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

There is no cost associated with option 1.

The cost of install a No right turn sign would be approximately \$250.

5. Consultation/Public Submissions

Nil

6. Risk Analysis

Option 1 – Some motorists will continue to disobey the existing signage.

Option 2 – Some motorists will continue to disobey any signage. Note that the penalty for a breaching the existing signage (i.e. a One-Way sign) is 10 penalty units compare to a No Right turn sign which is only 5 penalty units.

7. Options

Option 1 – Maintain the current signage as it complies with the Australian Standards and is appropriate to advise motorists of their requirement to only turn left when existing McDonalds drive-through.

Option 2 – Install an additional "No right turn" sign at the McDonalds drive-through exit.

LIST OF APPENDICES

Nil

12.6 RESPONSE TO NOTICE OF MOTION 639 (CR CARLI) - BOLLARD INSTALLATION IN TAYLORS HILL

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

PURPOSE OF REPORT

To respond to Notice of Motion 639 (Cr Carli) that Council officers prepare a report for consideration at the August Ordinary Meeting of Council relating to options to increase safety at the corner of 91 Loddon Drive and Calder Park Drive, Taylors Hill.

RECOMMENDATION:

That a report be presented to the next Ordinary Meeting of Council on 16 September 2019 for consideration.

Motion

Crs Carli/Mendes.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting of Council held on 22 July 2019, the following Notice of Motion 639 (Cr Carli) was resolved:

'That Council officers prepare a report to come to the next Ordinary Meeting of Council to be held on 19 August 2019 with the report to include:

- 1. A map of where services are located at the corner of 91 Loddon Drive and Calder Park Drive in Taylors Hill*
- 2. Other safety options, with costs included, that can be used in this location besides OMNI stop bollards.'*

Council officers are currently working through options relating to safety improvements at this location. A report will be presented to the next Ordinary Meeting of Council on 16 September 2019 for consideration.

2. Background/Issues

Council received reports in 2016 of a vehicle collision involving two vehicles that had lost control at the roundabout Loddon Drive/Calder Park Drive roundabout. One vehicle leaving the road collided with the fence of 91 Loddon Drive.

Following this incident, an investigation occurred and officers at the time considered the installation of bollards (OMNI Stop) as a treatment and referred this to the 2017/18 Capital Works program for consideration. The project was subsequently funded at a total cost of \$64,000.

Construction commenced on site and various underground services were uncovered that were not identified through the Dial Before You Dig process. Following engagement with service providers and a review of their requirements including the need to maintain a safe clearance to services, it was determined that bollards could not be installed as this area had insufficient space to construct foundations of the bollards. A copy of the plan showing the existing utility services (Water, Gas, Electricity and Telecommunications) is provided in Appendix 1.

Alternate options at the time considered installing guard rail, however this treatment has a similar foundation requirement to bollards and as a result could not be installed at this location.

Given the onsite constraints associated with providing a physical barrier, Council officers assessed the engineering design requirements of the roundabout to determine appropriate safety improvements that could be achieved to reduce the likelihood of a vehicle losing control. The review identified a number of improvements to reduce the speed in which vehicles were approaching the roundabout, and also provide an alternative surfacing treatment to reduce the likelihood of vehicles losing traction. As a result of this investigation, traffic islands were installed on the southboard traffic lane to reduce approach speeds to the roundabout, and an antiskid surface (calcined bauxite) was applied to the pavement.

This treatment has been in place for 12 months and there have been no reported incidents relating to vehicles losing control and causing property damage.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

Financial considerations will be populated following the consideration of options.

5. Consultation/Public Submissions

Following consideration of options, any consultation proposed will be identified.

6. Risk Analysis

Following consideration of options, the associated risks will be identified.

7. Options

Various options are currently being considered at this location.

LIST OF APPENDICES

Nil

12.7 ANNUAL COMMUNITY SATISFACTION SURVEY RESULTS 2019

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

PURPOSE OF REPORT

To present to Council the results of the Annual Community Satisfaction Survey 2019.

RECOMMENDATION:

That Council note the results of the Annual Community Satisfaction Survey 2019 at **Appendix 1**.

Motion

Crs Abboushi/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Since 2015, Council has commissioned the Annual Community Satisfaction Survey (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's attention and advocacy.

This is the fourth year that Council has initiated the Annual Community Satisfaction Survey and Metropolis Research has been awarded the contract and will continue to conduct the Household Satisfaction Survey on behalf of the Council until 2021.

The results of the Metropolis Household Satisfaction Survey results for 2019 are attached as **Appendix 1**.

2. Background/Issues

Survey methodology

The Survey was conducted by Metropolis Research as a door-to-door interview style survey of 804 households approached at random in equal numbers from across the nine precincts of the municipality during May 2019.

Key Findings

Overall satisfaction – satisfaction with “the performance of Council across all areas of responsibility” declined by 3.5 per cent this year, down from the unusually high 7.12 last year to 6.87. This rating is considered to be an indicator of “good” overall satisfaction. This result is consistent with the long-term average over the last five years of 6.85. This result is also almost identical to the 2019 metropolitan Melbourne average of 6.91, but somewhat higher than the western region councils’ average of 6.76.

The main issues raised by the 70 respondents dissatisfied with Council's overall performance related to Council performance and governance (28 responses), services and facilities (20 responses), and communication / consultation (14 responses). These comments are consistent with previous years and reflect well established trends, within and across the local government sector.

Governance and leadership – as a group declined by 1.8 per cent this year to 6.89, which, excluding the unusually high result recorded last year, is consistent with previous years. This result is identical to the 2019 metropolitan Melbourne average, and remains “good”.

Customer service – as a group declined by 1.7 per cent this year to 7.81, although it remains “excellent”. Consistent with previous years, satisfaction with customer service in the City of Melton remains measurably (7.1%) higher than the 2019 metropolitan Melbourne average.

Council services and facilities – the average satisfaction with the 39 included services and facilities increased 1.8 per cent this year to 7.52, and is categorised as “very good”. This result is comparable to the metropolitan Melbourne average of 7.48.

Higher and lower satisfaction with services and facilities – the services and facilities with measurably higher than average satisfaction were regular garbage collection, green waste collection, regular recycling, the local library service, and health services for babies, infants and toddlers. The services and facilities with lower than average satisfaction were litter collection in public areas, maintenance and repair of sealed local roads, maintenance of parks and gardens, street trees, street sweeping, Council activities promoting local business growth, footpaths, local traffic management, and public toilets.

Improvements in satisfaction with services and facilities - satisfaction with twenty-three services and facilities increased this year, although the increase in satisfaction with only five were statistically significant. Those five services being Family Support and Emergency Relief (up 11.4%), services for seniors (up 8.6%), public art and exhibitions (up 8.5%), hard rubbish collection (up 6.2%), and Melton Learning (up 6.1%).

Decreases in satisfaction with services and facilities - there were sixteen Council services and facilities that recorded a decline in satisfaction this year, although none were statistically significant. The services and facilities to report the largest declines in satisfaction were street sweeping (down 4.8%), maintenance of parks and gardens (down 3.7%), Council activities promoting local business growth (down 2.6%), and animal management (down 2.4%).

Planning and development – as a group declined 3.4 per cent this year to 6.78, although it remains “good”. Planning and development satisfaction results can be somewhat volatile from year to year in response to circumstances on the ground. These results are generally consistent with the metropolitan Melbourne averages and a little higher than the western region councils' averages. Planning and development is not a significant issue in the City of Melton, with just 1.3 per cent raising it as one of the top three issues in the municipality. The comparable metropolitan Melbourne average in 2019 was 7.9 per cent.

Issues to address in the City of Melton - the two most commonly raised issues in the City of Melton this year remain traffic management (25.4%) and safety, policing and crime related issues (11.2%).

Safety, policing and crime issues continue to decline in importance in the community again this year, from a very high 31.8 per cent in 2017 to 11.2 per cent this year, although it remains close to double the metropolitan Melbourne average of 6.3 per cent. For the increasingly smaller proportion of respondents raising the issue, it remains a mildly negative influence on their satisfaction with Council's overall performance.

Traffic management issues do not appear to exert a significant negative influence on satisfaction with Council's overall performance, suggesting that residents are aware of the limitations of Council in fixing these metropolitan traffic congestion and commuting issues. It

is also noted that traffic management is the most common issue raised across metropolitan Melbourne, and is significantly more prominent in a number of other outer growth area municipalities than in the City of Melton.

Issues exerting a negative influence on satisfaction with Council's overall performance – there were three issues that appear to exert a mildly negative influence on overall satisfaction; safety, policing and crime (90 respondents), road maintenance and repairs (68 respondents), and street trees (49 respondents). It is important to bear in mind that these issues were raised by only a relatively small proportion of respondents, however for these individuals the issues do appear to negatively influence their satisfaction with Council.

Perception of safety at night in the City of Melton – continues to improve measurably this year, from the low of 5.33 recorded in 2017 to 6.18 this year. It is noted however that 22.8 per cent of respondents felt unsafe in the public areas of the municipality at night this year. Despite the significant improvement this year, this result remains lower than the average for metropolitan Melbourne (6.84) and the western region councils (6.57). The perception of safety from crime is still a significant issue for many in the community, particularly this year in Melton South / Brookfield.

Summary

The 2019 Survey results indicate that Council is performing comparatively well and in line with the metropolitan Melbourne and growth area councils' averages.

Whilst satisfaction with some aspects declined marginally (but within the margin of error) this year, this is following on from the unusually large increase in satisfaction recorded in 2018, and brings satisfaction with Council's performance closer to the long-term average built up over the last five years.

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

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

(*) Community and leisure facilities were split into two groups (Community services and Recreation / Leisure services and facilities) in 2017, as they more accurately reflect service operations.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The cost of the survey was budgeted for within Council's annual recurrent budget.

5. Consultation/Public Submissions

As stated above, the survey was conducted by Metropolis Research as a door-to-door interview style survey of 804 households approached at random in equal numbers from across the nine precincts of the municipality during May 2019.

6. Risk Analysis

There are no risks identified in receiving the results of the JWS and Metropolis Surveys.

7. Options

Council has the option to endorse the recommendation of the report.

LIST OF APPENDICES

1. Annual Community Satisfaction Survey, Overview Report 2019 - dated July 2019

12.8 COMMUNITY FUNDING OUTCOMES 2018/19

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

PURPOSE OF REPORT

To provide a report of outcomes of the 2018/19 Community Grants Program.

RECOMMENDATION:

That Council receive and note the outcomes of the Community Grants Program for the 2018/19 financial year, as presented at **Appendix 1**.

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

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

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

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

During the 2018/19 period, the Community Grants Program provided funding to 125 submissions from a total of 167 submissions received. This is in comparison to the 2017/18 numbers of 100 funded out of 141 applications. This report details the recipients of funding, and provides summary of the initiatives funded, and the commitment that individuals and local groups are delivering for our community.

2. Background/Issues

Council recognises and values the important contribution individuals and community groups provide to the local community. Local community organisations are ideally placed to

understand local needs and encourage community participation to create significant benefit for the community through the instigation of local programs and projects.

Council provides financial support to facilitate these benefits through the Community Funding Program. In 2018/19, the program grant categories consisted of:

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

2018/19 Community Funding Allocation

The 2018/19 community funding allocation was \$295,000 comprising of \$195,000 in Council funded grants and \$100,000 in community benefit funds from venue partners. A total of \$294,663.23 was distributed to successful grant applicants. Details of the distribution of funds are provided in the following table and **Appendix 1**.

The overspend in the Council Partner Grant Programs budget (noted in the table below) is a result of an additional \$1,295.71 generously committed by Tabcorp Park in order to adequately fund a project that would otherwise have been underfunded.

Program	Amount Available	Amount Approved
Council Community Grants Program (including Donation Fund)	\$195,000	\$193,367.52
Council Partner Grant Programs (includes The Club Caroline Springs Grant Program (\$50,000) and Harness Racing Victoria/Tabcorp Park Grants Program (\$50,000))	\$100,000	\$101,295.71

2018/19 Council Community Grants Program Categories

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

Category One – Community Grants Program (CGP)		
Grant Name	Purpose	Amount Available
Responsive Grants	Financial assistance for projects that provide a timely response to emerging community needs/issues.	Up to \$2,000
Establishment Grants	Supporting establishment costs of new groups.	Up to \$1,500
Semi-Annual Grants	Access to community grants across 2 categories: Community Project Grants – up to \$10,000 Entry-Level Grants – up to \$2,000	Up to \$10,000

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

2018/19 Council Partner Grant Program Categories

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

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

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

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

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

4. Financial Considerations

The following tables below provide a summary of the successful allocation of funds across all program areas for the 2018/19 financial year.

Category One - Council Community Grants Program		
Grant Name	Number of successful applications	Amount Funded
Responsive Grants	10	\$13,485.00
Establishment Grants	16	\$19,874.00
Semi-Annual Grants	37	\$140,008.52
Category Two – Donation Fund		
Resident Achievement Donations	38	\$20,000.00
TOTAL Community Grants Program		\$193,367.52

The Club Caroline Springs Grant Program		
Grant Name	Successful number of applications	Amount Funded
The Club Caroline Springs Grant Program	11	\$50,000.00
Harness Racing Victoria/Tabcorp Park Grant Program		
HRV/Tabcorp Park Grant Program	13	\$51,295.71
TOTAL Council Partner Grant Programs		\$101,295.71

5. Consultation/Public Submissions

All funding available was extensively promoted across our community through:

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

6. Risk Analysis

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

7. Options

Nil.

LIST OF APPENDICES

1. Community Grants Program Funding Outcomes 2018/19 - undated

12.9 FINANCIAL CONTRIBUTION TO RESILIENT MELBOURNE PROJECT

Author: Matthew Wilson - Manager Community Planning
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To seek endorsement of a financial contribution of \$15,000 to the Resilient Melbourne Project for the 2019/20 financial year.

RECOMMENDATION:

That Council contribute \$15,000 to the Resilient Melbourne Project for 2019/20.

At 7:57pm the, Mayor, Cr B Turner, vacated the Chair and the Deputy Mayor, Cr L Carli, took the Chair.

At 7:59pm, the Deputy Mayor, Cr L Carli, vacated the Chair and the Mayor, Cr B Turner, resumed the Chair.

Motion

Crs Abboushi/Kesic.

That the Council does not contribute \$15,000 to the Resilient Melbourne Project in 2019/20.

CARRIED

REPORT

1. Executive Summary

Council has been a participant in the development of the Resilient Melbourne Project since its inception in 2014. The project is part of the 100 Resilient Cities (100RC) global initiative established by the Rockefeller Foundation and focuses on strategies to foster the long-term viability, safety and wellness of the communities in Melbourne both now and into the future. The project is about the sustainability of our way of life in Melbourne in the context of change.

The project operates under the auspice of the City of Melbourne, and covers 32 local government areas within the broader metropolitan Melbourne footprint. The City of Melton is one of these 32 local government areas.

Council endorsed the Resilient Melbourne Strategy at the Ordinary Meeting of Council on 27 June 2016. The 27 June 2016 report noted that 'if there is any future funding request related to the Strategy, this will be presented to Council via a Council report.' Presented in this report is a request from the Resilient Melbourne Delivery Office to provide \$15,000 toward the cost of the Project for 2019/20.

2. Background/Issues

Melbourne is a city that spans approximately 10,000km² and will be home to an estimated 9 million people by 2056.

Melbourne is not immune to challenges that can affect the livability and sustainability of the city and its residents. Issues such as unemployment, housing affordability, anti-social behaviour, and family violence are examples of issues that can weaken a society. Additionally, emergency events such as a pandemic, heat wave, bushfires and flooding occur and affect the lives of Melbournians.

The impact of issues or events such as those noted above is felt across municipal boundaries, and coordinated collaborative responses are essential to ensure positive outcomes for residents. The Resilient Melbourne Delivery Office provides a coordinating role across metropolitan Councils as they work collaboratively to implement the Resilient Melbourne Strategy and proactively address these challenges. Whilst the Delivery Office operates under the auspice of the City of Melbourne, its brief is to facilitate the implementation of the Strategy across the breadth of metropolitan Melbourne inclusive of the City of Melton.

A total of 33 actions are identified in the Strategy and the actions have been designed so that Councils can choose to become further involved where benefit is identified and alignment with existing Council strategic directions and plans is achieved. Three (3) Flagship actions are identified as having potential for metropolitan wide impacts and transformational outcomes for Melbourne. The three (3) Flagship actions are:

- Metropolitan urban forest strategy,
- Emergency management community resilience framework for Victoria, and
- The metropolitan cycling network.

It is the view of officers that these flagship actions above represent potential direct benefit to the City of Melton and are consistent with Councils existing commitments in street tree planting, emergency management preparedness, and integrated transport strategy. Officers have attended various workshops relating to the projects being delivered through Resilient Melbourne, including one to enhance community resilience through emergency management planning.

Council has been involved with the Resilient Melbourne project from 2014, with Mayors, Executive, and Officers participating in workshops, initiatives and the official launch. Council endorsed the Resilient Melbourne Strategy at the Ordinary Meeting of Council on 27 June 2016.

Implementation of the Strategy through the Delivery Office comes at some cost, and it is appropriate for the City of Melbourne to invite metropolitan Councils to contribute financially to the project. It was noted in the report to Council at the 27 June 2016 Ordinary Meeting that 'If there is any future funding request related to the Strategy, this will be presented to Council via a Council report.' This report seeks Council's endorsement to make a financial contribution to the project in the amount of \$15,000 for the 2019/20 financial year.

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
 - 1.4 A resilient community promoting social cohesion.

4. Financial Considerations

Endorsement of the recommendation in this report will result in a contribution of \$15,000 to the Resilient Melbourne Delivery Office that is responsible to implement the Resilient Melbourne Project.

5. Consultation/Public Submissions

Nil.

6. Risk Analysis

The risk of not making a financial contribution effectively may result in harm to Council's reputation as a project partner, and also limit future participation in project workshops being delivered through Resilient Melbourne.

7. Options

Council has the option to:

1. Endorse the recommendation in the report, or
2. Not make a financial contribution to the Resilient Melbourne Project.

LIST OF APPENDICES

Nil

12.10 UNESCO LEARNING CITIES CONFERENCE 2019

Author: Matthew Wilson - Manager Community Planning

Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To advise Council of an invitation received from UNESCO Institute of Lifelong Learning to have a Melton City Council delegation attend the 4th International Conference on Learning Cities to be held in Medellin, Columbia from 1-3 October 2019.

RECOMMENDATION:

That Council:

1. approve the Mayor, Cr Bob Turner and Matt Wilson, Manager Community Planning to represent Council and attend the 4th International Conference on Learning Cities to be held in Medellin, Columbia from 1-3 October 2019.
2. determine any further Councillor representation in the delegation from Melton City.

Motion

Crs Mendes/Kesic.

That Council

1. approve the Mayor, Cr Bob Turner and Matt Wilson, Manager Community Planning to represent Council and attend the 4th International Conference on Learning Cities to be held in Medellin, Columbia from 1-3 October 2019; and
2. also approve the attendance of Cr Michelle Mendes as an additional Councillor representative at the above conference.

CARRIED

REPORT

1. Executive Summary

Melton City Council is a partner City in the UNESCO Global Network learning Cities, and has received an invitation to send a delegation to the 4th International Conference on Learning Cities in Medellin, Columbia in October 2019. The invitation is issued to the Mayor and up to three (3) participants to form the delegation from Melton. The proposal is that the Mayor, Cr Bob Turner and Matthew Wilson, Manager Community Planning, attend the conference. This report also seeks a Council decision regarding representation in the delegation.

The conference agenda features a focus on inclusion and participation in formal and informal education for at risk groups such as youth, refugees and migrants, digitally excluded populations, disabled people, and the elderly. Inclusion and participation themes are core to Council's vision for a *thriving community where everyone belongs*, and attendance at the conference will enable Council to learn directly from global leaders in this field.

2. Background/Issues

Melton was the first Australian municipality to officially become a UNESCO Learning City in 2015, and remains one of only three (3) Australian members currently. Council has been proactive in the Lifelong Learning space for over 20 years, convening the Melton Community Learning Board, delivering a range of projects such as Building Melton Together, and more recently the Lifelong Learning Festival that had more than 100 learning events over three days in October 2018.

Melton has also contributed to the global network through the development of the Collective Impact Assessment Tool Kit which was designed as a practical resource, providing templates for planning, reporting, and checklists for partnerships, as well as Australian examples of Community Learning Plans.

Melton has sent delegates to the previous two (2) conferences in Mexico City in 2015 and Cork, Ireland in 2017. Melton City was acknowledged for its work in community learning at the Mexico City conference, and also established the new Melton Lifelong Learning Festival in 2018 as a result of attending the Cork conference in 2017 and experiencing the Cork Lifelong Learning Festival first hand.

The 2019 conference themes are specifically relevant to a number of challenges that Council faces as it plans services and facilities to provide opportunities for the community. Strategies for including at risk and disadvantaged cohorts into both formal and informal learning are key to achieving Council's vision for the community, and enabling individuals to fully participate in community life and be economically self-reliant. The conference themes are directly relevant to a number of current projects and services that aim to improve outcomes for at risk community members, such as the Melton Central Community Centre at which Council is seeking to seamlessly integrate adult and community learning services with migrant and refugee settlement support services.

The invitation seeks the participation of the Mayor and up to three (3) other delegates at the conference. Matthew Wilson is attending as an officer, and it is recommended that Council endorse the Mayor to attend also. If Council endorse the Mayor to attend, there remains the option of appointing two (2) further Councillor delegates to the conference.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

4.5 Lifelong learning opportunities are available and promoted.

4. Financial Considerations

The cost of attendance per person is estimated at:

Airfares	\$2,800
Accommodation	\$1,200
Meals	\$ 250
Transfers	\$ 200
TOTAL	\$4,450 per attendee

If approved, this cost would be accommodated within recurrent budget.

5. Consultation/Public Submissions

Nil

6. Risk Analysis

Not applicable.

7. Options

Council has the options to approve a delegation that best represents Council's level of engagement with the objectives of the UNESCO Learning Cities movement and Melton's Community Learning Plan.

Options are:

- a) To endorse officers recommendation as presented
- b) Decline Councilor attendance at the conference
- c) To approve an additional Councillor to attend the conference.

LIST OF APPENDICES

1. Invitation to UNESCO 4th International Conference on Learning Cities - dated 28 June 2019

12.11 GAMBLING HARM PREVENTION AND REDUCTION POLICY AND RESPONSE TO NOTICE OF MOTION 615 (CR RAMSEY)

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

PURPOSE OF REPORT

To seek Council's endorsement of the new Gambling Harm Prevention and Reduction Policy, which is to replace the previous Responsible Gambling Policy 2014, and responds to Notice of Motion 615 carried at the 4 March 2019 Ordinary Meeting of Council.

RECOMMENDATION:

That Council:

1. note the draft Policy response to Notice of Motion 615 (Cr Ramsey)
2. place the Draft Gambling Harm Prevention and Reduction Policy (**Appendix 1**) on public exhibition for a period of 21 days
3. receive a further report at the conclusion of the public exhibition period.

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report responds to Notice of Motion 615 (Cr Ramsey) carried at the 4 March 2019 Ordinary Meeting of Council.

'Given that the Council has extensively reviewed its Gaming Policy in recent years, that a minor review of Council's Gaming Policy be undertaken by officers and a report brought back to Council within the next 3 months with the review to consider no further poker machines in Council buildings and a tighter scrutiny on the hours of operation of gaming venues.'

This report also introduces Council's new draft Gambling Harm Prevention and Reduction Policy 2019 (the Policy). The new draft Policy follows on from the Previous Responsible Gambling Policy and the Gaming Machine Planning Policy Project and subsequent Planning Scheme Amendment C182. The Policy aligns with current public health promotion and harm prevention practice and reflects this Councils' policy directions in this area.

2. Background/Issues

Council's Responsible Gambling Policy was adopted on 1 October 2014. It outlined Council's commitments in relation to addressing harms associated with all gambling products and activities over which Council has influence.

Substantial progress has been made in relation to understanding gambling harms and approaches to reducing them since the adoption of the Responsible Gambling Policy in 2014.

Early in 2019, Planning Scheme Amendment C182 was adopted by Council, which improved policy direction in the Melton Planning Scheme, enabling a more comprehensive assessment of gaming related planning applications. This amendment which proposed the incorporation of a local planning policy at Clause 22.13 and to update the schedule to clause 52.28 to the Melton Planning Scheme, paved the way for the review of the 2014 Council Policy.

With planning related considerations now included in the Melton Planning Scheme, the review of the Responsible Gambling Policy was to reframe Council's commitment to reduce harms from gambling, as articulated in Strategy 1.5.1 of the Council and Wellbeing Plan.

This new draft policy reflects this Council's strong commitment to reducing harms from gambling, in line with community expectations and supporting the implementation of Planning Policy Amendment.

A key recommendation from the Policy Amendment Project was to strengthen Council's position on EGMs, by developing a Reference Document to be included in the Melton Planning Scheme. The City of Melton Electronic Gaming Machine Planning Policy Reference Document was adopted by Council on 24 July 2017. This 2017 Reference Document was based on the following principles:

- a. *Gaming venues and EGMs should be accessible to the extent that they are available but not convenient.*
- b. *Growth Areas – The availability of EGM's and gaming venues should be managed to reflect population growth and distribution.*
- c. *Exposure to opportunities to gamble should be managed to safeguard the health and wellbeing of communities at an elevated risk of gambling related harms.*
- d. *Venues should be designed and operated to maximise their potential community benefits. Gambling venues should provide genuine community benefit.*

It was noted that as planning scheme policy could only deal with issues such as siting, design and location, additional considerations in relation to harm reduction approaches the Council might wish to pursue, would need to be addressed by a revised Council policy on gambling.

Notice of Motion 615 (Cr Ramsey), directed particular aspects for inclusion in the new Gambling Harm Prevention and Reduction Policy:

'Given that the Council has extensively reviewed its Gaming Policy in recent years, that a minor review of Council's Gaming Policy be undertaken by officers and a report brought back to Council within the next 3 months with the review to consider no further poker machines in Council buildings and a tighter scrutiny on the hours of operation of gaming venues'.

Both policy aspects of this direction have been incorporated in the new policy, in addition to guidance on factors associated with the location and accessibility of gambling products, and assessment of net community benefit. The new draft Gambling Harm Prevention and Reduction Policy delivers an updated and additional policy and represents the Council's current commitment to reducing harms from gambling.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

Council officer time and resources involved in the research and development of a new Policy were incorporated in the 2018/19 and 2019/20 operational budgets.

5. Consultation/Public Submissions

At the direction of Council, the draft policy will be placed on public exhibition for a period of 21 days from 10 August 2019, with notice given to the existing gambling operators, industry groups, government agencies, surrounding councils and community organisations.

The consultation report will be included with the returned Policy to be presented for adoption at the next available Council Ordinary meeting, along with the associated Officer recommendations.

6. Risk Analysis

The new Policy is in line with current health promotion and harm prevention practice and replaces the Responsible Gambling Policy 2014.

7. Options

N/A.

LIST OF APPENDICES

1. Gambling Harm Prevention and Reduction Policy - dated 25 July 2019

Cr Kesic left the Chamber at 8:08pm.

Cr Kesic returned to the Chamber at 8:12pm.

12.12 PLANNING APPLICATION PA 2019/6635 - REMOVAL OF RESERVE STATUS ON PART OF RESERVE No. 1 ON LP55461 AND SUBDIVISION TO CREATE LOT 1 ON PS829638B (BALANCE TO REMAIN AS RESERVE) AT 3-13 McDONALD STREET, MELTON SOUTH

**Author: Shane Trenerry - 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 Mendes/Carli.

That the recommendation be adopted.

CARRIED

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

For:

Crs Abboushi, Carli, Kesic, Mendes, Sebire and Turner

Against:

Cr Hardy

The Mayor declared the Motion CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Adept Surveys
Proposal:	Removal of reserve status and a two lot subdivision
Existing Land Use:	Public park

Zone:	Public Park and Recreation Zone
Overlays:	Not applicable
Number of Objections:	14
Key Planning Issues:	Removal of reserve status Loss of open space
Recommendation:	Approve application

The Land and Surrounding Area

The subject site has an area of 7,562m² and is located on the southern side of McDonald Street in Melton South. Other features of the site are as follows:

- The park is irregular in shape.
- The park is devoid of any park furniture and is used as an open space reserve.
- There are a number of significant trees on the land.

The surrounding area can be characterised as an established residential area with a mixture of single and double-storey dwellings.

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

The Application

The application proposes to remove the reserve status on part of Reserve No. 1 on LP55461 and to subdivide the land to create Lot 1 on PS829638B with the balance to remain as reserve.

The proposal is summarised as follows:

- The Department of Health and Human Services is requesting to acquire approximately 2,900 square metres of the existing park.
- The new lot is located to the south-west of the park and is the part of the park that is generally obscured from McDonald Street.
- The accessway from McDonald Street will have a width of 15.85 metres to retain the trees next to the property at 15 McDonald Street.
- Approximately two thirds of the land will remain as a park with an area of approximately 4,600 square metres.

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

Planning Controls

Planning Policies	Clause 16.01-6S – Community care accommodation	The proposal complies with the relevant Planning Policies.
Local Planning Policies	Clause 21.08-1 – Housing	The proposal complies with the relevant Local Planning Policies.
Zone	Clause 36.02 – Public Park and Recreation Zone	A permit is required to subdivide the land.

Particular Provisions	Clause 52.02 – Easements, Restrictions and Reserves	Section 24A of the <i>Subdivision Act 1988</i> confers on Council the power to remove the reservation from land shown or set aside as a reserve on a certified and registered plan (of subdivision). However, before proceeding under Section 24A of the <i>Subdivision Act 1988</i> a planning permit must be obtained, in accordance with Part 4 of the <i>Planning and Environment Act 1987</i> , to authorise the removal of the reservation from the subject land.
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A full assessment of the proposal against the relevant State and Local planning policies is included in **Appendix 3**.

Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant.

Is the land of Cultural Heritage Sensitivity?

The land is considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2018*; however the proposal constitutes an exempt activity which does not require a cultural heritage management plan.

2. Council and Wellbeing Plan Reference and Policy Reference

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

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

3.1 A City that strategically plans for growth and development.

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions

Public notification of the application

The application was subject to notification. All properties in McDonald Street and all properties along Mason Drive to the south of McDonald Street were notified, with one notice placed on the property and a notice placed in the Melton and Moorabool Star Weekly newspaper on the week of 29 July 2019. The notification was satisfactorily completed and 14 objections were received.

The grounds of objection may be summarised as follows:

- Increase in traffic and insufficient car parking.
- Loss of trees.
- No consultation.
- Property devaluation.
- Neighbourhood character, noise impacts, visual bulk, overshadowing and overlooking.
- Failure to acknowledge previous objections and basing a decision on community care accommodation rather than re-zoning.

- Other land is available for community care accommodation.
- Safety.
- Uncertainty about proposed development.

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

Referral of the application

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

5. Issues

Planning Assessment

At the Ordinary Meeting of Council on 22 July 2019, Council resolved that the subject land was not required by Council for the purpose for which it was acquired (open space). The Department of Health and Human Services has requested to acquire approximately 2,900 square metres of the existing park, which will leave approximately 4,600 square metres of the site to remain as open space.

The main issues to consider are whether the loss of public open space is acceptable and whether the subdivision is in an appropriate location.

The new lot will be located to the south-west corner of the park and is the part of the park that is generally obscured from McDonald Street. The accessway from McDonald Street is wider than usual at 15.85 metres to retain the established trees next to the property at 15 McDonald Street. The area of land to be retained as open space will still be provided with adequate passive surveillance from McDonald Street.

The subdivision will not result in the total loss of open space, with two thirds of the park remaining as open space. In addition, there is open space along Manson Drive and Toolern Creek that is within 100 metres of the park, with Fraser Street Reserve located approximately 350 metres north from the park. In this instance, the loss of approximately 2,900 square metres of open space is not considered detrimental to the area, with sufficient access to open space still provided in the surrounding area.

The Melton Open Space Plan 2016-2026 sets out Council's approach to open space. Local parks are typically 0.2-2 hectares in size, with 0.5 hectares being the preferred size of a park unless a smaller park is considered fit-for-purpose. The subdivision will result in a park with a size of 0.465 hectares. A park of this size is considered fit-for-purpose, especially as there is good access to nearby open space along Mason Drive and Toolern Creek and at Fraser Street Reserve.

The subdivision will help facilitate the development of the land with community care accommodation. The future development will be in proximity to a range of services and infrastructure, including Melton Station Square Shopping Centre, Melton Railway Station and nearby parks and schools. The subdivision responds well to the requirements of the Melton Planning Scheme.

6. Options

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

7. Conclusion

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

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

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

LIST OF APPENDICES

1. Locality Plan - dated 19 August 2019
2. Plans for the proposal - undated
3. Assessment against relevant planning controls - undated
4. Response to objections - undated
5. Referral comments - undated
6. Notice of Decision to Grant a Permit Conditions - undated

12.13 SALE OF PART OF THE LAND SITUATED AT 3 - 13 McDONALD STREET, MELTON SOUTH

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

PURPOSE OF REPORT

To present to Council a proposal to sell part of the land situated at 3 – 13 McDonald St, Melton South

RECOMMENDATION:

That Council

1. Provided it has granted the permit the subject of Item 12.12 of this agenda, decide to sell Lot 1 on plan of subdivision PS829638B to the Department of Health and Human Services for not less than \$865,000; and
2. Authorise the CEO to negotiate and execute the contract of sale and all ancillary documents to give effect to the sale and settlement.

Motion

Crs Abboushi/Carli.

That the recommendation be adopted.

CARRIED

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

For:

Crs Abboushi, Carli, Kesic, Mendes, Sebire and Turner

Against:

Cr Hardy

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

Council has been in consultation with the Department of Health and Human Services ('DHHS') in relation to the DHHS' proposal to purchase and build Community Care Accommodation on part of the land at 3-13 McDonald Street, Melton ('the 1/3 Land').

There are a number of separate, but ultimately related, statutory processes that need to be undertaken in order for Council to properly consider and deal with the DHHS proposal.

At its ordinary meeting on 22 July 2019 Council resolved that the 1/3 Land was no longer required for the purpose of public open space.

At Item 12.12 of this agenda Council considered an application by DHHS' agent for planning permit to remove the reserve status and register a two lot subdivision.

Provided that permit has been granted then Council is legally able to sell the 1/3 Land as a lot on an unregistered plan of subdivision, with any sale subject to registration of that plan of subdivision and any other conditions precedent that might be negotiated (such as rezoning of the land to residential – which is the subject of a report at Item 12.14).

There are no statutory advertising requirements for the sale of land to a public entity such as the DHHS.

A valuation by the Valuer General values the land at \$865,000.

Absent the permit, and ultimate subdivision Council is not legally able to sell the 1/3 land as a discrete parcel or at all.

It follows that if the permit, the subject of Item 12.12 has not been granted, then the Options section should be further considered, rather than the Officer Recommendation on the face of this Report.

2. Background/Issues

At its ordinary meeting on 22 July 2019 Council resolved that part of the land at 3-13 McDonald Street, Melton ('the 1/3 Land') was no longer required for the purpose of public open space. Council further resolved that the proceeds of any sale of the 1/3 Land would be used to enhance the remaining 2/3 of the site ('the 2/3 Land').

The 1/3 Land is an area measuring approximately 2,900sqm as set out and marked as Lot 1 on proposed plan of subdivision number PS829638B at **Appendix 1**.

As set out in earlier reports in relation to this site, the Department Health and Human Services (DHHS) has expressed interest in purchasing the 1/3 Land for the purpose of Community Care Accommodation, subject to the necessary planning and zoning processes required for this use.

It follows that Council would (and legally can) only resolve to sell the 1/3 Land if it has earlier resolved to grant the application for planning permit in respect of the removal of reserve status and the two lot subdivision (considered by this Council at Item 12.12 of this agenda) lodged by the DHSS by its agent Adept Surveys.

If Council has resolved to grant the permit then land is able to be sold as a lot on an unregistered plan of subdivision with the contract not becoming unconditional until registration of that plan and any other conditions precedent (such as, for example, rezoning of the land to residential). Settlement would then occur after the new title has issued.

A valuation has been obtained from the Valuer General which, based on a residential zoning, values the land at \$865,000.

There are no advertising requirements pursuant to the *Local Government Act* 1989 because the sale and transfer would be to a public body (s191).

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

A valuation of the 1/3 Land has been obtained from the Valuer General based on a residential zoning. That valuation values the 1/3 Land at \$865,000.

Should Council be minded to proceed with the sale to DHHS, each party would bear their own legal and ancillary costs. Council's costs can be absorbed from the recurrent Legal budget.

Council at its Ordinary Meeting on 22 July 2019, resolved its commitment to set aside funds from the sale to embellish the 2/3 Land.

5. Consultation/Public Submissions

Section 191 of the Act, provides that where Council transfers, exchanges or leases land to a public body, it may do so with or without consideration and without the need to advertise its intention and call for submissions. In other words, a sale to DHHS being a public body, does not trigger the advertising requirements that are set out in section 189.

6. Risk Analysis

Council has engaged with DHHS in relation to the building of Community Care Accommodation in Melton, as mentioned in all previous reports in relation to this site.

Given the extensive engagement between Council and DHHS on the project, it follows that if the sale does not proceed Council would not only risk the completion of the project itself, but also risk reputational damage and damage to the relationship between it and the DHHS.

If ultimately the plan of subdivision is registered but the sale does not proceed (whether because of a failed rezoning or otherwise), then Council will be the owner of the new Lot 1 and be free to deal with the land including to dispose of it at another point in time, to the DHHS or another party for another purpose.

If the land is ultimately not sold it would also mean a lack of funds to embellish the remaining 2/3 Land.

7. Options

Council has the option:

1. Provided that the permit at Item 12.12 of this agenda has been granted, adopt the Officer Recommendation as set out
2. If the permit at Item 12.12 of this agenda has been granted, decide not to proceed with the sale and, if the plan of subdivision is ultimately registered, be the owner of a discrete lot to use or dispose of at a later date.
3. If the permit at Item 12.12 has not been granted, decide to note the contents of this report.

LIST OF APPENDICES

1. Lot 1 on proposed plan of subdivision PS829638B - dated 21 June 2019

12.14 AMENDMENT C216 TO THE MELTON PLANNING SCHEME - REZONING PART OF LAND AT 3-13 McDONALD STREET, MELTON SOUTH FROM PUBLIC PARK AND RECREATION ZONE TO PUBLIC USE ZONE 3

Author: Matthew Milbourne - Senior Strategic Planner
Presenter: ~~Luke Shannon – General Manager Planning & Development~~
Bob Baggio – Manager Planning Services

PURPOSE OF REPORT

To consider the preparation and exhibition of Amendment C216 to the Melton Planning Scheme to rezone part of the land at 3-13 McDonald Street, Melton South from the Public Park and Recreation Zone to Public Use Zone 3 to facilitate the use and development of the land for community care accommodation.

RECOMMENDATION:

That Council:

1. Subject to granting of the permit that is subject of Item 12.12 of this agenda, seek authorisation from the Minister for Planning to prepare Planning Scheme Amendment C216 to the Melton Planning Scheme.
2. Upon receipt of authorisation, prepare and exhibit C216 to the Melton Planning Scheme in accordance with the requirements of the Planning and Environment Act 1987.
3. 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 period prior to the amendment being reported back to Council for referral to a Planning Panel or adoption of the Amendment.

Motion

Crs Abboushi/Mendes.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Amendment C216 to the Melton Planning Scheme seeks to rezone part of a local park at 3-13 McDonald Street, Melton South, from the Public Park and Recreation Zone to Public Use Zone 3 to facilitate the development of the land for community care accommodation.

This report relates to a previous decision made by Council. At the Ordinary Meeting of Council on 22 July 2019, Council resolved that the subject land was not required by Council for the purpose for which it was acquired (open space).

This report follows two other agenda items where Council officers have recommended a two lot subdivision, and the sale and transfer of the land, to facilitate the development of the land for community care accommodation. The recommendations outlined in this report are subject to the granting of a permit under item 12.12 of this agenda.

2. Background/Issues

At the Ordinary Meeting of Council on 29 April 2019, Council considered a proposal to enter into discussions with the Department of Health and Human Services (DHHS), for the provision of community care accommodation at 3-13 McDonald Street, Melton South. At this meeting Council resolved to proceed with the proposal.

Change of Reserve Status

Following the meeting on 29 April 2019, Council placed an advertisement in the *Melton and Moorabool Star Weekly* on 14 May 2019 calling for submissions in relation to part of the land at 3-13 McDonald Street, Melton South, for the use of the land for community care accommodation rather than the purpose for which it was acquired.

Council received 13 submissions through the 223 process, which were considered by Council at the Ordinary Meeting of Council on 22 July 2019. At this meeting Council resolved to make a determination that part of 3-13 McDonald Street, Melton South, was not required by Council for which it was acquired (public open space). Council confirmed that the remaining land would be retained as public open space.

Following the outcome of the meeting on 22 July 2019, Council proceeded with a number of concurrent processes to facilitate the delivery of community care accommodation. These processes can be summarised as follows:

- Planning application to subdivide the land into two lots, and remove the reserve status from the part of the land to be used for community care accommodation. The application was advertised on 23 July 2019. This is the subject of a previous report in this agenda.
- The sale and transfer of the land to DHHS. This is the subject of a previous report in this agenda.
- Subject to the granting of the permit for the two lot subdivision, undertake a Planning Scheme Amendment to rezone the land from Public Park and Recreation Zone, to Public Use Zone 3 (Health and Community Services), which is the subject of this report.

Planning Scheme Amendment

Amendment C216 proposes to rezone a portion of land at 3-13 McDonald Street, Melton South from Public Park and Recreation Zone to Public Use Zone 3 (Health and Community Services) to facilitate the use and development of the land for community care accommodation to be built and managed for the Department of Health and Human Services (DHHS).

The amendment will ensure that the site has an appropriate zoning to allow the development to be delivered. Council has consulted with the Department of Environment, Land, Water and Planning (DELWP) on what zone should be applied to the land, and DELWP have confirmed that Public Use Zone 3 (PUZ3) is the most appropriate zone, as the land will be owned, developed, and managed for DHHS.

The PUZ3 area will apply to the 2,906 sqm of land that DHHS intend to acquire. The remainder of the local park 4,655 sqm will remain as Public Park and Recreation Zone.

Ministerial Direction Number 11 requires amendments to be assessed against a number of guidelines. Every planning scheme amendment should maintain or develop the strategic intent of the Planning Scheme. The strategic assessment has been undertaken and it is considered that the amendment adequately addresses this requirement.

The rezoning of the land, and the subsequent development of the site for community care accommodation is considered to be consistent with Council's adopted strategies and the Melton Planning Scheme:

- Council's *Council and Wellbeing Plan* identifies that Council will advocate and support development that provides diverse and affordable housing options (strategy 3.1.4).
- Council's *Housing Diversity Strategy* identifies that there is demand for social housing in the City of Melton as it has a low proportion of residents living in social housing compared to the average for metropolitan Melbourne.
- Council's *Housing Diversity Strategy* identifies a demand for 580 to 1,400 'social housing' dwellings in the City of Melton. The provision of community care accommodation in this location is consistent with this aspiration.
- The proposal is consistent with Action 3.4 in Council's *Housing Diversity Strategy*, which states that Council will '*facilitate development proposals that meet an identified need for social housing*'.
- Clause 16.01-6S Community Care Accommodation in the Melton Planning Scheme, the objective of which is to facilitate the establishment of community care accommodation.
- Clause 21.08-1 Housing in the Municipal Strategic Statement in the Melton Planning Scheme, which seeks to facilitate housing choice, diversity and affordability, and to increase housing diversity within the City of Melton. Strategy 3.2 states that Council will facilitate development proposals that meet an identified need for social housing.
- Clause 21.08-1 Housing in the Melton Planning Scheme identifies some sections of the City of Melton are considered disadvantaged socio-economically so affordability and cost of living are important issues. Increasing social and affordable housing stock in the City of Melton will be important to address housing affordability and cost of living issues.

The amendment is required to allow the use of part of a former local park for community care accommodation. The amendment is supported by DHHS who is the proposed owner of the land.

Overall, the amendment is consistent with the Planning Policy Framework, and makes proper uses of the Victorian Planning Provisions.

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 of the amendment. The costs associated with Planning Scheme Amendments are covered by the recurrent budget of City Design, Strategy and Environment.

5. Consultation/Public Submissions

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

Any submissions received during the exhibition period 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 C216 and recommending whether an independent Planning Panel is required.

6. Risk Analysis

Council commenced a process that could allow the use of the subject land as community care accommodation at its previous Ordinary Meeting of Council on 22 July 2019. There is a risk to Council that if this amendment does not proceed that community care accommodation will not be developed.

7. Options

Council can resolve to:

- Seek authorisation to prepare and exhibit Planning Scheme Amendment C216 in accordance with the Planning and Environment Act 1987, and authorise the General Manager Planning and Development, and Manager City Design Strategy and Environment to negotiate and resolve any issues; or
- Not proceed with the amendment.

LIST OF APPENDICES

Nil

12.15 CONTRACT No. 19/044 - CONSTRUCTION OF BLOOMSBURY DRIVE RESERVE UPGRADE

Author: Daniel Speirs - Capital Projects Officer

Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/044 for Bloomsbury Drive Reserve Upgrade commencing September 2019 to February 2020.

RECOMMENDATION:

That Council:

1. Awards Contract No. 19/044 for Bloomsbury Drive Reserve Upgrade submitted by Citywide for the sum of \$751,295.25 (excl. GST) commencing September 2019.
2. Delegate to the Chief Executive Officer the execution of all contract documents.

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 19/044 for Bloomsbury Drive Reserve Upgrade.

Council has committed to upgrading the reserve on Bloomsbury Drive, Taylors Hill. The project will deliver the following elements: concrete footpath, new BBQ, shelter, exercise equipment, playground equipment, landscaping (tree planting and garden beds), and park furniture (picnic tables / bench seats and drinking fountain).

Council was successful in gaining \$405,000 in State Government funding from the Department of Environment, Land, Water, and Planning through the Growing Suburbs Fund (GSF) to contribute towards the Bloomsbury Drive Reserve Upgrade. In preparation, Council officers are, in accordance with Council procurement policies, seeking to engage a suitably qualified and experienced head contractor to undertake the construction works.

Council has an Agreement with State Government under the GSF to deliver the completed project by March 2020. A key Milestone of the project is that a landscaping contractor be appointed by August 2019. The tender evaluation summary is provided in the **Confidential Appendix** to this report.

Citywide scored the highest in the tender evaluation and therefore are recommended for award for the lump sum of \$751,295.25 (excl. GST).

2. Background/Issues

To cater to the growing population in the Taylors Hill area, Council made an application to the Victorian State Government for funding through the Growing Suburbs Fund (GSF) for financial assistance in the development of this reserve. The GSF provides a contribution towards meeting critical local infrastructure needs for communities in Melbourne's diverse and fast-growing outer suburbs. It is positioned to quickly respond to the pressures being experienced by interface communities by bringing forward local infrastructure projects that will make a big difference in the day-to-day lives of outer suburban families.

Council was advised that it was successful in obtaining \$405,000 in funding, and a subsequent Agreement for the funding was signed.

A total project budget of \$810,000 including the \$405,000 GSF, has been allocated by Council for the reserve upgrade.

Council has agreed under the GSF to deliver the completed project by 13 March 2020. A key Milestone of the project is the appointment of a building contractor by 19 August 2019. Council produced the design internally.

An Expression of Interest (EOI 19/039) was advertised on 16 February 2019. The EOI closed on 11 March 2019 with twelve contractors submitting an EOI. Following the evaluation process, five contractors were identified as having the capability and resources to undertake the project and were subsequently invited to the Request for Tender phase.

This contract will provide a reserve which will include:

- Site establishment, fencing, traffic and pedestrian management
- Installation of playground & exercise equipment;
- Natural and artificial shade;
- BBQ and picnic facilities;
- Basketball Court
- Park furniture (picnic tables / bench seats and drinking fountain)
- Landscaping;
- Concrete footpaths;
- Establishment and maintenance of soft landscaping

Detailed design and tender documentation for the above contract was released to the five shortlisted construction contractors on 19 June 2019 and closed on 17 July 2019.

A total of five tender submissions were received and assessed on the basis of the evaluation criteria described in the tender documents.

Four tenders were considered non-conforming due to the incomplete sub-contractor statutory declaration but all were still considered and evaluated.

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

The Bloomsbury Drive Reserve Upgrade project requires an overall budget of \$810,000 (excluding GST).

The budget components for the project are as follows:

Funding Sources	Amount \$
City of Melton	\$405,000
Victorian Government – Growing Suburbs Fund	\$405,000
TOTAL	\$810,000

The pre-tender quantity surveyor estimate assessed the reserve upgrade construction costs at \$1.1M. A detailed review of the tender estimate was undertaken and agreed that the estimate was over costed. However based on the initial cost estimates there was a value management process that removed items from the project. Considering lower than anticipated tender prices there is an opportunity to include those items back into the project. Such as:

- New vehicle exclusion fencing;
- Existing footpath rectifications;
- New play tower;
- Additional landscaping;
- Larger shelter;
- Additional play sculptures.

Council has revised the design to include these items and will advise the Department of Environment, Land, Water and Planning accordingly

The budget components for the project are as follows:

Budget	Amount \$
Construction – Building Works (this Contract)	\$751,295.25
Contingency	\$43,704.75
Consultant Fees	\$15,000
TOTAL	\$810,000

The Council contribution to the overall budget and estimated spend profile across the expenditure years is as follows:

Expenditure Year	Budget	Expenditure	Cumulative Expenditure
2019-20	\$355,000	\$760,000	\$760,000
2020-21	\$25,000*	\$25,000	\$25,000
2021-22	\$25,000*	\$25,000	\$25,000
TOTAL	\$405,000	\$810,000	\$810,000

*This is only a projection (maintenance costs) for the 2020-21 & 2021-22 budgets as they have not been set.

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

5. Consultation/Public Submissions

A community information session was held at Bloomsbury Drive Reserve on Saturday 1 December 2018 and was attended by local residents. The proposed plans were made available to the local residents as part of Council's planning process. Council received positive feedback from ten local residents.

Council personnel have been in regular contact with State Government to communicate project progress and to report on achievements of agreed Milestones. At this point in time a Sod Turning event to mark the commencement of construction and involving the Minister for Local Government is planned for Monday 26 August 2019.

6. Risk Analysis

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

1. Engagement of a suitably qualified construction company:
 - Advertised an open expression of interest to construction companies via The Age and on the Tendersearch website.
 - Select tender to construction companies shortlisted through the open expression of interest process.
 - Required companies tendering for the construction phase to comply with Council's occupational health and safety requirements.
 - To assist in the selection of a construction company with suitable occupational health and safety work practices, Council requires construction companies invited to tender to provide third party accreditation of their Occupational Health and Safety Management System. Council also required the tenderers to provide evidence of public liability insurance and work cover.
 - Conducted referee checks for the appointment of the construction company.
2. Engagement of a financially capable construction company:
 - The engagement of an independent and expert consultant to conduct a financial review of the short-listed companies.
3. Development of risk management plans for the project.
4. Supervision of construction works to be undertaken by Melton City Council.

7. Options

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Redesign and re-advertise the tender seeking further submissions and renegotiate the funding agreement with the Department of Environment, Land, Water and Planning.

LIST OF APPENDICES

1. Bloomsbury Drive Reserve Concept Plan - undated
2. Tender Evaluation Panel Report - Construction of Bloomsbury Drive Reserve - 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*.

12.16 CONTRACT No. 19/058 - CONSTRUCTION OF ARBOUR BOULEVARD RESERVE UPGRADE

Author: Jane Johnson - Capital Projects Officer
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/058 for Arbour Boulevard Reserve Upgrade commencing September 2019 to March 2020.

RECOMMENDATION:

That Council:

1. Awards Contract No. 19/058 for Arbour Boulevard Reserve Upgrade submitted by Citywide for the sum of \$658,641.10 (excl. GST) commencing September 2019.
2. Delegate to the Chief Executive Officer the execution of all contract documents.

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 19/058 for Arbour Boulevard Reserve Upgrade (**Appendix 1**).

Council has committed to upgrading the reserve on Arbour Boulevard, Burnside Heights. The project will deliver the following elements: concrete footpath, new BBQ, shelter, exercise equipment, playground equipment, landscaping (tree planting and garden beds), park furniture (picnic tables / bench seats and drinking fountain) and skate-able wall.

Council was successful in gaining \$355,000 in State Government funding from the Department of Environment, Land, Water, and Planning through the Growing Suburbs Fund (GSF) to contribute towards the Arbour Boulevard Reserve Upgrade. In preparation, Council officers are, in accordance with Council procurement policies, seeking to engage a suitably qualified and experienced head contractor to undertake the construction works.

Council has an Agreement with State Government under the GSF to deliver the completed project by June 2020. A key Milestone of the project is that a landscaping contractor be appointed by 19 August 2019. The tender evaluation summary is provided in the **Confidential Appendix** to this report.

Citywide scored the highest in the tender evaluation and therefore are recommended for award for the lump sum of \$658,641.10 (excl. GST).

2. Background/Issues

To cater to the growing population in the Burnside Heights area, Council made an application to the Victorian State Government for funding through the Growing Suburbs Fund (GSF) for financial assistance in the development of this reserve. The GSF provides a contribution towards meeting critical local infrastructure needs for communities in Melbourne's diverse and fast-growing outer suburbs. It is positioned to quickly respond to the pressures being experienced by interface communities by bringing forward local infrastructure projects that will make a big difference in the day-to-day lives of outer suburban families.

Council was advised that it was successful in obtaining \$355,000 in funding, and a subsequent Agreement for the funding was signed.

A total project budget of \$710,000 including the \$355,000 GSF, has been allocated by Council for the reserve upgrade.

Council has agreed under the GSF to deliver the completed project by 26 June 2020. A key Milestone of the project is the appointment of a building contractor by 19 August 2019. Council produced the design internally.

An Expression of Interest (EOI 19/039) was advertised on 16 February 2019. The EOI closed on 11 March 2019 with twelve contractors submitting an EOI. Following the evaluation process, five contractors were identified as having the capability and resources to undertake the project and were subsequently invited to the Request for Tender phase.

This contract will provide a reserve which will include:

- Site establishment, fencing, traffic and pedestrian management
- Installation of playground & exercise equipment;
- Natural and artificial shade;
- BBQ and picnic facilities;
- Skate-able wall
- Multi purpose goal
- Park furniture (picnic tables / bench seats and drinking fountain)
- Landscaping;
- Concrete footpaths;
- Establishment and maintenance of soft landscaping

Detailed design and tender documentation for the above contract was released to the five shortlisted construction contractors on 19 June 2019 and closed on 17 July 2019.

A total of five tender submissions were received and assessed on the basis of the evaluation criteria described in the tender documents.

Four tenders were considered non-conforming due to the incomplete sub-contractor statutory declaration but all were still considered and evaluated.

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

The Arbour Boulevard Reserve Upgrade project requires an overall budget of \$710,000.00 (excluding GST).

The budget components for the project are as follows:

Funding Sources	Amount \$
City of Melton	\$355,000
Victorian Government – Growing Suburbs Fund	\$355,000
TOTAL	\$710,000

The pre-tender quantity surveyor cost plan assessed the reserve upgrade construction costs at \$1,188,000. Based on the initial cost plan there was a value management process that removed items from the project. Considering lower than anticipated tender prices the decision was made to price these previously removed items for inclusion:

- Concrete basketball zone;
- Concrete seat wall;
- Picnic table;
- musical play equipment instruments
- Additional garden beds;
- Additional gravel paths.

Council has revised the design to include these items and will advise the Department of Environment, Land, Water and Planning accordingly.

The budget components for the project are as follows:

Budget	Amount \$
Construction – Building Works (this Contract)	\$658,641.10
Contingency	\$36,358.90
Consultant Fees	\$15,000
TOTAL	\$710,000

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

Expenditure Year	Budget	Expenditure	Cumulative Expenditure
2019-20	\$313,000	\$668,000	\$668,000
2020-21	\$21,000*	\$21,000	\$21,000
2021-22	\$21,000*	\$21,000	\$21,000
TOTAL	\$355,000	\$710,000	\$710,000

*This is only a projection (maintenance works) as the 2020-21 & 2021-22 budgets have not been set.

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

5. Consultation/Public Submissions

A community information session was held at Arbour Boulevard Reserve on Saturday 1 December 2018 and was attended by local residents. The proposed plans were made available to the local residents as part of Council's planning process. Council received positive feedback from ten local residents.

Council Officers have been in regular contact with State Government to communicate project progress and to report on achievements of agreed Milestones. At this point in time a Sod Turning event to mark the commencement of construction and involving the Minister for Local Government is planned for Monday 26 August 2019.

6. Risk Analysis

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

1. Engagement of a suitably qualified construction company:
 - Advertised an open expression of interest to construction companies via The Age and on the Tendersearch website.
 - Select tender to construction companies shortlisted through the open expression of interest process.
 - Required companies tendering for the construction phase to comply with Council's occupational health and safety requirements.
 - To assist in the selection of a construction company with suitable occupational health and safety work practices, Council requires construction companies invited to tender to provide third party accreditation of their Occupational Health and Safety Management System. Council also required the tenderers to provide evidence of public liability insurance and work cover.
 - Conducted referee checks for the appointment of the construction company.
2. Engagement of a financially capable construction company:
 - The engagement of an independent and expert consultant to conduct a financial review of the short-listed companies.
3. Development of risk management plans for the project.
4. Supervision of construction works to be undertaken by Melton City Council.

7. Options

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Redesign and re-advertise the tender seeking further submissions and renegotiate the funding agreement with the Department of Environment, Land, Water and Planning.

LIST OF APPENDICES

1. Arbour Boulevard Masterplan - undated
2. Tender Evaluation Panel Report - Contract No. 19/058 Arbour Boulevard Reserve - 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*.

Cr Carli left the Chamber at 8:28pm.

12.17 CONTRACT NO. 19/012 - COBBLEBANK INDOOR STADIUM DESIGN CONTRACT VARIATION

**Author: Lauren Pammer - Acting Capital Projects Coordinator
Presenter: Maurie Heaney - General Manager Community Services**

PURPOSE OF REPORT

To seek Council's approval for additional expenditure variation to design fees for Contract 19/012 Cobblebank Indoor Stadium Design.

RECOMMENDATION:

That Council approve a variation to design fees for Contract No. 19/012 Cobblebank Indoor Stadium Design Services to Mantric Architecture for the amount of \$349,762.

Motion

Crs Hardy/Mendes.

That the recommendation be adopted.

CARRIED

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

For:

Crs Abboushi, Hardy, Kesic, Mendes, Sebire and Turner

Against:

Nil

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

This report seeks approval of a variation to the Cobblebank Indoor Stadium Design contract.

At the Ordinary Meeting of Council 10 December 2018 Council awarded Contract 19/012 Cobblebank Indoor Stadium Design Services to Mantric Architecture for the design of a 5 court stadium at Cobblebank. The contract value was \$993,528 and was structured to provide the design for a 5 court stadium and also included for the full documentation and delivery of a 3 court facility.

The cost for the additional design services to now deliver a 6 court stadium is \$349,762 and covers all design disciplines for a larger facility including architectural, services, planning, traffic, landscape, ESD, surveying, fire and acoustics.

2. Background/Issues

At the Ordinary Meeting of Council 10 December 2018 Council awarded the contract for the Cobblebank Indoor Stadium Design Services to Mantric Architecture. The contract value was \$993,528 and involved the design of a 5 court stadium and also included for the full documentation and contract administration for delivery of a 3 court facility.

A staged approach to the project allowed Council Officers to provide a minimum provision of courts whilst allowing for expansion when and if future Council budgets allowed. During early stages of design, Council Officers were asked to determine the total amount of courts that could fit on the allocated site on the corner of Bridge and Ferris Roads, Cobblebank. This information would allow for Councilors to determine the final project scope and therefore budget accordingly. Following a site analysis study and taking into account site constraints such as future roads and sporting facilities to fit adjacent to the site and a large section of protected native vegetation, it was established that a 6 court facility would be possible on the allocated parcel of Council owned land.

Notice of Motion 626 was subsequently moved at the 29 April 2019 Ordinary meeting of Council with the following adopted:

That Council design and build the Cobblebank high ball stadium to have six courts, a show court plus 5 others.

The project scope was therefore adjusted and is inclusive of the following:

- Detailed design services and contract administration for 6 courts including:
 - Show court and spectator seating
 - Amenities, change rooms, storage, first aid, referees room, social spaces
 - Meeting rooms, reception and kiosk
 - Provision for wheelchair sports and changing places facility
 - Office for Centre Management
 - Car parking and bus drop off zone
 - Landscaping
 - Services to site

This increase in design work involves documenting a larger building increasing from a 5 court design plus 3 court documentation and construction to fully documenting and delivering a 6 court facility.

The following design disciplines are impacted due to the increased scope:

- Architect
- Structural & Civil Engineer
- Services Engineer
- Quantity Surveyor
- Landscape Designer
- Traffic Engineer
- ESD Consultant
- Building Surveyor
- Signage Allowance
- Fire Engineer

- Town Planning
- Acoustic Engineer

The following are additional allowances determined to be required during the design phase and costed within this variation:

- Structural Certification
- Water Harvesting Modelling
- Additional Geotechnical Investigation
- Additional 3D modelling

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

- Active sport and recreation groups in the city
- Community satisfaction with recreational facilities and leisure centres

4. Financial Considerations

To fully document and deliver a 6 court facility including show court, amenity, social spaces, parking and landscape, a variation to the design contract to the value of \$349,762 is required. This will result in a revised contract amount of \$1,343,290 (original contract sum \$993,528).

5. Consultation/Public Submissions

The following stakeholders have been consulted during the design process:

- Melton Council departments including Recreation & Youth, Capital Projects, Engineering Services, City Design, Strategy and Environment, Planning Services and Property Services
- State Funding Bodies - (Growing Suburbs Fund)
- Future users of the facility have been consulted with during the design phase of the project and have included the local basketball, netball and futsal associations as well as Basketball Victoria and Netball 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 and the use of an industry standard contract

7. Options

Council has the options to:

1. Support the officer's recommendation in this report.
2. Do not support the officer's recommendation.

LIST OF APPENDICES

Nil

12.18 CONTRACT No. 19/052 - CONSTRUCTION WORKS INCLUDING ROAD WIDENING, SIGNALISED PEDESTRIAN CROSSING AND ASSOCIATED LANDSCAPING WORKS AT CITY VISTA COURT, FRASER RISE.

Author: Paul Costantino - Capital Projects Officer
Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No 19/052 for the construction works including Road Widening, Pedestrian Crossing, Signal and Landscaping at City Vista Court Fraser Rise commencing September 2019.

RECOMMENDATION:

That Council:

1. Award Contract No. 19/052 for the construction works including road widening, signalised pedestrian crossing signal and associated landscaping works at City Vista Court, Fraser Rise to Bitu-Mill (Civil) Pty Ltd for the lump sum of \$644,619.35 (excluding GST).
2. Delegate to the Chief Executive Officer the execution of all contract documents.

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No 19/052 for the construction works including road widening, signalised pedestrian crossing signal and associated landscaping works at City Vista Court, Fraser Rise.

Following a decision by the Department of Education and Training (DET) to position a State School located on City Vista Court Fraser Rise, Council was no longer afforded the opportunity to collect developer contributions associated with the school land parcel through the planning approval process along with associated civil infrastructure.

In response at the Ordinary Meeting of Council held on 16 October 2017 it was resolved to fund the required infrastructure from Council's budget and associated developer contributions in two stages with stage one being completed prior to the State School opening in early 2018.

Stage two of these works which includes road widening, pedestrian crossing, pedestrian signals, indented parking, bike lane and associated landscaping with passive street tree irrigation works (Contract No. 19/052) remains outstanding.

The development of this infrastructure requires Melton City Council to fund the project from associated Developer Contributions (DCs) of \$238,116, Melbourne Water contribution of \$30,000 and Council Funding of \$400,000 taking the total budget to \$668,116. The delivery of this project is critical to the function and safety of City Vista Court due to the current and future traffic volumes and proximity of the new school, sports precinct and early year's hub.

In preparation for the delivery of these works Council Officers have undertaken an internal design process and sought suitably qualified contractors through a public tender process for the delivery of these works.

The result of the construction procurement and tender evaluation summary is provided in the **Confidential Appendix** attached to this report. It is recommended to award Contract No. 19/052 for the construction works including road widening, pedestrian crossing, signal and landscaping at City Vista Court Fraser Rise to Bitu-Mill (Civil) Pty Ltd for the lump sum of \$644,619.35 (excluding GST).

2. Background/Issues

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

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

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

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

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

Council wrote to the DET on 3 October 2016 requesting additional financial contributions to share the costs of these mutually beneficial civil works. Unfortunately the response from the DET on 1 December 2016 was they were unable to assist as its available capital funding was fully committed to building the school.

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

Works on the school have now been completed with the school being operational since January 2018 (commencement of Term 1 2018). This leaves Council with some critical infrastructure to construct to service the adjacent school, sports precinct and early years community hub.

A Council report titled Fraser Rise Secondary College – Infrastructure Works which was presented at the Ordinary Meeting of Council on 16 October 2017 set out the delivery of two stages of works with the first stage consisting of footpath construction being completed in 2018. The second stage of works (subject of this Council Report) being referred to the 2018/2019 Capital Works Program.

In 2018 Councils Design Engineering team undertook the design of the road widening, pedestrian crossing, pedestrian signals, indented parking, bike lane and associated landscaping with passive street tree irrigation works at City Vista Court in Fraser Rise.

The design encapsulates a number of initiatives being;

- Water from the road and stormwater from the adjacent dwellings being diverted into a gravel storage trench at the base of the street trees.
- This passive irrigation system which is new to Melton City Council will be monitored by Melbourne University over a two year period to demonstrate the effectiveness and improve future design and on site outcomes. This study will be funded by Melbourne Water.
- The asphalt used in this design is a revolutionary new product called Reconophalt. The asphalt is made up of plastic bags, toner cartridges and car tyres diverting materials that would otherwise end up in landfill, stockpiled, or as a pollutant in our natural environment

The passive irrigation systems have created a degree of interest from other Councils with similar designs currently being delivered by urban land developers.

In preparation for the subject works being delivered, Council engaged with the power authority to relocate electrical infrastructure at a cost of \$260,000. It is anticipated that these works will be completed by early September 2019 making way for the pedestrian crossing works to begin.

Contract 19/052 for the road widening, pedestrian crossing, signal and landscaping at City Vista Court Fraser Rise was advertised on 15 July 2019 and the public tender closed on 30 July 2019. The confidential attachment details the tender process undertaken and results. The project is expected to commence delivery in September 2019 with an expected Practical Completion date of December 2019 prior to the Christmas close down period.

3. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

4. Financial Considerations

The construction of City Vista Court pedestrian crossing and associated works requires an overall budget of \$668,116 (excluding GST).

The budget components for the project are as follows:

Funding Sources	(excluding GST) Amount \$
Developer Contributions	\$238,116
Water Sensitive Urban Design Program	\$30,000
Melton City Council	\$400,000
TOTAL	\$668,116

The budget breakdown for the project is as follows:

Project Budget Allocation	(excluding GST) Amount \$
Construction Works (Contract No. 19/052)	\$644,619.35
Construction Contingency (3.645%)	\$23,496.65
TOTAL	\$668,116.00

5. Consultation/Public Submissions

A consultation process was undertaken by officers with a number of submissions being received from affected residents fronting City Vista Court. These submissions were taken into account as part of the internal design process and residents were provided with a letter of response at the completion of the design phase of the project.

In the lead up to the commencement of works, Melton City Council issued a letter to the surrounding residents on the 9 July 2019 and the adjacent Public School notifying them of the impending works.

6. Risk Analysis

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

1. Engagement of a suitably qualified construction company:

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

2. Engagement of a financial capable construction company:

- The engagement of an independent and expert consultant to conduct a financial review of the short-listed companies.

7. Options

Council has the option to:

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

LIST OF APPENDICES

1. Tender Evaluation Panel Report - City Vista Court, Fraser Rise
Road Widening, Pedestrian Signals and Landscaping Works - 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. 19/053 - CONSTRUCTION WORKS INCLUDING ROAD WIDENING AND UPGRADE OF TARLETONS ROAD BONNIE BROOK.

Author: Paul Costantino - Capital Projects Officer

Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/053 for Construction Works including Road Widening and Upgrade of Tarleton's Road Bonnie Brook commencing September 2019.

RECOMMENDATION:

That Council:

1. Awards Contract No. 19/053 for construction works including Road Widening and Upgrade of Tarleton's Road submitted by Bitu-Mill (Civil) Pty Ltd for the sum of \$839,269.09 (excl. GST) commencing September 2019
2. Delegate to the Chief Executive Officer the execution of all contract documents.

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Councils resolution for the award of Contract No. 19/053 for the construction works including widening and upgrade of Tarleton's Road, Bonnie Brook. Council committed to the widening and upgrade of Tarleton's Road works at the Ordinary Meeting of Council of 16 October 2017 by reconstructing the single lane sealed section to a rural standard two way road.

The development of this infrastructure requires Melton City Council to fund the project from Councils 2018/19 budget being \$550,000 and 2019/20 budget being \$800,000 taking the total budget to \$1,350,000.

In preparation for the delivery of these works Council Officers have undertaken an internal design process and sought suitably qualified contractors through a public tender process for the delivery of these works.

The result of the construction procurement and tender evaluation summary is provided in the **Confidential Appendix** attached to this report. It is recommended to award Contact No. 19/053 for construction works including road widening and upgrade of Tarleton's Road to Bitu-Mill (Civil) Pty Ltd for the sum of \$839,269.09 (excl. GST).

2. Background/Issues

Tarletons Road is made up of a sealed and unsealed carriage way for a distance of approximately 3.2km, and provides an east west connection from Leakes Road to Plumpton Road.

A Council report which was presented at the Ordinary Meeting of Council in October 2017 set out a proposal to reconstruct the single lane sealed section to a rural standard two way road.

Design works were undertaken in 2018, of which the Tarletons Road corridor was considered and assessed to determine the most appropriate treatment. Due to a number of factors, including significant environmental constraints and future road corridor alignment, the design excludes formalising the western connection to Leakes Road. This segment will remain unsealed and is wide enough to accommodate two way traffic. Taylors Road is currently being constructed from Leakes Road to Plumpton Road and this will significantly reduce the volume of traffic on Tarletons Road. As a result leaving this section of Tarletons Road unsealed is deemed appropriate.

Contract 19/053 for the road widening and upgrade of Tarleton's Road Bonnie Brook was advertised on 15 July 2019 and the public tender closed on 30 July 2019. The **Confidential Attachment** details the tender process undertaken and results. The project is expected to commence delivery in September 2019 with an expected Practical Completion date of December 2019 prior to the Christmas close down period.

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

The construction of road widening and upgrade of Tarleton's Road Bonnie Brook and associated works requires an overall budget of \$1,350,000 (excluding GST).

The budget components for the project are as follows:

Funding Sources	(excluding GST) Amount \$
Melton City Council funding – F/Y 19/20	\$800,000
Melton City Council carryover funding – F/Y 18/19	\$550,000
TOTAL	\$1,350,000

The budget breakdown for the project is as follows:

Project Budget Allocation	(excluding GST) Amount \$
Construction Works (Contract No. 19/053)	\$839,269.09
Construction Contingency (10%)	\$83,926.90
TOTAL	\$923,195.99

Awarding this contract will result in a budget saving of approximately \$400,000

5. Consultation/Public Submissions

A select community consultation process was undertaken by officers advising the affected residents fronting Tarletons Road. These submissions were taken into account as part of the internal design process and residents provided with a letter of response at the completion of the design phase of the project.

In the lead up to the commencement of works, Melton City Council issued a letter to the surrounding residents on the 4 July 2019 notifying them of the impending works.

6. Risk Analysis

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

1. Engagement of a suitably qualified construction company:

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

2. Engagement of a financial capable construction company:

- The engagement of an independent and expert consultant to conduct a financial review of the short-listed companies.

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 Panel Report - Tarletons Road Bonnie Brook Road Widening and Upgrade Works - 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. 19/054 - MANAGEMENT AND OPERATION OF EARLY YEARS SERVICES - FRASER RISE AND TIMBERTOP (AINTREE) CENTRES

Author: Matthew Welsh - Acting Early Childhood Coordinator
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 19/054 for the Management and Operation of Early Years Services at Fraser Rise Children's and Community Centre and Timbertop (Aintree) Children's and Community Centre located within our municipality commencing 1 January 2020 to 31 December 2026.

RECOMMENDATION:

That Council:

1. Awards Contract No. 19/054 for Management and Operation of Early Years Services at Fraser Rise Children's and Community Centre submitted by BPA Children's Services commencing 1 January 2020 to 31 December 2026 (6 years)
2. Awards Contract No. 19/054 for Management and Operation of Early Years Services at Timbertop (Aintree) Children's and Community Centre submitted by One Tree Community Services commencing 1 January 2020 to 31 December 2026 (6 years).

Motion

Crs Carli/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

This report seeks Council resolution for the award of Contract No. 19/054 for Management and Operation of Early Years Services at Fraser Rise Children's and Community Centre and Timbertop Children's and Community Centre.

On 3 June 2019 Council advertised a tender for the Management and Operation of Early Years Services at Fraser Rise Children's and Community Centre and Timbertop Children's and Community Centre which are owned by Council.

Five submissions were received from the following providers;

- Early Childhood Management Services (ECMS)
- BPA Children's Services
- TRY Australia.
- Springside P-9 College
- One Tree Community Services

The applications were assessed by a panel of five (5) Council Officers who independently evaluated applicants against the selection criteria on their application, an interview and referee checks.

At the conclusion of the evaluation process the panel is recommending BPA Children's Services provide the management and operation of early years services at Fraser Rise Children's and Community Centre and One Tree Community Services provide the management and operation of early years services at Timbertop Children's and Community Centre, effective from 1 January 2020 to 31 December 2026 (6 years).

The interview process determined BPA Children's Services and One Tree Community Services were best able to demonstrate a strong understanding and vision for the areas growth and future management and delivery of Early Years services at these locations and as such are the recommended providers.

2. Background/Issues

This contract will provide the management and operation of early years services at Fraser Rise Children's and Community Centre and Timbertop Children's and Community Centre.

In planning for the future provision of Early Years services, these new facilities are being constructed in the growing suburbs of Fraser Rise and Aintree. This facility will be available for Early Years services by first term 2020.

These centres will operate under an integrated services and community activation model whereby service providers will be encouraged to work together using a client focused approach to meet the needs and improve outcomes for families, children and the wider community.

Tenders for the contract were advertised in The Age on Saturday, 1 June 2019 and closed on Friday, 21 June 2019.

A total of five (5) tenders were received and assessed on the basis of the evaluation criteria described in the tender documents.

Submissions for the management and operation of early year services for the period 1 January 2020 to 31 December 2026 were received from the following Early Years Management groups:

- Early Childhood Management Services (ECMS)
- BPA Children's Services
- TRY Australia.
- Springside P-9 College
- One Tree Community Services

A Council tender evaluation panel was formed and consisted of the following officers:

- Brendan Ball – Manager Families and Children
- Matthew Welsh – Acting Early Childhood Coordinator
- Marita Hynds – Children's Services Team Leader
- Sarah Bowen – Acting Early Years Team Leader
- Charles Obwana – Procurement Coordinator.

The applications were independently scored against the following criteria.

Tender Evaluation Criteria

The tender criteria is as outlined:

- Capability and Experience in the operation of early years services and the references provided by those organisations where such services are managed and operated
- Methodology for undertaking the services, including the proposed sequence of work, an implementation program including dates and, IT systems, technologies, marketing and promotion, and philosophy, to be used to support the delivery of the Services.
- Capabilities in management of Quality & Environmental issues
- Fee schedules
- Social procurement to generate positive social outcomes for the local community in addition to the delivery of efficient goods, services and works.
- Local content

The respective weighting attributed to each of the tender evaluation criteria was specified in the Invitation to Tender.

Interviews were conducted with the four (4) Early Years Management groups in order to determine the best outcome for management and operation of Early Years services in line with the criteria set out in the tender documentation.

Interviews were held on Tuesday, 23 July 2019 and the following Early Years Management groups were invited:

- BPA Children's Services
- One Tree Community Services
- Early Childhood Management Services (ECMS)
- TRY Australia

Reference checks were conducted on each interviewed applicant.

Springside College were not successful in proceeding to an interview due to not meeting compulsory requirements of the tender.

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

A financial assessment was undertaken by Equifax Australasia Credit Ratings Pty Ltd (Corporate Scorecard) and returned a satisfactory result for each of the interviewed Early Years Management groups.

There will be no financial commitment for Council in operating the Early Years services at both Fraser Rise Children's and Community Centre and Timbertop Children's and Community Centre.

Successful Early Years Management groups will pay an annual licence fee at \$300.00 per licensed Early Years room.

Successful Early Years Management groups will pay for all, or the proportion of charges if separate meters aren't installed, utility services in connection with the licensed areas of each of the facilities including electricity, gas, water and telephone.

Successful Early Years Management groups will pay for cleaning costs of licensed areas.

Council will continue to have the overall responsibility for maintenance and capital expenditure for the facility inclusive of OH&S compliance as far as the physical infrastructure being Council's main asset. This is to ensure that the facilities are up to standard as far as the building code and other regulations are adhered to such as the Education and Care Services Regulations and insurance audits.

5. Consultation/Public Submissions

As the supply of this category is an internal service to Council, no public consultation has been undertaken. Key stakeholders were consulted in order to determine the user requirements. Information collected through this consultation was used to develop the tender specifications.

Consultation with the community, affected property owners and commuters to notify them of disruptions throughout the construction works formed part of the project planning.

6. Risk Analysis

The risk in not proceeding with officers recommendations is the absence of a Service Provider to deliver the Early Years services to the community

7. Options

Council has the option to:

1. Adopt the officers recommendation as presented in the report
2. Re-advertise the tender seeking further submissions.

LIST OF APPENDICES

1. Tender Evaluation Panel Report - Management and Operation of Early Years - Fraser Rise and Timbertop (Aintree) Centres - 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*.

Cr Carli returned to the Chamber at 8:33pm.

12.21 PLANNING APPLICATION PA S173/2019/16/1 - AMENDMENT TO A DEVELOPMENT PLAN REFERENCED IN AN EXISTING SECTION 173 AGREEMENT BY AMENDING THE PURPOSE OF THE SUBJECT SITE ON THE APPROVED DEVELOPMENT PLAN FROM COMMERCIAL TO A MEDIUM DENSITY HOUSING SITE TO FACILITATE CONSIDERATION OF A PLANNING APPLICATION FOR CONSTRUCTION OF 10 DWELLINGS AT 1 JAMES MELROSE DRIVE, BROOKFIELD

**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 Amend the Section 173 Agreement as outlined in **Appendix 4** of this report.

Motion

Crs Mendes/Abboushi.

That the recommendation be adopted.

CARRIED

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

For:

Crs Abboushi, Carli, Kesic, Mendes and Turner

Against:

Crs Hardy and Sebire

The Mayor declared the Motion CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Song Bowden Planning
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Proposal:	Amend approved development plan (PA2002/257) referenced in an existing Section 173 Agreement to facilitate consideration for a planning application for construction of 10 dwellings
Existing Land Use:	Vacant
Zone:	General Residential (Schedule 1)
Overlays:	Nil
Number of Objections:	Six objections and one letter of support
Key Planning Issues:	Contents of the Section 173 Agreement Objector's concerns Appropriateness of the land for residential development
Recommendation:	Approve application

The Land and Surrounding Area

The subject site has an area of 3,903m² and is located on the corner of James Melrose Drive and Coburns Road. Other features of the site are as follows:

- The site is irregular in shape.
- It contains a mature Buloke tree protected under the Section 173 Agreement.
- An existing gas easement adjoins the eastern boundary and a sewerage easement adjoins the western boundary.

The site adjoins a child care centre and a railway reserve to the south. West of the site is Arnolds Creek linear reserve and east of the site is Melton Garden Supplies and Mini Mix located in the Industrial 3 Zone. The site is located 1.9km south of Woodgrove Shopping Centre, 1km west of Melton Train Station, and 1.2km west of Melton Station Square Shopping Centre.

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

Subject History

The applicant was advised in a letter dated 14 May 2019 that Council in principle agreed to the amendment of the Section 173 Agreement AL057022D as required by Section 178A(3) of the Planning and Environment Act 1987.

The site is subject to an endorsed development plan approved under the residential subdivision permit PA2002/257.

Planning permit PA2017/5925/1 to allow construction of 10 single storey dwellings and reduction in car parking requirements was refused by Council on 12 October 2018 on the grounds that the proposal breached part 3.8 and 3.9 of the registered Section 173 Agreement AL057022D, failed to provide two onsite visitor car parking and a satisfactory design response. An appeal was lodged by the applicant, however the Victorian Civil and Administrative Tribunal remitted the decision to Council for reconsideration as the planning application could only be considered after matters relating to the breach of the Section 173 Agreement are resolved.

The Application

The application proposes to amend the approved development plan (PA2002/257) referenced in the existing Section 173 Agreement AL057022D registered on the certificate of title for the subject land by amending the purpose of the subject site on the development plan from commercial to a medium density housing site. The approved development plan (PA2002/257), is known as the Rees Road, Brookfield, essentially enables the residential

subdivision of land previously known as 308 Rees Road, Brookfield which includes the subject site.

In summary Section 173 Agreement AL057022D was put in place to require the payment for specified development contributions and control removal of native vegetation and medium density housing.

The relevant provisions of the Section 173 Agreement to this application provide as follows:

Medium Density Housing Sites

- 3.8 Prior to the endorsement of any plan under the Planning Permit, sites which are to be developed with more than one dwelling must be identified as a medium density housing site; and
- 3.9 Any plan of subdivision lodged with Council for certification must contain a restriction which limits the number of houses on any lot to one house unless the site is identified as a medium density housing site on the endorsed plan in which case the limit on the number of dwellings constructed on that lot must be specified as not exceeding the number shown on the endorsed plan or if no number is shown, then the specified limit shall be deemed to be no more than two dwellings.

The endorsed development plan, which includes the subject land, does not designate the land as a medium density housing site but rather designates it as a commercial site. This means that unless the approved development plan referenced in the Section 173 Agreement is amended, only two houses can be constructed on the land.

The proposal as such seeks approval to amend the purpose of the site on the approved development plan from commercial to a medium density site to facilitate consideration for a planning application for construction of 10 dwellings.

Refer to **Appendix 2** for plans of the proposal and a copy of the Section 173 Agreement.

Planning Controls

Zone	(Clause 32.08 – General Residential Zone)	Permit required for construction of two or more dwellings on the land. A separate planning permit application is required for the consideration of a medium density development on the subject site.
Planning and Environment Act 1987	Section 178A	Applicant has sought amendment of the approved development plan referenced in an existing Section 173 Agreement to facilitate construction of 10 dwellings not currently permitted by the agreement.

Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant, however, the land is affected by a Section 173 Agreement.

Is the land of Cultural Heritage Sensitivity?

The land is considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*; however the proposal does not require a cultural heritage management plan.

2. Council and Wellbeing Plan Reference and Policy Reference

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

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

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

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions

Public notification of the application

The application was subject to notification. The notification was satisfactorily completed and six objections were received. One letter of support was received.

The grounds of objection may be summarised as follows:

- Increase in traffic and congestion.
- Overdevelopment of the site.
- Proposal inconsistent with the existing neighbourhood character.
- Impact on quality of life.
- Insufficient infrastructure to support the proposed future development.
- Vehicular movement at the James Melrose Drive and Coburns Road T intersection is problematic, further compounded by the narrow width of James Melrose Drive. Traffic signalisation required.
- A medium density development on the site will be an obstruction to motorists at the narrow James Melrose Drive and Coburns Road T intersection.
- The proposed future development cannot be accommodated on site given the size of the land.
- Repair existing damaged roads.
- Site not suitable for medium density housing. A single storey commercial building with a couple of shops to support the area i.e. takeaway or milk bar would be ideal.

A response to the objections is provided in **Appendix 3**.

Referral of the application

The application was not referred internally for comment and advice.

5. Issues

Planning Assessment

Section 178B of the Planning and Environment Act 1987 outlines the matters which Council must consider in relation to an application to amend a Section 173 Agreement which include purpose of the agreement and amendment, change in circumstances that necessitates the amendment, whether the amendment would disadvantage any person, reasons why the responsible authority entered into the agreement, if the amendment is to remove land from the application of the agreement, whether the land is subject to any further liability under the agreement, any relevant permit or other requirements subject under the Subdivision Act 1988 and any other prescribed matter.

Having regard to the matters set out in section 178B of the Planning and Environment Act 1987, it is considered that the amendment be supported as the subject site is appropriately located for residential development given the size of the land, its zoning, proximity to public transport, public open spaces and community infrastructure. The proposal to amend the

Section 173 Agreement will have a negligible impact on the amenity of the surrounding area and will not disadvantage any person given the proximity of commercial facilities at Woodgrove Shopping Centre. Further, medium density housing is encouraged in the General Residential Zone and any approval would be assessed against the relevant sections of the Melton Planning Scheme.

There has been a change in planning circumstances with the land rezoned from Residential 1 Zone to General Residential Zone (Schedule 1). Notwithstanding the zone change, the purpose and intent of both zones is rather the same. The proposal to amend the agreement will provide for housing diversity consistent with the purpose of the zone and the purpose of the Agreement which seeks to advance the objectives of planning in Victoria and the objectives of the Planning Scheme.

The proposal does not seek to remove land from the application of the agreement nor alter liabilities contained in the agreement.

It should be noted by Council, that the proposed change to the agreement merely facilitates future consideration of an application for redevelopment of the site for medium density housing. Council would still need to be satisfied that the proposal was respectful of the character of the area and generally complied with ResCode requirements.

6. Options

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

7. Conclusion

The application has been assessed against Section 178B of the Planning and Environment Act 1987, the State Planning Policy Framework, Local Planning Policy Framework, Zone provisions and Clause 65 of the Melton Planning Scheme.

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

Therefore, it is recommended that the application be approved as outlined in **Appendix 4**.

LIST OF APPENDICES

1. Locality Plan - dated 26 July 2019
2. Plans for the Proposal and copy of Section 173 Agreement - various dates
3. Response to Objections - undated
4. Approval of Proposal - undated

Cr Abboushi left the Chamber at 8:44pm.

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

12.22 PLANNING APPLICATION PA 2019/6489/1 - USE AND DEVELOPMENT OF A CHILDCARE CENTRE WITH ASSOCIATED LANDSCAPING, DISPLAY OF BUSINESS OF BUSINESS IDENTIFICATION SIGNS, REDUCTION IN CAR PARKING, ALTERATION OF ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY 1), REMOVAL AND VARIATION OF A SEWER AND DRAINAGE EASEMENT AT 512 - 514 HIGH STREET AND 160 COBURNS ROAD, 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 Hardy/Mendes.

That the Council defer consideration of this matter so that the applicant can attend a Councillor briefing session to further outline their application.

CARRIED

REPORT

1. Background

Executive Summary

Applicant:	Melton Corner Pty Ltd
Proposal:	Use and development of a childcare centre with associated development
Existing Land Use:	Three single storey dwellings
Zone:	General Residential
Overlays:	Nil
Number of Objections:	8
Key Planning Issues:	Zoning and policy context Built form Off-site amenity impacts

	Car parking and traffic Access arrangements Objectors concerns
Recommendation:	Approve application

The Land and Surrounding Area

The subject site has an area of 2,344m² and is located on the corner of Coburns Street and High Street. Other features of the site are as follows:

- The site comprises three adjoining lots and is irregular in shape.
- It contains three existing single storey dwellings.
- An existing drainage and sewerage easement adjoins part of the eastern boundary and also traverses the centre of the site.

The surrounding area can be characterised as predominantly residential. To the west is Melton Secondary College and immediately south west of the site is the Woodgrove Shopping Centre.

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

The Application

The application proposes the use and development of a childcare centre with associated landscaping, display of business of business identification signs, reduction in car parking, alteration of access to a road in a road zone (Category 1), removal and variation of a sewer and drainage easement.

The proposed development is summarised as follows:

- Demolition of the three dwellings on the site.
- Construction of a two-storey building with a floor area of 1,184.75m² for use as a child care centre.
- The building has a maximum building height of 8.3m from the natural ground level.
- The building comprises a reception area and foyer, nine child care rooms, shared bathroom facilities and sleep rooms for the children, areas for staff and storage areas.
- Two large outdoor play areas at ground level, one located on the west side of the building and comprising an area of 234.41m² (outdoor play area 2) and the other located on the south side of the building with an area of 252.56m² (outdoor play area 1).
- A third larger outdoor play area (outdoor play area 3) in the form of a roof deck located at first floor level on the north, west and south sides of the building and comprises an area of 600.73m².
- A first floor roof deck proposed to overhang slightly the ground floor level on the west and south sides of the building with a more substantial overhang (up to 18m in length) proposed on the north side of the building in order to provide a comfortable environment for children and staff of the centre and provide a balance of sunlight and shade to the outdoor play areas.
- The building will be constructed of brick, timber cladding, powder coated steel columns, frosted or transparent glazing, rendered walls, with colorbond roofing.
- Shade sails proposed over parts of the outdoor play areas at ground and first floor level to provide further shade to these outdoor play areas.
- A pedestrian path along the north side of the building is proposed to provide pedestrian access from the car park and Coburns Road to the building entry.

- A car park to the north of the building comprising 25 spaces including one disabled space with access from Coburns Road (entry only) and Carina Drive (exit only).
- A reduction in car parking by 7 car spaces.
- Four bicycle spaces are proposed and are accessible from the main pedestrian path to the building and car park.
- Three crossovers will be removed and one crossover will be modified and the kerb, channel and verge will be reinstated.
- The display of four advertising signs (business identification signs), two on the west façade of the building facing Coburns Road, one on the south façade facing High Street and one on the north façade facing Carina Drive.
- The display of one advertising sign (business identification sign) on an entry feature wall located between the car park access points and near the corner of Coburns Road and Carina Drive.
- Illuminated 3mm powder coated aluminium lettering is proposed on the signage.
- The centre will accommodate 146 child care places and 26 full time staff.
- The child care centre will operate between the hours of 6:30am to 6:30pm Monday to Friday and will be closed on weekends.

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

Planning Controls

Zone	(Clause 32.08 – General Residential Zone)	Permit required for use and development
Particular Provisions	(Clause 52.02 – Easements, restrictions and reserves)	Permit required to create, vary or remove an easement.
	(Clause 52.05 – Advertising Signs)	Permit required to erect business identification signage and internally illuminated signs.
	(Clause 52.06 – Car Parking)	Permit is required to reduce (including reduce to zero) the number of car parking spaces required. 0.22 car spaces are required per child. 146 children are proposed equating to 32 car spaces The application makes provision for 25 spaces.
	(Clause 52.29 – Land Adjacent to a Road Zone Category 1)	Permit is required to create or alter access.

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

Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant.

Is the land of Cultural Heritage Sensitivity?

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

2. Council and Wellbeing Plan Reference and Policy Reference

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

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

3.1 A City that strategically plans for growth and development.

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions

Public notification of the application

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

The grounds of objection may be summarised as follows:

- Unsuitable location for a child care centre.
- Traffic congestion and off-street impacts during school drop-off and pick-up times.
- Traffic safety concerns for children, elderly people and pedestrians.
- Safety issues with north bound vehicles along Coburns Road completing a u-turn.
- Safety issues with vehicle entry point located near the intersection of Carina Drive and Coburns Road.
- Coburns Road and High Street is an unsafe and busy intersection.
- Over reliance of on-street car parking as patrons are more likely to park on the street as it is more convenient.
- Concern with colorbond fence being removed for 69 Carina Drive.
- Air pollution from additional traffic generated by the use.
- Existing road network cannot accommodate additional traffic.
- Waste collection.
- Loss of privacy, natural daylight and views in particular 69 Carina Drive and 510 High Street.
- Noise impacts to surrounding residents.
- Property devaluation.
- Building height and visual bulk.
- An additional childcare centre is not required considering the number of childcare centres in Melton.

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

Referral of the application

The application was referred to a number of Council's Infrastructure Planning Unit, Traffic and Transport Unit, City Design Environmental Health Unit, Waste Services and Children Services for comment and advice. The application was also required to be referred to VicRoads and Western Water. A complete list of responses is included in **Appendix 5**.

Of particular note are the comments from Council's Traffic Engineer who suggest that the number of children be reduced from 146 to 113, as the proposed 25 car space equates to 113 children.

5. Issues

Planning Assessment

The proposal has strong policy support under the Planning Policy Framework (PPF) and the Local Planning Policy Framework (LPPF). The use is anticipated by the purpose of the General Residential Zone (GRZ) *“to allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations”*. The use services the local community needs and is compatible to its location that has other non-residential uses. Residents based on their experiences on Coburns Road and the surrounding road network express safety, access and traffic concerns and that the proposal will exacerbate the existing traffic problems in the area. These concerns are acknowledged, however it is considered that the location limits impacts and congestion in local residential streets where these types of uses are discouraged. It is further considered by VicRoads and Council's Traffic and Transport Unit that the nearby intersections will continue to operate under satisfactory conditions, with the site's only entry and only exit access point being Carina Drive and Coburns Road respectively.

The overall height of the proposed building is 8.3m, considerably lower than the maximum permissible building height of 11m and 3 storeys under the zone. The height is not dissimilar to that of double storey dwelling. As such, it is reasonable to allow a building for a non-residential use the same built form opportunity. Concern has also been raised regarding loss of views due to the height of the proposed development. The planning system does not protect views.

The proposed façade treatments provide an appropriate degree of visual interest through use of varied materials and finishes, along with vertical and horizontal articulation elements to minimize the perception of visual bulk and enhance the building's appearance. The design response of the proposal is generally considered an appropriate fit and in terms of the preferred neighbourhood character as it will sit comfortably in its context. The indicative landscape concept plan provides ample opportunities for landscaping that will assist in softening the development.

The proposal provides 25 on site car parking spaces and seeks a reduction of 7 car spaces. The site is located within an established residential setting, opposite a secondary school, and it is expected people who live within the immediate area will use the childcare centre and will not all drive to the site. The site is well serviced by public transport, including multiple bus routes and pedestrian and bicycle networks. It is expected that any overflow could be accommodated, particularly along the Coburns Road frontage where 8 kerbside spaces are available adjoining the site. For these reasons reduction of car parking is supported.

It is considered that the proposed use and development will not result in unreasonable offsite amenity impacts to adjoining properties given the location of secluded private open spaces of adjoining properties, size of rear and side setbacks of the development (with the exception of the south eastern staircase that is required to be setback an additional 2m from the southern boundary as condition of approval) and the upper floors windows on the east elevation have window sill heights of 1.7m above the finished floor level to restrict the visual impact. Overlooking from windows on the ground floor will be restricted by boundary fencing.

The proposed signage is modest in size and is considered acceptable.

The removal and variation of the drainage and sewer easement is acceptable subject to conditions.

6. Options

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

7. Conclusion

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

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

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

LIST OF APPENDICES

1. Locality Plan - dated 2 July 2019
2. Plans for the Proposal - dated 22 May 2019 and 6 June 2019
3. Assessment against Planning Scheme - undated
4. Response to Objections - undated
5. Referral Comments - undated
6. Proposed Conditions - undated

Item 12.23 - **Planning Application PA 2019/6553/1 - use and development of the land for the purpose of a place of worship with associated car parking At 527-561 Holden Road, Plumpton** - has been moved to immediately before Item 12.1 pursuant to an earlier resolution..

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

Verbal reports were received from Crs Abboushi, Sebire, Carli, Hardy, Kesic, Mendes and Turner.

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

Crs Abboushi, Sebire, Carli, Hardy, Kesic, Mendes and Turner addressed the meeting in respect to a variety of matters of significance.

15. NOTICES OF MOTION**15.1 NOTICE OF MOTION 641 (CR ABBOUSHI)****Councillor: Steven Abboushi - Councillor****NOTICE:**

That Council officers prepare a report with suggested options to urgently address the ongoing congestion and safety concerns of the parking issues at Boronia Reserve, Hillside within the Sugargum Estate.

Motion

Crs Abboushi/Kesic.

That Council officers prepare a report with suggested options to urgently address the ongoing congestion and safety concerns of the parking issues at Boronia Reserve, Hillside within the Sugargum Estate.

CARRIED

15.2 NOTICE OF MOTION 642 (CR RAMSEY)

Councillor: Sophie Ramsey - Councillor

NOTICE:

That Council officers liaise with the L to P Group to assist them to identify funds so that they can acquire a replacement vehicle for their program.

Motion

Crs Hardy/Carli.

That Council officers liaise with the L to P Group to assist them to identify funds so that they can acquire a replacement vehicle for their program.

CARRIED

15.3 NOTICE OF MOTION 643 (CR RAMSEY)**Councillor: Sophie Ramsey - Councillor****NOTICE:**

That Council officers identify and report to Council strategic land parcels within the municipality that can be noted for future acquisitions as the opportunities arise.

Motion

Crs Hardy/Kesic.

That Council officers identify and report to Council strategic land parcels within the municipality that can be noted for future acquisitions as the opportunities arise.

CARRIED

15.4 NOTICE OF MOTION 644 (CR HARDY)

Councillor: Ken Hardy - Councillor

NOTICE:

That Council officers prepare a report on potential future public housing sites in Melton.

Motion

Crs Hardy/Mendes.

That Council officers prepare a report on potential future public housing sites in Melton.

CARRIED

15.5 NOTICE OF MOTION 645 (CR MENDES)**Councillor: Michelle Mendes - Councillor****NOTICE:**

That Council officers write to The Hon. James Merlino MP, Minister for Education, requesting an immediate review of the current school zone for Springside West Secondary College in consultation with the local community and local member of parliament, The Hon Natalie Hutchins MP.

Motion

Crs Mendes/Carli.

That Council officers write to The Hon. James Merlino MP, Minister for Education, requesting an immediate review of the current school zone for Springside West Secondary College in consultation with the local community and local member of parliament, The Hon Natalie Hutchins MP.

CARRIED

15.6 NOTICE OF MOTION 646 (CR ABBOUSHI)**Councillor: Steven Abboushi - Councillor****NOTICE:**

That Council write to the Member for Kororoit, The Hon Marlene Kairouz MP as well as members of the Victorian Legislative Council representing the Western Victoria region requesting their advocacy and assistance to expedite the handover of the Palmers Road Corridor including Westwood Drive in the City of Melton.

Motion

Crs Abboushi/Kesic.

That Council write to the Member for Kororoit, The Hon Marlene Kairouz MP as well as members of the Victorian Legislative Council representing the Western Victoria region requesting their advocacy and assistance to expedite the handover of the Palmers Road Corridor including Westwood Drive in the City of Melton.

CARRIED

15.7 NOTICE OF MOTION 647 (CR MENDES)**Councillor: Michelle Mendes - Councillor****NOTICE:**

That Council write to The Minister for Roads and the Minister for Road Safety and the TAC, The Hon Jaala Pulford MP seeking an onsite visit at the intersection of Melton Highway & Leakes Road and a timeline for duplication of the Melton Highway from The Regency to Leakes Road, Hillside.

Motion

Crs Mendes/Carli.

That Council write to The Minister for Roads and the Minister for Road Safety and the TAC, The Hon Jaala Pulford MP seeking an onsite visit at the intersection of Melton Highway & Leakes Road and a timeline for duplication of the Melton Highway from The Regency to Leakes Road, Hillside.

CARRIED

15.8 NOTICE OF MOTION 648 (CR MENDES)**Councillor: Michelle Mendes - Councillor****NOTICE:**

That Council write to The Minister for Transport The Hon Jaala Pulford and Department of Transport seeking an on site visit to Diggers Rest –Coimadai Road, Toolern Vale to view issues with the current 80km/h road limit.

Motion

Crs Mendes/Hardy.

That Council write to The Minister for Transport The Hon Jaala Pulford and Department of Transport seeking an on site visit to Diggers Rest –Coimadai Road, Toolern Vale to view issues with the current 80km/h road limit.

CARRIED

15.9 NOTICE OF MOTION 649 (CR MENDES)

Councillor: Michelle Mendes - Councillor

NOTICE:

That Council provide the Diggers Rest Lions Club with \$2,500 towards its 2019 Carols by Candlelight.

Motion

Crs Mendes/Carli.

That Council commit to \$10,000 recurrent funding for Diggers Rest Carols by Candlelight.

CARRIED

15.10 NOTICE OF MOTION 650 (CR MAJDLIK)**Councillor: Kathy Majdlik - Councillor****NOTICE:**

That:

1. the CEO, Mr Kelvin Tori, organise a briefing meeting for Councillors with Ms Stephanie Worsteling, General Manager Carer & Community Services at Carers Australia Victoria in relation to a potential Carers Hub being provided/located within the City of Melton; and
2. subsequently, a report be provided to an Ordinary Meeting of Council with potential options, costings and benefits of a Carers Hub to be provided/housed in the City of Melton.

Motion

Crs Carli/Abboushi.

That:

1. the CEO, Mr Kelvin Tori, organise a briefing meeting for Councillors with Ms Stephanie Worsteling, General Manager Carer & Community Services at Carers Australia Victoria in relation to a potential Carers Hub being provided/located within the City of Melton; and
2. subsequently, a report be provided to an Ordinary Meeting of Council with potential options, costings and benefits of a Carers Hub to be provided/housed in the City of Melton.

CARRIED

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

Cr Mendes

Can I please receive an update from officers on Westwood Estate on Beattys Road, Plumpton Road and in particular are there any secondary schools proposed in that area?

16.2 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Mendes

Where are discussions between Council and the state government up to regarding the Melton Hospital business case?

16.3 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Mendes

Is the Country Club planning an extension? Have there been any planning developments or contact with the planning department?

16.4 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Mendes

Will residents of Toolern Vale, as a result of the budget discussions, be surveyed on or will there be a meeting held about the design of roads?

16.5 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Carli

Can I please ask Mr Heaney when the design works for Diggers Rest Recreation Pavilion and Oval No. 2 will commence?

16.6 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Hardy

Can I please get a report or feedback on the right turn signal installation on Barries and Coburn Road?

16.7 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Abboushi

Do we have an update or any communication from Powercor about the activation of the streetlights on the Westwood Drive Bridge?

Motion

Crs Abboushi/Kesic.

That the City of Melton write to Powercor regarding our deep concerns regarding the lack of progress with regards to the activation of the streetlights over the Westwood Drive Bridge?

CARRIED

17. MOTIONS WITHOUT NOTICE**17.1 MOTIONS WITHOUT NOTICE**

Cr Carli

That:

1. Council Officers in consultation with existing users which are the Hillside Sharks Football Club and Sydenham Hillside Cricket Club explore options to extend the Hillside Recreation Reserve Pavilion to provide additional space in the club rooms to cater for a current high volume of users.
2. A report with recommendations, costings and options come back to Council no later than Council's Ordinary Meeting held on 9 December 2019.

17.2 MOTIONS WITHOUT NOTICE

Cr Carli

That Council immediately undertake beautification works such as streetscaping and rubbish removal in Zammit Lane, Eklund Street and Ohaire Street in Hillside.

17.3 MOTIONS WITHOUT NOTICE

Cr Carli

That Council Officers prepare a report with costings and options for additional parking opportunities in front of and around the Diggers Rest Supermarket on Glitter Road.

18. URGENT BUSINESS

Nil.

19. CONFIDENTIAL BUSINESS

Procedural Motion

Crs Carli/Hardy.

That pursuant to section 89(2) of the *Local Government Act 1989* the meeting be closed to the public to consider the following reports, that are considered confidential for the reasons indicated:

19.1 Response to Notice of Motion 623 (Cr Majdlik) - Investigation of options in potentially purchasing land

(h) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person.

19.2 Recommendations of the Semi-Annual Grants Assessment Panel Meeting

(h) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person.

CARRIED

Procedural Motion

Crs Carli/Sebire.

That the meeting be opened to the public.

CARRIED

20. CLOSE OF BUSINESS

The meeting closed at 9:37pm.

Confirmed

Dated this

.....CHAIRPERSON