



*City of*  
**Whittlesea**

# **MINUTES**

## **OF ORDINARY COUNCIL MEETING**

**HELD ON**

**TUESDAY 12 DECEMBER 2017**

**AT 6.30PM**

**IN COUNCIL CHAMBER, 25 FERRES  
BOULEVARD, SOUTH MORANG**



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## COUNCILLORS

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KRIS PAVLIDIS                      MAYOR, SOUTH WEST WARD

LAWRIE COX                        SOUTH WEST WARD

STEVAN KOZMEVSKI                SOUTH WEST WARD

CAZ MONTELEONE                 SOUTH WEST WARD

EMILIA LISA STERJOVA            DEPUTY MAYOR, NORTH WARD

TOM JOSEPH                        NORTH WARD

RICKY KIRKHAM                    NORTH WARD

SAM ALESSI                        SOUTH EAST WARD

ALAHNA DESIATO                  SOUTH EAST WARD

NORM KELLY                        SOUTH EAST WARD

MARY LALIOS                        SOUTH EAST WARD



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## SENIOR OFFICERS

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SIMON OVERLAND

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

STEVE O'BRIEN

DIRECTOR PLANNING AND MAJOR PROJECTS

NICK MANN

DIRECTOR CITY TRANSPORT & PRESENTATION

HELEN SUI

DIRECTOR CORPORATE SERVICES

LIANA THOMPSON

DIRECTOR PARTNERSHIPS & ENGAGEMENT

ANGELO MAMATIS

TEAM LEADER GOVERNANCE



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**Note:**

**In these Minutes, Resolutions adopted by Council are indicated in bold text.**



**1. OPENING****1.1 MEETING OPENING AND PRAYER****CHIEF EXECUTIVE OFFICER EXPLANATORY NOTE**

It is noted that a quorum was not present at the time fixed for the commencement of the meeting. The Mayor announced that the commencement of the meeting would be delayed for up to 30 minutes to allow for a quorum. At the expiration of the 30 minutes, a quorum was not present and the meeting could not be opened. The Mayor adjourned the meeting to 7.30pm on 18 December 2017.

The Chief Executive Officer notes that the Mayor Cr Pavlidis, Deputy Mayor Cr Sterjova, Cr Cox, Cr Kozmevski and Cr Alessi were present at 6.30pm.

It is also noted that an apology was received on behalf of off Cr Desiato, Cr Lalios, Cr Kelly, Cr Kirkham and Cr Joseph.

**MEETING ADJOURNMENT**

The Mayor adjourned the meeting at 7.01pm to reconvene on Monday 18 December 2017 at 7.30pm.

**1.2 ACKNOWLEDGMENT OF TRADITIONAL OWNERS STATEMENT**

On behalf of the City of Whittlesea the Mayor recognised the rich Aboriginal heritage of this country and acknowledged the Wurundjeri Willum Clan as the Traditional Owners of this place.

**1.3 PRESENT****2. APOLOGIES**

**3. DECLARATIONS OF INTEREST**

THE FOLLOWING DECLARATIONS OF INTEREST WERE MADE TO THE CHIEF EXECUTIVE OFFICER PRIOR TO THE MEETING:

THE FOLLOWING DECLARATIONS OF INTEREST WERE MADE TO THE CHIEF EXECUTIVE OFFICER DURING THE MEETING:

**4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

<b>RECOMMENDATION</b>
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That the following Minutes of the preceding meeting as circulated, be confirmed:

Ordinary Meeting of Council held 21 November 2017

**5. QUESTIONS TO COUNCILLORS, PETITIONS AND JOINT LETTERS**

**5.1 QUESTIONS TO COUNCILLORS**

NIL REPORTS

**5.2 PETITIONS**

NIL REPORTS

**5.2 JOINT LETTERS**

NIL REPORTS

**6. OFFICERS' REPORTS**

**RECOMMENDATION**

**THAT Council resolve to adopt the Recommendations for items numbers .**

***Group Adoption of Items En Bloc***

*Councillors may choose not to consider reports on the Notice Paper individually and to resolve to adopt, in one resolution, the recommendations listed on the Notice Paper for a number of reports. Such a resolution will have the effect of adopting the Officer's recommendation for each of the reports identified in the Council resolution. The remaining items of business are considered and voted on separately.*



## 6.1 PLANNING AND MAJOR PROJECTS

### 6.1.1 CHILD CARE CENTRE LOCAL PLANNING POLICY AMENDMENT

<b>File No:</b>	<b>195242</b>
<b>Attachments:</b>	<b>1 Draft Child Care Centre Policy</b> <a href="#">⇒</a>
<b>Responsible Officer:</b>	<b>Director Planning &amp; Major Projects</b>
<b>Author:</b>	<b>Senior Strategic Policy Planner</b>

#### REPORT

#### EXECUTIVE SUMMARY

The purpose of this report is to seek Council approval to seek authorisation from the Minister for Planning to commence a Planning Scheme Amendment to replace Clause 22.05: Child Care Centre Local Planning Policy of the Whittlesea Planning Scheme with an updated policy.

A project was undertaken in response to officer requests across Council, to review the current policy following a substantial increase in the number of applications for child care centres. The current policy is dated and lacks the guidance necessary to assist in preparing and assessing these applications. The primary aim of the revised policy is to clearly outline Council's expectations regarding the location and design of child care centres. The policy provides greater guidance around issues of need, preferred location and co-location, built form outcomes, pedestrian and vehicular accessibility and off-site amenity impacts.

A Local Planning Policy only applies in instances where a planning permit application is already required by the Planning Scheme. Its sole purpose is to guide decision making when considering a planning permit application.

It is recommended that Council resolve to seek authorisation from the Minister for Planning to prepare and exhibit this proposed amendment to the Whittlesea Planning Scheme.

#### BACKGROUND

Council has an existing Child Care Centre (CCC) Local Planning Policy (LPP) at Clause 22.05 of the Whittlesea Planning Scheme (WPS). The current policy comprises limited policy content and is over 15 years old.

The municipality is experiencing a substantial increase in the number of child care centre proposals, both in the established suburbs and the growth areas. This increase has raised concerns that proposals are often speculative, sought in inappropriate locations and contain flawed siting and design responses. The key concerns are summarised below:

- The number of CCC's exceeds the level of demand in many areas of the municipality;
- Inappropriate co-location proposals e.g. next to service stations, convenience restaurants or car washes;
- Locating centres on roads with very high traffic volumes, raising safety concerns;
- Poor designs that make these often large centres, look like oversized dwellings, leaving insufficient space for the provision of adequate car parking spaces;

- Designs that provide poor solar access to playspaces, which is not beneficial; and
- Proposals that do not consider waste management and collection in their design.

The current policy lacks the guidance necessary to adequately address or provide a framework to respond to these issues.

An internal Working Group was established with cross-Council representatives to identify and workshop the issues to inform the drafting of the revised policy.

A copy of the revised policy is *Attachment 1* to this report.

## DISCUSSION

The updated Clause 22.05 policy has been developed in accordance with the State Government planning practice note '*Writing a Local Planning Policy (PPN08)*', and in consultation with the Department of Environment, Land, Water and Planning (DELWP). The policy comprises the following sections: policy application, policy basis, objectives, specific policy provisions, decision guidelines and reference documents.

The policy basis outlines the City of Whittlesea local context and the need for the policy, including a rapidly increasing population in conjunction with unprecedented numbers of applications, where supply greatly exceeds demand. It also highlights the need for the location and built form outcomes of CCC's to make a positive contribution to the community in order to satisfy broader land use and development objectives for the municipality.

The policy objectives and provisions set out what Council is trying to achieve to address the issues arising from current CCC applications. In particular, it seeks to ensure proposals:

- Satisfy a demonstrated need for the local community;
- Prioritise Activity Centre or appropriate non-residential/community hub locations;
- Discourage locations near roads with or planned to have high traffic volumes;
- Ensure the siting and design of centres positively contribute to the appearance of the surrounding context;
- Provide separation of pedestrian and vehicular/waste collection access and movement through the site; and
- Ensure CCC's safeguard residential amenity.

Decision guidelines are included to highlight the criteria that Council will review the proposal against, when considering all CCC applications. The criteria reinforce the content contained within the policy basis, policy objectives and policy sections of the revised policy.

The reference document section lists additional support documents that can be referred to when preparing and/or deciding on a proposal.

### ***Practical implementation of the policy***

The policy will apply to all CCC applications proposed in the municipality, and only where a planning permit is already required by the WPS. This includes CCC's in both the established and the establishing areas of the municipality, as well as both private sector and Council facilities (i.e. kindergartens providing sessional programs). The policy itself will not trigger for the need for a permit. The proposed policy will provide the necessary guidance for applicants in understanding Council's expectations for the location and design outcomes for CCC's.



***Key elements of the policy***Need and preferred location

The foremost concern with proposals currently being received by Council officers is that they are in inappropriate locations, including in areas that are already well serviced by CCC's. Further, many of these applications are standalone proposals not co-located with appropriate non-residential uses, and/or are sought on roads that carry very high traffic volumes. CCC's in inappropriate locations do not meet wider land use and community building objectives, as identified within the Council Plan and various State and Local Planning Policy directives.

To address this, the policy requires applicants to:

- Demonstrate that a need for the CCC exists for the local community in the location sought, which will ensure the viable operation of the proposed application, together with existing facilities in the area. It is important to note that *need* is different to *competition*, which is not a valid planning consideration under the Planning and Environment Act;
- Locate the CCC in an Activity Centre or identified non-residential/ community use location or hub that is well serviced by public transport, bicycle and pedestrian networks. Proposals are encouraged to locate within a 400m walkable distance of an Activity Centre or recognised cluster of community uses, and within 200m walkable distance of an existing or future planned public transport stop or train station. Both distances are to be measured by the shortest route reasonably accessible on foot;
- Child care centres are encouraged on collector roads but discouraged on arterial roads. This provides a safer environment for vehicles, adults and children when accessing and exiting a site. This reflects the Department of Education's position to not support new schools on arterial roads. It is noted that Vic Roads also limit access to arterial roads to maintain safety and traffic flow; and
- Non-compatible co-location options are identified and include uses such as service stations, car washes and convenience restaurants.

Siting and design

Built form and siting outcomes are also key concerns with many current CCC applications. Car parking is usually provided at the front of the site, requiring the CCC building to be set back behind the car parking. This often results in building setbacks and built form that is out of character with the surrounding neighbourhood, particularly when sought as a stand-alone proposal and/or located in residential areas. These setbacks also limit opportunities for passive surveillance and connection with the street. It is also common for CCC buildings to resemble the appearance of a dwelling however, this type of design approach is outdated. With CCC's becoming larger enterprises, and with the abovementioned Activity Centre/co-location outcomes sought, CCC's should encompass a design response that better reflects their non-residential, essential community use purpose.

Urban design principles are incorporated into the policy to overcome these concerns. They promote the non-residential/community support role provided by CCC's and enhance the presentation of the building within its setting, as well as the overall appearance of the municipality. These include:

- Adopting front setbacks consistent with surrounding front setbacks and locating car parking areas at the side or rear of the building or within an undercroft;

- Providing building entries that address the street, are easily recognisable and are a design feature of the building;
- Providing well designed and interesting facades that use a variety of quality finish materials, (including transparent glazing), materials that age well and positively contribute to the character of the surrounding neighbourhood;
- Avoid high and solid front fencing treatments;
- Encourage front fencing treatments that integrate with the overall design and presentation of the CCC building;
- Seek a 'statement' built form response for centres on corner sites; and
- Seek a variety of quality landscaped outcomes, improved solar access to play spaces, north facing where practicable, with natural shade options.

#### Pedestrian and vehicular accessibility

Given the nature of CCC's, that very young children and vehicles need to access and exit the site, car parking areas and the building safely, the policy provides guidance on how these areas should be designed and presented on-site. Pedestrian movement throughout a site is encouraged to be prioritised.

#### Waste collection

Waste collection, in particular, is often an afterthought for many proposals. Most centres end up relying on private collection services. It is Council policy that private services cannot collect from the kerb, instead waste must be collected from within the site. As collection requirements have usually not been considered, the only area available for collection on-site is in the car parking area. This causes obvious conflicts especially during peak pick-up and drop-off times. To address this, the policy encourages waste collection areas to be appropriately located in a manner which facilitates the collection vehicle entering and leaving the site in a forward direction to minimise vehicular conflict.

#### Off-site amenity impacts

Safeguarding the amenity of residential properties is important, particularly in the establishing areas covered by Development Plans (DPs) and Precinct Structure Plans (PSPs), where CCC proposals are usually exempt from Public Notification. Common amenity concerns with CCC's include visual impacts, overlooking, noise and location of playspaces, odour from waste storage areas and traffic impacts.

The policy supports the sensitive siting and design of proposals that include locating storage areas and playspaces away from sensitive residential spaces, to limit noise impacts. It also seeks to ensure appropriate provision is made for waste collection facilities to minimise their negative impacts both on and off site in terms of noise and vehicle movement/access.

### **CONSULTATION**

Extensive internal consultation has been undertaken to inform development of the policy, including a cross-Council Working Group with representatives from a range of departments.

Officers have also consulted DELWP on the content of the proposed LPP. The key issue has been in fitting in with the content and style requirements of DELWP. There has been ongoing discussion to refine the drafting of the policy, which has informed this final version.

**CRITICAL DATES**

If approval is given at this meeting to seek authorisation from the Minister for Planning, the formal amendment process will commence early 2018.

**FINANCIAL IMPLICATIONS**

Minor fees will be incurred as part of the normal Planning Scheme Amendment process. No other significant financial impost is expected to Council.

**POLICY STRATEGY AND LEGISLATION**

The development of the policy is supported by the following:

**State Planning Policy Framework**

The following sections of the State Planning Policy Framework (SPPF) support the policy:

- **Clause 11 Settlement** – that land use planning recognises and contributes towards a high standard of urban design and amenity, accessibility and land use and transport integration.
- **Clause 11.03-2 Activity centre planning** – which seeks to encourage the concentration of uses into activity centres that provide a variety of land uses that are highly accessible to the community and that meet local needs.
- **Clause 15.01-1 Urban design and Clause 15.01-2 Urban design principles** – whereby planning should achieve high quality urban design and architectural outcomes that contribute positively to local urban character and sense of place, and minimises detrimental impacts on neighbouring properties.

**Local Planning Policy Framework**

The following clauses of the Local Planning Policy Framework (LPPF) support the policy:

- **Clause 21.04-1 Activity Centre Planning** – seeks to incorporate a mix of retail, commercial and community facilities within an activated street based environment.
- **Clause 21.08-1 Urban Design**, which seeks to utilise urban design principles to inform built form outcomes including:
  - To utilise urban design principles to support built outcomes which encourage connection to place and the community.
  - To avoid visually dominant car parks in new developments.
  - To create walkable neighbourhoods defined by a 400-800m walk to facilities.
- **Clause 21.12 Infrastructure** – builds on Clauses 21.04-1 & 21.04-2 to co-locate community based facilities and maximise beneficial relationships between compatible uses, including to:
  - Co-locate facilities close to other community assets including retail precincts, arts facilities and libraries to maximise accessibility and convenience to users.

- Develop hubs and precincts with the aim of facilitating an integrated service provision.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Planning and Infrastructure</b>
<b>Future Direction</b>	<b>Places and spaces to connect people</b>
<b>Theme</b>	<b>Planning our space</b>
<b>Strategic Objective</b>	<b>Urban design helps build our connection to place, the natural environment and the community</b>

The revised policy builds on objectives in the Municipal Strategic Statement (MSS) of the WPS, which seek to utilise urban design principles to inform built form outcomes. This is relevant for non-residential buildings, including CCC’s, to help build a connection to place.

<b>Council Priority</b>	<b>Planning and Infrastructure</b>
<b>Future Direction</b>	<b>Places and spaces to connect people</b>
<b>Theme</b>	<b>Built environment</b>
<b>Strategic Objectives</b>	<b>Our neighbourhoods are designed to be well-connected and create cohesive communities</b>

The Child Care Centre Policy also builds on MSS objectives to support co-location of retail, commercial and community uses, including CCC’s, within a walkable catchment and connected to public transport.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The revised Child Care Centre policy is a substantial and extensive update of the current policy. It will enable officers to more effectively implement wider ranging land use and planning objectives for the municipality. The updated policy clearly sets out Council’s expectations for proposals amidst increasing numbers of, and often poorly designed, applications. The updated policy provides greater guidance regarding the need for the child care centre, location and co-location opportunities, siting and design outcomes, pedestrian and vehicular accessibility and amenity impacts.

The revised policy has undergone a widespread consultation process with internal stakeholders and the DELWP and all parties support the policy update.

It is recommended that Council resolve to seek authorisation from the Minister for Planning to formally commence the Planning Scheme Amendment Process to update Clause 22.05 (Child Care Centre Local Planning Policy) of the Whittlesea Planning Scheme.

**RECOMMENDATION**

**THAT Council resolve to seek authorisation from the Minister for Planning to formally commence the Planning Scheme Amendment process to update Clause 22.05 (Child Care Centre Local Planning Policy) of the Whittlesea Planning Scheme.**



**6.1.2 REQUEST TO SEEK AUTHORISATION FOR PLANNING SCHEME AMENDMENT  
C217- 100 CRAVENS ROAD AND 45 REGENT STREET, MERNDA.****File No:** 195051**Attachments:**  
1 [Context Plan](#) ⇨  
2 [Subject Properties](#) ⇨**Responsible Officer:** Director Planning & Major Projects**Author:** Senior Strategic Planner**REPORT****EXECUTIVE SUMMARY**

The purpose of this report is to seek Council approval to request authorisation from the Minister for Planning to prepare and exhibit a Planning Scheme Amendment to rezone the entire property at 100 Cravens Road, Mernda, and a portion of Council's property at 45 Regent Street, Mernda.

It is proposed to rezone the nominated portions of these properties within the Urban Growth Boundary from the Rural Conservation Zone to a General Residential Zone. In addition, it is proposed that the Development Plan Overlay (Schedule 27) and the Vegetation Protection Overlay be applied to the land that is proposed to be rezoned and the Significant Landscape Overlay is removed from the same portion of land.

The proposed amendment will facilitate the use and development of the sites as part of the ongoing planning of the Mernda West Precinct and associated assemblage of land for the future Quarry Hills Regional Parkland.

The proposed amendment is implementing the established Council strategic framework for land assembly as part of the Quarry Hills Regional Parkland and is therefore considered procedural in nature. As such, it is recommended that the Council seek authorisation from the Minister for Planning for a limited exhibition process under Section 20(2) of the *Planning and Environment Act 1987* which will limit exhibition to relevant statutory authorities. This has been a standard approach for sites of this nature within the Urban Growth Boundary.

**BACKGROUND**

This proposal is part of the on-going strategic framework associated with the Quarry Hills Regional Parkland and the Mernda West Precinct (*Attachment 1*).

The developable portions of both sites have previously been included in the Urban Growth Boundary as part of Amendment VC68 in 2009. In this amendment, the UGB was shifted however, the underlying zoning remained 'non-urban' in order to provide for a process of rezoning for urban purposes if, and when, agreements were entered into for the transfer of land into the Quarry Hills Regional Parkland and payment of the requisite development contributions.

The property at 100 Cravens Road, Mernda, is located within the Quarry Hills Regional Parkland interest area and is unique in that the whole site was brought into the Urban Growth Boundary in 2009 (*Attachment 2*). No land within this site is required to be transferred into public ownership for the purposes of the Quarry Hills Regional Parkland.

However, an agreement was still required for the site, committing to the payment of relevant contributions/infrastructure payments. The landowners have recently signed this agreement and the rezoning of the site can now be advanced.

The property at 45 Regent Street, Mernda is owned by Council (*Attachment 2*). The northern portion of the land (approximately 1.5 hectares) is located within the Urban Growth Boundary, and the balance area of 33.2 hectares is located outside of the Urban Growth Boundary and inside the Quarry Hills Regional Parkland. The rezoning of land located inside the Urban Growth Boundary is the critical first step in providing the statutory controls to commence the preparation of development plan and ultimately, subdivision of the land. The zoning of land within the Quarry Hills Regional Parkland will not change. The land is considered a keystone parcel and provides connections/linkages to the existing sections of the Quarry Hills Regional Parkland.

The proposed amendment will ensure consistency in the planning provisions applied to sites within the Mernda West Precinct, and allow for the development of land inside the Urban Growth Boundary in line with the Mernda West Precinct and the strategic vision of the Quarry Hills Regional Parkland.

## **SUBJECT SITES**

The proposed amendment seeks to rezone two properties, each site is described below.

### **100 Cravens Road, Mernda**

100 Cravens Road, Mernda (*Attachment 2*) is approximately 4 hectares in size and is currently occupied by a single residential dwelling, and a series of outbuildings.

The site is currently zoned Rural Conservation 1 (RCZ1) and is affected by Significant Landscape Overlay (SLO2). The dwelling on the site is affected by the Heritage Overlay Schedule 19 (HO19).

Land to the north, south, east and west of the subject site have been developed with conventional residential development.

No part of the land is required to be transferred into public ownership as part of the Quarry Hills Regional Parkland project.

### **45 Regent Street, Mernda**

45 Regent Street, Mernda (*Attachment 2*) is currently zoned Rural Conservation 1 (RCZ1), with a total land area of 34.7ha. The land comprises a substantial residential brick dwelling, outbuildings and tennis court, and abuts Council's conservation reserve at 105W Hunters Road, Mernda.

Of the total land area, approximately 33.2 hectares of land are subject to the Quarry Hills Regional Parkland, with approximately 1.5 hectares located inside the Urban Growth Boundary subject of the proposed rezoning.

The 1.5 hectare portion maintains a direct frontage to Regent Street with land to the north and east already developed with conventional residential development. Land to the west has recently been rezoned and it is anticipated that the site will be developed in the short term.

The Amendment proposes to:

- Rezone the subject portions of the properties within the UGB to a General Residential Zone from the Rural Conservation Zone.



- Apply a Development Plan Overlay (Schedule 27) and a Vegetation Protection Overlay to the rezoned portions of the subject properties.
- Remove the Significant Landscape Overlay from the rezoned portions of the subject properties as the Development Plan Overlay and the Vegetation Protection Overlay are the more relevant controls to apply to land which is likely to be the subject of development proposals.

This will bring these parcels proposed for rezoning into line with the planning framework applied to the rest of the Mernda Strategy Plan area.

### **PROPOSAL**

As well as rezoning the subject land within the UGB to a General Residential Zone, the amendment also seeks to apply a Development Plan Overlay Schedule 27 and a Vegetation Protection Overlay to the subject properties. This will bring these parcels into line with the planning framework applied to the rest of the Mernda Strategy Plan area.

The proposed amendment will also remove the Significant Landscape Overlay from the subject sites as the Development Plan Overlay and the Vegetation Protection Overlay are the more relevant controls to apply to land which is likely to be the subject of development proposals.

The Vegetation Protection Overlay in particular is able to ensure that adequate regard is given to the preservation of remnant vegetation in a development context. The statutory controls proposed are consistent with the controls applying to the development areas which adjoin the subject sites.

The proposed rezoning is the first step in facilitating the future development of the parcels with detailed planning required to be undertaken at a later date. Detailed planning of each site will then be required to be undertaken prior to any application to subdivide the land. The application of the Development Plan Overlay (schedule 27) will provide the framework under which the sites will be required to be developed, and will provide Council and the local community with certainty in how the precinct will be developed.

It is important to note that given the sites are already located within the UGB, the State Government has already strategically supported the concept of rezoning these parcels for urban development, and these sites represent a logical extension to the existing Development Plan areas.

### **NOTIFICATION**

When considering the most appropriate course of action for notification, it is important to recognise the consultation that has been undertaken to date. In this instance, the landowner of 100 Cravens Road, Mernda has regularly discussed the proposal of rezoning and land transfer with Council. This has culminated in the drafting and finalisation of Section 173 Agreements between the landowner and Council.

Further to this, the subject landowner and surrounding properties have been included in several review processes associated with State Government Urban Growth Boundary Reviews. It is also noted that all of the properties surrounding both 100 Cravens Road and 45 Regent Street have been through the same process as is proposed in this amendment. Given this amendment is the technical implementation of a long standing strategic approach, it is considered that a full amendment process is unnecessary. As such, it is considered appropriate to request that the amendment be undertaken using the provisions of Section 20(2) of the *Planning and Environment Act 1987*. The provisions of Section 20(2) allows the Planning Minister to grant an exemption from the requirements relating to giving notice of an amendment (except for those notice requirements for any Minister as listed within the Regulations which cannot be exempted).

**DEVELOPMENT CONTRIBUTIONS**

As previously noted, the landowner of 100 Cravens Road has entered into a Section 173 Agreement with Council committing to the payment of Development Contributions and Growth Area Infrastructure Contributions.

Should Council seek to sell the developable portion of land at 45 Regent Street, conditions of sale will require the preparation of a Section 173 Agreement that applies the same Development Contribution and Growth Area Infrastructure Contribution rates to any future development.

**POLICY STRATEGY AND LEGISLATION**

Both of the subject sites are located within the Quarry Hills Regional Parkland interest area. The *Quarry Hills Bushland Park Master Plan* was approved by Council in 2010. This Master Plan provides the framework for the future development and expansion of the parkland, identifying sites which are likely to come into Council ownership in the short to medium term and outlines the design parameters for the development of parkland facilities including visitor nodes, walking trails and parkland interface treatments.

The QHRP are also referenced in the following Council strategies:

- South Morang Local Structure Plan (1997);
- Open Space Strategy (1997) and current draft Open Space Strategy;
- Green Wedge Management Plan (2011); and
- The Environmental Sustainability Strategy (2013).

As a result of Council’s submissions to the State Government and continued advocacy, the State Government and its agencies have formally recognised the significant opportunity that the Quarry Hills present for a regional parkland, and inter urban break within a wider linear network of open space. The Quarry Hills Regional Parkland has been recognised by the State Government through the *Melbourne 2030* (previous metropolitan planning strategy) Smart Growth Committee, where funding was provided for technical reports to support the project. It is also identified within the current metropolitan planning strategy, *Plan Melbourne* and as part of the State Government’s Northern Growth Corridor Plan.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Planning and Infrastructure</b>
<b>Future Direction</b>	<b>Places and spaces to connect people</b>
<b>Theme</b>	<b>Planning our space</b>
<b>Strategic Objective</b>	<b>We have neighbourhoods defined by attractive, well connected streets and public spaces</b>

The proposed amendment will contribute toward the strategic objective of the Council Plan to use Urban Design in order to build connection to place and the community by enabling the strategic aims of the Quarry Hills Bushland Park Master Plan to be achieved. It will also contribute towards the strategic objective to establish the Quarry Hills Regional Parkland through the securing of additional land outside of the Urban Growth Boundary.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

## **CONCLUSION**

The proposed amendment will facilitate the development of land located inside the Urban Growth Boundary in line with the existing and future plans for the Mernda West Precinct and the Quarry Hills Regional Parkland.

The planning controls which will be applied to the subject sites as part of the proposed amendment are the most appropriate controls to guide the future planning of the land within the subject area. This will allow for Council to ensure that any residential development allowed to facilitate the parkland is well designed, and provides for a careful interface to the open space and to adjoining development in the Mernda West area.

The proposal for the amendment to be considered under Section 20(2) of the Planning and Environment Act, without the full public exhibition process is considered to be appropriate as there has already been significant consultation regarding, and implementation of, the proposed strategic framework forming part of this amendment across the Quarry Hills Parkland interest area. The development contribution and infrastructure agreement, which is a pre-requisite for advancement of the planning scheme amendment has been signed.

<b>RECOMMENDATION</b>
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**THAT Council resolve to:**

- 1. Seek authorisation from the Minister for Planning to prepare and exhibit an amendment to the Whittlesea Planning Scheme under Section 20(2) of the Planning and Environment Act (1987), to rezone land at 100 Cravens Road, Mernda, and 45 Regent Street, Mernda, to General Residential Zone and apply the Development Overlay Schedule 27 and the Vegetation Protection Overlay and remove the Significant Landscape Overlay from the proposed rezoned portions of the properties;**
- 2. Seek authorisation from the Minister for Planning to prepare and exhibit the amendment to the Whittlesea Planning Scheme via a full amendment process in accordance with the Planning and Environment Act (1987), should the Minister for Planning not consent to exhibition of the amendment under 20(2) of the Planning and Environment Act (1987); and**
- 3. Advise the affected stakeholders of the above and any decisions of the Minister for Planning.**



**6.1.3 CONSTRUCTION OF THE MOSAIC RECREATION RESERVE CONTRACT 2017-160 - TENDER EVALUATION REPORT**

**File No:** 195775

**Attachments:** 1 **Contract 2017-160 Tender Evaluation Summary - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** Director Planning & Major Projects

**Author:** Senior Contracts Executive

**REPORT**

**EXECUTIVE SUMMARY**

This report summarises the tender evaluation outcome of contract number 2017-160 for the Construction of the Mosaic Recreation Reserve.

The tender evaluation panel recommends award of the contract to 2Construct Pty Ltd for the lump sum price of \$6,469,469.

**BACKGROUND**

The purpose of this contract is for the construction of the Mosaic Recreation Reserve. The scope of works includes the following:

- One 900 m<sup>2</sup> community soccer pavilion;
- One synthetic surface soccer pitch;
- One grass surface soccer pitch;
- Rooball area;
- Car park;
- Lighting for car park and synthetic pitch; and
- Utilities, pathways and landscaping.

Tenders for the contract closed on 25 October 2017. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**EVALUATION**

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

A Tender Probity & Evaluation Plan was designed specifically for this tender process and it was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	50 %
Capability	23 %
Capacity	20 %
Impact	7 %

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred the reasons for that outcome are detailed in the confidential attachment.

The evaluation outcome was as follows:

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A (2Construct Pty Ltd)	Yes	Yes	93	1
Tenderer B	Yes	Yes	87.6	2
Tenderer C	Yes	Yes	85	3

Refer to the confidential attachment for further details of the evaluation of all tenders.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good Governance</b>
<b>Theme</b>	<b>Continuous Improvement</b>
<b>Strategic Objective</b>	<b>Council explores and adopts best practice models</b>

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The tender from 2Construct Pty Ltd was determined to be the most competitive and it is considered that this company can perform the contract to the required standards.

**RECOMMENDATION**

**THAT Council resolve to:**

- Accept the tender submitted by 2Construct Pty Ltd for the sum of \$6,469,469 (excluding GST) for the following contract:**

**Number: 2017-160**

**Title: Construction of the Mosaic Recreation Reserve**

**subject to the following conditions:**

- a) Contractor to provide proof of currency of insurance cover as required in the tender documents.
  - b) Price variations to be in accordance with the provisions as set out in the Contract.
  - c) Contractor to provide contract security as required in the tender documents.
2. Approve the funding arrangements detailed in the confidential attachment.
  3. Sign and seal the contract documents.





**6.1.4 PLANNING SCHEME AMENDMENT C113 - COOPER STREET WEST POST EXHIBITION REPORT****File No:** 195067**Attachments:**  
1 [Locality Plan](#) ⇨  
2 [Track Changes to DPO24](#) ⇨  
3 [Clean Copy of DPO24](#) ⇨  
4 [Changes to the Concept Plan](#) ⇨**Responsible Officer:** Director Planning & Major Projects**Author:** Strategic Planner**REPORT****EXECUTIVE SUMMARY**

Whittlesea Planning Scheme Amendment C113 proposes to rezone the land at 410 Cooper Street, Epping; and 315 O'Herns Road, Epping, from part Farming Zone and part Special Use Zone (Schedule 4) to Industrial 1 Zone. Accompanying the rezoning is the application of a Development Plan Overlay to the land. The combined area of these two sites is 61.42 hectares.

The proposed amendment is required to facilitate the use and development of the land for industrial purposes. The land has been identified for industrial development in the *Cooper Street Precinct Strategy (1996)*, as part of Council's *Cooper Street West Position Paper (2017)*, Clause 21.10 of the Whittlesea Planning Scheme and State strategic planning policies.

The Amendment was reported to Council on 7 February 2017 where Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit the amendment.

In providing authorisation for the amendment, the Minister for Planning also approved a request to limit the notification of the amendment in accordance with 20(2) of the *Planning and Environment Act 1987*. As such, notification of the amendment was provided to the prescribed Ministers as per the *Planning and Environment Regulations 2015*, as well as four surrounding landowners, for a period of two weeks. At the conclusion of the notification period, four submissions were received from surrounding landowners, and two were received from external authorities.

Upon review of the submissions, Council officers liaised directly with the submitters in an attempt to resolve any issues or objections to the proposed Amendment. A formal response to all submitters was sent on 6 November 2017, outlining what changes have been made to the proposed Amendment in response to their submission. The changes relate to the provisions within the proposed Development Plan Overlay. All submitters responded and formally withdrew their submission outlining that their submission had been resolved as a result of the proposed changes.

It is therefore recommended that Council adopt Planning Scheme Amendment C113 subject to the changes as prescribed in this report to the exhibited Development Plan Overlay Schedule 24 and forward to the Minister for Planning for approval.

## INTRODUCTION

The purpose of this report is to discuss the outcomes of the statutory exhibition process for Whittlesea Planning Scheme Amendment C113 and includes the actions required to finalise the Amendment.

The subject site is located between Cooper Street and O'Herns Road immediately west of the Craigieburn Bypass and has a total area of approximately 61 hectares (*Attachment 1*).

Currently, development on the subject properties comprises of a single dwelling and the land has been fenced into paddocks of varying sizes for agricultural purposes. The subject properties have not been used for any extractive industry or waste recovery in the past. Given the historical farming uses, the vegetation on site is predominantly cleared pasture with some scattered trees.

The proposal to rezone the land at 410 Cooper Street, Epping and 315 O'Herns Road, Epping to the Industrial 1 Zone is consistent with the *Cooper Street Precinct Strategy (1996)*, Council's *Cooper Street West Position Paper 2017* and Clause 21.10 of the Whittlesea Planning Scheme. The intent to develop the Cooper Street Employment Area has been a strategic goal of Council over the past 20 years. The Cooper Street West Precinct is the latest stage in this process.

The *Cooper Street West Position Paper* sets out the issues and opportunities that will form the basis of the future strategic planning to occur in this Precinct. Demand is high for employment land within the Cooper Street West precinct given its strategic location near transport routes and its proximity to the Melbourne Wholesale Market site. Meeting this demand with increased supply is beneficial to the community as it offers high quality employment opportunities for local and nearby residents.

It is considered that the Amendment applies the relevant planning controls to allow for the orderly development as envisaged by these planning policies.

## PLANNING ASSESSMENT

Specifically, Planning Scheme Amendment C113 proposes to:

- Rezone the two sites from the current Farming Zone and Special Use Zone to Industrial 1 Zone; and
- Apply a new Development Plan Overlay to these sites.

These are explained in more detail below.

### *Rezoning*

The majority of the subject land parcels are zoned Farming Zone with the north-west corner Special Use Zone. The current zoning does not reflect the future policy intent of the area. Adopted Local and State planning policy identifies the area for employment/ industrial uses, as such, the Industrial 1 Zone is considered to be the zone of 'best fit' to provide for this type of development to occur.

### *Development Plan Overlay*

A key aspect of the proposed Planning Scheme Amendment is the application of a Development Plan Overlay (DPO) and the associated schedule. The purpose of a DPO is to guide future development of the site and provide the basis of a Development Plan. This will be the next step in the more detailed strategic planning of the area.

The DPO Schedule also includes a concept layout plan which will also inform the future Development Plan and assist in guiding the preparation of a Development Plan.

Development Contributions and infrastructure delivery will also be covered via clauses within the DPO Schedule and secured by way of legal agreements.

However, given the specific issues affecting this precinct, namely the nature and extent of constrained land and the limited land ownership, it is more likely that infrastructure requirements will be dealt with on a precinct or landholding basis via a legal agreement.

**NOTIFICATION**

As outlined in the 7 February 2017 report, the Amendment was forwarded to the Minister for Planning with a request to undertake notification using the provisions of Section 20(2) of the *Planning and Environment Act 1987*.

This process is a more streamlined approach for the Planning Scheme Amendment as it reduces the extent of the exhibition. The reasoning for this approach was in recognition of the consultation Council has already undertaken with the landowners in the overall Cooper Street West area as part of the *Position Paper*. It is noted that as a result of this consultation process, no objections were received from surrounding landowners regarding the concept of the future use of the land for employment purposes.

Amendment C113 was sent to prescribed Ministers and specific landowners on 7 June 2017 with a notification period of two weeks to comment on the proposed amendment. Council received four submissions from landowners to the Amendment.

Council also sent the amendment to the Environmental Protection Agency (EPA), Melbourne Water and VicRoads for comment.

Council officers have considered all submissions made to the Amendment and liaised directly with the surrounding landowners and external authorities in order to resolve any outstanding issues. A final version of all changes made to the amendment documentation in order to resolve submissions were circulated to all submitters to ensure transparency.

A summary of submissions and the officer responses to resolve submissions are outlined below.

Submitter	Officer Response
<b>1. 25 Vearings Road, Epping</b>	
Generally supportive of amendment.	Noted.  <b><u>Officer Recommendation</u></b> <b>No change recommended.</b>
Sought clarification on wording within the DPO schedule in relation to infrastructure requirements.	Provide additional clarification within the DPO schedule in relation to clarifying neighbouring landholder involvement in the preparation of infrastructure agreements.  <b><u>Officer Recommendation</u></b> <b>Change wording in line with the attached DPO schedule (Attachment 2).</b>
Request information relating to utility servicing of the land.	Services will become available as land is developed to the south and the east of this site. Development staging will largely dictate the availability of services.  <b><u>Officer Recommendation</u></b> <b>No change recommended.</b>
<b>This submission has been resolved and subsequently withdrawn.</b>	

<b>2. 460 Cooper Street, Epping</b>	
Generally supportive of amendment.	Noted.  <b><u>Officer Recommendation</u></b> <b>No change recommended.</b>
Request that the Concept Plan that forms part of the DPO schedule be amended to allow for better integration with the submitters site.	Amend Concept Plan to realign the southernmost east west road to provide for future connection to the west.  <b><u>Officer Recommendation</u></b> <b>Amend Concept Plan in line with Attachment 4.</b>
Request that a condition is included within the DPO schedule to ensure the road is built with the land.	The revision to the concept plan, in addition to the principle of 'generally in accordance' and the current wording of Section 2 of Schedule to the Development Plan Overlay (below), is considered sufficient to ensure that this road connection is constructed as part of the development of the land.  'Conditions: A planning permit must contain conditions as appropriate to implement the relevant provisions of the Development Plan.' However, addition wording in the Overlay requires these road connections must be generally in the locations identified on the concept plan.  <b><u>Officer Recommendation</u></b> <b>Change wording in line with the attached DPO schedule (Attachment 2).</b>
<b>This submission has been resolved and subsequently withdrawn.</b>	
<b>3. 410 Cooper Street and 315 O'Herns Road, Epping</b>	
Request wording changes to the DPO schedule in relation to infrastructure delivery. Request sections be deleted from the schedule as it predetermines the infrastructure required which is intended to be nominated through the subsequent work as part of the development plan.	Amendments to the DPO schedule have been made to clarify infrastructure requirements and to ensure that the appropriate items are considered as part of the preparation of the Development Plan. The attached DPO schedule reflects these amendments and relevant triggers for entering into an infrastructure agreement.  <b><u>Officer Recommendation</u></b> <b>Change wording in line with the attached DPO schedule (Attachment 2).</b>
Request minor changes to the Concept Plan including the notation regarding service roads.	Additionally, the list of uses to be restricted within the extractive industry buffer area has been agreed upon by Conundrum and this landowner. The minor changes to the concept plan have been agreed upon.  <b><u>Officer Recommendation</u></b> <b>Amend notation on the Concept Plan (Attachment 4).</b>
<b>This submission has been resolved and subsequently withdrawn.</b>	

4. 375 O’Herns Road, Epping - Conundrum Holdings	
<p>Raised concern that the Industrial 1 Zone permits uses that are not compatible with quarrying activity. Separation distances are required to manage offsite impacts associated with noise, dust, vibration and blasting.</p> <p>Requested changes be made to the amendment to ensure the adjoining uses are appropriate.</p>	<p>Officers have met with the quarry operator to clarify the list of uses that they have concerns with.</p> <p>Changes to the DPO schedule requires a land use plan to be prepared as part of the Development Plan, that discourages particular uses that not compatible with the neighbouring quarrying and resource recovery activities.</p> <p>The extractive industries buffer will be clearly nominated on the Concept Plan as shown in the Conundrum submission.</p> <p><b><u>Officer Recommendation</u></b>  <b>Additional section included in the attached DPO schedule (Attachment 2). Include the extractive industries buffer on the Concept Plan (Attachment 4) as per the Conundrum submission.</b></p>
<p><b>This submission has been resolved and objection has been withdrawn.</b></p>	
5. Melbourne Water	
<p>Requires the provision for Development Services Scheme assets on the concept plan. Conceptual shapes have been provided.</p>	<p>Provision will be made in accordance with the shapefile on the final Cooper Street West Concept Plan.</p> <p><b><u>Officer Recommendation</u></b>  <b>Amend Concept Plan in line with Attachment 4.</b></p>
<p><b>This submission has been resolved.</b></p>	
6. VicRoads	
<p>Supports the provision of a fourth leg to the intersection of Cooper Street and Graystone Court.</p>	<p>Noted.</p> <p><b><u>Officer Recommendation</u></b>  <b>No change recommended.</b></p>
<p>May consider the alignment of the Connector Road and intersection with O’Herns Road if there is no impact to the O’Herns Road interchange.</p>	<p>The connector street intersection with O’Herns Road impacts the O’Herns Road interchange, as such, the connection will be removed from the concept plan.</p> <p><b><u>Officer Recommendation</u></b>  <b>Amend Concept Plan in line with Attachment 4.</b></p>
<p><b>This submission has been resolved.</b></p>	

**POST EXHIBITION FINAL REVIEW OF PLAN**

As outlined in the above table, a number of changes are recommended to the amendment documentation arising from the submission resolution process. A summary of the required changes to finalise the Planning Scheme Amendment are provided below:

- Amend wording to clarify the infrastructure requirements of the Development Plan and consideration of neighbouring land uses.

- Include an additional section requiring the land use and employment plan to consider any limits on land uses as a result of the extractive industry and the resource recovery activities to the west, as well as nominate where the identified buffers and where sensitive uses will be discouraged.
- Remove of the risk of harm audit sentence in the Site Assessment requirement.
- Remove duplicating content with the Planning Scheme in the Native Vegetation Removal section.

A track changed version of the Development Plan Overlay Schedule 24 can be found at *Attachment 2* to this report, and for clarity a ‘clean’ copy has also been provided at *Attachment 3* to this report.

In addition to the above changes to the Development Plan Overlay Schedule, the following changes to the exhibited Concept Plan are required:

- The connection to O’Herns Road will be removed give the proximity of the interchange.
- The quarry extractive industry buffer area will be identified.
- The Melbourne Water drainage asset will be identified.
- The notation detailing the service lane will be revised to remove the reference to service road.
- The two east-west road connections will be shifted further south.

A marked up Concept Plan demonstrating the required changes can be found at *Attachment 4* to this report.

In summary, it is important to note that all submissions have been able to be resolved whilst still maintaining the intent and content of the amendment. The process was also assisted by the commitment of landowners to come together and resolve issues for the benefit of the amendment.

**POLICY STRATEGY AND LEGISLATION**

The Planning Scheme Amendment reflects the ambitions of a number of Council policies, such as:

- *City of Whittlesea General Plan (1994)* which identifies the area as a special investigation area;
- *Cooper Street Precinct Strategy (1996)*;
- The recently adopted *Cooper Street West Position Paper (2017)*; and
- *City of Whittlesea’s Economic Development Strategy (2017)*.

It also accords with State Government Policy as outlined in the *Melbourne North Growth Corridor Plan (Victorian Government, 2012)* and *Plan Melbourne 2017-2050*, the updated metropolitan planning strategy.

**LINKS TO THE COUNCIL PLAN**

<b>FUTURE DIRECTION</b>	<b>Jobs and Investment</b>
<b>Theme</b>	<b>Growing our economy</b>
<b>Strategic Objective</b>	<b>Employment</b>

The Plan identifies community priorities and Council's response in delivering on community needs such as the need for "growing our economy" and identifies that "a diverse economy offers varied career opportunities so people can live and work in Whittlesea".

The continuation of strategic planning for these areas for future industrial purposes allows for more industry to develop in this important employment precinct and increases the range and potential for jobs within the municipality.

### **DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

### **CONCLUSION**

This Planning Scheme Amendment proposes to rezone land at 315 O'Herns Road, Epping and 410 Cooper Street, Epping in order to allow for the future employment/industrial development of this land.

The application of a Development Plan Overlay allows for Council to provide future guidance to the development of the site and provide the basis of a Development Plan, which will be the next step in the strategic planning of the area.

As a result of this amendment, an additional 61 hectares of employment land will be added to the municipality. This will bring positive economic benefits to the City of Whittlesea and the broader region in terms of investment and accessing local jobs close to homes in line with Council's *Economic Development Strategy*.

The amendment has undergone a consultation process and all submissions have been resolved with relevant landowners and authorities.

It is therefore recommended that Council resolve to adopt Planning Scheme Amendment C113 to the Whittlesea Planning Scheme, subject to the changes made to the provisions of the exhibited Development Plan Overlay (Schedule 24) as contained in *Attachment 2* of this report.

### **RECOMMENDATION**

**THAT Council resolve to:**

- 1. Adopt Planning Scheme Amendment C113 to the Whittlesea Planning Scheme, subject to the changes made to the provisions of the exhibited Development Plan Overlay (Schedule 24) as contained in Attachment 2 of this report;**
- 2. Request the Minister for Planning approve Amendment C113 to the Whittlesea Planning Scheme subject to the changes outlined in this report; and**
- 3. Advise the proponent and submitters of Council's resolution regarding the above.**





**6.1.5 REFURBISHMENT WORKS AT WOLLERT HALL CONTRACT 2017-177 - TENDER EVALUATION REPORT**

**File No:** 195800

**Attachments:** 1 **Contract 2017-177 Tender Evaluation Summary - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** Director Planning & Major Projects

**Author:** Senior Contracts Executive

**REPORT**

**EXECUTIVE SUMMARY**

This report summarises the tender evaluation outcome of contract number 2017-177 for Refurbishment Works at Wollert Hall.

The tender evaluation panel recommends award of the contract to Sabatino Pty Ltd for the lump sum price of \$387,600.

**BACKGROUND**

The purpose of this contract is to cater for current and increasing community demands, therefore requiring a refurbishment to resolve amenity and building deficiencies.

The Wollert Hall refurbishment project will address several deficiencies within the Community Centre to provide a more useable space within the developing Wollert precinct. Council took over the management of Wollert Hall from the original Committee of Management in 2013 and since then, the use and popularity of the facility has increased.

Wollert Community Centre is located at 525 Epping Road, Wollert within the Tuttle Recreation Reserve. Currently, the centre is mainly hired for private functions and regular user groups. The centre incorporates kitchen facilities, showers and a medium sized hall. The adjoining reserve has two public tennis courts, picnic, barbeque facilities and public toilets.

Tenders for the contract closed on 25 October 2017. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**EVALUATION**

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

A Tender Probity & Evaluation Plan was designed specifically for this tender process and it was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	50%
Capability	23%
Capacity	20%
Impact	7%

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred the reasons for that outcome are detailed in the confidential attachment.

The evaluation outcome was as follows:

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A (Sabatino Pty Ltd)	Yes	Yes	88.7	1
Tenderer B	Yes	Yes	83.0	2
Tenderer C	Yes	Yes	81.6	3
Tenderer D	Yes	No	N/A	N/A

Refer to the confidential attachment for further details of the evaluation of all tenders.

**LINKS TO THE COUNCIL PLAN**

- Council Priority**                      **Organisational Sustainability**
- Future Direction**                      **Good Governance**
- Theme**                                      **Continuous Improvement**
- Strategic Objective**                      **Council explores and adopts best practice models**

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The tender from Sabatino Pty Ltd was determined to be the most competitive and it is considered that this company can perform the contract to the required standards.

**RECOMMENDATION**

**THAT Council resolve to:**

- 1. Accept the tender submitted by Sabatino Pty Ltd for the sum of \$387,600 (excluding GST) for the following contract:**

**Number: 2017-177**

**Title: Refurbishment Works at Wollert Hall**

subject to the following conditions:

- a) Contractor to provide proof of currency of insurance cover as required in the tender documents.
  - b) Price variations to be in accordance with the provisions as set out in the contract.
  - c) Contractor to provide contract security as required in the tender documents.
2. Approve the funding arrangements detailed in the confidential attachment.
  3. Sign and seal the contract documents.



**6.2 COMMUNITY SERVICES**

**6.2.1 2017/2018 COMMUNITY REPRESENTATIVES - COMMUNITY ACTIVITY CENTRES AND MEADOWGLEN INTERNATIONAL ATHLETICS STADIUM**

**File No:** 177690  
**Responsible Officer:** Director Community Services  
**Author:** Team Leader Community Facilities

**REPORT**

**EXECUTIVE SUMMARY**

The community representatives for the Riverside Community Activity Centre (RCAC), Epping Community Activity Centre (ECAC) and Meadowglen International Athletics Stadium (MIAS) Committees of Management (CoM) are tabled for Council’s consideration.

Under the CoM *Incorporated Association Rules* (Rules) for the RCAC, ECAC and MIAS nominated community representatives require Council ratification. For the 2017/18 period seven community representatives have been nominated for the RCAC, ECAC and MIAS CoM. This report stipulates each nominated representative and provides a brief background for Council’s consideration.

**BACKGROUND**

During October and November 2017 the RCAC, ECAC and MIAS CoM held their Annual General Meetings (AGM), involving the community representative election process. Nominations for Community Representatives were advertised in the local paper and residents were invited to apply. Nominations were accepted and moved in a motion at each AGM.

Whilst the CoM Rules for each facility vary in the number of representatives allowed, all include community representation clauses, as community representatives play a key role in providing a broader community voice to the CoM.

**PROPOSAL**

That Council endorse the community representatives listed for the RCAC, ECAC and MIAS CoM for the 2017/18 period.

<b>Nominated Community Representative</b>	<b>Facility</b>	<b>Background</b>
Carmel Mercovich	Riverside Community Activity Centre	Carmel has previously been a member of the RCAC CoM and would like to continue on in her capacity as community representative.
Graeme Scott	Riverside Community Activity Centre	Graeme has been a long term CoM member of the RCAC. He is involved as a long standing member with many non-profit organisations within the community.
Bev Scott	Riverside Community Activity Centre	Bev is the current RCAC Chairperson and has been for many years. She is also involved in numerous other non-profit community organisations.

<b>Nominated Community Representative</b>	<b>Facility</b>	<b>Background</b>
Pam McLeod	Epping Community Activity Centre	Pam has been a part of the ECAC CoM for many years. She has been an active committee member and has an interest and involvement in the Epping community.
Bruce White	Epping Community Activity Centre	Bruce has been a long standing and active ECAC CoM member. Bruce has many years' experience working within the local community. Over the years, he has held executive positions on numerous boards.
Michelle Cuteri	Epping Community Activity Centre	Michelle has played an active role on the ECAC CoM. She would like to continue in her capacity as a community representative.
Pam McLeod	Meadowglen International Athletics Stadium	Pam has had widespread involvement with the MIAS CoM since 2003 and longer with the broader community supporting and advocating for community sport and recreation opportunities.
Cheryl Duff	Meadowglen International Athletics Stadium	Cheryl has been involved with the MIAS CoM for many years through her dedication and involvement with Regional Little Athletics.

**CONSULTATION**

No consultation was required for this process. However, consultation with each Committee will occur over coming months with regard to a review of their processes and procedures. Given the increasing demands on Committees of Management in relation to areas such as finances, procurement, conflict of interest, etc., Council's Internal Compliance Officer will be undertaking a review of the Committees' procedures and processes to provide advice and ensure adherence to current best practice, and to ensure that they meet any legislative or statutory requirements. This will assist and protect the Committee members, both individually and collectively, in undertaking their duties in these important roles.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with Council's ratification of the community representatives.

**POLICY STRATEGY AND LEGISLATION**

Under the Associations Incorporation Reform Act 2012, every incorporated association must have Incorporated Association Rules. The CoM Rules state that the Committee shall include City of Whittlesea resident(s) ratified by the Council who take on the position of Community Representatives.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good governance</b>
<b>Theme</b>	<b>Community centred operations</b>
<b>Strategic Objective</b>	<b>Efficient and effective Council services are responsive to community need</b>

The CoM Rules established for these centres encourage community engagement and accessibility as such the community representatives provide a broad community view for the benefit of each centre.

### **DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

### **CONCLUSION**

The Community Representatives for the Riverside Community Activity Centre, Epping Community Activity Centre and Meadowglen International Athletics Stadium Committees of Management (CoM) have been nominated for 2017/18. Under the terms of each Committee of Management Incorporated Association Rules, the nominated Community Representatives require Council's ratification.

Many of the nominated community representatives have long standing ties to local communities and have been active CoM members of each centre and other community organisations. The community representatives play a key role in providing a voice for the broader community relating to each centre, how they are run and how they operate; therefore ultimately working towards Council's vision of *Creating vibrant self-sustaining communities together*.

### **RECOMMENDATION**

**THAT Council resolve to:**

- 1. Ratify the nominated community representatives for the 2017/18 period:**
  - **Riverside Community Activity Centre – Carmel Mercovich, Graeme Scott and Bev Scott.**
  - **Epping Community Activity Centre – Pam McLeod, Bruce White and Michelle Cuteri.**
  - **Meadowglen International Athletics Stadium – Pam McLeod and Cheryl Duff.**
- 2. Notify the Riverside Community Activity Centre, Epping Community Activity Centre and Meadowglen International Athletics Stadium Committees of Management and the community representatives in writing that their nominations have been ratified by Council.**





**6.2.2 SYCAMORE BMX TRACK REDEVELOPMENT OPTIONS****File No:** 109372**Attachments:** 1 [Sycamore Redevelopment Budget Options](#) ⇨**Responsible Officer:** Director Community Services**Author:** Manager Leisure & Community Facilities**REPORT****EXECUTIVE SUMMARY**

This report seeks Council's consideration and decision of redevelopment options for Sycamore BMX track and pavilion, located at Sycamore Recreation Reserve, Mill Park. The redevelopment of the facility is a priority action within the City of Whittlesea Cycle Sport and Skate Strategy (2015-2025). In delivering this action, Council has allocated \$1.4 million in the 2017/18 New Works Program.

As part of consultation in relation to the project, Council Officers and Councillors have received requests from community members and the club currently occupying the facility, the Northern BMX Club, for the inclusion of additional works. Following these requests, Council Officers have produced two options for Council's consideration.

**Option One** - resurfacing and reshaping of the existing track, track lighting and refurbishment of the existing pavilion and other associated works estimated at \$1.4 million.

**Option Two** - construction of a new track and pavilion, new start gate including storage, inclusion of new track and car park lighting and other associated works; estimated at \$2.416 million.

**BACKGROUND**

The Sycamore BMX Facility is located at Sycamore Recreation Reserve in Mill Park and consists of a dirt BMX track and pavilion. In recent years the track has deteriorated due to erosion and poor drainage. During this time, the tenant club, Northern BMX Club, has advocated for the track to be redeveloped.

Recognising the facility's importance to the community, the City of Whittlesea Cycle Sport and Skate Strategy (2015-2025) recommends the redevelopment of the BMX reserve as a priority. In implementing this action, the 2016/17 New Works Program had a budget allocation of \$300,000 for the track redevelopment and \$200,000 for the pavilion upgrade.

During the 2017/18 Council Budget workshops, a further budget allocation of \$900,000 was approved by Council to:

- Upgrade the pavilion
- Install a new start gate and start hill/ramp
- Increase storage
- Replace electrical mains and switchboard
- Light the track and car park.

This additional \$900,000 allocated in the 2017/18 New Works Program took the total project budget to \$1.4 million.

**PROPOSAL**

This report seeks Council’s consideration of two redevelopment options for Sycamore BMX track and pavilion at Sycamore Recreation Reserve, Mill Park.

**CONSULTATION**

The track concept design and pavilion requirements have been endorsed by and developed in consultation with the Northern BMX Club and BMX Victoria. Council Officers will continue to engage with these two stakeholders throughout the duration of the project.

Over the last 12 months Council has received queries from residents interested in the redevelopment. In September, Council held a drop-in information session and followed this up with a consultation session in October. These sessions were attended by representatives from the Northern BMX Club and other BMX enthusiasts from the broader community.

**CRITICAL DATES**

As the budget allocated to these works is in the 2017/18 New Works Program, a Council decision is required to enable a competitive tendering process to commence in early 2018.

**REDEVELOPMENT OPTIONS**

Since the 2017/18 Council Budget workshops and during the recent community consultation sessions the Northern BMX Club members and other community members have advocated to Council Officers and Councillors for additional works to be included in the redevelopment to bring the facility into line with national event standards. These components include:

- Full redevelopment of the existing track.
- Increase in the size of the start hill.
- Further upgrade to car-park lighting.
- Newly constructed multipurpose pavilion.

In response to these sessions, Council officers have undertaken an indicative costing exercise and developed two redevelopment options for Council’s consideration. Attachment 1 provides an estimated expenditure of these options.

Option one is designed to achieve the best possible community and club outcome within the current budget allocation of \$1.4 million. Option two incorporates all club requests and delivers a national event level track; providing a total budget of \$2.416 million. Table 1 describes the type and frequency of activities that can be hosted with each development option.

**Table 1 Facility Activity Options**

Option	Eligible Activities	Frequency of activities
Option 1 (\$1.4 Million)	Club training (night)	2 – 3 times per week
	Club Competition	Once per week
	State Championships/series	Once per year
Option 2	Club Training (night)	2 – 3 times per week

Option	Eligible Activities	Frequency of activities
(\$2.416 Million)	Club Competition	Once per week
	State Championships/series	Once per year
	National Championships/series	Once every 3 - 4 years

**FINANCIAL IMPLICATIONS**

As explained the financial implications associated with the adoption of option two will result in the addition of \$1 million being required to be added into the 18/19 New Works program to complete the scope of works.

**POLICY STRATEGY AND LEGISLATION**

The Community Plan details our community’s vision for the City of Whittlesea to the year 2030. It provides direction for the provision of key projects and services which enables Council to meet the needs of our community and deliver quality services and facilities. It identifies seven Future Directions to achieve this vision. The redevelopment of Sycamore Recreation Reserve directly supports Future Direction 4 – Places and Spaces to Connect People. Specifically the Strategic Objective; *We can access recreational facilities and open spaces that reflect and respond to local need.*

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Planning and Infrastructure</b>
<b>Future Direction</b>	<b>Places and spaces to connect people</b>
<b>Theme</b>	<b>Leisure and recreation</b>
<b>Strategic Objective</b>	<b>We can access recreation facilities and open spaces that reflect and respond to local need</b>

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

Sycamore Recreation Reserve has a long history and is strategically important to the City of Whittlesea as a regional BMX facility. As indicated in the City of Whittlesea Cycle Sport and Skate Strategy(2015-2025) the demographic profile of the City is well suited to that of BMX riders. Whilst both options have merit it is acknowledged that the outputs in option one are deliverable within Council’s current 17/18 New Works Program and congruent with the City of Whittlesea Cycle Sport and Skate Strategy (2015-2025); as such option one is recommended to Council for consideration. Once redeveloped the facility will offer good access and an affordable opportunity for riders of all abilities, as well as a regional racing track; therefore, providing the City of Whittlesea with a facility that reflects the need and desire of the local community, fit for purpose and attractive.

**RECOMMENDATION**

**THAT Council resolve to undertake the Sycamore Recreation Reserve BMX facility redevelopment project within the existing budget of \$1,400,000.**

**6.3 CITY TRANSPORT AND PRESENTATION**

**6.3.1 2014-119 SUPPLY OF ROADSIDE HAZARD PROTECTION WORKS - CONTRACT EXTENSION**

**File No:** 193583

**Attachments:** 1 **Contract 2014-119 Summary of Financial Performance - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** Director City Transport & Presentation

**Author:** Senior Projects Engineer

**REPORT**

**EXECUTIVE SUMMARY**

This report seeks approval to extend *Contract Number 2014-119 for Supply of Roadside Hazard Protection Works*.

No financial variation is required. Approval is sought to extend the contract end date to 31 January 2020.

**BACKGROUND**

This contract was awarded under a panel arrangement to *Barrier Designs Pty Ltd and Services South East Pty Ltd (now MACA Pty Ltd)*. A summary of the financial performance of the contract is provided in the confidential attachment.

The contract commenced on 1 February 2015 and the current approved end date is 31 January 2018. Options exist to extend the contract up to 31 January 2020.

**EXTENSION**

The contract has been performed satisfactorily and no financial variation is required.

It is proposed to extend the contract term to 31 January 2020. The contractor’s prices have been reviewed and are considered competitive.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good Governance</b>
<b>Theme</b>	<b>Continuous Improvement</b>
<b>Strategic Objective</b>	<b>Council explores and adopts best practice models</b>

This contract addresses the strategic outcomes presented in *Shaping Our Future: Council Plan 2017 – 2021*:

- Roads, Access and Public Transport: People can access and use public transport and road networks effectively in accessing jobs, services and recreational activities.
- Community Safety: Our neighbourhoods and towns are safe and have proactive programs that support and build a safe community.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

Extension to the contract is sought in accordance with the contract's terms and conditions and Council's applicable policy and procedures.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve, in relation to *Contract No. 2014-119 for Supply of Roadside Hazard Protection Works* to:**

- 1. Note the funding arrangements detailed in the confidential attachment; and**
- 2. Approve extension of the contract end date to 31 January 2020.**

**6.3.2 CONTRACT 2017-19 - CONSTRUCTION OF REGENT STREET, BETWEEN NISSORIA AVENUE AND GRAFTON STREET - TENDER EVALUATION**

**File No:** 195368

**Attachments:** 1 **Contract 2017-19 Tender Evaluation Summary - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** Director City Transport & Presentation

**Author:** Senior Projects Engineer

**REPORT**

**EXECUTIVE SUMMARY**

This report summarises the tender evaluation outcome of *Contract Number 2017-19 for Construction of Regent Street, between Nissoria Avenue and Grafton Street, Mernda.*

The tender evaluation panel recommends award of the contract to Metro Asphalt Pty Ltd. for the lump sum price of \$1,002,647.06.

**BACKGROUND**

The purpose of this contract is for the *Construction of Regent Street, between Nissoria Avenue and Grafton Street, Mernda.* The works will include: upgrading the road surface to asphalt, realigning the vertical and horizontal alignment to improve safety, subsurface drainage, kerb and channel, 2.5m shared path, landscaping (including street trees), on-street parking and the construction of new accesses to abutting properties, including the Findon Pony Club.

Tenders for the contract closed on 1 November 2017. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**EVALUATION**

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

A Tender Probity & Evaluation Plan was designed specifically for this tender process and was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	60 %
Capability	10 %
Capacity	20 %
Impact	10 %

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including, but not restricted to, the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred, the reasons for that outcome are detailed in the confidential attachment.

The evaluation outcome was as follows:

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A (Metro Asphalt Group Pty Ltd)	Yes	Yes	88	1
Tenderer B	Yes	Yes	78.6	2
Tenderer C	Yes	No	N/A	N/A

Refer to the confidential attachment for further details of the evaluation of all tenders.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Accessibility in-out and around the City</b>
<b>Theme</b>	<b>Growth and Change, Transport</b>
<b>Strategic Objective</b>	<b>Our road network provides adequate access to the municipality and beyond</b>

The construction of Regent Street, between Nissoria Avenue and Grafton Street will address the above strategic objective identified within the *Shaping Our Future: Council Plan 2017 – 2021*. The development of this project has been carried out to ensure that the best solution for the current transport connectivity issues experienced by the emerging community in Mernda will be addressed.

The project will ensure that the road network meets the expectations of this community in terms of accessibility for motorists, cyclists and pedestrians, and that Council ensures that best practice contract management and governance is implemented to oversee delivery.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The tender from Metro Asphalt Group Pty Ltd was determined to be the most competitive and it is considered that this company can perform the contract to the required standards.



<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to:**

- 1. Accept the tender submitted by Metro Asphalt Group Pty Ltd for the sum of \$1,002,647.06 (excluding GST) for the following contract:**

**Number: 2017-19**

**Title: Regent Street Construction between Nissoria Avenue and Grafton Street**

**subject to the following conditions:**

- a) Contractor to provide proof of currency of insurance cover as required in the tender documents.**
  - b) Price variations to be in accordance with the provisions as set out in the contract.**
  - c) Contractor to provide contract security as required in the tender documents.**
- 2. Approve the funding arrangements detailed in the confidential attachment.**
  - 3. Sign and seal the contract documents.**



**6.3.3 TENDER EVALUATION FOR CONTRACT 2017-101 BUSHLAND WORKS**

**File No:** 195679

**Attachments:** 1 **Contract 2017-101 Tender Evaluation Summary - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** Director City Transport & Presentation

**Author:** Acting Manager Parks and Open Space

**REPORT**

**EXECUTIVE SUMMARY**

This report summarises the tender evaluation outcome of contract number 2017-101 for Bushland Works.

The tender evaluation panel recommends award of the contract to Habitat Land Management and Naturelinks Landscape Management and approval of the schedule of rates as detailed in the confidential attachment. The maximum expenditure during the initial contract term is \$600,000 (excluding GST).

**BACKGROUND**

The recent Service Planning Review for the Parks and Open Space Bushland Team identified an efficiency opportunity through moving from the current service model (eight panel contractors delivering different specialty services) to delivery by fewer contractors who can provide a broader range of services.

The purpose of this contract is to implement that recommendation by appointing a panel of two suitably qualified and experienced contractors to provide core vegetation management services and additional optional services that comprise the bushland and environmental services required throughout the municipality.

Tenders for the contract closed on 11 October 2017. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**EVALUATION**

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

A Tender Probity & Evaluation Plan was designed specifically for this tender process and it was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	60 %
Capability	25 %
Capacity	10 %
Impact	5 %

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred the reasons for that outcome are detailed in the confidential attachment.

The evaluation outcome was as follows:

<b>TENDERER</b>	<b>CONFORMING</b>	<b>COMPETITIVE</b>	<b>SCORE</b>	<b>RANK</b>
Tenderer A (Habitat Land Management)	Yes	Yes	90	1
Tenderer B (Naturelinks Landscape Management)	Yes	Yes	87.5	2
Tenderer C	Yes	Yes	82.7	3
Tenderer D	Yes	Yes	80.1	4
Tenderer E	Yes	Yes	68.4	5
Tenderer F	Yes	No	N/A	N/A
Tenderer G	Yes	No	N/A	N/A
Tenderer H	Yes	No	N/A	N/A
Tenderer I	Yes	No	N/A	N/A
Tenderer J	Yes	No	N/A	N/A

Refer to the confidential attachment for further details of the evaluation of all tenders.

**LINKS TO THE COUNCIL PLAN**

- Council Priority**                      **Organisational Sustainability**
- Future Direction**                      **Good Governance**
- Theme**                                      **Continuous Improvement**
- Strategic Objective**                      **Council explores and adopts best practice models**

The procurement approach for this tender was consistent with recommendations from Council’s Service Planning Review for the Parks and Open Space Bushland Team and it achieved improvements in price, contractor management, service delivery and efficiency.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The tenders from Habitat Land Management and Naturelinks Landscape Management were determined to be the most competitive and it is considered that these companies can perform the contract to the required standards.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to:**

- 1. Accept the tenders submitted by Habitat Land Management and Naturelinks Landscape Management and the schedule of rates detailed in the confidential attachment for the following contract:**

**Number: 2017-101**

**Title: Bushland Works**

**Term: 12 March 2018 to 31 March 2019**

**Options: Term extensions up to 31 March 2020 (only to be exercised if separately approved by Council)**

**Value: Total expenditure is limited to a maximum of \$600,000 (excluding GST) unless otherwise approved by Council**

**subject to the following conditions:**

- a) Tenderer to provide proof of currency of insurance cover as required in the tender documents.**
  - b) Price variations to be in accordance with the provisions as set out in the tender documents.**
- 2. Approve the funding arrangements detailed in the confidential attachment.**
  - 3. Sign and seal the contract documents.**



**6.3.4 ENDORSEMENT OF CONTRACT FOR SUPPLY OF ELECTRICITY FOR UNMETERED STREET LIGHTING; CONTRACT NO. 2017-196****File No:** 193224**Attachments:** 1 **Tender Evaluation Summary - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** **Director City Transport & Presentation****Author:** **Unit Leader Infrastructure Projects****REPORT****EXECUTIVE SUMMARY**

This report summarises the tender evaluation outcome of contract number 2017-196 for Supply of Electricity to Unmetered Street Lighting Sites.

The tender evaluation panel recommends award of the contract to ERM Power and approval of the schedule of rates as detailed in the confidential attachment. The maximum expenditure during the initial contract term is estimated at \$4.8 million.

**BACKGROUND**

The purpose of this contract is to supply electricity to the 13,574 street lights across the municipality.

To gain economies of scale and to encourage greater competition among the electricity retailers the Municipal Association of Victoria (MAV) appointed the Trans Tasman Energy Group (TTEG) to prepare tender documents and advertise a tender on behalf of the local government sector.

Tenders for the contract closed on 16 November 2017. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

The evaluation was completed by TTEG and their evaluation report was supplied by the MAV to participating councils. To ensure the best price the report recommended only one tender for acceptance by all the councils.

The evaluation was completed within tight timelines dictated by a very short validity period of offers (less than three weeks). This is not unusual for large collaborative tenders within the energy sector. Council's tender evaluation panel has reviewed the evaluation provided by TTEG and confirmed that:

- the process was conducted thoroughly and with due probity
- TTEG's recommendation represents the best value offer received.

**EVALUATION**

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

The evaluation outcome was as follows:

TENDERER	CONFORMING	COMPETITIVE	RANK
Tenderer A (ERM Power)	Yes	Yes	1
Tenderer B	No	Yes	2
Tenderer C	Yes	Yes	3
Tenderer D	Yes	Yes	4

Refer to the confidential attachment for further details of the evaluation of all tenders.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good Governance</b>
<b>Theme</b>	<b>Continuous Improvement</b>
<b>Strategic Objective</b>	<b>Council explores and adopts best practice models</b>

This contract addresses the strategic outcomes presented in *Shaping Our Future: Council Plan 2017 – 2021*:

- Roads, Access and Public Transport: People can access and use public transport and road networks effectively in accessing jobs, services and recreational activities.
- Community Safety: Our neighbourhoods and towns are safe and have proactive programs that support and build a safe community.
- Environmental Sustainability: We have a sustainable and healthy city, effectively managing our environmental impacts over the long term.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The tender from ERM Power was determined to be the most competitive and it is considered that this company can perform the contract to the required standards.

**RECOMMENDATION**

**THAT Council resolve to:**

- Accept the tender submitted by ERM Power for the schedule of rates detailed in the confidential attachment for the following contract:**

**Number: 2017-196**  
**Title: Supply of Electricity for Unmetered Street Lighting**  
**Term: 1 January 2018 to 31 December 2020**  
**Value: Total expenditure is limited to a maximum of \$4.8 million (excluding**



**GST) unless otherwise approved by Council**

**subject to the following condition:**

- a) Price variations to be in accordance with the provisions as set out in the contract.**
- 2. Approve the funding arrangements detailed in the confidential attachment.**
- 3. Sign and seal the contract documents.**



**6.4 CORPORATE SERVICES**

**6.4.1 COUNCIL ACTION PLAN - PROGRESS UPDATE**

**File No:** NA

**Attachments:** 1 [2017/18 Council Action Plan update](#) ⇨

**Responsible Officer:** Director Corporate Services

**Author:** Manager Corporate Accountability and Performance

**REPORT**

**EXECUTIVE SUMMARY**

The *Council Action Plan 2017/18* contains 32 Major Initiatives. Each initiative has milestones developed for each quarter to enable effective monitoring of progress towards achieving the initiative. There are 40 milestones allocated in Quarter 1, of which 30 were achieved (75%) and the remaining 10 actions are expected to be completed through the course of Quarter 2.

The summary of the Council Action Plan Quarter 1 milestone achievements are graphed below under each Council priority.



Graph 1 – 2017/18 Council Action Plan | Quarter 1 summary.

The current *Council Action Plan 2017/18* milestones including comments on the status are detailed in *Attachment 1*.

**BACKGROUND**

Council adopted the ‘*Shaping our Future*’ *Council Plan 2017-21* and *Council Action Plan 2017/18* on 30 May 2017. The Council Plan is the key strategic document providing direction over the Council term. The Council Action Plan is developed annually as an accompaniment to the Council Plan and includes the major initiatives that are to be achieved each year.

This year is the first year quarterly milestones have been developed for the major initiatives outlined in the *Council Action Plan 2017/18*.

This enables increased transparency, monitoring and accountability with capacity to report to Council each quarter on the status of each major initiative.

There are 40 milestones allocated in Quarter 1.

**CONSULTATION**

The *Council Action Plan 2017/18* was developed by Council, included consultation with community from 4 April 2017 to 5 May 2017 and was endorsed by Council on 30 May 2017. Staff have been consulted to provide details and comments to confirm the status of each major initiative milestone.

**FINANCIAL IMPLICATIONS**

There are no direct financial implications as a result of this report.

**POLICY STRATEGY AND LEGISLATION**

This report is in accordance with the Section 223 of the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014 to enhance Council’s accountability with the community on the delivery of the *Council Action Plan 2017/18*.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good governance</b>
<b>Theme</b>	<b>Continuous improvement</b>
<b>Strategic Objective</b>	<b>Our Council monitors and evaluates all of its operations</b>

Presenting quarterly performance results to Council as well as the broader community will increase the organisation’s accountability and commitment to the community to deliver the major initiatives of the *Council Action Plan 2017/18*.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

Seventy-five percent of the *Council Action Plan 2017/18* major initiative Quarter 1 milestones have been achieved with the remaining 25% expected to be completed by December 2017. Council will receive reports each quarter on the status of the major initiatives based on pre-identified quarterly milestones. This increases transparency and accountability to ensure all major initiatives are delivered in accordance with the *Council Action Plan 2017/18*.

**RECOMMENDATION**

**THAT Council note the report.**



**6.4.2 UNCONFIRMED MINUTES OF AUDIT & RISK COMMITTEE MEETING**

**File No:** 160616

**Attachments:** 1 **Unconfirmed Minutes of Audit & Risk Committee Meeting 23 November 2017** [↔](#)

**Responsible Officer:** Director Corporate Services

**Author:** Internal Compliance Officer

**REPORT****EXECUTIVE SUMMARY**

As part of Council's Audit & Risk Committee Charter, minutes of meetings are to be presented to Council after each Audit & Risk Committee meeting.

**BACKGROUND**

The Audit & Risk Committee is an independent advisory committee of Council and its role is to report to Council and provide appropriate advice and recommendations on matters presented to it. It acts in this capacity by monitoring, reviewing and advising on issues within its scope of responsibility and assisting Council's governance obligations to its community.

The Audit & Risk Committee considered a number of reports at the meeting held on 23 November 2017, as well as confirming minutes from previous meetings held on 24 August 2017 and 31 August 2017.

Main agenda items included:

- Audit & Risk Committee Work Plan
- CEO's Report on Compliance / Non-Compliance
- Financial Performance Report for Period Ended 30 September 2017
- Risk Management Report
- Fraud & Corruption Control Policy & Plan Update
- Internal Audit:
  - Internal Audit Status Report
  - Internal Audit Reviews: Asset Management Framework
  - Outstanding Action items Report from Previous Internal Audits
- External Audit:
  - Final Management Letter 2016-17
- Internal Compliance Reviews
- Procurement Framework
- External Agency Examinations
- Local Government Investigations
- Review of Audit & Risk Committee's Performance

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good Governance</b>
<b>Theme</b>	<b>Continuous Improvement</b>
<b>Strategic Objective</b>	<b>Our Council monitors and evaluates all of its operations.</b>

The establishment of the Audit & Risk Committee and the reports it receives are reflective of Council’s commitment to the implementation of good governance principles. The Committee provides advice to Council to assist with fulfilling its oversight responsibilities for the financial and non-financial reporting process, internal controls, the audit process, risk management and Council’s process for monitoring compliance with legislation and regulations and the Code of Conduct.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

That Council note the minutes of the Audit & Risk Committee meeting attached to the report.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to note the unconfirmed minutes of the Audit & Risk Committee meeting held on 23 November 2017.**



**6.4.3 CONTRACT 2016-221 HEALTH MANAGER - TENDER EVALUATION**

**File No:** .

**Attachments:** 1 **Tender Evaluation Summary - Confidential**

*The attachment is presented to Council as a confidential document on the basis that it contains details relating to contractual matters, in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**Responsible Officer:** **Director Corporate Services**

**Author:** **Team Leader Business Systems Support**

**REPORT**

**EXECUTIVE SUMMARY**

This report summarises the tender evaluation outcome of contract number 2016-159 for Health Manager Database and Mobile Computing System.

The tender evaluation panel recommends award of the contract to Open Office Pty Ltd for the lump sum price of \$197,350, excluding GST.

**BACKGROUND**

The purpose of this contract is to provide the Environmental Health Team a purpose built software solution which can capture all of the key elements of the service and replace the Authority and SharePoint solutions currently being utilised.

The replacement software can also be accessible for mobile computing and comply with all legislative reporting requirements. Council is a delegated authority under the Food Act to oversee local food safety with compliance required under multiple sections.

Tenders for the contract closed on 6 September 2017. The tendered prices and a summary of the evaluation are detailed in the confidential attachment.

**EVALUATION**

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

A Tender Probity and Evaluation Plan was designed specifically for this tender process and it was authorised prior to this tender being advertised. All tenders received were evaluated in accordance with that plan. The evaluation involved scoring of conforming and competitive tenders according to these pre-determined criteria and weightings:

Criteria	Weighting
Price	30 %
Capability	50 %
Capacity	17 %
Impact	3 %

The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors

including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

Only tenders that were conforming and competitive were fully scored. Tender submissions that were evaluated as non-conforming or not sufficiently competitive were set aside from further evaluation. In cases where this occurred the reasons for that outcome are detailed in the confidential attachment.

The evaluation outcome was as follows:

TENDERER	CONFORMING	COMPETITIVE	SCORE	RANK
Tenderer A (Open Office Pty Ltd)	Yes	Yes	98.1	1

Refer to the confidential attachment for further details of the evaluation of all tenders.

**LINKS TO THE COUNCIL PLAN**

- Council Priority**                      **Organisational Sustainability**
- Future Direction**                **Good Governance**
- Theme**                                **Continuous Improvement**
- Strategic Objective**              **Council explores and adopts best practice models**

The software will be providing “Fit for Purpose” solution for the department and is also part of the Digital transformation strategy and plan.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the *Local Government Act* 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

The tender from Open Office Pty Ltd is the most competitive and it is considered that this company can perform the contract to the standards required.

**RECOMMENDATION**

**THAT Council resolve to:**

- 1. Accept the tender submitted by Open Office Pty Ltd for the sum of \$197,350 (excluding GST) for the following contract:**

- Number: 2016-159**
- Title: Health Management Database and Mobile Computing System**
- Term: 2 April 2018 to 31 March 2021**
- Options: Term extensions up to 31 March 2023 (only to be exercised if separately approved by Council)**

**subject to the following conditions:**

- a) Contractor to provide proof of currency of insurance cover as required in the tender documents.
  - b) Price variations to be in accordance with the provisions as set out in the contract.
2. Approve the funding arrangements detailed in the confidential attachment.
3. Sign and seal the contract documents.



## **6.5 PARTNERSHIPS & ENGAGEMENT**

### **6.5.1 EPPING COMMUNITY SERVICES HUB- SUB TENANCIES**

**File No:** 193865

**Responsible Officer:** Director Partnerships & Engagement

**Author:** Social Policy and Projects Officer

#### **REPORT**

### **EXECUTIVE SUMMARY**

Northern Support Services have expressed an interest in locating services at the Epping Community Services Hub (the Hub). Discussions have been held with Council officers and the lead tenant, Brotherhood of St Laurence (BSL), to ensure the Disability Employment Services they provide are required by the local community and the agency supports the integrated service provision model stipulated by Council. BSL and Council officers are satisfied that this requirement is met.

In accordance with Council's resolution on 24 February 2015 to formally endorse tenancy applicants, this report recommends that Council endorse Northern Support Services as a tenant at the Hub. This organisation has requested to commence their operations at the Hub in February 2018 pending approval from Council.

### **BACKGROUND**

In September 2014, Council entered into an Expression of Interest (EOI) process for the property at 713 High Street, Epping (the site), with the intention of establishing a Community Services Hub to facilitate the expansion of much needed service provision to the municipality, and attract best practice collaborative governance and service models.

Council sought interest from agencies to firstly take on the role of lead agency and lead tenant, to manage the facility and to facilitate a collaborative environment, and secondly, partner with other agencies that would like to be accommodated within the building as sub tenants. On 24 February 2015, Council resolved to endorse BSL as the lead agency and lead tenant and lease the site to BSL for a five year period. Currently, there are 84.6 desks that have been leased with a total capacity of 110.

### **PROPOSAL**

Northern Support Services has requested approval from Council to locate their services at the Hub and occupy one desk.

This service is new to the municipality and provides Disability Employment Services to assist people with a permanent disability, who need regular ongoing support to find employment. Northern Support Services location at the Epping Community Services Hub will enhance service delivery in the north and enable more people with a disability within the City of Whittlesea access to specialist Disability Employment Service.

### **CONSULTATION**

Consultations have been undertaken with relevant Council officers, BSL as well as other agencies located at the Hub.

**CRITICAL DATES**

This agency plans to commence operations at the Hub in February 2018 pending Council endorsement.

**FINANCIAL IMPLICATIONS**

The current model at the Epping Community Services Hub, endorsed by Council on 24 February 2015, involves a lead agency (the BSL) leasing the building from Council and then sub-leases being developed with individual agencies (subject to Council approval).

**POLICY STRATEGY AND LEGISLATION**

The Hub is intended to respond to gaps in service provision and infrastructure and is consistent with Council priorities and plans. The Epping Central Structure Plan (2011), the South Morang Civic Precinct Community Infrastructure Analysis (2013), the Human Services Needs Analysis (2014) and the Council Plan identify substantial demand for additional infrastructure and community services in the municipality, particularly those targeting the needs of young people, families, new migrants, CALD communities, seniors and people with disabilities. The Hub will provide an opportunity to meet the current needs of the community and respond to the evidence of significant population growth.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Health and Wellbeing</b>
<b>Future Direction</b>	<b>Health and wellbeing</b>
<b>Theme</b>	<b>Healthy community</b>
<b>Strategic Objective</b>	<b>There is a focus on preventative approaches to health issues and health policy</b>

The Hub provides a range of services for the Whittlesea community representing a significant increase in support services available which is consistent with the Community and Council Plan and the findings of Council’s Human Services Needs Analysis 2014.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

Northern Support Services will provide much needed services for Whittlesea residents. The agency is fully committed to the vision for the Hub as an integrated service model and has been deemed to be an important service to contribute to community wellbeing.

**RECOMMENDATION**

**THAT Council resolve to:**

- 1. **Endorse Northern Support Services as a sub-tenant of the Epping Community Services Hub (713 High St, Epping)**





**6.5.2 COMMUNITY DEVELOPMENT GRANTS PROGRAM 2017-2018 ROUND TWO**

**File No:** .

**Attachments:** 1 [Schedule of Recommendations](#) ⇨

**Responsible Officer:** Director Partnerships & Engagement

**Author:** Community Development Grants Officer

**REPORT****EXECUTIVE SUMMARY**

Council's Community Development Grants Program (CDGP) provides financial support for community initiatives that build people's skills and engage them within their local community. This report provides the list of recommended projects for Round Two of the CDGP for Council's consideration and approval.

**BACKGROUND**

The goals of the CDGP are to:

1. Build people's skills and knowledge
2. Create opportunities for community participation and outcomes
3. Address locally identified priorities

The maximum grant available for a project is \$5,000. The CDGP Round Two grant submissions period was from 21 August to 2 October 2017. The CDGP 2017- 2018 has a total funding pool of \$140,000 to be distributed between two rounds. Round One of the CDGP allocated \$76,072.35 to successful projects, which leaves \$63,927.65 remaining to be distributed in Round Two.

**Overview of Submissions Received for the CDGP 2017 – 2018 Round Two**

- The CDGP 2017-2018 Round Two received 24 submissions with a total of \$101,797.71 in funding requested.
- 9 applications were received from groups who have not applied to the CDGP before.
- The overall total value of projects submitted was \$247,049.15.
- The total estimated value of volunteer contributions towards project submissions was \$108,762.80.

**Assessment Process**

The CDGP assessment process was run in accordance with Council's Grants Policy and Grants Administration Guidelines. Each organisation and project has been assessed against the criteria set in the CDGP guidelines and the provision of all mandatory documentation submitted.

The three stage assessment process involved an initial eligibility review, two independent assessments by Council Officers, and a Management Panel assessment for final funding recommendations.

**Project Applications**

Below is a financial summary of the Schedule of Recommendations (Attachment 1) for the CDGP 2017-2018 Round Two totalling \$54,372.71.

	<b>No. of Apps</b>	<b>Total cost of volunteer hours</b>	<b>Total cost of project</b>	<b>Amount requested</b>	<b>Amount Recommended</b>
Recommended (including part funding)	13	\$52,705.00	\$135,520.35	\$54,822.71	\$54,372.71.
Not recommended	11	\$56,057.80	\$111,528.80	\$46,975.00	\$0.00
<b>Total</b>	<b>24</b>	<b>\$108,762.80</b>	<b>\$247,049.15</b>	<b>\$101,797.71</b>	<b>\$54,372.71</b>

**PROPOSAL**

**Community Development Grants 2017 – 2018 Round Two**

That Council give consideration to the recommended list of applications under the CDGP 2017 – 2018 Round Two. This funding provides valuable funding to community based organisations to undertake a broad range of initiatives which engage with and benefit local communities and groups.

**CONSULTATION**

Contact with the Community Development Grants Officer was a condition of applying for the CDGP to ensure accuracy and clarify any unclear items with applicants.

The Schedule of Recommendations has been developed in consultation with Council Officers and the Management Panel.

Councillors were presented with the draft Schedule of Recommendations for discussion at Council Forum on 28 November 2017 and their feedback has been considered.

**CRITICAL DATES**

CDGP 2018-2019 Round One will open for applications on 26 February 2018 and close on 10 April 2018.

A community event to celebrate both rounds of the CDGP 2017-2018 will be held on 26 February 2018.

**FINANCIAL IMPLICATIONS**

The 2017 - 2018 CDGP budget allocation is \$140,000 to be distributed between two rounds. The Schedule of Recommendations for the CDGP 2017 - 2018 Round Two totals \$54,372.71.

**POLICY STRATEGY AND LEGISLATION**

The CDGP 2017 - 2018 Round Two has been assessed and administered in accordance with Council’s Grants Policy, adopted on 5 August 2014.

**LINKS TO THE COUNCIL PLAN**

<b>FUTURE DIRECTION</b>	<b>Health and Wellbeing</b>
<b>Theme</b>	<b>Inclusive and engaged community</b>
<b>Strategic Objective</b>	<b>Community connectedness</b>

The provision of the Community Development Grants Program is consistent with Council Priority ‘Health and Wellbeing’ and Future Direction ‘Inclusive and Engaged Community’. In particular, the CDGP facilitates the Strategic Objective states that ‘programs, services and infrastructure encourage social connections and the development of a sense of community’, and Council’s Community Development Grants Program facilitates this outcome.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

Council’s Community Development Grants Program allocations, totalling \$54,372.71 for 2017-2018 Round Two, provide a contribution towards the provision of a wide range of projects and initiatives led by and benefitting the local community. The CDGP leverages and builds on the existing skills and capacity of community based organisations, providing an excellent ‘return on investment’ for Council.

Unsuccessful applicants will be offered support to resubmit applications for the 2018-2019 program.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to approve the allocation of Community Development Grants Program 2017-2018 Round Two as detailed in Attachment 1 of this report.**



**6.5.3 ASSEMBLIES OF COUNCILLORS REPORT - 12 DECEMBER 2017**

**File No:** 1881989  
**Responsible Officer:** Director Partnerships & Engagement  
**Author:** Governance Officer

**REPORT**

**EXECUTIVE SUMMARY**

To report to Council the records of Assemblies of Councillors in accordance with Section 80A(2) of the *Local Government Act*.

**BACKGROUND**

The *Local Government Act 1989* requires records of Assemblies of Councillors to be reported to an ordinary Council meeting and recorded in the minutes of that meeting.

A meeting is an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision or the exercise of a Council delegation and the meeting is:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff; or
- An advisory committee of Council where one or more Councillors are present.

A record must be kept of an assembly of Councillors which lists the Councillors and members of Council staff attending, the matters discussed, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.

**PROPOSAL**

Assemblies of Councillors records not previously reported to Council are detailed in the following table:-

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
Council Forum <b>1 November 2017</b>	Cr Kirkham (Mayor) Cr Kelly (Deputy Mayor) Cr Alessi Cr Desiato Cr Cox Cr Pavlidis	AIDC CEO DCRS DCS DCTP DPE DPMP MFA MLCF MMF MMP SSP-1 TLGAP TLIP	1. Whittlesea Planning Scheme Amendment C204- Plenty Valley Town Centre Structure Plan. 2. Mill Park Leisure Centre Redevelopment Staging Options  <i>Nil disclosures</i>

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
Council Forum <b>14 November 2017</b>	Cr Pavlidis (Mayor) Cr Sterjova (Deputy Mayor) Cr Alessi Cr Cox Cr Desiato Cr Joseph Cr Kelly Cr Kirkham Cr Kozmevski Cr Lalios Cr Monteleone	CEO CP DCRS DCS DCTP DPE DPMP MCAP MMP SSA TLCPI TLMA	1. Council Action Plans for 2018 to 2021 - Forward Plan. 2. Long Term Financial Plan and New Works Program Update. <i>Nil disclosures</i>
Arts Cultural & Sporting Grants for Young People <b>17 November 2017</b>	Cr Pavlidis (Mayor) Cr Alessi Cr Desiato Cr Kozmevski Cr Monteleone	TLCI	The advisory committee made a recommendation to the delegate regarding the following application via a virtual meeting: 1. Sara Rizzardo – Sporting Grant – Overseas – Successful 2. Alanah Ilioski – Sporting Grant – Interstate – Successful <i>Nil disclosures</i>
Council Forum <b>28 November 2017</b>	Cr Pavlidis (Mayor) Cr Sterjova (Deputy Mayor) Cr Alessi Cr Joseph Cr Kozmevski Cr Lalios Cr Monteleone	AMPOS CDGO CEO DCRS DCS DCTP DPE DPMP SPP-2 SSPP TLCI TLPD TLSP	1. Child care Centre & Advertising signs Local Planning Policies. 2. Huskisson Reserve, Lalor Master Plan Development. 3. Whittlesea Public Gardens Master Plan Development. 4. Community Development Grant Program 2017-2018 Round Two. <i>Nil disclosures</i>

The table below represents an Index of Officer titles:

Initials	Title of Officer	Initials	Title of Officer
AIDC	Aquatic Infrastructure Development Coordinator - Paul Bennett	MMF	Manager Major Facilities - Carl Partridge
AMPOS	Acting Manager Parks & Open Space - Lisa Pittle	MMP	Manager Major Projects - Nick Mazzarella
CDGO	Community Development Grants Officer - Caitlin Armstrong	SSA	Strategy and Systems Accountant – Emily Phillips
CEO	Chief Executive Officer – Simon Overland	SSP-1	Senior Strategic Planner – Liam Wilkinson
CP	Corporate Planner - David Echeverry	SPP-2	Senior Policy Planning - Victor Ng
DCS	Director Community Services – Russell Hopkins	SSPP	Senior Strategic Policy Planner - Jodie Saisanas
DCRS	Director Corporate Services – Helen Sui	TLCI	Team Leader Community Inclusion - Kelisha Nikitas
DCTP	Director City Transport and Presentation– Nick Mann	TLCPI	Team Leader Corporate Planning and Improvement - Robert Kisgen
DPE	Director Partnerships and Engagement – Liana Thompson	TLGAP	Team Leader Growth Area Projects – Kara Mahoney
DPMP	Director Planning & Major Projects – Steve O'Brien	TLMA	Team Leader Management Accounting - Graham Haylock

Initials	Title of Officer	Initials	Title of Officer
MCAP	Manager Corporate Accountability and Performance - Frank Joyce	TLIP	Team Leader Infrastructure Programs - Mark Tomasiello
MFA	Manager Finance & Assets - Amy Montalti	TLPD	Team Leader Parks Development - Adrian Napoleone
MLCF	Manager Leisure & Community Facilities - Ben Waterhouse	TLSP	Team Leader Strategic Planning Policy - Denise Turner

**CONSULTATION**

Consultation has taken place with internal Council Officer representatives of each of the meetings and committees that qualify as an Assembly of Councillors.

**FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report.

**POLICY STRATEGY AND LEGISLATION**

Section 3C(2)(g) of the Local Government Act 1989 provides that one of Council’s facilitating objectives is to have regard to ensuring transparency and accountability in Council decision making.

Accordingly, section 80A of the Local Government Act 1989 requires that the Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable:-

- (a) reported at an ordinary meeting of the Council; and
- (b) incorporated in the minutes of that Council meeting.

**LINKS TO THE COUNCIL PLAN**

**Council Priority            Organisational Sustainability**  
**Future Direction        Good Governance**  
**Theme                        Continuous improvement**  
**Strategic Objective    Our Council monitors and evaluates all of its operations**

The provision of this report is in line with the Council Priority 5 – Organisational Sustainability - Good Governance of Council’s Council Plan by ensuring Council monitors and evaluates all of its operations.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

That Council note the record of the Assemblies of Councillors meetings in the table set out in the report.

**RECOMMENDATION**

**THAT Council note the record of the Assemblies of Councillors meetings in the table set out in the report.**



**6.5.4 RELOCATION OF 6 FEBRUARY 2018 COUNCIL MEETING**

**File No:** .

**Responsible Officer:** Director Partnerships & Engagement

**Author:** Governance Officer

**REPORT**

**EXECUTIVE SUMMARY**

It is proposed to hold the Ordinary Council Meeting scheduled for 6 February 2018 at the Barry Road Community Centre, 36 Barry Road Thomastown, as building works will affect the Council Chamber in February 2018.

**BACKGROUND**

At a Council Meeting in 2016, it was proposed that three Council meetings will be held at community locations. In March 2017, the Ordinary Council Meeting was held in the North Ward at the Mernda Village Community Activity Centre.

Due to Stage 3 HVAC works, the 6 February 2018 Council Meeting will need to be relocated as the Council Chamber will not be accessible. Given the circumstances it is proposed that this Council meeting become the community Council Meeting for 2018.

The Barry Road Community Centre, which is located in the South West Ward, is considered a suitable venue as it has recently been refurbished and would provide a good opportunity to promote the venue to the community.

**CRITICAL DATES**

If it is decided to hold the Community Council Meeting at the Barry Road Community Centre on 6 February 2018, the venue will need to be booked as soon as possible.

**FINANCIAL IMPLICATIONS**

Any costs associated with holding Council Meetings at community locations would be covered in existing budgets.

**POLICY STRATEGY AND LEGISLATION**

If Council agrees to change the location of the 6 February 2018 Council meeting, a public notice will be published in the local newspaper informing the public of the change in location.

**LINKS TO THE COUNCIL PLAN**

<b>Council Priority</b>	<b>Organisational Sustainability</b>
<b>Future Direction</b>	<b>Good governance</b>
<b>Theme</b>	<b>Continuous improvement</b>
<b>Strategic Objective</b>	<b>Our Council explores and adopts best practice models</b>

Council will work to build a stronger sense of community within neighbourhoods and across the municipality and create new opportunities for social networks and civic engagement.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

It is recommended that the Council Meeting scheduled for 6.30pm on 6 February 2018 be held at the Barry Road Community Centre, 36 Barry Road Thomastown, as a way of promoting this refurbished facility to the community.

<b>RECOMMENDATION</b>
-----------------------

**THAT Council resolve to:**

- 1. Hold the Ordinary Meeting of Council scheduled for 6 February 2018 at the Barry Road Community Centre located at 36 Barry Road Thomastown commencing at 6.30pm; and**
- 2. Give public notice of the change in location.**

**6.6 EXECUTIVE SERVICES**

**NIL REPORTS**



**7. NOTICES OF MOTION****7.1 NOTICE OF MOTION NO. 837 - RESCISSION OF COUNCIL RESOLUTION ITEM  
7.3 NOTICE OF MOTION 835 - GREEK ORTHODOX COMMUNITY OF  
WHITTLESEA WOMENS GORUP****Author: Cr Mary Lalios**

Councillor Mary Lalios of South East Ward has given notice that it is her intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

<b>MOTION</b>
---------------

**THAT Council resolve to rescind the resolution made at the Council meeting held on 21 November 2017 in relation to item 7.3 Notice Of Motion 835 - Greek Orthodox Community Of Whittlesea Women's Group which reads:**

**THAT Council resolve to:**

- 1. Award the Greek Orthodox Community of Whittlesea Women's Group a Senior Citizens Club Grant of \$2,136.65 for 2017-18 as the GOCWG meets all of Council's funding Eligibility Guidelines. Council's funding criteria and eligibility guidelines are not impacted by the referred dispute.**
- 2. Have Council Officers communicate, work with and continue to assist the Greek Orthodox Community of Whittlesea Women's Group.**



**7.2 NOTICE OF MOTION NO. 838 RESCISSION OF COUNCIL RESOLUTION ITEM  
6.5.3 APPOINTMENT OF COUNCILLOR AND OFFICER REPRESENTATION ON  
ORGANISATIONS AND COMMITTEES FOR 2018**

**Attachments:** 1 **Organisations/Committees** [⇒](#)

**Author:** **Cr Mary Lalios**

Councillor Mary Lalios of South East Ward has given notice that it is her intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

<b>MOTION</b>
---------------

**THAT Council resolve to rescind the resolution made at the Council meeting held on 21 November 2017 in relation to item 6.5.3 Appointment Of Councillor And Officer Representation On Organisation And Committees for 2018 which reads:**

**THAT Council resolve to:**

- a) Appoint Councillor Representatives and to confirm Officer representatives to organisations and committees as detailed in Attachment 1.**
- b) Commence appointments immediately and continue until the first Council meeting following the election of the Mayor scheduled for 13 November 2018.**





**7.3 NOTICE OF MOTION NO. 839 - RESCISSION OF COUNCIL RESOLUTION ITEM 6.3.2 INTERSECTION UPGRADE WORKS - LYNDARUM DRIVE / GREAT BROME AVENUE EPPING**

**Author: Cr Caz Monteleone**

Councillor Caz Monteleone South West Ward has given notice that it is his intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

**MOTION**

**THAT Council resolve to rescind the resolution made at the Council meeting held on 21 November 2017 in relation to Item 6.3.2 Intersection Upgrade Works - Lyndarum Drive / Great Brome Avenue, Epping which reads:**

**THAT Council resolve to:**

- 1. Install a roundabout, as the most effective road safety improvement treatment, for the Lyndarum Drive / Great Brome Avenue intersection in Epping.**
- 2. Proceed with the construction of a roundabout as part of the delivery of the 2017/18 New Works Program, noting that the proposed roundabout design has been amended to incorporate:**
  - a. the provision of a safe turnaround area to ensure safe ingress and egress of the directly affected resident, and**
  - b. off-road bicycle lanes which will minimise parking loss and maintain nature strip widths, as much as practicable.**
- 3. Advise all joint letter petitioners and residents in close proximity of Council's decision on this matter, explaining the road safety improvement reasons for the decision.**



**7.4 NOTICE OF MOTION NO. 840 - RESCISSION OF COUNCIL RESOLUTION ITEM  
6.1.5 WHITTLESEA PLANNING SCHEME AMENDMENT C204 - PLENTY VALLEY  
TOWN CENTRE STRUCTURE PLAN**

**Author:** Cr Ricky Kirkham

Councillor Ricky Kirkham of North Ward has given notice that it is his intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

<b>MOTION</b>
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**THAT Council resolve to rescind the resolution made at the Council meeting held on 21 November 2017 in relation to item 6.1.5 Whittlesea Planning Scheme Amendment C204- Plenty Valley Town Centre Structure Plan which reads:**

**THAT Council resolve to defer this item to the next Council Meeting to enable further community consultation to be undertaken.**



**7.5 NOTICE OF MOTION NO. 841 - RESCISSION OF COUNCIL RESOLUTION ITEM  
9.1 URGENT BUSINESS WHITTLESEA COMMUNITY FESTIVAL****Author: Cr Ricky Kirkham**

Councillor Ricky Kirkham of North Ward has given notice that it is his intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

**MOTION**

**THAT Council resolve to rescind the resolution made at the Council meeting held on 21 November 2017 in relation to Item 9.1 Urgent Business Whittlesea Community Festival which reads:**

**THAT Council resolve to:**

- 1. Have the 2018 Festival at the Civic Centre. However the budget for the event be reduced by \$100,000 for 2018 which was the original amount requested by Officers throughout the Budget process; and**
- 2. Hold the Whittlesea Community Festival at the Whittlesea Gardens Barry Road, Thomastown in 2019 and beyond.**



**7.6 NOTICE OF MOTION NO. 842 - RESCISSION OF COUNCIL RESOLUTION ITEM  
7.1 NOTICE OF MOTION 833 - TRAFFIC MANAGEMENT SPENCER STREET  
THOMASTOWN**

**Author: Cr Mary Lalios**

Councillor Mary Lalios South East Ward has given notice that it is her intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

**MOTION**

**THAT Council resolve to rescind the resolution made at the Council meeting held on 21 November 2017 in relation to item 7.1 Notice of Motion 833 – Traffic Management Spencer Street Thomastown which reads:**

**THAT Council resolve to:**

- 1. Advocate to Vicroads to improve road safety at the intersection of Spencer Street and Dalton Road Thomastown.**
- 2. Undertake an urgent review of planning permits with respect to on-site parking non-compliance and nature strip parking of derelict/unregistered vehicles.**





**7.7 NOTICE OF MOTION NO. 843 - TRAFFIC MANAGEMENT SPENCER STREET THOMASTOWN****Author: Cr Mary Lalios**

Councillor Mary Lalios South East Ward has given notice that it is her intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

**PREAMBLE**

Due to safety concerns, complaints by residents, business owners, property owners, and customers, about accidents and near misses that have occurred in Spencer St Thomastown, coupled with a fatality at the intersection of Spencer St and Dalton Rd, Thomastown.

<b>MOTION</b>
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**THAT Council resolve to:**

- 1. Urgently review design proposals developed in 2011 for indented parking bays and widening Spencer Street Thomastown;**
- 2. Urgently seek input from Spencer Street Thomastown business operators to progress a suitable proposal and design;**
- 3. Undertake works in Spencer Street Thomastown as soon as possible, to address parking, road safety and local congestion issues; and**
- 4. Continue to work with, and advocate to Vicroads, to improve road safety at the intersection of Spencer Street and Dalton Road, Thomastown, including a suggestion by residents to investigate a 'keep clear' zone.**



**7.8 NOTICE OF MOTION NO. 844 - GREEK ORTHODOX COMMUNITY OF WHITTLESEA WOMENS' GROUP**

**Author:** Cr Mary Lalios

Councillor Mary Lalios of South East Ward has given notice that it is her intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

As Council is in receipt of a letter threatening legal proceedings against Council, about a dispute involving the Greek Orthodox Community of Whittlesea Women's group:

<b>MOTION</b>
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**THAT Council resolve to hold in abeyance any grant funding for the Greek Orthodox Community of Whittlesea Women's group, until the legal proceedings are concluded.**



**7.9 NOTICE OF MOTION NO. 845 - RECONSIDERATION OF PROJECTS FUNDED IN 2017/18 BUDGET**

**Author:** Cr Lawrie Cox

Cr Cox of South West Ward has given notice that it is his intention to move the following Motion at the Ordinary Meeting of Council to be held on Tuesday 12 December 2017 at 6:30pm:

**PREAMBLE****Reconsideration of projects funded in 2017/18 budget**

During the 2017 budget a number of projects were added late in the process that did not provide any evidence based testing.

These included but are not limited to:

- the provision of temporary facilities at Prism Park connected to the community tennis courts which did not form part of the Council strategy for provision for tennis facilities, and
- the provision of indented parking in Josef Street Bundoora without complete assessment.

<b>MOTION</b>
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**That the Council resolve to;**

- 1. Not proceed with the following projects funded in the 2017 / 2018 Budget:**
  - a. A portable pavilion/change room and portable toilet and 20 space car park, and booking system for the courts at Shield Street Epping; and**
  - b. Indented parking in Josef Street Bundoora**
  
- 2. Reallocate funds to the following project;**
  - a. The provision of capital works surrounding the Epping Views Primary School as part of the safety plan developed by Council officers and the clear need shown; and**
  - b. The steps needed to plan similar safety works surrounding Mill Park Heights Primary and the Hazleglen School present for inclusion in the 2018/19 Budget.**

**8. QUESTIONS TO OFFICERS**

NIL

**9. URGENT BUSINESS**

NIL

**10. REPORTS FROM DELEGATES APPOINTED TO COUNCIL BY OTHER BODIES**

NIL

**11. QUESTIONS TO COUNCILLORS**

*The answers provided verbally by the Mayor at the meeting in response to questions asked by members of the public are preliminary answers provided on a without prejudice basis. A formal written response to each question is sent following the Council meeting which contains Council official position on the matter.*

NIL

**12. CONFIDENTIAL BUSINESS**

**12.1 PLANNING AND MAJOR PROJECTS**

**NIL REPORTS**

**12.2 COMMUNITY SERVICES**

**12.2.1 MILL PARK LEISURE CENTRE REDEVELOPMENT STAGING PLAN**

**12.3 CITY TRANSPORT AND PRESENTATION**

**12.3.1 PRACC FUTURE DIRECTIONS**

**12.4 CORPORATE SERVICES**

**NIL REPORTS**

**12.5 PARTNERSHIPS & ENGAGEMENT**

**NIL REPORTS**

**12.6 EXECUTIVE SERVICES**

**12.6.1 MEETINGS OF THE CHIEF EXECUTIVE OFFICER 13 NOVEMBER 2017 TO 1 DECEMBER 2017**

<b>RECOMMENDATION</b>
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**THAT Council resolve to close the meeting to members of the public for the purpose of considering details relating to the confidential matters above in accordance with Section 89(2) of the Local Government Act 1989 as follows:**

**12.2.1 MILL PARK LEISURE CENTRE REDEVELOPMENT STAGING PLAN**

*Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.*

**12.3.1 PRACC FUTURE DIRECTIONS**

*Confidential in accordance with Section 89(2)(a) of the Local Government Act 1989.*

**12.6.1 MEETINGS OF THE CHIEF EXECUTIVE OFFICER 13 NOVEMBER 2017 TO 1 DECEMBER 2017**

*Confidential in accordance with Section 89(2)(h) of the Local Government Act 1989.*

**13. CLOSURE**

**THE MAYOR DECLARED THE MEETING ADJOURNED AT 7.01PM TO RECONVENE AT 7.30PM ON 18 DECEMBER 2017.**

**CR KRIS PAVLIDIS  
MAYOR**