



MELTON CITY COUNCIL

**Notice is hereby given that the Meeting of the
Melton City Council will be held in the
Council Chamber, Civic Centre,
232 High Street, Melton on
31 July 2023 at 7.00pm.**

**THIS AGENDA CONTAINS REPORTS TO BE DEALT
WITH AT A CLOSED MEETING OF COUNCIL**

**Roslyn Wai
CHIEF EXECUTIVE**

Visitors to the Gallery please note:

Proceedings at Council meetings are controlled by the Chairperson. The Chairperson is empowered to enforce the provision of Council's Governance Rules, which includes the following aspects:

- Members of the public do not have a right to address Council and may only do so with the consent of the Chair or by prior arrangement.
- Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chair whenever called on to do so.
- A member of the public present at a Council meeting must not disrupt the meeting.
- The Chair may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 67.2.
- If the Chair is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council meeting, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper.
- The Chair may ask the Chief Executive Officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of the Governance Rules and whom the Chair has ordered to be removed from the gallery under Rule 68.
- Members of the public in the gallery must not operate **recording equipment** at a Council or Committee Meeting without the prior written consent of Council.
- **Question time** is available at every Scheduled Meeting to enable members of the public to address questions to Council. All questions must be received by the Chief Executive Officer or other person nominated for this purpose no later than 12pm on the day of the Scheduled Meeting by submitting questions into the receptacle designated for public questions at the Customer Service Desk, or via electronic medium as per Council website directions.

A person must not submit more than two (2) individual questions at a meeting, inclusive of all parts and variants as interpreted by the Chairperson or other person authorised for this purpose by the Chairperson.

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1. **OPENING PRAYER AND RECONCILIATION STATEMENT**

The Chairperson will read the opening prayer and reconciliation statement.

Prayer

‘Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this Council, direct and prosper its deliberations to the advancement of Thy glory and the welfare of the people whom we serve – Amen.’

Reconciliation Statement

Melton City Council acknowledges that the land it now occupies has a history that began with the Indigenous occupants, the Kulin Nation. Council pays its respects to the Kulin Nation people and their Elders and descendants past and present.

2. APOLOGIES AND LEAVE OF ABSENCE

The Chairperson will call for any apologies received from any Councillors who are unable to attend this meeting.

3. CHANGES TO THE ORDER OF BUSINESS

4. DEPUTATIONS

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

Pursuant to Part 6, Division 2 of the *Local Government Act 2020* and Council's Governance Rules, Councillors must declare any General Conflict of Interest or Material Conflict of Interest they have in any of the matters being considered at this meeting.

6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION:

That the Minutes of the Meeting of Council held on 26 June 2023 be confirmed as a true and correct record.

7. SUMMARY OF INFORMAL MEETING OF COUNCILLORS

7.1 SUMMARY OF INFORMAL MEETINGS OF COUNCILLORS IN ACCORDANCE WITH CHAPTER 6, RULE 1 OF THE COUNCIL'S GOVERNANCE RULES

- Monday 19 June 2023 Summary of Informal Meeting of Councillors
- Monday 26 June 2023 Summary of Informal Meeting of Councillors
- Monday 3 July 2023 Summary of Informal Meeting of Councillors
- Monday 10 July 2023 Summary of Informal Meeting of Councillors

RECOMMENDATION:

That the Summaries of Informal Meetings of Councillors dated 19 June 2023, 26 June 2023, 3 July 2023 and 10 July 2023 provided as **Appendices 1 - 4** respectively to this report, be received and noted.

LIST OF APPENDICES

1. Summary of Informal Meeting of Councillors - 19 June 2023
2. Summary of Informal Meeting of Councillors - 26 June 2023
3. Summary of Informal Meeting of Councillors - 3 July 2023
4. Summary of Informal Meeting of Councillors - 10 July 2023



INFORMAL MEETING OF COUNCILLORS

Chapter 6, Rule 1 of the Governance Rules 2020

MEETING DETAILS:			
Meeting Name:	Briefing of Councillors		
Meeting Date:	Monday 19 June 2023	Time Opened:	6.15 pm
		Time Closed:	7.59 pm
Councillors present:	Cr L Carli (Mayor) Cr J Shannon (Deputy Mayor) Cr S Abboushi Cr J Farrugia Cr K Majdlik Cr A Vandenberg		
Officers present:	R Wai S Romaszko T Scoble N Whiteside P Leersen M Kruger L Shannon B Baggio B Angus R Hodgson	Chief Executive Officer Director City Futures Director City Life Director City Delivery Director Organisational Performance (CFO) Head of Governance Executive Lead Strategic Initiatives Senior Advisor – City Futures (departed 6.42pm) Manager City Growth and Development (departed 6.42pm) Governance Coordinator	
Guests	Nil		
Apologies	Cr G Kesic Cr S Ramsey Cr B Turner		
Matters discussed:	1. Council Meeting Agenda 2. Council Meeting Schedule 3. Councillor Questions and Discussion		
CONFLICT OF INTEREST DISCLOSURES:			
Were there any conflict of interest disclosures by Councillors		No	
REPORT PRODUCED BY:			
Officer name:	Renee Hodgson	Date:	Monday 19 June 2023



INFORMAL MEETING OF COUNCILLORS

Chapter 6, Rule 1 of the Governance Rules 2020

MEETING DETAILS:

Meeting Name:	Briefing of Councillors		
Meeting Date:	Monday 26 June 2023	Time Opened:	6.18 pm
		Time Closed:	6.45 pm
Councillors present:	Cr L Carli (Mayor) Cr J Shannon (Deputy Mayor) Cr S Abboushi Cr J Farrugia Cr G Kesic Cr K Majdlik (entered 6.19pm) Cr S Ramsey Cr B Turner		
Officers present:	R Wai Chief Executive Officer S Romaszko Director City Futures T Scoble Director City Life N Whiteside Director City Delivery P Leersen Director Organisational Performance (CFO) L Shannon Executive Lead Strategic Initiatives M Kruger Head of Governance B Baggio Senior Advisor City Futures B Angus Manager Growth and Development R Hodgson Governance Coordinator		
Guests	Nil		
Apologies	Cr A Vandenberg		
Matters discussed:	1. Council Meeting Agenda 2. Emergency Procedures		

CONFLICT OF INTEREST DISCLOSURES:

Were there any conflict of interest disclosures by Councillors		Foreshadowed conflict
Matter No.	Councillor making disclosure	Councillor left meeting
Item 9 - Petitions	Cr Shannon	Not required

REPORT PRODUCED BY:

Officer name:	Renee Hodgson	Date:	Monday 26 June 2023
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INFORMAL MEETING OF COUNCILLORS

Chapter 6, Rule 1 of the Governance Rules 2020

MEETING DETAILS:

Meeting Name:	Briefing of Councillors		
Meeting Date:	Monday 3 July 2023	Time Opened:	6.17 pm
		Time Closed:	9.01 pm
Councillors present:	Cr L Carli (Mayor) Cr J Shannon (Deputy Mayor) Cr S Abboushi (attended online, departed 8.41pm) Cr G Kesic Cr K Majdlik (entered 6.18pm) Cr S Ramsey Cr B Turner		
Officers present:	R Wai Chief Executive Officer S Romaszko Director City Futures (attended online) T Scoble Director City Life N Whiteside Director City Delivery (attended online, departed 7.07pm) P Leersen Director Organisational Performance (CFO) L Shannon Executive Lead Strategic Initiatives M Kruger Head of Governance (attended online) A Ravindran Head of Technology (departed 6.51pm) H Taylor Manager Arts, Events and Economic Development (attended online, entered 6.51pm, departed 7.07pm) R Hodgson Governance Coordinator		
Guests	Melissa Scadden – Justicia Lawyers (7.07pm – 9.01pm)		
Apologies	Cr J Farrugia Cr A Vandenberg		
Matters discussed:	1. IT Review Update 2. Djerriwarrh Festival Update 3. Councillor Training – Justicia Lawyers		

CONFLICT OF INTEREST DISCLOSURES:

Were there any conflict of interest disclosures by Councillors	No
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REPORT PRODUCED BY:

Officer name:	Renee Hodgson	Date:	Monday 3 July 2023
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INFORMAL MEETING OF COUNCILLORS

Chapter 6, Rule 1 of the Governance Rules 2020

MEETING DETAILS:

Meeting Name:	Briefing of Councillors		
Meeting Date:	Monday 10 July 2023	Time Opened:	6.15 pm
		Time Closed:	9.14 pm
Councillors present:	Cr L Carli (Mayor) Cr J Shannon (Deputy Mayor) Cr S Abboushi Cr J Farrugia Cr G Kesic Cr K Majdlik Cr S Ramsey (online) Cr B Turner Cr A Vandenberg		
Officers present:	R Wai Chief Executive Officer S Romaszko Director City Futures T Scoble Director City Life N Whiteside Director City Delivery P Leersen Director Organisational Performance (CFO) L Shannon Executive Lead Strategic Initiatives M Kruger Head of Governance P Lovelace Manager Community Safety (online) N Marino Manager Finance H Taylor Manager Arts, Events and Economic Development (online) D Rudd Manager City Design & Strategy (online)		
Guests	Nil		
Apologies	Nil		
Matters discussed:	1. Local Government Legislation Amendment (Rating and Other Matters) Act 2022 2. NOM 854 (Cr Majdlik) Change of Ownership 3. Planning Application update – PA2022/8164/1 (743-747 Ferris Road, Strathtulloh) – Ethiopian Church 4. NOM 844 (Cr Shannon) Alternative to Fireworks 5. Djerriwarrh Festival Planning 2023 6. NOM 866 (Cr Shannon) No Vaping 7. Reconciliation Plan Update 8. Melton Eat Precinct Structure Plan open space matters 9. Demonstration of NOM tracker 10. General Updates from Officers <ul style="list-style-type: none"> a. Freedom of Information b. Capital Works Update - Diggers Rest Recreation Reserve Redevelopment Project Update c. Capital Works Update - Caroline Springs Leisure Centre:- Extension and Tennis Court Facility Project - Legal Matter & Defect Rectification 11. Councillor lounge furniture preferences discussion		

CONFLICT OF INTEREST DISCLOSURES:**Were there any conflict of interest disclosures by Councillors**

No

REPORT PRODUCED BY:**Officer name:**

Megan Kruger

Date:

10/07/2023

8. CORRESPONDENCE INWARD

8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- The Hon. Jacinta Allan MP – Response to letter regarding new train station at Calder Park Drive, Calder Park.
- The Hon. Melissa Horne MP – Response to letter regarding Palmers Road north-south corridor.
- The Hon. Melissa Horne MP – Response to letter regarding hoon behaviour.

RECOMMENDATION:

That Council receive and note the following Parliamentarian and Departmental letters, received by the Mayor, provided as **Appendices 1 - 3** to this report:

1. The Hon. Jacinta Allan MP, Minister for Transport and Infrastructure - Response to letter regarding new train station at Calder Park Drive, Calder Park - dated 22 June 2023.
2. The Hon. Melissa Horne MP, Minister for Roads and Road Safety - Response to letter regarding Palmers Road north-south corridor - dated 22 June 2023.
3. The Hon. Melissa Horne MP, Minister for Roads and Road Safety - Response to letter regarding hoon behaviour - dated 4 July 2023.

LIST OF APPENDICES

1. The Hon. Jacinta Allan MP, Minister for Transport and Infrastructure - dated 22 June 2023
2. The Hon. Melissa Horne MP, Minister for Roads and Road Safety - dated 22 June 2023
3. The Hon. Melissa Horne MP, Minister for Roads and Road Safety - dated 4 July 2023



Hon Jacinta Allan MP

Deputy Premier
Minister for Transport and Infrastructure
Minister for the Suburban Rail Loop
Minister for Commonwealth Games Delivery

1 Treasury Place
East Melbourne, Victoria 3002 Australia
Telephone: +61 3 8392 6100

Ref: CMIN-1-23-2517

Cr Lara Carli
Mayor
City of Melton
lara.carli@melton.vic.gov.au

22 / 06 / 2023

Dear Mayor

Thank you for your letter dated 10 May 2023 on behalf of the City of Melton regarding a new train station at Calder Park Drive, Calder Park.

The Andrews Labor Government is committed to delivering a high-quality transport network that will create better connectivity for the growing communities in Melbourne's west, including within the City of Melton.

This includes an investment of \$650 million to upgrade the Melton train line to improve safety, reduce congestion and create better connections for thousands of locals.

A new station will be delivered in Melton, alongside works to make Melton level crossing free by 2028 with the removal of four level crossings in the City of Melton. Early planning is underway for the Coburns Road and Exford Road projects and site investigations have commenced at Ferris Road in Melton South and Hopkins Road in Truganina.

We are also making the Sunbury Line level crossing free by 2026. Early works are underway to remove the level crossing at Calder Park Drive and close Holden Road at the level crossing, in addition to planning for the removals at Old Calder Highway and Watsons Road in Diggers Rest.

Making the Sunbury Line and Melton level crossing-free, will change how locals live, work and travel. With no level crossings in the area, journeys will be faster and more reliable, and local roads will be safer.

A new station at Calder Park Drive is not within scope of the level crossing removal works.




However, I can advise that the new road bridge design at Calder Park has been future proofed to cater for current traffic volumes and predicated growth over the next decade. It also includes a new shared user path to link to future walking and cycling connections.

The Level Crossing Removal Project is working closely with the Department of Transport and Planning to support the development and growth of the area. This includes delivering more than 485 new car parks at Watergardens Station as part of the Car Parks for Commuters project to make it easier to catch the train.

The project teams will share more information as each project progresses and I look forward continuing to work together to help transform the west.

Thank you for raising this matter with me.

Yours sincerely



Hon Jacinta Allan MP

Member for Bendigo East

Deputy Premier

Minister for Transport and Infrastructure

Minister for the Suburban Rail Loop

Minister for Commonwealth Games Delivery



Hon Melissa Horne MP

Minister for Casino, Gaming and Liquor Regulation
Minister for Local Government
Minister for Ports and Freight
Minister for Roads and Road Safety

1 Spring Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 8020

Ref: CMIN-1-23-2392

Cr Lara Carli
Mayor
Melton City Council
BarbM@melton.vic.gov.au

Dear Mayor

Thank you for your letter of 3 May 2023 regarding the future declaration of the Palmers Road north-south corridor.

The Victorian Government acknowledges the significant growth in Melbourne's west and the associated transport requirements. Government agencies - including the Department of Transport and Planning (DTP) - continue to work together to determine what infrastructure is needed to cater for this growth in the long term.

The Palmers Road corridor is of strategic network importance and supports the ongoing growth and development of Melbourne's west. DTP has completed planning for the Palmers Road corridor between Western Freeway and Calder Freeway. This planning was assessed and agreed to by the Hon Richard Wynne MP, Minister for Planning, in 2016 and confirmed the ultimate form and function of the Palmers Road corridor.

To support this important function, the Government has delivered major improvements along the corridor which include road widening and intersection upgrades over an eight kilometre section south of the Western Freeway and removal of the Robinsons Road level crossing. The Government has also announced the removal of the Calder Park Drive level crossing which will be completed by 2025.

Further upgrades of the corridor - including widening sections north of the Western Freeway and construction of the Calder Park Drive freeway interchange - will be considered in the future based on a business case.

With regard to the declaration of the Palmers Road Corridor, DTP will initiate a declaration review to coincide with the development and delivery of future upgrades to the Palmer Road Corridor north of the Western Freeway.



I trust this information is of assistance. Thank you for raising this matter with me

Yours sincerely



Hon Melissa Horne MP

Minister for Casino, Gaming and Liquor Regulation

Minister for Local Government

Minister for Ports and Freight

Minister for Roads and Road Safety

21/06/2023



Hon Melissa Horne MP

Minister for Casino, Gaming and Liquor Regulation
Minister for Local Government
Minister for Ports and Freight
Minister for Roads and Road Safety

1 Spring Street
Melbourne, Victoria 3000 Australia
Telephone: +61 3 8392 8020

Ref: CMIN-1-23-2886

Cr Lara Carli
Mayor, City of Melton
PO Box 21
Melton VIC 3337
lara.carli@melton.vic.gov.au

Dear Cr Carli

I refer to your letter of 24 May 2023 regarding Melton Council's commitment to ensure that your residents are protected from hoon behaviour. I share your concern over hooning behaviour and agree on the importance of community members feeling safe.

You correctly note that not all councils have by-laws relating to hooning events and I acknowledge your request seeking a uniform approach across Victoria. Your suggestion to introduce a consistent statewide approach to address hooning behaviour and hooning events is something the government-led Hooning Community Reference Group (HCRG) has been working to address.

The HCRG was established in 2022 and consists of stakeholders, Local Government and community members. In addition, the Department of Transport and Planning has organised a number of community and stakeholder engagement sessions across the state aimed at identifying opportunities to enhance the deterrence of hooning behavior. HCRG will soon deliver a Hooning Recommendations Report detailing actions that can support the state to enhance hooning deterrence across Victoria.

Thank you for sharing your concerns. Your feedback is important to the Andrews Labor Government as it continues to work hard to improve safety in Victoria.

Yours sincerely

Hon Melissa Horne MP

Minister for Casino, Gaming and Liquor Regulation
Minister for Local Government
Minister for Ports and Freight
Minister for Roads and Road Safety
04/07/2023



9. PETITIONS AND JOINT LETTERS

The Chief Executive will table any petitions and/or joint letters received prior to this meeting.

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

Nil.

11. PUBLIC QUESTION TIME

12. PRESENTATION OF STAFF REPORTS

12.1 MELTON EAST PRECINCT STRUCTURE PLAN - OPEN SPACE PROVISION

Author: Anastasia Badina - Senior Strategic Planner
Presenter: Darren Rudd - Manager City Design & Strategy

PURPOSE OF REPORT

To consider the provision of open space within the Melton East Precinct Structure Plan (PSP) and to adopt a position in relation to open space provision, and the proposed size and location of the Regional Active Open Space.

RECOMMENDATION:

That Council:

1. Acknowledge and endorse the area-based open space methodology used by the Victorian Planning Authority.
 2. Endorse the following:
 - a. Split the 30 Ha Regional Active Open Space Reserve into two 15 Ha reserves, to be located within the Melton East PSP and Warrensbrook PSP.
 - b. Use the entire 15 Ha reserve in the Melton East PSP for both Regional and Local Active Open Space.
 - c. Locate critical infrastructure (e.g. pavilions and lighting) within the 15 Ha Regional Active Open Space in the Melton East PSP outside of the 1 in 100-year flood event area.
-

REPORT

1. Executive Summary

The Victorian Planning Authority (VPA) have commenced the preparation of the Melton East Precinct Structure Plan (PSP).

Open Space Provision Methodology

The VPA and Council through the *Melton Open Space Plan* apply different methodologies to calculate the amount of open space that should be provided in the Melton East PSP. The VPA use an area-based methodology (a % of Net Developable Area), while Council uses a population-based methodology (hectare per 1,000 people). Due to increased residential densities now proposed in all PSP's, the Melton East PSP now presents a large variance in the amount of open space proposed, between Council and VPA's methodologies in calculating open space provision.

This report explains that despite this variation there are sound reasons why Council should accept the VPA's area-based methodology when calculating how much land is required for open space in the Melton East PSP and future PSPs.

Regional Active Open Space Distribution

A 30 Ha Regional Active Open Space reserve is identified in the Melton East PSP area in the West Growth Corridor Plan.

It is recommended that Council consider splitting the Regional Active Open Space into two 15 Ha parcels (one provided in the Melton East PSP and one in the Warrensbrook PSP) and the entire 15 Ha Regional Active Open Space reserve in the Melton East PSP should also perform a function of Local Active Open Space. It is important to note this will result in complementary rather than duplicated facilities.

Active Open Space Flood Risk

Melbourne Water identified a large floodplain in the north-east corner of the Melton East PSP. The VPA have proposed that the future Regional Active Open Space be located within the existing floodplain.

It is recommended that Council:

- locate critical infrastructure (e.g. pavilions and lighting) within the 15 Ha Regional Active Open Space outside of the 1 in 100-year flood event area;
- locate a portion of the playing fields within the 15 Ha Regional Active Open Space in the Melton East PSP within 1 in 50-year flood event area, which is consistent with the approach outlined by the *Melton Open Space Plan*.

2. Background/Issues

2.1 Background

Melton East PSP

The Victorian Planning Authority (VPA) as planning authority have commenced the preparation of the Melton East PSP.

The Melton East PSP is expected to have a net developable area of 550 hectares (ha) and is projected to be home to approximately 34,000 people.

The VPA, PSP preparation process is determined by the VPA's *PSP 2.0 Guidelines* (VPA Guidelines) and all PSPs must be in accordance with these Guidelines.

Below are the main stages of PSP preparation, which demonstrate the progression of the project through the planning phase.

December 2021	Pre-commencement
March 2022	Co-design workshop: Pitching sessions
June 2022	Co-design workshop: Vision and purpose
November 2022	Co-design workshop: Place-based plan
2023	Current phase: PSP and ICP development
Late 2023	Public consultation/exhibition

Source: Timeline from VPA's Co-design summary document, April 2023

In April 2023, the VPA released a *Co-design Summary* document, which is available on the VPA website. The document presents a draft Place-based plan resulting from a consultation session (Co-design Place-based plan Workshop) with Council officers, landowners, developers, and State government departments and agencies held late last year. The draft Place-based plan is built around the following themes:

- Theme 1 Access and movement
- Theme 2 Activity centres
- Theme 3 Community facilities and schools
- Theme 4 Open space and heritage
- Theme 5 Sustainability and innovation

The VPA are currently preparing the second round of background documents that test and validate the draft Place-based plan. Council officers are providing feedback on the background documents which provide information on road alignments, transport options, protection of heritage assets, location of community facilities and activity centres as well as considerations around provision of open space. The VPA are anticipating public consultation on the draft PSP and Infrastructure Contributions Plan (ICP) in November 2023.

Community Infrastructure Needs Assessment

The VPA have commissioned a *Community Infrastructure Needs Assessment* report that has provided an estimate of the required community infrastructure in the PSP area including the amount of passive and active open space.

Historically the VPA's and Council's approaches to open space yielded similar amounts of open space, however the Melton East PSP is setting higher residential density targets that will result in a variance in the amount of open space required. The VPA are wanting less land provided for open space than our population-based approach.

Open Space Provision Methodology

The methodology used to calculate the amount of passive and active open space for the Melton East PSP area differs between Council and the VPA. The VPA use an area-based methodology (a % of Net Developable Area) to calculate open space, while Council uses a population-based methodology (hectare per 1,000 people) set by the *Melton Open Space Plan 2016-2026*.

The VPA Guidelines state that a minimum of 10% of the net developable area (NDA) of the Melton East PSP should be allocated to passive and active open space and its distribution should be as follows:

- 3-5% of NDA should be set aside for passive open space (local parks), and
- 5-7% of the NDA should be set aside for active open space (sport field reserves).

The VPA have identified the following proportion within the designated 10% of NDA for the Melton East PSP:

- 4% of NDA for passive open space,
- 6% of NDA for active open space.

The VPA methodology results in 55 Ha of open space (passive and active) to be provided in the Melton East PSP area.

The *Melton Open Space Plan* adopted at the Ordinary Meeting of Council on 4 April 2016 uses a population-based methodology and the following provision ratios for the provision of open space in the PSP:

- 1.3 Hectares (Ha) per 1,000 people for active open space,
- 0.6 Ha per 1,000 people for local level passive open space,
- 0.3 Ha per 1,000 people for district level passive open space.

Council's methodology results in 75 Ha of open space (passive and active) to be provided in the Melton East PSP and assumes much lower residential densities than now proposed.

The VPA's methodology is providing 20 Ha less of open space (passive and active) in the Melton East PSP compared to Council's methodology.

In addition to the above, a further 30 Ha of Regional Active Open Space is to be provided in the Melton East PSP area. This is in accordance with the *West Growth Corridor Plan* prepared by the State government and Rockbank North PSP prepared by the VPA. Both Council and the VPA agree that 30 Ha of Regional Active Open Space should be provided, and its amount is not disputed.

Active Open Space Distribution

As previously identified, the following active open space is to be provided in the Melton East PSP area:

- 33 Ha Local Active Open Space (6% of NDA using the VPA methodology)
- 30 Ha Regional Active Open Space

Active Open Space Flood Risk

The West Growth Corridor Plan identifies the location of the 30 Ha of Regional Active Open Space on the Kororoit Creek floodplain adjacent to Leakes Road (**Appendix 1**).

As part of the preparation of the Melton East PSP, the VPA required flood mapping to be prepared by Melbourne Water to identify any land subject to flooding for a 1 in 10-year and 1 in 100-year flood intensity. The mapping identified that the 1 in 100-year flood event will cover majority of the Regional Active Open Space area located within the Kororoit Creek floodplain adjacent to Leakes Road. Further to this, the 1 in 10-year flood event shows a lesser flood extent – both are shown at **Appendix 2**.

The *Melton Open Space Plan* details the following flood immunity standards for the provision of facilities for Local and Regional Active Open Space:

- 1 in 100-year flood intensity for infrastructure including pavilions and lighting.
- 1 in 50-year flood intensity for playing fields.

2.2 Issues

Open Space Provision Methodology

The VPA and Council policy positions are misaligned on how much open space should be provided in the Melton East PSP. A decision from Council is required on whether it accepts the VPA's methodology or continues to advocate to use Council's methodology.

To understand the impact of the methodologies used, three scenarios have been considered by Council officers as follows (**Appendix 3**):

1. Scenario 1: 4% of NDA passive and 6% of NDA active open space proportion using the VPA's methodology.
2. Scenario 2: 3% of NDA passive and 7% of NDA active open space proportion using the VPA's methodology.
3. Scenario 3: Council's population-based methodology.

The analysis of the three scenarios is shown in **Appendix 3**. The scenario analysis concluded that Scenario 2 (3% of NDA passive and 7% of NDA active open space proportion using the VPAs methodology) presents the greater cost saving for Council.

As with majority of our infrastructure within PSP areas, the community and recreation infrastructure costs are expected to exceed the community and recreation levy cap (costs collected) in the Melton East Infrastructure Contributions Plan for the future Melton East PSP regardless of the methodology. This is further explained in this report.

Council officers have reviewed Planning Panel Reports for PSPs developed in other municipalities including Cardinia Shire, City of Casey, City of Hume, City of Wyndham, City of Whittlesea and Mitchell Shire to determine the likelihood of a Planning Panel upholding Council's population-based open space methodology. Based on those Panel Reports it is evident that the VPA's Net Developable Area-based open space methodology has been given precedence over Council respective population-based open space methodologies defined by councils' open space strategies.

Council officers recommend that Council endorse the VPA methodology to be used for calculating the amount of open space for the Melton East PSP and the future PSPs, as it provides a better financial outcome for Council and the community, whilst delivering a good network of open space.

Active Open Space Distribution

The Melton East PSP will provide active open space at two levels – local level (Local Active Open Space) and regional level (Regional Active Open Space). The issues around their delivery include:

- a) Land and construction cost; and
- b) Stormwater management.

In relation to land and construction cost, Local Active Open Space can have the land acquisition and the construction cost included in the Infrastructure Contributions Plan (ICP).

Regional Active Open Space land acquisition and construction cannot be included in an ICP, as this is regional infrastructure which is excluded from ICPs.

It is possible for active open space to perform a dual role of local and regional active open space. For example, land acquisition for a football oval and its construction could be funded through an ICP and it can become a regional facility through improved lighting that would be funded by Council.

In relation to stormwater management, the Melton East PSP is encumbered with land required for stormwater management. It is necessary to find solutions that maximise the amount of land for housing.

Council officers recommend the following:

- Split the 30 Ha Regional Active Open Space into two 15 Ha parcels, one to be provided in the Melton East PSP and one in the neighbouring Warrensbrook PSP (PSP not commenced). The two reserves would be linked via a pedestrian footbridge, and the sports facilities would be designed in a manner where the reserves can operate independently of each other, for example oval fields could be provided in one reserve and rectangular fields could be provided in the other reserve. Both of the 15 Ha reserves will be provided with car parking, pavilions and infrastructure required for recreation.
- The entire Regional Active Open Space should be used also as Local Active Open Space, thereby reducing the cost for the land acquisition and construction to Council, whilst maximising the benefit for the community (Scenario 2 in **Appendix 3**).

Active Open Space Flood Risk

Considering the 1:100 and 1:10 flood modelling, Council officers seek Council's view regarding the provision of active open space on land that is subject to intermittent flooding.

It is not unusual for councils to provide sports grounds on creek and river floodplains. Sports fields are provided on the floodplains of the Yarra, Maribyrnong, Werribee, Plenty, and Barwon Rivers in other municipalities. Likewise, sports fields are provided along the Kororoit, Merri, Darebin, and Moonee Ponds Creeks in other municipalities in Melbourne's northern and western suburbs.

Based on the flood mapping (**Appendix 2**), Council officers recommend that Council endorse the following recommendations for the Regional Active Open Space reserve:

- That critical infrastructure such as pavilions and lighting is located outside of the 1 in 100-year flood event area;
- That a portion of the playing fields is located within the 1 in 50-year flood event area. This is consistent with flood immunity standards for playing fields set by the *Melton Open Space Plan*. The percentage of playing fields located within the 1 in 50-year flood event is to be negotiated by Council officers, the VPA and Melbourne Water.

The recommendations will ensure that critical infrastructure (e.g. pavilions and lighting) has a low risk of flood damage, and flood responsive land use planning and design is applied to manage the playing fields during the occurrence of 1 in 50-year flood events.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2021-2025 Council and Wellbeing Plan references:

2. A vibrant and healthy natural and built environment

2.2 The community and infrastructure are resilient to the impacts of a changing environment.

4. Financial Considerations

Open Space Provision Methodology

Regardless of the chosen methodology, the community and recreation infrastructure cost is expected to exceed the community and recreation levy cap in the Melton East ICP for the future Melton East PSP area.

Council officers have modelled the anticipated shortfalls between what the capped ICP will collect and what expenditure will be required for land and associated community and recreation infrastructure.

The model has been based on three scenarios (**Appendix 3**):

- Scenario 1 results in a funding shortfall of approximately \$53.7 million;
- Scenario 2 results in a funding shortfall of approximately \$45.6 million; and
- Scenario 3 results in a funding shortfall of approximately \$48.2 million.

The result of the analysis showed that **Scenario 2** achieves a reduced estimated funding shortfall for land acquisition and construction compared to other scenarios.

It is noted that some of the funding shortfalls highlighted above will be mitigated through funding provided by the state government through the Growing Suburbs Fund, sports and recreation grants programmes, and building blocks grants for children and community centres.

Open Space Distribution

The three scenarios above demonstrate that the most effective solution to optimise resource allocation and reduce the financial burden on Council can be achieved by splitting the Regional Active Open Space in two 15 Ha parcel and utilising the entire 15 Ha parcel in the Melton East PSP for both local and regional purposes. This combined approach, specifically in Scenario 2 results in a 5.4% reduction of funding shortfall compared to Scenario 3 and a 15.1% reduction compared to Scenario 1.

Active Open Space Flood Risk

If Council builds some of the playing fields within the 50-year flood event area, the following are the considerations for the Local/Regional Active Open Space:

- The design of sporting fields needs to consider the use of surface materials that are compatible with flooding.
- Sporting fields and infrastructure should be designed to minimise repair / maintenance costs when impacted by 1 in 50 years flood event.
- Pavilions and other flood sensitive infrastructure will be located outside of the 1 in 100-year flood area.

5. Consultation/Public Submissions

When the draft PSP and ICP are prepared, the VPA who is the Planning Authority for the PSP and ICP will put both documents on public exhibition and stakeholders will have an opportunity to make a submission.

6. Risk Analysis

The *Melton Open Space Plan 2016-2026* was adopted by Council in 2016. This plan provides guidance on how much open space should be provided to meet the needs of our rapidly growing community and provides guidance on where open space should be provided to maximise its community benefit. The *Melton Open Space Plan* is due to be reviewed in the 2023/24 financial year.

The review of the Melton Open Space Plan 2016-2026 will focus on using an area-based methodology for open space provision, which reflects the VPA's position in the new PSP Guidelines.

Open Space Provision Methodology

Financial risk exists under any of the scenarios as Infrastructure Contributions only partially cover the costs for the provision of community and recreation infrastructure.

The adoption of the VPA's area-based percentage methodology will help reduce the community and recreation funding gap in the Melton East ICP and future ICPs.

If Council chooses not to endorse the use of the VPA area-based methodology, Council will need to present its position at the Panel Hearing and acknowledge the risk that the Panel may choose to dismiss Council's submission, which has occurred in similar PSP Panel hearings in other municipalities.

Open Space Distribution

Retaining the 30 Ha Regional Active Open Space reserve unsplit puts Council in a less flexible position to negotiate its more favourable location with the VPA that are currently proposing to place the reserve within the 1 in 100-year flood area.

Active Open Space Flood Risk

Regional Active Open Space is likely to become a key planning panel issue if a decision is made to depart from the *West Growth Corridor Plan*. It is therefore essential that Council and the Victorian Planning Authority come to an aligned position prior to the Planning Panel Hearing.

7. Options

In relation to the open space provision methodology, Council has the following options:

- Set aside Council's population-based methodology for the open space calculation set in the *Melton Open Space Plan 2016-2026* for the current and future PSPs and endorse the VPA's area-based methodology for active open space provision for the current and future PSPs; or
- Continue to advocate for the use of Council's population-based open space provision ratio as per the recommendations of the *Melton Open Space Plan 2016-2026* for the development of current and future PSPs.

In relation to open space distribution, Council has the following options:

- Endorse Council officers' recommendation for the Regional Active Open Space reserve, including the following:
 - split the 30 Ha Regional Active Open Space reserve into two 15 Ha parcels (one provided in the Melton East PSP and one in the Warrensbrook PSP); and
 - use the entire 15 Ha Regional Active Open Space reserve in the Melton East PSP as Local Active Open Space; or
- Dismiss Council officers' recommendation and locate the entire 30 Ha of Regional Active Open Space in the Melton East PSP.

In relation to active open space flood risk, Council has the following options:

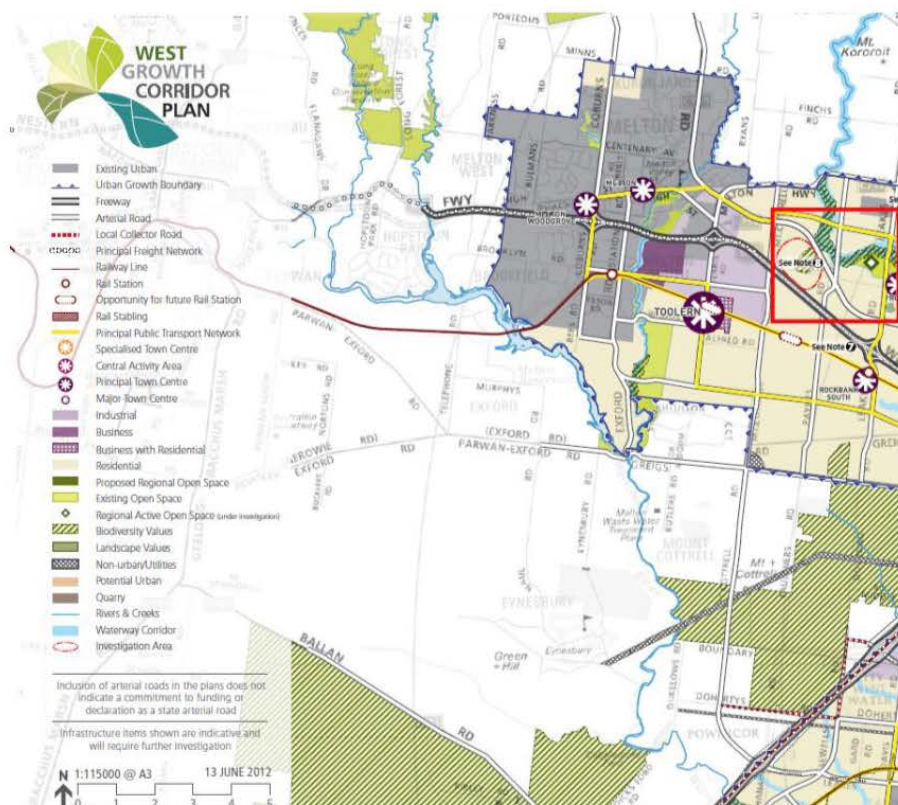
- Endorse Council officers' recommendation for the Regional Active Open Space reserve, including the following:
 - locate critical infrastructure (e.g. pavilions and lighting) within the 15 Ha Regional Active Open Space in the Melton East PSP outside of the 1 in 100-year flood event area; and
 - locate a portion of the playing fields within the 15 Ha Regional Active Open Space in the Melton East PSP outside the 1 in 10-year flood event area and within the 1 in 50-year flood event area as per the flood immunity standards set by the Melton Open Space Plan 2016-2026; or
- Advocate for the Regional Active Open Space to be located entirely outside of the 1 in 100-year flood event area; or
- Follow the direction of *West Growth Corridor Plan* and locate all of the 30 Ha of the Regional Active Open Space reserve within the floodplain.

LIST OF APPENDICES

1. West Growth Corridor Plan
2. Flood Mapping Information
3. Financial Modelling for Action Open Space

Appendix 1

Indicative location of the Regional Active Open Space Reserve is highlighted in red



Source: West Growth Corridor Plan

Appendix 2

The Australian Government Bureau of Meteorology provides the following breakdown of the likelihood of a flood event:

- A 1 in 100-year flood is a flood event that has a 1 in 100 chance or 1% probability of occurring in any given year;
- A 1 in 10-year flood is a flood event that has a 10% probability of occurring in any given year;
- A 1 in 50-year flood is a flood event that has a 2% probability of occurring in any given year.

Images 1 and 2 below represent the modelling of 1 in 100-year and 1 in 10-year flood event.

Image 1 illustrates that a 1 in 100-year flood event will cover majority of the Regional Active Open Space area. Image 2 shows that a 1 in 10-year flood event has a lesser flood extent and provides an opportunity to utilise some of the floodplain area for the suitable use types.

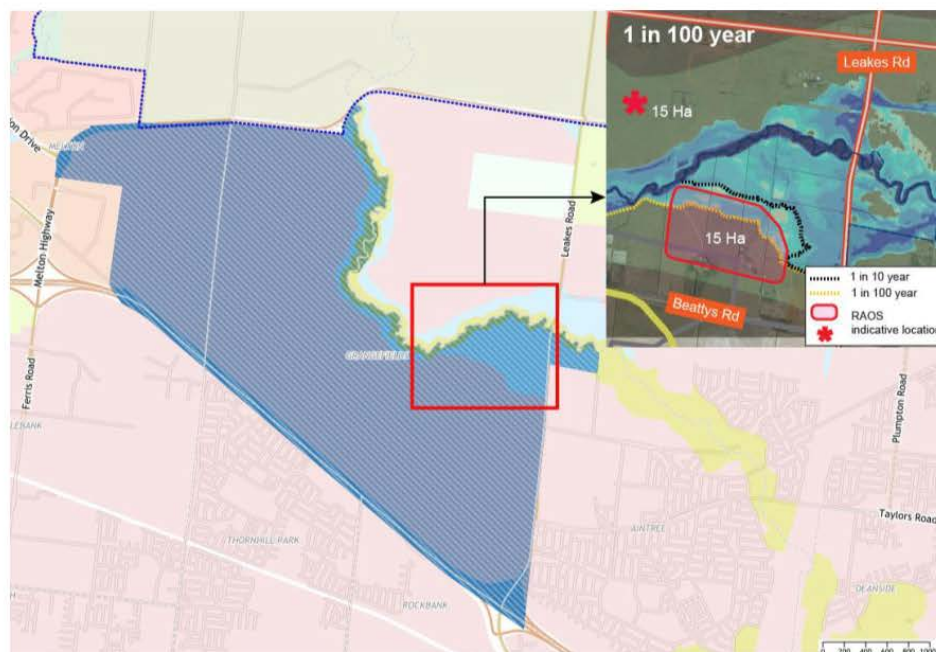


Image 1: 1 in 100-year flood event, source: Melbourne Water and Council officers' comments

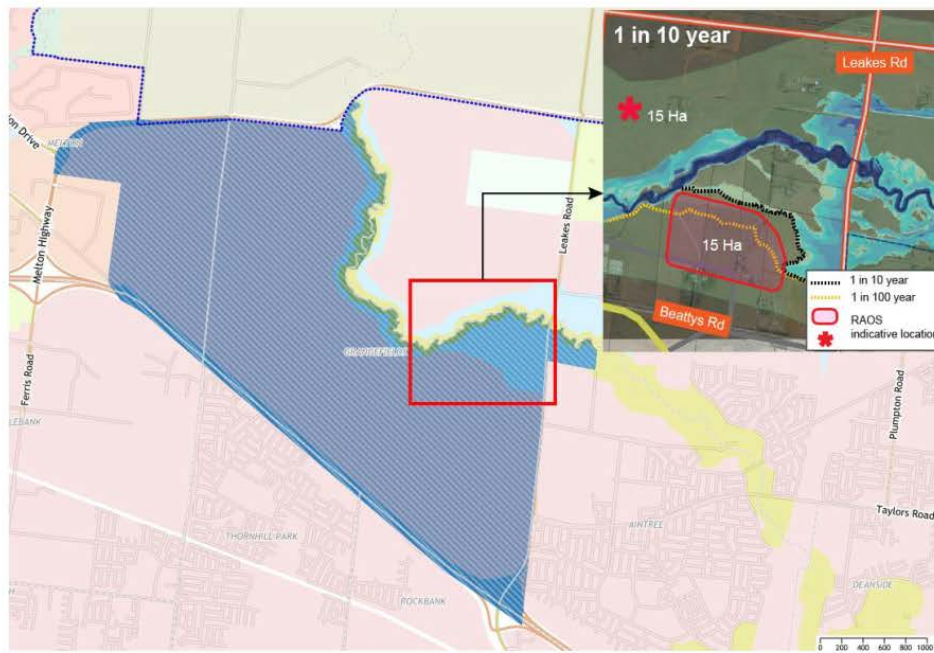


Image 2: 1 in 10-year flood event, source: Melbourne Water and Council officers' comments

Appendix 3

Table 1 represents land take modelling and Table 2 represents cost modelling for the three scenarios:

- Scenario 1: 4% of NDA passive and 6% of NDA active open space proportion (VPA methodology);
- Scenario 2: 3% of NDA passive and 7% of NDA active open space proportion (VPA methodology);
- Scenario 3: Council methodology using population-based rate (Melton open Space Plan).

Table 1

Type of Open Space	Methodology		Difference
	Council	VPA	
Local Passive (Scenario 1)	30.7 Ha	22 Ha 4% of NDA	8.7 Ha
Local Passive (Scenario 2)		16.5 Ha 3% of NDA	14.2 Ha
Local Active (Scenario 1)	44.3 Ha	33 Ha 6% of NDA	11.3 Ha
Local Active (Scenario 2)		38.5 Ha 7% of NDA	5.8 Ha
Regional Active Open Space (all scenarios; the amount is agreed by both Council and the VPA)	30 Ha	30 Ha	-
Total	105 Ha	85 Ha	20 Ha

Table 2

Amount of Active Open Space Provided	Estimated ICP Funding Gap
VPA 6% of NDA for active open space (33 Ha)	-\$35,087,915
Including additional costs not covered by the ICP in the Regional Active Open Space (6 Ha)	(-\$53,717,219)
VPA 7% of NDA for active open space (38.5 Ha)	-\$45,622,950
Council 1.3 Ha per 1,000 people (44 Ha)	-\$48,163,900

In Scenario 1:

- The VPA's area-based rate of 6% active open space has been used, which results in the need for 33 Ha of active open space.
- 9 Ha of the 15 Ha Regional Active Open Space is used as local and Regional Active Open Space (this means the land acquisition and construction costs of the 9 Ha can be included in the ICP), and 6 Ha of the Regional Active Open Space will need to be acquired and constructed by Council without ICP contributions.
- This results in an estimated funding shortfall of \$35.1 million to construct the required community and recreation facilities.
- When the cost of land acquisition and construction of the 6 Ha Regional Active Open Space not funded by the ICP this estimated funding shortfall increases to \$53.7 million.

In Scenario 2:

- The VPA's area-based rate of 7% active open space has been used, which results in the need for 38.5 Ha of active open space.
- The entire 15 Ha regional active open space is used as local and regional active open space (this means the land acquisition and construction costs of the 15 Ha can be included in the ICP).
- This results in an estimated funding shortfall of \$45.6 million to construct the required community and recreation facilities.

In Scenario 3:

- Council's population-based rate is used, which results in a need for 44 Ha of active open space.
- The entire 15 Ha regional active open space is used as local and regional active open space (this means the land acquisition and construction costs of the 15 Ha can be included in the ICP).
- This results in an estimated funding shortfall of \$48.2 million to construct the required community and recreation facilities.

Out of three scenarios above, Scenario 2 presents the greater cost saving for Council.

12.2 PLANNING APPLICATION PA2022/8078 - USE AND DEVELOPMENT OF A CHILD CARE CENTRE AT 1200-1306 TAYLORS ROAD, FRASER RISE

Author: Patrick Mora - Senior Major Developments Planner
Presenter: Blake Angus - Manager, City Growth and Development

PURPOSE OF REPORT

To enable Council to adopt a position in relation to the upcoming planning appeal to be heard at the Victorian Civil and Administrative Tribunal (VCAT) in respect to planning application PA2022/8078 for the use and development of a child care centre at 1200-1306 Taylors Road, Fraser Rise.

RECOMMENDATION:

That Council:

1. Not support the proposal unless substantial modifications to the development layout are achieved.
2. Not support the application on the following grounds;
 - a. The proposed child care centre does not comply with the Planning Policy Framework and the Local Planning Policy Framework of the Melton Planning Scheme where they relate to Urban Design, Building Design and Neighbourhood Character.
 - b. The proposed childcare centre will be contrary to the sound and orderly planning of the area.
 - c. The proposed child care centre building will provide a poor visual presentation and address to the immediate streetscape and public realm.
 - d. The siting and design of the proposed child care centre will not contribute positively towards establishing a preferred neighbourhood character for the area.

REPORT

1. Background

Executive Summary

This is an application for the use and development of a child care centre at 1200-1306 Taylors Road in Fraser Rise. This report is coming before Council due to the applicant lodging an appeal with VCAT under section 79 (Failure to Grant A Permit) of the Planning and Environment Act 1987. Council's position on this application is sought ahead of the VCAT hearing scheduled to occur from 30 October – 02 November 2023.

The following is a summary of the application:

Applicant:	Ellis Group Architects
Proposal:	Use and Development of the land for a child Care Centre and the Display of Business Identification Signage
Existing Land Use:	Vacant Land
Zone:	Urban Growth Zone – Schedule 11 (UGZ11) 'Applied' Zone – Residential Growth Zone
Overlays:	Infrastructure Contributions Overlay – Schedule 1 (ICO1)
Number of Objections:	None
Key Planning Issues:	Siting and Design Matters
Recommendation:	<ol style="list-style-type: none"> 1. That Council not support the proposal unless substantial modifications to the development layout are achieved. 2. That Council not support the application on the following grounds; <ol style="list-style-type: none"> a. The proposed child care centre will not comply with the Planning Policy Framework and the Local Planning Policy Framework of the Melton Planning Scheme where they relate to Urban Design, Building Design and Neighbourhood Character. b. The proposed childcare centre will be contrary to the sound and orderly planning of the area. c. The proposed child care centre building will provide a poor visual presentation and address to the immediate streetscape and public realm. d. The siting and design of the proposed child care centre will not contribute positively towards establishing a preferred neighbourhood character for the area.

The Land and Surrounding Area

The subject site comprises a rectangular shaped, 12Ha land parcel located on the northern side of Taylors Road 210m east of Taylors Road in Fraser Rise. The site is currently being developed as part of a multi lot residential subdivision as part of the Taylors Residential Estate.

The focus of this application will be a future 0.325Ha land parcel proposed within the northern portion of the subject site (Refer to Appendix 1 – Locality Plan). This site will be located within Stage 5 of the Taylors Residential Estate. The Taylors Residential Estate is a 6 stage development and Stage 5 will be the penultimate stage in the proposed sequencing for this subdivision. Subdivisional works within Stage 5, as well as the stages immediately surrounding Stage 5, have not yet commenced.

The child care centre site will be rectangular shaped and will be bound by the future Padma Boulevard to the north, Clapper Way to the west and Manhattan Road to the south. These proposed roads are scheduled for delivery as part of Stages 4 and 6 of the Taylors Estate.

The land to the west of the site forms part of the later eastern stages of the Monument Estate. The land to the north, south and east of the subject land are rural land holdings all of which are currently subject to separate planning applications for multi lot staged subdivisions.

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

The Application

The application proposes the use and development of the land for a child care centre and the installation of associated business identification signage.

The child care centre will cater for 168 children and will operate between the hours of 6:30am and 6:30pm Monday to Friday.

The child care centre will operate from a roughly rectangular shaped, single storey building to be located centrally on the land. A 36 space car parking area will be located to the east of the child care centre building and will be accessed via the future Manhattan Road.

Playground and landscaping areas will occupy the northern, southern and western portions of the land covering a total area of 1,260sqm.

The following is a summary of the development proposal:

Child Care Centre Building

1. A single storey child care centre with a total floor area of 1,054sqm.
2. The building will be set back approximately 6.6m from the southern boundary, 9.6m from the western boundary and 11.18m from the northern boundary of the land.
3. The northern, southern and western frontages of the land, adjacent to the play areas, will be fenced off with a 1.8m high childproof palisade fence. The fence will be located flush with the property boundaries of the land.
4. The child care building will consist of nine children's rooms catering for child numbers of between 16 to 22 children each. The rooms will have an area ranging in size from 52sqm to 72sqm. The rooms will be placed side by side and accessed off a 75sqm central 'piazza' area within the building. The rooms will each have direct access to a children's toilet facility shared with an adjoining room.
5. Two 14sqm cot rooms are also proposed for two of the smaller rooms catering for 16 children each in the south western floor area of the building.
6. The main reception/parents area, staff meeting rooms, offices, staff room and the main kitchen, store and laundry facilities are located in the eastern portion of the building directly accessible from the car parking area.
7. Entry to the building will be from the east of the building via a small foyer area adjacent to the car parking area.
8. The building will have an overall height of 6m and will be contemporary in style. The roof of the building will comprise of a series of skillions sloping down towards the main road interfaces at gentle gradients of 2° to 9°.
9. Buildings and materials will comprise of a combination of lightweight cladding in a white finish and grey brick-look cladding for all external walls, metal roof sheeting in a light grey finish along with black powder coated door and window frames.
10. A refuse storage area will be located at the northern end of the car parking area.
11. A four space bicycle parking area is also proposed to the north-west of the car parking area.
12. The car park will be accessed off Manhattan Road via a 6.4m wide accessway which will run down the middle of the car parking area with all of the car spaces located on either side at a 90 degree angle. A vehicle turning space will be provided at the northern end of the car parking area.
13. One disabled car space is to be located adjacent to the main entrance into the building.
14. A turning area will be provided at the northern end of the car parking area.

15. The car parking area will be provided with a 1m landscape strip along the Manhattan Road frontage as well as a 1m landscape strip along the eastern boundary of the land.
16. Fencing will comprise of the following:
 - A 1.8m high timber paling acoustic fence along the eastern boundary of the land.
 - 1.8m high childproof palisade fence.
17. The application proposes four business identification signs on the building facade and one pole sign adjacent to the north-west corner of the site. The building signs are described as follows:
 - Four business identification signs are proposed along the eastern, southern and western fascia of the building. Three of the signs will have an area of 3.6m while one of the signs will have an area of 6.4m. All of these signs will be non illuminated.
 - The pole sign will have an advertising area of 1.6sqm with an overall height of 3.5m. The sign will not be illuminated.

All signs will display the 'Explorers Early Learning' logo.

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

Planning Controls

Zone	(Clause 37.07 – Urban Growth Zone – Schedule 11)	<p>Clause 37.07-9 (Urban Growth Zone – Use of Land) of the Melton Planning Scheme states that where a Precinct Structure Plan applies to the land, the requirements of the table of uses under this clause along with the requirements of Schedule 11 must be met.</p> <p>Schedule 11, sub-clause 2.2 of the Urban Growth Zone designates 'Applied Zones' to specific land uses throughout the Plumpton Precinct Structure Plan area. The site is located entirely within a designated walkable catchment. The Residential Growth Zone under Clause 32.07 is the 'Applied Zone' in this instance.</p> <p>Pursuant to Clause 32.07-2, the use of the land for a child care centre requires a planning permit in the 'Applied' Residential Growth Zone.</p> <p>Pursuant to Clause 32.07-8, a planning permit is also required to construct a building or to construct or carry out works associated with a child care centre use.</p>
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Overlays	(Clause 45.11 - Infrastructure Contributions Overlay – Schedule 1)	<p>A planning permit granted to construct a building or construct or carry out works where an infrastructure contributions plan has been incorporated into the Melton Planning Scheme, must:</p> <ul style="list-style-type: none"> • Be consistent with the provisions of the relevant infrastructure contributions plan. • Include any conditions required to give effect to any levies set out in the relevant schedule to this overlay. <p>The Plumpton and Kororoit Infrastructure Contributions Plan has been incorporated into the relevant schedule of clause 72.04 of the Melton Planning Scheme</p>
Particular Provisions	(Clause 52.05 - Signage) (Clause 52.06 – Car Parking)	<p><u>Signage</u></p> <p>The ‘applied’ Residential Growth Zone specifies that the Category 3 signage controls must be applied to advertising signage.</p> <p>Category 3 relates to High Amenity Areas. In this area, business identification signage requires a planning permit.</p>

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

Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant.

Is the land of Cultural Heritage Sensitivity?

The land is considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*; and an approved cultural heritage management plan (Reference No.: 15750) has been submitted as part of the planning application documentation associated with the approved Taylors Residential Estate.

2. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2021-2025 Council and Wellbeing Plan references:

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

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

3. Financial Considerations

No Council related financial considerations are involved with the application.

4. Consultation/Public Submissions

Public notification of the application

The application will be placed on public notification at the directive of the VCAT as part of the review process. Any parties who make a submission through the notification process will have the opportunity to be represented at VCAT should they wish, consistent with a normal VCAT appeal process.

Referral of the application

The application was referred to a number of Council Departments for comment and advice. The application was not required to be referred to any determining or recommending authorities as stipulated under clause 66 of the Melton Planning Scheme. A complete list of responses is included in **Appendix 4**.

Of particular note are the comments from Council's Urban Design Department who suggest a redesign of the layout of the entire development so that an enhanced interface and address can be achieved to the proposed public realm that will surround the site.

5. Issues**Planning Assessment**

The use of the land for a child care centre is considered appropriate for the site and surrounding area and will be consistent with the relevant provisions of the Melton Planning Scheme.

The child care centre use will be located in an ideal location within the Plumpton PSP area. The site is centrally positioned within a designated walkable catchment within the PSP area where community, recreational, educational and retail services and facilities are encouraged to locate with the view of leveraging off and sustaining an increased residential density within the catchment (Refer to Appendix 5).

The site is suitably positioned at the end of a residential block and along a key connector road (Padma Boulevard) providing an opportunity to incorporate a 'landmark' development with a direct link to Plumpton Road 392m to the west. The site will also be conveniently located to the future Local Town Centre within the Monument Estate to be located on the western side of Plumpton Road.

The site will also be directly opposite a future State Primary School and a future Non-Government Primary School and will be in proximity to a future Community Centre on the corner of Padma Boulevard and Plumpton Road. The child care centre will also have a frontage to a drainage reserve which under the Plumpton PSP are identified as important areas of encumbered passive open space to complement more formalised local parks and major sports reserves.

Furthermore, the child care centre development will satisfy several important functional requirements such as:

- The provision of a 1,054sqm child care centre building with sufficient internal space in separate rooms for children of different age brackets.
- Yard areas totalling 1,260sqm, will more than adequately cater for the minimum 7sqm per child open space ratio required for a 168 place child care centre.
- A 36 space car parking area that will sufficiently cater for the 168 place child care centre and designed to ensure that safe access and egress to and from the site can be facilitated.
- The business identification signage is both suitable for the site and appropriate for the emerging residential neighbourhood.
- The built form and external architectural design details of the building will be distinctive and appropriate within the emerging residential neighbourhood, incorporating a contemporary design with the skillion roofing at varying angles.
- Hours of operation are unlikely to have an adverse impact on the amenity of surrounding residential areas.
- Potential noise from the child care centre mitigated by way of a 1.8m high noise attenuated boundary fence along the eastern boundary of the land.

The main area of concern for the proposed child care centre is the overall siting and design of the facility and the lack of adequate visual integration and address to key public realm interfaces.

Although the site is in a very prominent location, the siting and design of the child care centre building has failed to embrace this opportunity. The child care centre building has been recessed behind an expanse of outdoor play areas, creating a 6m, 10m and 11m separation between the building to the southern, western and northern street frontages. The inclusion of a 1.8m high semi transparent child proof fence along with any perimeter landscaping and shade tree planting that will be required within the play spaces will only serve to compound the problem but screening rather than integrating the building to the immediate street interfaces.

The overall siting and design of this child care centre development appears to be directed by two factors:

- A site layout that can meet all of the prescriptive statutory requirements for the 168 child placements required by the proponent.
- A building that can be conveniently accessed from the car parking area.

This design approach, however, appears to have been at the expense of achieving responsiveness both the site and the surrounding/emerging neighbourhood.

The expedient design of the child care centre to meet the 168 child placements has meant that the only effective means of getting the required play space area without being constrained by the building or the car parking area, would be to locate the building in the centre and wrapping the child care centre around the northern, western and southern perimeter.

The central location of the building has meant that the building can optimise the location of the main entrance to the building so that it addresses and can be conveniently accessed from the car park area to the east. This, however, will result in the building being further internalised and providing no direct address or engagement to any of the public realm interfaces.

A re-orientation and design of the layout and built form for the child care centre is needed for this site. The built form needs to provide a better visual address to the north-western corner of the site while also improving its presentation to all three street frontages.

This can be achieved by reducing the building setbacks to all three streets to 3m so that the child care centre frames all three street interfaces. The incorporation and appropriate use of glazing, and other architectural treatments is also recommended to provide an attractive street address and presentation while also encouraging passive surveillance. The introduction of feature design elements to highlighting main entrances as well as to accentuate the street corners would also assist in enhancing the visual presentation of the child care centre when viewed from the surrounding public realm.

The following is a list of changes required to the plans to respond to the design shortfalls outlined above:

- a. Building setback in line with existing prevailing front setbacks. Min 3m setback to the north, west and south.
- b. Minimum 1m landscaping setbacks and recessed front fence lines where required.
- c. Car park to be set back behind build form with a minimum 3m landscape strip at the car park entrances to the street.
- d. Ensure active and attractive street address that encourages passive surveillance and visual interest. This can be achieved in form of fenestration, architectural articulation and visually interesting roof form.
- e. Opportunity for landmark build form / greater height to mark highly visible corner location.

- f. Main entrance to the building featured around the north-western corner of the site to establish a sense of arrival and an architecturally expressed entrance feature that is integrated with the architectural design language along the street front. Its acknowledged that some people may arrive by car but an entrance at this location would still be safe and convenient for drop off and pick-ups and would not prejudicing against the people walking to the centre.
- g. Car park to incorporate suitable landscape areas consistent with Council's Off-Street Car Parking Guidelines.
- h. Play areas to be internalised and located to the east of the child care centre building and west of the car parking area.

Consideration should also be given to reducing the number of child placements in order to achieve an efficient apportionment of the site area for all of the child care centre components while also ensuring the delivery of an enhanced siting and design outcome for the site and the emerging neighbourhood.

It is recommended that the application for the child care centre not be supported unless substantial modifications to the development layout are achieved ahead of the scheduled VCAT hearings.

6. Conclusion

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

It is considered that the proposal does not comply with the relevant requirements of the Planning Scheme particularly those relating to urban design, building design and neighbourhood character.

Therefore, it is recommended that Council not support this application unless substantial modifications to the development layout are achieved ahead of the scheduled VCAT hearings.

LIST OF APPENDICES

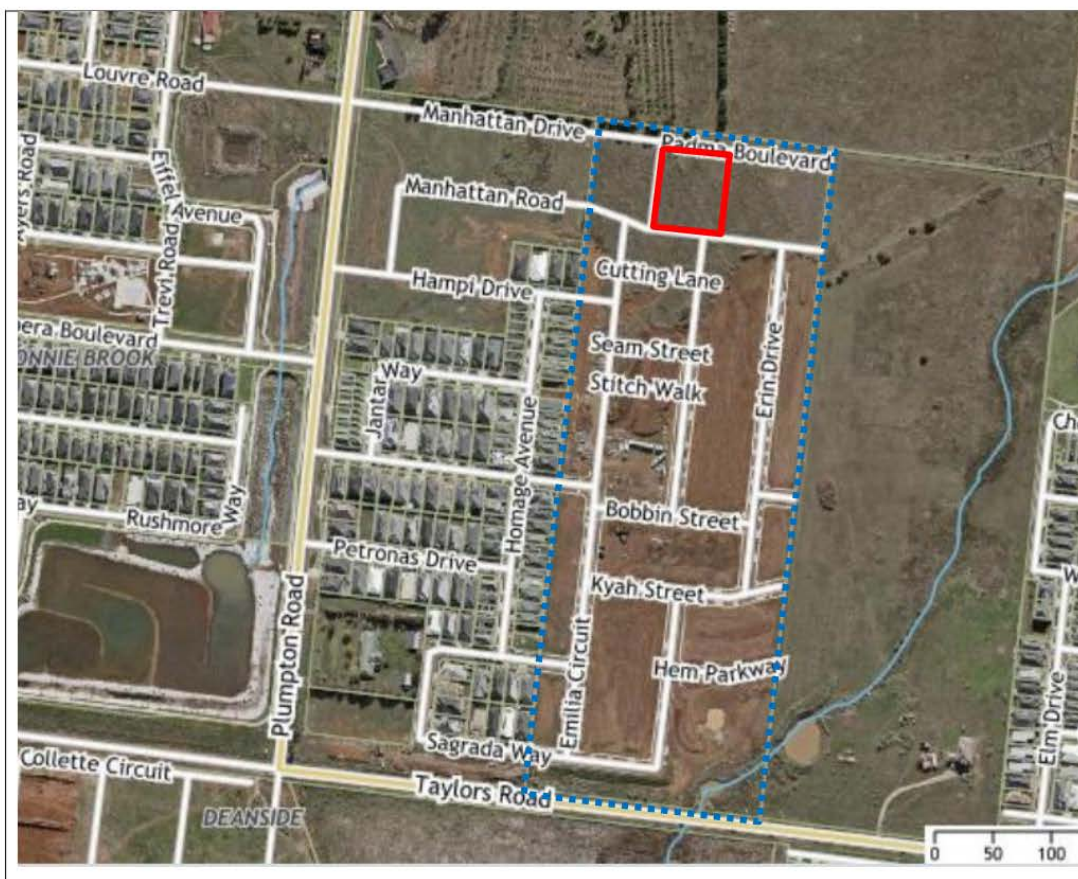
- 1. Locality Plan
- 2. Development Plans
- 3. Planning Controls
- 4. Referrals
- 5. Plumpton PSP

No: PA2022/8078


Address: 1200-1306 Taylors Road, Fraser Rise Vic 3336

Proposal: Use and Development of a Child Care Centre

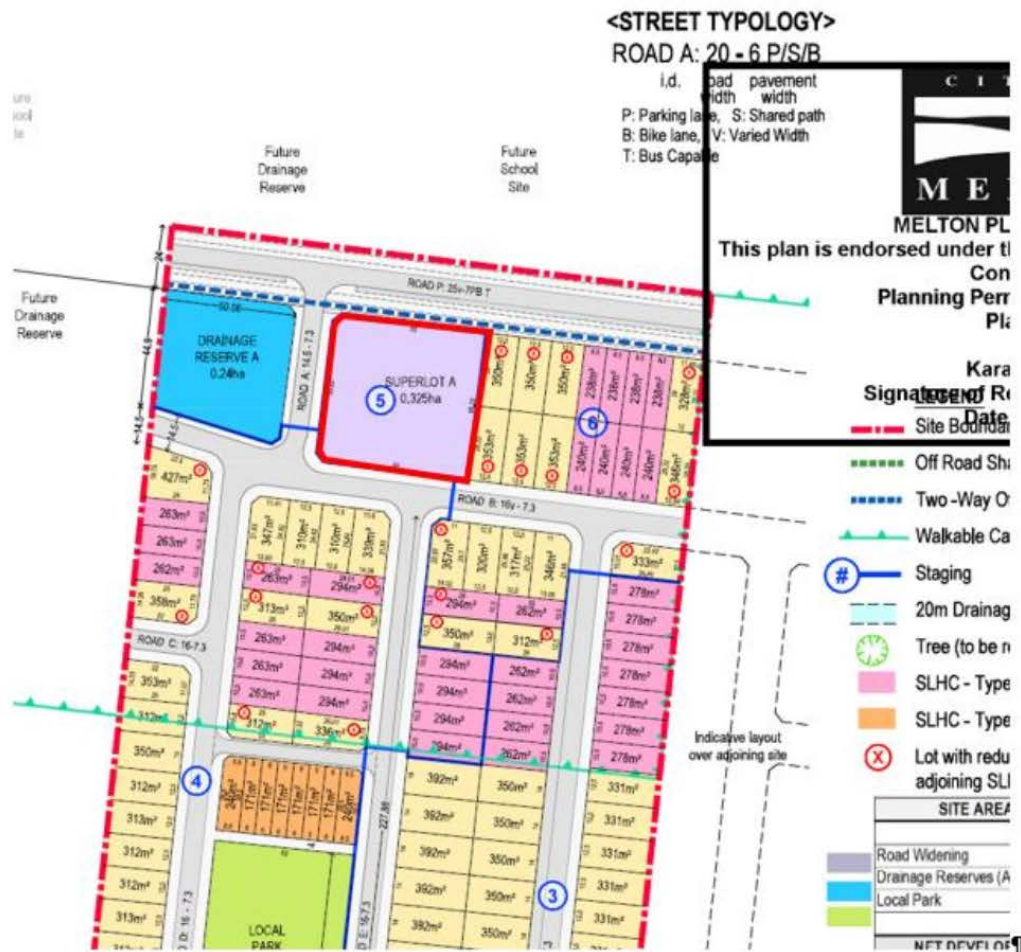
Ward: Cambridge



Appendix 1 – Locality Plan

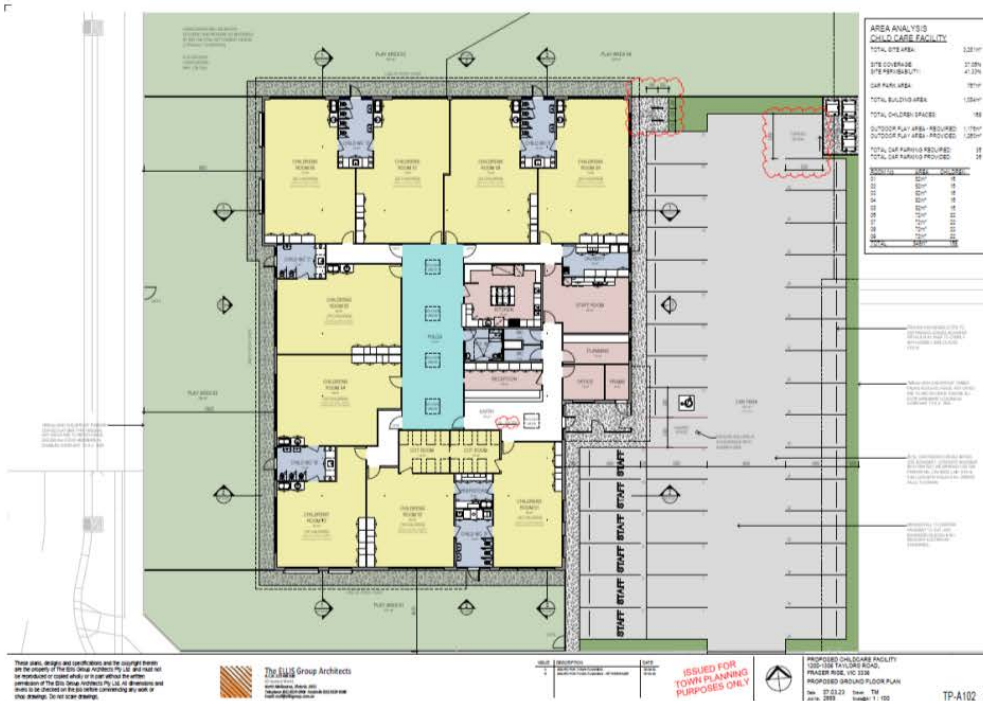
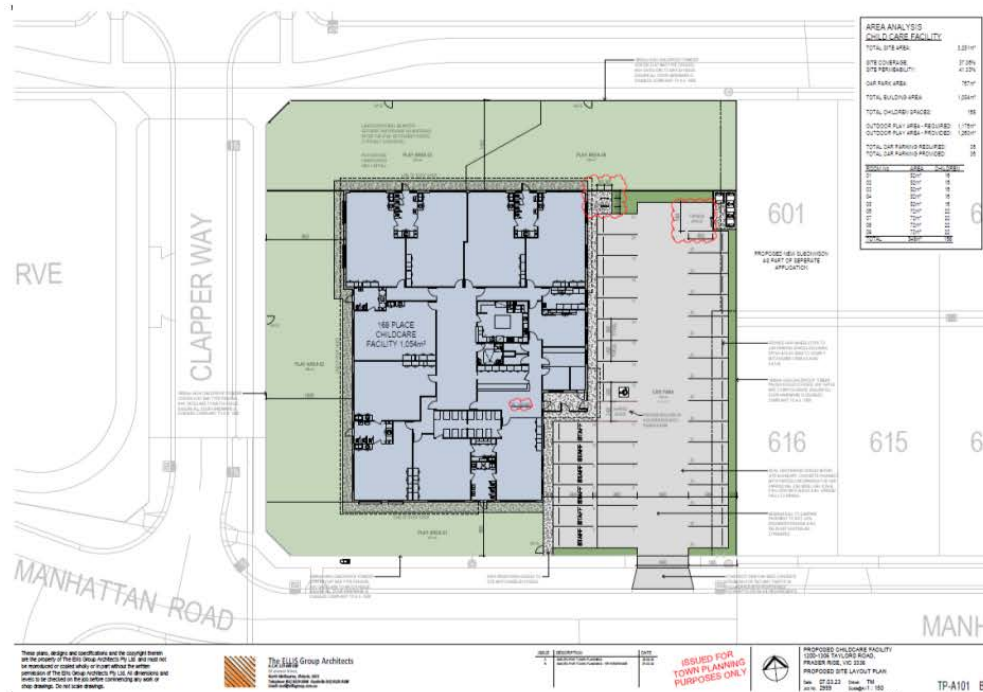
	Child Care Centre Site	13/07/2023	
	Subject Site		

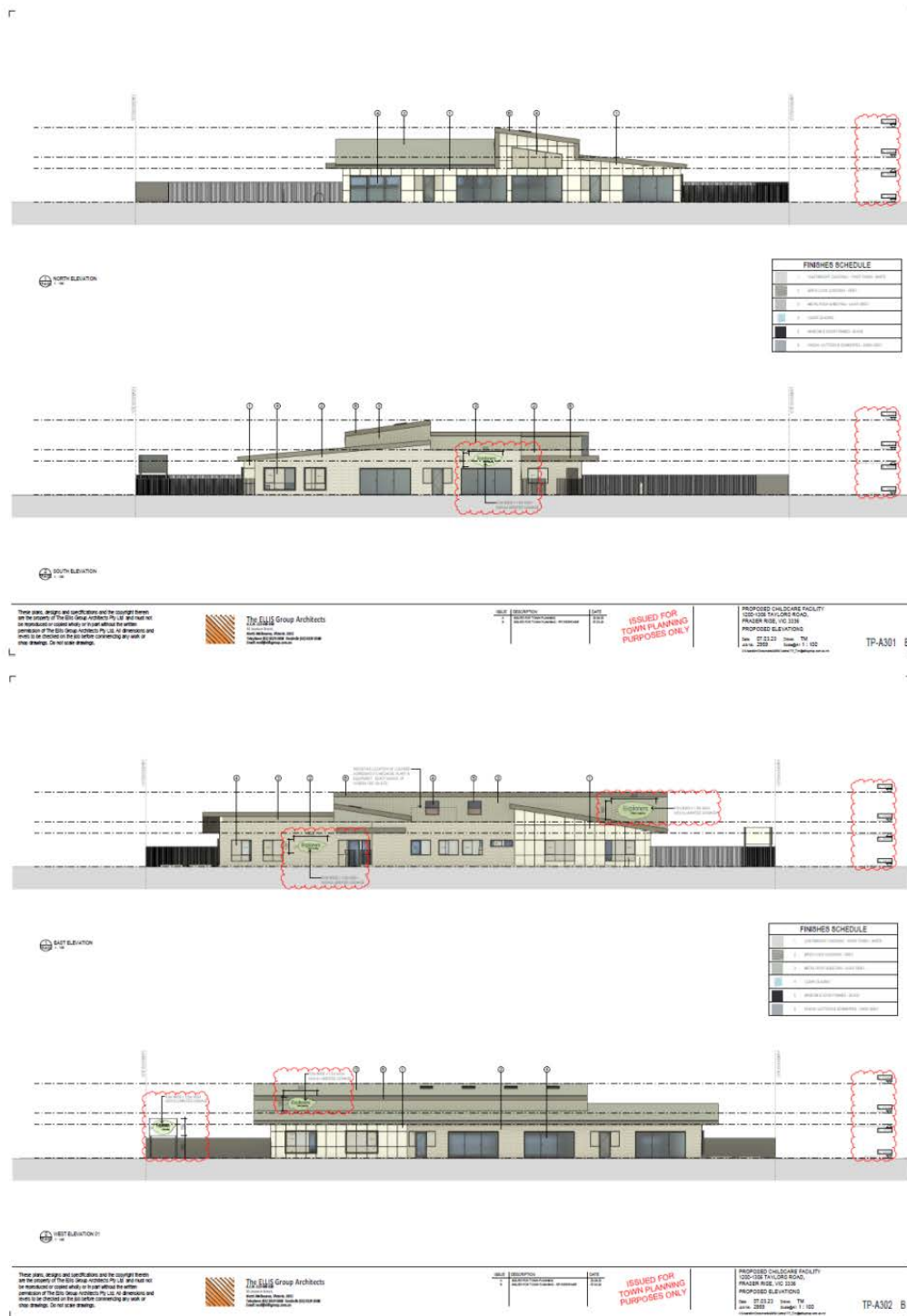
Appendix 1 Cont. - Endorsed Subdivision Layout Plan – Taylors Estate



- Red Outline - Child Care Centre Site

Appendix 2 – Development Plans





Appendix 3 – State and Local Planning Controls and Assessment**Planning Policy Framework**

Clause 10 – Planning Policy Framework	
Clause	Provision
Clause 11	Settlement
Cl. 11.03	Planning for Places
Cl. 11.03-2S	Growth Areas
Clause 15	Built Environment and Heritage
Cl. 15.01	Built Environment
Cl. 15.01-1S	Urban Design
Cl. 15.01-1R	Urban Design – Metropolitan Melbourne
Cl. 15.01-2S	Building Design
Cl. 15.01-5S	Neighbourhood Character
Cl. 15.02-1S	Energy and Resource Efficiency
Clause 20 – Local Planning Framework	
Clause	Provision
Clause 21	Melton Municipal Strategic Statement (MSS)
Clause 21.07	Built Environment and Heritage
Cl.21.07-1	Local Character and Sense of Place
Cl.21.07-2	Environmentally Sustainable Design
Clause 22	Local Planning Policies
Cl.22.17	Advertising Signs Policy

For the most part, both the Planning Policy and Local Planning Policy Frameworks provide a level of planning strategy necessary to guide the assessment and delivery of 'finer grain' land use, development and subdivisional outcomes.

The proposed child care centre development will respond to the key state and local planning policy directives relating to the appropriate co-location of these facilities with other community, recreational, education and retail service facilities that cater to and help sustain a residential catchment.

The State and Local Planning Frameworks also emphasise the importance of providing well-designed, purpose built service facilities that will be well sited, attractive, compatible and positively integrated with surrounding residential neighbourhoods and public realm interfaces.

While the proposed child care centre will comply with the overarching locational principles and objectives of these Policy Frameworks, it will fail to adequately respond to those strategy objectives and directives that aim to provide quality design outcomes that are integrated and provide a positive contribution to established and emerging neighbourhoods and streetscapes.

The following is an overview of the State and Local Policy Frameworks associated with 'finer grain' urban design and built form outcomes. The objectives and strategies of relevance to this application have been highlighted in bold italics:

Planning Policy Framework

Clause 15.01-1S – Urban Design

The strategies of relevance to activity centres and this application are as follows:

- ***Require developments to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.***
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- ***Ensure the interface between the private and public realm protects and enhances personal safety.***
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways is of a high standard, creates a safe environment for users and enables easy and efficient use.*
- ***Ensure developments provides landscaping that supports the amenity, attractiveness and safety of the public realm.***
- *Ensure the development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Clause 15.01-1R – Urban Design – Metropolitan Melbourne

- *Support the creation of well-designed places that are memorable, distinctive and liveable.*
- *Integrate place making practices into road space management.*
- *Provide spaces and facilities that encourage and support the growth and development of Melbourne's cultural precincts and creative industries.*

Clause 15.01-2S – Building Design

- ***Ensure development responds and contributes to the strategic and cultural context of its location.***

- **Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.**
- Improve the energy performance of buildings through siting and design measures that encourage:
 - Passive design responses that minimise the need for heating, cooling and lighting.
 - On-site renewable energy generation and storage technology.
 - Use of low embodied energy materials.
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage the use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.
- **Ensure the form, scale and appearance of development enhances the function and amenity of the public realm.**
- **Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.**
- **Ensure development is designed to protect and enhance valued landmarks, views and vistas.**
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Cl. 15.01-5S - Neighbourhood Character

- **Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.**
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- **Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:**
 - **Pattern of local urban structure and subdivision.**
 - **Underlying natural landscape character and significant vegetation.**
 - **Neighbourhood character values and built form that reflect community identity.**

Local Planning Framework

Melton Municipal Strategic Statement

The issues and strategies of relevance to activity centres and this application are as follows:

Clause 21.07 – Built Environment and Heritage

21.07-1.2 – Key Issues

- **Creating vibrant and safe neighbourhoods, Activity Centres and public spaces that are engaging places for all.**

- **Creating places and spaces that enhance and contribute to a sense of place for the local community.**
- **Improving urban design outcomes to enhance the community's well-being and improve neighbourhood liveability.**
- Recognising that topography, green spaces and landscaping are intrinsic characteristics of a local area's amenity, liveability, character and sense of place.
- Creating high quality industrial areas that are practical, functional and attractive.

Clause 21.07-1.3 Objectives and StrategiesObjective 1 – To create Healthy and Safe Communities

Strategy 1.1 – Require urban design to address issues of community safety and crime prevention (CPTED principles)

Strategy 1.2 – Improve connectivity and access around the city for all members of the community.

Strategy 1.3 – Support building designs with active street frontages.

Strategy 1.4 – Require all development to optimise opportunities for passive surveillance.

Strategy 1.5 – Facilitate opportunities for social interaction at interfaces between public and private areas.

Strategy 1.6 – Support designs that provide for private and where appropriate shared garden space for food production.

Strategy 1.7 – Facilitate the provision of public art.

Strategy 1.8 – Require new developments and public realm areas to be reasonable and safely accessible by all members of the community.

Strategy 1.9 – Reduce opportunities for graffiti and vandalism through the application of

Objective 4 – To create communities that are attractive and desirable places in which to live, work and visit.

Strategy 4.1 Facilitate good quality urban design that responds to its site context, provides a high level of amenity and enhances the unique qualities of place.

Strategy 4.2 - Facilitate development that:

- **Addresses and enhances the street;**
- **Provides an active interface to the public realm**
- **Has an appropriate sense of scale**

Strategy 4.3 - Support built form that includes colours, materials, architectural features and finishes that add visual interest and enhances the streetscape.

Strategy 4.4 - Support design that enables the public realm to be used for multiple purposes with the flexibility to change over time.

Strategy 4.5 - Provides signage that supports business and is of a high quality design to promote an attractive image for the municipality's urban and rural areas and gateways.

Objective 5 – To improve the quality and functionality of green space throughout the municipality

- Strategy 5.1 - Support the planting of indigenous vegetation where appropriate*
- Strategy 5.2 - Encourage planting in accordance with the Landscape Guidelines for the Shire of Melton 2010.*
- Strategy 5.5 - Support development that maximise the use of permeable surfaces.*
- Strategy 5.6 - Require canopy tree planting to be incorporated into landscape setbacks.*
- Strategy 5.7 - Provide canopy tree planting within the public realm*

Plumpton Precinct Structure Plan

The Plumpton PSP was approved by the Minister for Planning in February 2018 through Planning Scheme Amendment C146 to the Melton Planning Scheme.

At the core of the Plumpton PSP objectives is the delivery of a dynamic precinct that is fully integrated with key services and facilities such as the future Plumpton Major Town Centre, the Plumpton Local Town Centre as well as the Plumpton Business and Employment Precinct. The precinct calls for the delivery of interconnected neighbourhoods through the establishment of grid-pattern street networks as well as an expansive and interconnected network of shared paths and linear waterway/open space corridors, including the re-purposing of the Beattys Road reservation into a street and linear open space link running centrally and diagonally through the site.

These permeable corridors will provide the essential pedestrian, cyclist and vehicle links to key commercial, educational, recreational, community and employment hubs conveniently located throughout the Precinct Structure Plan area.

The precinct will provide a diverse housing choice including medium density housing within proximity to both the Major and Local Town Centres as well as around the Active Open Space/School/Community Centre focal points.

With respect to the location of non-specified community and education facilities (such as child care centres and medical centres), the Plumpton PSP does not provide specific requirements or guidelines. In this instance, the provisions of the Residential Growth Zone - being the 'applied zone' for the site under the Urban Growth Zone Schedule 11 - become the tool for evaluating the suitability and appropriateness of the child care centre use within the wider context of the PSP area.

Particular ProvisionsClause 52.05 - Signs

The 'applied' General Residential Zone specifies that the Category 3 signage controls must be referred to when considering advertising signage within the area of the RPSP within which the site is located.

Category 3 relates to High Amenity Areas. In this area, business identification signage requires a planning permit. There are no maximum signage display areas specified.

Clause 52.06 - Car Parking

The car parking provisions state that for a child care centre, a rate of 0.22 car spaces is required for each child.

The child care centre proposes 168 places resulting in a minimum requirement of 36 car spaces. The proposed development will provide the 36 off street car spaces required.

Appendix 4 – Referral Responses

Department	Response
City Design	<ol style="list-style-type: none"> 1. The proposed layout proposed for the child care centre will not respond positively to the site's location along a prominent visual corridor. The child care centre will be located on a key corner interfacing a drainage reserve and an east-west aligned connector road (Padma Boulevard) to the north. The site will also be opposite a government and independent school site. The proposed development, however, provides a built form that is internalised and focussed towards the carparking area rather than the street network, drainage reserve or school precinct facing the site to the north. This important public realm interface will, instead, be presented with a 1.8m high black palisade fence along the majority of the northern, western and southern street frontages. The actual child care building will be significantly set back from all street interfaces, reducing further the building's ability to visually address and present to these streets. 2. The use of sustainable, high quality materials that age well and have a high insulation value is encouraged. 3. A re-orientation and design of the layout and built form for the child care centre is needed as part of this application. The built form needs to provide a better visual address to the north-western corner of the site while also improving its presentation to all three street frontages. 4. A balanced approach towards winter solar heat gain and overheating in summer must be considered. This can be achieved by either providing appropriate roof overhangs or recessed windows / sun hoods towards the north and the use of double glazed, low e-coated windows and external shading devices integrated into the architectural language on the east / west facing façade. 5. Reliance on internal blinds must be avoided. Council is available to assist you in achieving an enhanced design outcome for this site. <p><u>Planning Response</u></p> <p>The proposed building layout will provide for a sub-par design outcome, resulting in a child care centre that will have a poor orientation and built form presence onto the key street interfaces.</p> <p>Planning concurs with the response received from Council's Urban Design Department and agrees that, unless a substantial redesign of the development that addresses the following matters is undertaken that support for this development should not be granted:</p> <ol style="list-style-type: none"> a. Building setback in line with existing prevailing front setbacks. Min 3m setback to the north, west and south.

	<ol style="list-style-type: none"> b. Minimum 1m landscaping setbacks and recessed front fence lines where required. c. Car park to be set back behind build form with a minimum 3m landscape strip at the car park entrances to the street. d. Ensure active and attractive street address that encourages passive surveillance and visual interest. This can be achieved in form of fenestration, architectural articulation and visually interesting roof form. e. Opportunity for landmark build form / greater height to mark highly visible corner location. f. Main entrance to the building featured around the north-western corner of the site to establish a sense of arrival and an architecturally expressed entrance feature that is integrated with the architectural design language along the street front. Its acknowledged that some people may arrive by car but an entrance at this location would still be safe and convenient for drop off and pick-ups and would not prejudicing against the people walking to the centre. g. Car park to incorporate suitable landscape areas consistent with Council's Off-Street Car Parking Guidelines. h. Play areas to be internalised and located to the east of the child care centre building and west of the car parking area.
Infrastructure Planning	<ol style="list-style-type: none"> 1. This development will be unable to commence until the title has issued for the land as part of Stage 5 of the Taylors Residential Estate. 2. The carpark is located over a future drainage and sewer easements. Locate the parking spaces away from the easements, unless written approvals are obtained. <p><u>Planning Response</u></p> <p>The commencement of the development could be deferred by way of conditional requirements on the planning permit to address the land title issuance and – more importantly, the immediate road and service infrastructure delivery to this allotment.</p> <p>A condition could be placed on a permit requiring the consent from the relevant drainage and stormwater authorities for the construction of the car parking area over any future easements on the land.</p>
Landscape	<ol style="list-style-type: none"> 1. The bulk of the play areas have a northern or western aspect. Consideration needs to be given for provision of canopy trees to provide some natural shade to these spaces. If shade structures are proposed, then these should be identified on the landscape plans. 2. The landscaping proposed within the car park does not accord with Council's Off Street Car Park Guidelines. The minimum requirements include: <ul style="list-style-type: none"> • 35% tree canopy cover • 15% of car parking footprint to be landscaped • Trees must be provided with sufficient space to promote healthy growth and protection. Structural soils are recommended for constrained sites

	<p><u>Planning Response</u></p> <p>A condition could be placed on a permit requiring the submission of landscape plans that would include the planting of canopy trees in the appropriate locations within the designated outdoor play areas.</p> <p>A redesign of the car parking area is required to improve canopy cover over this hard stand area.</p>
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Appendix 6 - Plumpton PSP – Extract

- Blue dash – Subject Site
- Red outline – Child Care Centre Site

12.3 RESPONSE TO NOTICE OF MOTION 870 (CR VANDENBERG) - MANAGEMENT OF COUNCIL ROADS WITHIN THE CITY OF MELTON

Author: Matthew Hutchinson - Acting Manager Engineering Services

Presenter: Neil Whiteside - Director City Delivery

PURPOSE OF REPORT

To respond to Notice of Motion 870 providing a report which details Council's current management of its road network, including urbanised and non-urbanised roads, for consideration and determination on whether additional measures are required.

RECOMMENDATION:

That Council:

1. Note the Report responding to Notice of Motion 870 – Management of Council Roads within the City of Melton.
2. Note that the obligations as required under the *Road Management Act 2004* are being fulfilled through the development and implementation of a comprehensive Road Management Plan and associated road management and maintenance programs.
3. Note Council Officers will provide further information to Councillors in relation to the options for an expanded Road Safety Audit Program in time for consideration for funding as part of the 2024/2025 Budget process.

REPORT

1. Executive Summary

This report provides an overview of Council's management of its road network as requested in the Notice of Motion tabled by Cr Vandenberg at the Council Meeting on 29 May 2023.

Council is fulfilling its obligations as required under the *Road Management Act 2004* through the development and implementation of a robust Road Management Plan, prioritising maintenance, conducting road safety audits, promoting education programs, and engaging in long-term planning to enhance road safety and meet the needs of the community. Through ongoing performance monitoring and evaluation, Council remains committed to improving its road network management practices and ensuring the safety and efficiency of its roads for all users.

2. Background/Issues

At the Council Meeting on 29 May 2023 Cr Vandenberg moved a Notice of Motion (NoM) in relation to the management of Council roads within the City of Melton and Council resolved as follows:

“That Council receive a report on Council’s current management of its road network, including urbanised and non-urbanised roads, for consideration and determination on whether additional measures are required.”

With over 1400 kilometres of road Council's role in managing and maintaining our road network is vital. This report provides an overview of how Council manages its road network, including the various strategies and practices that have been developed and implemented. It outlines key areas such as obligations under the *Road Management Act 2004 (RM Act)*, Road Management Plan, Road Maintenance, Safety Programs and Audits, Road Safety Education and Road network planning.

Council's Obligations as a Road Authority

The *RM Act* sets down specific requirements for Victorian councils, when acting in the capacity of a Road Authority which include.

- To make an assessment of the need to put into place a Road Management Plan
- To establish a Register of Public Roads, listing each public road for which it is responsible
- To establish effective policy, administrative process and systems to manage roads in order to receive statutory protection against civil liability claims under the *RM Act*.
- When notified of an incident resulting in property damage, inspect the location, take appropriate remedial action, and prepare a report on the incident and the action taken.
- Respond to consent applications within the 20 days, or as varied by the regulations.
- To notify other infrastructure and works managers when and where they will be affected by road works
- To conduct works safely, including preparing traffic management plans and having appropriately trained and qualified staff

Road Management Plan

Under the *RM Act*, councils can develop a road management plan (RMP) that details their standards for road management and maintenance. This includes how often they will inspect roads and how quickly they will respond to defects.

Although it is voluntary, having and complying with an RMP provides a structure for a road asset management system which will ensure that the public roads in the municipality:

- Are capable of functioning as they were built to function.
- Are able to meet future needs in a growth environment.
- Continue to meet the needs and expectations of the community and other key stakeholders.
- Adhere to good practice of achieving an appropriate level of statutory protection against civil liability claims under the *RM Act*.

The Melton RMP (<https://www.melton.vic.gov.au/Services/Building-Planning-Transport/Roads-and-traffic/Road-management>) was developed using guidance outlined in the 'Ministerial Code of Practice – Road Management Plans' and the MAV Insurance Road Management Plan Guidance Document. It also considers the needs and expectations of the community and other key stakeholders.

Road Maintenance Management

Council prioritises regular maintenance and repair activities to ensure the longevity and safety of the road network. Day to day road maintenance and inspection activities are provided via a service contract that aligns with Council's RMP. The Road Asset Maintenance Contract (Contract) specifies the requirements of the contractor and includes standards such as the frequency of inspections, response times and intervention levels that support maintenance works for all road and drainage infrastructure within the municipality.

The Contract aligns with the RMP and includes:

- Routine inspections and assessments to identify maintenance needs.
- Regular road resurfacing, pothole repairs, and crack sealing.
- Roadside vegetation management and drainage maintenance.
- Efficient scheduling and coordination of maintenance activities to minimise disruption to road users.

Road Safety Programs & Audits

Ensuring the safety of road users is the paramount focus of Council's road management practices. To achieve this, the following measures are implemented:

- Road Safety Audit Program

Current Road Network

Regular road safety audits* to identify potential hazards and implement appropriate mitigations are conducted. Council historically conducts two road corridor audits per year and typically another 2 to 4 for other specific issues. Recommendations from these audits generally require infrastructure investment and are referred to Council's Capital Works Program for consideration for implementation as part of Council's various roads programs.

Future Road Projects/Works

All new road related projects/works that impact traffic are also audited via road safety audits as part of the design process.

** A road safety audit refers to a systematic evaluation of a road or proposed road project to identify potential safety issues and provide recommendations for improvements. It involves a comprehensive assessment of the road design, traffic control devices, signage, and other relevant factors to ensure that safety measures are in place and aligned with established standards and guidelines. The audit aims to enhance road safety for all road users, including motorists, pedestrians, and cyclists, by identifying and addressing potential hazards or deficiencies in the road infrastructure.*

- Traffic Calming Measures Program

Implementation of traffic calming measures in residential areas and school zones via the Traffic Management Devices Program and the Road Safety Around School Program.

Road Safety Education

Council is involved in a number of road safety education programs including:

- Bi-monthly meetings with Victoria Police highway patrol unit to discuss current issues, hot spots and to aid each other in enforcement of the traffic rules.
- Members of Roadsaf Westgate, which is a regional road safety partnership located in the western suburbs of Melbourne. The group collaborates with various stakeholders to improve road safety in the region through education, awareness campaigns, and infrastructure improvements.

- The City of Melton Safe City Advisory Committee has been established to enhance road and community safety in the City of Melton through a whole-of-community collaborative approach.
- Periodic road safety education and awareness campaigns for the community.
- Road safety arounds schools' education program.
- Programmed rollout of Council's speed awareness trailer. The trailer is used to alert drivers to the speed limit and their current speed. The speed awareness trailer will be placed on different local roads across the City each week to increase awareness of speed zones in local streets and around schools.

Road Network Planning

Council's long term road network management begins with comprehensive planning. This involves long-term strategic planning, considering factors such as population growth projections, land use changes, and transportation needs. This information is used to develop Council's pipeline of projects that informs the capital works program.

Possible Additional Measures

Council has in place a Road Safety Audit Program, where a number of road corridors and other specific locations are audited per year, which Council Officers' consider to be appropriate in the safe management of Council's road network. Notwithstanding this an additional measure as part of Council's overall management of its road network could include increasing the number of road safety audits undertaken per year.

Subject to Council's determination on this proposed additional measure, Council officers will undertake a detailed analysis of the options for increasing road safety audits on Council's road network, including proposed extent of the increase in the number of audits per year, process for prioritisation and anticipated funding required, and present the details to Councillors in time for consideration as part of the 2024/2025 Budget process.

Summary

Council is fulfilling its obligations as required under the *Road Management Act 2004* through the development and implementation of a robust Road Management Plan, prioritising maintenance, conducting road safety audits, promoting education programs, and engaging in long-term planning to enhance road safety and meet the needs of the community.

Through ongoing performance monitoring and evaluation, Council remains committed to improving its road network management practices and ensuring the safety and efficiency of its roads for all users.

Subject to Council's determination on the proposed additional measure to consider the increase in the number of road safety audits undertaken per year, Council officers will provide additional information to Councillors in relation to an expanded Road Safety Audit Program in time for consideration as part of the 2024/2025 Budget process.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2021-2025 Council and Wellbeing Plan references:

3. A fast growing, innovative and well-planned City

3.4 *An integrated transport network that enables people to move around.*

4. Financial Considerations

Council's 2023/2024 Budget outlines \$29.4M in upgrades for local roads and \$12.8M per annum on road maintenance and operations throughout the municipality.

5. Consultation/Public Submissions

Council's customer engagement into transport requirements and satisfaction is used to inform Council service levels and inform the development of the RMP. Engagement includes:

- Annual community satisfaction survey (Local Government General Survey on Council Overall Performance).
- Community Engagement Sessions associated with the Annual Budget process.
- Website survey as part of levels of service review in 2021.
- Customer Service Centre enabling one on one contact (i.e. phone calls, correspondence, etc). The feedback received from community consultation is used to improve Council's understanding of asset performance and is detailed in Council's Transport Asset Management Plan

(<https://www.melton.vic.gov.au/Council/Publications/Documents-Reports-Strategies>).

6. Risk Analysis

Council's Road Management Plan (RMP) outlines the approach to risk associated with road management.

The overall goal of risk management in the road environment is to ensure that intervention levels are not exceeded to create hazards in the road network and that these hazards are well managed to ensure that they are repaired/isolated within specific timeframes in accordance with the RMP. Response times for other issues are issues that do not cause immediate hazard or risk to road users are outlined in the Road Asset Management Plan.

The management strategies used to mitigate risk include:

- Transport Asset Management Plan;
- Proactive scheduled inspection programs;
- Clearly defined maintenance specifications;
- Clearly defined intervention levels and response timeframes;
- Outsourcing the delivery of maintenance and inspection services;
- Auditable Customer Request Management system;
- Optimised proactive renewal programs based on asset condition;
- Road Safety Audits.
- Timely response to incidents;
- Contingency Plans; and
- Emergency response/on call system

7. Options

Council has the options to:

1. Adopt the recommendations as outlined in this report.
2. Move an alternate/amended motion.

LIST OF APPENDICES

Nil.

12.4 LEADWEST JOINT DELEGATED COMMITTEE MEETING MINUTES

Author: Renee Hodgson - Governance Coordinator

Presenter: Megan Kruger - Head of Governance

PURPOSE OF REPORT

To present the unconfirmed minutes of the LeadWest Joint Delegated Committee held on 8 June 2023.

RECOMMENDATION:

That Council note the unconfirmed minutes of the LeadWest Joint Delegated Committee meeting held 8 June 2023, provided as **Appendix 1** to this report.

REPORT

1. Executive Summary

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

The minutes attached to this report are the unconfirmed minutes of the LeadWest Joint Delegated Committee meeting held 8 June 2023.

2. Background/Issues

The LeadWest Committee was established as a Joint Delegated Committee pursuant to s64 of the *Local Government Act 2020* (the Act), with the Cities of Brimbank, Hobsons Bay, Maribyrnong, Melton, and Wyndham, on and from 1 August 2021.

It has delegated powers and functions in an Instrument of Delegation and Schedule and has Terms of Reference that govern its operations, meeting, and reporting arrangements. These were both approved and adopted by Council on 28 June 2021.

Attached to this report are the unconfirmed minutes of the LeadWest Joint Delegated Committee meeting held 8 June 2023.

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2021-2025 Council and Wellbeing Plan references:

6. A high performing organisation that demonstrates civic leadership and organisational excellence

6.3 An organisation that demonstrates excellence in civic leadership and governance.

4. Financial Considerations

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

5. Consultation/Public Submissions

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

6. Risk Analysis

Nil.

7. Options

That Council note the minutes of the LeadWest Joint Delegated Committee as per the recommendation to this report.

LIST OF APPENDICES

1. Unconfirmed Minutes of the LeadWest Joint Delegated Committee - 8 June 2023

Minutes

LeadWest Joint Delegated Committee

Meeting Details

Title:	LeadWest Joint Delegated Committee	
Date:	8 June 2023	Time: 3:00pm – 5:02pm
Location:	Video Conference via ZOOM	
Chairperson:	Cr Sophie Ramsey	
Attendees:	Brimbank City Council	Mayor, Cr Bruce Lancashire CEO, Fiona Blair
	Hobsons Bay City Council	Cr Matt Tyler CEO, Aaron van Egmond
	Maribyrnong City Council	CEO, Celia Haddock
	Melton City Council	Cr Sophie Ramsey CEO, Roslyn Wai
	Wyndham City Council	Acting CEO, Liana Thompson
	LeadWest Executive Officer	Secretariat Lead, Hillary Hastings
Guests:	Georgie Hill	Director Planning, People & Performance, Brimbank City Council
	Pauline Hobbs	Advocacy Advisor, Melton City Council
	Laura-Jo Mellan	Director Planning and Environment Services, Maribyrnong City Council
Apologies:	Stephen Wall Cr Peter Maynard	Wyndham City Council Wyndham City Council
Minute taker:	Hillary Hastings	Executive Officer, LeadWest
Conflict of interest:	No conflicts of interest declared.	

Meeting Items

No.	Topic	Key discussion points
1.	Welcome, Acknowledgement and Apologies	<p>The Chair welcomed all in attendance and opened the meeting at 3:36pm.</p> <p>The Chair welcomed and introduced Hillary Hastings who was recently appointed Executive Officer LeadWest. Hillary thanked the Chair and members for their welcome and outlined her recent work experience.</p> <p>The Chair advised apologies were received from Cr Peter Maynard and Stephen Wall</p>
2.	Conflicts of interest to be declared in accordance with the 'Local Government Act 2020'	No conflicts of interest were declared.
3.	Minutes from the meeting held 29 March 2023	<p>The minutes from the meeting held 29 March 2023 were adopted without amendment.</p> <p><i>Moved: Cr Matt Tyler</i> <i>Seconded: Fiona Blair</i></p>
4.	Update LeadWest event at Parliament House 21 June	<p>Noted that The Hon Melissa Horne MP (Member for Williamstown and Minister for Local Government, Minister for Casino, Gaming and Liquor Regulation Minister for Roads and Road Safety Minister for Ports and Freight is speaking representing the Premier who is unable to attend</p> <ul style="list-style-type: none"> Minister Horne has received briefing papers Minister will speak for 7-10 minutes The leader of the Opposition leader John Pesutto has accepted the invitation Hillary gave an update on MPs attending (18 MPs) All event details have been confirmed Wurundjeri Elder booked for a welcome (Aunty Di Kerr) Media wall is in production Lectern banners have been produced Guests will be reminded about strict security protocols at Parliament House and provided with parking information and venue access. <p>The chair reminded the members of their role on the night re networking and advocating on our priorities. A comprehensive briefing pack will be provided to assist members.</p> <p>Clarification was sought on the event budget. Some members thought a contribution from each Council was required. Hillary advised she was unaware of any such agreement and the costs were coming from LeadWest's operational budget.</p> <p>The Chair requested Council Advocacy Officers attend to support their CEOs and Mayors</p> <p>Action: Circulate speaking notes on key priorities Action: Include a MP photos and Bios and running sheet in a brief Action: Brief to be provided for the photographer individual and group shots Action: Post event send brochure and advocacy asks requesting a follow up meeting</p>
5.	LeadWest promotional material and video	Hillary thanked Wyndham City Council for providing the contact of a trusted videographer. The video will be approximately 4.5minutes in length. Content is

		<p>around the 6 key advocacy asks and also reflects the Brochure content. The first cut of the video was played for feedback</p> <ul style="list-style-type: none"> Members provided feedback including: <ul style="list-style-type: none"> Summary slide at the end Numbered questions Middle section on Sunshine precinct was a little long, streamline the airport rail section to shorten Might be need for an abridged version Wetland centre –more imagery <p>Action: Feedback or requested changes to Hillary no later than noon on Wednesday 14 June</p>
6.	LeadWest Advocacy Brochure	<ul style="list-style-type: none"> Brochure update Hillary asked all members for any changes required. Brimbank made changes re Sunshine Precinct; Melton made changes to OMR Maribyrnong made changes to language to include Footscray Precinct Premier Strategy hold the graphic design and will make the changes as requested. 100 copies to be printed An insert – From the Chair to be included
7.	ALGA	The Secretariat circulated a table of motions to the advocacy teams
8.	Federal MPs Roundtable & State MP requests	<p>The Chair asked the question – Where to from here (following Parliament House event)?</p> <p>The suggestion of a roundtable event with federal MPs was accepted</p> <ul style="list-style-type: none"> State Liberal MPs have been pushing to meet with LeadWest – during a set meeting or separately. The members suggested pushing them back to September/October Zoom meetings are good for working meetings, strong element of building rapport Preference for face to face if possible Engage with opposition once we have a sense of where government is at with our Asks. Strategic about opportunities given availability. Considering options to include in meeting or separate <p>Action: CEOs and advocacy officers to determine how to proceed.</p>
9.	Current Advocacy Plan Priorities	<p>Hillary asked if the advocacy priorities were still current. The Chair asked CEOs to discuss with their advocacy officers if there are more issues to include and report back to next meeting.</p> <p>Action: CEOs and advocacy officers to determine if the list is current or any additions required.</p>
10.	Delivery on LeadWest Workplan	<p>Georgie Hill discussed delivering on the LeadWest workplan</p> <p>Transition, less resources but keen to get processes systems and outcomes....</p>

		<p>The secretariat is currently in transition, with less resources but keen to get processes systems in place and delivering outcomes.</p> <p>The workplan for 2023 will include:</p> <ul style="list-style-type: none"> ○ Establishment of operational advocacy group – advocacy managers from each Council ○ Refresh of advocacy asks and associated promotional material (April – June) ○ Position Paper - to be developed that will summarise what Lead West can offer to be used to invite Moonee Valley back to Lead West (May / June) ○ Parliament House event – 21 June ○ Trip to Canberra (later in the year) ○ Possible pre-budget submissions for 24/25 state and federal budget (Oct / Nov) <ul style="list-style-type: none"> - This workplan will be reassessed over the next 6 months to see if any further campaigns or strategies will be required to generate traction on priority issues. - Keen to ensure that the approach moving forward delivers benefits for all member Councils and is recognised by key stakeholders as a strong and organised advocacy group representing the priority interests of the west - Option to explore mapping cycling connections across the western region. <p>The Chair and members thanked Fiona Blair and Brimbank for their work on the transition.</p>
11.	Other Business	<p>Finance Committee</p> <ul style="list-style-type: none"> - The Chair asked if there was a need for a finance committee now there is a new structure? <p>Motion: Wind up finance committee <i>Moved Cr Ramsey</i> <i>Seconded Cr Tyler</i> <i>Vote: Passed/Resolution</i></p>
12.	Closure of meeting	The Chair thanked all in attendance and closed the meeting at 5:02pm.
Next meeting:		<p>Weds 27 September 2023 3:00pm – 5:00pm Wyndham City Council Conference Room 1 – Hybrid Zoom Available</p>

12.5 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Renee Hodgson - Governance Coordinator

Presenter: Megan Kruger - Head of Governance

PURPOSE OF REPORT

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

RECOMMENDATION:

That Council receive the minutes of the following Advisory Committee meetings, provided as **Appendices 1 - 4** to this report, and adopt the recommendations arising within the respective Minutes:

1. Preventing Family Violence Advisory Committee – 10 May 2023
 2. Safe City Advisory Committee – 1 June 2023
 3. Youth Advisory Committee – 13 June 2023
 4. Policy Review Panel – 29 June 2023
-

REPORT

1. Executive Summary

Whilst not mentioned in the *Local Government Act 2020* (the 2020 Act), Council has the power to create Advisory Committees pursuant to its general power set out in section 10 of the 2020 Act.

The minutes of the Advisory Committees attached to this report form the written record of the committee meetings, including any matters considered and any conflicts of interest disclosed.

The minutes also serve as the advice/recommendations to Council for its consideration.

2. Background/Issues

An Advisory Committee is a committee established by Council to provide advice to it or its delegate. Whilst not mentioned in the 2020 Act, Council has the power to create Advisory Committees pursuant to its general power set out in section 10 of the 2020 Act.

All Advisory Committees are subject to their individual Terms of Reference. The membership varies depending upon the committee's specific role. Committee membership will generally comprise a Councillor(s), council staff and community representatives and may include key stakeholders, subject matter experts and/or community service providers and organisations.

Councillor representation on Advisory Committees is generally for one year and is reviewed annually. The composition of Advisory Committees for the 2022/23 municipal year was approved by Council at its Scheduled Meeting on 12 December 2022.

The minutes of the following Advisory Committees, attached to this report, form the written record of the committee meetings detailing matters considered and any conflicts of interest disclosed.

The minutes also serve as the advice/recommendations to Council.

Appendix	Advisory Committee	Meeting Date
1.	Preventing Family Violence Advisory Committee	10 May 2023
2.	Safe City Advisory Committee	1 June 2023
3.	Youth Advisory Committee	13 June 2023
4.	Policy Review Panel	29 June 2023

3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2021-2025 Council and Wellbeing Plan references:

6. A high performing organisation that demonstrates civic leadership and organisational excellence

6.3 An organisation that demonstrates excellence in civic leadership and governance.

4. Financial Considerations

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

5. Consultation/Public Submissions

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

6. Risk Analysis

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

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

7. Options

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

LIST OF APPENDICES

1. Preventing Family Violence Advisory Committee - 10 May 2023
2. Safe City Advisory Committee - 1 June 2023
3. Youth Advisory Committee - 13 June 2023
4. Policy Review Panel - 29 June 2023



MINUTES

PREVENTING FAMILY VIOLENCE ADVISORY COMMITTEE

held on 10 May 2023 at 11:00am on Microsoft Teams

Present:

Cr Lara Carli	Mayor
Cr Julie Shannon	Deputy Mayor
Cr Sophie Ramsey	Councillor
Elyse Rider	Melton City Council
Daisy Brundell	Melton City Council
Rayna Berg	Melton City Council
Christine Levy	Melton City Council
Lisa Prentice-Evans	Victoria Police
Rachana Bangara	Brotherhood of St. Laurence
Katie Cotter	Department of Family, Fairness and Housing
Josie Mitchell	Department of Education and Training
Gehan Shehab	Department of Justice and Community Safety
Dylan Aldous	Western Health
Robyn Davis	MacKillop Family Services
Peter Webster	Kirrip Aboriginal Corporation
Smeeta Singh	Department of Family, Fairness and Housing
Susan Timmins	GenWest
Monisha Sudarsana	Brimbank Melton Community Legal Services (proxy)
Rupinder Kaur	Elizabeth Morgan House

Guests:

Philomena Horsley	University of Melbourne
Sameera Fieldgrass	Centre for Multicultural Youth
Kudzi Sibanda	Anglicare Victoria

Quorum: *Quorum for the committee will require attendance of a minimum of one (1) Councillor, one (1) Council Officer, and comprising 30% of external agency committee members.*

Chairperson: Cr Lara Carli, Mayor

Minute Taker: Rayna Berg, Road and Community Safety Officer

1. Welcome

Mayor Carli opened the meeting at 11:04am, welcoming all attendees to the meeting and proceeded with Acknowledgement of Country. *'Melton City Council acknowledges the Traditional Owners of this land, the people of the Kulin Nations, and pays respects to their Elders, past, present and emerging.'*

2. Apologies

Rashmi Ghimire	MiCare
Sue Scott	Hope Street Youth and Family Services

3. Declaration of interests and/or conflict of interests

Nil

4. Confirmation of minutes of previous meeting

Minutes of the Preventing Family Violence Advisory Committee meeting held on 15 February 2023 were adopted at the 24 April Ordinary Meeting of Council.



MINUTES

5. Business Arising

5.1 Update on actions from previous meeting – Daisy Brundell

D Brundell provided an update on actions from the previous meeting.

Necessary documents were circulated to the committee by J Chaaban on 14 March 2023.

6. General Business

6.1 Member updates – All

D Brundell provided an update on internal training delivered through the Free from Violence. This included Active Bystander training, intersectionality training, 'Diversity and Inclusion' workshop by Diversity Council of Australia and a presentation on Gender Inclusive Design.

D Aldous updated the Committee on Western Health's involvement with Orange Door in the region, the development of men's behavior changes services participation in Health Services Standards training. Discussed the importance of cultural safety and agreed to arrange for a speaker on this topic for the next meeting.

Action

R Berg to organise guest speaker to present on cultural awareness and cultural safety at the next Committee meeting.

6.2 The prevention of violence against LGBTIQ+ community members – Dr Philomena Horsley, The University of Melbourne

Presentation provided by P Horsley on "The prevention of violence against LGBTIQ+ community members". Discussed the need to identify partnerships, conduct an audit to identify gaps, clearly communicate Council is an inclusive organisation and identify advocacy groups that work with LGBTIQ+ people with a disability.

Action

R Berg to circulate presentations and resources provided by P Horsley.

6.3 Working Together project: Strengthening family violence support with multicultural communities – Kudzi Sibanda, Anglicare Victoria and Sameera Fieldgrass, Centre for Multicultural Youth

Presentation provided by S Fieldgrass and K Sibanda on the "Working Together" project. Discussed connections with Child Protection Services, how to achieve the best outcomes for all family members and the availability of data on past experiences of perpetrators. Members were invited to collaborate and get involved in the project.

C Levy left the meeting at 12:26pm

K Cotter left the meeting at 12:27pm

S Timmins left the meeting at 12:42pm

Action

R Berg to circulate presentation on the Working Together project.

7. Next Meeting

The next meeting is to be held on Wednesday 9 August 2023, commencing at 11:00am, online via Microsoft Teams.

8. Close of Business

Mayor Carli closed the meeting at 12:51pm.



MINUTES

SAFE CITY ADVISORY COMMITTEE

held on 1 June 2023 at 10am on Microsoft Teams

Present:

Cr Lara Carli	Mayor
Cr Sophie Ramsey	Councillor
Cr Julie Shannon	Councillor
Cr Steve Abboushi	Councillor
Elyse Rider	Melton City Council
Elizabeth Johnston	Melton City Council
Rayna Berg	Melton City Council
Nicole Martin	Melton City Council
Daniel Anskaitis	Melton City Council
Lisa Prentice-Evans	Victoria Police
Joanne Mutsaerts	Victoria Police
Zoe Stewart	Fit 2 Drive Foundation
Tanya Padgett	Djerriwarrh Community & Education Services

Guests:

Kat Ellis	Melton City Council
Daisy Brundell	Melton City Council
Michael Smith	Melton City Council
Bhavin Mehta	Melton City Council

Quorum: *A quorum for the Committee will require attendance of one (1) Councillor, and at least four (4) persons from the community representatives and external stakeholder members.*

Chairperson: Councillor Lara Carli

1. Welcome

Councillor Carli opened the meeting at 10:05am, welcoming all attendees to the meeting and proceeded with the Acknowledgment of Country. *'Melton City Council acknowledges the Traditional Owners of this land, the people of the Kulin Nations, and pays respects to their Elders, past, present and emerging.'*

MINUTES**2. Apologies**

Amanda Venda	Department of Transport
Trinity Gathercole	Western Health
Essan Dileri	Melton City Council
Sebastian Zita	Department of Justice and Community Safety
Peta Fualau	Centre for Multicultural Youth
Golam Haque	Community Representative (Cambridge Ward)
Jasleen Kaur	Community Representative (Watts Ward)
Shanti Dicello	Community Representative (Coburns Ward)

3. Declaration of interests and/or conflict of interests

Nil

4. Confirmation of minutes of previous meeting

Minutes of the Safe City Advisory Committee meeting held on 16 March 2023 were circulated to the Committee for ratification on 30 March 2023. The minutes will be presented for adoption at the Ordinary Council Meeting on 26 June 2023.

5. Business arising**5.1 Update on actions from previous meeting – R Berg**

R Berg circulated relevant slides from guest speakers at the previous meeting to the Committee on 30 March 2023.

6. General business**6.1 Beam e-Scooter Trial – M Smith**

M Smith presented on the proposed Beam e-Scooter trial within the City of Melton. Members discussed the success of e-bicycles, information about the statewide trial, costs, benefits, safety features and capabilities of the scooters. M Smith will provide Beam's March and April reports for circulation. Committee members voted in favour of supporting the Beam e-scooter trial. The motion was moved by N Martin and seconded by Cr Shannon.

Cr Abboushi Joined the meeting at 10:20am.

M Smith left the meeting at 10:40am.

Action

R Berg to circulate March and April reports on the success of the current Beam e-bicycles.

6.2 Fit 2 Drive program update – Z Stewart

Z Stewart presented on the new Fit 2 Drive program structure for year 11 students. They updated the Committee on the evaluation of the program to date, and the positive feedback received funding structures and the Green Light Initiative.

L Prentice-Evans joined the meeting at 11:05am.



MINUTES

6.3 Update on Exford Road school bus collision – L Prentice-Evans

L Prentice-Evans spoke about the recent collision which occurred on Exford Road, the subsequent police investigation and the provision of support for the school and community. D Anskaitis provided the Committee with an update on Council's work on road safety in this area and commitments to make improvements over the next financial year.

6.4 Member updates – All

Update from Victoria Police – J Mutsaerts

J Mutsaerts shared positive feedback and congratulated the Melton City Council Young Communities team on the successful Careers Expo, of which over 1000 young people attended.

Update from Melton City Council – D Brundell and R Berg

D Brundell advised that K Ellis has been appointed to the Road and Community Safety Officer role. R Berg provided an update on the Community Road Safety Education Session held in April, the tender for a provider to operate the Atherstone Traffic School, and the active travel consultation held in Aintree in May.

Young Communities – N Martin

N Martin advised that the annual Youth Forum is on next week at Fraser Rise Community Centre, of which 100 young people are expected to attend. N Martin also covered updates to the new state budget which would allow the continuation of crime prevention programs specific to young people.

7. Next Meeting

The next meeting is to be held on Thursday 14 September commencing at 10am, online via Microsoft Teams.

8. Close of Business

Cr Carli closed the meeting closed at 11:31am.



MINUTES

YOUTH ADVISORY COMMITTEE

held on 13 June 2023 at 5.30pm at Taylors Hill Youth & Community Centre

Present

Name	Title	Time arrived	Time finished
Cr. Abboushi	Chairperson	5.30pm	6.27pm
Cr. Turner	Councillor	5.30pm	6.27pm
Cr. Vandenberg	Councillor	5.30pm	6.27pm
A Furtado	YAC Member	5.30pm	6.27pm
C Kennedy	YAC Member	5.30pm	6.27pm
N Pleitner	YAC Member	5.30pm	6.27pm
S Sharma	YAC Member	5.30pm	6.27pm
C Yeung	YAC Member	5.30pm	6.27pm
C Crameri	Manager, Community Care	5.30pm	6.27pm
N Martin	Young Communities, Coordinator	5.30pm	6.27pm
K Papanastasiou	Young Communities, Team Leader	5.30pm	6.27pm
G Hatzimanolis	Youth Service's Representative- Odyssey House	5.30pm	6.27pm
T Sinclair	Council Officer	5.30pm	6.27pm
L Getson-Ballan	Council Officer	5.30pm	6.27pm

Chairperson: Cr. Abboushi

Minute Taker: L Getson-Ballan

1. Welcome

The Chairperson welcomed all attendees to the meeting and proceeded with the Acknowledgment of Country. *'Melton City Council acknowledges the Traditional Owners of this land, the people of the Kulin Nations, and pays respects to their Elders, past, present and emerging.'*

MINUTES

2. Apologies

Cr Kesic	Councillor
D Tuyisabe	YAC Member
S Aye	YAC Member
P Prakash	YAC Member
N Singh	YAC Member
K D'Souza	YAC Member

3. Declaration of interests and/or conflict of interests

Nil

4. Confirmation of minutes of previous meeting

The Minutes of the previous meeting held on 4 April 2023 were adopted by Council at the Ordinary Meeting of Council on 29 May 2023.

The action item from the previous meeting was completed.

5. Business arising from the previous meeting**5.1 Access Keys for Melton Youth Centre and Taylors Hill Youth Centre**

K. Papanastasiou informed the Committee that Access Keys for both Youth Centre sites are in draft and will be finalised in August 2023.

5.2 Melton City Council Careers Expo

K. Papanastasiou updated the Committee on Careers Expo, highlighting approximately 1000 students attended including 27 students from Melton Specialist School, 46 exhibitors, and eight disability service providers.

The planning for 2024 Careers Expo has commenced and have identified that a designated quiet space will be incorporated in next year's expo.

5.3 Melton City Council Youth Forum

K. Papanastasiou reported the Youth Forum theme focused on "Accessibility and Inclusion," attracting 50 students from local schools. Positive feedback was received on the day stating that the event provided a range of opportunities for students to contribute and provide feedback in an inclusive and engaging event.

Action:

Cr. Abboushi requested that the report from the Youth Forum to be tabled at the next meeting.



MINUTES

6. General Business

6.1 Community Achievements Awards

N. Martin informed the Committee that the Community Achievement Awards are currently open and consist of five categories. N. Martin highlighted the "Young Citizen of the Year" category that recognises exceptional community leadership among individuals under 25 years of age.

Action:

Cr. Abboushi requested that N Martin provide the link to the committee for further reference and access.

6.2 Growing and Thriving: What did young people say?

N Martin presented the following information:

Young people's feelings and beliefs about the City of Melton (308 participants)

- 48% agreed they feel safe
- 44.1% agreed they feel socially connected and supported
- 52.9% agreed they feel like they belong
- 43.3% agreed they believe they are in a vibrant and healthy environment
- 52.1% agreed they feel supported to grow and live their best lives
- 35.7% agreed they believe there are enough employment and education opportunities
- 42.4% agreed they believe there are enough community and volunteering activities for them to give back to the community
- 36.4% agreed they believe Council offers enough opportunities for them to be actively engaged with its decision-making processes
- 62.5% highlighted the importance of participating in community groups and programs

Action:

C Crameri requested for the committee to be updated every six months on how Young Communities team is tracking against Growing and Thriving actions.

6.3 FairGo 4 Youth Fund

N. Martin provided the Committee an overview of the FairGo 4 Youth Fund initiative that offers subsidised registration fees specifically for Melton residents between the ages of 8 and 16 years. The fund allows for a single claim of up to \$400 per person, with an additional allocation of \$200 available for individuals with a diagnosed disability.

Applications are open with the closing date, 7 July 2023.

MINUTES

6.4 Business Excellence Awards

C. Crameri updated the Committee on the 2023 Business Excellence Awards and encouraged YAC (Youth Advisory members) to promote the category of ***Business Excellence Award for Young Entrepreneur of the Year***.

Applications are open and closing date, 7 July 2023. The awards ceremony is scheduled for Thursday, 14 September 2023.

6.5 Subgroup meeting update

A. Furtado, C. Kennedy, S. Sharma, C. Yeung and N. Pleitner presented an update on their participation in various events and activities including Careers Expo, Youth Forum, Volunteer Week Celebration, sub-group meetings and a potential podcast initiative. The primary objective of the proposed podcast initiative would provide a platform for youth to express their voices while featuring esteemed professionals as guests. A general discussion indicating to further explore podcast initiative opportunity.

Action:

C Crameri recommended to further investigate proposed podcast initiative.

6.6 YES Campaign

Cr. Abboushi introduced an additional item to the agenda, pertaining to the YES Campaign. A general discussion indicating that this is an important topic and further information can be obtained at both Melton City Council libraries.

7. Next Meeting

Date: 8 August 2023

Time: 5.30pm – 6.30pm

Venue: Melton Youth Centre

8. Close of Business

The meeting closed at 6.27pm



MELTON CITY COUNCIL

Minutes of the Policy Review Panel Meeting of the Melton City Council

29 June 2023

MINUTES OF THE POLICY REVIEW PANEL**29 JUNE 2023**

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MINUTES OF THE POLICY REVIEW PANEL29 JUNE 2023

MELTON CITY COUNCILMINUTES OF THE POLICY REVIEW PANEL MEETING OF THE
MELTON CITY COUNCIL HELD VIA VIDEOCONFERENCE ON
29 JUNE 2023 AT 10.30AM**1. WELCOME**

The Chair, Cr Carli, opened the meeting at 10.35am and welcomed the Panel Members.

2. APOLOGIES

Nil.

3. DECLARATION OF INTERESTS AND / OR CONFLICT OF INTEREST

Nil.

4. MINUTES OF PREVIOUS MEETINGS**RECOMMENDATION:**

That the Minutes of the Policy Review Panel held out of session on 22 March 2023 and adopted by Council at the Scheduled Meeting held on 27 March 2023 be noted.

Motion

Crs Majdlik/Shannon.

That the Minutes of the Policy Review Panel held out of session on 22 March 2023 and adopted by Council at the Scheduled Meeting held on 27 March 2023 be noted.

CARRIED

5. OTHER BUSINESS CARRIED OVER FROM A PREVIOUS MEETING

Nil.

MINUTES OF THE POLICY REVIEW PANEL29 JUNE 2023

6. PRESENTATION OF STAFF REPORTS**6.1 COMPLAINTS MANAGEMENT POLICY**

Cr Majdlik departed the meeting at 10.50am and returned to the meeting at 10.51am.

Responsible Officer: Roslyn Wai - Chief Executive Officer

Document Author: Megan Kruger - Head of Governance

Date Prepared: 21 June 2023

Recommendation:

That the Policy Review Panel recommend Council adopt the Complaints Management Policy, provided as **Appendix 1** to this report.

Motion

Crs Majdlik/Shannon.

That the Policy Review Panel recommend Council adopt the Complaints Management Policy, with changes made by the Panel highlighted in yellow, provided as **Appendix 1** to this report.

CARRIED

1. Background**1.1 The Policy**

The existing Complaints Policy and Procedure was reviewed to ensure it was fit for purpose, clear, concise and provided a consistent approach to complaints in relation to decisions; the implementation of a policy; or the quality or timeliness of action taken, decision made, or service provided by Council or its contractor; and the conduct of Council staff.

This has resulted in formatting of the Policy being completely updated, and therefore a tracked changes version has been unable to be supplied. A copy of the current Complaints Policy has been attached for reference.

To ensure clarity the Policy has been separated into 7 parts:

1. INTRODUCTION
2. POLICY PRINCIPLES
3. WHAT IS A COMPLAINT?
4. COMPLAINTS ABOUT A DECISION, ACTION OR SERVICE
5. COMPLAINTS ABOUT COUNCIL STAFF
6. UNREASONABLE COMPLAINANT CONDUCT
7. GENERAL INFORMATION

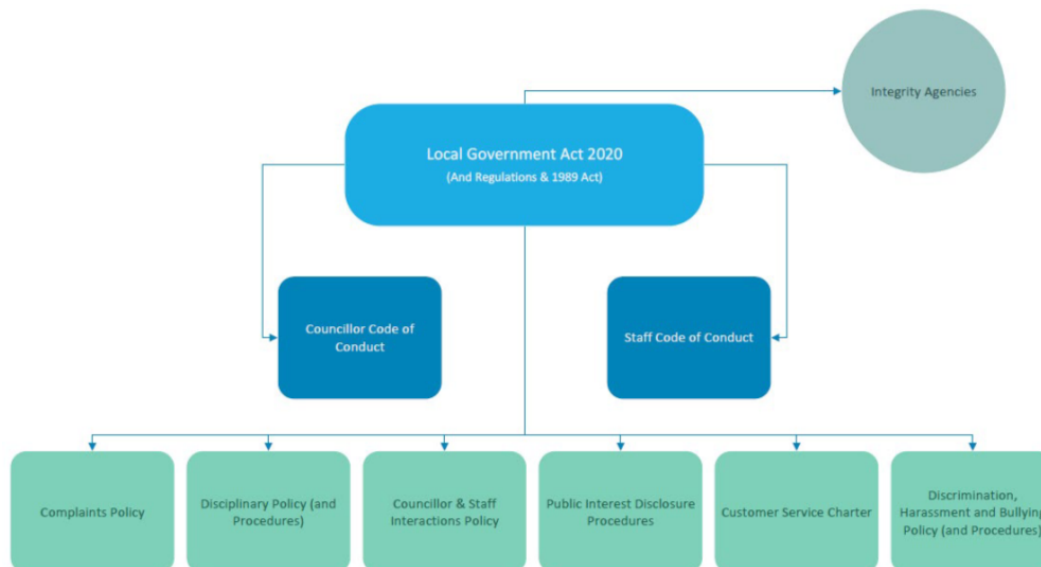
A key change has been separating the ways that Council deals with complaints in relation to decisions, actions or services versus the conduct of Council staff. While there is some overlap in these complaint processes, it is important to outline the difference so that complainants better understand how their complaint will be handled.

MINUTES OF THE POLICY REVIEW PANEL

29 JUNE 2023

The majority of the other changes have been to ensure clarity in relation to how the complaints process will be handled, and to expand upon certain parts of the process.

This Policy helps support Council's broader framework in relation to expected standards and behaviours which includes the following documents / information:



1.2 Sources/benchmarking

Several Complaints Policies from other Councils were reviewed to inform the update of the Policy including but not limited to Darebin, Whittlesea, Geelong, City of Melbourne, Surf Coast, South Gippsland, Stonington, Maribyrnong, Latrobe, Knox, Yarra Ranges and Monash.

1.3 Consultation

This is an update to the existing Complaints Policy and was developed collaboratively by Legal, Governance and Risk; and People & Culture. The updated Policy has also been reviewed by the Chief Executive Officer.

1.4 Communication and Implementation

If adopted, the Policy will be socialised with all staff to ensure that they understand the processes contained within. It will also be placed on the intranet site and Council's website.

1.5 Compliance

The updated Policy and Procedures has been developed in accordance with the requirements of the *Local Government Act 2020* and *Gender Equality Act 2020*.

1.6 Measures of Success

Complaints will be managed consistently in a timely and respectful manner. Trends in complaints received will be used to improve processes and services.

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LIST OF APPENDICES

1. Updated Complaints Policy
2. Current Complaints Policy

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	Complaint Management Policy
Version No.	4.0 June 2023
Endorsement	Executive, 23 June 2023 Policy Review Panel, 29 June 2023
Authorisation	Council, 31 July 2023
Expiry date	July 2027
Responsible staff	Manager Engagement and Advocacy
Policy owner	Coordinator Customer Service

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INTRODUCTION**Purpose**

Dealing with complaints is a core part of Council business and supports us in our efforts to continually improve our service delivery and customer experience. We value complaints and encourage people to contact us when they have a problem, concern or feedback about our services, actions, decisions, and policies. We are committed to:

- enabling members of the public to make complaints about a decision, action or service of Council;
- responding to complaints by taking action to resolve as soon as possible; and
- learning from complaints to improve our services.

The purpose of this Policy is to provide guidance and consistency in relation to Council's response to and management of complaints.

Scope

This Policy applies to all complaints from members of the public about Council services, actions, staff, contractors, and decisions made.

Where an internal complaint is made about a decision, action or service of Council, or the conduct of a member of Council staff the complaint will be managed in accordance with this Policy and other relevant organisational policies and procedures, and the Employee Code of Conduct.

This Policy does not apply to complaints about individual Councillors. Complaints about individual Councillors will be dealt with by the Mayor in accordance with the *Local Government Act 2020*, the Councillor Code of Conduct, and Council's Governance Rules. If the complaint is about the Mayor the complaint will be dealt with by the Deputy Mayor.

This Policy does not apply to Public Interest Disclosures, being complaints that allege:

- A person, public staff or public body has engaged, is engaging or proposes to engage in improper conduct; or
- A public staff or public body has taken, is taking or proposes to take Detrimental Action against a person in reprisal for a public interest disclosure.

Public Interest Disclosures must be dealt with in accordance with the *Public Interest Disclosures Act 2012* and Council's Public Interest Disclosure Procedures. Please see <https://www.melton.vic.gov.au/Public-Interest-Disclosures> for more information.

How we learn from complaints

Complaints from people who use, or who are affected by, our services provide us with valuable feedback about how we are performing.

We regularly analyse feedback about our services including complaints to identify trends and potential issues that deserve further attention.

We use this information to determine solutions about how we can improve our services and take action. We are open and transparent about the complaints we have received, and what we have done to resolve them.

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PART 1 - POLICY PRINCIPLES

As part of a broader commitment to effective delivery of services to the community, Council is committed to managing complaints in a professional manner, according to legislation and procedural fairness, underpinned by the following principles;

Principle	Description
Commitment	We are committed to resolving complaints and will foster a culture that recognises an individual's right to lodge a complaint or suggestion for improvement. We value complaints and recognise the important role they make in supporting improvements to service delivery, and the customer experience Council provides to our community.
Accessibility	Council's complaints handling procedures will ensure that people with a range of needs can easily lodge a complaint, and that staff will actively assist them to navigate the complaints process.
Transparency	We will make it clear on the ways to make a complaint, where to direct a complaint, and how the complaint will be handled. The steps taken to respond to a complaint are recorded and will stand up to scrutiny. We will ensure that when responding to a complaint, that we provide information on the rights for a review if a complainant is unsatisfied with how their complaint was handled.
Objectivity and fairness	Complaints are dealt with courteously, impartially, within established timeframes, and are assessed on merit.
Privacy	Complaint information is handled according to privacy laws and other relevant legislation. Where a complaint is about another person or property, we are required to protect the privacy of both the complainant, and the subject of the complaint. We will provide clear information about how we handle personal information. Complaint information may be used for follow-up consultation and research to improve service delivery, and complaint data will be de-identified if reported for statistical purposes or performance reporting. We accept that some individuals may wish to make anonymous complaints, and we will ensure our complaints procedures accommodate this.
Accountability	We are accountable internally and externally for our decision making and complaint handling performance. We provide explanations and reasons for decisions and ensure that our decisions are subject to appropriate review processes.
Customer insights and Continuous improvement	We analyse complaint data to find trends and customer insights to find ways to continuously improve how we operate and deliver our services. We will foster a culture that views complaints as a positive opportunity for improvement and will constructively use complaints information to implement changes to improve our overall customer experience.

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PART 2 – WHAT IS A COMPLAINT?**What is a complaint?**

A complaint is an expression of dissatisfaction with:

- a) a decision by Council or its contractor;
- b) a policy implemented by Council or its contractor;
- c) the quality of an action taken, decision made, or service provided by Council or its contractor;
- d) a delay or failure in providing a service, taking an action, or making a decision by Council or its contractor;
- e) the conduct of a member of Council staff.

What is not a complaint?

The following are not complaints that will be handled in accordance with this Policy:

- a) Requests for service or maintenance to an asset for which Council has responsibility, or reports of a fault with, or damage to, an asset for which Council has responsibility, within the relevant service standard.
- b) Dissatisfaction when providing feedback through a community consultation.
- c) Requests to review or appeal an infringement or statutory decision.
- d) Complaints involving an allegation of fraud or corrupt conduct. This is covered under the Public Interest Disclosures Act.
- e) Claims against Council for personal injury or property damage or other loss or damage.
- f) A complaint that involves an issue that is governed by State or Federal policy or laws or relates to conduct before a court, coroner or tribunal.

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PART 3 - COMPLAINTS ABOUT A DECISION, ACTION OR SERVICE**3.1 How to make a complaint?**

Complaints about decisions; the implementation of a policy; or the quality or timeliness of action taken, decision made, or service provided by Council or its contractor can be made in the following ways:

Online via Council's website	https://www.melton.vic.gov.au/Online-Forms/General-enquiry-form
Telephone	03 9747 7200 Translating Interpreting Service - 131 450 National Relay Service (NRS) - 133 677
In person	Via a Council Customer Service Centre. Visit: https://www.melton.vic.gov.au/Council/Customer-Service/Contact-Us/Opening-Hours for locations and opening hours.
Written letters or emails to any Council Staff:	csu@melton.vic.gov.au City of Melton, PO Box 21, Melton, VIC 3337

All reasonable efforts will be made to assist complainants with specific needs. This may include providing an interpreter or translator, ensuring complainants can be represented by an advocate of their choice, and providing straightforward and easy to read information in plain language.

3.2 Complaints received by Councillors

When a Councillor receives a complaint about a decision, action or service they will refer it to the Head of Governance. The Councillor may wish to write to the complainant confirming the complaint has been referred to Council administration for response.

Council staff will then respond to the complaint in accordance with this Policy.

3.3 Complaints received via other channels

Complaints about a decision, action or service received via other channels or directed to the incorrect Council staff member will be forwarded to csu@melton.vic.gov.au or Council's Customer Service Team.

Where a complaint about a decision, action or service received via other channels or directed to the incorrect Council staff member relates to a personal or sensitive matter it should be forwarded to the Chief Executive Officer or the Head of Governance.

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3.4 Helpful information to include in your complaint

It is helpful for us if your complaint includes:

- Your name and contact details.
- Details about the action, decision, behaviour, service or policy you are dissatisfied with and why.
- Relevant information such as dates, times, location or reference numbers.
- Any relevant documents that support your complaint (if applicable).
- The outcome you are seeking.
- Whether you have any communication needs so we can support you through the complaint process.

When requesting an internal review please:

- advise why you believe the initial decision is incorrect; and
- supply any additional information or evidence (including images) that you believe will be important to the review.

3.5 Anonymous Complaints

You can make an anonymous complaint about a decision, action or service, but this may limit our ability to investigate and resolve concerns.

Council encourages complainants to provide their contact details so that complaints can be investigated fully, and further information can be sought if required.

Where an anonymous complaint has been lodged, Council Staff may not be able to provide further updates about the complaint to the complainant.

3.6 How we handle complaints about decisions, actions or services

Council will follow a four-tiered approach to complaint handling about decisions, actions or services:

- a) Frontline resolution – Frontline council staff and subject matter experts receive the complaint and resolve it within the scope of their authority. Frontline Council staff are empowered to resolve complaints wherever possible at first contact.
- b) Escalation – If frontline staff cannot resolve the complaint, they will refer it to a senior member of council staff within the appropriate service area to resolve the matter.
- c) Internal review – If the complainant is not satisfied that the investigation process resolved the complaint or managed the matter correctly, they can request an internal review.
- d) Access to external review – If the complainant is not satisfied that the internal review process resolved the complaint or managed the matter correctly, they will be informed of the external avenues through which they may pursue their complaint.

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Level	Process	Who is responsible	Expected timeframes
Level 1 - Frontline resolution <i>Complaints about basic service failures, delays or inaction of services or decisions.</i>	<ul style="list-style-type: none"> Resolve the complaint immediately where possible. If we cannot immediately resolve your complaint, we will refer it to the relevant team or manager to investigate. Where there is a specific Council policy or procedure dealing with complaints about an issue, such as Council's Privacy Policy in the case of a privacy complaint, we will deal with your complaint under that policy. If Council is not the right organisation to respond to the complaint, frontline staff will try to provide advice to the complainant who the correct organisation or agency is. 	Frontline staff who are responsible for receiving and managing complaints.	If unable to be resolved immediately: <ul style="list-style-type: none"> An acknowledgement as soon as possible, and no longer than within five business days. A resolution, or course of action provided within 10 business days.
Level 2 - Escalation <i>Complaints that are unable to be resolved by frontline staff (Level 1 complaints)</i>	<ul style="list-style-type: none"> Depending on the nature of your complaint we may: <ul style="list-style-type: none"> assess the information against relevant legislation, policies and procedures; refer to Council documents and records; speak to relevant Council staff, Contractors and other relevant parties; conduct site inspections. Where there is a specific Council policy or procedure dealing with complaints about an issue, such as Council's Privacy Policy in the case of a privacy complaint, we will deal with your complaint under that policy. 	Supervisors or managers of the relevant service areas	<ul style="list-style-type: none"> An acknowledgement as soon as possible, and no longer than within five business days. A resolution, or course of action provided within 10 business days. Where more time is required to investigate complaint, we will update you every 15 business days until the investigation is completed.

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Level	Process	Who is responsible	Expected timeframes
Level 3 – Internal Review <i>Where a complainant is dissatisfied with how the complaint was managed, or the decision made in response to the complaint.</i>	<ul style="list-style-type: none"> Depending on the nature of your complaint we may: <ul style="list-style-type: none"> assess the information against relevant legislation, policies and procedures; refer to Council documents and records; speak to relevant Council staff, Contractors and other relevant parties; conduct site inspections. The review will be conducted by an officer who is independent of the person who took the action, made the decision, or provided the service. 	<ul style="list-style-type: none"> Senior Integrity Officer OR <ul style="list-style-type: none"> If the complaint relates to staff conduct, the Manager People and Culture. 	<ul style="list-style-type: none"> An acknowledgement as soon as possible, and no longer than within five business days. A resolution within 28 business days. Where more time is required to investigate complaint, we will notify you and provide updates every 15 business days until the investigation is completed.
Level 4 – External Review <i>Where a complainant is dissatisfied with the outcome or process of an internal review and a resolution cannot be reached, or if the complainant wishes to have their complaint referred to an external agency.</i>	<ul style="list-style-type: none"> Provide information on how to contact the relevant external agency. Please see appendix 1 for more information. 	External agencies such as, but not limited to, the Victorian Ombudsman Victorian Human Rights, Disability Services or Gender Equality Commissioners.	Not applicable – refer to the relevant external agency.

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3.7 External Investigation

Where a complaint matter about a decision, action or service is very complex or sensitive, Council may refer the matter to an independent external expert for investigation.

3.8 Refusal to accept certain types of complaints

The relevant member of Council staff may determine that a complaint will not be accepted where:

1. the staff has a sound basis to consider that the complaint is frivolous, vexatious or not made in good faith;
2. the complainant seeks to revisit an issue which has been the subject of a previous complaint after an initial investigation, but provides no new evidence or material;
3. there is insufficient information to clearly identify any issue or remedial action to be taken, and the complainant declines or refuses to provide further information;
4. the complaint involves a matter where an adequate remedy or right of appeal already exists (for example where there is a statutory review process);
5. the complaint relates to a matter which is before a court, coroner or tribunal;
6. the complaint relates to a matter under investigation by the Minister for Local Government or any other government department or regulator including the Victorian Police Service;
7. the complaint relates to a matter awaiting determination by the Council;
8. the complaint relates to the actions or conduct of an individual acting in their capacity as a private individual.

For items 1, 2 and 3 above the decision to refuse a complaint by a member of Council staff must be approved by their Manager or a member of the Executive Leadership Team in writing.

Where the relevant staff determines that a complaint will not be accepted, the staff will advise the complainant in writing if it is practicable to do so.

3.9 Remedies

Where an investigation shows that Council had made an error, Council will respond in an appropriate way. Possible responses include, but are not limited to:

- An explanation of why the error occurred and how it will be prevented in future;
- A reversal of a decision;
- A correction of Council records;
- An apology.

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3.10 Complaints relating to matters which are the subject of statutory review

Some Council decisions are subject to statutory review processes, which means that a person has the right to appeal the decision to the Victorian Civil & Administrative Tribunal or another tribunal, court or agency.

Where the complaint relates to such a matter, Council has discretion to decline to deal with the complaint under this Policy. In making this decision the relevant Manager should consider factors such as the following:

- (a) Is there a process already underway? In that case it may not be appropriate to attempt to resolve the matter internally.
- (b) Does the issue which is the subject matter of the complaint appear to be simple to resolve? If so, then it may be more appropriate to resolve it internally.
- (c) Is it reasonable in the circumstances to expect the complainant to use the review process? For example, a person who is economically disadvantaged may be less likely to commence a statutory review process, and it would be more appropriate to attempt to use Council's complaint resolution procedure.
- (d) Does the complaint relate to a specialised area which would require a decision from a Court or Tribunal to properly determine the matter?
- (e) Are the financial considerations of the complaint such that it would be more appropriate for a Court or Tribunal to properly determine the matter?
- (f) Has the complainant conducted themselves in a manner which would make the resolution of the matter through Council's processes unlikely. For example, if the complainant is engaging in unreasonable complainant conduct and there is a concern about the health and safety of the staff who are attempting to resolve the complaint, it may be appropriate to decline the complaint.

If the decision is made to decline a complaint that relates to a matter which is the subject of statutory review, Council must advise the complainant in writing, and set out the reasons for the decision.

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PART 4 –COMPLAINTS ABOUT COUNCIL STAFF4.1 How to make a complaint?

Complaints about the conduct of Council staff will be forwarded to Manager People & Culture.

Complaints about the Manager People & Culture will be forwarded to the Chief Executive Officer.

Complaints about the conduct of the CEO will be forwarded to the Head of Governance.

All reasonable efforts will be made to assist complainants with specific needs. This may include providing an interpreter or translator, and providing straightforward and easy to read information in plain language.

4.2 Complaints received by Councillors

If a Councillor receives a complaint about the conduct of Council staff they must refer it to the Manager People and Culture. In accordance with the Local Government Act 2020 Councillors are not responsible for dealing with matters related to the Council staff, this is the responsibility of the Chief Executive Officer.

Complaints about the Manager People & Culture will be forwarded to the Chief Executive Officer.

Complaints about the conduct of the CEO will be forwarded to the Head of Governance.

The Councillor may wish to write to the complainant confirming the complaint has been referred to Council administration for response.

Council staff will then respond to the complaint in accordance with this Policy.

4.3 Complaints received via other channels

Complaints about the conduct of staff received via other channels or directed to the wrong Council staff member will be forwarded to the Manager People and Culture.

Complaints about the Manager People & Culture will be forwarded to the Chief Executive Officer.

Complaints about the conduct of the CEO will be forwarded to the Head of Governance.

4.4 Helpful information to include in your complaint

It is helpful for us if your complaint includes:

- Your name and contact details.
- Details about the conduct you are dissatisfied with and why.
- Relevant information such as date, time, or location.
- Any relevant documents that support your complaint (if applicable).
- Whether you have any communication needs so we can support you through the complaint process.

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When requesting an internal review please:

- advise why you believe the initial decision is incorrect; and
- supply any additional information or evidence that you believe will be important to the review.

4.5 Anonymous Complaints

You can make an anonymous complaint about the conduct of staff, but this may limit our ability to investigate and resolve concerns.

Council encourages complainants to provide their contact details so that complaints can be investigated fully, and further information can be sought if required.

Where an anonymous complaint has been lodged, Council Staff will not be able to provide further updates about the complaint to the complainant.

4.6 How we handle complaints about the conduct of Council staff

Council will follow a two-tiered approach to complaint handling about the conduct of Council staff:

- a) Review by Direct Supervisor – The staff members Direct Supervisor will resolve the matter.
- b) Internal review – If the complainant is not satisfied that the investigation process resolved the complaint or managed the matter correctly, they can request an internal review.

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Level	Process	Who is responsible	Expected timeframes
Level 1 – Review by Direct Supervisor Complaints that are unable to be resolved by frontline staff (Level 1 complaints)	<ul style="list-style-type: none"> Depending on the nature of your complaint we may: <ul style="list-style-type: none"> assess the information against relevant legislation, policies and procedures; refer to Council documents and records; and speak to relevant Council staff, Contractors and other relevant parties. 	<ul style="list-style-type: none"> Direct Supervisors of the relevant staff member; or The Head of Governance if the relevant staff member is the CEO. The Head of Governance will notify the Mayor if a complaint relates to the CEO. The CEO if the relevant staff member is the Manager People and Culture. 	<ul style="list-style-type: none"> An acknowledgement as soon as possible, and no longer than within five business days. Notification the matter is closed within 10 business days. Where more time is required due to the complexity of the matter we will update you every 15 business days until the complaint is closed.
Level 2 – Internal Review <i>Where a complainant is dissatisfied with how the complaint was managed.</i>	<ul style="list-style-type: none"> Depending on the nature of your complaint we may: <ul style="list-style-type: none"> assess the information against relevant legislation, policies and procedures; refer to Council documents and records; speak to relevant Council staff, Contractors and other relevant parties. The review will be conducted by an officer who is independent of the person who took the action, made the decision, or provided the service. 	<ul style="list-style-type: none"> Manager People and Culture. The Manager People and Culture will notify the Mayor if a complaint relates to the CEO. The Head of Governance if the relevant staff member is the Manager People and Culture. 	<ul style="list-style-type: none"> An acknowledgement as soon as possible, and no longer than within five business days. Notification the matter is closed within 28 business days. Where more time is required due to the complexity of the matter we will update you every 15 business days until the complaint is closed.

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4.7 External Investigation

Where a matter related to the conduct of a staff member is very complex or sensitive it may be appropriate for the matter to be referred to an independent external expert for investigation.

This decision must be approved by the Manager People & Culture or the Chief Executive Officer.

4.8 Refusal to accept certain types of complaints

The relevant staff may determine that a complaint will not be accepted where:

1. the staff has a sound basis to consider that the complaint is frivolous, vexatious or not made in good faith;
2. the complainant seeks to revisit an issue which has been the subject of a previous complaint after an initial investigation, but provides no new evidence or material;
3. there is insufficient information to clearly identify any issue and the complainant declines or refuses to provide further information;
4. the complaint relates to a matter which is before a court, coroner or tribunal;
5. the complaint relates to the appointment or dismissal of any employee or an industrial or disciplinary issue;
6. the complaint relates to the actions or conduct of an individual acting in their capacity as a private individual.

For items 1, 2 and 3 above the decision to refuse a complaint by a member of Council staff must be approved by their Manager or a member of the Executive Leadership Team in writing.

Where the relevant staff determines that a complaint will not be accepted, the staff will advise the complainant in writing, if it is practicable to do so.

4.9 Outcome

Where the conduct of a member of Council staff has breached the Staff Code of Conduct, other Council policies or legislation the conduct will be dealt with in accordance with Council's Disciplinary Policy.

A written response will be provided to the complainant that the complaint is closed, but no further detail of the outcome will be provided.

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PART 5 - UNREASONABLE COMPLAINANT CONDUCT

Most complainants act reasonably and responsibly in their interactions, even when experiencing high levels of distress, frustration and anger about their complaint.

However, in a very small number of cases some complainants behave in ways that are inappropriate and unacceptable and able to be defined as unreasonable complainant conduct.

Unreasonable complainant conduct includes:

Unreasonable persistence	<ul style="list-style-type: none"> Bombarding with calls, visits or information when not warranted. Contacting different staff or Councillors seeking a different response. Reframing an old complaint so it looks like there are new issues. Refusing to accept the decision after the complaint has been thoroughly investigated, the outcome has been explained and any questions answered. Questioning the skills or competence of the complaint handler.
Unreasonable Demands	<ul style="list-style-type: none"> Insisting on an immediate response or priority that is not warranted. Insisting a response to every point, no matter how minor. Demanding information they are not entitled to e.g., staff contact details. Insisting that the head of our organisation, or a Senior staff, handle the complaint in preference to the staff responsible. Instructing Council staff how to investigate a complaint.
Unreasonable lack of cooperation	<ul style="list-style-type: none"> Sending voluminous amounts of information. Providing little or no information about the complaint. Presenting fragmented information. Refusing to comply with reasonable requests for information.
Unreasonable arguments	<ul style="list-style-type: none"> Insisting on the importance of minor issues. Making unsubstantiated allegations e.g., bias or corruption. Insisting on cause and effect' without evidence. i.e., insisting that one thing makes something else happen.
Unreasonable behaviour	<ul style="list-style-type: none"> Verbal abuse. Aggressive behaviour. Harassment. Making threats.

This unreasonable complaint conduct can happen in any way including via letter, email, telephone call, text message or on social media.

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Where behaviour of a complainant is deemed unreasonable conduct, the Council will deal with the unreasonable conduct as follows.

- (a) The first step will usually be to alert the complainant to the fact that their conduct is inappropriate. While this would normally occur in writing, there will be circumstances in which Council does not have a means to write to the complainant, and the communication can occur verbally. Council should:
- i explain what it is about their behaviour which is inappropriate;
 - ii outline the expected standard of behaviour; and
 - iii advise that if the behaviour continues, Council will need to take action to manage the risk that the behaviour causes to Council staff which may include limitations on their interactions with Council staff.
- (b) If the unreasonable conduct continues, or if the risk to staff or Councillors is so great that it is appropriate to bypass the first step, the next step is to communicate with the complainant and establish limitations on their interaction with Council staff or Councillors. Those limitations may relate to:
- i Whom they contact. It may be appropriate to restrict their access to a single staff member as their single contact point at the Council, who can case manage their complaint(s) and interactions with Council. This will ensure they are dealt with consistently and will minimise the chances of misunderstandings, contradictions and conflicts. It also ensures that the person handling the complainant has the necessary training and experience to deal with unreasonable conduct.
 - ii What they can raise with us. It may be appropriate to restrict the subject matter of communications that Council will respond to.
 - iii How Council will respond to them. It may be appropriate to advise that all Council communications will be in writing through a single channel, or that Council will not respond further to complaints regarding matters which have already been addressed.
 - iv When, where and how they can have contact. If a complainant's manner of communication is causing a risk to health and safety, or an unreasonable demand on time or resources, Council may impose restrictions on the methods of communication, such as limited face to face meetings, modifying the way in which those meetings occur, or restricting telephone communications.
 - v Restrictions on access/services. In certain circumstances, it may be appropriate to limit a complainant's access to Council premises or terminate the provision of services to a complainant. This is a very serious measure and should be a last resort.

A decision to limit a complainant's interactions with Council must be made by the CEO. The decision must consider whether the proposed restriction may have an impact on the complainant's human rights, or their health and safety.

Any restriction or limitation should be communicated to the complainant in writing, and should set out the specifics of the restriction, the period for which the restriction will apply, and when the restriction will be reviewed. It should also set out the kinds of behaviours which may factor into a decision on the review of the restriction.

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PART 6 – GENERAL INFORMATION**6.1 Privacy and confidentiality**

Information gathered when investigating a complaint will be used to deal with the specific complaint or to address issues identified in the investigation. Information may be de-identified and will only be shared with relevant staff.

We may also analyse the information to identify trends and improve our services.

Any queries regarding privacy should be directed to Council's Privacy Officer.

6.2 Conflict of Interest

Council staff are to be mindful of their responsibilities in relation to conflict of interest under the Local Government Act 2020 and the Staff Code of Conduct.

However, it is noted that Council staff do not have a conflict of interest in a matter simply due to their direct reporting relationship with another member of Council staff in relation to a complaint.

6.3 Definitions

Word/Term	Definition
Complaint	<p>An expression of dissatisfaction with;</p> <ul style="list-style-type: none"> a) a decision made by Council or a contractor; b) a policy implemented by Council or a contractor; c) the conduct of a member of Council staff; d) the quality of an action taken, decision made, or service provided by Council or a contractor; e) a delay or failure in providing a service, taking an action, or making a decision by Council or a contractor. <p>A complaint is not a request for information, or a request that Council provide a service.</p> <p>A complaint does not include feedback provided through customer satisfaction or experience surveys/research, or program and service evaluations undertaken as part of improving Council's overall customer experience or service planning.</p>
Complainant	Any person or entity who makes a complaint.
Contractor	Any contractor engaged by Council.
Frontline staff	Any Council staff member to first receive a complaint made under this Policy
Staff	All staff whether employed full time, part time, casual or as a volunteer.
Unreasonable Complainant Conduct	Any behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the Council, employees, other service users and complainants or the complainant themselves.

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Item 6.1 Complaints Management Policy

Appendix 1 Updated Complaints Policy

6.4 References and links to legislation and other documents

Name	Location
<i>Local Government Act 2020</i>	http://www.legislation.vic.gov.au/
Victorian Ombudsman <i>Good Practice Guides</i>	http://www.ombudsman.vic.gov.au/

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Appendix 1 Updated Complaints Policy

APPENDIX 1 - External Agencies

Complaint	External Agency
<p>Actions or decisions of a Council, Council staff and contractors.</p> <p>This includes failure to consider human rights or failure to act compatibly with a human right under the <i>Charter of Human Rights and Responsibilities Act 2006</i> (Vic)</p>	<p>Victorian Ombudsman www.ombudsman.vic.gov.au</p>
<p>Breaches of the Local Government Act</p> <p>The Inspectorate accepts complaints about Council operations and potential breaches of the Act, including:</p> <ul style="list-style-type: none"> a) misuse of position b) conflict of interest c) disclosure of confidential information <p>electoral offences.</p>	<p>Local Government Inspectorate www.lgi.vic.gov.au</p>
<p>Breach of privacy.</p> <p>Complaint about a Freedom of Information application</p>	<p>Office of the Victorian Information Commission www.ovic.vic.gov.au</p>
<p>Corruption or public interest disclosure ('whistleblower') complaints</p>	<p>Independent Broad-based Anti-Corruption Commission www.ibac.vic.gov.au</p>
<p>Discrimination</p>	<p>Victorian Human Rights and Equal Opportunity Commission www.humanrights.vic.gov.au</p>
<p>Council elections</p>	<p>Victorian Electoral Commission www.vec.vic.gov.au</p>
<p>Breach of Child Wellbeing and Safety Act (2005) Reportable Conduct</p> <p>Complaints reports or allegations concerning abuse, harm or neglect of a child or young person by a Council employee, volunteer, contractor, or Councillor</p>	<p>Commission for Children and Young People www.cryp.vic.gov.au</p>
<p>Complaints related to protection of the environment, such as:</p> <ul style="list-style-type: none"> a) Land, water, atmosphere or noise pollution b) Climate c) Odours <p>Tastes and aesthetics.</p>	<p>Environmental Protection Authority Victoria www.epa.vic.gov.au</p>

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Item 6.1 Complaints Management Policy

Appendix 2 Current Complaints Policy

	Complaints Management Policy and Procedure
Version No.	3.0 November 2021
Endorsement	Executive, 25 November 2021 Policy Review Panel, 30 November 2021
Authorisation	Council, 13 December 2021
Expiry date	December 2025
Responsible officer	Manager Engagement and Advocacy
Policy owner	Coordinator Customer Service

1. Purpose

To govern the response and requirements of Council in managing complaints from businesses and members of the community.

2. Scope

This policy applies to all Melton City Council Councillors, staff, contractors, volunteers and customers.

3. Definitions

Word/Term	Definition
Complaint	An expression of dissatisfaction with; <ul style="list-style-type: none"> a) an decision by Council or a contractor; b) a policy implemented by Council or a contractor; c) the conduct of a member of Council staff; d) the quality of an action taken, decision made, or service provided by Council or a contractor; e) a delay or failure in providing a service, taking an action, or making a decision by Council or a contractor. <p>A complaint is not a request for information, or a request that Council provide a service.</p>
Complainant	Any person or entity who makes a complaint.
Contractor	Any contractor engaged by Council.
Frontline staff	Any Council staff member to first receive a complaint made under this Policy
Staff	All staff whether employed full time, part time, casual or as a volunteer.

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Unreasonable Complainant Conduct	Any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for the Council, employees, other service users and complainants or the complainant themselves.
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4. Policy

As part of a broader commitment to effective delivery of services to the community, Council is committed to managing complaints in a professional manner, according to legislation and procedural fairness, underpinned by the following principles;

1. Commitment

Council recognises people's right to complain and is committed to resolving them.

2. Accessibility

Making a complaint should be easy and Council staff motivated to assist complainants with the process.

3. Transparency

How to complain, where to complain and how a complaint will be dealt with should be clear and well communicated.

4. Objectivity and fairness

Complainants and staff are to be treated with courtesy and respect, and complaints are judged on merit and fact.

5. Confidentiality

Personal information is protected.

6. Accountability

Council is accountable, internally and externally, for decision-making and complaint-handling performance.

7. Continuous improvement

Complaints are recognised as opportunities to review and improve services, processes, systems and staff performance.

5. Method of Complaint

A person may lodge a complaint through any of the following channels.

Email: csu@melton.vic.gov.au

Mail: (Postal address): City of Melton PO Box 21, Melton Vic 3337

Telephone: 03 9747 7200

In person: Customer Service Counter, Melton Civic Centre, 232 High Street Melton

The complaint should detail the complainant's name, address and contact phone number together with a description of the issue which contains enough detail to allow Council to identify the specifics of the complaint (what happened, who was involved, when it happened, etc).

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However, regardless of how the complaint is received, and the level of detail available, Council will apply the procedures in this Policy.

6. General Complaint Resolution Procedure

Council will follow a four-tiered approach to general complaint handling.

- (a) Frontline resolution – Frontline council staff and subject matter experts receive the complaint and resolve it within the scope of their authority. Frontline Council staff are empowered to resolve complaints wherever possible at first contact.
- (b) Investigation if required – If frontline staff cannot resolve the complaint, they will refer it to a more senior council officer responsible within the appropriate work area for investigation and response.
- (c) Internal review – If the complainant is not satisfied that the investigation process resolved the complaint or managed the matter correctly, they can request an internal review.
- (d) Access to external review – If the complainant is not satisfied that the internal review process resolved the complaint or manage the matter correctly, they will be informed of the external avenues through which they may pursue their complaint.

Tier 1: Frontline Resolution	<ul style="list-style-type: none"> • Frontline staff will receive complaints in a positive, receptive and professional manner. • Frontline staff will assess the complaint to determine: <ul style="list-style-type: none"> ○ How it should be dealt with; ○ Whether the complaint should more properly be dealt with through a statutory review process; ○ Whether Council is the appropriate organisation to respond; and, if so ○ Who is the appropriate Council officer to address the complaint. For example: <ul style="list-style-type: none"> ▪ If a complaint is a public interest disclosure, the complaint must be handled in accordance with the Melton City Council Public Interest Disclosure Procedure. ▪ If a complaint relates to an alleged breach of privacy, the complaint must be handled in accordance with the Melton City Council Privacy Policy. • Some Council decisions are subject to statutory review processes, which means that a person has the right to appeal the decision to the Victorian Civil & Administrative Tribunal or some other body. Examples of this include planning decisions, or infringement notices. Where the complaint relates to such a matter, the front line officer should refer the matter to their manager to consider in accordance with paragraph 8 below. • If there is sufficient information contained in the complaint to identify an issue which is capable of appropriate resolution by the frontline staff member, the frontline staff member or most appropriate Council officer will action the complaint within 10 business days and advise the complainant.
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	<ul style="list-style-type: none"> In the event further information is required the frontline staff member or appropriate Council officer will contact the complainant as soon as practicable, but within 10 business days from receiving the complaint to: <ul style="list-style-type: none"> Acknowledge the complaint has been received; and Seek further information or clarification. <p>This may then allow the complaint to be addressed, or alternatively it may lead to an investigation.</p> In the event that it appears that investigation is required the frontline staff member or appropriate Council officer will contact the complainant as soon as practicable to: <ul style="list-style-type: none"> Acknowledge the complaint has been received (if applicable); Seek further information or clarification (if required); and Explain that the matter will now be investigated. If the Council is not the appropriate organisation to respond, the complainant will be advised and referred to the appropriate organisation that can assist with the complaint
Tier 2: Investigation	<ul style="list-style-type: none"> If frontline staff cannot resolve the complaint in the first instance, it will be assigned to a more senior Council Officer (this may be a coordinator or manager) for investigation (Investigating Officer). The Investigating Officer will contact the complainant within 5 days of being assigned the complaint, explain their role and the investigation process, and estimate the timeframe for the investigation. Council will aim to conclude all investigations within 28 days of the date that the matter is assigned to the Investigating Officer. In the event it is likely to take longer than 28 days to resolve a complaint, the Investigating Officer will contact the complainant as soon as practicable after the timeframe issue is identified and provide an updated timeline for response. Complaints that are not resolved within 28 days will be escalated to a general manager to ensure that a resolution is promptly achieved. At the conclusion of the investigation the Investigating Officer will write to the complainant to advise them of the outcome. The outcome correspondence will contain the reasons for the decision, and the contact information for the responsible Investigating Officer. The Senior Council Officer handling the complaint may contact the complainant by telephone to discuss the outcome of their complaint either prior to or after sending the outcome correspondence but is not under an obligation to do so.
Tier 3: Internal Review	<ul style="list-style-type: none"> If the complainant is not satisfied that the complaint has been resolved or correctly managed, they may request an internal review of their complaint within 28 days of the outcome notification. This request must be made in writing to the Investigating Officer, and it must explain why the complainant considers that a different outcome is appropriate.

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	<p>On receiving a request for an internal review, the Investigating Officer must refer the matter to a more senior person who has not had any previous involvement in the issue which is the subject matter of the complaint, or Council's response, to the complaint (Review Officer) within 1 business day. The Review Officer may be the Investigating Officer's manager or another relevant senior officer of Council</p> <ul style="list-style-type: none"> On receiving the request, the Review Officer must contact the complainant in writing within 5 business days: <ul style="list-style-type: none"> confirming their role and outlining the internal review process; requesting additional information from the complainant if applicable (for example, clarification of the reasons for the request for an internal review); setting out their expected timeframe for completing the internal review; and if they are in a position to do so based on the available information, resolving the complaint. The Review Officer must consider the request for an internal review, and the investigation outcome. The review should focus on: <ul style="list-style-type: none"> whether, based on the information available to the Investigating Officer, the Investigating Officer's decision was correct; any actions taken by Council to address the complaint; whether any new information has come to light which affects the decision; and, if relevant to the request for review whether the process followed by the Investigating Officer was fair, reasonable, and appropriate in all of the circumstances. Council will aim to complete all internal reviews within 28 days of the request and will notify the complainant as soon as practicable if it appears that that timeframe will not be met. The Review Officer will provide a written outcome letter to the complainant at the conclusion of an internal review.
Tier 4: External Review	<ul style="list-style-type: none"> If the complainant is not satisfied with the process or outcome of the internal review, they may have the right to take their complaint to an external agency, including the following. Local Government Investigations & Compliance Inspectorate – The Inspectorate accepts complaints about council operations and potential breaches of the Local Government Act, including: <ul style="list-style-type: none"> Misuse of position Conflict of interest Disclosure of confidential information Electoral Offences Councillor Conduct Victorian Ombudsman – The ombudsman can take complaints about the actions and decisions of councils including complaints about: <ul style="list-style-type: none"> Services Communication Complaint handling Compliance with policies, procedures or law Other actions or decisions which may be unreasonable

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	<ul style="list-style-type: none"> The Independent Broad-based Anti-corruption Commission – IBAC accepts complaints about suspected corruption and misconduct in the public sector and Victoria Police, including: <ul style="list-style-type: none"> Taking and offering bribes Using a position of influence dishonestly Committing fraud or theft Misusing information from the workplace.
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7. Other Types of Complaints

<p>(a) Complaints alleging:</p> <ul style="list-style-type: none"> corrupt conduct, conduct that constitutes: <ul style="list-style-type: none"> a criminal offence; serious professional misconduct; dishonest performance of public functions; an intentional or reckless breach of public trust; an intentional or reckless misuse of information or material acquired in the course of the performance of the functions of the public officer or public body; a substantial mismanagement of public resources; a substantial risk to the health or safety of one or more persons; or a substantial risk to the environment; or conduct that: <ul style="list-style-type: none"> adversely affects the honest performance by a public officer or public body of their functions as a public officer or public body; is intended to adversely affect the effective performance or exercise by a public officer or public body of the functions or powers of the public officer or public body and results in the person, or an associate of the person, obtaining: <ul style="list-style-type: none"> a licence, permit, approval, authority or other entitlement under any Act or subordinate instrument; an appointment to a statutory office or as a member of the board of any public body under any Act or subordinate instrument; a financial benefit or real or personal property; any other direct or indirect monetary or proprietary gain; that the person or associate would not have otherwise obtained; or conduct of any person that could constitute a conspiracy or attempt to engage in any of the above conduct. 	<p>All complaints of this nature must be directed to the Public Interest Disclosure Coordinator or Chief Executive Officer (CEO). If the allegation relates to the CEO, the matter must be reported to the Public Interest Disclosure Coordinator or Mayor.</p> <p>If another staff member receives the complaint, they must immediately provide it to the Public Interest Disclosure Coordinator, the CEO or the Mayor as applicable.</p> <p>Complaints of this nature will be dealt with in accordance with the Staff Code of Conduct, Public Interest Disclosures Act 2012, Local Government Act 2020, Council's Public Interest Disclosure Procedure and all other applicable legislation.</p>
<p>(b) Complaints about Councillors</p>	<p>A complaint regarding the conduct of a Councillor, assuming it does not fall into category (a), may be addressed to the Chief Executive Officer or the Mayor.</p> <p>Depending on the circumstances, the complaint may be dealt with in accordance with the Councillor Code of Conduct.</p>

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	A person may also make a complaint against a Councillor to the Local Government Inspectorate and/or Independent Broad-based Anti-corruption Commission.
(c) Complaints about Council Staff or Volunteers	Any complaints received about Council staff or volunteers will be handled according to this policy and in accordance with Council's Employee Code of Conduct.
(d) Complaints about Contractors	Any complaints received about Council contractors will be handled according to the above procedure and/or any relevant contractual procedure.

8. Complaints relating to matters which are the subject of statutory review

Some Council decisions are subject to statutory review processes, which means that a person has the right to appeal the decision to the Victorian Civil & Administrative Tribunal or some other body.

Where the complaint relates to such a matter, Council has discretion to decline to deal with the complaint through the complaints management process. The decision should be made by the officer who would have responsibility for responding to the statutory review process in relation to the matter.

In making this decision the officer should consider the following factors:

- (a) Has the complainant already commenced a statutory review process. If there is a process already underway, then it may not be appropriate to attempt to resolve the matter internally.
- (b) Does the issue which is the subject matter of the complaint appear to be easy to resolve? If so, then it may be more appropriate to resolve it internally rather than decline the complaint.
- (c) Is it reasonable in the circumstances to expect the complainant to use the review process? For example, a person who is economically disadvantaged may be less likely to commence a statutory review process, and it would be more appropriate to attempt to use Council's complaint resolution procedure.
- (d) Does the complaint relate to a specialised area which would require a decision from a Court or Tribunal to properly determine the matter?
- (e) Are the financial considerations of the complaint such that it would be more appropriate for a Court or Tribunal to properly determine the matter?
- (f) Has the complainant conducted themselves in a manner which would make the resolution of the matter through Council's processes seem unlikely. For example, if the complainant is engaging in unreasonable complainant conduct and there is a concern about the health and safety of the staff who are attempting to resolve the complaint, it may be appropriate to decline the complaint and allow a statutory review process to resolve it independently.
- (g) Any other relevant circumstances.

If the decision is made to decline the complaint, Council must advise the complainant in writing, and set out the reasons for the decision.

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9. Accessibility and adjustments

If a complainant needs assistance or support, or adjustments to be made to facilitate their making a complaint or participating in a complaint process, Council will make reasonable adjustments to support or accommodate that complainant. For example, Council may need to adjust communications processes to accommodate a complainant's hearing or visual impairment, or adjust the timing of communications to accommodate parental or carer's responsibilities.

10. Responsiveness

Council is committed to resolving complaints in a timely and efficient manner. Complaints will be acknowledged within ten days of receipt, and Council will endeavour to resolve complaints within 24 hours where practicable.

The length of time taken to deal with a complaint will depend on the circumstances of each complaint, such as the complexity of issues in the complaint, the time required to investigate or obtain necessary information, the degree of co-operation from the complainant, and the availability of parties.

A complainant should be advised of the expected timeframe for resolution. If a complaint cannot subsequently be resolved within this anticipated timeframe, the complainant will be informed of the circumstances and updated as to the expected timeframe for resolution.

11. Anonymous Complaints

Anonymous complaints will always be taken seriously and considered on their merits. In some cases, a complaint is capable of identifying areas for improvement even in the absence of an identifiable complainant. In other cases, it is not practicable to resolve a complaint if the identity of the complainant is not known.

The Internal Investigations Officer or relevant Manager will determine the process for dealing with an anonymous complaint dependent upon:

- the seriousness of the complaint, provided there is sufficient information in the complaint to enable an investigation to be conducted, and
- whether there is a statutory requirement for identification of the complainant.

12. Responsibility of Complainants

To ensure a high standard of service to complainants is achieved, it is the responsibility of the complainant to:

- clearly identify the issues which are the subject of the complaint, or ask for help to do so from frontline staff members;
- give all the information available about the complaint in an organised format at the time of making the complaint, or as soon as practicable afterwards;
- promptly respond to requests from Council for additional information or supporting documents;
- cooperate with any enquiries or investigations; and
- treat Council staff with courtesy and respect.

Abuse, harassment or threats to the safety or welfare of staff at Council may result in the immediate cessation of engagement, and/or Council action.

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13. Rejection of complaints

The relevant officer may determine that a complaint will not be investigated where:

- the officer has a sound basis to consider that the complaint is frivolous, vexatious or not made in good faith;
- the complaint involves a matter where an adequate remedy or right of appeal already exists (for example where the complaint relates to a decision for which there is a statutory review process as discussed in paragraph 8 above), whether or not the complainant uses that remedy or right of appeal;
- the complainant seeks to revisit an issue which has been the subject of a previous complaint after an initial investigation, but provides no new evidence or material;
- the complaint relates to a matter which is before a court, coroner or tribunal;
- the complaint relates to a matter under investigation by the Minister for Local Government or any other government department or regulator including the Victorian Police Service;
- the complaint relates to the appointment or dismissal of any employee or an industrial or disciplinary issue;
- the complaint relates to a matter awaiting determination by the Council;
- the complaint relates to the actions or conduct of an individual acting in their capacity as a private individual;
- there is insufficient information to clearly identify any issue or remedial action to be taken, and the complainant declines or refuses to provide further information.

Where the relevant officer determines that a complaint will not be investigated, the officer will advise the complainant in writing, if it is practicable to do so.

14. Remedies

Where an investigation shows that Council had made an error, Council will respond in an appropriate way. Possible responses include, but are not limited to:

- An explanation of why the error occurred and how it will be prevented in future
- A reversal of a decision
- A correction of Council records
- Providing a means of redress; and/or

15. An apology Unreasonable complainant conduct

Most complainants act reasonably and responsibly in their interactions, even when experiencing high levels of distress, frustration and anger about their complaint.

However in a very small number of cases some complainants behave in ways that are inappropriate and unacceptable, able to be defined as unreasonable complainant conduct.

A complainant's behaviour will be considered 'unreasonable' when they;

- are aggressive and verbally abusive towards staff;
- threaten harm and violence;
- bombard the organisation with unnecessary and excessive or repetitive phone calls and emails;

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- make unreasonable demands on Council's time and resources; or
- refuse to accept decisions and recommendations in relation to their complaint.

Where behaviour of a complainant is deemed unreasonable conduct, the Council will deal with the unreasonable conduct as follows.

- (a) The first step will normally be to alert the complainant to the fact that their conduct is inappropriate. While this would normally occur in writing, there will be circumstances in which Council does not have a means to write to the complainant, and the communication can occur verbally. Council should:
- i explain what it is about their behaviour which is inappropriate;
 - ii outline the expected standard of behaviour; and
 - iii advise that if the behaviour continues, Council will need to take action to manage the risk that the behaviour causes to Council staff.
- (b) If the unreasonable conduct continues, or if the risk to staff is so great that it is appropriate to bypass the first step, the next step is to communicate to the complainant and establish limitations on their interaction with Council staff. Those limitations may relate to:
- i Whom they contact. It may be appropriate to restrict their access to a single staff member as their single contact point at the Council, who can case manage their complaint(s) and interactions with Council. This will ensure they are dealt with consistently and will minimise the chances of misunderstandings, contradictions and conflicts. It also ensures that the person handling the complainant has the necessary training and experience to deal with the unreasonable conduct.
 - ii What they can raise with us. It may be appropriate to restrict the subject matter of communications that Council will respond to.
 - iii How Council will respond to them. It may be appropriate to advise that all Council communications will be in writing through a single channel, or that Council will not respond further to complaints regarding matters which have already been addressed.
 - iv When, where and how they can have contact. If a complainant's manner of communication is causing a risk to health and safety, or an unreasonable demand on time or resources, Council may impose restrictions on the methods of communication, such as limited face to face meetings, modifying the way in which those meetings occur, restricting telephone communications.
 - v Restrictions on access/services. In certain circumstances, it may be appropriate to limit a complainant's access to Council premises, or terminate the provision of services to a complainant. This is a very serious measure and should be a last resort.

A decision to limit a complainant's interactions with Council must be made at a General Manager level or higher. The person making the decision must consider whether the proposed restriction may have an impact on the complainant's human rights, or their health and safety.

Any restriction or limitation should be communicated to the complainant in writing, and should set out the specifics of the restriction, the period for which the restriction will apply, and when the restriction will be reviewed. It should also set out the kinds of behaviours which may factor into a decision on the review of the restriction.

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16. Privacy and confidentiality

Information gathered when investigating a complaint will be used only to deal with the specific complaint or to address issues identified in the investigation. Information may be de-identified and will only be shared with relevant staff.

Any queries regarding privacy should be directed to the Manager Legal, Governance and Risk.

17. Recording and reporting

All complaints in the scope of this policy will generally be recorded in the Council's document management system, unless there is a requirement to protect the privacy of individuals that are involved in the complaint.

Council may record the following information for each complaint:

- The complainant's details
- How the complaint was received
- A description of the complaint
- The complainant's desired outcome (if known)
- The Council Officer responsible for handling the complaint
- Any action taken, including contact with the complainant, response times and outcomes and/or
- Any recommendations for improvement and who is responsible for implementing the recommendation.

Any staff queries regarding the recording of complaints should be directed to the Policy Owner.

Managers are responsible for monitoring complaints and ensuring timeframes are met.

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18. Responsibility /Accountability

5.1	Coordinator Customer Service
	<ul style="list-style-type: none"> The Coordinator Customer Service is the policy owner and is responsible for updating and amending this policy and related procedures.
5.2	Manager Engagement and Advocacy
	<ul style="list-style-type: none"> The Manager Engagement and Advocacy is responsible for providing professional advice and guidance to employees regarding this policy
5.3	All staff
	<ul style="list-style-type: none"> All staff are responsible for operating in accordance with this policy, and for providing feedback to the policy owner.

19. References and links to legislation and other documents

Name	Location
<i>Local Government Act 2020</i>	http://www.legislation.vic.gov.au/
<i>Public Interest Disclosures Act 2012</i>	http://www.legislation.vic.gov.au/
Employee Code of Conduct	Policy and Procedures Intranet www.melton.vic.gov.au
Councillor Code of Conduct	Policy and Procedures Intranet www.melton.vic.gov.au
Victorian Ombudsman <i>Good Practice Guide - Victorian Ombudsman's Guide to complaint handling for Victorian Public Sector Agencies</i>	http://www.ombudsman.vic.gov.au/
Commonwealth Ombudsman <i>Better Practice Guide to Complaint Handling</i>	http://www.ombudsman.gov.au/

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6.2 CIVIC FLAG POLICY

Responsible Officer: Megan Kruger - Head of Governance
Document Author: Renee Hodgson - Governance Coordinator
Date Prepared: 20 June 2023

Recommendation:

That the Policy Review Panel recommend Council adopt the Civic Flag Policy, provided as **Appendix 1** to this report.

Motion

Crs Shannon/Vandenberg.

That the Policy Review Panel recommend Council adopt the Civic Flag Policy, with changes made by the panel highlighted in yellow, provided as **Appendix 1** to this report.

CARRIED

1. Background**1.1 The Policy**

The Civic Flag Policy is a new policy which has been developed to provide guidance on flying flags at civic facilities and events, and to guide decision-making in the consideration of requests to fly other flags that are of significance to the City of Melton community.

Together, the *Flags Act 1953*, the Australian National Flag Protocols and the Australian Flags Booklet detail rules and protocols for the guidance of flying the Australian National Flag, official Australian flags such as the Australian Aboriginal Flag and the Torres Strait Islander Flag, state and territory flags, and other flags flown in Australia.

The Civic Flag Policy provides additional guidance regarding matters that fall outside the scope of the above documentation.

1.2 Sources/benchmarking

A number of Victorian councils' flag policies were reviewed in the development of the draft Civic Flag Policy, including, but not limited to, Yarra Ranges, Merri-Bek and Yarra. Benchmarking policies for considering and approving requests to fly other flags provided valuable insight to best practice in the sector and assisted in shaping this policy.

1.3 Consultation

Consultation was undertaken in the development of the Civic Flag Policy with various departments across council, including but not limited to Engagement and Advocacy, and Legal, Governance and Risk. The draft policy has also been reviewed by Council's Executive Leadership Team.

The consultation process enabled the policy to be developed with an understanding of the practical considerations and the protocol requirements that needed to be taken into account.

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1.4 Communication and Implementation

If adopted by Council, the Civic Flag Policy will be circulated to Council's Executive Leadership Team, Managers, and Coordinators, to ensure awareness of the policy's contents and any new associated processes. Governance will also update Council's Policy Register, Intranet, and Internet sites accordingly.

Additionally, as referenced in the policy, a Dates of Significance Schedule will be developed in consultation with the community, at which point, the policy will be highlighted to the community.

1.5 Compliance

The draft policy presented for consideration is compliant with relevant external legislation, including the *Flags Act 1953 (Cth)*, as well as other documents such as the Australian National Flag Protocols and Australian Flags Booklet published by the Department of Prime Minister and Cabinet.

1.6 Measures of Success

The success of this policy will be measured through ongoing monitoring and evaluation, and feedback from staff and the community will assist in identifying any areas for improvement.

LIST OF APPENDICES

1. Civic Flag Policy

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Item 6.2 Civic Flag Policy

Appendix 1 Draft Civic Flag Policy

	Civic Flag Policy
Version No.	Version 1.0 April 2023
Endorsement	Policy Review Panel, 29 June 2023
Authorisation	Council, 31 July 2023
Review date	April 2027 The policy will be reviewed upon change to legislation, national flag protocols or Council direction.
Responsible officer	Head of Governance
Policy owner	Coordinator Governance

1. Purpose

To provide guidance on flying flags at civic facilities and events, and to guide decision-making in the consideration of requests to fly other flags that are of significance to the City of Melton community.

2. Scope

This Policy applies to permanent exterior and floor-mounted portable flagpoles managed by Council at civic facilities and floor-mounted portable flagpoles used at civic events.

This Policy should be read in conjunction with the *Flags Act 1953* (Cth) (the Act) and the Australian Flags Booklet.

This Policy does not apply to Council's promotional flagpoles located in gateways and major precincts across the City of Melton, or to the use of images of flags in communications or promotional flag placements and uses.

This Policy does not apply to banners which may contain an image of a flag.

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Item 6.2 Civic Flag Policy

Appendix 1 Draft Civic Flag Policy

3. Definitions

Word/Term	Definition
Aboriginal Flag	<p>The Australian Aboriginal flag was proclaimed as a flag of Australia under Section 5 of the <i>Flags Act 1953</i> on 14 July 1995. The symbolic meaning of the flag colours (as stated by its designer and Aboriginal elder Mr Harold Thomas) are:</p> <ul style="list-style-type: none"> Black: Represents the Aboriginal people of Australia Red: Represents the red earth, the red ochre, and a spiritual relation to the land Yellow: Represents the sun, the giver of life and protector.
Australian National Flag	<p>The Australian National Flag is the chief national symbol and was raised for the first time on 3 September 1901 in the presence of the first Australian Prime Minister, Edmund Barton. This symbol of nationality stands for the democracy which allows Australians to discuss its meaning and origins. The flag has three elements on a blue background:</p> <ul style="list-style-type: none"> Union Jack: represents the history of British settlement Commonwealth Star: has seven points representing the unity of the six states and the territories of the Commonwealth of Australia Southern Cross: is a constellation of five stars that can only be seen from the southern hemisphere and is a reminder of Australia's geography.
City of Melton Flag	<p>The City of Melton Flag is based on Council's logo. It reflects a stylised representation of the landscape of the Melton municipality. It has three elements:</p> <ul style="list-style-type: none"> light blue representing the sky the golden shapes representing undulating hills a surrounding blue that communicates receding hills.
Civic Facility	Melton Civic Centre and Caroline Springs Library and Learning Hub.
Council	City of Melton
Flagpoles	Exterior flagpoles outside Council's civic facilities as well as the floor-mounted portable flagpoles used for Council Meetings and civic events.
Half-mast	The flying of the flag a third of the distance down from the top of the flagpole to indicate mourning.
Torres Strait Islander Flag	<p>The Torres Strait Islander Flag was created as a symbol of unity and identity for Torres Strait Islander peoples, designed by the late Bernard Namok from Thursday Island. The flag was recognised by the Aboriginal and Torres Strait Islander Commission in June 1992 and given equal prominence with the Aboriginal flag. The flag was proclaimed as a flag of Australia under Section 5 of the <i>Flags Act 1953</i> on 14 July 1995.</p>

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Item 6.2 Civic Flag Policy

Appendix 1 Draft Civic Flag Policy

4. Policy**4.1. Flying of Flags**

Council will fly flags in accordance with the Act and *Australian Flags*, Part 2: The protocols for the appropriate use and the flying of the flag.

The flags that are to be flown at Council's civic facilities on its four permanent exterior flagpoles at the front of the civic facility are the:

- Australian National Flag
- Aboriginal Flag
- Torres Strait Islander Flag
- City of Melton Flag

The flag to be flown at Council's Melton civic facility on its single permanent exterior flagpole is the Australian National Flag.

The City of Melton Flag may be substituted with other flags to commemorate or celebrate visiting dignitaries or important dates in accordance with Council's adopted Dates of Significance.

The Australian National Flag, Aboriginal Flag, Torres Strait Islander Flag, and the City of Melton Flag will be displayed in the Council Chamber.

4.2. Request to fly community flags

Each year Council will adopt a Dates of Significance Schedule which will set out the dates the City of Melton Flag will be substituted to fly a flag to acknowledge a significant celebration, event, or date.

The acknowledgement of a significant celebration, event, or date by flying a flag must be consistent with Council's values and commitment to diversity and inclusion.

This Schedule will be developed in consultation with the community.

4.3. Flying flags at half-mast**4.3.1 The Australian Flag**

The Australian National Flag will be flown at half-mast in accordance with protocol in part 2 of the *Australian Flags* booklet and as directed by the Department of Prime Minister and Cabinet or Department of Premier and Cabinet. When flying the Australian National Flag with other flags, all flags in the set should be flown at half-mast.

4.3.2 The Aboriginal Flag

Following a request from the local Aboriginal community, and at the discretion of the CEO, in consultation with the Mayor, the Aboriginal Flag will be flown at half-mast to mark the passing of an Aboriginal person who has contributed significantly to Australia, Victoria, or the City of Melton.

4.3.3 The Torres Strait Islander Flag

Following a request from the local Torres Strait Islander community, and at the discretion of the CEO in consultation with the Mayor, the Torres Strait Islander Flag

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Item 6.2 Civic Flag Policy
Appendix 1 Draft Civic Flag Policy

will be flown at half-mast to mark the passing of a Torres Strait Islander person who has contributed significantly to Australia, Victoria, or the City of Melton.

4.3.4 City of Melton Flag

Council, or the CEO in consultation with the Mayor, may decide to fly the City of Melton Flag at half-mast on the day of the funeral following the death of:

- a current or former Councillor of the City of Melton
- a member or former member of federal or state parliament who held a seat in an electorate in the City of Melton
- an outstanding local citizen (at the discretion of the CEO).

4.4. Notification

Where any other flag is flown on the flagpoles or flags are flown at half-mast, a notice indicating the reason will appear on Council's website.

5. Protocols on Flying Flags

Flags are to be flown in accordance with the Australian National Flag Protocols or the *Australian Flags* booklet.

Where Council has resolved to fly a flag on a Date of Significance and all four flagpoles are unable to be utilised, the CEO can elect to remove another flag to allow the flag relevant to the Date of Significance to be flown. The CEO is to notify the Mayor as to any changes made to the flying of flags under this section.

6. Variation to the Policy

Where a situation has not been provided for under this Policy the CEO, in consultation with the Mayor, is authorised to determine the appropriate course of action. Where a matter is urgent and consultation with the Mayor is not possible, the CEO may determine the appropriate course of action and will notify the Mayor of any decisions made.

The CEO is authorised to permit departures from this Policy where adherence to the Policy:

- has financial and staffing implications due to a need to raise or lower a flag outside business hours;
- could cause offence to sectors of the City of Melton community;
- results in a conflict between different policy requirements;
- is warranted due to extraordinary or unforeseen circumstances.

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Item 6.2 Civic Flag Policy
Appendix 1 Draft Civic Flag Policy

7. Responsibility /Accountability

7.1	Chief Executive Officer <ul style="list-style-type: none"> Approve in consultation with the Mayor, requests from the community to fly flags other than the Australian, Aboriginal and Torres Strait Islander flags, in accordance with this policy. Direct that flags be flown at half-mast in accordance with 4.3 of this policy.
7.2	Head of Governance <ul style="list-style-type: none"> Ensure currency and administration of the policy in accordance with legislation and direction from the Department of Prime Minister and Cabinet or Department of Premier and Cabinet. Advise employees on the application of the policy.
7.3	Coordinator Governance <ul style="list-style-type: none"> Flag Marshal. Maintain a subscription to the Commonwealth Flag Network and Victorian flag notifications. Process community and staff requests to fly other flags. Provide advice to the CEO and Mayor when considering requests to fly other flags. Prepare Council Reports relating to the Policy where a Council decision is required. Arrange the flying of flags in accordance with this Policy.
7.4	Governance Team Assist the Flag Marshal as required.
7.5	Customer Service Team Assist the Flag Marshal with raising and lowering flags at civic facilities.
7.6	Manager Engagement and Advocacy Responsible for coordinating the Dates of Significance Schedule.
7.7	Reconciliation Advisory Committee The Reconciliation Advisory Committee will provide advice to Council and the CEO on the flying of the Aboriginal Flag.

8. References and links to legislation and other documents

Name	Location
Flags Act 1953 (Cth)	https://www.legislation.gov.au/Details/C2008C00376
Australian Flags Booklet	https://www.pmc.gov.au/australian-flags-booklet
Australian National Flag Protocols	https://www.pmc.gov.au/honours-and-symbols/australian-national-symbols/australian-national-flag/australian-national-flag-0

MINUTES OF THE POLICY REVIEW PANEL29 JUNE 2023

6.3 POLICIES TO BE RESCINDED

Responsible Officer: Megan Kruger - Head of Governance
Document Author: Renee Hodgson - Governance Coordinator
Date Prepared: 19 June 2023

Recommendation:

That the Policy Review Panel recommend Council rescind the following policies, provided as **Appendices 1-3** to this report:

1. Credit Card Policy and Procedure (Councillors).
2. Electronic Recording of Meetings Policy.
3. Donation Fund Policy.

Motion

Crs Majdlik/Shannon.

That the Policy Review Panel recommend Council:

1. Rescind the following policies, provided as **Appendices 2-3** to this report:
 - a. Electronic Recording of Meetings Policy.
 - b. Donation Fund Policy
2. Maintain the Credit Card Policy and Procedure (Councillors), provided as **Appendix 1** to this report, until such time of review of the Credit Card Policy and Procedure (Staff), at which point combine the two policies.

CARRIED

1. Background**1.1 The Policy**

The policies recommended to be rescinded are no longer relevant for the reasons outlined, below:

1. Credit Card Policy and Procedure (Councillors) – This Policy and Procedure was last considered and endorsed by the Policy Review Panel on 13 October 2021 and adopted by Council on 25 October 2021 and applies to all Councillors issued with a corporate credit card. A copy Council's Credit Card Policy and Procedure (Councillors) is contained at **Appendix 1**.

Previously, the Mayor upon election was issued with a corporate credit card and the Deputy Mayor upon election was eligible to be issued with a corporate credit card upon request.

In consideration that Councillors are no longer issued with corporate credit cards, either upon election or upon request following election, this policy is no longer required.

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2. Electronic Recording of Meetings Policy – This Policy was considered and endorsed by the Policy Review Panel on 4 May 2015 and adopted by Council on 26 May 2015. A copy of Council's Electronic Recording of Meetings Policy is contained at **Appendix 2**.

This policy is not required as its objective is covered by legislative obligations such as those imposed by the *Privacy and Data Protection Act 2014* and the *Charter of Human Rights and Responsibilities Act 2006*.

3. Donation Fund Policy – This Policy was considered and endorsed by the Policy Review Panel on 4 June 2013 and adopted by Council on 23 June 2013. A copy of Council's Donation Fund Policy is contained at **Appendix 3**.

The Donation Fund is no longer in use. There are funds available under the broader Community Grants Program, along with the Mayoral Charity Fund, of which the respective Policy, Guidelines and/or Terms of Reference supersede the 'Donation Fund Policy'.

1.2 Sources/benchmarking

A review of the policies listed to be rescinded was undertaken in the preparation of this report. Additionally, in the instance of the Electronic Recording of Meetings Policy, an analysis of the *Charter of Human Rights and Responsibilities Act 2006* and the Information Privacy Principles contained in Schedule 1 of the *Privacy and Data Protection Act 2014* was also conducted.

1.3 Consultation

Consultation was undertaken with Managers of the relevant departments within Council and the Executive Leadership Team.

1.4 Communication and Implementation

Governance will communicate the committee's recommendations and subsequent resolution of Council to the Executive Leadership Team and will update Council's Policy Register, Intranet, and Internet sites accordingly.

1.5 Compliance

All policies at the time of creation are assessed for compliance with relevant legislation. As the policies listed in this report are being sought to be rescinded, an assessment of compliance with relevant legislation was not applicable on this occasion.

1.6 Measures of Success

A measure of success is not applicable as it is sought that the policies listed in this report be rescinded.

LIST OF APPENDICES

1. Credit Card Policy and Procedure - Councillors - 2021
2. Electronic Recording of Meetings Policy - 2015
3. Donation Fund Policy - 2013

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

	Credit Card Policy & Procedure (Councillors)
Version No.	V1.1, 5 August 2019
Endorsement	Executive, 5 September 2019 Policy Review Committee, 13 October 2021
Authorisation	Council, 25 October 2021
Review date:	30 September 2023
Responsible officer:	Manager Legal & Governance
Policy owner	Procurement Coordinator

1. Purpose

To provide a, more convenient, efficient recordable means of conducting minor purchasing transactions whilst adhering to acceptable internal control requirements.

The main objectives of the Card program are;

- to streamline the payments process for low value transactions;
- to reduce internal costs by streamlining internal purchasing, receipting and payment systems, and reducing the number of suppliers Council deals with;
- to improve reporting quality of low dollar value transactions.

2. Scope

These procedures apply to all Councillors issued with a Corporate Credit Card ("Card"). A Corporate Credit Card will be issued to a Councillor upon election as Mayor as of right and to a Councillor upon election as Deputy Mayor only upon request.

3. Definitions

Word/Term	Definition
Card	Refers to the Corporate Credit Card issued to a Council officer for the payment of creditors.
Card Administrator	Council Officer responsible for the administration of the Card program and supporting the electronic card management system (ECMS). Currently this is the Procurement Coordinator.
Cardholder	Councillor issued with a Card.
CBA	Refers to the Commonwealth Bank of Australia Limited.
Councillor	An elected representative of Council

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

Documentation	Refers to document/s, which provide all relevant details to enable a payment to be made. For example, a Tax Invoice where GST applies, a conference registration, or proof of payment in the case of a refund.
Electronic Card Management System (ECMS)	ProMaster web based application used for viewing, transaction reconciliation and reporting on all Council Corporate Purchasing Card transactions.
ExpenseMe	Mobile Application used for reconciling transactions.
PIN	Personal Identification Number used by the Cardholder to authorise card transactions.
ProMaster	Electronic Card Management System (ECMS).

4. Procedure

The Cards have been introduced with the aim of improving Melton City Council's purchasing and payment processes in terms of cost, control, efficiency and effectiveness.

4.1	Card Administration
4.1.1	The Card Program is administered by the Legal & Governance Unit.
4.1.2	The Card billing period runs to the 29th of each month with Card credit balances refreshed the next day.
4.1.3	All queries on transactions in monthly statements must be referred, in the first instance, by the Cardholder to the Supplier/Merchant in a timely manner.
4.2	Card Limits
4.2.1	A monthly Card total transaction value limit is set according to the purchasing requirements of each Cardholder. The default card limit is \$1000 .
4.2.2	A single Card transaction value limit is set according to the purchasing requirements of each Cardholder - the default limit is the card limit
4.2.3	The monthly Card total transaction value limits and single Card transaction value limit on the Card can be reviewed and approved from time to time by the Chief Executive Officer. (Refer Appendix E – Request for Credit Limit Increase Form).

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

4.3	Card Issuance & Cancellation
4.3.1	The Card will be issued to the Mayor upon election, as of right, and to a Deputy Mayor only upon request. Upon cessation of the Mayor and Deputy Mayor, all credit card transactions must be reconciled and the Card returned to the Card Administrator for cancellation. .
4.3.2	Applications for the issue of a Card are to be submitted to the Chief Executive Officer in a standard format (<i>Refer Appendix A - Corporate Credit Card Request Form</i>).
4.3.3	The Legal & Governance Unit will arrange for Council's Bankers to provide a Card in the name of the Mayor, subject to the provision of documents to satisfy the issuing bank's 100 points identification requirement.
4.3.4	The Mayor and Deputy Mayor must complete the Council Corporate Credit Card Declaration form after undertaking Cardholder training and before the use of the Card (<i>Refer Appendix B - Corporate Credit Card Declaration Form</i>).
4.4	Using the Card
4.4.1	Cardholders are in a position of trust with regards to the use of public funds. Expenditure for each Card will be reviewed on a regular basis for compliance with this policy.
4.4.2	The holder of the Card can purchase goods or services via <ul style="list-style-type: none"> ▪ Mail transactions. ▪ Telephone transactions. ▪ Facsimile transactions. ▪ Internet transactions. ▪ Point of Sale.
4.4.3	The Cardholder is solely responsible for their card, purchase transactions and completion of monthly reconciliation document.
4.4.4	The Card Administrator will report any breach on the use of the Card to the Manager, Legal & Governance, the Finance Manager and the Executive as soon as they become aware of such a breach.
4.5	Personal Expenses
4.5.1	Private expenses are not acceptable under any circumstance.
4.5.2	A Statutory Declaration (<i>Appendix D</i>) will need to be completed and attached together with the receipt(s) where a Cardholder inadvertently uses the Card to pay for personal expenses. This form must be appropriately witnessed.

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

4.6	Fraud & Security Concerns
	To mitigate escalation of credit card fraud, it is important that steps are taken to minimise the risk.
4.6.1	The Cardholder <u>must not</u> : <ol style="list-style-type: none"> give out the PIN to anyone and choose passwords that would be easy for others to work out. lose sight of the Card when making a transaction in store. lend or give the Card to another Officer to use.
4.6.2	When transacting via the Internet, the Cardholder must ensure that payment is only finalised via a secure web page, one that has a valid digital certificate. Look for the <u>https</u> at the beginning of the address bar and a locked padlock symbol in the browser.
4.6.3	The Cardholder must regularly check transactions online via the ECMS and if there are any purchases which cannot be accounted for report them to the CBA.
4.6.4	If the Card is lost, misplaced or stolen it is the responsibility of the Cardholder to immediately report the loss to the CBA, Lost/Stolen Cards Centre by calling 13 22 21 in the first instance and the Card Administrator.
4.6.5	Damaged Cards should be returned to the Card Administrator for re-ordering and replacement.
4.7	Limitations and Controls
	The following limitations and controls apply to the use of the Card:
4.7.1	The Card is to be used for official Council business <u>only</u> .
4.7.2	The Card <u>cannot</u> be used to withdraw cash from ATM or over the Counter.
4.7.3	The Card shall <u>only</u> be used for fuel purchases for Council vehicles where the fleet card provided is not available or accepted at the service station.
4.7.4	The Card cannot be used to pay for car wash for Council vehicles. The Fleet Card issued to Council vehicles may be used to pay for exterior car wash of the vehicle.
4.7.5	Where the Card is to be used to register for training courses/conferences, appropriate authority from the Chief Executive Officer <u>must</u> be obtained prior to the use of the Card.
4.7.6	The Card shall <u>not</u> be used to pay tips and gratuities.
4.7.7	Under no circumstance shall the Card be used for personal gain. <ul style="list-style-type: none"> Cardholders are not to use their own reward card (e.g. Flybuys, Everyday Rewards cards) to earn points whilst using Councils Corporate purchasing card. Cardholders are not allowed to use any "Promotional Offers" like discount fuel vouchers, 2 for the price of 1 liquor offer etc, resulting from the Council's Corporate credit card use, for their personal advantage.

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

	If the Card Administrator has concerns that a Card has been abused the Card will be cancelled on the authority of the Chief Executive Officer.
4.7.8	All Cardholder transactions and supporting documentation will be open to regular review by the Card Administrator to ensure accurate reconciliation of expenditure; to enable the preparation of Council's annual accounts and for Fringe Benefits Tax (FBT) reporting; and to ensure compliance with relevant Policies.
4.8	Tax Invoices and Transaction Receipts
4.8.1	Critical to the effective management of the Cards is that ALL claims are accompanied by adequate supporting documentation.
4.8.2	A relevant Tax Invoice relating to each transaction for the particular period must be uploaded as part of the transaction reconciliation process.
4.8.3	The <i>ExpenseMe</i> mobile application can be used to upload tax invoices by taking a photo, or using an existing photo or document on your mobile device. Alternatively, invoices are to be scanned and uploaded to the ECMS.
4.8.4	A Statutory Declaration must be completed and submitted where a tax invoice for amounts greater than \$80.00 has been misplaced (<i>Refer to Appendix C- Missing Tax Invoice Declaration Form</i>) This form must be appropriately witnessed. It should be not witnessed by the approver of the transaction.
4.9	Monthly Transaction Reconciliation & Reporting Requirements
4.9.1	All transactions must be reconciled within 5 working days after the 29th day of each month. Monthly transactions that have not been reconciled after this date will be escalated to the Cardholder's Supervisor for further action in order to ensure that prompt processing and reconciliation of transactions is undertaken.
4.9.2	Late submission of expenses is not acceptable, unless prior notice has been provided. <ul style="list-style-type: none"> Where transactions remain unreconciled after 45 days, the card account will be suspended. If the transactions still remain unreconciled after 75 days, the card account will be cancelled.
4.9.3	Card transactions must be reconciled using the appropriate General Ledger number either via the "ProMaster" ECMS or via the "ExpenseMe" Mobile Application.
4.9.4	For audit purposes, all transaction entries must detail the items purchased and include reasons for the purchase.
4.10	Card Transaction Authorisation
4.10.1	All transactions are to be approved online via the "ProMaster" ECMS by the Chief Executive Officer.

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

4.11	Cardholder Responsibilities
4.11.1	All Cardholders are individually responsible for the security and use of their Card in line with the written instructions (and training) provided upon issue. The card is to be used in accordance with the conditions of use issued by the bank, and this procedure.
4.11.2	The Card must be returned to the Legal & Governance unit where the term of appointment as the Mayor or Deputy Mayor comes to an end.
4.12	Lost, Stolen and Damaged Cards
4.12.1	The loss or theft of a Credit card must be immediately reported by the Cardholder to the Bank regardless of the time or day discovered. The Cardholder must also formally advise the Card Administrator of the loss or theft on the next working day. Advice of a damaged card is to be provided to the Card Administrator who will organise a replacement card.

5. Responsibility /Accountability

5.1	Chief Executive Officer
	<ul style="list-style-type: none"> responsible for approving the transactions of the Mayor and Deputy Mayor in accordance with this policy and procedure.
5.2	Manager, Legal & Governance
	<ul style="list-style-type: none"> responsible for administering this policy and procedure.
5.3	Card Administrator
	<ul style="list-style-type: none"> responsible for administration of the credit card program.
5.4	Cardholders
	<ul style="list-style-type: none"> are responsible for ensuring that this policy and procedure is adhered to.

6. References and links to legislation and other documents

Name	Location
Councillors and Special Committee Members Resource Support and Expense Policy	Council Intranet

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

APPENDIX A – Corporate Credit Card Nomination Form



REQUEST FOR CORPORATE CREDIT CARD

[Return completed form to Card Administrator]

Nominated Cardholder: _____

Full Name (please print)

Position: _____

Business Unit: _____

Program Area: _____

Contact Number: _____

Email: _____

Predominate Purpose for Requesting the Card:

Signature of Nominated Officer

Name:

Date:

Signature of Witness
(Manager)

Name:

Date:

General Manager Approval/Chief Executive Officer:

Name:

Date:-

Card Limit Requested: ☒ \$500 ☐ \$1000 ☐ \$2000 ☐ Other.

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

APPENDIX B – Corporate Credit Card Declaration Form

CORPORATE CREDIT CARD DECLARATION
FORM

[Acknowledgement and Undertaking]

Cardholder: _____

Full Name (please print) _____

Position: _____

Business Unit: _____

Program Area: _____

I acknowledge receipt of "Council Corporate Credit Card" (Card) number _____ in my name and accept all responsibility for the use of the card under the policies, which have been explained to me. I understand that any deliberate abuse will result in my employment with Melton City Council being terminated without any further warning.

I understand and agree that: [Please acknowledge by placing a cross (x) in the appropriate box]

- ☐ I will only use the Card for authorised business related expenses
- ☐ I acknowledge that I will abide by the total monthly credit limit as authorised by Executive.
- ☐ If I misuse the Card (i.e. use it otherwise than in accordance with the instructions given to me) I understand that proceedings may be instituted against me
- ☐ If the Card is lost or stolen I am to report it **IMMEDIATELY to the CBA, Lost/Stolen Cards Centre by calling 13 22 21 and advise the Card Administrator**
- ☐ The Card shall only be used for transactions within the program area to which the card holder belongs
- ☐ I will return the Card to my Manager on being transferred to another Business unit, Program Area or leave the employment of Council
- ☐ Under no circumstance shall Council's corporate credit card be used for personal gain.
 - Council employees are not to use their own reward cards (eg: Flybuys, Everyday Rewards cards) to earn points whilst using Councils Corporate purchasing card
 - Council employees are not allowed to use any "Promotional Offers" like discount fuel vouchers, 2 for the price of 1 liquor offer etc , resulting from the Council's Corporate purchasing card use, for their personal advantage.

If the Card Administrator has concerns that a Corporate purchasing card has been abused the Corporate purchasing card will be cancelled and the staff member may face disciplinary action in accordance with Council's Discipline Policy
- ☐ I must retain transactional evidence to support all charges and submit this together with the invoice at the end of the statement period to the Card Administrator
- ☐ Cash Advances are not permitted on the Card
- ☐ The Card is to be used in accordance with the "Conditions of use" issued to the Cardholder by the bank.

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

I have understood the conditions set out above which governs the issue of the Card in my name and acknowledge that I have read the Corporate Credit Card Procedures and agree to abide by the procedures and guidelines.

Signature of Card Holder

Name:

Date:

Signature of Witness

(Manager/Card Administrator)

Name:

Date:

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

APPENDIX C – Missing Tax Invoice - Statutory Declaration Form



**CORPORATE CREDIT CARD MISSING TAX
INVOICE
STATUTORY DECLARATION**

(For completion where Cardholder has misplaced or is unable to obtain a tax invoice for purchases greater than \$80.00)

I _____
[Full Name]

Of _____
[Address]

[Occupation]

do solemnly and sincerely declare that the transaction(s) charged to my Corporate Credit Card as detailed below were for legitimate Council business.

Date of transaction(s)	Supplier	Description of Goods & Purpose	Ledger Code	Amount (\$)

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury

Declared at _____

this _____ day of _____ 20____

.....
Signature of Cardholder

Before me,

.....
Name

.....
Signature of Authorised Witness

.....
Date

(Council Executive and Business Unit Managers are authorised to witness the statutory declaration). Please see the link below for a list of Victorian state authorised witnesses.

Attach signed Declaration to relevant Credit Card Statement.

http://assets.justice.vic.gov.au/justice/resources/5096dc0c-bf78-4307-998b-0268a3480965/list_of_victorian_authorised_witnesses.pdf

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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

APPENDIX D – Incorrect Card Use - Statutory Declaration Form



INCORRECT CORPORATE CREDIT CARD USE

STATUTORY DECLARATION

I _____
[Full Name]Of _____
[Address]

[Occupation]

do solemnly and sincerely declare that the transaction(s) charged to my Corporate Purchase Card as detailed below are accurate and were charged in error.

Date of transaction(s)	Supplier	Description of Goods & Purpose	Ledger Code	Amount (\$)

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury

Declared at _____

this _____ day of _____ 20____

.....
Signature of Cardholder

Before me,

.....
Signature of Authorised Witness.....
Date

(Council Executive and Business Unit Managers are authorised to witness the statutory declaration). Please see the link below for a list of Victorian state authorised witnesses.

Attach signed Declaration to relevant Credit Card Statement.

http://assets.justice.vic.gov.au/justice/resources/5096dc0c-bf78-4307-998b-0268a3480965/list_of_victorian_authorised_witnesses.pdf


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Item 6.3 Policies to be Rescinded

Appendix 1 Credit Card Policy and Procedure - Councillors - 2021

APPENDIX E – Request for Credit Limit Increase Form

	CORPORATE CREDIT CARD REQUEST FOR CREDIT LIMIT INCREASE
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[Return completed form to Card Administrator]

Nominated Card Holder: _____

Full Name (please print) _____

Position: _____

Business Unit: _____

Program Area: _____

Contact Number: _____

Email:- _____

Predominate Purpose for Requesting Credit Limit Increase:

<p>_____ Signature of Nominated Officer</p> <p>Name: _____</p> <p>Date: _____</p> <p>General Manager Signature</p> <p>Name: _____</p> <p>Date: _____</p>	<p>_____ Signature of Witness (Manager)</p> <p>Name: _____</p> <p>Date: _____</p>
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Card Limit Requested: ☐ \$500 ☐ \$1000 ☐ \$2000 ☐ Other.

MINUTES OF THE POLICY REVIEW PANEL

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Item 6.3 Policies to be Rescinded

Appendix 2 Electronic Recording of Meetings Policy - 2015

	Electronic Recording of Meetings Policy
Version No.	V1.0, 14 April 2015
Endorsement	Policy Review Panel, 4 May 2015
Authorisation	Council, 26 May 2015
Expiry date	1 April 2018
Responsible officer	Chief Executive Officer
Policy owner	Legal Officer

1. Purpose

This Policy sets out Melton City Council's position on the Electronic Recording of meetings (with the exception of Council Meetings) held with Councillors and Council staff in Council Buildings and any other place.

2. Scope

This Policy applies to all meetings (formal and informal) held with Councillors and Council staff whether in a Council Building or otherwise, but does not apply during a Council Meeting held in the Council Chamber (or any other place where a Council Meeting may be held from time to time).

3. Definitions

Word/Term	Definition
Charter of Human Rights	means the <i>Charter of Human Rights and Responsibilities Act 2006</i> .
Codes of Conduct	means the current Councillor Code of Conduct and Staff Code of Conduct as may change from time to time.
Council	means Melton City Council.
Council Building	means any building operated by Council including, but not limited to, civic centres, halls, libraries, neighbourhood houses and community centres.
Council Plan	means the current Council Plan as set out on Council's website as may change from time to time.
Council's Values	means Council's current values as set out in the current Council Plan.
Consent	means express consent and is confined to the consent to record for the requestor's personal use and not for communication to another party or publication under any circumstances.
Electronic Recording	means electronic recording or taping, including audio and/or visual recording, via any device including, but not limited to, a dictaphone, telephone, tablet, camera but does not include the taking of written notes even if on an electronic device such as a tablet.

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Appendix 2 Electronic Recording of Meetings Policy - 2015

Word/Term	Definition
Relevant Documentary Laws	means the <i>Privacy and Data Protection Act 2014</i> , the <i>Freedom of Information Act 1982</i> and any other legislation or related regulations from time to time concerning the storage and retrieval of information and documents by Council.
Relevant Privacy Laws	means the <i>Privacy and Data Protection Act 2014</i> , the <i>Charter of Human Rights and Responsibilities Act 2006</i> and the <i>Health Records Act 2001</i> and any other legislation or related regulations from time to time concerning the individual privacy rights, privacy, personal information or health information of a person.
Surveillance Devices Act	means the <i>Surveillance Devices Act 1999</i> .

4. Policy

Where possible a meeting should be recorded via written minutes and not via Electronic Recording.

Where not possible or appropriate or where there has been a request from a member of the public to Electronically Record the meeting, Council respects an individual's decision to consent or withhold his/her consent in relation to the Electronic Recording of the meeting.

If more than one person is present at the meeting then all persons must agree for the Electronic Recording of the meeting to take place.

If consent is withheld the meeting should either not take place or should proceed without Electronic Recording.

If the request is from a member of the public and the Councillor or Council staff member does not consent to the Electronic Recording of the meeting and the member of the public does not wish to hold the meeting without Electronic Recording, then it should be suggested that the query or matter (the subject of the meeting) be dealt with in writing.

Consent is confined to the recording of the meeting for the requestor's personal use and not for communication to another person or publication. Where communication or publication occurs without the express consent of all person's present at the meeting Council will consider any legal action possible pursuant to the *Surveillance Devices Act 1999* (s11) or any other law.

4.1. Issues with recording devices

Council recognises that there are various matters that may be grouped broadly as 'advantages' and 'disadvantages' in the use of Electronic Recording which Council staff should be aware of. In some cases, the same issue may fall under both groupings.

4.1.1. Advantages of audio and audiovisual recordings

- (a) efficiency;
- (b) accuracy;
- (c) mobility;
- (d) ability and ease by which such recordings can be placed on social media and other forums.

4.1.2. Disadvantages of audio and audiovisual recordings

- (a) ability for such recordings to be tampered with;

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Appendix 2 Electronic Recording of Meetings Policy - 2015

- (b) ability and ease by which such recordings can be placed on social media and other forums;
- (c) difficulty of compliance with the Relevant Privacy Laws and Relevant Documentary Laws in relation to storage and security and provision of copies.

4.2. Relevant Documentary Laws

Council must comply with the Relevant Documentary Laws in relation to the storage and retrieval of information and documents. This is difficult in relation to audio and audiovisual recordings and thus written minutes are the preferred method.

4.3. Relevant Privacy Laws

Council must comply with the Relevant Privacy Laws in relation to the capture, storage and retrieval of information and documents. This is difficult in relation to audio and audiovisual recordings and thus written minutes are the preferred method.

As a Public Authority Council must take into account a person's rights as set out in the Charter of Human Rights in making any decision, including but not limited to, the right to privacy.

Council believes it should be an individual's own decision to consent to or withhold his/her consent to, the recording of meetings.

5. Responsibility /Accountability**5.1 Legal Officer**

- The Legal Officer is the policy owner and responsible for updating and amending this policy and related procedures.
- The Legal Officer is also responsible for providing advice and guidance to employees regarding this policy.

5.2 Councillors and all Council Staff

- Councillors and all Council Staff are responsible for operating in accordance with this policy and for providing feedback to the policy owner.

6. References and links to legislation and other documents


Name	Location
<i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>	www.legislation.vic.gov.au
<i>Council Plan</i>	www.melton.vic.gov.au
<i>Council's Values</i>	(within the Council Plan) www.melton.vic.gov.au
<i>Freedom of Information Act 1982 (Vic)</i>	www.legislation.vic.gov.au
<i>Health Records Act 2001 (Vic)</i>	www.legislation.vic.gov.au
<i>Surveillance Devices Act 1999 (Vic)</i>	www.legislation.vic.gov.au
<i>Privacy and Data Protection Act 2014 (Vic)</i>	www.legislation.vic.gov.au

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Item 6.3 Policies to be Rescinded

Appendix 3 Donation Fund Policy - 2013

	Donation Fund Policy
Version No.	1.0 23 June 2013
Endorsement	Executive 3 June 2013 Policy Review Panel 4 June 2013
Authorisation	Council 23 June 2013
Expiry date:	23 June 2015
Responsible officer:	Manager, Community Planning
Policy owner	Coordinator, Community Development

1. Purpose

To provide the clear conditions and authorisation processes for the utilisation of Melton City Council's Donation Fund, to enable provision of appropriate, consistent and transparent application of charitable donations.

2. Scope

This Policy outlines the process involved in the disbursement of Council's donation fund.

This policy does not apply to requests for support that are eligible to be assessed within the funding threshold of Council's:

- Community Service Organisation Support Funding Program; and
- Community Grants Program.

3. Definitions

Word/Term	Definition
Community Grant Program (CGP)	The program that administers funds to individuals, groups or organisations to support community led initiatives that derive community benefit.
Delegated Authority	Person/s who are authorised to perform the function of approving successful Community Grants.
Community Group	An organisation that is a not for profit, formally incorporated group or association that is accessible and accountable to members of the community. A community group provides the broader community and/or its members with opportunities to engage in local community, cultural, leisure and/or educational activities.
Donation	A voluntary gift provided, typically, to a non-related charitable, public purpose or not-for-profit organisation, without any material benefit or advantage being received by Council in return and provided without any conditions or contractual obligations.
Sponsorship	Sponsorship is the right to associate the sponsor's name, products

Donation Policy

1.0 23 June 2013

1 of 6

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Appendix 3 Donation Fund Policy - 2013

	or services with the sponsored organisation's service, product or activity, in return for negotiated benefits such as promotional opportunities. It involves a negotiated exchange and should result in tangible and mutual compensation for all parties in the arrangement.
Subsidy	A subsidy is a form of financial assistance that is conditional upon meeting specific criteria. A subsidy can be used to support and to encourage community activities that would otherwise not take place, particularly to support the commencement and establishment of initiatives in becoming self-sustaining.

4. Policy

The Donation Fund enables Council to address requests for support of philanthropic and charitable purposes from community groups and individuals.

Each year within the Council's budget, an allocation is provided to support charitable purposes that may arise. This policy outlines the conditions and limitations for use of the fund.

Council has previously provided benefit to community through funding requests of community assistance and sponsoring resident achievements. In addition, historically the Mayor in his or her duties, has either employed the use of a Mayoral Ball to provide targeted support of a Council donation to a local charity/s, or made provision of donation direct to a local charity. This policy enables the Council to employ either avenue in making charitable donation to a local cause.

Our City supports its community through access to a wide variety of funding opportunities including:

- Council's Community Grants Program (CGP).
- Council's administration of Third Party grants (Collingwood Football Club - Community Benefit Program and Harness Racing Victoria grants).
- Council's Community Service Organisation Support Funding Program.
- Council's Annual Budget program.
- Private sector sponsorship and grants (including Electronic Gaming venues that operate in the municipality are required to redistribute a percentage of revenue to the community as defined by the Victoria Gaming Regulation Act 2003);
- Philanthropic organisations; and
- State and commonwealth government streams.

All requests for community funding are directed to these existing funding programs. Council and its officers encourage and direct local groups and individuals to be prepared, considered and strategic in their application processes, as opposed to reactive in seeking any available funding opportunities.

However, from time to time, there may be requests that do not align with the timing of existing programs or require some form of immediate and or urgent support and intervention.

The Donation Fund provides for a flexible and responsive approach to such requests. Categories of request within the Donation Fund include:

1. Resident Achievement	To recognise the achievements that are made by our residents participating in academic, recreational, artistic and cultural activities at a 'higher' level than local participation. This funding supports and recognises City of Melton residents with outstanding talent, ability and achievement, particularly supporting those that are disadvantaged or with special needs through provision of financial
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Appendix 3 Donation Fund Policy - 2013

	donation to enable those to pursue their aspirations and endeavours. Council's support ensures the nurturing and support of local people and also provides an opportunity to promote our City to a wider community, particularly through involvement in events of national and international significance.
2. Community Contribution	A charitable donation towards a program and / or service that seek to make a significant contribution and benefit to residents and / or the City, and where is ineligible with other funding programs either by nature or timing.

5. Applying for funding assistance

All applications for assistance for funds from the Donation Fund:

- 5.1. Are to be in writing and addressed to the Mayor, Melton City Council.
- 5.2. Must specify the purpose the funds are to be used for and how the community or individual will benefit from the funds being allocated.

Officers of Council are responsible to examine all requests in accordance with this Policy and make referral of appropriate donation requests for consideration.

The Mayor will make recommendation, for consideration of approval by the Chief Executive Officer, on received applications which meet stated funding criteria.

6. Funding criteria

To be eligible for funding, applications must be received from a community group or a local resident based within the boundaries of the Melton City Council. Applications must also seek:

- 6.1. To assist in instances of individual or group hardship and where providing assistance will be to the greater benefit of the local community.
- 6.2. To contribute towards the cost of an individual or group associated with the municipality attending a sporting or other major event at which they will be representing the nation, state or municipality.
- 6.3. To assist with the development and implementation of a local charitable project, scheme or initiative.
- 6.4. To provide assistance and donation to any cause which merits the involvement of the Council and is able to provide a direct or indirect benefit for the City.

The fund will not:

- 6.5. Be used to repay amounts owed to Council for existing debts.
- 6.6. Be used to support a discriminatory group or organisation.
- 6.7. Provide benefit to any applicant that has an outstanding debt owing or Council grant that have not been acquitted satisfactorily.
- 6.8. Support donations to an individual, where the individual is the sole beneficiary, and will be limited to the receipt of one (1) donation per financial year.
- 6.9. Where a request is received and funding can be gained by way of application to another funding source of Council, such as the Community Grant Program, the request is to be denied and advice given on the alternative avenue to seek funding.

To be eligible for funding, applicants must:

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- 6.10. Be an incorporated non-profit community group or organisation (or be auspiced), and deliver services / activities in the City of Melton.
- 6.11. Demonstrate local community benefit; with a minimum 75% of people participating in the community group and / or project are City of Melton residents.
- 6.12. Have an Australian Business Number (ABN) and hold a current public liability insurance policy that provides appropriate coverage for proposed activities.
- 6.13. Complete all conditions / questions on the approved application form including copies of the required supporting documentation, evidence of organisational status, quotations etc to which the grant relates.
- 6.14. Have capacity to deliver the services or activities making application for.
- 6.15. Have met all acquittal conditions of previous Council funding.
- 6.16. Lodge applications by close of business on the advertised day of applications close.
- 6.17. Align projects with Council priorities set out in its 2013 - 2017 Council Plan.
- 6.18. Adhere to Local, State and Federal laws.
- 6.19. Ensure adherence with the Equal Opportunity Act 2010.
- 6.20. Comply with the conditions outlined in Council's Alcohol Risk Management Policy.

Donation will be ineligible to projects:

- 6.21. Where the primary focus is to promote specific political or religious views (however political or religious groups may apply for projects that are not promoting their views and provide broad community benefit).
- 6.22. That are facilitated by local schools / education providers that are limited to students only. Core school curriculum and school concerts cannot be considered.
- 6.23. That seeks support of on-going / recurrent operational costs e.g. permanent staff, ongoing salaries, maintenance etc.
- 6.24. That is the clear responsibility of other levels of government e.g. State and Commonwealth Government, e.g. school curriculum or infrastructure.
- 6.25. That already receives Council funds to do a same / similar activity.
- 6.26. That is deemed to be duplicating existing services in the municipality.
- 6.27. To purchase land.
- 6.28. To facilitate routine and regular maintenance work to existing facilities.
- 6.29. That are based at facilities where there is little or no public access.
- 6.30. That operates solely for the purpose of fundraising for individual gain.
- 6.31. That are the responsibility of Council and or where the fund will be administered / managed by Melton City Council.
- 6.32. That are eligible to be assessed within the funding threshold of Council's Community Service Organisation Support Funding Program or Donation Fund.
- 6.33. That are profit making ventures.
- 6.34. Applying for purchase of equipment to address Occupational Health and Safety issues as this is considered to be the responsibility of the agency or organisation concerned.

7. Approving Applications

The Mayor may seek clarification, advice or information from Council staff to enable informed decision making in relation to qualification and amounts requested. Council's Community

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Funding Officer will be responsible for referring all requests for consideration and to ensure that applications are in accordance with this Policy.

7.1. Resident Achievement and Minor Community Contribution Applications:

- 7.1.1. The Mayor will make recommendation for consideration of approval by the Chief Executive Officer on received applications. Delegated authority is provided to the Chief Executive Officer up to and including \$2,000 for any one application.
- 7.1.2. Any applications to Donation Fund greater than \$2,000 will only be approved by decision of Council.

7.2. Major Community Contribution Applications, via Mayoral Ball:

- 7.2.1. Where the Mayor determines contribution to be made through delivery of a Mayoral Ball, it will be determined up to an amount approved in the budget.
- 7.2.2. The identification and selection of an appropriate charity for the Mayoral Ball will be approved by decision of Council.
- 7.2.3. The Chief Executive Officer will have delegated authority to approve the distribution of funds from the Mayoral Charity Ball budget.

7.3. Major Community Contribution Applications, via direct contribution:

- 7.3.1. Where the Mayor determines contribution to be made direct to local charity/s/community group/s it will be determined up to an amount approved in the budget.
- 7.3.2. The Mayor will make recommendation for consideration of approval by the Chief Executive Officer, of contribution/s to be made direct to local charity/s/community group/s.
- 7.3.3. The Chief Executive Officer will have delegated authority to approve the distribution of funds from the allocated budget.

8. Budgeting

An appropriate annual budget allocation shall be made for the Resident Achievement and Community Contribution Funds. The process of allocation will be via the adoption of Council's annual budget each year. This budget is not to be exceeded without a resolution of Council.

9. Reporting

- 9.1. Details of donation outcomes will be minuted in the weekly Mayor and CEO meeting.
- 9.2. Donation outcomes are to be reported publicly in Council's Annual Report.

10. Responsibility /Accountability

10.1	Melton City Council <ul style="list-style-type: none"> Has responsibility to receive reports, reviews and approvals of the policy. Has responsibility to consider and assess applications where referred.
10.2	Mayor <ul style="list-style-type: none"> Receive and assess requests for funding.
10.3	Chief Executive <ul style="list-style-type: none"> Responsible for implementing the policy.
10.4	Council Officers <ul style="list-style-type: none"> Provision of advice and or recommendations to both prospective applicants and to application assessors.
10.5	Community Funding Officer <ul style="list-style-type: none"> Oversee the administration of the program through adherence to the Policy,

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Appendix 3 Donation Fund Policy - 2013

including notification of outcomes of applications.

11. References and links to legislation and other documents

Name	Location
Code of Conduct for Councillors	Melton City Council Intranet site
Local Government Act 1989	www.legislation.vic.gov.au
Council Plan	www.melton.vic.gov.au

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6.4 POLICY REVIEW PLAN**Responsible Officer:** Roslyn Wai - Chief Executive Officer**Document Author:** Megan Kruger - Head of Governance**Date Prepared:** 21 June 2023**Recommendation:**

That the Policy Review Panel recommend Council note the plan to review and update Council Policies that are currently overdue for review.

Motion

Crs Shannon/Vandenberg.

That the Policy Review Panel recommend Council note the plan to review and update Council Policies that are currently overdue for review.

CARRIED**1. Background****1.1 The Policy**

There are currently 71 Council Policies, with:

- 17 Policies Overdue for Review
- 8 Policies due for review in the remainder of 2023; and
- 42 Policies up to date;
- 3 Policies being presented for consideration in the 'Policies to be Rescinded Report' at this Policy Panel Review Meeting.

The status of Council Policies by directorate / business unit is provided in the table, below:

	#	%	Org Performance		City Life		City Delivery		City Futures		Governance		Engagement & Advocacy		People & Culture	
Overdue for Review	17	24%	1	14%	3	19%	1	17%	0	0%	6	27%	5	45%	0	0%
Due in 2023	8	11%	0	0%	1	6%	2	33%	1	13%	4	18%	0	0%	0	0%
Up to Date	42	59%	6	86%	12	75%	3	50%	7	88%	12	55%	6	55%	1	100%
Total	71		7		16		6		8		22		11		1	

The following plan has been created to review and update Council Policies that are currently overdue for review, or due for review in 2023, to ensure they are all up to date by the end of 2023.

It is noted that there are currently a large number of policies listed for the Panel Review Meeting in August.

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Policy Review Panel Meeting	Policy	Review Date	Responsible Area
July	Privacy Policy	July 2022	Governance
	NEW Data Breach Policy	NEW	Governance
	Council and Community Alcohol (Liquor) Policy	December 2021	City Life
	Building Control Intervention Policy	March 2020	City Delivery
	Dog Attack Policy	September 2023	City Delivery
	Political & Electoral Signage Policy	September 2023	City Delivery
August	Procurement Policy	October 2025	Organisational Performance
	Investment Policy Statement	October 2021	Organisational Performance
	Community Grants Program Policy	December 2022	City Life
	Mobile Food Vehicle Policy	December 2022	City Life
	Fireworks Policy	July 2020	City Life
August – Briefing Session	Governance Rules including the combining of: <ul style="list-style-type: none"> Live Streaming and Publishing of Council Meeting Policy Election Period Policy Councillors as Candidates in a State or Federal Election Policy 	<ul style="list-style-type: none"> No set review date August 2021 July 2023 December 2024 	Governance
	Councillor Code of Conduct including the: <ul style="list-style-type: none"> Councillor Speaking Opportunity Policy Councillor Social Media Policy 	<ul style="list-style-type: none"> January 2025 September 2021 December 2025 	Governance
September	Online Engagement Policy	March 2017	Engagement & Advocacy
	Gifts and Merchandise Policy	March 2017	Engagement & Advocacy
	Public Internet Policy	October 2018	Engagement Advocacy
November	Community Achievement Awards Policy	August 2023	City Life
	Purchase of Outgoing Mayoral Gifts Policy	September 2021	Governance
	Non-Standard Lighting Fittings – Subdivision Approvals Policy	June 2023	City Delivery

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1.2 Sources/benchmarking

Not directly applicable to this report.

The review process for each policy will include appropriate benchmarking and review of comparable policies, as well as a consideration of applicable legislative requirements.

1.3 Consultation

The Policy update schedule has been created in consultation with Executive and Managers.

1.4 Communication and Implementation

The Policy update schedule has been created in consultation with Executive and Managers.

The Governance team will monitor the Policy Review Project and prompt Executive and Managers as required. It will also update the Policy Register, Intranet and Internet as policies are reviewed and adopted by Council.

1.5 Compliance

The review process for Council policies includes a check for compliance with external legislation including the *Local Government Act 2020* and the *Charter of Human Rights and Responsibilities Act 2006*.

Additionally, all policies will be considered to assess whether a Gender Impact Assessment is required for compliance with the *Gender Equality Act 2020* and will be checked for compliance with Council's Instruments of Delegation.

1.6 Measures of Success

That all Council Policies which are overdue for review have been reviewed or revoked by the end of 2023.

LIST OF APPENDICES

Nil.

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7. GENERAL BUSINESS

Nil

8. NEXT MEETING

Thursday 24 August 2023 at 9:30am.

9. CLOSE OF BUSINESS

The meeting closed at 12.00 pm.

Confirmed

Dated this

.....CHAIRPERSON

**13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES
AND COUNCILLOR REPRESENTATIONS AND
ACKNOWLEDGEMENTS**

Reports on external Committees and external Representative Bodies for which Councillors have been appointed by Council.

Address from Councillors in relation to matters of civic leadership and community representation, including acknowledgement of community groups and individuals, information arising from internal Committees, advocacy on behalf of constituents and other topics of significance.

14. NOTICES OF MOTION**14.1 NOTICE OF MOTION 876 (CR ABBOUSHI) - TOWN CENTRE RESERVE,
CAROLINE SPRINGS****Councillor: Steven Abboushi**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Council, in consultation with all user groups at Town Centre Reserve, Caroline Springs, update and develop the existing master plan at the reserve to set the strategic direction for the future of the site and report to Council at a future scheduled meeting.

OFFICER'S COMMENTS:

To undertake the update of the existing Town Centre Recreation Reserve master plan in 2023/24, a budget allocation of \$20,000 to complete the project will be required.

**14.2 NOTICE OF MOTION 877 (CR VANDENBERG) - STOLEN GENERATION
MARKER WITHIN THE CITY OF MELTON****Councillor: Ashleigh Vandenberg**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Council, in accordance with recommendation 37 of the Stolen Generations Reparations Steering Committee Report, work with the Reconciliation Advisory Committee to plan and establish a marker within the City of Melton to acknowledge and commemorate the Stolen Generations.

OFFICER'S COMMENTS:

Subject to Council decision, Officers will work closely with the City of Melton Reconciliation Advisory Committee to plan for a Stolen Generation Marker within the City of Melton.

14.3 NOTICE OF MOTION 878 (CR ABBOUSHI) - ELECTRONIC SCOREBOARDS AT RECREATION RESERVES**Councillor: Steven Abboushi**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Officers undertake a gap analysis consistent with the Sport and Recreation Facility Development Policy nearing completion, on electronic scoreboards at key active recreation reserves in the municipality. The analysis to identify and develop the implementation program to address the gaps including costs associated.

OFFICER'S COMMENTS:

Council Officers will undertake the gap analysis to identify those active recreation reserves that do not have provision for electronic scoreboard, identify the implementation program and funding strategy consistent with the Draft policy referred to address the gap. The analysis and plan will be provided back to Council for consideration.

14.4 NOTICE OF MOTION 879 (CR ABBOUSHI) - AINTREE RECREATION RESERVE - CRICKET NETS AREA**Councillor: Steven Abboushi**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Officers undertake necessary risk mitigation actions at the Aintree Recreation Reserve on the cricket net complex including closing in the structure to protect pedestrians when nets are in use and also works required to stabilise the fencing around the complex.

OFFICER'S COMMENTS:

Officers have recently undertaken a preliminary risk assessment of the site and will implement the required mitigation actions to ensure safety for users of the nets and the broader reserve.

**14.5 NOTICE OF MOTION 880 (CR ABBOUSHI) - UPDATE ON THE
REDEVELOPMENT OF TAYLORS HILL SPORTS GROUND PROJECT****Councillor: Steven Abboushi**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Officers provide an update on the redevelopment of the Taylors Hill sports ground project including confirmation the tenant clubs at the site will be engaged through the process.

OFFICER'S COMMENTS:

The design component of this project has been funded in the 2023/24 Capital Program. The construction component of this project will be considered by Council as part of the 2024/25 Council budget.

14.6 NOTICE OF MOTION 881 (CR KESIC) - INVENTORY OF BUILDINGS AND LAND OWNED BY MELTON CITY COUNCIL**Councillor: Goran Kesic**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Council officers prepare a comprehensive inventory of all properties, including buildings and potential development land, owned by Melton City Council. The inventory to distinguish any land bequeathed to Council.

OFFICER'S COMMENTS:

Council officers will action in accordance with the Notice of Motion, subject to Council decision.

14.7 NOTICE OF MOTION 882 (CR KESIC) - WRITE TO MINISTER FOR ROADS AND ROAD SAFETY FOR REVIEW OF CHRISTIES ROAD INTERSECTIONS/ROUNDBABOUTS**Councillor: Goran Kesic**

I hereby give notice of my intention to move the following motion at the Scheduled Meeting of Council to be held on 31 July 2023.

MOTION:

That Council write to the Hon. Melissa Horne MP, Minister for Roads and Road Safety, requesting that the Department of Transport and Planning undertake a safety review, including sight lines and speed zones due to the number of heavy vehicles utilising the intersections, of the:

1. Christies Road / Ballarat Road intersection,
2. Christies Road / Palm Springs roundabout; and
3. Christies Road / Caroline Springs Railway Station intersection.

OFFICER'S COMMENTS:

Council officers will action in accordance with the Notice of Motion, subject to Council decision.

15. COUNCILLOR'S QUESTIONS WITHOUT NOTICE

16. URGENT BUSINESS

17. CONFIDENTIAL BUSINESS

Recommended Procedural Motion

That pursuant to section 66(1) and (2)(a) of the *Local Government Act 2020* the meeting be closed to the public to consider the following reports that are considered to contain **confidential information** on the grounds provided in section 3(1) of the *Local Government Act 2020* as indicated:

17.1 Contract 21-058 Melton Resource Recovery Precinct Design & Construct - Contract Variation

(a) as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

17.2 Contract C23-022 Navan Park Path Lighting – Design and Construct

(a) as it relates to Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

17.3 Chief Executive Officer Employment and Remuneration Committee Meeting Minutes - 12 July 2023

(f) as it relates to personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

18. CLOSE OF BUSINESS