COUNCIL AGENDA

WEDNESDAY 9 APRIL 2014

COMMENCING 7 PM

GLENROY SENIOR CITIZENS CENTRE,
11 CROMWELL STREET, GLENROY

Language Link

This is the Agenda for the Council meeting. For assistance with any of the agenda items, please telephone 9240 1111.

Belediye Meclisi Toplantısının gündem maddeleri burada verilmiştir. Bu gündem maddeleri ile ilgili yardımcı ihtiyacınız olursa, 9280 1914 numaralı telefondan Language Link tercüme hattını arayınız.

Questo è l’ordine del giorno per la Riunione del consiglio Comunale. Se hai bisogno di aiuto sugli argomenti in discussione, sei pregato di telefonare al Language Link al numero 9280 1911.

Dây là Nghi cuộn hòp cua Ủy Ban Quy Hoạch Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo luận, xin gọi điện thoại cho Language Link qua số 9280 1915.

Aυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση του Συμβουλίου (Council Meeting). Για βοήθεια με οποιοδήποτε από τα θέματα της ημερήσιας διάταξης παρακαλούμε να τηλεφωνήσετε στο Γλωσσικό Σύνδεσμο (Language Link), στο 9280 1912.

Este es el Orden del Día para la reunión de la Municipalidad. Si tiene dificultades para entender algunos de los puntos listados en el Orden, sírvase llamar a Language Link al teléfono 9280 1916.

Ovo je dnevni red sastanka Općinskog vijeća. Ako trebate pomoć glede bilo koje točke dnevnog reda, nazovite Language Link na broj 9280 1917.

यह कौसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी भी विषय के बारे में सहयोग के लिए कूश्ना 9280 1918 पर फोन कीजिए।

Language Link
INFORMATION ABOUT COUNCIL MEETINGS

Moreland City Council encourages its citizens to participate in the local government of Moreland. Accordingly, these notes have been developed to help citizens better understand Council meetings. All meetings are conducted in accordance with Council’s local legislation on Governance.

WELCOME The Mayor, who chairs the meeting, formally opens the meeting, delivers an acknowledgement of country and welcomes all present.

APOLOGIES Where a Councillor is not present, his/her absence is noted in the Minutes of the meeting.

CONFIRMATION OF MINUTES The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.

DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS Under the Local Government Act 1989, a Councillor has a duty to disclose any direct or indirect pecuniary (financial) interest, s/he may have in any matter to be considered by Council that evening.

PETITIONS Council receives petitions from citizens on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and referred to the appropriate Council Director for consideration.

MAYOR & COUNCILLORS CORRESPONDENCE A list of correspondence received since the last meeting is considered by Councillors.

OUTSTANDING RESOLUTIONS REPORT A list of Council resolutions that are outstanding.

REPORTS FROM COMMITTEE TO COUNCIL Council considers reports from Committees that Councillors represent Council on.

QUESTION TIME This is an opportunity (30 minutes), for citizens of Moreland to raise questions with Councillors.

“ON NOTICE” ITEMS FROM PREVIOUS COUNCIL MEETING Items raised during Question Time at the previous Council meeting that were not able to be answered are responded to.

COUNCILLORS ITEMS Councillors may raise issues or matters of interest that are not listed on the meeting Agenda.

COUNCIL REPORTS Detailed reports prepared by Council’s Administration are considered by Councillors and a Council position is adopted on the matters considered. The Mayor invites firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.

LATE REPORTS Reports that have not been submitted by such time that the Council Agenda is photocopied. These reports are identified in the Table of Contents and have been distributed separately. Copies of Late Reports are available at the Council Meeting.

NOTICE OF RESCISSION A Councillor may propose a motion to rescind a resolution of the Council, provided the previous resolution has not been acted on, and a notice is delivered to the authorised officer setting out the resolution to be rescinded and the meeting and date when the resolution was carried. For a decision of the Council to be rescinded, the motion for rescission must be carried by a majority of the votes cast. If a motion for rescission is lost, a similar motion may not be put before the Council for at least one month from the date it was last lost, unless the Council resolves that the notice of motion be re-listed at a future meeting. If a motion for rescission is not moved at the meeting for which it is listed, it lapses. A motion for rescission listed on a meeting agenda may be moved by any Councillor present but may not be amended.

URGENT BUSINESS The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.

CONFIDENTIAL BUSINESS Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the Local Government Act to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.

CLOSE OF MEETING The Mayor will formally close the meeting and thank all present.

NEXT MEETING DATE The next Council meeting will be held on Wednesday 14 May 2014 commencing at 7 pm, in the Fawkner Senior Citizens Centre, Jukes Road, Fawkner.
1. WELCOME

2. APOLOGIES

3. CONFIRMATION OF MINUTES
   The minutes of the Council Meeting held on 12 March 2014 be confirmed.

4. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

5. PETITIONS
   Nil.

6. MAYOR AND COUNCILLORS' CORRESPONDENCE (D14/86896)
   6

7. OUTSTANDING RESOLUTIONS REPORT (D14/86582)
   11

8. REPORTS FROM COMMITTEE TO COUNCIL
   ART ACQUISITION COMMITTEE MEETING - 18 FEBRUARY 2014 (D14/70201)
   20
   MORELAND LIBRARIES ADVISORY COMMITTEE (MORLAC) MINUTES 25 FEBRUARY 2014 (D14/70388)
   26
   MORELAND DISABILITY ADVISORY COMMITTEE MEETINGS HELD 18 SEPTEMBER 2013, 20 NOVEMBER 2013 (D14/78281)
   31

9. QUESTION TIME

10. "ON NOTICE" ITEMS FROM PREVIOUS COUNCIL MEETING
    Nil.

11. COUNCILLORS' ITEMS

12. COUNCIL REPORTS

   CORPORATE SERVICES
   DCS9/14 ASSEMBLY OF COUNCILLORS RECORD 1 FEBRUARY TO 28 FEBRUARY 2014 (D14/74040) 41
   DCS10/14 FINANCIAL MANAGEMENT REPORT - PERIOD ENDED 28 FEBRUARY 2014 (D14/76776) 45
DCS11/14 ANNUAL PROCUREMENT POLICY REVIEW (D14/74172) 63
DCS12/14 ELECTRICITY CONTRACT FOR STREET LIGHTING (D14/76665) 94
DCS13/14 SECURITY SERVICES TENDER (D14/76743) 98
DCS14/14 DRAFT POLICY PRESENTATION OF GIFTS AND CERTIFICATE (D14/73920) 103

CITY INFRASTRUCTURE
DCI20/14 VEHICLE CROSSING POLICY (D13/228572) 109
DCI21/14 WEST STREET / GLENROY ROAD, HADFIELD - INTERSECTION DESIGN (D13/281719) 125
DCI22/14 WEST STREET PUBLIC TOILET UPDATE (D14/76618) 132

SOCIAL DEVELOPMENT
DSD8/14 ACTIVE MORELAND - AQUATIC AND LEISURE SERVICES, FEES AND CHARGES POLICY (D14/70333) 136
DSD9/14 PANEL SUPPLIERS FOR FOOD SUPPLY AND KITCHEN AGENCY STAFF FOR FOOD SERVICES (BOB HAWKE CENTRE) (D14/71112) 161
DSD10/14 MORELAND COMMUNITY GRANTS PROGRAM 2013 - 2014 ENGAGING CULTURAL CLUBS (D14/74816) 166
DSD11/14 RECONCILIATION ACTION PLAN - REVIEW REPORT FROM 2012 - 2013 AND RECONCILIATION ACTION PLAN FOR 2014 (D13/277451) 172
DSD12/14 MULTICULTURAL POLICY ACTION PLAN 2012- 2013 (D14/51715) 220

PLANNING AND ECONOMIC DEVELOPMENT
DED27/14 AMENDMENT C139 & MPS302/608 - 174, 180-196 GAFFNEY STREET AND 1 LENS STREET, COBURG NORTH - ADOPTION OF PANEL RECOMMENDATIONS (D14/84481) 223

13. NOTICE OF RESCISSION
Nil.
14. LATE REPORTS

CORPORATE SERVICES

DCS15/14  AUSTRALIAN LOCAL GOVERNMENT NATIONAL GENERAL ASSEMBLY 2014 - PROPOSED MOTIONS (D14/76660)

15. URGENT BUSINESS REPORTS

16. CONFIDENTIAL BUSINESS

DCI23/14  BRUNSWICK BATHS REDEVELOPMENT - CONCLUSION TO CONTRACT 1834 (D14/76294)

Pursuant to section 89(2) of the Local Government Act 1989 this confidential report will not be publicly disclosed because it relates to (d) contractual matters.

17. LATE CONFIDENTIAL BUSINESS

DOD5/14  PERSONNEL MATTER (D14/57648)

Pursuant to section 89(2) of the Local Government Act 1989 this confidential report will not be publicly disclosed because it relates to (a) personnel matters.

DSD13/14  MORELAND NEIGHBOURHOOD HOUSES UPDATE (D14/77798)

Pursuant to section 89(2) of the Local Government Act 1989 this confidential report will not be publicly disclosed because it relates to (d) contractual matters.
Executive Summary
A list of Mayor and Councillors’ Correspondence that has been received since the last Council meeting is made available for consideration by Councillors.

Recommendation
The Mayor and Councillors' correspondence be received and noted.

Attachment/s
1. Mayor and Councillor Correspondence Report 5 March 2014 - 1 April 2014 D14/86895
OUTSTANDING RESOLUTIONS REPORT (D14/86582)

Executive Summary

At each Council and Urban Planning Committee meeting, Councillors formally adopt reports, enabling Council officers to act upon the resolutions of Council. In addition, Councillors raise items at each Council meeting, some of which are Council resolutions adopted for action by Council officers.

The Governance Unit prepares an Outstanding Resolutions Report. The purpose of this report is to monitor the status of resolutions emanating from each Council and Urban Planning Committee meetings.

The resolution items have a unique number. Each item is numbered consecutively with an identifying prefix. An explanation of the prefixes are as follows:

- CI Councillor Item (i.e. CI1/14)
- RCC Committee to Council Report (i.e RCC1/14)
- QT Question Time Item (i.e. QT1/14)
- PET Petition Report (i.e. PET1/14)

Officer reports have an identifying code as follows:

- CEO Chief Executive Officer (i.e. CEO1/14)
- DCS Director Corporate Services (i.e. DCS1/14)
- DCI Director City Infrastructure (i.e. DCI1/14)
- DSD Director Social Development (i.e. DSD1/14)
- DED Director Economic Development and Planning (i.e. DED1/14)
- DOD Director Organisational Development and Urban Safety (DOD/14)

The year the item was adopted is shown at the end of the item number, i.e. CEO1/14 was adopted in 2014.

A list of outstanding resolutions is made available for consideration.

Recommendation

The Completed and Outstanding Council Resolutions report be received and noted.

Attachment/s

1 Resolutions Completed Since March 2014 Council Meeting - Prepared 1 April 2014 D14/86567
2 Outstanding Resolutions Report as at 1 April 2014 D14/86548
The minutes of the Art Acquisition Committee meeting held on 18 February 2014 are provided for Council’s information.

Key Items Discussed:

- Donations to the Moreland Art Collection
- Agnese Purgatorio artwork
- Acquisition Proposals

Recommendation

The report from Committee to Council be received and noted.

Attachment/s

1  Art Acquisition Committee Meeting Minutes - 18 February 2014  D14/77160
The minutes of the Moreland Libraries Advisory Committee (MorLAC) meeting held on 25 February 2014 are provided for Council’s information.

**Key Items Discussed:**
- MAC review of Victorian Public Libraries Stage 2 report (Tomorrow’s Library)
- Update on Brunswick Library building works
- Library events and activities to commemorate the WWI and ANZAC Centenary
- Ideas for promoting Moreland’s library service
- Concurrent library Wi-Fi numbers

**Recommendation**
The report from Committee to Council be received and noted.

**Attachment/s**
1. Moreland Libraries Advisory Committee Minutes - 25 February 2014  D14/76786
The minutes of the Moreland Disability Advisory Committee meetings held on 18 September 2013 and 20 November 2013 are provided for Council’s information.

Cr Ratnam as Council's representative on the Committee has approved these Minutes for inclusion in this report.

Key Items Discussed:

- RecLink presentation on changes to the Access All Abilities (AAA) program.
- Bluestone Laneways outcome from September 2013 Council meeting.
- CERES complaints regarding lack of accessibility for people with a disability.
- Challenges, support and services for children with a disability and their families.
- Mobile Moreland map app’s for iphone and ipad.

Recommendation

The report from Committee to Council be received and noted.

Attachment/s

1. Minutes of Meeting 18 September 2013 - Moreland Disability Advisory Committee
   D14/78297
2. Minutes of Meeting 20 November 2013 - Moreland Disability Advisory Committee
   D14/78305
Executive Summary

Pursuant to Section 80A of the Local Government Act 1989, effective 1 October 2010, an Assembly of Councillors Record must be reported to the next practicable Council meeting and recorded in the minutes.

The Assembly of Councillors Record for the period 1 February to 28 February 2014 is presented at Attachment 1.

Recommendation

Council resolve to receive and note the Assembly of Councillors Record for the period 1 February to 28 February 2014, at Attachment 1.
1. **Policy Context**

Section 80A of the *Local Government Act 1989* sets out the context in which the Assembly of Councillors Records must be reported to Council.

2. **Background**

Amendments to the Conflict of Interest rules in the *Local Government Act 1989* came into operation on 24 September 2010 and related amendments in the *Local Government (General) Regulations 2004* came into operation on 1 October 2010. Accordingly, an Assembly of Councillors Record must be reported to the next practicable Council meeting and recorded in the minutes.

3. **Issues**

An Assembly of Councillors is:

- a planned or scheduled meeting that includes at least half the Councillors and a member of Council staff (providing that the matter/s considered are intended or likely to be the subject of a future decision by the Council or an officer decision under delegated authority); or
- an Advisory Committee of the Council where one or more Councillors are present.

Some examples of an Assembly of Councillors include Councillor Briefings, on-site inspections, meetings with residents/developers/clients of Council, consultations, meetings with local organisations/government departments/statutory authorities and meetings of the Disability Advisory Committee.

At the Issues and Discussions Workshop held on Monday 25 October 2010, Councillors requested that all Assembly of Councillors Records for Urban Planning Briefing meetings, irrespective of the number of Councillors in attendance, also be reported to Council meetings.

At the Council meeting on 11 July 2012 (DCS29), Council resolved that all Planning and Information Discussion meetings be added to this record.

A list of the Assembly of Councillors Record for the period 1 February to 28 February 2014 is at Attachment 1.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. **Consultation**

Councillors and Council staff across Council have been advised of the Assembly of Council requirements as per the *Local Government Act 1989*.

5. **Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. **Financial and Resources Implications**

There are no financial and resources implications.

7. **Implementation**

There are no further actions required to implement this resolution.

**Attachment/s**

1. Assembly of Councillors Record 1 February to 28 February  D14/74047
Executive Summary

This report presents the Financial Management Report for the financial year to date (YTD) period ending 28 February 2014.

The Base Operating Performance shows an operating result of $24.0 million (before operating projects, capital projects and other items). This is favourable by $3.0 million against budget.

Operating Projects and New Initiatives have YTD expenditure below budget of $0.62 million.

Year to date expenditure on Capital Projects is below budget by $6.8 million.

The YTD Accounting Surplus after reserve transfers and capital funding is $12.2 million, which is above the YTD budget by $3.7 million.

The Underlying Result is $4.2 million above the YTD budget.

Some of the positive YTD variances are due to timing differences of expenditure items in budget and actual results.

Recommendation

Council resolves to receive the Financial Management Report for the year to date 28 February 2014 as at Attachment 1 to this report.
1. **Policy Context**
   This report supports Council’s continuing commitment to open and accountable management of the financial resources of Moreland on behalf of its ratepayers.

2. **Background**
   The Financial Management Report at [Attachment 1](#) provides Council’s financial results for the year to date (YTD) period ending 28 February 2014. The actual results are compared to the budget.

   Note that this report now reflects the Mid Year Finance Review adjustments that were adopted at the Council meeting on 12 February 2014.

3. **Issues**

   **YTD Financial Report**
   The format of the report in [Attachment 1](#) shows revenue and expenditure for the financial categories of Base Operating Performance, Operating Projects and Capital Projects and shows the Accounting Result and Underlying Result.

   The accounting surplus after reserve transfers and capital funding is $12.2 million which is ahead of the YTD budget by $3.7 million, with the underlying result $4.2 million better than the YTD budget. This result is made up of the variances from Base Operating Budget, Operating Projects, and Capital Works Projects.

   **Base Operating Budget**
   The Base Operating Performance for the period ended 28 February 2014 shows that Council has an operating result before operating projects, capital projects and other items of $24.0 million which is favourable by $3.0 million against budget.

   The main items contributing to the overall variance are:

   **Base Revenue**
   - Victoria Grants Commission grant received was higher than expected ($303k YTD), along with higher State Government grant for library services ($84k) to be spent on library materials and unbudgeted growth funds for Home Care and Personal Care ($161k YTD) that will be used to provide additional services as per the funding agreement. (Grants Operating).
   - Permits income shows a positive variance with planning permits $108k YTD better than budget and Local Law permits $123k YTD better than budget. (Statutory Fees and Fines).
   - Unbudgeted State Government funding was provided for and will be used to fund Fire Services Levy related expenditure.
   - Developers Contributions are $327k above budget YTD, however are highly variable.

   **Base Expenses**
   - The (Employee Benefits) variance is below budget by $1.728 million YTD and is partly offset by an overspend of $878k on staff backfill (Contracts).
   - Loan interest is below budget with significant savings expected after the two loan contracts were signed in June and July 2013. (Materials and Services - Financial Expenses).

   [Attachment 1](#) outlines the variances for Council and each Department.
Operating Projects and New Initiatives
Operating Projects and New Initiatives expenditure is behind budget by $0.62 million YTD with revenue behind budget by $0.37 million.

Capital Works Budget
Overall the capital program expenditure year to date amounts to $21.4 million which is $6.8 million behind budget. This includes the expenditure on carried forward projects from 2012-2013.
YTD revenue for the capital program is behind budget by $5.3 million.

Cash
The cash balance including all investments has moved to $42.7 million as at February month end. Council paid its outstanding Defined Benefits obligation in July. The first two rate instalments have been received.

Loans
Council has taken up its loan requirements in conjunction with other Local Governments through a facility established by the MAV with the Commonwealth Bank.

Procurement
A report on ‘potential upcoming tenders for avoidance of conflict of interest’ has also been provided as part of the monthly financial report (Attachment 1).

The report is provided so that officers and Councillors can avoid potential conflict of interest issues that may relate to engaging companies who may tender. Suppliers or interested businesses should be directed to register at Moreland’s Supplier Portal https://supplierportal.moreland.vic.gov.au to ensure they have an opportunity to tender.

Consultants Register
Council at its July 2013 Council meeting (DCS37/13) resolved that from the 1 July 2013 a report be presented to Council on a quarterly basis outlining the details of consultants being used and intended to be used by Council, subject to meeting confidentiality requirements.

The next Consultants Register is due to be included with the March financial report.

4. Human Rights Consideration
The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

5. Consultation
The Finance and Business Systems Branch has prepared this report based on information provided by Managers and reviewed by Directors.

6. Officer Declaration of Conflict of Interest
Council officers involved in the preparation of this report have no conflict of interest in this matter.

7. Financial and Resources Implications
The overall corporate objective is to deliver the 2013-2014 budget outcomes as closely as possible in line with the adopted budget targets.

Attachment/s
1 Council Financial Report February 2014  D14/77899
Executive Summary

The Local Government Act 1989 requires Council to review the Procurement Policy each financial year.

The Policy has been reviewed by officers and the Moreland Executive Group (MEG). There are not many proposed changes as the Policy underwent significant change last year to bring it into line with the model policy provided by the MAV.

The issues section below summarises the changes.

Recommendation

Council resolve to approve the Procurement Policy as contained in Attachment 1.
1. **Policy Context**

To comply with the *Local Government Act 1989* (the Act) (Section 186A(7)), Councils are required to review their Procurement Policy ([Attachment 1](#)) once each financial year.

2. **Background**

Council has an existing Procurement Policy which has formed the basis of policy amendments. Amendments each year reflect changes in the environment or objectives of the Council or are made to clarify issues raised as unclear.

In 2013, the Moreland Procurement Policy was reviewed and amended to be based upon the Municipal Association of Victoria Model Policy, in order to provide greater consistency with other Councils and the ability to interpret any findings or instructions given to other Councils and how they may be applied at Moreland.

This review has incorporated minor amendments and clarification to assist staff in areas that have been unclear throughout the year and also to ensure there is consistency with other related policies.

3. **Issues**

   **Contract Definition**

   A definition of “Contract” has been inserted to overcome legal contention occurring related to interpretation of the Act. This definition clarifies for staff that multiple orders against one project are considered one contract for the purposes of the Act.

   **Conduct of Staff**

   The policy has additional requirements extracted directly from the Staff Code of Conduct and ensures there is no contradiction between the new code and the Procurement Policy.

   **Other Minor Changes**

   Other minor changes include:

   - A change to the defined purpose to recognise we are accountable to not just the ratepayers, but the community; as many in the community are not ratepayers.
   - Opening up the ability for staff to declare (make public) a budget where this will deliver better value for money in a quote or tender process.
   - Minor improvements in advice around tender assessment and risk assessment and also recognition that Moreland City Council currently has on-line and off-line tender and quotation systems.

   **Human Rights Consideration**

   The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. **Consultation**

Changes to this Policy have resulted from feedback and events throughout the year. It has also been circulated to the Corporate Management Team for additional suggestion.

The final policy has been reviewed and endorsed by the Moreland Executive Group.

5. **Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.
6. **Financial and Resources Implications**

There are no direct financial implications or resource implications related to this policy. Proper application of the policy will continue to improve general financial outcomes on purchasing and contract management.

7. **Implementation**

Once endorsed the Policy will be uploaded to the internet as a public policy and communicated to all Officers.

**Attachment/s**

1. Moreland Procurement Policy 2014   D14/74167
Executive Summary

Council has invited and assessed tenders for unmetered electricity supply (street lighting) as part of a Municipal Association of Victoria (MAV) tender across 27 councils.

The MAV engaged Trans Tasman Energy Group (TTEG) as technical advisors for the tender.

The tender has been conducted in accordance with the Local Government Act 1989 and the MAV was appointed by letter of appointment.

The current contract with Energy Australia expires 30 June 2015.

The new contract delivers an immediate saving over the final price of the current contract. The price remains cheaper from 1 July 2015 to 30 December 2016. For the final year of the contract (1 January to 31 December 2017) the price increases above the June 2015 price.

The contestable retail price amounts to approximately 40% of the price of electricity. Increases imposed by the regulator and carbon pricing are not contestable and therefore the cost to Moreland City Council is still expected to rise even with these cost savings.

Electricity contracts are quoted on a variable market and must be agreed within 7 days of submission. The Chief Executive Officer has examined and agreed to the contract and the data is presented for Council’s endorsement.

Recommendation

Council resolve to endorse the Chief Executive Officer’s action to appoint ERM (ABN 28 122 259 223) as electricity supplier for street lighting for the period 1 July 2015 to 31 December 2017.
1. **Policy Context**

This report is in keeping with the Council’s commitment to accountability and sound financial management. It also addresses the requirement under section 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender for processes where the contract value is more than $150,000.

The Chief Executive Officer has used his special delegation to secure the pricing available as this must be done within 7 days of the offer. No useable data was available to Council prior to the tender. By having the data ratified Council can be made aware of the result and have a better understanding of the outcome.

2. **Background**

Council has a need for electricity to service unmetered sites such as street lighting. The historical street lighting usage is 6,054,396 kWhrs per annum which historically has cost Council approximately $45,000 - $62,000 per month.

Electricity supply for unmetered sites (street lighting) is under contract with Energy Australia until 30 June 2015. The Municipal Association of Victoria (MAV) engaged Trans Tasman Energy Group (TTEG) as technical advisors to tender for the supply of electricity across 27 councils. Moreland City Council appointed MAV as agents on 24 October 2013 in accordance with section 186 of the *Local Government Act 1989*.

The tender was advertised on Saturday 12 February 2014 and the tender closed Monday 13 March 2014.

Responses were received for electricity supply for street lighting from six suppliers. They were:

- AGL
- Energy Australia
- Origin Energy
- ERM
- Momentum Energy
- Pacific Hydro

The tender required a commitment by 20 March 2014 in order to secure favourable pricing. This timeframe did not allow meaningful data to be provided to Council at a Council meeting as tender results were not provided to Council until 17 March 2014, therefore the Chief Executive Officer has assessed the data and committed to the contract, with meaningful data provided for ratification by Council.

3. **Issues**

**Electricity Price Components**

The electricity price consists of a number of components. Only the retail price is contestable, and currently forms approximately 40% of the overall cost. The other costs being passed through from the utility providers are the cost of providing the infrastructure as approved by the energy regulator.

**Electricity Market Price Mechanism**

The electricity market operates in a similar manner to a stock market. Better pricing is achieved by reducing the period between tendered price and commitment to the contract as this reduces the risk to the retailer. Often Council will be asked to delegate power to an officer to complete this transaction, however sometimes tender timing allows for an in-principle commitment subject to Council ratification. In this instance no meaningful data was available for the March 2014 Council meeting and the contract needs to be finalised prior to the April 2014 Council meeting.
Carbon Pricing
Carbon pricing has been included in accordance with current legislation, i.e. increasing on 1 July 2014 and moving to a floating rate 12 months after (at which time the European experience has indicated it will likely decrease). Regardless, this has no impact on the appointed vendor and only impacts the final cost on Council should the Carbon Price vary (including being repealed).

Environmental Implications
There are no environmental implications as Moreland City Council calculates and off-sets any carbon through another contract.

Tender Outcomes
The detailed tender outcomes have not been released publicly, however, they have been provided to Council officers for review.

TTEG calculated the tendered retail rates applied across the volume of all collective councils. For ease of assessment and to highlight the cheapest price an average cents per kWh was calculated. Across the portfolio ERM were the cheapest provider over 4 of the 5 calculated periods and were cheapest overall.

Other pricing ranged from 4.97%-27% higher.

ERM provided the ability to vary the volume by up to 20%, where most other offers only allowed variation by up to 10%. This is particularly important to councils pursuing more efficient lighting.

ERM provides a downloadable CSV report that Council can obtain by logging-in on the internet. This will assist in improving data analysis and tracking.

Whilst Victoria-wide the tender delivered savings up to 23%, Moreland City Council was already achieving superior pricing, so the estimated savings delivered by TTEG are minor. The other variables such as Regulator-imposed increases and carbon price changes make these savings insignificant, however do deliver a benefit to Council.

Economic Implications
The retail cost of electricity will gradually increase, however the cost of carbon is expected to decrease at the commencement of the contract if changes planned by the Federal Coalition have not been implemented. Further cost increases will likely be imposed by the Energy Regulator which Moreland cannot escape. Reductions in electricity usage delivered through more efficient energy lighting will compensate to some degree, however that program is not being applied across the whole municipality (Jemena area only at this stage). Overall Moreland City Council is managing a steadily increasing cost base that will be reduced by the program to implement more efficient lighting.

Human Rights Consideration
The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation
Consultation has been limited to TTEG as technical experts and the Chief Executive Officer and Unit Manager Procurement for verification of facts provided.

5. Officer Declaration of Conflict of Interest
Council officers involved in the preparation of this report have no conflict of interest in this matter.
6. **Financial and Resources Implications**

The total cost of electricity for street lighting is steadily increasing, predominantly due to the overheads. The retail component, which is the part tendered by Moreland City Council, will decrease for the first year of this contract. The peak rate will remain below the June 2015 rate for the period of the contract, however the off-peak rate will rise from January 2017.

Increases in the overheads, carbon price and additional lights, combined with reductions delivered by the change to energy efficient lighting, makes it difficult to calculate the exact impact.

Historic annual costs for Council street lighting have been:

<table>
<thead>
<tr>
<th>Year</th>
<th>2008-2009</th>
<th>2009-2010</th>
<th>2010-2011</th>
<th>2011-2012</th>
<th>2012-2013</th>
<th>2013-2014 (to date)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid</td>
<td>$812,631</td>
<td>$507,954</td>
<td>$542,958</td>
<td>$385,165</td>
<td>$601,465</td>
<td>$593,076</td>
</tr>
</tbody>
</table>

The variations are attributable to variations in payment date, not usage. Going forward the expected cost without other factors significantly varying the rate will see the cost to Council being between $480,000 and $610,000 per annum, tending towards the lower end of this cost. Data is being improved within Council to improve the accuracy of these figures and the downloadable ‘csv’ files from ERM will assist.

Council is managing those aspects it can, by securing a lower retail cost for the period July 2015 to December 2016 and reducing electricity usage by implementing more efficient light installation. The other aspects are beyond Council’s control.

7. **Implementation**

The contract will automatically be applied from 1 July 2015.

**Attachment/s**

There are no attachments for this report.
Executive Summary

The purpose of this report is to award a tender for the provision of security services to Council. Council invited and assessed tenders for the following services:

- Security guards and patrols
- Events and crowd controllers
- Alarm monitoring and security guard dispatch
- Electronic equipment
- Access control renewal and security management software renewal
- Security equipment testing and tagging

These services were tendered together; however respondents were permitted to tender for all or some of the services.

The potential term is five years consisting of the initial contract term of 3 years with two 1 year extension options.

Recommendation

Council resolve:

1. To accept the following tenders for the initial 3 years with two 1 year options to be exercised at Council’s discretion:
   - Security guard and patrol services – Southern Cross Protective (ABN 93 094 077 255) and Scope Protective & Data Solutions (ABN 58 454 422 338).
   - Events and crowd control services – Monjon Australia Pty Ltd (ABN 30 113 118 371); National Protective (ABN 49 007 009 261); PSG Security Pty Ltd (ABN 71 151 877 584); Risk protection Group (ABN 81 081 590 678) and Scope Protective & Data Solutions (ABN 58 454 422 338).
   - Alarm monitoring and security guard dispatch - Scope Protective & Data Solutions (ABN 58 454 422 338).
   - Electronic security equipment - Scope Protective & Data Solutions (ABN 58 454 422 338) and National Protective (ABN 49 007 009 261).
   - Access control and security management software renewal - Scope Protective & Data Solutions (ABN 58 454 422 338) and National Protective (ABN 49 007 009 261).
   - Security equipment testing and tagging - Scope Protective & Data Solutions (ABN 58 454 422 338) and National Protective (ABN 49 007 009 261).

2. That the Chief Executive Officer be authorised to do all things necessary to execute contracts and any other required documentation.

3. That all tenderers be advised of Council’s decision in this matter.
1. **Policy Context**
   The report is in keeping with Council’s commitment to accountability and sound financial management. It also addresses the requirement under section 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender for goods and services where the contract value is more than $150,000.

2. **Background**
   Council have a need for a range of services that covers all aspects of security. The current contract expired February 2014, but was subsequently extended to 30 April 2014. The need to appoint companies to provide security services provides Council with the opportunity to test the market and configure these services in a manner that takes advantage of development in services and capability.

   Council invited and assessed tenders for a panel of suppliers to provide a range of Security Services.

   The tender was:
   - A public tender that opened on 20 December 2013
   - Advertised in *The Age* newspaper on 21 December 2013
   - The tender closed on 31 January 2014

   The tender was divided into six (6) distinct areas. Respondents were able to apply for all or part of the specified services. The tender was divided into the following categories:
   - Security guards and patrols
   - Events and crowd controllers
   - Alarm monitoring and security guard dispatch
   - Electronic equipment
   - Access control renewal and security management software renewal
   - Security equipment testing and tagging

   A summary of the assessments are contained in [Confidential Attachment 1](#).

3. **Issues**
   **Tender Assessment**
   Tenders were assessed by a panel of stakeholders, consisting of officers from various areas of Council and a representative of the Contracts and Purchasing Unit.

   Tenders were evaluated in accordance with the principles detailed in Council’s Procurement Policy.

   All security service categories were assessed using the same weighting criteria. Weightings applied to the nominated categories were allocated as follows:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demonstrated Experience</td>
<td>20%</td>
</tr>
<tr>
<td>Capability</td>
<td>40%</td>
</tr>
<tr>
<td>Capacity</td>
<td>30%</td>
</tr>
<tr>
<td>Comparative Tender Price*</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Total%</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

   *Comparative Tender Price has a weighting of only 10% as quotes will be obtained from panel members for pricing of individual projects.
Quotes will be obtained outside the panel if required. This will ensure that the panel will be used to maintain competitive pricing amongst suppliers and compared against the market.

Within the above criteria the following aspects were compared and considered:

- Tendered price, security equipment prices, schedules of rates and hourly rates;
- Qualifications, skills and experience;
- Trade and history references;
- Security personnel certifications;
- Security agency certifications;
- Risk and insurance;
- Compliance to conditions of contract; and
- Conflict of interest.

**Tender Results**

One non-compliant tender was received from ACG Ltd and was therefore excluded from the assessment process.

**Security Guard and Patrols**

Twelve (12) tenders were received from:

- City Watch Security
- Investigation Solved
- Modec Facilities Management
- Monjon Australia Pty
- National Protective
- New Age Security
- Patrons Protective Security
- Proforce Security Al
- PSG Security Pty Ltd
- Risk Protection Group
- Scope Protective & Data Solutions
- Southern Cross Protection

**Events and Crowd Controllers**

Twelve (12) tenders were received from:

- City Watch Security
- M.A.Services Group
- Modec Facilities Management
- Monjon Australia Pty
- National Protective
- New Age Security
- Patrons Protective Security
- PSG Security Pty Ltd
- Risk Protection Group
- Scope Protective & Data Solutions
- Security Armed Solutions
- Southern Cross Protection

**Alarm Monitoring and Security Guard Dispatch**

Eight (8) tenders were received from:

- City Watch Security
- Modec Facilities Management
- Monjon Australia Pty
- National Protective
• New Age Security  
• Patrons Protective Security  
• Proforce Security Al  
• Scope Protective & Data Solutions  

**Electronic Equipment**

Seven (7) tenders were received from:

• Logical Services  
• Modec Facilities Management  
• Monjon Australia Pty  
• National Protective  
• New Age Security  
• Proforce Security Al  
• Scope Protective & Data Solutions  

**Access Control Renewal and Security Management Software renewal**

Seven (7) tenders were received from:

• National Protective  
• Modec Facilities Management  
• Proforce Security Al  
• New Age Security  
• Monjon Australia Pty  
• Logical Services  
• Scope Protective & Data Solutions  

**Security Equipment Testing and Tagging**

Seven (7) tenders were received from:

• Logical Services  
• Modec Facilities Management  
• Monjon Australia Pty  
• National Protective  
• New Age Security  
• Proforce Security Al  
• Scope Protective & Data Solutions  

**Selection of Providers**

The tender allowed for the selection of a panel providers specialising in each distinct area.

Selection of two (2) providers were chosen for Security Guard and Patrols; five (5) providers were chosen for Events and Crowd Controllers; one (1) provider for Alarm Monitoring and Security Guard Dispatch; two (2) providers for Electronic Equipment; two (2) providers were chosen for Access Control Renewal and Security Management Software renewal and two (2) were chosen for Security Equipment Testing and Tagging.

**Social Implications**

By including small providers Moreland City Council is able to ensure small business is supported whilst ensuring there is a market for smaller tasks.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.
4. **Consultation**
Advice was sought from officers across Council involved in security services.

5. **Officer Declaration of Conflict of Interest**
Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. **Financial and Resources Implications**
The estimated budget is approximately $1,500,000 over the 5 year life of this contract.

7. **Implementation**
Upon Council endorsement of this report, contracts will be drawn up and executed. The new contracts will come into effect 1 May 2014.

**Attachment/s**

1. **Contract 92T - Tender Assessment Summaries** - *This matter is considered to be confidential under Section 89(2) (a) of the Local Government Act, as it deals with contractual matters.*

   D14/81991
Executive Summary

Council, at its meeting held on 8 July 2009 (CEO23), adopted the ‘Presentation of Gifts and Certificates Policy’.

The policy has been reviewed and it is recommended that no changes be made to the policy, however it is appropriate that it be considered by the current Council as the previous policy was adopted by the former Council in 2009. A framework has been developed to provide guidance and formal guidelines for the presentation of gifts and certificates, ensuring a level of transparency and accountability associated with this activity.

Provision is made annually in the Council budget to purchase gifts. It is not expected that the adoption of this policy will result in an increase of expenditure by Council.

Recommendation

Council resolve to adopt the ‘Presentation of Gifts and Certificates Policy’ dated 9 April 2014, as outlined at Attachment 1 of the report.
1. **Policy Context**

The revised ‘Presentation of Gifts and Certificates Policy’ accords with the Council Plan 2013 – 2017, Civic Leadership theme – *Moreland community has access to information, opportunities to participate in decision making and access to decision makers.*

2. **Background**

Council, at its meeting held on 8 July 2009 (CEO23), adopted the ‘Presentation of Gifts and Certificates Policy’. It is appropriate that the policy be considered by the current Council as the previous policy was adopted by the former Council.

3. **Issues**

A framework has been developed to provide guidance and formal guidelines for the presentation of gifts and certificates, ensuring a level of transparency and accountability associated with this activity. The policy includes the criteria, categories and monetary value involved with the range of gifts, an authorisation process (including an approval form), gift / certificate register and maintenance and purchasing stock approval mechanisms.

The policy has been reviewed and it is recommended that no changes be made to the policy.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. **Consultation**

The Governance Unit has reviewed the ‘Presentation of Gifts and Certificates Policy’, based on the policy adopted on 8 July 2009.

5. **Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. **Financial and Resources Implications**

Provision is made annually in the Council Budget to purchase gifts. It is not expected that the adoption of this revised policy will result in an increase of expenditure by Council.

7. **Implementation**

Upon adoption of the ‘Presentation of Gifts and Certificates Policy’, the policy will be made publicly available on Council’s website.

**Attachment/s**

1. Draft Policy - Presentation of Gifts and Certificates  D14/73882
Executive Summary

Council's Vehicle Crossing Policy operates to control the number and placement of vehicle crossings to maximise on-street car parking, pedestrian amenity and streetscape. This policy has been in operation for over a decade, with the last update adopted by Council in July 2010. It was timetabled for a review in 2013, which has been undertaken.

Overall, the existing policy has been working well. The one exception to this is the issue where residents request a second vehicle crossing on a corner site. The review concluded that exceptions should be made for properties that abut two roads, provided that they meet the same requirements as for multi-unit developments, including streetscape issues.

Recommendation

Council resolve that the Vehicle Crossing Policy, as amended, be adopted.
1. Policy Context

The Vehicle Crossing Policy was last updated in July 2010 and was timetabled for review in 2013. The review has been undertaken by looking at where the main discord has arisen from property owners, developers, planners and within the City Infrastructure Department. Overall, the policy has operated well over the past three years, with only a few issues arising regularly.

2. Background

The Vehicle Crossing Policy was inherited from Coburg Council and has been reviewed regularly approximately every three years since that time. The aim of the policy is to control the number and location of vehicle crossings.

The policy specifies where and how many vehicle crossings are permitted for properties in a manner that balances safe pedestrian amenity, good streetscape and maximises on-street parking.

The current policy does not permit a second vehicle crossing for single dwellings that already have one vehicle crossing, except where the dwelling faces a busy road and has an 18 metre frontage.

3. Issues

Corner properties

The current 2010 policy allows single dwellings to install one crossing but not a second crossing. However, on each street corner, there are properties that abut two roads. It has been determined that allowing corner properties to have another crossing in the other street is appropriate, given that they occur in different streets, provided that the new crossing does not result in a parking space in the front yard in a manner that is inconsistent with other dwellings in the street.

Solution

It is proposed to allow these corner properties to have a second crossing, provided that where the new crossing results in an on-site parking space in front of the dwelling, that this is consistent with other properties in this second street. This will also be applied to properties that front a street both at the front and rear.

Circular Driveways

The current 2010 policy allows a single dwelling to install a second crossing if the dwelling is on a busy road and has an 18 metre wide frontage and sufficient depth to allow a circular driveway for vehicles to leave the site in a forwards direction. This section of the policy has been misinterpreted by applicants on a number of occasions.

Solution

Applications for circular driveways are rare (only one has met the criteria in three years), so it has been replaced in the policy with a provision to allow exceptions to the policy where safety will be compromised by strictly adhering to the policy.

Environmental Implications

The impact of allowing more vehicle crossings means less street trees and more paved areas increasing stormwater run-off into the Council drains and the creeks.

Social Implications

One of the objectives of the policy is to minimise the number of vehicle crossings to enhance pedestrian amenity, accessibility and safety.
Economic Implications
Provision of vehicle crossings is not expected to have economic implications for Council as they are the responsibility of the property owner to construct and maintain.

Human Rights Consideration
The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

The lack of a vehicle crossing to drive into a property does not affect human rights. Where parking on-site is not practical, Council can provide disabled permit zones for those eligible for such permits.

4. Consultation
This review was undertaken internally with the City Development Branch, City Strategy and Design Unit, Engineering Services Unit, Road Construction and Maintenance Unit, Open Space Management Unit, and the Open Space Design and Development Unit. It analysed the issues where individual residents have been unhappy with the policy on a number of occasions, which occurred when they were not able to install a second vehicle crossing for a single dwelling, or not allowed to install a vehicle crossing when the parking space on the property is too small.

5. Officer Declaration of Conflict of Interest
Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. Financial and Resources Implications
There are no financial implications for this policy.

The only resource implication is that the stream-lining of the policy is expected to reduce the number of appeals to decisions.

7. Implementation
This policy, with its minor amendments, can be adopted and will be the guiding document from adoption.

Attachment/s
1 Vehicle Crossing Policy 2013   D13/120497
Executive Summary

Council has received complaints over a number of years relating to the design and operation of the West Street / Glenroy Road intersection. These complaints have lead to Council undertaking a number of site inspections to view traffic operations and to meet with local traders.

During these site inspections, Council officers observed a number of road safety concerns relating to pedestrian movements, conflict between motorists and pedestrians, and high vehicle speeds. Council officers have developed a concept design that will help alleviate a number of the road safety issues that are currently present.

The concept design features include the closure of the service road at Guem Street, creation of a dedicated slip lane on West Street to maintain access to the service road, an upgrade to the existing zebra crossing on Geum Street to a flashing pedestrian crossing, speed cushions on Glenroy Road and West Street to reduce vehicle speeds, and the construction of a large pedestrian area in front of the shops.

All of the changes proposed in the concept design can be incorporated within the existing road reserve meaning that no land or property acquisition is required.

While the concept design provides a number of road safety improvements, it does come at the loss of on-street car parking in front of the shops. It is estimated that 12 of the existing 61 car parking spaces may be lost as part of the design. While the concept design does reduce parking in front of the shops, there is on-street parking available in the side streets surrounding the shops, although this is subject to availability.

Funding to undertake a review and redesign of the intersection has been allocated for this financial year and, as such, Council officers are now in a position to further develop the concept design to the preliminary and detailed design stages.

Recommendation

Council resolve to:

1. Approve the concept design that incorporates the new road layout, revised parking arrangements, improved pedestrian facilities and improved road safety.
2. Undertake development of preliminary design, including a road safety audit.
3. Undertake community consultation on the preliminary design.
4. Upon completion of community consultation, incorporate community comments and develop detailed design.
5. Upon completion of the detailed design, report back to Council with the preferred design for endorsement.
6. Refer the project to the Capital Program for funding.
1. **Policy Context**

This project meets a number of existing Council policies and strategies including:

- Moreland Integrated Transport Strategy (adopted by Council in December 2010) supports improved road safety and increased accessibility and pedestrian amenity.
- Improved road safety within the municipality.
- Promote the use of sustainable transport modes such as walking and cycling.

2. **Background**

Council has received complaints over a number of years relating to the design and operation of the West Street / Glenroy Road intersection *([Attachment 1](#))*. These complaints have lead to Council undertaking a number of site inspections to view traffic operations and to meet with local traders. During these site inspections, Council officers observed a number of road safety concerns relating to pedestrian movements, conflict between motorists and pedestrians, and high vehicle speeds. As a result of these site inspections, Council officers have developed a concept design that will help alleviate a number of the road safety issues that are currently present.

Funding to undertake a review and redesign of the intersection has been allocated for this financial year and as such, Council officers are now in a position to further develop the concept design to the preliminary and detailed design stages.

In addition to improving road safety in the area, the concept design also provides a potential location for the installation of public seating and other public amenities in this area.

3. **Issues**

Council officers have undertaken a number of site inspections to review the design and operation of the intersection of West Street / Glenroy Road. In early 2013, the Mayor, Cr Oscar Yildiz JP, attended a site inspection with Council officers to meet with local residents and traders to discuss their concerns and to view existing road safety issues. Local traders raised the following road safety concerns:

**Vehicle Speeds**

The existing speed limit on Glenroy Road and West Street is 60km/h. Given the high number of vehicles (approximately 15,000 in a 12 hour period) that pass through the intersection of West Street / Glenroy Road and West Street / Guem Street, Council officers are considering the installation of speed cushions on the western approach on Glenroy Road and the southern approach on West Street to reduce vehicle approach speeds. Council officers believe that due to the complexity of the intersection, vehicle speeds should be reduced to minimise potential conflicts between road users. The reduction of speed through this section would also provide a safer environment for pedestrians. Speed cushions do not affect the bus that travels through this intersection.

**Vehicle and Pedestrian Conflicts**

There is an existing zebra crossing on Geum Street. While this crossing provides pedestrian access from the supermarket to the shopping precinct, it is located close to the intersection of Geum Street / West Street and directly opposite the entry / exit from the supermarket.

Because of its location, pedestrians often exit the supermarket and walk onto the crossing without due care to traffic conditions and movements. This situation is made worse due to the high number of vehicles (approximately 3,400) accessing the service road and articulated trucks accessing the supermarket.
The service road is also a source of potential vehicle and pedestrian conflicts. As parking is located on both sides of the service road, pedestrians often have to cross the service lane to access shops or to return to their vehicle. During busy times this can lead to increased conflict and aggression between motorists and pedestrians. Council officers are aware of safety concerns from site inspections and complaints from shoppers and business owners.

**Crash History**

A review of the VicRoads Crash Stats database showed that there have been no recorded accidents at the intersection of West Street / Glenroy Road between January 2009 and December 2013. This is the most up to date data available to Council.

The last recorded accident at the intersection involved a car hitting a safety barrier when negotiating the intersection. This accident was recorded in November 2008.

**Poor Pedestrian Facilities**

While pedestrian crossing facilities exist at the intersection of West Street / Glenroy / Geum Street, the existing facilities are poor and provide little direct access to the shopping precinct. Council officers also observed members of the public jumping the safety barriers on West Street, and then walking across West Street and the service road to access the shopping precinct.

**Congestion**

Due to the number of vehicle movements at the intersections of West Street / Glenroy Road, West Street / Geum Street and Guem Street / service lane (approximately 15,000 in a 12 hour period), congestion occurs throughout the day which leads to queuing back through the intersection.

It is deemed that the overarching reason for this congestion and queuing is due to the number of vehicle movements at the intersections and motorists trying to access the Guem Street and the service lane.

**Concept Design**

Based on site inspections and observations, Council officers have developed a concept design ([Attachment 2](#)) that will help alleviate the road safety issues that are detailed above.

The key recommendations of the concept design are:

- The service road be closed at Guem Street and replaced with a dedicated slip lane access off West Street. This means vehicles travelling northbound on West Street will no longer have direct access to the section of the service lane between Geum Street and Eileen Street.
- The existing zebra crossing on Geum Street be upgraded to a flashing pedestrian crossing. This will improve the visibility of the pedestrian crossing to motorists and other road users.
- Speed cushion on Glenroy Road and West Street to reduce vehicle speeds whilst still allowing bus movements.
- A pedestrian area in front of the shops that could accommodate future outside dinning or other public amenity.

These recommendations would alleviate the observed road safety issues by providing:

- A reduction in conflict points between all road users with the removal of the northern access to the service road.
- Better pedestrian facilities with the implementation of the pedestrian area in front of the shops and the upgrade of the pedestrian crossing on Geum Street.
• Reduced speeds on West Street and Glenroy Road with the implementation of traffic calming measures.
• Direct access to the service lane from West Street.

In addition to the above, there is an existing Council project that is looking to install a public toilet within the vicinity of West Street and Glenroy Road and is the subject of a separate report to the April 2014 meeting.

The increased pedestrian area in the concept design (Attachment 2) provides a possible location for public seating or other public amenities, such as the public toilet. As such, the location of the public toilet in this location will be considered during the design process.

While the concept design (Attachment 2) provides a number of road safety improvements, it does come at the loss of on street car parking in front of the shops. It is estimated that 12 of the existing 61 car parking spaces may be lost as part of the design. While the concept design (Attachment 2) does reduce parking in front of the shops, there is on-street parking available in the side streets surrounding the shops although this is subject to availability.

Road Safety Audit
As part of the design process, Council will appoint an independent and qualified Road Safety Auditor to review the preliminary design. Comments and recommendation made by the Road Safety Auditor will be reviewed and where applicable, will be incorporated into the final design.

Traffic Signals
Traffic signals could be incorporated into the concept design at a later stage. The introduction of traffic signals would improve the safety of the intersection however, it would reduce the capacity and likely promote “rat running” in surrounding local streets.

Human Rights Consideration
The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation
It is proposed that community consultation take place upon completion of the preliminary design. Once community consultation is complete, Council will review all comments and where applicable, incorporate these comments into the detailed design. Consultation with stakeholders from the Projects and Economic Development branches will be held in conjunction with community consultation.

By undertaking community and stakeholder consultation at this time, it will allow stakeholders, residents and business owners in the area to have input into the design process. Upon completion of the consultation process and the preliminary design, where appropriate, comments and concerns will be addressed and incorporated into the detailed design.

5. Officer Declaration of Conflict of Interest
Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. Financial and Resources Implications
Funding for the review and redesign of the West Street / Glenroy Road intersection has been approved and allocated for this financial year. The funds already allocated are still deemed sufficient to undertake the design and consultation process.
7. **Implementation**

Upon completion of the detailed design, the project will be reported to Council for approval to refer to the capital planning process for funds to construct.

Please note, costs for any upgrade to the intersection cannot be accurately calculated until the completion of the detailed design.

**Attachment/s**

1. West Street / Glenroy Road - Existing intersection Layout  
   D14/74496
2. Concept Design - West Street / Glenroy Road Intersection, Hadfield  
   D13/283826
DCI22/14  WEST STREET PUBLIC TOILET UPDATE (D14/76618)
Director City Infrastructure
Capital Works Delivery

Executive Summary

Installation of a public toilet at the West Street shopping strip in Hadfield has seen a number of options investigated. This report includes an update on resolving the location of a public toilet at West Street shopping strip; and discussion on alternative sites for the procured public toilet and West Street public toilet 2013-2014 budget.

An automatic public toilet was procured prior to a resolution of Council in April 2013 to re-examine the proposed location at Eileen Street and to include consultation with the community in determining a preferred location for the toilet. This toilet is in storage awaiting determination of the preferred location at a cost of $11,348 per year.

A suite of possible locations for a public toilet in the West Street shopping strip have been identified and concept plans developed for consultation with the community. A recent additional location is a potential new outstand as a part of traffic management works proposed for the corner of West Street and Glenroy Road. The traffic management works are the subject of a separate report to the April 2014 Council meeting.

The community engagement to be conducted as a part of determining the location of the new public toilet should include the proposed traffic treatment. As the traffic treatment will not be fully designed and construction begun for more than a year, the public toilet would not likely be installed for this period.

In order to allow the best location to be determined and to minimise the costs of storage, an alternative site is proposed. Both Campbell Reserve and Methven Park public toilets are noted in the Public Toilet Strategy 2012 as requiring works in the coming years. Community concern has been expressed relating to the condition and siting of these public toilets.

Both of these parks are suitable alternatives for the installation of an automatic public toilet. The preferred park for the single automatic public toilet is Campbell Reserve as it has fewer users and the need for replacement is more immediate.

The proposed budget for Campbell Reserve public toilet refurbishment in future years (2014-2015) could then be reallocated to West Street public toilet. This will allow the consultation with community to be undertaken with all possible locations included.

Recommendation

Council resolve to:

1. Defer community engagement on the location of a new public toilet in West Street shopping strip until the West Street / Glenroy Road traffic treatment design is resolved.

2. Allocate the remaining West Street public toilet 2013-2014 budget and procured automatic toilet to an alternative location being Campbell Reserve in line with the Public Toilet Strategy 2012.

3. Refer the West Street public toilet to a future year budget process via reallocation of proposed budget for Campbell Reserve public toilet refurbishment and subsequently Methven Park proposed budget if required.
1. **Policy Context**

This report relates to the Council Plan 2013-2017 outcome of “people have access to local places, spaces and public transport”.

The Public Toilet Strategy 2012 provides the direction for provision of public toilets in Moreland including that they are required in public destinations with high activity and extended periods of visits.

2. **Background**

On 10 October 2012 (CI208/12), Council resolved to immediately commence design and installation for the West Street toilet to be located on the south side of Eileen Street with construction complete by no later than February 2013. This resolution was subsequently progressed, however during the project traders expressed concerns regarding the resolved location, particularly its proximity to their business. Prior to trader concerns being expressed, an automatic toilet was procured for the site. This toilet is currently in storage at a cost of $11,348 per year.

At its meeting of 10 April 2013 (CI120/13), Council rescinded the above motion so that Council could explore another site for the West Street shops public toilet. This is to include a consultation process, involving a public meeting, so that residents, visitors to the shopping centre, interested groups and traders can participate in the resolution of this issue.

At its meeting of 12 March 2014 (CI124/13), Council resolved to bring a report to the April Council meeting in regard to proposing a new site for the toilet at the West Street Shopping Strip.

3. **Issues**

**West Street Public Toilet Location**

Since Council’s April 2013 meeting, Council officers have conducted a series of internal discussions revising all options and reviewing the site for potential new ones for discussion with the community in line with the resolution.

Through this process a suite of potential locations was further investigated and concept plans developed for consultation with the community. During this time, an additional location was identified at the West Street – Glenroy Road intersection. A traffic calming solution to address a long held concern about safety at this busy intersection is being progressed. This project may provide an opportunity for a public space where the public toilet could go. The transport project is being reported to Council to progress beyond concept design.

With a potential site being assessed that could result, following community consultation, as the preferred location for the public toilet, community consultation on the public toilet was postponed to ensure that what was to be discussed was complete and clear and that all options could be considered.

Waiting until the traffic calming proposal is resolved has caused delay to the toilet project however, the possibility of placing the toilet in the new space that may be created, if the transport project is given approval, is considered a sensible way of resolving the two issues faced at this precinct.

Due to the timing of the traffic calming project, the automatic toilet currently in storage for West Street public toilet is likely to remain in storage for more than a year. Therefore, an alternative location for this toilet is recommended.
Alternative Sites

The adopted Public Toilet Strategy 2012 includes an implementation plan recommending works to the existing public toilets in Campbell Reserve and Methven Park.

The public toilet in Campbell Reserve has recently been closed at night due to anti-social behaviour affecting use of the facility and of the park. Local residents have requested the toilet be closed and Victoria Police has advised that a new location in the park be considered. The toilet is in poor condition and is in an undesirable location as it has poor passive surveillance being in a corner of the park and shielded from nearby streets by buildings.

The Public Toilet Strategy recommends refurbishment of the Campbell Reserve public toilet. Due to the above advice, it is proposed to be demolished and replaced with the new toilet in a location with improved passive surveillance. In the interim, the toilet is proposed to be closed and opened upon request (i.e. for festivals, game days etc).

Methven Park public toilets are in very poor condition and are underutilised. The public toilet strategy recommends replacing them with new toilets. Like Campbell Reserve, the location of the toilets within the park can be improved for passive surveillance and increased public use.

Both of these parks are suitable alternatives for the installation of the procured automatic public toilet currently in storage. The preferred park for the single automatic public toilet is Campbell Reserve as it has fewer users and the need for replacement is more immediate.

Environmental Implications

The automatic public toilet proposed for installation has been procured. The potential for environmental impact reduction through the addition of solar power and alternative water supply will be included in detailed design.

Social Implications

Replacement of the Campbell Reserve public toilet is expected to improve public safety, reduce anti-social behaviour and improve community use of the park.

Economic Implications

Reallocation of 2013-2014 budget allocated to the West Street public toilet to Campbell Reserve will require a new budget, in a future year, to be allocated in order to construct a new public toilet in the West Street shopping strip once the location is resolved.

Regional / Strategic Implications

The objectives of the Public Toilet Strategy 2012 will be progressed through the actions recommended in this report.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Public Toilet Strategy 2012 was adopted by Council on 12 September 2012. Advice was sought from officers across Council involved in public safety, open space and public toilets.

5. Officer Declaration of Conflict of Interest

Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.
6. Financial and Resources Implications
The $79,555 remaining 2013-2014 budget and procured automatic toilet for West Street public toilet is to be reallocated to the alternative location at Campbell Reserve.

The proposed budget for Campbell Reserve public toilet in future years (potentially 2014-2015) would be allocated to another public toilet.

Dependant on the outcome of the traffic calming project, community consultation on the preferred location at West Street shopping strip, and report to Council, a subsequent exchange of Methven Park proposed future budget could also be undertaken if required.

7. Implementation
Following concept design and engagement with local residents on the replacement of the Campbell Reserve public toilet, it is proposed to complete detailed design, tender and install the automatic public toilet. The existing public toilets would then be demolished and the area made good as general open space.

This can be completed in the current financial year. The primary risk to completion is having the new electricity supply connected and turned on. This may result in a delay of making the installed public toilet operational until early in the new financial year.

Attachment/s
There are no attachments for this report.
Executive Summary

The Aquatic and Leisure Services Fees and Charges Policy has been reviewed on an annual basis since April 2011. The current policy was adopted by Council in February 2013 (DSD1/13). The policy is to guide the setting of fees and charges for the Aquatic and Leisure Services Management Contract 1866 and single service specification.

This report provides an overview of the Active Moreland Aquatic and Leisure Services Fees and Charges Policy and the changes proposed for Fees and Charges for 2014–2015 under the Active Moreland Aquatic and Leisure Services Management contract.

The Aquatic and Leisure Services Fees and Charges Policy has been reviewed and changes proposed as a result of industry changes, benchmarking and to further align and improve the communication of fees and charges for service and program delivery across the Active Moreland facilities.

The key proposed changes are in relation to:

- Removal of Personal Training / Membership options and criteria.
- Amendment to the Asylum Seekers membership to reflect off peak usage, in order to support this free membership category whilst meeting significant and increasing demand from Asylum Seekers, particularly at Brunswick Baths and Coburg Leisure Centre.
- Changes in the structure of memberships and start up fees to be applied, proposing two distinct start-up fees; one for ‘term commitment’ and one for a ‘no term commitment’, with the respective direct debit monthly fee being the same for either commitment option.
- Revised relative cost of membership based on length of commitment for both pre-paid and direct debit memberships based on the above proposed structure.

Recommendation

Council resolve to adopt the revised Active Moreland Aquatic and Leisure Services Fees and Charges Policy.
1. **Policy Context**

In February 2013, Council endorsed the Aquatic and Leisure Services Fees and Charges Policy, following a further review and alignment across all of Moreland’s Aquatic and Leisure facilities for standard definitions, services and programs (DSD 1/13).

In reviewing this policy the following principles have continued to be used to guide the development and setting of fees and charges for Moreland’s Aquatic and Leisure services:

- Principle 1- Active Moreland – Universal Pricing and Facility Access
- Principle 2 - Reducing Cost and Increasing Value as Reward for Increasing Commitment
- Principle 3 - In-Centre Child Care Priority
- Principle 4 - Equity and Social Justice

2. **Background**

The purpose of the policy (Attachment 1) is to provide improved value to all Aquatic and Leisure facilities by ensuring fees and charges are structured in a way that maximises participation, consistent with the Active Moreland Framework objective of ‘more people, more active, more often’ at all stages of life.

The Policy seeks to assure the financial sustainability of the Council owned Aquatic and Leisure Facilities, and supports the financial commitment made with the YMCA via Contract 1866 for the management of Council’s Aquatic and Leisure Facilities.

The Policy also ensures that the requirements of the Australian Government National Competition Policy are met in conjunction with a responsible and efficient approach to the financial sustainability of the aquatic, leisure and recreation service.

3. **Issues**

Some minor changes and updates have been proposed to the policy as detailed in the tables below. The focus has been on consistency, standardisation and ease of communication of fees charges and options available across Active Moreland facilities as well as ensuring a sustainable financial position for the service.

Development of the fees and charges is a detailed and complex process as multiple levels and formulas need to be applied to each service line as per the discounts and relative values outlined in the policy.

Setting of the fees and charges commences with the base rate and then the application of a range of variables and formulas such as:

- Relative concession discounts (Concession entitlements, Seniors, Youth etc).
- Relative discount based on type of membership (Universal, Centre Based, Aquatic, Seniors or Youth).
- Relative discount based on location of membership (Physical aspects of each facility—services offered and condition).
- Relative discount based on length of membership or multi visits pass (Increased value with increased commitment).

The application of these discounts influences the fees and charges being presented along with any rounding and application from the previous year. For example, the membership start up fee was frozen in 2013-2014 as the application of a 3.5% rise would have provided an awkward figure to process, so it was endorsed that the start up would have an increase at a rate equivalent to two (2) years applied for 2014-2015 to make up the difference.
For this reason, there are some anomalies in the percentage increase in the proposed 2014-2015 fees, which lie outside the base 3.5% increase (both above and below for different changes) which the contractual agreement for this service indicates will apply annually.

The key change proposed to the Policy is in relation to the revised start up fee options and membership structure, and includes:

- Consolidation of the direct debit pricing to one standard rate per membership category. (Currently there are over 50 different debit rates, which are often confusing for prospective members and staff);
- Introduction of two pricing structures for the start up fee;
  - Start-up fee for non contract direct debit memberships at a higher rate.
  - Start-up fee for contract (direct debit and prepaid) memberships at a lower rate (reflecting the principle of increasing value as a reward for increasing commitment).
- Introduction and sales focus on a 6 month direct debit membership and a reduction of the comparative rate based on length of term; and
- Change of relative value of memberships to accommodate the introduction of the membership start up fee and 6 month direct debit option reducing this from base rate +10% to base rate +5%. (Hence 6 month memberships as the preferred membership category receive a lesser percentage increase when compared to the 3 or 12 month memberships)

It is worth noting that, calculating the proposed structure for three payment options outlined above, for the Universal membership against the current structure (using the 2013-2014 fees and applying a 3.5% increase as agreed in the specification), demonstrates the change will have minimal financial impact, and will in fact deliver a cost benefit for members.

<table>
<thead>
<tr>
<th>Current Fees and Charges Membership Structure</th>
<th>Membership Type (DD = Direct Debit; PP = Pre=paid)</th>
<th>Start up fee</th>
<th>Membership Cost per month</th>
<th>Total for 12 months</th>
<th>3.5% increase applied</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-2014 Universal 12 Month DD commitment</td>
<td>$80.00</td>
<td>$82.30 (DD)</td>
<td>$987.60 + $80.00 = $1,067.60</td>
<td>$1,104.96</td>
<td></td>
</tr>
<tr>
<td>2013-2014 Universal 0 Month DD commitment</td>
<td>$80.00</td>
<td>$90.55 (DD)</td>
<td>$1086.60 + $80.00 = $1,166.60</td>
<td>$1,207.43</td>
<td></td>
</tr>
<tr>
<td>2013-2014 Universal 12 Month Prepaid</td>
<td>$80.00</td>
<td>$987.80 (PP)</td>
<td>$987.60 + $80.00 = $1,067.60</td>
<td>$1,104.96</td>
<td></td>
</tr>
</tbody>
</table>
Membership line items in the proposed fees and charges for 2014-2015 will show a variation between -5.4% to a +8.4% increase. As highlighted above this is due to a variety of reasons including the application of the policy formulas, rounding up or down of the fees, the restructure of membership to include the two start up fees, the introduction and sales focus on 6 month memberships as opposed to 3 and or 12 months and consideration to the percentage increase applied for 2013-2014 fees and charges (including a temporary price freeze on some items). There is also a proposal to offer Asylum Seeker memberships at off-peak times* to support this membership category and cater for the significant and increasing demand in Asylum Seekers seeking free memberships.

The following amendments are proposed for the Active Moreland Aquatic and Leisure Services Fees and Charges Policy review for 2014–2015:

<table>
<thead>
<tr>
<th>Relevant Sections</th>
<th>Amendments</th>
<th>Rationale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Background</td>
<td>Updated.</td>
<td>To reflect review of 2013 and 2014.</td>
</tr>
<tr>
<td>Section 5</td>
<td>5.8 Relative Value of Direct Service Programming. Removal of Personal Training 1 on 3 and 1 on 4 Removal of Personal Training Membership Option</td>
<td>With the introduction of small group training intensive programs, Personal Training 1 on 3, 1 on 4 and memberships are not viable and difficult to administer and therefore no longer offered.</td>
</tr>
<tr>
<td>Relevant Sections</td>
<td>Amendments</td>
<td>Rationale</td>
</tr>
<tr>
<td>-------------------</td>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Section 6 6.1 Membership Categories.</td>
<td>Removal of Active Moreland Aquatic and Leisure Personal Training option. Amend Moreland Asylum Seeker entitlements</td>
<td>As above</td>
</tr>
<tr>
<td></td>
<td></td>
<td>There are currently 180 people accessing this category of membership, and local agencies have indicated significant demand for additional memberships. In order to continue to offer these free memberships, and support this demand, there is a need to manage the use of the facility at peak times. Members within this category will be offered access at off peak times.*</td>
</tr>
<tr>
<td>6.2 Membership Payment Options</td>
<td>Addition of 6 month direct debit and realignment of the prepaid 1 and 3 month memberships.</td>
<td>To better reflect member demand for this option, to reduce the number of options being presented to eliminate confusion for the consumer.</td>
</tr>
<tr>
<td>6.2.3 Relative Cost of Length of Membership</td>
<td>Reduced relative value percentage applied to both 6 month direct debit and pre paid membership</td>
<td>With the introduction of a 6 month direct debit membership and applying the proposed structure a reduction in the relative percentage from +10% to +5% has been applied.</td>
</tr>
<tr>
<td>6.2.4 Membership Start-up Fee</td>
<td>Update to reflect the two start up fees based on term commitment</td>
<td>To assist with administration and only having a set monthly debit fee, the incentive to join on a term commitment is based on a reduced start up fee. Two start up fees to be applied, with a reduced rate for term membership commitment and an increased fee for zero term commitment.</td>
</tr>
<tr>
<td>Appendix B</td>
<td>Updated example to reflect 2014-2015 proposed fees and charges</td>
<td></td>
</tr>
</tbody>
</table>

*Off-peak use allows access between 9am-4pm weekdays and all day on weekends.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.
4. **Consultation**

Benchmarking has been undertaken comparing specific program and service price points that were under review, to inform the Policy.

Consultation has been undertaken with the Contracted Service Providers (YMCA), Area Manager and Centre Managers.

5. **Officer Declaration of Conflict of Interest**

Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. **Financial and Resources Implications**

The proposed Active Moreland Aquatic and Leisure Fees and Charges Policy support the financial underpinnings of Contract 1866 – Active Moreland Aquatic and Leisure Facility Services and will contribute to a sustainable financial position for the service.

7. **Implementation**

This policy will be implemented with the new fees and charges for Aquatic and Leisure facilities following Council endorsement, commencing 1 July 2014.

**Attachment/s**

1. Draft Active Moreland, Aquatic and Leisure Services Fees and Charges Policy D14/76677
Executive Summary

Tenders were called for a panel of appropriately experienced and qualified suppliers to provide the following food services / products:

- Catering Dry Goods
- Fresh fruit and vegetables
- Fresh Meat
- Foil Container
- Cleaning Material
- Kitchen Staff Agency

Moreland City Council's Food Services Program provides about 600 meals daily to local residents and another 250 meals daily on a contractual basis to Whittlesea City Council and Nillumbik Shire Council.

The program is funded through HACC (Home and Community Care program- a combined Commonwealth and State Government initiative). Service users pay a small fee per meal and Council meets the remaining cost.

Meals are provided 7 days a week and are prepared using three production methods:

- Cook Fresh - cooked and delivered the same day;
- Cook Chill - prepared and blast chilled in advance for later reheating; and
- Frozen - meals are frozen for later use.

Tenderers were invited to submit tenders through a public advertisement for all or any part of the tender specification.

The allocated budget for the above services is about $4,000,000 over the life of the contract of 5 years.

This report seeks approval from Council to enter into contracts with the tenderers as identified below.

Recommendation

Council resolve:

1. To award the contract under each service category for an initial period of three years (3) with optional one year extension and a final optional one year extension as below:

   - Catering Dry Goods:
     - Bidvest (VIC) Pty Ltd
     - Merchant Australia
     - PFD Food Services Pty Ltd

   - Fresh Fruit and Vegetables:
     - City Fresh Wholesalers
     - Tasty Chips Pty Ltd
     - Yarra Valley Farms Pty Ltd
Fresh Meat:
- Bidvest (VIC) Pty Ltd
- CMS Meats Pty Ltd
- Lea Enterprises Pty Ltd
- PFD Food Services Pty Ltd
- Top Cut Food Industries Pty Ltd

Foil Container:
- Confoil Pty Ltd
- Metwood Australia Pty Ltd
- Bidvest (VIC) Pty Ltd

Cleaning Material:
- Metwood Australia Pty Ltd
- Rapid Clean Group
- Reward Supply Co Pty Ltd

Kitchen Staff Agency:
- Chefs on the Run Australia Pty Ltd
- Horner Recruitment Systems Pty Ltd

2. That the Chief Executive Officer be authorised to do all things necessary to execute contracts and any other required documentation for the initial tender and subsequent extensions.

3. That all tenderers be advised of Council’s decision.
REPORT

1. Policy Context
This report is in keeping with the Moreland Procurement Policy, April 2013 and sections 186 and 186A of the Local Government Act 1989.

2. Background
Council has an extensive annual capital and operational works program that requires the engagement of Trade Contractors for various projects.

On 11 January 2014, a public advertisement was placed in The Age newspaper inviting tenders via ‘e-tender’ from suitably experienced contractors to provide a Provision of Food Supply and Staff Kitchen Agency for the next three (3) years with the option of a one (1) year and then a further one (1) year extension at Council’s discretion.

Tenders closed on 31 January 2014 at 4pm and fifteen (15) tenders were received across ten (10) nominated categories from the following contractors:

<table>
<thead>
<tr>
<th>No</th>
<th>Tenderer Name</th>
<th>Trading Name</th>
<th>Australian Business Number (A.B.N.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bidvest (Vic) Pty Ltd</td>
<td>Bidvest Melbourne</td>
<td>69 053 695 855</td>
</tr>
<tr>
<td>2</td>
<td>Chefs on the Run Australia Pty Ltd</td>
<td>Chefs On The Run Australia</td>
<td>91 083 144 665</td>
</tr>
<tr>
<td>3</td>
<td>Anthony W. Mutton t/as City Fresh Wholesalers</td>
<td>City Fresh Wholesalers</td>
<td>49 123 542 497</td>
</tr>
<tr>
<td>4</td>
<td>CMS Meats Wholesaler</td>
<td>CMS Meats</td>
<td>63 781 626 311</td>
</tr>
<tr>
<td>5</td>
<td>Confoil Pty Ltd</td>
<td>Confoil Containers</td>
<td>80 005 176 429</td>
</tr>
<tr>
<td>6</td>
<td>Horner Recruitment Systems Pty Ltd</td>
<td>Horner Recruitment</td>
<td>99 060 659 182</td>
</tr>
<tr>
<td>7</td>
<td>Lea Enterprises Pty Ltd</td>
<td>Southern 360 Degree Meat &amp; Poultry</td>
<td>45 967 980 964</td>
</tr>
<tr>
<td>8</td>
<td>Merchant Australia</td>
<td>Merchant Australia</td>
<td>16 000 307 540</td>
</tr>
<tr>
<td>9</td>
<td>Metwood Australia Pty Ltd</td>
<td>Metwood Australia Pty Ltd</td>
<td>95 114 192 782</td>
</tr>
<tr>
<td>10</td>
<td>PFD Food Services Pty Ltd</td>
<td>PFD Food Services</td>
<td>29 006 972 381</td>
</tr>
<tr>
<td>11</td>
<td>Rapid Group Co-operative Ltd</td>
<td>Rapidclean</td>
<td>70 065 227 312</td>
</tr>
<tr>
<td>12</td>
<td>Reward Supply Co Pty Ltd</td>
<td>Reward Distribution</td>
<td>40 010 183 669</td>
</tr>
<tr>
<td>13</td>
<td>Tasty Chips</td>
<td>Tasty Chips Pty Ltd</td>
<td>52 453 980 316</td>
</tr>
<tr>
<td>14</td>
<td>Top Cut Foods Pty Ltd</td>
<td>Top Cut Foods Pty Ltd</td>
<td>84 006 138 290</td>
</tr>
<tr>
<td>15</td>
<td>Yarra Valley Farms Pty Ltd</td>
<td>Yarra Valley Farms</td>
<td>60 161 721 320</td>
</tr>
</tbody>
</table>

3. Issues
Tender Assessment
The tenders have been evaluated in accordance with Council’s policy for Procurement of Services. All service categories were assessed using the same weighting criteria. The six (6) categories are:
Council Meeting 9 April 2014

- Catering Dry Goods
- Fresh fruit and vegetables
- Fresh Meat
- Foil Container
- Cleaning Material
- Kitchen Staff Agency

Weightings applied to the nominated categories above within the tender assessment were:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tender Price</td>
<td>30%</td>
</tr>
<tr>
<td>Experience</td>
<td>30%</td>
</tr>
<tr>
<td>Capability</td>
<td>15%</td>
</tr>
<tr>
<td>Resources</td>
<td>10%</td>
</tr>
<tr>
<td>Social Issues</td>
<td>5%</td>
</tr>
<tr>
<td>Sustainability</td>
<td>5%</td>
</tr>
<tr>
<td>Local Content</td>
<td>5%</td>
</tr>
<tr>
<td>Total%</td>
<td>100%</td>
</tr>
</tbody>
</table>

The economical number of contractors to be selected under each category is nominated as below. These numbers are to ensure competitiveness between the panel and sustainability of supply under that nominated category.

<table>
<thead>
<tr>
<th>Service Name</th>
<th>Total No of Vendors Selected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dry Goods</td>
<td>3</td>
</tr>
<tr>
<td>Fresh Vegetable and Fruit</td>
<td>3</td>
</tr>
<tr>
<td>Fresh Meat</td>
<td>5</td>
</tr>
<tr>
<td>Foil Container</td>
<td>3</td>
</tr>
<tr>
<td>Cleaning Material</td>
<td>3</td>
</tr>
<tr>
<td>Kitchen Staff Agency</td>
<td>2</td>
</tr>
</tbody>
</table>

Tender Results

Tenderers were assessed by the panel against the criteria. The outcomes of these assessments are provided at Confidential Attachment 1.

Social Implications

By including small providers, Moreland City Council is able to ensure small business is supported whilst ensuring there is a market for smaller tasks.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Consultation occurred with certain officers across Council including the Corporate Services business unit.

The Evaluation panel consisted of representatives from this business unit.
5. **Officer Declaration of Conflict of Interest**

Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. **Financial and Resources Implications**

The amount of expenditure under this contract is expected to exceed the delegated authority of the Chief Executive Officer; as such it is sought to have this contract endorsed by Council.

Market competitiveness will be maintained within the panel through competitive quotations, and within the market through benchmarking quotations from outside the panel.

The existence of the panel does not commit the Council to any future expenditure.

7. **Implementation**

It is proposed that the Chief Executive Officer be authorised to do all things necessary to execute contracts and any other required documentation.

The contract will commence as soon as Council endorses the recommendation.

The Procurement Unit will maintain the central umbrella contract with key stakeholders managing specific categories where these align with their services. The Procurement Portal will be used to manage licences and certification ongoing.

**Attachment/s**

1. Contract 108T - Assessment and Score for Tenderers - *This matter is considered to be confidential under Section 89(2) (a) of the Local Government Act, as it deals with contractual matters.*
Executive Summary

This report was presented to Council at its meeting on 9 September 2013 (DSD 32/13), and deferred. The report has been called to be considered by Council at the April 2014 meeting. The report reflects the report presented in September 2013, and has been amended for context only.

The Moreland Community Grants Program offers a range of annual community grants for not-for-profit community groups and individuals to apply for funding towards initiatives that benefit the Moreland community.

At the Council meeting on 10 July 2013, Council received a report (DSD27/13) which provided recommendations for projects to be funded under the Moreland Community Partnership Grants Program 2013-2014. At this meeting Council resolved to approve 28 of the 31 recommended Project Grant applications and the 8 recommended Capital Works Partnership Grant applications. The resolution from this meeting included that ‘an additional report be prepared detailing how more cultural clubs be encouraged to apply for funding and to recommend that the two applications received from cultural clubs this year, be raised again for review and consideration for funding’.

This report outlines the current mechanisms used to engage the community and promote the Community Grants program, including the engagement of cultural clubs. It indicates that cultural groups have been engaged in the program and many applications from cultural clubs have been funded in the past. It also outlines additional measures proposed to maximise the exposure of the Moreland Community grants program to these groups for future programs.

In addition, the report provides an opportunity for Council to review and consider the application to the Capital Works Partnership Grants Program from the Greek Orthodox Community of Melbourne and Victoria and the Gruppo Anziani Lucani – ‘Gal’, noting that these two applications were not recommended for funding in the July 2013 report, primarily on the basis that the applications demonstrated both clubs were in a strong financial position and appear to have the ability to fund the project without a contribution from Council.

Officers have again reviewed the applications in line with the policy and for the above reasons and with a priority on funding for projects on Council land, these projects are not recommended for funding this year.

Recommendation

Council resolve:

1. To endorse the proposed additional measures to maximise the exposure of the Community Grants to cultural clubs.

2. To note the review of the two applications received from cultural clubs for partnership grant funding in 2013-2014.
1. **Policy Context**

The Moreland Community Grants Policy (DSD1) incorporates the Capital Works Partnership Grant Program. The policy supports Key Strategic Objective 15 in the Council Plan 2009-2013 to ‘Facilitate Community Connection and Engagement’.

2. **Background**

Moreland City Council has provided a community grants program since 1996. The Moreland Community Grants Program aims to support projects and initiatives that facilitate community wellbeing and strengthen the community through networks and partnerships.

The current Community Grants Program incorporates a range of funding categories offered by Council that include an allocated 2013-2014 budget of $371,315 and the Partnership Grants Program, supporting capital improvements, with an allocated 2013-2014 budget of $275,000.

**Project Grants**

Project grants are designed to support one-off new projects and initiatives for the development and implementation of projects designed to benefit and engage the Moreland community for up to $5,000.

**Capital Works Partnership Grants:**

Capital Works Partnership Grants are designed to provide support to Moreland-based not for profit organisations for capital improvement works to enhance a facility’s inclusiveness, construct or develop a community facility to promote community participation, health and wellbeing, offering up to $40,000 per project.

At the Council meeting on 10 July 2013, Council received a report (DSD27/13) which provided recommendations for projects to be funded under the Moreland Community Partnership Grants Program 2013-2014. At this meeting Council resolved to approve 28 of the 31 recommended Project Grant applications and the 8 recommended Capital Works Partnership Grant applications. The resolution from this meeting included that ‘an additional report be prepared detailing how more cultural clubs be encouraged to apply for funding and to recommend that the two applications received from cultural clubs this year, be raised again for review and consideration for funding’.

An outline of the mechanisms used to engage cultural clubs, and the boarder community is outlined below, as are some proposed actions to increase the level of engagement of these groups in the Moreland Community Grants program.

The two Capital Works Partnership Grants applications to be reconsidered were those from the Greek Orthodox Community of Melbourne and Victoria and the Gruppo Anziani Lucani – ‘Gal’. The information provided to Councillors at the 10 July 2013 Council meeting in relation to these two projects is provided at Attachment 1.

3. **Issues**

**2013 Community Grants Program Promotion**

The 2013 Community Grants Program was promoted widely throughout Moreland. The following mechanisms were used to inform residents and groups about the program.

**Internet/Social Media Advertising**

- Moreland City Council Website, including on the front page ‘news’ section
- Active Moreland Website
• Moreland Twitter account
• Active Moreland Twitter account
• Moreland Face book page
• Oxygen Face book page

Direct Mail
• To all groups listed in the Community Directory. Flyers advising of the grants program and information sessions were sent to almost 500 community groups that are registered with Council (Language Link promoted).
• Letters were sent to a significant number of community groups on a database of contacts that had previously requested funding and/or information relating to Council grants (Language Link promoted).

Print Media
• Flyers/posters were displayed at Moreland City Council libraries, leisure centres and Citizen Services offices.
• The program was promoted in the Moreland Leader Newspaper (Language Link promoted).

Email Notification
• Emails with grants information were sent to all community groups on the community directory that provided email addresses.
• Emails with grants information were sent to the Community grants database (which captures all previous grant applicants and enquiries).

Networks
Networks were informed about the program and shared this with their members. These included:
• Moreland Interfaith and Intercultural Network (10 groups)
• Moreland Multicultural Settlement Services Network (20 groups)
• Sports Club Network
• Neighbourhood House Network
• Children Services networks
• Youth Services networks
• Social Policy networks
• Volunteering Network

Council Newsletters
Information about the grants program appeared in:
• MoreSports Newsletter
• Active Moreland Newsletter
• AAA Newsletter
• BizMoreland Newsletter
• Oxygen Newsletter

Direct Contact
Other assistance offered by the Community Grants Officer included:
• Attendance at network meetings
• One-on-one meetings with community groups as requested
• Direct phone calls
• Attendance at AGM and Committee meetings
• Promotion at Sporting Club Forums
• Word of Mouth
Community Grant Information Sessions

Community grant information sessions were held across the municipality at varying times to meet the availability of community members. The following sessions were held in 2013:

- Tuesday 2 April at 10 am  Council Chambers, Moreland Civic Centre.
- Tuesday 2 April at 6 pm  Council Chambers, Moreland Civic Centre.
- Wednesday 3 April at 10 am  Merri Community Health, 79 Jukes Road Fawkner.
- Wednesday 3 April at 2 pm  Oak Park Aquatic Centre.
- Thursday 4 April at 10 am  Clarrie Wohler Senior Citizen Centre, 51 Albert Street Brunswick.

All sessions were well attended. Coburg sessions attracted the highest number of attendees, with more than 30 groups represented in the 2 sessions. Approximately 30% of attendees at these sessions were from cultural groups.

Funding of Cultural Clubs through the Moreland Community Grants Program

Council has a strong record of funding cultural clubs through the Community Grants Program:

- Thirty-six percent (36%) of the Project Grants funded in the 2013-2014 program provide a benefit to CALD groups.
- Thirty percent (30%) of the Project Grants funded in the 2012-2013 programs provided a benefit to CALD groups.
- Ninety-eight percent (98%) of Membership Activity Grants for 2012-2013 were for CALD groups.

Proposed Engagement Mechanisms for Future Programs

The following strategies have been identified as opportunities to further promote the program and engage with the cultural groups and the broader community. These will be explored further in preparation for the 2014 Community Grants Program:

- Webinars, in key languages
- Council messages on hold
- Community radio
- Advertising and editorials in cultural newspapers e.g. Il Globo (Italian), The Star (Greek), Milliyet (Turkish)
- Promotional information translated into key community languages
- Program promotion through Council festivals and events
- Promotion using the Inside Moreland Magazine
- Citizen Services TV Display

2013 Cultural Club Applications

The application from the Greek Orthodox Community of Melbourne and Victoria to the 2013 Moreland Capital Works Partnership Grant program was for $30,000 towards a $92,000 project to refurbish the hall on the site of St Eftherios church in Albion Street, Brunswick. The project would provide an improved multi-purpose hall with kitchen facilities, repainting internally and externally and polished timber floors.

The application from the Gruppo Anziani Lucani – ‘Gal’ (the elderly group of Federazione Lucana) to the 2013 Moreland Capital Works Partnership Grant Program was for $40,000 towards a $82,344 project, to construct an accessible ramp compliant with the Disability Discrimination Act and to construct a canopy to the main entrance of the facility at 3 Cameron Street, Brunswick. The project would allow increased access to the facility for the elderly and citizens with a disability.
While both applications were considered by the assessment panel to be worthy projects, the assessment undertaken against the criteria outlined in the Community Grants Policy was that these projects were not a high priority for Council funding as both groups had the financial capacity to fund these projects without the support of Council.

The Community Grants Policy indicates that funding will be prioritised for applications that ‘have limited financial means and limited access to other sources of funding to implement the proposal’.

The application from the Greek Orthodox Community of Melbourne and Victoria and Gruppo Anziani Lucani, auspiced by the Federazione Lucani indicated they recorded significant profits for the year end June 2012 and a strong asset base.

In addition, the Greek Orthodox Community of Melbourne and Victoria failed to provide any evidence of interrelationship or support with other community organisations or individuals that would have access to the facility after the refurbishment was complete. The Gruppo Anziani Lucani – ‘Gal’ likewise provided little evidence of regular ongoing support or partnerships with other community organisations.

Officers have again reviewed the applications in line with the policy and for the above reasons and with a priority on funding for projects on Council land, these projects are not recommended for funding this year.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. **Consultation**

Consultation for the 2013 Moreland Community Grants Program is outlined above. Additional consultation will be undertaken as indicated for the 2014 Moreland Community Grants program.

5. **Officer Declaration of Conflict of Interest**

Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. **Financial and Resources Implications**

The remaining budget for the 2013/14 Capital Works Partnership Grants program is insufficient to fund both of the applications under consideration. Should Council resolve to fund these applications in full, this would result in an overspend in this budget.

7. **Implementation**

Council Officers will write to both applicants advising them of the outcome of this report.

The 2014/15 Moreland Community Grants Program is currently open. Council officers have been promoting the Grants Program according to the proposal outlined above, making particular efforts to engage cultural groups. There has been a high level of interest in the grants from a broad section of groups and individuals within the community.

**Attachment/s**

1. 2013 Capital Works Partnership Grant applications from cultural clubs  D14/76658
Executive Summary

In 2013, Council adopted the Reconciliation Australia template as the basis for the annual Reconciliation Action Plan. This report includes a summary of progress and achievements in relation to the implementation of the Reconciliation Action Plan 2012 – 2013 and presents the annual Reconciliation Action Plan for 2014.

Recommendation

Council resolve:

2. To adopt the proposed Reconciliation Action Plan 2014.
1. **Policy Context**

The 2013 – 2017 Council Plan commits to upholding the human rights of Moreland’s diverse community by delivering Council services that support and promote the diversity of Moreland community.

The review and implementation of the Moreland Reconciliation Policy and Action Plan 2008 - 2012 is one of Council’s strategic actions focused on the two goals set out in the 2008 – 2012 Reconciliation Policy and Action Plan.

The two goals of the policy are to:

- Strengthen recognition of Aboriginal and Torres Strait Islander people as the First Nation peoples of Australia.
- Reduce the disadvantage of Aboriginal people through closing the negative social and health gaps between Aboriginal and non-Indigenous people.

These goals and principles are addressed and reflected throughout the key Moreland Council policy and strategic documents which include:

- Multicultural Policy 2011 - 2015
- Early Years Strategy 2011 - 2015
- Moreland Health and Wellbeing Plan 2010- 2014
- Moreland Open Space Strategy 2012-2022

3. **Background**


The RAP template, which was developed by Reconciliation Australia, aims to create respectful relationships between Aboriginal and Torres Strait Islander peoples and other Australians. The RAP publicly formalises an organisation’s contribution to reconciliation by identifying clear actions with realistic targets and was developed in consultation with Aboriginal and Torres Strait Islander communities, organisations and leaders.

The RAP encourages activities that can make a difference in three areas:

- Good relationships;
- Respect for the special contribution of Aboriginal and Torres Strait Islander peoples to Australia; and
- Working together to ensure Aboriginal residents have the same life opportunities as other Moreland residents.

3. **Issues**

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

In particular the RAP responds to ‘Cultural rights’ (section 19) for Aboriginal people. The Section 19 states that Aboriginal persons hold distinct cultural rights and must not be denied the right, with other members of their community, to enjoy their identity and culture; and to maintain and use their language; and to maintain their kinship ties; and to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

The RAP addresses this right through actions contained under the ‘Respect’ section of the action plan.
4. **Consultation**

In 2012 and 2013 Council officers conducted consultation and desktop research to form the basis of the Reconciliation Policy issues paper. The issues paper was released for public consultation using a survey undertaken in May 2013. The results of the consultation, survey and feedback from the Reconciliation Advisory Committee informed the Reconciliation Action Plan for 2014.

Between July and October 2013 Council officers collected feedback from officers responsible for relevant actions contained in the RAP 2012 – 2013. This feedback informed the new Reconciliation Action Plan 2014.

5. **Officer Declaration of Conflict of Interest**

Council Officers involved in the preparation of this report have no conflict of interest in this matter.

6. **Financial and Resources Implications**

The actions included in the Reconciliation Action Plan 2014 are to be undertaken within the existing budget and staffing resources.

7. **Implementation**

The implementation of the Reconciliation Action Plan 2014 will be monitored and reported by the Community Development and Social Policy Unit.

Following endorsement the following actions will be taken:

- By March 2014 the Reconciliation Action Plan 2104 will be published on Council’s website and distributed to all stakeholders.
- In March 2014 copy of the plan will be sent to Reconciliation Australia for endorsement and placement on the Reconciliation Australia website.
- By November 2014 progress report on the implementation of the Reconciliation Action Plan 2014 will be sent to Council.

**Attachment/s**

Executive Summary

Moreland Council’s Multicultural Policy 2011-2015 includes objectives and priorities which respond to the current and emerging needs of Moreland’s diverse communities. It aims to progress a whole-of-Council approach to creating inclusive and empowered communities. It promotes multiculturalism, social cohesion and inclusion of those from migrant and refugee backgrounds.

This is a progress report on the implementation of the Multicultural Policy Action Plan 2012-2013. The review indicates that of the 25 identified actions, 18 were fully achieved during 2012-2013 and 7 actions were partly achieved. Key areas of achievements include:

- Fostering social cohesion and intercultural dialogue through interfaith activities. Council hosts the Moreland Interfaith Gathering and the Northern Interfaith Network.
- Supporting social enterprises from culturally and linguistically diverse backgrounds and addressing inclusive employment, through a partnership with the School for Social Entrepreneurs.
- Hosting the Moreland Multicultural and Settlement Services Network, which provides advocacy and support for individuals and services including systemic advocacy on settlement issues. The remainder of this year will focus on addressing gaps in implementation and evaluating the current policy.

Recommendation

1. **Policy Context**

   **Council Plan 2013-2017, Outcome 6**
   
   - **Theme:** Moreland People
   - **Outcome:** The human rights of Moreland’s diverse community are upheld
   - **Action 6.2:** Implement Multicultural Policy and Action Plan

   Moreland Multicultural Policy 2011-2015: This policy sets the framework for Council action, support and enhance the role of multiculturalism in the municipality.

2. **Background**

   During 2012-2013, Council successfully implemented the Multicultural Policy Action Plan and made excellent progress in many areas of priorities and commitments.

   The key achievements of the Action Plan are as follows:

   - The establishment of a partnership with the School for Social Entrepreneurs (SSE) which resulted in sponsorships of candidates who are Moreland residents, from diverse backgrounds, to participate in the SSE’s Accelerator Program. Moreland was the first local government to sponsor such a partnership with SSE (the Accelerator Program supports and trains people to develop and launch a social enterprise).
   - The launch of two research reports in partnership with RMIT University. They include: Report to Moreland City Council: International Students in the City of Moreland (by Dr Shanthi Robertson and Zoe Clark), and the report, Housing employment and social cohesion in multicultural neighbourhoods 'in transition': A comprehensive case study from the City of Moreland (by Associate Professor Val Colic Peisker, Dr Shanthi Robertson, Dr Peter Phillips, Mr Petr Svoboda). This research was funded by the Scanlon Foundation.

   Social cohesion is being promoted through hosting and supporting interfaith gatherings such as the Moreland Interfaith Gathering and the Northern Interfaith and Intercultural Networks. Council has also hosted an interfaith dialogue event at the Fawkner Festival which was successful in bringing many faiths to engage in conversation and sharing.

   Refugee Week celebrations included a welcome event for international students and raised community awareness on some of the issues faced by the students.

   Council’s role in supporting local services to cater for the needs of asylum seekers living in the community included negotiated access to various Council services such as free access to Leisure Centres, and Council’s Oxygen youth facility.

   Advocacy on behalf of asylum seekers was also undertaken during 2012-2013, particularly focussing on the need for a fair and humane national policy in relation to asylum seekers.

   Language Link (Council’s interpreter system), was reviewed to reflect the new and emerging community languages. The major change is that telephone lines for Croatian and Spanish will be phased out and replaced with Mandarin and Punjabi, two of the emerging language groups.

   Opportunities are being explored in the area of work experience, employment and mentoring for people of refugee and migrant backgrounds.

3. **Issues**

   A shift in policy development is planned by Council’s Community Development and Social Planning unit which will place the Multicultural Policy within an overarching Human Rights and Inclusion Policy. Council will be updated regarding this process.
2014 will largely be a year for completing the work articulated from the Multicultural Policy 2011-2015.

Environmental Implications
There are no direct environmental implications.

Social Implications
The Multicultural Policy and Action Plan 2012-2013 has many social implications. It provides Council with a framework for creating more socially inclusive communities; a commitment to provide equitable access to services and information and avenues for participation. This access to participate in the opportunities that Moreland has to offer regardless of cultural and religious background is critical to building resilient and socially cohesive and inclusive communities.

Economic Implications
The Multicultural Policy 2011-2015 recognises contributions of migrants to the municipality’s cultural vitality and the economy. Activities implemented as a result of the Action Plan are promoting new economic, entrepreneurial opportunities, in particular for those from refugee and new and emerging backgrounds.

Human Rights Considerations
The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation
Ongoing consultations with the following groups inform our work:
- Moreland Multicultural and Settlement Services Network
- Moreland Interfaith Gathering (Council Advisory Group)

5. Officer Declaration of Conflict of Interest
Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. Financial and Resources Implications
There are no additional financial implications from this report.

7. Implementation
The next stage of implementation will be the Multicultural Policy and Action Plan 2014 actions, and the development of an overarching Human Rights and Inclusion Policy.

Attachment/s
There are no attachments for this report.
Executive Summary

Amendment C139 and combined Planning Permit MPS2012/608 to the Moreland Planning Scheme affects land at 174, 180-196 Gaffney Street and 1 Lens Street, Coburg North.

The Amendment proposes to:

- rezone the land from an Industrial 3 Zone (IN3Z) to a Commercial 2 Zone (C2Z); and
- apply an Environmental Audit Overlay (EAO).

The proposed planning permit application (MPS/2012/608) is for the use and development of land for:

- a supermarket (4,000m²);
- shops & restaurant (combined area of 1,200m²);
- offices (760m²);
- medical centre (5 practitioners);
- car parking with associated reduction in the standard car parking requirements; and
- creation of access to a road in a Road Zone Category 1.

The Amendment and associated permit was placed on public exhibition in May 2013 and eighteen (18) submissions were received. In September 2013 Council resolved to request the Minister for Planning to appoint a Panel to consider submissions. The Panel convened on the 25 and 26 November, and released their Report on 16 January 2014.

The Panel Report supports the rezoning of the site to C2Z and application of an EAO, as well as the issue of a planning permit subject to conditions. The Panel found that the proposed Amendment and associated permit would produce a net benefit to the community. Benefits include greater consumer choice, increased competition, access to a new medical centre, reduced travel distances, local employment generation and positive built form outcomes. The Panel found that although the development is likely to have some impact on surrounding activity centres, it is unlikely to adversely impact on the overall Moreland retail hierarchy.

Adoption and approval of Amendment C139 will result in the provision of not only a public toilet facility but also a new meeting room available for public use. Council Officers identified a shortfall of meeting spaces in the area and have negotiated with the land owner the rental of 50 square metres of office space within the development to Council, for a peppercorn (heavily discounted) rental, for a period of 99 years. Council will lease this space to make it available as a meeting room for hire by the public. Provision of the space will be secured through a Section 173 Agreement registered on title.

Adoption and approval will also facilitate the creation of a new Neighbourhood Activity Centre (NAC) in this location, achieving Council policy to create sustainable neighbourhoods across Moreland. The Moreland Activity Centre Framework 2014 and revised Local Planning Policy Framework identify Sussex Street / Gaffney Street as a new NAC and was approved by Council at its March meeting (DED15/14). The C2Z has been selected for the core of the NAC to ensure appropriate buffer distances between residential and industrial uses, and to ensure the zoning reflects the priority for employment generating uses at the site.
Recommendation

Council resolve:


2. To adopt Amendment C139 with changes as recommended in the Panel's report.

3. That following the registration of the Section 173 Agreement on title (Attachment 3):
   a) Amendment C139 be submitted to the Minister for Planning for approval.
   b) A recommendation be made to the Minister for Planning that the Planning Permit MPS2012/608 be granted.

4. To issue Permit MPS/2012/608 once granted by the Minister for Planning.

5. To authorise the Chief Executive Officer to do all things necessary to negotiate and sign the lease for the Community Office Space.

6. To notify all submitters of Council's decision.
1. **Policy Context**

**Council Plan**

One of the five themes of the Moreland Council Plan is ‘Moreland’s Sustainable Economy.’ Outcome 16 under this theme is that: *The City of Moreland has a growing economy.* A key strategy to achieve this outcome is to:

- support and facilitate a growing local economy through activity centre and land use planning strategies.

**State Planning Policy Framework (SPPF)**

The following clauses of the SPPF are of relevance to this proposal:

- Clause 15.01-1 Urban Design: This clause aims to ensure urban environments are safe, functional and provide good quality environments with a sense of place and cultural identity.
- Clause 17.01-1 Business: This clause aims to encourage development that meets the communities’ needs and provides net community benefit.
- Clause 17.01-2 Out of Centre Development for Metropolitan Melbourne: This SPPF clause objective is to manage out of centre development in Metropolitan Melbourne. The first strategy of this clause seeks to ensure that proposals or expansion of single use retail, commercial and recreational facilities outside activity centres are discouraged by giving preference to locations in or on the border of an activity centre.

**Municipal Strategic Statement (MSS)**

Clause 21.04 Vision of the MSS identifies the Focus Areas for Change in Moreland, including Activity Centres, Urban Villages and Industry and employment Areas. The subject area is within the Industry and Employment Area, and is located within 1km of the Urban Village identified at Cumberland Road / Gaffney Street, Pascoe Vale.

**Moreland Industrial Land Use Framework (MILUS)**

The MILUS provides direction on the long term planning and zoning of industrial land in Moreland. It categorises all industrial land in Moreland according to five different categories. These are:

- Core Industry and Employment;
- Secondary Industry and Employment;
- Multi-Use Employment Areas;
- Multi-Use Residential Areas; and
- Transition-Residential areas.

The site of the proposal is categorised by the MILUS as a Core Industry and Employment Precincts (specially, precinct 79). These are areas of major concentrations of industrially zoned land that are relatively unconstrained by residential or other sensitive uses, and have good access to the road network.

More specific to precinct 79 and Gaffney Street the MILUS contains the following advice (page 78):

**Gaffney Street Frontage**

*Gaffney Street is a busy road that provides high levels of exposure to passing traffic. A number of bulk goods retailers have already located along this road. It is considered that the Gaffney Street frontage of this precinct is appropriate for such uses.*
The MILUS foreshadows a change along Gaffney Street to retail types of land uses, albeit more of a bulky goods style than a standard retail land use.

**Moreland Economic Development Framework**

The Moreland Economic Development Strategy provides a framework for the economic development program and partners to lead the Moreland community towards the following goals:

- **Goal 1**: Increase local job opportunities for resident workforce
- **Goal 2**: Increase the economic output of local business
- **Goal 3**: Increase quality investment in the public and private realm
- **Goal 4**: Unemployment rate below metropolitan average with a reduction in each of Moreland’s SLA’s

**Council Adopted Neighbourhood Activity Centre Framework 2014 and revised Local Planning Policy Framework**

At its meeting on the 12 March 2014 (DED15/14), Council resolved to adopt the Moreland Activity Centre Framework (MACF). At this meeting, Council also adopted the revised Local Planning Policy Framework (LPPF) and Municipal Strategic Statement (MSS), which incorporates the MACF, for the purposes of including it in the Moreland Planning Scheme through a ‘fast-track’ ministerial Amendment (DED16/14).

The MACF and the revised LPPF identify a Neighbourhood Activity Centre (NAC) at Gaffney Street / Sussex Street, Coburg North. NAC’s provide a mix of uses to meet daily and weekly needs of the local community. They play an important community role in providing health and community services and a place to meet and socialise within the local area.

Council generally encourages increased residential densities in NAC’s, as these areas are planned to accommodate an increase in housing supply. It should be noted however that residential development is not proposed to be located in the core of the Gaffney Street / Sussex Street NAC. Residential uses are prohibited in the Commercial 2 Zone proposed for the core of the NAC. This is to ensure appropriate buffer distances between residential uses and the industrial uses adjoining the north and east of the NAC (within the Core Industrial Area). It will also ensure that employment generating uses are prioritised for the site.

### 2. Background

**The Subject Site**

The subject site is located on the corner of Gaffney and Sussex Street, Coburg North, and has a total land area of 1.75 hectares. The site is currently within the Industrial 3 Zone, with no overlays. It is surrounded by residential uses to the west and south, and by industrial and bulky goods retail uses to the north and east. The map at Attachment 1 shows the area proposed to be rezoned.

Most recently the subject site was used for a Bunnings Warehouse, however this use ceased a number of years ago and the land has since been vacant, with a collection of derelict buildings remaining on the land.
Exhibited Amendment and permit

The exhibited Amendment proposed to rezone the land from Industrial 3 to a Business 2 Zone (B2Z), modify the schedule to the B2Z and apply the Environmental Audit Overlay (EAO). As a result of the introduction of the new Commercial Zones in July 2013 (post exhibition of Amendment C139), the B2Z no longer exists, and the Amendment now proposes to rezone the land to a Commercial 2 Zone (C2Z) and apply an EAO. A variation to the schedule of the zone is no longer required, and a Section 173 Agreement to prohibit residential uses is also not required as residential uses are prohibited under the C2Z. A full version of the C2Z is provided at Attachment 4.

3. Issues

Panel Recommendations for the Amendment

The Panel recommended that the Amendment be approved. The below is a summary of specific matters addressed in the Panel Report (Attachment 2).

Impact of the rezoning on the Coburg Core Industrial and Employment Area (CIEP)

The Panel considered whether the rezoning of the site would have a detrimental impact on the continued operation of the Coburg CIEP. The Panel found that retaining an industrial zone on the site is not necessary to support continued industrial operation in the Coburg CIEP. The zone selected for the site (C2Z) does not allow for residential uses to establish, and provides for the same type of ‘buffer’ as the current light industrial zone (IN3Z) on the site.

It was recognised by the Panel that the previous use of the site for a ‘Bunnings Warehouse’ means the site had an established restricted retailing role. Further to this, the Panel considered that the development will contribute to revitalisation of the CIEP and support the employment generation objectives of the MILUS.

Council Officers agree with the findings of the Panel in regard to the impact of the rezoning on the CIEP.

‘Out of Centre’ development of a supermarket

Since the time of the Panel Hearing and Report, the location of the development and Amendment is no longer considered by Council policy to be ‘out of centre.’ Council adopted the Moreland Activity Centre Framework (MACF) and revised MSS & LPP on 12 March 2014. As such, the current Council policy position identifies the site as a Neighbourhood Activity Centre (NAC).

In accordance with Council Policy at the time of the Panel and policy currently set out in the Moreland Planning Scheme, the Panel considered the appropriateness of locating a large supermarket outside of a designated Activity Centre / Urban Village. The Panel considered that the proposal presents a good opportunity to significantly improve weekly shopping and service provision to the community regardless of whether the site was included in an Activity Centre or not.

The Panel also observed that as part of Community Consultation for the new Residential Zones undertaken in September / October 2013, the site was identified as a potential NAC. The Panel determined that the site meets all criteria identified in the MACF for inclusion of the site as a NAC. The Panel made an assessment of how a ‘Coburg North NAC’ would impact on other existing centres and found the impacts to be acceptable.
It is also important to note that the land could be used for a supermarket in its current industrial zone. When the Amendment was lodged with Council, supermarkets of any size were prohibited in an Industrial Zone, however changes to the Industrial Zones in July 2013 resulted in the use of land for a supermarket in an IN3Z being ‘as of right’ (no permit required), provided the supermarket has a floor area of less than 1800m² (a supermarket larger than this would require planning permission). It is considered however that rezoning the site to allow a large supermarket with supporting retail and office based uses will result in a greater benefit to the community by facilitating the establishment of a NAC on the site.

**Impact of the development on existing supermarkets in the area**

Submitters sought the maintenance of a greater market share to existing supermarkets (e.g. by allowing a supermarket of 1800 square metres only, as allowed ‘as of right’ in the existing IN3Z) to minimise the potential closure of an existing supermarket. The Panel however found that the surrounding main trade area of the proposed new supermarket is primarily comprised of small scale supermarkets, and the trading figures for existing supermarkets within the area suggest that a considerable proportion of the community is not happy with using smaller supermarkets (they are driving outside of their local area to visit larger supermarkets). The Panel found that a larger scale full line supermarket would offer the community greater diversity and choice without the need to shop further away, outside of the municipality.

The Panel found that the proposal would drive improvements to existing centres and make them more competitive. The Panel was satisfied that there is sufficient demand to justify a full line supermarket, and that the proposal will increase consumer choice and competition in the locality. They concluded that the proposal will not unreasonably impact on the function of other centres or the overall centre hierarchy. Although there is likely to be a notable impact on the Melville Road / Bell Street centre, the Panel is satisfied that the net benefit to the community outweighs the impact on the Bell / Melville Centre.

**Changes to Amendment recommended by the Panel**

The only change the Panel recommended to Amendment C139 was to rezone the land to a C2Z rather than a B2Z as exhibited. This change is a direct result of the introduction of the new Commercial zones in July 2013 and removal of the B2Z from the Moreland Planning Scheme. This change is in accordance with Council’s position presented to the Panel. The Panel also recommended that no Section 173 agreement be introduced to restrict shop floor areas or prohibit residential uses, as the intent of such an agreement is met by applying the new C2Z.

**Panel Recommendations for the Planning Permit**

The Panel recommended that the permit be approved subject to conditions as presented by Council in the draft permit, with a number of minor changes. The below is a summary of specific matters addressed in the Panel Report.

**Development design**

The Panel considered that the proposal represents a positive urban design outcome that will contribute to the revitalisation of this area. The Panel made some recommendations for minor changes to permit conditions to improve pedestrian outcomes.

**Traffic Impacts**

The Panel considered that subject to proposed permit conditions, the proposal will result in acceptable road operating conditions, provides on-site parking sufficient to meet peak demand, provides for bicycles and public transport, and improves the pedestrian environment and safety.
Changes to the draft Planning Permit recommended by the Panel

Minor changes to the draft planning permit regarding pedestrian access, public seating, hours of operation and design detail were recommended by the Panel. These changes are supported by Council Officers. The planning permit at Attachment 5 is in accordance with all Panel recommendations. The only other change made to the draft permit is to reflect a revised condition regarding permit expiry to accord with recent changes to the Planning and Environment Act 1987.

Community Benefits of Rezoning and Permit

The Panel found that the Amendment and associated permit will produce a net benefit to the community. Benefits identified by the Panel include greater consumer choice, increased competition, and access to a new medical centre, reduced travel distances, local employment generation and positive built form outcomes. Other benefits include the provision of a public toilet and a community meeting space.

Community Meeting Space

The Moreland Community Infrastructure Framework identifies that the suburb of Coburg North lacks community meeting spaces.

Council Officers have negotiated with the proponent the rental of 50 square metres of office space within the development to Council, for a peppercorn (heavily discounted) rental, for a period of 99 years.

Council will lease this space to make it available as a meeting room for hire by the public. Fees to hire the space would be minimal, particularly for community groups, as per the fee structure for spaces such as the Campbell Turner Library Meeting Space and Coburg Library Meeting Space. The office space will be fitted out to Council’s specifications, and provide necessary items such as tables, chairs, whiteboards. The payment of outgoings on the site will be made by Council, with the exact amount payable for outgoings being negotiated as part of the lease.

To ensure that the office space is provided for the community regardless of whether the Permit MPS/2012/608 is acted upon, a Section 173 Agreement has been entered into with the land owner (Coles Group Property Developments Limited). This is to ensure the meeting space is made available to the community, regardless of land ownership, timing of development or type of development on the land. This agreement will ensure the community meeting space is a significant net community benefit of the rezoning of the land. A Section 173 Agreement will be registered on title prior to seeking Ministerial approval of the Amendment and granting of the permit. At the time of writing this report, the Section 173 Agreement (at Attachment 3) was executed by Coles Group Property Developments, and subsequently will be executed by Council. The Section 173 Agreement would commence when the Amendment is approved by the Minister.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

- Councillors were briefed on the content of this Report at an Issues and Discussion Workshop held prior to the Council Meeting.
- The Amendment and permit were exhibited for a period of one month in May 2013.
- Submitters were notified of the release of the Planning Panel Report via letter or email on 4 February 2014.
- Council’s Strategic Transport and Property Branch, Transport Unit, and City Development Branch have been consulted throughout the preparation of the Amendment and planning permit assessment.
• Council’s Social Development, ESD, Governance and Property Units were consulted regarding the operation and specifications for the Community Meeting Space.

5. Officer Declaration of Conflict of Interest
Council Officers involved in the preparation of this report have no Conflict of Interest in this matter.

6. Financial and Resources Implications
The funds required to action this resolution are budgeted for within the current year budget of the City Strategy and Design Branch.

The payment of fees for the processing of the Amendment and Permit, including payment of Panel Costs ($17,401) and all application fees will be made by the Proponent.

7. Implementation
The next steps for consideration of the combined Amendment and permit are as follows. These steps are based on a Council resolution in accordance with the Officer recommendation:

• A Section 173 Agreement as per Attachment 3 will be registered on title to secure the community meeting space (once it is executed by Council).
• Council Officers request the Minister to approve the Amendment and grant the permit.
• The Minister for Planning approves the Amendment and grants a planning permit.
• The Section 173 Agreement comes into effect when the Minister approves the Amendment.
• The Planning Authority (Council) issues a permit and subsequently approves plans associated with the permit.

Construction commencement would be determined by the proponent. The permit conditions allow two years to commence the development, and four years to complete it from the date of the issue of the permit.

Council may resolve to abandon the Amendment, rather than adopt it. If Council resolves to abandon the Amendment, the proponent is able to make a direct request to the Minister for Planning to approve the Amendment and permit without it being adopted by Council.

Attachment/s
1 Amendment C139 - Zoning Plan - Council Report D14/56842
2 Amendment C139 - Panel Report - Council Report D14/77431
3 Amendment C139 - Section 173 Agreement D14/84206
4 Amendment C139 - Commercial 2 Zone D14/71292
5 Amendment C139 - Planning Permit D14/71009
Executive Summary
The Australian Local Government Association National General Assembly is an annual opportunity for Councillors to inform themselves on current major policy issues and to contribute to national policy debate. This year the Assembly is being held in Canberra from 15-18 June 2014. The Assembly provides Councils across Australia with the opportunity to submit motions regarding issues of both local and national importance for consideration and possible adoption and assists as a means of local government advocating to State and Federal governments on issues of importance.

In past years, Moreland City Council has been represented by staff and Councillors and has submitted motions for consideration. This year, Council will have the opportunity to submit motions based on the theme “Getting Down To Business”. Motions are due by 17 April 2014.

Recommendation
Council resolves that the motion as per Attachment 1 be submitted to the 2014 Australian Local Government Association National General Assembly for consideration.
1. **Policy Context**

Participating in the Australian Local Government Association National General Assembly is an annual opportunity for Councillors to inform themselves on current major policy issues and to contribute to national policy debate.

In line with Council’s Interstate and Overseas Travel by Councillors Policy (DCS15), attendance by Councillors to interstate conferences must be resolved by Council.

2. **Background**

The Australian Local Government Association National General Assembly is an annual event attended by Councillors and staff. Each year the conference addresses key issues in Local Government and debates motions submitted by Councils at its General Assembly. At the 12 March 2014 Council Meeting (DCS5/14) Council resolved that Cr Gillies, Cr Yildiz JP, Cr Hopper, Cr Davidson and Cr Teti attend the Assembly this year.

Council submitted two motions at the 2013 National General Assembly. These motions were around the themes of “Foundations for the Future – Twenty 13” and included a commitment to the Roads to Recovery Program and Federal funding for grade separation/rail safety. Both motions were reviewed and accepted for inclusion in the NGA Business Paper. Both motions were adopted by the National General Assembly.

In 2014, Council will have the opportunity to submit motions based on the theme “Getting Down To Business”.

3. **Issues**

This year it is proposed that Council submit one motion to the Assembly on the subject of Federal funding for grade separation/rail safety.

Refer **Attachment 1** for the motion.

**Human Rights Consideration**

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. **Consultation**

Councillors and officers have been consulted on the preparation of motions.

5. **Officer Declaration of Conflict of Interest**

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. **Financial and Resources Implications**

Five Councillors will be attending this conference. Approval for this interstate trip was granted at the 12 March 2014 (DCS5/14) Council meeting, in line with Council’s Interstate and Overseas Travel by Councillors Policy (DCS15). This resolution has no further financial impact.

7. **Implementation**

Motion as adopted by Council will be submitted online by the deadline of 17 April 2014.

**Attachment/s**

1. ALGA 2014 - Motion at Conference  D14/84102