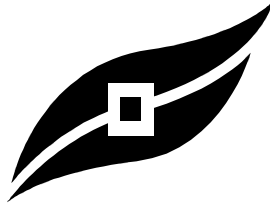


MINUTES



MANNINGHAM
BALANCE OF CITY AND COUNTRY

Ordinary Meeting of the Council

MEETING DETAILS:

MEETING NO: 2
MEETING DATE: 01 March 2016
TIME: 7:00 PM
LOCATION: Council Chamber
699 Doncaster Road, Doncaster

MINUTES

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MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY COUNCIL MEETING
HELD AT COUNCIL CHAMBER
ON
01 MARCH 2016

The meeting commenced at 7:00 PM.

Present: Councillor Jennifer Yang (Mayor)
Councillor Dot Haynes (Deputy Mayor)
Councillor Meg Downie
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Jim Grivokostopoulos
Councillor Michelle Kleinert
Councillor Paul McLeish
Councillor Stephen O'Brien

Officers Present: Acting Chief Executive Officer, Mr Chris Potter
Director Assets & Engineering, Mr Leigh Harrison
Acting Director Community Programs, Mr Malcolm Foard
Director Planning & Environment, Ms Teresa Dominik
Director Shared Services, Mr Philip Lee
Acting Manager Strategic Governance – Ms Jill Colson

1. OPENING PRAYER & STATEMENTS OF ACKNOWLEDGMENT

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2. APOLOGIES

There were no Apologies for this meeting.

3. PRIOR NOTIFICATION OF CONFLICTS OF INTEREST

The Chairman invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

4. CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 2 FEBRUARY 2016

**MOVED: DOWNIE
SECONDED: McLEISH**

That the Minutes of the Ordinary Meeting of Council held on 2 February 2016 be confirmed.

CARRIED

5. VERBAL QUESTIONS FROM THE PUBLIC

There were no questions from the public.

6. PRESENTATIONS

There were no presentations.

7. PETITIONS

7.1 Petition Car Parking in Chippewa Avenue, Donvale

**MOVED: DOWNIE
SECONDED: McLEISH**

That the petition received from eighty-one (81) residents in or near Chippewa Avenue, Donvale concerned about the on-street car parking by tenants and occupants of multi-housing sites in Chippewa Avenue which is considered to be dangerous and a restriction to access by emergency vehicles, be received and referred to the appropriate Officer for consideration.

CARRIED

8. ADMISSION OF URGENT BUSINESS

8.1 Appointment of Chief Executive Officer

**MOVED: GRIVOKOSTOPOULOS
SECONDED: KLEINERT**

That Council admits for consideration at item 18, the following confidential item: Appointment of Chief Executive Officer.

CARRIED

* * * * *

9. PLANNING PERMIT APPLICATIONS

9.1 Planning Application PL15/025355 - 160 Bulleen Road Bulleen - Alterations and Additions to a Secondary School

Responsible Director: Director Planning & Environment

File No. PL15/025355

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

Land: 160 Bulleen Road, Bulleen
Zone Special Use Zone, Schedule 1
Applicant: Tract Consultants
Ward: Heide
Melway Reference: 32 E10
Time to consider: 12 February 2016

SUMMARY

It is proposed to carry out building and works for alterations and additions to an existing secondary school (Marcellin College).

The development includes an extension to the eastern side of the Hermitage Building, alterations to the Marist House building and construction of a car park at the location of two existing tennis courts. The changes provide for a better educational experience for students. Staff and student numbers are not expected to significantly increase from current levels.

The application was advertised and eight (8) objections were received.

Grounds mainly relate to visual bulk, vegetation removal, noise, flooding and storm water runoff and the location and use of the car park.

It is considered that the application is an appropriate development for the existing secondary school. The proposal has achieved a satisfactory level of compliance with State and Local Planning Policy Frameworks and provides improved facilities for staff and students at Marcellin College.

The extension to the Hermitage Building is set back between 9.8 metres and 29.8 metres from the eastern boundary. The proposed car park will be limited to the use by staff only.

Melbourne Water has no objections to the proposal having considered Amendment C109 and the drainage plans provided by the applicant. VicRoads and Public Transport Victoria also have no objections.

It is recommended that the application be supported subject to a number of conditions.

1 BACKGROUND

- 1.1 The Marcellin College campus at 160 Bulleen Road is located at the south-western corner of the municipality, on the eastern side of Bulleen Road and the north-western side of Sandra Street.
- 1.2 The irregularly shaped site covers an area of approximately 14 hectares.
- 1.3 Easements up to 3.05 metres in width run adjacent to the northern and eastern boundaries.
- 1.4 The school buildings are limited to an elevated area on the eastern portion of the site, with open courtyards, car parks and accessways amongst the buildings. The Hermitage Building is a three-storey building located on the eastern end of the site, set back approximately 16 metres from the eastern boundary. The Marist House building is located at the south-eastern corner of the site, set back approximately 45 metres from the eastern boundary and 18 metres from the southern boundary.
- 1.5 Two tennis courts are located adjacent to the west of the Marist House building and adjacent to two neighbouring properties at 18 and 19 Ben Nevis Grove.
- 1.6 The western portion of the site consists of sports grounds and car parks.
- 1.7 Primary access to the site is from Bulleen Road to the west. A secondary access point is provided from Sandra Street, at the south-eastern corner of the site.
- 1.8 Trees are mostly planted adjacent to the site boundaries and scattered around the school buildings and sports grounds.
- 1.9 Marcellin College currently has a school population of 1355 students and 174 staff members. The school projects that these numbers will remain fairly stable in the foreseeable future.
- 1.10 Car parking within the school is provided around school buildings and the sports oval on the south-western part of the site. There are a total of 208 car parking spaces.
- 1.11 An on-site student drop off and pick up area is provided to the west of the school buildings and accessed via Bulleen Road.
- 1.12 The site is adjacent to a residential area to the south and east. It has an abuttal with twenty-five (25) properties, which can be summarised as follows:

Direction	Address	Description
North	162-168 Bulleen Road	The Trinity College Sports Grounds are located to the north and cover an area of approximately 24.2 hectares.
East	23 Sandra Street, 41-61 Stanley Street	Stanley Reserve and ten (10) residential properties adjoin the site to the east. The residential properties are each developed with a single dwelling that mostly orient towards the east, with the rear secluded private open space areas located adjacent to the site.

Direction	Address	Description
South	1-11 Thompsons Road, 11-21 Ben Nevis Grove, 11 Sandra Street	The western portion of the site's southern boundary adjoins the Manningham Club. The central and eastern portion of the site's southern boundary adjoins twelve (12) residential properties, each developed with a single dwelling with the rear secluded private open spaces located adjacent to the site.

2 PROPOSAL

- 2.1 The proposal is for buildings and works for an extension to the Hermitage building, alterations to the Marist House building and construction of a new car park.

Hermitage Building

- 2.2 It is proposed to refurbish the existing building and construct an extension on the eastern side. A central atrium space is proposed within the area between the existing building and proposed extension.
- 2.3 The existing building has an inflexible floor plan with 26 small classrooms that do not provide the flexibility required for modern teaching, as well as staff and administration areas. The refurbished and extended building provides for 26 new classrooms, 5 science labs together with other staff and informal meeting spaces.
- 2.4 The extension maintains the three-storey form of the building and has a maximum height of 13.09 metres, which is 2 metres above the height of the existing building. The maximum height is located above the central atrium space, with a pitched roof that slopes down towards the eastern end of the extension.
- 2.5 The northern end of the extension is set back 9.8 metres from the eastern boundary. The southern end of the extension is set back 29.8 metres from the eastern boundary due to the orientation of the building.
- 2.6 The building is proposed to be constructed with a mixture of concrete block, concrete and compressed fibre cement. Metal cladding with a variation of colours are also used.
- 2.7 The net increase in gross floor area and the use of each floor level of the refurbished building and new space can be summarised as follows:

Floor level	Net increase in gross floor area	Summary of uses in the refurbished and new space
Ground Floor	852m ²	Entry foyer, 5 science laboratories, 2 general purpose classrooms, central atrium with amphitheatre, student lounges, lockers and common room, staff rooms and offices
First Floor	907m ²	12 general purpose classrooms, one open classroom area, three locker / breakout areas, staff lounge and offices

Floor level	Net increase in gross floor area	Summary of uses in the refurbished and new space
Second Floor	764m ²	12 general purpose classrooms, three locker / breakout areas, staff offices

- 2.8 Thirteen trees within the area to the east of the building are proposed to be removed. The arboricultural report submitted with the application concludes that the trees were introduced specimens planted for amenity purposes by the school. A conceptual landscaping plan shows 10 new native trees and 8 new feature ornamental trees to be planted to the east and south of the extension.

Marist House

- 2.9 This building currently consists of 3 general purpose classrooms, a flat, a uniform shop and staff areas.
- 2.10 It is proposed to renovate the building and remove the classrooms, in order to create a new reception area and staff offices for the principal and senior staff members.
- 2.11 External changes to this building are limited to the replacement of glazing and removing some of the doors.

Car park

- 2.12 A new car park is proposed to be constructed within the two tennis courts to the west of Marist House and adjacent to the southern boundary.
- 2.13 The car park provides 48 car parking spaces for staff, to replace the 32 car parking spaces removed as a result of the Hermitage Building extension.
- 2.14 Two trees are proposed to be removed to create vehicle accessways for the car park.
- 2.15 Trees are proposed to be planted adjacent to the southern boundary and within a median strip in the centre of the car park.
- 2.16 The car park is accessed from an internal accessway within the site. There are no changes to external access arrangements.

3 PRIORITY/TIMING

- 3.1 The statutory time for considering a planning application is 60 days. Allowing for the time taken to advertise the application, the statutory time lapsed on 12 February 2016.

4 RELEVANT LEGISLATION

Manningham Planning Scheme

- 4.1 The Planning and Environment Act 1987 is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.
- 4.2 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider:
- the relevant planning scheme; and
 - the objectives of planning in Victoria; and

- all objections and other submissions which it has received and which have not been withdrawn; and
 - any decision and comments of a referral authority which it has received; and
 - any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.
- 4.3 The site is predominantly included in the Special Use Zone, Schedule 1 under the provisions of the Manningham Planning Scheme. A small portion of the school grounds fronting Sandra Street (which were previously residential properties) is included in the General Residential Zone, Schedule 1.
- 4.4 The north-western portion of the site, which mainly consists of sporting grounds, is covered by the Land Subject to Inundation Overlay.
- 4.5 Under proposed Amendment C109 to the Manningham Planning Scheme, a Land Subject to Inundation Overlay will apply to a new portion of land around the Hermitage building. The amendment cannot be considered a seriously entertained planning proposal at this stage. However, Council's Engineers and Melbourne Water have utilised the latest flood mapping in generating a response. Neither Council's Engineers or Melbourne Water object to the proposal (refer to the Referrals section of this report).
- 4.6 A Planning Permit is required for buildings and works under the Special Use Overlay, Schedule 1.

Title

- 4.7 No restrictive covenants apply to the site.
- 4.8 The site is covered by a Section 173 Agreement, which requires that no major building extensions be carried out within an area developed for tennis courts north of the main school buildings. This will not be breached by the proposal, given the proposed development occurs within the area of the main school buildings.

5 MANNINGHAM PLANNING SCHEME

State Planning Policy Framework

- 5.1 Clause 15.01-1 Urban Design
The policy seeks to "create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity".
- 5.2 Clause 15.02 Sustainable development
This policy seeks to "encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions."
- 5.3 Clause 18.02-5 Car parking
This policy seeks to "ensure an adequate supply of car parking that is appropriately designed and located."
- 5.4 Clause 19.02-2 Education facilities

This policy seeks to “assist the integration of education facilities with local and regional communities.”

Local Planning Policy Framework

Clause 21.10 Ecologically sustainable development

- 5.5 This policy seeks to support and encourage developments using ESD principles, including energy conservation, water conservation, protecting human health, protecting and enhancing the built, natural and cultural environments.

Clause 21.14 Community health and well-being

- 5.6 The relevant objectives of this policy seek to provide quality educational institutions for the community. It is policy that buildings and public spaces are designed to provide a high standard of amenity, convenience, accessibility and safety.

Clause 22.08 Safety through Urban Design

- 5.7 The relevant objective of this policy is to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.

Clause 22.09 Access for disabled people policy

- 5.8 This policy seeks to “facilitate the integration of people with a disability into the community” and to “ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.”

Zone

Clause 37.01 Special Use Zone, Schedule1

- 5.9 The purpose of this schedule to the zone is:
- To provide for land in private ownership to be used and developed as an education centre, golf course or sports ground.
 - To ensure that the development of these facilities takes place in an orderly and proper manner and does not cause a loss of amenity to the surrounding neighbourhood.
- 5.10 The use of the land for an Education Centre does not require a permit.
- 5.11 A planning permit is required to construct a building or construct or carry out works.
- 5.12 The decision guidelines for an application to construct a building or construct or carry out works are:
- The interface with adjoining land, especially the relationship with residential areas.
 - The location and type of access to the site.
 - The provision for car parking.
 - The appearance and bulk of buildings having regard to the adjoining land, especially the relationship with residential areas.

- The provision of land for landscaping and beautification.
- The movement of pedestrians and cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy

Overlays

Clause 44.04 Land Subject to Inundation Overlay

5.13 The purpose of this overlay is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

5.14 A planning permit is required to construct a building or construct or carry out works. An application must be referred to Melbourne Water for comment.

Particular Provisions

Clause 52.06 Car Parking

5.15 The relevant objectives of this Clause are:

- To ensure the provision of an appropriate number of car spaces having regard to the activities on the land and the nature of the locality.
- To ensure that the design and location of car parking areas:
 - Does not adversely affect the amenity of the locality, in particular the amenity of pedestrians and other road users.
 - Achieves a high standard of urban design.

- Creates a safe environment for users, particularly at night.
 - Enables easy and efficient use.
 - Protects the role and function of nearby roads.
 - Facilitates the use of public transport and the movement and delivery of goods.
- 5.16 Clause 52.06-5 specifies a statutory car parking requirement for a Secondary School at 1.2 spaces to each employee that is part of the maximum number of employees on the site at any one time.
- 5.17 The school has 174 staff members, which suggest that should the school be built from scratch today, 208 car parking spaces are required to be provided.
- 5.18 However, the application seeks to modernise teaching facilities rather than increase the number of teachers and students. Given there are no new teachers, no additional car parking is required.

Clause 52.17 Native Vegetation

- 5.19 This clause covers the removal of native vegetation within the site. No permit is required for native vegetation that has been planted for aesthetic or amenity purposes.

General Provisions

Clause 65 Decision Guidelines

- 5.20 This clause applies to all application and requires the following considerations:
- The matters set out in Section 60 of the Act.
 - The orderly planning of the area.
 - The effect on the amenity of the area.
 - The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

6 ASSESSMENT

- 6.1 The key assessment criteria for this application are the decision guidelines in the Special Use Zone, Schedule 1.
- 6.2 The assessment is based on the separate components of the proposal and uses the headings of Hermitage Building, Marist House and Car Park.

Hermitage Building

- 6.3 It is considered that the proposed building extension is set back sufficiently from the eastern boundary (a minimum of 9.8 metres) to reduce its visual and amenity impacts to the neighbouring properties to the east.
- 6.4 The proposed height of the extension is considered to be acceptable, as it is only two metres higher than the existing building. The highest point is also limited to the area above the central atrium space and away from the eastern end of the extension. Further, the southern section of the building is cut into the slope of the land and presents as a two-storey built form to the east.

- 6.5 The refurbishment and extension is a high quality, architecturally designed building with considerable visual interest provided through a range of building materials (such as metal cladding, compressed fibre cement and glazing), the use of angular forms, articulation and the cantilevered roof. This reduces the sense of visual bulk to the neighbouring properties to the east.
- 6.6 The neighbouring properties to the east are further protected by the retention of some existing trees along the eastern boundary, which provide screening and soften the appearance of the built form. Trees are also proposed to be planted within this setback to complement the existing trees and provide further screening. A permit condition will require a landscaping plan to provide further details of the location, quantity and species of planting and other landscape treatments (refer Condition 7).
- 6.7 The submitted shadow diagrams indicate that shadows cast by the extension at the Equinox do not affect the neighbouring properties.

Marist House

- 6.8 As the external alterations to Marist House only involve the replacement of glazing and removal of some of the doors, it is considered that there will not be any visual or amenity impacts from this component of the development.

Car Park

- 6.9 As the application seeks to modernise teaching facilities rather than increase the number of teachers and students, the required addition to car parking is zero.
- 6.10 The school will provide a total of 224 car parking spaces, which equates to a net increase of 16 spaces. Based on the requirement in Clause 52.06 of the Manningham Planning Scheme, the provision of 224 car parking spaces allows up to 186 employees to be working at the school at any one time (currently 174), should the school be built from scratch.
- 6.11 The location of the proposed car park is considered reasonable given its proximity to the main school buildings, including the Hermitage Building and Marist House.
- 6.12 The car park is proposed to be used by school staff only, which will reduce the number of movements to and from the car park and the associated off-site amenity impacts such as noise.
- 6.13 The car park is set back at least 2 metres from the site boundary, which allows for the provision of screen planting to the two neighbouring residential properties. The planting will act as a buffer to reduce off-site amenity impacts such as noise. The screen planting will be reinforced by a permit condition (refer Condition 7.8).
- 6.14 It is noted that the dimensions of the car parking spaces fall short of the design standards in Clause 52.06-8 of the Manningham Planning Scheme. However, they are considered to be acceptable given it is a private car park that will only be used routinely by staff members. The dimensions also comply with the relevant Australian Standards according to Council's Engineers.
- 6.15 A permit condition will require the car park to be appropriately surfaced, drained, constructed and line marked to Council's satisfaction (refer Condition 16).

- 6.16 A permit condition will require location of lighting within the car park to be provided and designed so as not to affect the neighbouring properties (refer Condition 1.4).

7 CONSULTATION

- 7.1 The application was advertised and eight (8) objections were received. Details are as follows:

Affected properties
61 Stanley Street, Bulleen
14 Ben Nevis Grove, Bulleen
15 Ben Nevis Grove, Bulleen
16 Ben Nevis Grove, Bulleen
17 Ben Nevis Grove, Bulleen
18 Ben Nevis Grove, Bulleen
19 Ben Nevis Grove, Bulleen
18 Sandra Street, Bulleen

Summary of Grounds:

- 7.2 The following is a summary of the grounds of objection:
- Visual bulk of the building extension
 - Vegetation removal and loss of screening
 - Increased noise due to reduced setback of the extension
 - Increased flooding and storm water runoff
 - Inappropriate location of the car park, amenity impacts including noise, exhaust fumes, use outside school hours, removal of existing fencing and security
 - Increased traffic to the already congested Sandra Street, request that U-turns be banned and parents not to pick up and drop off on the street
 - Construction vehicles not to use Sandra Street
 - The school has an excessive number of students
- 7.3 A response to each of the grounds raised is provided as follows:
Visual bulk
- 7.4 It is considered that the building is set back sufficiently from the eastern boundary and its southern portion is cut into the slope of the land to reduce its visual impact to the neighbouring properties to the east.
- 7.5 Whilst acknowledging that the proposal is not residential, the side setback standard in Clause 55.04-1 of the Manningham Planning Scheme is used as a guide. Based on the eastern wall height of 11.1 metres, the building would be required to be set back 6.2 metres from the eastern boundary. The proposed minimum setback of 9.8 metres under this proposal is therefore considered to be appropriate in this context.
- 7.6 Views of the proposed extension from the east will be softened by existing and proposed vegetation.

- 7.7 The sense of visual bulk will also be reduced by the use of various materials and finishes in a modulated build comprising high levels of articulation on the eastern façade.

Vegetation removal

- 7.8 The number of trees proposed to be removed (13 in total) has been minimised to those affected by the proposed building footprint. At least 10 trees to the east of the proposed building extension are retained. They will be complemented by at least 10 new trees and landscaping.

Increased noise from the extension

- 7.9 Although the proposed building extension will be closer to the eastern boundary, it is considered that there will not be significantly increased noise impacts given it mainly consists of enclosed classrooms.

- 7.10 The main outdoor activity areas used by students will remain within the area to the west of the Hermitage building, away from the neighbouring properties to the east.

Increased flooding and storm water runoff

- 7.11 The potential for flooding and increased storm water runoff has been assessed by Melbourne Water and Council's Engineering and Technical Services Unit. They have no objections subject to the drainage configuration be constructed generally in accordance with the layout shown in submitted drainage and grading detail layout plans (Project 27834-MEL-C, Drawing C010 and Revision C; Stormwater Pit Schedule Project 27834-MEL-C Drawing C011, Revision B). This will be required by a permit condition (refer Condition 12).

Car park location and amenity impacts

- 7.12 The location of the proposed car park is considered to be reasonable given it is located within close proximity of the main school buildings. A 2 metre landscape buffer between the car park and the neighbouring properties will reduce amenity impacts such as noise and exhaust fumes.

- 7.13 As the car park is proposed to be used by staff only, the amount of noise generated will be limited given there will not be a constant flow of traffic in and out of the car park during the day. It is proposed to install a barrier to restrict access outside school hours to further reduce any noise impacts to neighbouring properties. A permit condition will require the details of the barrier to be provided (refer Condition 1.2).

- 7.14 The existing paling fence between the proposed car park and the neighbouring properties will be retained to limit disruption to establish gardens and the view of the neighbouring properties. A new boundary fence is proposed to be constructed adjacent to the existing fence to further address the safety and privacy concerns of neighbouring residents. A permit condition will require this fence to be at least 2 metres in height (refer Condition 1.1).

- 7.15 It is considered that the proposed car park will not unreasonably increase the security risk of neighbouring residents, as the school has existing security measures in place and access to the site is restricted at night.

Traffic on Sandra Street

- 7.16 As the number of car parking spaces within the site and the number of staff and students will not significantly increase, it is considered that there will not be any significant increase in traffic to and from the school via Sandra Street.
- 7.17 It is noted that the school provides its primary and on-site pick up and drop off facilities via Bulleen Road. The school has always had a frontage to Sandra Street and Council is unable to restrict parents from using Sandra Street through this application.
- 7.18 The existing level of traffic and the number of drivers making U-turns on Sandra Street cannot be addressed as part of this application. It is suggested that Council's Engineering and Technical Services Unit be contacted by residents if it continues to be problematic, to review the traffic and parking arrangement on Sandra Street
- Construction vehicles not to use Sandra Street
- 7.19 A permit condition will require the submission of a construction management plan (CMP). The CMP will specifically require all traffic associated with the construction to avoid using and parking on Sandra Street unless for exceptional circumstances with specific permission given by Council (refer Condition 6).
- Excessive number of students
- 7.20 The number of students is not proposed to be altered as a result of this proposal. As the use of the land for an Education Centre does not require planning permission, no limits can be set on the number of students.

External Referrals

- 7.21 VicRoads and Public Transport Victoria have no objections to the proposal.
- 7.22 Melbourne Water has indicated that they do not object to the proposal, subject to pollution and sediment laden runoff not being discharged directly or indirectly into Melbourne Water's drains and waterways.
- 7.23 Melbourne Water also advises that they have considered the latest flood mapping and that the drainage configuration be constructed generally in accordance with the layout shown in submitted drainage and grading detail layout plans (Project 27834-MEL-C, Drawing C010 and Revision C; Stormwater Pit Schedule Project 27834-MEL-C Drawing C011, Revision B.)

Internal Referrals

- 7.24 The application was also referred to a number of Council Service units. The following table summarises the responses:

Services Unit	Comments
Engineering and Technical Services (Drainage)	All runoff is to be directed to the point of discharge.
Engineering and Technical Services (Access)	The finished levels of the accessway and proposed car park are required. Sight triangles provided at the entry and exit of the proposed car park. Vegetation within these areas to be no higher than 900mm.
Engineering and Technical	Sufficient car parking spaces need to be

Services Unit	Comments
Services (Car parking)	provided as per Clause 52.06 of the Manningham Planning Scheme. End car parking spaces provided with an additional width of 300mm. Car parking spaces comply with the Australian Standard. It is recommended that parking spaces comply with dimensions in Clause 52.06-8 of the Manningham Planning Scheme.
Engineering and Technical Services (Construction Management)	A construction management plan is required.
Engineering and Technical Services (Waste)	Waste collection must continue to be undertaken by a private contractor within the site.
Strategic Sustainability Planner	A Sustainability Statement incorporating a BESS report needs to be submitted.

- 7.25 A permit condition will require the finished levels of the accessways and proposed car park to be shown and a sustainability statement and construction management plan be submitted (refer Conditions 1.3, 3 and 6).
- 7.26 A sufficient number of car parking spaces have been provided as per Clause 52.06 of the Manningham Planning Scheme.
- 7.27 The layout and design of the propose car park is considered acceptable given it is a private car park that will only be used by staff members and the dimensions comply with the relevant Australian Standards. Furthermore, a number of car parking spaces would be lost should the car park be brought to comply with Clause 52.06 of the Manningham Planning Scheme. Therefore, no changes will be required to the car park.

8 CONCLUSION

- 8.1 It is considered appropriate to support the application as it has achieved a satisfactory level of compliance with State and Local Planning Policy Frameworks and the objectives and decision guidelines of the Special Use Zone, Schedule 1.

RECOMMENDATION

That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025355 for the development of No. 160 Bulleen Road Bulleen (Plan of Consolidation 351514W Vol 08606 Fol 025 and Vol 08866 Vol 603) for the purpose of buildings and works for alterations and additions to the existing secondary school and for no other purpose in accordance with the endorsed plan and subject to the following conditions-

Amended Plans

1. Before the use and development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the submitted plans (drawn by Cox Architecture, dated 23 October 2015 and by Tract Consultants, dated 2 November 2015) but modified to show:
 - 1.1. The location and height of a new fence between the proposed car park and the existing boundary fence, with a height of at least 2 metres;
 - 1.2. The location and design details of a barrier that restricts access to the proposed car park;
 - 1.3. The finished levels of the proposed car park and accessways and the location of any retaining walls;
 - 1.4. The location of lighting within the proposed car park, designed so as not to affect the neighbouring properties.

Endorsed Plans

2. The development as shown on the approved plan must not be altered without the written consent of the Responsible Authority.

Sustainability Statement

3. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of a sustainability statement in the form of a BESS report must be submitted to and approved by the Responsible Authority. The statement must demonstrate how the proposed development responds to the sustainability requirements and any sustainability initiatives proposed.
4. The recommendations of the approved statement pursuant to Condition 3 of this permit must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of the proposed building extension.
5. Prior to the occupation of the proposed building extension approved under this permit, a report from the author of the sustainability statement, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the sustainability statement have been implemented in accordance with the approved plans.

Construction Management Plan

6. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:
 - 6.1. A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - 6.2. Access to the construction site and all traffic associated with construction activities not to use Sandra Street unless for exceptional circumstances with specific permission from Council;

- 6.3. How construction activities and traffic will be managed during school times to reduce safety risks to school staff, students, parents and visitors;
- 6.4. How construction activities will be managed to avoid peak school traffic times, i.e. school start and finish times;
- 6.5. Hours of construction;
- 6.6. Delivery and unloading points and expected frequency;
- 6.7. On-site facilities for vehicle washing;
- 6.8. Asset protection procedures for any public footpaths;
- 6.9. On-site facilities for vehicle washing;
- 6.10. The location of parking and site facilities for construction workers;
- 6.11. Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 6.12. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 6.13. The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 6.14. An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 6.15. Measures to minimise the amount of waste construction materials;
- 6.16. Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 6.17. Adequate environmental awareness training for all on-site contractors and sub-contractors.

Landscape Plan

7. Before the development starts, an amended landscaping plan must be submitted to the Responsible Authority for approval. Such plan must cover the area directly to the east and south of the proposed building extension and the areas around the proposed car park and show:
 - 7.1. Any details as relevant or directed by any other condition of this permit;
 - 7.2. Existing vegetation to be retained or removed;
 - 7.3. Location, species and number of proposed plantings;
 - 7.4. A planting schedule detailing species, numbers of plants, approximate height, spread of proposed planting and planting/pot size;
 - 7.5. Surface treatments;
 - 7.6. Details of site and soil preparation, mulching and maintenance;
 - 7.7. A minimum of ten (10) canopy trees within the setback of the proposed building extension to the eastern boundary;
 - 7.8. Screen planting between the proposed car park and the site boundary, to be at a minimum height of 1.5 metres at the time of planting with a minimum mature height of at least 3 metres.

8. Landscaping works as shown on the approved plans must be completed to the satisfaction of the Responsible Authority prior to the occupation of the proposed building extension, and then maintained to the satisfaction of the Responsible Authority.

Vegetation

9. No vegetation, apart from that shown on the approved plan as vegetation to be removed, may be felled, destroyed or lopped without the written consent of the Responsible Authority.

Drainage

10. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

11. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the responsible authority, to prevent ponding and to minimise overland flows onto adjoining properties.

12. The drainage configuration must be constructed generally in accordance with the layout shown in the drainage and grading layout plans submitted to Melbourne Water (Project 27834-MEL-C, Drawing C010, Revision C; Stormwater Pit Schedule Project 27834-MEL-C, Drawing C011, Revision B), to the satisfaction of the Responsible Authority.

Melbourne Water condition

13. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

Maintenance

14. Buildings, paved areas, drainage, landscaping and all external areas must be maintained to the satisfaction of the Responsible Authority.

Fencing

15. Before the use of the proposed car park, all fencing must be erected and maintained to the satisfaction of the Responsible Authority.

Car Parking

16. Before the approved use or occupation of the approved development starts, the area set aside for the parking of vehicles and access lanes as shown on the approved plan must be:

16.1. Constructed, formed and sealed to approved levels;

16.2. Drained;

16.3. Line marked to indicate each car space;

16.4. Marked to show the direction of traffic along access lanes and driveways;

16.5. Provided with appropriate signage

to the satisfaction of the Responsible Authority.

17. Parking areas and access lanes must be kept available for these purposes at all times and must be maintained to the satisfaction of the Responsible Authority.
18. The proposed car park must be designated to be used by school staff and employees only to the satisfaction of the Responsible Authority.

Expiry

19. This permit will expire if one of the following circumstances apply:
 - 19.1. The development is not started within two (2) years of the date of this permit; and
 - 19.2. The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

PERMIT NOTES

Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- before it expires; or
- within 6 months of the expiry if the permit has not been acted on; or
- within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.

The Responsible Authority (Statutory Planning Unit) must be advised when all construction and works (including landscaping) are fully completed to enable the site to be inspected for compliance with the approved permit and plans.

Alternative Motion

- (A) That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025355 for the development of No. 160 Bulleen Road Bulleen (Plan of Consolidation 351514W Vol 08606 Fol 025 and Vol 08866 Vol 603) for the purpose of buildings and works for alterations and additions to the existing secondary school and for no other purpose in accordance with the endorsed plan and subject to the following conditions-**

Amended Plans

1. **Before the use and development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the submitted plans (drawn by Cox Architecture, dated 23 October 2015 and by Tract Consultants, dated 2 November 2015) but modified to show:**

- 1.1. **The location, height and material details of a new fence on the southern boundary of the site commencing at the rear of the proposed car park adjacent to No. 19 Ben Nevis Grove and extending west to the rear of No. 14 Ben Nevis Grove, with a height of at least 2 metres adjacent to No. 19 Ben Nevis Grove, and 3 metres adjacent to No. 18 – No. 14 Ben Nevis Grove. The fence is not to be a standard paling fence;**
- 1.2. **The location and design details of a barrier that restricts access to the proposed car park;**
- 1.3. **The finished levels of the proposed car park and accessways and the location of any retaining walls;**
- 1.4. **The location of lighting within the proposed car park, designed so as not to affect the neighbouring properties.**

Endorsed Plans

2. **The development as shown on the approved plan must not be altered without the written consent of the Responsible Authority.**

Sustainability Statement

3. **Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of a sustainability statement in the form of a BESS report must be submitted to and approved by the Responsible Authority. The statement must demonstrate how the proposed development responds to the sustainability requirements and any sustainability initiatives proposed.**
4. **The recommendations of the approved statement pursuant to Condition 3 of this permit must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of the proposed building extension.**
5. **Prior to the occupation of the proposed building extension approved under this permit, a report from the author of the sustainability statement, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the sustainability statement have been implemented in accordance with the approved plans.**

Construction Management Plan

6. **Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:**
 - 6.1. **A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;**
 - 6.2. **Access to the construction site and all traffic associated with construction activities should minimise the use of Sandra Street where possible, with the College taking reasonable measures to**

minimise the impact of construction traffic to surrounding residential streets;

- 6.3. How construction activities and traffic will be managed during school times to reduce safety risks to school staff, students, parents and visitors;
- 6.4. How construction activities will be managed to avoid peak school traffic times, i.e. school start and finish times;
- 6.5. Hours of construction;
- 6.6. Delivery and unloading points and expected frequency;
- 6.7. On-site facilities for vehicle washing;
- 6.8. Asset protection procedures for any public footpaths;
- 6.9. On-site facilities for vehicle washing with appropriate management of runoff;
- 6.10. The location of parking and site facilities for construction workers;
- 6.11. Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 6.12. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 6.13. The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 6.14. An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 6.15. Measures to minimise the amount of waste construction materials;
- 6.16. Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 6.17. Adequate environmental awareness training for all on-site contractors and sub-contractors.

Landscape Plan

7. Before the development starts, an amended landscaping plan must be submitted to the Responsible Authority for approval. Such plan must cover the area directly to the east and south of the proposed building extension and the areas around the proposed car park and show:
 - 7.1. Any details as relevant or directed by any other condition of this permit;
 - 7.2. Existing vegetation to be retained or removed;
 - 7.3. Location, species and number of proposed plantings;
 - 7.4. A planting schedule detailing species, numbers of plants, approximate height, spread of proposed planting and planting/pot size;
 - 7.5. Surface treatments;

- 7.6. Details of site and soil preparation, mulching and maintenance;
- 7.7. A minimum of ten (10) canopy trees within the setback of the proposed building extension to the eastern boundary;
- 7.8. Screen planting between the proposed car park and the site boundary, to be at a minimum height of 1.5 metres at the time of planting with a minimum mature height of at least 3 metres;
- 7.9. Additional screening trees and bushes on the southern boundary adjacent to the new fencing required by Condition 1.1 of this permit.

- 8. Landscaping works as shown on the approved plans must be completed to the satisfaction of the Responsible Authority prior to the occupation of the proposed building extension, and then maintained to the satisfaction of the Responsible Authority.

Vegetation

- 9. No vegetation, apart from that shown on the approved plan as vegetation to be removed, may be felled, destroyed or lopped without the written consent of the Responsible Authority.

Drainage

- 10. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
- 11. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the responsible authority, to prevent ponding and to minimise overland flows onto adjoining properties.
- 12. The drainage configuration must be constructed generally in accordance with the layout shown in the drainage and grading layout plans submitted to Melbourne Water (Project 27834-MEL-C, Drawing C010, Revision C; Stormwater Pit Schedule Project 27834-MEL-C, Drawing C011, Revision B), to the satisfaction of the Responsible Authority.

Melbourne Water condition

- 13. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

Maintenance

- 14. Buildings, paved areas, drainage, landscaping and all external areas must be maintained to the satisfaction of the Responsible Authority.

Fencing

- 15. Before the use of the proposed car park, all fencing must be erected and maintained to the satisfaction of the Responsible Authority.

Car Parking

16. Before the approved use or occupation of the approved development starts, the area set aside for the parking of vehicles and access lanes as shown on the approved plan must be:
 - 16.1. Constructed, formed and sealed to approved levels;
 - 16.2. Drained;
 - 16.3. Line marked to indicate each car space;
 - 16.4. Marked to show the direction of traffic along access lanes and driveways;
 - 16.5. Provided with appropriate signage to the satisfaction of the Responsible Authority.
17. Parking areas and access lanes must be kept available for these purposes at all times and must be maintained to the satisfaction of the Responsible Authority.
18. The proposed car park must be designated to be used by school staff and employees only to the satisfaction of the Responsible Authority.
Expiry
19. This permit will expire if one of the following circumstances apply:
 - 19.1. The development is not started within two (2) years of the date of this permit; and
 - 19.2. The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

PERMIT NOTES

Under Section 69 of the *Planning and Environment Act 1987* the owner or occupier of the land may apply to extend a permit either:

- before it expires; or
- within 6 months of the expiry if the permit has not been acted on; or
- within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.

The Responsible Authority (Statutory Planning Unit) must be advised when all construction and works (including landscaping) are fully completed to enable the site to be inspected for compliance with the approved permit and plans.

(B) That Council notes the written agreement dated 26 February 2016 entered into by residents from Ben Nevis Grove and Marcellin College that provides for-

1. The material of the fencing required by Condition 1.1 will be agreed between the residents and Marcellin College to provide an acoustic

barrier as far as practicable and within a reasonable cost but not a standard paling fence. The College will meet the full cost of the fencing and will not seek any contribution to the cost from the residents.

2. **The species of the additional screening trees and bushes on the southern boundary adjacent to the new fencing required by Condition 7.9 will be agreed with the residents adjacent to the southern boundary of the site. The College will meet the full cost of the trees and will not seek any contribution to the cost from the residents.**

**MOVED: GOUGH
SECONDED: GRIVOKOSTOPOULOS**

That the Alternative Motion be adopted.

CARRIED

* * * * *

10. PLANNING & ENVIRONMENT

There are no Planning & Environment reports.

11. ASSETS & ENGINEERING

There are no Assets & Engineering reports.

12. COMMUNITY PROGRAMS

12.1 Access & Equity Advisory Committee Terms of Reference update 2016 (Committee)

Responsible Director: Director Community Programs

File No. T16/10

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

This report proposes amendments to the Terms of Reference (TOR) of Council's Access and Equity Advisory Committee.

It is recommended that Council endorse the amended draft Terms of Reference for the Advisory Committee, as provided in Attachment 1.

It is further recommended that Council endorse seeking Expressions of Interest for the 2016-2018 term of the Access and Equity Advisory Committee in March 2016; and note that a further report detailing the proposed membership of the Access and Equity Advisory Committee will be prepared for Council.

1 BACKGROUND

- 1.1 The Manningham Access and Equity Advisory Committee was established in 2003 to consider the needs of people from culturally and linguistically diverse (CALD) backgrounds and the needs of people with a disability and their carers. In 2014 the committee's scope was broadened in line with Council's *Access, Equity and Diversity Strategy 2014-2017* to also consider gender equity issues and the needs of people who identify as being gay, lesbian, bisexual, transgender or intersex (GLBTI).
- 1.2 The Committee provides advice on the development and implementation of the *Manningham Access, Equity and Diversity Strategy* and its annual Action plan; and advises Council on local issues, service delivery and planning in relation to diversity, access and inclusion.
- 1.3 The Terms of Reference (TOR) of the Committee have been reviewed ahead of inviting nominations for membership of its next 2-year term. A copy of the revised draft TOR is provided as Attachment 1. Changes include:
 - 1.3.1 Addition of a new 'Appointment of Membership of the Committee' dot point (within Clause 6). "In the event that a committee member needs to resign or is absent without leave for three or more meetings, their membership may be terminated. In such instances, nominations for a replacement may be sought. The vacancy must be advertised in the local media and on Council's website and the successful applicant will be appointed to the Committee by the Chair of the Committee."
 - 1.3.2 Deletion of the Quorum clause as the Committee has no voting powers.
 - 1.3.3 Addition of a Confidentiality and Privacy clause (Clause 10).

- 1.4 Throughout the last 24 months Council's *Access and Equity Advisory Committee* has provided comments and recommendations in areas including community safety, footpath connectivity, State Disability Plan consultation, accessibility of Council's Function Centre stage, workplace diversity, multicultural issues, Food Security Plan, safe road crossings, Aquarena expansion, Whitehorse / Manningham Libraries, Tunstall Square Structure Plan, Live Well in Bulleen project, customer service and facilities, open space management plans, and the development of Council's Access Equity and Diversity Strategy 2014-2017.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council endorse the updated draft Terms of Reference for the Access and Equity Advisory Committee;
- 2.2 It is proposed that an Expression of Interest process be held during March 2016 seeking membership of the 2016-2018 term of the Access and Equity Advisory Committee and that a report be prepared for Council on its outcome.

3 PRIORITY/TIMING

- 3.1 Endorsement of the draft Terms of Reference will enable the Expressions of Interest process to be undertaken during March 2016 for the 2016-2018 term of the committee, which is expected to commence on 6 June 2016.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The Access and Equity Advisory Committee provides advice on the development and implementation of the Manningham Access Equity and Diversity Strategy and its annual action plan which encompasses Council's Disability Access and Inclusion Plan.

5 BEST VALUE

- 5.1 Adoption of the draft Terms of Reference is consistent with Best Value Principles relating to accessibility, consultation and continuous improvement.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The Access and Equity Advisory Committee will advise on measures to help create a diverse, accessible, inclusive community through the continual improvement of Council's operations and planning.
- 6.2 Manningham City Council actively encourages a collaborative, diverse, responsive and inclusive community.

7 HUMAN RIGHTS CHARTER

- 7.1 The Human Rights Charter guides the ongoing implementation of Council's Access, Equity and Diversity Strategy. It helps to enhance and uphold:
- 7.1.1 Rights to recognition and equality before law;
 - 7.1.2 Rights to freedom of thought, conscience, religion and belief;
 - 7.1.3 Right to protection of families and children;
 - 7.1.4 Rights to taking part in public life; and
 - 7.1.5 Cultural rights.

8 COUNCIL PLAN/ MEASURE OF ACHIEVEMENT OF ACTION

- 8.1 The focus of the Access and Equity Advisory Committee is consistent with Council Plan 2013-2017 goals of having:
- 8.1.1 An inclusive and harmonious community that celebrates our diversity and draws strength from our differences;
 - 8.1.2 A community that is involved and well connected, strengthening community spirit;
 - 8.1.3 Accessible services and facilities for people of all ages and abilities.

9 FINANCIAL RESOURCE IMPLICATIONS

- 9.1 There are no financial implications to this report.

10 REGIONAL/STRATEGIC IMPLICATIONS

- 10.1 Adoption of the draft Terms of Reference demonstrates Council's continued commitment to access, inclusion and equity within the region.

11 CONSULTATION

- 11.1 In reviewing the Terms of Reference, consultation was undertaken with the existing Access and Equity Advisory Committee and Council Units including Aged and Disability Support Services, Social and Community Services and Strategic Governance.

12 COMMUNICATIONS STRATEGY

- 12.1 The updated Terms of Reference will be promoted as part of the Expression of Interest Process.

OFFICER'S RECOMMENDATION

That Council:

- (A) **Endorse the updated Access and Equity Advisory Committee draft Terms of Reference as provided in Attachment 1 of this report;**
- (B) **Endorse that an Expression of Interest process be conducted in March 2016 seeking membership of the 2016-2018 term of the Access and Equity Advisory Committee; and**
- (C) **Note that a further report will be prepared for Council, seeking endorsement of the proposed membership of the 2016-2018 Access and Equity Advisory Committee.**

**MOVED: KLEINERT
SECONDED: GALBALLY**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

Attachment 1: *Draft Access and Equity Advisory Committee Terms of Reference, February 2016.*

* * * * *

13. CORPORATE SERVICES

13.1 Documents for Sealing - 1 March 2016

Responsible Director: Strategic Governance

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The following documents are submitted for signing and sealing by Council.

1 BACKGROUND

- 1.1 The Council's common seal must only be used on the authority of the Council or the Chief Executive Officer under delegation from the Council. An authorising Council resolution is required in relation to the documents listed in the Recommendation section of this report.

OFFICER'S RECOMMENDATION

That the following documents be signed and sealed:

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and S, A, I & A Tutek
5 Rooney Street, Templestowe Lower**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and P A & D Hayes
2/7 Bullen Street, Doncaster East**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and O & C Turksoy
14 Larkspur Avenue, Doncaster**

**Deed of Renewal and Variation of Lease
Council, Donvale and Templestowe Horse and Pony Club Inc and Donvale Adult
Riding Club Inc
Part 284-312 Reynolds Road, Donvale and Part 127A Tindals Road, Donvale**

**Lease – Section 17D of the Crown Land (Reserves) Act 1978
Council, Wonga Park Tennis Club Inc and Department of Environment, Land, Water
and Planning
Part Crown Allotment 11B and Part Crown Allotment 11D, Parish of Warrandyte (Old
Yarra Road, Wonga Park)**

**MOVED: DOWNIE
SECONDED: GRIVOKOSTOPOULOS**

That the Recommendation be adopted with the addition of the following agreements:

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and J D & B K Lipton
17 Somerville Street, Doncaster**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and I & K Cvitkovic
84 Canopus Drive, Doncaster East**

CARRIED

* * * * *

14. CHIEF EXECUTIVE OFFICER**14.1 Quarterly Organisational CEO Report - Quarter 2 (October - December) 2015**

Responsible Director: Strategic Governance

File No. T16/4

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The Quarterly Organisational CEO Report is a new reporting initiative that aims to:

- 1. Streamline the reporting requirements under the Local Government Performance Reporting Framework (LGPRF)*
- 2. Monitor and track key aspects of council's performance for continuous improvement purposes*
- 3. Highlight Council's services, activities and achievements.*

The Quarter 2, 2015 Report is presented to be received and endorsed.

1 BACKGROUND

- 1.1 The CEO Organisational Quarterly Report incorporates key aspects of current reporting in a streamlined approach, as well as highlighting council performance and achievements across a broad range of activities.
- 1.2 The first Report of this nature was presented and endorsed at the Council in November 2015.
- 1.3 The Report has been developed to:
 - a) Streamline current reporting to meet the requirements under the Local Government Performance Reporting Framework (LGPRF). The LGPRF requirements this report will meet include:
 - Council Plan reporting (report reviewing the performance of the Council against the Council Plan, including results in relation to strategic indicators, for the first six months of the financial year)
 - Financial reporting (quarterly report to Council comparing budgeted revenue and expenditure with actual revenue and expenditure)
 - Risk reporting (six-monthly reports of strategic risks to Council's operations, their likelihood and consequences of occurring and risk minimisation strategies)
 - Performance reporting (six-monthly reports of indicators measuring the results against financial and non-financial performance).

- b) Monitor and track key aspects of Council's performance for continuous improvement in quality, effectiveness and efficiency:
 - EMT and Managers have put forward indicators to depict key areas of activity. Work will continue to ensure that the information provided strengthens its focus on productivity, efficiency and effectiveness.
 - 2014/15 data is shown where available for comparison over time in the indicator sets. More detail on particular circumstances can be provided for accurate comparison and analysis in areas of interest.
- c) Promote Council performance and achievements across a broader range of services and activities:
 - It is timely to promote the value, quality and breadth of activities and services that Council is providing its residents, particularly in light of the potential impact of rate capping and the launch of the 'Know Your Council' State Government website.

2 PROPOSAL/ISSUE

- 2.1 The report will be produced on a quarterly basis for Council (September, December, March, June) in collaboration (as required) with Assets and Engineering (Capital Works Report), People Culture and Risk (Risk Report and Risk Register) and Finance (Finance Report).
- 2.2 The report format aims to be easy to read for Council and the community. To keep the report concise, council services and activities not included in the indicator information are featured in achievements and activities.
- 2.3 The reports tracks the major initiatives and initiatives published in the Strategic Resource Plan. These are tracked against a common accumulative target of 25% per quarter, aiming at 100% achievement of the goal by the end of Quarter 4.

OFFICER'S RECOMMENDATION

That the Quarterly Organisational CEO Report format be received and endorsed.

**MOVED: O'BRIEN
SECONDED: HAYNES**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

- Quarterly Organisational CEO Report - Quarter 2 (October - December) 2015.

* * * * *

15. URGENT BUSINESS REPORTS

There were no Urgent Business reports.

16. QUESTIONS FROM THE PUBLIC

There were no questions from the public.

17. QUESTIONS WITHOUT NOTICE

17.1 Warrandyte Bridge Expansion

Cr McLeish asked the Mayor if she was aware of the State Government advice of a \$5m project to expand the Warrandyte Bridge and that only a couple of Councillors had been invited to attend the announcement event on the bridge.

Cr Kleinert commented on the work Cr McLeish had done while Mayor in getting the bridge project started.

The Mayor advised that she was aware of the announcement as she, the Deputy Mayor and Cr Downie attended the announcement event on the bridge and that invitations had been extended by the State Government as it was not a Council event. The Mayor also advised that she was aware of the work done by Cr McLeish along with other Councillors, Officers and residents for many years.

17.2 Traffic Management Plans for Community Events

Cr Galbally asked if Council could prepare a report on how Council could support community events without the need to impose requirements such as traffic management plans.

The Mayor advised that this request would be referred to a future SBS meeting for consideration.

18. CONFIDENTIAL REPORTS

18.1 Appointment of Chief Executive Officer

MOVED: GRIVOKOSTOPOULOS
SECONDED: HAYNES

That Council consider this matter in open Council.

CARRIED

