



KNOX CITY COUNCIL MINUTES

STRATEGIC PLANNING COMMITTEE

Meeting held
at the Civic Centre,
511 Burwood Highway
Wantirna South
on
Tuesday 12 June 2018

Meeting Opened at 7.00pm**Present**

<i>Cr J Mortimore (Mayor)</i>	<i>Chandler Ward</i>
<i>Cr J Keogh (Deputy Mayor)</i>	<i>Dobson Ward</i>
<i>Cr P Lockwood</i>	<i>Baird Ward</i>
<i>Cr J Taylor</i>	<i>Collier Ward</i>
<i>Cr A Gill</i>	<i>Dinsdale Ward</i>
<i>Cr T Holland</i>	<i>Friberg Ward</i>
<i>Cr L Cooper</i>	<i>Scott Ward</i>
<i>Cr D Pearce</i>	<i>Taylor Ward</i>
<i>Cr N Seymour</i>	<i>Tirhatuan Ward</i>
<i>Mr T Doyle</i>	<i>Chief Executive Officer</i>
<i>Dr I Bell</i>	<i>Director – Engineering & Infrastructure</i>
<i>Ms K Parton</i>	<i>Acting Director – Community Services</i>
<i>Ms T Clark</i>	<i>Manager, City Futures</i>
<i>Mr D Monk</i>	<i>Manager, Business and Financial Services</i>
<i>Mr R Anania</i>	<i>Acting Manager, Governance & Strategy</i>

1. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil Apologies.

Councillor Keogh sought Leave of Absence from Council for the Ordinary Meeting of Council on 25 June 2018.

MOVED: CR. TAYLOR
SECONDED: CR. PEARCE

That Councillor Keogh be granted Leave of Absence from Council for the Ordinary Meeting of Council on 25 June 2018.

CARRIED

Councillor Taylor sought Leave of Absence from Council for the Ordinary Meeting of Council on 25 June 2018.

MOVED: CR. KEOGH
SECONDED: CR. LOCKWOOD

That Councillor Taylor be granted Leave of Absence from Council for the Ordinary Meeting of Council on 25 June 2018.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

Nil.

3. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

MOVED: CR. PEARCE
SECONDED: CR. TAYLOR

Confirmation of Minutes of Strategic Planning Committee Meeting held on Monday 14 May 2018.

CARRIED

INDEX

	<i>Page No.</i>
Item 1. Amendment C142 – Kingston Links Golf Course – Consideration of Planning Panel Report	1.
Item 2. Community Development Fund (CDF) Evaluation Panel Recruitment 2018-2020	12.
Item 3. Applications to Various Sport and Recreation Victoria Funding Programs	24.
Item 4. Contract No. 2349 – Stamford Park Homestead Gardens Landscape Construction	31.
Item 5. Contract No. 2357 – Pruning and General Arboricultural Services	39.
Item 7. Motions for which notice has previously been given	56.
7.1 Notice of Motion – No. 79 - Councillor Notification for Specific Planning Applications	56.
7.2 Notice of Motion – No. 80 - Parking Enforcement in Genista Avenue, Boronia	57.
Item 8. Supplementary Items	
Item 9. Urgent Business	57.
9.1 Urgent Business	57.
9.2 Call Up Items	57.
Item 6. Consideration of Confidential Reports	
6.1 Personnel Matter	58.
6.2 Property Management Matter	58.

TIRHATUAN WARD**1. AMENDMENT C142 – KINGSTON LINKS GOLF COURSE – PLANNING PANEL REPORT AND AMENDMENT ADOPTION**

SUMMARY: *Manager – City Futures (Tanya Clark)*

Amendment C142 proposes to rezone the Kingston Links Golf Course at 14 Corporate Avenue, Rowville for residential and public uses. It also proposes to remove the Land Subject to Inundation Overlay from areas that would no longer be affected by the floodplain, and apply a new Schedule 13 to the Development Plan Overlay that would set requirements for a detailed Development Plan to guide future development of the site.

Amendment C142 was exhibited in November 2017 and following Council's consideration of submissions on 18 December 2017 it was the subject of a Planning Panel Hearing from 5 March 2018 to 9 March 2018.

This report outlines the recommendations of the Planning Panel report, which considers that the amendment is well founded and strategically justified and should be supported subject to minor changes.

This report recommends that Amendment C142 be adopted by Council with minor changes as detailed in this report, and that it be lodged with the Minister for Planning for approval.

RECOMMENDATION

That Council;

1. Note the Panel Report for Amendment C142 (Appendix A);
2. Endorse Appendix B (Recommended responses to the C142 Panel Report) as Council's response to the Planning Panel Report recommendations;
3. Adopt Amendment C142 to the Knox Planning Scheme in the form attached as Appendix C;
4. Submit the adopted Amendment C142 to the Minister for Planning for approval;
5. Authorise the Director - City Development to make any minor changes required to Amendment C142 documentation for approval by the Minister for Planning, consistent with the intent of the adopted Amendment; and
6. Notify the submitters to Amendment C142 of Council's decision.

1. INTRODUCTION

The Kingston Links Golf Course at 14 Corporate Avenue, Rowville is identified in the *Knox Housing Strategy 2015* as a 'Strategic Investigation Site' that has the potential to accommodate a mix of residential and commercial uses.

The Amendment includes a rezoning of the site from the Special Use Zone (SUZ1) to a mix of General Residential Zone (GRZ), Mixed Use Zone (MUZ), and Public Park and Recreation Zone (PPRZ). The amendment includes the removal of the Land Subject to Inundation Overlay (LSIO) from areas that are no longer affected by the floodplain.

The main planning control that will guide the long-term development of the site is a proposed new Schedule 13 to the Development Plan Overlay (DPO13). This control sets out requirements for a Development Plan that will be used to assess subsequent permit applications for the development of the site. Any Development Plan approved under this overlay will be required to include the following:

- Masterplan – illustrating land uses (including open space), interface treatments, and road layout;
- Landscape Masterplan – showing a landscape concept design for streetscapes and public open spaces;
- Integrated Transport Plan – addressing access and movement to, from, and within the site; and
- Integrated Water Management Plan – addressing a holistic approach to stormwater management within and beyond the site.

The proposed DPO13 would also require the following as conditions and requirements for Planning Permits issued under the overlay:

- Compliance with the Development Contributions Agreement, setting up the provision of community infrastructure delivery and contributions by the developer;
- Design guidelines to guide permit approvals for any lots under 300 square metres; and
- An Environmental Management Plan to guide construction activities.

Public exhibition was completed in November 2017 and Council resolved to request that the Minister for Planning appoint an Independent Panel to consider the submissions received in relation to the amendment. This report discusses the outcomes and recommendations of the Planning Panel's report (Appendix A).

2. DISCUSSION

Amendment C142 was subject to a Planning Panel Hearing from 5 March 2018 to 9 March 2018. A list of Panel recommendations and Council's recommended response is included in Appendix B. Key issues have been discussed below.

Strategic planning context

The Panel supports the policy context of the Amendment and agrees that the Amendment is consistent with the relevant Ministerial Directions and planning practice notes. The report states:

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, is consistent with the relevant Ministerial Directions, and makes appropriate use of the Victoria Planning Provisions. The Amendment is well founded and strategically justified, and it should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

The strategic justification of the Amendment has been tested and found to be appropriate to the site and surrounding context, and in line with the Knox Housing Strategy 2015, the Knox Open Space Plan 2012 - 2022, and the Knox Leisure Plan 2014 – 2019. Given the level of strategic support, it is considered appropriate to adopt the Amendment and submit it to the Minister for Planning subject to specific alterations discussed below.

Interface with existing residences

The original concept plan included a buffer zone that retained some of the existing vegetation along the eastern boundary interface with existing residential land. The design was later amended to remove this buffer zone, with Council preferring the provision of useable public open space within the development rather than only providing linear open space along the eastern boundary.

During the exhibition period, 31 submissions and a petition signed by 49 residents opposed the removal of the landscape buffer and the proximity and height of development along the eastern boundary. These submissions were predominately received from existing residents immediately adjoining the buffer zone.

Prior to the Panel hearing, the amendment proponent presented two options that reinstated a buffer, and these were subsequently submitted to the Panel. Council submitted a third option at the hearing, which provided a modified buffer of between 5 and 8 metres. The modified buffer was more responsive to individual tree locations and root zones, and aligned a local road along a significant portion of the buffer. It also provided an increased setback to the eastern boundary and ensured that new dwellings within the development will not back onto the buffer, creating a dead space. This option also allowed for useable public open space to be provided elsewhere within the development.

The modified buffer, with the addition of the adjoining road, would create a setback of approximately 16 metres to a property boundary within the development. Together with the required front setback of any proposed dwelling, it was discussed that a 2 storey height limit would not be required along this interface given that it is such a significant setback.

The exception is the interface of the Council owned land in the south-eastern corner of the site. This area does not have an existing vegetated interface and it is recommended that proposed dwellings in this area be limited to 2 storey within 15 metres of the boundary. This was supported by the Panel who recommended that the DPO be used to control building height in this area. These changes have been incorporated into the draft DPO13, as shown in Appendix C.

Specifically the Panel noted that it supports the third option of the modified buffer, which includes a linear buffer zone aligned with the road, the retention of high amenity vegetation where possible, and a 2 storey height limit within 15 metres of the south-eastern boundary where the buffer does not currently exist. The draft DPO13 includes these requirements and can be found in Appendix C.

It is recommended that Council adopt the modified buffer, with the adjoining road to be reinstated for a majority of the eastern boundary interface, and support the associated changes to the draft DPO13 to reflect these requirements.

Traffic

Traffic concerns were discussed primarily in relation to traffic flow and impacts through the Stamford Park estate to Emmeline Row, and to Corporate Avenue to the south of the golf course. The anticipated traffic split between the two access points (Stud Road and Wellington Road) was discussed, as was the proposed mitigation works that may be required at these intersections.

The Panel was satisfied that the Integrated Transport Management Plan (ITMP), which will be assessed as part of the Development Plan approval process, was sufficient to manage traffic impacts and amenity concerns subject to some additional inclusions discussed throughout the hearing process. These include:

- Updated volumes and modified distribution modelling will be required in the preparation of the ITMP in line with discussions and information provided at the Panel Hearing;
- The amenity of Emmeline Row is to be considered as part of the ITMP required by the DPO13;
- A northerly connection to Dalmore Road should not be specifically excluded from the ITMP;
- It is acceptable that intersection mitigation works be to the satisfaction of VicRoads;

- The indicative road plan should include provision for bus movement through the site; and
- A Traffic Management Plan is to be included as part of the Environment Management Plan for the site taking into consideration traffic amenity issues during construction.

The Panel was satisfied with other minor changes to the ITMP during the Panel discussion process, including mitigation works and amenity considerations for local roads and intersections.

These changes are included in the draft DPO13 found in Appendix C. It is recommended that Council adopt the ITMP changes to the draft DPO13 made during the Panel hearing process as supported by the Panel. The changes provide further consideration of surrounding amenity, infrastructure and services, and do not change the intent or direction of the proposed amendment.

Development Plan Overlay

The Panel determined that the DPO is the appropriate tool to provide a framework for the future development of the golf course and that the drafting of the document was in accordance with relevant planning practice notes.

The Panel concluded that the draft DPO attached in Appendix C is appropriate. It includes changes to accommodate referral comments and submissions, and some minor alterations by the Panel, including:

- Additional traffic mitigation considerations as discussed above;
- The requirement for a Construction Management Plan in the preparation of the development plan;
- The requirement for a Grassfire Mitigation and Management Strategy as recommended by the Country Fire Authority; and
- Changes in response to submissions including the reinstatement of the buffer zone along the eastern interface as discussed above.

These changes are included in the draft DPO13 found in Appendix C. It is recommended that Council support the changes made to the draft DPO13 in response to submissions, referrals, and discussions during the Panel hearing process as supported by the Panel.

It was also concluded that a new Concept Plan at Figure 1 (Appendix C) should be included with relevant changes as a result of modifications to the DPO through the Panel process and the 'Agreed Development Line' as established in consultation with Melbourne Water. The inclusion of a Concept Plan at Figure 1 is also supported.

Through the process of redrafting the DPO for the Panel, two administrative errors have been identified that require minor changes before submission to the Minister:

Under the heading 'Design Guidelines' the first sentence states '*A permit condition requiring*' and needs to be replaced with '*Prior to the granting of a subdivision permit*'. This will allow the design guidelines to be considered holistically with the subdivision layout, rather than separately afterwards.

Under the heading 'Requirement for an Environmental Management Plan' the first sentence should include '*subdivision or buildings and works*' in place of '*buildings and works*'. These changes do not contradict any recommendations or discussion by the Panel and are included in the draft DPO at Appendix C.

Third party notification and appeal

Two submitters noted in the Panel hearing that there should be third party appeal rights written into the DPO or, at least, they should be given the opportunity to further comment on the development plan.

The Panel stated that there is no justification for departing from the default position that the development plan is not subject to third party notice and does not support selective third party appeal rights. The Panel stated in its discussion:

The Panel agrees that the provisions of the DPO13 are sufficient to enable informed comment. The revisions provide additional clarity and address issues raised in submissions. In the Panel's view the submissions to the Amendment and the submissions and evidence presented at the Hearing validate the view that there is sufficient detail for informed comment.

The Panel therefore concluded that there is sufficient detail in the DPO to ensure that third parties were able to make an informed comment on the proposal.

It should also be noted that it is Council policy to advertise development plans to the community during the development plan assessment stage. This will provide the community the opportunity to provide further comment to Council at the next stage of the process, although there will be no third party appeal rights.

No changes are required in response to this recommendation.

The Section 173 Agreement

Council requested that the Panel provide specific comment on the appropriateness of the Section 173 Agreement in the DPO. The Section 173 Agreement secures a number of important development and community contributions.

The Panel concluded that the inclusion for the requirement of a Section 173 OAgreement in the DPO is appropriate.

No changes are required in response to this recommendation.

Building Height

A number of submissions argued that the potential for eight storey development within the Mixed Use Zone would be out of character with the area. Other submissions opposed the potential for three storey dwellings along the existing residential interface.

The Panel supported the Mixed Use Zone and the proposed heights in a small and discrete area of the proposed development. The Mixed Use Zone is well separated from the established residential area and should deliver further diversity in the types of dwellings provided by the development.

Council requested an additional dot point be included in the Masterplan that requires consideration be given to the interface of the MUZ with existing and proposed residential areas and public open space. This was included in the draft DPO13 provided by the Panel.

The Panel also supported the residential height limit within the GRZ1 of up to three storeys, noting that the existing residential zoning to the east also allows for construction up to three storeys. However, the issue of building heights within proximity of the existing residential interface should be mitigated by the reinstatement of the buffer with an adjoining road, and a two storey height limit within 15 metres of the boundary where there is currently no buffer. This issue is discussed under 'Interface with existing residences' above.

It should be noted that most urban residential zones allow development up to three storey in height, although due to lot sizes and setback requirements, dwellings above two storeys are unlikely to be achieved.

No additional changes are required in response this recommendation.

3. CONSULTATION

Amendment C142 was on public exhibition from 24 October 2017 until 27 November 2017. Council issued 1,736 letters regarding the amendment to adjoining, abutting, and nearby affected properties. The proposal was exhibited on Council's website, the DELWP website, and through Council's social media accounts including Facebook and Twitter. A notice was posted in the Knox Leader, the Rowville Community Newsletter, and in the Government Gazette.

On 14 November 2017 a community consultation session was held at the Kingston Links Golf Course from 2:30pm until 7:30pm.

A total of 53 submissions were received, including a petition with signatures from 49 properties. Council considered these submissions at the meeting of 18 December 2017.

4. ENVIRONMENTAL/AMENITY ISSUES

The development adopts Water Sensitive Urban Design (WSUD) principles to provide a best practice approach to the management of stormwater on site. This includes best practice for water quality with the introduction of new wetlands to filter runoff before it reaches the Corhanwarrabul Creek.

The development will require the removal of vegetation, some of which was approved under the Planning Permit issued to fill the land. Vegetation would be retained where possible and the Landscape Masterplan requires the replanting of trees, and the revitalisation of the Corhanwarrabul Creek and banks into public parkland.

The proposed DPO13 includes a requirement for an ITMP that demonstrates how access will be provided and how identified issues will be mitigated. The addition of a new road link to the Kingston Links Golf Course site via Emmeline Row is required to support the development as proposed. It would result in additional traffic passing through the new residential estate at Stamford Park. The primary road through that estate has been designed to accommodate a volume of traffic that could be expected for a development of the size and scale of the current proposal. The final details would be determined in the ITMP as supported by Panel.

5. FINANCIAL & ECONOMIC IMPLICATIONS

There are no significant costs associated with submitting the amendment to the Minister. The proponent is liable for associated planning scheme amendment fees.

Council has reached an agreement-in-principle with the proponent, PASK, on a voluntary package of development and community infrastructure contributions. These include a mix of financial contributions and in-kind construction of stormwater infrastructure; transport infrastructure; active and passive open space; community facilities; and social housing. The agreed contributions include:

- A social housing contribution including the provision of 20 dwellings on site plus a \$4.5M financial contribution to Council for social housing;
- Public open space (8.5% of the developable area);
- Sports fields and a pavilion (in addition to the land component);
- A pedestrian footbridge (a financial contribution);
- Men's Shed (a financial contribution);
- Stamford Park Road Link (Construction and a financial contribution).

6. SOCIAL IMPLICATIONS

The financial and land contribution for social housing will help address an important community need. The level of demand and relative shortfall of social housing has been established through Council's own research, and this proposal delivers on the opportunity identified in Council's *Affordable Housing Action Plan* to provide new social housing when Strategic Investigation Sites are rezoned for residential use.

The development proposal includes significant amounts of new public open space for both passive recreation and active sporting uses. The delivery of new soccer pitches and an oval would address an identified shortage of sports fields in the area and help accommodate a growing demand for soccer, which has been driven in part by increasing female participation. The construction of a new multi-use pavilion with both male and female change rooms would provide an inclusive meeting space for sports and other community activities.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The outcome of the redevelopment of the Kingston Links Golf Course has the potential to impact a wide range of Strategies within the Knox Community and Council Plan 2017-2021, most relevantly:

- Strategy 1.3 Ensure the Knox local character is protected and enhanced through the design and location of urban development and infrastructure;
- Strategy 2.1 Plan for a diversity of housing in appropriate locations;
- Strategy 2.2 Encourage high quality sustainable design;
- Strategy 2.3 Support the delivery of a range of housing that addresses housing and living affordability needs;
- Strategy 3.1 Enable improved transport choices supported by integrated and sustainable transport systems and infrastructure;
- Strategy 4.3 Maintain and manage the safety of the natural and built environment.

8. CONFLICT OF INTEREST

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

Officer Responsible – Tanya Clark, Manager – City Futures - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Cliff Bostock, Major Development Planner - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

This report recommends that Council adopt Amendment C142 to the Knox Planning Scheme subject to the changes outlined in this report, and submit the amendment to the Minister for approval.

10. CONFIDENTIALITY

There are no issues of confidentiality associated with this report.

COMMITTEE RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. PEARCE

That Council:

1. Note the Panel Report for Amendment C142 (Appendix A);
2. Endorse Appendix B (Recommended responses to the C142 Panel Report) as Council's response to the Planning Panel Report recommendations;
3. Adopt Amendment C142 to the Knox Planning Scheme in the form attached as Appendix C;
4. Submit the adopted Amendment C142 to the Minister for Planning for approval;
5. Authorise the Director - City Development to make any minor changes required to Amendment C142 documentation for approval by the Minister for Planning, consistent with the intent of the adopted Amendment; and
6. Notify the submitters to Amendment C142 of Council's decision.

CARRIED

Appendix A – Panel report for Amendment C142;

Appendix B – Recommended responses to C142 Panel report; and

Appendix C – Amendment C142 for submission to the Minister for Planning
are circulated under separate cover.

Official Minutes of Knox City Council

ALL WARDS**2. COMMUNITY DEVELOPMENT FUND (CDF) EVALUATION PANEL RECRUITMENT 2018-2022**

SUMMARY: *Acting Coordinator Community Strengthening (Deb Robert)*

This report presents recommendations for the appointment of one new Community member to the Community Development Fund (CDF) Evaluation Panel to fill a vacancy due to the recent completion of a community representative's four year term as outlined in the CDF Terms of Reference.

Council approval of the recommended community representative is sought to enable the Panel to convene and assess the 2018/19 CDF grant submissions in July 2018.

RECOMMENDATION

That Council:

- a) Appoint _____ to the Community Development Fund Evaluation Panel for the period June 2018 – June 2022; and
- b) Acknowledge the contribution of Mr Colin Fletcher for his 13 years of valued service to the Community Development Fund grants process.

1. INTRODUCTION

This report presents the recommended nominee for the vacant community member position on the Community Development Fund (CDF) Evaluation Panel (the Panel).

The Panel is a Specific Purpose Committee. Its purpose is to assess annual applications to the CDF and make recommendations to Council for the allocation of the community grants.

The aim of the Community Development Fund is to develop, enhance and support the involvement of community groups in activities and projects that respond to identified needs in the Knox community. Grant projects also facilitate and support the implementation of key priorities in the *Community and Council Plan 2017-21*.

The CDF Evaluation Panel comprises three Councillors and three Community representatives with voting rights, and Council Officers to provide advice and support.

One vacancy for a Community representative exists on the CDF Evaluation Panel following the conclusion of a current member's four-year term.

Mr Colin Fletcher has been a CDF Evaluation Panel community representative since 2004, having completed an initial four year term and successfully reapplying for subsequent two year terms. Mr Fletcher's recent term concluded at the completion of the 2017-18 CDF grants process.

The 2018-19 CDF grants program opened for applications on 18 May and will close on Monday 2 July at 5pm. The initial meeting of the CDF Evaluation Panel is scheduled for 18 July, to brief members on the assessment process. The Panel recommendations will be referred to Council for consideration in October.

2. DISCUSSION

Knox Council's *Council Committees Policy* requires the approval from Council for the appointment of community representatives recommended from a registration of interest and selection process.

A recruitment process to fill the vacancy, in accordance with the CDF Terms of Reference (Appendix C) commenced in April 2018. Council approval of the Community representative is required to enable the CDF Evaluation Panel to convene and assess 2018-19 grant submissions in July 2018.

2.1 Selection Process

In April 2018, a community recruitment campaign was undertaken to call for nominations to the CDF Evaluation Panel. Advertisements were placed in local papers, e-bulletins distributed to over 350 not for profit groups in Knox, through Council's social media and Knox Civic Centre Customer Service screen promotions.

Nominations were received from ten Knox community members. All applications were deemed eligible and were generally of a high standard. A summary of all applicants is included in Confidential Appendix A and B.

The eligibility criteria for a Community representative requires:-

- Being a resident in Knox;
- An interest and understanding of local groups and their benefit to the Knox community; and
- The ability to participate within the annual grants timeframe and meeting schedule.

A shortlisting process was undertaken, taking into account applicants' relative familiarity with the Knox community and interest in this type of civic participation.

In accordance with the CDF Evaluation Panel Terms of Reference the shortlisted nominees were interviewed by Cr Tony Holland (Chair), Pip Smith (Coordinator Community Strengthening) and Marcia Timmers-Leitch, a current community representative.

The interview panel based their assessment on the nominees' responses to interview questions set out in Appendix D.

2.2 Recommendations

The interviewing panel were unanimous in their recommendation of the community representative for appointment to the CDF Evaluation Panel for the period 2018 to 2022 (see Confidential Appendix A). The recommended applicant was rated the highest by all on the interviewing panel against key selection criteria and clearly demonstrated the capacity to contribute valuable skills, knowledge and experience to the CDF grants assessment process.

Following Council's approval of the successful applicant, unsuccessful applicants will be contacted to advise them of the Council's decision and will be asked if they are interested in other opportunities to contribute their skills and commitment to the Knox community. Council officers will assist to provide referral and linkage to these opportunities.

3. CONSULTATION

Notices calling for nominations to the Community Development Fund Evaluation Panel were:

- Advertised in the local newspaper;
- Displayed on Council's website front page and the Community Development Fund webpage;
- Presented on Council Customer Service screen; and
- Included in e-bulletin sent to over 350 local not for profit community groups.

4. ENVIRONMENTAL/AMENITY ISSUES

There are no environmental or amenity issues associated with this report.

5. FINANCIAL & ECONOMIC IMPLICATIONS

All costs for the CDF program including the 2018-19 grants allocation of \$275,000 are included in Council's operational budget.

6. SOCIAL IMPLICATIONS

The CDF grants program facilitates engagement between Council and a diverse range of community groups - strengthening existing relationships, supporting new collaborations and broadening understanding of community needs.

The CDF enables the delivery of projects that support the implementation of the Knox Community and Council Plan 2017-21.

Community representation in the CDF grants assessment broadens the range of skills and perspectives brought to the process by all CDF Evaluation Panel members.

Panel membership also provides a valuable opportunity for civic participation and facilitates greater understanding of Council process amongst community members, and their awareness of the range of activities supported by Council.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The *Knox Community Council Plan 2017-2021* identifies the key goals and strategic objectives to achieve desired health and wellbeing outcomes for the Knox community.

Of particular relevance to the recruitment of community representatives on the CDF Evaluation Panel is “Goal 8: We have confidence in decision-making.”

8. CONFLICT OF INTEREST

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

Officer Responsible – Lisette Pine, Acting Manager Community Wellbeing - In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Deb Robert, Acting Coordinator Community Strengthening - In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

Following a thorough recruitment process in April 2018, one nominee for the position of community representative to the CDF Evaluation Panel is recommended to Council.

Approval by Council of the recommended community members is now sought to ensure the required representative composition on the CDF Evaluation Panel and enable the 2018-2019 grant assessment process to proceed in July.

10. CONFIDENTIALITY

In the interest of personal privacy, names and details of applicants in Appendix A are treated as confidential.

COMMITTEE RESOLUTION**MOVED: CR. HOLLAND****SECONDED: CR. KEOGH****That Council:**

- a) Appoint Gary Saultry to the Community Development Fund Evaluation Panel for the period June 2018 – June 2022; and
- b) Acknowledge the contribution of Mr Colin Fletcher for his 13 years of valued service to the Community Development Fund grants process.

CARRIED

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Confidential Appendix A – Community Development Fund Evaluation Panel
Community Representative Applications – Recommended and

Confidential Appendix B - Community Development Fund Evaluation Panel
Community Representative Applications – Not Recommended

are circulated under separate cover.

Official Minutes of Knox City Council

TERMS OF REFERENCE



COMMUNITY DEVELOPMENT FUND EVALUATION PANEL

Directorate	Community Services
Responsible Officer	Community Resourcing Officer
Committee Type	Specific Purpose Committee
Approval Date:	27 March 2017
Review Date:	27 March 2021

1. PURPOSE

The Community Development Fund Evaluation Panel (the 'Panel') exists to:

- Annually assess applications for Council's Community Development Fund grants and to make recommendations to Council regarding the allocation of the grants budget in accordance with Council's Community Development Fund Policy.
- Evaluate the ongoing implementation of the Community Development Fund at the conclusion of each funding round and recommend any appropriate changes in policy and procedure to Council.

2. OBJECTIVES

The objectives of the Panel are to:

- Ensure that Community Development Fund grants are assessed in a fair and transparent manner in the best interests of the Knox community in accordance with Council's Community Development Fund Policy.
- Advise Council on the recommended allocation of funding under the Community Development Fund.
- Ensure that the annual recommended Community Development Fund grant allocations support relevant Council policies, programs and strategies.

3. MEMBERSHIP, PERIOD OF MEMBERSHIP AND METHOD OF APPOINTMENT

The Panel shall comprise the following:

- Three (3) Councillors who will have voting rights
- Three (3) community representatives who will have voting rights

The annual meeting to review the preceding grant process may include the Councillors and community representatives from that period to facilitate the crossover of ideas.

Community Members

- Community members will be appointed to the Panel for a period of four (4) years based on a registration of interest and selection process.
- Successive re-applying is permitted as part of the Council Committee recruitment and selection process.
- Incumbent Panel community members reapplying for a successive term can be appointed for a further period of no more than two (2) years.
- Vacancies for community positions on the Panel will be advertised in local newspapers and on Council's website and through social media.
- Casual vacancies which occur due to community members being unable to complete their appointments may be filled by co-opting suitable candidates from the most recent selection process for the remainder of the previous incumbent's term. Staff in consultation with the Chairperson will make a recommendation to the Chief Executive Officer who has delegated authority to appoint the recommended candidate to the committee for the remainder of the previous incumbent's term. Where there are no suitable candidates identified, a formal expression of interest and selection process is required.
- New applicants will be required to submit an application addressing specified selection criteria and to attend a selection panel interview upon request.
- The selection panel will consist of Council staff and Councillors who are current representatives on the Panel, and will make recommendations of appointment of community representatives to Council.
- Previous community representatives may re-apply via the advertised process.

Councillors

- Council will appoint Councillor representation annually.
- The Mayor, by virtue of the Office, is ex officio member of any committee which may be established by Council from time to time. The Mayor has no voting rights as an ex officio member of the Panel.

Council Officers

- Council officers will be nominated to support the committee by the CEO as required to provide advice and administrative support to the committee.

4. DELEGATED AUTHORITY AND DECISION MAKING

The Panel acts in an advisory capacity only and has no delegated authority to make decisions on behalf of Council.

In making decisions, the Panel must comply with Council's policies, procedures and guidelines. Decisions become recommendations and may be implemented by a staff member who has the appropriate delegation and level of authority.

In accordance with section 76E of the Local Government Act 1989, a Councillor must not improperly direct or influence a member of Council staff in the exercise of any power or in the performance of any duty or function.

The Panel cannot make decisions outside the agreed scope detailed in its Terms of Reference.

5. MEETING PROCEDURES

The Panel will meet approximately five to six (5-6) times per year, predominantly during the submission assessment period.

To proceed with a meeting a minimum of five (5) members are required to be present, including a Council officer, two (2) Councillors and two (2) community representatives.

The Panel is not required to give public notice of its meetings and its meetings are not open to the public.

Meetings will follow Knox Council meeting procedures, which are in summary:

- Commence on time and conclude by the stated completion time;
- Be scheduled and confirmed in advance with all relevant papers distributed (as appropriate) to each member;
- Encourage fair and reasonable discussion and respect for each other's views;
- Focus on the relevant issues at hand; and
- Provide advice to Council as far as possible on a consensus basis.

6. CHAIR

The position of Chairperson shall be reviewed annually immediately following Councillor appointments to committees.

As there is more than one Councillor on the Panel the chair is to be agreed upon between Councillors. When this cannot be achieved, the Mayor of the day shall determine the chair.

The Panel may determine, with consent of the Councillor representative/s, to appoint another member other than the Councillor representative/s as Chairperson.

If the Chairperson is not present at a meeting, any other Councillor shall be appointed Chairperson.

The Panel must advise the Governance Team of the name of the chairperson within one week of appointment. These details will then be updated on Council's intranet.

7. AGENDAS AND MINUTES

The Panel minutes will contain details of the proceedings and resolutions made, they will be clear and self-explanatory and will incorporate relevant reports considered at the meeting.

Minutes will be provided to the Chairperson for confirmation within 7 days of the meeting and distributed to all Panel members following confirmation from the chairperson within 14 days of the meeting.

The minutes will be submitted to be formally endorsed at the subsequent meeting.

The Agenda must be provided to members of the committee not less than 7 days before the time fixed for the holding of the meeting. The committee must determine whether minutes are to be made available to the public.

8. VOTING

When the Panel is unable to determine a matter by consensus, the matter will be determined by a vote.

Councillors and community members have voting rights.

Council staff provide support and advice to the Panel and have no voting rights.

In the event of an equality of votes, the Panel should endeavour to achieve consensus through discussion and further consideration of the applications.

Where an outcome is not resolved, the Chairperson will have a second vote.

9. CONDUCT AND INTEREST PROVISIONS

In performing the role of Evaluation Panel member, a person must:

- act with integrity;
- impartially exercise his or her responsibilities in the interests of the local community;
- not improperly seek to confer an advantage or disadvantage on any person;
- treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other persons;
- commit to regular attendance at meetings; and
- not make improper use of information acquired because of their position or release information that the member knows, or should reasonably know, is confidential information.

Meetings of the Panel will potentially form an Assembly of Councillors. When this occurs, Councillors and officers are required to comply with the conflict of interest provisions as set down in the Local Government Act 1989. Community representatives are also required to disclose any conflicts of interest (as defined in the Local Government Act).

Where a member of the Panel declares a conflict of interest in relation to a matter in which the committee is concerned, they must disclose the interest to the committee before the matter is considered or discussed at the meeting. Disclosure must include the nature of the relevant interest and be recorded in the minutes of the meeting. The member must leave the room while the matter is being considered and may return only after consideration of the matter and all votes on the matter.

Where a meeting is identified as an Assembly of Councillors, staff must complete a Record of Assembly of Councillors form. Where a Conflict of Interest is identified by a Councillor or staff member at an Assembly of Councillors, the relevant Conflict of Interest form must also be completed. Forms should be forwarded to the Manager – Governance within five (5) working days of the meeting. This information will be published at the next available Ordinary Council Meeting.

10. REPORTING

The Panel will provide its recommendations as an annual report to the Council.

11. ADMINISTRATION SUPPORT

Administration support will be provided by relevant officers in Council's Community Services directorate.

12. CONTACT WITH THE MEDIA

Contact with the Media by the Panel members will be conducted in accordance with the Councillor and Staff Media Policies. Community members should defer any media enquiries to the Chairperson in the first instance and should take care not to respond as a representative of the Panel.

13. SUNSET CLAUSE AND REVIEW DATE

The Panel will conclude in March 2021 unless Council endorses a recommendation to continue the Panel's role for a further period. If the Panel continues to have a relevant function, a report must be presented to Council prior to March 2021 that includes a review of the Panel's Terms of Reference and seeks endorsement from Council to continue to act in an advisory capacity for a further period.

14. MEALS

The provision of refreshments during the course of Panel meetings will be in accordance with the Meals and Beverages for Council Committees Policy.

15. ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this Terms of Reference, such a change may be made administratively. Examples of minor administrative changes include change to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this Terms of Reference, it must be considered by Council.

APPENDIX D.**CDF Evaluation Panel 2018 - Community Representative Interview**

Date:

Applicant Name:

Interviewer Name:

Criteria	Notes	Score (0 – 5)
Are you able to commit for up to four years? Are you able to participate within the annual timeframe and meeting schedule for the CDF grants round? Are you comfortable utilising an on-line assessment tool?		
What potential skills / knowledge do you believe you will bring to the Panel?		
What interest and understanding do you have of local community groups and their benefit to the Knox community?		
What do you think is the value of grants for community and for Council? <i>(capacity building, skill development, helping to achieve goals, connection point with community, highlighting community priorities)</i>		
How do you think you will manage the challenge of choosing between personal views and what is right for the community and for Council		
Do you think you can represent the cross-section of Knox community interests and priorities?		
What do you think is important for the wellbeing of the Knox community?		
Total		
Comments		

Key to Scoring**1**

Unsatisfactory

2**3**

Satisfactory

4**5**

Very Good

PROCEDURAL MOTION

MOVED: CR. PEARCE
SECONDED: CR. TAYLOR

That Item 6 – Confidential Items be moved and considered after item 9.2 – Call Up Items on the agenda.

CARRIED

ALL WARDS**3. APPLICATIONS TO VARIOUS SPORT AND RECREATION VICTORIA FUNDING PROGRAMS**

SUMMARY: *Team Leader Leisure Development (Daniel Clark)*

This report provides a summary of opportunities for partnership funding through various Sport and Recreation Victoria funding programs. It recommends four projects, including three infrastructure projects and one planning project for submission to Sport and Recreation Victoria.

RECOMMENDATION

That Council

1. Approve the submission of three projects to Sport and Recreation Victoria as outlined in Section 5 of this report;
2. Commit the allocation of Council's funding contribution in preparation of 2018-19 and 2019-20 capital works budgets, to provide the required financial contribution towards the projects if the submissions are successful; and
3. Note the proposed community financial contributions totalling \$100,000 across the four projects.

1. INTRODUCTION

Sport and Recreation Victoria has recently launched a series of funding programs that provide Councils with financial assistance to provide high quality and accessible community sport and recreation facilities across Victoria. They include:

- 2019-20 Community Sports Infrastructure Fund (CSIF)
 - Major Facilities, up \$800,000 available
 - Small Aquatics Projects, up to \$250,000 available
 - Minor Facilities, up to \$250,000 available

- Better Pools, up to \$3,000,000 available
- Planning, up to \$30,000 available
- 2018-19 Female Friendly Facilities Fund (FFFF)
 - Up to \$500,000 available
- 2018-19 Better Indoor Stadiums Fund (BISF)
 - Up to \$3,000,000 available

Through the various programs, the Victorian Government, in conjunction with Local Government Authorities and community groups, aims to respond to the grass roots needs of local communities through the development of quality sport and recreation facilities.

Unlike Victorian Government funding programs of recent years which was divided into two stages (Project Proposal and Full Submission), the application process is now one stage (Full Application). The due date for submissions are as follows:

- 2019-20 Community Sports Infrastructure Fund (CSIF), 25 June 2018
- 2018-19 Female Friendly Facilities Fund (FFFF), 23 July 2018
- 2018-19 Better Indoor Stadiums Fund (BISF), 6 August 2018

2. DISCUSSION

2.1 Determination of Applications

To determine the nature of the applications being proposed for submission, Council officers have undertaken the following steps:

- Identify high priority projects listed within various Capital Works Programs, including Program 1008 (Active Open Space), Program 3000 (Major Projects), Program 4000 (Structured Sporting Facilities), Program 4002 (Indoor Leisure Facilities), and 4014 (Unstructured Recreation);
- Identify high priority planning projects.
- Apply Sport and Recreation Victoria's assessment criteria and eligibility requirements to the projects determined through the above processes; and
- Discussed the financial contributions required from community sporting groups with each of the tenant clubs, in accordance with Council's *Sporting Club Financial Contributions Towards Reserve Developments Policy*.

Following this process, three projects have been identified for the various funding programs:

2019-20 Community Sports Infrastructure Fund

- Pickett Reserve Sportsfield Lighting (Minors)
- Rowville & Lysterfield Sport & Recreation Future Facilities Plan (Planning)

2018-19 Female Friendly Facilities Fund

- Colchester Reserve Modular Pavilion Upgrade

2.2 Overview of Proposed Projects

A brief overview of the three proposed projects for submission can be found in Appendix A.

Each of the infrastructure projects are listed within Council's 2018/19 Review and proposed 2019/20 Capital Works Program. The planning project responds to a call-up item from the Council meeting held on 27 March 2018 which requested *advice on the requirements to undertake a place based analysis of sporting facilities and active reserves in the Rowville and Lysterfield suburbs.*

3. CONSULTATION

3.1 Sport & Recreation Victoria Officers

Council officers have met with Sport and Recreation Victoria's regional officer to seek feedback on each of the proposed projects and the feedback received on all four was positive and supportive.

3.2 Council's Recreation & Leisure Liaison Group

Council's Recreation Leisure and Liaison Group was advised of the application process and proposed projects at its meeting of 2 May 2018. The Group members were supportive of all applications.

3.3 Community Sporting Clubs

Initial consultation has occurred with community sporting groups which tenant the facilities where the projects are being proposed. In each instance, the groups were supportive of the applications being submitted and hopeful of upgraded facilities in the near future.

It is important to note that the community funding contributions outlined in Section 5 of this report have been confirmed and should the funding submissions be successful, formal funding agreements will be signed prior to project delivery and further consultation will occur with the groups at this time.

4. ENVIRONMENTAL/AMENITY ISSUES

The provision of various Sport and Recreation Victoria funding programs assists Council and community groups to improve and/or address amenity issues at Council's sporting facilities.

The four proposed projects will provide sport and recreational activities that suit all ages, interests and abilities and encourage an active and inclusive community within Knox.

5. FINANCIAL & ECONOMIC IMPLICATIONS

A summary of the funding contributions for the three applications is outlined in the table below:

Project	Cost Est.	Council	SRV	Community
Pickett Reserve Sportsfield Lighting	\$200,000	\$50,000	\$100,000	\$50,000
Colchester Reserve Modular Pavilion	\$1,140,000	\$590,000	\$500,000	\$50,000
Rowville & Lysterfield Sport & Recreation Future Facilities Plan	\$60,000	\$30,000	\$30,000	n/a
TOTAL	\$1,400,000	\$670,000	\$630,000	\$100,000

The Council contributions noted above are within Council's Capital Works program budget.

Note: Should Council be successful any savings identified in the Knox Capital Works budget could be directed to further female friendly initiatives.

6. SOCIAL IMPLICATIONS

The three proposed projects would deliver a number of social benefits to the community, including:

- Improved access to quality sport and recreation opportunities, particularly for sporting populations being encouraged by Council (i.e. youth and women);
- Greater connectivity for individuals to engage within community based projects; Maximise the use of community and Council facilities; and
- Greater capacity for local organisations to deliver activities and programs to the Knox community.

7. RELEVANCE TO KNOX COMMUNITY & COUNCIL PLAN 2017-21

This report is consistent with the following goals listed within the Knox Community & Council Plan 2017-21:

- Goal 1: We value our natural and built environment
- Goal 6: We are healthy, happy and well

- Goal 7: We are inclusive, feel a sense of belonging and value our identity

8. CONFLICT OF INTEREST

There are no conflict of interest issues within this report.

9. CONCLUSION

Sport and Recreation Victoria has recently launched a series of funding programs that provide Councils with financial assistance to provide high quality and accessible community sport and recreation facilities across Victoria.

Council officers have determined that submission of three applications to various Sport and Recreation Victoria funding program provides an opportunity for Council, State Government and community groups to partner together and deliver quality sport and recreation facilities for the Knox community. Further, the three applications are existing priorities of Council's within the 2018/19 and 2019/20 draft capital works programs.

10. CONFIDENTIALITY

There are no confidentiality issues within this report.

COMMITTEE RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. LOCKWOOD

That Council:

- 1. Approve the submission of three projects to Sport and Recreation Victoria as outlined in Section 5 of this report;**
- 2. Commit the allocation of Council's funding contribution in preparation of 2018-19 and 2019-20 capital works budgets, to provide the required financial contribution towards the projects if the submissions are successful; and**
- 3. Note the proposed community financial contributions totalling \$100,000 across the four projects.**

CARRIED

Appendix A**Pickett Reserve Sportsfield Lighting**

The current lighting on site is well below the average lux level required for training activities (50 lux), with a measurement of just 22.60 lux being recorded in the 2016 lighting audit undertaken by Council.

The project would see installation of new lighting to the sportsfield to ensure both training (50 lux) and match (100 lux) activities can occur. While a lighting design is still being sourced, it is anticipated that four towers and 16 lights will be used as part of the lighting solution.

The tenant football club, Ferntree Gully Eagles Junior FC, has committed \$50,000 towards the project cost, which is consistent with Council's Sporting Club Financial Contributions Towards Reserve Developments Policy.

Colchester Reserve Modular Pavilion

The current change room and amenity facilities on site are well below Council's Sporting Reserve Facility Development Guidelines Policy and:

- Do not meet Disability Discrimination Act requirements;
- Do not meet Building Code Australia or National Construction Code requirements;
- Are not suitable for junior or female participants;
- Are not large enough to accommodate one team, let alone four teams (two fields);
- Do not have designated male and female toilets, with one small unisex toilet on site only.

With the tenant rugby league and cricket clubs continually growing in size and looking to expand their number of junior, senior, and female teams, the facility needs improved change rooms and amenities to ensure participants can utilise the facility as required.

The facility also needs upgrades to meet legal requirements (i.e. DDA compliant toilets) and best practise guidelines (i.e. female friendly facilities).

Using modular construction techniques, the project would see the footprint of the existing pavilion on site increased, encompassing:

- 2 x unisex change rooms, each with showers, toilets, and hand basins;
- 2 x unisex umpires change rooms, each with a shower, toilet, and hand basin;
- DDA compliant toilet and publicly accessible unisex toilet;
- Kitchen and kiosk;
- Social space;
- Storage room.

The newly established area will be located next to the existing pavilion, in the south-western corner of the reserve.

To assist with delivery, Eastern Raptors Rugby League Club has committed \$10,000 towards the project and a grant of \$40,000 has been secured from Cricket Victoria.

Rowville & Lysterfield Sport & Recreation Future Facilities Plan

Following an investigation of two areas within the Knox municipality, it has been identified that the Rowville and Lysterfield area has higher levels of obesity, car ownership, mortgage and rent stress, and lower levels of education and access to public and active transport. Despite similar population numbers, Rowville and Lysterfield also have less total active and passive open space, less sports fields, courts and overall participation, and more undeveloped public open space than most other areas of Knox (i.e. Wantirna).

The project, a place based future facilities plan in Rowville and Lysterfield, will use sports demand analysis to identify the quantum and type of facilities needed over the next 10 years and the most appropriate location and provider, including both public and private.

TIRHATUAN WARD**4. CONTRACT NO. 2349 – STAMFORD PARK HOMESTEAD GARDENS LANDSCAPE CONSTRUCTION**

SUMMARY: *Project Manager – Major Initiatives Unit
(Sulochi Walisinghe)*

This report considers and recommends the appointment of a tenderer for the construction of Stamford Park Homestead Gardens Landscape in Emmeline Row, Rowville.

RECOMMENDATION

That Council

1. accepts the adjusted tender submitted by New Grow Pty Ltd for the lump sum price of \$1,065,758.20 excluding GST (\$1,172,334.02 including GST);
2. authorises the Chief Executive Officer to formalise the contract documentation and to sign and seal the contract; and
3. advises all tenderers accordingly.

1. INTRODUCTION

This contract is for the construction of the Stamford Park Homestead Gardens Landscape at Emmeline Row, Rowville.

The Homestead Garden Landscape works are part of the overall Stamford Park project, which includes refurbishment works to the Homestead and the redevelopment of the Stamford Park parklands. The concept design for the Homestead Gardens landscape was developed by Tract Consultants and approved at the Council meeting on 10 July 2017. Tender documentation was completed by Tract Consultants in February 2018 and subsequently advertised for public tender. Following tender evaluation and contract award, construction works are planned to commence in June 2018.

The Stamford Park Homestead is currently undergoing renovations with the potential for a restaurant to operate at the site. As part of these works, the Homestead Gardens will be improved to complement the Homestead and provide use for the Knox community.

In line with Council's Procurement Policy, after considering the complexity, value and risk associated with this contract, it was determined to utilise a public tender process in accordance with the approved Procurement Plan.

This report considers and recommends the appointment of a tenderer to undertake the works.

2. DISCUSSION

2.1 Proposed Works/service/goods

The Stamford Park Masterplan was incorporated into the Knox Planning Scheme in 2010. Council has since subdivided Stamford Park into three lots: the historic Stamford Park Homestead and gardens; a 6.35ha 190 lot residential subdivision; and the remaining 36.1ha lot for the Stamford Park parklands.

These landscape works are part of the historic Stamford Park Homestead Gardens. Key features of the civil and landscape construction include the following:

1. General landscape works including:
 - Granitic carpark and pathways
 - Chip seal asphalt driveway
 - Irrigation
 - Lighting
 - Soil amelioration
 - Lawn preparation
 - Raised garden beds
 - Plantings (trees, shrubs, garden beds)
 - Internal fencing
 - Maintenance
2. Flood mitigation works including:
 - Drainage swale
 - Retaining wall
 - Drainage works
 - Rockwork
 - Fencing
 - Bridge
 - Gate and pillars

Works are planned to commence in June 2018 and be completed in September 2018.

2.2 Expressions of Interest

No formal Expression of Interest was advertised for this contract. Council advertised a public tender for this project on 3 March 2018, in accordance with Council's Procurement Policy and approved Procurement Plan. The tender closed on 9 April 2018.

2.3 Tenders Received

The following tenders were received:

Tender 1	New Grow Pty Ltd
Tender 2	Warrandale Industries Pty Ltd
Tender 3	Evergreen Civil Pty Ltd

(a) Initial Tender Evaluation

Preliminary evaluations were undertaken 19 April 2018. As part of the evaluation of the three tenderers, the Panel decided to set aside the submission from Evergreen Civil Pty Ltd as it exceeded the project estimate by over 50%. As a result, New Grow Pty Ltd and Warrandale Industries Pty Ltd were shortlisted to carry out further assessment.

Requests were sent out to the two shortlisted tenderers to review their submissions, as well as to seek further information from Warrandale Industries (as there were discrepancies in their tender schedules and missing information). No scoring assessment was undertaken at this first evaluation meeting.

A second evaluation meeting was held on 23 April 2018. There was sufficient information received from both tenderers to enable a detailed and complete scoring assessment to be undertaken, with the following preliminary results.

With advice from Strategic Procurement, a decision was made by the Panel to invite both tenderers for an interview to:

- clarify tender submissions and any missing information;
- assess their interest and capacity to undertake the work; and
- seek proposals for further cost savings.

(b) Tender Evaluation

Interviews with short listed tenderers were undertaken on 26 and 27 April 2018. In general, both tenderers answered the Panel's queries satisfactorily. Both tenderers were requested to provide additional cost saving proposals to Council by 30 April 2018.

The final price used in the evaluation combines accepted cost savings submitted from both tenderers as well as optional items added to the contract where deemed necessary by the Panel. Examples of cost savings include:

- reduction of plant sizes;
- alternative garden mulch;
- solar light option; and
- alternative topping on chip sealed driveway.

A decision was made by the Panel to undertake an independent financial check on the highest scoring tender. This check was satisfactorily passed.

The Panel also committed to undertaking referee checks for both tenderers, Warrandale Industries failed to provide contact details for referee check. New Grow Pty Ltd referee details were provided and followed up.

The Panel agreed that New Grow was the preferred tenderer and was satisfied that New Grow would be able to deliver the best result for Council, for the best value and meet project timelines.

The Procurement Report is included as a confidential attachment (Appendix A) to this report.

2.3.1 Evaluation Panel

The Tender Evaluation Panel consisted of suitably qualified panel members experienced in the evaluation and award of major capital works projects.

The Panel was advised by Council's Strategic Procurement Lead (Probity Advisor).

All members of the Panel signed the Tender Evaluation Panel Declaration Form indicating that they had no conflict of interest or association with any of the submitting tenderers.

2.3.2 Evaluation Criteria

The evaluation criteria, as listed in the Conditions of Tender, have been assigned the following weightings as documented in the Procurement Plan:

• Price	40%
• Demonstrated Skills and Experience	35%
• Project timeframes, resources and methodology	25%
TOTAL	100%

The following mandatory criteria also applies to the tender:

- Public Liability Insurance to minimum coverage of \$20 million
- Compliance to conditions of tender documents
- OH&S Policy and systems

2.4 Tender Evaluation Results

After considering the revised tender submissions, evaluating the proposed cost savings (including extra works), seeking additional information for clarification and conducting an interview process, the Evaluation Panel arrived at the following summary results:

Ranking Order	Tenderer
1	New Grow Pty Ltd
2	Warrandale Industries Pty Ltd

The final evaluation matrix is included with the Confidential Procurement Report, appended to this report (Appendix A).

2.4.1 Preferred Tender

New Grow Pty Ltd (New Grow) is the recommended tenderer with the highest evaluation score. It is anticipated that New Grow will give satisfactory performance and successfully deliver the project.

2.4.2 Second Preferred Tender

Warrandale Industries Pty Ltd (Warrandale) is the second preferred tenderer with the second highest evaluation score. The lower score was primarily the result of a significantly higher price than New Grow, combined with better responses from New Grow regarding the tender evaluation criteria.

3. CONSULTATION

No further consultation was undertaken in the evaluation of this contract.

4. ENVIRONMENTAL/AMENITY ISSUES

No environmental or amenity issues needed to be further considered in the evaluation of this contract.

5. FINANCIAL & ECONOMIC IMPLICATIONS

5.1 Projected Costs

The projected project cost and funding is summarised below:

Description	Cost (excluding GST)
Adjusted Contract Lump Sum Price (Includes: General Landscape Works \$856,667.93 Flood Mitigation Works \$209,090.27)	\$1,065,758.20
Contingencies (10%)	\$106,575.82
Project Management (5%)	\$53,287.91
Future staff carpark works allowance	\$20,000.00
Financial Check	\$415.00
Total Project Cost (Construction Phase):	\$1,246,036.93

5.2 Funds Available

Funding for the overall Stamford Park project was approved by Council on 10 July 2017. The funding sources available are as follows:

Description	Funds
CWP Allocation Number U 0210	\$12,998,806.00
Less expenditure/commitments to date	\$1,882,569.00
Total Funds Available:	\$11,116,237.00

The funding above relates to the overall Stamford Park project (homestead, gardens, parklands). The funding for the individual components of the project is managed internally. The total project cost for this component (homestead gardens) exceeds the cost estimate by approximately \$300,000. This is in line with the Stamford Park Steering Committee's endorsement in August 2017 of additional expenditure on the homestead gardens, offset in turn by savings in other aspects of the Stamford Park project. Accepting this contract recognises that savings will be sought through the design and delivery of the parklands component.

6. SOCIAL IMPLICATIONS

There will be minimal social implication due to construction of the Garden Landscape as the site is currently not open to public.

However, following completion of the works there will be a positive social impact to the Knox community as a result of new open space and future restaurant operating out of Stamford homestead.

The Stamford Park Homestead Gardens will also provide a connection to the Stockland housing estate and the Stamford Parklands.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

The Knox Community and Council Plan 2017-21 replaces the Knox City Plan and includes:

- a vision statement for the Knox community;
- shared goals and strategies to achieve the vision; and
- the Council Plan outlining the role and focus of Council, the targets it has set and the initiatives it will undertake over the next four years.

This project will contribute to the following key goals and strategies outlined in the vision:

Goal 6. We are healthy, happy and well.

- 6.1.2 Continue to implement Council's health Promoting Organisation initiative in partnership with community organisations to positively affect organisational and community health outcomes.

Goal 7. We are inclusive, feel a sense of belonging and value our identity.

- 7.3.4 Design, develop and implement an approach to facility management that integrates service and facility advocacy, is consistent across the organisation and improves efficiencies in the management of Council's buildings.

8. CONFLICT OF INTEREST

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

Officer Responsible – Monica Micheli – Executive Engineer, Major Initiatives Unit – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Sulochi Walisinghe, Project Manager, Major Initiatives Unit – In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

The tender representing the best value for money was presented by New Grow Pty Ltd for the lump sum price of \$1,065,758.20 excluding GST (\$1,172,334.02 including GST). The company has demonstrated the capacity to deliver the project in the timelines required by Council and to the requirements specified in the contract documentation.

10. CONFIDENTIALITY

The Procurement Report, including the tendered prices, evaluation matrix and completed Panel Evaluation Form is provided separately to this report (Appendix A).

COMMITTEE RESOLUTION

MOVED: CR. SEYMOUR

SECONDED: CR. PEARCE

That Council:

- 1. accept the adjusted tender submitted by New Grow Pty Ltd for the lump sum price of \$1,065,758.20 excluding GST (\$1,172,334.02 including GST);**
- 2. authorise the Chief Executive Officer to formalise the contract documentation and to sign and seal the contract; and**
- 3. advise all tenderers accordingly.**

CARRIED

4. Contract No. 2349 – Stamford Park Homestead Gardens Landscape Construction

Confidential Appendix A is circulated under separate cover.

Official Minutes of Knox City Council

ALL WARDS**5. CONTRACT NO. 2357 – PRUNING AND GENERAL ARBORICULTURAL SERVICES**

SUMMARY: *Peter Carlos – Acting Coordinator – Active Open Space & Lara Wilson – Acting Project Officer – Trees*

This report considers and recommends the appointment of a panel of tenderers for Contract No. 2357 – Pruning and General Arboricultural Services.

RECOMMENDATION

That Council:

1. Resolve to award Contract No. 2357 as follows:

1.1 Lump Sum Contract – Proactive Zone Pruning Program

Accept the tender submitted by Active Tree Services Pty Ltd for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion;

1.2 Schedule of Rates – Tree Pruning and Removal

Accept the tenders submitted by:

- R&J Stewart Travel Tower Hire Pty Ltd;
- Citywide Service Solutions Pty Ltd;
- Active Tree Services Pty Ltd;
- Batt Brothers Pty Ltd; and
- Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion;

1.3 Schedule of Rates – Stump Removal

Accept the tenders submitted by:

- Herbamac Pty Ltd;;
- R&J Stewart Travel Tower Hire Pty Ltd;
- Citywide Service Solutions Pty Ltd;
- Active Tree Services Pty Ltd;
- Batt Brothers Pty Ltd; and
- Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion;

1.4. Schedule of Rates – Tree Root Control

Accept the tender submitted by Just Roots Pty Ltd for the provision of Schedule of Rates tree root control for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.5 Schedule of Rates – Pest Control (Elm Leaf Beetle)

Accept the tender submitted by Arborspray Pty Ltd for the provision of Schedule of Rates stump pest control (elm leaf beetle) for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.6 Schedule of Rates – Tree Report Writing

Accept the tender submitted by ENSPEC Pty Ltd for the provision of Schedule of Rates tree report writing for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.7 Schedule of Rates – Afterhours

Accept the tenders submitted by:

- Active Tree Services Pty Ltd;
- R&J Stewart Travel Tower Hire Pty Ltd;
- Citywide Service Solutions Pty Ltd;
- Batt Brothers Pty Ltd; and
- Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.8 Schedule of Rates – Disposal of Mulch

Accept the tenders submitted by:

- Active Tree Services Pty Ltd;
- R&J Stewart Travel Tower Hire Pty Ltd;
- Citywide Service Solutions Pty Ltd;
- Batt Brothers Pty Ltd; and
- Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

2. Authorise the Chief Executive Officer to sign and seal the contracts on behalf of Council.

3. Advise all tenderers accordingly.

1. INTRODUCTION

Contract No. 2357 is for the provision of arboricultural services to the community of Knox. Contract No. 2357 will replace Contract No. 2188 – Pruning and General Arboricultural Services, which will expire on 30 June 2018.

Council has not exercised the option of two (2) x (1) one year extensions available under the Conditions of Contract No. 2188 given that there is scope for significant service delivery improvements in a number of areas, and the need to appoint additional reactive resources to cope with extreme weather events.

Contact No. 2357 contains two major components – ‘Lump Sum’ and ‘Schedule of Rates’.

The Lump Sum component is commonly referred to as the proactive zone pruning program, and relates to the pruning of Council maintained trees (street and reserve) from the relevant power authority’s overhead distribution lines to the standard required by the Electrical Safety (Line Clearance) Regulations (2015). In addition, this contract ensures proactive pruning of trees to maintain clearance over footpaths, driveways, roads, in accordance with Council’s Road Management Plan.

The Schedule of Rates component is commonly referred to as Council’s Reactive Tree Program and includes the following services:

- tree removal and pruning;
- stump grinding;
- pest management (Elm Leaf Beetle);
- tree root management (root barriers);
- tree reports/inspections;
- after hours works; and
- disposal of mulch.

2. DISCUSSION

2.1 Proposed Works/Services

This report considers and recommends the appointment of a sole tenderer for the delivery of programmed tree maintenance inspection and works, under a Lump Sum payment arrangement to be completed over a two (2) year period, with two (2) x one (1) year optional extensions in consideration of performance thereafter as below.

Contact Period	Dates
24 Months	1 July 2018 to 30 June 2020
12 Months	1 July 2020 to 30 June 2021
12 Months	1 July 2021 to 30 June 2022

The report also considers and recommends the appointment of a panel of tenderers for the Schedule of Rates component of Contract No. 2357 to engage the services over a two year period, with two (2) x one (1) year optional extensions in consideration of performance thereafter as below:

- tree removal and pruning;
- stump grinding;
- pest management (Elm Leaf Beetle);
- tree root management (root barriers);
- tree report writing/inspections;
- after hours; and
- disposal of mulch.

Contract No. 2357 will be for the following periods:

Contact Period	Dates
24 Months	1 July 2018 to 30 June 2020
12 Months	1 July 2020 to 30 June 2021
12 Months	1 July 2021 to 30 June 2022

2.1.1 Lump Sum Component

The Lump Sum component is commonly referred to as Council's Proactive Zone Pruning Program. The program ensures that all trees under power lines are inspected on an annual basis and that street trees are pruned on a two yearly cycle to ensure that Council is compliant with Electrical Safety (Line Clearance) Regulations (2015) and Council's Road Management Plan.

General Conditions of Contract No. 2357 require the tenderer to:

- audit each zone before undertaking tree works with the purpose to identify trees which may require pruning or removal and to provide this information to Council prior to the commencement of works;
- prune Council trees a set distance (as outlined in the Electrical Safety Regulations (2015) away from the relevant power authority power lines in designated streets in Knox;
- prune trees in accord with height clearance distances described in Council's Road Management Plan, for example clearances over roads, footpaths and driveways;
- perform general tree maintenance pruning such as the removal of deadwood, suckering growth, structurally weak branches, crossing limbs, broken/cracked limbs and hanging branches;
- perform pruning which will improve the structure of the tree such as formative pruning and the suppression of co-dominant stems;
- perform where practicable, that all trees are to be pruned in accord with the Australian Standard – Pruning of Amenity Trees (AS 4373 2007); and

- to provide a year round afterhours tree service to Council between the hours of 4pm and 7am including public holidays and weekends.

2.1.2 Schedule of Rates Component

The Schedule of Rates component applies to all Council owned or managed trees within the municipality. Services include reactive tree pruning, reactive tree removal, tree stump removal, pest control (Elm Leaf Beetle), tree root control, and tree report writing. These works are often seasonal and levels of service will vary depending on seasonal growth and unforeseen circumstances such as storm events.

Below are a list of all the services covered in this component and an explanation as to what is required by the tenderer:

- Tree Pruning and Removal

The Tenderer must remove or prune any tree nominated by Council officers. The Tenderer will be paid in accordance with the Schedule of Rates – Tree Removal and Pruning for the performance of this work.

- Stump Removal

The Tenderer must grind any stump nominated by Council officers. All contractors undertaking removal works must remove stumps within 4 weeks unless otherwise directed by Council. The Tenderer will be paid in accordance with the Schedule of Rates – Stump Grinding for the performance of this work.

- Pest Management

The tenderer must treat Elm trees as directed by Council officers. The treatment applied to each tree shall be nominated by the Project Officer – Trees. The tenderer will be paid in accordance with the Schedule of Rates – Elm Leaf Beetle/Pest Treatment for the performance of this work.

- Root Management

The tenderer shall selectively prune tree roots or install tree root barriers as directed by Council officers. The tenderer will be paid in accordance with the Schedule of Rates – Tree Root Control for the performance of this work.

- Tree Reports/Inspections

The tenderer shall undertake tree reports/inspections as directed by Council officers. Tree reports may vary from single trees through to many trees including whole reserves. The tenderer will be paid in accordance with the Schedule of Rates – Tree Reports for the performance of this work.

- After Hours

The tenderer successfully awarded the Lump Sum contract is obliged to have a crew that is available to attend afterhours works between the hours of 4pm and 7am including public holidays and weekends. This crew is to have a designated direct phone number for afterhours contact. The tenderer is expected to attend any tree related issues within an hour of the initial call for assistance.

The tenderer shall prune/remove trees to an acceptable level of risk as directed by Council officers. The tenderer will be paid in accordance with the Schedule of Rates – After Hours for the performance of this work.

Note: Tenderers delivering Schedule of Rates tree pruning services will also be able to respond to requests dependent on their availability and charge as per their Schedule of Rates for afterhours.

- Disposal of Mulch

In general, tree mulch is to be provided to the Knox City Council. However, the tenderer should allow for dumping of mulch generated from Knox tree works anywhere within the municipality during the course of work at no additional cost.

In the event that Council is unable to accept mulch, the tenderer will be paid in accordance with the Schedule of Rates – Disposal of Mulch per truck load. The tenderer must not dump or dispose of any mulch debris illegally.

2.2 Tenders

An invitation to tender notice was placed in *The Age* and the *Leader Group* of newspapers, commencing 4 April 2018, and concluding on 2 May 2018. At the time of closing, a total of 14 tenders were received.

2.3 Tenders Received

2.3.1 Lump Sum

The following parties tendered for the Lump Sum (Proactive Zone Pruning) component of Contract No. 2357:

1. Active Tree Services Pty Ltd
2. Batt Brothers Pty Ltd
3. Citywide Service Solutions Pty Ltd
4. Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS)
5. R & J Stewart Pty Ltd

2.3.2 Schedule of rates

The following parties tendered for the reactive (Schedule of Rates) component:

1. Active Tree Services Pty Ltd
2. Arbor Co Pty Ltd
3. Arbor Spray Pty Ltd
4. Asplundh
5. Batt Brothers Pty Ltd
6. Citywide Service Solutions Pty Ltd
7. Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS)
8. ENSPEC Pty Ltd
9. Greenscape Tree Consulting Pty Ltd
10. Herbamac Pty Ltd
11. Heritage Trees Pty Ltd
12. Just Roots Pty Ltd
13. R & J Stewart Travel Tower Hire Pty Ltd
14. Roger Greenwood Consulting

2.3.3 Evaluation Panel

The Tender Evaluation Panel consisted of the following members:

Name	Title	Organisational Unit
Lara Wilson	Acting Project Officer Trees	Active Open Space
Ryan Ferguson	Acting Capital Project Delivery Officer Arborist	Active Open Space
Peter Carlos	Acting Coordinator Active Open Space	Active Open Space
Kai Yap	Executive Engineer	Operations

Assisting the panel with matters of probity was Michele Colman – Acting Procurement Lead – Business and financial services.

All members of the panel signed the tender evaluation panel declaration form indicating that they had no conflict of interest or association with any tenderers.

2.3.4 Evaluation Criteria

The evaluation criteria, as listed in the Conditions of Tender, were assigned the following weightings:

- | | |
|--|-------------|
| 1. Project Delivery | 30% |
| 2. Price | 30% |
| 3. Relevant experience, past performance | 20% |
| 4. Equipment and human resources | 10% |
| 5. Quality Management | 10% |
| TOTAL | 100% |

2.4 Tender Evaluation Results

As noted, there are two components to Contract No. 2357. The first component is the Lump Sum component, which relates to programmed tree inspection and maintenance. The second component (Schedule of Rates) addresses reactive tree works arising from customer requests, internal asset inspection cycles and in house programs.

Outcomes of the evaluation for Contract No. 2357 are presented in the confidential attachment.

2.4.1 Lump Sum Component

This component relates to delivery of programmed tree inspections and maintenance works in accordance with Electrical Line Clearance Regulations (2015) and Council's Road Management Plan. The works are delivered under a Lump Sum payment arrangement and completed over a two year (2) period.

Type of Works	Recommended Tenderer
Lump sum tender	Active Tree Services Pty Ltd
Proactive zone pruning component to comply with Electrical Safety (Line Clearance 2015) and Council's Road Management Plan	

Active Tree Services Pty Ltd are known to Council and are a current provider of schedule of rate works under Contract No. 2188. Works are being delivered at a high standard. Active Tree Services Pty Ltd have 30 plus years of experience in delivering urban tree works in Victoria as well as other states. They have a number of large current arboriculture contracts with local councils and are performing to a satisfactory level according to referee checks.

2.4.2 Schedule of Rates Components

Type of Works	Recommended Tenderer
Tree Pruning & Removal	R&J Stewart Travel Tower Hire Pty Ltd Citywide Service Solutions Pty Ltd Active Tree Services Pty Ltd Batt Brothers Pty Ltd Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS)
Tree Stump Removal	Herbamac Pty Ltd

Type of Works	Recommended Tenderer
*the majority of works are associated with tree removal undertaken by the Lump Sum and reactive tree removal service providers	R&J Stewart Travel Tower Hire Pty Ltd Citywide Service Solutions Pty Ltd Active Tree Services Pty Ltd Batt Brothers Pty Ltd Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS)
Pest Control (Elm Leaf Beetle)	Arborspray Pty Ltd
Tree Root Control	Just Roots Pty Ltd
Tree Report Writing/Inspections	ENSPEC Pty Ltd
Afterhours <i>*Is mandatory for the Lump Sum service provider</i>	Active Tree Services Pty Ltd R&J Stewart Travel Tower Hire Pty Ltd Citywide Service Solutions Pty Ltd Batt Brothers Pty Ltd Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS)
Disposal of Mulch	Active Tree Services Pty Ltd R&J Stewart Travel Tower Hire Pty Ltd Citywide Service Solutions Pty Ltd Batt Brothers Pty Ltd Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS)

2.4.2.1 Tree Pruning and Removal

R&J Stewart Travel Tower Pty Ltd are a local business that have a long relationship with Council. They have carried out extensive tree services for a number of years and whilst not considered for the Lump Sum component due to a non-conforming tender, they are highly valued for their reactive services.

Active Tree Services Pty Ltd have been performing Schedule of Rates reactive tree works for Knox Council. Their performance has been of a high standard, and with the Lump Sum tender, will be more available for reactive works. They also have a number of large arboriculture contracts with neighbouring councils and are performing to a satisfactory level according to referee checks.

Citywide Service Solutions Pty Ltd are the incumbent contractor with Council and have delivered the service to a high standard in both the Lump Sum and Schedule of Rates components of the contract. They also have a number of large arboriculture contracts with neighbouring councils and are performing to a satisfactory level according to referee checks.

Batt Brothers Pty Ltd are based in the Gippsland region where they are highly considered by referees. They currently own land in Thomastown and are looking for land in Bayswater where they will hope to acquire local government contracts in the Melbourne areas. A family run company, their fleet and resources are impressive and should be in a more competitive space should they successfully relocate resources to Bayswater.

ETS are a large organisation with contracts in Victoria and New South Wales. Referee checks indicate that they are a professional well-equipped company delivering acceptable standards of work. ETS Pty Ltd were not successful for Lump Sum works, but are available for the Schedule of Rates components.

2.4.2.2 Stumps

The majority of stump removal works will be undertaken by Lump Sum and reactive tree removal service providers (see above), however, Council may require further stump grinding services for capital works and reactive works.

Herbamac Pty Ltd are currently engaged by Council performing ground maintenance activities. They have recently acquired Munch a Stump Pty Ltd, the incumbent preferred provider for stump grinding services. They have been under the supervision and guidance of Munch a Stump for the past 6 months and have performed to a satisfactory standard and can be utilised for any stumps not covered under the new contract arrangements.

2.4.2.3 Pest Management

Arborspray Pty Ltd are the incumbent contractor with Council and have delivered the service to a high standard in the Schedule of Rates components of the contract.

2.4.2.4 Root Management

Just Roots Pty Ltd are the incumbent contractor with Council and have delivered the service to a high standard in the Schedule of Rates components of the contract.

2.4.2.5 Tree Reports/Inspections

ENSPEC Pty Ltd are the incumbent contractor with Council and have delivered the service to a high standard in the Schedule of Rates components of the contract. They also have contracts with other Councils and are highly regarded in the arboriculture community.

2.4.2.6 Afterhours and Mulch Removal

These works are associated with the Lump Sum and reactive tree pruning and removal elements of Contract No. 2357 and were considered as part of tender evaluation for these components.

3. CONSULTATION

Consultation has occurred with stakeholders during the phases of tender preparation and advertising. Consultation has also occurred with the current project officers and the wider Parks management team during the evaluation phase to ensure a successful tendering process was achieved.

4. ENVIRONMENTAL/AMENITY ISSUES

Council currently manages approximately 66,000 street trees and 780 hectares of treed open space, which encapsulate the leafy green image of Knox. Electrical Line Clearance Regulations (2015) and Council's Road Management Plan require that all trees are managed to maintain specified clearances from infrastructure such as power lines, roads, footpath signage and lighting.

These works will benefit both the amenity and environmental components of Council's tree population through best practice management. Works within sites of biological significance are directed and overseen by Council's Bushland Management team and trees removals are off-set by Council's Street Tree Renewal and Infill Planting programs.

5. FINANCIAL & ECONOMIC IMPLICATIONS

Lump sum works are within the projected budget forecast for 2019/20. A savings of \$47,889.67 is anticipated for Lump Sum works over the initial contract term (July 1st 2018-June 30 2020).

Further projected savings of approximately \$40,000 per year from the reactive tree budget are also anticipated, given that 47% of stump removal works are now included in the Lump Sum cost.

Reactive works are estimated to cost \$1,300,000 per year. This is however likely to vary year by year given the influence of climatic conditions on works. Over the full contract term, these works are estimated to cost approximately \$5,200,000.

Over the life of the contract the full cost is estimated at \$9,200,000 for proactive and reactive works. Given the unstable nature of reactive works and the anticipated cost increase for proactive and reactive works due to the inclusion of stump removal in the works, a round figure of \$10,000,000 will provide a safety net for the program over the life of the contract.

This accords with the budget provision.

6. SOCIAL IMPLICATIONS

Studies have shown that trees have a positive impact on physical and mental health and improve social cohesion. Trees also benefit the population from an aesthetic, symbolic, and sensory perspective, providing the following benefits:

- By providing shade and cooling the air through transpiration, trees make our streets and homes cooler and help to combat the urban heat island effect, absorbing less heat than the built structures around them.
- The shade provided by trees reduces sun exposure and heat related illness.
- Trees reduce storm water flows and nutrient runoff that would otherwise end up in our waterways. Tree canopies absorb the impact of heavy rainfall and tree roots clean ground water, reducing the nitrogen, phosphorous and heavy metal content in our waterways.
- Trees clean the air, reducing pollutants through the process of photosynthesis, where harmful chemicals such as carbon dioxide, ozone and other greenhouse gasses are removed from the air and oxygen is released.

By reducing the need for air conditioning in warmer months, greenhouse gas emissions are further reduced by trees whilst cost of living is decreased.

- Street trees add natural character to our streets and create a sense of privacy and place, increasing aesthetic appeal and property values.
- Trees provide food, habitat and homes to a wide range of animals and indigenous trees are of particular benefit to local fauna.
- Street trees provide vital habitat corridors that allow animals to safely travel through our busy streets, keeping them safe from traffic and predators.

7. RELEVANCE TO KNOX COMMUNITY AND COUNCIL PLAN 2017-2021

Goal 1.

We value our natural and built environment.

Strategy 1.1 Protect and enhance our natural environment.

Strategy 1.2 Create a greener city with more large trees, indigenous flora and fauna.

Goal 6.**We are healthy, happy and well.**

Strategy 6.2 Support the community to enable positive physical and mental health.

8. CONFLICT OF INTEREST

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

Officer Responsible – Ian Bell, Director – Engineering & Infrastructure – In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author – Peter Carlos, Acting Coordinator – Active Open Space – In providing this advice as the Author, I have no disclosable interests in this report.

Author – Lara Wilson, Acting Project Officer – Trees – In providing this advice as the Author, I have no disclosable interests in this report.

9. CONCLUSION

Following the tender evaluation process, Active Tree Services Pty Ltd achieved the highest evaluation rating to deliver the Lump Sum component of Contract No. 2357 – Pruning of Trees and General Arboricultural Services.

It is recommended that the tender submitted by Active Tree Services Pty Ltd for the Price of \$1,687,390.38 including GST (\$1,533,903.78 ex. GST) be accepted for Contract No. 2357 – Pruning and General Arboricultural Services.

Following the tender evaluation process, the following tenderers achieved the highest evaluation rating to deliver the reactive components Lump Sum component of Contract No. 2357 – pruning of trees and it is recommended that Council accept their Schedule of Rates for the following services:

Tree Pruning & Removal

R&J Stewart Travel Tower Hire Pty Ltd
 Citywide Service Solutions Pty Ltd
 Active Tree Services Pty Ltd
 Batt Brothers Pty Ltd
 ETS

Tree Stump Grinding

**the majority of works are associated with tree removal undertaken by the Lump Sum and reactive tree removal service providers.*

Herbamac Pty Ltd
 R&J Stewart Travel Tower Hire Pty Ltd

Citywide Service Solutions Pty Ltd
Active Tree Services Pty Ltd
Batt Brothers Pty Ltd
ETS

Pest Control (Elm Leaf Beetle)

Arborspray Pty Ltd

Tree Root Control

Just Roots Pty Ltd

Report Writing/Inspections

ENSPEC Pty Ltd

Afterhours

**is mandatory for Lump Sum service provider.*

Active Tree Services Pty Ltd
R&J Stewart Travel Tower Hire Pty Ltd
Citywide Service Solutions Pty Ltd
Batt Brothers Pty Ltd
ETS

Each company selected is adequately resourced and available to successfully undertake this contract within the constraints of quality and cost as detailed in the contract documentation.

10. CONFIDENTIALITY

The Procurement Report (Appendix A), including the tendered prices, evaluation matrix and completed Panel Evaluation Form is provided separately to this report.

COMMITTEE RESOLUTION

MOVED: CR. TAYLOR

SECONDED: CR. KEOGH

That Council:

1. Resolve to award Contract No. 2357 as follows:

1.1 Lump Sum Contract – Proactive Zone Pruning Program

Accept the tender submitted by Active Tree Services Pty Ltd for a contract term of two years from 1 July 2018 to 30 June

2020, with the option of two (2) x one (1) year extensions at Council's discretion;

1.2 Schedule of Rates – Tree Pruning and Removal

Accept the tenders submitted by:

- **R&J Stewart Travel Tower Hire Pty Ltd;**
- **Citywide Service Solutions Pty Ltd;**
- **Active Tree Services Pty Ltd;**
- **Batt Brothers Pty Ltd; and**
- **Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);**

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion;

1.3 Schedule of Rates – Stump Removal

Accept the tenders submitted by:

- **Herbamac Pty Ltd;;**
- **R&J Stewart Travel Tower Hire Pty Ltd;**
- **Citywide Service Solutions Pty Ltd;**
- **Active Tree Services Pty Ltd;**
- **Batt Brothers Pty Ltd; and**
- **Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);**

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion;

1.4. Schedule of Rates – Tree Root Control

Accept the tender submitted by Just Roots Pty Ltd for the provision of Schedule of Rates tree root control for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.5 Schedule of Rates – Pest Control (Elm Leaf Beetle)

Accept the tender submitted by Arborspray Pty Ltd for the provision of Schedule of Rates stump pest control (elm leaf beetle) for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.6 Schedule of Rates – Tree Report Writing

Accept the tender submitted by ENSPEC Pty Ltd for the provision of Schedule of Rates tree report writing for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.7 Schedule of Rates – Afterhours

Accept the tenders submitted by:

- Active Tree Services Pty Ltd;
- R&J Stewart Travel Tower Hire Pty Ltd;
- Citywide Service Solutions Pty Ltd;
- Batt Brothers Pty Ltd; and
- Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

1.8 Schedule of Rates – Disposal of Mulch

Accept the tenders submitted by:

- Active Tree Services Pty Ltd;
- R&J Stewart Travel Tower Hire Pty Ltd;
- Citywide Service Solutions Pty Ltd;
- Batt Brothers Pty Ltd; and
- Falbury Pty Ltd as trustee for the KJ Wallace Discretionary Trust trading as ETS Vegetation Management (ETS);

for a contract term of two years from 1 July 2018 to 30 June 2020, with the option of two (2) x one (1) year extensions at Council's discretion.

2. Authorise the Chief Executive Officer to sign and seal the contracts on behalf of Council.
3. Advise all tenderers accordingly.

CARRIED

5. CONTRACT NO. 2357 – PRUNING AND GENERAL ARBORICULTURAL SERVICES

Confidential Appendix A is circulated under separate cover.

Official Minutes of Knox City Council

7. MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN**7.1 NOTICE OF MOTION – NO. 79****COUNCILLOR NOTIFICATION FOR SPECIFIC PLANNING APPLICATIONS****COMMITTEE RESOLUTION****MOVED: CR. PEARCE****SECONDED: CR. TAYLOR****That Council:**

1. Direct officers to notify the relevant Ward Councillor of any planning application for the development of 3 or more dwellings which:
 - a) May otherwise be determined under delegated authority;
 - b) Is located within the Knox Neighbourhood and Bush Suburban areas of the Knox Housing Strategy 2015; and
 - c) Where the officer recommendation is for approval of the application.
2. Acknowledge that the direct notification is to provide the Ward Councillor the opportunity to call up the application to be considered by Council in accordance with Planning Instrument of Delegation.
3. Require that notification to Councillors from officers must be by email, and Councillors must respond by email to officers.
4. Acknowledge that should a Councillor not respond to a notification within 72 hours of the email being sent, the application may be determined under delegated authority.

CARRIED

7.2 NOTICE OF MOTION – NO. 80**PARKING ENFORCEMENT IN GENISTA AVENUE, BORONIA****COMMITTEE RESOLUTION****MOVED: CR. LOCKWOOD****SECONDED: CR. PEARCE**

That Council place a moratorium on parking enforcement of the Green Zone Parking Restrictions in Genista Avenue, Boronia until such time as the planned Boronia Parking Management Plan is implemented

CARRIED**8. SUPPLEMENTARY ITEMS**

Nil.

9. URGENT BUSINESS**9.1 URGENT BUSINESS**

Nil.

9.2 CALL UP ITEMS

Nil.

Official Minutes of Knox City Council

**AS PER THE PROCEDURAL MOTION ITEM 6 – CONFIDENTIAL ITEMS WAS
CONSIDERED AFTER ITEM 9.2 CALL UP ITEMS**

PROCEDURAL MOTION

CLOSURE OF MEETING

MOVED: CR. PEARCE

SECONDED: CR. TAYLOR

That in accordance with Sections 89(2)(a) and (2)(h) of the Local Government Act 1989, that the meeting be closed to members of the public to consider a report on a personnel matter and a report that may prejudice the Council.

CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 7.23PM

6. CONSIDERATION OF CONFIDENTIAL REPORTS

6.1 PERSONNEL MATTER

6.2 PROPERTY MANAGEMENT MATTER

PROCEDURAL MOTION

MOVED: CR. PEARCE

SECONDED: CR. TAYLOR

That the meeting be re-opened to the Public.

CARRIED

THE MEETING REOPENED TO THE PUBLIC AT 7.30PM

MEETING CLOSED AT 7.30PM

Minutes of Meeting confirmed at the
Strategic Planning Committee Meeting
held on
Monday 9 July 2018

.....
Chairperson