



# MELTON CITY COUNCIL

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**Minutes of the Ordinary Meeting of the  
Melton City Council**

**18 December 2017**

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**THESE MINUTES CONTAIN REPORTS DEALT WITH AT A  
CLOSED MEETING OF COUNCIL**

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## MELTON CITY COUNCIL

### MINUTES OF THE ORDINARY MEETING OF THE MELTON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, 232 HIGH STREET, MELTON ON 18 DECEMBER 2017 AT 7.00PM

**Present:** Cr B Turner (Mayor)  
Cr K Hardy (Deputy Mayor)  
Cr S Abboushi  
Cr L Carli  
Cr M De Santis  
Cr G Kesic (arrived at 7.34pm)  
Cr K Majdlik  
Cr M Mendes  
Cr S Ramsey

Mr K Tori, Chief Executive Officer  
Mr P Bean, General Manager Corporate Services  
Mr M Heaney, General Manager Community Services  
Mr L Shannon, General Manager Planning and Development  
Ms LJ Mellan, Manager City Design, Strategy and Environment  
Ms C Denyer, Manager Legal and Governance  
Mr D Hogan, Manager Engagement and Advocacy  
Ms E Haley, Communications Coordinator

#### 1. OPENING PRAYER AND RECONCILIATION STATEMENT

The Mayor, Cr Turner read the opening prayer and reconciliation statement.

#### 2. APOLOGIES AND LEAVE OF ABSENCE

Cr Kesic (subsequently arrived late)

#### 3. CHANGES TO THE ORDER OF BUSINESS

##### **Procedural Motion**

Crs Abboushi/Majdlik.

That Item 12.18, 'Application S173/2017/11/1 – Amendment to an Existing Section 173 Agreement by removing the definition of 'Residential Lot' to facilitate further subdivision of the Land at 13-15 Diggers Rest-Coimadai Road Diggers Rest', be heard earlier under Item 12 'Presentation of Staff Reports'

CARRIED

##### **Procedural Motion**

Crs Abboushi/Majdlik.

That in the spirit of transparency and accountability to our residents, that Item 19.8 'Code of Conduct Proceedings' be heard under Item 12 'Presentation of Staff Reports' after Item 12.9 and

that the Appendix to the 'Code of Conduct Proceedings' report be not Confidential.

LOST on the Mayor's Casting Vote

Cr Carli called for a division thereby setting aside the vote.

**For:**

Crs Abboushi, Carli, De Santis and Majdlik.

**Against:**

Crs Hardy, Mendes, Ramsey and Turner.

LOST on the Mayor's Casting Vote

#### 4. DEPUTATIONS

The Mayor, Cr Turner presented trophies to the winners of the Djerriwarrah Festival Street Parade under the following categories:

**Most Outstanding Achievement** - Dream Big

**Outstanding School Award** – Melton South Primary School

**Community Spirit Award** – Combined Churches Melton City Council

**Best Themed** – Women Making it Happen

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

Cr De Santis declared she had a conflict of interest in Item 19.3 'Minutes of the Property Development Advisory Committee' of this Agenda.

Cr Abboushi declared that he intended to call a procedural motion to be excused from the Chamber prior to Item 19.7 'Melbourne Regional Landfill – Judicial Review' of this Agenda by reason of a conflicting personal interest.

#### 6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of Council held on 13 November 2017 be confirmed as a true and correct record.

**Motion**

Crs Majdlik/Ramsey.

That the recommendation be adopted.

CARRIED



## 7. RECORD OF ASSEMBLY OF COUNCILLORS

### 7.1 RECORD OF ASSEMBLY OF COUNCILLORS IN ACCORDANCE WITH SECTION 80A(1) OF THE LOCAL GOVERNMENT ACT 1989

- 9 November 2017 Record of Assembly of Councillors
- 10 November 2017 Record of Assembly of Councillors
- 13 November 2017 Record of Assembly of Councillors
- 20 November 2017 Record of Assembly of Councillors
- 27 November 2017 Record of Assembly of Councillors
- 4 December 2017 Record of Assembly of Councillors
- 11 December 2017 Record of Assembly of Councillors

#### **RECOMMENDATION:**

That the Record of Assembly of Councillors dated 9 November, 10 November, 13 November, 20 November, 27 November, 4 December and 11 December 2017 attached to this Agenda be received and noted.

#### **Motion**

Crs Majdlik/Carli.

That the recommendation be adopted, with a note to show that Cr Majdlik was absent from the meeting of 10 November 2017.

CARRIED

#### **LIST OF APPENDICES**

1. 9 November 2017 Record of Assembly of Councillors
2. 10 November 2017 Record of Assembly of Councillors
3. 13 November 2017 Record of Assembly of Councillors
4. 20 November 2017 Record of Assembly of Councillors
5. 27 November 2017 Record of Assembly of Councillors
6. 4 December 2017 Record of Assembly of Councillors
7. 11 December 2017 Record of Assembly of Councillors

**8. CORRESPONDENCE INWARD**

Nil.

**9. PETITIONS AND JOINT LETTERS****9.1****Motion**

Crs Ramsey/Hardy.

That Council note the advice provided by Council Officers in relation to this matter.

CARRIED

**9.2****Motion**

Crs Hardy/Ramsey.

That Council receive and note the Joint Letter received, ask Officers to prepare a report to come back to the next Ordinary Meeting of Council.

CARRIED

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

Nil.

Cr Ramsey left the Chamber at 7.27pm.

Cr Ramsey returned to the Chamber at 7.28pm.

**11. PUBLIC QUESTION TIME**

<b>Name</b>	<b>Question asked of Council</b>
David O'Connor	Consideration of the 'Tiny House Revolution' within the City of Melton.
David O'Connor	Investigate the need for further speed limit signage on Plumpton Road between Keilor-Melton Road and Coimadai Road.
Allen Fairweather	Council's policy on small wind turbine generators.
Mario Cachia	Affordable housing within the Rockbank and Deanside suburbs of the City of Melton.
Mario Cachia	Swimming pool within the City of Melton.

**Procedural Motion**

Crs Ramsey/Majdlik.

That the recommendations as printed in Item 12.1, 12.7, 12.8, 12.9, 12.11, 12.15 and 12.19 be adopted en bloc.

CARRIED

**12. PRESENTATION OF STAFF REPORTS**

That Item 12.18 was brought forward pursuant to an earlier resolution.

**12.18 PLANNING APPLICATION PA S173/2017/11/1 - AMENDMENT TO AN EXISTING SECTION 173 AGREEMENT BY REMOVING THE DEFINITION OF 'RESIDENTIAL LOT' TO FACILITATE FURTHER SUBDIVISION OF THE LAND AT 13-15 DIGGERS REST-COIMADAI ROAD DIGGERS REST**

Author: Simon Temple - Principal Planner

Presenter: ~~Bob Baggio – Manager Planning Services~~  
Laura-Jo Mellan – Manager City Design, Strategy and Environment

**PURPOSE OF REPORT**

To consider and determine the above application.

**RECOMMENDATION:**

That Council pursuant to Section 178A(3) of the *Planning and Environment Act 1987*, notify the owners that it does not agree in principle to the amendment of the Section 173 Agreement relating to the property at 13-15 Diggers Rest-Coimadai Road, Diggers Rest as outlined in this report.

**Motion**

Crs Ramsey/Hardy.

That Council note the applicants' withdrawal of the above application.

CARRIED

**REPORT****1. Background****Executive Summary**

Applicant:	Insight Planning Consultants Pty Ltd
Proposal:	Amend existing Section 173 Agreement to facilitate further subdivision of the land.
Existing Land Use:	Vacant
Zone:	General Residential Zone (Schedule 1)

Overlays:	Melbourne Airport Environs Overlay (Schedule 2)
Number of Objections:	Two
Key Planning Issues:	Contents of the Section 173 Agreement Impacts of the proposal on the current and future operations of Melbourne Airport. Appropriateness of the land for further subdivision. Whether consideration should be given to rezoning the land for non-residential purposes.
Recommendation:	Council does not provide in principle support to amend the Section 173 Agreement.

In 2015, the applicant submitted a similar request to Council seeking to amend the agreement to remove the definition of 'Residential Lot' to enable residential development of the land into lots of less than 2000 square metres in area. Council Officers proceeded to notify the Commonwealth and State Governments, Department of Environment, Land, Water and Planning (DELWP) and Melbourne Airport of the request.

These authorities raised concerns with Council that amending the agreement would have an adverse impact on the long term use and expansion of Melbourne Airport including its current curfew free status and operation by significantly increasing the number of people that would be directly affected by aircraft noise.

Based on these concerns, Council Officers advised the applicant in writing on 6 July 2015 that although an application can be made to Council to amend the agreement, Council Officers would be recommending to Council that it would not provide 'in principle support' to amend the Agreement.

### **The Land and Surrounding Area**

The subject site has an area of 43.47 hectares and is located on the southern side of Diggers Rest-Coimadai Road in Diggers Rest approximately 180 metres south-west of Diggers Rest Railway Station. Other features of the site are as follows:

- The site is irregular in shape and predominantly vacant except for scattered buildings and established vegetation located in the northern (front) portion of the subject land.
- A 10 metre wide carriageway easement is located across the north-east corner of the subject land.

The surrounding area can be characterised as a mix of residential (current and future) and rural land use and development. Land directly north of the site on the opposite side of Diggers Rest-Coimadai Road and land adjoining the north-east boundary of the site in Tame Street consists of established residential development comprising predominantly single detached dwellings. Land to the north-west forms part of the approved Diggers Rest Precinct Structure Plan and is in the process of being developed for residential purposes (St Genevieve estate) along with a future Town Centre, sporting facilities, public open space, schools and other community facilities.

The adjoining land to the east consists of the Sunbury Railway line, rural residential land use and development comprising a single dwelling with associated outbuildings and low density residential development further east as part of the Punjel Drive estate. The adjoining land to the south is vacant and used for rural purposes. The adjoining land to the west is a triangular shaped lot containing a number of single storey detached dwellings with associated outbuildings directly fronting Diggers Rest-Coimadai Road and a larger lot containing a single dwelling with associated outbuildings fronting Plumpton Road.

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

### The Application

The application proposes to amend the existing Section 173 Agreement registered on the Certificate of Title for the subject land.

The proposal is summarised as follows:

- Remove the definition of 'Residential Lot' from the agreement which, the agreement defines as a lot on a plan of subdivision having an area of not less than 0.2 hectares (2,000 square metres).

In summary, the Agreement was put in place to allow the future residential subdivision of the land subject to the preparation of an Overall Development Plan (ODP) generally in accordance with the Diggers Rest Local Structure Plan (1996).

Refer to **Appendix 2** for the Section 173 Agreement.

### Is the land affected by a Restrictive Covenant?

The land is not affected by a Restrictive Covenant, however, the land is affected by the Section 173 Agreement being sought to be amended. The agreement dates to January 1998 so is almost 20 years old. The agreement requires the owner of the land to prepare and submit the following to Council prior to the lodgment of any planning application for residential subdivision of the subject land:

- Site context and site analysis plans.
- Written statement of how the proposed residential subdivision responds to the Diggers Rest Local Structure Plan.
- An Overall Development Plan (ODP) addressing traffic control/management, limitation on the number of additional lots with access to Tame Street, drainage, fencing (reserves), land management and environment protection, provision of hydraulic services, acoustic fencing adjacent to the railway line, landscape buffer zone (southern boundary), environmental matters required by the Environment Protection Authority, open space contribution, community contribution to works or services, use and development of land in accordance with any approved ODP and a noise attenuation study of the subject land.

### Planning Controls

Zone	(Clause 32.08 – General Residential Zone)	A permit is required to subdivide land under the zone.
Overlays	(Clause 45.08 – Melbourne Airport Environs Overlay (Schedule 2))	A permit is required to subdivide land. Each lot must be at least 300 square metres in area.
<i>Planning and Environment Act 1987</i>	Section 178A	Applicant has sought amendment of the Section 173 Agreement to facilitate the subdivision of land into higher density lots than the current agreement allows for.

### Is the land of Cultural Heritage Sensitivity?

The land is considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007* and a cultural heritage management plan would need to be prepared and approved by Aboriginal Affairs Victoria and submitted to Council as part of any future planning permit application for a residential subdivision of the subject land.

## 2. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

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

## 3. Financial Considerations

No Council related financial considerations are involved with the application.

## 4. Consultation/Public Submissions

### Public notification of the application

The application will be placed on public notification to all parties of the agreement and others who may be materially affected if Council provides 'in principle' support to amend the agreement.

### Referral of the application

Notwithstanding the above, the application was referred to Council's City Design Unit and Council's Heritage Advisor for consideration and advice. The application was sent to Melbourne Airport as it was deemed that they would have an interest in the application. The Department of Environment, Land, Water and Planning (DELWP) also became aware of the application.

Of particular note are the responses received from Melbourne Airport Corporation and DELWP objecting to the application on the basis that the proposal would adversely impact on the current and future operations of Melbourne Airport and is inconsistent with relevant state planning policies.

Refer to **Appendix 3** for the Melbourne Airport letter to Council and **Appendix 4** for the DELWP letter to Council.

## 5. Issues

### Planning Assessment

This application is a repeat of a similar request received by Council in 2015 to amend the Section 173 Agreement affecting the subject land to remove the definition of Residential Lot and allow the further residential subdivision of the land into lots of less than 2,000 square metres in area. An indicative subdivision layout plan has been submitted as part of this application, however, is not for consideration as part of this application.

The proposal is inconsistent with relevant state and local planning policies outlined under the Melton Planning Scheme, in particular, Clause 18.04 of the Scheme which aims to strengthen the role of Melbourne Airport in the state's economic and social infrastructure and protect the ongoing operations of the airport including its current curfew free operation and status.

By removing the definition of Residential Lot and the minimum lot size envisaged for the site, it opens the door for a significant increase in the number of lots and dwellings. While this may seem appropriate given that the subject land has good access to transport and services, it will significantly increase the number of dwellings that could be accommodated on the land and significantly increase the number of people that would be directly affected by aircraft noise. Therefore, the proposal has the potential to prejudice the optimum use of the airport and its current curfew free operation and ongoing curfew free status.

The proposal is also inconsistent with the National Airports Safeguarding Framework (2012). The purpose of the framework is 'to enhance the current and future safety, viability and growth of aviation operations at Australian Airport'. This is achieved through promoting best practice for land use assessment and decision making in the vicinity of airports, achieving community safety and amenity near airports, and understanding and recognition of aircraft noise impacts in land use and related planning decisions. The proposal would not be in keeping with best practice in terms of appropriate land use and development in proximity to airports or recognising aircraft noise impacts.

Section 178B(1) of the *Planning and Environment Act 1987* outlines the matters which Council must consider in relation to an application to amend a Section 173 Agreement. The purpose of the agreement is to facilitate the further residential subdivision of the land for low density residential purposes into lots within a minimum area of 2,000 square metres in accordance with an Overall Development Plan (ODP) which must be prepared for the land. This ODP must be generally in accordance with the Diggers Rest Local Structure Plan (1996).

There has been a change in planning circumstances with the land rezoned from Residential 1 Zone to General Residential Zone (Schedule 1). However, this change is not considered significant enough to necessitate amending the agreement as there has been no changes to the subdivision requirements of the zone.

The subject land remains affected by the Melbourne Airport Environs Overlay (Schedule 2) pursuant to the Melton Planning Scheme which allows land to be subdivided, provided that the minimum size of each lot is at least 300 square metres in area.

The application has been sent to Melbourne Airport who has advised Council that there has been no change to its position since the previous request to amend the agreement in 2015. Melbourne Airport objects to the proposal on the basis that it will result in a significant increase in the number of dwellings that could be accommodated on the land and a significant increase in the number of people that will be affected by aircraft noise in terms of Australian Noise Exposure Forecast (ANEF) contour levels and N contour noise levels that measure aircraft noise over the course of a year and at a day to day level (including day time and night time noise) respectively.

Advice has also been received from the Department of Environment, Land, Water and Planning (DELWP) who object to the proposal on the basis that it is inconsistent with Plan Melbourne and state planning policies aimed at recognising Melbourne Airport as being of state significance and ensuring that the ongoing 24 hour curfew free status of the airport is maintained and protected. In September 2017, the Minister for Planning advised all Councils within the Melbourne Airport Environs Overlay on the status of the airport's planning for a third runway and the preparation of the 2018 Master Plan to highlight the importance of preserving and protecting the airport and its operations.

In light of the opposition from Melbourne Airport and DELWP to the proposal, the removal of the definition of Residential Lot from the agreement to facilitate the subdivision of the land into lots less than 2,000 square metres in area is not considered to be proper or orderly planning and will adversely impact on the current and future operations of the airport.

Further consideration may need to be given to determining a suitable use and development of the land for non-residential purposes based on its proximity to the Diggers Rest Railway Station, Calder Freeway, the buffer provided by adjoining green wedge land to the east, south and west and achieving a suitable interface with established residential development to the north and north-east and recent and future urban development to the north-west as part of the approved Diggers Rest Precinct Structure Plan.

## 6. Options

Council can either agree in principle to the proposal, which will enable it to be assessed

further by Council Officers, or not agree in principle to the proposal in which case, it will not proceed any further. The applicant has no appeal rights if the matter does not proceed any further.

## **7. Conclusion**

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

The application has also been assessed against the requirements outlined under Section 178 of the *Planning and Environment Act 1987*.

It is considered that the proposal generally does not comply with the relevant requirements of the Planning Scheme and does not facilitate an acceptable planning outcome.

Therefore, it is recommended that Council does not provide in principle support for amending the Agreement.

## **LIST OF APPENDICES**

1. Appendix 1 - Locality Map - dated 29 November 2017
2. Appendix 2 - Section 173 Agreement - dated 5 January 1998
3. Appendix 3 - Melbourne Airport letter to Council - dated 5 October 2017
4. Appendix 4 - DELWP letter to Council - dated 17 October 2017



## 12.1 AUTHORISING THE AFFIXING OF THE COMMON SEAL OF COUNCIL

Author: Dominique Roberts - Governance Officer  
Presenter: Kel Tori - Chief Executive Officer

### PURPOSE OF REPORT

For Council to adopt the schedule of documents requiring the Common Seal of Council.

### RECOMMENDATION:

That the Council Seal be affixed to the documentation as detailed in the Schedule for Authorising of Affixing of the Common Seal of Melton City Council dated 18 December 2017.

#### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

Documents requiring the Common Seal to be affixed are detailed in **Appendix 1**.

### 2. Background/Issues

Use of the Council Seal is required where Council, as a body corporate, executes a document.

The *Local Government Act 1989* (s.5(2) and (3)) prescribes that a Council must have a common seal, and that the common seal must –

- a. bear the name of the Council (which name may refer to the inhabitants of the municipal district) and any other word, letter, sign or device the Council determines should be included
- b. be kept at the Council office
- c. be used in accordance with the local laws of the Council.

Council's Meeting Procedure Local Law (2013) prescribes the use of Council's Common Seal and the authorised officers who must be present and sign every document to which the common seal is affixed.

### 3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability .

*5.3 Effective civic leadership, advocacy, partnerships and good governance.*

**4. Financial Considerations**

There are no financial considerations relating to the use of the Council Seal.

**5. Consultation/Public Submissions**

Not applicable.

**6. Risk Analysis**

Ensuring that the Council Seal is only affixed in accordance with a resolution of Council controls the potential risk of the Seal being incorrectly affixed to a document.

**7. Options**

Not applicable.

**LIST OF APPENDICES**

1. Authorising and Affixing the Common Seal of Council - dated 18 December 2017

Cr Kesic arrived at the meeting at 7.34pm.

## 12.2 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Tracy Spiteri - Governance Coordinator  
Presenter: Kel Tori - Chief Executive Officer

### PURPOSE OF REPORT

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

### RECOMMENDATION:

That Council:

1. note the minutes of Advisory Committee meetings at **Appendix 1, 2, 3 and 4**
2. adopt recommendations arising within the Minutes.

### Motion

Crs Majdlik/Carli.

That Council:

1. note the minutes of Advisory Committee meetings at **Appendices 1, 2, 3 and 4**
2. adopt recommendations arising within the minutes, excluding recommendation 6.2 of the Policy Review Panel minutes, so as to adopt the Community Benefits Grant Programs as two separate grants being:
  - i. The Club Caroline Springs
  - ii. HRV/Tabcorp Park,and amend the Community Grants Program Policy at 7.2 to reflect the separation of the two grant programs.
3. further amend the said Policy so that Semi-Annul Grants and the Community Grants Program panels, that have community representatives, require one representative from each ward.

CARRIED

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## REPORT

### 1. Executive Summary

In accordance with section 3(1) of the *Local Government Act* 1989 (the Act), Council may establish a) Advisory Committees for the purpose of providing advice, or b) Special Committees which are delegated powers, duties or functions of Council. The establishment of an Audit Committee, considered an Advisory Committee of Council, is dealt with under section 139 of the Act.

A Council appointed Advisory Committee meeting where at least one Councillor attends and which considers matters that are intended or likely to be the subject to a decision of Council, is considered an assembly of Councillors. In accordance with section 80A of the Act, a

written record of an assembly of Councillors must, as soon as practicable, be reported at an ordinary meeting of the Council. The minutes of the Advisory Committees attached to this report forms the written record of the assembly detailing matters considered and any Councillor conflicts disclosed.

## 2. Background/Issues

Advisory Committees are established by a resolution of Council. The role of an Advisory Committee, including the limits of power, are clearly defined in the Terms of Reference adopted by Council.

The membership of Committees will vary depending upon its specific role. Committee membership will generally comprise a Councillor/s, council staff and community representatives and may include key stakeholders, subject matter experts and/or community service providers and organisations.

Councillor representation on Advisory Committees is generally for one year and is reviewed annually at the Statutory Meeting of Council. Councillor representation on current Council Committees and to other organisations for 2017 were adopted by Council at the Ordinary Meeting held 21 November 2016.

Advisory Committees meet regularly during the year and minutes of all meetings are scheduled to be presented at the next Ordinary Meeting of Council.

Advisory Committee Meetings minutes attached to this report for Council acknowledgement and endorsement:

Meeting Date	Advisory Committee	Attached
18 October 2017	Heritage Advisory Committee Meeting Minutes	Appendix 1
24 October 2017	Family Violence Committee Meeting Minutes	Appendix 2
22 November 2017	CALDAC Advisory Committee Meeting Minutes	Appendix 3
13 December 2017	Policy Review Panel Meeting Minutes	Appendix 4

## 3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability

*2.3 Facilitate community engagement in planning and decision making.*

## 4. Financial Considerations

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

## 5. Consultation/Public Submissions

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

## **6. Risk Analysis**

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

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

## **7. Options**

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

## **LIST OF APPENDICES**

1. Heritage Advisory Committee Meeting Minutes - dated 18 October 2017
2. Family Violence Advisory Committee Meeting Minutes - 24 October 2017
3. CALDAC Advisory Committee Meeting Minutes - 22 November 2017
4. Policy Review Panel Meeting Minutes - dated 13 December 2017

### 12.3 RESPONSE TO NOTICE OF MOTION 481 - REVIEW OF BURNSIDE HEIGHTS RECREATION RESERVE MASTER PLAN

Author: Glenn Mulcahy - Recreation Coordinator  
Presenter: Maurie Heaney - General Manager Community Services

#### PURPOSE OF REPORT

To provide Council a response to Notice of Motion 481 (Cr Majdlik) tabled at the Ordinary Meeting of Council on 29 May 2017.

#### RECOMMENDATION:

That Council:

1. Note the officer report regarding status and implementation of the Burnside Heights Master Plan.
2. Refer the construction of an informal training space to the 2018 /2019 budget process for consideration.

#### Motion

Crs Majdlik/Abboushi.

That Council:

1. Note the officer report regarding status and implementation of the Burnside Heights Master Plan.
2. Refer the construction of an informal training space to the 2018 /2019 budget process for consideration.
3. Refer the shelter provision for players and spectators on both ovals, request for a concrete hard stand to replace granite rock outside the social space and tree planting to create wind breaks and canopy cover, to the 2018/2019 budget process for consideration.

CARRIED

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## REPORT

### 1. Executive Summary

This report has been prepared in response to Notice of Motion 481, tabled at the Ordinary Meeting of Council on 29 May 2017.

*'That Council Officers:*

1. *Provide Councillors with a briefing and subsequent report in relation to the Master Plan for the Burnside Heights Recreation Reserve pavilion and grounds, reviewing and updating in consultation with the main users any items that have not yet been completed, to ensure what is proposed in the Master Plan is still relevant and required in the current environment.*
2. *Include in the report/briefing the costs associated in enabling the area that was originally proposed for a 'community youth activity node' into a basic and safe training area (in consultation with the Burnside Bear's President)'*

This report provides Councillors with the work undertaken in relation to Notice of Motion 481 and recommendations are presented to Council for consideration.

## 2. Background/Issues

This report provides Councillors with the status of implementation of the Burnside Heights Recreation Reserve Master Plan, and outlines the investigation undertaken to provide an indicative cost of construction of space originally proposed for a Youth Node into a basic and safe training area.

Council adopted the Burnside Heights Recreation Reserve Master Plan at the Ordinary Council Meeting of 20 September 2012.

The aim of the 2012 Master Plan was to integrate these facilities into the landscape and provide a space which caters to a broad range of activities and user groups, whilst encouraging shared use of spaces and intergenerational connection.

The spaces have been designed so that diverse user groups and their associated activities can overlap, while still providing distinct areas which cater to specific user groups. The Master Plan at the time identified a future Community Youth Activity Node (CYAN). Due to the change in demographic and due to new skate facilities being provided at Taylors Hill, there is no longer a requirement to deliver the CYAN at this reserve.

A large percentage of initiatives have been delivered related to the Master Plan, such as:

- Two active sporting ovals
- Community pavilion
- Stage 1 car parking
- Extensive pathways
- Playground
- Sports cube inclusive of cricket training nets

From the original Master Plan that was endorsed in 2012, Officers have been well engaged with Scouts which will see a Scout's Activity Centre being delivered on the site. This is planned to commence early in 2018.

Council's current 10 year capital works plan has further development of the Reserve identified in the upcoming years including:

- Stage 2 car parking is currently highlighted in the 2018 / 2019 financial year for delivery

Primary tenant user groups, Burnside Heights Football Club (BHFC) and Burnside Springs United Cricket Club (BSUCC) have increased their membership considerably since they first commenced activities at the reserve in 2011. Both clubs have highlighted several priorities on the Master Plan that are yet to be completed, as well as opportunities for future reserve development.

BSUCC have identified a number of items with regard to future development priorities. The main priorities include:

- Shelter provision for players and spectators on both ovals
- Request for a concrete hard stand to replace current granitic rock outside of the social space
- Tree planting to create wind breaks and canopy cover

The BHFC have identified lack of training space in the off season as an issue restricting further club growth. In consultation with the BHFC, officers have identified an applicable area

of space adjacent to the active playing fields that could be utilised to construct a basic and safe training area.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
  - 1.5 *Environments that enable and encourage positive public health and wellbeing outcomes.*

### **4. Financial Considerations**

In relation to Notice of Motion 481 and costs for training areas, it is estimated that the costs would be approximately \$43,000. These costs include a large component for irrigation (**Appendix 1**).

### **5. Consultation/Public Submissions**

As requested in the Notice of Motion a briefing of Council was provided on Monday 20 November 2017 on a number of mater plans including the Burnside Heights Recreation Reserve.

The BHFC President and BSUCC President have been informed of Notice of Motion 481 tabled at the Ordinary Meeting of Council of 29 May 2017. The BHFC are supportive of the inclusion of the training area into the reserve. The Training area does not impact existing or future use by the BSUCC.

### **6. Risk Analysis**

Not applicable.

### **7. Options**

Council has the option to endorse the Officers Recommendation provided.

### **LIST OF APPENDICES**

1. Proposed Training Field Burnside Heights Recreation Reserve - undated



## **12.4 RESPONSE TO NOTICE OF MOTION 509 – INVESTIGATE OPTIONS FOR RECOMMISSIONING OF THE FOUNTAIN AT THE FRONT LAKE, CAROLINE SPRINGS**

**Author: Les Stokes - Manager Operations**

**Presenter: Luke Shannon - General Manager Planning & Development**

### **PURPOSE OF REPORT**

To respond to Notice of Motion 509 (Cr Majdlik), providing a range of options for the recommissioning of the defunct fountain at Springlake, Caroline Springs, including cost estimates and an assessment of each for consideration by Council.

### **RECOMMENDATION:**

That the Springlake fountain remain inoperable.

#### **Motion**

Crs Majdlik/Abboushi.

That:

1. the recommissioning of the fountain as per option 1, with the more energy efficient pump, be referred to the 2018/2019 budget discussion for consideration.

**CARRIED**

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## **REPORT**

### **1. Executive Summary**

The fountain at Springlake Reserve was originally installed by Delfin the land developer in 1999. At the time of construction the land sales office was adjacent to the lake and the fountain assisted in the marketing of the Caroline Springs estate. The fountain served no purpose to improve the water quality. When the developer obligations ceased in the estate in 2013 Melbourne Water did not continue the operation of the fountain.

### **2. Background/Issues**

Melbourne Water remains the responsible authority for the body of water in Springlake Reserve. Recent communication with Melbourne Water suggests that their position has not changed and they do not intend to operate the fountain.

Melbourne Water has expressed no objection to Council electing to operate the fountain provided it is switched off at times when water quality is low which typically occurs for about 2 months of the year. Any costs associated with the operation, maintenance or renewal of the fountain and supporting infrastructure would be borne solely by Council.

The fountain has not operated for a number of years and is not considered to be in working order. Preliminary investigations have been made, however to understand the full extent of any defects divers would be required to verify the specific nature of repairs. The figures provided in this report are therefore estimates only. Council Officers engaged the services of

an Electrician, Plumber and Pump Specialist to assist in the compiling the data for this assessment.

The following options were assessed by Council Officers:

1. Return the Fountain to full operation
2. Replace the fountain with a smaller fountain
3. Leave the fountain off.

#### **Option 1: Return the Fountain to full operation**

There are a number of costs, both capital and operational that will be incurred in returning the fountain to its former operation.

Investigation Works (Use of Divers)	\$10,000
Replacement Pump (Supply)	\$15,000
Replacement Pump (Install)	\$10,000
Wind Sensor	\$9,000
<b>TOTAL CAPITAL</b>	<b>\$44,000</b>
Running Costs (Power)	\$18,000 p/a
Service Costs (Maintenance)	\$5,000 p/a
<b>TOTAL ANNUAL COST</b>	<b>\$23,000 p/a</b>

There are now more energy efficient pumps that can replicate the function of the former fountain and reduce the operational costs of the fountain, however this will come at a higher capital cost. The cost breakdown for this operation is shown below and should Council wish to return the fountain to full operation, this installation would be preferred.

Investigation Works (Use of Divers)	\$10,000
Replacement Pump (Supply)	\$40,000
Wind Sensor	\$9,000
Replacement Pump (Install)	\$10,000
<b>TOTAL CAPITAL</b>	<b>\$69,000</b>
Running Costs (Power)	\$8,000 p/a
Service Costs (Maintenance)	\$5,000 p/a
<b>TOTAL ANNUAL COST</b>	<b>\$13,000 p/a</b>

#### **Option 2: Replace the fountain with a smaller fountain**

Due to the significant height of the fountain in its former operation, water spray and drift sometimes occurred across the paths adjacent to the lake. Melbourne Water will require Council to cease operation in the event that the water quality deteriorated to a level where human contact is best avoided. Information on this is readily available from Melbourne Water. To better manage this a smaller fountain, as shown in **Appendix 1 (Photo 1)** could be installed to mitigate any risk or nuisance associated with this.

Investigation Works (Use of Divers)	\$10,000
Replacement Pump (Supply)	\$20,000
Replacement Pump (Install)	\$10,000
<b>TOTAL CAPITAL</b>	<b>\$40,000</b>

Running Costs (Power)	\$6,000 p/a
Service Costs (Maintenance)	\$5,000 p/a
<b>TOTAL ANNUAL COST</b>	<b>\$11,000 p/a</b>

### Option 3: Leave the fountain off

The water fountain at Springlake provides no benefit from a water quality perspective. It is therefore a question as to whether or not the cost to re-instate a fountain and keep it operational are worth the minimal benefits it would achieve.

It is Officers view that the Springlake Reserve as shown in **Appendix 1 (Image 2)** presents an attractive and enjoyable open space experience without the presence of a fountain. The costs associated with the renewal and operation of the fountain are considered excessive. The user experience will not be significantly improved by activation of the water fountain.

In addition to the operation costs, Council should also have consideration to the energy demands of the daily operation of the fountain and the subsequent carbon emissions that result from this.

## 3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
  - 1.1 *A community where all people feel welcome, valued and proud.*

## 4. Financial Considerations

Any option to reinstate the operation of a fountain will require Capital funds and ongoing maintenance expenditure, all of which will need to be budgeted for in the 2018/19 budget, should Council choose one of these options.

## 5. Consultation/Public Submissions

Since the fountain ceased to operate there has been only a small number of enquiries regarding its ceased operation. There are currently no outstanding enquiries.

## 6. Risk Analysis

If Council chooses to reinstate the operation of a fountain, it is strongly recommended that the smaller fountain in option 2 be selected to assist in mitigating the risk of human contact with water that may present a health concern.

## 7. Options

Officers consider that the leaving the fountain off to be the most appropriate position to take. Should Council elect to reinstate a fountain at Springlake, they have the following options:

- That Council include \$69,000 in the 18/19 budget to reinstate the Springlake fountain to its former operation and a further \$13,000 be allocated in the 18/19 recurrent budget to continue to operate and maintain the fountain.
- That Council include \$40,000 in the 18/19 budget to install an Otterbine fountain at Springlake and a further \$11,000 be allocated in the 18/19 recurrent budget to continue to operate and maintain the fountain.

## LIST OF APPENDICES

1. Fountain Images - undated

Cr De Santis left the Chamber at 7.55pm.

Cr De Santis returned to the Chamber at 7.57pm.

Cr Abboushi left the Chamber at 7.57pm.

## **12.5 RESPONSE TO NOTICE OF MOTION 516 - POSSIBLE LOCATIONS FOR MULTIPURPOSE FACILITY FOR A HOCKEY AND FUTSAL FIELD IN THE CITY OF MELTON EASTERN CORRIDOR.**

**Author: Glenn Mulcahy - Recreation Coordinator**

**Presenter: Maurie Heaney - General Manager Community Services**

### **PURPOSE OF REPORT**

To provide Council a response to Notice of Motion NoM 516 (Cr Mendes) tabled at the Ordinary Meeting of Council on 16 October 2017.

### **RECOMMENDATION:**

That Council refer future investigation of a hockey/futsal facility in the Eastern corridor to future precinct structure plan developments.

#### **Motion**

Crs Mendes/Majdlik.

That the recommendation be adopted.

CARRIED

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## **REPORT**

### **1. Executive Summary**

This report has been prepared in response to Notice of Motion 516, tabled at the Ordinary Meeting of Council on 16 October 2017. The Notice of Motion states:

*'That Council Officers prepare a report on possible locations for a multipurpose facility for a Hockey and Futsal field in the City of Melton eastern corridor.'*

This report outlines issues identified in facilitating the provision of additional Hockey and Futsal facilities and provides an opportunity for further investigation to develop a strategic basis for a hockey/futsal facility in the City of Melton eastern corridor.

### **2. Background/Issues**

Council adopted the Melton Hockey Club Relocation Feasibility Study (MHCRFS) at the Ordinary Council Meeting on 20 September 2012. In addition to understanding the future needs for the Melton Hockey Club, project research was also undertaken into the medium and long term needs of hockey provision across the municipality.

Key recommendations of the MHCRFS include:

- A review of the future facility population provision ratios benchmarked across growth area Councils, indicates that at least one hockey pitch is provided for every 100,000 residents.

Therefore the current full size pitch and training pitch at Bridge Road Recreation Reserve reasonably satisfies the recommended provision ratios for the current population of 149,800. Considering the growth being experienced, it is anticipated that the municipalities population will reach 200,000 residents by 2024.

- Expansion of the existing site at Bridge Road Recreation Reserve located in Strathtulloh, has been master planned and identifies a future development of a second full sized pitch to accommodate growth in participation at this site.

Whilst the feasibility study recommends to develop Hockey at the regional level at the Bridge road site, investigation into the need for a secondary hockey facility at another location should be subject to future population and participation growth.

#### **Futsal provision within the City of Melton -**

The Australian Futsal Group currently provides futsal opportunities to the residents of our city at the Caroline Springs Leisure Centre and due to the two court extension anticipated for completion in late 2018, the group will be provided with the opportunity to seek additional indoor programming space should they desire.

#### **Hockey and Futsal Field of Play requirements -**

A hockey synthetic turf surface is designed primarily for hockey, however the suitability of the surface for other sports will depend on the type selected. In principle, it would be possible to line mark both sports on the one field of play, however permission from the various sport governing bodies would be required to ensure competition compliance requirements are met.

#### **Identification of potential locations within the Eastern corridor -**

There is no existing location identified within existing strategic planning to provide for an additional hockey/futsal facility.

Whilst additional futsal space can be provided in the short term with the extension of the Caroline Springs Leisure Centre from 3 courts to 5 courts, the demand for a multipurpose hockey / futsal facility would likely be referred to an emerging PSP (Precinct Structure Plan) area of the eastern corridor for consideration as part of those planning process.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

*3.2 Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

### **4. Financial Considerations**

Further scoping to determine specific requirements is required to inform a cost estimate of a future development.

### **5. Consultation/Public Submissions**

No formal consultation has been undertaken regarding a multipurpose facility for a hockey / futsal field in the Eastern corridor with the community. However consultation with the peak body to inform previous strategic documents has been undertaken along with ongoing communication with existing hockey clubs operating at the Bridge Road Hockey Facility.

Future planning for a hockey / futsal facility will require further engagement with sports associations and local Clubs.

**6. Risk Analysis**

N/A.

**7. Options**

Council has the option to:

1. Note the report.
2. Refer the investigation for an additional multi-purpose hockey / futsal facility to future PSP's in the Eastern corridor for consideration.

**LIST OF APPENDICES**

Nil.

Cr Abboushi returned to the Chamber at 8.01pm.

## 12.6 RESPONSE TO NOTICE OF MOTION 520 - HOSPITAL PRECINCT WITHIN THE MUNICIPALITY.

Author: Laura-Jo Mellan - Manager City Design, Strategy & Environment  
Presenter: ~~Luke Shannon - General Manager Planning & Development~~  
Laura-Jo Mellan – Manager City Design, Strategy and Environment

### PURPOSE OF REPORT

To consider the response to Notice of Motion 520 (Cr Hardy) in respect of a Hospital Precinct within the City of Melton.

### RECOMMENDATION:

That Council:

1. Note the contents of this Report
2. Defer the investigation into potential sites for a Hospital Precinct pending the review of Toolern Town Centre Urban Design Framework which currently identifies approximately 10 hectares of land for the purposes of a 'Health' Precinct.

### .Motion

Crs Hardy/Kesic.

That Council:

1. Note the contents of this Report
2. Defer the investigation into potential sites for a Hospital Precinct pending the review of Toolern Town Centre Urban Design Framework.

CARRIED

---

## REPORT

### 1. Executive Summary

The purpose of this report is to provide a response to Notice of Motion 520 (NOM 520) moved by Cr Hardy at the Ordinary Meeting of Council 16 October 2017. Council resolved to:

1. *Authorise the CEO to investigate potential sites for a Hospital Precinct within the municipality.*
2. *(That the) Precinct to be a minimum of 15Ha to accommodate a Public Hospital, Private Hospital and Allied Facilities.*
3. *Encourage Councillors to utilise their networks to initiate conversation with State and Federal Government representatives aimed at achieving development of a hospital precinct in Melton as per Council's relevant policy framework.*
4. *Forward a copy of this motion to the State Minister for Health and the Premier, with a request for a briefing meeting aimed at achieving a commitment to place hospital funding in forward estimates for delivery by 2022-23.*

The recently released 'Statewide design, service and infrastructure plan for Victoria's health system 2017–2037' (the Plan), recognises the need for the public and private sector to work together to fund the delivery a healthcare system that is safe, accessible and meets the needs of the growing Victorian community.

Melton City Council, through the adopted *Toolern Town Centre Urban Design Framework* (UDF) have identified approximately 10 hectares for a 'Health Precinct' to the north of the committed Toolern (Cobblebank) Train Station (**Appendix 1**). The allocation of this land was supported by a community infrastructure assessment undertaken to support the preparation of the Toolern Precinct Structure Plan (PSP). Based on the elevation of the town centre to metropolitan activity centre status and the projected increase in population to review the health precinct.

It is recommended that the scale and composition of the health precinct be reviewed as part of the review and development of both UDFs and defer the investigation of any other potential sites until this process is complete.

## 2. Background/Issues

The purpose of this report is to provide a response to Notice of Motion 520 (NOM 520) which was adopted by Council at the Ordinary Meeting of Council 16 October 2017. Council resolved to:

1. *Authorise the CEO to investigate potential sites for a Hospital Precinct within the municipality.*
2. *(That the) Precinct to be a minimum of 15Ha to accommodate a Public Hospital, Private Hospital and Allied Facilities.*
3. *Encourage Councillors to utilise their networks to initiate conversation with State and Federal Government representatives aimed at achieving development of a hospital precinct in Melton as per Council's relevant policy framework.*
4. *Forward a copy of this motion to the State Minister for Health and the Premier, with a request for a briefing meeting aimed at achieving a commitment to place hospital funding in forward estimates for delivery by 2022-23.*

The design, delivery and funding of new public hospitals are the responsibility of the Victorian State government, private hospital are commercially driven with supporting allied services delivered by both the public and private sector. The provision of tertiary healthcare services are generally population and demand driven and often public and private facilities co-located.

The recently released 'Statewide design, service and infrastructure plan for Victoria's health system 2017–2037' (the Plan), recognises the need for the public and private sector to work together to fund the delivery a healthcare system that is safe, accessible and meets the needs of the growing Victorian community. In this context, considering the allocation of appropriate land for an overall health precinct in the City of Melton can be considered generally consistent with the approach of state government

The Plan notes that a key challenge in meeting the healthcare infrastructure needs of the western growth corridor is ensuring facilities accessible to people living in the area and acknowledges that in addition to providing local healthcare services *'the west of Melbourne also requires significant hospital infrastructure investment to keep existing facilities operating, to reconfigure and expand their capacity and to provide new capacity to meet the demands of rapid growth'*.

The Plan goes on to identify the planning for additional hospital capacity in the peri-urban fringe of the western growth area as an infrastructure priority for the corridor to meet the expected 3.9% increase per annum (higher than any other region), expected in this corridor to 2037. In number this 3.9% increase per annum will see public hospital admissions



increase from just over 200,000 admissions in 2015 to in excess of 500,000 admission in 2037.

The state government's metropolitan planning strategy '*Plan Melbourne 2017-2050*', identifies Toolern as a metropolitan activity centre, these higher order centres are expected to deliver a broad range of higher order services including health and education providing support to the identification of a health precinct in the Toolern town centre.

The background report prepared to support the development of both the Toolern PSP and *Toolern Town Centre Urban Design Framework (UDF)* acknowledges that whilst state government have not allocated either an acute health facility (hospital) or a community based health care facility (day surgery, emergency department), the future population in the area and distance from other facilities (Sunshine and Footscray) warrants the allocations of land for these facilities in the future land use planning for the area and recommends Toolern Metropolitan Activity Centre as suitable location with a site of 10-15 hectares required.

Melton City Council, through the adopted *Toolern Town Centre Urban Design Framework (UDF)* have identified approximately 10 hectares for a 'Health Precinct' to the north of the committed Toolern (Cobblebank) Train Station (**Appendix 1**). It is appropriate based on the elevation of the town centre to metropolitan activity centre status and the projected increase in population to review the health precinct.

Based on the above, it is recommended that the scale and composition of the health precinct be reviewed as part of the review and development of both UDFs and defer the investigation of any other potential sites until this process is complete. Council will have the opportunity to provide input during the preparation of the draft documents.

The adoption of the recommendation of this report does not prevent Council from advocating for the provision of a Hospital Precinct in the City of Melton which is particularly relevant to points 3 and 4 of NOM 520 as the current local policy framework identifies a health precinct in the Toolern Metropolitan Activity Centre and this is broadly support by state planning policy.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

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

### **4. Financial Considerations**

The revision of the *Toolern Town Centre Urban Design Framework (UDF)* and the preparation of the *Toolern Mixed Use & Employment Area UDF* have commenced and have budget allocated in the 2017/18 financial year. The existing are identified for the health precinct will be reviewed as part of these projects and therefore will have no financial impact.

If Council wish to undertake a detailed assessment of alternative locations in advance of the Toolern UDFs being completed a scope of works would have to be developed to determine the budget required

### **5. Consultation/Public Submissions**

No public consultation was undertaken in preparing this report. However, a 'Summit' was held as part of the background development stage of both Toolern UDFs. This Summit included workshops with key agencies, landowners and a community drop-in session held at the Western BACE on the 21 November 2017. The purpose of these session was to provide

people an overview of the projects and get input into the background reports and gain an understanding of what people expect from the future town centre and employment precinct.

Further consultation will be undertaken as part of the preparation of the draft urban design framework documents in 2018.

## **6. Risk Analysis**

There is no risk to Council if they proceed with the recommendations of this report as it only proposes to defer the investigation of potential sites pending the review of the Toolern Town Centre UDF and preparation of the Mixed Use & Employment Area UDF. Both UDFs will be presented to Council for adoption in early 2019. Regardless, the adoption of the UDF documents with a potential health precinct identified does not prevent Council from considering alternative sites in the future.

The adoption of the recommendations of this report does not prevent Council from advocating for the provision of a Hospital Precinct in the City of Melton which is particularly relevant to points 3 and 4 of NOM 520 as the current policy framework identifies a health precinct in the Toolern Metropolitan Activity Centre.

## **7. Options**

Council has the option to:

1. Note this report and defer the investigation into potential sites for a Hospital Precinct pending the review of Toolern Town Centre Urban Design Framework which currently identifies 10 hectares of land for the purposes of a 'Health' Precinct.
2. Proceed with the investigation of potential sites for a 15 hectare Hospital Precinct.

## **LIST OF APPENDICES**

1. Extract from Toolern Town Centre Urban Design Framework – dated 2012

## 12.7 KURUNJANG COMMUNITY HUB JOINT USE AGREEMENT

**Author: Matthew Wilson - Manager Community Planning**  
**Presenter: Maurie Heaney - General Manager Community Services**

### PURPOSE OF REPORT

To seek Council endorsement and signing of the Joint Use Agreement for the Kurunjang Community Hub.

### RECOMMENDATION:

That Council endorse and sign the Joint Use Agreement for the Kurunjang Community Hub as attached at **Appendix 1**.

#### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

Council has entered into a partnership with the State Government through the Shared Facilities Fund to construct the Kurunjang Community Hub at 33-35 Mowbray Crescent, Kurunjang.

The project is valued at \$2.65 million, with Council contributing the land and \$300,000 in capital expenditure toward the project.

Council was made aware through previous reports and updates at the November 2016, April 2017, and July 2017 Ordinary Meetings of Council, that a Joint Use Agreement (JUA) will be required for this facility. The JUA is attached as **Appendix 1** for Council's consideration and endorsement.

### 2. Background/Issues

Council endorsed this project for an Expression of Interest to the Shared Facilities Fund at the 21 November 2016 Ordinary Meeting of Council. At that meeting, Council was made aware that it would be required to enter into a JUA for this project through the following excerpt from that report.

*Successful applicants will be required to enter into a Community Joint Use Agreement with the Department of Education that outlines the parties involved and respective responsibilities to each other.*

The parties to the JUA are Council, Kurunjang Primary School and the Minister for Education.

Further to this, Council was advised at the 24 July 2017 Ordinary Meeting of Council that the JUA will commit Council to the ongoing operating costs of community programming and facility maintenance for the Community Hub. The following is an excerpt from the report to that meeting.

*The total budget for design and construction of the facility is \$2.65 million which consists of \$2.35 million in SFF and \$300,000 in capital contribution from Council. In addition, Council will resource the community programming and facility management related costs for the project.*

*This project represents a commitment from both Council and State Government to respond to the identified needs of residents in the Kurunjang community, and a significant investment in the long term service levels available within the suburb.*

The content of the JUA outlines the commitments of all parties, and is for an initial term of 25 years with an option for a further term of fifteen (15) years.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

3.2 *Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

### **4. Financial Considerations**

Council has committed \$300,000 in the Capital Works Program as a contribution towards this initiative.

### **5. Consultation/Public Submissions**

The content of the JUA was drafted by the Victorian School Building Authority and has been discussed with Officers and the Kurunjang Primary School Council.

### **6. Risk Analysis**

If Council does not resolve to enter into a JUA, the project will not commence as this was a requirement of the Shared Facilities Fund.

### **7. Options**

Council has the option to endorse and sign the JUA as presented at **Appendix 1**.

## **LIST OF APPENDICES**

1. Joint Use Agreement - dated 22 November 2017

## 12.8 MACPHERSON PARK RECREATION RESERVE FUTURE DIRECTIONS PAPER

Author: Glenn Mulcahy - Recreation Coordinator  
Presenter: Maurie Heaney - General Manager Community Services

### PURPOSE OF REPORT

To present to Council the MacPherson Park Recreation Reserve Future Directions Paper for adoption.

### RECOMMENDATION:

That Council:

1. Endorse the MacPherson Park Recreation Reserve Future Directions Paper (**Appendix 1**).
2. Refer MacPherson Park capital initiatives to the Capital Works Plan for consideration.

### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

Established in the 1970s, MacPherson Park Recreation Reserve (MPRR) is Council's principal recreational facility, servicing clubs and teams from the local and broader region.

In 2017, officers commenced the development of the MacPherson Park Recreation Reserve Future Directions Paper (inclusive of updated Master Plan).

The Future Directions Paper will act as a guide for potential development and investment by Council, in order to demonstrate a planned, staged and agreed vision for the regeneration of the reserve to support our existing and growing community.

### 2. Background/Issues

In 2016, Council adopted the Open Space Plan 2016 - 2026 to guide the supply and provision of open space and recreation facilities within the City. Master Planning for Macpherson Park Recreation Reserve (MPRR) was a priority recommendation to be addressed in the short term.

MPRR is 98 hectares in size and is located six kilometers to the north of the center of the Melton Township (Coburns Road, Harkness) outside of the Melbourne Urban Growth Boundary. The reserve has historically been well utilised by a range of sport and recreational groups over the years, however much of the build form is aged, inaccessible and requires renewal.

The MacPherson Park Recreation Reserve Future Directions Paper recommends approximately 50 separate but interconnected projects for the regeneration and development of the reserve.

A proposed prioritisation / staging of projects has been incorporated into the Implementation Plan (High, Medium, Low) of the document, however the staging categories are not defined by a specific time scale. The proposed staging reflects a logical sequence to rollout individual projects, and is based on the understanding of community and user group needs, the condition and functionality of facilities, and the practicality of undertaking the improvement projects with required funding.

The Future Directions Paper will ensure that enhanced recreational opportunities are provided to the community and that development is undertaken in a planned and staged manner. The document provides the following outcomes:

Proposed Features for consideration:

- Conversion of the V8 jet boat track into graded area suitable for outdoor events such as trades exhibitions, markets, car shows etc.
- Consolidation of buildings – provision of 4 x new centralised community sporting pavilions (Soccer, Rugby/Gridiron, Baseball, AFL/Cricket precinct) and 1 x new building to support the proposed event node (e.g. public toilets, provision of power, storage)
- Removal of existing building infrastructure upon completion of new facilities
- Formalised car parking and road network
- New multipurpose synthetic sports field with sports lighting to accommodate the training needs for all sporting codes throughout the city
- 1 x additional netball court
- 2 x additional rectangular grass fields to support Gridiron / Rugby codes and 1 x additional baseball diamond (based on demand)
- Extensive pathways
- Renewal of fencing at Melton Equestrian Park and adjoining greyhound facilities
- Improved passive recreational facilities (e.g. fenced dog off leash park, fitness stations, playground)
- General landscape beatification of the reserve to encourage passive recreation visitation

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

*3.2 Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

### **4. Financial Considerations**

The total estimated cost for full implementation of the MacPherson Park Recreation Reserve Projects is estimated to be in excess of \$25,500,000.

Upon adoption of the MacPherson Park Recreation Reserve Future Directions Paper, the capital improvements identified should be considered to be included in the Council 10 Year Capital Works Plan.

The 10 Year Capital Works Plan currently has \$9,000,000 to commence Stage 1 of the Project, inclusive of the \$2,000,000 provided from the State Government's Growing Suburbs Fund.

Council should note that on 24 November 2017 the Minister for Local Government, the Honorable Marlene Kairouz announced \$2,000,000 towards the MacPherson Park Project.

## **5. Consultation/Public Submissions**

A significant consultation process was undertaken with a broad cross section of the community and interested key stakeholders. The Future Directions Paper was developed via a project methodology that included workshops with reserve stakeholders and consultation with the community, a Melton City Councils Leisure Advisory Committee (LAC) workshop, Council website project page and an online social media presence to exhibit draft concept plans.

The key items identified by the consultation included support of the planned infrastructure upgrades, including walking paths, play space, accessible community pavilions and the overall rejuvenation/beautification of the reserve.

Greyhound Racing Victoria is currently conducting its own master plan (as per space allocation for greyhound facilities within the Future Directions Paper) in order to approach Council at a later date regarding an investment into facilities. Discussions will be ongoing with Greyhound Racing Victoria and the Greyhound Club at MacPherson Park.

## **6. Risk Analysis**

Failure to adopt the MacPherson Park Recreation Reserve Future Directions Paper will delay the inclusion of projects in the 10 year capital works program. This in turn will delay the planning and development (renewal) of vital open spaces such as those at MacPherson Parks to meet the continued growing needs of the community.

## **7. Options**

Council has the option:

1. Endorse the MacPherson Park Recreation Reserve Future Directions Paper as appended at Appendix 1.
2. Not adopt the MacPherson Park Recreation Reserve Future Directions Paper.

## **LIST OF APPENDICES**

1. MacPherson Park Recreation Reserve Future Directions Paper - dated November 2017

## 12.9 DIGGERS REST RECREATION RESERVE MASTER PLAN

Author: Glenn Mulcahy - Recreation Coordinator  
Presenter: Maurie Heaney - General Manager Community Services

### PURPOSE OF REPORT

To present to Council the Diggers Rest Recreation Reserve Master Plan for adoption.

### RECOMMENDATION:

That Council:

1. Endorse the Diggers Rest Recreation Reserve Master Plan as referred to in **Appendix 1**.
2. Refer initiatives highlighted in the Master Plan to the 10 Year Capital Works Plan for consideration and prioritisation.

### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Diggers Rest Recreation Reserve (DRRR) is highly valued by the local community and is presently the Diggers Rest townships sole recreational facility, servicing a range of sport, recreation and community groups.

Officers in consultation with Inside Edge Consultants have finalised the Master Plan for the DRRR. The Master Plan is attached (**Appendix 1**) to this report for Council's consideration and endorsement.

### 2. Background/Issues

In 2016, Council adopted the Open Space Plan 2016 - 2026 to guide the supply and provision of open space and recreation facilities within the City. Master Planning for the Diggers Rest Recreation Reserve (DRRR) was a high priority recommendation to be addressed in the short term.

The DRRR (Plumpton Road, Diggers Rest) is currently 8.64 hectares in size, with provision of an additional 2 hectares allocated through the 2012 Diggers Rest Precinct Structure Plan process.

In developing an updated Master Plan, Council is able to identify future reserve development opportunities that are designed to address the current and future sporting club and community needs of Diggers Rest, as well as increasing activation of the reserve.

The master plan proposes the following initiatives:

- Realignment of oval 2 to a north south orientation



- Centralised community sporting pavilion (whilst a detailed concept is not included within the scope of the project, the document recommends at least two large social/ activity spaces that can be programmed concurrently, as well as amenities to support the current sporting user groups should be provided).
- Removal of existing building infrastructure upon completion of new facilities.
- Formalised car parking and internal road network.
- Extensive pathways.
- Improved passive recreational facilities (e.g. fenced dog off leash park, fitness stations, new playground and skate / BMX facility).
- 1 x indoor active recreation court and associated amenities.
- 1 x additional netball court.
- 2 x additional tennis courts.
- A dog off leash park.
- General landscape beautification and security lighting provision.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

*3.2 Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

### **4. Financial Considerations**

The Master Plan document provides indicative costs and strategic basis for proposed improvements to the reserve. These indicative costs are based on today's estimates for improvements which will require review prior to any commitment for funding through Council's annual budget process.

The indicative cost total is estimated at \$17,553,000 with developer contributions providing \$12,480,000 (based on 2012 funding, subject to indexation).

Upon adoption of the Diggers Rest Recreation Reserve Master Plan, the capital improvement projects identified should be considered to be included in the Council 10 Year Capital Works Plan. It should be noted that the developer contributions commit Council to deliver a \$7,000,000 stadium development with \$4,000,000 of developer contributions provided towards land purchase. The remainder of funding contributes towards a multi-purpose pavilion, x2 tennis courts and a range of landscape improvements. The timing of these developments will be dependent, pending residential growth.

### **5. Consultation/Public Submissions**

Significant consultation was undertaken with a broad cross section of the community and interested key stakeholders. The Master Plan was developed via a project methodology that included workshops with reserve stakeholders and consultation with the community, Melton City Councils Leisure Advisory Committee (LAC) workshop, Council website project page and an online social media presence to exhibit draft concept plans.

A 'community drop in session' was hosted at the Diggers Rest Community Hall on Thursday 5 October 2017 (15 residents provided contact details), key user group workshops (both pre

and post draft concept plan) for the 6 current tenants were conducted throughout May and October 2017, project updates were regularly communicated to tenant sporting groups, regular users of the Diggers Rest Community Hall, and residents who expressed interest in the project at the February 2017 'My City My Say' event.

## **6. Risk Analysis**

Failure to adopt the Diggers Rest Recreation Reserve Master Plan will delay the inclusion and consideration of projects in the 10 year capital works program.

Council has a commitment to develop the reserve consistent with the developer contribution agreement.

## **7. Options**

Council has the option to endorse the Diggers Rest Recreation Reserve Master Plan as referred to in **Appendix 1**.

## **LIST OF APPENDICES**

1. Diggers Rest Recreation Reserve Master Plan - dated October 2017

**12.10 FEMALE FRIENDLY CHANGE ROOM AMENITIES**

**Author: Glenn Mulcahy - Recreation Coordinator**  
**Presenter: Maurie Heaney - General Manager Community Services**

**PURPOSE OF REPORT**

To present to Council the implementation schedule and current status of the Female Friendly Change Room Amenities program.

**RECOMMENDATION:**

That:

1. Council endorse the implementation schedule for the Female Friendly Change Room Amenities program as presented at **Appendix 1**.
2. Officers adjust the Capital Works Plan to reflect the Projects.

**Motion**

Crs Hardy/Kesic.

That the recommendation be adopted.

CARRIED

**REPORT****1. Executive Summary**

There is significant growth being experienced in female participation sports, particularly in Australian Rules football, cricket and netball across the municipality. At present, pavilions built before 2010 typically do not provide female facilities including separate shower cubicles. This program aims to improve basic infrastructure in change amenities, toilets and showers that caters for all participants.

**2. Background/Issues**

A Female Participation Audit within City of Melton was conducted in April 2017, with participation numbers shown in the table below.

Club	Facility	Females	Total per Facility	Facility
Melton Friday Auskick	Melton Rec	12	134	Melton Rec
Melton South Football Netball Club	Melton Rec	72		
Melton South Junior Netball Club	Melton Rec	50		
Caroline Springs Football Club	Caroline Springs	96	96	Caroline Springs

Club	Facility	Females	Total per Facility	Facility
Diggers Rest Auskick	Diggers Rest	3	93	Diggers Rest
Diggers Rest Junior Football Club	Diggers Rest	45		
Diggers Rest Junior Netball Club	Diggers Rest	45		

Club	Facility	Females	Total per Facility	Facility
Melton Junior Football Netball Club	Blackwood Drive	60	88	Blackwood Drive
Melton Saturday Auskick	Blackwood Drive	28		
Eynesbury Eagles Junior Football Netball	Ian Cowie (Rockbank)/ Eynesbury	25	65	Ian Cowie (Rockbank)/ Eynesbury
Rockbank Football Sporting Club	Ian Cowie (Rockbank)	40		
Hillside Football Club	Hillside	49	49	Hillside

**Note:** with the rapid growth of female AFL football, additional teams are anticipated to increase across the municipality in 2018.

A proposed implementation schedule and budget for Female Friendly Change Room Amenities program across the municipality is shown in **Appendix 1**.

The construction works over the 2017/18 and 2018/19 financial years provide a mix of refurbishments works and new standalone installations. The refurbishment works at existing buildings to ensure female friendly guidelines are met typically include a mix of:

- Petitioning for showers in change room and umpire areas
- Installing epoxy flooring
- Removing urinals and replacing with toilets
- Painting
- Hand basin provision with shelves, mirrors and power points as required.

Blackwood Recreation Reserve has a larger budget allocation due to structural changes. Diggers Rest facilities will have petitioning installed in the existing scout pavilion to accommodate two change rooms. New standalone installations are proposed where female and male sport is programmed to occur at the same time. Due to the accelerated growth across female participation, officers recommend bringing forward funding allocations identified in 2019/20 to 2018/19.

### 3. Council and Wellbeing Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

*3.2 Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

#### **4. Financial Considerations**

Currently there is \$600,000 allocated to this program each financial year from 2017/18 to 2019/20. Delivery of the Female Friendly Change Room Amenities program over two financial years as opposed to three will allow for a quicker facility provision but require evaluation against other competing priorities in Council's capital works program.

#### **5. Consultation/Public Submissions**

Consultation on the design at each site is ongoing with license agreement holders (community sport clubs). The club community have been supportive and appreciative of the upcoming works to be undertaken. External consultation with technical consultation is ongoing with State Sporting Bodies AFL Victoria and Netball Victoria with direction being taken from the Western Region Football Facilities Strategy.

#### **6. Risk Analysis**

A three year delivery of the Female Friendly Change Room Amenities would see a number of facilities non-compliant. The accelerated growth in female participation will not be not by Councils facility provision, which will impact community perception and Council perception.

#### **7. Options**

Council has the option to:

1. Endorse the recommendation made in this report.
2. Deliver the Female Friendly Change Room Amenities program over three financial years.

#### **LIST OF APPENDICES**

1. Female Friendly Change Room Amenities Program - undated

## 12.11 COUNCIL AND COMMUNITY ALCOHOL (LIQUOR) POLICY FRAMEWORK

Author: Michelle Rowe - Social Planning Officer  
Presenter: Maurie Heaney - General Manager Community Services

### PURPOSE OF REPORT

To present the *Council and Community Alcohol (Liquor) Policy Framework*.

### RECOMMENDATION:

That Council:

1. Adopt the *Council and Community Alcohol (Liquor) Policy Framework* at **Appendix 1**.
2. Note the Background Paper at **Appendix 2**.
3. Endorse the development of guidelines and other relevant supporting materials, in consultation with the local industry, which will support the implementation of the Framework.

### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

Council has a number of existing policies which deal with the responsible service of alcohol. It has been identified that a new and simplified approach is required to meet Council's objectives to reduce potential harms that can come from excessive alcohol consumption.

The proposed Council and Community Alcohol (Liquor) Policy Framework (**Appendix 1**), supported by a Background Paper (**Appendix 2**), articulates Council's position in relation to Alcohol. Providing a framework which brings together a number of alcohol related decision making processes that Council is currently undertakes, the Framework clarifies roles and responsibilities within the one overarching policy.

The preparation of the Framework considered five (5) existing policies during the review process. Three (3) of these policies remain current and two (2) policies are proposed to be formally rescinded with the adoption of the Framework.

The outcome of adopting the Framework will provide clarity and ease of process for external parties seeking Council direction and decision with alcohol related matters. In addition, it will provide internal decision making with a clearer line of sight to Council's commitment toward harm minimization in alcohol consumption.

### 2. Background/Issues

Five (5) Council policies previously related to the sale and consumption of Alcohol within the municipality. As a result, it is recognised that a new Framework is required to bring together these policies and resulting practices to clarify and simplify Council's approach to alcohol

related decision making. If Council adopts the proposed Framework, two (2) of these existing policies are no longer required, and it will mean they are rescinded.

**Proposed Policy Framework**

The proposed *Council and Community Alcohol (Liquor) Policy Framework* seeks to establish a best practice approach to alcohol policy across the organisation. It has been developed through research and analysis contained within a Background Paper. The Background Paper and the Framework have considered the legislative arrangements and current Council and health promotion practices. In addition, they are also supported by the *VicHealth Alcohol Cultures Framework*, and the recommendations contained within the *National Competition Policy Review*. A significant amount of consultation has occurred internally to ensure that the content reflects a whole of Council position in relation to alcohol.

The Framework has been delivered to establish solid foundations for decision making and clarifies that alcohol service, supply and consumption is a whole of community responsibility, which is reflected in the title of the document, *Council and Community Alcohol (Liquor) Policy Framework*. This is done by adopting a clear and open line-of-sight between community and Council expectations for an evidenced based, best practice alcohol settings approach, which will assist Council and the community with managing decisions around the service and supply of alcohol. The Framework establishes a regime for facilitating fit-for-purpose venue design, whilst encouraging prevention of alcohol harm and responsible service and supply practice. If the Framework is adopted, work will commence with industry and the community to develop guidelines that advise external parties on how to meet the expectations contained within the Framework. It is proposed that a number of guidelines will be developed to cover several settings in which alcohol features. Given that these guidelines will be externally facing and will assist relevant parties with planning for the service and supply of alcohol, it is recommended that Council endorse the preparation of these guidelines.

At Figure 1 below, a diagram is provided to illustrate the how Council will achieve harm minimization through the adoption of the Framework.



**Figure 1. Council and Community Alcohol (Liquor) Policy Framework**

If adopted, the Framework will enhance Council's ability to engage proactively in the decision making processes relating to alcohol, and importantly provide clarity for external and internal stakeholders in the effort to reduce harms associated with the consumption of alcohol.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives

1.5 *Environments that enable and encourage positive public health and wellbeing outcomes.*

### **4. Financial Considerations**

Costs associated with the research and Framework development program have been met by Councils operational budget. The development and publication of the guidelines will also be met through the current operating budget.

### **5. Consultation/Public Submissions**

The Framework and Background paper have been developed over the past 12 months. Over this time, members of the local Liquor Licensing Accords, Licensees and Police have been consulted and have provided input. Staff from across Council have also been involved and aided the direction of the Framework through its development.

Representatives from VicHealth and Wyndham City Council, have also provided comment. Further engagement is planned in association with the more targeted development of the detailed settings based guidelines.

Should the Council adopt the Framework, officers will commence work on the development of the guidelines in early 2018 and will update Council on the outcome.

### **6. Risk Analysis**

If Council choose to not adopt the *Council and Community Alcohol (Liquor) Policy Framework*, there is a risk that Council will not achieve an updated and current approach to decision making in relation to the sale and supply of alcohol. This would keep the existing complex policies in place, and potentially hinder officers from improving practices in this space.

### **7. Options**

Council has the option to:

1. Adopt the recommendation as put in this report.
2. Not to adopt the *Council and Community Alcohol (Liquor) Policy Framework*.

### **LIST OF APPENDICES**

1. Council and Community Alcohol (Liquor) Policy - dated October 2017
2. Council and Community Alcohol (Liquor) Policy Framework - Background Paper - dated 2017



Cr Carli left the Chamber at 8.13pm.

Cr Carli returned to the Chamber at 8.15pm.

## 12.12 MELTON ADVOCACY PRIORITIES AND PUBLIC HOSPITAL COMMUNITY CAMPAIGN

**Author: Daniel Hogan - Manager Engagement & Advocacy**  
**Presenter: ~~Peter Bean – General Manager Corporate Services~~**  
**Daniel Hogan – Manager Engagement and Advocacy**

### PURPOSE OF REPORT

To present to Council advocacy priorities across a range of community needs and Council services, including the development and delivery of a community-based campaign for a public hospital within the municipality.

### RECOMMENDATION:

That Council:

1. adopt Melton Advocacy Priorities attached as **Appendix 1** as the primary basis for Council's advocacy position on a range of community issues,
2. tender for an advocacy campaigns agency to develop and deliver a holistic campaign for the establishment of a major public hospital within the City of Melton, and
3. delegate authority to the Chief Executive Officer to execute all necessary actions to award the tendered contract for the supply of advocacy campaign services up to a maximum value of \$350,000.

### Motion

Crs Mendes/Ramsey.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

S3D 2(e) of the *Local Government Act 1989* ('the Act') provides 'The role of a Council includes... advocating the interests of the local community to other communities and governments.'

This report seeks to discharge this responsibility by agreeing the advocacy position of Council through the adoption of the Melton Advocacy Priorities (**Appendix 1**), and by launching a community based campaign for the establishment of a major public hospital within the municipality.

#### Melton Advocacy Priorities

The document contains information and priority listings for the following advocacy items and themes:

- Future primary schools

- A freeway link (Western Freeway)
- Revitalisation of Melton South
- A robust bus network
- Future secondary schools and specialist schools
- Future rail stations
- Creating a tertiary experience
- An outer suburban arterial roads package
- A state of the art health precinct
- 21st century rail service

Agreement on Melton Advocacy Priorities establishes a single position on a range of critical community needs, allowing all parties to have a clear understanding of each respective issue and preferred solution as defined by Council. This clear direction then allows Council to efficiently and effectively focus advocacy efforts on behalf of the community.

### **Community campaign for a public hospital**

It has been a long held position of successive Councils that a major public hospital be established within the City of Melton to service chronic and acute health needs of the community within one of Australia's fastest growing development corridors.

The establishment of a major public hospital has major local and regional benefits extending beyond its immediate health services and advantages, including attraction of allied and private health services, economic development and employment, additional and expedited community infrastructure and stimulation of tertiary education facilities and providers.

Given very significant State Government funding necessary for the establishment of a major public hospital, anywhere up to \$1bn for capital works alone, additional effort to complement previous and ongoing advocacy efforts is required.

It is proposed that Council commits funding and resources to engage an advocacy communications agency to conduct market research, define narrative and messaging, engage key stakeholders, develop and launch campaign content through a range of online and offline promotional channels and methods.

Community campaigns can be very effective in mobilising community support for an issue, creating the pressure and impetus required to motivate third-parties to commit resources towards an identified outcome. Market research estimates that costs of such campaigns range between \$250,000 - \$500,000, varying significantly depending on a range of factors including aim, reach and duration.

While this report (and the public campaign itself) only expressly references the need for a public hospital, a range of related factors including allied health services, private sector attraction and investment, education and training partners and assets, various funding model options, economic development opportunities, hospital location, land size requirements and hospital design will be considered in the development of a solid evidence base with key stakeholders and partners.

### **Statewide planning**

On 6 December 2017, State Government Minister for Health, Jill Hennessy released the '*Statewide Design, Service and Infrastructure Plan for Victoria's Health System 2017-2037* (**Appendix 2**), containing announcement of \$50m for the business planning of a redevelopment of Footscray Hospital. Council should have due regard for western region and local health services and facility planning, considering any potential impact on Melton advocacy priorities or the proposed hospital campaign.

## 2. Background/Issues

S3D 2(e) of the *Local Government Act* 1989 ('the Act') provides 'The role of a Council includes... advocating the interests of the local community to other communities and governments.'

This report seeks to discharge this responsibility by agreeing the advocacy position of Council through the adoption of the Melton Advocacy Priorities (**Appendix 1**), and considering a community based campaign for the establishment of a major public hospital within the municipality.

As the Act further provides that 'The primary objective of a Council is to endeavour to achieve the best outcomes for the local community', Council commonly seeks the further investment of State and Federal Governments in service and infrastructure delivery. The challenge for Council is to prioritise community needs and solutions, and to allocate resources to advance these priorities in the most efficient and effective manner possible.

To this end, the Melton Advocacy Priorities (MAP) booklet proposes issues and solutions for both Council officers and Councillors to positively influence external stakeholders with the political, economic or social resources to improve the living standards of our community.

Agreement allows Council to efficiently and effectively focus advocacy efforts on behalf of the community.

The Melton Advocacy Priorities booklet contains information and priority listings for the following advocacy items and themes;

- Future primary schools
- A freeway link (Western Freeway)
- Revitalisation of Melton South
- A robust bus network
- Future secondary schools and specialist schools
- Future rail stations
- Creating a tertiary experience
- An outer suburban arterial roads package
- A state of the art health precinct
- 21st century rail service

Melton Advocacy Priorities were predominately developed for Council review and approval through the Advocacy Project Control Group (PCG), comprised of the Executive Management Team, and two Project Working Groups (PWGs) comprising specialist Council staff in areas related to Education, skills and local employment & Community health and wellbeing' and 'Infrastructure development and partnerships & Transport provision and connections'.

The development of MAPs have variously considered current operating practice, industry knowledge, government policy, motions in-effect and legacy positions of Council and extensive community engagement over many years.

In relation to community health advocacy, it has been a position of successive Councils that a general hospital be established within the City of Melton to service chronic and acute health needs of the community.

Unfortunately, across the spectrum of health and wellbeing indicators, including social determinants of health, service access, service use and health characteristics, the City of Melton continues to perform significantly worse than the State average. As two examples, hospital admissions and premature mortality rates within the City of Melton are significantly

higher than State averages. The immediate health needs of Melton and surrounding regions are not being met by current or planned major health assets, a situation exacerbated by exceptional population growth within the urban growth boundary west of Melbourne.

As a consequence, it is proposed that Council commits funding and resources towards the development and delivery of a research informed community campaign for the establishment of a major public hospital. Community campaigns can be very effective in mobilising community support for an issue, creating the pressure and impetus required to motivate third-parties to commit resources towards an identified outcome, as evidenced in various campaigns successfully launched by other Councils across Victoria.

It is further proposed that Council procures the services of a strategic advocacy communications group with experience and capacity in the following campaign elements:

- Market Research and Polling
- Strategic Communications
- Media Relations
- Community Engagement
- Stakeholder Relations
- Government Relations
- Advertising & Promotion
- Writing and Editing
- Online and Social Media
- Media Buying
- Print and Production Management

Campaign development is likely to include sequential stages of market research, definition of narrative and messaging, key stakeholder engagement, creative execution and launch of campaign content through a range of online and offline promotional channels and methods.

Council at all levels would be heavily involved in the activation of the campaign, engaging with other levels of government, the private sector and established and emerging community groups and influential individuals to advance the objectives of the campaign.

For best effect, Council is advised that a community based campaign would be at least 12 – 18 months in duration, potentially significantly longer depending on emerging outcomes. Contract costs are estimated to range between \$250,000 and \$350,000, requiring a tender process under the Act. By way of context, it is estimated that building a major general hospital costs between \$850m and \$1bn, with further significant and ongoing operational expenses.

While this report only expressly references the need for a public hospital, a range of related factors including allied health services and private sector attraction and investment, education and training, various funding model options, plus economic development opportunities will be considered in the development of a solid evidence base to support any engagement with key stakeholders.

Governance of the project will be in line with Council's Project Management Framework (PMF), in which subject matter experts in policy, strategic land use and statutory planning, communications and advocacy will form a Project Working Group (PWG), reporting to a Project Control Group (PCG) which will ultimately manage rollout with the insight and engagement of Council.

Regarding current State-wide health planning, on 6 December 2017, State Government Minister for Health, Jill Hennessy released the 'Statewide Design, Service and Infrastructure

Plan for Victoria's Health System 2017-2037' (**Appendix 2**), announcing a 2017-18 State Budget commitment to building a new Footscray Hospital, with provision of \$50 million to develop a business case and commence design work for the construction.

Within this plan, Government investment into Melton is limited to a previously committed \$21 million for the development of a Melton health and wellbeing hub, co-locating community health, mental health and family services. This facility is currently under construction.

Council should have due regard for this document and its implications for the long term future of local health services accessible to Melton City residents. Council should further consider any impact on Melton Advocacy Priorities and the proposed campaign.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

1. A proud, inclusive and safe community: A City of people leading happy and healthy lives
  - 1.5 *Environments that enable and encourage positive public health and wellbeing outcomes.*

### **4. Financial Considerations**

It is proposed that Council procures the services of a strategic advocacy communications group to develop and deliver a sophisticated advocacy campaign for the establishment of a major public hospital within the City of Melton, up to a contract value of \$350,000.

To place this amount within the broader context, it is estimated that building a major general hospital costs between \$850m and \$1bn, with further significant and ongoing operational expenses incurred annually.

Funding would be incurred across the 2017/18 and 2018/19 financial years.

### **5. Consultation/Public Submissions**

The Melton Advocacy Priority booklet has been informed by the following Council resources:

- Council and Wellbeing Plan 2017-2021
- City of Melton Council - Metropolis 2016 Community Satisfaction Survey Report
- The Municipal Early Years Plan 2014-2017
- Moving Melton – Melton Integrated Transport Strategy
- City of Melton PSP Population Forecast – Urbis Report
- Melton Advocacy Priority booklet 2016.

Other resources and departments consulted in the construction of the document include:

- The City Strategy team and Engineering
- Planning and Community Planning
- National Growth Area Alliance (NGAA)
- Ballarat Rail Action Committee (BRAC) general meetings
- "My City, My Say" community feedback sessions
- Oxford University Education Research Papers
- Plan Melbourne.

## 6. Risk Analysis

The fundamental risk is that Council investment in the proposed public hospital campaign will not be rewarded with a positive long term outcome – that is, other regional or metropolitan health services and facilities are prioritised, planned and funded over investment and infrastructure within the City of Melton.

However, given 1.42m people are forecast to move into the west over the next 15 years, current services, facilities, plans and announcements in health provision are manifestly inadequate. Significant long term State and Federal investment in major health infrastructure, including general public hospitals, will remain a priority for the West for the indefinite future.

## 7. Options

In consideration of this report, Council has the authority to variously;

1. Adopt the recommendation as put,
2. Vary the priorities listed within the Melton Advocacy Priorities,
3. Vary the hospital community campaign contract and delegation values,
4. Request an alternative hospital community campaign delivery model,
5. Reject the need for Melton Advocacy Priorities,
6. Reject the need for a public hospital campaign.

## LIST OF APPENDICES

1. Melton Advocacy Priorities Booklet - undated
2. State Government design service infrastructure plan - dated 2017-37

## 12.13 COMMUNICATIONS INFRASTRUCTURE POLICY FRAMEWORK AND AMENDMENT C193 TO THE MELTON PLANNING SCHEME

Author: Kelly Archibald - City Strategy Coordinator  
Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

### PURPOSE OF REPORT

To consider the adoption of the City of Melton Communications Infrastructure Policy Framework and to initiate a Planning Scheme Amendment to include a Communications Infrastructure Local Planning Policy into the Melton Planning Scheme.

### RECOMMENDATION:

That Council:

1. Adopt the City of Melton Communications Infrastructure Policy Framework reference document at **Appendix 1**.
2. Note the City of Melton Communications Infrastructure Policy – Background Analysis Paper at **Appendix 2** and Consultation Report at **Appendix 3**.
3. Seek Authorisation to prepare Planning Scheme Amendment C193 to the Melton Planning Scheme from the Minister for Planning to implement the Communications Infrastructure Policy.
4. Upon receiving Authorisation, prepare and exhibit Planning Scheme Amendment C193 to the Melton Planning Scheme in accordance with Section 19 of the *Planning and Environment Act 1987*.
5. Authorise the General Manager Planning and Development and the Manager City Design, Strategy and Environment to negotiate and resolve any issues that are raised by submitters during the exhibition process prior to the amendment being reported back to Council for referral to a Planning Panel or Adoption of the amendment.

### Motion

Crs Majdlik/Hardy.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

A Notice of Motion was carried on 2 May 2016 to prepare a report outlining the requirements and costs associated with developing a 'Strategic Telecommunications Mobile Tower Placement Document'. This report was presented to Council on 30 May 2016, and Council subsequently resolved to prepare a 'Strategic Telecommunications Infrastructure Policy'.

Over the last 12 months, Council officers have worked with Urbis Planning Consultants to prepare the documents. The key output of the projects is the Strategic telecommunications Infrastructure Policy Framework. The Framework provides guidance for the location and design of communications infrastructure that an application must consider when making an

application to Council. Any policy document that Council prepares regarding communications infrastructure must not conflict with any of the provisions contained within these legislative documents.

The adoption of the Framework will provide Council officers, the community and potential applicants (including carriers), clear policy direction in respect of the elements Council will consider when assessing and determining applications for communications infrastructure.

It is also proposed that Council commence a planning scheme amendment which would seek to implement the key elements of the Framework into the Melton Planning Scheme.

## 2. Background/Issues

Currently, legislation surrounding the siting and design of telecommunications facilities is governed by the Commonwealth and State, through documents such as 'A Code of Practice for Telecommunications Facilities in Victoria', the Telecommunications (Low Impact Facilities) Determination Act 1997, and the Australian Communications Industry Forum (ACIF) Code. Any policy document that Council prepares regarding communications infrastructure must not conflict with any of the provisions contained within these legislative documents.

Council currently does not have its own policy or guidelines regarding the siting and design of telecommunications facilities, which has made it difficult for Council officers when negotiating for improved design outcomes with Telecommunications Carriers.

A Notice of Motion was carried on the 2 May 2016 to prepare a report outlining the requirements and costs associated with developing a 'Strategic Telecommunications Mobile Tower Placement Document'. This report was presented to Council on 30 May 2016, and it was subsequently resolved to approve the preparation of the policy and allocate funds to prepare a 'Strategic Telecommunications Policy' in the 2016-2017 budget.

Following a tender process, Urbis Planning Consultants were appointed to undertake the project. The project included the preparation of a Background Analysis Paper which provided the basis for the development of the *Communications Infrastructure Policy: Framework (Appendix 1)*. The Framework provides guidance for the location and design of communications infrastructure that an applicant must consider when making an application to Council. It is to be used to guide the assessment and associated provision of new infrastructure within the City of Melton and provides guidance for the location, and assessment of, applications for planning permits and the lease of Council land.

Once adopted, the Framework will become a guiding policy document that will form part of the assessment of any planning permit applications for communications infrastructure submitted to Council. In addition, further weight can be given to the document through the inclusion of a local policy in the Melton Planning Scheme through the Scheme Amendment process. It is proposed that Council officers pursue an amendment to the Melton Planning Scheme as outlined below.

### **Amendment C193**

It is proposed to prepare a Planning Scheme Amendment to use the adopted Communications Infrastructure Framework to inform the preparation of a new Local Policy – Communications Infrastructure to be included within the Planning Scheme. In addition it is intended to include the adopted *City of Melton Communications Infrastructure Framework* as a Reference Document, and add a new objective in the Municipal Strategic Statement.

The Local Policy and associated clauses will be drafted following engagement with the Department Environment, Land, Water and Planning (DELWP) to determine the appropriate form and content of the amendment documents.



### **Strategic Assessment of the Proposed Amendment**

Ministerial Direction No 11 requires amendments to be assessed against a number of criteria. This strategic assessment has been undertaken and is considered that the amendment adequately addresses the guidelines for the reasons outlined below.

The Amendment will provide the Melton City Council and the community with an up to date Local Policy that compliments the State Planning Policy Framework, and the existing Federal and State Legislation concerning Communications Infrastructure provision. The amendment will also provide clarity regarding Council's preferred location of telecommunications facilities – both to Council employees and the community.

Overall, the Amendment will ensure that the Melton Planning Scheme provides the framework to achieve positive environmental, social and economic development outcomes within the Municipality. The Amendment strengthens the ability of Council to ensure communications infrastructure is located appropriately, and designed to have a reduced impact on visual amenity.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

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

### **4. Financial Considerations**

The Communications Infrastructure Policy was prepared by an external consultant within the approved budget of \$50,000.

Council officer time and resources are involved in the preparation, exhibition, and adoption of the amendment which may include a Panel Hearing and is included within Councils recurrent budget.

### **5. Consultation/Public Submissions**

A workshop was held with the Carriers (Telstra, Optus, Vodafone and Mobile Carriers Forum) to inform the preparation of the Background Analysis Paper, and the draft Framework.

The draft Framework was available for public comment for one month, from 11 September 2017 to 10 October 2017. During this time, Council officers and members of the consultant team held two drop in sessions over two nights to inform the community of the work that has been undertaken and to see if they had any feedback on the draft document. These were held at Caroline Springs Library (20 September), and the Melton Library and Learning Hub (21 September).

The drop in sessions were advertised via the local newspaper, Council's Facebook page, and Council's website.

During the consultation period letters were also sent to telecommunication providers and other interested parties to inform them that the draft Framework was out for comment, and to seek their feedback.

Two submissions were received from Telstra and the Mobile Carriers Forum. A response to submissions is provided in the Consultation Report contained in **Appendix 3**.

## 6. Risk Analysis

If Council choose not to adopt the Communications Infrastructure Policy Framework there are a number of risks:

1. The absence of a Communications Infrastructure Policy in Melton will result in the ongoing lack of clear direction for Council officers in assessing future planning applications in a clear in consistent manner.
2. An ongoing lack of guidance for telecommunications carriers when applying to Council to place facilities on private or Council owned land.
3. Inappropriate planning outcomes in relation to the siting and design of facilities.

In respect of the Planning Scheme Amendment, the implementation of the Framework into the planning scheme would provide some additional weight to the document in a VCAT context but it should be noted that the Framework would still be considered as part of any VCAT hearing as a Council adopted document.

## 7. Options

Council has the option to:

1. Adopt the Communications Infrastructure Policy Framework, note the associated reports and initiate a planning scheme amendment to incorporate a Communications Infrastructure Local Planning Policy into the Melton Planning Scheme.
2. Not adopt the Communications Infrastructure Policy Framework, note the associated reports or initiate a planning scheme amendment to incorporate a Communications Infrastructure Local Planning Policy.

## LIST OF APPENDICES

1. Strategic Telecommunications Policy Framework – dated December 2017
2. Strategic Infrastructure Policy - Background Analysis Paper – dated May 2017
3. Strategic Communications Infrastructure Policy - Consultation Report – dated December 2017

## 12.14 AMENDMENT C173 TO THE MELTON PLANNING SCHEME - SIGNIFICANT LANDSCAPE FEATURES STRATEGY

Author: Donald Lewis - Strategic Planner

Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

### PURPOSE OF REPORT

To consider submissions received in response to Amendment C173 to the Melton Planning Scheme during the exhibition period.

### RECOMMENDATION:

That Council:

1. Request the Minister for Planning to establish an independent planning panel to consider unresolved submissions received in response to Amendment C173 in accordance with the *Planning and Environment Act 1987*.
2. Authorise the General Manager Planning and Development and the Manager City Design, Strategy and Environment to negotiate and resolve issues that are raised during the Planning Panel process prior to the Amendment being reported back to Council for consideration.

### Motion

Crs Abboushi/Majdlik.

That the recommendation be adopted.

### Procedural Closure Motion

Crs Abboushi/Majdlik.

That the motion now be put.

CARRIED

The substantive motion was then put to the vote.

CARRIED

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## REPORT

### 1. Executive Summary

Amendment C173 seeks to amend the *Melton Planning Scheme* to implement the recommendations of the Significant Landscape Features Strategy (the Strategy). The Strategy was adopted by Council at the Ordinary Meeting on 2 May 2016.

At Council's Ordinary Meeting held 2 May 2016, Council also resolved to prepare and exhibit Amendment C173 to the *Melton Planning Scheme* to implement the recommendations of the Strategy. The Strategy identifies significant landscape areas in the City of Melton and the key contributing elements including, vegetation, waterways and volcanic hills and cones. The Strategy reviewed existing planning controls and management issues affecting the study

area. Through the development of Landscape Management Guidelines, the strategy seeks to provide guidance for planners and landholders when development proposals are to be considered.

Following this resolution, Council officers sought authorisation to commence the Amendment from the Department of Environment, Land, Water and Planning (DELWP). Subsequently, the draft Amendment was publicly exhibited during the period of 5 October 2017 – 6 November 2017 and 15 submissions were received and are summarised in section five of this report and detailed in **Appendix 1**.

The adopted Strategy recommended the following changes to the Melton Planning Scheme:

- Extend the existing Significant Landscape Overlay (SLO) mapping of Mt Kororoit, Mt Cottrell and Mt Atkinson.
- Amend the Significance Landscape Overlay Schedule 1, Environmental Significance Overlay Schedules 1 and 2 (ES01 & ES02)
- Amend the Municipal Strategic Statement at Clause 21.01 and 21.03.
- Introduce a Rural Landscape Character Policy into the Melton Planning Scheme at Clause 22.16.
- Introduce the *Significant Landscape Features Strategy, May 2016* as a Reference Document.

## 2. Background/Issues

### Significant Landscape Features Strategy

The 2012 Planning Scheme Review identified the need to undertake a Landscape Strategy and recommended improved planning controls. The need to prepare a landscape strategy that sought to protect important features was also a key recommendation from the Western Plains North Green Wedge Management Plan (WPNGWMP) which was adopted by Council in 2014. On this basis, the Significant Landscape Features Strategy was prepared and adopted by Council at its Ordinary Meeting on 2 May 2016.

The Strategy identifies significant landscapes across the municipality and provides policy direction from Landscape Management Guidelines contained in a Local Planning Policy. The Strategy also recommended the extension of the existing Significant Landscape Overlay (SLO) affecting Mt Kororoit, Mt Atkinson and Mt Cottrell, and updating schedules to the SLO1, Environmental Significance Overlay 1 (ESO1) and Environmental Significance Overlay 2 (ESO2). The ESO1 is applied to Remnant Woodlands, Open Forests and Grasslands. The ESO2 is applied to Wetlands, Waterways, and Riparian Strips.

### Amendment C173

Following Council's adoption of the Strategy and resolution to proceed with an Amendment to the Melton Planning Scheme to implement the recommendations of the Strategy, Council officers commenced preparation of Amendment C173. Officers had discussions with Department of Environment, Land Water and Planning (DELWP) concerning the form and content of the Amendment.

The Amendment seeks the following changes to the Melton Planning Scheme:

- Extend the existing Significant Landscape Overlay (SLO) mapping of Mt Kororoit, Mt Cottrell and Mt Atkinson.
- Amend the Significance Landscape Overlay Schedule 1, Environmental Significance Overlay Schedules 1 and 2 (ES01 & ES02)
- Amend the Municipal Strategic Statement at Clause 21.01 and 21.03.

- Introduce a Rural Landscape Character Policy into the Melton Planning Scheme at Clause 22.16.
- Introduce the *Significant Landscape Features Strategy, May 2016* as a Reference Document.

Amendment C173 was publicly exhibited during the period of 5 October 2017 – 6 November 2017 and 15 submissions were received through this process.

### **Strategic Assessment of Amendment**

In line with the *Strategic Assessment Guidelines for Planning Scheme Amendments* (August 2004) prepared by the State Government, every Planning Scheme Amendment should be strategically supported and maintain or develop the strategic focus of the Planning Scheme. It is necessary to determine whether any Amendment supports or implements the *State Planning Policy Framework* (SPPF) of the Planning Scheme. Further, Council must determine whether the outcome of the Amendment will have consequences in terms of the Planning Scheme's directions, usability and transparency.

Amendment C173 is required to implement the adopted strategy to protect the character of the remaining undeveloped rural areas of the City of Melton and to recognise the importance of significant landscape features within the City.

The Amendment is consistent with the State Planning Policy Framework (SPPF) as follows:

- Clause 11.06-7 'Green Wedges' has an objective "*to protect the green wedges of Metropolitan Melbourne from inappropriate development*". Relevant strategies at this clause seek to protect areas of environmental, landscape and scenic value. The introduction of a local planning policy applies to all rural zoned land including GWZ land. Significant areas within the ESO1 and ESO2 apply to large areas of GWZ land. In addition, changes to the existing SLO will strengthen protection of Mt Kororoit and Mt Cottrell which is also contained within the Green Wedge.
- Clause 12.04-2 'Landscapes' has an objective to "*protect landscapes and significant open spaces that contribute to character, identity and sustainable environments*". The introduction of Clause 22.16 Rural Landscape Character Policy will improve protection of rural landscapes and character.

The Amendment is consistent with the Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) as follows:

- Clause 21.01-11 Environment and landscape. This clause identifies key environmental issues for the City of Melton and will be updated to reflect the significant landscape features from the strategy.
- Clause 21.03-2 Areas of Historical, Cultural and Environmental Significance has an objective to "*protect and enhance areas of environmental, historical and cultural significance and sensitivity*". Amendment C173 acknowledges the importance of significant landscapes and rural character through the inclusion of a local policy and updating the ESO1 and ESO2 schedules affecting significant waterways and forested areas.
- Clause 22.02 Sustainable Environment Policy has an objective to '*identify areas of botanical, zoological and geomorphological significance and ultimately protect them through overlay controls in the planning scheme*' and '*Discourage use and development that would detrimentally impact upon these significant areas*'. Amendment C173 supports this policy by updating the SLO and ESO1 and ESO2 overlays.
- Clause 22.08 Rural Land Use Policy has an objective to "*maintain and enhance the landscape of the rural areas by encouraging development that is in harmony with the rural landscape*". The inclusion of Clause 22.16 builds on this policy and importantly,

provides specific Landscape Management Guidelines to assist in the assessment of planning applications in rural areas.

It should be noted that Amendment C173 is consistent with and implements the intent of the draft MSS adopted by Council.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

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

### **4. Financial Considerations**

The preparation of the Strategy was \$120,000 and included a considerable amount of officer time to prepare.

Council officer time and resources are involved in the preparation, exhibition and adoption of the amendment. Statutory fees such as those associated with a Planning Panel are required to be borne by Council as the Responsible Authority. The budget for Planning Scheme Amendments is within the unit's recurrent budget.

### **5. Consultation/Public Submissions**

#### **Public Exhibition**

It should be noted that public consultation was undertaken throughout the development of the Strategy including direct mail, public drop in sessions, advertisements in local papers and the use of social media.

The amendment was on public exhibition from 5 October 2017 – 6 November 2017 and involved letters (giving notice) to affected land owners and occupiers and Government bodies and agencies who may have been materially affected by the amendment.

Letters were sent to land owners and occupiers that are affected by the:

- SLO1
- ESO1 and ESO2
- Previous submitters to the Strategy
- Previous submitters to the WPNGWMP.

Letters were sent to the following Government bodies and agencies:

- Prescribed Ministers
- Victorian Planning Authority
- Southern Rural Water
- Vic Track
- Western Water.

Included in the mailout was an information brochure (**Appendix 2**) and the public notice.

Notices were placed in the local newspaper the *Melton and Moorabool Star Weekly* and the *Government Gazette* and posted on DELWP's and Council's website.

#### **Submissions**

A total of 15 submissions were received in response to the amendment (**Appendix 1**).

All submissions opposed the amendment in some form.

Following exhibition, Council Officers contacted submitters who sought clarification on some issues and the process for the next stage of the Amendment. Most submitters requested significant changes to the Amendment and indicated their support for an independent Planning Panel to consider these submissions. No submissions were resolved as a result of these discussions.

A summary of issues raised through submissions to be considered by the Planning Panel are detailed below:

Submission	Response
Justification for the amendment has not been made or why the current planning controls are not working.	Justification for the amendment is derived from the adopted Significant Landscape Features Strategy which provides an assessment on the issues, with current controls and recommended changes.
The extension of the SLO is unnecessary.	The existing SLO does not protect the entire cone area. The existing schedule is unclear about how proposed development should be assessed. The revised SLO will provide guidance in respect of what development within the SLO extension must consider. The proposed extension area doesn't discourage development.
The extension of the SLO will restrict further development and create uncertainty.	The extended area of the SLO will trigger a planning permit for most buildings and works but can't prohibit development. It provides certainty by providing a clear framework for the assessment of applications.
The methodology used to justify the extension of the SLO is deficient.	The methodology used has been applied in other landscape strategies in Victoria, including strategies prepared on behalf of State Government.
The Amendment will reduce land values.	Under the <i>Planning and Environment Act 1987</i> , changes to planning schemes can't consider land values as part of the Amendment process.
The extended SLO at Mt Atkinson will result in significantly more planning applications on the edge of the PSP.	The approved Mt Atkinson PSP was based on the current SLO settings. The Strategy was referred to the VPA prior to Council adoption which preceded the approval of the PSP. It was agreed that proposed changes to the SLO would need to be considered separately through Amendment C173. Council will further consider the interaction between the Mt Atkinson PSP and the proposed controls.

The proposed Local Planning Policy does not identify viewing corridors.	Views are acknowledged in the policy. How these areas are defined are discussed in the Strategy which is listed as a Reference Document in the policy.
<b>Submission</b>	<b>Response</b>
Why are the existing controls including the GWZ not adequate?	Existing planning controls and policies in the Melton Planning Scheme do not specifically address landscape and rural character issues. The GWZ determines uses with limited guidance for issues associated with design or the protection of significant landscape features.
The Amendment changes will create confusion for existing planning controls at Eynesbury.	C173 does not apply to the MUZ which covers the Eynesbury Township.
Existing and proposed water storage tanks affecting Mt Atkinson, Mount Cottrell and Mt Kororoit should be referenced in the Amendment documentation.	Impacts from inappropriate development is acknowledged in the updated SLO and local policy. It is not necessary to specify or single out water infrastructure and it is not standard practice.

## 6. Risk Analysis

Proceeding with a Planning Panel, will provide submitters the opportunity to be heard by an independent third party and for Council to present their position on the issues referred to the Panel in accordance with the *Planning and Environment Act 1987*. The recommendations of the panel will be reported to Council for consideration.

Should Council choose to abandon the amendment, it will result in a lack of strategic justification and clear direction for Council Officers to facilitate appropriate development and determine future planning permit applications. It will also undermine the policy direction of an adopted Council Strategy and the amendment process undertaken to date.

If the Amendment is abandoned Council will not be able to reinstate it and therefore would not be implementing an adopted Council policy position

## 7. Options

1. Request the Minister for Planning to establish an independent Planning Panel to consider unresolved submissions received in response to Amendment C173 in accordance with the *Planning and Environment Act 1987*, and authorise the General Manager of Planning and Development to negotiate and resolve any issues raised during the Planning Panel process prior to the Amendment being reported back to Council for consideration.
2. Abandon Amendment C173 to the Melton Planning Scheme.



**LIST OF APPENDICES**

1. C173 Submissions Table - undated
2. C173 Information Brochure - dated 2016

## **12.15 REAPPOINTMENT OF TWO MEMBERS TO THE HERITAGE ADVISORY COMMITTEE**

**Author: Georgina Borg - Strategic Planner**  
**Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment**

### **PURPOSE OF REPORT**

To consider the reappointment of two community representatives to the Heritage Advisory Committee.

### **RECOMMENDATION:**

That Council:

1. Approve the reappointment of two community representatives to the Heritage Advisory Committee.
2. Note that the remaining position be left as vacant until the next round of positions are advertised in April 2018.

### **Motion**

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## **REPORT**

### **1. Executive Summary**

The Melton Heritage Advisory Committee promotes local heritage initiatives, assesses applications for the City of Melton Heritage Assistance Fund and the City of Melton Heritage Awards and drives programs that encourage an appreciation of heritage in the City of Melton.

In December 2017, three of the six community representative positions will become vacant when the 2 year term of current members end. Two nominations were received during the advertised 'Expression of Interest' period from 10 October to 14 November, 2017 to fill these three positions.

The two nominations were from current representatives of the Committee whose terms are ending in December 2017.

It is recommended that Council approve the reappointment of the two nominated representatives to the Heritage Advisory Committee and notes that the remaining position be left vacant until the next round of positions are advertised in April 2018.

### **2. Background/Issues**

#### **Heritage Advisory Committee**

The Melton Heritage Advisory Committee promotes local heritage initiatives, assesses applications for the City of Melton Heritage Assistance Fund and the City of Melton Heritage

Awards and drives programs that encourage an appreciation of heritage in the City of Melton.

Under the Terms of Reference, the Heritage Advisory Committee has the following responsibilities:

- Consider applications to the City of Melton Heritage Assistance Fund and make recommendations on applications to Council.
- Promote, select and advise Council on nominations to the City of Melton Heritage Awards.
- Act as a promotion and coordinating body for heritage in the community, including providing advice on marketing and promotion of the values of heritage and heritage related tourism in the City of Melton.
- Provide advice to Council on the documentation, interpretation, management and conservation of history and heritage in the City of Melton.
- Make recommendations to Council about further work required to document and protect Melton's heritage.
- Provide recommendations for the nomination of places to local, state or national heritage registers.
- Advocate in a professional manner on behalf of the community and celebrate the community history and heritage within the City of Melton.
- Assist Council in sourcing external funding or sponsorship opportunities to further heritage conservation, promotion, management and education.

### **Nominations**

In December 2017, three of the six community representative positions will become vacant as the two year term of the current representatives ends.

Only two nominations were received during the advertised 'Expression of Interest' period of 10 October to 14 November, 2017 to fill these three positions.

The two nominations were from current representatives of the Committee, Alan Perry and Carolyn MacGavin, whose terms are ending in December 2017.

It is recommended that Council approves the reappointment of the two nominated representatives Alan Perry and Carolyn MacGavin to the Heritage Advisory Committee and that the remaining position be left vacant until the next round of vacancies is advertised which will be in April 2018 when the terms of existing representatives ends.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability
  - 5.3 *Effective civic leadership, advocacy, partnerships and good governance.*

### **4. Financial Considerations**

Nil.

## 5. Consultation/Public Submissions

An advertisement was published in the *Melton and Moorabool* and *Brimbank and North West Star Weekly Newspapers* on 10 October 2017. The advertisement sought nominations for three vacant positions on the Heritage Advisory Committee for two year terms.

The three vacant positions were also advertised on Council's website and Facebook page.

## 6. Risk Analysis

It is considered that the Heritage Advisory Committee is of limited risk to Council as the Committee has an advisory capacity only and therefore can make recommendations that Council can choose not to adopt.

## 7. Options

Council can choose to either:

1. Approve the re-appointment of the two nominated representatives to the Heritage Advisory Committee and note that the unfilled third position be left vacant until the next round of positions are advertised in April 2018.
2. Not appoint the two recommended representatives to the Heritage Advisory Committee which would result in three vacant positions.

## LIST OF APPENDICES

Nil

## 12.16 CONTRACT FOR AWARD - 18/004 HUME DRIVE DUPLICATION STAGE 1 PROJECT

Author: Alexander Godfrey - Capital Projects Officer  
Presenter: Luke Shannon - General Manager Planning & Development

### PURPOSE OF REPORT

To seek Council's approval for the award of Contract No. 18/004 for the construction of Hume Drive Duplication Stage 1 Project.

### RECOMMENDATION:

That Council:

1. Receive and note the Tender Evaluation Reports found in **Confidential Appendix 1** (separately circulated).
2. Award Contract No. 18/004 for the construction of Hume Drive Duplication Stage 1 Project to ACE Infrastructure Pty Ltd for the amount of \$3,786,002.00 (excluding GST).
3. Delegate execution to the Chief Executive Officer in relation to all relevant contract documentation for the contract above.
4. Note that Brimbank City Council will reimburse Melton City Council an estimated \$915,112.95 at project completion as per terms of the signed Funding Agreement.

### Motion

Crs Ramsey/Carli.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The purpose of this report is to seek approval from Council to award Contract No. 18/004 for the construction of Hume Drive Duplication Stage 1 Project.

Melton City Council ('Melton') and Brimbank City Council ('Brimbank') signed a Funding Agreement in September 2017 to upgrade Hume Drive between Calder Park Drive (within Melton) and Copperfield Drive (within Brimbank). The upgrade will involve the duplication of this section of Hume Drive and the signalisation of the intersection between Hume Drive and Overton Lea Boulevard.

Council committed to completing the construction works for Hume Drive Duplication Stage 1 over financial year 2017-18. Council allocated a budget of \$3,545,000 across those financial years. Under the terms of the Funding Agreement, Melton will meet the upfront cost of the project. Brimbank will reimburse Melton with their portion of the project cost, approximately \$915,112.95 excluding GST upon completion of the project.

With both Melton and Brimbank funding contributions the total project budget is estimated at \$4,460,112.95 excluding GST.

An Expression of Interest (EOI) was advertised on 9 August 2017 for the provision of head contractor services for the construction of the Hume Drive Duplication Stage 1 Project. The EOI closed on the 28 August 2017 with seven companies submitting an Expression. Following the evaluation process all seven companies were identified as having the capability and resources to undertake the project, and who would be invited to the Request for Tender phase.

The Construction Tender was advertised via Council's tender portal, TenderSearch, on the 16 October 2017.

Construction is expected to commence in late January 2018 and is expected to be completed by 31 July 2018.

The tender evaluation summary is provided in the **Confidential Appendix** separately circulated to this report.

## 2. Background/Issues

To improve road safety and cater for increased traffic volume associated with a growing population, Council approved the upgrade of Hume Drive between Calder Park Drive, Taylors Hill (Melton) and Copperfield Drive, Delahey (Brimbank). The project will expand Hume Drive from a two-lane road to a four-lane road and include signalisation of the intersection and Overton Lea Boulevard as well as upgrades to existing roundabouts and landscape treatment.

The larger part of the works is within the Melton municipality and the smaller part within the Brimbank municipality. Melton and Brimbank have agreed that each will fund the duplication of Hume Drive within their respective municipalities and that each will contribute equal funding for the intersection signalisation at Overton Lea Boulevard. Melton have agreed to manage the duplication project in consultation with Brimbank.

Melton approved a project budget of \$3,545,000 in the 2017-18 financial year for completion of the project.

The contract will provide the construction of:

- Site and traffic management.
- Civil works (including rectification works to existing lanes and construction of new carriageway).
- Landscaping.
- Relocation of services.
- Public lighting.
- Signal installation at Overton Lea Boulevard.

An Expression of Interest for the above contract was advertised in The Age on 9 August 2017 and closed on 28 August 2017.

A total of seven contractors were shortlisted from the Expression of Interest.

Tender documentation for the above contract was released to the seven shortlisted contractors on 16 October 2017 and closed on 10 November 2017.

A total of seven tender submissions were received and assessed on the basis of the evaluation criteria described in the tender documents.

Statutory Declarations from nominated subcontractors were not submitted in all seven of the tenders resulting in all seven tenders being considered non-conforming. Statutory Declarations are required to be signed by nominated subcontractors and submitted as part of the tender. They ensure that subcontractors understand the terms of the tender, have no

conflicts of interest and will keep the information supplied during the tender confidential. Despite this non-conformance of all seven of the submissions, all submissions were evaluated.

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

### 3. Council Plan Reference and Policy Reference

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

3.4 A flexible, safe and health promoting transport network that enables people to move around

### 4. Financial Considerations

A financial assessment of ACE Infrastructure Pty Ltd was undertaken by Corporate Scorecard and returned a satisfactory result.

Hume Drive Duplication Stage 1 Project requires an overall budget of \$4,264,630.70 (excluding GST).

The breakdown of expenditure required for Hume Drive Duplication Stage 1 is as follows:

<b>Expenditure</b>	<b>Amount \$</b>
Construction contract	\$3,786,002.00
Design, legal and service fees	\$100,028.50
Contingency (10%)	\$378,600.20
<b>PROJECT TOTAL excluding GST</b>	<b>\$4,264,630.70</b>

<b>Funding</b>	<b>Amount \$</b>
Brimbank contribution (approximate)	\$915,112.95
Melton contribution	\$3,545,000.00
<b>TOTAL PROJECT FUNDING excluding GST</b>	<b>\$4,460,112.95</b>

<b>Overall Cost to Melton</b>	<b>Amount \$</b>
Project cost	\$4,264,630.70
Brimbank contribution (approximate)	\$915,112.95
<b>TOTAL COST TO MELTON excluding GST</b>	<b>\$3,349,517.75</b>

The project will be funded from the 2017-18 and 2018-19 Capital Works Program with Brimbank providing their contribution at project completion.

The spend profile across the financial years of the Hume Drive Duplication Stage 1 Project is:

*Note: Total Brimbank funding contribution of \$915,112.95 may change in response to project requirements according to terms of Funding Agreement.*

Financial year expenditure	Expected Spend	Melton Funding	Brimbank Funding	Current Total Budget
2017-18	\$3,570,530.35	\$3,545,000.00	\$0.00	\$3,545,000.00
2018-19	\$694,100.35	\$0.00	\$915,112.95	\$915,112.95
<b>TOTAL</b>	<b>\$4,264,630.70</b>	<b>\$3,545,000.00</b>	<b>\$915,112.95</b>	<b>\$4,460,112.95</b>

## 5. Consultation/Public Submissions

A meeting took place on 4 October 2017 between Melton and Brimbank to discuss public consultation. Both parties agreed that consultation with the community, affected property owners and commuters to notify them of disruptions throughout the construction works would form part of the project planning and delivery after the award of this Contract.

Melton and Brimbank will communicate with their respective constituencies independently. Once a communications plan has been prepared post contract award, Melton will provide it along with project and construction program information to Brimbank to ensure that consistent information is released to residents. A media release from both Melton and Brimbank to their respective residents will be prepared post contract award.

All project or construction related enquiries will be answered by Melton, however any correspondence from a Brimbank resident concerning Brimbank matters will be forwarded to Brimbank for their response.

Two road project signs that display basic project information and underline the Melton-Brimbank partnership will be installed along the verge in each direction of traffic. The signs will feature both Melton and Brimbank corporate branding.

The website will continue to be updated as the project progresses. The contractor will also notify residents of the start of works and duration of works.

## 6. Risk Analysis

The following measures have been put in place to reduce or eliminate the risk to Council for this project.

### 1. Engagement of a suitably qualified construction company:

- Advertised an open expression of interest to construction companies via The Age and on the Tendersearch website
- Select tender to construction companies shortlisted through the open expression of interest process
- Required companies tendering for the construction phase to comply with Council's occupational health and safety requirements.
- To assist in the selection of a construction company with suitable occupational health and safety work practices, Council requires construction companies invited to tender to provide third party accreditation of their Occupational Health and Safety Management System. Council also required the tenderers to provide evidence of public liability insurance and work cover.
- Conducted referee checks for the appointment of the construction company.

### 2. Engagement of a financial capable construction company:

- The engagement of an independent and expert consultant to conduct a financial review of the short-listed companies.

### 3. Development of risk management plan.



## **7. Options**

Council has the options to:

1. Adopt the Officers' recommendations as presented in this report.
2. Re-advertise the tender seeking further submissions.

## **LIST OF APPENDICES**

**CONFIDENTIAL Appendix 1 - Separately Circulated**

## 12.17 PLANNING APPLICATION PA 2016/5438 - DEVELOPMENT OF THE LAND FOR A SERVICE STATION WITH ASSOCIATED CONVENIENCE STORE, A FOOD AND DRINK PREMISES, ADVERTISING SIGNS AND ACCESS TO A ROAD IN A ROAD ZONE (CATEGORY ONE) AT 1/99 -113 HIGH STREET, MELTON

Author: Valentine Sedze - Development Planner  
 Presenter: ~~Bob Baggio – Manager Planning Services~~  
 Laura-Jo Mellan – Manager City Design, Strategy and Environment

### PURPOSE OF REPORT

To enable Council to determine its position in relation to the above application and to provide that position to the Victorian Civil and Administrative Tribunal (VCAT) prior to the scheduled hearing.

On 18 September 2017, the applicant lodged a review of the application with VCAT for Council's failure to determine the application within the prescribed time frame. The matter has been listed for a hearing on 20 March 2018.

### RECOMMENDATION:

That Council advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6** of this report.

#### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

## REPORT

### 1. Background

#### Executive Summary

Applicant:	North Park Investment Group
Proposal:	Service station with associated convenience store, a food and drink premises, advertising signs and new access points onto High Street.
Existing Land Use:	Storage yard
Zone:	Industrial 1
Overlays:	Nil
Number of Objections:	One
Key Planning Issues:	Vehicle access and egress Impact on road safety
Recommendation:	Advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to conditions.

### **The Land and Surrounding Area**

The subject site has an area of 5,786m<sup>2</sup> and is located on the south west side of High Street, just west of its intersection with Norton Drive in Melton. Other features of the site are as follows:

- It is triangular in shape, and currently used for the storage of bricks and related goods.
- The westernmost portion of the site (not affected by the current proposal) is developed with an industrial building.
- The site has existing vehicle access from High Street.

The surrounding area can be characterised as predominantly industrial.

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

### **The Application**

The application proposes to develop the land for a service station with associated convenience store, use and development of a food and drink premises, advertising signs and access to a road in a Road Zone (Category One).

The proposed development is summarised as follows:

- A convenience store associated with Coles Express with a floor space of 199m<sup>2</sup>.
- A food and drink premises (Tenancy One) with a floor space of 103m<sup>2</sup>. The tenant for Tenancy One is unknown.
- The proposed uses will operate 24 hours a day, 7 days a week.
- Access to the site from High Street is to be on the basis of left-in, left-out.
- 16 car spaces including one disabled car space will be provided on site.
- Two bicycle spaces are proposed.
- One loading/unloading bay is proposed.
- A canopy will extend over the proposed 6 bowsers and will be setback 2.59m from the road reserve.
- An illuminated Shell logo fascia sign measuring 1.2m x 1.2m.
- Shell red bar lighting strip internally illuminated upward onto yellow fascia on south and east side of the canopy.
- An internally illuminated tenancy logo sign measuring 4m x 0.9m.
- An internally illuminated pylon sign measuring 7m x 2.01m.
- A non-illuminated convenience store sign measuring 4m x 0.9m.
- A number of non-illuminated spreader signs will be located under the canopy to identify the fuel dispenser locations.
- Relocation of the existing bus stop in High Street.

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

**Planning Controls**

Zone	(Clause 33.01– Industrial Zone)	A permit is required for the use of a food and drink premises and a permit is required for the buildings and works associated with both the service station and food and drink premises.
Overlays	Nil	Nil
Particular Provisions	(Clause 52.06 – Car Parking)	The car parking rate for a food and drink premises is 4 car spaces to each 100m <sup>2</sup> of leasable floor area. For a floor space of 103m <sup>2</sup> , this equates to 4 car spaces for the proposed food and drink premises. The use of land for a service station requires car parking to be provided to the satisfaction of the Responsible Authority. The application makes provision for 16 spaces.
	(Clause 52.05 – Advertising Signs)	A planning permit is required to construct illuminated signs, pylon signs and business identification signage if the total advertisement area of all signs to each premises exceed 8m <sup>2</sup> .
	(Clause 52.12 – Service Station)	This outlines the requirements to be met to use and develop land for a service station.
	(Clause 52.29 – Land Adjacent to a Road Zone, Category 1)	This provision requires a planning permit to create or alter an access to a main road (High Street) and requires a referral to VicRoads.

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

**Is the land affected by a Restrictive Covenant?**

The land is not affected by a Restrictive Covenant.

**Is the land of Cultural Heritage Sensitivity?**

The land is not considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*.

**2. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

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

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

**3. Financial Considerations**

No Council related financial considerations are involved with the application.

## 4. Consultation/Public Submissions

### Public notification of the application

The application was subject to notification. The notification was satisfactorily completed and one objection was received.

The grounds of objection may be summarised as follows:

- Traffic safety concerns regarding the intersection of Norton Drive and High Street.
- The intersection must be signalised.

A response to the objection is provided in **Appendix 4**.

### Referral of the application

The application was referred to Council's Engineering Services, Traffic Unit, Environmental Health Unit, Environmental Services, City Design and Parks and Gardens for comment and advice. The application was required to be referred to VicRoads and Public Transport Victoria (PTV) which are determining referral authorities in this case. The application was also referred to the Environment Protection Authority. A complete list of responses is included in **Appendix 5**.

Of particular note are the comments from Council's Traffic Unit regarding vehicle access arrangement to and from the site and the proximity of the site's entry to the intersection at Norton Drive and High Street.

## 5. Issues

### Planning Assessment

The subject site is located within an established industrial area and does not adjoin any sensitive uses. As such the proposed uses are well suited to this area. The design and built form of the development will sit comfortably within the streetscape and enhance visual interest in the street subject to appropriate conditions. Given the site is a gateway to Melton Township and highly visible from High Street, a flat roof is not considered appropriate as it does not provide a variety of planes or angles. To enhance visual interest in the street, an angled roof form or similar must be incorporated into the design of the building and canopy associated with the service station. Appropriate landscaping will be required to improve the visual appearance of the site.

The proposed advertising signage is modest in size and is considered acceptable.

The application was referred to VicRoads who did not object to the proposal subject to conditions. VicRoads requires a centre median constructed within High Street to prevent right turning entry and exit movements to and from the site as a condition of approval.

Of initial concern to Council officers was the proposed vehicle access arrangement to and from the site and the proximity of the site's entry to the intersection at Norton Drive and High Street. The intersection of Norton Drive and High Street has a history of collision incidents occurring mainly due to right turn traffic movements, with six accidents recorded over the past five years. The intersection is currently unsatisfactory and needs to be signalised. However it is not known when VicRoads will signalise the intersection.

Council sought independent advice from O'Brien Traffic consultants regarding the proposal. The independent traffic assessment report concludes that the provision of car parking, the site and parking layout, provision for loading and fuel tankers is satisfactory. Additionally, access to the site should be restricted to left in/left out and a concrete median on High Street opposite the site access be provided to prevent right turns into the site. The traffic assessment report also identifies that if the High Street/Norton Drive intersection is signalised, the proposed concrete median would restrict the length of the right turn lane that could be provided at the signalised intersection. The length of the right turn lane required to

accommodate anticipated queue lengths at the intersection must be clarified. The independent traffic assessment report further notes that the proposed length of the left turn deceleration lane (45m) into the site is less than the required 60m and with the proposed future signalisation of High Street/Norton Street, the length available for a left turn deceleration lane would be further reduced. The few issues identified in the independent traffic assessment report are not fatal to the proposal as the access arrangements are considered safe and functional. It is considered appropriate that the amended plans required for approval by VicRoads consider the requirements of the signalisation at the intersection.

Having considered the independent traffic report, VicRoads response and the latest amended plans, Council officers are now satisfied that the proposal will not impact on the operation of the adjoining roads and on public safety. Whilst it is agreed that the signalisation of High and Norton Street intersection would be ideal in terms of improving the safety of intersection, it is considered that the proposal will operate with reasonable safety levels. The proposed centre median strip in High Street, restricted site access to left in/left out and the left turn deceleration lane, all act to mitigate the risk that the proposal may pose to the safety of the intersection. The accident history around the site does not suggest that there would be adverse safety problems arising from the proposal, even in the safest of conditions, accidents do occur.

## 6. Options

Council can either advise VCAT, the permit applicant and the objector that it would have supported the application by issuing a Notice of Decision to Grant a Permit or not supported the proposal by issuing a Notice of Refusal.

## 7. Conclusion

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

It is considered that the proposal generally complies with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that Council advise VCAT, the permit applicant and the objector that it would have issued a Notice of Decision to Grant a Permit subject to the conditions outlined in **Appendix 6**.

## LIST OF APPENDICES

1. Locality Plan - dated 3 August 2017
2. Plans for the Proposal - dated October 2016, January 2017, 1 August 2017 and 3 March 2017
3. Assessment against Planning Scheme - undated
4. Response to Objection - undated
5. Referral Comments - undated
6. Conditions - undated

Item 12.18 was heard as the first order of business under staff reports at Item 12 of this Agenda pursuant to an earlier resolution.

## 12.19 DOMESTIC ANIMAL MANAGEMENT PLAN 2017-2021

**Author: Andrew Mason - Coordinator City Amenity and Compliance**  
**Presenter: Luke Shannon - General Manager Planning & Development**

### PURPOSE OF REPORT

To consider the Domestic Animal Management Plan 2017-2021 and adopt the plan so it can be submitted to the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

### RECOMMENDATION:

That Council adopt the Domestic Animal Management Plan 2017-2021.

#### Motion

Crs Ramsey/Majdlik.

That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The *Domestic Animals Act* 1994 ('the Act') requires that each municipal council prepare an animal management plan. Melton City Council has therefore developed the Domestic Animal Management Plan 2017-2021 (the Plan), in accordance with the legislative guidelines.

At the Ordinary Meeting of Council held on 16 October 2017, the draft plan was released for public comments for 28 days and was advertised through public notice in the newspaper, Council's website and social media. Council received no public submissions and therefore prepared the final Plan.

The Plan will allow the Council to undertake a consistent approach to animal management issues throughout the municipality by providing a strategic planning focus to the activities undertaken by Council in relation to domestic animal management.

It is recommended that The Plan be adopted so it can be submitted to the Secretary of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).

### 2. Background/Issues

Council is required to prepare a Domestic Animal Management Plan (DAMP) every four years in accordance with section 68A of the *Domestic Animals Act* 1994. Council adopted its first DAMP at the Ordinary meeting of Council held 24 November 2008.

There is increasing public view that punitive enforcement of laws alone will not result in lasting voluntary changes in behaviour. Therefore, enforcement of the Act and Local Laws should be balanced with media and public education material for responsible animal management.

In developing the Plan, Council has sought to balance the competing needs of animal owners, the broader community and the domestic animals that share people's lives. Council also recognises the positive health and wellbeing outcomes that arise from domestic animals ownership. It is expected over the life of the plan there will be measurable improvements in animal welfare, responsible domestic animal ownership and compliance with relevant legislation. The programs and activities set out in the plan have therefore been developed with the aim to encourage more people to enjoy the pleasure derived from animal companionship, within a framework of responsible ownership.

In this context it was recommended at the Ordinary Meeting of Council 16 October 2017 that the draft Domestic Animal Management Plan 2017-2021 be released for public consultation for 28 days to obtain feedback on the Plan.

Prior to the draft Plan being released for comment the Plan did undergo a thorough review process by Councils Animal Management Officers and Pound staff. The 2012-2016 Plan was developed through community consultation prior to the adoption of the 2012-2016 Plan.

Council received no public submissions from the public and therefore we prepared the final Plan knowing that the preparation of the Plan has been comprehensive and many subject matter experts had been involved in its development.

### **3. Council and Wellbeing Plan Reference and Policy Reference**

The Melton City Council 2017-2021 Council and Wellbeing Plan references:

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way
  - 3.2 *Community facilities, infrastructure and services that are equitably planned for, provided and maintained.*

### **4. Financial Considerations**

There will be minor financial costs for in producing a public version of the plan. These cost can be absorbed in the current budget.

### **5. Consultation/Public Submissions**

There were no public submissions received in the 28 day consultation period.

### **6. Risk Analysis**

The recommendation does not increase the risk to Council.

### **7. Options**

Council has the option to:

1. To adopt the Domestic Animal Management Plan 2017-2021.
2. Not adopt the Domestic Animal Management Plan 2017-2021.

### **LIST OF APPENDICES**

1. Domestic Animal Management Plan - dated 2017-2021



**Procedural Motion**

Crs Majdlik/Ramsey.

That Item 13, 'Reports from Delegates Appointed to Other Bodies' and Item 14, 'Councillor Representation and Acknowledgements' be combined with Councillors having up to 3 minutes and the Mayor up to 5 minutes to give their reports.

CARRIED

**13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES**

Verbal reports were received from Crs Abboushi, Majdlik, Kesic, Hardy, Ramsey, Mendes, De Santis, Carli and Mayor Turner.

Cr Hardy presented the Mayor and Andrew Mason with a Highly Commended 2017 Resilient Australia National Award which was presented to Melton and Wyndham City Council for Emergency Ready Communities.

**14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS**

Crs Abboushi, Majdlik, Kesic, Hardy, Ramsey, Mendes, De Santis, Carli and Mayor Turner addressed the Chamber in respect to a variety of matters of significance.

**15. NOTICES OF MOTION****15.1 NOTICE OF MOTION 530 (CR DE SANTIS)****Councillor: Melissa De Santis - Councillor****NOTICE:**

In line with Council's commitment to preventing family violence within our community that Council:

1. write to the local inspector seeking information about the current family violence related services available at the Melton and Caroline Springs police stations
2. seek information about planning for future growth for these services.

**Motion**

Crs De Santis/Majdlik.

In line with Council's commitment to preventing family violence within our community Council:

1. write to Acting Inspector Philip Nash, Melton Police Station, seeking information about the current Family Violence Unit resources at the Melton and Caroline Springs police stations.
2. Request information about the planning for future growth for Family Violence Unit resources in Melton.

**CARRIED**

**15.2 NOTICE OF MOTION 531 (CR DE SANTIS)****Councillor: Melissa De Santis - Councillor****NOTICE:**

That Council officers prepare a brief report regarding possible indigenous Australian early learning programs within Council operated kindergartens and preschools with consultation with Elders of Indigenous Australian Communities/Countries within our municipality.

**Motion**

Crs De Santis/Carli.

That Council Officers investigate current and possible future Indigenous Australian early years programs in Council managed kindergartens and early years programs. This is to occur in consultation with the Elders of the Indigenous Communities.

CARRIED

**15.3 NOTICE OF MOTION 532 (CR ABBOUSHI)****Councillor: Steve Abboushi - Councillor****NOTICE:**

That Council Officers provide a brief report outlining the suitability of installing outdoor fairy lights in the trees of the grassed area between the Caroline Springs Civic Centre/Library and Lakeview Senior Campus.

**Motion**

Crs Abboushi/Majdlik.

That Council Officers provide a brief report outlining the suitability of installing outdoor fairy lights in the trees of the grassed area between the Caroline Springs Civic Centre/Library and Lakeview Senior Campus.

CARRIED

**15.4 NOTICE OF MOTION 533 (CR KESIC)**

**Councillor: Goran Kesic - Councillor**

**NOTICE:**

That Council send a Christmas message of appreciation and goodwill to all our armed forces personnel serving overseas.

**Motion**

Crs Kesic/Hardy.

That Council send a Christmas message of appreciation and goodwill to all our armed forces personnel serving overseas.

CARRIED

## 16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE

### 16.1 COUNCILLOR QUESTIONS WITHOUT NOTICE

Cr De Santis

With regards to the safety of our residents, can I please be updated on the proposed crossing or traffic lights that are intended to be outside of the new Coles Shopping Centre on Station Road, Melton South.

### 16.2 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Ramsey

1. Update on the Melton Bowling rink upgrade, and if there are residual funds from the development if that can be used for a further toilet facility.
2. What is the success rate for the Councillor Ipad?

### 16.3 COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Cr Carli

If an Item is in Confidential, is there a timeframe where that report is no longer confidential?

## 17. MOTIONS WITHOUT NOTICE

### 17.1 MOTION WITHOUT NOTICE

Cr Majdlik

That Council Officers prepare a report to consider:

1. amending the Local Laws to include the mandatory use of carrying disposable canine waste bags when walking dogs in public areas within our municipality
2. gradually implementing the Local Law within the community to include an educational and awareness program for all residents setting deadlines as to when this Local Law becomes mandatory
3. finally implementing penalties for non-compliance to dog walkers once the deadline has been reached

## 18. URGENT BUSINESS

Nil.

## 19. CONFIDENTIAL BUSINESS

### Motion

Crs Ramsey/Hardy.

That pursuant to section 89(2) of the *Local Government Act 1989* the meeting be closed to the public to consider the following reports, that are considered confidential for the reasons indicated:

**19.1 Community Achievement Awards Assessment Panel Recommendations (2018)**

This report is confidential in accordance with s89(2)(h) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person.

**19.2 Appointment of Independent Audit Committee Member**

This report is confidential in accordance with s89(2)(a) as it relates to personnel matters.

**19.3 Minutes of the Property Development Advisory Committee**

This report is confidential in accordance with s89(2)(d) (e) as it relates to contractual matters; AND proposed developments.

**19.4 Atherstone Landfill Inert Material Removal**

This report is confidential in accordance with s89(2)(d) as it relates to contractual matters.

**19.5 Appointment of Community Representatives to the Melton Transport Community Reference Group**

This report is confidential in accordance with s89(2)(a) as it relates to personnel matters.

**19.6 Amendment C194 to the Melton Planning Scheme - Toolern (Cobblebank) Train Station**

This report is confidential in accordance with s89(2)(d) as it relates to contractual matters.

**19.7 Melbourne Regional Landfill - Judicial Review**

This report is confidential in accordance with s89(2)(f) as it relates to legal advice.

**19.8 Code of Conduct Proceeding**

This report is confidential in accordance with s89(2)(f) as it relates to legal advice. .

CARRIED

Cr Carli called for a division thereby setting aside the vote.

**For:**

Crs Hardy, Kesic, Mendes, Ramsey and Turner

**Against:**

Crs Abboushi, Carli, De Santis and Majdlik

The Mayor declared the Motion CARRIED

Crs Majdlik, Carli, De Santis and Abboushi all stated they wanted it noted in the minutes that they do not agree that Item 19.8 ' Code of Conduct Proceedings' should be heard in Confidential Business, in the interests of openness, accountability and transparency.

**Procedural Motion**

Crs Majdlik/Ramsey.

That the meeting be opened to the public.

CARRIED

**20. CLOSE OF BUSINESS**

The meeting closed at 10.24pm

Confirmed

Dated this

.....CHAIRPERSON