



MELTON CITY COUNCIL

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

3 April 2017

**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 3 APRIL 2017 AT 7.00PM

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

Mr K Tori, Chief Executive Officer
Mr P Bean, General Manager Corporate Services
Mr M Heaney, General Manager Community Services
Mr L Stokes, Acting General Manager Planning and Development
Mr B Baggio, Manager Planning Services
Ms LJ Mellan, Manager City Design, Strategy and Environment
Ms C Denyer, Manager Legal and Governance
Mr S Rumoro, Finance Manager
Ms T Spiteri, Governance Coordinator
Ms E Haley, Acting Coordinator Communications

1. OPENING PRAYER AND RECONCILIATION STATEMENT

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

2. APOLOGIES AND LEAVE OF ABSENCE

Nil.

3. CHANGES TO THE ORDER OF BUSINESS

Procedural Motion

Crs Majdlik/Abboushi.

That Item 10.1 – Notice of Motion 443 of this Agenda, listed under item '10 – Resumption of debate or other business carried over from a previous meeting' be deferred until after Item 12.5 – Response to Notice of Motion 443 – Carols by Candlelight Event Analysis of this Agenda.

LOST

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

For:

Crs Abboushi, Carli, De Santis and Majdlik

Against:

Crs Hardy, Kesic, Mendes, Ramsey and Turner

The Mayor declared the Motion LOST

Procedural Motion

Crs Majdlik/Carli.

That Item 10.2 – Lease to Optus – Telecommunications Infrastructure be deferred until after consideration of Item 12.15 – Planning Application PA2014/4456 – Extension of time to a permit for a telecommunication facility at 115 Tenterfield Drive, Burnside Heights (Burnside Heights Recreation Reserve) of this Agenda.

CARRIED

4. DEPUTATIONS

Nil.

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

Nil.

6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 6 March 2017 be confirmed as a true and correct record.

Motion

Crs Hardy/Kesic.

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**

- 6 March 2017 Record of Assembly of Councillors
- 14 March 2017 Record of Assembly of Councillors
- 20 March 2017 Record of Assembly of Councillors
- 27 March 2017 Record of Assembly of Councillors

RECOMMENDATION:

That the Record of Assembly of Councillors dated 6 March, 14 March, 20 March and 27 March 2017 attached to this Agenda be received and noted.

Motion

Crs Carli/De Santis.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. 6 March 2017 Record of Assembly of Councillors
2. 14 March 2017 Record of Assembly of Councillors
3. 20 March 2017 Record of Assembly of Councillors
4. 27 March 2017 Record of Assembly of Councillors

8. CORRESPONDENCE INWARD

8.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- The Hon Daniel Andrews MP - Premier of Victoria – Response to concerns about the industrial dispute at Carlton and United Breweries.
- Judith Graley MP – State Member for Narre Warren South, Parliamentary Secretary to the Minister for Education – Response to letter regarding Eynesbury Primary and Exford Primary.

RECOMMENDATION:

That the Parliamentarian and Departmental letters received by the Mayor be received and noted.

Motion

Crs Hardy/Kesic.

That the recommendation be adopted.

CARRIED

LIST OF APPENDICES

1. Correspondence Inwards - The Hon Daniel Andrews MP - dated 2 March 2017
2. Correspondence Inwards - Judith Graley MP - dated 17 March 2017

9. PETITIONS AND JOINT LETTERS

Cr Turner tabled a petition with 33 signatures requesting Council conduct a speed study of vehicles in Hume Avenue, Melton South.

Cr Hardy tabled a petition with 27 signatures requesting the installation of speed humps in Fieldstone Way, Brookfield.

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

10.1 NOTICE OF MOTION 443 (CR KESIC)

Councillor: Goran Kesic – Councillor

NOTICE:

That commencing Christmas 2017 Council financially support up to \$10,000 'In Church', or in their absence an alternate community organisation, to provide a community level 'Carols by Candlelight' event in Caroline Springs.

Motion

Crs Kesic/Mendes.

That commencing Christmas 2017 Council financially support up to \$40,000 'In Church', or in their absence an alternate community organisation, to provide a community level 'Carols by Candlelight' event in Caroline Springs.

CARRIED

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

For:

Crs Hardy, Kesic, Mendes, Ramsey and Turner

Against:

Crs Carli, De Santis and Majdlik

Abstain:

Cr Abboushi

The Mayor declared the Motion CARRIED

Item - 10.2 Lease to Optus- Telecommunications Infrastructure - has been moved to another part of the document.

11. PUBLIC QUESTION TIME

Name	Question asked of Council
Karl Sass	Not in attendance.
Karl Sass	Not in attendance.
Ray Beard	Road congestion, speed signs, on/off ramps and bus shelters.
David O'Connor	Budgetary funding toward the Community Carols event in Diggers Rest.
David O'Connor	Naming of new infrastructure initiatives in Diggers Rest in honour of Lydia Lassila's achievements.
Garrick Oates	Council investigate opportunities for a fenced dog park in Eynesbury.
Garrick Oates	Budgeting of Melton Waves upgrades.
Lynda Southall	Not in attendance.

Procedural Motion

Crs Madjlik/Abboushi.

That the recommendations as printed in Items 12.1, 12.2, 12.3, 12.7, 12.11, 12.12 and 12.16 be adopted in block.

CARRIED

12. PRESENTATION OF STAFF REPORTS

12.1 AUTHORISATION OF AFFIXING 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 3 April 2017.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Documents requiring the Common Seal of Council 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* (s5(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; and
- b. be kept at the Council office; and
- 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 Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. *A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability*
 - 2.6 *Ensure timely compliance with statutory and regulatory obligations.*

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. Schedule for Authorising of Affixing the Common Seal - dated 3 April 2017

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 and 3**
2. adopt the recommendations arising within the Minutes.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

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
9 February 2017	Disability Advisory Committee	Appendix 1
16 February 2017	Early Years Partnership Committee	Appendix 2
16 February 2017	Reconciliation Advisory Committee	Appendix 3

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council 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. Disability Advisory Committee Meeting Minutes - dated 9 February 2017
2. Early Years Partnership Committee Meeting Minutes - dated 16 February 2017
3. Reconciliation Advisory Committee Meeting Minutes - dated 16 February 2017

12.3 MUNICIPAL AUDIT COMMITTEE MINUTES - 22 FEBRUARY 2017

Author: Cheryl Santoro - Senior Administration Officer
Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To present to Council the minutes of the Municipal Audit Committee meeting held on Wednesday, 22 February 2017.

RECOMMENDATION:

That Council:

1. note the minutes of the Municipal Audit Committee meeting held on Wednesday, 22 February 2017
2. adopt the recommendations arising within the minutes.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The minutes of the Audit Committee meeting held on 22 February 2017, are appended to this report as **Appendix 1**. The Committee considered various issues in relation to risk, financial management and governance and the minutes contain recommendations for the consideration of Council.

2. Background/Issues

It is a requirement within the Terms of Reference of the Municipal Audit Committee to meet and report on decisions and recommendations to the Council for consideration.

Issues discussed and recommendations made by the Committee are noted in the minutes for action by both individuals and Council.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability
 - 2.6 *Ensure timely compliance with statutory and regulatory obligations*

4. Financial Considerations

A provision has been provided in this year's budget for the remuneration on a fee per meeting basis for independent members of the Committee, with an additional amount paid to the Chairperson.

5. Consultation/Public Submissions

The Municipal Audit Committee consists of Crs Carli and Hardy and three independent external members Mr Adam Roberts, Mr Alan Hall and Mr Robert Tommasini, who was recently appointed.

6. Risk Analysis

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

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

7. Options

The Audit Committee is an advisory Committee of Council, and Council therefore has the discretion to accept, reject or amend its recommendations.

LIST OF APPENDICES

1. Audit Committee Minutes 22 February 2017
2. 2016/2017 Finance Report - 6 Months ended 31 December 2016.

12.4 RESPONSE TO NOTICE OF MOTION 451 - ESTABLISHMENT OF A FAMILY VIOLENCE ADVISORY COMMITTEE

Author: Tony Ball - Acting Team Leader Health Promotion and Planning
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To respond to Notice of Motion 451 in relation to the establishment of a Family Violence Committee.

RECOMMENDATION:

That Council:

1. establish a 'Preventing Violence Against Women Advisory Committee' that meets on a quarterly basis.
2. invite specialist services to participate on the committee including representatives from the Melton Family Violence Network.
3. endorse the Terms of Reference as presented at **Appendix 1**.

Motion

Crs De Santis/Turner

That Council:

1. establish a 'Family Violence Advisory Committee' that meets on a quarterly basis.
2. invite specialist services to participate on the committee including representatives from the Melton Family Violence Network.
3. endorse the Terms of Reference at **Appendix 1** with the following amendments:
 - a. the Terms of Reference be named the *Family Violence Advisory Committee*
 - b. all references to the name 'Preventing Violence Against Women Advisory Committee' within the document be amended to the *Family Violence Advisory Committee*
 - c. section 3.1 *Membership* be amended with all Councillors appointed as representatives.

CARRIED

REPORT

1. Executive Summary

At its ordinary meeting of Council held on 6 February 2017 Council resolved via a Notice of Motion (451) 'That Officers prepare a report regarding the establishment of a Family Violence Committee in response to the high levels of family violence within the municipality, inclusive of representatives from different service providers specialising within this area.'

Women are at least three times more likely to be victims of family violence and most often experience violence at the hands of a current or past male intimate partner. Statistics show that in Australia, one in three women will experience physical violence and one in five women will experience sexual violence.

Council is an active participant in a range of responses to preventing violence against women. Council is involved in providing direct support and assistance, education and prevention activities, and White Ribbon initiatives. Council is also involved in local, regional and State-wide networks, and it works in active partnership with Djerriwarrh Health Services and Women's Health West.

Consistent with the proposed prevention focus recommended by officers, it is considered that the committee should be titled Prevention of Violence Against Women. This aligns with the approach of the wider sector and a number of State and Federal initiatives and does not limit the group in its deliberations in relation to broader family violence issues.

The establishment of a Preventing Violence against Women Advisory Committee as identified in the attached Terms of Reference, would further enhance Council's role in preventing and addressing family violence, and build on the existing partnerships and work accomplished to date.

2. Background/Issues

Prevalence of Violence against Women

Violence against women is the leading cause of illness, death and disability for Victorian women aged 15-44 years, and is a greater contributor to the burden of death than physical inactivity, unhealthy body weight, drug and alcohol related harm, and tobacco use.

Research demonstrates that one in four young people have witnessed violence against their mother or step-mother, and up to one in five children are subject to violence in the their home.

Reported family violence incidents have consistently increased in the western metropolitan region of Victoria from 2007-2012. While these increases are likely to have been shaped by improvements to reporting systems and work undertaken to increase awareness and help-seeking for experiences of family violence, these increases also demonstrate that domestic violence remains a serious and growing concern in the western region.

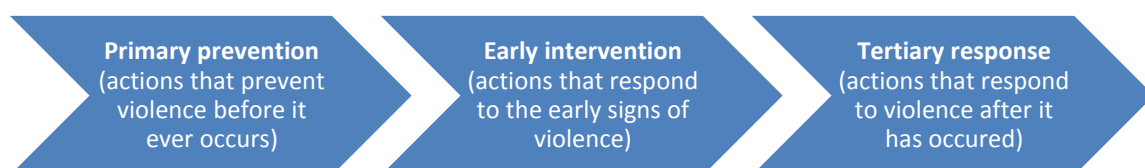
In the north-west metropolitan region, during 2011-2012, there were over 15,000 reported family violence incidents. This accounts for 30.8 per cent of the reported family violence incidents for Victoria during this time.

During the period 2011-2012, the highest rates of family violence for the western region were reported in the City of Melton (1,166.1 per 100,000), followed by Brimbank (972.3 per 100,000) and Wyndham (925.1 per 100,000). Notably, these municipalities also reported rates of reported family violence that were higher than the rate for Victoria overall, at 910.3 per 100,000.

Within the City of Melton, 1,320 reports of family violence were reported in 2014. This is an increase on the reports made in 2010. Based on the available data, the City of Melton has the 7th highest family violence rate in Victoria.

Addressing Violence against Women

Understanding the causes and contributing factors of violence against women are important to ensuring an adequate response. Primary prevention, early intervention and tertiary responses to violence against women occur along a continuum:



Responses to violence against women need to occur across this continuum and different stakeholders are best placed to do so within each part of the continuum. Good communication and a coordinated approach across the continuum is crucial in achieving outcomes for women experiencing family violence. There are a growing number of councils in Victoria who acknowledge their role in preventing and responding to violence against women particularly given their involvement in creating healthy and safe communities for all. The approach of councils in Victoria has been informed by the seminal work of VicHealth which advocates primary prevention activity in redressing the unequal distribution of power between men and women and acknowledged gender inequity as the principle determinant of violence against women.

Council Initiatives to Prevent Violence against Women

Council has been working to prevent and respond to violence against women for many years and is best placed to focus the majority of its efforts in the primary prevention phase of the continuum. Council does this through partnerships, policy and strategy development, community education and awareness raising, leadership, organisational and workforce development, research and program delivery.

In addition, Council also delivers early intervention and tertiary responses to family violence through its Family Services Unit. One such initiative is the coordination of the Melton Family Violence Network (MFVN). The MFVN includes a broad cross discipline coalition which involves service providers, community representatives and all three levels of government. The network has a focus on information sharing and working collaboratively to address the support needs of women and children experiencing family violence. The MFVN has a strong focus on early intervention and tertiary response.

In considering options and establishing an advisory committee to Council, it will be important to consider the existing membership of the MFVN and linkages with the work of member agencies where possible.

Preventing Violence against Women Advisory Committee (Preferred Model)

The establishment of an advisory committee to Council for the prevention of violence against women is a desirable initiative. It demonstrates strong leadership and commitment to eliminating this prevalent and preventable issue.

Officers have considered a number of potential models for the advisory committee, and outline the options below. Officers have recommended that a Quarterly Advisory Committee model be considered by Council for adoption.

A quarterly advisory committee will provide a vehicle to bring together the expertise of Councillors, Council officers, service providers and community representatives to provide a high level and coordinator approach to preventing and responding to violence against women. In particular, it is recommended that the Terms of Reference of the advisory committee reflect Council's role in the primary prevention sphere while acknowledging and recognising the need for connection and communication across the continuum.

The advisory committee could be responsible for overseeing the implementation of the Preventing Violence against Women Strategy, support Council's commitment to the regional action plan to prevent violence against women, and support community initiatives such as White Ribbon Day.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

4. Community Health and Wellbeing: A City of people leading healthy and happy lives
 - 4.2 Address health inequalities in our community

4. Financial Considerations

The operational costs of the recommended advisory committee, or the other options provided, are able to be met within existing budget allocations. In the instance that an initiative is developed requiring additional financial support it would be subject to Council annual budget processes.

5. Consultation/Public Submissions

The establishment of the Council Advisory Committee on Family Violence will seek expressions of interest from community organizations and groups whose purpose is aligned to support for families and the prevention of violence against women.

6. Risk Analysis

A risk identified is potential cross-over with the work of the Melton Family Violence Network. The Terms of Reference will ensure that this risk is minimized and that the roles of the two committees are complementary.

Given Council's existing and growing commitment to preventing violence against women there is minimal risk in accepting the recommendation, rather it will further enhance Council's role in this area.

7. Options

Council has the option to:

1. adopt the recommendation as put in this report
2. not to proceed with the proposed Advisory Committee.

LIST OF APPENDICES

1. Terms of Reference - undated

Cr Kesic left the Chamber at 8.28pm.

Cr Kesic returned to the Chamber at 8.30pm.

The Officer presenting the report advised that the Notice of Motion was in fact 437 put by Cr Majdlik at the Ordinary Meeting of Council held 21 November 2016.

12.5 RESPONSE TO NOTICE OF MOTION ~~443~~ 437- CAROLS BY CANDLELIGHT EVENT ANALYSIS

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

PURPOSE OF REPORT

To respond to Notice of Motion ~~443~~ 437, tabled at Ordinary Meeting of Council 12 December 2016.

RECOMMENDATION:

That Council:

1. note the report.
2. increase the number of annual Carols by Candlelight events from one to two.
3. host an annual Carols by Candlelight event in both Caroline Springs and Melton.
4. increase the operational Carols by Candlelight budget by \$26,100 to facilitate the expanded program.

The Officer presenting the report amended the recommendation in light of the decision of Council at Item 10.1 in this Agenda upon questions by the Mayor.

Amended Recommendation

That Council:

1. note the report.
2. increase the number of annual Carols by Candlelight events from one to two.
3. ensure an annual Carols by Candlelight event in both Caroline Springs and Melton.

Motion

Crs Majdlik/Abboushi.

That Council:

1. note the report.
2. increase the number of annual Carols by Candlelight events from one to two.
3. ensure an annual Carols by Candlelight event in both Caroline Springs and Melton.
4. to increase the operational Carols by Candlelight budget by \$23,900 (or thereabouts to be equal to that allocated to the Melton Carols event) to financially support the 'In Church' Carols by Candlelight event to the same standard as the Melton Carols by Candlelight event, inclusive of officer time.

LOST

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

For:

Crs Abboushi, Carli, De Santis and Majdlik

Against:

Crs Hardy, Kesic, Mendes, Ramsey and Turner

The Mayor declared the Motion LOST

Motion

Crs Hardy/Mendes.

That Council:

1. note the report.
2. increase the number of annual Carols by Candlelight events from one to two.
3. ensure an annual Carols by Candlelight event in both Caroline Springs and Melton.

During debate the Mayor vacated the Chair to speak to the Motion, and moved a Motion to appoint Cr Kesic as temporary Chairperson, the Deputy Mayor having already spoken to the Motion.

Procedural Motion

Cr Ramsey

That Cr Kesic be appointed the temporary Chairperson.

CARRIED

Debate concluded and the substantive Motion was put to the vote.

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 temporary Chair declared the Motion CARRIED

The Mayor resumed the Chair.

REPORT

1. Executive Summary

At Ordinary Council Meeting 12 December 2016, Council passed the following motion;

‘That Council Officers provide Councillors with a full briefing and a subsequent Council report on the historic and current undertakings of Council’s Carols event; including (but not limited to) specific costings of all elements of the current Carols event held at Melton township in the last 4 years, the number of residents attending and their postcodes and/or any survey results undertaken.

Identify and make recommendations on the future of the Council’s Carols event, taking into consideration the current (general) sentiment that many community residents feel left out with their being only one major Carols event in the Melton Township.

This may include ideas such as increasing the Carol’s budget and holding more than 1 major Carols event within the municipality, providing funding for other (willing) community groups to provide the event (in partnership with Council - and in line with Council’s policies and requirements) rotate the one major Carols event and/or any other recommendation that will help unite our community going forward.’

Historically, Melton City Council held multiple Carol events across the municipality, including Melton, Caroline Springs, and most recently Diggers Rest. An events review in 2011 recommended that due to low attendances and high fixed costs, that a single event be run to maximise cost efficiencies, improve the event standard overall and achieve higher attendance numbers. In 2013, the first single consolidated Carols by Candlelight event was held at Hannah Watts Park in Melton, where it has been held since.

	2013	2014	2015	2016
Est. Attendance <i>(Source: Council, AV Contractor, SES)</i>	1,200+	2,700+	3,500+	5,000+
Budget	\$44,550	\$57,000	\$57,400	\$63,900
Spend	\$33,098	\$54,458	\$60,970	\$63,744

While the current program has experienced significant success, alternative formats are illustrated in the below table:

Table 1 – Event format options

Option	Format	Advantages	Disadvantages
1	Single event, Hannah Watts Park.	Proven success, logistically and operationally efficient, cost effective.	Ultimate audience capped at approximately 6,500. Location may prevent real or perceived access by other discrete communities.
2	Single event, permanent alternative venue.	May increase access to other discrete communities.	Likely to take time to build operational and cost efficiencies and to build crowd numbers. Location may prevent real or perceived access by other discrete communities.
3	Single event, annually rotating sites.	May increase access to other discrete communities. May be publicly perceived as a fairer distribution of Council resources.	May prove disruptive to the continuous improvement of the event and brand, likely to compromise attendance each year.

Option	Format	Advantages	Disadvantages
4	Multiple events across multiple sites within same Christmas season.	Will increase access to other discrete communities. Likely to ultimately increase attendance if crowd numbers combined. Will be publicly perceived as a fairer distribution of Council resources.	Multiple events will increase costs. Likely reduction in per event budget will change format and likely compromise quality. Likely to take time to build operational and cost efficiencies and to build crowd numbers.
5	Single Council event, site/s to be determined, plus sponsorship of an alternative Carols event or events elsewhere in the municipality.	May increase access to other discrete communities. Relatively low cost compared to alternative options for additional events across the municipality.	Third party/contractor risks in programming and event management. Engagement of religious entities likely to require religious programming which may alternatively be inclusive or exclusive of discrete community groups.

It is the view of Officers that option four provides the best possible balance of community access and ultimately increased combined crowd numbers. Therefore it is recommend that two events be hosted in the east and west corridor respectively.

It is forecast that an amount of \$45,000 per event would be the minimum required to meet community expectations and Council objectives for a Carols by Candlelight event.

Total direct costs would therefore amount to \$90,000, an increase of \$26,100 or 41 per cent from the 2016/17 budget amount of \$63,900.

Council does not currently hold demographic data in relation to attendees. It is intended that this information be gathered at future events.

2. Background/Issues

In accordance with the Notice of Motion, a Council briefing was held on this matter on Monday 20 February 2017.

Pursuing an expanded program in which a Carols by Candlelight event would be held in both Caroline Springs and Melton at the cost of \$45,000 each would impact upon the current format and standard of the Hannah Watts Park event.

The reduced budget for the Hannah Watts Park event will result in staging, backstage infrastructure, site lighting, performer numbers, ancillary entertainment and stage programming to be significantly scaled back or cut. Further, it is intended to defray costs by selling electronic candles for \$2, rather than providing them free of charge to attendees.

This may result in disappointment from Melton attendees who had attended previous Carols by Candlelight events, their expectations not being met. This is unlikely to occur in Caroline Springs, where it is assumed that no such expectations exist.

Officers are however confident that at the reduced budget recommended for each event, a professional and enjoyable family Christmas experience can be produced.

The additional internal resources required to plan and host a second Carols can be absorbed through current staffing levels, assuming the events were not held on the same night.

It is noted that other community and church groups do host alternative Carol and/or Christmas events across the municipality, most often with a religious focus rather than being secular in nature as provided by Council.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

3. Diverse, Confident and Inclusive Communities: A culturally rich, active, safe and connected City

3.3 Develop an environment that supports imagination, creative expression and engagement in cultural experiences

4. Financial Considerations

The recommendation calls for an increase of \$26,100, or 41 per cent over the 2016/17 budget for the Carols by Candlelight program of \$63,900.

5. Consultation/Public Submissions

No formal public consultation has been pursued.

6. Risk Analysis

There are no risks at this early stage for the capacity of Council to deliver two separate Council events as recommended.

Financially, the increase in budget as recommended can be facilitated within the forthcoming Council budget of 2017/18.

There is no risk per se of not pursuing a change to the existing Carols by Candlelight format, but the current arrangement may restrict the access of the broader community.

There is a high risk of dissatisfaction with the recommended new Carols format within the Melton community, the reduced budget resulting in a significantly changed event from previous years. This will be evident in reduced infrastructure and programming, in addition to a new charge for electronic candles.

7. Options

Council may amend either budget or pursue an alternative format as illustrated within Table 1.

LIST OF APPENDICES

Nil

Cr Hardy left the Chamber at 8.43pm.

Cr Hardy returned to the Chamber at 8.45pm.

12.6 RESPONSE TO NOTICE OF MOTION 463 - MAYORAL HIGH TEA

Author: Christine Denyer - Manager Legal and Governance
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To respond to Notice of Motion 463 in relation to the International Women's Day event, the Mayoral High Tea, held on 10 March 2017.

RECOMMENDATION:

That Council notes the report.

The Mayor vacated the Chair and the Deputy Mayor filled the position of Chairperson.

Motion

Crs Ramsey/Mendes.

That the recommendation be adopted.

CARRIED

The Mayor resumed the Chair.

REPORT

1. Executive Summary

At the Ordinary Meeting of Council on 6 March 2017 Council resolved to receive a report in relation to the Mayoral High Tea including the number of Melton City Council residents in attendance and a full breakdown of the costs associated with the event.

On 10 March 2017 from 1pm to 3pm Council held a Mayoral High Tea to mark International Women's Day 2017. International Women's Day is a global day celebrating the social, economic, cultural and political achievements of women.

The event included an address by the Mayor, food, drinks, music and entertainment by way of lawn games.

Of the 107 women in attendance, 75 were residents/representatives from organisations from the City of Melton, 17 were students from secondary schools within the municipality, nine were chaperones to those students and four were female managers from Melton City Council staff (of which I was one).

Council has received positive feedback in relation to the event both verbally and in writing. Examples of the written feedback are attached at **Appendix 1**.

The final cost of the event was \$16,901 ex GST the details of which are set out at **Appendix 2**.

2. Background/Issues

At the Ordinary Meeting of Council on 6 March 2017 Council resolved to receive a report in relation to the Mayoral High Tea including the number of Melton City Council residents in attendance and a full breakdown of the costs associated with the event.

On 10 March 2017 from 1pm to 3pm Council held a Mayoral High Tea to mark International Women's Day 2017. This was the second time the event was held in honour of this occasion, the first being in 2015.

International Women's Day is a global day celebrating the social, economic, cultural and political achievements of women. Not just a celebration, the day is a call to action in relation to gender parity. This year's theme across the world is, 'be bold for change'.

Women were invited from all sectors of the municipal community including commercial and not for profit. In addition, all secondary schools in the municipality were invited to nominate two female representatives to attend the event (with a chaperone).

Broadly, the purpose was to provide mentoring and inspiration to future female leaders of the community as well as recognition for those already providing valuable service.

The Hon Julia Gillard AC was invited to speak at the event but unfortunately had to decline due to prior commitments.

An address was given by the Mayor. The event also included food, drinks, music and entertainment by way of lawn games.

Of the 107 women in attendance, 75 were residents/representatives from organisations from the City of Melton, 17 were students from secondary schools within the municipality, nine were chaperones to those students and four were female managers from Melton City Council staff (of which I was one).

Council Officers have received positive feedback in relation to the event both verbally and in writing. Examples of the written feedback are attached at **Appendix 1**. Personal information has been redacted.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

2.1 Build community trust through socially responsible governance for long term sustainability

4. Financial Considerations

The final of the event was \$16,901ex GST the details of which are set out at **Appendix 2**.

5. Consultation/Public Submissions

There was no public consultation prior to this event.

6. Risk Analysis

Not applicable - report for information purposes only.

7. Options

The report for information purposes only and thus no other options are applicable.

LIST OF APPENDICES

1. Three pieces of correspondence addressed to Council - dated 15 March 2017, 11 March 2017 and 10 March 2017.
2. Final Costs of International Women's Day – Mayoral High Tea 2017 - dated 20 March 2017

12.7 DISCONTINUANCE OF ROADS - ROCKBANK NORTH PSP

Author: Tracy Spiteri - Governance Coordinator
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To present to Council a request to discontinue three government roads located within the Rockbank North Precinct Structure Plan in accordance with the *Local Government Act 1989*.

RECOMMENDATION:

That Council:

1. advertise and invite submissions pursuant to section 207A and section 223 of the *Local Government Act 1989* ('the Act') its intention to discontinue three Government Road being R1, R2 and R3, located within the Rockbank North Precinct Structure Plan and as shown in **Appendix 3**
2. conduct a hearing in relation to any submitters that wish to be heard on the matter, pursuant to section 223 of the Act
3. should any submissions be received and/or hearings be required pursuant to section 223 of the Act, bring the matter back to Council
4. should no submissions be received:
 - a. discontinue the three government roads, R1, R2 and R3 as shown in **Appendix 3**
 - b. sign and seal all documents relating to the discontinuance of the three government roads.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

In January 2017 correspondence was received from Leakes Road Rockbank Pty Ltd, proprietor and developer of the Woodlea estate, requesting Council to discontinue three roads located within the Rockbank North Precinct Structure Plan (PSP).

The developer is seeking to acquire a number of government roads/road reserves to enable the development of future stages of the Woodlea estate. In order to facilitate the acquisition of the roads, the roads must first be discontinued by Council. Once discontinued the Department of Environment, Land, Water and Planning (DELWP) will assume management responsibility of the roads and facilitate the sale of land process.

Council has powers under section 206 and Schedule 10 clause 3 of the *Local Government Act 1989* to discontinue roads, and in case of government roads, transfer the land to the Crown.

The discontinuance of the roads will facilitate the functional development of the Woodlea estate in accordance with the Rockbank North Precinct Structure Plan.

A planning permit has been submitted for precinct 3 of the Woodlea development for the residential subdivision of the land ('the Planning Permit'). The Planning Permit is currently under assessment, and is likely to include permit conditions related to the discontinuation of part R2 and R3 roads. These roads will be developed generally in accordance with the Rockbank North Precinct Structure Plan (PSP).

2. Background/Issues

The Rockbank North PSP was approved by the Victorian Planning Authority June 2012 with Woodlea estate development commencing in November 2014.

There is currently a number of government roads in the Rockbank North PSP located within the residential and/or major town centre development areas including the three roads/road reserves subject of this report being R1, R2 and R3 as indicated in **Appendix 1**.

To facilitate development, the roads/road reserves need to be acquired to enable the future development of the land in accordance with land use as specified in the PSP. To acquire the roads/road reserves, they must first be discontinued by Council as the relevant authority. As the roads have been identified as government roads (Crown land), once discontinued, DELWP will take over the management of the roads and are responsible for the sale of the land.

Woodlea have requested three government roads to be discontinued within the Rockbank North PSP:

- Road reserve R1 - a dirt track located in the north-west corner of the PSP which intersects with Beattys Road. The two properties to the west of the road are not owned by Woodlea, however the property to the east of the road is developable land owned by Woodlea. The land to the north of the road is crown land (Kororoit Creek) and Beattys Road (R3) adjoins the road to the south.
- Road reserve R2 – a dirt track located in the north eastern area of the PSP. The road reserve is bordered by the Kororoit Creek to the south and Tarletons Road further to the north of the section to be discontinued. Properties adjoining the section of road reserve to be discontinued, to the east and west of the track is developable land owned by Woodlea.
- Road reserve R3 - Beattys Road which bisects the Rockbank North PSP as an east-west crossing between Plumpton Road and Leakes Road. The road reserve crosses the Kororoit Creek Rural Conservation Zone and is predominantly bounded by developable land owned by Woodlea to north and south. There are private land owners at the north-west (adjoining R1) and north-east corners of the PSP, adjoining Beattys Road, currently listed as title 1 and 2 and title 36 in the PSP.

Road Reserve R1 (Unnamed)

Road reserve R1 is proposed under the PSP as the site of the future major town centre and a small part of the Kororoit Creek conservation area. The road reserve is not subject to the current precinct 3 Planning Permit application with its future land use proposed as part of the major town centre in a future precinct development. However, it must be noted that the R1 road reserve, which is accessed from Road R3 (Beattys Road) will be landlocked if Beattys Road is discontinued as detailed in this report. Therefore, with the discontinuance of Beattys Road, which provides direct access to the R1 road reserve, and to achieve administrative and cost efficiencies, it has been included in this report with the R2 and R3 roads/road reserves for discontinuance.

Road Reserve R2 (Unnamed)

Woodlea has applied for the discontinuance of the entire road reserve included within the PSP. The Road reserve is partly included in the land area that is subject of the current

precinct 3 Planning Permit application and is proposed as residential area, conservation area for the Kororoit Creek and council road reserve.

Road R3 (Beattys Road)

Woodlea is requesting the discontinuance of the entire road reserve within the PSP with the exception of a section of the road, as shown in **Appendix 2**.

The section of Beattys Road that will remain open is to ensure that the adjoining land owner, listed as title 36 in the PSP and shown as 'Not Woodlea', has ongoing access to his/her property via Beattys Road.

It should also be noted that part of Beattys Road will be re-aligned and vested back to Council in a future Precinct development.

Temporary Road Closure – Beattys Road

The section of Beattys road, within the PSP area currently experiences infrequent vehicle traffic but is subject to extensive illegal dumping. Woodlea have therefore been working with Council's Engineering team to put in place a temporary road closure of Beattys Road until the discontinuance process is finalised.

A road closure would involve the erection of gates, fencing and large rocks to prevent unauthorised access. The section of Beattys Road within the Rockbank PSP area is patrolled on daily basis for dumped rubbish with significant volumes of material removed on a regular basis. The site is secluded and without passive surveillance, making it a very attractive location for illegal dumping. The immediate closure will mitigate the problem, from this location at least.

Acquisition of Discontinued Government Roads

The Woodlea developers have made contact with DELWP to initiate the acquisition process and have been advised by DELWP that this can run concurrent to the road discontinuance. Council has no further role in the acquisition process once the roads have been discontinued.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City
 - 1.1 *Strategically plan for a well designed and built City*

4. Financial Considerations

Leakes Road Rockbank Pty Ltd trading as Woodlea have requested the discontinuance to enable the further development of the Woodlea Estate, and will be responsible for all legal and/or administrative costs including miscellaneous disbursements associated with the process.

5. Consultation/Public Submissions

In accordance with Section 207A and 223 of the *Local Government Act 1989*, Council is required to give public notice of its intentions to discontinue a road and invite submissions from affected parties.

The Woodlea developers have also committed to engaging directly with the adjoining private landowners regarding the discontinuance request of R1, R2 and R3 within the Rockbank North PSP, ensuring that there is no disadvantage to them in accessing their properties.

6. Risk Analysis

As noted above, the issue of a Planning Permit for precinct 3 of the Woodlea development will likely include in its conditions that the discontinuance of that part of the R2 and R3 road/road reserves within the permit area be completed (and logically acquired through DELWP) before residential construction can commence.

The discontinuance of the roads will facilitate the development of the Woodlea estate in accordance with the Rockbank North Precinct Structure Plan.

7. Options

Council has the option to:

1. Authorise the commencement of the statutory process to discontinue the three government roads, R1, R2 and R3 located within the Rockbank North PSP and as shown in **Appendix 3** concurrent to the processing of Planning permit for precinct 3 of the Woodlea development and the future precinct developments.
2. Not authorise the commencement of the statutory process to discontinue the three government road, R1, R2 and R3 located within the Rockbank North PSP and as shown in **Appendix 3** until the Planning permit is issued by Council requiring the discontinuance of those parts of the government roads prior to development.

LIST OF APPENDICES

1. R1, R2 and R3 - Rockbank North PSP- undated
2. Limit of Beatttys Road discontinuance (North East of PSP) - dated 16 January 2017
3. R1, R2 & R3 - Survey Plan and Site Reference to Rockbank North PSP - dated 3 March 2017

Cr Kesic left the Chamber at 9.09pm.

Cr Kesic returned to the Chamber at 9.11pm.

12.8 ASSESSMENT OF TAYLORS HILL YOUTH & COMMUNITY CENTRE VENUE IN HOSTING THE ORDINARY MEETING OF COUNCIL HELD 6 MARCH 2017

Author: Tracy Spiteri - Governance Coordinator

Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To provide Council with an assessment of the Taylors Hill Youth and Community Centre following the conduct of the Ordinary Meeting of Council held 6 March 2017.

RECOMMENDATION:

That the Ordinary Meeting of Council to be held on 26 June 2017 be scheduled at the Taylors Hill Youth and Community Centre.

Motion

Crs Abboushi/Carli.

That the Ordinary Meeting of Council of 26 June, 18 September and 18 December 2017 be scheduled at the Taylors Hill Youth and Community Centre.

During the debate the Mayor vacated the Chair to speak to the Motion, and accordingly called for Cr Mendes to be appointed temporary Chairperson. Cr Mendes declined this role and accordingly the Mayor appointed Cr De Santis to be appointed temporary Chairperson, being the only other Councillor to have not spoken to the motion.

Debate concluded and the Motion was put to the vote.

LOST

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

For:

Crs Abboushi, Carli, De Santis and Majdlik

Against:

Crs Hardy, Kesic, Mendes, Ramsey and Turner

The temporary Chairperson declared the Motion LOST

The Mayor resumed the Chair.

Motion

Crs Hardy/Carli.

That the Ordinary Meeting of Council to be held on 26 June 2017 be scheduled at the Taylors Hill Youth and Community Centre.

CARRIED

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

For:

Crs Abboushi, Carli, De Santis, Hardy, Kesic, Majdlik, Mendes, Ramsey and Turner

Against:

Nil:

The Mayor declared the Motion CARRIED

REPORT

1. Executive Summary

At the Ordinary Meeting held on 6 February 2017, Council resolved to hold the Ordinary Meeting of Council scheduled for 6 March 2017 at Taylors Hill Youth and Community Centre, and that an assessment be prepared as soon as practicable following the meeting to enable Council to determine the appropriateness of the venue.

Council officers have completed an assessment of the venue for the conduct of the Ordinary meeting. The assessment provides Council an overview of the set up, conduct of the meeting and pack down of the venue to support the safe and efficient operation of Ordinary Meeting of Council in an alternate venue.

2. Background/Issues

A report was presented at the Ordinary Meeting of Council held 12 December 2016 in response to Notice of Motion 439, seeking costings associated with holding alternate Ordinary Meetings of Council in the eastern corridor. A further report was presented to Council at the Ordinary Meeting held on 6 February 2017 where it was determined that the Taylors Hill Youth and Community Centre be utilised for the conduct of the 6 March 2017 Ordinary Meeting, and an assessment of the venue be completed as soon as practicable after the meeting.

An assessment of the Taylors Hill Youth and Community Centre has been conducted following the hosting of the March Ordinary Meeting (**Appendix 1**). The assessment provides an overview of the set up and preparation of the venue to ensure the efficient conduct of the meeting for Councillors and the public gallery to a standard similar to that currently offered at the Melton Civic Centre and Council Chambers.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

2.2 Provide levels of service that balance community need with organisational capacity

4. Financial Considerations

The conduct of the Ordinary Meeting of Council at Taylors Hill Youth and Community Centre incurred additional costs in comparison with the hosting of a meeting at Melton Civic Centre as detailed below:

Activity/Cost	Taylor Hill Youth & Community Centre	Melton Civic Centre	Cost Variance
Audio contractor & Equipment	\$2,893.00	Nil	Increase \$2,893.00
Security Guards	\$411.92	\$326.39	Increase \$85.50 <i>(cost will vary with length of meeting)</i>
Overtime (Governance)	\$803.84	\$335.90 <i>(average)</i>	Increase \$467.94 <i>(additional staff required)</i>
Staff and overtime costs (Catering) and meal preparation	\$1,456.00	\$425.00 <i>(average)</i>	Increase \$1,031.00 <i>(staff and preparation of food offsite)</i>
Totals	\$5564.76	\$1087.29	Increase of \$4,477.47

The cost to transport food and equipment to Taylors Hill and the set up and pack down of the facility are incorporated into staff and overtime costs.

Should taller microphone stands be required for further meetings at Taylors Hill Youth and Community Centre, the cost for audio and equipment hire may increase.

5. Consultation/Public Submissions

No public consultation has been undertaken in the preparation of this report.

6. Risk Analysis

Holding the Ordinary Meeting of Council outside of the purpose built Council Chamber located at the Melton Civic Centre is likely to carry risks, real or potential.

The Taylors Hill Youth and Community Centre, was considered the most appropriate venue in the eastern corridor in terms of size and facilities, but also in terms of limiting safety risks to the public and Councillors as identified in the report presented to Council 6 February 2017.

The amplification and recording of the meeting was less effective than the Civic Centre Council Chamber system, however any issues with volume were rectified early in the meeting and with manipulation of the audio for Council's website.

Should future meetings be held at this venue, Council staff will ensure that the meeting space is booked the following day for pack down and reinstatement of the room. This would allow all staff to leave the venue at the conclusion of the meeting, with contract security staff staying onsite to supervise the pack down of the audio equipment and to arm the building.

7. Options

- The venue is deemed appropriate for the hosting of Council Meetings and that the Ordinary Meeting of Council to be held on 26 June 2017 be scheduled at the Taylors Hill Youth and Community Centre.
- The venue is deemed not appropriate for the hosting of Council Meetings and an alternative venue is be sourced.

LIST OF APPENDICES

1. Assessment of Taylors Hill Youth & Community Centre - undated

12.9 MELTON CITY 2036 - THE CITY WE IMAGINE

Author: Kate Waters - Coordinator Social Planning and Wellbeing
Presenter: Maurie Heaney - General Manager Community Services

PURPOSE OF REPORT

To present to Council: Melton City 2036 – The City We Imagine.

RECOMMENDATION:

That Council endorse Melton City 2036 – The City We Imagine, as presented at **Appendix 1** as the community vision for the City of Melton.

Motion

Crs Turner/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Melton City 2036 – The City We Imagine is the first community vision for the City of Melton. It provides a vision for what the community want the City to look like, feel like and offer by 2036. It is informed by extensive community consultation and written in the words of the people who shared their ideas.

Melton City 2036 – The City We Imagine puts people first, embedding them at the heart of the vision, surrounded by four domains:

- Our safe and socially connected City
- Our well-built City
- Our strong local economy
- Our thriving natural environment.

The draft Melton City 2036 – The City We Imagine was presented and endorsed for consultation at the Ordinary Council Meeting on 6 February 2017. Following this, a public comment period was undertaken. In total, 85 responses were received and the feedback was positive, with 88 per cent of respondents agreeing or strongly agreeing that Melton City 2036 – The City We Imagine is a vision they can identify with.

Following the public comment period, the final version of Melton City 2036 – The City We Imagine, is presented at **Appendix 1** for Council's consideration.

2. Background/Issues

Melton City 2036 – The City We Imagine

Melton City 2036 – The City We Imagine has been informed by extensive community consultation which aimed to better understand what the community values, what their hopes and aspirations for the future are and to identify aspects of the municipality that can be improved or protected.

Between April and November 2016, over 2,000 community members were invited to participate via:

- a series of 'My City My Say – Join the Conversation' events in the smaller townships
- a short survey on a postcard or online
- schools and Family Day Care Providers
- Facebook
- OurSay (on-line forum)
- Community programs, festivals and events
- Household Customer Satisfaction Survey
- Three small group workshops.

Solely informed by community consultation, Melton City 2036 - The City We Imagine highlights opportunities and challenges for the municipality. It puts people first, embedding them at the heart of the vision and surrounded by the four domains:

Our safe and socially connected City	<ul style="list-style-type: none"> • Clean, welcoming and safe • Accepting and inclusive • Diverse, active and socially connected
Our well-built City	<ul style="list-style-type: none"> • Well planned neighbourhoods with linking footpaths and bike lanes • Lots of parks and open spaces • Efficient public transport and free flowing traffic • Access to schools and a local hospital and services
Our strong local economy	<ul style="list-style-type: none"> • Opportunities for education, job training and lifelong learning • A mix of local employment • Fun and interesting places for residents and visitors • Unique local suburbs
Our thriving natural environment	<ul style="list-style-type: none"> • Green city with native trees • Natural spaces for wildlife and people • Sustainable planning and design

These domains are equally weighted and intrinsically connected. The vision cannot be achieved unless all domains are addressed.

Public Comment Period

The draft Melton City 2036 – the City We Imagine was made available for public comment following the Ordinary Council Meeting on 6 February 2017, with comments closing on 10 March 2017.

Although there is no legislative requirement to publically exhibit Melton City 2036 – The City We Imagine, it is important to check its accuracy and relevancy with the community. Furthermore, the purpose of the public comment period was to validate that what was heard during the consultation period had been reflected in the document, and test the accessibility of the content and connection with the document within the community.

The draft Melton City 2036 – the City We Imagine was made available on Council’s website, and it was directly forwarded to people who participated in the consultation process, community groups, Council program participants, and the E-panel.

In total, 85 responses were received. Of the 85 responses, just over half had participated in the consultation process to inform Melton City 2036 – The City We Imagine.

Overall, the feedback received on the draft was very positive with responses to the questions asked detailed in the table below.

Question	% of respondents that agree or strongly agree
Melton City 2036 - The City We Imagine, is a vision I can identify with.	88%
Melton City 2036 - The City We Imagine, is easy to read and understand.	86%
The design of Melton City 2036 - The City We Imagine, makes me want to pick it up and read it.	74%

Achieving Melton City 2036 – The City We Imagine will require a whole of community approach. Therefore respondents were asked, “How can we work together to achieve Melton City 2036 – The City we Imagine?” The comments were overwhelmingly constructive. Below is a summary of the main points in responses provided:

- Community members to be proactive and take pride in the municipality
- Council to continue “the good fight” and advocate for the needs of the community
- Support and encourage volunteers and community groups
- On-going community engagement and communications
- Partner with other levels of government
- Work with and support young people
- Celebrate the diverse community
- “Make the vision central to everything Council does”

Based on the positive feedback and comments received, no changes were made to the content and minor changes were made to the visual imagery. The final version of Melton City 2036 – The City We Imagine, is presented at **Appendix 1**.

Implementing Melton City 2036 - The City We Imagine

Melton City 2036 - The City We Imagine is the community’s vision and to achieve it, the community, service providers, businesses, the private sector and all levels of government will be required to work together. Ideas obtained through the public comment period will support its implementation.

Melton City 2036 - The City We Imagine will form a foundation for the development and implementation of the Council and Wellbeing Plan 2017-2021, the Municipal Strategic Statement and other relevant strategies and policies. In particular the Council and Wellbeing Plan will be the first opportunity for Council to start working towards achieving the communities’ vision.

Melton City 2036 - The City We Imagine will be reviewed and refreshed periodically to ensure its currency.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council 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

There are no new budget requirements to implement Melton City 2036 - The City We Imagine. Council's work toward the vision will occur within Council strategies, action plans and recurrent budget. Where a new initiative is identified, requiring Council funding, a proposed initiative will be submitted.

Where external funding opportunities become available, Council will work with relevant partners to consider funding applications.

5. Consultation/Public Submissions

Melton City 2036 - The City We Imagine has been informed by community input. People who live, work, study, recreate or visit the municipality were invited to provide feedback.

In total, 2,226 community members participated in the engagement process:

Techniques used to consult the community	Number of participants
Small Group Conversations	33
Facebook	55
OurSay (Online Forum)	77
Children's survey (schools and family daycare)	200
Community Festivals and events	200
Survey (postcards and online)	711
Household Customer Satisfaction Survey	800
My City My Say – Join the Conversation' events	150

Although there is no legislative requirement, Melton City 2036 - The City We Imagine was placed on public exhibition from 10 February to 10 March 2017. In total 85 responses were received and the comments were encouraging and positive.

6. Risk Analysis

Melton City 2036 – The City We Imagine has been informed by community input and as such it is the community's vision. There is no risk identified in noting this work and endorsing the recommendation contained in this report.

7. Options

Nil.

LIST OF APPENDICES

1. Melton City 2036 - The City We Imagine - undated

12.10 PREPARATION OF THE MUNICIPAL BUDGET 2017/2018

Author: Sam Rumoro - Manager Finance

Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To endorse the proposed Municipal Budget for the 2017/18 financial year and commence the statutory process to exhibit this proposed budget to receive submissions.

RECOMMENDATION:

That:

1. the draft *Municipal Budget 2017/2018* annexed (**Appendix 1**) be the 'proposed budget' for 2017/2018, prepared in accordance with section 127 of the *Local Government Act 1989* ('the Act')
2. the Chief Executive Officer be authorised to:
 - a. give 'public notice' of the preparation of such proposed budget, in accordance with Section 129 of the Act
 - b. make available for public inspection a copy of the proposed budget as set out in the public notice
3. the *Section 223 Submission Committee of Council* hear from any person who wishes to be heard in support of his/her submission pursuant to the public notice and section 223 of the Act and report to Council accordingly
4. the Chief Executive Officer be authorised to undertake the necessary administrative procedures to enable the Committee to meet, consider such submissions and prepare a report to Council
5. Council consider:
 - a. any report of the Committee described in recommendation 3
 - b. adoption of the *Municipal Budget 2017/2018*, at the Ordinary meeting of Council to be held on 26 June 2017.

Motion

Crs Majdlik/Turner.

That the recommendation be adopted.

CARRIED

The Mayor, Cr Ramsey called for a division thereby setting aside the vote.

For:

Crs Abboushi, Carli, De Santis, Hardy, Kesic, Majdlik, Mendes, Ramsey and Turner

Against:

Nil.

The Mayor declared the Motion carried CARRIED

The Mayor, Cr Ramsey made a personal statement commending Councillors, Executive and all the staff that were involved in the drafting and presentation of the draft budget.

REPORT

1. Executive Summary

Section 127 of the *Local Government Act 1989* ('the Act') requires that Council prepare a budget for each financial year, and that the budget contain the following information:

- financial statements in the form and containing the information required by the regulations
- a description of the services and initiatives to be funded in the budget
- a statement as to how the services and initiatives will contribute to achieving the strategic objectives specified in the Council Plan
- major initiatives to be undertaken during the financial year
- for services to be funded in the budget, the prescribed indicators of service performance that are required to be reported against in the performance statement
- the amount which the Council intends to raise by general rates, municipal charges, service rates and service charges
- whether the general rates will be raised by uniform rate or differential rate and information required relating to differential rates as per section 161(2) of the Act
- any other information required by the regulations.

The proposed budget in this report has been prepared for public display and to receive public comment. It is proposed that public submissions close on 3 May 2017 and be heard by Council's section 223 Submission Committee on 6 June 2017.

It is further proposed that the budget will be adopted by the Council at its Ordinary Meeting to be held on 26 June 2017.

The major highlights of the proposed budget include:

- a 2.0 per cent increase in total Rate and Charges income from 2016/2017 levels
- debt redemption of \$3.4 million for the year has been budgeted.
- \$70 pensioner rebate to eligible property owners
- capital expenditure of \$52.1 million.

Despite the rate capping restrictions, the Council is in a good financial position largely due to containing cost increases. In addition the Council has also been successful in attracting State and Federal funding from Interface Growth Fund (IGF) and Roads to Recovery Fund. The favourable financial position has resulted in Council being able to deliver Capital works of \$52.1 million and loan repayments of \$3.4 million, without additional borrowing in 2017/18.

2. Background/Issues

Council commenced its budget process for 2017/2018 in October 2016. The proposed budget has been prepared giving consideration to the growing needs of the community, service delivery demands, 'high priority' requests received from the public via various forums, surveys and requests from Councillors. The proposed budget reflects the priority of Council in delivering high quality and best value services and infrastructure to the community. After much review and discussion, the proposed budget has been finalised and is presented for consideration.

The proposed budget includes capital expenditure of \$52.1 million, including projected \$11.3 million of carry forward works from 2016/2017.

The major Capital Works Program included in 2017/18 is listed below:

- \$19.0 million for works in recreational assets
- \$15.7 million for road infrastructure works
- \$5.4 million for community buildings
- \$4.6 million for bridge works
- \$2.0 million for renewal programs
- \$1.3 million for footpaths & cycleways
- \$4.1 million for a range of other projects

Projects included in the proposed budget are funded by a combination of rate revenue, developer contributions and government grants.

The full list of new initiatives included in the proposed budget is detailed in section 6 of the proposed budget.

The table below lists the more significant new projects and initiatives.

Project Description	Budgeted for 2017/2018 \$'000
Building & Building Improvements	
Burnside Heights Children's Community Centre	\$2,000
Community Centre / Pavilion Annual Renewal	\$1,114
Recreation Facilities - Female Change Room Upgrade	\$600
Taylor's Hill West - Multi-purpose Community Centre	\$500
Scouts Activity Centre - Burnside	\$500
Caroline Springs Leisure Centre Renewal	\$500
Roads, Drainage, Footpath & Bridge Works	
Streetscape Improvements	\$5,335
Hume Drive Duplication	\$3,545
Westwood Dr Bridge	\$4,100
Annual Resurfacing Periodic Reseals	\$2,740
Footpaths Maintenance/Replacement	\$1,085
Shared/Bicycle Paths Construction Program	\$800
Boundary Road and Sinclair Road Blackspot Program	\$616
Minor Traffic Control Works	\$600
Major Traffic Control Works	\$500
Recreational Projects	
Taylor's Hill West Senior Football / Cricket Facility	\$10,522
Caroline Springs Sub Regional Tennis Centre	\$4,500

Project Description	Budgeted for 2017/2018 \$'000
Recreational Projects	
Macpherson Park Redevelopment	\$1,000
Passive Reserve Development Program	\$909
Others	
Council vehicle fleet and furniture and equipment	\$1,250
Tree Planting	\$ 650

The proposed budget includes total income of \$239.1 million, inclusive of developer contributed infrastructure assets valued at \$73.0 million. The following table provides a breakdown of this income with comparative amounts for 2016/2017 (adopted Budget).

	2016/17 \$ millions	2017/18 \$ millions	Per cent Change
Rates & Charges Income** <i>see note below</i>	\$98.58	\$104.28	5.78%
Grants & Subsidies	\$25.65	\$30.11	17.39%
Fees & Charges	\$12.30	\$13.28	7.97%
Developer Contributions- Cash	\$11.01	\$8.36	-24.07%
Developer Contributions- Assets	\$50.59	\$72.95	44.20%
Net gain (loss) on assets sales	\$2.79	\$5.60	100.72%
Other Income	\$4.31	\$4.56	5.80%
Total Income and Receipts	\$205.23	\$239.14	16.52%

The total increase in Rates and Charges income, includes rates income received from supplementary valuations during the year due to growth, 2.0 per cent rate increase on the 2016/2017 level after allowing for Council rebates for Pensioners and Environmental Enhancement works.

The total budgeted expenditure including Capital expenditure and debt redemption is \$203.51 million as detailed below.

	2016/17 \$ millions	2017/18 \$ millions	Per cent Change
Staff costs	\$49.58	\$53.30	7.50%
Other operating expenditure	\$61.52	\$64.31	4.54%
Finance costs	\$1.32	\$0.96	-27.27%
Capital expenditure including carry forward works	\$50.67	\$52.14	2.90%
Debt redemption costs	\$6.91	\$3.38	-51.09%
Depreciation / Amortisation	\$25.52	\$29.42	15.28%
Total Expenditure & Outgoings	\$195.52	\$203.51	4.09%

The proposed budget has been prepared taking into consideration Council's Strategic Resource Plan (SRP). The proposed budget includes no new borrowing for 2017/2018. The net loan repayment during the year is budgeted at \$3.4 million.

Differential Rating Categories

The proposed budget includes differential rating categories as detailed below:

- General Rate
- Vacant Land Rate
- Retirement Village Rate
- Extractive Industry Land Rate
- Commercial and Industrial Developed Land Rate
- Commercial and Industrial Vacant Land Rate
- Rural Living Land Rate
- Rural Land Rate
- Urban Growth Land Rate.

Full definitions of the differential rating categories are included in section 7 of the attached proposed budget. This section also provides a detailed analysis of the number of properties, valuation and the rates raised by each differential rating category proposed.

Waste Management Charges

The Waste Management Charges included in the proposed budget is detailed in the following table.

Service Option	Bin Garbage	Green	Recycle	Full year charge
A	120 litre bin	240 litre bin	240 litre bin	\$319
B	80 litre bin	240 litre bin	240 litre bin	\$284
C	120 litre bin	120 litre bin	240 litre bin	\$273
D	80 litre bin	120 litre bin	240 litre bin	\$238
E	120 litre bin	No Bin	240 litre bin	\$227
F	80 litre bin	No Bin	240 litre bin	\$195
Additional Bin				\$139

Municipal Charge

The proposed budget proposes a levy of \$142 per property as the Municipal Charge for 2017/2018 year.

Fees and Charges

The Fees & Charges for various services provided by Council were reviewed and increased where appropriate. The recommended Fees & Charges schedule is included in **Appendix A** of the proposed budget.

Environmental Enhancement Rebate

The properties in Rural Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Farming Zone, Special Use Zone 5 and Urban Growth Zone may be entitled to an Environment Enhancement Rebate subject to certain conditions being met as per the approved Environmental Enhancement Guidelines.

The amount of rebate applicable for Rural Living, Rural and Urban Growth properties are based on the Differential Rating applied to the property.

The proposed budget proposes the following rebates be allowed for eligible properties within the referred rating categories.

Differential Rating Category	EER Rebate Available
Rural Land	50% of the rate up to a maximum of \$10,000
Rural Living Land	25% of the rate up to a maximum of \$10,000
Urban Growth Land	25% of the rate up to a maximum of \$10,000
General Rate (with approved Precinct Structure Plan)	25% of the rate up to a maximum of \$10,000

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

2. *A Well Governed and Leading Organisation: Operating with innovation, transparency, accountability and sustainability*
 - 2.6 *Ensure timely compliance with statutory and regulatory obligations.*

4. Financial Considerations

Costs for exhibiting the budget will be approximately \$2,500 for advertisements in the local and state newspapers and this has been incorporated into the current budget.

5. Consultation/Public Submissions

Council undertook two Community Engagement sessions on 4 February 2017 and a Community Capital Engagement Session on 15 November 2016. Proposals received from the community were considered in developing the proposed budget.

Council, in accordance with section 223 of the Act, will be inviting submissions on the proposed budget from the community, to be considered by Council before finalising the budget.

It is proposed the Section 223 Committee consider all the submissions received on 6 June 2017 and make recommendations to the Council, which will consider the recommendations before it formally adopts the 2017/2018 Municipal Budget.

6. Risk Analysis

The process of endorsing the proposed budget and seeking public submissions is prescribed in the Act. The process set out in this report complies with the Act and, as such, there is no risk associated with placing the proposed budget on public exhibition and seeking feedback/submissions.

7. Options

Council is scheduled to have the budget adopted by 26 June 2017. Council could defer endorsing the proposed budget at this time which would delay the public consultation process. However, there is no reason to defer commencing the public consultation process as it will allow the maximum amount of time to consider submissions received and make any adjustments to the proposed budget and have it adopted by Council before 30 June 2017.

LIST OF APPENDICES

1. Draft Municipal Budget 2017/2018

12.11 GENERAL REVALUATION 2018

Author: Catherine Nichols - Rates Coordinator
Presenter: Peter Bean - General Manager Corporate Services

PURPOSE OF REPORT

To inform Council of the commencement of the next general valuation.

RECOMMENDATION:

That Council:

1. cause a general valuation of all rateable land within Melton City Council to be made and returned no later than 30 April 2018, on market levels as at 1 January 2018.
2. appoint Council's contract Valuer, Liam McNamara of Opteon Property Group, being a person qualified pursuant to section 13DA(1) of the *Valuation of Land Act* 1960 to make valuations for the purpose of the *Local Government Act* 1989, to carry out such valuations.
3. give Notice, pursuant to section 6(1) of the *Valuation of Land Act* 1960, to the Valuer General, adjoining municipalities and water authorities servicing the municipality and the State Revenue Office, of Council's resolution to cause a valuation of all rateable land within the municipality.
4. note that Liam McNamara had made and submitted a statutory declaration pursuant to the provisions of section 13DH(2) of the *Valuation of Land Act* 1960.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The next general valuation of all rateable land within Melton City Council to be completed before 30 April 2018. The *Valuation of Land Act* 1960 ('the Act') sets out the process to be complied with, during the general valuation process.

2. Background/Issues

It is the requirement of s11 of the Act, that a Council must cause a valuation of all rateable land within its municipal district to be made as at 1 January in every even calendar year and returned to the Council before 30 June in that year. The 'valuation best practice 2018', released by the Valuer General, requires that this be returned not later than 30 April in that year. It is also the requirement of section 6(1) of the Act that, a rating authority proposing to make a general valuation of rateable land shall give the Valuer General and to every other rating authority interested in the valuation of land within its area not less than one month's notice of its resolution to cause such a general valuation to be made.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

2.6 Ensure timely compliance with statutory and regulatory obligations

4. Financial Considerations

The agreed fee, under the contract, for general valuation is \$150,742 inclusive of GST. Approximately 65% of this amount is recovered from City West Water and State Revenue Office who use this valuation. This amount is incurred by Council over the financial years 2016/2017 and 2017/2018 when each stages of revaluation is completed.

5. Consultation/Public Submissions

The consultation requirement in this instance, in accordance with the Act, is to notify every other rating authority interested in the valuation of land in the relevant municipal district and the Valuer General.

6. Risk Analysis

None

7. Options

That Council must cause a valuation of all ratable land is a statutory obligation, and as such does not provide any other option in this instance.

LIST OF APPENDICES

Nil

12.12 DOMESTIC ANIMALS DESEXING VOUCHER SCHEME

Author: Ian Stewart - Manager Compliance

Presenter: Luke Shannon - General Manager Planning & Development

PURPOSE OF REPORT

To present Council with information on the joint Municipal Association of Victoria (MAV) and Australian Veterinary Association (Victorian Branch) Desexing Voucher Scheme.

RECOMMENDATION:

That Council participate in the desexing voucher scheme and the expenditure be paid for by an increase of \$2.00 in the desexed animal registration.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The purpose of this report is to provide Council details on the revised Municipal Association of Victoria (MAV) and Australian Veterinary Association (Victorian Branch) Domestic Animals reduced fee desexing voucher scheme. The two parties have agreed to continue the scheme based on modified conditions.

This report seeks Council's endorsement to take up the reduced rate desexing scheme for our residents. The cost to implement this scheme is \$30,000 per annum based on our current registration rates if not funded from an increase in animal registrations.

2. Background/Issues

The MAV and Australian Veterinary Association (Victoria Branch) have developed and implemented a reduced fee desexing voucher scheme. This scheme has been in operation over 20 years with limited number of Council participating in the scheme. Revised guidelines were provided to Council in August last year. The MAV carried out a survey of all Councils in 2013 and only 20 Councils had taken up the scheme. The majority of these are metropolitan. A number of Rural Councils responded to the survey indicating they would like to take up the scheme but couldn't due to budgetary constraints. Not all Councils provide vouchers in accordance with the scheme and some provide a specific dollar value.

Attached in appendix 1 is the revised reduced fee desexing scheme brochure, Appendix 2 the revised voucher and appendix 3 is the agreed fee schedule.

The scheme is based on cooperation with the Local Vets to reduce their fees by 25% and Council provides a voucher for 25% and the resident pays the balance. This voucher has a life of one month and the resident is required to vaccinate the animal at the same time.

The number of new animals registered in our municipality in the last two years is included in the table below along with the total number of animals registered.

Description	2014/15	2015/16
Total Number of Dogs Register	12229	16687
Total Number of Cats Registered	3146	4260
Total Number of Desexed Dogs Registered	8953	12519
Description	2014/15	2015/16
Total Number of Desexed Cats Registered	3079	4193
Number of New Dog Registrations	1833	3271
Number of New Cat Registrations	662	808
Number of New Dog Registrations that are Desexed	1476	2625
Number of New Cat Registrations that are Desexed	661	805
Number of New Dog Registrations that receive a discount	295	654
Number of New Cat Registrations that receive a discount	198	241

All cats in Melton City Council are required to be desexed (unless a breeder or the animal has Veterinary Certificate)

Based on the previous year approximate 900 animals that were desexed received a discounted registration. The scheme proposed by the MAV is for Low Income Residents which would increase these figures. Council does not have statistics on the number of residents that have an animal that may also have a health care card.

The fee structure within this municipality is listed below.

Registration Type	2016/17 Fee	Proposed 2017/18 Fee	Proposed 2017/18 Fee with additional \$2.00
Unsterilised Dog	\$114.00	\$120.00	\$120.00
Sterilised Dog	\$36.00	\$40.00	\$42.00
Unsterilised Cat (only before August 2011)	\$68.00	\$82.00	\$82.00
Sterilised Cat	\$24.00	\$26.00	\$28.00

(Note:- the fees above are approved by Council as part of the budget process in June of each year, but are then applicable from the registration year that commences on the 11 April of the following year).

Residents with an eligible pension card receive a 50% reduction in the above fees, but this reduction does not apply to residents with a health care card.

Council has in the past held its registration fee for sterilised animal low to encourage residents to desex their animals, by providing a desexing vouchers could be seen as some residents obtaining an advantage.

The scheme is available to the following concession card holders (issued by Centrelink)

1. Pension Concession Card
2. Health Care Card
3. Low Income Health Care Cards
4. Commonwealth Seniors Health Card

The resident would obtain the voucher from Council and present this voucher to the Local Veterinary Practitioner to receive the discount. The vet takes the voucher and bills Council for the prescribed fee. Vouchers issued by Council can be used to access the scheme.

Generally animals that come from breeders are already sterilised and animals from adoption agencies are required to be sterilised before adopting to the new owner.

The income (Including State Government Levy) from animal registrations is included in the table below.

Income	Forecast 2016/17 Income	Estimated 2017/18 Income	Estimated 2017/18 with additional \$2.00
Total Income from Animal Registrations	\$670,000	\$690,000	\$720,000

Taking this into consideration we anticipate that 50% of the animals that are currently being registered as desexed could be eligible to take up the scheme at an average cost of \$65, this would be an approximate cost to Council of \$30,000 per annum. If Council increased its Sterilised animal registration fee by \$2.00 this would allow the scheme to operate within the constraints of the current budget allocation for animal management.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

3. Diverse, Confident and Inclusive Communities: A culturally rich, active, safe and connected City

3.1 Provide an accessible range of services for all including children, young people, families and older adults

4. Financial Considerations

The financial consideration for Council will depend on the level of service provided to our residents. Should Council adopt a fully funded option the cost to Council would be approximately \$30,000 per annum. The option of full-cost recovery from the increased registration fee would only require Council having an agreement in place with service providers.

5. Consultation/Public Submissions

No consultation was required in the preparation of this report.

6. Risk Analysis

No risk exists for either the adoption of the recommendation or continuing the current process.

7. Options

Council has a number of options and they are

1. Undertake the program at full cost to Council
2. Status quo – Do nothing
3. Undertake the program and recover the cost by increasing the animal registrations on desexed animals.

LIST OF APPENDICES

1. Desexing Voucher Scheme Brochure - undated
2. Desexing Voucher - undated
3. Proposed Council Contribution - dated 1 July 2016

Procedural Motion

Crs De Santis/Majdlik.

That Item 17 – Motions without Notice be brought forward to be heard before Item 12.13 of this Agenda.

CARRIED

17. MOTIONS WITHOUT NOTICE**17.1 MOTION WITHOUT NOTICE**

Cr Mendes.

That Council officers conduct a detailed assessment of the capacity of the Moreton Homestead site to host a significant event, with particular reference to parking, access and facilities.

17.2 MOTION WITHOUT NOTICE

Cr Abboushi.

That Council prepare a report that investigates the costs of installing life saving defibrillators at all Council kindergartens and community hubs.

Crs Mendes, De Santis and Carli left the Chamber at 9.52pm.

Procedural Motion

Crs Majdlik/Hardy.

That Council resume to Agenda item 12.13 – Environmental Enhancement Program (EEP) 2016 Compliance report.

CARRIED

12.13 ENVIRONMENTAL ENHANCEMENT PROGRAM (EEP) 2016 COMPLIANCE REPORT

Author: Ben Kroker - Senior Land Management Officer
Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

PURPOSE OF REPORT

To inform Council of the results of the 2016 Environmental Enhancement Program.

RECOMMENDATION:

That Council note:

1. that 93 per cent of the 1,264 eligible property landholders met the requirements of the Environmental Enhancement Program and that the 93 property owners who have not complied with the requirements of the program will have their rebate withdrawn.
2. Council officers will liaise with the Department of Economic Development, Jobs, Transport & Resources (via Agriculture Victoria) to seek their continued support of the Environmental Enhancement Program.

Motion

Crs Majdlik/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Melton City Council's Environmental Enhancement Program (EEP) encourages eligible landholders to undertake specified works on their property that will improve the condition of the landscape within the municipality.

In 2016, 93 per cent of the 1,264 eligible properties met the requirements of the program, with 93 properties failing to comply or meet the requirements of the program (**refer Appendices 1 & 2**). Of the 93 recommended withdrawals, 67 failed to return a Proposed Works Form and 26 failed to effectively or successfully complete approved works. This is important to note as landowners who do not submit a Proposed Works Form essentially choose not to participate, and will automatically have their rate rebate withdrawn.

The program continues to be well received by landowners within the municipality. It is a key method for Council to engage with landholders on sustainable land management issues.

2. Background/Issues

Melton City Council's Environmental Enhancement Program (EEP) encourages eligible landholders to undertake specified works on their property that will improve the condition of the natural resources within the municipality. The EEP has been in effect since 1994 to provide a rebate on municipal rates. The EEP applies to properties greater than 2 hectares in size that are within specified zones, and is operated on an 'opt-out' basis, meaning that eligible landowners must participate to retain the rate rebate.

Council has an established annual program for delivery of the EEP. The Environmental Enhancement Program Guidelines detail the delivery of the program and landholder obligations (**Appendix 3**). The program is accounted for in Council's recurrent budget.

In early 2016, the Environmental Enhancement Program Guidelines and Proposed Works Form (**Appendix 4**) were sent to all eligible landowners. Under the policy, each eligible landowner was required to submit a completed Proposed Works Form by 31 March 2016. This form outlines work that the landholder commits to undertake to address land management issues, with an emphasis on addressing the presence of environmental and agricultural weeds.

Landowners who did not return their forms by the end of March 2016 were sent two reminder letters and then contacted by Council officers via telephone and email. Extensive efforts were made to encourage their participation in the program. Received Proposed Works Forms were assessed by Council's Land Management Officers and written approval sent to landowners. Proposed Works Forms that could not be immediately approved (for example due to insufficient commitment to weed control) were amended prior to approval. Works were required to be complete by the 30 September 2016.

Onsite meetings with landowners, and inspections of properties by Council's Land Management Officers, occurred throughout the year. Landowners who successfully undertook agreed works were notified of their satisfactory compliance with the policy and retention of their rebate.

The overall compliance rate for 2016 was 93 per cent of the 1,264 eligible properties. The compliance rate over the life of the program has ranged between 87 per cent and 98 per cent with an average of 94 per cent.

Of the 93 recommended withdrawals, 67 failed to return a Proposed Works Form and 26 failed to effectively or successfully complete approved works. This is important to note as landowners who do not submit a Proposed Works Form essentially choose not to participate, and will automatically have their rate rebate withdrawn.

33 of the non-compliant properties have a history of withdrawn rebates. 37 properties hadn't had the rebate withdrawn in the last five years (although some of these have had the rebate withdrawn previously). Of the properties that submitted a form but didn't meet the requirements of the program, all but one are affected by Serrated Tussock, which is considered to be the highest priority weed for control in Melton and a Weed of National Significance. The remaining property has a significant infestation of Artichoke Thistle which is the second highest priority weed in Melton.

The property owners for whom withdrawal of their rebate is recommended either failed to undertake any work or undertook insufficient work to control extensive infestations of high priority weeds on their land. Their failure to effectively manage priority weeds compromises the work undertaken by compliant landowners and other land managers including Council.

In accordance with the program guidelines, each landowner that failed to comply with the EEP requirements will be sent a letter from Council explaining that the rebate has been withdrawn, and have the value of the rebate added to their fourth rates installment notice. In writing to each landowner they are given the opportunity to discuss the reasons for not meeting the requirements of the policy. These discussions may provide a better understanding of why they did not comply and an opportunity to work more closely with Council's Land Management Officers in future.

In accordance with the program guidelines, any appeal made in writing against the notice of non-compliance will be considered by a panel consisting of the Manager City Design, Strategy & Environment, the Coordinator Environmental Services and an independent senior officer. The recommendation from this panel will then be reported to the General Manager Planning & Development for final consideration.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City

1.4 Value and protect the natural environment for future generations

4. Financial Considerations

The Environmental Enhancement Program is incorporated into Council's recurrent budget.

5. Consultation/Public Submissions

The EEP is an ongoing program. Eligible land holders are corresponded with by mail and telephone calls, face to face discussions on site and by email as required throughout the process of delivering the program.

6. Risk Analysis

It is important for Council to administer the EEP fairly and effectively. Failure to effectively deliver the program will undermine rural land productivity, jeopardise public and private recreational facilities and diminish environmental values. This may result in the loss of environmental assets and have a negative impact on the reputation of Council.

7. Options

Nil

LIST OF APPENDICES

1. Environmental Enhancement Program Non-compliant properties for 2016 - undated
2. Map of Non-compliant properties for 2016 - 29 March 2017
3. Environmental Enhancement Program Guidelines - undated
4. Environmental Enhancement Program Proposed Works Form - 2016

Cr Mayor adjourned the meeting at 9.54pm and left the Chamber.

Crs De Santis and Carli returned to the Chamber at 10.09pm.

Cr Mendes having left the Chamber did not return to the meeting.

The meeting resumed at 10.09pm. The Deputy Mayor assumed the Chair as temporary Chairperson in the absence of the Mayor.

Cr De Santis left the Chamber at 10.12pm.

12.14 BRIEFING ON PLAN MELBOURNE 2017-2050

Author: Matthew Milbourne - Senior Strategic Planner

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

PURPOSE OF REPORT

To inform Council on the policy directions of the recently released State Government metropolitan planning strategy, *Plan Melbourne 2017-2050* as they relate to the City of Melton and highlight any changes from *Plan Melbourne 2014*.

RECOMMENDATION:

That Council:

1. note the content and proposed changes to the metropolitan planning strategy, *Plan Melbourne 2017-2050*.
2. note the further work identified in this report.
3. write letters in response to *Plan Melbourne 2017-2050* to:
 - the Liberal and Labor Parties commending the work that both parties have undertaken to create both *Plan Melbourne 2014*, and *Plan Melbourne 2017-2050*, and request that they both confirm that the metropolitan planning strategy has bipartisan support.
 - DELWP requesting that the State Planning Policy Framework in planning schemes in Victoria be rewritten to include the directions and policies in *Plan Melbourne 2017-2050*.
 - DELWP requesting information on the establishment of the Metropolitan Regional Planning Groups, and information on how Council can get involved in them.
 - DELWP requesting information on the proposed update of the Principal Public Transport Network (PPTN) plan, and request that Council be involved in its update.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The State Government prepares metropolitan planning strategies to manage Melbourne's growth and change. It provides a long term vision for Melbourne and identifies outcomes

and directions to manage the change. These strategies are then implemented through the State Planning Policy Framework in all planning schemes.

In 2014 the State Government adopted a new metropolitan planning strategy, *Plan Melbourne* (2014). Melton City Council made submissions at the relevant stages throughout the preparation of Plan Melbourne 2014.

In November 2014, a new government was elected. In 2015 the State Government announced they would refresh the content of *Plan Melbourne* to take into account the new government's policies. Melton City Council made a submission to the *Plan Melbourne Refresh Discussion Paper* in December 2015.

On 11 March 2017, the State Government released its new metropolitan strategy, *Plan Melbourne 2017-2050*. This report outlines the key changes made to *Plan Melbourne* between 2014 and 2017.

A number of the issues raised in the Melton City Council submissions to the previous iterations of Plan Melbourne have been included such as Toolern being reinstated as a metropolitan activity centre, clear direction on the Urban Growth Boundary, the western industrial precinct identified as a state-significant industrial precinct, identification of the Western Interstate Freight Terminal and the Western and Calder freeways acknowledged as state-significant road corridors.

Below are items that Council requested be changed in Plan Melbourne 2017-2050, which were not changed:

- Acknowledge the different needs and agricultural viability of each individual green wedge in the development of planning mechanisms to protect them. However, the Interface Councils continue to undertake work and advocate on green wedge issues.
- DELWP should undertake a review of the commercial and industrial zones to determine the impact of the zone reforms on the operation of the zones, and their impact on the ability to enforce activity centre policy.
- DELWP should undertake an analysis of the impact of enforcing the 70/30 split (70% new housing in established areas / 30% in greenfield growth areas), particularly in relation to the growth areas of Melbourne.
- DELWP should review the location of the Western Grassland Reserve in the context of the current environmental values and surrounding growth. Council have also written to the Minister for Environment on this issue.
- DELWP should prepare an implementation plan to provide certainty surrounding the acquisition of land identified as being needed as a conservation reserve in the *Biodiversity Conservation Strategy*, and provide a framework for the ongoing management of these reserves.

2. Background/Issues

In 2014, the State Government adopted a new metropolitan planning strategy, *Plan Melbourne* (2014).

In November 2014 the State Government election and there was a change in Government. Melton City Council made submissions at the relevant stages throughout the preparation of Plan Melbourne 2014.

In 2015, the Minister for Planning announced that the metropolitan planning strategy, *Plan Melbourne*, would be refreshed to include policy direction that was consistent with the policies of the new Government.

At its ordinary meeting on 15 December 2015, Council resolved to prepare a submission to the *Plan Melbourne Refresh*.

On 11 March 2017, the State Government released the 'refreshed' metropolitan planning strategy, *Plan Melbourne 2017-2050*. A summary of *Plan Melbourne 2017-2050* is attached (**Appendix 1**)

What is a metropolitan planning strategy?

The State Government prepares metropolitan planning strategies to manage Melbourne's growth and change. It provides a long term vision for Melbourne and identifies outcomes and directions to manage the change. These strategies are then implemented through the State Planning Policy Framework in all planning schemes.

Does *Plan Melbourne 2017-2050* have Bipartisan Support?

The success of a long term metropolitan planning strategy ultimately lies in the strategy being used by successive State Governments to guide the development of Melbourne, and its policies being implemented over a long period of time.

It is unclear whether *Plan Melbourne 2017-2050* is supported by the Liberal Party.

It is recommended that Council write to the Liberal and Labor Parties commending the work that both parties have undertaken to create both *Plan Melbourne 2014*, and *Plan Melbourne 2017-2050*, and request that they both confirm that the metropolitan planning strategy has bipartisan support.

What has changed?

The number of outcomes, directions, policies and actions have changes between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*:

Plan Melbourne 2014	Plan Melbourne 2017-2050
9 Principles	9 Principles
6 Outcomes	7 Outcomes
41 Directions	32 Directions
118 Initiatives	90 Policies (previously Initiatives)
334 Actions	112 Actions (Implementation Plan)

There are nine Principles in *Plan Melbourne 2017-2050* which influence the outcomes, directions, initiatives and actions in the metropolitan planning strategy. The nine Principles are:

1. *A distinctive Melbourne*

The natural environment of Melbourne, its Aboriginal cultural heritage values, its open space, and its landmark buildings and streets will be protected and preserved whilst the next generation of growth is planned to complement it.

2. *A globally connected and competitive city*

Melbourne will develop and deliver infrastructure to support its business services, health, education, manufacturing and tourism.

3. *A city of centres linked to regional Victoria*

The central city will remain the focus for global business and knowledge-intensive industries. The physical, social and economic links between Melbourne and the regional centres in Victoria will be strengthened to create social and economic opportunities across the state.

4. *Environmental resilience and sustainability*

Melbourne's biodiversity and natural assets will be protected. Melbourne will adapt to climate change and make a transition to a low-carbon city.

5. *Living locally – 20-minute neighbourhoods*

People will be able to walk, cycle or make a public transport trip to access most of their everyday needs.

6. *Social and economic participation*

Victoria will make it easier for every citizen to attain skills to fully participate in the life and economy of the city and state.

7. *Strong and healthy communities*

Strong communities need access to affordable and accessible housing; local health and education services; access to recreation spaces; and healthy food

8. *Infrastructure investment that supports balanced city growth*

Smart infrastructure investment and better utilisation of existing infrastructure will create new jobs and drive population growth. A pipeline of projects and initiatives are needed to make Melbourne more sustainable, accessible and prosperous.

9. *Leadership and partnership*

Effective governance, strong leadership and collaborative partnerships are needed to direct Melbourne's growth.

The policy framework to deliver on these principles comprises seven outcomes each supported by a range of directions and policies. The following section of this report summarises the outcomes and directions and policies that are of particular relevance to the City of Melton. It also includes a brief overview of any changes from Plan Melbourne 2014 and outlines and impacts on the strategies and plans of Melton City Council as well as outlining some key advocacy actions.

1. *Melbourne is a productive city that attracts investment, supports innovation, and creates jobs.*

It is estimated that Melbourne will need 1.5 million new jobs over the next 35 years to support its population growth.

The western region of Melbourne is projected to have 113,000 new jobs created between 2015 and 2035, which has a job growth of 2.3% per annum. New employment is expected to be in the retail, trade, manufacturing, health care, transport, warehousing, and education sectors.

This outcomes focuses on ensuring Melbourne remains attractive for investment by ensuring that there is adequate land available for commerce and industry, and that these areas are well serviced by infrastructure.

Land in the south eastern of the municipality at Hopkins Road has been identified as part of the State Significant Western Industrial Precinct which is identified as the location of the proposed Western Interstate Freight Terminal (WIFT) (City of Melton), and the possible Bay West Seaport (City of Wyndham), which are both subject to further investigation.

Toolern town centre has been reinstated as a future Metropolitan Activity Centre which are critical regional centres providing a range of higher order services.

Melton Health at Woodgrove, is one of the identified Health Precincts in Melbourne.

Werribee and Sunshine are identified as the two National Employment and Innovation Clusters (NEIC) in the western region. NEIC's are knowledge based business centres. Whilst not within the municipality they are both important existing and future employment area that will benefit the community by providing improved access to employment.

Plan Melbourne 2017-2050 identifies that the Melbourne Metro Tunnel will transform the Sunbury – Cranbourne rail corridor, which will link a number of key learning and working precincts - Sunshine NEIC, Footscray Metropolitan Activity Centre, Parkville NEIC, the Central City, Monash NEIC, and the Dandenong NEIC. The Metro Tunnel project is also key to unlocking the capacity required to support the electrification of the Melbourne to Ballarat line to Melton.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

The directions and policies under this outcome have remained essentially the same.

This section has deleted the Integrated Economic Triangle, and has replaced this with state significant land use areas (National Employment and Innovation Clusters).

Council made a submission to the *Plan Melbourne Refresh Discussion Paper* that Toolern should be shown as a future Metropolitan Activity Centre as it had been proposed to be demoted. Council commends the State Government for reinstating this as a Metropolitan Activity Centre.

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

Melton Advocacy Priorities collateral aligns well *Plan Melbourne 2017-2050*, as it seeks to attract investment from the State Government in the Toolern activity centre, which is identified as a future metropolitan activity centre.

Melton's *Economic Development Tourism Plan 2014-2030* and *Investment Attraction Strategy 2016-2019* align well with *Plan Melbourne 2017-2050*, as they seek the development of Toolern and the support the expansion of the western industrial precinct into Ravenhall and Truganina in the City of Melton.

Moving Melton – Council's Integrated Transport Strategy seeks to improve transport connections between the City of Melton, and Sunshine and Werribee, which are identified as being employment areas in the western region.

Council has commenced work on the preparation of an Urban Design Framework for the Toolern Employment Area and review the approved Toolern Town Centre Urban Design Framework to acknowledge its role as a metropolitan activity centre.

The Victorian Planning Authority (VPA) are currently finalising the Mt Atkinson and Tarneit Plains Precinct Structure Plan (PSP), which will release land for employment use and development in the western industrial precinct.

The following actions will be undertaken in response to *Plan Melbourne 2017-2050*:

- Write a letter to DELWP requesting information on the Metropolitan Regional Planning Groups, which are being created to develop five year plans for jobs, services and request to be part of the planning group for the Western Sub-region.
- Advocate and plan for improved connections between the City of Melton and the Sunshine and Werribee NEICs. This will include the upgrade of arterial roads, and improvements to public transport connections to these employment clusters.
- Advocate for the inclusion of Toolern to be identified as a future 'Health and Education' precinct, given that the Toolern Precinct Structure Plan reserves land for tertiary level health and education facilities.
- Advocate to the State and Federal Governments to finalise the feasibility study for the Western Interstate Freight Terminal (WIFT), and start planning for the development of the WIFT.
- Advocate for the preparation of PSPs for the Chartwell East, Derrimut Fields, Ravenhall, and Warrawee precincts to allow the development of land as part of the western industrial precinct. It is recommended that Council write a

letter to the VPA requesting work be commenced on these PSP areas once the location and size of the WIFT is known.

2. *Melbourne provides housing choice in locations close to jobs and services.*

It is estimated that Melbourne will need 1.6 million new homes over the next 30 years. *Plan Melbourne* has policy directions that address housing affordability, the types of housing needed, and the location of housing.

The following policies in *Plan Melbourne 2017-2050* are of relevance to the City of Melton:

- Creates a permanent urban growth boundary around Melbourne to create a more consolidated and sustainable city.
- Provides two scenarios on housing growth. Scenario 1 based on Victoria in Future projects assumes continuation of current trends and therefore 65% of new dwellings will be constructed in established areas and 35% will be in growth area greenfield areas to support the creation of 20-minute neighbourhoods. *Scenario 2 provides an inspirational 70%* of new housing units could be provided in established areas, and 30% in growth area greenfield areas.
- Planning for housing in Melbourne will be done at a regional level. A plan will be prepared for the western region which will identify areas for residential growth, moderate growth and areas of limited change.
- Provide certainty about the scale of growth in the suburbs. The Government has reviewed the residential zones that were introduced into the planning scheme in 2014 and has recommended that the zones be altered to remove the number of dwellings that be constructed in the Neighbourhood Residential Zone (NRZ), introduces new requirements for garden sizes, and changes height controls. It is noted that the reasons for these reforms are due to a number of Council's in the eastern suburbs that have applied the NRZ to the majority of their residential areas.
- Supports the development of new housing in activity centres. It is noted that in addition to the future Toolern Metropolitan Activity Centre, the City of Melton has three existing major activity centres (Caroline Springs, Melton – High Street, and Melton – Woodgrove), and five future activity centres (Hopkins Road (Mt Atkinson), Plumpton, Rockbank, and Rockbank North).
- Require the staging of development in growth areas to better link infrastructure delivery. When considering the development of new precinct structure plans they should be contiguous with existing approved precincts. Consideration will be given to increasing the overall density of houses to 20 dwellings per hectare in future PSPs, from the current average of 18 dwellings per hectare.
- Streamlining decision making processes for social housing proposals.
- Strengthening the role of planning to facilitate the delivery of social and affordable housing.
- Explore creating mechanisms in the planning system to improve the amount of social housing being provided. One mechanism may be where land is rezoned (e.g. industrial to residential), a proportion of the increase in value of the land should be used to provide social or affordable housing.
- Provide a greater diversity of housing to meet the changing needs of households in Melbourne. More single person, aged care and student housing is required. This may include changing planning controls to make it

easier to build secondary dwellings on a lot (e.g. granny flats and bedsit units).

- A variety of housing sizes and types will be provided in growth areas.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

The government has recently released a new housing strategy – *Homes for Victorians: Affordability, Access and Choice*. This outcome in *Plan Melbourne 2017-2050*, embeds the initiatives in this housing strategy which seek to address housing affordability, diversity and supply. It includes new policies to boost social and affordable housing.

Council made the following submissions to the *Plan Melbourne Refresh Discussion Paper* which have been included in *Plan Melbourne 2017-2050*:

- The Discussion Paper explored increasing the density of growth areas to 25 dwellings per hectare, Council raised concerns about this. Council commends the State Government for retaining 18-20 dwellings per hectare in the Plan.
- Council requested that the residential zones be reviewed, which has been undertaken.
- Council requested that regional housing plans should focus on housing outcomes, rather than targets. The regional housing plans will now include outcomes and targets.

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

Council's *Housing Diversity Strategy* was prepared to identify areas in the City of Melton which are suitable for residential growth, moderate growth and limited growth. This can be used to help inform the development of the western region housing plan.

Council's *Housing Diversity Strategy* supports the development of a variety of housing sizes and styles in the City of Melton, which cater for a wide variety of households including single person households and aged care.

PSP's in the City of Melton (approved and planned) identify areas for medium and higher density housing close to proposed activity centres to provide for a diversity of housing types and sizes.

The following actions will be undertaken in response to *Plan Melbourne 2017-2050*:

- When the changes are made to the residential zones, Council should make an assessment on whether it will tailor controls in line with the findings in Council's *Housing Diversity Strategy*.
- Council to explore with the VPA the implications of the policy that development in growth areas is to be sequenced and staged and understand how this will be considered for approved PSPs. Council should explore what PSPs should be developed next to provide for 15 years of land approved for development and contiguous with previously approved precincts.

3. *Melbourne has an integrated transport system that connects people to jobs and services and goods to market.*

It is estimated that Melbourne's transport system will need to grow to cope with an additional 10.4 million trips a day by 2050 (up from 12.5 million).

This outcome includes a number of projects that will improve the transport system in the western region – the Western Distributor, the Melbourne Metro Tunnel, the duplication of the railway line to Melton, the M80 (western ring road) upgrade, the Outer Metropolitan Ring Road, and the Western Interstate Freight Terminal.

Unfortunately the improvements to transport infrastructure plan relates to the transport infrastructure that is proposed to be constructed over the next seven years,

rather than what will be delivered over the next 35 years. Notable exclusions include a lack of discussion around whether a congestion charge may be needed to manage supply, and the following projects are missing from the transport plans in this outcome - the North East Link (linking the M80 with EastLink), the Melbourne Airport Rail Link, the upgrade of the Western Highway, and the possible seaport at Bay West (in Werribee South).

The following policies in *Plan Melbourne 2017-2050* are of relevance to the City of Melton:

- Improving public transport connections to NEICs.
- Upgrading the bus network to increase frequency, increased priority, and improved travels times and connectivity.
- Update the Principal Public Transport Network plan and the Principal Freight Network plan and incorporate these into planning schemes.
- Improving the efficiency of the freeway network.
- Support cycling for commuters.
- Improve roads in growth areas and outer suburbs.
- Improve outer-suburban public transport.
- Create pedestrian and cyclist friendly neighbourhoods.
- Improve local bus services.
- Increase the volume of freight carried by rail.
- Avoid negative impacts of freight movements on urban amenity.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

The outcome has been updated to include projects supported by the current Government and identified in Infrastructure Victoria's *30-Year Infrastructure Strategy*.

The location of the Melbourne Metro Tunnel has been changed, and the East-West Link has been replaced by the Western Distributor project. Other changes pertinent to the City of Melton are the inclusion of the Ballarat Rail Upgrade, and the M80 (Western Ring Road) upgrade.

The Outer Metropolitan Ring Road and the Western Interstate Freight Terminal are still shown as projects that will shape the transport system in the western suburbs.

Council made the following submissions to the *Plan Melbourne Refresh Discussion Paper* which have been included in *Plan Melbourne 2017-2050*:

- The inclusion of transport policies which specifically address transport needs in growth areas such as improving roads and public transport in growth areas.
- The inclusion of the Western Interstate Freight Terminal.
- The inclusion of the Principal Public Transport Network.

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

Moving Melton, Council's integrated transport strategy, is aligned with *Plan Melbourne 2017-2050*.

Moving Melton provides guidance on how the walking, cycling, public transport, road and freight networks should be developed to provide choice to people on how they will access work, schools, health, and retail opportunities.

Moving Melton makes recommendations to improve connections to employment areas, and developing transport infrastructure for all modes of transport.

Melton Advocacy Priorities currently have fact sheets relating to the staged upgrade of the Melton Rail Corridor, the upgrade of the Western Highway to Freeway Standard, and improvements to the arterial road network.

The following actions will be undertaken in response to *Plan Melbourne 2017-2050*:

- Write a letter to DELWP requesting information on the proposed update of the Principal Public Transport Network (PPTN) plan, and request that local government be involved in the update of the PPTN.
- Advocate for the ongoing improvement to the walking and cycling infrastructure, public transport services, and the road network.
- Advocate for the plans in *Plan Melbourne* to be updated to reflect the projects supported by Infrastructure Victoria's *30-Year Infrastructure Strategy*.
- Advocate for the upgrade of the Western Highway to Freeway standard, and have this project added to *Plan Melbourne*.
- Advocate to VicRoads to commence the planning for the construction of the Outer Metropolitan Ring Road.

4. *Melbourne is a distinctive and liveable city with quality design and amenity.*

This outcome is focussed on enhancing Melbourne's liveability through place making.

The following policies in *Plan Melbourne 2017-2050* are of relevance to the City of Melton:

- Use planning schemes to protect areas that contribute to Melbourne's distinctiveness – these include natural landscapes and urban areas.
- Promote urban design excellence in the built environment.
- Recognise the value of heritage when managing growth and change.
- Respect and protect Melbourne's Aboriginal cultural heritage.
- Protect Melbourne's heritage through telling its stories.
- Strengthening protection and management of green wedge land.
- Protect and enhance values attributes of distinctive areas and landscapes.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

This outcome is new to *Plan Melbourne*, which has borrowed material from other sections of the previous *Plan Melbourne* and has added new directions and policies related to improving Melbourne's cultural and sporting landmarks.

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

Council has adopted the *Western Plains North Green Wedge Management Plan* which sets up a framework to manage the use and development of the green wedge in the northern part of our municipality.

Council has commenced work on the preparation of the *Western Plains South Green Wedge Management Plan* in collaboration with Wyndham City Council.

Council has adopted *Melton Landscapes – Significant Landscape Features Strategy*, which provides the policy direction for the protection of important landscapes features and the design of new development which may impact on these landscapes.

Council is currently reviewing the adopted *Melton Heritage Strategy 2014-2017* which sets up a framework on how Council deals with heritage. Council over the years has commissioned heritage studies to review heritage places and dry stone walls for inclusion in the heritage overlay.

5. *Melbourne is a city of inclusive, vibrant and healthy neighbourhoods.*

Melbourne has always been a city of neighbourhoods. Neighbourhoods are the basic building blocks of the city and provide communities with early childhood centres, schools, local transport, parks and sports reserves, and local shops.

The following policies in *Plan Melbourne 2017-2050* are of relevance to the City of Melton:

- Melbourne will be made up of a network of 20-minute neighbourhoods, where most of people's everyday needs can be accessed within a 20 minute journey from home by walking, cycling or local public transport.
- Densities of housing will be increased around activity centres to improve housing choice, and improve access to services.
- Improve walking and cycling networks in neighbourhoods.
- Deliver community infrastructure in a timely manner (schools, kindergartens, early childhood centres, parks, and playgrounds).
- Create health and education precincts. The PSP guidelines will be changed to include planning for health facilities in or close to town centres in new suburbs.
- Develop a network of accessible local open spaces.
- Support the development of community gardens.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

This outcome has been rewritten to include improved direction on providing a greater mix of housing styles and providing social infrastructure to support communities.

The section in *Plan Melbourne 2014* on protecting Melbourne and its suburbs from inappropriate development has been removed and replaced with policies on increasing densities of housing in the suburbs at an appropriate scale, directing growth to defined change areas, and supporting growth with a range of activity centres (including strengthened neighbourhood activity centres).

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

PSPs developed in the City of Melton have been developed in a manner that is consistent with the 20-minute neighbourhood, with community facilities and shops forming the core of neighbourhoods which generally have a 20 minute walking catchment.

Council's approved *Open Space Plan 2016-2026*, outlines how open space will be provided across the City of Melton to meet the active and passive recreation needs of its residents.

Council has developed a *Community Gardens Policy*.

The following actions will be undertaken in response to *Plan Melbourne 2017-2050*:

- Commence work on the preparation of a Principal Pedestrian Network Plan and a Principal Bicycle Network Plan.
- Discuss with the VPA how planning for health facilities will be incorporated into PSPs and advocate to state government to invest in this infrastructure.
- Continue to advocate to state Government for the creation of mechanisms to improve the delivery of community infrastructure.

6. *Melbourne is a sustainable and resilient city.*

The state's natural environment needs to be protected for future generations.

Victoria's social, economic and environmental sustainability depends on the protection and conservation of the state's natural assets.

The city's growth, in combination with climate change, is testing the resilience of Melbourne's natural and built environment.

Melbourne by 2050 will need to be more resilient and sustainable. It will need to manage its land, biodiversity, water, energy, and waste resources in a much more integrated way. A green economy needs to emerge to respond to the challenge of climate change.

The following policies in *Plan Melbourne 2017-2050* are of relevance to the City of Melton:

- Melbourne will transition the city to have a target of zero greenhouse gas emissions by 2050, which will be achieved by the increased use of renewable energy technologies improvements to environmentally sustainable design outcomes.
- Melbourne will reduce the likelihood and consequences of natural hazard events and adapt to climate change.
- Melbourne will use land use planning to mitigate exposure to natural hazards such as flooding and bushfire, and consider how exposure to these will change as a result to climate change.
- Integrate urban development and water cycle management. This will be achieved by reducing pressure on water supplies by making use of a range of water sources, and adopting an integrated water management approach.
- Make Melbourne cooler and greener, by promoting urban greening and strengthening the metropolitan open space network. The City of Melton has two regional parks, the merging park in Toolern, and a proposed park in the Kororoit PSP area.
- Create a network of green spaces that support biodiversity conservation and opportunities to connect with nature. It is noted that the City of Melton has a number of conservation areas protected through the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* which will be created to manage the impacts of development for the next 30-40 years.
- Protect and enhance the health of urban waterways.
- Improve air quality and reduce the impact of excessive noise.
- Reduce waste and improve waste management and resource recovery.
- Protect waste management and resource recovery facilities from urban encroachment and assess opportunities for new waste facilities.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

This outcome has refined the directions and policies to better support the transition to a low-carbon city, and take into account the Governments targets for renewable energy and greenhouse gas emissions.

New policies have been added to facilitate the uptake of renewable energy technologies and improve environmentally sustainable design (ESD) outcomes.

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

Council is currently preparing its first Environment Plan. Council's *Environment Plan 2017-2027* will guide Council's planning, decision making and activities that impact on the environment in the City of Melton. The Environment Plan will also assist Council to lower its carbon use, which is in line with State Government policy. This

plan will include sections on the built environment, the natural environment and resource use.

This outcome also has interactions with Council's *Waste Management Strategy – It Starts with Zero*.

The following actions will be undertaken in response to *Plan Melbourne 2017-2050*:

- Continue work on the preparation of the *Environment Plan 2017-2027*, to guide Council in its planning, decision making and activities that impact on the environment in the City of Melton.
- Continue to work with the State Government on the identification of risk from natural hazards (fire and flood), and implement measures in the Melton Planning Scheme to reduce risk to the community from these events.
- Continue to work with DELWP and the VPA to protect conservation areas identified in the *Biodiversity Conservation Strategy* when preparing PSPs.
- Advocate to the State Government to implement improved controls in planning schemes to identify waste management facilities and protect adjacent communities from adverse amenity impact from their operation.

7. *Regional Victoria is productive, sustainable and supports jobs and economic growth.*

Today 1.5 million people live in regional Victoria (25% of the State's population), and this is expected to increase to 2.2 million in 2051 (21% of the State's population).

Policies in this outcome relate to the investment by the State Government to support housing and economic growth in regional Victoria.

The following policies in *Plan Melbourne 2017-2050* are of relevance to the City of Melton:

- Support planning for growing towns in peri-urban areas. These towns include Bacchus Marsh and Gisborne.
- Improve transport connectivity between Melbourne and regional cities.
- Strengthen transport links on national networks for the movement of commodities.

Differences between *Plan Melbourne 2014* and *Plan Melbourne 2017-2050*

This section remains largely unchanged.

How does *Plan Melbourne 2017-2050* align with Council's Plans and Strategies?

Council's integrated transport strategy, *Moving Melton*, supports the ongoing improvements to the Ballarat and Bendigo rail corridors as they improve services for residents in the City of Melton, and supports the ongoing improvements to the Western and Calder Freeways as they improve the safety and operation of these roads for commuters and freight movement.

The following actions will be undertaken in response to *Plan Melbourne 2017-2050*:

- Review plans prepared by the VPA for Gisborne and Bacchus Marsh to ensure they are well connected to the City of Melton.
- Continue to advocate for the staged upgrades of the Calder and Western Highway networks to improve commuter and freight movements.

Implementation Plan

A five year implementation plan has been released by the State Government, which includes 112 actions. In *Plan Melbourne 2014*, the actions were included in the Plan. The creation of an implementation plan is a more logical approach, as this can be easily adapted and changed by the government without needing to change the text in *Plan Melbourne*.

It is expected that some major strategies which are currently being developed by the State Government will further inform the development of infrastructure in Melbourne:

- State Government's response to Infrastructure Victoria's *30-Year Infrastructure Strategy*.
- The Department of Health's *Statewide Strategic Services and Infrastructure Plan*.
- The Department of Environment's *Renewable Energy Action Plan*.

A range of short term (0-2 years), medium term (2-5 years) and long term (more than 5 years) actions are included to implement *Plan Melbourne 2017-2050*.

Notable short term actions of relevance to the City of Melton include:

- Creating metropolitan regional housing plans to guide housing growth.
- Updating the Precinct Structure Planning Guidelines.
- Preparing a sequencing plan for growth area development.
- Planning system reforms for social and affordable housing.
- Developing a value capture tool for the delivery of affordable housing.
- Streamlining the approvals process for specific housing types (such as aged care, secondary dwellings and student housing).
- Incorporation of the Principal Public Transport Network, and the Principal Freight Network plans into planning schemes.
- Develop strategic cycling corridors.
- Create local transport forums.
- Embed the 20-minute neighbourhood concept into planning schemes.
- Forward planning for waste and resource recovery infrastructure.
- Planning around waste facilities – improve planning tools to manage the interface with surrounding land uses.

The absence of an Implementation Plan was one of Council's criticisms of *Plan Melbourne 2014*, and we requested one be created for *Plan Melbourne 2017-2050*.

It is unclear what the impact of these actions will be on Council. It is however noted that many of these actions will require officer time to review the actions being undertaken by the State Government, and to provide a response on the behalf of Council.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City
 - 1.1 *Strategically plan for a well designed and built City*

4. Financial Considerations

There may be requirements for Council to undertake work as part of the implementation of *Plan Melbourne 2017-2050*. It is expected that most of the work arising out of the implementation of *Plan Melbourne 2017-2050* will be funded from recurrent budgets.

5. Consultation/Public Submissions

At its Ordinary Meeting of 5 March 2013 Council resolved to make a submission in response to the development of *Plan Melbourne 2014*.

In April 2015 the State Government formed a Ministerial Advisory Committee to review *Plan Melbourne 2014*. In October 2015 the Ministerial Advisory Committee's discussion paper was released for stakeholder comment. At its Ordinary Meeting of 15 December 2017, Council resolved to make a submission on the content of the *Plan Melbourne Refresh Discussion Paper*.

Below are items that Council requested be changed in Plan Melbourne 2017-2050, which were not changed:

- Acknowledge the different needs and agricultural viability of each individual green wedge in the development of planning mechanisms to protect them.
- DELWP should undertake a review of the commercial and industrial zones to determine the impact of the zone reforms on the operation of the zones, and their impact on the ability to enforce activity centre policy.
- DELWP should undertake an analysis of the impact of enforcing the 70/30 split (70% new housing in established areas / 30% in greenfield growth areas), particularly in relation to the growth areas of Melbourne.
- DELWP should review the location of the Western Grassland Reserve in the context of the current environmental values and surrounding growth.
- DELWP should prepare an implementation plan to provide certainty surrounding the acquisition of land identified as being needed as a conservation reserve in the *Biodiversity Conservation Strategy*, and provide a framework for the ongoing management of these reserves.

Plan Melbourne 2017-2050 was approved by the State Government on 11 March 2017. The State Government is not inviting comments on the approved plan.

6. Risk Analysis

A review of existing strategic land use planning documents has been undertaken and have been found to be generally consistent with the direction of *Plan Melbourne 2017-2050* and it is not anticipated that any changes will need to be made to any adopted Council strategies or plans and therefore any risks to Council would appear to be limited.

7. Options

Council can resolve to:

1. Note the content and further work identified in the body of this report, and send letters to the relevant parties as set out in this report; or
2. Note the content and further work identified in the body of this report, and makes variations to the letters proposed to be sent; or
3. Note the content and further work identified in the body of this report, and resolve to not send any letters.

LIST OF APPENDICES

1. Plan Melbourne 2017-2050 Summary - undated

12.15 PLANNING APPLICATION PA 2014/4456 - EXTENSION OF TIME TO A PERMIT FOR A TELECOMMUNICATIONS FACILITY AT 115 TENTERFIELD DRIVE, BURNSIDE HEIGHTS (BURNSIDE HEIGHTS RECREATION RESERVE)

Author: Steve Finlay - Coordinator Statutory Planning
Presenter: Bob Baggio - Manager Planning Services

PURPOSE OF REPORT

To consider and determine a request for an extension of time to a permit for a telecommunications facility at 115 Tenterfield Drive, Burnside Heights (Burnside Heights Recreation Reserve).

RECOMMENDATION:

That Council extend the expiry date of the permit, such that the permit will now expire on 29 December 2018.

Motion

Crs Kesic/Hardy.

That the recommendation be adopted.

CARRIED

REPORT

1. Background

Executive Summary

This matter was previously considered by Council at the Ordinary Meeting of 6 February 2017, where Council resolved to defer consideration of the matter until such time that Council has informally notified surrounding landowners and occupiers of the request to extend the time of the permit, and to enable submissions to be made by potentially affected people.

The request to extend time was informally advertised to surrounding landowners and occupiers, including previous objectors to the application, sports club tenants of the Burnside Heights Recreation Reserve and other Community User Groups in the vicinity of the land, including the Kororoit Creek Primary School, Kingswim and Kororoit Creek Early Learning Centre. A letter was sent out with a copy of the permit and endorsed plans. As a result of this informal public notice, no submissions have been received.

Applicant:	Optus Mobile Pty. Ltd. C/- Visionstream Pty. Ltd.
Proposal:	Request for an extension of time to a permit for a telecommunications facility
Existing Land Use:	Burnside Heights Recreation Reserve
Zone:	Public Park and Recreation Zone
Overlays:	Development Plan Overlay (Schedule 7 – Tenterfield)
Number of Objections:	Nil (although there were two objections prior to the initial permit being issued)
Key Planning Issues:	State Planning Policy Length of time since permit initially issued

	Relevant case Law
Recommendation:	Grant permit extension by two years

The Land and Surrounding Area

The subject site has an area of 21.85ha and is the Burnside Heights Recreation Reserve located at 115 Tenterfield Drive, Burnside Heights. Other features of the site are as follows:

- The land is used for both active and passive recreation, and has two sports ovals, clubrooms, playground, basketball courts and cricket nets, all with associated car parking. The reserve is the home of the Burnside Heights Football Club and the Burnside Springs Cricket Club.
- The land is abutted to the south by the Kororoit Creek and associated creek reserve. Land to the north (on the opposite side of Tenterfield Drive) is used for residential purposes. The Kororoit Creek Primary School is also located to the north of the reserve, on the opposite side of Tenterfield Drive.
- Planning permit number PA2014/4456 was issued on 29 December 2014 and allows for the use and development of the land for the purpose of a telecommunications facility comprising a 25-metre high monopole (replacing an existing light pole) with associated antennae and an equipment shelter in accordance with plans endorsed under the permit.
- The proposed telecommunications facility is proposed to replace an existing light pole in the south-eastern corner of the senior oval at the Burnside Heights Recreation Reserve.

The surrounding area can be characterised as predominantly residential to the north and west of the reserve, whilst land to the east and south is generally associated with the Kororoit Creek and its associated environmental reserve.

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

The Application

The application proposes the consideration of a request to extend time on planning permit number PA2014/4456, which expired on 29 December 2016.

The proposal can be summarised as follows:

- The permit allows for the use and development of the land for the purpose of a 25-metre high monopole (replacing an existing light pole) with associated antennae and an equipment shelter. The permit was issued on 29 December 2014.
- An earlier planning permit (PA2010/2734) was issued at the direction of the Victorian Civil and Administrative Tribunal on 29 April 2011 for a similar proposal, however, this permit expired, and no extension of time was requested for the permit.
- Although the current planning permit expired on 29 December 2016, the request for an extension of time was received prior to the expiry date, and so therefore, in accordance with the requirements of Section 69 of the *Planning and Environment Act 1987*, Council has the capacity to extend the time on the permit if it so desires.
- Visionstream Pty. Ltd. acting on behalf of Optus Mobile Pty. Ltd. has requested an extension of time to planning permit PA2014/4456 owing to unexpected delays in lease negotiations with Council, as the landowner of Burnside Heights Recreation Reserve.

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

Planning Controls

Zone	(Clause 36.02 – Public Park and Recreation Zone)	Permit is required to use the land for a telecommunications facility, and the current permit expired on 29 December 2016.
Overlays	(Clause 43.04 – Development Plan Overlay (Schedule 7))	Permit must not be issued to use, develop or subdivide land until a development plan is prepared for the land. A development plan was prepared for the land and approved on 14 November 2002 and nominates the land for district public open space.
Particular Provisions	(Clause 52.19 – Telecommunications Facility)	Permit is required to construct a building or carry out works for a telecommunications facility, and the current permit expired on 29 December 2016.
<i>Planning and Environment Act 1987</i>	Section 69	Before the permit expires, or within six months afterwards, the owner or occupier of land may ask the Responsible Authority to extend the permit. Given that the request to extend time was received by Council prior to the permit expiry date, the request has been submitted within the relevant statutory timeframe.

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, however is affected by a Section 173 Agreement that imposed requirements on the original subdivider of the land and does not affect the ability of Council to determine the extension of time request.

Is the land of Cultural Heritage Sensitivity?

The land is considered to be of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2007*; however the proposal constitutes an exempt activity which does not require a cultural heritage management plan.

2. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth.

1.1 *Strategically plan for a well designed and built City.*

3. Financial Considerations

A lease arrangement is currently being negotiated with the telecommunications provider, with these negotiations well advanced, and will be the subject of a future report to Council.

4. Consultation/Public Submissions

Public notification of the application

Although there is no statutory requirement, or mechanism to give public notice of an extension of time request, Council resolved to defer this matter at its Ordinary Meeting of 6 February 2017 until such time that the proposal was informally notified to surrounding landowners and occupiers, and to enable submissions to be made to potentially affected people.

Informal public notice of the extension of time request was given to surrounding landowners and occupiers, including to tenants of the Burnside Heights Recreation Reserve, previous objectors and nearby community uses, such as the Kororoit Creek Primary School, Kingswim and the Kororoit Creek Early Learning Centre. In all, a total of 86 letters were sent out to nearby property owners and occupiers, which included a copy of the planning permit and endorsed plans.

There were no objections or any other submissions arising from this informal public notice process.

Referral of the application

The application for the extension of time was not required to be referred to any other government agencies.

5. Issues

Criteria for extending the time of a permit

Section 69 of the *Planning and Environment Act 1987* enables the owner or occupier of the land to which a planning permit applies to apply for an extension of time prior to the permit expiring or within six months afterwards. By way of correspondence dated 13 December 2016, Visionstream Pty. Ltd. acting on behalf of Optus Mobile Pty. Ltd. has requested an extension of time to the permit. The request to extend the permit has been received within the relevant statutory timeframe, since it was received before the permit expiry date of 29 December 2016.

Information submitted in support of the extension of time request indicates that the permit has not been enacted and an extension of time is required owing to unexpected delays in lease negotiations with Council as the land owner of the Burnside Heights Recreation Reserve. These lease negotiations are well advanced and will be the subject of a future Council Report.

The Act generally envisages a time limit be imposed on planning permits. The time limit condition that was originally imposed on the subject permit is consistent with most planning permits related to telecommunications facilities. The reason for imposing a time limit on planning permits is to ensure that permit holders do not 'warehouse' planning permits. The time limit enables Responsible Authorities to reconsider planning permits, where they have not been acted upon, taking into account any new policy or control that may have been introduced in the intervening period.

In considering the request for the time extension to the permit, it is necessary for Council to act reasonably and to base its decision on any relevant matters.

Since the original date of the permit being issued, there have been no changes to the relevant planning controls or circumstances surrounding the subject land that would warrant the request being refused. The permit conditions applicable to the permit are also still as relevant today as they were when the permit was issued, and no additional conditions or modification to existing permit conditions would be needed.

The Supreme Court decision in *Kantor vs Murrumbidgee Shire* is the most comprehensive statement of matters to be taken into account as to whether or not to allow a request for an extension of time. The principles of this case law in respect to the treatment of an extension of time request are that the Responsible Authority:

- Should treat the applicant as being obliged to advance some reason or material in support of the grant of an extension.
- May rightly consider as a factor in favour of an exercise of discretion, that there has been no change in planning policy (including the planning scheme legislation) – but it does not follow that, absent a change in planning policy, an extension should normally be granted.
- Consideration as a factor tending against the grant of an extension, any material suggesting that an owner of land is intending to “warehouse” a permit – ie obtain a windfall by selling the land together with the benefit of an unused permit.
- Consideration of any intervening circumstances, such as if in seeking an extension of time, whether steps have already been taken to develop the land in accordance with the permit, this will count in favour;
- Consideration of the total amount of time which has elapsed when a request to extend is being considered. If a permit has been long held and not acted upon, this will tend against an application for an extension of time, particularly where other possible developments nearby are being stultified. The philosophy of the *Planning and Environment Act 1987* that a permit should not be unlimited as to time must also be borne in mind here.
- Consideration as to whether the time limit originally imposed was adequate in all the circumstances.
- Consideration as to whether the permit casts a considerable economic burden on the owner of the land, making it necessary for him or her to proceed slowly, whilst always intending to proceed with the development; and
- Consideration as to the probability that if a request to extend time were refused and a fresh application lodged, it would be granted. This factor would be particularly relevant where planning policy has remained unchanged and it is improbable that potential objectors to a fresh proposal will be able to raise any new considerations.

On the basis of the above tests, it is noted that:

- There has not been a significant amount of time elapse since the permit was initially issued, and this is the first extension of time request associated with the current permit.
- The reasons given justifying a delay in completing the telecommunications facility are sufficient to justify non-completion of the development. Lease negotiations with the telecommunications provider are well advanced and will be the subject of a separate report to Council.
- There have been no changes to State or Local Planning Policies, or other planning controls affecting the land, to the extent that if a fresh application were lodged it would be recommended to be approved.
- Although a new Scout facility is being proposed on the Reserve in future, it is intended to be located some distance from the proposed tower.

Assessment against relevant Code of Practice

A Code of Practice for Telecommunications Facilities in Victoria is an incorporated document in planning schemes, whose purpose it is to:

...set out principles for the design, siting, construction and operation of a telecommunications

facility which a responsible authority must consider when deciding on an application for planning permit.

Although it should be noted that this is not a new application as it is a request to extend the time on an existing permit, it is nevertheless instructive to assess the proposed facility against the principles articulated in the Code:

- ***A Telecommunications facility should be sited to minimise visual impact***

The proposed monopole is located on the southern side of the main oval, as far as practical from surrounding houses and the primary school.

It is to be sited about 280m from the primary school, about 180m from houses to the north, and about 330m from houses to the west. While the facility will be visible from surrounding urban areas, it is considered that no views to significant vistas or landscape features are unreasonably compromised.

- ***Telecommunications facilities should be co-located wherever possible***

The facility provides for both Optus and Vodafone through a joint venture arrangement. It is generally acknowledged that Council reserves are becoming the main focus for new telecommunication facilities in the Eastern Corridor given that most existing development comprises residential areas, with the exception of the shopping / commercial areas. Council has previously supported these facilities in the larger open space reserves, where amenity issues to surrounding sensitive uses can be minimised.

- ***Health standards for exposure to radio emissions will be met***

The proposal will be designed and installed to satisfy the requirements contained with Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3kHz to 300 GHz, Arpana, May 2002.

An EME report has been produced for the Telecommunications Facility which demonstrates compliance and is in accordance with this standard. The report shows that the maximum predicted EME will equate to 1.17% of the maximum exposure limit. This is substantially less than the maximum allowable exposure limit (where 100% of the limit is still considered to be safe).

On the EME issue, VCAT has previously found:

In this case, based on the material before me and the matters discussed above, it is therefore appropriate to strike out the objectors' grounds in this proceeding that raise issues about electromagnetic radiation and/or related public health concerns stemming from the operation of the proposed facility. These grounds are not relevant to the planning assessment of a telecommunications facility where the ARPANSA standard will be met. Even if these grounds are at least arguably planning-related, they are misconceived and lacking in substance on the facts of this case given compliance with the ARPANSA standard.

- ***Disturbance and risk relating to siting and construction should be minimised. Construction activity and site location should comply with State environmental protection policies and best practice environmental guidelines***

The construction area and overall compound area of the facility will have minimal disturbance to the environmental characteristics of the site. The installation of the proposed facility can be undertaken at any time without affecting the use of the site or the surrounding area due to the accessibility of the site.

Construction of the facility will be carried out in accordance with relevant Occupational Health and Safety Guidelines. Construction of the facility is unlikely to cause any disruption to adjoining properties or public access areas. The applicants have advised that due care will be taken to ensure construction is undertaken at times least likely to cause disturbance.

6. Options

Council can either support the application by issuing a Notice of Decision to Grant a Permit or not support 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/Overlay 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 and relevant case law.

Therefore, it is recommended that the application be approved and the permit extended for a further two year period, such that it will expire if the development is not started by 29 December 2018.

LIST OF APPENDICES

1. Locality Plan - dated 17 March 2017
2. Current permit and plans - dated 29 December 2014
3. Policy assessment - undated

10.2 LEASE TO OPTUS- TELECOMMUNICATIONS INFRASTRUCTURE

Author: Christine Denyer - Manager Legal and Governance
Presenter: Christine Denyer - Manager Legal and Governance

PURPOSE OF REPORT

To advise Council in relation to a proposed lease of part of Burnside Heights Recreation Reserve, 1-31 Freelands Drive, Burnside Heights.

RECOMMENDATION:

That Council, provided it has resolved to extend the date of permit number PA2014/4456 (Item ~~12.6~~12.15 of this Council meeting):

1. offer a lease to Optus in substantially the same terms as the draft at **Appendix 1** (after appropriate details in relation to the extended permit have been added)
2. delegate to the Chief Executive Officer the task of execution of the lease on Council's behalf.

Motion

Crs Abboushi/Kesic.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

The proposed lease that is the subject of this report to Council is intended to be subsequent to a decision by Council to extend the expiry date of Permit number PA2014/4456 (Item ~~12.6~~12.15 of this Council meeting). The draft lease at **Appendix 1** includes a condition which requires compliance with the extended permit (a copy of which would be added to the draft prior to execution).

If Council decides at this Council meeting to refuse the permit extension then the lease is not only irrelevant but, by reason of there then being no valid permit, could not be complied with in any event

The proposed lease is for a term of 20 years, with no further terms, at a commencing rental of \$12k per annum with 3% annual increases, compounding.

Similar to other leases of this nature that Council has offered telecommunications carriers in the past, the proposed lease, includes standard clauses in relation to matters such as repairs, alterations and damage, insurance, allowable use of premises and so on.

Pursuant to the permit and the proposed lease, Optus will remove and replace the existing light pole with a new monopole at a date and time suitable to Council having regard to the users of the adjacent sporting ground.

Importantly, and again, in keeping with other leases offered by Council to telecommunications carriers, the proposed lease also requires the tenant to ensure that the level of electromagnetic radiation (EMR) emanating from the Tenant's Equipment is within the limits specified in Australian Standard AS/NZS 2772.1 (or any subsequent Australian Standard).

2. Background/Issues

Installation of telecommunication infrastructure is essential to meet the increasing mobile phone usage demands and expectations of our growing community.

From time to time, Council receives planning applications for mobile phone towers and associated structures.

Where those structures are intended to be built on Council land then, in addition to the question of the permit, Council must decide whether and on what terms to grant the applicant a lease of the area in which the infrastructure will be placed. Therefore, the question of the lease is only relevant if a permit exists (or will exist). Compliance with the permit is one of the conditions of any lease of this nature.

Threshold Question

With this in mind, the proposed lease that is the subject of this report to Council is intended to be *subsequent* to a decision by Council to extend the expiry date of Permit number PA2014/4456 (Item ~~12-6~~ 12.15 of this Council meeting) which permit will otherwise expire. The draft lease at **Appendix 1** includes a condition which requires compliance with the extended permit (a copy of which would be added to the draft prior to execution).

If Council decides at this Council meeting to refuse the permit extension then the lease is not only irrelevant but, by reason of there then being no valid permit, could not be complied with in any event

Lease preparation

Council has completed the statutory obligations pursuant to sections 190 and 223 of the *Local Government Act 1989*. Council first advertised its intention to enter into a lease with Optus at this site on 15 November 2011 in the *Melton Leader*. Council received no objections in the 28 day period that followed the notice.

Given the delay in finalisation of the matter, Council took the prudent step of re-advertising its intention in *The Age* on 5 October 2016 (the *Melton Leader* having since been discontinued). No objections were received during the 28 day period that followed that notice.

As set out in the advertisement, the proposed lease is for a term of 20 years, with no further terms, at a commencing rental of \$12k per annum with 3% annual increases, compounding.

Council engaged Maddocks lawyers to draft the proposed lease and ensure that the interests of both Council and the community are appropriately protected.

The proposed lease, similar to other leases of this nature that Council has offered telecommunications carriers in the past, includes standard clauses in relation to matters such as repairs, alterations and damage, insurance, allowable use of premises and so on.

Pursuant to the permit and the proposed lease, Optus will remove and replace the existing light pole with a new monopole at a date and time suitable to Council having regard to the users of the adjacent sporting ground.

Importantly, and again, in keeping with other leases offered by Council to telecommunications carriers, the proposed lease also requires the tenant to ensure that the level of electromagnetic radiation (EMR) emanating from the Tenant's Equipment is within the limits specified in Australian Standard AS/NZS 2772.1 (or any subsequent Australian Standard).

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

2.6 *Ensure timely compliance with statutory and regulatory obligations*

4. Financial Considerations

Commercial terms under the proposed lease will ensure Council will receive \$12,000 per annum plus GST at the commencement of the lease. This amount will increase annually by 3% compounding. Full legal costs are yet to be established for the preparation of the lease documents, for which Optus has agreed to contribute up to \$5,000 + GST plus disbursements. Minor costs in relation to public advertising of Council's intent to enter leasing arrangements have been expended, provided for within the Governance recurrent budget.

5. Consultation/Public Submissions

Council has completed the statutory obligations under section 190 and 223 of the *Local Government Act* 1989. Council first advertised its intention to enter into a lease with Optus at this site on 15 November 2011 in the *Melton Leader*. Council received no objections in the 28 day period that followed the notice.

Given the delay in finalisation of the matter, Council took the prudent step of re-advertising its intention in *The Age* on 5 October 2016 (the *Melton Leader* having since been discontinued). No objections were received during the 28 day period that followed the notice.

6. Risk Analysis

Predominately administrative in nature, there is no risk inherent in entering into a lease with Optus to allow construction of mobile telecommunication infrastructure as anticipated by the approved planning permit (provided such permit has been extended at this Council Meeting).

Council is not bound to offer the lease by reason of the planning permit however a failure to offer the lease would certainly be inconsistent with the planning permit (assuming the extension of permit is granted).

7. Options

Council may choose to vary the proposed terms of the lease, or refuse to lease the land identified within the Planning Permit.

LIST OF APPENDICES

1. Draft lease between Council and Optus - undated

12.16 USE OF LAND FOR ANOTHER PURPOSE - 26 CRESTMONT DRIVE, MELTON SOUTH

Author: Kel Tori - Chief Executive Officer
Presenter: Kel Tori - Chief Executive Officer

PURPOSE OF REPORT

To advise Council of the requirement to formally resolve to use the land at 26 Crestmont Drive, Melton South for another purpose than that for which it was originally acquired.

RECOMMENDATION:

That Council:

1. determine that the land located at 26 Crestmont Drive be no longer required for the purpose of Public Open Space, being the purpose for which it was originally acquired
2. pursuant to section 192 of the *Local Government Act 1989* ('the Act'), formally propose to use the land for another purpose, being a lease to 'Hope Street' for the establishment of a Youth Community Care Unit
3. give public notice pursuant to section 223 of the Act inviting submissions in relation to this proposal
4. officers present a further report to Council if any submissions are received.

Motion

Crs Majdlik/Abboushi.

That the recommendation be adopted.

CARRIED

REPORT

1. Executive Summary

Council officers have identified that the land situated at 26 Crestmont Drive as suitable to accommodate the proposed Youth Community Care Unit to be constructed and operated by 'Hope Street'. The land was originally acquired as Public Open Space and currently vests in Council as a Reserve, and in order to make the land available to lease for the Emergency Accommodation purpose, Council must formally resolve it is no longer required for the purpose it was originally acquired, or it is no longer necessary or desirable to use the land for such purpose. The Act also requires Council to give persons the opportunity to make submissions on the proposal pursuant to section 223.

2. Background/Issues

Hope Street have received State Government funding to assist with the provision of a Youth Community Care Unit in the Melton township. Council undertook to assist the project by identifying a suitable parcel of Council land which could be leased to Hope Street on a long term basis for the facility. In conjunction with management of Hope St Council Officers have identified that the land situated at 26 Crestmont Drive is suitable to accommodate the facility.

The land was originally acquired as Public Open Space and currently vests in Council as a Reserve, and in order to make the land available to lease for the proposed purpose, Council

must, pursuant to section 192 of the Act, formally resolve it is no longer required for the purpose it was originally acquired, or is no longer necessary or desirable to use the land for such purpose. The Act also requires Council to give persons the opportunity to make submissions on the proposal pursuant to Section 223.

The land has remained undeveloped since the initial subdivision created the parcel, and officer's assessment is that it is surplus to the open space requirements of that neighbourhood.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

4. Community Health and Wellbeing: A City of people leading healthy and happy lives
 - 4.4 Minimise social harms caused by gambling, tobacco, alcohol and other drugs

4. Financial Considerations

The only cost associated with this process is public advertising which is accommodated within the general administration budget

5. Consultation/Public Submissions

This proposal is subject to formal public notification inviting submissions pursuant to section 223 of the Act.

6. Risk Analysis

Council has committed to locating a suitable site for the Hope Street facility, and the risk is that no other suitable site might be identified, should Council not proceed with this site.

There is a risk that the public may believe the site is still required for the original purpose, however this will be borne out through the public submission process.

7. Options

Council have the option to retain the land for its original purpose and seek to identify a suitable alternate Council owned site.

LIST OF APPENDICES

Nil

Cr De Santis and the Mayor, Cr Ramsey returned to the Chamber at 10.30pm

13. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

Procedural Motion

Crs Hardy/Majdlik.

That the meeting be extended by a further 45 minutes.

CARRIED

The Mayor resumed the Chair.

Verbal reports were received from Crs Majdlik, Abboushi, De Santis, Turner and Ramsey

14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

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

15. NOTICES OF MOTION

15.1 NOTICE OF MOTION 467 (CR RAMSEY)

Councillor: Sophie Ramsey – Councillor

NOTICE:

That Council officers provide a report to Council on how a similar window treatment to that displayed for Christmas 2016 on the facade of the Caroline Springs Civic Centre/Library, can be achieved at the Melton Library and Learning Centre, including the estimated cost of such treatment.

LAPSED

15.2 NOTICE OF MOTION 468 (CR RAMSEY)

Councillor: Sophie Ramsey - Councillor

NOTICE:

That Council add to its annual events calendar an event to celebrate International Women's day, and that a budget provision of \$20,000 be included in the 2017/18 budget for the inaugural event.

The Mayor vacated the Chair and the Deputy Mayor filled the position of Chairperson.

Motion

Crs Ramsey/Hardy.

That Council add to its annual events calendar an event to celebrate International Women's day, and that a budget provision of \$10,000 with an additional allocation for a guest speaker be included in the 2017/18 budget for the inaugural event.

CARRIED

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

For:

Crs Abboushi, Hardy, Kesic, Ramsey and Turner

Against:

Crs Carli, De Santis, and Majdlik

The Deputy Mayor declared the Motion CARRIED

The Mayor resumed the Chair.

Cr Carli left the Chamber at 10.56pm.

15.3 NOTICE OF MOTION 469 (CR ABBOUSHI)

Councillor: Steve Abboushi – Councillor

NOTICE:

That Council provide a report assessing the need for increased youth outreach support services targeting identified locations and times of day where young people congregate in public spaces. The report is to make recommendations about how Council may achieve an improved outcome for young people at risk of disengagement.

The Mayor vacated the Chair and the Deputy Mayor filled the position of Chairperson

Motion

Crs Abboushi/Ramsey.

That Council provide a report assessing the need for increased youth outreach support services targeting identified locations and times of day where young people congregate in public spaces. The report is to make recommendations about how Council may achieve an improved outcome for young people at risk of disengagement.

CARRIED

The Mayor resumed the Chair.

Cr Carli returned to the Chamber at 10.59pm.

15.4 NOTICE OF MOTION 470 (CR DE SANTIS)

Councillor: Melissa De Santis – Councillor

NOTICE:

That a brief report be prepared by the Chief Executive Officer outlining dealings currently being undertaken by himself in conjunction with Cr Ramsey, Cr Hardy and any other Councillor or Council Officer, in relation to Victoria University or any other tertiary education institution, and any other parties involved in these discussions.

That this report be prepared by the next Ordinary Meeting of Council.

Motion

Crs De Santis/Carli.

That a brief report be prepared by the Chief Executive Officer outlining dealings currently being undertaken by himself in conjunction with the Mayor, Cr Hardy and any other Councillor or Council Officer, in relation to Victoria University or any other tertiary education institution, and any other parties involved in these discussions.

That this report be prepared by the next Ordinary Meeting of Council.

CARRIED

15.5 NOTICE OF MOTION 471 (CR TURNER)**Councillor: Bob Turner – Councillor****NOTICE:**

That the Harmony Day event be alternated between the Willows Homestead in 2018 and Moreton Homestead, with consideration given to other venues such as Eynesbury, Diggers Rest and Rockbank, if suitable, for future years.

Motion

Crs Turner/Kesic.

That the Harmony Day event be alternated between the Willows Homestead in 2018 and Moreton Homestead, with consideration given to other venues such as Eynesbury, Diggers Rest, Caroline Springs and Rockbank, if suitable, for future years.

CARRIED

15.6 NOTICE OF MOTION 472 (CR KESIC)**Councillor: Goran Kesic – Councillor****NOTICE:**

That in light of the EPA decision to grant a reduced works permit in respect of the Ravenhall landfill, Council write to the Minister of Planning and the Premier reiterating its objection to the proposal for the expansion of the landfill, calling on the State Government to refuse the planning permit application.

Motion

Crs Kesic/Majdlik.

That in light of the EPA decision to grant a reduced works permit in respect of the Ravenhall landfill, Council write to the Minister of Planning, Premier, Shadow Minister of Planning and Leader of the Opposition reiterating its objection to the proposal for the expansion of the landfill, calling on the State Government to refuse the planning permit application.

CARRIED

15.7 NOTICE OF MOTION 473 (CR ABBOUSHI)**Councillor: Steve Abboushi – Councillor****NOTICE:**

That due to high levels of public use and significant local community demand, Council provide for the installation of public toilet facilities within Tenterfield Park, located at 1-61 Tenterfield Drive, Burnside Heights, within the next financial year budget, 2017/18. The provision of basic public amenities will rectify a significant omission in what is a high quality and much loved community reserve, featuring extensive walking routes, central lake and children's playground. Approximately seven hectares in size, capacity for high levels of concurrent public use support community calls for the immediate installation of toilet facilities.

Motion

Crs Abboushi/Majdlik.

That due to high levels of public use and significant local community demand, Council provide for the installation of public toilet facilities within Tenterfield Park, located at 1-61 Tenterfield Drive, Burnside Heights, within the next financial year budget, 2017/18. The provision of basic public amenities will rectify a significant omission in what is a high quality and much loved community reserve, featuring extensive walking routes, central lake and children's playground. Approximately seven hectares in size, capacity for high levels of concurrent public use support community calls for the immediate installation of toilet facilities.

The Mayor declared the Motion LOST on her casting vote.

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

For:

Crs Abboushi, Carli, De Santis and Majdlik

Against:

Crs Hardy, Kesic, Ramsey and Turner

The Mayor declared the Motion LOST on her casting vote.

16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE

Nil.

17. MOTIONS WITHOUT NOTICE

Item - Motions without Notice (17.1) Motion without Notice - has been moved to another part of the document, the item having been heard earlier in the meeting.

Item - Motions without Notice (17.2) Motion without Notice - has been moved to another part of the document, the item having been heard earlier in the meeting.

18. URGENT BUSINESS

Nil.

19. CONFIDENTIAL BUSINESS

Procedural Motion

Crs Majdlik/Carli.

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 Municipal Audit Committee Meeting Minutes 22 February 2017 - Confidential Report**
This report is confidential in accordance with s89(2)(f) as it relates to legal advice.
- 19.2 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.
- 19.3 Shared Facilities Fund (Kurunjang Community Hub) - Capital Contribution**
This report is confidential in accordance with s89(2)(d) as it relates to contractual matters

CARRIED

Procedural Motion

That the meeting be opened to the public.

Procedural Motion
Crs Majdlik/Carli.
That the meeting be opened to the public.

CARRIED

20. CLOSE OF BUSINESS

The meeting closed at 11.38pm.

Confirmed

Dated this

.....CHAIRPERSON