



## MELTON CITY COUNCIL

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Notice is hereby given that the Ordinary Meeting of the Melton City Council will be held in the Burnside Community Hall, 23 Lexington Drive, Burnside on 1 April 2019 at 7.00pm.

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**THIS AGENDA CONTAINS REPORTS TO BE DEALT WITH AT A CLOSED MEETING OF COUNCIL**

Kelvin Tori  
CHIEF EXECUTIVE

## Visitors to the Gallery please note:

Proceedings at Council meetings are controlled by the Chairperson. The Chairperson is empowered to enforce the provision of Council's Local Law, which includes the following aspects:

- **Silence** must be maintained by members of the public in the gallery at all times. A visitor to the gallery must not interject or take part in the debate that occurs in the Chamber.
- Members of the public in the gallery must not operate **recording equipment** at a Council or Special Committee Meeting without the prior written consent of Council.
- **Question time** is available at every Ordinary Meeting to enable members of the public to address questions to Council. All questions must be received by the Chief Executive Officer or other person nominated for this purpose no later than:
  - i) 5 pm on the day of the Ordinary Meeting if questions are submitted into the receptacle designated for public questions outside the Council Chamber
  - ii) 5pm on the day of the Ordinary Meeting if questions are submitted by electronic medium as per Council website directions.

A person must not submit more than two (2) individual questions at a meeting, inclusive of all parts and variants as interpreted by the Chairperson or other person authorised for this purpose by the Chairperson. The person directing the question must be present in the gallery at the time the question is to be dealt with for it to be valid.

- It is an offence for any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.  
Penalty: 20 Penalty Units
- It is an offence for any person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.  
Penalty: 20 Penalty Units

A penalty unit for a Local Law made under Part 5 of the *Local Government Act 1989* is \$100 in accordance with s110(2) of the *Sentencing Act 1991*.

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To provide Council with recommendations on the City of Melton Youth Awards and Grants Program.

**20. CLOSE OF BUSINESS 552**

**1. OPENING PRAYER AND RECONCILIATION STATEMENT**

The Chairperson will read the opening prayer and reconciliation statement.

**Prayer**

‘Almighty God we humbly beseech Thee to vouchsafe Thy blessing upon this Council, direct and prosper its deliberations to the advancement of Thy glory and the welfare of the people whom we serve – Amen.’

**Reconciliation Statement**

Melton City Council acknowledges that the land it now occupies has a history that began with the Indigenous occupants, the Kulin Nation. Council pays its respects to the Kulin Nation people and their Elders and descendants past and present.

**2. APOLOGIES AND LEAVE OF ABSENCE**

The Chairperson will call for any apologies received from any Councillors who are unable to attend this meeting.

**3. CHANGES TO THE ORDER OF BUSINESS****4. DEPUTATIONS****5. DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR**

Pursuant to Section 77A, 77B, 78A, 78B, 78C, 78D, 78E and 79 of the Local Government Act 1989, any Councillor must declare any direct or indirect interest, and any conflict of interest, in any items contained within the Notice Paper.

**6. ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of Council held on 4 March 2019 be confirmed as a true and correct record.

**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**

- 2 March 2019 Record of Assembly of Councillors
- 4 March 2019 Record of Assembly of Councillors
- 12 March 2019 Record of Assembly of Councillors
- 18 March 2019 Record of Assembly of Councillors
- 25 March 2019 Record of Assembly of Councillors

**RECOMMENDATION:**

That the Record of Assembly of Councillors dated 2, 4, 12, 18 and 25 March 2019 attached to this Agenda be received and noted.

**LIST OF APPENDICES**

1. 2 March 2019 Record of Assembly of Councillors
2. 4 March 2019 Record of Assembly of Councillors
3. 12 March 2019 Record of Assembly of Councillors
4. 18 March 2019 Record of Assembly of Councillors
5. 25 March 2019 Record of Assembly of Councillors



**8. CORRESPONDENCE INWARD**

Nil.

**9. PETITIONS AND JOINT LETTERS**

The Chief Executive will table any petitions and/or joint letters received prior to this meeting.

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

Nil.

**11. PUBLIC QUESTION TIME**

## 12. PRESENTATION OF STAFF REPORTS

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

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

#### PURPOSE OF REPORT

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

#### RECOMMENDATION:

That the Council Seal be affixed to the documentation as detailed in the Schedule for Authorising of Affixing of the Common Seal of Melton City Council dated 1 April 2019.

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#### REPORT

##### 1. Executive Summary

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

##### 2. Background/Issues

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

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

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

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

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

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

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

##### 4. Financial Considerations

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

**5. Consultation/Public Submissions**

Not applicable.

**6. Risk Analysis**

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

**7. Options**

Not applicable.

**LIST OF APPENDICES**

1. Authorising and Affixing of the Common Seal of Council - dated 1 April 2019

## 12.2 ADVISORY COMMITTEES OF COUNCIL - AGGREGATED MEETING MINUTES

Author: Dominique Roberts - Governance Officer  
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. adopt the minutes of the Advisory Committee meeting at **Appendix 1, 2, 3, 4 and 5**.
  2. adopt recommendations arising within the Minutes.
- 

### 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 2019 were adopted by Council at the Ordinary Meeting held 12 November 2018.

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   |
|------------------|---|------------|
| 29 January 2019  | Youth Advisory Committee Meeting Minutes                      | Appendix 1 |
| 31 January 2019  | Heritage Advisory Committee Meeting Minutes                   | Appendix 2 |
| 14 February 2019 | Early Years Partnership Committee Meeting Minutes             | Appendix 3 |
| 22 February 2019 | Preventing Family Violence Advisory Committee Meeting Minutes | Appendix 4 |
| 19 March 2019    | Arts and Culture Advisory Committee Meeting Minutes           | Appendix 5 |

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

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

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

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

### 4. Financial Considerations

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. Youth Advisory Committee Meeting Minutes - dated 29 January 2019
2. Heritage Advisory Committee Meeting Minutes - dated 31 January 2019
3. Early Years Partnership Committee Meeting Minutes - dated 14 February 2019
4. Preventing Family Violence Committee Meeting Minutes - dated 22 February 2019
5. Arts and Culture Advisory Committee Meeting Minutes - dated 19 March 2019

## 12.3 MUNICIPAL AUDIT COMMITTEE MEETING - 27 FEBRUARY 2019

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 27 February 2019.

### RECOMMENDATION:

That Council:

1. Note the minutes of the Municipal Audit Committee meeting held on Wednesday 27 February 2019 at **Appendix 1**.
2. Adopt the recommendations arising within the minutes.
3. Note the 2<sup>nd</sup> Quarter Finance Report 31 December 2018 at **Appendix 2**.

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### REPORT

#### 1. Executive Summary

The minutes of the Audit Committee meeting held on 27 February 2019 are appended to this report as **Appendix 1**. The Committee considered various issues in relation to 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 and Wellbeing Plan Reference and Policy Reference

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

5. A high performing organisation demonstrating leadership and advocacy: An organisation operating with innovation, transparency, accountability and sustainability
  - 5.4 *An organisation that demonstrates excellence in local government leadership and customer and community service.*

#### 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 Turner and Hardy and three independent external members; Mr Robert Tommasini, Mr Farshan Mansoor and Ms Celeste Gregory.

## **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 the 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. Municipal Audit Committee Minutes - 27 February 2019
2. 2nd Quarter Finance Report - 31 December 2018



## **12.4 RESPONSE TO NOTICE OF MOTION 577 (CR CARLI) - REVIEW OF VEHICLE ACCESS INTO TAYLORS HILL SHOPPING CENTRE**

**Author: Kerry Walton - Coordinator Traffic and Transport**  
**Presenter: Luke Shannon - General Manager Planning & Development**

### **PURPOSE OF REPORT**

To respond to Notice of Motion 577 (Cr Carli) in relation to the review of vehicle access arrangements into Taylors Hill Shopping Centre (located on the corner of Gourlay Road and Hume Drive), including an investigation of a dedicated right hand turn lane south of the intersection so as to provide the ability for vehicles travelling north along Gourlay Road to turn into the centre.

### **RECOMMENDATION:**

That Council:

1. Continue to monitor the performance of the intersection, and that no works be undertaken in terms of a dedicated turning lane at this time.
2. Install bollards and wire rope in the median strip in the 2019/20 financial year as detailed in Option 1.

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### **REPORT**

#### **1. Executive Summary**

Council officers have been requested to undertake a review of current vehicle access arrangements into Taylors Hill Shopping Centre, including an investigation of a dedicated right hand turn lane south of the intersection so as to provide the ability for vehicles travelling north along Gourlay Road to turn into the centre.

Vehicles can currently access the centre via either undertaking a U-turn manoeuvre at the signalized intersection or use the access point on Hume Drive. A review of the intersection performance has occurred and indicates the signalised intersection is performing satisfactorily.

A right hand turn lane in this location is not supported due to the conflict point arising from illegal right hand turn movements as individuals exit the centre onto Gourlay Road. When the centre first opened this arrangement was in place, however was removed due to safety concerns when the duplication of Gourlay Road occurred in 2012.

The review revealed evidence of some vehicles continuing to make illegal right turn movements by driving over the centre median to enter and/or exit the shopping centre. The current landscaping treatment of granitic sand does not prevent vehicles making illegal manoeuvres.

Although the provision of a right hand turn lane is not supported, it is proposed to treat the illegal manoeuvres through physical separation that includes the installation of bollards with wire rope.

## 2. Background/Issues

The Taylors Hill Shopping Village is located on the southeast corner of the intersection of Gourlay Road and Hume Drive, Taylors Hill and comprises a Coles Supermarket, KFC restaurant, a Coles Express Service Station and 14 specialty stores.

Gourlay Road is classified as a secondary arterial road which comprises two lanes in each direction that carries approximately 21,500 vehicles per day and operates with a speed limit of 60km/h.

Hume Drive is classified as a secondary arterial road that comprises 1 traffic lane in each direction that carries approximately 12,000 vehicles per day and operates with a posted speed limit of 60km/h.

A request has been received to undertake a review of current vehicle access arrangements into Taylors Hill Shopping Centre, including an investigation of a dedicated right hand turn lane south of the intersection so as to provide the ability for vehicles travelling north along Gourlay Road to turn into the centre.

### Existing Access Arrangements

The shopping centre has three vehicle access points located on Gourlay Road which facilitate left in/left out vehicle movements. Customers arriving from the south are required to undertake a U-turn manoeuvre at the signalized intersection of Hume Drive and Gourlay Road which is permitted under the Victorian Roads Safety Rules and is signed accordingly at the intersection.

The shopping centre has one access point on Hume Drive which allows all traffic movements, however does not provide any designated turn lanes. At the time the shopping centre was proposed back in 2007, Gourlay Road only comprised a single lane in each direction and a roundabout controlled the intersection of Hume Drive and Gourlay Road.

In 2011, access to the centre was constructed that provided a right turn lane to the site on Gourlay Road. Vehicles were permitted to turn right into the centre and whilst vehicles were only permitted to turn left out onto Gourlay Road, however this resulted in many incidents of vehicles undertaking illegal right turns to Gourlay Road creating an unsafe road environment for the community.

In 2012 Council undertook the duplication of Gourlay Road to cater for the increased traffic volumes of Gourlay Road and included the conversion of the roundabout to a signalized intersection to improve the pedestrian connectivity to the shopping centre. The signalized intersection required a right turn lane of approximately 80m in length to allow vehicles to turn right to Hume Drive and required the lane to extend back to the Coles access point. In doing so this would have created a significant conflict point and was deemed a safety issue as demonstrated when vehicles were making illegal right turns out of Coles. To resolve this the duplication augmented the Coles access to a left in/ left out arrangement as the central median would prevent those illegal right turns.

The review of the access did reveal evidence of vehicles driving over the centre median to access the shopping centre as the landscaping treatment of granitic sand does not prevent vehicles to do this illegal manoeuvres. As such it is considered more appropriate to treat this issue by preventing this from occurring rather than catering for the illegal manoeuvres.

A review of VicRoads Crash Data of the past 5 years has been undertaken in the vicinity of the site and revealed 2 vehicle incidents have occurred which did not result in significant injuries.

### Intersection Performance Assessment

Council has undertaken a detailed analysis of the signalized intersection at Gourlay Road and Hume Drive using SIDRA intersection 8 to determine the current intersection

performance and impacts that future traffic volumes on Gourlay Road with the consideration of a dedicated right turn lane for the shopping centre.

SIDRA Intersection 8 is a key tool used to identify the “Level of Service” and “Degree of Saturation” and “Queue Distance” of an intersection.

Level of Service (LOS) is defined as a qualitative measure for ranking “operating conditions”, based on factors such as speed, travel time, freedom to manoeuvre, interruptions, comfort and convenience. There are six levels of service, from A to F, with LOS A representing the best operating condition and LOS F the worst. LOS C or better is generally accepted as an appropriate level of operation.

The Degree of Saturation (DOS) is defined as the ratio of the arrival (demand) to the capacity of the approach during the same period. The degree of saturation of an intersection approach ranges from close to zero for very low traffic flows and up to one for saturated flow or capacity. For signalized intersections the “practical” DOS is acceptable between 0.9-0.95.

The Queue Distance is a measured distance for how long the vehicles will queue in a designated traffic lane. For safety reasons is not recommended that vehicles queue into other traffic lanes particularly into through traffic lanes as this increase likelihood of rear end vehicle collisions.

Table 1 sets out the DOS ranges that SIDRA uses when assessing the LOS. As can be seen, the lower the degree of saturation the better the level of service

Table 1 LOS definition

| Level of Service | Degree of Saturation |
|------------------|----------------------|
| <b>A</b>         | <=0.60               |
| <b>B</b>         | 0.60 – 0.70          |
| <b>C</b>         | 0.70– 0.80           |
| <b>D</b>         | 0.80 – 0.90          |
| <b>E</b>         | 0.90 – 1.00          |
| <b>F</b>         | >1.00                |

A summary of the existing intersection signalized intersection Degree of Saturation, Level of Service and Queue Distance compared to future operation of the intersection based on 10 year traffic volume increases on Gourlay Road and Hume Drive and a dedicated right turn lane for the shopping centre are provided in Table 2 below.

Table 2: Summary of Results

| Approach                            | Current |     |                            | Future |     |                            |
|-------------------------------------|---------|-----|----------------------------|--------|-----|----------------------------|
|                                     | DOS     | LOS | Average Queue distance (m) | DOS    | LOS | Average Queue distance (m) |
| <b>Gourlay Road (left turn)</b>     | 0.88    | D   | 97                         | 0.95   | E   | 332                        |
| <b>Gourlay Road (Through) north</b> | 0.88    | D   | 98                         | 0.95   | E   | 332                        |
| <b>Gourlay Road (Right turn)</b>    | 0.89    | D   | 66                         | 0.96   | E   | 84                         |

The analysis indicates that the current signalized intersection operates satisfactorily particularly with the right turn lane able to accommodate traffic undertaking a U-turn manoeuvre to access the shopping centre.

The future scenario modelled the intersection performance based on a dedicated right turn lane being provided for the shopping centre as well as traffic growth over the next 10 years. The analysis indicates that the performance of the intersection has slightly decreased to Level E which is still acceptable however it is shown that vehicles begin to queue for a length of 84 metres. The current turn lane is only 80 metres in length therefore results in vehicles stopping within the northbound through lane creating a safety issue. To resolve this works would typically involve extending the length of the turn lane to the south to prevent queuing into the through lane, however this would not be possible in the event that a right turn lane was provided for the shopping centre.

The analysis indicates that improvements to the intersection would be required within the next 8 years.

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

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

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

*3.5 A City that encourages and enables people to work, shop and spend time locally.*

### **4. Financial Considerations**

The estimated cost to provide Option 1, timber bollards with wire rope vehicle exclusion treatment, is approximately \$49,000.

The estimated cost to provide Option 2, comprising a dedicated right turn lane, is approximately \$190,352.37.

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

None

### **6. Risk Analysis**

#### **Option 1**

The risk of adopting Option 1 is minimal as the current access arrangements have been in place for 7 years without any significant safety issues to road users. Vehicles have safe alternate arrangements to access the site with no significant delays.

#### **Option 2**

The risk in adopting Option 2 is that the right turn lane could make it possible for vehicles to undertake an illegal right turn out of the shopping centre to travel north which was a previous safety issue when the right turn lane was initially provided. The dedicated right turn lane would prevent any future improvements to the signalised intersection lanes for those turning right into Hume Drive as identified in the above intersection analysis or alternatively be removed in approximately 8 years to allow those intersection improvements to occur.

## 7. Options

**Option 1** – Address the illegal vehicle movements over the centre median with the provision of a physical barriers comprising timber bollards and wire rope. Vehicles can access the shopping centre by either undertaking a legal U-turn at the signalized intersection to Hume Drive and Gourlay Road or alternatively turn right at the signalized intersection and use the Hume Drive access point.

**Option 2** – Construct a dedicated right turn lane for the shopping centre on Gourlay Road as shown in **Appendix 1**, noting that the right turn lane for the centre would be removed within 8 years to facilitate improvements the signalized intersection of Gourlay Road and Hume Drive.

## LIST OF APPENDICES

1. Option 2 Right Turn Lane Plan - dated 18 March 2019

## **12.5 RESPONSE TO NOTICE OF MOTION 600 (CR RAMSEY) - COUNCIL TO ASSIST COMMUNITY GROUPS IN PUBLICISING SIGNIFICANT EVENTS OR OCCASIONS**

**Author: Jessica Trijsburg - Coordinator Community Capacity**  
**Presenter: Maurie Heaney - General Manager Community Services**

### **PURPOSE OF REPORT**

To respond to the Notice of Motion 600 tabled at the Ordinary Meeting of Council on 10 December 2018.

### **RECOMMENDATION:**

That Council receive the information provided in this report regarding current activities undertaken by Council to assist community groups in publicising significant events or occasions.

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### **REPORT**

#### **1. Executive Summary**

This report provides a response to Notice of Motion 600 tabled at the Ordinary Meeting of Council on 10 December 2018. The Notice of Motion states:

*That officers report on options to assist community groups in publicising significant events or occasions, given that flagpoles in central Melton and Caroline Springs are only available for promoting Council events.*

Outlined below are a number of ways that Council currently supports community groups to assist in the promotion of significant events and occasions. These ways include Council's online events calendar; Council's Melton City Much More app; and delivery of targeted Marketing for Community Groups training.

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

Council services such as Communications, Economic Development and Community Planning provide support and opportunities for community groups to publicise their significant events and occasions.

More specifically, Council provides the following support:

- Marketing for Community Groups training held twice annually through Council's Community Training calendar. This training helps build the capacity of local community groups to undertake their own marketing and publicity in a supported environment.
- Officers circulate flyers for community events and occasions through a number of Council mailing lists, as well as providing physical display spaces for these at Council venues such as libraries.
- Community groups and organisations are invited to participate in Council's My City My Say and other events, to promote their activities and seek input and interest from communities across the municipality.
- Convenors of Council's Advisory Committees regularly table the significant events and activities of community groups and organisations at their request.

- Community events can be submitted via Council's events calendar on its website and will be approved subject to meeting the relevant guidelines, including that it must occur in the City of Melton and cannot be commercial in nature
- If the event promotes learning, it can also be included on the Melton Learning Directory website.
- Community events that are published on Council's corporate website will also be published on the Melton City Much More tourism app.

Community groups can also promote their events or occasions through numerous other avenues, including:

- Through a local newspaper or radio station
- Social media pages, e.g. Facebook or Instagram
- Getting in touch with sporting clubs, businesses, schools, faith groups, developers, or shopping centres to discuss promotional opportunities
- Displaying flyers on community noticeboards
- Organising a letterbox drop
- Advertising on a real estate board

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

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

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

### **4. Financial Considerations**

Current training and publicity avenues for community groups are included in Council's recurrent budget.

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

No consultation was undertaken in the preparation of this report.

### **6. Risk Analysis**

There are no risks associated with this report.

### **7. Options**

N/A

### **LIST OF APPENDICES**

Nil

## **12.6 RESPONSE TO NOTICE OF MOTION 619 (CR MENDES) - DISABLED PARKING PROVISION AND NUMBER OF DISABLED PARKING PERMITS ISSUED TO RESIDENTS OF THE MUNICIPALITY**

**Author: Phil Lovelace - Compliance Manager**

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

### **PURPOSE OF REPORT**

To provide a response to Notice of Motion 619 which relates to the number of disabled parking permits and designated parking bays within the municipality.

### **RECOMMENDATION:**

That Council note the contents of this report.

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### **REPORT**

#### **1. Executive Summary**

Council has considered a Notice of Motion that relates to the number of disabled parking permits and designated parking bays within the municipality.

The report provides details regarding the disabled parking provision and the Disabled Parking Permit Scheme for residents that live within the municipality.

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

The report provides a response to a Notice of Motion (NOM) that was subject to a resolution of Council regarding the number of disabled parking permits and designated parking bays within the municipality.

At the Ordinary Meeting of Council on 04 March 2019, Council considered NOM 619 (Cr Mendes) and resolved that;

*'Council officers provide a report to the next Ordinary Meeting of Council detailing the number of disabled parking spaces in each suburb of the municipality, and the total number of disabled parking permits issued to residents of the municipality.'*

In response to the number of disabled parking permits issued to residents within the municipality, Council officers assess and issue Disabled Parking Permits in accordance with established VicRoads guidelines.

There are two types of Disabled Parking Permits;

##### Category 1 (Blue)

This entitles the permit holder to park a vehicle in a reserved disability parking bay for the time displayed on the parking sign, or park a vehicle in any ordinary parking bay for twice as long as the time displayed on the parking sign.



Category 2 (Green)

This entitles the permit holder to park a vehicle in any ordinary parking bay for twice as long as the time displayed on the parking sign.

Both permit categories have four types; A (Driver/Passenger), B (Passenger only), C (Company), and D (Temporary).

The following table indicates the number of disabled parking permits currently issued by Council to residents within the municipality;

| Permit Type          | Category 1 (Blue) | Category 2 (Green) | Total       |
|----------------------|-------------------|--------------------|-------------|
| A (Driver/Passenger) | 4085              | 291                | 4376        |
| B (Passenger Only)   | 1500              | 38                 | 1538        |
| C (Company)          | 23                | 0                  | 23          |
| D (Temporary Permit) | 65                | 7                  | 72          |
| <b>Total</b>         | <b>5673</b>       | <b>336</b>         | <b>6009</b> |

In response to the number of disabled parking bays within the municipality, this is complex in nature. The provision of disabled car parking facilities is the responsibility of Council and private developers to ensure that residents and visitors of all abilities are able to safely access their day-to-day activities.

Disabled parking bays are categorised into on-street and off-street bays. All on-street disabled parking bays are managed and maintained by Council, however off-street disabled parking bays are further separated into private and public parking spaces. Private off-street disabled parking spaces are those found in car parks owned by retailers, medical centres, schools etc. to which Council has no control over once they have been constructed. Public off-street disabled parking bays are those found in public car parks and Council's facilities such as the Civic Centre, libraries and sporting facilities.

As development occurs within the municipality, the Planning Scheme includes a car parking provision and ensures that sufficient parking is provided to support the intended land use. The layout of on-street and off-street disabled parking bays are governed by AS2890.5 and AS2890.6 respectively. The quantum of disabled car parking spaces required for new developments are governed by the Building Code of Australia (BCA) and varies depending on the type of building being constructed but is typically 1-2% of the total number of parking spaces provided on the site.

The provision of additional on-street disabled parking is considered by Council on a case-by-case basis with an increased priority being given to Council's key activity centres, schools and community facilities. Once Council has received a request for additional on-street disabled parking, the Engineering Services team investigate the local streetscape environment to determine whether a compliant disabled parking space can be accommodated within the existing road reserve. Officers also consider the proximity of existing disabled spaces that are within the surrounding area and the surrounding land uses that might generate an increased demand for disabled parking provision. In the event the investigation concludes that a disabled parking bay is warranted, the project is referred to the Capital Works Program for funding.

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

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

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

**4. Financial Considerations**

There are no financial considerations associated with this report.

**5. Consultation/Public Submissions**

There was no consultation undertaken in the preparation of this report.

**6. Risk Analysis**

There are no risks associated with this report.

**7. Options**

There are no options associated with this report.

**LIST OF APPENDICES**

Nil

## 12.7 RESPONSE TO NOTICE OF MOTION 621 (CR KESIC) - CONTRACT WITH THE CIVIC GROUP FOR THE MELTON HOSPITAL ADVOCACY PROJECT

**Author: Sean McManus - Manager Engagement & Advocacy**  
**Presenter: Peter Bean - General Manager Corporate Services**

### PURPOSE OF REPORT

To provide a response to Notice of Motion 621 considered at the 4 March 2019 Council Meeting.

### RECOMMENDATION:

That Council note the report.

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## REPORT

### 1. Executive Summary

Council adopted at the Ordinary Meeting held on 4 March 2019, Notice of Motion 621(Cr Kesic):

*That Council officers provide a report in relation to the contract with The Civic Group for the Melton Hospital Advocacy Project, detailing the following:*

- *Expenditure to date under the contract*
- *Current status of the contract and the advocacy program*
- *Any outstanding actions or deliverables under the contract*
- *Anticipated completion date of the contract.*

A total authorised budget of \$350,000 was approved by Council for the Build Melton Hospital campaign in December 2017. A three-year fee for service contract was awarded to The Civic Group in March 2018. A total of \$259,479.70 has been expended against the authorised \$350,000 budget. A total of \$207,800.19 has been paid to The Civic Group under the three-year contract with a significant component of this covering research costs and an evidence base to inform the campaign. This leaves a balance of \$90,520.30 remaining under the authorised \$350,000 budget and there are no current commitments for service. The contract with The Civic Group is a fee for service contract and while there are no current commitments, the contract remains open.

The Build Melton Hospital Campaign was launched 100 days from the election and achieved overwhelming community support with 21,370 people supporting the campaign. The campaign helped achieve commitments from the Victorian Greens and Labor parties.

The current Andrews Labor government has committed \$2.3 million to develop a business case for the hospital. Council is now actively engaging with the Victorian Government to ensure planning for the hospital commence as soon as possible, that land be acquired for the hospital and that construction commence by July 2022.

### 2. Background/Issues

Council formally resolved to tender for the development of an advocacy campaign for the establishment of a major public hospital within the City of Melton at the Ordinary Meeting of Council held on 17 December 2017, authorising expenditure up to \$350,000. To ensure best

value, Council invited public tenders on Saturday 17 February 2018 with the submission period closing Monday 5 March 2018.

Council awarded a three-year contract to The Civic Group at its Council Meeting on 26 March 2018, which provided for a fee for service contract that could be scaled according to need and achievement of campaign milestones, successes and any political outcomes.

The contract was primarily established to focus effort to advocate for a new public hospital in Melton in the lead up to the November 2018 Victorian election.

The campaign had the following objectives:

- In the lead up to the 2018 State election, secure a commitment from all major parties to fund a business case for the Melton Hospital
- That the elected State Government commit to commencing construction of the Melton Hospital by July 2022.

The Civic Group was engaged to:

- develop a campaign strategy
- undertake research to establish an evidence base for a hospital in Melton and inform the strategy
- assist with development of campaign creative and materials
- provide ongoing campaign strategy support.

A public facing campaign was launched 100 days out from the November 2018 State Election which involved community engagement activity, a dedicated website, media and social media, advertising and government relations. Through postcards and emails, the campaign achieved more than 21,300 people supporting the need for a public hospital in Melton, which culminated with public commitments from the Greens and Labor parties for a business case.

The Andrews Labor government was re-elected and made the following election commitments:

- \$2.3 million to begin planning and complete a business case for a new hospital at Toolern
- Intention to acquire land through the Growth Areas Infrastructure Contribution Fund.

To date, a total of \$259,479.70 has been expended against the authorised \$350,000 budget. A total of \$207,800.19 has been paid to The Civic Group under the contract with a significant component of this covering research costs. This leaves \$90,520.30 remaining under the authorised \$350,000 budget and there are no current commitments.

Following the November 2018 election, Council's advocacy effort has been to focus on actively engaging the newly elected Victorian Government, given a commitment to a business case has been made. With this approach, the contract with The Civic Group reached a natural pause in December 2018. The three-year contract with The Civic Group is due to expire on 27 March 2021, however there is an option for two one year extensions. While the contract is still current, The Civic Group are not currently engaged to undertake any work pending a post-election government relations phase. There is no set financial commitment for this contract. The contract is a fee for service contract, with costs determined by work procured by Council.

The option to further engage The Civic Group remains as is the option to undertake further campaign activity. This will be dependent on continued review and assessment of the progression of the Melton Hospital outcomes with the new Victorian Government.

Advocacy for the hospital campaign continues with the following actions:

- A budget submission to the 2019/2020 State Government has been lodged, requesting that:

- the \$2.3 million be allocated in the 2019/20 State budget so that the planning work can commence immediately
- the State Government commit to purchase land for the new hospital in Cobblebank
- that construction for a new Melton Public Hospital commence by July 2022.
- The Mayor has met with newly elected Member for Melton, Steve McGhie MP to request the planning funding be made available in the 2019/20 State Budget and that planning commence immediately
- Council is actively engaged with the Victorian Health and Human Services Building Authority, the responsible agency for planning and building hospitals, to lobby for the timely delivery of the planning work
- The Mayor has written a letter to the new Minister for Health, Jenny Mikakos requesting a meeting to discuss the Melton Hospital.
- The Melton Hospital was also included in Council's submission to the 2019/20 Federal Budget.

Following the outcomes of the 2019/2020 State Budget and the meeting with the Minister for Health, the next advocacy phase for the Melton Hospital will be determined and Councillors will be kept informed.

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

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

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

### **4. Financial Considerations**

A total of \$259,479.70 has been expended against the authorised \$350,000 budget. A total of \$207,800.19 has been paid to The Civic Group under the contract. With no current commitments for the Build Melton Hospital campaign, the remaining \$90,520.30 will remain in the Engagement and Advocacy budget pending any further agreed actions.

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

Research was undertaken with the community to help inform the Build Melton Hospital campaign and the community participated in the campaign with 21,370 residents signing a postcard or sending an email to support the need for a public hospital in Melton.

### **6. Risk Analysis**

Not applicable.

### **7. Options**

Not applicable.

## **LIST OF APPENDICES**

Nil

## 12.8 2018-2019 COUNCIL AND WELLBEING ANNUAL ACTION PLAN - SECOND QUARTER PROGRESS REPORT

Author: **Bob Baker - Corporate Planning and Performance Coordinator**

Presenter: **Peter Bean - General Manager Corporate Services**

### PURPOSE OF REPORT

To provide the second quarter update on the progressive achievement of the Council's 2018-2019 Council and Wellbeing Annual Action Plan

### RECOMMENDATION:

That Council receive and note the 2018-2019 Council and Wellbeing Annual Action Plan Second Quarter Progress Report (1 October – 31 December 2018) as presented at **Appendix 1**.

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### REPORT

#### 1. Executive Summary

The 2017-2021 Melton City Council and Wellbeing Plan is prepared in accordance with the *Local Government Act 1989*. The Plan is reviewed on an annual basis to adapt to the evolving needs of our growing community.

Each year, Council produces an Annual Action Plan identifying the activities and initiatives that Council will work towards achieving, which respond to the strategic outcomes and strategies identified in the Council and Wellbeing Plan. This is aligned with the Council's annual budget development process.

The progressive achievement of the Annual Action Plan is reported at the conclusion of each quarter of the financial year, with a final summary provided at the conclusion of each financial year, through the production of Council's Annual Report.

**Appendix 1** provides detail on activity for the second quarter (1 October - 31 December 2018), in the progressive achievement of the 2018-2019 Council and Wellbeing Annual Action Plan.

#### 2. Background/Issues

The Council and Wellbeing Plan is Council's primary vision and strategic planning document that establishes the direction Council has committed to for its term of office (4 years). The Council and Wellbeing Plan contains objectives, strategies and performance indicators.

Each year Council provides a range of services, activities and initiatives for the community. These key strategic activities and new initiatives are included in the development of an Annual Action Plan.

The 2018-2019 Council and Wellbeing Annual Action Plan provides 151 actions that Council has committed to deliver. Council provides the community with quarterly progress reports that support Council's commitment in providing transparency, through public access to relevant information, decision making and strategic documents.

**Appendix 1** provides a detailed summary on the status of each action in the 2018-2019 Council and Wellbeing Annual Action Plan, inclusive of the period from 1 July - 31 December 2018. The areas with a stronger link to health and wellbeing are displayed with a heart icon ♥

The following table provides summary of progress against actions.

| Status              | Description  | Number of actions |
|---------------------|--|-------------------|
| <b>Achieved</b>     | The Action is completed.   | 17                |
| <b>On track</b>     | The action is on track and expected to be completed by the current timeline  | 130               |
| <b>Not On Track</b> | The Action has been delayed impacting on the current timeline. An explanation and any remedial action and revised due date, where appropriate, is provided in the 'progress comments' column | 2                 |
| <b>Postponed</b>    | The Action has been deferred for the financial year. An explanation is provided in the 'progress comments' column  | 2                 |
| <b>Total</b>        |  | <b>151</b>        |

Key achievements this quarter include:

- Delivered the Melton Senior's Festival with approximately 1,400 seniors participating across 19 events
- A conservation management plan for the Council owned land at Mount Cottrell volcano
- Stages Four and Five of the Pride of Melton project
- The Westwood Drive road and bridge construction to provide an alternative north-south link between Western Highway and Taylors Road
- Delivered a Lifelong Learning Festival with over 145 learning events offered and more than 1,450 people attending over the three days

Upon Council receipt of this update, the Progress Report will be published on Council's website.

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

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

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

*5.4 An organisation that demonstrates excellence in local government leadership and customer and community service.*

### 4. Financial Considerations

Initiatives and activities delivered from the Action Plan are contained within the Council approved 2018-19 Budget.

**5. Consultation/Public Submissions**

The 2017-2021 Council and Wellbeing planning process involved extensive consultation with stakeholders including the community, Council staff, government agencies, community organisations and private industry. This process resulted in the publication of the 2017-2021 Melton City Council and Wellbeing Plan. The 2018-2019 Council and Wellbeing Annual Action Plan is prepared from internal consultation of Council management.

**6. Risk Analysis**

Nil

**7. Options**

Nil

**LIST OF APPENDICES**

1. 2018/19 Council and Wellbeing Annual Action Plan Second Quarter Progress Report



## 12.9 REVISED COUNCIL AND WELLBEING PLAN 2017 - 2021

Author: Bob Baker - Corporate Planning and Performance Coordinator

Presenter: Peter Bean - General Manager Corporate Services

### PURPOSE OF REPORT

To present the revised Council and Wellbeing Plan 2017 – 2021 for consideration and endorsement for public exhibition

### RECOMMENDATION:

That Council endorse the revised Council and Wellbeing Plan 2017-2021 at **Appendix 1** for 28 days of public exhibition, commencing from 3 April 2019.

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## REPORT

### 1. Executive Summary

As prescribed by the *Local Government Act 1989* (Vic) ('the Act') Council is required to consider its Council Plan annually. The Act also requires that Council must review the Strategic Resource Plan during the preparation of the Council Plan, and adopt the Strategic Resource Plan not later than the 30 June each year.

Following consultation with management, some content in the Council and Wellbeing Plan 2017-2021 has been revised to ensure the information reflects Council's service delivery, organisational structure, Council membership and revised demographic forecasts.

The review found that all of the existing Themes, Outcomes and Strategic Objectives expressed Council's direction, but that some of the Strategies required adjustment to better reflect Council direction and the Strategic Performance Indicators required updating to ensure they better reflect Council's performance in achieving its direction.

Following endorsement of the revised version of the Council and Wellbeing Plan 2017-2021 (**Appendix 1**), it will be placed on public exhibition in accordance with the *Local Government Act 1989* and then presented to Council for adoption at the 24 June 2019 Ordinary Meeting of Council.

Should Council endorse the revised Council and Wellbeing Plan on 24 June 2019, the details of the adjustments to the 2017-2021 Council and Wellbeing Plan will be forwarded to the Minister for Local Government pursuant to section 125(10) of the *Local Government Act 1989*.

### 2. Background/Issues

The Council and Wellbeing Plan is reviewed on an annual basis to ensure that the strategic direction of Council is articulated and implemented by the organisation. The annual review is good governance practice and is also required by the *Local Government Act 1989*.

The *Local Government Act 1989*, requires:

125(7) - At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.

125(8) - Subject to the following two provisions, a Council may make any adjustment in considers necessary to the Council Plan.

125(9) - A person has the right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under 125, subsections

2(a) – the strategic objectives of the Council,

2(b) - strategies for achieving the objectives for at least the next 4 years and

2(c) – strategic indicators for monitoring the achievement of the objectives.

125(10) - If a Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment, advise the Minister of the details of any adjustment to the Council Plan.

125(11) - A copy of the current Council Plan must be available for inspection by the public at:

- The council office and any district offices, and
- Any other place required by the regulations

In addition, a Council must ensure that the current Council Plan is published on the Council's Internet website.

In accordance with statutory requirements, Council will place the 2017-2021 Council and Wellbeing Plan and recommended adjustments on public exhibition to allow for community feedback prior to final adoption at 24 June 2019 Ordinary Meeting of Council.

The *Local Government Act* 1989 also states that if a Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment advise the Minister of the details of the adjustment to the Council Plan. If endorsed, the revised Council and Wellbeing Plan will be provided to the Minister accordingly, and also placed on Council's website.

The Strategic Resource Plan (**Appendix 2**) is a component of the Council and Wellbeing Plan. It is revised as part of the 2019-20 budget process (see the next report, 12.10 Preparation of the Municipal Budget 2019/2020) taking into consideration the latest information available on the 2017 – 2021 Council and Wellbeing Plan, capital works and human resources within the planned operations of Council.

Adjustments that are recommended in the revised 2017-2021 Council and Wellbeing Plan include updates to the Mayor, Councillors, Chief Executive Officer, and Our Organisation sections.

In addition to these adjustments a review of the 2017-2021 Council and Wellbeing Plan found that the existing Strategic Objectives were still relevant to Council direction and organisational operation.

The review of the Council Plan undertaken for 2019 has found that the existing Strategic Objectives and Strategies were still relevant to Council direction and the organisational operation. Additionally, analysis of the Council Annual Action Plans to date demonstrates that Council has delivered outcomes against all of the existing Strategic Objectives. Therefore, it is recommended that no change is made to the existing Strategic Objectives.

Analysis of the strategies has identified three strategies that have not had any actions allocated to them. After consultation with management and agreement that actions will be allocated to them over the remaining years of the plan, no changes to the current strategies is recommended.

The review also conducted a rigorous assessment of Council's ability to demonstrate the achievement of the objectives and found the actions in the Council and Wellbeing Annual Action Plans in combination with the Strategic Indicators and recommended adjustments to the indicators will provide evidence that the objectives have been achieved.

The proposed changes to the Strategic Performance Indicators have been summarised in the table below. The column with existing indicators in the Council and Wellbeing Plan lists the current Strategic Performance Indicators that were reported against in the 2017/18 Annual Report. The column with Proposed Indicators lists the proposed Strategic Performance Indicators in the revised 2017-2021 Council and Wellbeing Plan before Council for consideration.

One Strategic Indicator has been identified for removal (shown in *Italics and underlined* in the Existing Indicator column) and five Strategic Indicators have been added to the Proposed Indicator column (in *Italics and underlined*) to provide for the more comprehensive assessment of Council's achievement of its objectives. It is recommended the strategic indicator at 3.5 (*underlined*) be moved to 3.3 and replaced with a new indicator (in *Italics and underlined*).

The proposed Strategic Performance Indicators involve a combination of current and new Indicators. The changes will ensure compliance with the *Local Government Planning and Reporting Regulations 2014*.

The areas with a stronger link to health and wellbeing are displayed with a heart icon ♥

| No  | Objective   | Existing Indicators in the Council and Wellbeing Plan  | Proposed Strategic Performance Indicators  |
|-----|---|--|--|
| 1.1 | A community where all people feel welcome, valued and proud♥                          | <ul style="list-style-type: none"> <li>The proportion of the population who agree they feel proud of, connected to and enjoy their neighbourhoods♥</li> <li>The proportion of the population who believe the City of Melton is a welcoming and supportive community for everyone♥</li> </ul> | <ul style="list-style-type: none"> <li>The proportion of the population who agree they feel proud of, connected to and enjoy their neighbourhoods♥</li> <li>The proportion of the population who believe the City of Melton is a welcoming and supportive community for everyone♥</li> </ul> |
| 1.2 | A safe and equitable community♥   | <ul style="list-style-type: none"> <li>Community perception of safety during the day♥</li> <li>Community perception of safety at night♥</li> <li>Community perception of the prevalence of family violence♥</li> </ul>   | <ul style="list-style-type: none"> <li>Community perception of safety during the day♥</li> <li>Community perception of safety at night♥</li> <li>Community perception of the prevalence of family violence♥</li> </ul>   |
| 1.3 | Equitable, inclusive and accessible community and health infrastructure and services♥ | <ul style="list-style-type: none"> <li>Community satisfaction with the level of access to local health services♥</li> <li>Community satisfaction with support services♥</li> </ul>   | <ul style="list-style-type: none"> <li>Community satisfaction with the level of access to local health services♥</li> <li>Community satisfaction with support services♥</li> <li><u><i>Council infrastructure is equitable, inclusive and accessible</i></u>♥</li> </ul>                     |
| 1.4 | A resilient community promoting social cohesion♥                                      | <ul style="list-style-type: none"> <li>Community satisfaction with designated cultural activities♥</li> </ul>  | <ul style="list-style-type: none"> <li>Community satisfaction with designated cultural activities♥</li> </ul>  |

| No  | Objective   | Existing Indicators in the Council and Wellbeing Plan  | Proposed Strategic Performance Indicators   |
|-----|---|--|---|
|     |   | <ul style="list-style-type: none"> <li>Community satisfaction with Council's provision of Arts events and exhibitions♥</li> </ul>  | <ul style="list-style-type: none"> <li>Community satisfaction with Council's provision of Arts events and exhibitions♥</li> </ul>   |
| 1.5 | Environments that enable and encourage positive public health and wellbeing outcomes♥       | <ul style="list-style-type: none"> <li><u>Active sport and recreation groups in the City</u>♥</li> <li>Community satisfaction with recreational facilities and leisure centres♥</li> </ul> | <ul style="list-style-type: none"> <li><u>On and off road bike and or walking paths</u>♥</li> <li>Community satisfaction with recreational facilities and leisure centres♥</li> </ul>                               |
| 1.6 | Reconciliation to support healthy communities♥  | <ul style="list-style-type: none"> <li>Indigenous specific services in the City♥</li> </ul>  | <ul style="list-style-type: none"> <li>Indigenous specific services in the City♥</li> </ul>   |
| 2.1 | A resource efficient City   | <ul style="list-style-type: none"> <li>Kerbside collection waste diverted from landfill</li> <li>Percentage of Council buildings (floor space) audited for water efficiency</li> </ul>     | <ul style="list-style-type: none"> <li>Kerbside collection waste diverted from landfill</li> <li>Percentage of Council buildings (floor space) audited for water efficiency</li> </ul>                              |
| 2.2 | A 'low-carbon city' well-adapted to changing climate conditions♥                            | <ul style="list-style-type: none"> <li>Percentage of Council buildings (floor space) audited for energy efficiency</li> <li>Trees planted in the City♥</li> </ul>                          | <ul style="list-style-type: none"> <li>Percentage of Council buildings (floor space) audited for energy efficiency</li> <li>Trees planted in the City♥</li> </ul>   |
| 2.3 | A City with healthy waterways, biodiversity and ecosystems                                  | <ul style="list-style-type: none"> <li>Percentage of Council managed conservation reserves with Reserve Management and Monitoring Plans</li> </ul>   | <ul style="list-style-type: none"> <li>Percentage of Council managed conservation reserves with Reserve Management and Monitoring Plans</li> <li><u>Council responsibilities towards the environment</u></li> </ul> |
| 2.4 | A City growing and developing sustainably   | <ul style="list-style-type: none"> <li>Photo voltaic cells (solar panels) commissioned on the roofs of Council buildings</li> </ul>  | <ul style="list-style-type: none"> <li>Photo voltaic cells (solar panels) commissioned on the roofs of Council buildings</li> </ul>   |
| 2.5 | An environmentally aware community that appreciates the City's unique environmental assets♥ | <ul style="list-style-type: none"> <li>Participants (including volunteers) that attend environment and sustainability events coordinated or supported by Council</li> </ul>                | <ul style="list-style-type: none"> <li>Participants (including volunteers) that attend environment and sustainability events coordinated or supported by Council</li> </ul>   |

| No  | Objective  | Existing Indicators in the Council and Wellbeing Plan  | Proposed Strategic Performance Indicators   |
|-----|--|--|---|
|     |  | <ul style="list-style-type: none"> <li>Community sustainability events coordinated or supported by Council</li> </ul>  | <ul style="list-style-type: none"> <li>Community sustainability events coordinated or supported by Council</li> </ul>   |
| 3.1 | A City that strategically plans for growth and development   | <ul style="list-style-type: none"> <li>Community perception of Council's performance on planning for a growing population</li> </ul>   | <ul style="list-style-type: none"> <li>Community perception of Council's performance on planning for a growing population</li> </ul>  |
| 3.2 | Community facilities, infrastructure and services that are equitably planned for, provided and maintained♥ | <ul style="list-style-type: none"> <li>Community satisfaction with Council facilities♥</li> <li>Percentage completion of the Annual Capital Works Program</li> </ul>   | <ul style="list-style-type: none"> <li>Community satisfaction with Council facilities♥</li> <li>Percentage completion of the Annual Capital Works Program</li> </ul>  |
| 3.3 | Public spaces that are vibrant and engaging places for all♥  | <ul style="list-style-type: none"> <li>Community satisfaction with the maintenance of parks and gardens♥</li> <li>Community satisfaction with Council's provision of parks and gardens♥</li> </ul>                               | <ul style="list-style-type: none"> <li>Community satisfaction with the maintenance of parks and gardens♥</li> <li>Community satisfaction with Council's provision of parks and gardens♥</li> <li><u>Residents that agree the City of Melton is vibrant, accessible and engaging</u>♥</li> </ul> |
| 3.4 | A flexible, safe and health promoting transport network that enables people to move around♥                | <ul style="list-style-type: none"> <li>Community satisfaction with the public transport network within the City</li> <li>Community satisfaction with parking and traffic management in the City</li> </ul>                       | <ul style="list-style-type: none"> <li>Community satisfaction with the public transport network within the City</li> <li>Community satisfaction with parking and traffic management in the City</li> </ul>  |
| 3.5 | A City that encourages and enables people to work, shop and spend time locally                             | <ul style="list-style-type: none"> <li><u>Residents that agree the City of Melton is vibrant, accessible and engaging</u></li> </ul>   | <ul style="list-style-type: none"> <li><u>Community satisfaction with Council activities promoting local business growth and development</u></li> </ul>   |
| 4.1 | A diverse economy that fosters business growth, encourages new investment and leads and responds to change | <ul style="list-style-type: none"> <li>Annual new planning permits issued for industrial and commercial properties</li> <li>Capital investment value of new planning permits for industrial and commercial properties</li> </ul> | <ul style="list-style-type: none"> <li>Annual new planning permits issued for industrial and commercial properties</li> <li>Capital investment value of new planning permits for industrial and commercial properties</li> </ul>  |

| No  | Objective   | Existing Indicators in the Council and Wellbeing Plan   | Proposed Strategic Performance Indicators  |
|-----|---|---|--|
| 4.2 | More local employment options with an increasing number of residents employed♥  | <ul style="list-style-type: none"> <li>• The City's unemployment rate relative to the State of Victoria's annual unemployment rate♥</li> <li>• Job vacancies within the Municipality publically advertised online</li> </ul>        | <ul style="list-style-type: none"> <li>• The City's unemployment rate relative to the State of Victoria's annual unemployment rate♥</li> <li>• Job vacancies within the Municipality publically advertised online</li> <li>• <u><i>City of Melton Business Register</i></u></li> </ul> |
| 4.3 | A visitor economy that adds value to local businesses   | <ul style="list-style-type: none"> <li>• People engaged at visitor information points within the City</li> <li>• Visitor engagements through digital channels</li> </ul>  | <ul style="list-style-type: none"> <li>• People engaged at visitor information points within the City</li> <li>• Visitor engagements through digital channels</li> </ul>   |
| 4.4 | A City with a variety of local education facilities and programs♥   | <ul style="list-style-type: none"> <li>• Community perception of Council advocacy for improved education facilities</li> <li>• The rate of school leavers entering higher education, vocational education or employment♥</li> </ul> | <ul style="list-style-type: none"> <li>• Community perception of Council advocacy for improved education facilities</li> <li>• The rate of school leavers entering higher education, vocational education or employment♥</li> </ul>  |
| 4.5 | Lifelong learning opportunities are available and promoted♥   | <ul style="list-style-type: none"> <li>• People participating in neighbourhood house programs♥</li> <li>• Community satisfaction with local library services♥</li> </ul>  | <ul style="list-style-type: none"> <li>• People participating in neighbourhood house programs♥</li> <li>• Community satisfaction with local library services♥</li> </ul>   |
| 5.1 | Deliberative engagement and effective communication with the community that informs planning and decision making        | <ul style="list-style-type: none"> <li>• Community satisfaction with consultation and engagement</li> </ul>   | <ul style="list-style-type: none"> <li>• Community satisfaction with consultation and engagement</li> </ul>  |
| 5.2 | A flexible, innovative and creative organisation that responds to rapidly changing community and operating environments | <ul style="list-style-type: none"> <li>• Community perception that Council is efficient and well run</li> <li>• Workforce turnover</li> </ul>   | <ul style="list-style-type: none"> <li>• Community perception that Council is efficient and well run</li> <li>• Workforce turnover</li> </ul>  |

| No  | Objective  | Existing Indicators in the Council and Wellbeing Plan   | Proposed Strategic Performance Indicators   |
|-----|--|---|---|
| 5.3 | Effective civic leadership, advocacy, partnerships and good governance   | <ul style="list-style-type: none"> <li>Community satisfaction rating for Council making decisions in the best interest of the community</li> <li>Councillor attendance at Council meetings</li> </ul> | <ul style="list-style-type: none"> <li>Community satisfaction rating for Council making decisions in the best interest of the community</li> <li>Councillor attendance at Council meetings</li> </ul> |
| 5.4 | An organisation that demonstrates excellence in local government leadership and customer and community service | <ul style="list-style-type: none"> <li>Community perception of Council's overall performance</li> <li>Working capital ratio</li> </ul>  | <ul style="list-style-type: none"> <li>Community perception of Council's overall performance</li> <li>Working capital ratio</li> </ul>  |

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

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

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

*5.4 An organisation that demonstrates excellence in local government leadership and customer and community service.*

### 4. Financial Considerations

The Council and Wellbeing Plan 2017-2021 is financed through the Strategic Resource Plan. Both the Council Plan and Strategic Resource Plan are reviewed annually and are aligned with the Annual Action Plan, Budget, and Capital Works Program.

### 5. Consultation/Public Submissions

If endorsed, the revised 2017-2021 Council and Wellbeing Plan and Strategic Resource Plan will be placed on public exhibition for feedback and comment in accordance with legislative responsibilities.

### 6. Risk Analysis

The revised version of the 2017-2021 Council and Wellbeing Plan will ensure the Annual Report is compliant with the Local Government Planning and Reporting Regulations.

### 7. Options

Nil

### LIST OF APPENDICES

1. Draft Council and Wellbeing Plan 2017 - 2021 - Revised June 2019
2. Draft Strategic Resource Plan 2019 - 2023

## 12.10 PREPARATION OF THE MUNICIPAL BUDGET 2019/2020

Author: Sam Rumoro - Manager Finance  
Presenter: Sam Rumoro - Manager Finance

### PURPOSE OF REPORT

To endorse the proposed Municipal Budget for the 2019/2020 financial year and Strategic Resource Plan 2019/2023 and commence the statutory process to exhibit this proposed budget to receive submissions.

### RECOMMENDATION:

That:

1. The draft Municipal Budget 2019/2020 and Strategic Resource Plan 2019/2023 annexed **(Appendix 1)** be the 'proposed budget' for 2019/2020, 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 Submissions 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 2019/2020 and Strategic Resource Plan 2019/2023, at the Ordinary meeting of Council to be held on 24 June 2019.
- 

### 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; and
- 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 1 May 2019 and be heard by Council's section 223 Submissions Committee on 21 May 2019.

It is further proposed that the budget will be adopted by the Council at its Ordinary Meeting to be held on 24 June 2019.

- The major highlights of the proposed budget include:
- A 2.5 per cent increase in the level of Rate and Charges from 2018/2019 levels;
- Debt redemption of \$2.9 million for the year has been budgeted;
- \$75 pensioner rebate to eligible property owners; and
- Capital Works program of \$48.7 million (excluding carry forward).

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. The favorable financial position has resulted in Council being able to deliver Capital Works program of \$48.7 million and loan repayments of \$2.9 million, without additional borrowing in 2019/20.

Council approved the establishment of the Infrastructure and Strategic Investment Reserve (the Reserve) from the proceeds of the Atherstone development joint venture with Lend Lease Communities. Council's share of proceeds from the Atherstone Development are to be placed in a separate reserve as funds are received/lots settled, including funds received in prior financial years. This fund will be used to ensure the long term financial sustainability of Council's finances and provide funding for Council's services and infrastructure over the long term.

Funds placed in the Reserve are to be separately identified and managed in accordance with projected inflows and outflows from major projects, strategic land purchases and income generating activities. Reserve funds are to be allocated in the following manner:

- Major projects 50%;
- Income generating activities 30% and;
- Strategic land purchases 20%.

Utilisation of the Reserve's funds will be approved by Council as part of the Budget process or by Council resolution. Reporting on the Reserve will be provided to Council on a quarterly basis.

## **2. Background/Issues**

Council commenced its budget process for 2019/2020 in September 2018. 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 Works expenditure of \$62.4 million, including a projected \$13.7 million of carry forward works from 2018/2019.

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 are included in the proposed budget (**Appendix 1**).

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

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

2. A thriving and resilient natural environment: A City that preserves and enhances its natural environment for future generations

2.1 A resource efficient City.

### 4. Financial Considerations

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

| <b>Project Description</b>   | <b>Budgeted for<br/>2019/2020<br/>\$'000</b> |
|--|--|
| <b>Building &amp; Building Improvements</b>                                |  |
| Aintree Children's & Community Centre                                      | \$1,350                                      |
| Eynesbury Station Early Learning Centre                                    | \$1,200                                      |
| Caroline Springs Community Facility Extension                              | \$1,058                                      |
| Diggers Rest Pre-School Extension  | \$1,015                                      |
| Streetscape Renewal Program  | \$854  |
| <b>Roads, Drainage, Footpath &amp; Bridge Works</b>                        |  |
| Sealed Road Renewal Program  | \$3,075                                      |
| Taylors Rd and Westwood Drive Intersection                                 | \$2,500                                      |
| Signalise Caroline Springs Boulevard and Rockbank Middle Road Intersection | \$2,000                                      |
| Building Components Annual Renewal Program                                 | \$1,780                                      |
| Shogaki Drive : Ferris Road to Mount Cottrell Road                         | \$1,350                                      |
| Footpath Replacement   | \$1,155                                      |
| Boundary Road from Mount Cottrell Road to The Mall                         | \$1,000                                      |
| Taylors Rd from West Botanical Dr to West City Vista                       | \$1,000                                      |
| Ferris Road and Hollingsworth Drive Intersection                           | \$1,000                                      |
| Tarletons Road   | \$800  |
| Major Traffic Management Upgrade Program                                   | \$640  |

| <b>Recreational Projects</b>                   |         |
|--|---------|
| Eynesbury Recreation Reserve Active Open Space | \$4,500 |
| Macpherson Park Redevelopment                  | \$4,245 |
| Cobblebank Indoor Stadium                      | \$3,000 |
| Kurunjang Tennis Courts                        | \$710   |
| City Vista Sports Pavilion & Sports Fields     | \$598   |
| <b>Others</b>                                  |         |
| Plant and Machinery                            | 1,664   |

The proposed budget includes total income of \$328.5 million, inclusive of developer contributed infrastructure assets valued at \$100.6 million. The following table provides a breakdown of this income with comparative amounts for the 2nd quarter forecast 2018/19.

|  | <b>2018/19<br/>\$ millions</b> | <b>2019/20<br/>\$ millions</b> | <b>Per cent<br/>Change</b> |
|--|--------------------------------|--------------------------------|----------------------------|
| Rates & Charges Income <i>see note below</i> | \$113.61                       | \$121.84                       | 7.24%                      |
| Grants & Subsidies                           | \$46.20                        | \$36.65                        | -20.67%                    |
| Fees & Charges                               | \$17.53                        | \$16.49                        | -5.93%                     |
| Developer Contributions- Cash                | \$34.85                        | \$30.30                        | -13.06%                    |
| Developer Contributions- Assets              | \$79.19                        | \$100.59                       | 27.02%                     |
| Net Gain (loss) on Asset Sales               | \$11.27                        | \$18.04                        | 60.07%                     |
| Other Income                                 | \$5.03                         | \$4.55                         | -9.54%                     |
| <b>Total Income and Receipts</b>             | <b>\$307.68</b>                | <b>\$328.46</b>                | <b>6.75%</b>               |

The total increase in Rates and Charges income, includes rates income received from supplementary valuations during the year due to growth, 2.50 per cent rate increase on the 2018/2019 level after allowing for Council rebates for Pensioners and Environmental Enhancement works.

The total budgeted expenditure including Capital expenditure and debt redemption is \$247.6 million as detailed below.

|   | <b>2018/19<br/>\$ millions</b> | <b>2019/20<br/>\$ millions</b> | <b>Per cent<br/>Change</b> |
|---|--------------------------------|--------------------------------|----------------------------|
| Staff costs                                       | \$57.84                        | \$62.38                        | 7.85%                      |
| Other operating expenditure                       | \$79.63                        | \$82.15                        | 3.16%                      |
| Finance costs                                     | \$0.79                         | \$0.64                         | -18.99%                    |
| Capital expenditure including carry forward works | \$86.49                        | \$62.48                        | -27.76%                    |
| Debt redemption                                   | \$2.83                         | \$2.97                         | 4.95%                      |
| Depreciation / Amortisation                       | \$34.48                        | \$37.02                        | 7.37%                      |
| <b>Total Expenditure &amp; Outgoings</b>          | <b>\$262.06</b>                | <b>\$247.64</b>                | <b>-5.50%</b>              |

The proposed budget has been prepared taking into consideration Council's Strategic Resource Plan (SRP). The proposed budget includes no new borrowing for 2019/2020. The net loan repayment during the year is budgeted at \$2.9 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 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 | \$352            |
| B              | 80 litre bin  | 240 litre bin | 240 litre bin | \$313            |
| C              | 120 litre bin | 120 litre bin | 240 litre bin | \$301            |
| D              | 80 litre bin  | 120 litre bin | 240 litre bin | \$263            |
| E              | 120 litre bin | No Bin        | 240 litre bin | \$250            |
| F              | 80 litre bin  | No Bin        | 240 litre bin | \$215            |
| Additional Bin |               |               |               | \$153            |

### Municipal Charge

The proposed budget proposes a levy of \$150 per property as the Municipal Charge for 2019/2020 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 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 |

Costs for exhibiting the budget will be approximately \$2,600 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 19 and 20 September 2018. 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 Submissions Committee consider all the submissions received on 21 May 2019 and make recommendations to the Council, which will consider the recommendations before it formally adopts the 2019/2020 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 24 June 2019. 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 2019.

## LIST OF APPENDICES

1. Draft Municipal Budget 2019/2020 and Strategic Resource Plan 2019/2023

## 12.11 AMENDMENT C182 TO THE MELTON PLANNING SCHEME - ELECTRONIC GAMING MACHINE PLANNING POLICY PROJECT

Author: Donald Lewis - Strategic Planner  
Presenter: Laura-Jo Mellan - Manager City Design, Strategy & Environment

### PURPOSE OF REPORT

To consider the recommendations of the Planning Panel on Amendment C182 to the Melton Planning Scheme.

### RECOMMENDATION:

That Council

1. Note the Panel Report and accept Panel's recommendation (**Appendix 1**) and
  2. Adopt Amendment C182 to the Melton Planning Scheme as contained at **Appendix 2** and submits the Amendment to the Minister for Planning for approval.
- 

### REPORT

#### 1. Executive Summary

The purpose of Amendment C182 is to provide improved policy direction in the Melton Planning Scheme and enable a more comprehensive assessment of gaming related planning applications.

Amendment C182 proposes to incorporate a local planning policy at Clause 22.13 and update the schedule to clause 52.28 to the Melton Planning Scheme.

Amendment C182 will ensure that Council has the policy guidance to defend decisions at VCAT and advise applicants at the pre application stage for proposals to increase electronic gaming machines at existing gaming venues and proposals for new venues.

At its Ordinary meeting on the 24 July 2017, Council resolved to prepare and exhibit Amendment C182 to the Melton Planning Scheme. Following this resolution, Council officers sought authorisation from the Minister for Planning.

Authorisation was received from the Minister for Planning on 20 April 2018. Amendment C182 was publicly exhibited during the period of the 28 June – 9 August 2018. Two submissions were received during the exhibition period. One of the submissions received during the exhibition period was resolved prior to the commencement of the panel hearing.

At its Ordinary meeting on 15 October 2018 (**Appendix 4**), Council resolved to request the Minister for planning to establish an independent Planning Panel to consider unresolved submission received in response to Amendment C182 in accordance with the Planning and Environment Act 1987.

On the 19 October 2018, Planning Panels Victoria appointed a one person panel to hear and consider submissions received. The planning panel conducted a Directions Hearing on 12 November 2018 and considered submissions at a Panel Hearing which was held over two days on 3 December and 18 December 2018.

Council officers received the Panel Report (**Appendix 1**) on 11 February 2019. The panel report concluded that the amendment is supported by, and implements the relevant sections

of the Planning Policy Framework, and is strategically justified. This Panel Report was publicly released on 8 March in accordance with statutory requirements.

It is now recommended Council adopt Amendment C182 to the Melton Planning Scheme subject to drafting changes to the local policy as shown in **Appendix 2** which is consistent with the recommendations of the panel.

## 2. Background/Issues

### City of Melton Electronic Gaming Machine Planning Policy Project Reference Document

The City of Melton Responsible Gambling Policy is Council's internal social policy that was adopted by Council in October 2014. The policy describes Council's commitments in relation to addressing harms associated with all gambling products and activities over which Melton City Council has influence.

A key recommendation from the policy was to strengthen Council's position on EGMs, by developing a Reference Document to be included in the Melton Planning Scheme. The City of Melton Electronic Gaming Machine Planning Policy Reference Document was adopted by Council on 24 July 2014 (**Appendix 3**).

The Reference Document is based on the following key principles:

- a. *Gaming venues and EGMs should be accessible to the extent that they are available but not convenient.*
- b. *Growth Areas – The availability of EGM's and gaming venues should be managed to reflect population growth and distribution.*
- c. *Exposure to opportunities to gamble should be managed to safeguard the health and wellbeing of communities at an elevated risk of gambling related harms.*
- d. *Venues should be designed and operated to maximise their potential community benefits. Gambling venues should provide genuine community benefit.*

Sections 4 and 5 of the Reference Document makes recommendations for changes to the Melton Planning Scheme to provide the policy framework to implement these key principles. It should be noted that any policy in the planning scheme can only deal with issues such as siting, design and location. Any issues relating to the licensing of these venues is dealt with through a separate process.

### Amendment C182

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

- Update Clause 52.28-3 to reflect current list of shopping complexes that would prohibit gaming machines
- Include a Local Policy at Clause 22.13. The Local Policy will provide clear guidelines and application requirements for the assessment of gaming related planning applications.
- Update relevant sections of the Municipal Strategic Statement to include references to the City of Melton Electronic Gaming Machine Local Planning Policy Project.
- Include the project reference document as a Reference Document in the Planning Scheme.

The purpose of Amendment C182 is to provide improved direction from the Melton Planning Scheme and enable a more comprehensive assessment of gaming related planning applications. The Amendment C182 will ensure that Council has the policy guidance to defend decisions at VCAT and advise applicants at the pre application stage.

### Planning Panel

At its Ordinary meeting on 15 October 2018, Council resolved to request the Minister for Planning to establish an independent Planning Panel to consider unresolved submission received in response to Amendment C182 in accordance with the *Planning and Environment Act 1987*.

On the 19 October 2018, Planning Panels Victoria appointed a one person panel to hear and consider submissions received. The Planning Panel conducted a Directions Hearing on 12 November 2018 and considered submissions at a Panel Hearing held over two days on 3 December and an extra half day on the 18 December 2018.

Two submissions were received following exhibition of the Amendment. Of the two submissions received one submitter requested to be heard. The second submission was withdrawn following clarification of some minor issues.

### Planning Panel Report

Council officers received the panel report on 11 February 2019 (**Appendix 1**). The Panel considered all the submissions and noted that all parties agreed the amendment was strategically justified and would be of benefit to the Melton Planning Scheme.

The Panel concluded:

- The use of 'Net Community Benefit' is appropriate and justified.
- The locational requirements as agreed between parties are generally appropriate and some minor changes could enhance these.
- Some changes as agreed between parties are appropriate to the venue design and operational requirements.
- The requirements for a detailed Social and Economic Impact Assessment to include some evidence of the proposal on the community is appropriate.
- The 2017 Policy (*The City of Melton Electronic Gaming Machine Planning Policy Reference Document*) may be useful as a background document and should be retained.

The panel recommended that Amendment C182 be adopted as exhibited subject to a number of drafting changes which are detailed below.

1. Amend Clause 22.13 to:
  - a) adopt Council's proposed changes to the objectives and application requirements relating to net community benefit
  - b) delete the proposed decision guideline relating to 'net community benefit'.
2. Amend Clause 22.13-3 to:
  - a) Split guidance according to locations where gaming venues and electronic gaming machines should and should not be located.
  - b) Insert the following guidance for where gaming venues and electronic gaming machines should be located:
    - In locations that are accessible but not convenient to the day to day retail/shopping needs of local residents, such as away from the central core of activity centres or at a destination venue.
    - Where the location of gaming venues is at the edge or periphery of an activity centre.
    - In locations where it can be established that they are a destination rather than convenience venue.



- c) Insert the following guidance for venue design and operation:
  - In venues that provide a comprehensive entertainment offer and where gaming is a minor component of the venue's layout.
- d) Improve clarity and implementation.
3. Amend Clause 22.13-5 to:
  - a) Delete the proposed decision guideline relating to the location of gaming venues facilitating or discouraging convenience gaming.
4. Amend Clause 22.13-3 to:
  - a) Ensure electronic gaming machines are not located in venues with less than a 6-hour break in play.
  - b) Insert new guidance that electronic gaming machines are not located in venues where the amenity of the surrounding area is unreasonably affected by way of design, location or operating hours.
  - c) Improve clarity.
5. Amend Clause 22.13-4 to improve clarity and readability.
6. Amend Clause 22.13-6 to delete the 2014 Policy.
7. Amend the Policy basis of Clause 22.13-01.
8. The land description of Caroline Springs Town Centre, Caroline Springs be amended in Schedule to Clause 52.28 Gaming to delete the words "referred to as No 10 Lake Street, Caroline Springs".

Council officers as required by the *Planning & Environment Act 1987* made the report public on 8 March 2019. Officers also notified all submitters that the report was available.

The Amendment C182 documents contained at **Appendix 2** have been updated to incorporate the Panels recommended changes to the local policy at Clause 22.13 and schedule to Clause 52.28 which this report is recommending be approved and submitted to the Minister for Planning for adoption into the Melton Planning Scheme.

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

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

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

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

### 4. Financial Considerations

Council officer time and resources are involved in the preparation, exhibition, and adoption of the amendment. Statutory fees such as those associated with a Planning Panel are required to be borne by Council as the Responsible Authority. Council engaged suitably qualified consultants to prepare the adopted strategy to the value of \$39,950. Council has incurred costs associated with the Planning Panel, including legal representation and fees payable to Planning panels Victoria to conduct the Directions Hearing and Panel Hearing. The total fees payable for the planning panel were \$28,600.

Planning scheme amendments and the associated panel costs are budgeted for within the unit's recurrent budget.

## 5. Consultation/Public Submissions

### Public Exhibition

The amendment was on public exhibition from 28 June 2018 – 9 August 2018 and involved letters (giving notice) to existing venue operators, industry groups, government agencies, surrounding Councils and community organisations who participated in the development of the project. A more extensive mail out to households was not considered necessary as the changes proposed to the Melton Planning Scheme do not change current operations of existing venues.

Letters were sent to the following venues, industry groups, Councils and agencies:

- Sugar Gum Hotel
- The Club
- West Waters Hotel
- Mac's Hotel
- Melton Country Club
- Golden Fleece Hotel
- Tabcorp Park
- Australian Hotels Association
- Municipal Association of Victoria
- Victorian Local Governance Association
- Djerriwarrah Health Services
- Brimbank Melton Community Legal Services
- Victorian Commission for Gambling and Liquor Regulation
- Victoria Police
- Hume City Council
- Brimbank City Council
- Moorabool Shire Council
- Macedon Ranges Shire Council

Notices were placed in the local newspaper the *Melton and Moorabool Star Weekly* and the Government Gazette and posted on DELWP's and Councils website in accordance with *The Planning and Environment Act 1987*.

### Submissions

A total of two submissions were received in response to the amendment.

One submitter sought significant changes to the amendment that could not be resolved. The second submission was withdrawn following clarification of a venue location and status of the strategy document which resulted in agreed minor changes.

Issues raised through the submission process:

- Objection to the reference of Net Community Benefit when applying the local policy.
- Objection to the requirement that gaming venues and EGM's should be located at least 400 metres walking distance from various uses including residential and public transport interchanges.

- Objection that venues and EGM's should not be located on land that where a shopping complex or strip shopping centre has not been fully established.
- Issues such as signage and operating hours are already considered under the VCGLR and therefore are not required to be assessed through a planning

These issues were all considered by the independent Planning Panel. The submitter of the unresolved submission was represented by a lawyer and expert witnesses at the trial as detailed in **Appendix 1**.

## 6. Risk Analysis

If Council choose not to adopt Amendment C182 to the Melton Planning Scheme there are a number of associated risks:

1. The absence of an Electronic Gaming Machine Local Planning Policy in the Melton Planning Scheme will result in a lack of clear direction for Council officers in assessing future gaming related applications in a consistent and efficient manner.
2. A lack of guidance for existing venues operators and new venue operators.
3. Inappropriate planning outcomes in relation to the location of new venues and expansion of existing venues.
4. Council will not implement a key recommendation of The City of Melton Responsible Gambling Policy (2014).

## 7. Options

Council has the options to:

1. Note the Panel Report and accept the Panel's recommendation (**Appendix 1**) and adopt Amendment C182 to the Melton Planning Scheme as contained at **Appendix 2**: or
2. Abandon Amendment C182 to the Melton Planning Scheme.

## LIST OF APPENDICES

1. Panel Report - dated 11 February 2019
2. C182 Amendment documents - dated 25 May 2017
3. Planning Policy Reference Document - dated June 2017
4. Council Meeting Minutes - dated 15 October 2018

## 12.12 REQUEST FOR EXTENSION OF TIME TO PLANNING PERMIT PA2018/4962 AUTHORISING EARTHWORKS AT 379 PLUMPTON ROAD, DIGGERS REST

Author: Bob Baggio - Manager Planning Services  
Presenter: Luke Shannon - General Manager Planning & Development

### PURPOSE OF REPORT

To consider the above request for extension of time to an existing planning permit.

### RECOMMENDATION:

That Council refuse to extend the expiry date of the permit on the grounds outlined in **Appendix 2** of this report.

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### REPORT

#### 1. Executive Summary

This report relates to a request to extend time on a planning permit to reshape a horse training track on a large rural property in Diggers Rest. The matter was previously reported to Council which at its February meeting deferred consideration to enable further engagement with the landowner.

This consultation has occurred and the matter is remitted to Council for consideration. Council officer opposition to the proposal continues as outlined in the previous report.

#### 2. Background/Issues

Council at its meeting on 4 February 2019, considered a report on the above proposal and resolved as follows:

*'That Council defer consideration of the request for extension of time until after the applicants have had an opportunity to brief Council on the proposal and future plans for the land.'*

Subsequent to this, a meeting with the land owner, his planning consultant, Councillors and officers was conducted on 4 March 2019.

At the meeting, the following was discussed:

- Earthworks conducted on the site significantly exceeds the relatively discreet earthworks authorised by the permit for the regrading of a horse training track.
- The applicant argues that these extensive filling works were required to facilitate agricultural use of the property, and in any event does not require planning approval.
- The formation of the training track has taken place on top of the filled area however there is a section to the north west which has yet to be filled, and appears to be the basis for the extension of time request.
- The applicant did acknowledge that areas containing native vegetation had been filled, which would have required a planning permit.

- The applicant confirmed that further extensive land filling was envisaged, and that a comprehensive planning application was being prepared which would seek approval for the existing and proposed filling works and removal of native vegetation.

A copy of the previous officer report to Council with full details of the site and proposal is attached at **Appendix 1**.

From an officer perspective, it is considered that planning approval was required both for the earthworks which have been carried out and the consequent damage to native vegetation. It is also clear, that the works conducted bear no resemblance to what was approved under the permit, and that a more appropriate approach is that foreshadowed by the applicant with the preparation and submission of a new more realistic planning proposal for the future development of the land.

Therefore as outlined in the previous report, it is considered that the existing permit should not be extended any further.

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

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

3. A well planned and built City: A City with a clear vision to manage growth in a sustainable and accessible way
  - 3.1 *A City that strategically plans for growth and development.*

### **4. Financial Considerations**

None

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

Requests for extension of time are not subject to the notification requirements of the planning legislation. When a new planning application is made to legitimize existing earthworks and carry out future works, the proposal would need to be advertised to surrounding land owners.

### **6. Risk Analysis**

In the event that Council refuses to extend the permit as requested, the applicant has the opportunity to make application for a review at VCAT.

### **7. Options**

Council can either accept the officer recommendation or resolve to extend the time of the permit for a further period to enable completion of the training track.

## **LIST OF APPENDICES**

1. Planning Application PA 2018/4962 Council Report - dated 4 February 2019
2. Planning Application PA 2018/4962 - Grounds of Refusal from Council Report - undated

## 12.13 INSTRUMENTS OF DELEGATION UPDATE

**Author: John Whitfield - Governance Coordinator**  
**Presenter: Christine Denyer - Manager Legal and Governance**

### PURPOSE OF REPORT

To seek the approval of Council of the unchanged S5 Instrument of Delegation to the Chief Executive Officer and the revised S6 Instrument of Delegation - Members of staff.

### RECOMMENDATION:

That Council:

1. in exercise of the power conferred by Section 98(1) of the Local Government Act 1989 ('the Act'), and other legislation referred to in the attached Instruments of Delegation, delegates each duty and/or function and/or power described in column one of the Schedule (and summarised in column two of the schedule) to the Chief Executive Officer and member of the Council staff holding, acting in or performing the duties of the office of each such duty and/or function and/or power in column three of the schedule within:
    - i) S5 Instrument of Delegation to the Chief Executive Officer (**Appendix 1**)
    - ii) S6 Instrument of Delegation - Members of staff (**Appendix 2**)
  2. records that upon the coming into force of the revised Instruments of Delegations, each delegation under the former Instruments of Delegations by the Council are revoked.
  3. affix the Common Seal of the Council to:
    - i) S5 Instrument of Delegation to the Chief Executive Officer (**Appendix 1**)
    - ii) S6 Instrument of Delegation - Members of staff (**Appendix 2**)
- 

### REPORT

#### 1. Executive Summary

A Council may, by Council resolution, make an Instrument of Delegation and delegate to a member of its staff a range of powers, duties or functions of a Council under the *Local Government Act* 1989 ('the Act') or any other applicable Act.

The S5 Instrument of Delegation to the Chief Executive Officer and S6 Instrument of Delegation - Members of staff now presented to Council will provide for the proper and efficient use of Council's powers in allowing Council staff to undertake the day to day management of the organisation in a timely and responsive manner.

#### 2. Background/Issues

A Council may, by Instrument of Delegation, delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act other than:

- This power of delegation (except as provided for in s.98(3) of the *Local Government Act* 1989 that allows the CEO to sub-delegate)

- The power to declare a rate or charge
- The power to borrow money
- The power to approve any expenditure not contained in a budget approved by the Council
- Any power, duty or function of the Council under Section 223
- Any prescribed power.

A person exercising a delegation is effectively 'standing in the shoes of the Council'. A decision made under delegation is a decision of the Council. A delegation in force does not prevent Council from making the decision.

### **Melton City Council Instruments of Delegation and Sub-delegation**

The Council has four main Instruments of Delegation and Sub-delegation in place. Two of these instruments require approval by the Council and there are two instruments that the Chief Executive Officer gives approval to. These are as set out below:

#### **Instruments requiring Council approval**

- S5 Instrument of Delegation to the Chief Executive Officer
- S6 Instrument of Delegation - Members of staff

#### **Instruments requiring Chief Executive Officer approval**

- S7 Instrument of Sub-Delegation from CEO to Council staff
- S13 Instrument of Delegation of CEO powers, duties and functions

A brief description of each of these four instruments is provided below.

#### **S5 Instrument of Delegation to the Chief Executive Officer**

This Instrument of Delegation from Council to the Chief Executive Officer provides that the CEO has the power to:

1. Determine any issue,
2. Take any action, or
3. Do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act, subject to the conditions and limitations as outlined in the Instrument.

#### **S6 Instrument of Delegation - Members of staff**

This delegation covers a range of powers, duties and functions under specific Acts and Regulations where the delegation must be from the Council direct to the position, rather than through a sub-delegation from the Chief Executive Officer. These delegations must be direct from Council as the legislation or provisions contained in this instrument do not allow for sub-delegation.

#### **S7 Instrument of Sub-Delegation from CEO to Council staff**

This delegation covers powers, duties and functions under a wide range of Acts and Regulations and a range of miscellaneous (i.e. non statutory) items. It is a sub-delegation from the CEO to Council staff. The CEO's ability to sub-delegate to staff is provided to him by the Council in the execution of the 'S5 Instrument of Delegation to the Chief Executive Officer'.

#### **S13 Instrument of Delegation of CEO powers, duties and functions**

The delegations in this instrument are from the CEO to staff. It differs from the S7 Sub-delegation above as these are powers, duties and functions that legislation provides directly to the CEO rather than to the Council.

Council last updated its S5 and S6 Instruments of Delegation at its Ordinary meeting held 25 June 2018. Updates to the S7 and S13 instruments were made by the CEO also on that date.

While no change is proposed to the S5 Instrument of Delegation to the Chief Executive Officer, it is presented to Council for re-adoption.

The update of the S6 Instrument of Delegation - Members of staff as attached to this report takes into account a number of legislative changes plus some minor changes to delegates in the planning unit of Council that have occurred since 25 June 2018.

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

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

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

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

### **4. Financial Considerations**

There are no financial considerations relevant to this matter.

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

There is no requirement for public consultation in this process.

### **6. Risk Analysis**

The same risks apply in decision making by Officers as for decisions by Council. Namely that the decision could be tainted by conflict of interest, be ultra vires and may be subject to administrative review by a Court or Tribunal.

### **7. Options**

That Council adopt the Recommendation as presented.

## **LIST OF APPENDICES**

1. S5 Instrument of Delegation to the Chief Executive Officer - undated
2. S6 Instrument of Delegation - Members of Staff - undated



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

Reports on external Committees and external Representative Bodies for which Councillors have been appointed by Council.

**14. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS**

Address from Councillors in relation to matters of civic leadership and community representation, including acknowledgement of community groups and individuals, information arising from internal Committees, advocacy on behalf of constituents and other topics of significance.

**15. NOTICES OF MOTION****15.1 NOTICE OF MOTION 624 (CR ABBOUSHI)****Councillor: Steve Abboushi - Councillor**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 1 April 2019 and in doing so acknowledge the work of Cr Majdlik on this matter.

**MOTION:**

That:

1. Council officers commence discussions with the principal of Springside West Secondary College about the potential of establishing a sporting league standard oval on the school site. These discussions to include the Victorian School Building Authority and the possibility of a partnership arrangement with the school and Council; and
2. a report to be presented back to Council outlining potential options for this to occur.

**OFFICER'S COMMENTS:**

If Council endorses this Notice of Motion, a request will be presented to Council.

- 16. COUNCILLOR'S QUESTIONS WITHOUT NOTICE**
- 17. MOTIONS WITHOUT NOTICE**
- 18. URGENT BUSINESS**

## 19. CONFIDENTIAL BUSINESS

### Recommended Procedural Motion

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 Notice of Motion 623 (Cr Majdlik)**

(h) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person.

**19.2 Municipal Audit Committee Meeting Minutes 27 February 2019 - Confidential Report**

(f) as it relates to legal advice.

**19.3 City of Melton Youth Awards 2019**

(h) as it relates to any other matter which the Council or special committee considers would prejudice the Council or any person.

**Recommended Procedural Motion**

That the meeting be opened to the public.

**20. CLOSE OF BUSINESS**