



# MELTON CITY COUNCIL

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

**10 November 2015**

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

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**TABLE OF CONTENTS**

<b>1.</b>	<b>OPENING PRAYER, AND RECONCILIATION STATEMENT</b>	<b>6</b>
<b>2.</b>	<b>APOLOGIES AND LEAVE OF ABSENCE</b>	<b>6</b>
<b>3.</b>	<b>CHANGE TO THE ORDER OF BUSINESS</b>	<b>6</b>
<b>4.</b>	<b>DEPUTATIONS</b>	<b>6</b>
<b>5.</b>	<b>DECLARATION OF ANY PECUNIARY INTEREST, OTHER INTEREST OR CONFLICT OF INTEREST OF ANY COUNCILLOR</b>	<b>6</b>
<b>6.</b>	<b>ADOPTION AND CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>	<b>7</b>
<b>7.</b>	<b>CORRESPONDENCE INWARD</b>	<b>8</b>
<b>7.1</b>	<b>PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR</b>	<b>8</b>
	<ul style="list-style-type: none"><li>The Hon James Merlino MP - Deputy Premier and Minister for Education – School designated neighbourhood areas.</li></ul>	
<b>8.</b>	<b>PETITIONS AND JOINT LETTERS</b>	<b>9</b>
<b>9.</b>	<b>RESUMPTION OF DEBATE OR OTHER BUSINESS CARRIED OVER FROM A PREVIOUS MEETING</b>	<b>9</b>
<b>10.</b>	<b>PUBLIC QUESTION TIME</b>	<b>9</b>
<b>11.</b>	<b>PRESENTATION OF STAFF REPORTS</b>	<b>10</b>
<b>11.1</b>	<b>AUTHORISATION OF AFFIXING THE COMMON SEAL OF COUNCIL</b>	<b>10</b>
	For Council to adopt the schedule of documents requiring the Common Seal of Council.	
<b>11.2</b>	<b>LEISURE ADVISORY COMMITTEE MEETING MINUTES - 24 AUGUST 2015</b>	<b>12</b>
	To present the minutes of the Leisure Advisory Committee meeting held on Monday, 24 August 2015.	

- 11.3 COUNCILLOR REPRESENTATION NOMINATIONS ADVISORY COMMITTEE MEETING MINUTES - 4 NOVEMBER 2015** 14
- To present the minutes of the Councillor Representation Nominations Advisory Committee meeting held on Wednesday, 4 November 2015.
- 11.4 EARLY YEARS PARTNERSHIP COMMITTEE MEETING MINUTES - 15 OCTOBER 2015** 16
- To present the minutes of the Early Years Partnership Committee meeting held on Thursday, 15 October 2015.
- 11.5 DISABILITY ADVISORY COMMITTEE MEETING MINUTES - 1 OCTOBER 2015** 18
- To present the minutes of the Disability Advisory Committee meeting held on Thursday, 1 October 2015.
- 11.6 HERITAGE ADVISORY COMMITTEE MEETING MINUTES - 9 OCTOBER 2015** 20
- To present the minutes of the Heritage Advisory Committee Meeting held on Friday, 9 October 2015.
- 11.7 ARTS AND CULTURE ADVISORY COMMITTEE MINUTES - 28 SEPTEMBER 2015** 22
- To present the minutes of the Arts and Culture Advisory Committee meeting held Monday, 28 September 2015.
- 11.8 MUNICIPAL AUDIT COMMITTEE MINUTES - 28 OCTOBER 2015** 24
- To present to Council the minutes of the Municipal Audit Committee meeting held on Wednesday, 28 October 2015.
- 11.9 PROPOSED TELECOMMUNICATIONS LEASE FOR APPROVED PLANNING APPLICATION PA2012/3471/2 (MELTON)** 26
- To authorise the Chief Executive Officer to enter a lease with Vodafone Pty Ltd, to allow the construction of a mobile telecommunication facility previously approved by Council through the planning approval process.
- 11.10 PROPOSED TELECOMMUNICATIONS LEASE FOR APPROVED PLANNING APPLICATION PA2015/4769 (CAROLINE SPRINGS)** 29
- To authorise the Chief Executive Officer to enter a lease with Vodafone Pty Ltd, to allow the construction of a mobile telecommunication facility previously approved by Council through the planning approval process.
- 11.11 SPRINGSIDE SCHOOL PRECINCT (LANCEFIELD DRIVE) - PEDESTRIAN CROSSING.** 32
- To present the traffic assessment and options available to Council in response to a petition with 70 signatures, tabled at the Ordinary Meeting

held 13 October 2015, requesting for 'the upgrade of pedestrian crossing' on Lancefield Drive, adjacent to Southern Cross Grammar school'.

- 11.12 C145 AMENDMENT TO THE MELTON PLANNING SCHEME - ROCKBANK PRECINCT STRUCTURE PLAN COUNCIL SUBMISSION** **35**
- To consider the Planning Scheme Amendment C145 Rockbank Precinct Structure Plan and Development Contributions Plan.
- 11.13 AMENDMENT C171 TO THE MELTON PLANNING SCHEME - RETAIL ACTIVITY CENTRES STRATEGY INCORPORATION INTO THE MELTON PLANNING SCHEME** **42**
- To consider the preparation and exhibition of Amendment C171 to the Melton Planning Scheme to implement recommendations of the Retail and Activity Centres Strategy
- 11.14 PLANNING APPLICATION PA 2015/4897 - RE-SUBDIVISION AT 1757 - 1799 GISBORNE MELTON ROAD, KURUNJANG** **46**
- To consider a planning application for a re-subdivision of two existing lots at 1757 - 1799 Gisborne Melton Road, Kurunjang.
- 11.15 PLANNING APPLICATION PA 2015/4826 - SIX DOUBLE STOREY DWELLINGS AND A REDUCTION IN CAR PARKING AT 3 CRESTMONT DRIVE, MELTON SOUTH** **52**
- To consider a planning application for the construction of six double storey dwellings at 3 Crestmont Drive, Melton South.
- 11.16 VCAT DECISION ON APPLICATION FOR PLANNING PERMIT No. PA2014/4494 - 13 SPEARGRASS DRIVE, HILLSIDE.** **60**
- To advise Council of a recent VCAT decision relating to a planning application to construct two additional dwellings on land at 13 Speargrass Drive, Hillside.
- 11.17 VCAT DECISION ON APPLICATION FOR PLANNING PERMIT No. PA2014/4439 - 18 CREEKBANK PLACE, CAROLINE SPRINGS.** **63**
- To advise Council of a recent VCAT decision relating to a planning application to construct a second dwelling on land at 18 Creekbank Place, Caroline Springs.
- 11.18 VIETNAM VETERANS MEMORIAL PROPOSAL** **66**
- To seek Council support for, and financial contribution toward, a proposed Vietnam Veterans Memorial on the corner of High Street and Smith Street, Melton.

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<b>11.19</b>	<b>WESTERN METROPOLITAN REGION FOOTBALL FACILITIES STRATEGY</b>	<b>69</b>
	To present the draft Western Metropolitan Region Football Facilities Strategy to Council and seek approval for the draft Strategy to progress to the community consultation phase.	
<b>11.20</b>	<b>WHITTEN PROJECT 2015 REVIEW</b>	<b>73</b>
	To present to Council the outcome of the 2015 Whitten Project.	
<b>11.21</b>	<b>SUPPORTED PLAYGROUP AND OCCASIONAL CARE FUNDING</b>	<b>77</b>
	To present a summary of the State and Federal Government funding changes to the Occasional Care and Supported Playgroup programs.	
<b>12.</b>	<b>REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES</b>	<b>80</b>
<b>13.</b>	<b>COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS</b>	<b>81</b>
<b>13.1</b>	<b>RECORD OF ASSEMBLY OF COUNCILLORS IN ACCORDANCE WITH SECTION 80A(1) OF THE LOCAL GOVERNMENT ACT 1989</b>	<b>81</b>
	<ul style="list-style-type: none"><li>• 20 October 2015.</li><li>• 4 November 2015.</li></ul>	
<b>13.2</b>	<b>PUBLIC ADDRESS BY EACH COUNCILLOR</b>	<b>82</b>
<b>14.</b>	<b>NOTICES OF MOTION</b>	<b>83</b>
<b>14.1</b>	<b>NOTICE OF MOTION 411 (CR TURNER)</b>	<b>83</b>
<b>14.2</b>	<b>NOTICE OF MOTION 412 (CR RAMSEY)</b>	<b>83</b>
<b>15.</b>	<b>COUNCILLOR'S QUESTIONS WITHOUT NOTICE</b>	<b>85</b>
<b>16.</b>	<b>MOTIONS WITHOUT NOTICE</b>	<b>86</b>
<b>17.</b>	<b>URGENT BUSINESS</b>	<b>86</b>
<b>18.</b>	<b>CONFIDENTIAL BUSINESS</b>	<b>87</b>
<b>18.1</b>	<b>CONTRACT NO. 16/018 - PROVISION OF INFORMATION TECHNOLOGY NETWORK AND COMMUNICATION SERVICES</b>	<b>88</b>
	For Council to consider the tender for the supply of information technology network and communication services.	

<b>18.2</b>	<b>AWARDING OF CONSTRUCTION CONTRACTS</b>	<b>93</b>
	To seek Council's approval for the Chief Executive Officer to have delegated authority to award Contract 16/011 Annual Resurfacing Program and Contract 16/020 5 McKenzie Street development .	
<b>11.3</b>	<b>MELTON WAVES LEISURE CENTRE PROPOSED MANAGEMENT MODEL</b>	<b>98</b>
	Present to Council a recommendation on a future management model for Melton Waves Leisure Centre.	
<b>18.4</b>	<b>APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBER</b>	<b>102</b>
	To present to Council the recommendation from Committee of Mayor and Chief Executive who have considered the Expressions of Interest received for the ordinary vacancy that exists on Council's Audit Committee.	
<b>18.5</b>	<b>MUNICIPAL AUDIT COMMITTEE MEETING MINUTES - 28 OCTOBER 2015 - CONFIDENTIAL ITEMS</b>	<b>104</b>
	To present to Council the in-camera minutes of the Municipal Audit Committee meeting held Wednesday, 28 October 2015.	
<b>19.</b>	<b>CLOSE OF BUSINESS</b>	<b>106</b>

## MELTON CITY COUNCIL

### MINUTES OF THE ORDINARY MEETING OF THE MELTON CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, 232 HIGH STREET, MELTON ON 10 NOVEMBER 2015 AT 7PM

**Present:** Cr K Majdlik (Mayor)  
Cr R Cugliari (Deputy Mayor)  
Cr M Bentley  
Cr L Carli  
Cr K Ramsey  
Cr B Turner

Mr K Tori, Chief Executive Officer  
Mr P Bean, General Manager Corporate Services  
Mr M Heaney, General Manager Community Services  
Mr L Shannon, General Manager Planning and Development  
Ms LJ Mellan, Manager City Design, Strategy and Environment  
Mr A Burns, Manager Recreation and Youth  
Mr D Hogan, Manager Customer Engagement  
Ms A Raijer, Communications Coordinator  
Ms T Spiteri, Governance Coordinator

#### **1. OPENING PRAYER AND RECONCILIATION STATEMENT**

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

#### **2. APOLOGIES AND LEAVE OF ABSENCE**

Cr N Dunn.

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

Nil.

#### **4. DEPUTATIONS**

Nil.

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

Nil.

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

That the Minutes of the Ordinary Meeting of Council held on 13 October 2015, Special Meeting of Council held on 20 October 2015 and Special Meeting of Council held on 27 October 2015 be confirmed as a true and correct record.

Crs Ramsey/Cugliari. That the recommendation be adopted.

CARRIED



Cr Bob Turner left the Chamber at 7:05pm.

## **7. CORRESPONDENCE INWARD**

### **7.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR**

- The Hon James Merlino MP - Deputy Premier and Minister for Education – School designated neighbourhood areas.

#### **RECOMMENDATION:**

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

#### **Motion**

Crs Majdlik/Bentley.

That the Parliamentarian and Departmental letters received by the Mayor be received and noted, and a copy of the letter be sent to the resident upon whose inquiry precipitated the correspondence.

CARRIED

#### **LIST OF APPENDICES**

1. Correspondence - The Hon James Merlino MP - Deputy Premier and Minister for Education - School Designated Neighbourhood Areas.

Cr Bob Turner returned to the Chamber at 7.06pm.

Cr Lara Carli left the Chamber at 7:07pm.

**8. PETITIONS AND JOINT LETTERS**

Nil.

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

Nil.

**10. PUBLIC QUESTION TIME**

<b>Name</b>	<b>Question asked of Council</b>
Ali Kendall	Increasing security of Council assets at MacPherson Park.
Daniel Wills	Enforcement of the General Local Law with the use of motorised boats at Navan Park.
David O'Connor	Diggers Rest suburb name.
David O'Connor	Community consultation with Diggers Rest residents with proposed Cradle Road Park upgrades.

Cr Lara Carli returned to the Chambers at 7.10pm.

## 11. PRESENTATION OF STAFF REPORTS

### Procedural Motion

Crs Ramsey/Turner

That the recommendations as printed in items 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.15 and 11.19 be adopted in block.

CARRIED

### 11.1 AUTHORISATION OF AFFIXING THE COMMON SEAL OF COUNCIL

**Author: Tracy Spiteri- Governance Coordinator**

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

#### 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 Tuesday, 10 November 2015.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

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

### 2. Background/Issues

Use of the Council Seal is required where Council as a body corporate is required to acquit a document or agreement for the purpose of performing its functions and exercising its powers.

The *Local Government Act 1989* prescribes that a Council must have a common seal, and that the common seal must –

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

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

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

The Melton City Council 2013-2017 Council Plan references:

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

2.6 *Ensure timely compliance with statutory and regulatory obligations.*

### **4. Financial Considerations**

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

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

Not applicable.

### **6. Risk Analysis**

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

### **7. Options**

Not applicable.

## **LIST OF APPENDICES**

1. Schedule for Authorising of Affixing the Common Seal

## 11.2 LEISURE ADVISORY COMMITTEE MEETING MINUTES - 24 AUGUST 2015

**Author: Nicole Willis- Recreation Development Officer**  
**Presenter: Maurie Heaney- General Manager Community Services**

### PURPOSE OF REPORT

To present the minutes of the Leisure Advisory Committee meeting held on Monday, 24 August 2015.

### RECOMMENDATION:

That Council note the minutes of the Leisure Advisory Committee meeting held on Monday, 24 August 2015.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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### REPORT

#### 1. Executive Summary

The Leisure Advisory Committee has been established to provide advice to Council on matters relating to leisure and recreation within the municipality.

Membership of the Committee is drawn from key stakeholders and subject matter experts to develop partnership responses to the local communities leisure and recreation needs.

The minutes of the 24 August 2015 meeting is attached at **Appendix 1** for Council awareness.

#### 2. Background/Issues

The purpose of the Committee is to provide advice and recommendations to Council relating to Leisure and Recreation matters within the municipality.

At its meeting of Monday 24 August 2015, the Committee discussed the following:

- The outstanding actions from the last meeting
- An update on the Bridge Road Athletics/Hockey Facility in Atherstone
- The Melton Club of the Year Award
- The Sporting Clubs ICE Forum
- The Melton Sport Awards Night
- Melton City Clubs Update

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

The Melton City Council 2013-2017 Council Plan references:

4. Community Health and Wellbeing: A City of people leading healthy and happy lives

*4.3 Encourage our community to be physically active and healthy*

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

Operational expenses extending from the Leisure Advisory Committee are accommodated within Councils recurrent budgets.

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

The Leisure Committee is an Advisory Committee of Council and where public consultation and/or submissions are identified as being appropriate, the Committee will recommend an appropriate consultation process to Council for endorsement.

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

Failure to address issues with and promote opportunities for leisure and recreation in the municipality could provide a risk that Council may not meet the health and well being needs of our growing community. To improve community health and wellbeing, Council must ensure that the community is understanding and aware of the leisure and recreation opportunities available.

#### **7. Options**

The Leisure Advisory Committee is a Committee to Council, therefore Council has the discretion to accept, reject or seek further information on the Committee's minutes, reports and/or recommendations, as Council deems appropriate.

#### **LIST OF APPENDICES**

1. Leisure Advisory Committee Meeting Minutes

### **11.3 COUNCILLOR REPRESENTATION NOMINATIONS ADVISORY COMMITTEE MEETING MINUTES - 4 NOVEMBER 2015**

**Author: Tracy Spiteri- Governance Coordinator**  
**Presenter: Peter Bean- General Manager Corporate Services**

#### **PURPOSE OF REPORT**

To present the minutes of the Councillor Representation Nominations Advisory Committee meeting held on Wednesday, 4 November 2015.

#### **RECOMMENDATION:**

That Council:

1. note the minutes of the Councillor Representation Nominations Advisory Committee meeting held on Wednesday, 4 November 2015
2. adopt the recommendations arising within the minutes.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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#### **REPORT**

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

Council are required to periodically review its representation on Committees and other organisations. This process allows Councillors the opportunity to consider the committees and groups they are able to represent on behalf of Council for the forthcoming calendar year.

At the Ordinary Meeting 8 September 2015, Council adopted the Terms of Reference (ToR) for the Councillor Representation Nominations Advisory Committee (CRNAC) which outlines the establishment, composition and operating procedures in the recommending of Councillor membership to committees (Council and other), boards, peak bodies and other decision making bodies for which a Councillor representative is required. The appointment of Councillors as representatives on external bodies and advisory committees plays an integral part in Councillors exercising their representation and advocacy responsibilities on behalf of the community.

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

It is an established practice to review annually the Councillor representation on Special Committees, Advisory Committees and other organisations.

Apart from the meetings of the Council, there are a wide range of committees/organisations where the constituted membership includes representation from Council. Such representation plays an essential role in policy development, advocacy, planning and provision of a wide range of services directly relevant to the City's community and provides a framework for council to receive community feedback and external advice.

There are basically two groups of committees that relate to Council:

- Advisory Committees of Council that consider issues and make recommendations to the full Council. The Committees role is defined in its approved terms of reference.

- Special Committees of Council that have delegated power.

There are organisations external to Council that also includes representation of Council by Councillors.

Councillors/Council Officers appointed to these groups/committees will have a responsibility to report to Council. These reports can be in writing or in the form of minutes of the meetings. In particular, where there are no Council Officers present/or minutes taken, items of significance from those meetings can be read into the minutes of the Council meeting via a short verbal report with a report in writing appended to the Council Minutes.

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

The Melton City Council 2013-2017 Council Plan references:

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

*2.3 Facilitate community engagement in planning and decision making*

### **4. Financial Considerations**

Costs associated with Councillor representation on Committees and external bodies are borne through normal budget estimates each financial year.

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

The CRNAC is an Advisory Committee of Council and is an internal process of Councillors nominating which group and/or committee they intend to be Councils representative on. Consequently, no public consultation is undertaken.

### **6. Risk Analysis**

The process undertaken has been conducted over a long period of time allowing Councillors the opportunity to engage and represent a wide range of community interests through these committees and groups.

### **7. Options**

It is considered that in the interest of the whole community, Councillor Committee representation will ensure a coordinated focus on high level strategy projects, decision making and proposed initiatives.

## **LIST OF APPENDICES**

1. Councillor Representation Nominations Advisory Committee - Minutes 4 November 2015.



## 11.4 EARLY YEARS PARTNERSHIP COMMITTEE MEETING MINUTES - 15 OCTOBER 2015

**Author: Leigh Cruickshank- Coordinator Early Years Partnerships**  
**Presenter: Maurie Heaney- General Manager Community Services**

### PURPOSE OF REPORT

To present the minutes of the Early Years Partnership Committee meeting held on Thursday, 15 October 2015.

### RECOMMENDATION:

That Council note the minutes of the Early Years Partnership Committee meeting held on Thursday, 15 October 2015.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Early Years Partnership Committee (EYPC) was established in 2011. Key roles of the Committee are to work collaboratively to monitor and evaluate the Municipal Early Years Plan 2014-2017. The Committee is also responsible for implementing, monitoring and evaluating the Best Start Action Plan 2015-2016.

Committee membership is drawn from Community Representatives and external partners who provide services to families and children within the City. The Committee meets bimonthly, and attached to this report are the minutes of the 15 October 2015 meeting.

### 2. Background/Issues

The EYPC is responsible for providing direction, involvement and advice to Council concerning the support, development and improvement of the health and wellbeing of children aged 0-12 years.

The EYPC meeting on 15 October 2015 attached at **Appendix 1** addressed the following:

- future direction of the Best Start program and proposed changes to associated working groups structure
- a workshop to follow up the Kororoit Creek Primary school children's consultation into barriers to physical activity
- presentation on Child FIRST service including appropriate referral processes
- involvement in a Culturally and Linguistically Diverse action research project
- National Disability Insurance Scheme information update
- Reported announcement of \$3.5 million funding for Melton under the State Government's Interface Growth Fund for the township landscape improvements.

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

The Melton City Council 2013-2017 Council Plan references:

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

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

### **4. Financial Considerations**

Nil.

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

The Committee is comprised of 21 members representing a range of sectors including but not limited to State Government, education, disability, health, family support and representatives from the community.

The Committee receive, respond and monitor identified community, industry and/or Council initiatives and opportunities in an inclusive and consultative approach.

### **6. Risk Analysis**

Regularly providing information on Early Years Partnership activities assists Council in identifying any possible identified risk exposure to Council or providers.

### **7. Options**

The Early Years Partnership Committee is an Advisory Committee of Council, with Council discretion to accept or reject Committee recommendations as presented.

## **LIST OF APPENDICES**

1. Early Years Partnership Committee minutes 15 October 2015

## 11.5 DISABILITY ADVISORY COMMITTEE MEETING MINUTES - 1 OCTOBER 2015

**Author: Maree Heaney- Community Participation and Engagement Coordinator**  
**Presenter: Maurie Heaney- General Manager Community Services**

### PURPOSE OF REPORT

To present the minutes of the Disability Advisory Committee meeting held on Thursday, 1 October 2015.

### RECOMMENDATION:

That Council note the minutes of the Disability Advisory Committee meeting held on Thursday, 1 October 2015.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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### REPORT

#### 1. Executive Summary

The Disability Advisory Committee (DAC) has been established to provide advice to Council on issues and barriers that affect people with a disability living, working, recreating or studying in the City of Melton.

Membership of the Committee is drawn from people with a disability, carers of people with a disability and community service providers who have a significant role in delivering services and responding to local disability priorities.

The minutes of the DAC meeting held on 1 October 2015 are attached at **Appendix 1**.

#### 2. Background/Issues

The DAC meets bi-monthly to consider matters in relation to the needs of people with a disability and to raise advocacy issues for Council to consider.

The DAC meeting on 1 October 2015 addressed the following:

- Victorian Electoral Commission Disability Action Plan 2016 - 2019
- Melton GO! Respite Program
- Progress of the McKenzie Street Development
- Update on Victorian and Commonwealth Governments transitioning of aged care and disability services.

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

The Melton City Council 2013 - 2017 Council Plan references:

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

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

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

Operational expenses and initiative related to the DAC are accommodated within Council's recurrent budget programs.

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

The DAC is an Advisory Committee of Council, and where public consultation and/or submissions are identified as being appropriate, the Committee will recommend an appropriate consultation process to Council for endorsement.

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

The DAC ensure continued meaningful engagement and dialogue with people with a disability, carers and community service providers and ensures relationships and resources are adequately aligned and assist Council in mitigating possible risk.

#### **7. Options**

The DAC is an Advisory Committee to Council, therefore has the discretion to accept, reject or amend the Committee's recommendations as Council deems appropriate.

### **LIST OF APPENDICES**

1. Minutes of the Melton Disability Advisory Committee - 1 October 2015

## 11.6 HERITAGE ADVISORY COMMITTEE MEETING MINUTES - 9 OCTOBER 2015

Author: Matthew Milbourne- Senior Strategic Planner  
Presenter: Laura-Jo Mellan- Manager City Design, Strategy & Environment

### PURPOSE OF REPORT

To present the minutes of the Heritage Advisory Committee Meeting held on Friday, 9 October 2015.

### RECOMMENDATION:

That Council:

1. note the minutes of the Heritage Advisory Committee Meeting held on Friday, 9 October 2015
2. adopt the recommendations arising within the minutes.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Heritage Advisory Committee provides advice to Council on the management and conservation of heritage in the City of Melton. The Committee makes recommendations to Council for applications to the Heritage Assistance Fund and advocates on behalf of the community on heritage matters.

At the 9 October meeting, the Heritage Advisory Committee discussed controls that can be used to identify and protect significant trees in the City of Melton, identified future research priorities, received an overview of Council heritage asset works, and assessed the application received for the Heritage Assistance Fund.

There is one recommendation to Council from the Heritage Advisory Committee arising from the meeting. This is to approve the award of money from the Heritage Assistance Fund for one property for the amount of \$6,268.50.

### 2. Background/Issues

At the 9 October meeting, the Committee:

- Discussed and made a recommendation to Council on the award of money from the Heritage Assistance fund. Two applications were received. However one was incomplete and was therefore an invalid application.

The valid application is for the painting of the exterior of Creighton at 1622-1642 Gisborne-Melton Road, Toolern Vale. The house is listed in the Melton Planning Scheme (HO26).

The amount requested is \$6,268.50 which is less than the \$10,000 of funds that are available in the budget.

The Committee assessed the application and unanimously agreed to recommend to Council that \$6,268.50 be allocated to the painting of this building which will conserve original heritage fabric of the house.

- Discussed changing the way that the Heritage Assistance Fund is conducted for 2016 to canvas a wider range of applications.
- Discussed the different kinds of mechanisms which can be employed by Council to identify and protect significant trees in the City of Melton.
- Identified future research priorities to protect buildings from the Satellite City era.
- Received an overview of works current being undertaken on Council owned and managed heritage assets including; the Melton Court House, Morton Homestead, and the Willows.

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

The Melton City Council 2013-2017 Council Plan references:

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

### **4. Financial Considerations**

The funding for the Heritage Assistance Fund is a recurring grant allocated in the Council budget each financial year. Applications for the fund are assessed by the Committee and approved by Council. Any money awarded must be acquitted within the same financial year.

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

Not applicable.

### **6. Risk Analysis**

The Committee has an advisory capacity only, and can make recommendations that Council can choose not to adopt. Accordingly, it is considered that there is limited risk to Council.

### **7. Options**

Council has the option to:

1. adopt the recommendation of the Committee in respect to the award of the Heritage Assistance Fund and note the minutes of the Heritage Advisory Committee Meeting of 9 October 2015, or
2. not adopt the recommendations.

### **LIST OF APPENDICES**

1. Heritage Advisory Committee Minutes - 9 October 2015

## 11.7 ARTS AND CULTURE ADVISORY COMMITTEE MINUTES - 28 SEPTEMBER 2015

Author: Christine Sita- Events Officer

Presenter: Peter Bean- General Manager Corporate Services

### PURPOSE OF REPORT

To present the minutes of the Arts and Culture Advisory Committee meeting held Monday, 28 September 2015.

### RECOMMENDATION:

That Council note the minutes of the Arts and Culture Advisory Committee meeting held Monday, 28 September 2015.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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### REPORT

#### 1. Executive Summary

The Arts and Culture Advisory Committee (AACAC) meet four times per year and is monitoring the progress and delivery of a suite of projects for the last phase of Imagine Melton Arts and Culture Strategy 2011-2015.

#### 2. Background/Issues

The Arts and Culture Advisory Committee are active and participatory members and in line with the Terms of Reference provide specialist advice to ensure that community expectations are being met. This advice specifically refers to the marketing and promotion of the CS Gallery space; the activation of Raglan Cottage through Artist in Residence programs; and Imagine Melton project plans.

The AACAC meeting on Monday, 28 September 2015 **Appendix 1** addressed the following topics:

- Review of CS Gallery
- Program proposal for Artist in Residence
- Mayoral Sculpture Award update
- Program proposals for 2015/16: The VCE Arts Show and Performing Arts Program for Secondary Schools and the wider Melton community
- Networking group with community secondary schools
- Internal Arts support working group

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

The Melton City Council 2013-2017 Council Plan references:

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

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

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

Financial consideration in relation to any programs discussed and the review of the CS Gallery are contained within the 2015/16 Council Budget.

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

No requirement for consultation was required in the production of this report.

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

The Committee has an advisory capacity only, and can make recommendations that Council can choose not to adopt. Accordingly, it is considered that there is limited risk to Council.

#### **7. Options**

As the minutes did not contain any recommendation for Council consideration, there are no options presented.

### **LIST OF APPENDICES**

1. Arts and Culture Advisory Committee Minutes - 28 September 2015



**11.8 MUNICIPAL AUDIT COMMITTEE MINUTES - 28 OCTOBER 2015**

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, 28 October 2015.

**RECOMMENDATION:**

That Council:

1. note the minutes of the Municipal Audit Committee meeting held Wednesday, 28 October 2015
2. adopt the recommendations arising within the minutes.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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

The minutes of the Audit Committee meeting held on 28 October 2015 are appended to this report as Appendix 1. The Committee considered various issues in relation to risk, financial management and governance and the minutes contain recommendations for the consideration of Council.

**2. Background/Issues**

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

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

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

The Melton City Council 2013-2017 Council Plan references:

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

*2.6 Ensure timely compliance with statutory and regulatory obligations*

**4. Financial Considerations**

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

**5. Consultation/Public Submissions**

The Municipal Audit Committee consists of Councillors Ramsey and Majdlik and three independent external audit members Mr Alan Hall as Chairperson, Mr Adam Roberts and Mr Stan Naylor.

**6. Risk Analysis**

N/A

**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

## **11.9 PROPOSED TELECOMMUNICATIONS LEASE FOR APPROVED PLANNING APPLICATION PA2012/3471/2 (MELTON)**

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

### **PURPOSE OF REPORT**

To authorise the Chief Executive Officer to enter a lease with Vodafone Pty Ltd, to allow the construction of a mobile telecommunication facility previously approved by Council through the planning approval process.

### **RECOMMENDATION:**

That Council authorise the Chief Executive Officer

- 1) to take any action required to enter a lease with Vodafone Pty Ltd to allow telecommunication infrastructure to be installed at Melton Waves, 206 Coburns Rd, Melton, in accordance with Planning Permit PA2012/3471/2 and the commercial terms detailed within this report, and
- 2) to affix the common seal of Council to final lease documentation.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## **REPORT**

### **1. Executive Summary**

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

From time to time, Council receives planning applications for mobile phone towers and associated structures. Where intended to be built on Council land, a lease must also be entered into.

Council issued planning permit PA2012/3471/2 (**Appendix 1**) to Vodafone Pty. Ltd. in June this year for the purpose of a mobile telecommunication facility. The permit allowed construction, subject to conditions, at Melton Waves car park, 206 Coburns Rd, Melton. A lease with Council is now required to proceed.

Council has completed the statutory obligations under section 190 and 223 of the Local Government Act (1989), having advertised its intent to enter a lease with Vodafone for the purposes of constructing a mobile telecommunication facility. Council received no objections during the statutory 28 day period.

Consequently, Council intends to proceed with a lease including commercial terms of 20 years with break periods at 5, 10 and 15 years, with a commencing rent of \$13,000 per annum plus GST. Rent will be increased by CPI on each anniversary of the commencement date, compounding annually.

Council has engaged Maddocks law firm to draw up a lease, ensuring that the interests of both Council and the community are appropriately protected. The lease will include standard clauses such as repairs and damage, allowable use of premises, insurance, release and indemnity, sub-letting etc., typical of leases of this nature.

## 2. Background/Issues

Planning Permit PA2012/3471/2 (**Appendix 1**) was issued by Council on 19 June 2015 for the purpose of a telecommunications facility comprising a 30m high monopole with attached antennas and associated equipment shelter, located within the Melton Waves car park at 206 Coburns Rd, Melton.

This planning permit was originally issued 20 November 2012, for a 20 metre monopole in the same location. No lease was entered into at the time, as the applicant advised that an internal review of assets and infrastructure was to be completed prior to any additional infrastructure investment.

The attached planning permit details conditions applying to the construction, and also includes detailed planning drawings from Vodafone including site locality, site plan and approved landscaping plan.

The physical installation will replace an existing light tower, minimising visual impact. Lights will be reinstalled on the new tower at the same location, set direction and luminance.

As Council has already approved the built infrastructure, the decision before Council is administrative in nature, to allow the Chief Executive Officer to advance the leasing requirements.

Council has engaged Maddocks law firm to draw up the lease, ensuring that the interests of both Council and the community are appropriately protected. The lease will include standard clauses such as repairs and damage, allowable use of premises, insurance, release and indemnity, sub-letting etc., typical of leases of this nature.

In order to expedite proceedings for Council and telecommunications carriers seeking to invest in infrastructure to meet community demand for high volumes of mobile data, Council is currently investigating a change of process to approve lease arrangements at the time of issuing planning approval.

## 3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

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

## 4. Financial Considerations

Commercial terms under the lease will ensure Council will receive \$13,000 per annum plus GST at the commencement of the lease. This amount will increase annually by CPI compounding. There are also break periods at 5, 10 and 15 year intervals.

Full legal costs are yet to be established for the preparation of the lease documents, for which Vodafone has agreed to contribute up to \$4,000 + GST.

Minor costs in relation to public advertising of Council's intent to enter leasing arrangements have been expended, provided for within the Governance recurrent budget.

## 5. Consultation/Public Submissions

Council advertised its intent to enter a lease with Vodafone, for the purposes of a telecommunication facility, within The Age and Leader newspapers as required by sections 190 and 223 of The Act. No objections were received.

In addition, through the planning permit application process, mandatory public consultation was also undertaken.

For Planning Permit PA2012/3471 in 2012, nine objections and two petition comprising 38 signatures of no support were received. The concerns of the objectors to the original application related to visual and recreational amenity, health, inadequate community consultation and communication and devaluation of property values. Officers determined that the application appropriately addressed objector concerns and at Council meeting on 31 May 2012, Council resolved to support the application and issue a favourable Notice of Decision.

## **6. Risk Analysis**

Predominately administrative in nature, there is no risk inherent in entering leases with Vodafone to allow construction of mobile telecommunication infrastructure as previously approved by Council through the planning approval process.

Refusal of the recommendation may cause the carrier to invoke powers vested by the federal Telecommunications Act 1997, in which access to the land may be forced without Council consent. It would also be inconsistent with Council's previous decision to grant Planning Permits for each respective application.

## **7. Options**

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

## **LIST OF APPENDICES**

1. Permit & Drawings PA2012/3471/2

## 11.10 PROPOSED TELECOMMUNICATIONS LEASE FOR APPROVED PLANNING APPLICATION PA2015/4769 (CAROLINE SPRINGS)

Author: Daniel Hogan- Manager Customer Engagement  
Presenter: Peter Bean- General Manager Corporate Services

### PURPOSE OF REPORT

To authorise the Chief Executive Officer to enter a lease with Vodafone Pty Ltd, to allow the construction of a mobile telecommunication facility previously approved by Council through the planning approval process.

### RECOMMENDATION:

That Council authorise the Chief Executive Officer:

- 1) to take any action required to enter a lease with Vodafone Pty Ltd to allow telecommunication infrastructure to be installed at 72-80 Caroline Springs Boulevard, Caroline Springs, in accordance with Planning Permit PA2015/4769 and the commercial terms detailed within this report, and
- 2) to affix the common seal of Council to final lease documentation.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

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

From time to time, Council receives planning applications for mobile phone towers and associated structures, and where intended to be built on Council land, a lease must also be entered into.

Council issued planning permit PA2015/4769 (**Appendix 1**) to Vodafone Pty. Ltd. in August this year for the purpose of a mobile telecommunication facility. The permit allowed construction, subject to conditions, at 72-80 Caroline Springs Boulevard, Caroline Springs. A lease with Council is now required to proceed.

Council has completed the statutory obligations under section 190 and 223 of the Local Government Act (1989), having advertised its intent to enter a lease with Vodafone for the purposes of constructing a mobile telecommunication facility. Council received no objections during the statutory 28 day period.

Consequently, Council intends to proceed with a lease including commercial terms of 20 years with break periods at 5, 10 and 15 years, with a commencing rent of \$13,000 per annum plus GST. Rent will be increased by CPI on each anniversary of the commencement date, compounding annually.

Council has engaged Maddocks law firm to draw up a lease, ensuring that the interests of both Council and the community are appropriately protected. The lease will include standard clauses such as repairs and damage, allowable use of premises, insurance, release and indemnity, sub-letting etc., typical of leases of this nature.

## 2. Background/Issues

Planning Permit PA2015/4769 (**Appendix 1**) was issued by Council on 12 August 2015 for the purpose of a telecommunications facility comprising a 30m high monopole with attached antennas and associated equipment shelter, located adjacent to sporting fields at 72-80 Caroline Springs Boulevard, Caroline Springs. Conditions applying to the construction are included.

Detailed planning drawings (**Appendix 2**) from Vodafone include site locality, site plan and approved landscaping plan.

The physical installation will replace an existing light tower, minimising visual impact. Lights will be reinstalled on the new tower at the same location, set direction and luminance.

As Council has already approved the built infrastructure, the decision before Council is administrative in nature, to allow the Chief Executive Officer to advance the leasing requirements.

Council has engaged Maddocks law firm to draw up the lease, ensuring that the interests of both Council and the community are appropriately protected. The lease will include standard clauses such as repairs and damage, allowable use of premises, insurance, release and indemnity, sub-letting etc., typical of leases of this nature.

In order to expedite proceedings for Council and telecommunications carriers seeking to invest in infrastructure to meet community demand for high volumes of mobile data, Council is currently investigating a change of process to approve lease arrangements at the time of issuing planning approval.

## 3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

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

## 4. Financial Considerations

Commercial terms under the lease will ensure Council will receive \$13,000 per annum plus GST at the commencement of the lease. This amount will increase annually by CPI compounding. There are also break periods at 5, 10 and 15 year intervals.

Full legal costs are yet to be established for the preparation of the lease documents, for which Vodafone has agreed to contribute up to \$4,000 + GST.

Minor costs in relation to public advertising of Council's intent to enter leasing arrangements have been expended, provided for within the Governance recurrent budget.

## 5. Consultation/Public Submissions

Council advertised its intent to enter a lease with Vodafone, for the purposes of a telecommunication facility, within The Age and Leader newspapers as required by sections 190 and 223 of The Act. No objections were received.

In addition, through the planning permit application process, mandatory public consultation was also undertaken.

For Planning Permit PA2015/4769, four objections were received. The concerns of objectors related to inappropriate location, visual amenity, health, and inadequate community consultation. Officers determined that the application appropriately addressed objector concerns and a favourable Notice of Decision was issued through a delegate report process.

## **6. Risk Analysis**

Predominately administrative in nature, there is no risk inherent in entering leases with Vodafone to allow construction of mobile telecommunication infrastructure as previously approved by Council through the planning approval process.

Refusal of the recommendation may cause the carrier to invoke powers vested by the federal Telecommunications Act 1997, in which access to the land may be forced without Council consent. It would also be inconsistent with Council's previous decision to grant Planning Permits for each respective application.

## **7. Options**

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

## **LIST OF APPENDICES**

1. Permit PA2015/4769
2. Drawings PA2015/4769



## **11.11 SPRINGSIDE SCHOOL PRECINCT (LANCEFIELD DRIVE) - PEDESTRIAN CROSSING**

**Author: Anthony Pham- Traffic Engineer**

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

### **PURPOSE OF REPORT**

To present the traffic assessment and options available to Council in response to a petition with 70 signatures, tabled at the Ordinary Meeting held 13 October 2015, requesting for 'the upgrade of pedestrian crossing' on Lancefield Drive, adjacent to Southern Cross Grammar school'.

### **RECOMMENDATION:**

That Council:

1. Formalise the raised crossing into an unmanned zebra crossing by the use of line-marking and regulatory pedestrian crossing signs.
2. Respond to petition facilitator and Southern Cross Grammar with the outcome.

Crs Bentley/Cugliari. That the recommendation be adopted.

CARRIED

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### **REPORT**

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

This report responds to a petition from 70 signatories that have children attending Southern Cross Grammar within the Springside School Precinct, requesting for 'the upgrade of pedestrian crossing' outside the school along Lancefield Drive in Caroline Springs (refer to Appendix for locality maps). The number of children using this pedestrian crossing does not meet the warrants for it to be upgraded to a manned school crossing, but a zebra crossing does meet the warrants. It is recommended that Council upgrade this pedestrian crossing to a zebra crossing.

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

The Springside School Precinct consists of Southern Cross Grammar, St George Preca, Springside College, a childcare and a community centre, which are bounded by Lancefield Drive, Hume Drive, Becca Way and Gourlay Road. There are six manned school crossings with three at traffic signals, one zebra crossing and many standard pedestrian crossings throughout the Springside School Precinct that service all three schools. (refer to Appendix 1 for map). The childcare and community centre are serviced by the zebra crossing.

The school community have organised a petition, requesting Council to 'upgrade the pedestrian crossing' outside Southern Cross Grammar, along Lancefield Drive in Caroline Springs. The petition was initiated after an accident between a vehicle and a student crossing the road at this pedestrian crossing. The pedestrian crossing is located 260 metres west of the school crossing at the intersection of Lancefield Drive and Gourlay Road. The pedestrian crossing is currently a speed hump with pram ramps and does not provide pedestrians with priority over vehicles.

Council officers considered a manned school crossing or a zebra crossing as the most appropriate upgrades and investigated the feasibility of each. In order to implement and use such facilities, there are specific warrants that must be met as set out in the VicRoads Traffic Engineering Manual. A school crossing requires the number of children to be 20 or more per

hour and the number of vehicles to be 250 or more per hour for the same hour. A zebra crossing requires the number of pedestrian to be 20 or more per hour and the number of vehicles to be 200 or more per hour for the same hour. In addition, the speed limit is to be 50km/h or less and the 85<sup>th</sup> percentile speed is to be 60km/h or less.

Council officers have conducted pedestrian and traffic volume counts in September 2015 to obtain factual data to support the options available. The data recorded shows that a total of 25 pedestrians (18 of whom were children), crossed this raised crossing and a total of 372 vehicles passed through during the afternoon peak school pick-up times. Therefore, this location does not meet the warrants for it to be a school crossing as there were only 18 children, but a zebra crossing is warranted. According, Council officers recommend the existing pedestrian crossing along Lancefield Drive be upgraded to a zebra crossing.

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

The Melton City Council 2013-2017 Council Plan references:

1. Managing our Growth: A clear vision to connect and develop a sustainable City
  - 1.5 Support a transport system that connects and moves our community

### **4. Consultation/Public Submissions**

The petition is coordinated through a single person and Council can respond directly to this contact and they will be able to relay Council's response to the signees. In addition, Council's response should also be made available to Southern Grammar for their distribution.

### **5. Options**

1. Convert the existing pedestrian crossing to an unmanned zebra crossing.
2. Convert the existing pedestrian crossing to a school crossing and manage it with a supervisor; or
3. Do nothing.

### **6. Financial Considerations**

Council currently have 58 manned school crossings with 67 supervisors (Some crossings with 4 lanes of traffic have two supervisors). The total cost to Council of the program is \$1,060,874. VicRoads subsidy on top of Councils allocation is \$179,773.

1. The cost of works involved with Option 1 is estimated to be \$2,500.
2. The initial cost of the works involved with Option 2 is estimated to be at least \$4,000. In addition, there will be on-going cost to Council for the supervisor which is approximately \$16,500 per annum noting this site would not qualify for any VicRoads subsidy as it does not meet the warrants; and
3. There is no cost associated with Option 3.

### **7. Risk Analysis**

1. It is predicted that option 1 and 2 will cause some further traffic congestion and encourage parents or guardians to park in the surrounding residential streets.

The anticipated traffic congestion for option 2 is predicted to be minimal and manageable.
2. The risk with Option 3 is that community members will continue to raise issues of concern regarding this location.

**LIST OF APPENDICES**

1. Aerial Map of Springs School Precinct

## 11.12 C145 AMENDMENT TO THE MELTON PLANNING SCHEME - ROCKBANK PRECINCT STRUCTURE PLAN COUNCIL SUBMISSION

Author: Kate Barclay- Senior Strategic Planner  
Presenter: Laura-Jo Mellan- Manager City Design, Strategy & Environment

### PURPOSE OF REPORT

To consider the Planning Scheme Amendment C145 Rockbank Precinct Structure Plan and Development Contributions Plan.

### RECOMMENDATION:

That Council:

1. Endorse and submits **Appendix 4** to the Metropolitan Planning Authority requesting changes to proposed Planning Scheme Amendment C145.
2. Note that funds for purchase of land for Regional Active Open space and Paynes Road Wetland cannot be collected through the Development Contributions Plan and will have to be purchased by Council.

Crs Turner/Bentley. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Metropolitan Planning Authority (MPA) has recently released Amendment C145 to introduce the Rockbank Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) into the Melton Planning Scheme. The Rockbank PSP and DCP were developed in consultation with Council officers, state agencies and other key stakeholders.

The amendment was out for public comment until Monday, 5 October 2015, with Melton City Council given an extension to the 13 November 2015.

This report provides an overview of the proposed Planning Scheme Amendment, the PSP and the DCP and outlines the key issues that Council officers consider need to be resolved prior to the finalisation of the amendment documentation. These issues are detailed in Section 2 of this report and **Appendix 4**.

### 2. Background/Issues

The Metropolitan Planning Authority (MPA) has recently released Amendment C145 to introduce the Rockbank Precinct Structure Plan (PSP) and Development Contributions Plan (DCP) into the Melton Planning Scheme. The Rockbank PSP and DCP were developed in consultation with Council officers, state agencies and other key stakeholders.

The Rockbank PSP was originally out for public comment until Friday, 5 December 2014, with Melton City Council given an extension to the 17 December 2014.

Following the review of submissions on the previous version of the PSP, the MPA determined to formally re-exhibit the amendment. The PSP was then exhibited until 5 October 2015, with Melton City Council given an extension to the 13 November 2015.

The Rockbank PSP covers an area of approximately 751 hectares. The area is bounded by the Western Freeway (Ballarat Road) to the north, Paynes Road to the west, Greigs Road to the south, and the Outer Metropolitan Ring Road reservation to the east. The PSP area surrounds the existing Rockbank Township (refer **Appendix 1**).

This report provides an overview of the proposed Planning Scheme Amendment, the PSP and the DCP and outlines the key issues that Council officers consider need to be resolved prior to the finalisation of the amendment documentation.

The amendment documents were circulated to all relevant service units across Council and comments received are summarised in **Appendix 4: Melton City Council Submission to the C145 Rockbank Precinct Structure Plan and Development Contributions Plan**.

### **Planning Scheme Amendment**

C145 proposes to:

- Insert Schedule 7 to Clause 37.07 Urban Growth Zone (UGZ) into the Melton Planning Scheme and rezone land within the amendment area to UGZ Schedule 7 (UGZ7).
- Rezone land within the amendment area from Road Zone Schedule 1 (RDZ1) to UGZ Schedule 7 (UGZ7).
- Rezone land within the amendment area from Low Density Residential Zone (LDRZ) to UGZ Schedule 7 (UGZ7).
- Rezone land within the amendment area from Public Park and Recreation Zone (PPRZ) to UGZ Schedule 7 (UGZ7).
- Rezone land within the amendment area from Urban Floodway Zone (UFZ) to UGZ Schedule 7 (UGZ7).
- Insert a new Schedule 7 to Clause 45.06 Development Contributions Plan Overlay (DCPO) and apply the DCPO Schedule 7 (DCPO7) to land zoned UGZ7 within the amendment area.
- Delete part of the Environmental Significance Overlay Schedule 1 (ESO1) 259-305 Paynes Road, Rockbank.
- Amend the Schedule to Clause 52.01 to provide for passive open space contributions for land within the amendment area.
- Amend the Schedule to Clause 52.17 to identify native vegetation removal exempt from requiring a planning permit.
- Amend the Schedule to Clause 66.04 to require referrals for planning permit applications in the Rockbank Major Town Centre to the Growth Areas Authority.
- Amend the Schedule to Clause 81.01 to include the new incorporated document titled "Rockbank Precinct Structure Plan, September 2015" and "Rockbank Development Contributions Plan, September 2015".

The proposed amendment documentation is contained in **Appendix 3**.

### **Precinct Structure Plan Overview**

The Rockbank PSP provides a framework for the development for approximately 7,932 dwellings, with a projected population of around 22,200. The PSP sets out the vision and provides the land use planning framework for the future development of the area.

In addition to providing a range of housing types and densities to accommodate the projected population, the plan incorporates:

- a. A major town centre at the railway station with 30,000sqm of retail floor space;

- b. An upgraded railway station with a park and ride facility and rail stabling;
- c. Two local convenience centres;
- d. One higher order community centre in the major town centre;
- e. Three government primary schools, one government secondary school, one non-government secondary school, and one non-government primary school;
- f. Two multi-purpose community centres;
- g. A network of passive and active reserves;
- h. One new regional active open space reserve which will include the retention of Paynes Cottage;
- i. One indoor recreation facility in the major town centre;
- j. A new six lane arterial north-south road is proposed to be constructed to the west of Leakes Road;
- k. The retention of a wetland on Paynes Road (retained as a local conservation area);
- l. Two drainage corridors which provide linear parks through the PSP area which can accommodate pedestrian and cycle paths in addition to performing a drainage function; and
- m. A network of on-road and off-road bike paths and a strong pedestrian network connecting the future community to key services and facilities in the area.

The draft PSP is contained in **Appendix 1**.

### **Development Contributions Plan Overview**

The DCP lists and identifies the cost of the infrastructure projects required to support the delivery of the Precinct Structure Plan and provide future residents, visitors and workers with timely access to service and transport infrastructure. The DCP apportions the costs of these projects across the plan area and identifies the financial contributions that developers are required to pay towards the delivery of these projects.

The following projects are included in the DCP and unless otherwise stated in the document, include costs for land and construction:

- Road projects
- Intersection projects
- Bridge projects
- Community Facility projects
- Sports Reserve projects
- Open Space Projects (land purchase only).

A detailed list of all projects is contained in **Appendix 2: Rockbank Development Contributions Plan (DCP)**. The per hectare rate that will be collected by Council from developers as a contribution to the delivery of the projects identified in the DCP is \$287,520 per hectare.

### **Key Issues**

There are a number of key issues which it is considered will have an impact on Council's ability to implement the PSP and must be resolved prior to Council providing support for the Amendment. These issues are outlined below and in Appendix 4 of this report:

***Public Transport Victoria (PTV) land not subject to the PSP***

The latest version of the PSP shows the PTV land not subject to the PSP. Council has concerns with this given the substantial amount of land that is no longer part of the PSP. The PTV land is also located within the immediate vicinity of the town centre where the land plays an integral part of its delivery particularly the upgraded Rockbank station and the residential component west of the new realigned Leakes Road.

The land has also been removed from the net developable area which has implications for the delivery of the precinct to ensure appropriate development contributions are apportioned to the land. Given the lands location within what will be the heart of the new Rockbank community and the likelihood of this land being developed it needs to be included with the Net Developable Area calculations.

Council requests the Metropolitan Planning Authority organise a meeting with PTV and Council officers to further discuss this change in the PSP as it is unclear how the vision and intent of the PSP can be delivered with this strategic site excluded.

***Noise Attenuation – Rail Corridor***

The documentation relating to noise attenuation along the Melbourne-Ballarat rail corridor is still unclear and doesn't provide direction on the requirements of landowners/developers to attenuate properties adjoining the corridor.

Requiring noise attenuation on a property by property basis at the time of subdivision application is not appropriate given the length of the rail corridor a strategic approach should be taken to this rail interface and the attenuation of noise. The lack of a strategic approach will lead to implementation issues given that acoustic reports are a requirement of an application to subdivide land or construct a building and the proposed mitigation measures recommended in each individual report has the potential to be different.

Council officers cannot support a PSP that does not provide clear direction from the responsible State Agency, in this case PTV, on how to manage the impact of significant state infrastructure on future land uses, particularly when those land uses have also been determined by State policy.

Council requests the Metropolitan Planning Authority organise a meeting with PTV and Council officers to further discuss the requirements for noise attenuation along the rail corridor.

***Noise Attenuation – Western Freeway***

Council seeks direction through the PSP on noise attenuation along the Western Freeway. As agreed with VicRoads through the development of the Paynes Road PSP, a freeway interface cross-section is required to give direction and consistency to future development along this corridor.

***Rail crossings***

There are currently three crossings of the railway corridor within the Rockbank PSP at Troups Road North, Leakes Road and Paynes Road. These crossings are currently all designed to a rural standard, with the Leakes Road crossing the only crossing fitted with boom gates.

Whilst the PSP acknowledges the need for an interim treatment at Leakes Road and ultimate treatments for all crossings (grade separations at Leakes Road and Paynes Road and the closure of the Troups Road North crossing), it does not provide detail on interim treatments for the crossings at Troups Road North or Paynes Road. The PSP needs to identify interim treatments to all existing rail crossings to enable the safe movement of vehicles and pedestrians within the developing precinct and identify triggers for the implementation of both interim and ultimate rail crossing treatments.

Given the potential risk to safety associated with having rural crossings in an urban area, Council officers request that MPA organise a meeting with MCC, PTV, VicRoads and VicTrack (if appropriate), to work through design options and triggers for interim and ultimate works to all these crossings. There needs to be a clear commitment and direction from state government to address these issues and the PSP is the appropriate mechanism to achieve this.

### ***Western Highway Intersections***

There are currently two at-grade intersections to the Western Freeway which provide access and egress to Troups Road North and Paynes Roads. Both these intersections will experience increased vehicle traffic when development within the PSP commences. Whilst the PSP acknowledges the need for the long term treatments, being an overpass at Paynes Road and the closure of Troups Road North, it does not provide detail on the trigger for the implementation of these solutions or any detail on interim treatments to maintain safety at these intersections as the precinct develops.

The PSP also identifies the need for the provision of pedestrian bridges over the Western Freeway to provide connectivity between Rockbank and Rockbank North, however does not detail the timing or trigger for the delivery of these important pedestrian links.

Given the potential risk to safety associated with the current access arrangement and the need for pedestrians to cross the traffic lanes of the freeway, Council officers request that MPA organise a meeting with MCC and VicRoads to work through design options and triggers for interim and ultimate works at these intersections. There needs to be a clear commitment and direction from state government to address these issues and the PSP is the appropriate mechanism to achieve this.

### ***Road Projects***

Council seeks clarification on how the interim state infrastructure is funded if a road is never declared e.g. rail overpasses, specifically the Mount Cottrell Road and realigned Leakes Road rail flyovers. Both these roads are considered to be future six lane arterials in the PSP, however they will be local roads until such time as VicRoads actually 'declares' them.

As part of the provision of the interim network (first carriageway) it would be appropriate to include the construction of a first carriageway bridge over the rail line as part of the Interim Works funded by the DCP or ICP, with the second carriageway bridge being provided as part of the Ultimate Works delivered by the State. Both first carriageway bridges should be considered as necessary for establishing the basic network and connecting the surrounding communities within these PSP areas.

### ***Transition from Development Contributions Plan (DCP) to Infrastructure Contribution Plan (ICP)***

Council seeks clarification on the whether the Rockbank PSP will be transitioned to an ICP. Given the timescales associated with the finalisation of the PSP and the impending commencement of the ICP process in early 2016.

The new ICP process will have implications for the Rockbank PSP and we seek further discussions with the MPA on this.

In addition to the issues raised above, further more detailed comments on the content of the Rockbank Amendment documents (Refer **Appendices 1, 2 and 3**) is contained in Appendix 4 and forms part of Councils submission.

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

The Melton City Council 2013-2017 Council Plan references:

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

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



#### 4. Financial Considerations

Once development commences funds will be collected by Council as outlined in the Development Contribution Plan (DCPs) through the Development Infrastructure and Community Infrastructure levies to pay a share of the costs that will be incurred by Council to deliver the development and community infrastructure identified in the PSPs and DCPs.

It should be noted that the DCP does not allow for the collection of financial contributions towards the purchase of land for the proposed Regional Active Open Space or Paynes Road Wetland. The cost of purchasing these sites would rest with Council.

#### 5. Consultation/Public Submissions

There has been a number of community drop-in sessions held at Rockbank Community Hall through the preparation of the Precinct Structure Plan. These drop-in sessions were held by the MPA with support from Council officers. Landowners within the PSP area and residents of the existing Rockbank Township were sent correspondence and newsletters by the MPA throughout the project to let them know about the drop-in sessions and keep them up-to-date with the progress of the plan.

The MPA formally exhibited the Rockbank PSP for a month with the submission period closing on Monday, 5 October 2015 with notification letters sent to the landowners within the PSP area, adjacent properties and residents of the existing Rockbank Township. All affected parties have an opportunity to make their own submissions to the MPA on the amendment documentation, including the PSP and DCP. An additional drop-in session was held on the 10 September 2015 at the Western BACE for all affected landowners to further discuss the PSP.

The PSP and DCP documents have been developed in consultation with Council officers, including a series of workshops with the relevant service units to develop the Future Urban Structure Plan (Refer **Appendix 1**). Following the release of the amendment documentation, the Strategic Planning team have circulated the PSP documentation internally to relevant service units. A summary of the comments received from internal service units can be found at **Appendix 4** and form the basis of Council's submission to the MPA.

#### 6. Risk Analysis

If the PSP is not approved, and the land not developed, it may impact on the delivery of key road, community and open space infrastructure in the Rockbank PSP area and would also leave an area of land in the middle of the growth area undeveloped.

There will be future costs to Council associated with the delivery of infrastructure items identified in Precinct Structure Plan and Development Contribution Plan. This is the same for all PSPs within the municipality.

#### 7. Options

Council has two options:

1. That Council endorses and submits **Appendix 4** as its submission to Metropolitan Planning Authority requesting changes to Planning Scheme Amendment C145 and notes that funds for purchase of land for Regional Active Open space and Paynes Road Wetland cannot be collected through the Development Contributions Plan and will have to be purchased by Council.
2. Council can resolve not to provide a submission to the Metropolitan Planning Authority on Amendment C145 or undertake further investigation works at Paynes Road Wetland.

**LIST OF APPENDICES**

1. Rockbank Precinct Structure Plan (PSP)
2. Rockbank Development Contributions Plan (DCP)
3. Planning Scheme Ordinance
4. C145 Rockbank PSP - Submission by Melton City Council
5. Council submission December 2014

## 11.13 AMENDMENT C171 TO THE MELTON PLANNING SCHEME - RETAIL ACTIVITY CENTRES STRATEGY INCORPORATION INTO THE MELTON PLANNING SCHEME

Author: Kate Barclay- Senior Strategic Planner

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

### PURPOSE OF REPORT

To consider the preparation and exhibition of Amendment C171 to the Melton Planning Scheme to implement recommendations of the Retail and Activity Centres Strategy.

### RECOMMENDATION:

That Council:

1. Seek authorisation to prepare a Planning Scheme Amendment from the Minister for Planning.
2. Upon receiving authorisation, exhibit the Amendment in accordance with the *Planning and Environment Act 1987*.

Crs Ramsey/Cugliari. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Melton Retail and Activity Centre Strategy was adopted by Council at the Ordinary Meeting of 1 April, 2014 (refer **Appendix 1**). The Retail and Activity Centres Strategy makes recommendations on the objectives and strategies that should be incorporated into the Melton Planning Scheme to support the implementation of the adopted Strategy. This requires an Amendment to the Melton Planning Scheme.

The proposed Amendment C171 will amend *Clause 21.01 Snapshot of the City in 2014* and *Clause 22.06 Retailing Policy* to establish a well connected network of activity centres that services the needs of existing and future communities and provide a policy framework for the assessment of retail development proposals across the municipality.

### 2. Background/Issues

#### Melton Retail and Activity Centres Strategy

Council has a role in shaping development to deliver a network of centres that individually and collectively meets the needs of our residents, businesses and institutions. In this context, Council commenced the preparation of the Melton Retail and Activity Centre Strategy in 2013.

The strategy was undertaken in four stages and included consultation with the community and stakeholders at key stages:

- Stage 1: Project Inception
- Stage 2: Preparation of the Background Technical Report
- Stage 3: Preparation of the Draft Strategy
- Stage 4: Finalisation of Strategy

The Strategy is underpinned by strong economic, planning and urban design analysis and provides a robust policy framework to guide the future development of activity centres supporting long term integrated land use planning and the delivery of a hierarchy of Retail and Activity Centres across the municipality.

The Strategy provides directions for Council in its planning for centres, a framework for the assessment of development proposals and support for retailing and activity centres throughout the municipality. The preparation of the Strategy was also identified as critical to informing the update of the Municipal Strategic Statement and relevant local policies in the 2012 Planning Scheme Review adopted at the Ordinary Council Meeting 26 July 2012.

The Melton Retail and Activity Centre Strategy was adopted by Council at the Ordinary Meeting of 1 April, 2014 (refer **Appendix 1**).

The Retail and Activity Centres Strategy makes recommendations on the objectives and strategies that should be incorporated into the Melton Planning Scheme to support the implementation of the adopted Strategy. This requires an Amendment to the Melton Planning Scheme.

Following the adoption of the Strategy, Council officers met with representatives from the Department of Environment, Land, Water and Planning (DELWP, formerly DTPLI) and were advised to delay any proposed amendment due to the expected change to the format of the Planning Scheme that was due for release by State government at that time.

The proposed change to the format of the Scheme has not eventuated and given the continued growth and development of the City of Melton, it is recommended that Council commence an appropriate amendment to the Melton Planning Scheme to implement the recommendations of the adopted Strategy to guide future development, particularly within the growth areas, and provide a strong policy framework to assess development proposals in existing and emerging activity centres.

#### **Amendment C171**

As discussed above, an Amendment to the Melton Planning Scheme is required to implement the objectives and recommendations of the City of Melton Retail and Activity Centres Strategy, March 2014 ('the strategy'). The proposed Amendment C171 will:

- Amend Clause 21.01 Snapshot of the City in 2014 to include the City of Melton's hierarchy of activity centres that identify the existing and future centres in the municipality, based on the metropolitan planning strategy, Plan Melbourne.
- Amend Clause 22.06 Retailing Policy to update the local retailing policy and reflect the hierarchy of activity centres in Clause 21.01 (above) and subsequently update the policy objectives.

The amendment of Clause 22.06 is also required to include relevant application requirements, decision guidelines and reference documents as well as the identification of further strategic work to be undertaken.

It should be noted that the clauses referenced above are based on the current structure of the LPPF and may be subject to change when Council formally seeks authorisation. Further consultation with DELWP will occur prior to Council formally seeking authorisation from the Minister for Planning for Amendment C171 to discuss the format of the proposed amendment documentation.

#### **Strategic Justification for the Amendment**

In line with the *Strategic Assessment Guidelines for Planning Scheme Amendments* (August 2004), prepared by the State Government, every Planning Scheme Amendment should be strategically supported and maintain or develop the strategic focus of the Planning Scheme.

It is necessary to determine whether any amendment supports or implements the State Planning Policy Framework (SPPF) and the Local Planning Policy Framework (LPPF) of the Planning Scheme. Further, Council must determine whether the outcome of the amendment will have any consequences in terms of the Planning Scheme's directions, usability and transparency.

The amendment is consistent with a number of aspects of Clause 11: Settlement of the SPPF:

- Clause 11.01: Activity Centres seeks to establish a well connected network of activity centres that differ in size and function to provide a focus for business, shopping employment, leisure and community facilities. The hierarchy of centres proposed by the strategy provides for a connected network of centres that have differing roles and functions to meet existing and future community needs.
- Clause 11.02: Urban Growth, seeks to ensure that adequate land is available for a range of uses include commercial and retails to support future growth and meeting forecast demand for each land use. The proposed retail and activity centres hierarchy identified in the Strategy is underpinned by detailed analysis that considered future population growth and future demand for retail, commercial and the ancillary uses that would be expected to be accommodated in an activity centre to meet future demand.
- Clause 11.04: Metropolitan Melbourne aims to create healthy and active 20 minute neighbourhoods, and plan for jobs closer to where people live. The Strategy supports this objective through the creation of a hierarchy of centres which are integrated with the existing and proposed transport network to provide access to a range of local employment opportunities.

The amendment is also consistent with Clause 17.01 (Commercial) which seeks commercial development in activity centres and discourages out of centre development and Clause 19.02 (Community Infrastructure), which encourages health, education, social and cultural facilities to integrate in relevant activity centres to achieve co-location opportunities. The Strategy seeks to direct commercial development into activity centres discouraging out-of-centre development and recognises the important role that activity centres have in accommodating community facilities to support future residential communities.

It should be noted that Amendment C171 proposes to update the LPPF to implement the recommendations of the adopted Strategy and reflect the objectives of the SPPF as outlined above.

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

The Melton City Council 2013-2017 Council Plan references:

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

### **4. Financial Considerations**

Council officer time and resources are involved in the preparation, exhibition and adoption of the amendment and statutory fees are required to be paid by Council as the Responsible Authority which are within Councils recurrent budget.

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

An extensive consultation process was undertaken as part of the development of the Strategy. A project website was set up for the project which was updated at key milestones

allowing the community to provide input to the development of the Strategy and to view, download and provide feedback on the Strategy.

The consultation process comprised:

- An interactive online survey which was open for six weeks from 14 March 2013 to 30 April 2013. The survey was advertised in local media, flyers at Council facilities within the City and on the City of Melton website.
- All traders not located within a managed retail centre where hand delivered letters inviting them to attend focus group sessions in April and take part in the online survey. No traders attended the focus group sessions.
- A workshop was held on 24 April 2013 with owners of existing retail centres or land identified for a future activity centre and individual meetings were held with stakeholders as requested.

The Exhibition of Amendment C171 will provide an opportunity for those affected or who have an interest in the proposed amendment to put in a formal submission to the process. Amendment C171 would be on public exhibition for a period of four weeks and notice would be given:

- To land owners and Government bodies, who may be directly affected by the amendment.
- In a local newspaper circulating in the area, on Council's website, and in the Victorian Government Gazette.

Following the Exhibition period, Council officers would review all submissions received and seek to work with submitters to resolve the issues raised. If the submissions cannot be resolved, Council officers would prepare a report to Council recommending that a request be made for an independent Planning Panel to be convened to hear the submissions.

## **6. Risk Analysis**

Should Council choose to not initiate this Amendment it will result in the lack of strategic justification and clear direction for Council officers to facilitate appropriate development and determine future planning permit applications existing and future retail and activity centres.

## **7. Options**

Council can resolve to either:

1. seek authorisation to prepare and exhibit the Amendment for the prescribed period
2. not proceed with the amendment.

## **LIST OF APPENDICES**

1. Retail Strategy

## 11.14 PLANNING APPLICATION PA 2015/4897 - RE-SUBDIVISION AT 1757 - 1799 GISBORNE MELTON ROAD, KURUNJANG

Author: Joseph Oyelowo- Development Planner  
Presenter: Bob Baggio- Manager Planning Services

### PURPOSE OF REPORT

To consider a planning application for a re-subdivision of two existing lots at 1757 - 1799 Gisborne Melton Road, Kurunjang.

### RECOMMENDATION:

That Council issue a Notice of Refusal to Grant a Permit subject to the grounds outlined in **Appendix 3.**

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

## REPORT

### 1. Background

#### Executive Summary

Application No.:	2015/4897
Applicant:	Ms N Peters

- It is proposed to re-subdivide two existing rural lots by making one significantly smaller and the other larger.
- The site is within the Green Wedge Zone and is not affected by any overlay.
- No objection has been received.
- The proposal is considered to be contrary to the Council's Planning Scheme and adopted Western Plains North Green Wedge Management Plan.
- Refusal is recommended.

#### The Land and Surrounding Area

The subject site is located on the eastern side of Gisborne Melton Road in Kurunjang. The site is approximately half a kilometre north of Minns Road (Urban Growth Boundary). The land comprises two separate allotments known as Lots 1 and 2 on Plan of Subdivision 620044W.

Lot 1 is rectangular, has a frontage of 266.49 metres to Gisborne Melton Road and a depth of 250.47 metres. The rear boundary is 253.80 metres creating a total site area of 6.51 hectares. The land contains a single storey brick dwelling and associated colourbond clad outbuildings and structures. The land is used as a horse paddock.

Lot 2 is irregularly shaped, vacant and has a frontage of 133.75 metres to Melton Gisborne Road. It has a depth of 205.78m on the northern boundary, 697.9 metres on the southern boundary and a total area of 14.32 hectares. There is an existing crossover in the south - west corner of the lot. The land is used for cropping.

The property opposite - to the west contains a Horse Agistment, Training and Equestrian Centre. Other surrounding properties are either vacant or used for rural residential pursuits.

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

### **The Application**

The application proposes to re-subdivide (re-align a common boundary of) the subject land into two lots.

Proposed Lot 1 is irregularly shaped, will be vacant with a frontage of 140.2 metres to Melton Gisborne Road. It will have a depth of 162 metres on the northern boundary and 167.1 metres on the southern boundary. The rear boundary will be 131.5 metres. The total area of Lot 1 will be reduced to 1.6 hectares.

Proposed Lot 2 will have a larger frontage to Melton Gisborne Road of 263.64 metres, the same depth of 697.9 metres on the southern boundary. The depth on the northern boundary has increased to 302.45 metres. The total area of Lot 2 will be increased to 18.8 hectares. The lot will continue to be used for grazing.

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

### **Planning Controls**

The land is within the Green Wedge Zone (GWZ) and is not affected by the any overlay. A planning permit is required to subdivide land (including re-subdivision) under Clause 35.04-3 of the Scheme.

### **State Planning Policy Framework (SPPF)**

There are a number of relevant policies in the State Section of the Melton Planning Scheme that are applicable to this application. These are:

- Clause 11.04-7            Green Wedges
- Clause 14.01            Agriculture.

The Green Wedges Policy at Clause 11.04-7 of the Melton Planning Scheme aims to protect the green wedges of Melbourne from inappropriate development. The policy is achieved through supporting development in green wedges that provides for economic, social and environmental benefits and protects areas of environmental, scenic and landscape value.

The Protection of Agriculture Land Policy at 14.01-1 aims to protect productive farmland, which is of strategic significance in the local or regional context. In considering a proposal to subdivide or develop agricultural land, the following factors must be considered:

- The desirability and impacts of removing the land from primary production, given its agricultural productivity;
- The impacts of the proposed subdivision or development on the continuation of primary production on adjacent land, with particular regard to land values and to the viability of infrastructure for such production;
- The compatibility between the proposed or likely development and the existing uses of the surrounding land; and
- Assessment of the land capability.

Other strategies to protect agriculture land aim to ensure that subdivision of productive agricultural land should not detract from the long-term productive capacity of the land. Also where inappropriate subdivisions exist on productive agricultural land, priority should be given by planning authorities to their re-structure.

### **Local Planning Policy Framework (LPPF)**

#### Municipal Strategic Statement



Clause 21.03-1 of the Municipal Strategic Statement outlines the overarching vision for the City:

*The Council believes that urban development within the City will occur within the Urban Growth Boundary and will be supported by small villages (with constrained boundaries) all of which are surrounded and supported by non-urban land which fulfils a variety of agricultural, environmental, visual and tourist functions which Council is invigorating through innovative practices and environmental incentives.*

In supporting this overarching objective, a number of land use objectives are provided. The most relevant objective to this application is at Clause 21.03-2 in relation to Rural Land Use:

*To protect and conserve the environmental resources and assets of the Shire for the benefit of current and future communities.*

#### Local Planning Policies

Clause 22.08 (Rural Land Use Policy) aims to preserve the integrity of the City's rural land for sustainable and efficient rural land uses; and to maintain a permanent non-urban buffer between metropolitan Melbourne and the Melton township. Objectives of the policy include:

- To maintain the rural areas predominantly in sustainable, agricultural use and to provide opportunities for alternative, more intensive rural areas;
- To encourage the consolidation of lots to ensure more effective land management practices and infrastructure provision;
- To provide opportunities for rural living in controlled, well planned, economically sustainable developments which minimise environmental impact in locations accessible to infrastructure and services;
- To ensure all land use and development is in accordance with proper land management practices which will conserve the natural resources, amenity and
- environmental values of the rural areas, particularly with respect to air quality, noise and watercourse capacity;
- To maintain and enhance the landscape of rural areas by encouraging development that is in harmony with the rural landscape; and
- To encourage the retention of remnant areas of native vegetation and the planting and maintenance of windbreaks and tree lines;

Aside from the objectives of the Rural Land Use Policy, it is Council policy to:

- Ensure that the location of future rural living uses does not prejudice the operation and expansion of efficient agricultural pursuits;
- Discourage rural living development and small lot excisions from occurring in areas of productive agricultural land or adjacent to areas identified for future stone extraction;
- Ensure that urban infrastructure associated with rural subdivision and development is financed by the developer rather than being a cost on the general community;
- Ensure that all secondary lots created in the rural areas be connected to a reticulated water supply and the municipal sealed road network.

#### Green Wedge Zone

The purpose of the Green Wedge Zone includes:

- To provide for the use of land for agriculture.
- To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

- To encourage use and development that is consistent with sustainable land management practices.
- To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

#### Western Plains North Green Wedge Management Plan

The management plan was adopted by Council in September 2014, and identifies a number of issues within the Western Plains North Green Wedge. These include weed infestation and poor land management – including mismanagement by absentee land owners, impacts of urban uses on the green wedge and the prevalence of land fragmentation. The viability of land for agriculture is a key issue that the Management Plan seeks to address.

The vision includes aspirations to:

- Protect and improve landscapes within the area, including biodiversity values;
- Provide valued and sought after rural lifestyles;
- Provide opportunities to support and facilitate a good range of farming and agricultural operations;
- Support tourism and educational uses in appropriate locations; and
- Improve connectivity.

The Management Plan identifies the subject site as being located within Precinct 5 titled Melton Township Interface, which recognises that the land has some degree of fragmentation and is affected by its proximity to the Urban Growth Boundary. This precinct has a slightly different subdivision pattern than other green wedge areas with most lots around 12 hectares.

The Plan recommends changes to the Scheme to introduce a flat 12 hectares minimum lot size for this area as an 'interim' measure, until a rural residential land supply and demand analysis can be undertaken to determine if a change in lot size is appropriate.

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

The Melton City Council 2013-2017 Council Plan references:

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

## **3. Financial Considerations**

No Council related financial considerations are involved with the application.

## **4. Consultation/Public Submissions**

### **Public notification of the application**

The application was required to be advertised. The advertising was satisfactorily completed and no objection was received.

### **Referral of the application**

#### **Internal**

Engineering Department	No objection subject to conditions.
Environmental Services	No objection to the boundary re-alignment on environmental grounds, but are concerned about the inconsistency of the proposal with the objective of the Western Plains North Green Wedge Management Plan, which seeks to minimise the

	fragmentation of agricultural land in the GWZ.
Environmental Health	No objection to the issuing of the permit.
City Strategy	Concerned about the use of boundary re-alignments to achieve small lots which contribute to further fragmentation of agricultural land in the GWZ.

**External**

VicRoads	No comments received so it is assumed that there is no objection to the proposal.
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**5. Issues****Planning Assessment**

One of the main issues in Council's green wedge areas as identified in both planning policy and the Green Wedge Management Plan is the extent of land fragmentation.

The reasons for this are historical – stemming from flexible subdivision provisions, particularly the current schedule to the Green Wedge Zone which mandates that any subdivision must create a lot of lots of between 1 and 5 hectares. Rural living lots of this size are therefore scattered across the rural areas.

The Green Wedge Management Plan is seeking to address this issue by proposing further strategic planning work to identify areas where rural living opportunities would be appropriate and protecting other areas from indiscriminate subdivision.

The subject land is located on the outer edge of Precinct 5 – which is nominated as the Melton Township Interface. Following further review by way of a Rural Land and Supply Analysis, this area may be an area which is identified for further subdivision. Until this further work is undertaken however, it is considered premature to allow further subdivision, including re-subdivision which creates a lot (in this case) of only 1.6ha. In relation to this precinct, the Plan recommends that:

*Following investigation into the supply and demand for rural residential opportunities in the municipality, consider reviewing the minimum subdivision size within this area to allow some further subdivision (subject to approvals). If a smaller subdivision size is considered, a Development Plan would be useful for the area to ensure orderly planning is achieved and that any development is proactive in improving the interface between the Green Wedge and urban area. At a minimum the Development Plan should consider:*

- Retention of all native vegetation
- Public open space reserves along the alignments of both Toolern Creek and Kororoit Creek
- Landscape plans submitted with planning permit applications for subdivision
- Where any additional subdivision occurs on lots adjoining either the Toolern or Kororoit Creek, or through the preparation of a Development Plan, land adjoining the creek to a minimum of 30m depth could be sought for public ownership.

**6. Options**

Council can either support the application by issuing a Notice of Decision to Grant a Permit or not support the proposal by issuing a Notice of Refusal.

## **7. Conclusion**

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

It is considered that the proposal generally does not comply with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be refused.

## **LIST OF APPENDICES**

1. Locality Plan
2. Plans for the Proposal
3. Grounds of Refusal

## 11.15 PLANNING APPLICATION PA 2015/4826 - SIX DOUBLE STOREY DWELLINGS AND A REDUCTION IN CAR PARKING AT 3 CRESTMONT DRIVE, MELTON SOUTH

**Author: Tom Halpin- Development & Policy Planner**  
**Presenter: Bob Baggio- Manager Planning Services**

### PURPOSE OF REPORT

To consider a planning application for the construction of six double storey dwellings at 3 Crestmont Drive, Melton South.

### RECOMMENDATION:

That Council issue a Notice of Decision to grant a permit subject to conditions outlined in **Appendix 3**.

Crs Ramsey/Turner. That the recommendation be adopted.

**CARRIED**

## REPORT

### 1. Background

#### Executive Summary

Application No.:	PA2015/4826
Applicant:	ARG Planning Pty Ltd

- It is proposed to develop the land with six double storey dwellings.
- The site is within the Residential Growth Zone and is not affected by any overlay controls.
- Eight objections have been received to the application.
- The proposal is considered to meet the relevant requirements of the Council's Planning Scheme.
- Approval is recommended.

#### The Land and Surrounding Area

The subject site has a frontage to Crestmont Drive of 33 metres, a depth of 41 metres and a total site area of 1,387 square metres. Other features of the site are as follows:

- It is located on the southern side of Crestmont Drive.
- The site is rectangular in shape, relatively flat and vacant.
- Vehicle access to the site from Crestmont Drive is provided from an existing vehicle crossover at the north-west corner of the site.
- A 2.5 metre wide drainage and sewerage easement is located along the rear boundary of the subject land.

The subject land is located within an established residential area characterised by a mix of dwelling types and sizes. The predominate neighbourhood character of the area consists of single and double storey detached brick dwellings with concrete tiled roofing and garages or carports with large front setbacks (7 - 8 metres) and large front and rear open space areas. However, the area is also characterised by a number of medium density housing developments in the form of single storey attached and semi-detached brick dwellings with concrete tiled roofing constructed during the 1970's and 1980's as well as more recent/contemporary medium density housing developments comprising single storey attached brick dwellings with colourbond or tiled roofing.

Land directly opposite the site on the northern side of Crestmont Drive comprises single storey detached brick dwellings with various roof styles (metal and concrete tiles) and single storey medium density housing developments comprising two single storey semi-detached brick dwellings and metal clad carports. The adjoining land to the east contains a medium density housing development comprising two single storey semi-detached brick dwellings with concrete tiled roofing constructed during the 1970's or 1980's. The land to the west contains a more recent/contemporary medium density development comprising two single storey attached dwellings with colourbond clad roofing. The site adjoins a large medium density development to the rear, consisting of 16 single storey semi-attached brick dwellings and there is also a large medium density development comprising 56 single storey brick dwellings at the western end of Crestmont Drive.

Refer to **Appendix 1** for a locality plan and **Appendix 2** for photos of site

### **The Application**

The application proposes the construction of six double storey dwellings and a reduction in car parking.

The proposed development is summarised as follows:

- The proposed dwellings will occupy the entire site in a "U" shaped layout, around a central, shared vehicle accessway. Units 1 and 6 will be located at the front of the site, Units 2 and 5 in the centre and Units 3 and 4 at the rear. The accessway will connect to Crestmont Drive via a new double (5 metre wide) crossover and will extend through the centre of the site with a minimum width of 3 metres.
- Each dwelling will be double-storey with bedrooms on the first floor. Units 3 and 4 at the rear which will contain two bedrooms whilst the remaining Units 1, 2, 5 and 6 will contain three bedrooms.
- Units 1 and 6 will front the street; Units 2-5 will all front the internal vehicle accessway. Each dwelling will have vehicle access from the accessway; Units 1 and 6 will not have direct or separate vehicle access from the street (but will have direct pedestrian access).
- The design of each dwelling will be contemporary with brick walls at ground floor, rendered walls at first floor and a colourbond, hipped-form roof being the dominant theme/materials. The first floor components of the dwellings will be slightly recessed from the ground floor components.
- Units 1 and 6 will each be setback a minimum of 7.9 metres from the street. The maximum height of the dwellings will be about 6.8 metres (at the top of the roofs of Units 1, 3, 4 and 6 – Units 2 and 5 will each be about 7.2 metres high). The site coverage will be 41.3% and the proportion of permeable surface areas will be 39.9%.
- The proposed dwellings will have two onsite car spaces: a single garage and an open space in tandem. No visitor car space is provided onsite. As noted all spaces will be accessed via the shared accessway, which will have two central turning areas. All cars exiting the site will therefore be able to do so in a forward direction. Each garage will be incorporated into its dwelling, with a single garage door facing the accessway.

- Landscaping (including lawns, garden beds, paving etc) will be provided in the form of a large area directly in front of Units 1 and 6 and will be provided along the accessway. A formal landscaping plan was not submitted with the application.
- Each building will be entirely setback (by between about 1m to 4.5m) from all side or rear boundaries. The garage of each proposed dwelling will abut a wall or a garage of another proposed dwelling, so that each dwelling will be “semi-detached” in form and – except for the accessway – there will be no separation at ground floor level between any buildings.
- A secluded private open space (SPOS) area will be provided for each dwelling at ground level. Each SPOS will be located generally to the east or the west of its dwelling (without any major building bulk to its immediate north and/or with significant southern boundary setbacks), and have convenient access to an internal living area. Each dwelling will have a minimum of 40 square metres of SPOS, all of which will include an area of 25 square metres with a minimum dimension of 3 metres wide.

Refer to **Appendix 3** for plans of the proposal

**Previous Planning History**

At the Council meeting of 29 March 2012, planning application PA2011/3396 was refused for the development of the land with six dwellings consisting of four double-storey dwellings and two single storey dwellings. The proposal was refused essentially based on the intensity of development, lack of on-site visitor car parking and reduced front setback.

**Title / Covenants /Easements**

The subject site is not encumbered by any Covenants or Section 173 Agreements. The land is encumbered by an easement to the rear of the property.

**Planning Controls**

The land is within the Residential Growth Zone Schedule 1 and is not encumbered by any Overlays.

The purpose of the Residential Growth Zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide housing at increased densities in buildings up to and including four storey buildings.
- To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.
- To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.

Under the Zone provisions, a permit is required for the construction of more than one dwelling on the land, pursuant to Clause 32.07-4 of the Planning Scheme.

The table below details the relevant provisions of the Melton Planning Scheme:

<b>State Planning Policies</b>	Clause 11 – Settlement
	Clause 15.01 – Urban Design
	Clause 16.01 – Residential Development

<b>Local Planning Policies</b>	Clause 21.03 – Planning Visions and Objectives for Melton
	Clause 21.04 – Housing Within Established Residential Areas
	Clause 22.04 – Urban Development Policy
	Clause 22.12 – Housing Diversity
<b>Zone</b>	Clause 32.07 – Residential Growth Zone
<b>Overlays</b>	Nil
<b>Particular Provisions</b>	Clause 52.06 – Car parking
	Clause 55 – Two or more Dwellings on a Lot
<b>General Provisions</b>	Clause 65 – Decision Guidelines

The Settlement policy at Clause 11 of the State Planning Policy Framework (SPPF) recognises the need to encourage higher density housing in and around activity centres, which are designed to fit in the context and enhance the character of the area. The policy also recognises the need to consider the opportunities for the consolidation, redevelopment and intensification of existing urban areas. Similarly the creation of safe, functional and liveable environments within the urban context of the area, including its urban character and contribution to the quality of built form within the community is expressed with the Urban Design policy at Clause 15.01-1.

The Residential development policy at Clause 16.01 recognises the need for the promotion of housing that meets community needs, where supply of housing in existing urban areas facilitates increased housing yield in appropriate locations, co-located for integrated support with infrastructure and services.

The MSS locates the subject land within 'Melton Township' which encourages higher density housing to be developed in areas in close proximity to shopping, public transport, educational facilities and open space especially the Melton Railway Station.

Clause 22.12 of the Local Planning Policy Framework (LPPF) outlines Councils Housing Diversity Policy which is derived from the *Melton Housing Diversity Strategy May 2014*. The objectives within this Policy are:

- To encourage the provision of affordable housing options for households of all income levels.
- To protect and enhance the neighbourhood character of residential areas where appropriate.
- To facilitate a diverse range of housing to meet the needs of a diverse population and provide genuine choice in housing products.
- To support increased residential densities in locations with high levels of access to infrastructure, services and transport.
- To encourage innovative housing design and development that is adaptable, site responsive and environmentally sustainable.

Under the requirements of the Residential Growth Zone Schedule 1, the development of two or more dwellings on a lot must meet the requirements of Clause 55 (ResCode) of the Planning Scheme. Clause 55 requires that a development:

- Must meet all of the objectives
- Should meet all of the standards.

If the Council however is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.



## 2. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

*Managing our Growth*

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

## 3. Financial Considerations

No Council related financial considerations are involved with the application.

## 4. Consultation/Public Submissions

### Public notification of the application

The application was required to be advertised. The Advertising was satisfactorily completed and eight objections were received.

The grounds of objection may be summarised as follows:

- Significant increase in traffic, car parking and noise.
- Lack of visitor car parking.
- Large number of existing units or approved units in the neighbourhood.
- Limited opportunity for children to play within the private open spaces for each dwelling.
- The proposal would result in overlooking and overshadowing concerns to adjoining properties.
- Depreciation of property values resulting from concern for overlooking and overshadowing to rear dwellings.
- Dwellings 4 and 5 should be reduced from double-storey to single-storey dwellings to avoid overlooking and overshadowing concerns.

### Referral of the application

#### *Internal*

<b>Engineering Department</b>	No objections to the proposal subject to conditions including a requirement for an onsite detention system to be provided as part of the proposed development.
<b>Urban Design</b>	No objections to the proposal subject to conditions to be placed on any permit issued for the site.
<b>Waste Services</b>	Advised that there is adequate space to provide waste and recycling bins at the front of the site.

## 5. Issues

### **Residential Growth Zone**

It should be noted by Council that since its refusal of a medium density housing proposal on the land in 2012, the zoning of this site and the surrounding area has changed from the Residential 1 Zone to the Residential Growth Zone.

The Residential Growth Zone is specifically designed to facilitate higher density residential development generally due to its proximity to public transport, activity centres, and community facilities. It is also envisaged that the character of these areas will change over time as more intensive redevelopment occurs.

Therefore, medium density housing development such as proposed in this application is consistent with the zoning of the land and appropriate for the site. Notwithstanding, it is also considered that the intensity and scale of development proposed is generally consistent with other medium density development either existing or planned to be developed in the surrounding area.

### **ResCode**

The proposal generally satisfies the objectives and standards of ResCode as outlined under Clause 55 of the Melton Planning Scheme.

The proposed development has a minimum front setback of 7.9 metres to Crestmont Drive. This does not comply with the minimum front setback of 8.3 metres required under Standard B6 of ResCode. However, it is considered that the discrepancy between the proposed and required front setback is minor and the proposed development does not visually dominate the streetscape and will make a positive contribution to the neighbourhood character of the area. The side and rear boundary setbacks of the proposed dwellings at ground and first floor also satisfy the relevant objectives and standards of ResCode.

There is potential for overlooking from the first floor south facing Bedroom 3 window of Unit 3 and the first floor south facing Bedroom 3 window of Unit 4. These windows must be screened to a height of 1.7 metres above floor level or the sill heights of the windows modified to 1.7 metres above floor level in accordance with Standard B22 of ResCode. However, this can be requested as a condition of the permit.

The proposal is unlikely to cause any significant overshadowing to the secluded private open spaces of the adjoining properties to the east, south and west. There will be a small amount of shadow cast over the secluded private open space area of the adjoining property to the west at 9am and a small amount of shadow cast of the secluded open space areas of the adjoining properties to the south and east at 3pm. However, the majority of shadow will be cast within the proposed development and the secluded private open space areas of adjacent and surrounding properties will be able to receive a maximum of 50 per cent sunlight to these areas for a minimum of five hours in accordance with Standard B21 of ResCode.

The location, amount and width of secluded private open space for each dwelling satisfy the requirements under Standard B28 of ResCode. The private open space areas for each dwelling will be north facing/orientated, have a minimum width of 3 metres, convenient access from the living/meals area and a total area greater than 40 square metres (including a minimum of 25 square metres secluded private open space).

### **Reduction in car parking requirements**

The application is seeking a reduction to the number of visitor car parking spaces required to be provided on-site. In accordance with the requirements under Clause 52.06 of the Scheme, one visitor car space should be provided to every 5 dwellings. While the proposal does not accommodate an on-site visitor car space, this is considered reasonable given the availability of visitor parking opportunities on-street in front of the site.

The provision of a centrally located internal vehicle accessway is satisfactory and will enable all vehicles including emergency vehicles to enter and exit the subject site safely, conveniently and in a forwards direction. A 5 metre wide area (for a length of 7 metres) has been provided at the front of the internal vehicle accessway to enable a passing area for vehicles in accordance with Standard B14 of ResCode.

### **Objectors Concerns**

#### Significant increase in traffic, car parking and noise.

The proposed development will generate an increase in traffic. However, it is considered that the existing road network is more than capable of accommodating the amount of traffic likely to be generated by the proposal. Two car spaces will be provided to each dwelling which complies with the standard for three-bedroom dwellings. Any increase in noise is likely to be minimal and compatible with what would be reasonable expected in a residential area. The application was referred to Council's Engineering Department who advised that there are no concerns with the proposal in relation to traffic, safety or parking.

#### Lack of visitor car parking

The proposed development has a shortfall of one visitor car parking space. It is considered that the existing road network is more than capable of accommodating the amount of traffic likely to be generated by the proposal. In addition the site has close proximity to public transport services including Melton South Station and the supporting bus network, which will encourage residents to consider alternative forms of transportation.

#### Large number of existing units or approved units in the neighbourhood.

This is to be expected given the zoning of the land encourages this type of development.

#### Limited opportunity for children to play within the private open spaces for each dwelling.

The private open space areas for each dwelling will be north facing/orientated, have a minimum width of 3 metres, convenient access from the living/meals area and a total area greater than 40 square metres (including a minimum of 25 square metres secluded private open space). The site has close proximity to Mount Carberry Recreation Reserve – located approximately 90 metres to the east, which can be used for recreational and sporting activities.

#### The proposal would result in overlooking and overshadowing concerns to adjoining properties.

The proposed double storey nature of the dwellings will have a minor impact on the overshadowing of the adjoining units, typically in relation to the medium density units located to the south of the site from Wickham Street. It is considered that the overshadowing will not significantly cause detriment to the adjoining properties, the first floor elements are recessed from the ground floor, and the overshadowing will be mostly confined to the site as shown in the shadow diagrams provided.

#### Depreciation of property values resulting overlooking and overshadowing to rear dwellings.

As previously indicated, it is considered that overlooking and overshadowing have either been addressed in the design or can be by changes to the design. Therefore it is unlikely to be a factor in reducing the value of adjoining properties.

#### That the proposed dwellings 4 and 5 be reduced from double-storey to single-storey dwellings to avoid overlooking and overshadowing concerns.

It is considered that this is not necessary based on the comments previously made.

## **6. Options**

Council can either support the application by issuing a Notice of Decision to Grant a Permit or not support the proposal by issuing a Notice of Refusal.

## **7. Conclusion**

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

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

Therefore, it is recommended that the application be approved.

## **LIST OF APPENDICES**

1. Locality Plan
2. Site Photos
3. Plans
4. Permit Conditions

## 11.16 VCAT DECISION ON APPLICATION FOR PLANNING PERMIT NO. PA2014/4494 - 13 SPEARGRASS DRIVE, HILLSIDE.

Author: Bob Baggio – Manager Planning Services  
Presenter: Bob Baggio- Manager Planning Services

### PURPOSE OF REPORT

To advise Council of a recent VCAT decision relating to a planning application to construct two additional dwellings on land at 13 Speargrass Drive, Hillside.

### RECOMMENDATION:

That Council note the VCAT decision.

Crs Carli/Cugliari. That the recommendation be adopted.

CARRIED

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### REPORT

#### 1. Executive Summary

The subject site has an area of 1,195m<sup>2</sup> and fronts Speargrass Drive in Hillside, with the rear boundary of the land adjoining rural land in the Green Wedge Zone. The site contains a large dwelling which occupies the front half of the site.

In 16 December 2014, Council refused development plan and planning permit applications to construct two dwellings at the rear of the existing dwelling, essentially on the basis that the proposal did not respect the character of the surrounding area and constituted an overdevelopment of the site.

The applicants subsequently sought a review of Council's refusals which was heard by VCAT on 3 July this year. On 15 July 2015, VCAT directed that a permit be granted and development plan approved, however on the basis that the number of additional dwellings be reduced from two to one.

#### 2. Background/Issues

The subject land is a slightly irregular lot fronting onto Speargrass Drive in Hillside. The rear boundary of the land, and its neighbours, adjoins land within the Green Wedge Zone.

*Refer to **Appendix 1** for a copy of the locality plan.*

The land contains a large, centrally located, single-storey dwelling, with a floor area of approximately 246m<sup>2</sup>. The land has a frontage of 23.1m and an area of 1,195m<sup>2</sup>. The land is generally flat and contains no significant vegetation.

In 16 December 2014, Council refused development plan and planning permit applications to construct two, single storey dwellings at the rear of the existing dwelling, essentially on the basis that the proposal did not respect the character of the surrounding area and constituted an overdevelopment of the site.

Council previously refused an earlier application for the development of two, two storey, dwellings to the rear of the existing dwelling on the subject land. In that case the tribunal reviewed the decision of Council and decided to uphold the decision of Council for reasons substantially based on the issue of neighbourhood character.

The applicants also subsequently sought a review of Council's refusal of the more recent applications which was heard by VCAT on 3 July this year. On 15 July 2015, VCAT directed that a permit be granted and development plan approved, however on the basis that the number of additional dwellings be reduced from two to one.

*Refer to **Appendix 2** for a full copy of the VCAT decision.*

In its decision, the tribunal considered that the primary issue is the responsiveness of the proposal to neighbourhood character. The tribunal agreed with Council that the subject land sits within a group of large sites, with large backyards, and an abuttal to the Green wedge zone, and that these characteristics brings with it a heightened expectation that this very open character of development is protected. The tribunal went on to say:

*I also agree that the size and the siting of the existing dwelling compromises the possibility that the land could be developed with three dwellings sufficiently responsive to this particular localised character.*

*Moreover, the size of the proposed dwellings, and the area available to the rear of the existing dwelling has in my opinion compromised the sense of address afforded to these proposed dwellings and the quality of the private open space to be provided. There is no sense of spaciousness, and there are only limited opportunities for landscaping in the driveway area at the entrance to the new dwellings. The minimum dimension of the proposed areas of private open space of 3.2m and 3m, comply with the relevant standard, but are nevertheless relatively mean within its neighbourhood context.*

*On balance, I propose to direct the grant of a permit requiring the proposed dwellings to be replaced with a single, single-storey, dwelling in accordance with specified design criteria in respect of dwelling size and setbacks to remedy these identified defects.*

#### **Officer comments**

Although the tribunal has set aside Council's decision in this case, it is still considered a good result, as Council officers were supportive of a proposal for only one additional single storey dwelling on the land.

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

The Melton City Council 2013-2017 Council Plan references:

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

### **4. Financial Considerations**

Nil.

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

Note applicable.

### **6. Risk Analysis**

Nil.

## **7. Options**

VCAT's decision is final unless Council considers that there has been an error in law, in which case an application for review can be made to the Supreme Court. This however is not considered to be the case here.

### **LIST OF APPENDICES**

1. Locality Plan
2. VCAT decision

## 11.17 VCAT DECISION ON APPLICATION FOR PLANNING PERMIT NO. PA2014/4439 - 18 CREEKBANK PLACE, CAROLINE SPRINGS.

Author: Bob Baggio – Manager Planning Services  
Presenter: Bob Baggio- Manager Planning Services

### PURPOSE OF REPORT

To advise Council of a recent VCAT decision relating to a planning application to construct a second dwelling on land at 18 Creekbank Place, Caroline Springs.

### RECOMMENDATION:

That Council note the VCAT decision.

Crs Ramsey/Cugliari. That the recommendation be adopted.

CARRIED

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### REPORT

#### 1. Executive Summary

The subject site is located on the northwest corner of Creekbank Place and Aitken Close, Caroline Springs. The site has an area of 518 square metres and is occupied by a two storey detached dwelling.

In November 2014, Council refused a planning application to develop a two storey dwelling to the side of an existing two storey dwelling on the corner lot essentially on the grounds of neighbourhood character, non-compliance with ResCode, and overdevelopment of the site.

The applicants subsequently sought a review of Council's refusal which was heard by VCAT on 17 June this year. On 26 June 2015, VCAT directed that the decision of Council is affirmed and no permit is to issue.

#### 2. Background/Issues

The subject site is located on the northwest corner of Creekbank Place and Aitken Close, Caroline Springs. The site is rectangular in shape, with a frontage to Creekbank Place of 11.5 metres, a frontage to Aitken Close of 33 metres and an area of 518 square metres. The land is flat and is not constrained by any special features or encumbrances. The site is occupied by a two storey detached dwelling.

*Refer to **Appendix 1** for a copy of the locality plan.*

In November 2014, Council refused a planning application to develop a two storey dwelling to the side of an existing two storey dwelling on the corner lot, because it:

- Fails to respect, complement or make a positive contribution to the character of the area;
- Is inconsistent with the policies regarding housing diversity;
- Is inconsistent with the purposes of the General Residential Zone;
- Fails to comply with clause 55 standards relating to daylight to habitable rooms and private open space;
- Is an overdevelopment.



Further, Council was concerned that the garage would be built over an easement, and the design would need to be amended so the garage would be a separate structure from the dwellings, enabling it to be removed if works to the easement are required. This would require the garage to be replaced by a carport that is separate and detached from the dwelling. Consequently, part of the dwelling would need to cantilever over the carport which would be an unusual design and an uncomfortable fit into the streetscape.

The applicants subsequently sought a review of Council's refusal which was heard by VCAT on 17 June this year. On 26 June 2015, VCAT directed that the decision of Council is affirmed and no permit is to issue.

Refer to **Appendix 2** for a full copy of the VCAT decision.

In its decision, the tribunal considered that the key issues were:

- Does the development comply with planning policy and the purposes of the zone?
- Does the development comply with clause 55?
- Is the development an acceptable utilisation of the land?

Following is a summary of the tribunal's decision.

#### **Does the development comply with planning policy and the purposes of the zone?**

The tribunal considered that over time Caroline Springs is likely to evolve and change as the needs and aspirations of individual owners change. It accepted that the extent of change will be limited by the young age of the housing stock, the small lot sizes and the large size of the dwellings, that is, there are probably limited opportunities to place a second dwelling in a large backyard behind an existing dwelling. The recent age of the housing stock means that few dwellings are likely to be demolished and replaced by more than one dwelling on a lot. While the extent of change may be limited, in general, it was considered that Caroline Springs will become a more interesting and vibrant place as owners and occupiers add their imprint to the masterplan.

It found that there are various aspects of the development that are acceptable including the two storey built form, the setbacks to the street, the north facing secluded open space, the small size of dwelling 2 and its materials and roof form. It further found that:

*Two dwellings should be able to be constructed on an unconstrained corner lot of 517 square metres. Such a development usually comprises each dwelling using half the land area. The proposal has approximately 75/25 proportions of the site and consequently design compromises are required, and are fatal to this application.*

*The major problem with the proposal is its need to extend over the easement on the western boundary. Council rightly requires that any structures built over an easement must be capable of being removed to allow access to the services in the easement. Hence the garage that would be integrated into the dwelling would be replaced with an unattached carport nestled below the cantilevered first floor. It would be an odd design response that is out of place in an otherwise carefully integrated streetscape.*

#### **Does the development comply with clause 55?**

The tribunal found that there was non-compliance with regard to daylight to some existing habitable room windows which is indicative of a poor design response. The existing dwelling is large and the residual lot is unduly small for an additional dwelling. Changes will need to be made to the existing dwelling to achieve an acceptable multiple dwelling development on this site.

#### **Is the development an acceptable utilisation of the land?**

The tribunal found that:

*Except for the matter of the unusual and uncharacteristic built form that arises from having to build over the easement because of the size of the existing dwelling, I consider the*

*development could be a sensible and appropriate development that generally complies with planning policy. Developing two dwellings on a corner lot is a common form of development in established suburbs throughout Melbourne, and it makes efficient use of land and contributes to housing choice. It is the detailed design response and the failure to consider the existing dwelling as part of the development that is fatal to this application.*

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

The Melton City Council 2013-2017 Council Plan references:

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

### **4. Financial Considerations**

Nil.

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

Not applicable.

### **6. Risk Analysis**

Nil.

### **7. Options**

VCAT's decision is final unless Council considers that there has been an error in law, in which case an application for review can be made to the Supreme Court. This however is not considered to be the case here.

### **LIST OF APPENDICES**

1. Locality Plan
2. VCAT decision

## 11.18 VIETNAM VETERANS MEMORIAL PROPOSAL

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

### PURPOSE OF REPORT

To seek Council support for, and financial contribution toward, a proposed Vietnam Veterans Memorial on the corner of High Street and Smith Street, Melton.

### RECOMMENDATION:

That Council:

1. support the Vietnam Veterans Association of Australia Melton & District Sub-branch to establish the proposed Vietnam Veterans Memorial at the corner of High Street and Smith Street, Melton
2. contribute \$5,000 toward the total cost of the project.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Vietnam Veterans Association of Australia Melton & District Sub-Branch wrote to Council on 16 October 2015 seeking support and financial contribution toward the establishment of a proposed new Vietnam Veterans Memorial.

The proposed location is within the existing war memorial area outside the Mechanics Institute building on the corner of High Street and Smith Street, Melton.

The proposed memorial installation is estimated to cost \$20,575. Further costs are estimated to be approximately \$5,000 to complete the proposed project and include allowances for electrical connections and landscaping.

### 2. Background/Issues

The Vietnam Veterans Association of Australia Melton & District Sub-Branch (The Sub-branch) has written to Council on 16 October seeking support to establish a Vietnam Veterans Memorial in the Melton township.

Specifically, the Sub-branch is seeking Council approval to install the proposed memorial next to the existing Vietnam War Memorial outside the Mechanics Institute on the corner of High Street and Smith Street, Melton. A copy of the letter and plan of the proposed location is provided at **Appendix 1**.

The Sub-branch is also seeking a financial contribution from Council of approximately \$5,000 to assist in completing the project with electrical connections and landscaping that is consistent with the existing surrounds.

The proposed Memorial is a large glass panel that is inscribed with the names of all Australian Servicemen that lost their lives during the Vietnam War. The panel is illuminated at night via up-lighting to create the effect that the panel itself glows. The proposed memorial is similar to one currently installed at the Vietnam Veterans War Memorial, Seymour, Victoria, and a picture is attached at **Appendix 2**.

The Sub-branch has stated that the memorial will cost \$20,575. There will also be additional costs to allow for electrical connections and landscaping around the memorial that is consistent with the surrounds of the existing war memorials at the site.

The Sub-branch has provided \$5,000 of members' funds toward the project, and has been successful in obtaining \$10,000 in funding via The Club Caroline Springs Community Grants program. On top of this, the Sub-branch has submitted an application for \$5,000 to the current Harness Racing Victoria/Tabcorp Community Grants round and is hopeful of a positive outcome in December, 2015. This would bring the contribution provided by the Sub-branch to a total of \$20,000.

The proposed location is owned by VicRoads as part of the High Street road reserve, but managed and maintained by Council under agreement. Officers have obtained consent to install the proposed memorial at the identified location from VicRoads via correspondence dated 14 August 2015. Additionally, the size and dimensions of the memorial installation are such that a building permit is not required. This was confirmed in writing from Council's Building Surveyor on 17 August 2015.

The proposed project will have a broad community benefit in working with the members of the Sub-branch to recognise and honour the memory of the Australian Servicemen that made the ultimate sacrifice during the Vietnam War. The Melton community has embraced local Anzac Day and Remembrance Day ceremonies with increasing numbers of residents attending events each year. The proposed memorial has great significance to the members of the Sub-branch, and will also serve to enhance the overall community observance and experience of the annual Anzac Day and Remembrance Day ceremonies.

The Sub-branch is working effectively with Council Officers to progress this project, and it is recommended that Council support the Sub-branch to install the memorial at the proposed location and to contribute \$5,000 in funding toward the total cost of the project.

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

The Melton City Council 2013-2017 Council Plan references:

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

*3.2 Build resilient people and communities through opportunities to participate in community life*

### **4. Financial Considerations**

Council is being asked to consider contributing \$5,000 toward the project. This amount is currently unbudgeted in the 2015/16 budget.

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

The proposed project has support from within the community associated with the Sub-branch. Additionally, the project has been favourably viewed by community members involved in assessing applications in The Club Caroline Springs Community Grants program.

### **6. Risk Analysis**

There is no risk associated with the proposed location within the existing war memorial area on the corner of High Street and Smith Street, Melton.

There is also no risk involved in the proposed installation as it will be undertaken by a professional and adhere to engineering specifications.

There is some risk in approving the contribution of \$5,000 toward the project prior to confirmation from the Sub-branch of the outcome of the grants submission to the Harness Racing Victoria/Tabcorp Park Community Grants Program. However, should that submission

be unsuccessful, Officers will continue to support the Sub-branch to explore options to secure the outstanding funding required.

## **7. Options**

Council has the following options:

1. Endorse the recommendations as described above; or
2. Approve the location for the memorial but not the financial contribution of \$5,000; or
3. Provide an alternative recommendation.

## **LIST OF APPENDICES**

1. Vietnam Veterans Memorial Letter and Plan
2. Vietnam Veterans Memorial - Seymour

## 11.19 WESTERN METROPOLITAN REGION FOOTBALL FACILITIES STRATEGY

Author: Chris Lunn- Recreational Planner

Presenter: Maurie Heaney- General Manager Community Services

### PURPOSE OF REPORT

To present the draft Western Metropolitan Region Football Facilities Strategy to Council and seek approval for the draft Strategy to progress to the community consultation phase.

### RECOMMENDATION:

That Council approve the draft Western Metropolitan Region Football Facilities Strategy to progress to community consultation phase, which will commence early December 2015 for a period of four weeks.

Crs Ramsey/Turner. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The draft Western Metropolitan Region Football Facilities Strategy (**Appendix 1**) provides the principles and strategic framework to support the future development, governance and growth of football (AFL) throughout the Western Metropolitan Region for the next ten years. It provides key regional strategic directions and recommendations, as well as identifying key objectives and actions for AFL Victoria, local AFL Leagues and Council's. The Strategy will be an important tool when advocating to funding partners for football related projects, including Sport and Recreation Victoria and AFL Victoria.

Future adoption of the draft Strategy does not commit Council to future funding of capital works. Any project that is identified in the Strategy for Council consideration will subsequently be subject to Council's annual budget process for inclusion in a Capital Works programme.

### 2. Background/Issues

The Western Metropolitan Region incorporates the five (5) Local Government Authorities of Melton City Council, Hobson's Bay City Council, Wyndham City Council, Maribyrnong City Council and Brimbank City Council.

The Western Metropolitan Region is one (1) of the fastest growing regions in Australia. Collectively the LGAs within the Region are expected to grow by 198,000 people over the next 10 years to 2025.

The Region currently has a relatively low football participation base (over 12,800 players in 2014) when compared to other metropolitan regions. Participation categories include football, school, youth girls and women's participants, FIDA and NAB AFL Auskick players.

The Region also has a low provision of facilities per head of population when compared to other Metropolitan areas, a challenge when facility provision and access are recognised as key factors impacting sports participation.

Within the Region the local football clubs access their sportsgrounds throughout the football season with these venues in most cases being shared with other sports throughout the year, particularly cricket, providing year round usage outcomes.

The Western Metropolitan Region Football Facilities Strategy investigates the issues and opportunities facing football on a regional scale, utilising the knowledge and resources from each of the five represented LGAs of the Region, AFL Victoria and local leagues in the area, particularly the Western Region Football League, other leagues operating in the area and local football clubs.

Melton City Council provides 23% of all registered football participants in the western region through 14 football clubs, with the Caroline Springs Auskick the largest (311 participants) and the Hillside Football Club (425 participants) the second largest in the western region. In 2014, there were 2,924 AFL Victoria registered AFL participants that live in the municipality and in 2025 there are expected to be in excess of 4,500 AFL participants.

The draft Western Metropolitan Region Football Facilities Strategy identifies five (5) objectives to address which are:

1. Increase the quality and functionality and maximise the use and carrying capacity of existing facilities.
2. Plan and develop new facilities in key growth areas across the region in line with community demand.
3. Ensure programs and facilities cater for the diversity of participants in the western region.
4. Improve the provision of administration, State league level training facilities and finals venues via regional collaboration.
5. Continue to enhance the relationship between football, government and community partners in the planning and provision of facilities and programs.

Addressing the issues concerning football facility provision on a local and regional scale provides many benefits to Council and project partners. Facilities that service a broad catchment area do not need to be duplicated in every municipality and regional planning allows consideration of these issues.

The draft Strategy will enable Council to consider the implementation of actions and use Strategy objectives to inform facility investment priorities, internal planning, policy, capital works programs and provide a vehicle to assist in securing partner investment.

The draft Strategy provides an integrated and strategic approach to the provision of football facilities across the western region that collectively meets government, sport and community stakeholder objectives.

The Strategy provides an agreed direction from all stakeholders, including AFL Victoria, Football Leagues, local football clubs and partner Council's. The Strategy will be an advocacy tool for funding partners, including Sport and Recreation Victoria and AFL Victoria. Should Council decide to invest in football related infrastructure, Council will be well positioned to access funding from these potential partners.

The Value of a Community Football Club study undertaken by La Trobe University in 2015 found that for every \$1 spent to run a community football club, there is at least a \$4.40 return in social value. This "social value" is measured in terms of increased social connectedness, wellbeing, and mental health status; employment outcomes; personal development; physical health; civic pride and support of other community groups.

The study identified that the reach of a football club is significant and extends beyond club players and volunteers within the club; "for every 1 player, football clubs reach 10 people in their community". Please refer to **Appendix 1** – draft Western Metropolitan Football Facilities Strategy for further detail about the Value of Community Football Club.

In summary, the Strategy provides an integrated and strategic approach to the provision of football facilities across Melbourne's western region that collectively meets government, sport and community stakeholder objectives.

It is a guideline for best practice and any project that is identified in the Strategy will be subject to individual Council's annual budget process for consideration.

The purpose of this report is to seek Council support for the draft Western Metropolitan Region Football Facilities Strategy to progress to the community consultation phase.

A further risk is that some Clubs may dispute that identification of nominated facilities as Regional finals venues but as the strategy will have been agreed to by the five regional LGA's and the AFL this will allow a strategic approach to the provision of finals venues.

The Strategy will be an important tool when addressing Club demands for improved or enlarged facilities as it will provide guidance on what is accepted provision standards and take away the opportunity for Clubs to compare local Councils provisions.

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

The Melton City Council 2013-2017 Council Plan references:

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

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

### **4. Financial Considerations**

Any project that is identified in the draft Strategy will be subject to Council's Annual and long term budget processes for consideration.

Funding for the development of the Strategy has been provided by AFL Victoria and an equal share of the residual cost from each of the five participating Local Government Areas. Melton City Council have contributed \$5,000 towards the project.

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

To date public consultation has not commenced. This report is seeking Council approval to progress the project to the community consultation phase, which will commence early December 2015 for a period of four weeks.

The four partner Council's intend to seek approval from their Council for the document to progress to the community consultation phase.

The five western metropolitan Council's, AFL Victoria, Western Region Football League and Inside Edge Sports and Leisure Planners have provided the direction to draft the report.

### **6. Risk Analysis**

The draft Strategy mitigates this risk by working collaboratively with the western region Council's and other key stakeholders to ensure that the Strategy provides the principles and strategic framework to support the future development, governance and growth of football throughout the western region.

Future adoption of the draft Strategy does not commit Council to future funding of capital works. Any project that is identified in the Strategy will be subject to Council's annual budget process for consideration.

Progressing this document to a community consultation phase may raise the risk of some clubs erroneously identifying that their facility is "not to standard" and will thus seek



immediate Council action to rectify this situation, however in almost all cases the 'not to standard' element is primarily in respect of unisex change facilities.

## **7. Options**

Council can resolve to either:

- Endorse the officers recommendation as presented.
- Not endorse the recommendation to progress the draft Western Metropolitan Region Football Facilities Strategy to the community consultation phase.

## **LIST OF APPENDICES**

1. Draft Western Metropolitan Football Facilities Strategy

## 11.20 WHITTEN PROJECT 2015 REVIEW

**Author: Mark Goodie- Youth Services Coordinator**  
**Presenter: Maurie Heaney- General Manager Community Services**

### PURPOSE OF REPORT

To present to Council the outcome of the 2015 Whitten Project.

### RECOMMENDATION:

That Council:

1. Receive and note this report.
2. Congratulate the recent graduates of the 2015 Whitten Project.
3. Write to the local school principals of the schools involved in the Whitten Project thanking them for their support of the graduates and the project.

Crs Turner/Bentley. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

The Whitten Project is community focused Young Leaders programme delivered through and in partnership with the Western Bulldogs Football Club. The Whitten Project provides a range of leadership skills to the Young Leaders who make up the program participants to enhance their ability to support community capacity building outcomes within the community. The project promotes community engagement, skill and knowledge development and the promotion of social inclusion for the participants.

The project is funded by five local Western Region Councils (Brimbank City Council, Hobsons Bay City Council, Maribyrnong City Council, Melton City Council and Moonee Valley City Council) and one regional council (Glenelg Shire Council).

The Whitten Project has a fulltime project manager employed through the Western Bulldogs Football Club and the project is guided by a steering committee of local and partner council representatives.

First delivered in 2013, The Whitten Project caters for up to 70 males and females from school years 9 and 10 who nominate to participate in the 7 month program that combines sport, leadership development and community engagement. Young Leaders attend 'workshops' facilitated by the project manager and regularly involve sports, industry and community guest speakers.

The Young Leaders also attend 'council workshops' facilitated by council staff which are designed to enhance their connection to their local council and awareness of Council's role in working with the local communities.

As part of The Whitten Project Young Leaders are required to work with their local council to complete a Community Leadership Project (CLP). The CLP is a key component of The Whitten Project, providing a supportive setting for Young Leaders to apply their knowledge and extend their leadership skills in a project relevant to their local community.

Drawing on the group's interest in sport and recreation, active living and community health and well-being, Young Leaders have the opportunity to develop civic leadership and

engagement skills by connecting with their community and driving an initiative focused on improving a local issue of interest to them. This year's CLP Programme in Melton is focused on delivering workshops at local schools in an effort designed to educate young people regarding the risks associated with drug and alcohol use.

## **2. Background/Issues**

### **Council's Participation**

Melton City Council chose to commit funding to participate in The Whitten Project at its inception two years ago. The Whitten Project is currently identified as a three (3) year project.

Council resolved through a New Initiative within the 2012/13 Annual Budget process to support the Whitten Project for a three year period commencing in January 2013. The current cost to Council from supporting this project is \$25,000 per annum.

### **Young Leader's Selection**

Males and females enrolled in years 9 and 10 who reside within their respective council's local government area are eligible to participate in the program. Candidates need not excel athletically or play sport to be considered but must complete an online nomination providing detailed responses to the key selection criteria.

As outlined in the nomination form, to be considered for selection, candidates must have demonstrated leadership potential, maturity, commitment and a willingness to connect and contribute to their local community.

Participants were selected based on the strength of responses to the key selection criteria by a selection panel comprising representatives from Maribyrnong Leisure Services and the Western Bulldogs Football Club.

For the 2015 Whitten Project 36 young people from Melton City Council nominated for the 10 available positions. Of these nominees' six (6) females and four (4) males were selected for the 2015 programme. The average age of the nominees was 16 years.

The chosen participants in the project represent 3 local schools (Brookside, CRC Melton, and Melton SC) and 5 suburbs (Caroline Springs, Darley, Kurunjang, Melton South, and Melton West) within the municipality.

### **Whitten Project Objectives**

The core programme objective is to use the Western Bulldogs Football Club as a vehicle to provide opportunities for young people within the Melton LGA to develop their leadership skills and enhance opportunities to engage with the local community.

### **Additional Project Objectives**

The additional programme objectives are to;

- Develop emerging leaders in sport and the community
- Provide an inclusive environment for young people to learn and develop leadership skills and traits to assist them in emerging as community and civic leaders
- Empower emerging Young Leaders and provide opportunities to engage and advocate across football, community, education and sport
- Assist participants to strengthen their local identity, social connections, relationships and sense of belonging in the community
- Provide participants access to mentoring and coaching and promote respect, responsibility, fair play and life-long learning

- Use collaborative and accountable practices to ensure the engagement of project partners
- Promote and acknowledge the project and its funding partners through media and marketing opportunities

### **Project Feedback**

Anecdotal feedback received from the 2015 Whitten Project graduates through presentations and the candidate Graduation ceremony held recently at the Western Bulldogs Whitten Oval has been very favourable with some individual participants making comments such as “It teaches us to come out of our shell and be involved with others and the community. This program has been a great help and taught us many new things. We have learnt how to communicate with others, build up our confidence, make new friends and it has given us the chance to achieve greater goals”.

The Project enables the Young Leaders selected to capitalize on their exposure to an extensive selection of leadership techniques while also supporting these Young Leaders to apply their learnt knowledge in key community and programme projects.

With support from Council, Young Leaders are encouraged to work in small groups to research and identify a community issue they are passionate about.

Once a topic has been selected groups are required to plan, implement, deliver and evaluate a basic activity designed to improve the issue.

Groups are encouraged to utilise Council networks, resources and expertise and partner with local service providers in an effort to deliver a holistic CLP without duplicating existing services or programs.

The Young Leaders from Melton City have taken a different approach with their Community Leadership Project in 2015, opting to survey the students from their respective schools in order to identify the issue with the greatest need.

The results of the survey indicated that drugs and alcohol was a common issue in their local community.

Subsequently Melton Young Leaders have organised the Reach Foundation to deliver workshops at local schools in an effort designed to educate young people regarding the risks associated with the use of drugs and alcohol. The group is currently organising fundraising initiatives to cover the cost of the workshops. The first workshop is being held at Melton CRC in late October 2015.

### **Whitten Project Outcomes**

A formal evaluation of the Project is yet to occur and will be included in the end of Programme report to Council, however self-reporting from the Young Leaders thus far has indicated that graduates have marked leadership awareness, significant exposure to high profile leaders in the communities through various presentations attended and increased confidence demonstrated by the Young Leaders in communicating with different audiences.

It is also reported that participants were very engaged and enthusiastic in the process. Importantly participants state being inspired to achieve greater goals in life.

Particularly pleasing for Melton is that of the 66 Whitten Project graduates this year, four (4) out of six (6) speakers at the graduation were Melton students whilst the “You Inspire Me Award” given to the Young Leader whose values most align with those of the programme and is voted on by the peer graduates was awarded to a Melton Young Leader who won by only one vote from another Melton Young Leader.

Additionally after the Graduation Ceremony held at Whitten Oval on the 12th October, two of the graduates, the You Inspire Me Award winner Billy Meters and runner up Matt Spiteri both from Melton’s Catholic Regional College were invited to attend Council to present a thank

you certificate to the Mayor who had unfortunately been unable to attend the graduation ceremony.

As happened with the previous year's (2014) Whitten Project, the 2015 graduates of the project were invited to come along to a Council briefing to have dinner with and network with the Melton City Councillors. This meeting took place on the 20th October 2015.

After dinner the graduates were invited to present to Councillors, Council Executive and Officers present on their learning's from the project and the benefits they had gained from being a part of the Whitten Project. The graduates also took this opportunity to brief Council on their Community Leadership Project and their involvement with the Reach Foundation. This presentation was very well received by Councillors.

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

The Melton City Council 2013-2017 Council Plan references:

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

3.2 *Build resilient people and communities through opportunities to participate in community life*

3.2.2 *Enhance the capacity of local residents through programs that develop and promote local leadership and community participation pathways.*

### **4. Financial Considerations**

Current yearly Council commitment is \$25,000 for the Whitten Project.

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

As part of the final evaluation of the Whitten Project, a consultation of participants and key Council offers will take place to formulate a clear recommendation for Council's support of the project into the future. This will be subject of a future Council briefing.

### **6. Risk Analysis**

With a financial commitment of \$25000 per year for ten participants, economic considerations need to be evidenced by measured outcomes for the Melton community. A comprehensive evaluation will occur in 2016 to determine Melton City Council continued financial commitment. It is thought that this evaluation will conclude that the Whitten Project is achieving our identified Council Plan reference in a cost effective manner.

### **7. Options**

Council has the option to:

1. Endorse the report as presented or
2. Request further information on the Whitten Project 2015.

### **LIST OF APPENDICES**

Nil

## 11.21 SUPPORTED PLAYGROUP AND OCCASIONAL CARE FUNDING

**Author: Vicky Matthews- Manager Families & Children**  
**Presenter: Maurie Heaney- General Manager Community Services**

### PURPOSE OF REPORT

To present a summary of the State and Federal Government funding changes to the Occasional Care and Supported Playgroup programs.

### RECOMMENDATION:

That Council note the report.

Crs Ramsey/Cugliari. That the recommendation be adopted.

CARRIED

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## REPORT

### 1. Executive Summary

Council has successfully secured additional State and Federal Government funding for Occasional Care and Supported Playgroup programs.

The Occasional Care program will receive \$100,000 in the 2015/16 financial year and then \$60,000 per annum for the next three (3) years. The Supported Playgroup ongoing funding will increase from \$58,270 to \$176,400 per annum.

This report is to provide Council with an overview of additional funding received for Children's services programs.

### 2. Background/Issues

Additional funding has been successfully secured from the State and Federal Governments for the Occasional Care and Supported Playgroup programs. The Occasional Care funding will offset the cost to Council and the Supported Playgroup funding increase will provide a new service model to Melton residents at no cost to Council.

#### Occasional Care

Council has been operating Occasional Care for approximately 24 years. The service provides care for children from six weeks to six years of age across six sites. It is short term care (three to four hours per day) and plays an important role in providing care for children when parents or guardians have other commitments or are in need of respite.

The National Occasional Care program is jointly funded by the Commonwealth and Victorian Governments and administered by the Department of Education and Training. The Commonwealth Government has provided four years of funding for the National Occasional Care program. The continuation of the program funding beyond the four year period is dependent upon the Commonwealth Government providing ongoing funding.

Funding has been successfully secured at four sites; Parkwood Green, Springside, Creekside and Melton Central. Each site will receive \$15,000 per annum for four years equating to \$60,000 per annum. The funding for the 2015/16 financial year includes backdated funding from February 2015 resulting in Council receiving \$100,000 National Occasional Care program funding this financial year.

### **Supported Playgroup**

Council has received Supported Playgroup and Parent Group Initiative (SPPI) funding from the State Government Department of Education and Training since 2009 for the purpose of providing playgroups facilitated by qualified professional staff which are targeted to eligible children and their families. In July 2015, the State Government announced an additional \$118,130 to the current funding \$58,270 received by Council.

Council will transition to the new model from the three Supported Playgroups currently provided:

- Mum and Me playgroup for incarcerated mothers and their children residing in Dame Phyllis Frost Centre
- Bubbles for children with additional needs held at Melton Central
- Square Pegs, an open playgroup in a public space with the purpose of locating families not otherwise engaged in services, currently held at Caroline Springs Square shopping centre.

The new model will require Council to provide ten Supported Playgroups operating weekly during school terms for families who hold a Health Care Card (or other eligible card) or Aboriginal and/or Torres Strait Islander families. The new groups will integrate Smalltalk, an evidence based program that supports parents to develop the skills and confidence to improve the quality of their everyday interactions with their child and promote their child's learning. There is also a requirement to provide in home support to selected/eligible families via the provision of home visits.

The Supported Playgroup program will be provided across the municipality. The staff resources to provide this program will be achieved within the increased funding dollars.

### **Benefits**

The benefits of the new model are summarised below;

- the increased level of funding will provide supported playgroups to a higher number of vulnerable families
- the flexible service model allows for a component of the service to be provided in the home to support families with increased need
- the new model will incorporate an evidence based program to improve children's wellbeing and learning outcomes by increasing parental capacity
- a greater emphasis on, and capacity for, referral of families to other universal early years services and assistance with their transition out of supported playgroups.

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

The Melton City Council 2013-2017 Council Plan references:

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

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

## **4. Financial Considerations**

The additional funding for the Occasional Care budget will offset the cost to Council by \$100,000 in the 2015/2016 financial year and by \$60,000 for the following three financial years.

Council will receive an increase in the Supported Playgroup funding of an additional \$118,130 per annum in ongoing funding. This funding will be utilised to recruit staff to deliver the new model of supported playgroups.

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

The Council Supported Playgroup program was a participant in research conducted by the Parenting Research Centre in 2011 which informed the development of the revised model of playgroup provision. Families in Melton had the opportunity to provide feedback into the research project.

## **6. Risk Analysis**

Nil.

## **7. Options**

Nil

## **LIST OF APPENDICES**

Nil



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

Verbal reports were received from Crs Ramsey, Cugliari, Carli, Turner and Majdlik.

**13. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS****13.1 RECORD OF ASSEMBLY OF COUNCILLORS IN ACCORDANCE WITH SECTION 80A(1) OF THE LOCAL GOVERNMENT ACT 1989**

- 20 October 2015.
- 4 November 2015.

**RECOMMENDATION:**

That the Record of Assembly of Councillors dated 20 October and 4 November 2015 attached to this Agenda be received and noted.

Crs Cugliari/Turner. That the recommendation be adopted.

CARRIED

**LIST OF APPENDICES**

1. Record of Assembly of Councillors 20 October 2015
2. Record of Assembly of Councillors 4 November 2015

**13.2 PUBLIC ADDRESS BY EACH COUNCILLOR**

Crs Turner, Bentley, Carli, Cugliari, Ramsey, Majdlik addressed the chamber in respect of a variety of matters of significance.

**14. NOTICES OF MOTION**

**14.1 NOTICE OF MOTION 411 (CR TURNER)**

**Councillor: Bob Turner**

**Motion**

Crs Turner/Cugliari.

That Council write to the Crime Statistics Agency (Victoria) and request that the crime statistics reported for the City of Melton not include any crimes committed by inmates currently incarcerated within the two prisons located in the municipality as is the case presently.

CARRIED

**14.2 NOTICE OF MOTION 412 (CR RAMSEY)****Councillor: Sophie Ramsey****Motion**

Crs Ramsey/Turner.

That Council write to the Minister for Public Transport, the Hon Jacinta Allan, urging the Victorian State Government to commit to the duplication of the Ballarat Rail Line from Deer Park to Melton as a matter of urgency.

This follows the consultation period on the Public Transport Regional Network Development Plan and the December 2012 PTV Network Development Plan – Metropolitan Rail along with the imminent opening of the Caroline Springs (Ravenhall) Train Station as this line is now at full capacity. This is further reinforced by the Melton City Council Integrated Transport Strategy which has again highlighted the urgent need from our community.

CARRIED

**15. COUNCILLOR'S QUESTIONS WITHOUT NOTICE**

Cr Ramsey

Regarding the Whitten Project, did the participants receive a letter of Appreciation and was there an acknowledgement of the two students, the 'You Inspire Me' award winner and runner up for their achievements?

**16. MOTIONS WITHOUT NOTICE**

Cr Carli

That Council investigate and prepare a report to come to Council at the next Ordinary Meeting on establishing a Snake Catching Program for the City Of Melton, and include the costs of such a program.

**17. URGENT BUSINESS**

Nil.

**18. CONFIDENTIAL BUSINESS****Procedural Motion**

Crs Turner/Bentley.

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:

**18.1 Contract No. 16/018 - Provision of Information Technology Network and Communication Services**

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

**18.2 Awarding of Construction Contracts**

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

**18.3 Melton Waves Leisure Centre Proposed Management Model**

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

**18.4 Appointment of Independent Audit Committee Member**

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

**18.5 Municipal Audit Committee Meeting Minutes - 28 October 2015 - Confidential Items**

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

CARRIED



**Procedural Motion**

Crs Bentley/Carli.

That the meeting be opened to the public.

CARRIED

**19. CLOSE OF BUSINESS**

The meeting closed at 8.20pm.

Confirmed

Dated this

.....CHAIRPERSON