



MELTON CITY COUNCIL

Notice is hereby given that the Ordinary Meeting of the Melton City Council will be held in the Council Chamber, Civic Centre, 232 High Street, Melton on 22 July 2014 at 7.00pm.

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

Kelvin Tori
CHIEF EXECUTIVE

Visitors to the Gallery please note:

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

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

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

- It is an offence for any person, not being a Councillor, who is guilty of any improper or disorderly conduct to not leave the meeting when requested by the Chairperson to do so.

Penalty: 20 Penalty Units

- It is an offence for any person to fail to obey a direction of the Chairperson relating to the conduct of the meeting and the maintenance of order.

Penalty: 20 Penalty Units

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

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1. OPENING PRAYER AND RECONCILIATION STATEMENT

The Chairperson will read the opening prayer and reconciliation statement.

Prayer

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

Reconciliation Statement

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

2. APOLOGIES AND LEAVE OF ABSENCE

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

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

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

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

That the Minutes of the Ordinary Meeting of Council held on 24 June 2014 be confirmed as a true and correct record.

7. CORRESPONDENCE INWARD

7.1 PARLIAMENTARIAN AND DEPARTMENTAL LETTERS RECEIVED BY THE MAYOR

- Minister for Health, Hon David Davis MP – *Funding allocation in the May 2014 State Budget to develop a community based Ambulatory Care Centre in Melton.*
- Federal Member for Gorton, Hon Brendan O'Connor MP – *Financial Assistance Grants.*

RECOMMENDATION:

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

LIST OF APPENDICES

1. Correspondence - Minister for Health
2. Correspondence - Federal Member for Gorton

**Minister for Health**

2791096/005/14

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Melbourne
Victoria 3000
GPO Box 4541
Melbourne
Victoria 3001
Telephone: (03) 9096 8561
Facsimile: (03) 9096 3373
www.health.vic.gov.au
DX 210311

e3480245

Cr Bob Turner
Mayor
City of Melton
PO Box 21
MELTON VIC 3337

Dear Mayor

Thank you for your letter of 11 June 2014 on behalf of Council regarding funding allocated in the May 2014 State Budget to develop a community based Ambulatory Care Centre in Melton.

The Victorian Coalition Government remains committed to improving health outcomes for all Victorians. This includes developments that progress population health, promotion and prevention through to ensuring the system can meet the healthcare needs of the people by providing the right care at the right place in a timely and sustainable manner.

I would like to acknowledge the ongoing contribution made by the Melton City Council in particular your support and keen involvement in this project.

If you would like further information about the development of this community based Ambulatory Care Centre, please contact Ms Leanne Price, Director, Capital Projects and Service Planning on telephone 9096 2041.

Yours sincerely

Hon David Davis MP
Minister for Health

27/6/2014





Parliament of Australia

Hon. Brendan O'Connor MP

Federal Member for Gorton

9 July 2014

Clr Bob Turner
Mayor, City of Melton
PO Box 21
Melton VIC 3337



Dear Clr Turner

Thank you for your letter dated 4 July 2014 regarding the impact of freezing indexation of Financial Assistance Grants (FAGs).

Labor has long been a supporter of grants to local government, introducing Financial Assistance Grants in 1974. This funding arrangement is vital to ensure Local Government is supported by the Commonwealth to build and maintain roads and provide local services.

Like you, I am extremely disappointed the Abbott Government has decided to freeze indexation of FAGs. The loss of more than \$900 million across the forward estimates will impact on the budgets of local councils. Of major concern is the diminishing effect over time to the funding base of FAGs if the Abbott Government decides to freeze indexation indefinitely.

It is disappointing the Abbott Government failed to consult with Local Government prior to making its decision to pause indexation. The timing has also been unsatisfactory given local councils have already shaped their budgets for the 2014-15 financial year. It doesn't seem particularly fair given local councils weren't given any notice that a funding adjustment would be included in the Abbott Government's 2014-15 Budget.

Be assured, as the Member for Gorton, I will continue to tell your story as the full impact of this decision on our local communities is understood. I also wish to work in partnership with you and continue the dialogue on how we can sustain local government in the future.

Thank you again for writing to me.

Yours sincerely

Brendan O'Connor MP
Federal Member for Gorton

8. PETITIONS AND JOINT LETTERS

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

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

Nil.

10. PUBLIC QUESTION TIME

11. PRESENTATION OF STAFF REPORTS

11.1 AUTHORISATION OF AFFIXING THE COMMON SEAL OF COUNCIL

Author: Christie Shields- Governance Officer
Presenter: Peter Bean- General Manager Corporate Services

PURPOSE OF REPORT

For Council to adopt the schedule of documents (**Appendix 1**) 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 22 July 2014 and appended to this report (**Appendix 1**).

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 ARTS & CULTURE ADVISORY COMMITTEE MEETING MINUTES

Author: Ruby Wingrove- Arts & Culture Officer
Presenter: Peter Bean- General Manager Corporate Services

PURPOSE OF REPORT

To present the minutes of the Arts and Culture Advisory Committee meeting held on Monday 2 June 2014.

RECOMMENDATION:

That the unconfirmed minutes of the Arts and Culture Advisory Committee held on Monday 2 June 2014 are noted and the recommendation contained within those minutes be endorsed. **(refer Appendix 1).**

REPORT

1. Executive Summary

The Arts and Culture Advisory Committee met on Monday 2 June 2014 to consider a range of agenda items, including the public art strategy and policy, land developer guidelines and Committee members' feedback, public art for new buildings, public art de-accession discussion, arts and culture strategic review power point presentation and general business. No recommendations emanated.

2. Background/Issues

The Arts and Culture Advisory Committee is comprised of community members, Councillors and assisting Officers.

The role of the Committee is to provide advice and recommendations to Council on a range of matters underpinned by the Council Plan 2013 – 2017 and Council Arts and Culture Strategy Imagine Melton 2011 – 2015. The Committee provides further assistance in the development and delivery of Council's arts and culture initiatives, programs and policies, as cited in the Terms of Reference document.

3. Council Plan Reference and Policy Reference

The Melton City Council Plan refers to the need to:

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

3.7 Ensure our established and new communities are well connected and supported.

4. Financial Considerations

There are no financial considerations in the endorsement of these minutes.

5. Consultation/Public Submissions

The Arts and Culture Advisory Committee itself functions as a form of public consultation to ensure community expectations are reflected in Council's policies and programs.

6. Risk Analysis

Nil.

7. Options

Nil.

LIST OF APPENDICES

1. Meeting Minutes 2 June 2014

11.3 COMMUNITY LEARNING BOARD MINUTES 26 JUNE 2014

Author: Peter Blunden- Life Long Learning Officer
Presenter: Peter Bean- General Manager Corporate Services

PURPOSE OF REPORT

To present to Council Minutes of the Community Learning Board meeting held on 26 June 2014

RECOMMENDATION:

That the unconfirmed minutes of the Community Learning Board held 26 June 2014 are noted and the recommendations contained within those minutes be endorsed.

REPORT

1. Executive Summary

The Community Learning Board meets bimonthly and considers matters relating to employment, education and learning within the City. The Learning Board promotes Melton as a Learning City.

The Community Learning Board at the 26 June meeting continued the evaluation of the Community Learning Plan 2011-2014 with the view to producing a new Community Learning Plan 2015-2018. The Literature Review has been completed and highlighted best international practice, the UNESCO Commitment for Learning Cities and the National Learning Communities Framework.

A *draft* Measuring Impact Tool was presented to the Learning Board. This innovative Tool is being developed as part of Melton City Council's contribution to the Measuring Impact project with the Australian Centre for Excellence in Local Government, Gwydir Shire Council and the Australian Learning Communities Network.

It is anticipated that the Measuring Impact tool will be of benefit to other Council Departments, community organisations, government departments and even business or business groups that utilise partnerships to achieve measurable collective goals

The impact on Melton of proposed Federal Government funding cuts were reported on. A number of vital programs to the Melton community will be discontinued, these include Youth Connections; School, Community, Business Partnership Brokers; ACCESS and Priority Employment Area consultants. Discontinuation of these projects will adversely impact on Learning Board member organisations.

Learning Board Working Party reports were also distributed. It was noted that the Building Melton Together website will link to the Melton Jobs Hub. It was also re-emphasised that advocacy around the building of new schools is a priority given the City's rapid growth.

The minutes of the 26 June Community Learning Board meeting are attached as Appendix 1.

2. Background/Issues

Council established the Community Learning Board in 1998 to promote the importance of lifelong learning to the social and economic development of Melton. The Community Learning Board connects those involved within the City in these endeavours in a forum to improve opportunities for the community to learn. Membership is drawn from all learning sectors, industry and community organisations and also comprises a number of ex officio members from Council and other formal education service providers.

The Board has two working parties that concentrate on various elements of lifelong learning and implement the Community Learning Plan 2011-2014 through its Annual Action Plan. They are the Economic Development and Lifelong Learning Working Party and the Social Inclusion and Lifelong Learning Working Party. There is also a Kindergarten Working Party that is a joint activity of the City's Early Years Partnership and the Community Learning Board.

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

3.4 Provide lifelong learning opportunities to build social connections and self development

4. Financial Considerations

There are no financial implications for Council with the recommendations of the Committee as contained in the Minutes.

5. Consultation/Public Submissions

The Community Learning Board is an Advisory Committee of Council and where public consultation and or submissions are identified as being appropriate the Board would recommend an appropriate consultation process to Council for endorsement.

6. Risk Analysis

Being regularly informed on Community Learning Board activities assists Council in controlling any possible risk exposure.

7. Options

The Community Learning Board is an Advisory Committee to Council and Council therefore has the discretion to accept/reject or amend its recommendations as Council deems appropriate.

LIST OF APPENDICES

1. Community Learning Board Minutes 26 June 2014.

11.4 EARLY YEARS PARTNERSHIP COMMITTEE MEETING MINUTES 25 JUNE 2014**Author: Leigh Cruickshank- Coordinator Early Years Partnerships****Presenter: Maurie Heaney- General Manager Community Services****PURPOSE OF REPORT**

To present to Council the minutes of the Early Years Partnership Committee meeting held on 25 June 2014.

RECOMMENDATION:

That the unconfirmed minutes of the Early Years Partnership Committee meeting of 25 June 2014 are noted as attached at **Appendix 1**.

REPORT**1. Executive Summary**

The Early Years Partnership Committee 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 developing, implementing, monitoring and evaluating the current Best Start Action Plan for the term of 2014-2015.

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 25 June 2014 meeting.

2. Background/Issues

The Early Years Partnership Committee 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.

At the 25 June 2014 meeting, reports were presented on the Best Start Maternal and Child Health and Kindergarten Working Groups to update the Committee on the working groups current actions.

The Executive group of the Early Years Partnership Committee have approved for the Early Years Partnership Committee to act as the Advisory Committee for the Healthy Children Growing Together project which Council has been successful in obtaining funding through Macedon Ranges and North Western Melbourne Medicare Local.

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

N/A.

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

Being regularly informed 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. Minutes of Early Years Partnership Committee 25 June 2014

11.5 DELEGATIONS OF AUTHORITY EXERCISED - 1 JANUARY 2014 TO 30 JUNE 2014

Author: Christie Shields- Governance Officer

Presenter: Peter Bean- General Manager Corporate Services

PURPOSE OF REPORT

To advise Council of Delegations of Authority exercised for the period 1 January 2014 to 30 June 2014.

RECOMMENDATION:

That the report be received for information.

REPORT

1. Executive Summary

Delegations exercised for the period 1 January 2014 to 30 June 2014 are detailed in **Appendices 1, 2 and 3**.

2. Background/Issues

Section 98 of the *Local Government Act 1989* sets out that:

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

1. This power of delegation; and
2. The power to declare a rate or charge; and
3. The power to borrow money; and
4. The power to approve any expenditure not contained in a budget approved by the Council; and
5. Any power, duty or function of the Council under Section 223; and
6. Any prescribed power.

The Chief Executive may also delegate any power to a member of Council staff to exercise any of his duties, powers or functions, except for his power to delegate. Council have previously resolved to periodically receive a report setting out specific delegations that have been enacted by staff.

Attached as **Appendices 1, 2 and 3** are the delegations for the period 1 January 2014 to 30 June 2014. They are set out in three categories, General, Planning and Building.

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 regarding this report.

5. Consultation/Public Submissions

There is no requirement for consultation or public submissions in consideration of this item.

6. Risk Analysis

Reporting to Council significant delegations exercised by Officers provides oversight and limits the risk of inappropriate use of delegated authorities.

7. Options

There are no options in consideration of this item.

LIST OF APPENDICES

1. Delegations Exercised
2. Planning
3. Building

11.6 GREEN SHED STAN PAYNE RESERVE DIGGERS REST

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

PURPOSE OF REPORT

To approve the allocation of the Green Shed at Stan Payne Reserve Diggers Rest to a Community Organisation.

RECOMMENDATION:

That:

1. Council approve the offer of a License Agreement to Diggers Rest Lions Club for the use of the Green Shed and fenced compound area at Stan Payne Reserve Diggers Rest for the storage of the equipment they use to support community events for a three (3) year period.

REPORT

1. Executive Summary

Under an agreement with the Sunbury Electrification Project (SEP), Council have been gifted ownership of a large farm style shed situated in one corner of the on the Stan Payne Reserve, Diggers Rest, to the rear of Diggers Rest bowling Club and adjacent to the Old Calder Highway. Site photograph (**Appendix 1**)

This 8m x 8m green shed with a single sliding entry gate and fenced compound area has been provided to Council for future Community use.

In order to determine the future use of the shed, Council has undertaken an Expression of Interest (EOI) process seeking applications from suitable community groups to utilise the facility.

Two (2) EOI's were received during the application process and after evaluation of the EOI's it is recommended by Officers to offer a License Agreement for use of the shed to the Diggers Rest Lions Club.

This report provides a recommendation to Council for consideration.

2. Background/Issues

As a part of the electrification of the railway line through the Diggers Rest railway station the Department of Transport - Sunbury Electrification Project (SEP) under an agreement with Council utilised a part of the Stan Payne Reserve, Diggers Rest as a site compound for the project.

In return for this use of the Reserve the SEP agreed, at the end of their License Agreement, to return the site to its pre project condition and also agreed to gift to Council an 8m x 8m green shed with a single sliding entry gate constructed by them and used as a part of their compound. The Shed was provided to Council for future Community use.

The shed is located in one corner of the Stan Payne Reserve to the rear of the Diggers Rest Bowls Club and adjacent to the Old Calder Highway and is reasonably large with a

significant hard standing and secure fencing surrounding it. Although the facility is well constructed, built to Building Code of Australia (BCA) standards for a Class 10 non habitable structure (shed) and serviced by both potable water and electricity it has not been set up with washroom facilities or to be compliant with the BCA as a Class (6) workshop) or Class 9 (Place of Assembly) building.

The shed was used by the SEP as a workshop but the toilets that allowed this to occur as per the BCA were removed as a part of the removal of the adjacent temporary office facilities provided for the SEP.

Should Council wish to make the Green Shed compliant with BCA Class 6 or Class 9 standards additional expenditure would be required to complete additional works for the shed to meet building regulations. An estimated cost would be in the vicinity of \$150,000 for the existing shed. Council should also note that additional infrastructure would be required from service authorities to accommodate this service.

In order to determine a suitable community use for the facility, Council has undertaken an EOI process with applications sought from interested persons/groups within the community.

The EOI process was undertaken during a three (3) week period from Friday 29 November 2013 to Friday 20 December 2013. The EOI advertisement was distributed widely via various Council mediums with an opportunity for both single and multiple tenants to be considered.

Two (2) EOI applications were received from community organisations. Initially the two (2) EOI's received did not include enough information to make a decision regarding allocation so further information was sought from the groups which delayed the evaluation process.

The two groups to submit Expressions of interest were:

1. The Diggers Rest Lions Club and;
2. The Diggers Rest Community Garden and Men's Shed.

On receipt of the additional information requested from the groups, the two (2) applications were assessed in line with Council's Community Facilities Access Policy applying the Community Facilities Assessment Criteria contained within the policy.

The evaluation panel consisted of the following Council officers:

- Glenn Mulcahy – Recreation Coordinator
- Maree Heaney – Community Participation Coordinator
- Wayne Kratsis – Acting Parks Coordinator

Comments on each application in relation to the policy criteria are summarised in the table below.

Table 1 - Community Facilities Assessment Criteria

	Program/Service suitability to nature of the centre	Community Access, meeting community needs, low program cost for participants	Program participation	Other Consideration
Diggers Rest Lions Club	Suitable for trailers Shed suitable as is for use intended	Well established group Not for profit	Key community club in Diggers Rest Proven track record of local participation	Good financial history Good tenant history

Diggers Rest Community Garden and Men's Shed	Development of Men's Shed requires further research and understanding of community need The Site is not suitable as it is for the purpose requested The Site will require capital funding to enable its conversion to use as a Men's Shed	Group has yet to formally establish Community support for use not yet identified	Group has yet to formally establish	Good financial history Good tenant history
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The Lions Club can utilise the shed in its current condition for storage of the equipment they use to support community events and they are a well established Diggers Rest group.

In comparison the EOI submitted by Diggers Rest Community Garden and Men's Shed represents a yet to be formed group and their EOI would require Council capital works investment to retrofit the shed to meet legislative requirements and be suitable for the use intended by this group.

As a result of the information provided, the Evaluation Panel was unanimous in recommending the Diggers Rest Lions Club be considered by Council for a Licence Agreement for the Green Shed for the storage of the equipment they use to support community events.

Once Council have resolved upon a decision regarding the outcome of the EOI process, both groups who have expressed interest in the facility will be advised of the outcome with Council offering to provide ongoing advice to the potentially unsuccessful group, the Diggers Rest Community Garden and Men's Shed on how to best pursue their objectives.

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

Should Council consider the Diggers Rest Lions Club for a Licence Agreement to utilise the Green Shed for the storage of the equipment, the Lions Club will be charged in line with Councils adopted fees and charges which for the 2014/15 financial year will be \$345.00.

Should Council wish to consider the option of licensing the facility to the Diggers Rest Community Garden and Men's Shed, significant Capital Works will be needed to ensure the building is compliant with the Building Code of Australia standards for this type of use. A provisional cost estimate to undertake this work is approximately \$150,000 but this may vary based on detailed design and construction considerations. There are currently no funds available within Council's adopted 2014/15 Annual Budget to allow these works to be completed.

Council is currently in the process of commencing a Men's Shed construction in Taylors Hill which is a large facility and could cater for this catchment of Diggers Rest.

5. Consultation/Public Submissions

An EOI process was undertaken with applications sought during a three (3) week period from Friday 29 November 2013 to Friday 20 December 2013. The EOI advertisement was distributed widely via various mediums including the Leader Newspaper, email to all existing City of Melton clubs, email to local sport associations, media release and via Councils website.

6. Risk Analysis

There is a risk the unsuccessful EOI applicant may be disappointed that at least shared use has not been secured. Council's Leisure and Facilities Unit will advise all applicants of the outcome and work with each club to facilitate positive outcomes for the broader City of Melton community.

7. Options

That Council do not recommend the offer of a Licence to use the Green Shed to any community club and reserve future use of the shed for ongoing Council operations.

LIST OF APPENDICES

1. Green Shed Site location photograph

11.7 PLANNING APPLICATION PA 2014/4310 - USE AND DEVELOPMENT OF THE LAND FOR THE PURPOSE OF GREYHOUND KEEPING AND TRAINING AT 320 TELEPHONE ROAD, EXFORD

Author: Cam Luong- Development Planner
Presenter: Bob Baggio- Manager Planning

PURPOSE OF REPORT

To consider a planning application for the use and development of the land for the purpose of greyhound keeping and training at 320 Telephone Road, Exford.

RECOMMENDATION:

That Council:

- a) Issue a Notice of Decision to Refusal a Permit on the following grounds:
 1. The proposal is inconsistent with the State Planning Policy Framework (in particular Clause 13.04-1 - Noise Abatement and Clause 16.02-1 - Rural residential development) in relation to protecting sensitive areas and ensuring that development is not prejudiced and community amenity is not reduced as a result of noise emissions.
 2. The proposal does not meet the decision guidelines contained within the Green Wedge Zone provisions and Clause 65. In particular, the proposal is considered to be incompatible with the rural residential surroundings, and will result in an unreasonably impact on the amenity of the area.
 3. The proposal does not fully comply with the EPA Noise Guidelines (2008) in relation to dog breeding/animal boarding, given that the use is within a 500m buffer of a number of surrounding dwellings or no noise attenuation measures are proposed.
- b) Request the applicants to cease the use within three months and comply with the Melton Planning Scheme.

REPORT

1. Background

Executive Summary

Application No.:	2014/4310
Applicant:	Glossop Town Planning Pty. Ltd.

- The proposal is to use and develop the land for the purpose of race dog keeping and race dog training.
- The site is within the Green Wedge Zone and not affected by any overlays.
- Six objections have been received.

- The proposal is considered to be contrary to the relevant requirements of the Council's Planning Scheme.
- Refusal is recommended.

The Land and Surrounding Area

The subject site is located at 320 Telephone Road, Exford and has a western frontage to that road. The land abuts the Ballarat rail line on its southern boundary. It is irregular in shape with a total area of approximately 4.1 hectares.

The land forms part of an existing rural residential subdivision that was created in the 1970s. The subdivision is generally bounded by Telephone Road to the west, the rail line to the south, and the Werribee River/Melton Weir to the north and east. All the lots within the subdivision have an area of at least 4 hectares.

The subject site directly adjoins the following three of these lots, which each contain an existing dwelling:

- 330 Telephone Road - The existing dwelling is about 107m north of the subject land.
- 20 Lark Road – The existing dwelling is about 205m north east of the subject land.
- 50 Lark Road – The existing dwelling is about 310m east of the subject land.

The land on the opposite side of the Werribee River from the subdivision is earmarked for future urban development.

The subject land is affected by a registered restrictive covenant which outlines that the registered proprietor(s) *"shall not erect a dwelling or dwellings on the said land or any part of it having an area less than one thousand square feet excluding outbuildings or having external walls of any material other than brick, brick veneer or stone or such other materials the use of which is approved in writing by the Building Surveyor for the time being of the Shire of Werribee."* The proposal does not breach the obligations of the covenant.

It should be noted that the use being applied for currently operates and buildings/works associated with the use have been developed – all without planning approval.

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

The Application

The application proposes to legitimise the use and development of race dog keeping and race dog training.

The use and development is summarised as follows:

- No more than 50 dogs are proposed to be kept on the site at any one time.
- A maximum of 2 or 3 large racing dogs or 1 large racing dog and 8 pups will occupy an individual dog pen at any one time.
- The dogs are fed twice daily, being in the morning generally between 7.00am - 8.00am, and the afternoon generally between 1.00pm - 2.00pm. No feeding occurs in the evening.
- All faecal matter from the dogs is collected throughout the day and stored in plastic lidded containers. This is collected daily by a licensed contractor for disposal offsite.
- Liquid waste consists of urine, wash-down water and hydro-bath water. Urine is deposited either on the expansive grassed areas, in empty fenced yards on to sand beds or on the concrete floors. All concrete floors are mopped with disinfectant at least

daily. Hydro bath water is disposed of onsite, generally monthly. Sand beds are changed regularly.

- The dogs are exercised daily. No more than 3 or 4 dogs at a time are allowed in the exercise area.
- The use operates 7 days a week and is attended at all times by at least one of the landowners or in their absence a suitably experienced individual.
- An existing metal garage and metal shed on the land, which are located adjacent to an existing dwelling, have been converted into kennels (no external alterations required).
- Four dog pens have been constructed adjacent to the existing sheds and garage.
- A dog kennel has been constructed adjacent to the existing dwelling on the land.
- Ten external dog enclosures have been constructed in a row to the south of the existing dwelling. These are enclosed using 1.8 metre high chain-wire-mesh fencing and associated gates. Each of these areas contains a small shed used as a shelter.
- A 1.8 metre high paling fence is to be constructed south of the existing dwelling adjacent to the dog pen and yard areas to reduce any noise caused by the dogs.
- Two 70 metre long exercise yards have been constructed adjacent to the northern boundary. These are used for exercising the dogs. A 1.8 metre high chain mesh wire fence encloses these areas.
- A 200 metre long galloping yard is to be constructed adjacent to the southern boundary, adjacent to the railway line. This will be used for exercising and training the dogs. A 1.8 metre high chain mesh wire fence encloses this area.

Further, the applicants offer chiropractic services for dogs of colleagues in the greyhound racing industry. They advise that this is not a commercial enterprise as a fee is not charged and it occurs infrequently.

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

Refer to **Appendix 3** for Acoustic Report.

Planning Controls

The land is within the Green Wedge Zone and is not affected by any overlay.

Under the Zone provisions, a permit is required to use the land for the purpose of racing dog keeping (nested under animal keeping), if there are more than 5 animals. A permit is not required for the racing dog training component, given, that racing dog training is nested under the boarder definition of agriculture, which is an as-of-right use in the Green Wedge Zone.

A permit is also required to construct a building or to construct or carry out works associated with a Section 2 (permit required) use.

The following State policies are relevant to this proposal:

- Clause 13.04-1 - Noise Abatement
- Clause 16.02-1 - Rural residential development
- Clause 17.01 – Business.

In summary, these policies encourage:

- Assisting in the control of noise effects on sensitive land uses.

- Development that is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.
- Maintaining an adequate buffer distance between rural residential development and intensive animal husbandry.
- Ensure planning for rural living avoids or significantly reduces adverse economic, social and environmental impacts by maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.
- Development which meet the communities "needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities".

The Municipal Strategic Statement (MSS) locates the subject land within the Exford Farming Area. The objective for this land use area/unit is *"To preserve the Exford Farming Area as a regional agricultural asset for the foreseeable future by discouraging urban uses and other development which undermine the productivity and viability of agriculture in this area."*

The Local Planning Policy for Rural Land Use (Clause 22.08) outlines the following objectives relevant to the consideration of this application:

- To maintain the rural areas predominantly in sustainable, agricultural use and to provide opportunities for alternative, more intensive rural uses.
- 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 promote economic development, tourism and rural enterprises which are compatible with, and ancillary to, rural activities.
- 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 the rural areas by encouraging development that is in harmony with the rural landscape.
- To encourage the retention of remnant areas of native vegetation and the planting and maintenance of windbreaks and tree lines.

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 6 objections were received.

The grounds of objection may be summarised as follows:

- Loss of rural atmosphere. This is a rural living area and not a rural area.
- Noise from consistent whining, howling and barking of dogs.
- Increased traffic and parking along Telephone Road.
- That the landowner had purchased and developed the uses without appropriate approvals in the first place.
- Concerns about the welfare of the animals.
- The use is more suitable in areas of the Shire of Moorabool, which has existing kennels, piggeries, broiler farms and other intensive animal pursuits.
- Highlighted the potential errors in the report accompanying the application.
- The proposal is defined as a Category 3 premises under the Greyhound Racing Victoria's Code of Practice, which is outlined to be more suited to rural area.

Referral of the application

Internal

Environmental Services	No objections.
Health Services	Outlined that the use must not generate any nuisance pursuant to the Public Health and Wellbeing Act on the site.
Local Laws	<p>Outlined that all greyhounds that are registered with Greyhound Racing Victoria are exempt from the registration requirements of the <i>Domestic Animals Act</i>.</p> <p>If the person is a member of Greyhound Racing Victoria, they would also need to be registered as Domestic Animal Business, if they have 10 or more fertile female Greyhounds.</p>

External

EPA	No objections.
DEPI	No response received.

5. Issues

Planning Assessment

Although the subject land and the surrounding area is located within the Green Wedge Zone, it is on the periphery on what could be described as an enclave of rural living (hobby farm) type development.

In this context, the main issue which has become evident from the objections and subsequent discussions/correspondence from some of the objectors is noise. This is particularly noise generated by the barking of the dogs on what anecdotally appears to be a regular basis.

The EPA 'Noise Control Guidelines' provides general guidance in-terms of 'Dog Kennels'. The purpose of the guidelines for Dog Kennels relate to the need to respond to problems caused by the perpetual barking of dogs, which has been known to exist at distances as far as 500 metres from the actual source. The following criteria for dog kennels have been developed to limit both the physical stimuli to the dogs and the outbreak of noise from the kennels:

- The kennels should be located at least 500 metres from residential areas.
- Some fully enclosed or acoustically baffled kennels should be available to house particularly noisy animals, at a ratio of 1:15.

- Electronic masking noise devices should be provided to reduce audible stimuli to the dogs.
- Kennels should be constructed to visually screen stimuli such as other dogs, animals, traffic or passers-by.
- Access to kennels should be restricted solely to staff.
- Feeding of the dogs should be restricted to the daytime hours of 7am-6pm.
- Exercise of the dogs may only be performed between the hours of 9am and 5pm.
- A responsible person must be available on site 24 hours per day.
- Kennels should be constructed of such a material so as to provide an appropriate reduction in the emission of noise. Materials such as masonry and cement sheeting would provide a suitable structural basis.
- The kennels should be positioned so as to utilise the ability of the topography to reduce noise.

An Acoustic Report was prepared by SLR Global Environmental Solutions, and this was submitted with the application.

The Acoustic Report outlined that:

“Whilst dog barking occurred at times during the logging period, noise from occasional dog barking will not affect the L90 background noise level, which is the level exceeding 90% of the measurement period.

The lowest measured average noise level has been adopted for the purpose of determining noise limits.”

Furthermore, the Acoustic Report concluded that:

“A SEPP N-1 assessment of noise from the breeding kennels at 320 Telephone Road, Exford has been conducted in accordance with SEPP N-1.

Noise monitoring was undertaken for a full week, however, significant levels of noise from the kennels were not observed.

Moderate non-compliance with SEPP N-1 was calculated to the nearest residence on a night when dogs associated with that property were themselves particularly noisy. Compliance with SEPP N-1 was calculated to that residence at all other times, and to all other residences at all times during the monitoring period.”

In contrast to the findings of the noise report prepared by SLR, a number of the objectors have for some time been recording the occasions when the dogs bark for any extended period of time. The notes and audio recordings would tend to indicate that the dogs bark on a regular basis at various times of the day. Further, nuisance from the barking is exacerbated on the occasions that the dogs are being trained.

Council engaged an acoustic consultant to peer review the applicant's noise report. The recommendations of that review are as follows:

- *Undertake attended noise measurements at a number of locations closer to the facility to determine the potential noise impact solely due to the dogs located at the existing facility. This approach would minimise the contribution from the neighbouring properties, and the measurements would provide a more reliable noise level of the source being assessed.*
- *The noise from the dogs being outside during exercise and the noise from the dogs as they move to and from the exercise yard should be considered in the calculations.*

- *Undertake detailed noise modelling to take into account atmospheric conditions, kennel orientations and interaction with an absorbing ground and solid obstacles. Noise modelling will provide a better understanding of the mitigation measures that are required to minimise the potential noise impact upon the surrounding sensitive land uses that may be associated with site operation following the construction of the new facility.*

The Department of Environment and Primary Industries (DEPI) have a specific Code of Practice for Greyhound establishment. The Code of Practice provides “*minimum standards of accommodation, management and care which are appropriate to the physical and behavioural needs of greyhounds housed in establishments and by people who work in them.*”

A similar Code of Practice has been adopted by Greyhound Racing Victoria (GRV). It is noted that correspondence (letter from GRV dated 11 February 2014) has been submitted along with the application that indicates that GRV considers that the applicant is compliant with the Code of Practice for the Greyhound Industry.

Although the Code of Practice is not a statutory document under the Planning Scheme, it nominates three categories of greyhound premises. More than 20 dogs is described as a *Category 3 – Major commercial establishment*.

It is considered by officers that on balance the proposed application should not be supported by Council. There are concerns that a significant greyhound keeping / training facility is inappropriate so close to what amounts to an existing rural living area. Contrary to the findings of the applicant's noise report, the existing use would appear to be creating a noise nuisance to surrounding residents on a regular basis and detrimentally affecting the amenity of these residents. Although Council could elect to support the application subject to requirements for a fewer number of dogs or further noise attenuation measures, no information has been provided which would indicate that this would address the noise issue.

It is therefore recommended that the application be refused and the applicants requested to cease the use and comply with the requirements of Council's Planning Scheme.

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 is contrary with the relevant requirements of the Planning Scheme.

Therefore, it is recommended that the application be refused.

LIST OF APPENDICES

1. Appendix 1 - Locality Plan
2. Appendix 2 - Plans of Proposal
3. Appendix 3 - Acoustic Report

11.8 MUNICIPAL EMERGENCY RESOURCING PROGRAM 2014-2016

Author: Greg Wood- Manager Operations

Presenter: Luke Shannon- Acting Chief Executive Officer

PURPOSE OF REPORT

To present the State Governments Municipal Emergency Resourcing Program 2014-16 that assists municipalities in mitigating the impacts an emergency event may pose to the community.

RECOMMENDATION:

That Council:

1. Note the report; and
2. Write to the Minister for Local Government expressing Council's appreciation for the continuation of this important funding support to Council and the Community.

REPORT

1. Executive Summary

The State Governments Municipal Emergency Resourcing Program was established in 2012 to assist Local Government in achieving substantially enhanced emergency management planning functions associated with the outcomes from the Bushfire Royal Commission.

Following extensive advocacy from Local Government to continue the program, the State announced in May 2014 that the program would be extended until July 2016.

This report discusses the confirmed arrangements associated with the 2014-16 program.

2. Background/Issues

The Department of Transport Planning and Local Infrastructure have confirmed the arrangements associated with the Municipal Emergency Resourcing Program (MERP). As per the previous arrangements, the State has grouped Melton with Wyndham City Council, with Melton identified as the lead municipality. The State will provide \$120,000 annually over the two year program. The funding is to be provided to Melton who will administer these funds across the two municipalities.

The key objectives of the program are as follows:

- Work in partnership with other agencies to implement local government emergency management activities. Where possible, Council should utilise a strategic and collegiate approach, whereby learnings from other Councils are leveraged.
- Actively engage with Local Government Victoria and relevant government agencies to help ensure consistent emergency management practices can be implemented across the state.
- Support and facilitate integrated fire planning at municipal level (i.e. linking Municipal Emergency Management Plans to Township Protection Plans).

- Support and facilitate the streamlining of Council approval processes for emergency management activities.
- Work with community groups and members to facilitate community inclusion in emergency management preparation.
- Provide support to emergency response agencies during emergency events.
- Enable a continuous improvement approach to municipal emergency management.
- Work in partnership with DHS, other agencies, and across Councils business areas as appropriate to support local implementation of required activities under the Vulnerable People in Emergencies policy, including:
 - Planning with, and identification of, vulnerable people within the municipality.
 - Developing and maintaining a list of vulnerable clients of the Council, where appropriate and in line with required protocols.
 - Coordinating the compilation of lists of vulnerable people within the standard technology platform, utilising information from council, funded agencies and other third parties.
 - Developing and maintaining a list of facilities within the municipality near to where vulnerable people may be located.
 - Where appropriate, ensure the information is accessible to Victoria Police and other authorised organisations in planning for, and in response to, emergency events.
 - Other duties assigned to local government stemming from the reformation of the Victorian emergency management sector over the funded period.

While the above activities should be delivered as a priority under the Municipal Emergency Resourcing Program, the activity is not limited to these. Council may direct resources to other related emergency management activities as required, based on local priorities.

Funding under the MERP will allow both Melton and Wyndham to build upon the work over the past few years in preparing for emergencies and building resilience, including maintaining the Vulnerable Persons Register which identifies those most vulnerable in the event of an emergency.

As in previous years, the funding will be used to employ an Emergency Management Project Officer. The role is shared between the two municipalities; with the officer tasked with ensuring that the objectives of the program are achieved across both municipalities.

The State Government is currently undertaking a comprehensive reform of emergency management arrangements with the formation of Emergency Management Victoria and has identified local government as playing a crucial role in these reforms due to their extensive local knowledge and connection to communities.

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

As the lead organisation, Melton will receive \$120,000 over each of the next two years, to fully fund the program across the two municipalities.

5. Consultation/Public Submissions

Not applicable.

6. Risk Analysis

Council and the community will be exposed to significant risk if it does not have adequate emergency management planning. This risk is exacerbated when community resilience to emergency events is low. A key objective of this program is to build community capacity and capability in order to mitigate such risk.

7. Options

Not applicable.

LIST OF APPENDICES

Nil

11.9 DISCONTINUANCE AND SALE - PART OF ROAD RESERVE AT 102-106 HIGH STREET, MELTON

Author: Christie Shields- Governance Officer
Presenter: Peter Bean- General Manager Corporate Services

PURPOSE OF REPORT

To complete the statutory process required in relation to the discontinuance and sale of a parcel of land.

RECOMMENDATION:

That Council, having considered the written submission received under Section 223 of the *Local Government Act 1989* to the proposed discontinuance and sale of part of the road reserve at 102-106 High Street, shown hatched in **Appendix 1**:

1. Discontinue and sell, in accordance with section 206 and Clause 3 of Schedule 10 of the Local Government Act 1989, that part of the road reserve to the adjoining landowner at 102-106 High Street, Melton for \$73,500 plus legal costs.
2. Direct that a notice be published in the Victorian Government Gazette.
3. Advise each person who lodged a submission in relation to the proposal of Council's decision and the reasons for the decision.
4. Record the following reasons for the decision to discontinue and sell the section of road:
 - (i) Council considers that the road is not reasonably required as a road for public use
 - (ii) Council considers that it is acting in accordance with the function and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council's control.
 - (iii) Council considers the independent valuation received is fair and correct.

REPORT

1. Executive Summary

Council, at its Ordinary Meeting of 12 November 2013 resolved to commence the statutory process to discontinue and sell part of a road reserve at 102-106 High Street to the adjoining landowner as shown in **Appendix 1**. A copy of the Council report on 12 November 2013 is provided at **Appendix 2**.

The process to discontinue and sell a road is governed by the *Local Government Act 1989*, and is undertaken in accordance with the DPCD Best Practice Guidelines for the Sale, Exchange & Transfer of Land.

One written submission has been received in response to Council's proposal to discontinue and sell the section of road reserve (**Appendix 4**). The submitter has not requested to be heard in person, or to be represented, in support of their submission.

2. Background/Issues

Council received a request in November 2011 from the landowner at 102-106 High Street, Melton to purchase the part of the unused road reserve that exists between the front boundary of the property and the service road at this location.

The proposed area for purchase is a road reserve which is rectangular in shape and is approximately 65 metres by 15 metres, and is calculated to be approximately 975 square metres. The land adjoins the frontage of the property at 102-106 High Street on the northern boundary and fronts the service road on its southern boundary (see hatched area on **Appendix 1**).

The Road Reserve is currently zoned Public Use Zone 1 (PUZ1) which adjoins land zoned Industrial 1 (1N1Z). No planning overlays are applicable. The subject land is currently a vacant gravel area that vehicles utilise as an alternate access roadway and for overflow car parking. The area of land is not designated for this purpose.

This is the second time the adjoining landowner has approached Council to purchase part of the road reserve land. In 2009 Council commenced the process at the request of the adjoining owner and obtained a land valuation which determined highest and best use of the land at that time. The land owner did not respond to the offer that was made and the process subsequently lapsed. In early 2011 the adjoining landowner contacted Council with an offer that was lower than the valuation received in 2009. However, as this didn't represent fair market value, no further action was taken.

Any sale of the subject land, and the subsequent requirement by Council to consolidate it with the existing land parcel, would sensibly realign the boundary of the property to match that of all the commercial properties on the northern side of High Street. The only property that wouldn't be aligned is that of Councils Operations Centre. The part of the road reserve directly adjoining the front boundary of the Operations Centre/Depot is currently used for overflow car parking for staff and contractors. The sale of the subject land would not affect the continued use of this land for Council.

Council received an independent valuation based on the highest and best use of the land for \$73,500. The valuation considered the current commercial property market rate, but also the restricted market for this sale, in which there can be no other logical buyer but the adjoining landowner given the size, location and nature of the land concerned.

Councils Strategic Planning team have indicated that there is currently a review underway of Public Use Zone 1 within the City, which may result in an amendment to the zone for this land. As this land is adjoining Industrial 1 land, any amendments are not expected to affect the general use of the subject land.

Furthermore, Councils Statutory Planning team have indicated that future use of the land, as with all land, will be subject to the normal planning permit application processes and provisions. The adjoining landowner has been advised of this.

3. Council Plan Reference and Policy Reference

The Melton City Council 2013-2017 Council Plan references:

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

2.6 Ensure timely compliance with statutory and regulatory obligations

4. Financial Considerations

The adjoining landowner has agreed to purchase the subject part of the road reserve from Council for \$73,500, being the value of that part of the road reserve as determined by Council's appointed valuer.

The adjoining landowner has also agreed to reimburse Council for all reasonable legal costs and disbursements incurred by Council during this process.

5. Consultation/Public Submissions

Public notices were placed in newspapers generally circulating in the municipality on 10 June 2014 (see **Appendix 3**). The public advertising period concluded on 8 July 2014.

One written submission has been received in response to Council's proposal to discontinue and sell the section of road reserve (**appendix 4**). The submitter has not requested to be heard in person, or to be represented, in support of their submission.

Council is required under Section 223 of the *Local Government Act 1989* to take into consideration the submissions received and after it has made a decision, must notify the submitters of the decision and the reasons for the Decision.

6. Risk Analysis

Should Council resolve to sell the land to the adjoining landowner, the property owner would be required to consolidate the land with their existing land parcel to create one title. The sale of the land and realignment of the property boundary to match that of other commercial properties in High Street supports appropriate land usage for future business and industrial development in this area.

7. Options

- 1) Council may refuse the recommendation and retain the current road reserve.
- 2) Council may refuse the recommendation and seek a higher purchase price.

LIST OF APPENDICES

1. Plan showing the Road Reserve and the part (hatched)
2. Council Minutes - 12 November 2013
3. Public Notices - 10 June 2014
4. Submission

12. REPORTS FROM DELEGATES APPOINTED TO OTHER BODIES

13. COUNCILLOR REPRESENTATIONS AND ACKNOWLEDGEMENTS

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

- 1 July 2014
- 8 July 2014
- 15 July 2014

RECOMMENDATION:

That the Record of Assembly of Councillors attached to this Agenda dated 1 July, 8 July and 15 July 2014 be received and noted.

LIST OF APPENDICES

1. 1 July 2014
2. 8 July 2014
3. 15 July 2014

13.2 PUBLIC ADDRESS BY EACH COUNCILLOR

14. NOTICES OF MOTION

14.1 NOTICE OF MOTION 386 (CR TURNER) COUNCIL THANK INSPECTOR STEPHEN MUTTON

Councillor: Bob Turner

Notice was given at the Ordinary Meeting of Council held on 24 June 2014 of my intention to move the following motion at the Ordinary Meeting of Council to be held on 22 July 2014;

MOTION:

That Council write to Inspector Stephen Mutton to thank him for his service to the Melton Community.

1. Officer's Comments

Inspector Mutton has recently transferred to another role in metropolitan Melbourne. It is appropriate to write to Inspector Mutton to thank him for his contribution to the community in his time in Melton

14.2 NOTICE OF MOTION 387 (CR DUNN) INSTALLATION OF DOG WASTE BINS AND DISPOSABLE DOG WASTE BAG DISPENSERS**Councillor: Nola Dunn**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 22 July 2014;

MOTION:

That Council Officers provide a report to Council on the installation of dog waste bins and disposable dog waste bag dispensers at selected sites in prominent Reserves around the City. Such a report to include the identification of potential sites, cost of installation and cost of ongoing servicing of such facilities.

1. Officer's Comments

Council officers will further investigate opportunities to install dog waste bins and disposable dog waste bag dispensers at selected sites in prominent Reserves around the City.

Council should also note that there will be additional recurrent expenditure required to deliver this initiative.

Further details will be provided in a Council report in the future.

**14.3 NOTICE OF MOTION 388 (CR DUNN) SAFETY REVIEW OF HOPKINS ROAD
INTERSECTION AND EASTBOUND EXIT RAMP OF WESTERN FREEWAY****Councillor: Nola Dunn**

I hereby give notice of my intention to move the following motion at the Ordinary Meeting of Council to be held on 22 July 2014;

MOTION:

That Council request VicRoads undertake a safety review of the intersection of Hopkins Road and the eastbound exit ramp of the Western Freeway.

1. Officer's Comments

There has been some evidence of vehicles over-shooting the intersection as they approach from Melton and also anecdotal reports of near misses at this intersection. There may be a need to review advanced warning signage and intersection signage at this location. The road is under the control of VicRoads, given the restricted sight lines due to the Western Highway overpass there may also be the need to consider the installation of a Stop sign in lieu of Give Way signage.

15. COUNCILLOR'S QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. URGENT BUSINESS

18. CONFIDENTIAL BUSINESS

Procedural Motion

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

18.1 Minutes of Property Development Advisory Committee Meeting - 8 July 2014

This report is confidential in accordance with s89(2)(d) (f) as it relates to contractual matters; AND matters relating to legal advice.

18.2 V8 Jet Boats Lease

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

18.3 Tender report and recommendation - Landscaping of Bridge Road Children's and Community Centre

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

18.4 Tender report and recommendation - Landscaping of Botanica Springs Children's and Community Centre

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

18.5 Atherstone Update

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

18.6 Taylors Hill West Precinct

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

18.7 Melton Learning & Library Hub Cafe

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

18.8 CEO's Review Committee Report 2013/2014

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

Procedural Motion

That the meeting be opened to the public.

19. CLOSE OF BUSINESS