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| ColourLogoRGB.jpg  **MELTON CITY COUNCIL**  **Minutes of the Ordinary Meeting of the Melton City Council**  **17 September 2013**  THESE MINUTES CONTAIN REPORTS DEALT WITH AT A CLOSED MEETING OF COUNCIL |
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**Melton City Council**

Minutes of the Ordinary Meeting of the Melton City Council held in the Council Chamber, Civic Centre, 232 High Street, Melton on 17 September 2013 at 7.00pm

**Present:** Cr K.Majdlik (Mayor)  
Cr B.Turner (Deputy Mayor)  
Cr B.Borg  
Cr R.Cugliari  
Cr N.Dunn  
Cr S.Ramsey  
  
Mr K.Tori, Chief Executive Officer  
Mr P.Bean, General Manager Corporate Services  
Mr A.Boyle, Acting General Manager Community Services   
Mr L.Shannon, General Manager Planning and Development  
Mr B.Baggio, Manager Planning   
Mr I.Stewart, Acting Manager Customer Engagement  
Ms A.Raijer, Communications 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 Carli - Leave of Absence granted at the Ordinary Meeting of Council held on 27 August 2013, for the period 26 August 2013 to 28 October 2013.

**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**

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| Crs Ramsey/Turner.  That the Minutes of the Ordinary Meeting of Council held on 27 August 2013 be confirmed as a true and correct record.  CARRIED |

**7. Correspondence Inward**

Nil.

**8. Petitions and Joint Letters**

Nil.

**9. Resumption of Debate or Other Business Carried over from a Previous Meeting**

**9.1** **Appointment of Councillor Representatives to Advisory Committees of Council**

1. Reconciliation Advisory Committee

Cr Ramsey nominated Cr Cugliari to the Reconciliation Advisory Committee.

As there were no further nominations Cr Cugliari was appointed the Councillor representative.

2. Heritage Advisory Committee

Cr Cugliari nominated Cr Ramsey as the substitute to the Heritage Advisory Committee.

As there were no further nominations Cr Cugliari was appointed the substitute Councillor representative.

3. Arts and Culture Advisory Committee

Cr Ramsey nominated Cr Turner, Cr Carli and Cr Dunn to the Arts and Culture Advisory Committee.

As there were no further nominations Cr Turner and Cr Carli were appointed as the Councillor representatives and that Cr Dunn be appointed as the substitute and Cr Turner be appointed as Chairperson.

4. Leisure Advisory Committee

Cr Ramsey nominated Cr Majdlik and Cr Turner to the Leisure Advisory Committee.

As there were no further nominations Cr Majdlik and Cr Turner were appointed as the Councillor representatives and that Cr Majdlik be appointed as Chairperson.

**10. Public Question Time**

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| **Name** | **Question asked of Council** |
| Yasmin Ruiz | Not in attendance. Written response to be provided. |
| David O’Connor | Naming of the new housing development in Diggers Rest. |
| Androulla Touvanna | Council’s requirement to act under State Statute and/or Legislation. |
| Chris Touvanna | Reading of all public questions at Council Meetings. |
| Chris Lynn | Assess walkways and outside furniture at shops on the corner of Morris Street and Richard Road. |
| John Bartlett | Council allocation of funding to community groups. |

Cr Ramsey left the chamber at 7.18pm

Cr Ramsey returned to the chamber at 7.20pm.

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| Chris Touvanna | Clarification of serving of Council documents. |
| Nathan Miles | Cost of security and police at Council Meetings. |
| Androulla Touvanna | Council’s liability as decision making. |
| Nathan Miles | Request for additional bins at Navan Park. |
| Mario Cachia | Melton’s Housing Strategy. |
| Michael Matalewski | Prioritisation of Hume Drive duplication. |
| Michael Matalewski | Action to address Corrella problems in the municipality |

**11. Presentation of Staff Reports**

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| **Procedural Motion** |
| Crs Turner/Ramsey.  That recommendations as printed in items 11.1, 11.2, 11.4, 11.5 and 11.6 be adopted in block.  CARRIED |

**11.1** **Authorising of Affixing The Common Seal of Council**

**Author: Christie Shields- Governance Officer**

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

**Purpose of Report**

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| For Council to adopt the schedule of documents **(Appendix 1)** requiring the Common Seal of Council. |

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| **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 17 September 2013 and appended to this report **(Appendix 1)**.  Crs Turner/Ramsey. That the recommendation be adopted.  CARRIED |

**Report**

**1. Executive Summary**

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

**2. Background/Issues**

Use of the Council Seal is required where Council as a body corporate 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**

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| 1. | Schedule for Authorising of Affixing The Common Seal |

**11.2** **Djerriwarrh Festival Committee Minutes 2 September 2013**

**Author: Heidi Taylor- Senior Events Officer**

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

**Purpose of Report**

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| Presentation of the unconfirmed minutes of Djerriwarrh Festival Advisory Committee meeting held on Monday, 2 September 2013. |

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| **Recommendation:**  That:-  1. The unconfirmed minutes of Djerriwarrh Festival Advisory Committee Meeting of 2 September 2013 to be noted.  2. Council adopt the recommendation of the Committee as detailed in the unconfirmed minutes appended to this report.  Crs Turner/Ramsey. That the recommendation be adopted.  CARRIED |

**Report**

**1. Executive Summary**

The Djerriwarrh Festival Advisory Committee met on 2 September 2013 and resolved on key issues for Council’s consideration.

**2. Background/Issues**

The Djerriwarrh Festival Advisory Committee is a key community committee dedicated to the planning and delivery of the annual Djerriwarrh Festival.

The appointment of the committee supports the ongoing planning and preparation of this signature event and encourages a diverse program of opportunities that will achieve maximum community participation.

The Terms of Reference includes membership of the Djerriwarrh Festival Advisory Committee at a maximum of fourteen community members plus one Councillor Representative and one Council staff member.

**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.*

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

*3.5. Build an inclusive community that embraces and values cultural diversity and celebrates our collective heritage.*

*3.6. Create a safer community through building a sense of belonging and community pride.*

**4. Financial Considerations**

Operational costs for the Djerriwarrh Festival are referred annually to Council’s recurrent budget.

**5. Consultation/Public Submissions**

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

**6. Risk Analysis**

Maintaining up to date policies within an organisational framework assists Council in controlling risk.

**7. Options**

Djerriwarrh Festival Advisory Committee is an Advisory Committee of Council and Council therefore has the discretion to accept/reject or amend its recommendations as Council deems appropriate.

**List of Attachments**

|  |  |
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| 1. | Djerriwarrh Festival Advisory Committee Minutes |

**11.3** **Policy Review Panel Meeting Minutes 29 August 2013**

**Author: Liz Pace- Executive Assistant**

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

**Purpose of Report**

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| This report presents to Council Minutes of the Policy Review Panel meeting held on 29 August 2013 for adoption of the Committees recommendations. |

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| **Recommendation:**  That :-  1. The unconfirmed minutes of the Policy Review Panel Meeting of 29 August 2013 be noted.  2. Council adopt the recommendations of the Committee as detailed in the Minutes appended to this report.  Crs Dunn/Cugliari. That the recommendation be adopted.  CARRIED |

**Report**

**1. Executive Summary**

The Policy Review Panel considered:

- Rating Strategy Reference Group Terms of Reference

**2. Background/Issues**

Council established a “Policy Review Panel” to review existing Council policy and formulate new policies in new areas identified by Council as requiring appropriate policy consideration.

The panel is an Advisory Committee which meets monthly and presents its recommendations to the Council for adoption. A copy of the Minutes of the meeting held on 4 July 2013 is attached as **Appendix 1** to this report.

The policies as proposed largely reflect what was the pre-existing practice in relation to these matters and therefore are not viewed as containing any major issues for 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

*2.3 Facilitate community engagement in planning and decision making*

**4. Financial Considerations**

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

**5. Consultation/Public Submissions**

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

**6. Risk Analysis**

Maintaining up to date policies within an organisational framework assists Council in controlling risk.

**7. Options**

Policy Review Panel is an Advisory Committee of Council and Council therefore has the discretion to accept/reject or amend its recommendations as Council deems appropriate.

**List of Appendices**

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| 1. | 29 August 2013 Policy Review Panel Minutes |
| 2. | Rating Strategy Reference Group Terms of Reference |

**11.5** **Culturally and Linguistically Diverse Advisory Committee Meeting Minutes 21 August 2013**

**Author: Adamu Tefera- Intercultural Development Officer**

**Presenter: Adam Boyle- Acting General Manager Community Services**

**Purpose of Report**

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| To present the minutes of the Culturally and Linguistically Diverse Advisory Committee (CALDAC) meeting held on 21 August 2013. |  |

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| **Recommendation:**  That the unconfirmed minutes of the CALDAC Meeting of 21 August 2013 are noted as attached at **Appendix 1.**  Crs Turner/Ramsey. That the recommendation be adopted.  CARRIED |

**Report**

**1. Executive Summary**

Council established the CALDAC in 2008 to work together with communities to support the City of Melton to be inclusive of all people, valuing and acknowledging the contribution of cultural diversity and the role of Culturally and Linguistically Diverse (CALD) communities within the City.

Membership of the Committee is drawn from key stakeholders and representatives of the City of Melton’s CALD communities. Committee members have an interest in developing partnership responses to local CALD priorities. The 21 August 2013 meeting of CALDAC was the first meeting for 2013-2015 members, with minutes attached at **Appendix 1** of this report for Council awareness.

**2. Background/Issues**

The CALDAC meets quarterly to consider matters relating to CALD communities, cultural issues and settlement within the City.

The purpose of the Committee is to advise Council on issues and barriers that affect people with diverse backgrounds living, working and/or learning in the City of Melton. The Committee raises advocacy issues for Council to consider on behalf of the community and assists to promote the benefits of cultural diversity within the City of Melton and region.

The first meeting of the newly appointed CALDAC was held on 21 August 2013, which provided the opportunity for members to:

 Share information about the CALD community they represent; and

 Identify issues of importance within their communities and current activities occurring.

The Committee’s next meeting will focus on developing a work plan for the committee to identify and enable implementation of specific actions, including the opportunity to provide response to Council strategies and issues.

**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 Build an inclusive community that embraces and values cultural diversity and celebrates our collective heritage.

**4. Financial Considerations**

Operational expense and initiatives extending from the CALDAC are accommodated within recurrent budgets.

**5. Consultation/Public Submissions**

The CALDAC 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 CALDAC ensures continued meaningful engagement and consultation with CALD communities and ensures relationships and resources are adequately aligned to address CALD community concerns and assist Council in mitigating possible risks.

**7. Options**

The CALDAC is an Advisory Committee of Council, therefore has the discretion to accept, reject or amend the Committee’s recommendations as deemed appropriate.

**List of Appendices**

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| 1. | CALDAC Meeting Minutes 21 August 2013 |

**11.6** **Early Years Partnership Meeting Minutes 22 August 2013**

**Author: Leigh Cruickshank- Coordinator Early Years Partnerships**

**Presenter: Adam Boyle- Acting General Manager Community Services**

**Purpose of Report**

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| To present the minutes of the Early Years Partnership meeting held on 22 August 2013. |

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| **Recommendation:**  That the unconfirmed minutes of the Early Years Partnership meeting of 22 August 2013 be noted as attached at **Appendix 1**.  Crs Turner/Ramsey. That the recommendation be adopted.  CARRIED |

**Report**

**1. Executive Summary**

The Early Years Partnership Committee was established in 2011 to work collaboratively to monitor and evaluate the Municipal Early Years Plan 2010-2013. The Committee is also responsible to develop, implement, monitor and evaluate the Best Start Action Plan 2010-2013.

Committee membership is drawn from external partners who provide services to families and children within the City of Melton and community representatives. The Committee meets bimonthly, with minutes of the August 2013 meeting provided for Council awareness.

**2. Background/Issues**

The Early Years Partnership Committee is responsible to provide 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 22 August 2013 meeting, reports were tabled from both the Maternal and Child Health, and the Kindergarten Working Groups, which detailed updates on planning to increase attendance and/or participation within these services. Newly developed Terms of reference for these working groups were endorsed by the Partnership. An overview of the Annual Best Start report to the Department of Education and Early Childhood Development was also provided.

The Partnership was given a status update on the drafting process of the new 2014-2017 Municipal Early Years Plan (MEYP), which will be considered by Council later this calendar year. A presentation of the results of the Parent Carer Survey and the Children’s Consultation undertaken as part of the MEYP process was also presented. Council was recently a partner in the development of an “Engaging Children in Decision Making – guide to Consulting Children” document and an overview of this was provided to the Committee.

Minutes of the meeting are attached at **Appendix 1** of this report for Council’s review and awareness.

**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 initiatives extending from the Early Years Partnership are accommodated within recurrent budgets.

**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 social development.

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

**6. Risk Analysis**

Being regularly informed on Early Years Partnership activities assists Council in controlling any possible identified risk exposure.

**7. Options**

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

**List of Appendices**

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| 1. | Early Years Partnership Meeting Minutes 22 August 2013 |

**11.7** **Melton Planning Scheme Amendment C140 - Site Specific Exclusion for Industrial and Retail uses at 2 - 50 Meskos Road, Rockbank**

**Author: Sophie Thompson- Strategic Planner**

**Presenter: Bob Baggio- Manager Planning**

**Purpose of Report**

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| To consider submissions received to Amendment C140 during the exhibition period. |

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| **Recommendation:**  That Council:  1. Requests the Minister for Planning to appoint a Panel under Section 153 of the *Planning and Environment Act 1987* to consider submissions to Amendment C140 to the Melton Planning Scheme.  2. Refer all submissions to Amendment C140 to the Panel, in accordance with Section 23(1) of the *Planning and Environment Act 1987*.  3. Make a submission to the Panel in support of Amendment C140, in accordance with changes to the amendment documents as outlined in the report.  4. Advise all submitters of its decision.  **Motion**  Crs Turner/Dunn  That Council:  1. Abandon Amendment C140 to the Melton Planning Scheme pursuant to Section 23 of the Planning and Environment Act 1987.  2. Advise the proponent, all submitters and the Minister for Planning of its decision.  CARRIED |

**Report**

**1. Executive Summary**

The Amendment proposes to introduce a site specific control into the Planning Scheme which would allow a concrete batching plant to operate on the site, in conjunction with a new rock crushing facility (in place of an existing rock crushing facility) and a new garden supplies use.

Council resolved to exhibit Amendment C140 to the Melton Planning Scheme at its meeting on 5 March 2013. The amendment was exhibited from 13 June to 15 July 2013. 25 submissions were received, 22 of which objected to the amendment.

It is recommended that Council seek appointment by the Minister for Planning of a Planning Panel to consider submissions received to the amendment.

**2. Background/Issues**

**The Land and Surrounding Area**

The subject land has an area of 51.73 hectares and is bounded by the Western Freeway, Meskos Road and the Melbourne-Ballarat Rail line (refer **Appendix 1** for Locality Plans).

The site currently contains an existing nursery and a temporary rock crushing facility. The rock crushing use is currently screened by existing earth bunds which are visible from Greigs Road.

The surrounding area consists of properties of various sizes located within the Urban Growth Boundary. The future development of these properties will be subject to the preparation of a Precinct Structure Plan. Refer **Appendix 2** for location of surrounding dwellings.

**The Amendment**

It is proposed to amend the Melton Planning Scheme to exclude the site from the requirements of the Urban Growth Zone (UGZ) and allow industrial/retail uses, which would otherwise be prohibited.

The proponent, Aurora Construction Materials (ACM), also proposes to introduce an Incorporated Document into the Planning Scheme which would allow a concrete batching plant to operate on the site, in conjunction with a new rock crushing facility (in place of an existing rock crushing facility) and a new garden supplies use.

The proposed uses will be confined to the eastern portion of the site accessed from Meskos Road (refer Concept Layout Plan **Appendix 3**).

The proposed operation will manufacture and supply construction materials to development areas in the City of Melton and surrounding growth areas. ACM claims that its concrete batching plants are modelled on sustainable practices and are streamlined and enclosed plants, unlike many of those traditionally developed in Melbourne’s industrial areas. The plant itself is to incorporate best environmental practice, with key measures to include:

 All stormwater captured on site and reused in the concrete and crushing operations.

 All incoming rock is from construction sites.

 All concrete slurry waste is captured and reused.

 A wheel wash is provided for trucks exiting the site.

 A permanent water cart will be on site under the dust management plan to control site dust.

It is anticipated that the uses will need to operate at the site for up to 25 years consistent with the development timeframe for the growth corridor.

The concrete batching plant will comprise:

 Car parking;

 Administration building;

 Batching plant compound;

 Wheel wash facility;

 Sand and aggregate stockpiles;

 Silos;

 Rock crusher; and

 Bund walls.

The proposal will also provide local building materials for the development of the growth areas within the City of Melton. The proposed uses will also provide local employment opportunities. The proponent has advised that the proposal will create 50 new jobs. 30 of which will be onsite roles including site supervisors, leading hands, plant operators, administration and machine operators. The other 20 jobs will be for delivery truck drivers.

As detailed in the previous report to Council, the proponent has provided a number of reports which assess the possible impacts of the proposed uses and ways to reduce the impact of these uses on the surrounding area.

Recommendations resulting from these reports (and others to be prepared as conditions of the Incorporated Document) have been, or will be incorporated into the design, development and operation of the proposed uses.

Further, Council officers have liaised with the proponent in an endeavour to ensure that documentation supporting the amendment, the design of the facilities and ongoing management of the uses will operate in accordance with best practice design and operation requirements. A number of changes were made to the submitted information, and additional information was required to be provided to Council to both ensure Council had a good appreciation of what the facility will look like and how it will be managed effectively. Key outcomes have included:

 An addendum to the Noise Assessment to address some inconsistencies within the original report.

 A revision to the Flora and Fauna Report to address the native vegetation grassland reserve (adjacent to the site) which is of State Significance and assess impacts the facility could have on this grassland.

 An extension of the bund wall which currently bounds the rock crushing facility. This extension was required to both better protect the adjoining grassland reserve and better screen the facility from the south.

 More detailed concept layout plans and elevations, to gain a better appreciation of how the facility will look and operate.

 A revised Landscape Plan - including an extension of the bund wall as detailed above.

 Further clarification of the proposed operation, including information about on-site processes, the types of materials to be crushed, proposed output of the facility, justification for the proposed operating hours of operation and economic justification for the facility (in terms of benefits for the community).

 Changes to the Incorporated Document to include a number of additional conditions and alterations to some conditions. These provide for better management of the site, improved amenity outcomes and improvements to the appearance of the proposed development.

**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*

*1.3 Generate an innovative local economy that stimulates opportunities for investment, business and training.*

**4. Financial Considerations**

The applicant will bear the cost of the planning panel.

**5. Consultation/Public Submissions**

The Amendment was placed on public exhibition from 13 June to 15 July 2013. It appeared in both the Melton Leader and the Melton and Moorabool Weekly on the 11 June 2013, and was in the Government Gazette on 13 June 2013. It was also advertised on Council’s website.

Exhibition of the amendment involved notice to land owners and occupiers (within a two kilometre radius of the site), prescribed Ministers and Government authorities.

25 submissions have been received: three from statutory authorities who do not object to the amendment and the balance from landowners/occupiers who all objected to the amendment.

Refer **Appendix 4** for details of submissions received and officers’ response to each submission.

Following consideration of all submissions provided to Council, officers have reviewed the proposal and information relating to the proposal to determine whether changes can be made to the Incorporated Document (or submitted documentation) to address some of the concerns raised.

Resulting from the assessment, Council officers have suggested a number of changes and additions to the Incorporated Document which have been made.

The Environment Protection Authority (EPA) has indicated support for the changes and is now satisfied that the Incorporated Document will address potential amenity impacts from the proposal. (Refer **Appendix 5** for Track Change version of revised Incorporated Document).

**Assessment of submissions**

*The proposed uses have potential to prejudice the preparation of the future Mt Atkinson PSP*

Under the provisions of the Urban Growth Zone, the development of land is generally required to be in accordance with an approved precinct structure plan (PSP) – or where one has yet to be approved to ensure that the proposal does not prejudice the preparation and implementation of a PSP.

In this case, the land is part of a future PSP for the Mt Atkinson area. The subject land is identified in the Growth Corridor Plan for future industrial use while the remainder of the precinct (south of the railway line) is earmarked for a mix of business, industrial and residential uses.

In relation to this site, it was felt that the proposal could proceed before the approval of the PSP for the following reasons:

- The land is proposed for future industrial use;

- It is separated from surrounding land by the Western Freeway, Melbourne-Ballarat railway line and the OMR reservation;

- There are unlikely to be future sensitive uses within the required buffers areas for the proposed use.

*The proposed uses have potential to cause unreasonable amenity impacts on surrounding residents*

Council officers are satisfied following a visit to a similar operation in Epping, that based on compliance with the proposed Incorporated Document and accompanying plans, the proposal will not cause unreasonable detriment to surrounding land owners.

The Incorporated Document contains requirements which address (amongst other things):

 Dust and noise management;

 Stormwater treatment;

 Hours of operation;

 Waste, environmental, construction and land management.

Some of the design elements which will also aid in reducing amenity issues include:

 Bund walls – to be used to screen the surrounding areas from noise and dust. These walls also act as a visual barrier.

 Landscaping and vegetation of bund walls – to provide further screening of the facility.

 Internalisation of Batching Plant – to reduce noise and limit dust.

*Whether the proposal is situated in an appropriate location (particularly relating to buffer distances in accordance with EPA Separation Distance Guidelines)*

Revised EPA Separation Distances Guidelines were adopted in April 2013. These Guidelines include a revised buffer distance for Concrete Batching from 300 metres (between the proposed activity area and residential uses) to 100 metres. It should be noted that there is no buffer distance for a rock crushing use.

On the basis of this revised buffer, no part of the future PSP area to the south of the railway line is affected by the buffer.

*Whether the facility will operate in accordance with the State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade (SEPP N-1)*

A number of design mechanisms have been applied to the proposed operation which will act as acoustic barriers for the proposed uses. These include:

 The use of screening (should the noise assessment consider that this is required in addition to the proposed bund) in order to achieve SEPP N-1.

 Maintain the perimeter bunding around the rock stockpile on the southern and western sides to a height nominally 3m above the general level of the rock stockpile. (On the other sides it does not need to be more than 2m above the general level of the stockpile).

 The use of broadband reverse alarms (set at lowest audible sound) to operate on site prior to 7am.

 Operation of the rock breaker at ground level, not on the elevated rock stockpile.

To ensure that noise requirements are met, detailed noise assessment is required to be administered both on the site and from surrounding areas to ensure that prior to the use commencing, the constructed facility will meet SEPP N-1 from the surrounding area in all types of operating scenarios.

Further to the above, the operator is required to complete a noise assessment every four years to ensure compliance with SEPP N-1 over time. This is particularly important to ensure any new equipment which is added to the site, will still enable the site to operate in accordance with SEPP N-1 requirements.

The EPA has indicated that it is satisfied that there are appropriate measures in place (particularly within the Incorporated Document), to appropriately mitigate any noise impacts resulting from the proposal.

*Whether all dust emitting from the proposed uses will be managed appropriately*

Similarly to noise requirements, design features such as the proposed bund wall and sealing of access roads, will assist in ensuring dust emitted from on-site uses is minimised and where relevant, retained on site.

The Incorporated Document requires that a dust management plan be prepared, to address a number of key issues, including a requirement for the site to minimise the dust output and ensure emissions are in accordance with the Australian Standard for dust management. Air quality monitoring is also required.

Again EPA has indicated that it is satisfied that there are appropriate measures in place (particularly within the Incorporated Document), to appropriately mitigate any dust impacts resulting from the proposal.

*Whether the proposal will cause visual impacts to surrounding areas*

The design of the building is industrial in nature, which is appropriate for the industrial zoning set out in the West Growth Corridor.

All stockpiles must be no more than 6 metres in height with markers required to be used to demonstrate this.

Landscaped bund walls will provide a green screen for all land to the south of the site.

A final Landscape Plan is required to be submitted to, and approved by the Responsible Authority, prior to the use commencing. This will ensure landscaping treatments provide an attractive outlook onto the site, particularly from the future Mt Atkinson PSP area.

*Concern that the existing rock crushing facility causes amenity issues and that these will be exacerbated by a larger operation*

The proposed rock crushing facility, while larger than that currently on the site, will be subject to compliance with relevant requirements of the Incorporated Document – which will ensure that any potential amenity issues will be minimised.

*Traffic – Increase in vehicle movements and increase in heavy vehicles*

No significant traffic issues have been identified. VicRoads are satisfied that the surrounding road network can support the extra traffic generated by this proposal, so long as access and egress is from Meskos Road only, and the direct access from the site onto Western Freeway is not used.

Submitters identified a concern with the maintenance of roads surrounding the site. The Incorporated Document now contains a condition which requires a Maintenance Plan for roads which may be affected by the additional vehicular activity from the proposed use and development.

*Operating Hours*

The proponent applied to operate during the following operating hours:

• 5.00am to 6.00pm Monday – Saturday\*

• 7.00am to 6.00pm Sundays and Public Holidays.

\*Noting that rock deliveries could not occur prior to 7am.

Council has since limited the proposed operating hours for Sundays and Public Holidays.

The proponent can only operate on a Sunday or Public Holiday if they have prior written permission from the Responsible Authority. It is expected that the operator will apply for these altered operating hours only on very rare occasions.

The reduction in operating hours was considered in response to concerns for noise related amenity impacts to surrounding dwellings, particularly on days when ambient noise resulting from traffic on the Western Freeway is limited (Sundays and Public Holidays).

This condition was amended even though the operation would have to have met SEPP N-1 on both Sundays and Public Holidays. The restriction better reflects the operating hours from the proponent’s existing facility in Epping.

*Flora and Fauna Values on Neighbouring Site*

A Flora and Fauna Assessment was commissioned for the site. On-site weed management procedures, the extension of the existing bund wall, and provision for landscaping of bund walls were all provided to ensure protection of the Native Vegetation Grassland (considered to be of State Significance) which applies to the site.

**6. Risk Analysis**

There are no risks for Council relating to the proposed amendment.

**7. Options**

Council can resolve to either:

 Request that the Minister for Planning convene an independent Panel to consider submissions received in response to Amendment C140, or

 Abandon the amendment.

It is recommended that Council seek the appointment by the Minister for Planning of a Planning Panel to consider the submissions received to the amendment.

**List of Appendices**

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| --- | --- |
| 1. | Scheme Amendment C140 - Appendix 1 - Locality Plans |
| 2. | Scheme Amendment C140 - Appendix 2 - Distance to Surrounding Dwellings |
| 3. | Scheme Amendment C140 - Appendix 3 - Concept Layout Plan |
| 4. | Scheme Amendment C140 - Appendix 4 - Table of Submissions |
| 5. | Scheme Amendment C140 - Appendix 5 - Incorporated Document |

**11.8** **Investigation of Webcasting/Podcasting Ordinary Council Meetings**

**Author: Daniel Hogan- Customer Engagement Manager**

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

**Purpose of Report**

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| To inform Council of the results of the investigation into webcasting or podcasting Ordinary Council Meetings, as directed by carried notice of Motion 353, and the consequent decision to podcast audio files on the Council website. |

Cr Borg left the chamber at 7.52pm

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| **Recommendation:**  That Council;  1) Note the findings of the investigations and;  2) endorse the decision to podcast unedited audio of Ordinary Council Meetings on the Council website and;  3) endorse any future decision to podcast unedited video of Ordinary Council Meetings on the Council website.  Crs Turner/Ramsey. That the recommendation be adopted.  CARRIED |

**Report**

**1. Executive Summary**

A Notice of Motion (353), “That Council investigate and implement either webcasting and/or podcasting of Council Meetings”, was carried at the Ordinary Meeting of Council of 5 February 2013.

A “Podcast” is a multimedia digital file made available on the Internet for downloading to a portable media player, computer or other digital device. A “Webcast” is a live video broadcast of an event transmitted across the Internet.

As directed, investigations revealed;

1) That capital and additional labour costs to Council to implement audio podcasting was nil, as the Council is already equipped with the required hardware, and the Council website is capable of hosting the appropriate file types.

2) That capital costs to Council to implement video podcasting totalled approximately $2,000, and labour costs of approximately $4,000 per year. This includes the purchase of a lens able to capture the field of view required, and the arrangement of an appropriate tripod and remote. The post-production work to combine audio and video recordings was calculated to cost approximately $4,000 per year. The Council website is capable of hosting video files with no additional investment.

3) (a) Entry level cost for low quality live webcasting is approximately $5,000 in equipment and $5,000 per year in labour.

(b) High quality solutions with multiple cameras and live editing would require approximately $20,000 in equipment, $15,000 in installation and commissioning, and a minimum of $5,000 a year in labour.

Consequently, considering the cost benefit and low levels of existing community demand for Ordinary Council Meeting audio CDs and written minutes, Council implemented the Podcasting of unedited audio of Ordinary Council Meetings on the Council website from Ordinary Council Meeting March 5, 2013.

**2. Background/Issues**

A Notice of Motion (353) by Councillor Bob Turner, “That Council investigate and implement either webcasting and/or podcasting of Council Meetings” was carried at the Ordinary Meeting of Council of 5 February 2013, seconded by Cr. Sophie Ramsey.

Prior to this motion, Council audio recorded Ordinary Meetings of Council, and would burn the audio files to CD upon request. Monthly demand for CD recordings of Ordinary Council Meetings was typically less than three.

As directed by the motion, Council began podcasting unedited audio of Ordinary Council Meetings on the Council website. The Ordinary Council Meeting of March 5, 2013 was the first to have audio files uploaded for community download. Podcasts have since been made available for previous and subsequent meetings.

The selection of Audio Podcasts was made due to the low capital and labour costs to implement this initiative, as Council (and the Council Chamber) was already equipped with the necessary technology.

Investigations into the provision of Video Podcasts, using an existing Council video camera, showed the need to invest in a wide angle lens to capture the appropriate width of field, and the installation of a stationary tripod that would not be obscured by gallery members. Estimates to pursue this option are approximately $2,000 in capital costs, and a further $4,000 a year in post-production to match audio and video recording.

Given that the camera would have to be positioned some distance from the Councillors to include all three Chamber tables, there is significant concern over the quality or value of the video image that could be technically achieved. Multiple camera setups would add to the capital costs and post-production/editing costs significantly, at best tripling the capital costs to $6,000.

Additionally, investigation into “Webcasts”, a live video broadcast of an event transmitted across the Internet, showed that even entry level, low quality productions would have significant overheads, starting at $5,000 for equipment and $5,000 per year in operator costs. Mid to high quality webcasting solutions were costed at approximately $20,000 in equipment, $15,000 in installation and commissioning, and a minimum of $5,000 a year in operating costs.

Given the high cost of installation and low community demand, it was decided not to proceed with live webcasting nor video podcasting. Webcasting was previously explored by Council in April 2008 and November 2009, and not pursued for similar reasons.

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

The Melton City Council 2013-2017 Council Plan references:

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

*2.2 Provide levels of service that balance community needs with organisational capacity.*

**4. Financial Considerations**

Nil.

**5. Consultation/Public Submissions**

Analyses of community demand for audio recordings of Ordinary Council Meetings, and public access of Ordinary Council Meeting Minutes uploaded to the Council website.

Consultation and quotations received from audio-visual recording & broadcasting equipment retailers.

**6. Risk Analysis**

There is no risk associated with the recommendations, nor any risk emerge as a consequence of implementation.

**7. Options**

Council may;

1) Move the recommendations to note the report and endorse the decisions; or

2) Move to note the report only.

**List of Appendices**

Nil

**1112. REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES**

Verbal Reports were received from Crs Dunn, Turner, Cugliari, Majdlik and Ramsey.

Cr Borg returned to the chamber at 7.56pm.

**13. Councillor Representations and Acknowledgements**

**13.1 Public Address by each Councillor**

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

**13.2 Record of Assembly of Councillors in accordance with Section 80A(1) of the Local Government Act**

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|  3 September 2013 Record of Assembly of Councillors   10 September 2013 Record of Assembly of Councillors |

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| **Motion**  Crs Ramsey/Cugliari.  That the Record of Assembly of Councillors attached to this Agenda dated 3 September and 10 September 2013 be received and noted.  CARRIED |

**List of Appendices**

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| --- | --- |
| 1. | 2 July 2013 Record of Assembly of Councillors |
| 2. | 9 July 2013 Record of Assembly of Councillors |
| 3. | 16 July 2013 Record of Assembly of Councillors |

**14. Notices of Motion**

**14.1** **Notice of Motion 366 (Cr Majdlik) National Broadband Network**

**Councillor: Kathy Majdlik**

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| That Council;  1) write to the Minister for the Australian Government Department of Broadband, Communications and the Digital Economy, the Hon Anthony Albanese MP, to advocate for the extension and prioritisation of the National Broadband Network to areas within the Melton City municipality currently suffering from substandard wired internet connection speed;  2) request that special attention be given to key areas within the municipality, such as Burnside and Caroline Springs, in which existing internet infrastructure is inadequate;  3) advocate for the establishment of minimum acceptable wired broadband speed to the premises (upload and download) from Internet Service Providers, and;  4) propose the establishment of a wireless connection subsidy or wireless cost reduction scheme for communities affected by substandard wired internet access. |
| **Motion**  Crs Majdlik/Cugliari.  That Council;  1) write to the Minister for Communications, to advocate for the extension and prioritisation of the National Broadband Network to areas within the Melton City municipality currently suffering from substandard wired internet connection speed;  2) request that special attention be given to key areas within the municipality, such as Burnside and Caroline Springs, in which existing internet infrastructure is inadequate;  3) advocate for the establishment of minimum acceptable wired broadband speed to the premises (upload and download) from Internet Service Providers, and;  4) propose the establishment of a wireless connection subsidy or wireless cost reduction scheme for communities affected by substandard wired internet access.  CARRIED |

**15. Councillor’s Questions Without Notice**

Cr Dunn requested an update on relocation of the bus stop on Western Highway, Rockbank.

**16. Motions without Notice**

Cr Dunn

Noting that Council received written advice from Andrew Elsbury MLC that Mr Hunt, then Shadow Minister for Climate Action, Environment and Heritage, was happy to have a meeting to discuss the issue of the Western Grassland Reserve when the Abbott Coalition Government was elected, that Council now write to Mr Hunt and Mr Elsbury seeking such a meeting to raise the issue of current unsatisfactory mechanism for compensation to property owners.

**17. Urgent Business**

Nil.

**18. Confidential Business**

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| **Procedural Motion**  Crs Turner/Cugliari.  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 11/017 Operations of Melton Recycling Facility - Variation of Contract**  This report is confidential in accordance with s89(2)(d)as it relates to contractual matters.  **18.2 Property Development Advisory Committee (PDAC) Meeting 31**  This report is confidential in accordance with s89(2)(d)as it relates to contractual matters.  **18.3 Municipal Audit Committee Minutes Confidential Items**  This report is confidential in accordance with s89(2)(g)as it relates to matters relating to the security of Council property.  CARRIED |

**18.1** **Contract 11/017 Operations of Melton Recycling Facility - Variation of Contract**

**Author: Greg Wood- Manager Operations**

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

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| **Procedural Motion** |
| Crs Ramsey/Turner.  That recommendations as printed in items 18.1, 18.2 and 18.3 be adopted in block.  CARRIED |

**Purpose of Report**

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| To inform Council of a proposed variation to contract 11/017 Operation of Melton Recycling Facility relating to the establishment of extended uniform year round operating hours. |

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| **Recommendation:**  That Council;  1. Establish extended, year round operating hours of 8am to 5pm 7 days a week (excluding New Years Day, Good Friday, ANZAC Day & Christmas Day) for the Melton Recycling Facility commencing from Monday 7 October 2013.  2. Endorse a contract variation to reflect the alteration of the Melton Recycling Facility operating hours.  3. Note that Council Officers will review the arrangements after twelve months of operation and report back to Council on the effectiveness of the altered operating hours.  Crs Ramsey/Turner. That the recommendation be adopted.  CARRIED |

**18.2** **Property Development Advisory Committee (PDAC) Meeting 31**

**Author: Michael Tudball- Growth Areas Executive**

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

**Purpose of Report**

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| To consider the minutes of the Property Development Advisory Committee from 3 September 2013 (meeting number 31). |

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| **Recommendation:**  That Council endorse the recommendations of the Property Development Advisory Committee, as outlined in the minutes and attachments of the meeting held on the 3 September 2013 (**Appendix 1**).  Crs Ramsey/Turner. That the recommendation be adopted.  CARRIED |

**18.3** **Municipal Audit Committee Minutes Confidential Items**

**Author: Cheryl Santoro- Senior Administration Officer**

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

**Purpose of Report**

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| This report advises Council of the “in-camera” minutes of the Municipal Audit Committee meeting held on 23 August 2013 and recommends actions arising from the minutes. |

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| **Recommendation:**  1. That the unconfirmed “in-camera” minutes of the Municipal Audit Committee of 23 August 2013 be noted **(Appendix 1);** and  2. Council endorse the recommended actions.  Crs Ramsey/Turner. That the recommendation be adopted.  CARRIED |

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| **Procedural Motion**  Crs Turner/Dunn. That the meeting be opened to the public.  CARRIED |

**19. Close of Business**

The meeting closed at 8.22pm.

Confirmed

Dated this

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