



MINUTES OF THE COUNCIL MEETING

HELD ON

MONDAY, 30 NOVEMBER 2009

RELEASED TO THE PUBLIC ON THURSDAY 3 DECEMBER 2009

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**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH ST, PRESTON ON MONDAY 30 NOVEMBER 2009**

THE MEETING OPENED AT 7.03 P.M.

1. PRESENT

Councillors

Cr. Diana Asmar (Mayor)
Cr. Stanley Chiang
Cr. Vince Fontana
Cr. Gaetano Greco
Cr. Nick Katsis
Cr. Tim Laurence
Cr. Ben Morgan
Cr. Trent McCarthy
Cr. Steven Tsitas

Council Officers

Michael Ulbrick – Chief Executive Officer
Bruce Dobson – General Manager Corporate Services
Michael Ballock – Acting General Manager City Development
Geoff Glynn – General Manager Community Assets and Leisure
Libby Hynes – General Manager Environment and Amenity
Jan Black – General Manager Communities and Culture
Ray McQuillen – Manager Customer and Civic Services
Ron Downes – Council Business Coordinator

The Chief Executive Officer, Michael Ulbrick, presented the Mayor, Cr. Asmar, with a Year Book recording highlights of her term as Mayor.

The Mayor, Cr. Asmar, expressed her thanks for the presentation, and support given to her by Councillors, Council officers and the Darebin community during her term as Mayor.

2. APOLOGIES

Nil

3. DISCLOSURES OF CONFLICTS OF INTEREST

The Mayor, Cr. Asmar, disclosed a conflict of interest in Report No. 7.14 (Amendment C106 – Removal of Environmental Audit Overlay 2, 4, 6 Martin Street, 624 High Street Thornbury and 2 Eastment Street Northcote – see Page 82.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. N. Katsis

THAT the Minutes of the Ordinary Meeting of Council held on 16 November 2009 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 418

5.1 REPORT OF CR. STEVEN TSITAS

Cr. Tsitas reported on his attendance at the following functions/activities:

- Local constituent matters.

Cr. Tsitas congratulated the Mayor, Cr. Asmar, on her term in office.

5.2 REPORT OF CR. TIM LAURENCE

Cr. Laurence congratulated the Mayor, Cr. Asmar, on her term in office and reported on his attendance at the following functions/activities:

- Launch of Victorian Plan to prevent violence against women.
- 'Shout Out Against Violence' White Ribbon Day event at Edwardes Lake Park.
- Launch of Darebin Disability Access and Inclusion Plan 2009-2013 at East Reservoir Neighbourhood House.
- Launch of Northland Youth Centre.

5.3 REPORT OF CR. VINCE FONTANA

Cr. Fontana reported on his attendance at the following functions/activities:

- Opening of the 'Sustainart' project at Reservoir Civic Centre.
- 2009 Mayoral Fundraiser.
- Strategic Rate Review meeting.

5.4 REPORT OF CR. NICK KATSI

Cr. Katsis congratulated the Mayor, Cr. Asmar on her term in office and reported on his attendance at the following functions/activities:

- Darebin Ethnic Communities Council meeting.
- Planning Committee meeting.
- 2009 Mayoral Fundraiser.
- Official Opening of Oceania Panhellenic Sports and Cultural Games Melbourne 2009.
- Strategic Rate Review meeting.

5.5 REPORT OF CR. STANLEY CHIANG

Cr. Chiang reported on his attendance at the following functions/activities:

- Lancaster Gate Community Reference Group meeting.
- Launch of 'Chinatown' re-furbishment project by the Victorian State Premier.

5.6 REPORT OF CR. TRENT MCCARTHY

Cr. McCarthy reported on his attendance at the following functions/activities:

- Launch by the Attorney General of new State Plan to reduce race-based discrimination.
- Darebin Environmental Reference Group meeting.
- 2009 Mayoral Fundraiser.
- Planning Committee meeting.
- 'Shout Out Against Violence' White Ribbon Day event at Edwardes Lake Park.
- Various resident issues.

Cr. McCarthy congratulated the Mayor, Cr. Asmar, on her term in office.

5.7 REPORT OF CR. GAETANO GRECO

Cr. Greco reported on his attendance at the following functions/activities:

- Inner Northern Group Training Ltd Induction and Board meeting.
- Spectrum Migrant Resource Centre Board meeting.
- Multicultural Communication Strategy forum at Northcote Town Hall.
- Darebin Health and Wellbeing Committee meeting.
- Strategic Rate Review meeting.
- 2009 Mayoral Fundraiser.
- Darebin Ethnic Communities Council meeting.

Cr. Greco congratulated the Mayor, Cr. Asmar, on her term in office.

5.8 REPORT OF CR. BEN MORGAN

Cr. Morgan congratulated the Mayor, Cr. Asmar, on her term in office and reported on his attendance at the following functions/activities:

- 2009 Mayoral Fundraiser.
- 'Shout Out Against Violence' White Ribbon Day event at Edwardes Lake Park.
- Planning Committee meeting.
- Local constituent matters.

5.9 REPORT OF THE MAYOR, CR. DIANA ASMAR

The Mayor, Cr. Asmar, reported on the 2009 Mayoral Fundraiser which raised over \$56,000 to aid research into finding a cure for multiple sclerosis.

The Mayor thanked Council Officers involved in organising the event, and those Councillors who attended the event.

6. PUBLIC QUESTION TIME

MINUTE NO. 419

The Mayor, Cr. Asmar, invited questions from members of the public gallery.

The following questions were submitted:

- Vicki Wise of Thornbury asked a question about provision of seating near the newly created water access point for dogs west of the Shining Pool. The question was responded to by the General Manager Community Assets and Leisure, Geoff Glynn, who indicated that a written reply would be forwarded.
- Kate Long of Northcote asked a question about further consultation with member organisations of the Working Group when Melbourne Water and the Council review the next scope of works on the Darebin Creek in the future. The question was responded to by the Mayor, Cr. Asmar.
- John Nugent of Epping asked a question about the application made by Council to Sport and Recreation Victoria regarding funding for lights at Donath Reserve. The question was responded to by the General Manager Community Assets and Leisure, Geoff Glynn.
- John Nugent of Epping asked a question about discounted fees involving women's sporting clubs in the City. The Mayor, Cr. Asmar indicated that she would arrange for a written response to be forwarded.
- John Nugent of Epping asked a question about solar lighting at Donath Reserve. The question was responded to by the General Manager Community Assets and Leisure, Geoff Glynn.
- John Nugent of Epping asked a question about works proposed to be completed at Donath Reserve this financial year as part of the Masterplan. The Mayor, Cr. Asmar, indicated that she would arrange for a written response to be forwarded.

7. CONSIDERATION OF REPORTS**7.1 ESSENTIAL SERVICES COMMISSION LOCAL
GOVERNMENT PERFORMANCE MONITORING
FRAMEWORK****MINUTE NO. 420****AUTHOR: Manager Business Improvement – Rhys Thomas****MANAGER: General Manager Corporate Services – Bruce Dobson****BUDGET
IMPLICATIONS: Nil.****SUMMARY:**

On 23 October 2009, the Chairperson of the Essential Services Commission released an 84 page Issues Paper, canvassing the views of the local government sector in relation to a proposal for a sector wide performance monitoring and reporting framework. This report examines the issues raised and presents a proposed response to the Commission.

CONSULTATION:

Executive Management Team
Manager, Social Inclusion and Diversity

RECOMMENDATION**THAT:**

- (1) Council endorse the proposed response to the Essential Services Commission Issues Paper as outlined in this report.
- (2) Council nominate Councillor or the Chief Executive Officer for appointment to the Project Consultative Committee to be established by the Essential Services Commission.

COUNCIL RESOLUTION**MOVED: Cr. G. Greco
SECONDED: Cr. T. McCarthy****THAT:**

- (1) Council endorse the proposed response to the Essential Services Commission Issues Paper as outlined in this report.

- (2) Council nominate Councillor Laurence for appointment to the Project Consultative Committee to be established by the Essential Services Commission.

CARRIED

REPORT

BACKGROUND

On 12 August 2009, the Premier announced that the Essential Services Commission was to be charged with the responsibility of developing and implementing a performance monitoring framework for Local Government. The timing of this announcement meant it was overshadowed by the plans to establish a Local Government Investigations and Compliance Inspectorate. Following it up at that time, it soon became clear that little was known about what the proposed framework was to entail, either by the Essential Services Commission itself, other Local Government officers or by organisations representing the sector, the MAV and LGPro.

On 15 October 2009, the Minister for Finance released the Terms of Reference for this process and formally tasked the Essential Services Commission with beginning the process.

On 23 October 2009, The Chairperson of the Essential Services Commission made a presentation at the LGPro Local Government CEO Forum, followed shortly afterwards by the release of an 84 page Issues Paper.

The Issues Paper outlines a consultative process, the first stage of which requires a response to 22 questions raised in the Issues Paper by 30 November 2009.

CORE ISSUES

In the Council Plan 2009-2013, Council makes a commitment to transparency in governance and to provide accurate and meaningful performance reports:

“We will govern the municipality in a transparent and accountable manner, and provide regular and accurate reporting to the community”

The Issues Paper

In general terms, the Essential Services Commission’s Issues Paper presents a simplistic approach to performance measurement in local government, and presents a proposal that makes little effort to engage communities in the development of local performance measures.

In summary:

- The timeframes for meaningful response to the issues raised is far too short.
- The proposal appears to establish a ‘league table’ approach to performance measurement.
- The proposal takes account of geographical differences between municipalities, but in all other respects takes a ‘one size fits all’ approach.
- Many of the suggested indicators are meaningless, difficult to collect or inadequately linked to Council performance.
- There is a notable omission in the Issues Paper to local governance – there is instead a focus on an incomplete list of ‘services’ provided by local government.

- It would appear that the Essential Services Commission has little expertise in Local Government, and is keen to apply a similar methodology as that used to monitor utility providers.
- The proposal canvasses the introduction of sector-wide performance indicator targets, established by the Essential Services Commission.
- The proposal assumes the continuation of the DPCD Local Government Community Satisfaction Survey – something which is not assured.
- The Commission intends to publish the results in aggregate form without any explanation of variances between Councils (or even between regions).
- The proposal is to review the framework periodically.

Council Submission

It is proposed that the City of Darebin lodge a formal submission to the Essential Services Commission's Issues Paper, focussing on the 22 questions posed. This proposed response follows:

A Response to the Essential Services Commission Issues Paper, Local Government Performance Monitoring Framework, October 2009

1. *What other relevant factors should the Commission be aware when developing an effective performance monitoring systems?*

- The most relevant factor to consider is to understand the potential for the results or 'league tables' generated from a sector-wide performance monitoring system to be taken out of context and to create pressure for change that is either unnecessary or counterproductive to the objectives of a Council or community. In developing a suite of indicators, the Commission should ensure the mechanisms for collection, analysis and reporting of results include scope for qualitative responses as well as quantitative results. This statement should not be interpreted as a way to allow Councils to make 'excuses' for low results – what is important is to present results in an honest and transparent way to local communities. The provision for contextual information will allow Councils to provide all relevant information to their audience.
- In developing a performance monitoring system, the Commission should ensure it is designed with local communities as the intended audience. Information needs of local residents, ratepayers and other local stakeholders will be different from those required by the State Government, sectoral bodies and the media. A system may be able to meet the needs of all, but it should be designed with local communities in mind.

2. *Are the above criteria relevant to the selection of performance indicators?*

- The identified criteria are broadly relevant, although some are clearly more important than others.
- 'Based on information whose accuracy and reliability is verifiable' is a commendable criteria, although it will necessarily reduce the scope of the measures that could be used. It will limit the measurement of Council services that are not easily measurable, or where the measures are more qualitative, rather than quantitative.
- 'having regard to ... other jurisdictions' could reduce the ability to design locally specific performance measures.

3. *What other criteria could guide selection of the performance indicators?*

- None

4. *For what key services should performance indicators be developed?*
- Performance indicators should be developed for those services of importance to the local community. Councils and their communities should engage in discussions about the establishment of publicly reported performance indicators, and should work together to determine measurement methodologies, reporting frequencies and, most importantly, which services are most important to be assessed in this way. It is to be expected that different services will emerge as priorities in different communities and as such, the range of services to be measured will differ across the State.
5. *Are there any classifications of services that you consider should be included or removed from the list of classifications suggested in Table 3.2?*
- Firstly, the five service classifications simply describe Council's role in service delivery – they say nothing of Council's fundamental role in local governance. Although 'Communication and Consultation' has been listed as part of the 'General Public Service' classification, this is only a small part of important local government roles including leadership, fostering and participating in public debate, supporting community strengthening and visioning, conducting advocacy and lobbying and supporting community connectedness and identity.
 - If the intention is to focus on Council's service delivery role, rather than its broader role as an essential tier of government, then the identified classifications seem broadly appropriate.
6. *Are the proposed classifications of the councils appropriate? If not, what alternative classification should be used?*
- The proposal to 'classify' Councils is overly simplistic and will inevitably lead to inaccurate and uninformed comparisons between fundamentally different municipalities. The only way to sensibly report Council performance data is in the context of all factors influencing service delivery, and to pick one and group Councils into six categories simply cannot, and will not, work.
 - The categories suggested to account for geographic differences are broadly appropriate, although the distinction drawn between 'Inner Melbourne' and 'Developed suburbs' appears arbitrary.
 - The only suggested classifications are geographic, with no consideration given to other factors significantly influencing Council's service delivery. These might include (at a minimum): economic prosperity, language and cultural differences, home ownership patterns, access to public transport, population distribution across age categories, geographic dispersal and the presence of private providers in key areas of health, recreation, arts, waste collection and other services in competition with Council.
7. *How should the Commission take account of the differences between rural and metropolitan areas for performance comparisons?*
- The differences between municipalities run much deeper than simply 'rural' and 'metropolitan'. Even if Victoria's Councils fell neatly into these groups (which they obviously do not), the other influencing factors (see response to Q6) will significantly affect any quantitative performance assessment and must be considered before any meaningful comparisons can be made.
8. *What do you think are the core objectives of Victorian councils in relation to the five service classifications?*

- Accepting the qualification presented in response to Q5, the five service classifications do cover the field of Council's service delivery, although 'Planning' seems to have a disproportionately high profile.
- Suggesting specific objectives for each Council service is not possible given the limited time frame for response to this paper.

9. *What are your views on the key performance indicators presented in Table 3.4?*

- Many of the performance indicators presented are meaningless and in some cases would appear to contradict accepted objectives of Council services.
- For example, '% of elderly persons aged over 75 receiving help from the municipality to live in their own home over the year' is both tautological and counter-intuitive in an environment where the ultimate objective would be a municipality where relatively few residents require Council's direct assistance.
- A second example is 'Average revenue per meter'. Presented as a measure of service effectiveness, this measure does not relate at all to the objective of parking meters – to regulate parking and traffic flow and to ensure an equitable allocation of limited parking between residents, businesses and visitors. A focus on revenue generation is antithetical to the real goal and suggests a fundamental lack of understanding of Council's role in parking enforcement.

10. *What other examples of key performance indicators could be considered?*

- Suggesting specific performance indicators for each Council service is not possible given the limited timeframe for response to this paper.

11. *Should targets be set for local government or should the process only provide for comparison against past performance and between similar councils and communities?*

- Targets should not be set.

12. *If targets are to be used should these targets be common between all councils, or specific to an individual council?*

- If targets are to be used, they should be established by individual Councils in conjunction with their local communities. This process should be similar to that used to determine the targets established by Councils in relation to the target established for the Key Strategic Indicators in a Council's Annual Budget (ie: a proposal made by a Council which is subject to a public exhibition and hearing process under section 223 of the Local Government Act 1989, before being adopted finally by a Council).

13. *Should targets be high-level and related to objectives, or specific to activities?*

- The targets should be at a high level, rather than specific to activities. This is the approach currently taken in Council Plans and Council Budgets and allows flexibility in responding to the objectives in a changing environment.

14. *What should be the role of the Essential Services Commission in guiding, setting and/or confirming targets, or should this be left to councils?*

- The Essential Services Commission's role should be limited to providing advice, examples and guidelines for the establishment of performance targets, and should have no role in setting or confirming targets – this should be left to Councils and their communities.

15. *Are there any other information sources or benchmarking sources the Commission should consider?*

- In the late 1990s, the then Department of Infrastructure managed, through the Office of Local Government, a local government performance indicators program very similar to that being proposed by the Essential Services Commission. In early 2000, a review of that program was conducted, and the City of Darebin made a submission, raising many of the same issues identified in this submission. The outcomes and learnings from that program and its subsequent review would no doubt be useful to the Commission.

16. *Should the Commission collect all of the information it requires for performance benchmarking directly from councils?*

- The City of Darebin has no view about the process to be taken, although in making a recommendation, the Commission should be guided by the need to reduce costs, ensure accuracy and maintain timely data collection and reporting.

17. *How might this data be collected so as to minimise costs?*

- Wherever possible, the data used as part of the performance indicator framework should be data already being collected for other purposes. Experience shows that while savings can be made in reducing duplication of reporting and analysis, these savings are relatively small compared to those that can be achieved by minimising the need for further data collection. In simple terms, we would much rather have to type the same results of a customer survey into five different spreadsheets than to be able to type them into one place, but also have to go into the field again to collect further data.

18. *What do you consider the appropriate reporting frequency?*

- The frequency of reporting may need to differ, depending on the nature of the service being assessed. In most cases, annual measurement and reporting will provide a useful balance between the resources required to gather the data and the potential benefit derived from them.

19. *What approaches of quality assurance do you think are relevant? Are the outlined approaches appropriate?*

- Focussing too heavily on quality assurance of the data will likely reduce its usefulness, as it will dramatically limit the data possible to be reported. The requirement to independently audit performance data in Council's Performance Statements has significantly reduced their usefulness – a fact recently identified by the Victorian Auditor General.
- There is a need to ensure accuracy of the data provided, although a declaration from the Chief Executive (similar to that in place for Council's National Competition Policy Compliance) should be sufficient. Independent audit would be costly and would reduce the scope and timeliness of the reporting framework.

20. *Would it be useful to collect preliminary information prior to audits being carried out and subject to audited information being provided once available?*

- If it is determined there is a need for independent audit, then there is no need to collect preliminary information before the final results are available. Such a process could only lead to confusion and would place additional resource demands on Councils and the Essential Services Commission.

21. *How should the reporting framework be documented and formalised?*

- The Guidelines as proposed would serve as adequate documentation for the framework. However, the Commission would be well served by working with an organisation familiar with the sector (such as LGPro) to develop a best practice guide to implementing the framework across the sector. Such a guide could go beyond the simple administrative and regulatory requirements of the rollout.

22. *What would be the appropriate period after which an initial review should be taken of the performance-benchmarking framework?*

- The initial review of the framework should take place in 2014/2015, with further reviews each four years after that. This timing ensures Council will be able to participate, having completed the adoption of the Council Plan required by 30 June following each Council election.

Local Government Consultative Committee

In addition to the opportunity to make a submission in relation to the Issues Paper, the Essential Services Commission plans to form a Consultative Committee of local government representatives to assist with the project. As expressions of interest for that committee were required immediately, the General Manager Corporate Services lodged a request that a Darebin Councillor or the Chief Executive Officer be included. If successful, we would be required to select a representative. Following our request, the Project Manager at the Essential Services Commission said:

“The Commission is pleased to receive an overwhelming response to participate in its consultative committee to be established for the local government performance monitoring review. The Commission will try its best to ensure that there is an appropriate balance in representation from the metropolitan, regional city and rural councils and that the representatives have a mix of relevant skills and experience. At the same time, the Commission hopes to keep the number of representatives in the consultative committee to a workable level.”

POLICY IMPLICATIONS

Environmental Sustainability

Apart from the inclusion of specific indicators relating to Council’s environmental performance, this review has no direct impact on Council’s environmental sustainability.

Social Inclusion and Diversity

One issue identified in the proposed submission is the limitation of performance indicators to meaningfully reflect the individual differences of communities, especially in relation to cultural and linguistic diversity, levels of ability, aboriginality and socio-economic factors. The proposed response calls for indicators to be established in collaboration with local communities.

Other

The need to provide regular and accurate performance reporting to the community is consistent with Council's commitment in the Council Plan 2009-2013 to transparent governance.

"We will govern the municipality in a transparent and accountable manner, and provide regular and accurate reporting to the community"

FINANCIAL IMPLICATIONS

Costs relating to preparing a submission to the Essential Services Commission and participating in the review process are minor and can be met within the Business Improvement Branch operational budget.

FUTURE ACTIONS

Following Council's endorsement, Council's formal response to the Issues Paper will be lodged at the Essential Services Commission's website on the evening of 30 November 2009.

In the event that Council is successful in being awarded a place on the Consultative Committee, Council will be asked to nominate a Councillor or the Chief Executive Officer to participate.

RELATED DOCUMENTS

Essential Services Commission 2009, Local Government Performance Monitoring Framework - Issues Paper, October 2009

7.2 HEATWAVE PLAN

MINUTE NO. 421

AUTHOR: Manager, Family, Youth and Community Support - Dean Griggs**MANAGER:** General Manager Communities and Culture - Jan Black**BUDGET****IMPLICATIONS:** Within budget**SUMMARY:**

This paper will provide a brief overview of the Heatwave funding provided to Council.

A Heatwave can be described as a prolonged period of excessive heat - the result from a combination of adverse conditions of temperature, humidity, air movement and duration. Thresholds for the declaration of a heatwave differ in different geographical circumstances.

CONSULTATION:

Municipal Emergency Management Planning Committee

COUNCIL RESOLUTION

MOVED: Cr. B. Morgan
SECONDED: Cr. T. McCarthy

THAT:

- (1) Council endorse the planned Heatwave actions detailed in this report.
- (2) Council receive a further report in April 2010 detailing the outcomes of the Heatwave actions.

CARRIED**REPORT****BACKGROUND**

Darebin Council is well placed to facilitate heatwave planning at the local level. Darebin works to 'know' our community, Darebin has well established networks and collaborative relationships with a range of community organisations and local agencies.

The Department of Health has provided Council with \$25,000 for the 2009/2010 financial year to develop a Heatwave Strategy. To assist with the development of the Plan the Department of Health has developed the 'Heatwave Planning Guide'. The Heatwave Planning Guide is designed to assist local councils in addressing heatwaves at a community level. The guide draws from the experiences of the 13 pilot projects funded in 2008 and the 2009 heatwave, as well as international knowledge.

The guide provides local councils with:

- Information about heatwaves and municipal planning
- Guidance on how to develop a heatwave plan
- Examples of stakeholders and partners to consider in the planning process
- Actions recommended for councils to incorporate in their heatwave plan
- Advice on developing a communication strategy.

It is recommended in the guide the following elements are included in the plan:

- Heat related health information
- Reduction in indoor / outdoor heat exposure
- Care of vulnerable groups
- Preparedness of the health and social care system
- Long term planning.

A Heatwave Plan is currently in development which gives an overview of Heatwave issues and details the actions listed under each of the above elements which have been adapted to suit our own organisation and are to be implemented in the months ahead. The Heatwave Plan will be a living document and be added to over the summer months with an evaluation report planned to Council in April 2010.

CORE ISSUES

Benefits of heatwave planning in Darebin will include information distribution, increased understanding of heat risks and preventing heat related harms, the development of partnerships to respond to our community, increasing our community's capacity to improve health and safety and the development of sustainable behaviours to reduce climate change and minimise the impacts of heatwaves.

Climate change is expected to lead to more intense and more frequent extreme heat events in Victoria. Evidence shows that heatwaves cause illness and death, particularly in vulnerable population groups.

Vulnerable population groups include the elderly, the very young, those taking certain prescribed medications, people with chronic illnesses, people with psychiatric illnesses, the homeless, people who are socially isolated, those who are economically deprived, and those who abuse alcohol and/or illicit drugs.

Darebin Heatwave **Reference Group** has developed the Darebin Heatwave Plan. Membership currently includes:

- General Manager Environment and Amenity, Darebin City Council
- Manager Youth Family and Community Support, Darebin City Council
- Coordinator Aged Care Services

- Emergency Management Recovery
- Manager Early Years and Children's Services
- Manager Communications and Public Affairs
- Risk Services Manager
- Manager Organisational Development

Manager Responsible for Darebin Heatwave Plan is the Manager Youth Family and Community Support.

Heatwave Planning Stakeholders

Heatwave Planning Stakeholders will be engaged through existing structures of Municipal Public Health and Wellbeing Committee, Municipal Emergency Management Committee and Darebin Local Safety Committee.

Darebin Community Health	Ambulance Victoria
Panch Health Service	Metropolitan Fire Brigade
Austin Health	Victorian SES Central Region
Centrelink	Northcote Unit VICSES
Department of Human Services	Thornbury Church of Christ
La Trobe University	Australian Red Cross
Neami Darebin	St John Ambulance
Northern Health	Salvation Army Emergency Services
BOC Limited	Preston and Reservoir Traders Association
Connex	Northern Division of General Practice
Vic Roads	Northern Area Mental Health Service
Office of Housing	Reservoir Community Correctional Services
Victoria Police	Migrant Resource Centre
RMIT University	Mental Health Services
Neighbourhood Houses	
Northern Division General Practice	

Note: This is not a final list and will be continually revised

Planned Actions

The following criteria guide what is included in the Darebin Heatwave Plan:

- Darebin City Council has the capacity, jurisdiction and/or mandate to prevent heatwave vulnerability and reduce harms associated with extreme heat events
- The action is supported by evidence with local applicability
- Actions are chosen and implemented in such a way that they do not excessively contribute to climate change and thus increased extreme heat events in the future
- Actions that relate to preventing vulnerable community member heat related health harms are of priority within the Darebin Heatwave Plan

1. Heat related health information

- Disseminate state government information (in several languages) regarding heat awareness.
 - Council on hold message
 - Mayor's Column
 - Website
 - Darebin News.
- Work in partnership with local partners to ensure the above reaches those in need. Particularly those from diverse backgrounds and older people.

2. Reduction in indoor / outdoor heat exposure

- Undertake planning for venues to provide community members places to retreat from the health. This could include:
 - Libraries
 - Customer Service Centres.

3. Care of vulnerable groups

- Strengthen partnerships with local retail centres to provide community with places to retreat from the heat.
- Aged and Disability Services and Maternal and Child Health to build on current practice regarding communicating to client groups heat related information.
- Council has received \$60,000 from Department of Health to upgrade approximately 120 home care clients existing insulation to ensure it meets current standards.

4. Preparedness of the health and social care system

- Council and partners to establish a register of vulnerable persons. Funding will be submitted for through the Office of Senior Victorians for \$30,000 to establish the register. The register if funded will be managed by the Darebin Information and Volunteer Resource Service (DIVRS) in partnership with the local Police.
- Council will provide a range of incentives for local people to put their names on the register such as fans, water sprayers and bottles.

5. Long term planning

- Host a stakeholder workshop with local partners to better understand heat impacts on the local community and disseminate relevant information.
- Identify Heatwave related actions in the Community Climate Change Action Plan.

Budget

Item	Funding
Coordination of Heatwave Plan	
Stakeholder forum	
Measures to reduce heat impacts (eg: fans, water bottles, sprayers)	
Communications promotions and dissemination	
Department of Health Heatwave Funding	25,000
Heatwave Register (pending successful submission to Office of Seniors)	30,000
Aged Care Grants for Heatwave Preparation (Department of Health)	5,000
Total Heatwave Initiatives	60,000*

Note: Does not include existing actions as part of Community Climate Change Plan.

POLICY IMPLICATIONS**Environmental Sustainability**

Actions in the Heatwave plan will be implemented in such a way that they do not adversely impact on the environment.

Social Inclusion and Diversity

Heatwaves have significant impacts on vulnerable groups in our community. It will be a priority for Council to ensure those most vulnerable and isolated in our community receive the support they need during a Heatwave, this includes people from diverse backgrounds and new arrivals to our community.

Other

Nil

FINANCIAL IMPLICATIONS

Within existing budget

FUTURE ACTIONS

Stakeholder Forum

Continually update Council emergency management part of the website www.darebin.vic.gov.au/emergency

RELATED DOCUMENTS

DHS Heatwave Planning Guide

**7.3 KINDERGARTEN CENTRALISED WAITING LIST -
PROCEDURES REVIEW****MINUTE NO. 422****AUTHOR:** Manager Early Years and Children's Services – Cheryl Hermence
Senior Policy Officer Early Years and Education – Sharyn Scott**MANAGER:** General Manager Communities and Culture – Jan Black**BUDGET****IMPLICATIONS:** Nil.**SUMMARY:**

Council administers a Kindergarten Centralised Waiting List on behalf of community managed kindergartens in Darebin. This service has felt increasing pressure from families in our community who have raised concerns regarding the current processes for the lodging of applications as well as the selection of offers for kindergarten places.

This report announces a staged review of the Darebin Kindergarten Centralised Waiting List Procedures and Guidelines. Review stages are structured concurrent to broader developments in the Federally announced move towards 15 hours per week of kindergarten for all 4 year old children.

CONSULTATION:

Early Years and Children's Services
Department of Education and Early Childhood Development – Northern Metropolitan Region

RECOMMENDATION**THAT** Council:

- (1) Endorse the commencement of a Kindergarten Centralised Waiting List Procedures and Guidelines review.
- (2) Establish a Kindergarten Centralised Waiting List Reference Group to oversee the review process.

COUNCIL RESOLUTION**MOVED:** Cr. T. McCarthy
SECONDED: Cr. V. Fontana**THAT** Council:

- (3) Endorse the commencement of a Kindergarten Centralised Waiting List Procedures and Guidelines review.

- (4) Establish a Kindergarten Centralised Waiting List Reference Group to oversee the review process.
- (5) Explore the involvement of Councillors in the Reference Group as well as opportunities for further community input into the review process.

CARRIED

REPORT

BACKGROUND

At its meeting on 7 September 2009, Council endorsed Interim Guidelines and Procedures for the Kindergarten Centralised Waiting List. The report also stated that these Interim Guidelines and Procedures would be reviewed on an ongoing basis with suggested changes to the application and allocation processes to be forwarded to Council for endorsement as the planning and implementation phases of the 15 hours of kindergarten project proceeded.

Also at that meeting Council adopted some changes to the Kindergarten Centralised Waiting List that contribute to improving accessibility. These changes reduce the application costs for families with a Health Care Card, Pensioner Concession Card, Temporary Protection/Humanitarian Visas 447,451,785,786 or Veteran's Affairs Gold Card. Other changes included increasing the listed preferences for sites from 3 to 4 as well as clarifying that the system is a centralised "waitlist" rather than a central "enrolment".

Since this meeting Council has called for further reports to clarify:

- Formal "zoning" of kindergartens. This is not something of interest to Council as families choose early years services that best fit their needs and all services are open for all families in Darebin. A family's preference for a kindergarten site is determined by a range of factors including what services are available in the immediate area, the philosophy of centres, the style of programs offered, the spread of hours in which the program is delivered, the equipment provided at the centre, the staff at the centre and community perception. All families are able to choose the services that best fit with their child and family needs.
- That Council will support urgent efforts to increase the number of 4 year old kindergarten places in the southern part of Darebin. Although in previous years Darebin has been able to offer all 4 year old children a place in a kindergarten the allocation process this year has been more difficult. There has been a noticeable increase in the number of families determining that they will only accept a kindergarten place in their immediate neighbourhood and are not prepared to travel to kindergartens where vacancies occur. This noticeable change in community demands has been highlighted by local press.
- The rationale that underpins the Centralised Waiting List in light of mainstream and local media criticism. The current Centralised Waiting List system acts as a brokerage service between families in the municipality wanting to place their children in a kindergarten program and the Committees that operate the kindergarten programs at the early years sites.

As previously presented by Council, the roles and responsibilities in relation to children's care and education are relatively complex. The Federal Government has recently adopted a "Framework for Australia's Children" and announced that all children will have access to 15 hours of a fully funded early childhood education program in the year prior to school attendance from 2013. This is an increase of 5 hours per week to the current State funded kindergarten. The State Government has adopted a "Blueprint for Victoria's Children" which focuses on care and education. They have integrated departments to form the Department of Education and Early Childhood Development to

support the implementation of this strategy. The State Government funds 4 year old kindergarten and regulates these settings through licensing and quality control.

The City of Darebin owns many early years facilities and supports the community Committees of Management to operate kindergarten programs for the families in the municipality. Council also provides extensive staff and Committee support and training, and other associated services such as the Toy Library, the Early Childhood Resource Service and the Inclusion Support Service. The State Government funded 4 year old kindergarten program is provided in Darebin by both community Committees of Management and by commercial operators of child care centres.

The Darebin Kindergarten Centralised Waiting List is a key service for community based early childhood services in the municipality (kindergarten, child care centres, neighbourhood houses). It reduces administration time for Committees in organising their own waiting list and allocation of offers. It is also a key service for families in the municipality as there is but one entry point to all kindergartens and reduces the amount of time and effort in registering for kindergarten in comparison to families needing to register individually with each service that they have an interest in. Council also benefits from the Centralised Waiting List in accessing data for planning purposes.

The Kindergarten Centralised Waiting List service facilitates placement of children in both 3 and 4 year old early childhood programs in the municipality. Over the past years Council has witnessed both an increasing pressure on kindergarten places in the southern end of the municipality as well as increasing community expressed concern regarding the kindergarten allocation process. As mentioned previously this year Council has experienced heightened pressure and community concern and in response Council has developed a Kindergarten Action Plan to work through immediate responses to increase kindergarten places more locally in the southern part of the municipality and to set future directions for infrastructure needs.

The ongoing review of the Kindergarten Centralised Waiting List Procedures and Guidelines is also occurring. With the increasing feedback from the community that the system does not work for many of their families and greater competition for places at preferred kindergartens the Kindergarten Centralised Waiting List Procedures and Guidelines will again be reviewed.

CORE ISSUES

Number of 4 Year Old Kindergarten Places in Darebin currently Inadequate

Current pressures felt by the Darebin Kindergarten Centralised Waiting List service are heightened by the lack of available places in State funded, community and privately managed Kindergarten programs in Darebin. Council is working hard with a range of actions presented to Council at its meeting on 16 November 2009 to urgently address this shortage.

Review existing Kindergarten Centralised Waiting List application and allocation procedures:

1. Removing age related criteria for application and replacing with common month of application

Currently applications for the Centralised Waiting List can be made for children aged 2 or more years. It has been argued that this could favour some children according to the time of the year they are born. Council will consider removing this process and instead allocate a period of the year (eg. Month of February) when all children can make application in the year prior to kindergarten attendance. Selection would then be made according to weighted criteria rather than date of application lodgement.

2. *Weighted Allocation Criteria*

Council will consider a range of weighted allocation criteria, including:

- Family identified preferences (4 kindergarten programs)
- Priority placement guidelines of the State and Federal Government funded services (Aboriginal and Torres Strait Islander children, children considered vulnerable including those known to child Protection)
- Kindergarten closest to child's home
- Darebin residents
- Sibling/s attended same service within past 3 years
- Child is cared for in Darebin
- Child's parents study or work in Darebin
- Child is currently accessing childcare at same service
- Child has not participated in registered early childhood program in earlier years of life.

Review Concurrent to Broader Changes in Early Years and Children's Services

Nationwide, there is considerable change in the early Years area. Most notably is the commitment to offer all children in Australia 15 hours per week of a funded early childhood program in the year prior to school entry in 2013. Such commitments have significant implications for local government as best placed to plan for local communities but also with limited responsibilities or leverage capacity.

It is important that this review is planned and undertaken alongside the broader changes in the Early Years and children's Services sector. For example in the coming weeks the Federal Government will announce new regulation with regard to Teacher / Child Ratios. Such variables have significant impacts at the local level in relation to numbers of places in each kindergarten program and the infrastructure requirements of services.

Establish a Kindergarten Centralised Waiting List Review Reference Group

It is proposed that Council establish a Kindergarten Centralised Waiting List Review Reference Group to oversee and advise this work. The Reference Group will include expertise in:

- Evidence based early years program knowledge
- Population and data analysis skills
- Practice based local knowledge
- Community committee of management.

POLICY IMPLICATIONS

Environmental Sustainability

Not relevant to this Kindergarten Centralised Waiting List Review

Social Inclusion and Diversity

The principle of Universal Access to Kindergarten for all 4 year old children contends that no child should be excluded from participation in an early childhood education program.

An objective of the Darebin Kindergarten Centralised Waiting List system is that it supports priority placement guidelines of the State and Federal Government funded services.

Future work to develop a Children's Care and Education Framework for Darebin is planned to further explore how we can structure services that support social inclusion. A framework element is likely to consider services from 'our children's right to participate' in early childhood education perspective. This would allow consideration of 'which children are not participating' in early care and education programs in Darebin.

Other

Nil.

FINANCIAL IMPLICATIONS

The Kindergarten Centralised Waiting List Review will be undertaken with the use of existing Council resources.

FUTURE ACTIONS

Council will continue to be briefed and presented with reports concerning both the Kindergarten Centralised Waiting List Review as well as developments in Darebin to work towards the Federal commitment to provide 15 hours per week of kindergarten for all 4 year old children.

Council will continue the immediate and urgent work to facilitate the establishment of additional kindergarten facilities and programs, seeking the partnership of the State Government as well as local kindergarten providers.

Council will continue to work within the early years sector to achieve the outcomes of improved access to care and education for Darebin children. This role will integrate policy development with service and infrastructure planning.

Darebin will continue to actively contribute to leading change in the early years sector through bodies such as the Municipal Association of Victoria Human Services Committee and Department of Education and Early childhood Development regional planning group.

RELATED DOCUMENTS

Kindergarten Central Enrolment Policy Analysis

Draft Kindergarten Centralised Waiting List Guidelines and Procedures

Universal Access to Early Childhood Project Report

Universal Access to Early Childhood Survey

Pre-school Central Enrolment Survey 2008

7.4 DAREBIN TRANSPORT STRATEGY - MONITORING OF PERFORMANCE IN YEAR 2**MINUTE NO. 423****AUTHOR:** Transport Strategy Coordinator - Kate Downward**MANAGER:** Acting Manager Transport Management and Planning - Nick Mazzarella**BUDGET****IMPLICATIONS:** Referred to relevant budget processes**SUMMARY:**

In line with a resolution from Council in November 2008 regarding the applicability of some of the performance goals of the Darebin Transport Strategy (DTS), the monitoring of the Strategy has been reviewed. It is recommended that reporting on the Strategy be done thoroughly every five years with a short annual report focusing on implementation actions.

The DTS has continued to progress in its second year. This report focuses on the implementation plan progress and notable achievements that have occurred within the second year (November 2008 – October 2009) of the DTS.

CONSULTATION:

Consultation has occurred internally to determine the most efficient reporting arrangements for the Darebin Transport Strategy and to collate the notable achievements that have occurred over the second year of implementation of the DTS.

RECOMMENDATION**THAT:**

- (1) This report on the progress of the Darebin Transport Strategy be received and noted.
- (2) The Darebin Transport Strategy be monitored in detail every five years with brief annual reports provided on progress and notable achievements.

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. G. Greco

THAT:

- (1) This report on the progress of the Darebin Transport Strategy be received and noted.
- (2) The Darebin Transport Strategy be monitored over the next five years with brief annual reports provided on progress and notable achievements and be reviewed in relation to new developments such as structural plans and changes to State Government transport policy.

CARRIED

REPORT**BACKGROUND**

The Darebin Transport Strategy (DTS) was adopted by Council in October 2007 and launched by the Minister for Public Transport in March 2008.

There are 3 high level targets, 16 performance goals and 2 coverage targets detailed in the DTS. Additionally there are 38 Actions that can be tracked and reported upon.

CORE ISSUES

Currently Council Officers are required to report to Council annually on the progress of the Darebin Transport Strategy. There were a number of issues in compiling the first annual report to Council, namely:

- Some data that is to be reported against is not available
- Most data is only available periodically (ie. Census data every five years) and thus reporting on these indicators annually is not feasible
- The slow and incremental change that some indicators have makes annual reporting onerous.

This report recommends that the DTS Monitoring Report be simplified by way of:

- Reporting thoroughly every five years on the progress of the Darebin Transport Strategy on the latest data for all high level targets, performance goals and coverage targets.
- Focusing a short annual report on the Implementation Program Update, which details Council's progress on the 38 actions as outlined in the DTS.

Year 2 Reporting

Implementation Program Update

The DTS Implementation Program (see **Appendix A**) has been updated to show the status of actions within the “Immediate” timeframe. All actions that were proposed to occur in the first two years of the DTS have either been completed or are in progress. Many of the actions are ongoing and thus will not be completed, even in the 20 year timeframe of the Strategy.

The one item within the “immediate” timeframe that will not be started within the two financial years of the DTS being adopted is action “A7: *Advocate for development contributions for sustainable transport measures*”. Due to limited resources within the Transport Management and Planning team this action has been held over for another year.

Darebin Transport Strategy Major Milestones

Major milestones and achievements in the Darebin Transport Strategy’s second year include:

Projects:

- The Tram Route 86 Corridor Improvement Project has received positive support from the State Government during its development. In addition, an extensive community consultation process has been embarked upon in order to gain feedback on the proposal from the community.
- A number of projects to improve walking and cycling infrastructure within Darebin have won State Government support. Total project costs are indicated and co-contributor organisations:
 - The Merri Creek pipe bridge to provide a shared path connection for pedestrians and cyclists over the Merri Creek near Rushall Station. \$1,084,000 (Dept of Transport/VicRoads/City of Yarra/Melbourne Water)
 - Pedestrian priority project in Activity Centres. \$101,000 (Dept of Transport)
 - Northcote Wayfinding Project. \$230,000 (Dept of Planning & Community Development)
 - Cramer Street improvements – central median, turning lanes and improved bicycle lanes. \$235,000 (Department of Transport)
- A Walking Strategy is nearing completion.
- The Safe Travel Strategy is nearing completion.

POLICY IMPLICATIONS

Environmental Sustainability

The Darebin Transport Strategy has environmental sustainability at its core as Council has recognised the link between sustainable transport, local living, accessibility and reduced greenhouse gas emissions. The implementation and monitoring of the Strategy will enable Council to track progress towards its goals and inform the community of this progress.

Social Inclusion and Diversity

Many of the DTS actions discussed within this report are aimed at ensuring that Council is working towards a fair and equitable public transport system. For example, the provision of good quality alternatives to the car will ensure everyone, regardless of whether they have access to a car, has the ability to access jobs, services and social opportunities.

Other

The simplification and removal of unmeasurable performance goals will result in a more streamlined and efficient measurement of the Darebin Transport Strategy.

FINANCIAL IMPLICATIONS

Funding for action items within the Darebin Transport Strategy are referred to the relevant budget processes each year.

FUTURE ACTIONS

Officers to provide Annual Reports to Council with interim reports on projects emerging from the DTS such as Tram Route 86 Corridor Improvement Project and other strategies and initiatives.

RELATED DOCUMENTS

Darebin Transport Strategy, 2007-2027

Council Report, 17 November 2008, "Darebin Transport Strategy Monitoring"

7.5 DAREBIN CYCLING STRATEGY: ANNUAL PROGRESS REPORT – 2008/2009**MINUTE NO. 424****AUTHOR:** Cycle Strategy Coordinator – Ben Grounds**MANAGER:** Acting Manager, Transport Management and Planning – Nick Mazzarella**BUDGET IMPLICATIONS:** Within current budget parameters**SUMMARY:**

This report summarises the achievements of Year 4 (2008/2009) of the Darebin Cycling Strategy (2005) and details progress towards targets outlined in the Strategy.

CONSULTATION:

Darebin Cycling Strategy Steering Committee, including:

Internal

- Transport Management & Planning
- Community Health & Safety
- Bushland Management
- Strategic Planning
- Capital Works
- Open Space Planning

External

- Darebin Bicycle Users Group
- Bicycle Victoria

RECOMMENDATION**THAT:**

- (1) This annual report on the Cycling Strategy be received and noted.
- (2) Officers produce a final report for this Cycle Strategy 2005-2009.
- (3) A review of the Darebin Cycle Strategy be undertaken in 2010/2011.

COUNCIL RESOLUTION

MOVED: Cr. B. Morgan
SECONDED: Cr. S. Chiang

THAT:

- (1) This annual report on the Cycling Strategy be received and noted.
- (2) Officers produce a final report for this Cycle Strategy 2005-2009.
- (3) A review of the Darebin Cycle Strategy be undertaken in 2010/2011.
- (4) An education program encouraging cyclists to use cycle paths be investigated in consultation with the Darebin Bicycle Users Group and Bicycle Victoria.

CARRIED**REPORT****BACKGROUND**

Council adopted a Cycling Strategy for Darebin in 2005 and formed a Steering Committee to guide the implementation of the strategy. The Steering Committee is comprised of Council officers from across the organisation, and a representative of the Darebin Bicycle Users Group.

CORE ISSUES

Appendix A provides an update on the progress of the implementation plan of the Strategy.

Appendix B provides an update on the achievements towards the targets of the five year Strategy.

On-road cycle network construction:

- **St Georges Road roundabout, Northcote (\$5 million, VicRoads):** The signalisation of this intersection commenced in May 2009 and was completed in August 2009 by VicRoads. This project required extensive consultation with the community and liaison with VicRoads regarding the intersection design and construction. This intersection carries the highest volume of cyclists in Darebin, and had been identified as a key area for improvement through the North-South Walk-Cycle Links Investigation. The signalised intersection is a substantial improvement the safety for cyclists and pedestrians.
- **Northland Shopping Centre:** Considerable effort has gone into upgrading cycle facilities as part of the Northland Shopping Centre redevelopment. The planning permit for cycle parking around the centre will deliver facilities for 52 visitors and 20 staff bike parking spaces. Green cycle lanes leading up to Northland from Chifley Drive have now been constructed.

Off-road cycle network construction:

- **Darebin Creek Trail – Bridge into Banyule:** In August 2009, VCAT approved the planning application for the construction of this bridge and connecting trails to the Main Yarra Trail. Design and negotiations will now take place with the lead Agency Parks Victoria, with construction estimated to begin in two to three years. The connecting trails within Darebin have already been constructed.
- **Darebin Creek Trail - Darebin Road underpass and missing link (\$374,000 Parks Victoria; \$450,000 CoD):** Construction of this link was completed in March 2009. Additional funding was secured in 2007/2008 from Parks Victoria (\$374,000) to enable the completion of this critical missing link in the trail network.
- **Merri Creek Trail Signage (\$65,000 CoD):** One of the first actions of the Merri Creek Trail Review was to review and design a new set of directional, information and flood warning signage for the full length of the Merri Creek Trail. The signs have been manufactured and installed.
- **Hammersley and Broadhurst Bridges, Reservoir (Broadhurst Bridge - \$229,000 City of Moreland; \$220,000 CoD; Hammersley Bridge \$121,840 City of Moreland; \$121,840 CoD, 2009/2010) :** An urgent action from the Merri Creek Trail Review concerned the replacement of the Hammersley and Broadhurst Bridges over the Merri Creek, which were prone to frequent and dangerous flooding. New bridges and approach paths have been designed with higher flood levels catered for. Aboriginal cultural heritage investigations are currently being undertaken with a view for tenders to be called for the construction in 2010. Moreland and Darebin will co-fund this project.
- **Macleod Station to La Trobe Link (\$293,408 external; \$171,592 CoD):** This project was completed and launched in May 2009. The development of the walking and cycling link was part-funded by Department of Transport (DoT) through the Local Area Access Program (LAAP) as well as contributions from La Trobe University and Banyule City Council.
- **Merri Creek Pipe Bridge (\$157,000 CoD, 2009/10):** This significant project was a major recommendation of the North-South Cycle-Walk Links Investigation. Identifying an unusual opportunity, partnering with other agencies, and a successful funding application to Department of Transport enabled this critical link to be planned as part of a Melbourne Water pipe reconstruction project. Construction began August 2009.
- **Tyler Street Bridge (\$40,000 City of Banyule; \$40,000 CoD, 2009/2010)** This bridge has reached the end of its safe useful life and will be replaced in the coming financial year (2009/2010), Banyule City Council will co-fund this project.

Education and Promotion:

- **Schools:** Three schools in Darebin have evaluated their School Travel Plans in which cycling forms a key mode. The evaluation found a reduction in car use by up to 10% and an increase in walking by up to 8%. The Council bike trailer is still regularly borrowed by schools and community groups for bike education and confidence building.

- **Love Living Local (\$15K Department of Transport; \$15K CoD):** The third and final year of Love Living Local was held in Reservoir and included cycling initiatives such as: bike skill classes with disadvantaged children and youth; setting up East Reservoir Men's Shed with equipment and space to source secondhand or discarded bikes, restore them, and distribute them into the community; and a street party held at the Reservoir velodrome with assistance from the Reservoir cycling club.
- **Going Places (\$5K CoD):** The Darebin-owned sustainable travel reward scheme held four very successful member events last year, whilst also growing in membership by 26%. There are now in excess of 700 members.

Investigations and other work:

- **Darebin Creek Trail northern extension:** Planning for the extension of the Darebin Creek Trail from Tee Street, Kingsbury, to Whittlesea border is in progress. This planning is anticipated to be completed by December 2009.
- **Cycle parking (\$13,622, CoD):** Thirty-six new cycle parking racks were installed and 21 racks replaced in activity centres. Developer contributions to bike parking totalled \$2,100 (7 stands) in 2008/2009.
- **Super Tuesday Cycle Counts (\$3,300, CoD):** Darebin commissioned Bicycle Victoria to take cycle counts at 26 key locations, between 7am and 9am on Tuesday 17 March 2009. Results clearly showed key areas of the cycle network, in terms of use and required cycle facilities. The St Georges Rd intersection with Merri Pde was found to be Darebin's busiest location, with 750 cyclist movements between 7am and 9am. This is an increase of 16.8% on the previous year. Westgarth Street also saw a large increase (12%) in cyclist movements. Overall, the entire municipality saw an increase of 0.5%.

Targets

A series of targets was set out in the Cycling Strategy. Some targets can be reported on an annual basis while others such as those relying on the Darebin Household Survey results, are only reported biannually.

Target	Data Sources	Progress for 2007/08
Increase in all cycling trips of 10% per annum	- Annual cycle counts (ie. Super Tuesday) - Darebin Household Survey - ABS Census	Increase since 2005: 111% 2008/2009 result: 22.4%
Increase cycle ownership rates amongst Darebin residents by 3-5% per annum	- Darebin Household Survey	Increase since 2005: 10% (approx) 2008/2009 result: data not yet available
Increase the amount of cycle parking by 20% per annum	- Council records	Increase since 2005: average 122% (new stands installed) 2008/2009 result: - 35% (new stands installed)

Target	Data Sources	Progress for 2007/08
Increase the length of on road cycle lanes by 10% per annum	- Council records	Increase since 2005: average 4% 2008/2009 result: 1%
Increase the length of off road cycle (and shared use) paths by 5% per annum	- Council records	Increase since 2005: 22% 2008/2009 result: 9%
Increase in the number of places available on cycle courses run within Darebin by 20% per annum	- Course providers - Bicycle Victoria	2005/2006: 20 (<i>Bicycle Victoria - Time to Ride</i>) 2006/2007: 36 (<i>Jika Jika – Bike it, you’ll like it</i>) 2007/2008: 150 (<i>Kingsbury Primary – Bike Ed</i>) 2008/2009: 160 (<i>140 Kingsbury Primary – Bike Ed; 9 Love Living Local bike skills course; 11 Darebin Bicycle Users Group</i>) Increase since 2005: n/a 2008/2009: 6% increase Including new Ride2School data for 2009: 445 (285 Ride2School program – average active transport participants per day – from 11 schools)
Reduce cycle accidents by 15% over next 5 years	VicRoads CrashStats	Change since 2005: + 120% 2008/2009 result: + 48% The unfortunate rise in cycle casualties may correlate with the increase in rider numbers over the past year. No fatalities have been recorded. This information will be referred to the Safe Travel Strategy for further investigation.
Increase participation in local cycle events by 20% per annum	- Darebin Bicycle Users Group	2004/2005 – 1,000 2005/2006 – 1,600 2006/2007 – 1,887 2007/2008 – 2,042 2008/2009 – 2,072 (1.5% increase)
Increase the number of hits on the Council website cycle page by 10% per annum	Council records	Jan-June 2009: 333 unique visits (no earlier data available due to website restructure).
Increase Bicycle Victoria and Darebin BUG Membership.	- Bicycle Victoria - Darebin Bicycle Users Group	Bicycle Victoria: DBUG Group: 2004: 1,427 2004/2005 : 158 2006: 1,462 2005/2006 : 162 2007: not supplied 2006/2007: 205 2008: 1,850 2007/2008: 226 2009: 2,898 2008/2009: 190

POLICY IMPLICATIONS

Environmental Sustainability

The successful delivery of the Cycling Strategy has been accompanied by increased cycling rates and an improved environment for cycling. These two elements will lead to a reduction in carbon emissions through a reduction in modeshare of single occupant car trips.

Social Inclusion and Diversity

Improving cycling in Darebin increases the equity and affordability of transport options for our residents. Cycling is a very affordable mode of transport, which favours the most disadvantaged sections of our community. Cycling is a convenient and healthy mode of travel for those unable to drive – CALD community members are overrepresented in this segment of our community.

Other

The Cycling Strategy contributes to the achievement of several elements of the Council Plan, including Community Wellbeing, Liveability and Regeneration, Environmental Sustainability, and Prudence and Prosperity.

FINANCIAL IMPLICATIONS

Stage 1: 2005/2006

Council expended **\$433,000** in the 2005/2006 financial year to deliver various infrastructure improvements and educational programs.

Stage 2: 2006/2007

Council expended **\$315,000** in the 2006/2007 financial year to deliver various infrastructure improvements & educational programs.

Year 3: 2007/2008

Council expended **\$594,000** in the 2007/2008 financial year to investigate and deliver cycle infrastructure and educational programs. The total expenditure within Darebin including external funding was \$807,000.

Year 4: 2008/2009

The delivery of infrastructure improvements and educational programs of the Cycle Strategy occurred within a **\$969,318** budget. These figures do not include operational and in-kind costs in supporting the Darebin Cycle Strategy.

\$102,204 Darebin on-road Cycle Network and Principle Bicycle Network
 \$13,622 Cycle parking
 \$10,900 Normanby Avenue advisory cycle lanes
 \$35,000 Behaviour Change Programs
 \$95,000 Path Replacement/Upgrade Program
 \$171,592 Local Area Access Program – Macleod Station to La Trobe link
 (*Total cost of project: \$465,000*)
 \$541,000 Shared path construction consisting of:

\$476,000 Darebin Road Underpass – Ford Crescent Shared path.
(Total cost of project \$850,000)
\$65,000 Merri Creek Signage – manufacture and installation

Total expenditure by Darebin Council: \$969,318
Total expenditure including external funding: \$1,651,726

FUTURE ACTIONS

- Review the Cycling Strategy in 2010/2011
- The Steering Committee to continue to meet quarterly or as required
- Produce a final report for this Cycle Strategy 2005-2009.

RELATED DOCUMENTS

- Cycling Strategy http://www.darebin.vic.gov.au/page/page.asp?Page_Id=2708&h=0
- Darebin's cycling web pages <http://www.darebin.vic.gov.au/cycling>
- North-South Walk-Cycle Links Investigation

7.6 LIGHTING PROJECT - KEON PARK STARS JUNIOR FOOTBALL CLUB**MINUTE NO. 425****AUTHOR: Acting Manager Leisure Services – Susan Hecker****MANAGER: General Manager, Community Assets and Leisure – Geoff Glynn****BUDGET****IMPLICATIONS: Nil****SUMMARY:**

This report summarises the Sport and Recreation Victoria (SRV) Community Facility Funding program and responds to the questions raised on 18 May 2009 during 'Public Question Time' and deferred Council Reports of 15 June 2009 and 6 July 2009. The focus of this report is in relation to the Keon Park Stars Junior Football Club and their request for competition lights at JC Donath Reserve.

The Keon Park Stars Junior Football Club (the club) has been lobbying to replace the training lights to competition lighting standard at JC Donath Reserve, Oval 1 for over five (5) years. The Club has seven (7) registered junior teams and one (1) U19 football team, also Lalor Park Stars Women's Football Club share the facilities.

The Council has submitted applications to SRV in years 2004, 2005 and 2006. All of these applications have been unsuccessful as they have not met the State Government funding criteria. In 2009/2010, Council resolved to submit an application for competition lights 100 lux luminaire at JC Donath Reserve. A formal outcome from the State Government regarding this grant is awaited.

Council has more than 120 sporting clubs utilising 30 pavilions and approximately 90 playing fields across the municipality. Council plays a major role in the provision of sport through the community facilities and assets provided for use to these clubs.

The installation of competition lighting at sports grounds results in additional use and requires significant additional capital and operational resourcing to support this increased use. Costs foreseen would be increased turf maintenance program, additional facilities such as bins and seating and improved pavilion infrastructure. In addition to this, Australian Standards recommend lighting of 150lux minimum if developing a showpiece club night football venue where viewing expectations of spectators are taken into account.

There are no grounds in Darebin that have lights suitable for playing night-time competition for Australian Rules Football. Due to the high cost of providing competition lights, the Sport in the North Strategy (under review) gives direction that should Council install any competition lights it should occur at the Grade 1 facilities ie. Preston City Oval and Bill Lawry Oval.

The Leisure Strategy preparation is underway and whilst it is too early to state what the recommendations for this project will be, resource allocation for competition lights at Council sports ovals may not be considered a high priority given the capital investment required. A strategic approach to planning for sports infrastructure is required which will allow for the significant funds and capital planning that is required.

This report also responds to other questions raised at the Council meeting held on 18 May 2009. In addition to this Council requested a further report on 6 July 2009 following information provided by Mr John Nugent concerning the original report. (See **Appendix A** for responses to Mr Nugent).

CONSULTATION:

Keon Park Stars Junior Football Club
Northern Football League

RECOMMENDATION

THAT Council:

- (1) Note this report.
- (2) Defer any funding consideration of competition lights at any sporting oval until after the Darebin Leisure Strategy has been completed.
- (3) Refer the issue of the provision of competition lighting at sporting ovals to the development of the new Darebin Leisure Strategy to validate the needs and costs of the infrastructure as compared with other priorities.

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. S. Chiang

THAT consideration of the matter be deferred until the first Council meeting in February 2010.

CARRIED

REPORT**BACKGROUND**

At the Council meeting held on 18 May 2009, Council requested a further report on the proposed lighting project for the Keon Park Stars Junior Football Club (the Club).

Specifically, Council requested that officers report back to Council within 4 weeks with an outline of a funding submission for SRV sports grants later this year and that the report should detail:

- Darebin Council's long standing support for the Keon Park Stars Junior Football Club's light project.

The high levels of socio-economic disadvantage in the area

- The importance of anchoring under 19 games to secure a strong pathway for all junior teams and the viability of the Keon Park club.

- The critical danger of kids losing access to Australian Rules Football in this corner of Darebin without this project.
- The initial cost estimate as supplied by the Club.
- Details of capital works funding to Keon Park Stars Junior Football Club over the past 10 years.

On 15 June 2009 Council deferred the Council Report and requested answers to questions raised by Mr. John Nugent on behalf of the Club which are included as an attachment to this report – see **Appendix A**.

On 6 July 2009 the (then) new Council Report was deferred, the Council resolution being:

That Council defer this report and consider this item when Council has more information regarding the recently announced \$271,000 in Federal stimulus funding.

CORE ISSUES

Sport Recreation Victoria funding (SRV) - Community Facility Funding Program

The SRV Community Facility Funding program provides opportunities for both Council and community groups to receive funds that further participation in sport and recreation. The funding guidelines are made available in September/October each year and community groups can make an application to Council first. The grant applications are then prioritised and forwarded to the State Government for consideration. SRV allows Councils to submit a funding application for one aquatic or major project (over \$250,000) and three minor projects (under \$250,000) on an annual basis. The funding provided by SRV needs to be matched by Council through its capital funding program. The grants are competitive and the objectives of the program are to:

- Respond to identified community need and issue
- Increase or in certain cases maintains participation in sport and recreation
- Is supported by other local, sub-regional or regional planning studies.
- Includes innovative, sustainable and environmentally friendly project components.

The SRV funding applicants are then assessed on the basis of meeting the above criteria along with our own criteria. Darebin City Council criteria include:

- Project is informed by a strategic sporting document ie. Sport in the North
- Increases participation of people from our disadvantaged communities ie. people with disabilities, Culturally and Linguistically diverse and Aboriginal and Torres Strait Islander people.
- Addresses any equity issues around Council funding received by recipients in the past ie. has Council funds spent on a particular group and how does this compare with other applicants.

These grants are highly sought after and contested. Keon Park Stars Junior Football Club has submitted applications to Council to install lights for night time matches to be played at Donath Reserve on five (5) occasions. On 3 occasions, the Keon Park Stars Junior Football Club application has been forwarded to SRV. The application has been unsuccessful on each of these occasions. Council recently resolved to submit for the 2009/2010 year.

Each year new applications from community groups emerge along with Council's own priority for supporting and providing for sport and recreation in the City of Darebin. For example, Council has been successful with applications for funding Reservoir and Northcote Leisure Centre developments, the implementation of master plans for district parks such as HP Zwar Reserve and Edwardes Lake Park, re-surfacing of the athletics track at Edwardes Lake Park and tennis facility upgrade at Lakeside Tennis Club. These grants provide opportunities for all our community groups to develop proposals that meet their business planning objectives and to be involved in community development. The SRV funding program is the one major funding source for sport and recreation opportunities across the State and therefore careful planning and priority is needed to ensure funding success.

Socio-Economic Status of Reservoir/ Keon Park

The Australian Bureau of Statistics defines the Index of Socio-Economic Disadvantage as a general indicator that summarises the economic and social resources of people and households within an area.

According to the 2006 SEIFA Preliminary Report, Darebin ranks as the fifth most disadvantaged municipality out of the 31 municipalities in metropolitan Melbourne. However, it is worth noting that there are differences between the northern and southern end of the municipality with the northern end reporting higher levels of socio-economic disadvantage than the southern end.

Keon Park is located in the Reservoir East precinct as identified by Strategic Planning. This precinct is located in the northern part of Darebin and covers 15.90 square kilometres. This precinct is most residential in nature and has a population of 23,000 residents. This precinct has a larger proportion of residents aged 17 years and under, and over 50 years and than does the City of Darebin as a whole. Reservoir East is also characterised by its significant Aboriginal and Torres Strait Islander population and proportionally the Indigenous population makes up 1.2 per cent of Reservoir East populations. (Figures based on Local Area Precinct Profile – Reservoir East, 2002).

In providing an analysis of open space provision in the Reservoir East area, the criteria used to assess open space are: quantity of open space, distribution throughout the municipality and size of open space. According to Darebin's Open Space Strategy 2007 – 2017, the Reservoir East precinct, open space in this area meets or exceeds this criteria. Reservoir East has good overall coverage of neighbourhood parks within 500 metres walkability distance. Upgrades have occurred in several parks including J C Donath Reserve. A Master plan for JC Donath Reserve was adopted in 1998.

A more detailed study would need to be developed to ascertain the link between socio-economic status and the link between availability and prevalence of sport and recreation opportunities. This more detailed analysis is not included as part of the scope of this report.

Australian Rules Football in Darebin

The code of Australian Rules Football has been a traditional sport played in the City of Darebin reflecting the social demographic of the municipality. However, over the past decade there has been a change of sporting patterns reflecting new interests and community diversity. It is difficult to pinpoint one particular reason why there may be changing patterns in Australian Rules football participation rates. However, generally speaking it is fair to say our current Darebin clubs are strong entities. In a 9 year period there has been one loss of an Australian Rules Football Club (Kingsbury Football Club) at John Hall Reserve.

Current statistics provided through the Northern Football League have established the following club information:

Division 1 – 10 clubs, 9 with U19 teams.

Division 2 – 14 clubs, 11 with U19 teams.

Darebin based clubs that have U19 teams are West Preston Lakeside FC at Moore Park, Northcote Park FC at Bill Lawry Oval and Keon Park Stars Junior FC. Keon Park Stars Junior FC are the only Junior club in Darebin that has an U19 team. As a comparison of club teams in the local area, the West Preston Lakeside FC based at JE Moore Park has 1 U19, 2 U17, 10 Juniors and Auskick program. It is a strong club providing a pathway for junior players to expand into a Senior competition if desired.

The fluctuation with participation numbers in Australian Rules Football is often attributed to a number of factors. These include:

- The health and strength of the club Committee and club culture.
- The number of clubs (Senior and Junior) within a confined catchment area and whether close proximity results in less players at one club than another.
- The level of demographic change and competition to spend the discretionary leisure dollar within family and social groups.

The Northern Football League has stated that they would like to establish a night time U19 competition for their clubs, however there is currently a lack of suitable venues available across several municipalities. At the moment the U19 competition is played on Saturday mornings and if appropriate venues were made available, there is no guarantee that it would result in greater participation levels. Without detailed analysis of the viability of U19 night time competition, it is difficult to draw conclusive evidence there is a real need or desire for this type of competition.

A change from day time competition (Saturday mornings) to night time competition (Friday night) may not suit everyone and may result in less participation than more. In addition, there is no evidence to suggest that without competition lights at JC Donath Reserve, that the club will be in danger of young people losing access to Australian Rules football in this area of Darebin.

Competition lights and cost at JC Donath Reserve

As part of the discussions with the club over the past 6 months, the club has requested that lights be provided at 200 lux luminaire, then changing their request to 150 lux luminaire and subsequently to 100 lux luminaire. According to the Australian Standards provided through the football and netball lighting guide produced by the Department of Planning and Community Development, the lighting standard for amateur level competition should be delivered at 100 lux but strongly suggests 150 lux as a minimum. In addition, Australian Standards also provide that the light poles should be 25-30 metres high to deliver the expected lighting standard and to provide uniformity across the oval.

The club has written to officers and provided a scope of works in March 2009 for meeting their request. The scope of the competition lights proposal included:

- Preparatory work associated with power upgrade
- Supply and installation of 4 x 25m light poles
- Supply and installation of 7 light fittings per pole
- Supply of power to the scoreboard.

A quotation for the above works has been received and the cost estimate is \$301,000 (excl GST). The club has suggested that they could provide \$9,091 as part-contribution towards this project.

At the Council meeting held on Monday 21 September 2009, it was resolved that Council endorse the submission for construction of 100 lux lighting at JC Donath Reserve for consideration by SRV as part of the Community Facility Funding Program (Minor Facilities) 2010/2011. The most recent quote obtained is for \$270,000 (excl GST) broken down as follows:

- Construction of 100 lux lighting - \$200,000 (excl GST)
- Power Upgrade - \$45,000 (excl GST)
- Contingencies - \$25,000 (excl GST).

SRV have advised that announcements of successful submissions will be made from October 2009 onwards.

Sport in the North Strategy

Sporting facility provision and improvements is guided by Council's Sport in the North Strategy. Under this system, Council's sporting facilities are rated according to the facilities provided. JC Donath Reserve is rated as a Grade 2 facility. The majority of our grounds are rated as Grade 2 as they are designed for middle and senior grade competition.

There are no grounds in Darebin that have lights suitable for playing night-time competition for Australian Rules Football. Due to the high cost of providing competition lights, the Sport in the North Strategy gives direction that should Council install any competition lights it should occur at the Grade 1 facilities ie. Preston City Oval and Bill Lawry Oval.

The new Leisure Strategy (in preparation) will guide Council in its decision making around the provision of sport and recreation in Darebin. The new Leisure Strategy will enable Council to prioritise our sport and recreation needs into the future and assist us in determining the need and demand for competition lights for any sporting activity.

Council investment for Keon Park Stars Junior Football Club

In 1998, Council adopted the JC Donath Reserve Master Plan which, resulted in a number of improvements. Park Masterplans are developed in consultation with the community and stakeholders and provide a plan for the parks future development should Capital funds be made available. Given the significant capital input required to implement Masterplan they are staged over many years and Council officers ensure that throughout the consultation process the community and stakeholders are made aware of this.

A range of improvements have been made to facilities used by the Keon Park Stars Junior Football Club over the past 10 years. A financial estimate of these works amount to around \$500,000 with the largest financial investment relating to the pavilion expansion at \$240,000. Improvements include:

- Installation of coaches boxes
- Installation of seating
- Training light upgrades
- Training light repairs
- General landscaping improvements (not specific to the club)
- Redevelopment of the pavilion utilised by the club
- Capital contribution to upgrading training lights

- Contribution to the design for a scorer's box
- Discretionary operating grant to the Club.

Regional and Local Community Infrastructure Fund

Guidelines for the Regional and Local Community Infrastructure Fund were released in September and projects were nominated for this funding at the Council meeting on 16 November 2009.

POLICY IMPLICATIONS**Social Inclusion and Diversity**

Australian Rules Football competition and sport in general provides opportunities for social inclusion and diversity. Sport by its nature is often a mechanism for social engagement and community building. The Keon Park Stars Junior Football Club provides opportunities for young people to play sport and for adults to engage in club operations.

Environmental Sustainability

If competition lights, are provided, at any of our sporting venues, there will be an increase in greenhouse gas emission. Due diligence around this aspect of the project has not been conducted, however, according to our Climate Action Change Plan - June 2007 to 2010, street lighting is the largest emitter of greenhouse gases. The key principles that drive our Climate Change Action Plan are to reduce green house emissions, conserve energy and provide energy efficiency. Increased electrical use will have a greater impact on both utility costs and a greater environmental impact.

Other

Under Sports in the North, provision for night matches is theoretically only provided at Grade 1 facilities ie. Bill Lawry Oval and Preston City Oval due to the high cost of providing this infrastructure. Grade 1 facilities are made available for elite matches and competition. Council has provided Preston Oval and Northcote Park to this standard for Australian Rules Football. Whilst the facilities used by Keon Park Stars Junior Football Club meet Grade 2 requirements, the improvements requested are in keeping with a Grade 1 facility. Council's current sporting strategy does not provide for the development of further Grade 1 facilities within the municipality.

Given Council's policy framework and the development of new Leisure Strategy in 2009/2010, the Council expenditure for competition lights cannot be justified at this time.

FINANCIAL IMPLICATIONS

Nil

FUTURE ACTIONS

To review current sports infrastructure and the provision and /or need for competition lights as part of the development of a new Leisure Strategy for the City of Darebin.

RELATED DOCUMENTS

Climate Change Action Plan – June 2007 to June 2010

Sport in the North – 1999 by Jeavons and Jeavons.

Appendix A – Answers to questions raised by Mr John Nugent – Keon Park Stars Junior Football Club

**7.7 DAREBIN PARKLAND MASTERPLAN – PROGRESS
REPORT ON DOG MANAGEMENT ISSUES**

MINUTE NO. 426

AUTHOR: Landscape Architect – James Dickson

MANAGER: Manager Open Space Planning – Allan Wicks

BUDGET

IMPLICATIONS: \$100,000 is allocated in the 2009/2010 capital works budget for construction of a temporary fencing enclosure with a vegetation barrier for the dog off-lead area and further rehabilitation of creek banks adjacent to dog off-lead area.

Additional staged implementation will be considered in future capital works budgets.

SUMMARY:

The Darebin Parklands Masterplan was adopted on 6 October 2008 and included a resolution to provide a progress report to council on the implementation of the Master Plan. In particular, the progress report was to outline the measures taken to improve dog related management issues in the parklands. This included reporting to council on the progress of investigating a dog access point west of the Shining pool along the Darebin Creek.

A progress report to Council on 20 July 2009 was deferred by Council on the grounds the investigation process into an alternative dog access point to the creek remained unresolved and required further consultation with the Working Group.

CONSULTATION:

Council recommended the following stakeholders be invited to form a Working Group to establish the possibility of providing a dog access location west of the Shining Pool. Refer below to Resolution (2) in the adopted Darebin Parklands Master Plan.

Resolution (2): *“Council Officers further investigate and report back to Council on the possible location of the alternative dog access point to the creek to the west of the Shining pool with key stakeholders Darebin Creek Management Committee, Banyule Council, Melbourne Water, Darebin Parklands Association and Darebin Dog Owners Group.”*

List of recommended stakeholders to form Working Group:

- Darebin Creek Management Committee Incorporated, (DCMC). Formed in 2001 with the merging of the Darebin Parklands Division, 1973 and the Creek Coordination Division, 1984.
- The Darebin Parklands Division manages the on-ground maintenance of the Darebin Parklands.
- Darebin Parklands Association, (DPA), a friends group since 1973
- DDOG, Darebin Dogs Owners Group – An active lobby group representing the concerns of Dog owners in the local area.

- Darebin Open Space Planning Branch
- Banyule – Council Open Space Planning Branch

The Working Group met on numerous occasions to discuss the merits of providing dog access along the Darebin Creek. On occasions Melbourne Water were invited to provide specialist advice on matters. Councillor Diana Asmar also attended one of the Working Group meetings.

Following is a list of items discussed at the meetings:

- The Working Group established two (2) locations for consideration: Option 1 – west of the shining pool and Option 2 – south-east corner of the Mulberry Flats.
- Melbourne Water was invited to provide comment on proposed locations and their capacity to finance a dog access point along the creek.
- Councillor Diana Asmar was invited to attend one of the Working Group Meetings following the deferred Progress Report submitted in July, 2009.
- The Working Group in consultation with Melbourne Water investigated the merits of retaining and improving access to Option 1 – west of the shining pool.
- The Working Group in consultation with Melbourne Water investigated the merits of enhancing and re-habilitating through creek works and re-vegetation works to Option 2 – south-east corner of the Mulberry Flats.
- The Working Group discussed alternatives for a fencing enclosure to the dog off-lead area.

RECOMMENDATION

THAT Council:

- (1) Adopt the recommendation of the Working Group to provide informal access to the creek west of the Shining Pool.
- (2) Adopt the recommendation of the Working Group to maintain access to the south-east corner of the Mulberry Flats with further improvements to the location to be re-assessed by Melbourne Water in two years time.
- (3) Adopt the recommendation of the Working Group to replace the proposed dog fencing enclosure with a vegetation barrier using temporary fencing until vegetation establishes.
- (4) Note the progress report outlining all dog related management issues.

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. T. Laurence

THAT:

- (1) Council adopt the recommendation of the Working Group to provide informal access to the creek west of the Shining Pool.

- (2) Council adopt the recommendation of the Working Group to maintain access to the south-east corner of the Mulberry Flats with further improvements to the location to be re-assessed by Melbourne Water in two years time.
- (3) Council adopt the recommendation of the Working Group to replace the proposed dog fencing enclosure with a vegetation barrier using temporary fencing until vegetation establishes.
- (4) Council note the progress report outlining all dog related management issues.
- (5) Further consultation be undertaken with members of the Working Group in relation to further improvements to be re-assessed by Melbourne Water in two years time.
- (6) Funding for proposed provision of seating near the newly created water access point for dogs to the west of the Shining Pool be referred to the 2009/2010 Capital Works Budget for consideration.

CARRIED

REPORT

BACKGROUND

The Darebin Parklands are situated on the Darebin Creek in Alphington and Ivanhoe. Darebin Parklands is a district park covering an area of 33 hectares. Approximately 27 hectares of the parklands is within the City of Darebin with the remaining 6 hectares, known as Rockbeare Park located within the City of Banyule. The Darebin Parklands are jointly managed by Darebin and Banyule Councils as part of the Darebin Creek Management Committee (DCMC).

The Parklands have undergone a significant restoration and rehabilitation by Councils and the local community over the last 25 years. The Parklands has high conservation and environmental values and is highly valued by the community.

Purpose

The purpose of this Council Report is to provide a progress update to Council on two council resolutions from the Council Report on 6 October 2008 adopting the Darebin Parklands Master Plan. This Council Report also responds to the unresolved matters that resulted in the report being deferred in July this year.

CORE ISSUES

Progress Report – Dog Management

The Master Plan recommended a single dog off lead area be located within the Mulberry Flats to facilitate improved on site management of dogs in the parklands. Following the adoption of the Master Plan, the area was opened up for dog users and has been well received by the community. The Master Plan also recommended a series of management tools to improve the long term management of dogs in the parklands.

Following is a list of actions and recommendations carried out since the adoption of the Master Plan in October 2008.

- Rationalise the areas of off-lead areas to one single location within the parklands.
- Improve dog regulatory signage throughout the park. This involved removing excess and often confusing signage with clearer and strategically located signage.
- A Working Group reviewed the necessity for a fencing enclosure to be built around the perimeter of the new dog off-lead area to protect the environmental surrounds. All representatives of stakeholders present at Working Group meeting agreed to replace the proposed fencing with a re-vegetation zone supporting the growth of indigenous plant species and to be protected by a temporary fencing enclosure. The fence would be a post and wire re-vegetation fence that would be removed once the planting area had been established. These works are scheduled for this financial year.

Progress Report – Dog Access to Creek

- The Working Group representing key stakeholders was established in February 2009 to investigate the merits of an alternative dog access point along the Darebin Creek. Key stakeholders included: nominated representatives from the Darebin Dogs Owners' Group (DDOG) and the Darebin Parklands Association (DPA), and council officers from both Banyule and Darebin Councils and management staff from the Darebin Creek Management Committee (DCMC).
- The Working Group investigated suitable locations along the Darebin Creek within close vicinity of the new single dog off-lead area. Two locations were determined as potentially suitable. The first recommendation was for Option 1, located west of the Shining Pool. The second location, Option 2 was located in the south-east corner of the Mulberry Flats. Refer **Appendix A**.
- *Option 1 (West of Shining Pool):* Melbourne Water agreed to provide informal access to this location of the creek. Access would be made available for all the community to enjoy and would reflect Melbourne Water's own target of improving water quality, bank stabilisation and weed removal. Extent of works would be kept simple and involve battering the southern banks and stabilized with the placement of rocks. These works have been programmed by Melbourne Water as part of the Shining Pool works.
- Additional weed removal of the northern banks and replanting to the southern end of the English residence to prevent dogs from entering their property.
- *Option 2 (South-East Corner):* The Working Group recommended that Option 2 be further developed as a suitable dog access location with improved access and stabilisation of the creek banks which would include rock stabilisation and planting of riparian vegetation. Melbourne Water were given opportunity to comment on these concepts but expressed reluctance to proceed with work due to their commitment to works at the Shining Pool. Agreement was sought to review the site in two years time.

Progress Report – Animal Management Education and Enforcement

- City of Darebin Animal Management staff patrol the parklands twice a week providing a physical presence on site. Staff handout brochures to dog owners to provide information on changes to the dog off-lead areas.

- Ongoing education and new animal management arrangements will continue to be re-enforced by new signage that has been installed. Rangers liaise with the community and animal management staff periodically as required.
- Ongoing enforcement within the parklands continues to be carried out by Animal Management staff as required. It is anticipated that with the inclusion of the planting area and temporary fencing to the Mulberry Flats that there will be an improvement to the demarcation of the off-lead area and an improved capacity to enforce the off-lead conditions.
- Animal Management staff and Darebin Parkland Staff have noted a considerable improvement in dog owner behaviour in the park since the introduction of a new single dog off-lead area.
- Dog owners venturing from distant areas of Melbourne were previously contributing to an unsustainable increase in dog owners visiting the site. Surveys conducted during the consultation process estimated approximately 1400 dogs were visiting the Darebin Parklands on any given week. Since the introduction of a more controlled single dog off-lead area, park management have noticed a considerable reduction in dog owners visiting the site.
- Park Management has also commented on both the improved level of dog owner compliance in the parklands and the increase in the number of local people choosing to re-visit the parklands since these changes to dog off-lead areas were introduced.

Progress Report – Related Issues

- The Signage strategy prepared includes, new park entry signs, spiritual healing signs and interpretative signs.
- The new park entry signs that were recently installed represent the Darebin suite of park signs soon to be rolled out over the coming years.
- The Spiritual Healing signs throughout the park were experiencing ongoing damage and are scheduled to be replaced before the end of the year.
- The interpretative signs will provide environmental, historical and descriptive information related to points of interest in the Parklands.

POLICY IMPLICATIONS

Environmental Sustainability

Creek restoration works along the Darebin Creek involves planting of riparian vegetation and rock work stabilisation along eroded banks which is expected to minimise erosion caused during flood events. Further planting to be carried out to the perimeter of dog off-lead area and protected with the installation of a temporary post and wire fence. This will restrict access to dog owners along the creek corridor within the Mulberry Flats area. This is expected to mitigate on-going erosion to creek banks caused by dogs accessing and swimming in the creek. Together these works will improve the stability of the creek banks and improve conditions for fauna and flora within this section of the creek corridor.

Social Inclusion and Diversity

The Darebin Parklands Master Plan recognises the significance of the Spiritual Healing Trail has for the traditional owners of the land, the Wurundjeri people and the existing Spiritual Healing Signs will be replaced with improved interpretative plaques. The replacement signs are scheduled to be replaced in the next four (4) weeks.

Other

The Darebin Parklands Master Plan has served to clearly identify on and off lead areas within the parklands. This has contributed towards improving the on site management of dogs within the park and ensure the future sustainability of providing dog access in a conservation park.

FINANCIAL IMPLICATIONS

A budget of \$50,000 in the 2008/2009 financial year was allocated towards development and installation of a signage strategy. Planning of the signage strategy has been completed with the majority of the signs having been installed. In this financial year, a budget of \$100,000 has been allocated towards the installation of a post and wire fencing (dog enclosure) to improve upon the management of dogs in the parklands.

FUTURE ACTIONS

- Option 1 (West of Shining Pool) - To be implemented as part of Melbourne Waters works to the Shining Pool which are currently underway.
- Option 2 (South-East Corner) - Existing access to be retained. Melbourne Water to review site in two years time, when any works required will be identified.
- Re-vegetation Barrier and temporary fencing to be installed between April and June 2010 to formalise the dog off-lead area.
- Ongoing education and enforcement.
- Prepare detailed concept drawings of the entry of the park, including a new location for the Environmental Centre, toilet block and picnic shelter and re-alignment of shared trail.

RELATED DOCUMENTS

The Darebin Parkland Master Plan, October, 2008

Council Report on The Darebin Parkland Master Plan, adopted October, 2008

The Animal Management Strategy, 2006

Open Space Strategy, 2007-2017

Appendix A – Site Plan

7.8 DISABLED PARKING BAYS

MINUTE NO. 427

AUTHOR: Transport Engineer – Daniel Neave**MANAGER:** Acting Manager Transport Planning and Management – Nick Mazzarella**BUDGET****IMPLICATIONS:** Within budget for 2009/2010.

\$300,000 funding bid to be referred to the forward capital program (\$100,000 x 3 years) for priority compliance of disabled parking bays within activity centres and near education facilities.

SUMMARY:

This report provides information and recommendations in response to the following 'General Business' item at the Council meeting on 2 February 2009:

"A report be submitted to Council which details the current status of disabled parking bays in regard to compliance with the Disability Discrimination Act and the proposed future direction for the installation, maintenance and upgrade of disabled parking bays".

CONSULTATION:

Social Inclusion and Diversity Branch
Darebin Disability Advisory Committee

COUNCIL RESOLUTION**MOVED:** Cr. T. McCarthy**SECONDED:** Cr. V. Fontana**THAT:**

- (1) Any new disabled parking bays in the City of Darebin are to comply with the appropriate Australian Standards.
- (2) A program of works be established and a funding submission be referred to the Capital Works Program to upgrade disabled parking bays in activity centres and at education facilities as a priority over the next 3 years.
- (3) New disabled parking bays in front of residential properties are to be discouraged with the exception of group housing arrangements specifically targeted for the elderly and people with a disability.

CARRIED

REPORT

BACKGROUND

The issue of disabled parking bays was raised at the meeting of the Darebin Disability Advisory Committee on 2 February 2009 as part of the initial consultation process for the *Disability Access and Inclusion Plan 2009 - 2013*. On the same day, the following 'General Business' item was raised at the Council meeting on 2 February 2009:

"A report be submitted to Council which details the current status of disabled parking bays in regard to compliance with the Disability Discrimination Act and the proposed future direction for the installation, maintenance and upgrade of disabled parking bays".

Council is committed under its current *Disability Access and Inclusion Policy 2009* and associated *Disability Access and Inclusion Plan 2009 - 2013* to increase access to the built environment, services and programs for people with a disability. The provision of disabled parking bays is one way in which Council provides access opportunities for people with a disability in Darebin.

Council has 155 recorded disabled parking bays across the municipality which is a combination of on-street and off-street bays. Council historically has installed disabled parking bays in front of residential properties upon individual requests with little consideration to the overall distribution of disabled parking bays across the municipality and at no cost to the resident.

The *Australian Standards for Access and Mobility (AS1428.1-2001, AS1428.2-1992 and AS1428.3-1992)*; *Parking Facilities – On-Street Parking (AS2890.5-1993)* and *Off-Street Parking for People with Disabilities (AS2890.6 - 2009)* provides the compliance standards for disabled parking bays. Of the 155 disabled parking bays in Darebin, less than half comply with these standards.

Due to the complex nature of the road network in a metropolitan municipality such as Darebin, challenges are presented in making all of the existing disabled parking bays compliant. For example, widening on-street bays to comply with the standards could create safety hazards for other road users and trams.

CORE ISSUES

Current Status

Of the 155 disabled parking bays, 42 comply with the Australian Standards. Of the 42 compliant disabled parking bays, only two are on-street parallel parking, the remaining 40 are either on-street angle parking or off-street car parks.

The following table provides a break down of the type of disabled parking bay and what it services.

Land Use	On-street parallel	On-street angle	Off-street	Total
Education	22 (1)	0 (0)	0 (0)	22 (1)
Activity Centre	42 (0)	5 (1)	17 (8)	64 (9)
Residential	10 (0)	0 (0)	0 (0)	10 (0)
Community Facility	19 (1)	14 (6)	26 (25)	59 (32)
Total	93 (2)	19 (7)	43 (33)	155 (42)

Notes:

- Compliant disabled parking bays are shown in brackets
- 15 disabled parking bays are located adjacent to a bicycle lane.

The following table provides a break down of disabled parking bays within Darebin by postcode.

Postcode	On-street parallel	On-street angle	Off-street	Total
3070	22 (2)	5 (3)	16 (13)	43 (18)
3071	19 (0)	2 (2)	2 (2)	23 (4)
3072	25 (0)	4 (0)	5 (5)	34 (5)
3073	20 (0)	2 (0)	15 (9)	37 (9)
3078	5 (0)	5 (2)	5 (4)	15 (6)
3083	2 (0)	1 (0)	0 (0)	3 (0)
Total	93 (2)	19 (7)	43 (33)	155 (42)

Notes:

- Compliant disabled parking bays are shown in brackets

Due to the difficulties in creating compliant on-street parallel disabled parking bays, past improvement works have been prioritised for bays located in off-street car parks and on-street angle car parking where the required width is easier to achieve.

Provision of Disabled Parking Bays

The Australian Standards provides guidance on the provision of disabled parking bays at different types of facilities and recommends 1 to 2 percent of parking available as disabled parking for retail precincts (ie shopping centres).

Disabled parking bays along High Street in some areas are well above this recommendation, but below in other areas, eg:

Location	Total parking available	Disabled Parking Bays	Percentage
Westgarth	244	2	0.8%
Thornbury Junction	169	7	4.1%

A parking review study is currently being prepared and will consider the distribution and the preferred location of disabled parking bays in Darebin.

In November 2009, the Victorian Road Rules changed with the extension of “No Stopping” parking restrictions near tram stops from 10 metres to 20 metres. This is estimated to cause a loss of three on-street disabled parking bays in Darebin. Officers will investigate alternative locations nearby to ensure activity centres continue to maintain the previous level of accessible parking facilities.

Residential Disabled Parking Bays

Council has historically responded to requests for disabled parking bays in front of residential properties and currently has ten (10) known disability parking bays located in front of residential properties. It is important to note that disabled parking bays in front of residential properties cannot be made exclusive to any particular resident, so there is no guarantee that this service would be available when required by the particular resident.

Council currently has 7,601 disability parking permits issued to residents and receives on average one request for a new disabled parking bay to be installed in front of a residential property per week. The forecast increase in Council’s ageing population will only result in an increase in the number of residents with disabled parking permits and the subsequent requests made for Council to install disabled parking bays.

Responding to individual requests for disabled parking bays will not be an effective or strategic way of meeting the future demands of the ageing population or residents with a special need. As such, a parking review study will be undertaken in 2010 to identify the possible ways to improve the distribution and access to disabled parking bays in Darebin. Until the completion of the parking review, it is proposed that Council limit any new on-street disabled parking bays to only necessary requests, eg. from certified community residential unit or aged care facility.

Education Facilities

Most schools within Darebin have an on-street disabled parking bay located near the school entrance. It is proposed that the remaining few schools that do not have this facility be prioritised for provision of on-street disabled parking bay were appropriate. This will ensure every education facility in Darebin will be accessible for people with mobility aides.

Other Councils

To inform this report, information was sought from seven other councils in Melbourne and is summarised below:

- One council advised they do not install on-street disabled parking bays under any circumstance.

- One council did not build all bays to standard due as the width required of the on-street bays could not be achieved.
- One council provides bays at the recommended width of 3.8 metres instead of the minimum width of 3.2 metres.
- No council has a separate policy for disabled parking bays outside of their municipal parking policy.
- The majority of councils do not install disabled parking bays in residential areas. The two Councils that do, recover the full cost from the resident.

This demonstrates the variety of practices and divergence from the Australian Standards and that Council will need to have a consistent disabled parking bay provision across the municipality that is consistent and compliant.

Risk / Reputation

By not providing disability parking bays that are fully compliant with the relevant standards, Council will be vulnerable to complaints under the *Disability Discrimination Act 1992*. There are also significant safety risks with attempting to make compliant existing disabled parking bays along roads with narrow footpaths and competing infrastructure such as trams and bike paths.

The general findings and recommendations of this report were presented at the Darebin Disability Advisory Committee on 5 October 2009. Even though the committee expressed some initial concerns about disabled parking bays not being provided in front of residential properties to meet standards, they understood the difficulties of doing so. As such, the Committee supported the requirement for the provision of fully compliant disabled parking bays in all cases, on-street and off-street.

POLICY IMPLICATIONS

Environmental Sustainability

There is minimal impact to the environment and sustainability from this report.

Social Inclusion and Diversity

Council's *Disability Policy 2009* and *Disability Access and Inclusion Plan 2009–2013* outline Council's intention to improve access for people with a disability in the City of Darebin. The provision of fully compliant, safe and accessible disabled parking bays increases the capacity for people with a disability to independently access retail activity centres and other key facilities. Whilst the proposed changes may result in a slight decrease in on-street disabled parking bays and the discontinuation of disabled parking bays in front of residential properties, the intention is to maintain the overall number of disabled parking bays in Darebin and provide more facilities where they are needed most such as in activity centres.

Other

This paper has considered the following policies in detail:

- *Disability Policy 2009*
- *Disability Access and Inclusion Policy 2009-2013*
- *Darebin Transport Strategy*

FINANCIAL IMPLICATIONS

- Submit an application to the future Capital Program for \$300,000 (\$100,000 per annum from 2010/2011) to address compliance issues for priority disabled parking bays.

FUTURE ACTIONS

- Develop a program of works to upgrade disabled parking bays in activity centres and at education facilities to comply with the Australian Standards.
- Include the distribution and the access of disabled parking bays in the parking review study.
- Inform the Darebin Disability Advisory Committee of the outcome of this report.

RELATED DOCUMENTS

- Disability Access and Inclusion Policy, 2009
- Disability Access and Inclusion Plan 2009 - 2013
- Darebin Transport Strategy 2007 - 2027

7.9 PRIVATE BUILDING SURVEYORS - PREMATURE CEASING OF FUNCTIONS**MINUTE NO. 428****AUTHOR: Municipal Building Surveyor – Warren Brooker****MANAGER: General Manager Environment and Amenity – Libby Hynes****BUDGET****IMPLICATIONS: Nil****SUMMARY:**

This report informs Council of the consequences of private building surveyors not being able to complete appointed functions, outlines the current approach taken by Council's Building Service Unit and recommends that Council undertake further advocacy in this regard.

CONSULTATION:

Municipal Association of Victoria
Civic Mutual Plus
Building Commission
Victorian Municipal Building Surveyors Group

COUNCIL RESOLUTION**MOVED: Cr. G. Greco****SECONDED: Cr. N. Katsis****THAT:**

- (1) Council note the current practice the Building Service Unit is taking in relation to deregistered private surveyor building permits.
- (2) Council write to the Building Commission and the Minister for Planning and Environment to request that more effective monitoring and compliance systems are introduced in relation to private building surveyors and that the Building Commission take ultimate responsibility for deregistered private surveyor building permits.

CARRIED

REPORT

BACKGROUND

Since 1994 the building control system in Victoria has been administered by a combination of Council, private building surveyors and the Building Commission. A summary of how the system works is explained in **Appendix A**.

There have been recent cases of private building surveyors being de-registered for unprofessional work practices and the issuing of questionable building permits. Upon losing registration these building surveyors are not permitted to practise. This leaves thousands of unfinished building permit projects up in the air because there is no longer a building surveyor assigned to carry out checking of plans, inspection of the work and issuing occupancy permits or certificates of final inspection.

More private building surveyors are in line for disciplinary action or de-registration which is likely to add to the number of building projects without administrative authority. All Council districts can be affected as private building surveyors typically cover large areas in their operations and issue a significant proportion of building permits.

Councils should prepare in advance for potential new cases and the implications. Council insurers have also raised concerns about future liability should Councils take on the completion of a private building surveyors' functions in circumstances where the professional practices of the private building surveyor are such that their registration has been cancelled or suspended.

There are various circumstances in which private building surveyors are not able to complete their appointed functions:-

- Cancellation or suspension of registration
- Retirement
- Death
- Illness
- Insolvency
- Disappearance
- Lack of insurance.

CORE ISSUES

What does this mean to:

- Council?
- The property owner?
- The builder?
- The private building surveying industry
- The Building Commission?

If a private building surveyor is unable or unwilling to complete functions, there is a question as to how the project will be finalised (the work needs to be inspected at mandatory inspection stages and

'signed off' by a certificate of final inspection or an occupancy permit). As the Building Act allows the owner of the land a choice between using a private or municipal building surveyor at the outset of the process, it is in keeping that the same choice should apply for any take-over of functions that cannot be completed by the first building surveyor.

Although this sounds straight forward, a number of issues arise. The owner of the land may not be aware that the private building surveyor is no longer capable of or willing to act (many owners are not even aware that a private building surveyor has been appointed). Even if the owner becomes aware, there may not be incentive for the owner to appoint a new building surveyor especially if new fees are needed to complete the functions. The Building Act does not prevent building work from continuing despite the appointed building surveyor being unable to act. Then there is the possibility that, if the first private building surveyor has been de-registered for poor practice, any new building surveyor may not be prepared to take over the functions.

From a consumer perspective a private building surveyor contracts with the owner to undertake and complete the functions involved with the building permit process including the carrying out of inspections, the issuing of any occupancy permit and generally ensuring the building work complies with the requirements of the building regulations. Failure to meet these principal functions leaves a liability with the owner and the community. Ideally, the private building surveyor's insurance should indemnify against such cases, however, the impropriety of the conduct may nullify insurance cover. Action could be taken against the private building surveyor personally, however litigation costs would be high and the private building surveyor may have limited assets.

There is legal advice that Councils do not have a legal obligation to take on the functions of private building surveyors who can no longer act. This is based on the Act generally as well as the wording of section 212 of the Building Act, which lists Council as being responsible for the administration and enforcement of various parts of the Act and the Building Regulations but specifically excludes Part 6 of the Act which relates to the appointment and functions of private building surveyors.

Should a Council choose to take on completion of functions it would need to consider the potential liabilities, especially if the conduct of a private building surveyor has been found to be so unprofessional that it warranted the suspension or cancellation of that person's registration. It follows therefore that it is possible that the building designs approved and the building work carried out may not comply with the Building Regulations.

Regardless of whether Council takes over the functions, the Municipal Building Surveyor may still act, using the *building control intervention filter criteria (BCIFC)* as policy where there is a known danger that requires enforcement action. The BCIFC sets out a risk matrix as to when to intervene in private building surveyor functions which can be extended to cases where the building surveyor cannot act.

Given their quasi public office role, the integrity of private building surveyors should be equivalent to that of municipal building surveyors. However, because private surveyor accountability and management differ greatly from local government the Building Act relies on:

- The Building Commission's powers to supervise and direct private building surveyors in performance of their functions
- The Building Practitioners Board's ability to hold Inquiries and take various actions from reprimand to cancellation of registration of building practitioners.

It is arguable that the Building Commission (BC) has neglected to sufficiently use its supervisory powers even when it has been given detailed evidence of poor practice and failures. In numerous instances, the Building Commission has deflected site work complaints back to Councils and, rather than issuing directives to the private building surveyor involved, has either simply investigated professional standards involving cumbersome evidence gathering, or carried out random performance audits of administrative matters. It could also be argued that the lack of supervision and direction has contributed to the current situation where there are a number of private building surveyors potentially facing disqualification.

The result of the termination of functions of a rogue private building surveyor leaves an administrative hole in the system. The builder has no-one to call for inspections, the owner cannot obtain finalisation of the work, Council does not have acknowledgement of completion and subsequent re-valuation, the capped liability period for insurance does not commence and there is potential that the building design and work is faulty.

Currently there are 60 building permits that are outstanding within the municipality due to the deregistration of private building surveyors. All of the owners of these properties have been notified as to the status of their permits and a number have already obtained permits to complete the outstanding works through other private building surveyors.

Council's Building Service Unit has been referring affected owners and developers to private building surveyors for completion of building permits and inspections. The unit is not taking on these permits due to the associated risks and issues including:

- Potential for inheriting liabilities surrounding earlier sub-standard work for which the MBS may personally become liable and could be subject to sanction by the Building Practitioners Board (BPB) (eg. loss of registration) or civil litigation
- Substantial work and effort to resolve non-compliant issues, including potential for destructive testing to inspect building work already carried out
- Lack of existing records making completion of functions very difficult
- Negative impact on existing Council workload, risk and resources
- Costs and cost-shifting from the agency with supervisory responsibility (Building Commission) to local government
- Undesirable precedent that local government will bail out situations which are the result of failings in other sectors of government
- Potential insurance premiums increase due to additional risk exposure and
- Conflict of charging the owner new fees and then carrying out enforcement.

This is the standard approach adopted where a private building surveyor has had their registration cancelled or suspended or where the Building Commission has neglected to supervise the private building surveyor under section 198 of the Building Act. This is consistent with the following principles of the *Building Control Intervention Filter Criteria*:

...a private building surveyor, appointed under the Building Act, is responsible for ensuring that the Act and Regulations are complied with in respect of the building, land or place in relation to which he or she is appointed

.. In recognising the above, the VMBSG recommends to councils that... if it becomes apparent there has been a lack of action or inappropriate conduct or practice by any practitioner the matter will be referred to the BPB/BC as appropriate.

It is recommended that Council reinforce this practice by writing to the Building Commission and the Minister for Planning and Environment to request that more effective monitoring and compliance systems are introduced in relation to private building surveyors and that the Building Commission take ultimate responsibility for deregistered private surveyor building permits. This recognises that the Building Commission has the primary regulatory role and has responsibility for management of the private building surveyor system.

Other cases and situations may arise where there is limited risk to Council in taking on incomplete building permits, where for instance a building surveyor has to finish up their practice for reasons other than compliance issues. These circumstances will be considered on a case-by-case process.

POLICY IMPLICATIONS

Environmental Sustainability

The Building Code of Australia prescribes the minimum environmental sustainability standards that each building must meet in order for a building permit to be issued. The implementation of these standards will not be affected by the position adopted by Council's Building Services Unit.

Social Inclusion and Diversity

Nil

Other

This approach is consistent with Council's risk management requirements.

FINANCIAL IMPLICATIONS

There are no financial implications to Council.

RELATED DOCUMENTS

The Building Permit System in Victoria - **Appendix A**
Building Control Intervention Filter Criteria

7.10 WALK AGAINST WARMING**MINUTE NO. 429****AUTHOR: Environmental Strategy Coordinator - Michelle Bennett****MANAGER: General Manager Environment and Amenity - Libby Hynes****BUDGET****IMPLICATIONS: Within Current Budget****SUMMARY:**

Walk Against Warming is Australia's biggest day of community action on climate change and this year the event is more important than ever as World Leaders gather in Copenhagen to negotiate a post Kyoto agreement on climate change action.

This report recommends that Darebin City Council become an official supporter of Walk Against Warming and promote the event to the Darebin community. This is in line with the strategic directions identified in Darebin's Community Climate Change Action Plan.

Walk Against Warming will be held at 12 noon on 12 December 2009 starting at the State Library, walking down Swanston Street and then forming a human sign on Princes Bridge with the message 'Safe Climate - Do It!'

CONSULTATION:

Environment Victoria, Northern Alliance for Greenhouse Action, Darebin Climate Action Now, Executive Management Team.

RECOMMENDATION**THAT:**

- (1) Council become an official supporter of Walk Against Warming on 12 December 2009 and the Darebin City Council banner be carried at the event.
- (2) Council promote the event to the Darebin community and encourage attendance.

COUNCIL RESOLUTION**MOVED: Cr. T. McCarthy****SECONDED: Cr. S. Tsitas****THAT:**

- (1) Council become an official supporter of Walk Against Warming on 12 December 2009 and the Darebin City Council banner be carried at the event.
- (2) Council promote the event to the Darebin community and encourage attendance.

- (3) Council liaise with Organisers of the Carols event, Transition Darebin and Climate Action Now on a possible candles for Copenhagen component at the 'Carols in All Nations' event.

CARRIED

REPORT

BACKGROUND

Walk Against Warming is Australia's biggest day of community action on climate change. The first Walk Against Warming in Melbourne occurred in 2005 and it has been an annual event with growing profile and participation since then. In 2007, Melbourne's Walk Against Warming mobilised 50,000 people in the world's largest ever climate protest. Two months later the Rudd Government ratified the Kyoto Protocol. The event is organised by coalitions of environment groups with activities across the country. Organisation of the Melbourne event is led by Environment Victoria.

CORE ISSUES

This year's Walk Against Warming coincides with the United Nation's Climate Change Conference of the Parties in Copenhagen which will be held from 7 – 18 December 2009. This is a critical event which could be a turning point for avoiding catastrophic climate change if nations can agree to strong reduction targets and actions in a post Kyoto Protocol agreement. In September 2009, at the United Nations climate change summit in New York, over 100 world leaders committed to sealing a successful Copenhagen climate deal. The world now expects its leaders and the negotiations to deliver the ambitious outcome needed to turn the tide and protect our climate.

This year's Walk Against Warming will be held at 12 noon outside of the State Library and participants will then walk down Swanston Street past Flinders Street Station to Princes Bridge where a human sign will be formed with the message 'SAFE CLIMATE - DO IT!'

The Walk Against Warming event provides an opportunity for members of the community and supporting organisations to demonstrate to Australian and International Leaders that we want urgent and significant action on climate change.

Becoming an official supporter of the event involves:

- Having the Darebin logo listed on the Walk Against Warming website as an official supporter
- Representatives of Darebin carry the banner in the rally.

Promoting the event to the Darebin community will include:

- A media release
- An advertisement in the local Leader newspaper
- Promotions via Council newsletters and environmental email networks
- Logistical support of Darebin Climate Action Now's promotional activities
- Information on the Darebin website.

Supporting and promoting the event is in line with the strategic directions identified in Darebin's Community Climate Change Action Plan as it is both an advocacy action and supports community mobilisation. The three strategy directions in The Plan are:

- Provide targeted services and programs to support the Darebin community to reduce greenhouse gas emissions
- Advocacy - both advocating for urgent and strong climate change action on behalf of the Darebin community and supporting the Darebin community to advocate themselves
- Strengthening Community Networks and Mobilisation on Climate Change.

FINANCIAL IMPLICATIONS

Within Current Budget

FUTURE ACTIONS

Darebin Councillors, staff and community members will be invited to accompany the Darebin banner in the Walk Against Warming event by meeting at the State Library at 12 noon on Saturday 12 December 2009.

RELATED DOCUMENTS

Darebin Community Climate Change Action Plan.

7.11 PAPER CONSUMPTION REDUCTION AND ASSOCIATED ACTIONS**MINUTE NO. 430****AUTHOR: Environment Officer Water and Waste - Russell Gladigau****MANAGER: General Manager Environment and Amenity - Libby Hynes****BUDGET****IMPLICATIONS: Contained within report****SUMMARY:**

At its meeting on 18 August 2008, Council resolved to reduce paper consumption by 10% based on 2007/2008 consumption data. This report provides information on Council's progress against achieving the target and associated actions as well as reporting on initiatives undertaken by other Councils to reduce paper consumption.

According to available data actions undertaken to date have not achieved reductions in paper use. Council's 10% reduction target is considered achievable and a range of additional actions are recommended for implementation to reduce paper use across the organisation.

CONSULTATION:**Internal**

- Manager, Customer and Civic Services
- Procurement and Contraction Officer - Financial Services
- Desktop Support Coordinator - Information Services
- Civic Amenities Coordinator - Corporate Services
- Environment Action Team

External

- Metropolitan, Barwon and North East Victorian Regional Waste Management Groups
- Cities of Bayside, Boroondara, Casey, Hobsons Bay, Kingston, Monash, Port Phillip, Melbourne, Moonee Valley, Moreland, Whitehorse and Shires of Yarra Ranges, Cardinia and Nillumbik
- Eco-buy

COUNCIL RESOLUTION

MOVED: Cr. B. Morgan
SECONDED: Cr. S. Chiang

THAT:

- (1) Council note the progress towards achieving the 10% paper reduction target.
- (1) Council Officers implement the range of paper reduction actions outlined in this report.
- (3) Council receive a further report on continued progress towards achieving Council's paper reduction target in twelve months time.

CARRIED**REPORT****BACKGROUND**

At its meeting on 18 August 2008 Council resolved that:

- (1) *Council adopt a 10% reduction target in organisation paper consumption for 2008/2009, based on 2007/2008 consumption figures.*
- (2) *Council receive a further report regarding paper consumption for 2008/2009 and actions undertaken to achieve this target.*
- (3) *Council review the cost benefit of electronic Council meetings in the next Council term.*
- (4) *Council note the work being undertaken by the Darebin Environment Action Team to improve organisational environmental performance.*
- (5) *Briefing papers for Councillors be prepared and circulated electronically, either by email or USB, unless otherwise requested by Councillors.*
- (6) *Council officers report on initiatives by other Councils.*
- (7) *Reports and strategies circulated to Councillors not be duplicated, that is when reports and strategies are included in the Council Agenda, a separate copy is not to be provided.*

Through Darebin's Environment Policy and Environmental Purchasing Code, Council aims for its own operations to be sustainable and seeks to source sustainable products. Council's Environmental Management System incorporates a key staff facilitating group, the Environment Action Team (EAT), who play an essential role in improving organisational environmental performance, in particular improving staff participation and communications around sustainability initiatives. EAT is comprised of volunteer representatives from across the organisation.

In 2008 EAT completed an audit and developed a Waste Reduction Action Plan for Darebin Council operations. Part of this work included auditing paper usage and waste streams. As part of this, EAT asked Council to consider adopting a 5% reduction target in organisational paper consumption for 2008/2009, based on 2007/2008 consumption figures. Council resolved to reduce paper consumption by 10%.

Paper reduction actions

As part of the Waste Wise Action Plan, EAT developed the following measures to reduce paper consumption

Table 1: Paper Reduction Actions contained within the Waste Wise Action Plan 2008-2010

Paper reduction Actions	Status
Reduce the amount of paper purchased by 5% pa through double sided printing	Ongoing
Discuss opportunities to set printers as double sided default	Discussions are currently under way between EAT and Information Services
Waste Wise notebooks compiled using single sided paper and distributed to staff – include in staff induction	Notebooks have been compiled in the past though not distributed in induction packs
Provide a location where staff can take one sided paper to be used for Waste Wise notebooks	Complete
Education around availability of Waste Wise notebooks – why purchase new?	Needs to be developed further
Provide paper trays with appropriate sign/label for reusable paper in key areas (eg photocopy room)	Being progressively implemented
Ensure printers being purchased have the capacity for multiple trays	Being progressively implemented
Remove individual landfill bins at desks and replace them with recycling bins. Provide a clearly labelled waste bin for each zone	Completed
Staff education	Ongoing

Members of EAT have been instrumental in developing many environmental initiatives within Council's operations including paper reduction. EAT have initiated a number of actions to reduce paper consumption including establishing locations for staff to place used single-sided paper for reuse and improving the recycling options available to staff. EAT members and Information Services staff are currently investigating further paper reduction opportunities through using double sided defaults on printers and copiers.

While EAT have commenced many of the actions outlined, their volunteer status, and other work responsibilities have proven to be limiting factors on their ability to continually reinforce and progress actions further.

In addition to the measures developed by EAT, the Environment Officer, Water and Waste has been trialling Greenprint, a software program which reduces unnecessary printing. Information Services

staff have given their support in establishing a larger three month trial across a variety of departments within Council.

CORE ISSUES

Baseline paper consumption data

Establishing a baseline for paper consumption data within whole of Council proved difficult as no on-going data was available on paper use at the majority of Council sites. Council's Preston offices held the best information on historical paper use and this has been used as the 2007/2008 paper use comparison baseline.

It should be noted that the Preston offices records of paper use are limited. Information is drawn from purchasing data rather than actual paper usage data. As paper stock may carry over from year to year there may be some skewing of this figure and no data prior to 2008/2009 is available on virgin (non recycled) paper use. Nevertheless this data is the most reliable at this point in time.

Within the framework of the above limitations, it has been established that:

Table 2: City of Darebin's Paper Use 2007 - 2009

Paper type	A4 reams white copy	A4 reams coloured	A4 reams letterhead	A3 reams copy (A4 equivalent*)	Total	Cost
2007/2008	6823	184	300	120 = 240 A4	7,547	\$50,516
2008/2009	6985**	183	400	93 = 186 A4	7,754	\$53,565
Percentage change	+2.4	-0.5%	+33.3%	-22.5%	+2.7%	+6%

* Each A3 ream is equal to two A4 reams and expresses as A4 equivalent

** Includes virgin (non recycled) paper use. No information was available for virgin paper in 2007/08

From the available data the paper reduction actions identified to date have not achieved the 10% reduction goal for 2008/2009. The 2.7% increase is indicative only as comprehensive records are not available. It should be noted that the increased purchases of letterhead is about stock purchased rather than usage and some of this purchase relates to a new Council term and new letterhead.

Council meetings and briefing sessions

Printing of Council reports and briefing papers accounts for a significant amount of paper consumption. During 2008/2009 there were 22 Council meetings, 35 meetings of Standing Committees, 6 meetings of Preston Cemetery Trust and approximately 30 Briefing Sessions – all of which had associated papers.

The decision-making process is the cornerstone of representative governance and it is crucial that Councillors are provided with the information required for them to consider and discuss issues at Council and Committee meetings. It is also important that the public has access to the decision making process with copies of agenda papers and reports being available before and during Council and (open) Committee meetings. The number of copies of Council and Committee agenda papers has been reviewed and reduced to meet statutory, operational and transparency requirements.

Council Meeting Minutes

Council must keep minutes of Council meetings and the minutes must be submitted to the next meeting of the Council for confirmation. A copy of the minutes must be 'delivered' to each Councillor and the minutes must also be made available for inspection by the public. Currently a hard copy set of minutes of Council meetings is circulated to Councillors (including reports, attachments, resolutions and debate) and copies are made available at Darebin libraries and Customer Service Centres. The minutes are also published on the Council's Internet website.

The requirement to provide a copy of the minutes to Councillors can be met by providing an electronic copy provided the requirements of the Electronic Transactions (Victoria) Act 2000 are met. It is proposed to implement the 'electronic minutes' option from the Council meeting on 21 December 2009.

Council Agenda Papers

The Council report and Briefing Paper templates have also been reviewed and are being progressively implemented.

With an increase in the number of reports being considered and the new template to move from Times New Roman to Arial type face (to improve readability) paper consumption will increase in the short-term.

The final design of the revised report template is to be reviewed to assess the potential to increase the page margins to save paper.

Electronic Council Meetings and Briefing Sessions

Paper consumption in relation to Council meetings, Committee meetings and Briefing sessions could be significantly reduced by the introduction of electronic meetings. A small number of councils in Victoria and interstate have introduced 'electronic meetings'. The process for electronic Council meetings would require Agenda papers to be prepared and circulated to Councillors and Officers electronically. At the meeting Councillors and Officers could work from laptop computers while the recommendation/resolutions under consideration would be projected onto a screen for the public gallery. Additional infrastructure and a high level of computer expertise and would be needed for electronic meetings to be effective.

The previous Council resolved to review the cost benefit of electronic Council meetings during this (2008-2012) Council term. The Council also resolved to provide the option of briefing papers and strategic reports being provided to Councillors electronically.

Partly in support of these initiatives, Councillors elected at the general election in November 2008 were issued with laptop rather than desktop computers. Currently procedures are being implemented to prepare and collate agenda papers and briefing papers electronically in Council's electronic document management system. This process will facilitate electronic Briefing Sessions which would reduce paper consumption because:

- Eighteen copies of all briefing papers and attachments are currently copied for the Briefing Sessions
- Strategic reports (often lengthy documents) are regularly provided to Councillors at Briefing sessions and again at subsequent Council or Committee meetings.

It is considered that a trial of electronic Briefing Sessions would be the best way of assessing benefits and highlighting any difficulties which may arise. A trial would require agenda papers and individual briefing papers to be provided electronically to Councillors and Executive Officers to be loaded onto laptops. Councillors and Officers would bring their laptops to the Briefing Session to enable access to briefing papers as required. There are a number of technical and administrative issues to be addressed in planning for the trial. It is proposed that the idea of 'electronic Briefing Sessions' be further developed and canvassed with Councillors.

The success of a trial of 'electronic Briefing Sessions' would inform a subsequent review of the feasibility of conducting 'electronic Council meetings' which, because they are public meetings, would require a higher level of resourcing and technical support.

Paper reduction initiatives at other Councils

Fourteen Melbourne metropolitan councils were surveyed to review the initiatives and strategies adopted by them to reduce paper consumption.

All councils surveyed had either a paper reduction policy or an action plan to reduce paper consumption. Seven councils surveyed had no specific reduction targets. Of those who did, targets varied between a 20% reduction over six months to a 10% reduction over two years. Monitoring towards achievement of these targets is still underway.

Councils who had implemented successful strategies had relied upon "Eco/Green Team members" and/or dedicated staff coupled with a strong commitment from Council and senior management. Support from the Information Services Department was also crucial.

The Councils surveyed adopted a variety of actions and strategies in order to achieve their paper reduction goals. The single most popular and most effective means to reduce paper consumption was ensuring double sided printing was the default setting on printers and copiers.

For the majority of Councils the most common difficulties were associated with behavioural change of staff's habits and thinking. The second most common difficulties were equipment issues, such as older printers not having the ability to print double sided.

Table 3: Paper Reduction actions taken by other Councils

Actions undertaken	No of Councils
Set defaults on printers and copiers to double sided printing	9
Single sided paper is made into note books for staff	9
Encourage reuse of single sided paper for drafts and similar documents	6
Single sided paper re-used by other areas of the organisation eg. for use by Child Care Centres	5
Implement education and behaviour change programs	5
Remove individual landfill bins at desks and replace them with paper recycling bins	3
Development of 'Think before you print' computer stickers and posters encouraging staff to reduce their paper use	2
Documents are edited electronically not printed	2
Emails contain "don't print message"	2
Councillors are given a data stick for documents	1
New design of corporate letterhead to maximise printing area and reducing the complication of converting default	1
Eco team place boards in places to show paper consumption	1
Install labelled trays near printers to collect paper for reuse	1
Encourage IT department to provide information sessions whenever a new printer is installed to alert the staff of any new printing capabilities	1
Ensure Corporate stationary is printed only when needed as much as practicable and uses 100% recycled paper	1
Use electronic communications	1
Placing information on Intranet	1
No fax machines	1
Purchase of recycled paper as the preferred paper	1
Review requirements for single sided printing in targetted departments (Focus areas: Governance and City Planning)	1

One Council (Shire of Yarra Ranges) tracked their cost savings. In the first year alone it was estimated that their paper reduction program saved 4361 reams of paper at a saving to Council of \$21,805. A substantial amount of those savings were attributed to having all possible printers set to double side default.

Proposed Paper Reduction Actions

Council's 10% paper reduction goal is achievable, and in line with the paper reduction goals of many other Councils, however the actions contained within the City of Darebin's Waste Wise Action Plan are not significant enough to achieve this goal.

Based upon the Councils surveyed, a range of opportunities have been identified which would assist in reducing paper consumption within Council. Many of these actions would be considered low hanging fruit and include:

Table 4: Proposed Paper Reduction Actions

Area of Operation	Proposed Action
Policy	Adopt a double side printing policy within the organisation
Data Collection	Improve data collection on paper use to include all types of paper used within Council and to include other Council sites other than Preston.
	EAT undertake an audit of paper recycling bins and compare results with previous audit
Equipment & Technology	Information Services to ensure that electronic printing systems, including individual and network software, are always set up to allow for default double sided printing
	Information Services conduct an inventory of all existing internal printers/copiers, capabilities and costs associated with their operation
	Information Services to examine the potential to reduce the amount of printers and replace with centralised copier stations, which will produce greater operational efficiencies, cost reductions and enable greater data collection
	Information Services to conduct a trial of Green Printer document management software be carried out and evaluated over a three month period. Review after this time to consider an expansion for a twelve month extended trial. Sixty licences would be required to be purchased for any extended trial at a cost of \$1,320.
Governance and Council Business	Council consider a trial of electronic Briefing Sessions early in 2010. The trial would inform the feasibility of conducting electronic Council meetings
	Introduce electronic copy of minutes of Council meetings for Councillors
	The Council report/agenda template be reviewed to assess the potential to increase the page margins
Purchasing	Information Services and Procurement and Contracting Branch to investigate the potential to purchase/ lease photocopiers and printers with double sided printing capability
Target biggest users	Based on quarterly data, the top five branches producing the most printed copies be provided with assistance and strategies to aid in their paper reduction

POLICY IMPLICATIONS

Environmental Sustainability

Based on the above figures, Council's 2008/2009 paper consumption produced the following environmental impacts:

- 1Megalitre of water used - equal to seven years of water use for an average Darebin household
- The equivalent of putting eight extra cars on the road in greenhouse gas – 36 tonnes
- Two garbage trucks of waste
- 26 trees.

Any reduction in paper use will support our environmental, climate change, water and waste policies.

Council currently purchases recycled copy paper for all uses, with the exception of coloured photocopying due to equipment and quality issues.

Social Inclusion and Diversity

Nil

Other

Nil

FINANCIAL IMPLICATIONS

In the current budget cycle, implementing the above proposed actions would cost \$1,320 for purchase of 60 Greenprint licenses as an initial organisational trial.

Council currently spends \$53,565 on paper annually. If the 10% reduction target was reached, Council would save over \$4,400 in paper per year.

FUTURE ACTIONS

- Council Officers will implement the changes recommended above in Table 4 - Proposed Paper Reduction Actions and report to Council in twelve months on progress towards achieving the 10% reduction target

RELATED DOCUMENTS

- City of Darebin Environment Policy
- City of Darebin Procurement Guidelines 2009 (incorporating the Environmental Purchasing Code)
- City of Darebin Waste Wise Action Plan 2008-2010
- City of Darebin Corporate Services Best Value Business Case for Administrative Services

**7.12 DAREBIN CLIMATE CHANGE AND PEAK OIL
ADAPTATION PLAN****MINUTE NO. 431****AUTHOR:** General Manager Environment and Amenity - Libby Hynes**MANAGER:** Chief Executive Officer - Michael Ulbrick**BUDGET****IMPLICATIONS:** contained within report**SUMMARY:**

This report outlines the process undertaken to develop the Darebin Climate Change and Peak Oil Adaptation Plan (the Plan) and the key features of the Plan. Council services and communities will be affected by climate change and peak oil. Extreme weather events, storms, fire and flood will impact on health, buildings and infrastructure. Ongoing water scarcity will affect gardens, recreation facilities and open space and impact on infrastructure including foundations and pipes. Peak oil will affect petrol dependent services, exacerbate fuel poverty and affect the cost of products dependent on petrochemicals including food, asphalt, waste bins, playground equipment, vaccines, herbicides and fertilizers. Social impacts are expected to arise from economic, health and connectivity changes.

The aim of the Plan is for Council to mitigate the risks of climate change and peak oil and adapt Council operations and our community support services to be more resilient to climate change and peak oil impacts. Over 100 actions have been developed and prioritised for action. The Plan focuses on Council responsibilities but recognises where support can be provided to the community as well as areas of advocacy and cooperation for other levels of government.

The development of this plan puts Council at the forefront of the industry in identifying and planning for risks in relation to both Climate Change and Peak Oil.

CONSULTATION:

The Climate Change and Adaptation Action Plan has included input from the following consultative processes to date:

- Series of internal workshops to identify, analyse and evaluate risks
- Circulation of a draft Plan to key stakeholders including: Darebin Environmental Reference Group (DERG), Darebin Health Committee Members, Transition Darebin Steering Committee, Neighboring Councils, Municipal Association of Victoria (MAV), Victorian Local Governance Association (VLGA), Department of Sustainability and Environment (DSE), Trader Groups, Neighbourhood Houses, Transport and Emergency Services Providers, La Trobe University and Northern Melbourne Institute of TAFE (NMIT), Local Members of Parliament and people within the industry who had expressed interest during the process.
- Presentation and briefings to: Executive Management Team, Council, Municipal Emergency Management Planning Committee, Darebin Environmental Reference Group (DERG) and Northern Alliance for Greenhouse Action (NAGA)

The draft Plan was recently put out for public comment including: a media release and advertisement in the local newspaper, an article in Darebin's environmental newsletter, Sustainability News (with over 2000 subscribers) and a public meeting. No formal submissions were received through this process. One person attended the public meeting and suggestions made were more relevant for consideration in the Community Climate Change Action Plan as they related to action for business energy reduction. As most of the actions are related to Council operations and had been discussed with key stakeholders the low level of community feedback was not unexpected.

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy

SECONDED: Cr. B. Morgan

THAT:

- (1) Council adopt the Climate Change and Peak Oil Adaptation Plan attached as **Appendix A** to this report.
- (2) Council receive a report on the first year's implementation of the Climate Change and Peak Oil Adaptation Plan in February 2011.

CARRIED

REPORT

BACKGROUND

At its meeting on 11 September 2009, Council was presented with a draft Climate Change and Peak Oil Adaptation Plan which had been through extensive internal and external stakeholder consultation and resolved to:

- (1) Endorse the draft Climate Change and Peak Oil Adaptation Plan for release for Public Comment, and
- (2) Receive a further report in November 2009 following public consultation on the draft Climate Change and Peak Oil Adaptation Plan.

Climate change and peak oil are serious issues that will have significant ramifications for local governments. The scientific community agrees that both phenomena exist, although there are uncertainties associated with the timing of the events. While there is strong community and political awareness of climate change, the issue of peak oil is less well known. "Peak oil" refers to the time when global oil production peaks and then starts to decline. After peak oil, petroleum products will become more expensive as demand continues to outstrip supply. There is growing expert consensus that peak oil will happen soon, possibly by 2010, and that immediate planning is required to ensure effective societal transition.

Although both issues present significant challenges in their own right, they are not mutually exclusive. Potentially they will both compete for management resources and present opportunities for combined adaptation. The aim of the Adaptation Strategy for Climate Change and Peak Oil is for Council to mitigate risks and adapt to the impacts within Council operations and our community support services.

Climate Risk were engaged to prepare the Climate Change and Peak Oil Adaptation Plan (The Plan) through workshops and feedback from Darebin staff. Consultation was then undertaken with key stakeholders including: Darebin Environmental Reference Group (DERG), Transition Darebin, neighbouring Councils, the MAV, Government departments, emergency services, traders groups, educational institutions, large shopping centres, health and elderly care providers and neighbourhood houses. The recent public consultation process has resulted in no material changes to the draft Plan submitted to Council in September 2009. Minor editing and formatting changes have been made to improve readability and reflect the Plan's final status.

CORE ISSUES

Council services will be affected by climate change and peak oil. Extreme weather events, storms, fire and flood will impact on buildings and infrastructure. Ongoing drought conditions will affect recreation facilities and open space and impact on infrastructure including foundations and pipes. Peak oil will affect petrol dependent services including waste collection, street cleansing, vehicle fleet, meals delivery and home care, road and footpath construction and maintenance and parks maintenance. It will also affect the cost of products dependent on petro-chemicals including asphalt, waste bins, playground equipment, vaccines, herbicides and fertilizers.

Climate change will affect the community with heat stress, flooding, fuel poverty and other economic impacts. Peak oil will affect community transport, food security (cost and supply), health and safety, economic pressures and housing affordability. Social impacts are expected to arise from economic, health and connectivity changes. This will, in turn, affect the support services required of Council to meet escalating community needs.

The Plan includes the following sections:

- Executive summary outlining proposed actions
- Background – climate change
- Background – peak oil
- Importance of local scale response
- Methodology and process
- Adaptation Plan
- Adaptation Actions Local Government:
 - Council services
 - Emergency services
 - Waste collection
 - Infrastructure
 - Planning
 - Organisational knowledge and capacity
- Adaptation Actions Community
- Adaptation Actions Business, Economics and Jobs
- Adaptation Actions Environment
- Implementation and KPIs
- Appendices

Over 100 actions have been developed in the plan in response to the identified risks. These have been allocated to immediate priority (commenced within the next 2 years), medium priority (commenced by 2013) and long term actions (commenced by 2015).

A number of current Council strategies and programs already make a positive contribution to addressing the impacts of climate change and peak oil, particularly around conserving water, reducing dependence on private car transport and promoting food security. These programs include: the Climate Change Action Plan, Community Climate Change Action Plan, Sustainable Water Strategy, Darebin Transport Strategy and associated Green Travel programs as well as the Darebin and Banyule Good Food Alliance. These are identified within the actions as continuing work.

Delivery of the plan relies on strong collaboration both within Council and with other organisations and Governments. Two key emerging issues that have arisen during the development of this Plan include the development of a Heatwave Plan and adoption of the Oil Depletion Protocol. Council received \$25,000 funding from Department of Human Services (DHS) to develop strategies and policies for the community and Council to enhance responsiveness and preparation for heatwave events. A draft Heatwave Plan has been prepared and a report in response to a recent Council "General Business" item is being considered at this Council meeting on 30 November (Report No. 7.2). The project aims to reduce Council and community harm associated with extreme heat events in Darebin and will operate within the framework of the Darebin Health and Wellbeing Plan, the Climate Change and Peak Oil Adaptation Plan and structures of Emergency Management and Relief.

Adopting the Oil Depletion Protocol requires commitment to reduce oil by the world depletion rate, which is currently estimated at approximately 2.6% per year. This aims to decrease dependence on oil as a scarce resource as well as making the organisation more resilient to oil price increases. The major direct uses of oil organisationally are within Council's fleet, private vehicle use for the delivery of council services (home care) and road construction (asphalt).

It is estimated that Darebin uses approximately 940,000 litres of oil in its own fleet (light and heavy combined), 525,000 litres of oil through asphalt and 61,000 litres of oil through home carer kilometres annually. Further work will need to be undertaken to examine how 2.6% yearly reductions can be implemented and likely implications before formal adoption. Some Councils, notably Maribynong within metropolitan Melbourne, have already adopted this protocol as part of a Peak Oil Policy.

There is significant interest and already work has commenced within our community on "Transition Towns" with the creation of *Transition Darebin*. This is a global community driven venture looking at building community resilience to the significant changes that arise from climate change and peak oil. It looks to create awareness, build connectivities and eventually promote development of a community "Energy Descent Action Plan". This movement started in Kinsale, Ireland, was expanded to Totnes (UK) where key proponents are now based and "Transition Towns" have sprung up in communities all around the world. This is predominantly a community driven initiative and The Plan recommends that Council lend support to this community led action. Additionally the Municipal Association of Victoria (MAV) has had a number of discussion forums in recent months exploring local government's role in Transition Towns and community engagement. The MAV is convening a meeting on 1 December 2009 to launch a "Transition to Sustainability Program" for Victorian Councils and communities. An alert was also recently sent to all Victorian Councils from the MAV notifying Councils of the implications and actions related to climate change and peak oil and the need for robust planning around these issues.

POLICY IMPLICATIONS

Environmental Sustainability

Implementation of the Adaptation Plan will assist Darebin to adapt to the impacts of climate change and peak oil. Implementation of the Adaptation Plan will not have any negative environmental impacts.

Social Inclusion and Diversity

Low income and disadvantaged groups are particularly vulnerable to the impacts of climate change and peak oil. The Adaptation Plan identifies social impacts and vulnerable groups and prioritises actions around these. The draft Plan has linkages with the draft Community Health and Wellbeing Plan. Communication plans developed as part of the Plan's implementation will be inclusive of CALD communities.

Other

Implementation of the proposed actions is consistent with the current Council Plan and the Municipal Strategic Statement. The proposed transport related actions are consistent with Darebin's Transport Strategy which seeks to promote sustainable transport and reduce dependence on private car transport.

FINANCIAL IMPLICATIONS

Climate Change and Peak Oil impacts are expected to have significant effects on forthcoming budgets. For example Council already spends over \$1 million on fleet fuel and price increases are felt directly as well as through asphalt and other product costs. The MAV predict that the introduction of the proposed Carbon Pollution Reduction Scheme (CPRS) will increase Council expenses by 2% using a permit price of \$25 per tonne (although prices are expected to be capped to \$10 in the first year). Major cost impacts will be felt in infrastructure, waste, energy and insurance costs. These impacts will be felt across the community.

Many of the actions within the Plan are already being implemented and will require minimal additional resourcing, however a number of actions will require additional funding and these will be developed as future budget proposals. Funding will also be sought through Government funding programs.

FUTURE ACTIONS

The following actions will be taken following the Plan's adoption:

- Formation of internal Adaptation Steering Committee – December 2009
- Consideration of actions in relation to the 2010/2011 budget process February 2010
- Launch of the Plan with key internal and external stakeholders – Early 2010
- Annual report to Council to review progress – January 2011.

RELATED DOCUMENTS

Environment Policy

Darebin Climate Change Action Plan

Darebin Community Climate Change Action Plan

Draft Community Health and Wellbeing Plan

Darebin Transport Strategy

Draft Heatwave Plan

7.13 REVIEW OF GATE FEES AT DAREBIN RESOURCE RECOVERY CENTRE**MINUTE NO. 432****AUTHOR: Coordinator Resource Recovery - Santha Kumaran****MANAGER: General Manager City Services - Jeff Saker****BUDGET****IMPLICATIONS: Year 2009/2010 – Nil****SUMMARY:**

Outlook Environmental has requested Council to increase the gate fee that is being charged for the disposal of mattresses and mattress bases from the current charge of \$16 (inclusive of GST) to \$20 (inclusive of GST)

CONSULTATION:

Officers have held a number of meetings with Outlook Environmental to discuss the reasons and the rationale for the requested increase in gate charge.

RECOMMENDATION

THAT Council endorse the gate fee of \$20 (inclusive of GST) for the disposal of a per unit mattress and a per unit mattress base at the Darebin Resource Recovery Centre, noting that the charges are to be reviewed again as part of the 2010/2011 budget preparation process.

COUNCIL RESOLUTION**MOVED: Cr. N. Katsis****SECONDED: Cr. V. Fontana****THAT:**

- (1) Council endorse the gate fee of \$20 (inclusive of GST) for the disposal of a per unit mattress and a per unit mattress base at the Darebin Resource Recovery Centre, noting that the charges are to be reviewed again as part of the 2010/2011 budget preparation process.
- (2) Council receive a further report in 12 months time to assess the number of mattresses received at the Darebin Resource Recovery Centre.

CARRIED

REPORT

BACKGROUND

In February 2006, Darebin City Council entered into a contract with Outlook Environmental for the development, management and operation of the Darebin Resource Recovery Centre (DRRC). The contract is for 15 years with an option of an additional 5 years at Council's discretion.

Under the contract Council is responsible for setting the gate charges, taking into account the charges proposed by Outlook Environmental who will receive the gate income.

CORE ISSUES

The contract allows Outlook Environmental to seek a review of gate charges outside the annual budget process if extenuating circumstances are present or to maintain the DRRC's commercial competitive integrity.

Outlook Environmental has decided not to raise the remaining gate charges during the 2009/2010 budget process as a strategic action to increase customer numbers.

The price for mattress was last reviewed during the 2008/2009 budget process and was increased from \$15 (inclusive of GST) to \$16 (inclusive of GST) in line with the CPI increase.

Over 5000 mattresses are received at DRRC annually. They are received from Council's kerbside collection and those directly disposed by customers at the Centre.

The mattresses received were previously sent to an external facility by Outlook Environmental for recycling. Following the unsuccessful negotiation on charges for recycling, Outlook Environmental commenced recycling mattresses on site utilizing their own resources since May 2009.

After a trial period of 3 months Outlook Environmental has come to the conclusion that gate charges need to increase for the sustainability of mattress recycling at DRRC. The income to Outlook Environmental from the sale of recovered steel from the mattresses is minimal. The steel coils recovered from the mattresses are made of high tensile steel and interfere with the steel recycling process and therefore trade at a discount to mild steel.

In October 2009, Outlook Environmental made a submission seeking the gate fee for the mattresses and mattress bases be increased from the current \$16 (inclusive of GST) to \$20 (inclusive of GST) per unit, for commercial competitive integrity and to meet the handling and recycling costs.

Outlook Environmental has recommended that gate charges for other waste items to remain as is, in order to attract more customers and to increase its customer base.

Additional income generated

Based on the number of mattresses recycled during year 2008/2009, it is expected that Outlook Environmental will generate an additional gate income of \$18,855 per year.

<i>No. of Mattresses received/year</i>	<i>Current charge (excluding GST)</i>	<i>Current Annual Revenue</i>	<i>Proposed charge (excluding GST)</i>	<i>Proposed Annual Revenue</i>	<i>Increase in income per annum</i>
5180	\$14.54	\$75,317	\$18.18	\$94,172	\$18,855

Outlook Environmental intends to use the additional income generated from the gate income towards offsetting the handling and labour costs of mattress stripping and recycling.

Gate charges of mattresses at other facilities

There are four transfer stations in the area that are comparable to DRRC. Their gate charges for the disposal of mattress/mattress base are given the table below.

Waste Transfer Facility	Mattress Gate charge
Moonee Valley Council Transfer Station	\$20.00
Hume Council Transfer Station	\$23.00
Banyule Council Transfer Station	\$15.00
Privately owned Transfer Station (Kirkdale Street, Brunswick)	\$35.00

Conclusion

In consideration of the above issues it is recommended that the gate charge for mattress/mattress base is increased from \$16.00 (inclusive of GST) to \$20.00 (inclusive of GST)

POLICY IMPLICATIONS

Environmental Sustainability

The DRRC operations are consistent with the Darebin Waste Management Strategy.

Outlook Environmental's operations have increased the recycling and recovery rate at the site from 30% to 50% over the past two years and recycling mattresses is a part of this recycling effort.

Recycling mattresses at DRRC will reduce the need for Outlook Environmental to transfer mattresses via trucks to the recycling facilities, thereby reducing their carbon footprint while reducing the transport costs.

Social Inclusion and Diversity

Outlook Environmental currently provides twelve (12) traineeships for people with disabilities at the Darebin Resource Recovery Centre site and over 50 trainees will cycle through Outlook Environmental during the contract term providing meaningful community work. This training is conducted in partnership with Northern Support Services, a non profit community organisation for people with disabilities in the northern suburbs of Melbourne.

The annual hard waste collection provides an at-call booked service to dispose of bulky household goods, which included mattress and mattress bases. This is available to all residents and removes financial, transport and access considerations for disposing of mattresses.

Other

Nil

FINANCIAL IMPLICATIONS

The estimated additional income of \$18,855 per annum will be considered when negotiating any future management fees.

FUTURE ACTIONS

The DRRC gate charges will be reviewed again in March 2010 as a part of the Council budget process for Year 2010/2011.

Council officers will continue to meet with Outlook Environmental regarding their performance. A further report will be presented to Council following the mid financial year analysis of Outlook Environmental's performance.

RELATED DOCUMENTS

- CT0545 Development, Management and Operation of the Darebin Resource Recovery Centre Contract with Outlook Environmental.
- Council Confidential Report 16 July 2009 - Request for contract variation for CT0545 (Development, management and operation of the Darebin Resource Recovery Centre)

The Mayor, Cr. Asmar, disclosed a conflict of interest in the following Item 7.14 classifying the type of interest as an indirect interest by close association and describing the nature of the interest as that she has an auntie who lives in the area affected by the proposal. She left the meeting prior to consideration of the matter – 8.59pm

APPOINTMENT OF ACTING CHAIRPERSON

In the absence of the Mayor, Cr. Asmar, the Chief Executive Officer, Michael Ulbrick, called for nominations for the position of Acting Chairperson.

Cr. Laurence was nominated by Cr. Fontana, and there being no further nominations were declared Acting Chairperson.

Cr. Laurence assumed the Chair.

7.14 AMENDMENT C106 – REMOVAL OF ENVIRONMENTAL AUDIT OVERLAY 2, 4, 6 MARTIN STREET, 624 HIGH STREET THORNBURY AND 2 EASTMENT STREET NORTHCOTE.

MINUTE NO. 433

AUTHOR: Strategic Planner - Long Nguyen

MANAGER: Acting General Manager City Development - Michael Ballock

BUDGET

IMPLICATIONS: Within Budget allocation

SUMMARY:

The properties located at 2, 4, 6 Martin Street and 624 High Street Thornbury and 2 Eastment Street, Northcote are subject to an Environmental Audit Overlay (EAO) that appears to have been applied as a precaution. Research appears to indicate that for the past 100 years the aforesaid properties have no history of uses which should warrant the application of the current EAO.

Amendment C106 proposes to rectify the anomaly by removing the EAO applied over the subject properties. The current EAO triggers the requirement for owners to conduct an environmental audit if they wish to carry out buildings and work.

As the Amendment is not likely to cause material change to the current use and detrimental impact to adjoining property owners and occupiers, it is also recommended that Council resolve to request the Minister for Planning to authorise the preparation of Amendment C106 to the Darebin Planning Scheme and seek an exemption to give notice under section 20(1) of the *Planning and Environment Act 1987* (the 'Act').

CONSULTATION:

- Environmental Protection Agency (EPA).
- Property owners of 2, 4, 6 Martin Street and 624 High Street, Thornbury.

- Property owner of 2 Eastment Street, Northcote.

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana
SECONDED: Cr. N. Katsis

THAT Council resolve to apply to the Minister for Planning to:

- (1) Authorise Council to prepare Amendment C106 to the Darebin Planning Scheme to remove the application of the Environmental Audit Overlay from 2, 4, 6 Martin Street and 624 High Street Thornbury and 2 Eastment Street, Northcote; and to,
- (2) Exempt Council from giving notice under section 20(1) of the Planning and Environment Act 1987.

CARRIED

REPORT

BACKGROUND

Amendment C106 to the Darebin Planning Scheme, proposes to remove the application of the EAO from the following properties:

- 2, 4 and 6 Martin Street Thornbury
- 624 High Street Thornbury, and
- 2 Eastment Street, Northcote

The properties at 2, 4 and 6 Martin Street, Thornbury are located within the Business 2 Zone (B2Z) and are used for residential purposes. The properties are also subject to the Special Building Overlay (SBO) and Environmental Audit Overlay (EAO).

624 High Street, Thornbury is located within the B2Z and the existing premises comprise a business (hair salon) at ground level and residential to the upper floor. 624 High Street is affected by SBO and EAO.

The property at 2 Eastment Street, Northcote is zoned Mixed Use Zone (MUZ) and is used for residential purposes. The property is subject to the EAO.

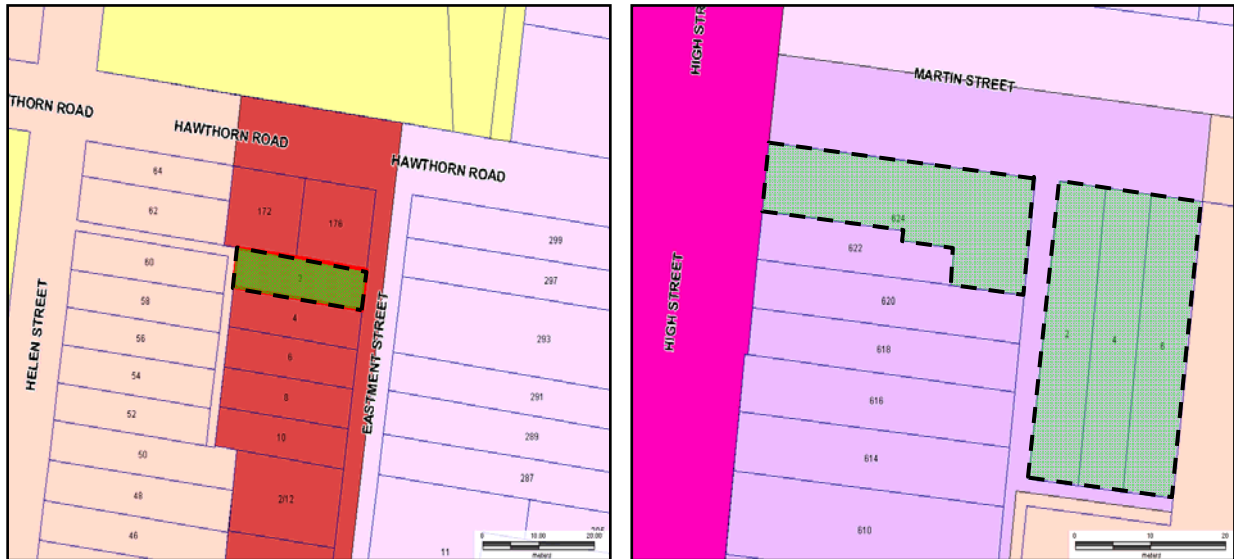


Fig 1: Properties affected by Amendment C106 (Source: Darebin City Council).

CORE ISSUES

Environmental Audit Overlay

The purpose of an EAO under the Darebin Planning Scheme is to:

“To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination”.

The EAO triggers an environmental audit to be conducted on the affected properties before the commencement of any construction or carrying out of buildings and works.

In order to satisfy the requirements of an EAO, owners who seek to carry out buildings and works to their affected properties must first obtain:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

Amendment C106

Amendment C106 has been prepared following concerns raised by several owners of the affected properties. The main issues were:

- The practicality of continuing the application of the EAO on these properties due to its lack of relevance, and;
- The unfair requirement placed on owners to perform an environmental audit to carry out buildings and works when it is not warranted.

Desktop assessment reports conducted by *Coffey Environments* reveal that the history of land use for the affected sites over the past 100 years should not warrant the application of the existing EAO.

There appears to be a history of zones and zone changes that are not consistent with the residential land uses of the properties. There appears to be a precautionary approach taken when the properties were rezoned from the Industrial zones to Mixed Use and Business 2 Zones, which may have led to the application of the current EAO.

Application of the EAO

Amendment C47 - *High Street Corridor Urban Design Framework* recognised that the Industrial 1 Zone (INZ1) was inconsistent with the current use of properties at 2, 4, 6 Martin Street and 624 High Street and as such rezoned the properties (along with several other properties along High Street) to Business 2 Zone (B2Z). Council took a precautionary approach and applied the EAO to all sites previously rezoned from INZ1 to the current B2Z.

There are no historical records to indicate how the EAO was applied to 2 Eastment Street, Northcote. As shown in Figure 2, the transition of zoning for properties located within Eastment Street from the Industrial zone to a Mixed Use Zone (predominantly used for residential purposes) may have triggered a precautionary approach which led to the application of the EAO to all previous Industrial zoned land.

When the new format planning scheme introduced the EAO, it was common for the EAO to be applied to all previously industrial zoned land. This is contrary to the *General Practice Note – Potentially Contaminated Land (2005)*.

Historical Planning Scheme and Rate Records Search

Two searches were conducted:

- A search into the past planning schemes, and
- A search into historical rate records.

The past planning scheme search findings are indicated in Figures 2 & 3 and the findings of the historical rate records search are detailed in Figure 4. The searches reveal that the zoning controls have historically never corresponded to the residential uses on site. It appears that when the old format planning scheme was translated into the new format planning scheme, the EAO was applied. In the absence of guidelines then, in the form of the *General Practice Note - Potentially Contaminated Land (2005)*, the EAO would have been applied as a precautionary measure.

Planning Scheme Year	Zone
1954	Residential (Zone)
1959	Light Industrial
1968	Light Industrial
1985	Industrial
1999	Darebin Mixed Use Zone No.1
Current	Mixed Use Zone

Fig 2: Property zoning history for 2 Eastment Street, Northcote (Source: Department of Community Planning and Development).

Year	Planning Scheme Provision
1954	Industrial Light A
1959	Light Industrial
1968	Light Industrial
1985	Industrial
1999	Light Industrial (Northcote) Zone
Current	Business 2 Zone

Fig 3: Property Zoning History for 2, 4, 6 Martin and 624 High Street, Thornbury (Source: Department of Planning and Community Development).

Historical Rate Book Search

The rate books provide the following information:

- Ownership details
- The properties land use, and
- The rate of the property.

The rate books show that the properties affected by Amendment C106 have always been used for residential purposes.

Relevant Rate Books	Properties affected by Amendment C106		
	2, 4, 6 Martin Street	624 High Street	2 Eastment Street
Borough of Northcote rate book for the year 1901	House	House	House
Borough of Northcote rate book for the year 1909 – 1910	House	House	House
Borough of Northcote rate book for the year 1929 – 1930	House	House	House
City of Northcote rate book for the year 1966	House	House	House

Fig 4: Historical Rate Book Search Findings (Source: Public Records of Victoria).

Potentially Contaminated Land – General Practice Note (2005)

It is stated within the General Practice Note – Potentially Contaminated Land (2005) that:

“By applying the overlay, the planning authority has made an assessment that the land is potentially contaminated land, and is unlikely to be suitable for a sensitive use without more detailed assessment and remediation works or management...”

Where sensitive uses already exist on a site the planning authority, before applying an EAO, should satisfy itself that these sites are potentially contaminated (through site history records). If there is no evidence of potentially contaminated land it may not be appropriate to apply the EAO to these sites”.

The practice note specifies the following steps to be taken to identify if there is potential contamination and Amendment C106 investigation process generally undertook the following steps:

1. Inspect the site. Observations should be made regarding evidence of contamination or historical activities that may give rise to contamination (for example, fuel tanks).
2. Identify whether an Environmental Audit Overlay (EAO) exists over the site.
3. Review any Site Analysis presented in accordance with Clauses 54.01-1 (single dwellings) & 55.01-1 (two or more dwellings) of planning schemes (these clauses require issues of site contamination to be identified).
4. The current and previous zoning, ownership or activities carried out on the site (for example council, rail, other utility or defence). Council rate records are a useful record of this information.
5. Any previous investigations or site assessments conducted.
6. Any potential contamination from surrounding land uses (for example, an adjacent service station known to be causing off-site contamination).
7. Review lists of Certificates and Statements of Environmental Audit held by Council and EPA.
8. Environmental auditors are required to provide a copy of any Certificate or Statement issued to both the relevant Council and the EPA.
9. Review the EPA Priority Sites Register for information about sites with a current EPA.
10. Notice (for example, clean-up notice or pollution abatement notice) via Landata.

Sensitive uses have always existed on the properties affected by amendment C106 and there are no records to indicate that the sites are potentially contaminated.

Coffey Environments – Desktop Assessment Reports

The Coffey Environment desktop assessment reports were conducted in order to ensure that there are no historical incidents of contamination. The desktop assessment involves an examination of historical certificates of title, conducting a site inspection and placing a request with the Royal Historical Society of Victoria for information regarding the properties. The desktop assessment has found that the application of the EAO is unnecessary and the following sources were used to conduct the assessment for 2, 4, 6 Martin Street and 624 High Street Thornbury:

- Royal Historical Society of Victoria

Information provided by the Royal Historical Society of Victoria has outlined that all lots on Martin Street were listed as private residences, whilst 624 High Street was a vacant lot by the mid 1900s when it was later occupied by a grocer until the 1960s and finally a hairdressers until present.

- Dangerous Goods Search

Worksafe Victoria indicated in their letter dated 27 January 2009 that there are no dangerous goods records for the abovementioned properties.

- EPA Priority Register

A search into the EPA priority register dated the 13 January 2009 indicates that the sites are not listed, and is not in the vicinity of a site listed on the Priority Sites Register.

- Registered Groundwater Bores

A search of registered groundwater bores indicates the nearest bore is located approximately 1.1 kilometres north east at the tram workshops. The properties of the nearby surrounds have not been subject to environmental groundwater investigations.

- Underground Services

A request to the Melbourne One Call System indicates that the properties and surrounds are serviced by normal underground services such as power, water, gas, optic fibre and water. None of the services suggested previous industrial activities at any of the properties (such as 3 phase power).

- Certificates of Title

The searches into the Certificates of Title has concluded that there has been no past or present industrial uses on the sites.

2, 4, 6 Martin Street and 624 High Street, Thornbury

The *Coffey Environments* report highlights that for the past 100 years, the Martin Street properties were only used for residential purposes, whilst 624 High Street has had a history comprising of two (2) types of business use – formerly a grocery store and currently a hair salon. The search into old Council rate books reinforces the Coffey report findings that the properties have never consisted of uses which may result in potential contamination.

2 Eastment Street, Northcote

The owner of 2 Eastment Street commissioned an independent desktop assessment on his property, with the report concluding that:

- The current house on the property is likely to be the original house built in the 1890s.
- There is no indication that industrial or commercial activities have taken place at the site.
- Properties nearby, located at 8 – 10, 12 and 20 Eastment Street have been subject to Statutory Environmental Audits and the following was noted.
 - Each property was used for commercial or light industrial purposes.
 - Each property was changing use from commercial/industrial to high-density residential use.
 - Each property reported elevated concentrations of some metals and polycyclic aromatic hydrocarbons in the fill material, which were generally reported to be associated with historical commercial and industrial uses of the site.
 - No contamination was identified in the natural soil on any of the sites.
 - Contamination was not expected to be migrated off-site.

- A statement of Environmental Audit was issued for each of the sites, with the sites deemed conditionally suitable for medium or high-density residential, commercial and industrial purposes without active remediation.

The historical rate book search indicates that the property has always been used for residential purposes.

Ministerial Direction No.1 - Potentially Contaminated Land

The purpose of this Direction is to ensure that potentially contaminated land is suitable for a sensitive use which is proposed to be allowed under an Amendment to a planning scheme, in which the use could be adversely affected by contamination.

In preparing an Amendment which would have the effect of allowing potentially contaminated land to be used for a sensitive use, agriculture or public open space, a planning authority must satisfy itself that the environmental conditions of that land are or will be suitable for that use.

This Amendment is consistent with Ministerial Direction No.1, as the subject sites are not likely to be potentially contaminated as indicated by investigations detailed in this report.

Request for Authorisation to prepare an Amendment

Council must obtain the Minister's written authorisation to prepare an Amendment pursuant to section 8A (3) of the 'Act'. Should the Minister authorise the preparation of the amendment, Council officers may then proceed to prepare the amendment, subject to any requirements imposed by the Minister.

Request for an exemption from notice under section 20(1) of the Planning and Environment Act 1987

Under section 20(1) of the 'Act', "a planning authority may apply to the Minister to exempt it from any of the requirements of section 19 or the regulations in respect of an amendment".

Exemption from giving notice is considered appropriate given that the removal of the anomalous application of the EAO on the affected properties would affect no material change to the current use and is not likely to impact on adjoining properties.

POLICY IMPLICATIONS

Environmental Sustainability

Amendment C106 to the Darebin Planning Scheme will achieve good environmental outcomes while addressing the inequities arising from an anomaly in the Darebin Planning Scheme.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL IMPLICATIONS

Within budget.

FUTURE ACTIONS

Council officers will next write to the Minister for Planning to request authorisation to prepare Amendment C106 to the Darebin Planning Scheme. Upon receipt of the authorisation, Council officers will prepare Amendment documentation for the certification process as it has been requested for

RELATED DOCUMENTS

- Coffey Environments: Desktop Assessment Report for 2, 4, 6 Martin Street and 624 High Street, Thornbury.
- Coffey Environments: Desktop Assessment Report for 2 Eastment Street, Northcote.

The Mayor, Cr. Asmar, returned to the meeting at the conclusion of this item and resumed the Chair – 9.02pm.

7.15 RIGHT OF WAY (ROAD) DISCONTINUANCE ADJOINING 49 AND 51 ELLIOT STREET, RESERVOIR**MINUTE NO. 434****AUTHOR: Property Officer – Kristie Berry****MANAGER: General Manager Community Assets and Leisure – Geoff Glynn****BUDGET****IMPLICATIONS: The income realised will cover the cost of carrying out the discontinuance.****SUMMARY:**

This report recommends that Council discontinue the section of right of way (road) adjoining 49 and 51 Elliot Street, Reservoir.

Statutory procedures under the Local Government Act 1989, have been completed and this report recommends that the road be formally discontinued and sold by private treaty.

CONSULTATION:

Macquarie Lawyers and Strategists
Owners of adjoining properties and their legal representatives
Statutory Authorities and Council Departments

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas
SECONDED: Cr. V. Fontana

THAT Council, having given public notice of a proposal to discontinue the road adjoining 49 and 51 Elliot Street, Reservoir, shown hatched on the plan enclosed as **Appendix A** to this report, and having considered a submission received in relation to the proposal in accordance with section 223 of the Local Government Act 1989:

- (1) Discontinues the road in accordance with section 206 and schedule 10, clause 3 of the Local Government Act 1989;
- (2) Advises the legal representative for 51 Elliot Street who lodged a submission/offer of Council's decision and the reasons for the decision:
 - The road is not considered to be reasonably required for public use.
 - The land from the discontinued road is proposed to be sold to the owners of 51 Elliot Street by private treaty having regard to Council policy guidelines and the general principles of adverse possession.

- The formal discontinuance and sale of the road is consistent with the current physical status of the land and formalises actions taken in the past by the owner of 51 Elliot Street.
- (3) Directs that a notice be published in the Victoria Government Gazette;
 - (4) Directs that the land from the road be sold by private treaty to the owner of 51 Elliot Street Reservoir in accordance with Council's previous resolution of 5 October 2009 and authorises the General Manager Community Assets and Leisure to finalise the sale of land from the road as shown hatched on the plan attached as **Appendix A**.
 - (5) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water Limited in the road in connection with any sewers, drains or pipes under the control of that Authority in or near the road; and
 - (6) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of 51 Elliot Street, Reservoir.

CARRIED

REPORT

BACKGROUND

Council as part of its pro-active road discontinuance program requested Council's Legal Consultants to investigate the proposal to discontinue the road adjoining 49 and 51 Elliot Street, Reservoir.

The road concerned is shown hatched on the plan attached as **Appendix A**.

The road is currently occupied and used as part of 51 Elliot Street, Reservoir. This occupation appears to have prevailed for a considerable period of time and as such the road is no longer used for access. A garage/carport structure has been constructed over part of the land.

All of the adjoining owners were consulted regarding the proposal and no objections have been received. The owner of 51 Elliot Street had expressed an interest in acquiring the land in the event of the road being discontinued.

On 5 May 2009, Council's Manager Asset Strategy, acting under delegated authority, directed that the statutory procedures for the proposed discontinuance and sale of the road adjoining 49 and 51 Elliot Street, Reservoir, be commenced.

CORE ISSUES

Public notice of the proposal was given in The Age and Preston Leader newspapers on Tuesday, 9 June 2009.

Owners and occupiers of all of the adjoining properties were also notified in writing and were advised that submissions, in writing, would be considered by Council pursuant to the provisions of section 223 of the Local Government Act 1989.

Written submissions outlining options under adverse possession and confirming an offer to purchase the land were received from the legal representatives (Dellios, West & Co) of the owners of 51 Elliot Street.

Copies of the written submissions received are separately enclosed for Council's consideration.

Following Council's previous resolution on 5 October 2009 to accept the counter offer for the sale of land to the owner of 51 Elliot Street, Reservoir, this report recommends the discontinuance and sale of right of way (road) adjoining 49 and 51 Elliot Street, Reservoir,

Service Authorities/Council Departments

Council Departments and all necessary Service Authorities have also been consulted in respect to the proposal and no objections have been received.

Yarra Valley Water Ltd has a sewer within part of the road and will require an easement to be saved over part of the land if the road is discontinued.

POLICY IMPLICATIONS

Environmental Sustainability

There are no factors in this report which impact upon environmental sustainability.

Social Inclusion and Diversity

There are no factors in this report which impact upon social inclusion and diversity.

Other

This report has been prepared having regard to Council's "Right of way and road closure policy" and the principles of adverse possession.

FINANCIAL IMPLICATIONS

The income realised by the sale of the land will meet the costs associated with Council undertaking the discontinuance.

FUTURE ACTIONS

Arrange for:

- The submitter to be advised of Council's decision and the reasons for the decision.
- A notice to be published in the Victoria Government Gazette.
- The sale and transfer of the land to the owner of 51 Elliot Street.

RELATED DOCUMENTS

Appendix A showing the section of road proposed to be discontinued and sold is enclosed.

**7.16 RIGHT OF WAY (ROAD) DISCONTINUANCE REAR 110
HUGHES PARADE AND ADJOINING 1 AND 3 WELLMAN
STREET, RESERVOIR**

MINUTE NO. 435

AUTHOR: Property Officer – Kristie Berry

MANAGER: General Manager Community Assets and Leisure – Geoff Glynn

BUDGET

**IMPLICATIONS: Net income from the sale of the land during 2009/2010 is
estimated at \$905.**

SUMMARY:

This report recommends that Council discontinue the section of right of way (road) at the rear of 110 Hughes Parade and adjoining 1 and 3 Wellman Street, Reservoir.

Statutory procedures under the Local Government Act 1989 have been completed and this report recommends that the road be discontinued and sold by private treaty.

CONSULTATION:

Macquarie Lawyers and Strategists
Owners of adjoining properties
Statutory Authorities and Council Departments

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas
SECONDED: Cr. V. Fontana

THAT Council, having given public notice of a proposal to discontinue the road at the rear of 110 Hughes Parade and adjoining 1 and 3 Wellman Street, Reservoir, shown hatched on the plan attached as **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the Local Government Act 1989:

- (1) Discontinues the road in accordance with section 206 and schedule 10, clause 3 of the Local Government Act 1989;
- (2) Directs that a notice be published in the Victoria Government Gazette;
- (3) Directs that the land from the road be sold by private treaty to the owners of 3 Wellman Street Reservoir in accordance with Council's previous resolution of 6 July 2009 and authorises the General Manager Community Assets and Leisure to finalise the sale of land from the road as shown hatched on the plan attached as **Appendix A**.

- (4) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water Limited in the road in connection with any sewers, drains, or pipes under the control of that authority in or near the road; and
- (5) Signs and seals all documents relating to the sale of the land from the discontinued road to the owners of the adjoining property.

CARRIED

REPORT

BACKGROUND

Council as part of its Pro-active Road Discontinuance Program, requested Macquarie Lawyers to investigate the feasibility of discontinuing and selling the section of road at the rear of 110 Hughes Parade and adjoining 1 and 3 Wellman Street, Reservoir.

A site inspection confirmed the land from the road is enclosed within 3 Wellman Street. It is understood that this situation has prevailed for in excess of 37 years and was undertaken with the concurrence of the then City of Preston. The owners of 3 Wellman Street advised that they would be prepared to acquire the land from Council for the sum of \$8,000 (inc GST) having regard to their possessory rights over the land.

Consultation with adjoining owners revealed no objection to the proposed discontinuance and sale of the road.

Council at its meeting on 6 July 2009, directed that the statutory procedures for the proposed discontinuance and sale of the road be commenced and also agreed to depart from its policy guidelines and finalise the proposed sale of the land to the owners of 3 Wellman Street, Reservoir, having regard to the long term occupancy of the land.

CORE ISSUES

Public notice of the proposal was given in The Age and Preston Leader newspapers on Wednesday 26 August 2009.

Owners and occupiers of all of the adjoining properties were also notified in writing and were advised that submissions, in writing, would be considered by Council pursuant to the provisions of section 223 of the Local Government Act 1989.

No submissions in regard to this proposal have been received.

Service Authorities/Council Departments

Council Departments and all necessary Service Authorities have also been consulted in respect to the proposal and no objections have been received.

Yarra Valley Water Ltd has a sewer within part of the road and will require an easement to be saved over part of the land if the road is discontinued.

Council does not have any assets located within the road however; will require an easement for drainage to be created over any land sold to cater for the installation of a drain in the future.

POLICY IMPLICATIONS**Environmental Sustainability**

There are no factors in this report which impact upon environmental sustainability.

Social Inclusion and Diversity

There are no factors in this report which impact upon social inclusion and diversity.

Other

This report has been prepared having regard to Council's "Right of way and road closure policy" and the principles of adverse possession.

FINANCIAL IMPLICATIONS

Excluding the costs associated with discontinuing and selling the road, the net income during 2009/2010 is estimated at \$905.

FUTURE ACTIONS

Arrange for:

- A notice to be published in the Victoria Government Gazette
- The land to be sold and transferred to the owners of 3 Wellman Street, Reservoir.

RELATED DOCUMENTS

Appendix A showing the section of road proposed to be discontinued and sold is enclosed.

7.17 RIGHT OF WAY (ROAD) DISCONTINUANCE REAR 789 AND 791 PLENTY ROAD AND 40 HOME STREET, RESERVOIR**MINUTE NO. 436****AUTHOR: Property Officer – Kristie Berry****MANAGER: General Manager Community Assets and Leisure – Geoff Glynn****BUDGET****IMPLICATIONS: Net income from this scheme during 2009/2010 is estimated at \$3,780****SUMMARY:**

This report recommends that Council discontinue the section of right of way (road) at the rear of 789 and 791 Plenty Road and 40 Home Street, Reservoir.

Statutory procedures under the Local Government Act 1989 have been completed and this report recommends that the road be discontinued and sold by private treaty.

CONSULTATION:

Macquarie Lawyers and Strategists
Owners of adjoining properties
Statutory Authorities and Council Departments

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas
SECONDED: Cr. V. Fontana

THAT Council, having given public notice of a proposal to discontinue the road at the rear of 789 and 791 Plenty Road and 40 Home Street, Reservoir, shown hatched on the plan attached as **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the Local Government Act 1989:

- (1) Discontinues the road in accordance with section 206 and schedule 10, clause 3 of the Local Government Act 1989;
- (2) Directs that a notice be published in the Victoria Government Gazette;
- (3) Directs that the land from the road be sold by private treaty to the owners of the abutting properties in accordance with Council policy guidelines;
- (4) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water Limited and the City of Darebin in the road in connection with any sewers, drains or pipes under the control of those authorities in or near the road; and

- (5) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the abutting properties.

CARRIED

REPORT

BACKGROUND

Council received a request from one of owners of property abutting the right of way (road) at the rear of 789 and 791 Plenty Road and 40 Home Street, Reservoir, for the discontinuance and sale of this road. The road concerned is shown hatched on the attached plan. (**Appendix A**)

A site inspection confirmed that the section of road is currently open but unused and overgrown. None of the adjoining owners appeared to have used the section of road for access.

Part of the road had previously been discontinued and sold and part remains open for access, as shown on **Appendix B**.

A survey of owners of the abutting properties has been conducted and sufficient support for the proposed discontinuance and sale has been forthcoming. The owners of 789 Plenty Road and 40 Home Street have both expressed interest in acquiring the land from the road if discontinued.

On 16 July 2009, Council's Acting Manager Asset Strategy, acting under delegated authority, directed that the statutory procedures for the discontinuance and sale of the road be commenced.

CORE ISSUES

Public notice of the proposal was given in The Age and Preston Leader newspapers on Wednesday 26 August 2009.

Owners and occupiers of all of the adjoining properties were also notified in writing and were advised that submissions, in writing, would be considered by Council pursuant to the provisions of section 223 of the Local Government Act 1989.

No submissions in regard to this proposal have been received.

Service Authorities/Council Departments

Council Departments and all necessary Service Authorities have also been consulted in respect to the proposal and no objections have been received. Yarra Valley Water Ltd has a sewer within the road and will require an easement to be saved over the land if the road is discontinued.

Council has a drain in the road and will also require an easement to be saved over the land if the road is discontinued.

POLICY IMPLICATIONS**Environmental Sustainability**

There are no factors in this report which impact upon environmental sustainability.

Social Inclusion and Diversity

There are no factors in this report which impact upon social inclusion and diversity.

Other

This report is in accordance with/has been prepared having regard to Council's "Right of way and road closure policy".

FINANCIAL IMPLICATIONS

Based on market value for the parcels of land and excluding the costs associated with discontinuing and selling the road, the net income during 2009/2010 is estimated at \$3,780.

FUTURE ACTIONS

Arrange for

- A notice to be published in the Victoria Government Gazette
- The land to be sold and transferred to the owners of the abutting properties in accordance with Council policy guidelines.

RELATED DOCUMENTS

Appendix A showing the section of road proposed to be discontinued and sold is enclosed.

Appendix B showing the overall status of the road is enclosed.

8. URGENT BUSINESS

Nil.

9. GENERAL BUSINESS

Nil.

10. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**CLOSE OF MEETING**

MOVED: Cr. S. Chiang

SECONDED: Cr. N. Katsis

THAT in accordance with section 89(2) of the Local Government Act 1989, Council resolves to close the meeting to members of the public to consider the following item which relates to a contractual matter:

- 10.1 Right of Way (Road) Discontinuance rear 28 to 40 Gloucester Street and 27 and 39 Pine Street and adjoining 40 and 42 Gloucester Street and 39 and 41 Pine Street Reservoir.

CARRIED

The Council meeting was closed to members of the public at 9.04pm.

The Council considered and resolved on Report Item 10.1 (Right of Way (Road) Discontinuance rear 28 to 40 Gloucester Street and 27 and 39 Pine Street and adjoining 40 and 42 Gloucester Street and 39 and 41 Pine Street Reservoir), which had been circulated to Councillors on Thursday 26 November 2009 with the Council Agenda Paper.

RE-OPENING OF MEETING

MOVED: Cr. S. Tsitas

SECONDED: Cr. N. Katsis

THAT the meeting be re-opened to the members of the public.

CARRIED

The Council meeting was re-opened to members of the public at 9.06pm.

CONFIDENTIAL**10.1 RIGHT OF WAY (ROAD) DISCONTINUANCE REAR 28 TO 40 GLOUCESTER STREET AND 27 TO 39 PINE STREET AND ADJOINING 40 AND 42 GLOUCESTER STREET AND 39 AND 41 PINE STREET, RESERVOIR**

MINUTE NO. 437

AUTHOR: Property Officer – Kristie Berry**MANAGER:** General Manager Community Assets and Leisure – Geoff Glynn**BUDGET****IMPLICATIONS:** Net income from this project during 2009/2010 is estimated at \$5,930**SUMMARY:**

This report recommends that Council commence the statutory procedures for the discontinuance and sale of the 3.05m wide right of way (road) at the rear of 28 to 40 Gloucester Street and 27 to 39 Pine Street and adjoining 40 and 42 Gloucester Street and 39 and 41 Pine Street, Reservoir, and to also consider a departure from its policy guidelines in regard to the sale of a parcel of land from the road.

CONSULTATION:

Macquarie Lawyers and Strategists
Owners of adjoining properties
Statutory Authorities and Council Departments

RECOMMENDATION

THAT the Council Resolution be made available to the public but the report remain confidential.

COUNCIL RESOLUTION

MOVED: Cr. N. Katsis

SECONDED: Cr. S. Tsitas

THAT the following Council Resolution:

“That Council:

- (a) *Commence the statutory procedures under section 206 and clause 3 of schedule 10 to the Local Government Act 1989 (“the Act”) to discontinue the road at the rear of 28 to 40 Gloucester Street and 27 to 39 Pine Street and adjoining 40 and 42 Gloucester Street and 39 and 41 Pine Street, Reservoir, shown hatched on the plan attached as **Appendix A** to this report.*
- (b) *Give public notice under Sections 207A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and such notice state that if discontinued, Council proposes to sell the land from the road.*
- (c) *Agree to depart from its policy guidelines and authorise the General Manager Community Assets and Leisure to negotiate and finalise the sale of a parcel of land from the road, if discontinued, shown as Lot 2 on Appendix B, to the owner of 39 Pine Street, Reservoir, with payment being made by instalments over a 4 year period.”*

be made available to the public but the report remain confidential.

CARRIED

11. CLOSE OF MEETING

The meeting closed at 9.07pm.