



# **MINUTES OF THE COUNCIL MEETING**

**HELD ON**

**MONDAY, 2 AUGUST 2010**

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RELEASED TO THE PUBLIC ON THURSDAY 5 AUGUST 2010

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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 2 AUGUST 2010**

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**THE MEETING OPENED AT 7.02 P.M.**

## **1. PRESENT**

### ***Councillors***

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

### ***Council Officers***

Rasiah Dev – Chief Executive  
Jan Black – Director Communities and Culture  
Michael Ballock – Director Development and Amenity  
Geoff Glynn – Director Infrastructure  
Bruce Dobson – Director Corporate Services  
Sally Curran – Manager Corporate Governance  
Ron Downes – Council Business Coordinator

## **2. APOLOGIES**

Nil.

## **3. DISCLOSURES OF CONFLICTS OF INTEREST**

Cr. Asmar disclosed a conflict of interest in Report Nos. 8.3 (Stolberg Hotel Application to the Victorian Commission for Gaming Regulation for new premises approval) and 8.6 (Amendment C92 Australian Horizons Sites – Community Survey Results) and Question 2 – Public Question Time (Amendment C92 Australian Horizons Sites – Community Survey Results) – see Pages 6, 20 and 36.

Cr. Chiang disclosed a conflict of interest in Report Nos. 7.1 (Community Grants Committee) and 8.1 (Community Grants Scheme 2010/2011) – see Pages 7 and 8.

#### 4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED:** Cr. T. Laurence  
**SECONDED:** Cr. D. Asmar

**THAT** the Minutes of the Ordinary Meeting of Council held on 19 July 2010 be confirmed as a correct record of business transacted.

**CARRIED**

## 5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 286

### 5.1 REPORT OF CR. STEVEN TSITAS

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

- Council Briefing Session.
- Walker Street Housing Estate Visioning Day.
- Councillor and Executive Workshop on Preston Civic Precinct.
- Local constituent matters.

### 5.2 REPORT OF CR. TIM LAURENCE

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

- Meeting with trainee driver at Reservoir Depot.
- Funding announcement from the Member for Batman, the Hon Martin Ferguson MP of the Federal Government's \$3 million dollar funding pledge to Reservoir Library if the Labor Party is re-elected.
- Meeting with Reservoir traders regarding area improvements.
- Planning Forum with representatives from the Development Industry.
- Planning Committee meeting.
- Councillor and Executive Workshop on Preston Civic Precinct.

### 5.3 REPORT OF CR. DIANA ASMAR

Cr. Asmar reported on her attendance at the following functions/activities:

- Darebin Disability Advisory Committee meeting.
- Councillor and Executive Workshop on Preston Civic Precinct.
- Community Grants Committee meeting.
- Planning Committee meeting.
- Council Briefing Session.
- Meetings with residents regarding building issues, bus shelters, and the proposed telecommunications facility at 321A Victoria Road Thornbury.

### 5.4 REPORT OF CR. NICK KATSIS

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

- Planning Committee meeting.
- Council Briefing Session.

- Councillor and Executive Workshop on Preston Civic Precinct.
- Community Grants Committee meeting.
- Resident concerns.

### **5.5 REPORT OF CR. STANLEY CHIANG**

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

- Visit to the City of Hefei in China whilst on a private business trip where Cr. Chiang conveyed Council's best wishes on behalf of the Mayor.

### **5.6 REPORT OF CR. TRENT MCCARTHY**

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

- Council Briefing Session.
- Walker Street Housing Estate Visioning Day.
- Planning Committee meeting.
- Community Grants Committee meeting.
- Councillor and Executive Workshop on Preston Civic Precinct.
- Planning Forum with representatives from the Development Industry.
- Mosaics Project Launch – Union Street Northcote.
- Discussions regarding a proposed Farmer's Market at Merri Park Northcote.
- Various resident concerns, including the proposed telecommunications facility at 321A Victoria Road Thornbury and Stolberg Beer Café gaming machines.

### **5.7 REPORT OF CR. GAETANO GRECO**

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

- Inner North Community Foundation – Grants presentation.
- Spectrum Migrant Resource Centre Board meeting.
- Municipal Association of Victoria Councillor Development Weekend where Cr. Greco presented on the subject of municipal Wi-Fi networks.
- Planning Committee meeting.
- Council Briefing Session.
- Councillor and Executive Workshop on Preston Civic Centre.
- Board meeting – Apprenticeships Plus.
- Board Meeting – Inner Northern Group Training Ltd.
- Planning Forum with representatives from the Development Industry.
- Reservoir Structure Plan Steering Committee meeting.
- Community Grants Committee meeting.

### 5.8 REPORT OF CR. BEN MORGAN

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

- Council Briefing Session.
- Councillor and Executive Workshop on Preston Civic Precinct.
- Community Grants Committee meeting.
- Local constituent matters.

### 5.9 REPORT OF THE MAYOR, CR. FONTANA

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

- Opening of Neighbourhood house in Preston.
- RoadSafe Inner Northern Community Road Safety Council meeting.
- NORTH Link Business breakfast.
- Hosted a visit by Parade College Bundoora students in the Council Chamber.
- Darebin Youth Summit student forum.
- Meeting with representatives from the Bundoora Park disabled Riders Group.
- Several Radio interviews on 3LO, 3AW, ABC, Gold FM.
- Launched the Legal Education Workshop for International Students.
- Walker Street Housing Estate Visioning Day.
- Launched the Darebin Maternal Health/Best Start CD of 'Darebin Sings'.
- Meeting with representatives of the Preston Cricket Club.
- Guest of the Northern Bullants v Williamstown Victorian Football League Match of the Day at Cramer Street Oval where the Mayor was interviewed by media identity, Phil Cleary.
- Officiated as guest of honour at Our Lady of Mercy Debutants Ball.
- Launched the 'Talking my Language' energy efficiency program.
- Funding announcement from the Member for Batman, the Hon Martin Ferguson MP of the Federal Government's \$3 million dollar funding pledge to Reservoir Library if the Labor Party is re-elected.
- Meeting with representatives from the Girl Guides Association.
- Councillor and Executive Workshop on Preston Civic Precinct.
- Northland Structure Plan Steering Committee workshop.
- Hosted the Friends of Baucau public meeting.
- Opened the Planning Forum with representatives from the Development Industry.
- Melbourne Heart soccer club season launch.
- Meeting with the Mayor of the City of Yarra regarding local matters.



## 6. PUBLIC QUESTION TIME

### MINUTE NO. 287

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

The following questions were submitted:

- Yvonne Gardner of Preston asked a question about the proposed redevelopment of 595 Gilbert Road Preston. The question was responded to by the Mayor, Cr. Fontana and the Director Development and Amenity, Michael Ballock.
- Dr. Ros Lethbridge of Northcote asked a question about the response rate of the Australian Horizons sites Community Survey (Report No. 8.6 on the Council Agenda Paper)

*Cr. Asmar disclosed a conflict of interest in this matter classifying the type of interest as an indirect interest by close association and describing the nature of the interest as that her uncle resides in Elm Street Northcote affected by the proposal and was included in the area of properties surveyed and an auntie resides in Hawthorn Road Northcote affected by the proposal and was included in the area of properties surveyed as potentially being affected by the proposal. She left the meeting prior to consideration of the matter – 7.29pm*

The question was responded to by the Mayor, Cr. Fontana.

- Diane Gardiner of Northcote asked a question about the impact of the proposed development of the Australian Horizons sites on traffic and parking. The question was responded to by the Mayor, Cr. Fontana.

*Cr. Asmar returned to the meeting – 7.32pm.*

- Susan Rennie of Preston asked a question about the position Council will take at the Victorian Civil and Administrative Tribunal when the matter of the planning permit granted by Council for electronic gaming machines at the Stolberg Beer Cafe is heard on appeal in the event that Council adopts its proposed electronic gaming machine policy (Report No. 8.2 on the Council Agenda Paper). The question was responded to by the Mayor, Cr. Fontana and the Director Development and Amenity, Michael Ballock.
- Johanna Villani of Thornbury asked a question about the compulsory acquisition of 321A Victoria Road Thornbury understood to be proposed in relation to the proposed installation of a telecommunications facility. The question was responded to by the Mayor, Cr. Fontana.
- Johanna Villani of Thornbury asked a question about subdivision of the back carport common land area involving 321/321A Victoria Road Thornbury understood to have possibly taken place earlier this year. The question was responded to by the Mayor, Cr. Fontana.

- Paul Bovolos of Thornbury asked a question on behalf of the owner of 321 Victoria Road Thornbury about the use of the common property area involving 321 and 321A Victoria Road Thornbury in relation to the proposed installation of a telecommunications facility at 321A Victoria Road Thornbury. The question was responded to by the Mayor, Cr. Fontana.

After Public Question Time had concluded, no further questions were submitted in writing.

## 7. REPORTS OF STANDING COMMITTEES

*Cr. Chiang disclosed a conflict of interest in the following matter classifying the type of interest as an indirect interest because of conflicting duty and describing the nature of the interest as that he is the Honorary President of the North Eastern Melbourne Chinese Association Inc (NEMCA), one of the applicant organisations. He left the meeting prior to consideration of the matter – 7.40pm.*

### 7.1 COMMUNITY GRANTS COMMITTEE

#### MINUTE NO. 288

The Community Grants Committee is an Advisory Committee appointed to assist Council with the implementation of the Community Grants Scheme.

Meetings of the Community Grants Committee were held on 6 July 2010 (adjourned to 15 July 2010) and 26 July 2010. A summary report of each meeting is attached as **Appendices A and B** to this report. The minutes of each meeting, incorporating the reports considered by the Committee, have been circulated to Councillors.

### COUNCIL RESOLUTION

**MOVED:** Cr. D. Asmar  
**SECONDED:** Cr. B. Morgan

**THAT** the Reports of the Community Grants Committee meetings held on 6 July 2010 (adjourned to 15 July 2010) and 26 July 2010 be received and the Committee Recommendations be adopted.

**CARRIED**

## 8. CONSIDERATION OF REPORTS

*Cr. Chiang disclosed a conflict of interest in the following matter (and previous Item 7.1) classifying the type of interest as an indirect interest because of conflicting duty and describing the nature of the interest as that he is the Honorary President of the North Eastern Melbourne Chinese Association Inc (NEMCA), one of the applicant organisations. He had left the meeting prior to consideration of the previous Item 7.1 – 7.40pm.*

### 8.1 COMMUNITY GRANTS SCHEME 2010/2011

MINUTE NO. 289

**AUTHOR:** Community Grants Officer - Roberto Malara  
Manager Family, Youth and Community Support - Dean Griggs

**DIRECTOR:** Director Communities and Culture - Jan Black

#### SUMMARY:

This year the community grants program received a total of 221 applications, 167 requesting a total of \$479,479 for cash-grants and 54 requesting a total of \$71,804 for venue hire subsidies of Council-owned venues. The new model of community grants has proven to be highly successful attracting 57 new groups to apply for grants.

83 applications for a total of \$198,634 are recommended for the 2010/2011 funding round. Also, 53 venue hire subsidy applications are recommended for funding, totalling \$71,215.

In addition to this, the Community Grants Program supports the following organisations that are on triennial funding agreements: seven Darebin Neighbourhood Houses and the Darebin Ethnic Communities Council for a total of \$236,620 (Table 6) and also four local bands and orchestras, an art gallery and a performing group for a total of \$39,750 (Table 5).

The grand total recommended for the 2010/2011 funding round to all Annual and Recurrent three-year cash-grants, Venue Hire Subsidy applicants and all organisations on Triennial Funding Agreements is \$546,219.

This report provides an overview of the grants requested and provides recommendations for grants to be funded.

#### CONSULTATION:

Darebin Council Community Grants Committee

Darebin Council Community Grants Project Committee:

Family Youth and Community Support

Leisure Services

Arts and Cultural Development

Environmental Strategy

Corporate Governance  
Aged and Disability Services  
Social Inclusion and Diversity

## COUNCIL RESOLUTION

**MOVED:** Cr. D. Asmar  
**SECONDED:** Cr. B. Morgan

**THAT** Council approves the allocation of 2010/2011 Community Grants to the community groups as detailed in the schedules attached as **Appendices A and B** to this report.

**CARRIED**

## REPORT

### INTRODUCTION AND BACKGROUND

The Darebin Community Grants program is a key community development program undertaken by Council each year. The Scheme encourages and supports the development of community based programs which enable the active participation of Darebin residents. The Scheme is available to 'not-for-profit', locally based community groups and organisations and/or those meeting a demonstrated need or interest of Darebin residents.

The Community Grants program is a valuable resource for Council as it provides a picture of our community and highlights a range of needs experienced across the breadth of groups and organisations in Darebin.

This year a new model for the Community Grants program was adopted by Council as a result of an extensive community consultation undertaken by Council last year. New categories and application forms were introduced along with a new booklet containing guidelines and selection criteria.

As part of the new model the three following Priority Areas were also introduced:

Community Health and Wellbeing, Celebration and Participation, and Environmental Sustainability. Applicants were required to address one or more of these priority areas in their proposals.

In addition to this a new set of categories were also introduced as follows:

#### One Year Annual Grants

1. Small \$100 - \$500
2. Medium \$501 - \$2,000
3. Large \$2001 - \$8,000

### Three Years' Recurrent Grants

4. Small \$200 - \$500 each year
5. Medium \$501 - \$2,000 each year
6. Large \$2001 - \$8,000 each year

### Overview

Of the 221 applications received 167 were for cash-grants with a total amount requested of \$479,479. A total of \$198,634 is recommended for funding. A total of 54 venue hire subsidies applications were received and 53 are recommended for funding, totalling \$71,215.

This year 57 new applicants including the 24<sup>th</sup> Vic Reservoir Boys Brigade, Citynorth Community Church, Reservoir Writing Group, Liberian Community of Victoria, Sierra Leone Australia Community of Victoria, St Marks Anglican Church, the Alawi Islamic Social Centre and the United Australian Lebanese Movement of Victoria applied for the first time for support.

There was a mix of established groups generally applying for activities they have been conducting for some time (eg. Festivals and room hire) and a range of community organisations applying for new projects. As in previous years, each application was assessed by two assessors with final recommendations presented to the Community Grants Committee for endorsement. In addition, input was sought from Aged and Disability Services regarding applications targeting older adults and from Social Inclusion and Diversity regarding applications focusing on or by Indigenous communities and focusing on, or by, Culturally and Linguistically Diverse (CALD) communities.

This year, in partnership with the Darebin Ethnic Communities Council and Spectrum Migrant Resource Centre more effort was put into encouraging CALD groups and organisations to apply. The result of this partnership was that more than 50% of all applications received were from local CALD communities.

**Table I** - Summarises number of cash grant applications divided by Priority Area

Priority Area	Applications Received	Applications Recommended	% Recommended
Community Health and Wellbeing	55	24	43.6
Celebration and Participation	45	18	40.0
Environmental Sustainability	9	6	66.7
Applications nominating more than one priority area	58	35	60.3
	<b>167</b>	<b>83</b>	<b>49.7</b>

**Table 2 - Cash grants applications received and recommended by category****Annual Cash-Grants**

Category	Applications Received	Applications Recommended	Amount Requested	Amount Recommended
Small	16	11	\$6,185	\$4,345
Medium	71	38	\$115,042	\$61,690
Large	52	19	\$256,503	\$91,148
<b>Totals</b>	<b>139</b>	<b>68</b>	<b>\$377,730</b>	<b>\$157,183</b>

**Recurrent Three-Year Cash-Grants**

Category	Applications Received	Applications Recommended	Amount Requested	Amount Recommended
Small	4	4	\$1,900	\$1,900
Medium	10	6	\$16,123	\$10,283
Large	14	5	\$83,726	\$29,268
<b>Totals</b>	<b>28</b>	<b>15</b>	<b>\$101,749</b>	<b>\$41,451</b>

<b>Total Cash-Grants</b>	<b>167</b>	<b>83</b>	<b>\$479,479</b>	<b>\$198,634</b>
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**Table 3 - Venue Subsidies**

Venue	Applications Received	Applications Recommended	Amount Requested	Amount recommended
Leisure Services Venues	4	4	\$6,220	\$6,221
Darebin Libraries Meeting Rooms	10	10	\$9,953	\$9,953
Shire and City Halls	5	5	\$19,105	\$19,105
Reservoir Civic Centre	14	14	\$9,428	\$9,428
Northcote Town Hall	21	20	\$27,098	\$26,508
<b>Total</b>	<b>54</b>	<b>53</b>	<b>\$71,804</b>	<b>\$71,215</b>

**Table 4 - Overall Summary**

	Applications Received	Applications Recommended	Amount Requested	Amount recommended
Cash-grants Applications	167	83	\$479,479	\$198,634
Venue Subsidy Applications	54	53	\$71,804	\$71,215
<b>Grand-Total</b>	<b>221</b>	<b>136</b>	<b>\$551,283</b>	<b>\$269,849</b>

### Overview of Assessment Process

The first round of assessment was undertaken by relevant officers from different Councils Branches and Units who made recommendations to the Community Grants Committee.

The Community Grants Committee met on 6 July 2010, 15 July 2010 (adjourned from 6 July 2010) and 26 July 2010. Minutes of these meetings have been circulated to Councillors.

All recommendations detailed in the schedules attached as **Appendices A and B** to this report have been endorsed by the Community Grants Committee.

### ISSUES AND DISCUSSION

This year one of the many challenges faced by the Community Grants Committee and Officers alike throughout the assessment process was the policy to fully fund applications recommended for approval rather than part funding applications which has occurred in previous years.

This new assessment criteria introduced in this year's program resulted in fewer applications being recommended for funding as a proportion of the total amount of applications received. However, Council's new policy of fully funding applications ensures that groups who are funded will be able to fully realise the potential of their projects.

### Three Year Funding

#### *Arts and Culture Three-Year Funding*

There are six organisations on triennial funding agreements under this category, including four bands and orchestras, an art gallery and a performing group. Council, in February 2010, resolved to renew funding for these groups for one year (2010/2011) while a review of these agreements is undertaken.

**Table 5 - Arts and Culture Three-Year Funding Agreements**

Applicants	Recommended
Preston Symphony Orchestra	4,250
Preston Strings and Junior Strings	750
Catchment Players of Darebin	9,000
Darebin City Brass	14,000
Banda Musicale	6,000
Synergy Gallery	5,750
<b>Total</b>	<b>\$39,750</b>

### ***Community Support Three-Year Funding***

Eight organisations under this category are on triennial funding agreements. It comprises seven neighbourhood houses, including the new East Reservoir Neighbourhood House, and the Darebin Ethnic Communities Council. Council, in February 2010, resolved to renew funding for these groups for one year (2010/2011) while a review of these agreements is undertaken.

**Table 6** - Community Support 3 Year Funding Agreements

<b>Applicants</b>	<b>Recommended</b>
Preston Neighbourhood House	35,370
Thornbury Women's Neighbourhood House	35,370
PRACE Merrilands Community Centre	35,400
PRACE East Reservoir Neighbourhood House	35,370
Span Community House	35,370
Jika Jika Community Centre	35,370
Alphington Community House	17,370
Darebin Ethnic Communities Council	7,000
<b>Total</b>	<b>\$236,620</b>

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

A recommended Community Grants priority area is environmental sustainability. Therefore the Community Grants program encouraged community organisation initiatives related to the care and protection of our environment.

### **Social Inclusion and Diversity**

The Community Grants program is a major platform for Council to further its social inclusion agenda. A large majority of the recommended grants relate to linking people together to improve community connectedness, either through projects funded through the cash grants program or through subsidised use of Council facilities.

### **Other**

Nil.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The recommended amounts are within budget for the 2010/2011 financial year. Clearly the requests for community grants far exceeds the allocated budget and will be considered as part of the end of the year review of the new funding program.



**FUTURE ACTIONS**

- Cheque presentation ceremony 12 August 2010.
- Community Grants Review in November 2010.

**DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**RELATED DOCUMENTS**

Community Grants Review Terms of Reference.

*Cr. Chiang returned to the meeting – 7.44pm.*

**8.2 DAREBIN ELECTRONIC GAMING MACHINE POLICY AND STRATEGIC ACTION PLAN 2010-2014****MINUTE NO. 290****AUTHOR: Coordinator Social Policy - Mandy Bathgate****DIRECTOR: Director Communities and Culture - Jan Black****SUMMARY:**

Darebin City Council has updated its policy on Electronic Gaming Machines (EGMs).

The *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* is a culmination of an extensive review and consultation process. The resulting policy reflects Council priorities and aims to address negative impacts associated with EGM activity in the municipality. It aims to improve across Council coordination in assessing applications and to enhance land use planning, primary prevention and harm reduction measures through a range of strategic actions.

The *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* provides a framework to support Council's position in relation to:

1. Council position on EGM gambling
2. Community benefit
3. Council as responsible planning authority
  - Council-owned or managed property or land
  - Venue applications and permits.

**CONSULTATION:**

- Councillors
- Executive Management Team
- Manager Social Inclusion and Diversity
- Relevant Council officers
- Women's Health in the North
- PCP Problem Gambling Prevention in Melbourne's North Initiative
- Victorian Aboriginal Gambling Awareness Service
- Gamblers Help Northern
- Victorian Local Government Working Group on Gambling
- City of Moreland
- City of Yarra
- City of Hume
- Gaming venues in Darebin
- Community agencies

- Public consultation process
- Community meeting 25 May 2010

## COUNCIL RESOLUTION

**MOVED:** Cr. G. Greco  
**SECONDED:** Cr. T. McCarthy

**THAT** Council endorse the *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* attached as **Appendix A** to this report.

**CARRIED**

## REPORT

### INTRODUCTION AND BACKGROUND

Darebin City Council has played a lead role in advocating for action to address the negative impacts of gambling on the local community arising from the proliferation of EGMs in areas of low socio-economic status.

The *Darebin Poverty Inquiry* (May 2001) found that the relative ease of access to EGMs in hotels and clubs in Darebin places many vulnerable groups in the community at further risk of experiencing financial disadvantage and social stress.

In November 2001 the *Darebin Electronic Gaming Machine Strategy* was developed to provide Council with a framework in which Council's lobbying and advocacy role could be more directly orientated to working with the gaming industry, problem gambling services and community groups in development of harm reduction measures at the local level.

A significant component of this strategy was the launch, in March 2004, of the *Charter of Responsible Gambling*, with endorsement of all gaming venues in the municipality.

Another key initiative was the *Pokie-free Places & Activities for Culturally and Linguistically Diverse Communities in Darebin Project* (October 2005). This project was instrumental in identifying suitable social, recreational, cultural and leisure activities which could provide alternatives to gaming venues. This project added weight to the feasibility and need for the Intercultural Centre for Darebin. Council will continue to prioritise the development of pokie-free alternatives for local community through service planning and infrastructure development.

The *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* supersedes the *Darebin Electronic Gaming Machine Strategy 2001* and clearly articulates Council's position, policy rationale and strategic actions in relation to Electronic Gaming Machine activity within the municipality as the responsible planning authority.

## ISSUES AND DISCUSSION

- Council's overall goal and long-term commitment is to significantly reduce the number of electronic gaming machines (EGMs) in the city and minimise and reduce the negative impacts of gaming on the Darebin community.
- The *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* clearly articulates Council's position, policy rationale and strategic actions in relation to EGM activity within the municipality as the responsible planning authority.
- The Policy accords with Council commitments to supporting the community as articulated in the Darebin Council Plan and Darebin Community Health 2009-2013 and Well Being Plan 2009-2013.
- Council requires a consistent and coordinated approach to electronic gaming machine activity within the municipality, particularly in light of new bidding arrangements for gaming machines to commence in 2012. Changes to gaming machine arrangement will have potential to see the number of applications to Council from new venues increase. However the number of EGMs will remain capped at 986.
- A key responsibility of Council is to ensure community views about the shape of local community, including built and social environment is considered in decision making. This includes provision of opportunities for residents to express views on EGM gambling and whether it may be accommodated in any community. While timeframes for lodgement of assessment may be restrictive, where possible, Council will take into account community attitudes in assessment.
- As part of the review, a telephone survey into community attitudes towards electronic gaming machines in Darebin was undertaken over the months of April and May 2010. A total of 326 residents aged over 18 completed the survey. The survey was developed and implemented by the Business Improvement Branch in consultation with the Social Inclusion and Diversity Branch. The survey has been completed and the findings are currently being compiled.
- The review process has included internal and external consultation processes, benchmarking against other Local Government EGM policy models and strategic development to ensure currency and sustainability of the policy over its lifetime.
- Planning – endorsement of the new policy will provide Council with a clearer framework from which to make decisions in relation to venue applications and permits.

## POLICY IMPLICATIONS

### Environmental Sustainability

Nil.

### Social Inclusion and Diversity

The *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* is informed by the following Council plans and strategies:

- Darebin Council Plan 2009-2013

- Darebin Municipal Strategic Statement 2010
- Darebin Community Health and Wellbeing Plan 2009-2013
- Darebin Human Rights and Social Inclusion Framework 2010
- Darebin Diversity Policy 2001
- Darebin Leisure Services Strategy 2010.

The social and economic cost of problem gambling is of ongoing concern to governments and the community and is a significant public health issue.

Culturally and linguistically diverse communities, Aboriginal and Torres Strait Islander communities, women and socially/economically disadvantaged communities, are particularly vulnerable.

#### **Other**

Nil.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Potential financial implications are to be considered regarding submission and hearing costs incurred for VCAT hearings.

### **FUTURE ACTIONS**

Launch of the *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014* and *Community Attitudes to EGM Gaming Survey Report*.

### **DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

### **RELATED DOCUMENTS**

- **Appendix A** - Draft *Darebin Electronic Gaming Policy and Strategic Action Plan 2010-2014*
- **Appendix B** - Assessment Documentation
- Council Briefing 26 July 2010
- Council Meeting 19 April 2010
- EMT Briefing 15 July 2010
- Council Briefing 22 March 2010

- Council Report 5 October 2009
- Council Briefing Paper 13 July 2009



**COUNCIL RESOLUTION**

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

**THAT** Council seek advice to prepare a submission to the Victorian Commission for Gambling Regulation (VCGR) in relation to the Stolberg Hotel.

**CARRIED**

**REPORT****INTRODUCTION AND BACKGROUND**

- Council has received Notice of Application from Madgwicks Lawyers acting on behalf of Café De Biere House (Pty Ltd) known as Stolberg Hotel, at the corner of Bell Street and Plenty Road Preston seeking approval of the premises as suitable for gaming on 8 July 2010.
- Following this notice, Council also received confirmation from the Victorian Commission for Gambling Regulation (VCGR) stating that Council has 60 days from receipt of notification of an application to make a submission to the VCGR.
- Submissions should address the economic and social impact of the proposal on the local community. This may take into account the impact of the proposal on surrounding municipal districts.
- There are potential financial implications associated with cost of submission preparation and potential VCAT hearing costs.

The following local government areas have been sent written notification of the application by VCGR as they are within 5kms of the venue.

- City of Moreland
- City of Banyule.

The Coordinator, Social Policy, will also be contacting neighbouring cities of Whittlesea, Yarra and Hume, along with community agencies and services within the 5km radius of the venue, whose clients may be affected by the proposal, to inform them of the application.

**ISSUES AND DISCUSSION****Granting of Planning Permit**

- Council, through officer delegation, granted a permit to the Stolberg Café to operate gaming machines. Previously, applications with fewer than three objections were not decided by the Planning Committee. The decision was technically correct and reflected the lack of land use and statutory planning tools available to Council.
- At the time of the Stolberg decision, the Darebin EGM Policy and Strategic Action Plan was still in draft form. The new policy will require that all EGM related matters go to Planning Committee. The new policy is due for consideration by Council on 2 August 2010 (see Report No. 8.2) and will better reflect Council's position.



**Granting of License**

- Granting of a permit by Council does not mean approval of license by VCGR.
- The VCGR will not necessarily hold as positive or negative the granting of a planning permit. They will be taking the application on face value and consider whatever other information Council can provide in its submission.
- Council can put forward an opposing position through this process.

**Submission to VCGR**

A submission to VCGR is a separate process to the granting of a permit application and will be guided by Council's new policy position proposed to be endorsed on 2 August 2010: i.e. 'that Council will vigorously campaign and contest any related gaming license application before the Victorian Commission of Gaming Regulation.'

**POLICY IMPLICATIONS****Environmental Sustainability**

Nil.

**Social Inclusion and Diversity**

Council response regarding the Stolberg application to VCGR seeking approval for premises as suitable for gaming should be guided by the *Darebin Electronic Gaming Machine Policy and Strategic Action 2010-2014*. This Policy is informed by, and aligned with, the following Council plans and strategies:

- Darebin Council Plan 2009-2013
- Darebin Municipal Strategic Statement
- Darebin Community Health and Wellbeing Plan 2009-2013
- Darebin Human Rights and Social Inclusion Framework
- Darebin Diversity Policy
- Darebin Leisure Services Strategy.

**Other**

Nil.

**FINANCIAL AND RESOURCE IMPLICATIONS**

- Under the new policy, 'Where possible, Council, will vigorously campaign and contest any related gaming license application before the Victorian Commission of Gaming Regulation.' (Page 13 – Draft Darebin EGM Gaming Policy and Action Plan 2010-2014 V5).
- This will have potential resource implications for expert advice, consultant fees and cost of VCAT hearings.

**FUTURE ACTIONS**

- Council to seek legal advice in order to make a submission to the Victorian Commission of Gaming Regulation.
- Officers to liaise with neighbouring municipalities within the 5km radius.
- Pending legal advice, Council to lodge a submission to the VCGR by 6 September 2010 (or 30 day extension date if secured) addressing the economic and social impact of the proposal on the local community.

**DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**RELATED DOCUMENTS**

- Council Briefing 26 July 2010
- EMT Briefing 22 July 2010
- Letter Madgwicks Lawyers to Council 5 July 2010
- Letter Victorian Commission for Gambling Regulation to Council 9 July 2010
- Draft *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014*

*Cr. Asmar returned to the meeting – 7.57pm.*

**8.4 RESIDENTS SURVEY – AMCOR SITE****MINUTE NO. 292****AUTHOR: Director Development and Amenity – Michael Ballock****DIRECTOR: Director Development and Amenity – Michael Ballock****SUMMARY:**

At its last meeting on 19 July 2010, Council passed a resolution concerning the potential use of part of the AMCOR site for the settlement of refugees and for a process to be undertaken to assess community support for this proposal.

This report proposes that, given the number of issues that this decision raises, undertaking the survey should be delayed until further work and consultation can be undertaken.

**CONSULTATION:**

Nil

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED: Cr. T. Laurence****SECONDED: Cr. N. Katsis****THAT:**

- (1) Council defer the surveying of residents in relation to the proposition that part of the Amcor site be dedicated to 'refugee housing in a community setting' until the Mayor of Darebin can consult with the Mayor of Yarra in relation to mutually agreeable options for consulting Alphington residents in the City of Yarra.
- (2) The Chief Executive and Council officers provide an update on the status of the current development plan for the Amcor site and brief Councillors regarding the overall impacts on the Darebin community of potential development at the site at a future Council briefing session.

**CARRIED**

**REPORT****INTRODUCTION AND BACKGROUND**

At its meeting on 19 July 2010 Council resolved the following:

*That:*

- (1) *Darebin Council survey areas adjoining Alphington Paper Mill to test community acceptance for part of that site to be submitted to a future federal government, and the current developers of the site, for it to be developed as a settlement facility for refugees and asylum seekers.*
- (2) *Council notes that this beautiful site on the banks of the Yarra is well placed to act as a local metropolitan alternative to offshore processing of asylum seekers and could also be a replacement for the inhumane detention of refugees in remote locations within Australia.*
- (3) *The Planning Committee and Planning staff consult with Economic Development staff on the economic benefits of such a facility and consult with the Social Inclusion Unit about the potential social benefits.*
- (4) *Officers ensure the community survey is sent out by 30 July and that residents are given 3 weeks to return the survey so that we can then lobby the incoming Federal government with well documented views of our community.*
- (5) *Council officers ensure that the area to be surveyed includes all of Darebin south of Dundas Street and that it also includes those parts of Alphington south of Heidelberg Road.*

This motion passed by Council on 19 July 2010 commits Council to undertake a survey of residents on the future use of part of the AMCOR site for a refugee settlement facility. The motion also asks the Planning Committee and staff to consult about the economic and social benefits of such a facility. The survey is to be completed by the end of July and include City of Yarra residents (south of Heidelberg Road) as well as Darebin residents.

**ISSUES AND DISCUSSION**

Heidelberg Road is the municipal border between the Cities of Darebin and Yarra. The AMCOR site is within the City of Yarra as is that part of Alphington, south of Heidelberg Road. As a matter of protocol and process, any consultation involving Alphington residents south of Heidelberg Road should involve the City of Yarra.

There is no proposal, at present, to redevelop the AMCOR site. The City of Yarra has developed design guidelines and the Minister for Planning has rezoned the site to a Mixed Use Zone and applied a Development Plan Overlay to the site, but a detailed proposal is yet to be announced. Consequently there is no context in which to consider the future development of the AMCOR site.

In addition, at its meeting on 19 July 2010 Council passed the following motion when considering a report on mechanisms for dealing with planning applications that relate to sites adjacent or near to municipal borders:

*That:*

- (1) *This report regarding mechanisms for dealing with Planning Applications near municipal borders be received and noted.*
- (2) *A further report be provided to Council regarding alternative methods including broader reform options to protect shared assets including waterways and areas along municipal boundaries*

The motion on the future development of the AMCOR site therefore raises a number of issues which relate to the consultation of the Alphington residents in Yarra, the lack of any clear proposal for the redevelopment of the AMCOR site and the request from Council for a mechanism to deal with major development on municipal borders.

For these reasons the development and consideration of a survey of residents on the future use and development of the AMCOR site would appear to be premature.

This assessment is supported by the Planning Committee which considered the survey proposal at its meeting on 26 July 2010. Whilst the motion did not directly refer the development of the survey to the Planning Committee, the discussion around the motion made a number of references to the Planning Committee assisting in the development of the survey. For this reason, the Planning Committee examined the survey proposal and has made the following decision:

*That on behalf of the Planning Committee, the Director Development and Amenity report to the Council meeting on 2 August 2010 recommending that:*

- (1) *Council defer the surveying of residents in relation to the proposition that part of the Amcor site be dedicated to 'refugee housing in a community setting' until the Mayor of Darebin can consult with the Mayor of Yarra in relation to mutually agreeable options for consulting Alphington residents in the City of Yarra.*
- (2) *The Chief Executive and Council officers provide an update on the status of the current development plan for the Amcor site and brief Councillors regarding the overall impacts on the Darebin community of potential development at the site at a future Council briefing session.*

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

This report does not raise any issues of environmental sustainability.

### **Social Inclusion and Diversity**

The original motion by Council passed by Council on 19 July 2010 raises a number of issues relevant to marginalised and disadvantaged individuals and communities which will be considered by Council in a report to be provided at a later date.

This report however does not raise any issues of social inclusion and diversity.

**Other**

The process of engagement and consultation is consistent with a number of the strategies and policies of the Council Plan.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The development and implementation of a survey would cost in the vicinity of \$12,000. No budget allocation has been provided for the survey.

**FUTURE ACTIONS**

A further report will be provided for Council's consideration.

**DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**RELATED DOCUMENTS**

Council Minutes – 19 July 2010

Planning Committee Minutes – 26 July 2010

**8.5 AMENDMENT C106 TO THE DAREBIN PLANNING SCHEME:  
CONSIDERATION OF SUBMISSIONS AND ADOPTION OF  
THE AMENDMENT****MINUTE NO. 293****AUTHOR: Strategic Planner – Long Nguyen****DIRECTOR: Director Development and Amenity – Michael Ballock****SUMMARY:**

Council resolved at its meeting on 30 November 2009 to request the Minister for Planning to authorise the preparation and exhibition of Amendment C106 to the Darebin Planning Scheme.

Amendment C106 proposes to amend 'Map No.14 EAO' to show the deletion of the Environmental Audit Overlay (EAO) to the properties located at 2, 4, 6 Martin Street and 624 High Street, Thornbury and 2 Eastment Street, Northcote. The current EAO triggers the requirement for owners to conduct an environmental audit if they wish to carry out buildings and works.

Amendment C106 to the Darebin Planning Scheme was given notice from 17 March 2010 to 6 April 2010. A total of five submissions were received during the public exhibition process raising no objections. Two submissions were received which requested the Amendment be changed to include an additional property.

Pursuant to *Section 23(1) of the Planning and Environment Act 1987* (the 'Act'), after considering a submission which requests a change to the amendment, Council must;

- a) Change the amendment in the manner requested; or
- b) Refer the submission to a panel appointed by the Minister for Planning; or
- c) Abandon the amendment or part of the amendment.

Amendment C106 will be modified as requested to include 622 High Street, Thornbury. There will be no requirement for the Amendment to be referred to a Planning Panel.

**CONSULTATION:**

Internal consultation was undertaken with the Strategic and Statutory Planning Teams.

The following external parties and personnel were consulted during the exhibition of Amendment C106:

- Environmental Protection Agency
- Department of Planning and Community Development
- Minister for Environment and Climate Change
- Minister for Agriculture
- Minister for Water

- Minister for Planning
- Minister for Energy and Resources
- Yarra Valley Water
- CitiPower
- Member for Northcote
- Member for Preston
- Members for Northern Metropolitan Region
- Property owners directly affected by Amendment C106

### COUNCIL RESOLUTION

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

**THAT** Council:

- (1) Modify Amendment C106 as requested by the submissions from 622 and 624 High Street, Thornbury pursuant to section 23(1) of the Planning and Environment Act 1987 (the 'Act').
- (2) Adopt the Amendment, with changes pursuant to section 29(1) of the 'Act'
- (3) Write to the Secretary for the Department of Planning and Community Development seeking certification of the adopted Amendment C106 to the Darebin Planning Scheme under section 35(A) of the 'Act', prior to approving the Amendment under delegation from the Minister.

**CARRIED**

### REPORT

#### INTRODUCTION AND BACKGROUND

Council resolved at its meeting on 30 November 2009 to request the Minister for Planning to authorise the preparation of Amendment C106 to the Darebin Planning Scheme. The Amendment proposes to amend 'Map No. 14 EAO' to show the deletion of the EAO from the following properties:

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

The abovementioned properties are subject to the application of the EAO that appears to have been erroneously applied. Research appears to indicate that for the past 100 years the properties have no history of uses which should warrant the application of the current EAO.

#### Exhibition of Amendment C106



Council received authorisation from the Department of Planning and Community Development to prepare Amendment C106. Council was granted exemption from notice requirements of:

- Section 19(2), to publish notice of the amendment in the local newspaper, and;
- Section 19(3), of the 'Act' to publish notice of the amendment in the Government Gazette.

Council was also authorised to approve the Amendment under *Section 35(B)* of the 'Act'. Council must not approve of the Amendment unless it has been certified by the Secretary for the Department of Planning and Community Development.

Amendment C106 to the Darebin Planning Scheme was given notice from 17 March 2010 to 6 April 2010 in accordance with section 19 of the 'Act'. Notice of the preparation of the Amendment was given to:

- Property owners directly affected by the Amendment;
- Prescribed Ministers;
- Service authorities; and
- Local Members of Parliament.

### Submissions to Amendment C106

A total of 5 submissions were received during the exhibition of Amendment C106 to the Darebin Planning Scheme. The submissions to the Amendment are summarised in the table below.

Who	Nature of submission	Recommendation
Department of Sustainability and Environment	No objection to the Amendment	Nil
Environmental Protection Authority (EPA)	No objection to the Amendment	Nil
Yarra Valley Water	No objection to the Amendment	Nil
The owner of 624 High Street, Thornbury	Request for the inclusion of 622 High Street, Thornbury	Change the Amendment in the manner requested, pursuant to <i>section 23(1)(a)</i> of the 'Act'
The owner of 622 High Street, Thornbury	Request for the inclusion of 622 High Street, Thornbury	Change the Amendment in the manner requested, pursuant to <i>section 23(1)(a)</i> of the 'Act'

## ISSUES AND DISCUSSION

### Request to include 622 High Street, Thornbury

The property owners of 622 and 624 High Street, Thornbury contacted Council during the exhibition of the Amendment advising of their intention to develop the two properties in a joint venture project for medium density housing. 622 High Street is located within the Business 2 Zone (B2Z) and is currently occupied as a health clinic. The property is currently subject to the EAO, but not included in the Amendment.

622 High Street, along with many High Street properties were rezoned from the Industrial 1 Zone (INZ1) to the B2Z as part of Amendment C47 to the Darebin Planning Scheme (*High Street Urban Design Framework*). Council took a precautionary approach and applied the EAO to all sites previously rezoned from the INZ1 to the current B2Z. The EAO is meant to be applied when it is known or considered likely that land is contaminated. The EAO requires an audit to be undertaken to ensure that land is appropriate to be used for sensitive uses such as residential.

Given the context and location of 622 High Street, it was considered that the property may also be subject to the erroneous application of the EAO. A historical planning scheme and rates book search was undertaken by Council officers whilst a desktop assessment was commissioned by the property owner at 622 High Street, Thornbury. The desktop assessment was prepared by Coffey Environments to determine if the application of the EAO on 622 High Street, Thornbury is valid.



Figure 1 & 2: Street view and zoning map of 622 High Street, Thornbury (Source: Darebin City Council).

### Historical Planning Scheme Search

The search reveals that the zoning controls have historically never corresponded to the residential and retail uses on site. 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.

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 622 High Street, Thornbury (Source: Department of Planning and Community Development).

### Historical Rate Book Search

The rate books provide the following information:

- The property's land use; and
- The rate of the property.

The rate books appear to indicate that 622 High Street, Thornbury has always been used for residential and retail purposes.

Relevant Rate Books	Properties affected by Amendment C106
	622 High Street, Thornbury
Borough of Northcote rate book for the year <b>1914</b>	Brick House
Borough of Northcote rate book for the year <b>1933 - 1934</b>	Brick Shop (Fruiterer)
Borough of Northcote rate book for the year <b>1945</b>	Brick Shop (Second hand goods)
Borough of Northcote rate book for the year <b>1957 - 1958</b>	Brick shop (Real Estate Agent)
Borough of Northcote rate book for the year <b>1969</b>	Brick shop (Sewing and selling of leather travel goods)

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

### Desktop Assessment Report prepared by Coffey Environments

Council received the desktop assessment report on 9 July 2010. The desktop assessment report was prepared for 622 High Street, Thornbury to ensure that there are no historical incidents of contamination. The records do not appear to indicate previous industrial uses on site and appear to confirm that the application of the EAO should be considered for removal. The following sources were used:

- Royal Historical Society of Victoria:

The search suggests that since the early 20th Century, 622 High Street has been predominantly used as a shop containing a variety of businesses spanning over many decades.

- Axis Title Search:

The search appears to indicate that since 1907, the property has never been used for purposes that may result in potential contamination of the site.

- EPA Priority Sites Register

A review of the latest update to the EPA Priority Sites Register dated May 2010 indicates that the site is not listed on, and is not within the vicinity of a site listed on the Priority Sites Register.

- Aerial Photo Review

A review of aerial photography from the 1940s to the 1980s appear to indicate that the site and the surrounding properties were predominantly used for residential and retail purposes. Larger industrial and commercial buildings are reported to be located further south from the site.

- Site Inspection and Interview

A site inspection was reported to be conducted on 2 July 2010. The inspection confirmed that the site is currently being used as an alternative medicine shop. Anecdotal information provided by the owner of 620 High Street, Thornbury suggests that during the period the property was used as a travel goods shop, some sewing of leather products occurred. The site inspection confirms that the property (132.47m<sup>2</sup>) is quite narrow and unlikely to have been suitable for industrial scale manufacturing and use.

### **Decisions about Submissions and Adoption of Amendment C106 to the Darebin Planning Scheme under the 'Act'**

Pursuant to *section 23* of the 'Act', Council is required to make a decision after considering all submissions. After considering a submission which requests a change to the Amendment, Council must:

- a) Change the amendment in the manner requested; or
- b) Refer the submission to a panel appointed by the Minister for Planning; or
- c) Abandon the amendment or part of the amendment.

Amendment C106 will be modified as requested to include 622 High Street, Thornbury. There will be no requirement for the Amendment to be referred to a Planning Panel.

Under *Section 29(1)* of the 'Act', Council can adopt Amendment C106 as modified.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

The EAO is designed to ensure that potentially contaminated land is suitable for a use which could be adversely affected by any contamination. Research appears to indicate that the site has never been used for purposes which could result in potential contamination; as such there is no need for the application of the existing EAO. There are no environmental effects associated with removing the EAO.

### **Social Inclusion and Diversity**

The application of the EAO on the affected properties places an unfair requirement for owners to perform and an environmental audit if they wish to carry out buildings and works. By deleting the application of this EAO, it removes the statutory requirement which is costly and time consuming.

### **Other**

Nil.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

There are provisions within the Strategic Planning Unit budget for the exhibition and processing of a planning scheme amendment.

## **FUTURE ACTIONS**

- In the event that the Amendment is certified by the Secretary for the Department of Planning and Community Development, Council will approve the Amendment under delegation given to the Director Development and Amenity, Michael Ballock.

## **DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

## **RELATED DOCUMENTS**

- Planning and Environment Act 1987
- Darebin Planning Scheme
- Melbourne 2030
- Ministerial Direction No. 1 – Potentially Contaminated Land
- General Practice Note - Potentially Contaminated Land
- Amendment C47 – High Street Urban Design Framework

- Council Report 30 November 2009
- Coffey Desktop Assessment: 2 Eastment Street, Northcote.
- Coffey Desktop Assessment: 2, 4, 6 Martin and 624 High Street, Thornbury.
- Coffey Desktop Assessment: 622 High Street, Thornbury.

*Cr. Asmar disclosed a conflict of interest in this matter classifying the type of interest as an indirect interest by close association and describing the nature of the interest as that her uncle resides in Elm Street Northcote affected by the proposal and was included in the area of properties surveyed and an auntie resides in Hawthorn Road Northcote affected by the proposal and was included in the area of properties surveyed as potentially being affected by the proposal. She left the meeting prior to consideration of the matter – 8.07pm*

**8.6 AMENDMENT C92 AUSTRALIAN HORIZONS SITES –  
COMMUNITY SURVEY RESULTS**

**MINUTE NO. 294**

**AUTHOR: Strategic Planner – Kris Shaw**

**DIRECTOR: Director Development and Amenity – Michael Ballock**

**SUMMARY:**

Council considered a report on 15 March 2010 on Amendments C81 (Northcote Structure Plan) and C92 (Australian Horizons sites).

Council decided to defer consideration of the report to allow officers to further consult with the community. A mail-out survey was developed in consultation with, and approved, by the Planning Committee on 10 May 2010.

302 hardcopy surveys were completed which represents a 12% response rate while 105 surveys were filled out on-line.

The main issues of concern expressed in the survey align with the issues raised in submissions made during the exhibition of C81 and C92 in February and March 2009.

The survey results have been analysed and recorded by Council's Business Improvement branch and a survey report was circulated to Councillors with a Briefing Paper.

**CONSULTATION:**

Business Improvement

**COUNCIL RESOLUTION**

**MOVED: Cr. T. Laurence**

**SECONDED: Cr. N. Katsis**

**THAT** Council receive and note this report on the the Australian Horizons Survey.

**CARRIED**

**REPORT****INTRODUCTION AND BACKGROUND**

Council considered a report on 15 March 2010 on Amendments C81 (Northcote Structure Plan) and C92 (Australian Horizons sites) and Council resolved:

*That Council defer consideration of the report on Amendments C81 and C92 to allow officers to further consult with the community. This consultation should be overseen by the Planning Committee and should include a survey of residents within 200 metres of the Australian Horizons site. This survey should ask for residents' opinions on the C81/C92 Panel report recommendations from the independent Panel appointed by the Planning Minister the Hon Justin Madden and where these differ from Council's adopted Northcote Structure Plan. These issues include:*

- *The proposed zoning of the site (Business 2 or Mixed Use)*
- *The proposed reduction in office floor space provided as part of the development*
- *The recommended building height plan where it differs from the Structure Plan (the eight storey component in the centre of the Australian Horizons site)*
- *The lack of identified social housing and/or affordable housing in the development.*

*The results of the survey and consultations should be incorporated and reported back to Council.*

On 22 March 2010 the Planning Committee considered a proposed survey area, draft covering letter and a survey sample.

The Committee agreed to an expanded survey area and decided:

*That a report be prepared for the Planning Committee outlining the consultation and survey program to be undertaken in relation to the elements of the Amendments C81 and C92 Panel report identified by Council.*

On 27 April 2010 the Planning Committee considered a report that provided a proposed survey technique, proposed timeline and a draft survey. In discussing this report the Planning Committee was informed that a residents' group was proposing to undertake a survey of residents in streets near the Australian Horizons site to seek their views on the proposed redevelopment. The Planning Committee decided:

*That an amended draft of the proposed community survey and associated documentation which also addresses the proposed residents' group survey be submitted to Council at its meeting on 3 May 2010 for consideration.*

On 3 May 2010 Council considered a revised survey and resolved:

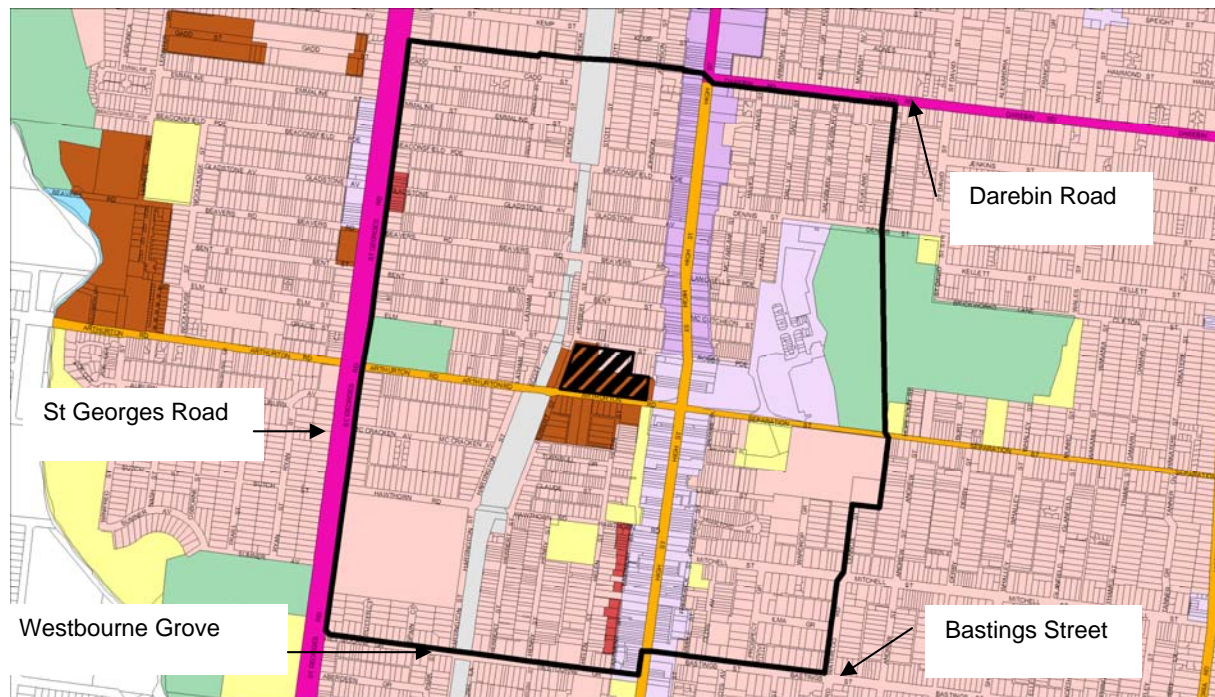
*That the Community Survey and consultation process be referred back to the Planning Committee for further drafting and final approval, and that the Planning Committee consider an expanded range of issues to be included in the survey.*



On 10 May 2010 the Planning Committee considered further changes to the cover letter and draft survey and decided:

*That the Committee approve the amended Survey and revised cover letter subject to the additional changes agreed to be made at this meeting and note the Survey methodology as outlined in the report.*

The survey was distributed to all residential and business properties within the boundaries shown in Map 1 (approximately 1600 properties). The survey was also available on-line. The on-line survey was not advertised or promoted through any other medium.



**Map 1**

## ISSUES AND DISCUSSION

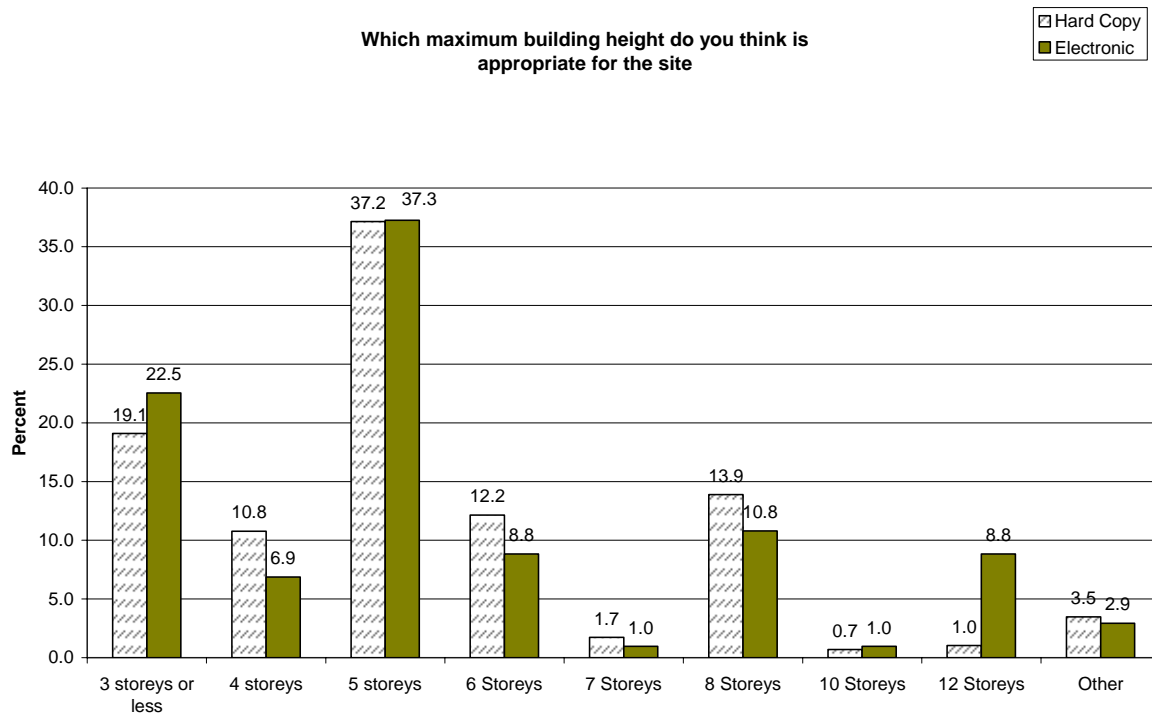
Council received 302 hardcopy surveys which represents a 12% response rate while 105 surveys were filled out on-line. It should be noted that 24 hardcopy responses were received well after the survey closed.

The main issues of concern were the scale of the development and the number of dwellings which would result in further pressure on traffic conditions, access to community services (particularly child care and kindergarten places) and public transport.

People were also concerned that a large building on the site would diminish or threaten the character of Northcote.

There was solid support for using the site for a mix of retail, office and housing. The results were evenly split in answer to the question about which zone people preferred.

In answer to the question 'which maximum building height do you think is appropriate for the site' most respondents preferred a building height of 5 or less storeys (see graph below).



There were an unusually large number of comments received in response to the question about the expected increased number of traffic generated by the proposed development and the local road network being able to accommodate that extra traffic.

There were comments made about the survey being a 'sham consultation' process, the relationship of Council to the developer, the planning process and the involvement of the State Government.

In summary, the survey results show that people want existing local issues to be addressed such as:

- Traffic congestion
- On-street parking management
- Lack of access to kindergarten and child care places
- Severe overcrowding on trains and trams.

The comments suggest that current services and infrastructure are not keeping pace with existing demand and therefore will be even more stressed as a result of the proposed redevelopment.

In relation to the proposed development the survey results show that people are concerned about:

- Impact on the character of Northcote
- Impact on parking and traffic
- Low standard of recent apartment development in Northcote and the potential for 'more of the same'
- Lack of community consultation
- Lack of confidence in the process.

Many people accepted that the site should be developed but that it should be developed at a lower scale that would be more in line with the character of Northcote, with adequate off-street car parking and to a high design standard based on Ecologically Sustainable Development (ESD) principles. It was also critical that services be increased to cater for increased demand.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

Nil.

### **Social Inclusion and Diversity**

Nil.

### **Other**

A survey of community views supports the Council plan objective for Leadership and Engagement and the following strategies:

*We will involve the community in our decision making, through consultation, public participation, community engagement and representation.*

*We will advocate about issues affecting the Darebin community, backed up by informed and clearly articulated policy positions.*

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The cost of the survey was \$4,767. The survey had not been budgeted for.

## **FUTURE ACTIONS**

Council will receive a briefing paper on 9 August 2010 and a Council report on 16 August 2010 which will consider Amendment C81 and Amendment C92.

## **DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**RELATED DOCUMENTS**

Northcote Structure Plan

High Street Urban Design Framework & Precinct Guidelines

Council reports:

- 2 April 2007 adoption of the Northcote Structure Plan
- 18 February 2008 decision to seek authorisation to prepare & exhibit C92
- 4 August 2008 adoption of the neighbourhood character guidelines for the Northcote Activity Centre
- 20 April 2009 consideration of submissions to C92
- 15 June 2009 Council position to the panel appointed to consider C92 submissions
- 14 December 2009 report to council on the release of the panel report
- 15 March 2010 consideration of the panel report and proposed adoption
- 22 March 2010 (Planning Committee) consideration of the survey area
- 27 March 2010 (Planning Committee) consideration of the draft survey
- 27 April 2010 (Planning Committee) consideration of the revised draft survey and the residents' alternative survey
- 3 May 2010 consideration of the revised draft survey
- 10 May 2010 (Planning Committee) approval of the final survey
- Australian Horizons survey
- Australian Horizons Survey Report (Business Improvement July 2010)
- **Appendix A** – Survey Report

*Michael Ballock, Director Development and Amenity, indicated that the 1,600 approximate figure within the body of the report relating to the number of properties surveyed was incorrect (see Page 38 of the Minutes) and that a 2,600 approximate figure was the correct one as advised in the survey documentation (**Appendix A**) attached to the report.*

*Cr. Asmar returned to the meeting – 8.15pm.*

**8.7 FARMERS MARKET AT MERRI PARK NORTHCOTE****MINUTE NO. 295****AUTHOR: Manager Leisure and Open Space – Adrian Burns****DIRECTOR: Director Infrastructure – Geoff Glynn****SUMMARY:**

Council has been approached by Local Harvest Markets Pty Ltd (the applicant) to conduct a Farmers Market at Merri Park Northcote. The proposal is to operate the market weekly on Sunday mornings from 7am-2pm.

Merri Park is Crown Land with Darebin City Council appointed as Committee of Management. Merri Park is described as a District Park in the City of Darebin Open Space Strategy. The park is used for sporting and passive recreation and is adjacent to the Merri Creek corridor. Northcote High School students use the park on a daily basis Monday to Friday.

The applicant has provided answers to information requests by Council and included letters of support for the market from Northcote High School and the Department of Sustainability and Environment, the land owner.

The applicant has advised Council that they consulted residents in the Sumner Estate in May 2010 and claim overwhelming support from these residents for the market to proceed. Northcote High School have also discussed this proposal at a Community Engagement forum attended by 70 people with support for the proposal given.

Based on information provided by the applicant, a Farmers Market at Merri Park is supported by Northcote High School and the local community. Northcote High School have indicated to Council that they will raise approximately \$10,000 per annum by supporting the markets.

It is proposed that a trial operation of the market for three months be approved by Council, subject to an event agreement being made with the applicant and that a bond to cover any remediation be secured and held by Council prior to each event taking place.

Monitoring of the market operations and the ongoing impact on the park and nearby community will form the basis of a follow up report to Council to be made after the trial period and this report will focus on the long term viability of the market at Merri Park and whether the market should continue to be approved by Council.

The ongoing monitoring will review closely the impact upon Merri Park of the vehicular traffic on the playing surface and any negative impacts on the environment caused by the market.

**CONSULTATION:**

Chief Executive  
Manager Open Space Planning  
Strategic Planning Officer  
Darebin Parks Turf Coordinator  
Bushland Coordinator

Sports Development Coordinator  
Merri Creek Management Committee

### RECOMMENDATION

**THAT:**

- (1) Council provides permission for Local Harvest Markets Pty Ltd to operate a local Farmers Market at Merri Park Northcote every Sunday from 7am-2pm for a trial period of three months. A start date for the market will be agreed between Council and Local Harvest Markets Pty Ltd once the event has been approved to proceed.
- (2) Council draft an event agreement to cover operational and maintenance issues surrounding the use of Merri Park and that Council hold a financial bond against any remediation required for Merri Park caused by the market.
- (3) Council agree a hire charge with Local Harvest Markets for the use of Merri Park that is commensurate with the hire of open space within the municipality.
- (4) Council Officers monitor the three month trial of the market and its impact on traffic, parking, the local community, and the park in order that an informed decision may be made on the long term future operation of the market.
- (5) At the completion of the three month trial period Council Officers report back to Council with a recommendation as to whether or not the market conducted by Local Harvest Markets Pty Ltd should continue to operate at Merri Park on a longer term basis.

### COUNCIL RESOLUTION

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

**THAT:**

- (1) Council provides permission for Local Harvest Markets Pty Ltd to operate a local Farmers Market at Merri Park Northcote every Sunday from 7am-2pm for a trial period of three months. A start date for the market will be agreed between Council and Local Harvest Markets Pty Ltd once the event has been approved to proceed.
- (2) Council draft an event agreement to cover operational and maintenance issues surrounding the use of Merri Park and that Council hold a financial bond against any remediation required for Merri Park caused by the market.

- (3) Council agree a hire charge with Local Harvest Markets Pty Ltd for the use of Merri Park that is commensurate with the hire of open space within the municipality.
- (4) Council, in conjunction with Local Harvest Markets Pty Ltd, organise a community meeting for local residents and support the possible formation of a Community Reference Group to support and monitor the development of the market.
- (5) Council Officers monitor the three month trial of the market and its impact on traffic, parking, the local community, and the park in order that an informed decision may be made on the long term future operation of the market.
- (6) At the completion of the three month trial period Council Officers report back to Council with a recommendation as to whether or not the market conducted by Local Harvest Markets Pty Ltd should continue to operate at Merri Park on a longer term basis.

**CARRIED**

## REPORT

### INTRODUCTION AND BACKGROUND

The majority of Merri Park is Crown Land zoned PPRZ (Public Park and Recreation Zone) with Darebin City Council appointed as Committee of Management. The school is zoned PUZ2 (Public Use Zone with purpose of Education). The Billabong and areas along the creek are Melbourne Water land zoned PUZ1 (Public Use Zone 1 Service and Utility). Melbourne Water is responsible for the management of bed and banks of the Merri Creek and Billabong (retarding basin). Planting in the billabong has been carried out by Merri Creek Management Committee with assistance of Friends of the Merri Creek. The majority of the area is within the 1:100 year flood line and is covered by a LSIO (Land Subject to Inundation Overlay). Following floods in 1974 Melbourne Water established levee banks within the reserve running parallel to Sumner Avenue and St Georges Road. Merri Park is also affected by the Environment Significance Overlay and the Special Building Overlay.

Northcote High School was opened in 1927 and sits adjacent to Merri Park. The school utilises the park for formal sports use and informal student recreation.

Council has been approached by Local Harvest Markets Pty Ltd to conduct a Farmers Market at Merri Park Northcote - see Map 1 Merri Park-Site Plan attached as **Appendix A** to this report. It is proposed to operate the market weekly on Sunday mornings from 7am-2pm. The proposal to Council states that it is a not for profit weekly market being conducted in partnership with Northcote High School and will raise funds for local school programs and activities in the area. It is expected that the school will raise approximately \$10,000 per annum from its support of the market.

## ISSUES AND DISCUSSION

### Existing uses of Merri Park

The management and use of Merri Park has been described in the Merri Park Management Plan adopted by Council in 2005. There are a variety of uses at the park consisting of organised sport by clubs, passive use by the community, and informal and formal school use Monday to Friday.

Active sports use at the park is based around the main baseball field to the north of the school. Other baseball games are played to the west of the main field towards the playground and some summer cricket is also played on the site of the proposed market

Use of the sports fields at Merri Park are as follows:

#### ***Baseball Winter Season (approx April - September)***

Westgarth Baseball Club and Northcote Lions Baseball Club  
Saturday - all day Main Field and Secondary Field  
Sunday - training 10am - 12pm Main Field

#### ***Baseball Summer Season (approx October - March)***

Fitzroy Baseball Club  
Saturday - 12pm - 8pm Main Field and occasionally second field  
Sunday - all day

#### ***Cricket Summer Season (approx October - March)***

Saturdays alternate weeks North Metro Cricket Association 12:30-6:00pm

The proposed site of the market has been used in the past as a tenanted club cricket field but has only been used for limited cricket use in recent years. Bookings have been made but have not always been used if other venues were available.

The cricket field is also required as an overspill ground due to ongoing warm season grass conversions at other ovals throughout the city and should it be damaged by the market will be unplayable for cricket.

Should it rain immediately prior to the proposed market days the soil profile of Merri Park would require the market to be cancelled to avoid significant damage. Local Harvest Markets Pty Ltd refer to this in their supporting information letter to Council.

The school uses the site for physical education, sport and many students use the site at recess and lunch breaks.

With baseball training on Sunday there is a potential risk associated with baseballs being hit into the market area and the traffic for the market to impact on the Baseball Clubs.

Merri Park Baseball field is planned to undergo a turf conversion to a drought tolerant grass in 2011/2012 during which time it is possible that the Fitzroy Baseball Club may be temporarily relocated.



Passive use of the site includes people playing informal ball games, jogging, walking, and dog walking. People follow an informal path adjacent to the creek. Many families use the large playground on the north side of the Park.

### **Transport**

Although Local Harvest Markets Pty Ltd has not provided an empirical assessment detailing the expected numbers of pedestrians, cyclists, vehicles visiting the site, Council officers would expect that there would be at least 1 stall holder and 3 visitors per stall at the site during opening times. Without measures being taken to encourage more sustainable ways of travelling to, from, and for the market, it is estimated that approximately 80% of visitors to the site would arrive by car. A sustainable travel plan for the site would help to minimise the number of stall holders and visitors arriving by car.

High volumes of vehicles competing for limited on-street parking in the vicinity of the market site will impact detrimentally on local residential amenity (noise, access to on-street parking for residents and residential visitors, property damage, etc.). If this eventuates, Council should expect increased complaints/reduced levels of local support for the market.

Pedestrian access into the site should be accommodated and signed from the Merri Creek shared path, the St Georges Road shared path (from Stop 27 of Tram Route 112 via the school), via Eunson Avenue, and from the shared path access from Sumner Avenue.

### **Bicycle**

Bicycle access into the site should be accommodated and signed from the Merri Creek shared path, the St Georges Road shared path, via Eunson Avenue, and from the shared path access from Sumner Avenue. Local Harvest Markets Pty Ltd should also provide access to and provide wayfinding signs to cycle parking within the school grounds.

### **Stall Holder Parking**

On the site plan provided to Council by Local Harvest Markets Pty Ltd it is proposed that vehicles would access Merri Park along the shared path that connects Sumner Ave to the Merri Creek Trail or over the flood levee mid way along Sumner Ave opposite Ryan Street. Neither of these access points are appropriate. Vehicles should not access the shared path which also is close proximity to the playground.

The alternative proposal for access is not a designated vehicle access point to Merri Park and would mean vehicles driving near the baseball field and potentially over the irrigation system which will cause compaction of the existing playing field.

After some discussion with the applicant it has been determined that access could be gained from St Georges Road along Eunson Avenue. This access is used by Council maintenance vehicles and could be feasible.

There will be no visitor parking on the park site. Up to 60 stalls are anticipated with each stall having a vehicle accessing the site. It is anticipated these vehicles will remain on site during the term of the market.

### **Visitor Parking**

All visitors parking is to be off site. There are 38 angle car park spaces in Sumner Ave adjacent to Merri Park and 47 car park spaces within the school grounds. Should parking be agreed to within the school grounds this will require a Planning Permit to be secured

It has also been suggested in the application that parallel parking of up to 20 vehicles can occur adjacent to the park in St Georges Road.

If a large amount of on street parking occurs in the Sumner Estate or other nearby residential areas this may cause some issues with local residents and this will need to be monitored closely by Council.

### **Signage**

Signage for the event is proposed to be portable A frame signs and will only be used during the operating times of the market. A request for permanent signage for the event has not yet been made and any such application would need to be assessed in light of current Council policies and statutory obligations

### **Community consultation**

The applicant has indicated to Council that local community consultation occurred over two weekends in May 2010 in the Sumner Estate and that overwhelming support for the proposal was given. No documentary evidence of this consultation or community feedback has been provided to Council.

Northcote High School has indicated verbally to Council and also in a support letter that its community is supportive of the proposal. The school had feedback from an on line survey. The proposal was also discussed at a Community Engagement Forum attended by 70 people. The school see the market as an opportunity for parents and local residents to engage in an activity associated with the school and that it would be a good community building exercise. It should be noted that the school will gain significant financial benefit should the market proceed.

Council has not undertaken any direct community consultation in regard to this matter. It is anticipated that our condition of approval for the market to proceed will include stipulation that the applicant informs the local community of the event and includes contact details for the market management.

### **Endorsement from others**

The applicant has written to the Department of Sustainability and Environment (DSE) seeking their approval for the market and DSE have provided written agreement to the market proceeding. As Committee of Management, Council is required to provide final authority for the markets to proceed.

The Northcote School Council have met and discussed the market with the applicant. When contacted by Council Officers the Principal supported the proposal as it is considered a good community building exercise. It was also suggested that the school could potentially receive \$10,000 per annum from entry donations and sausage sizzle stall.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

The applicant's proposal suggests that up to 60% of those attending the market would be pedestrians. A local Farmers Market provides the opportunity for local residents to walk to the market and purchase goods potentially saving vehicle use.

There is a tram route in St Georges Road and the Epping Railway line within walking distance which also provides the opportunity for green travel to the event.

The market is to use an existing sports field. This site is not currently irrigated. The site is mown turf of low quality.

Vehicle access to the site will increase compaction of the sports field and may destroy existing turf cover leading to the site being unusable for sports in the future and may create an issue for informal school use by students.

An event agreement between the applicant and Council will be put in place to cover the operation of the market and need to manage the restoration of the ground surface, litter, and waste management.

### **Social Inclusion and Diversity**

The Farmers Market proposed by the applicant will be open to local communities living in Darebin and just across the creek in Moreland. It is a low cost event for participants. In general, markets tend to be popular and it is anticipated that it will be attended by a wide cross section of the community.

The market is in a grassed area with no footpath access meaning that people with limited mobility may find it difficult to attend the market. Apart from that, there is no restriction on access to the market.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposal in its current form proposes that the market will help raise funds for Northcote High School and local primary schools. The proposal is entry will be via a gold coin donation which is to be collected by the school. The school indicated that it intends to use any money raised to improve the landscape around the school and within the park.

Council as land manager is responsible for all maintenance costs at Merri Park. Northcote High School whilst using the park on a daily basis makes no contribution to the maintenance of the park.

The proposed site was once used for cricket regularly. There is an existing cricket pitch available for school use.

Regular vehicle access to this site will potentially mean that the site is no longer available for sporting use. The ground will be compacted and the existing turf cover is expected to deteriorate further.

As manager of the site, Council has a duty of care to provide this public park in a safe condition and maintenance of this area will have to increase to ensure that the area is in a safe and presentable condition for the local and school communities who use this area.

It is proposed that Darebin Parks will undertake post event maintenance of the park to ensure it is safe and useable with all costs of this mediative maintenance being paid by the applicant. The proposal does not account for issues created with drainage in the long term caused by surface compaction. Should significant damage be caused to the playing surface during the trial that may affect its long term viability Council will reserve the right to cancel any future markets immediately.

### **DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

### **RELATED DOCUMENTS**

Brad Mathieson, Local Harvest Markets Pty Ltd - Proposal to conduct a weekly non profit Sunday Farmers Market, 8 February 2010

Traffic analysis for proposed Farmers Market at Merri Park, provided as part of submission to Council.

Site plan for Community Farmers Market April 2010 provided by applicant

Northcote High School letter of support

Department of Environment and Sustainability letter approving market subject to conditions.

Merri Park Master Plan City of Darebin, Thomson Berill Landscape Design 2005

**8.8 MUNICIPAL EMERGENCY MANAGEMENT PLAN AUDIT****MINUTE NO. 296****AUTHOR: Municipal Emergency Resource Officer – Nik Filips****DIRECTOR: Director Corporate Services – Bruce Dobson****SUMMARY:**

Darebin's Municipal Emergency Management Plan (MEMP) is due to be externally audited by the Victorian State Emergency Services (SES) on 12 August 2010. This audit process is a standard process across all municipalities and ensures that Darebin complies with relevant legislation and is prepared for a range of emergency events and incidents.

The MEMP was last audited in 2007 and received the maximum three years' certification. The current audit process now requires local governments in their MEMPs to have a greater amount of detailed evidence, documentation and linkages to other Council strategies and government plans.

This report seeks Council endorsement of the updated MEMP and recommends a further update be provided to Council following the audit findings being received.

**CONSULTATION:**

Victorian State Emergency Services (SES)  
Darebin Municipal Emergency Management Planning Committee (MEMPC)  
Darebin Emergency Management Group (DEMG)  
Victoria Police

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

- (1) Endorse the updated Darebin Municipal Emergency Management Plan dated 29 July 2010 (file ID A153713) for presentation to the Victorian SES for its upcoming audit in accordance with the Victorian Emergency Management Act 1986.
- (2) Receive a further briefing on the audit's findings and recommendations together with Darebin's Emergency Management policies, plans and arrangements.

**CARRIED**

**REPORT****INTRODUCTION AND BACKGROUND**

Darebin is required to maintain a Municipal Emergency Management Plan (MEMP) and convene a local Municipal Emergency Management Planning Committee (MEMPC) in accordance with the Victorian *Emergency Management Act 1986* ("the Act"). The Act requires the MEMP to be externally audited to ensure compliance across four major areas being Planning, Preparedness, Response and Recovery. During the previous audit in 2007, Darebin received a maximum three year certification for its plan and is seeking to obtain a similar result with the current updated plan. The upcoming audit is scheduled to take place on 12 August 2010.

Since 2007 the audit process has been significantly broadened and now requires a higher level of documentation including documented evidence of sub plans and linkages to other Council plans and policies. It also requires evidence of linkages to other government plans and policies. These additional elements make the tasks of compliance more rigorous.

Darebin has an internal Emergency Management staff team, the Darebin Emergency Management Group (DEMG), which oversees the day to day management of the emergency management processes and is led by the Director Corporate Services. Members of this team have been preparing Council's documentation in readiness for the audit.

**ISSUES AND DISCUSSION****Regulatory Framework and Processes**

The Victorian *Emergency Management Act 1986* sets out the roles and responsibilities of all levels of government and instrumentalities in Emergency Management. These are further detailed in the Emergency Management Manual Victoria (EMMV) and are subject to change by regulation. The EMMV is currently in the process of being updated to reflect the findings of the 2009 Victorian Bushfires Royal Commission.

The EMMV details a variety of lead agencies which Councils support in any emergency situation. For example, the State Emergency Service (SES) is the lead agency for flood and storm events while the Department of Human Services (DHS) is responsible for Public Health and fire is managed by the Metropolitan Fire and Services Board. Victoria Police is the designated lead agency on most other events.

These lead agencies have differing protocols and are overseen by the Victorian Police local area Municipal Emergency Resource Coordinator (MERC). The MERC can request Council to come to the assistance of any lead agency in the event of a local emergency.

It is therefore important for Darebin to be able to liaise and maintain networks with a wide range of services in the Emergency Management field. To this end, Darebin is required to convene and resource the Darebin Municipal Emergency Management Planning Committee (MEMPC) which meets quarterly and is chaired by the Mayor, Cr Fontana.

Membership of the MEMPC includes police and other emergency service agencies, government departments and instrumentalities such as Centrelink, the Department of Human Services, VicRoads, and the State Emergency Service. Volunteer agencies such as the Red Cross, Salvation Army and St John's Ambulance are also represented on the committee, along with community support agencies such as community, health and welfare providers.

The Municipal Emergency Management Plan is periodically reviewed by the MEMPC and is updated on an ongoing basis to ensure it reflects current circumstances. It is required to be audited by the State Emergency Service at least once every three years.

### **Emergency Management Environment**

The Emergency Management area is a rapidly expanding, dynamic and ever changing one. There are a number of factors relevant to the context in which Emergency Management activities are undertaken. These include:

- Darebin, like most Victorian municipalities, does not have dedicated full time Emergency Management staff; rather it is usually a cross department function undertaken in addition to normal day-to-day duties. This can make compliance challenging, with competing workload demands in an environment where expectations on local government are increasing.
- Major events tend to drive the focus of Emergency Management practice. For example there was an increased focus on counter-terrorism issues following coordinated suicide attacks by al-Qaeda upon the United States on September 11, 2001. This event, or trend driven policy agenda, impacts local government as they try to develop policies and procedures which are often outside local government's traditional scope of work.
- There is no government funding available for Councils to engage dedicated Emergency Management staff and yet a significant level of work is passed on to local government to perform. Recent examples of this have been supporting people during the H1N1 Influenza Pandemic, supporting fire affected communities and attending to residents in single incident house fires.
- There has been a trend toward Emergency Management activities focussing to a greater extent on recovery from an emergency rather than a more tradition focus of responding to incidents. Darebin has had a particular focus on community recovery in relation to a number of events in the municipality in recent years.

The changes in the environment referred to above have been reflected in the MEMP documentation.

### **Municipal Emergency Management Plan (MEMP)**

Local government is in a position to rapidly and effectively respond to community needs and concerns. However, as each municipality is different, so are their risks and abilities to respond. In addition to legislative requirements, it is good practice to have a localised plan which can reflect these issues and to document the arrangements to deal with them.

The Act specifies that the MEMP must identify the resources available for use for emergency prevention, response and recovery. The stated aim of the Darebin MEMP is to detail the agreed arrangements for the prevention of, the response to, and the recovery from emergencies that could occur in the City of Darebin. The broad objectives of the Plan are to:

- Implement measures to prevent or reduce the causes of effects of emergencies
- Manage arrangements for the utilisation and implementation of municipal resources in response to emergencies
- Manage support that may be provided to or from adjoining municipalities
- Assist the affected communities to recover following an emergency
- Complement other local, regional and state planning arrangements.

The MEMP comprises some core sections together with a number of appendices. The core sections include:

- **Area Description** – Details Darebin's geography, demography and history of emergency events.
- **Management Arrangements** – Documents Darebin's internal emergency management arrangements, relationships to other municipalities and regional and state-wide plans.
- **Prevention Arrangements** – Contains Darebin's emergency risk matrix, identified treatment plans and the extent to which they may impact on localised neighbourhoods or population groups.
- **Response Arrangements** – Highlights the activation and escalation processes and details agencies which are mandated to lead the response events. Response arrangements also detail Council's role to establish a coordination centre to assist the lead agency.
- **Recovery Arrangements** – Outlines the principles of community recovery namely to assist residents to return to normal after an event. This may be a short to long term process and the Plan also identifies a range of options such as providing relief and recovery centres.
- **Support Arrangements** – Documents the range of networks, services and resources which can be used such as material aid.

The MEMP is available on the Darebin website. Rather than the full, exhaustive, Plan being included in this report, only the core sections have been included as **Appendix A**. The full Plan, inclusive of the detailed appendices, has been made available to Councillors and is available for public review.

### Emergency Management Sub Plans

The MEMP is designed to serve as a guiding document, which is supported by a number of sub plans containing more detailed plans for response and recovery. The number of sub plans prepared by and required of local government has increased markedly, with five new plans being developed since the last audit in 2007.



The following table summarises the sub plans required for compliance with the Darebin MEMP audit.

Title	Description
Technical Resources Plan	Lists the range of internal staff and external contractors and equipment that can be deployed to assist in the response phase of an event.
Communications Emergency Response and After Hours Plan	Outlines the process by which after hours calls from residents are collated and can lead to emergency response. This plan also highlights Darebin's role in the provision of information and communication for local and larger events.
Public Health Emergency Management Plan	Identifies Darebin's role in managing public health events such as mass food contaminations and communicable diseases such as Legionella outbreaks.
Community Emergency Risk Management (CERM)	Details the process for identification of Council's top identified risks and documents treatment plans.
Integrated Municipal Fire Management Plan	A mandated plan that seeks to identify and manage Darebin's fire risk. This is mainly focussed on bushfire / wildfire.
Pandemic Flu	Documents Darebin's role in the event of a pandemic and was used to good effect in the 2009 H1N1 Influenza Pandemic.
Darebin Heatwave Strategy	Documents Darebin's response to major heatwave events through the provision of information to the broader community and support to vulnerable groups and agencies that support them.
Flood Plan	A pilot program initiated by Melbourne Water and the SES. This plan identifies the risk with Darebin's flood prone areas and will develop a community awareness campaign.
Recovery Plan	Brings together many detailed processes required to operate a recovery process after an event. This plan includes the location and management plans for relief and recovery centres.

### Community Consultation

The MEMP is currently on the Darebin website and intranet with a feedback and comments form welcoming input from the wider community. Community members are represented through the different parties on the Municipal Emergency Management Planning Committee, including Councillor involvement, emergency services agencies and volunteer agency representation. Once the audit is complete, a hard copy of the Plan will also be placed at each Customer Service Centre for people to view on request.

### Audit Process

The audit process to be conducted by the State Emergency Service consists of three parts:

- A multi agency panel meeting consisting of the Department of Human Services, State Emergency Service and Victoria Police with relevant Council staff will be held. This involves the detailed examination of the MEMP and sub plans and seeks documented evidence over 26 identified categories. A report is then prepared identifying the findings of the audit.

- The findings will identify any shortfalls or omissions and Darebin officers will then undertake to address these by 30 September 2010.
- The SES will then issue a certificate of compliance following successful completion of the audit.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

The MEMP is increasingly reflecting the issues related to climate change as an emergency management factor for our community. These relate mainly to our climate change risks around flood and storms, windstorm, heatwave and to a lesser extent, fire. These are identified as specific community risks in the MEMP.

### **Social Inclusion and Diversity**

The emergency management area is increasingly looking to identify vulnerable communities and individuals who may be adversely affected by events. This is the case for both response to events and the longer process of recovery as the community may have limited capacity due to a range of factors. In this context, the work undertaken through the MEMP strengthens Darebin's role in the promotion of social support and inclusion.

### **Other**

Nil.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

Update of the MEMP and preparation for the audit have been undertaken within the existing budget.

## **FUTURE ACTIONS**

Council officers are finalising preparation of both the MEMP and all sub plans for the audit.

Following the audit process Council will receive a report detailing the outcome of the audit and any recommendations that arise, and receive a briefing regarding the MEMP and broader emergency management processes.

## **DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**RELATED DOCUMENTS**

- Darebin Municipal Emergency Management Plan dated 29 July 2010 (Objective file ID A153713)
- Darebin MEMP Sub Plans
- Emergency Management Manual Victoria
- Victorian Emergency Management Act 1986

**8.9 STATUS REPORT ON REPORTS AND 'GENERAL BUSINESS' ITEMS OUTSTANDING****MINUTE NO. 297****AUTHOR: Council Business Coordinator – Ron Downes****DIRECTOR: Director Corporate Services – Bruce Dobson****SUMMARY:**

This report provides a summary of the status of reports and 'General Business' items outstanding as at July 2010.

**CONSULTATION:**

Executive Management Team

<b>COUNCIL RESOLUTION</b>
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**MOVED: Cr. D. Asmar****SECONDED: Cr. N. Katsis**

**THAT** the status report on Reports and 'General Business' items outstanding as at July 2010, attached as **Appendix A** to this report, be received and noted.

**CARRIED**

<b>REPORT</b>
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**INTRODUCTION AND BACKGROUND**

The status of outstanding reports and actions requested by Council resolution is reported to Council monthly.

**ISSUES AND DISCUSSION**

A schedule of the reports and actions outstanding as at July 2010 is attached as **Appendix A**.

The list of reports requested includes items raised by Councillors under 'General Business'.

Items are deleted from the list once the report or action has been completed and the completed status has been noted by the Council.

**POLICY IMPLICATIONS**

**Environmental Sustainability**

Nil.

**Social Inclusion and Diversity**

Nil.

**Other**

Nil.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil.

**FUTURE ACTIONS**

The next status report will be submitted to Council at its meeting on 6 September 2010.

**DISCLOSURE OF INTERESTS**

Section 80C of the Local Government Act 1989 requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Director authorising this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**RELATED DOCUMENTS**

Minutes of previous meetings of the Council.

**9. URGENT BUSINESS**

Nil.

**10. GENERAL BUSINESS**

Nil.

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

**MOVED:** Cr. S. Chiang

**SECONDED:** Cr. S. Tsitas

**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:

- 11.1 Proposed sale of land from discontinued road at the rear of 25 Hanslope Avenue, Alphington.

**CARRIED**

The meeting was closed to members of the public at 8.24pm.

*The Council considered and resolved on Report Item 11.1 (Proposed sale of land from discontinued road at the rear of 25 Hanslope Avenue, Alphington) which had been circulated to Councillors on Thursday 29 July 2010 with the Council Agenda Paper.*

**RE-OPENING OF MEETING**

**MOVED:** Cr. S. Chiang

**SECONDED:** Cr. N. Katsis

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

**CARRIED**

The meeting was re-opened to members of the public at 8.26pm.

**CONFIDENTIAL****11.1 PROPOSED SALE OF LAND FROM DISCONTINUED ROAD  
AT THE REAR OF 25 HANSLOPE AVENUE, ALPHINGTON****MINUTE NO. 298****AUTHOR: Property Officer - Kristie Berry****DIRECTOR: Director Infrastructure – Geoff Glynn****SUMMARY:**

This report recommends that Council consider a departure from its policy guidelines in regard to the proposed sale of the land from a discontinued road at the rear of 25 Hanslope Avenue, Alphington

**CONSULTATION:**

Macquarie Lawyers and Strategists  
Owners of the adjoining properties

**RECOMMENDATION**

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

**COUNCIL RESOLUTION**

**MOVED: Cr. S. Chiang**  
**SECONDED: Cr. T. McCarthy**

**THAT** the following Council Resolution:

“That Council:

- (1) Agree to depart from its policy guidelines and authorise the Director Infrastructure to finalise the sale of the land from the discontinued road adjoining the rear of 25 Hanslope Avenue, Alphington, shown as Lot 1 on Title Plan TP 943814G, attached as **Appendix A** to this report, to the owner of that property for the sum of \$5,300 (inc GST), as has been offered by the owner.

- (2) Sign and seal all documents relating to the sale of land from the discontinued road to the owner of 25 Hanslope Avenue, Alphington.”

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

**CARRIED**



## 12. CLOSE OF MEETING

The meeting closed at 8.27pm.