



# **MINUTES OF THE COUNCIL MEETING**

**HELD ON**

**MONDAY, 20 JUNE 2011**

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RELEASED TO THE PUBLIC ON THURSDAY 23 JUNE 2011

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**MINUTES OF THE COUNCIL MEETING OF THE  
DAREBIN CITY COUNCIL HELD AT  
THE DAREBIN CIVIC CENTRE,  
350 HIGH ST, PRESTON ON MONDAY 20 JUNE 2011**

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**THE MEETING OPENED AT 7.00 P.M.**

**1. PRESENT**

Cr. Gaetano Greco  
Cr. Nick Katsis  
Cr. Tim Laurence  
Cr. Ben Morgan  
Cr. Trent McCarthy

***Council Officers***

Rasiah Dev – Chief Executive  
Michael Ballock – Director City Works and Development  
Vijaya Vaidyanath – Director Corporate and Business Services  
Daniel Freer – Director City Design and Environment  
Katrina Knox – Group Manager Community Services  
Libby Hynes – Manager Environment and Natural Resources  
Rhys Thomas – Governance and Corporate Planning Manager  
Ron Downes – Council Business Coordinator

**APPOINTMENT OF ACTING CHAIRPERSON**

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

Cr. Laurence was nominated by Cr. Katsis, seconded by Cr. Greco, and there being no further nominations, was duly appointed Acting Chairperson for the meeting.

Cr. Laurence assumed the Chair.

**2. APOLOGIES**

Apologies were lodged for the absence of the Mayor, Cr. Asmar, Cr. Fontana and Cr. Tsitas (all interstate on Council business). It was noted that Cr. Chiang is currently on leave of absence.

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Cr. Greco disclosed a conflict of interest in Report No. 9.2 (Application for Planning Permit D/682/2010 - 115-125 Victoria Road, Northcote) – see page 15.

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

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

**MOVED:** Cr. B. Morgan

**SECONDED:** Cr. N. Katsis

**THAT** the Minutes of the Ordinary Meeting of Council held on 6 June 2011 be confirmed as a correct record of business transacted.

**CARRIED**

## 5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 181

### 5.1 REPORT OF CR. BEN MORGAN

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

- Council Briefing Session.
- Resident matters.

### 5.2 REPORT OF CR. GAETANO GRECO

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

- 2011 Darebin Homemade Wine and Beer Festival debrief.
- Meeting with Principal and Vice Principal of Santa Maria College regarding "Walk through Bethlehem".
- Planning Committee meeting.
- Council Briefing Session.
- Hearing of Submissions Committee meeting.
- Bundoora Homestead Board of Management meeting as Chair.
- Bundoora Park Precinct "Future Directions Plan" meeting with Katherine Armstrong, Director, Lateral Projects.
- Darebin WiFi – Briefing with internal and external stakeholders.
- Darebin WiFi – Briefing with Infoxchange and Council's Manager Economic Development.
- Attending to various resident issues.

### 5.3 REPORT OF CR. TRENT MCCARTHY

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

- International Day Against Homophobia Consultation Forum at Northcote Town Hall.
- 'Whitelion' Youth Justice Forum.
- Meeting with Artery Cooperative representatives.
- Meeting with residents of Balgonie Place and Lawry Street, Northcote.
- Interview by local student regarding the Bell City Development proposal.
- 'Whitelion' Bail Out event - \$350,000 raised.
- Council Briefing Session.
- Spoke at meeting of the Darebin Progress Association.
- Hearing of Submissions Committee meeting.

- Meeting with residents regarding the Heritage Overlay in Alphington.
- Refugee Week Art Exhibition – African Resource Centre.
- Launch of Darebin Songwriters Award.
- Meeting with residents regarding Family Day Care transitional arrangements.
- Meeting with Bendigo Bank regarding support to Darebin community groups.
- Meeting with Northcote Business Association representatives.
- Various resident and trader issues.

#### **5.4 REPORT OF CR. NICK KATSIS**

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

- Attended and spoke at the Pankoaki Greek Community Gala Dance.
- Dealt with various planning related matters.
- Constituent issues.

#### **5.5 REPORT OF THE ACTING CHAIRPERSON, CR. TIM LAURENCE**

The Acting Chairperson, Cr. Laurence reported on his attendance at the following functions/activities:

- Hearing of Submissions Committee meeting.
- Planning Committee meeting.
- Council Briefing Session.
- Visit to Radford Road Reservoir Buddhist Temple.
- Traffic and trader issues.
- Funeral of Lance-Corporate Andrew Jones.

## 6. PUBLIC QUESTION TIME

MINUTE NO. 182

The Acting Chairperson, Cr. Laurence invited questions from members of the public gallery.

The following questions were submitted:

- Judith Warren of Preston asked a question about the suitability of the future occupiers of the unit development at 26 Pender Street, Preston approved by the Planning Committee. The question was responded to by the Acting Chairperson, Cr. Laurence
- Michael Warren of Preston asked a question about consideration given to resident objections including a petition (copy tabled) in relation to the unit development approved at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Dino Oddo of Preston asked a question about lot size applicable to unit development in Darebin in relation to the development approved at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence and the Director City Works and Development, Michael Ballock.
- Joanne Copsey of Preston asked a question about notification provided to objectors of the Planning Committee meeting on 14 June 2011 where the decision was made to approve the unit development at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Robert Copsey of Preston asked a question about car spaces and open space provided in relation to the unit development approved at 26 Pender Street, Preston. The question was responded to by the Director City Works and Development, Michael Ballock.
- Faye Gray of Preston asked a question about the approval of a seven unit development on a 400 plus square metre block at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- A resident of Preston asked a question about the suitability of the location at 26 Pender Street, Preston for affordable housing compared to other locations in the City. The question was responded to by the Acting Chairperson, Cr. Laurence.
- A resident of Preston asked a question about consideration given to neighbourhood character by the Planning Committee in relation to the unit development approved at 26 Pender Street, Preston and also the membership and quorum of the Committee. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Fernando Merazzi of Preston asked a question about the impact on car parking availability as a result of the unit development approved at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Sean Meehan of Preston asked a question about notification given to objectors of the Planning Committee meeting on 14 June 2011 in relation to the development at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- M. Neugebauer of Preston asked a question about the decision by the Planning Committee on 14 June 2011 to approve the unit development at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Cheryl Maxwell of Preston asked a question about consideration by the Planning Committee of residents' objections to the unit development at 26 Pender Street,



Preston at its meeting on 14 June 2011 and notification given to residents of any mediation forum and the meeting of the Planning Committee on 14 June 2011. The question was responded to by the Acting Chairperson, Cr. Laurence.

- Jason Burton of Preston asked a question about the validity of the decision made to approve the unit development at 26 Pender Street, Preston when notification was incorrectly sent to (Pender Street) Thornbury rather than (Pender Street) Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Joanne Copsy of Preston asked a question about the incorrect notice (26 Pender Street, Thornbury) placed on the site at 26 Pender Street, Preston. The question was responded to by the Director City Works and Development, Michael Ballock.
- Cheryl Maxwell of Preston asked a question about the position Council will take at any Victorian Civil and Administrative Tribunal hearing in relation to the unit development at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- A resident of Preston asked a question about Council re-considering the granting of approval for the unit development at 26 Pender Street, Preston rather than the matter proceeding to VCAT in light of the alleged notification errors which have occurred. The question was responded to by the Acting Chairperson, Cr. Laurence.
- A resident of Preston asked a question about the suitability of providing affordable housing in the seven (7) residential unit development at 26 Pender Street, Preston given past events which have occurred. The question was responded to by the Acting Chairperson, Cr. Laurence.

(Cr. Katsis ~~foreshadowing~~ <sup>foreshadowed</sup> moving a Motion under "General Business" later in the meeting to call for a report to the next Council meeting in relation to the Planning Committee's decision on 14 June 2011 granting approval for the unit development at 26 Pender Street, Preston).

This amendment to the Minutes was made by Council on 4 July 2011 – see Minute No. 197

- Sean Meehan of Preston asked a question about what action Council proposes to take to address the incorrect notification provided to residents in relation to the unit development at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- A resident of Preston asked a question about Council's approach to multi-unit development in the City. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Michael Menexes of Preston asked a question about the density of the unit development approved at 26 Pender Street, Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.

**SUSPENSION OF ORDER OF BUSINESS – 8.08PM**

**COUNCIL RESOLUTION**

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

**THAT** the matter of Cr. Katsis' proposed Motion to be moved under "General Business" (Item 11.1) be brought forward for Council's consideration.

**CARRIED**

**PLANNING DECISION – 26 PENDER STREET, PRESTON****MOTION**

**MOVED:** Cr. N. Katsis  
**SECONDED:** Cr. B. Morgan

**THAT** officers report back to the next meeting exploring legal options available to Council on the planning decision at 26 Pender Street, Preston.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

**COUNCIL RESOLUTION**

**MOVED:** Cr. N. Katsis  
**SECONDED:** Cr. B. Morgan

**THAT** officers report back to the next meeting exploring legal options available to Council on the planning decision at 26 Pender Street, Preston.

**CARRIED**

**RESUMPTION OF ORDER OF BUSINESS – 8.11PM****COUNCIL RESOLUTION**

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

**THAT** the Order of Business be resumed.

**CARRIED**

After public question time had concluded, five further questions were submitted in writing.

## 7. REPORTS OF STANDING COMMITTEES

### 7.1 AUDIT COMMITTEE

#### MINUTE NO. 183

The Audit Committee is an Advisory Committee appointed, pursuant to section 139 of the Local Government Act 1989, to assist Council in fulfilling its responsibilities relating to internal control mechanisms and external reporting requirements.

A meeting of the Audit Committee was held on 30 May 2011. A summary report of the meeting is attached as **Appendix A** to this report. The minutes of the meeting, incorporating the reports considered by the Committee, have been circulated to Councillors.

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

**MOVED:** Cr. G. Greco

**SECONDED:** Cr. N. Katsis

**THAT** the Report of the Audit Committee meeting held on 30 May 2011 be received and the Committee Recommendations be adopted.

**CARRIED**

**8. RECORDS OF ASSEMBLIES OF COUNCILLORS****8.1 ASSEMBLIES OF COUNCILLORS HELD****MINUTE NO. 184**

An Assembly of Councillors is defined in section 76AA of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- Council Briefing Session – 14 June 2011

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

**MOVED:** Cr. B. Morgan  
**SECONDED:** Cr. N. Katsis

**THAT** the record of the Assembly of Councillors held on 14 June 2011 be noted and incorporated in the minutes of this meeting.

**CARRIED**



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Council Briefing Session
	<b>Date:</b>	Tuesday, 14 June 2011
	<b>Location:</b>	Conference Room, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Tim Laurence, Cr. Gaetano Greco, Cr. Steven Tsitas, Cr. Ben Morgan, Cr. Vince Fontana
	<b>Council Staff:</b>	Rasiah Dev, Nick Mazzarella, Daniel Freer, Vijaya Vaidyanath, Fred Warner, Katrina Knox
	<b>Other:</b>	Representatives from the Barry Hall Group (Item 1)
<b>APOLOGIES:</b>		Cr. Diana Asmar (Mayor), Cr. Nick Katsis, Cr. Stanley Chiang

The Assembly commenced at 7.30pm.

<b>MATTERS CONSIDERED</b>		<b>DISCLOSURES AND COMMENTS</b>
<b>(Presentations)</b>		
<b>1.</b>	External Presentation – Darebin Arts & Entertainment Centre Precinct (Representatives from the Barry Hall Group)	No disclosures were made.
<b>2.</b>	Project Plan – Darebin Arts & Entertainment Centre Precinct (Daniel Freer) (Cr. Morgan left at 8.10 p.m. and returned at 8.25 p.m.).	No disclosures were made.
<b>3.</b>	Outcomes of MAV's Submission to the Productivity Commission's Public Inquiry into Aged Care Services (Katrina Knox)	No disclosures were made.
<b>4.</b>	Reservoir Boathouse - Deferred	
<b>5.</b>	Capital Projects Overview – City Design and Environment Directorate (Daniel Freer) (Cr. Morgan left 9.05 p.m. and returned at 9.15 p.m.)	No disclosures were made.

The Assembly concluded at 9.23pm.

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Fred Warner
	<b>Officer Title:</b>	Group Manager, People & Performance

## 9. CONSIDERATION OF REPORTS

### 9.1 FINANCIAL REPORT – 11 MONTHS ENDED 31 MAY 2011

MINUTE NO. 185

**AUTHOR:** Financial Accountant – Michael O’Riordan

**REVIEWED BY:** Director Corporate and Business Services – Vijaya Vaidyanath

#### SUMMARY:

A comprehensive financial review has been undertaken for the eleven months ended 31 May 2011 to assess the financial performance of Council year-to-date. The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$15.2 million, which is \$7.3 million ahead of budget and capital works expenditure of \$21.8 million, which is \$10.5 million behind the budget. All material variations have been explained in the report.

#### CONSULTATION:

Managers and Coordinators.

### COUNCIL RESOLUTION

**MOVED:** Cr. G. Greco  
**SECONDED:** Cr. N. Katsis

**THAT** the contents of the “Financial Report for the eleven months ended 31 May 2011” included as **Appendix A** to this report be received and the year-to-date actual and budget operating and capital results be noted.

**CARRIED**

### REPORT

#### INTRODUCTION AND BACKGROUND

Under the Local Government Act 1989, at least every three months the Chief Executive Officer is required to present to the Council a statement comparing the budgeted with the actual revenues and expenses for the financial year to date. In complying with the Act, the attached report (**Appendix A**) compares the actual and budgeted operating revenues and expenses and the actual and budgeted capital revenues and expenses for the ten months ended 31 May 2011. It also compares the actual and budgeted movements in the Balance Sheet and Cash Flow Statement for that period.

## ISSUES AND DISCUSSION

### *Operating Performance*

The Operating Performance for the eleven months ended 31 May 2011 is an operating surplus before capital revenue and other items of \$10.7 million, which is \$4.8 million ahead of budget. The main items contributing to this favorable variance are operating and capital grants and contributions, material and services and depreciation partly offset by unfavorable variances in employee benefits and parking fines. After capital and other items, the operating surplus is \$15.2 million, which is \$7.3 million ahead of budget.

### *Capital Performance*

The Capital Performance for the eleven months ended 31 May 2011 shows that a total of \$21.9 million has been expended on the capital works program, which is \$10.5 million behind the budget. The variance is due mainly to timing differences.

### *Financial Position*

The Financial Position as at 31 May 2011 shows a cash balance of \$40.9 million which is \$17.5 million ahead of budget. The variance is due mainly to the higher opening cash position compared with budget and timing differences in receipts from customers, purchase of property, infrastructure, plant and equipment, interest and government receipts. The net current asset position is \$33.8 million which is \$18.1 million more than budget. The variance is due mainly to the higher cash position, higher trade and other receivables and higher trade and other payables compared with budget. The net asset position is \$935.9 million, which is \$9.5 million ahead of budget.

## POLICY IMPLICATIONS

### **Environmental Sustainability**

Nil.

### **Social Inclusion and Diversity**

Nil.

### **Other**

Nil.

## FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

## CONCLUSION

The Financial Report for the eleven months ended 31 May 2011 shows that Council's year-to-date operating result is a surplus of \$15.2 million and \$21.8 million has been expended on capital works.



**FUTURE ACTIONS**

The audited financial statements for the year ending 30 June 2011 will be presented to Council following the completion of the audit by the Victorian Auditor-General.

**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 Officer reviewing 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**

Nil.

*Cr. Greco disclosed a conflict of interest in the following item classifying the type of interest as an indirect interest by close association and describing the nature of the interest as that his mother resides within close proximity to the subject property. Cr. Greco left the meeting – 8.25pm.*

This amendment (addition) was made to the Minutes by Council on 4 July 2011 – see Minutes No. 197

**Because a quorum was lost, the Chairperson, Cr. Laurence, informed the meeting that Report No. 9.2 could not be considered.**

**9.2 APPLICATION FOR PLANNING PERMIT D/682/2010 –  
115-125 VICTORIA ROAD, NORTHCOTE**

**MINUTE NO. 186**

**AUTHOR: Principal Planner – Jolyon Boyle**

**DIRECTOR: Director City Works and Development – Michael Ballock**

**SUMMARY:**

- Construction of a four (4) storey building comprising 20 residential apartments, one (1) shop and a reduction to the car parking requirement. The 20 residential apartments comprise four one-bedroom, eleven two-bedroom and five three-bedroom apartments. The apartments are accessed from a common access to Victoria Road. All apartments have lift access. Each apartment is served by a balcony of between 11m<sup>2</sup> – 59m<sup>2</sup>.
- A total of 27 car parking spaces are provided at ground level, with 21 spaces allocated to the 20 residential apartments, 2 staff spaces associated with the shop and 4 spaces for visitors and customers. 6 bicycle parking spaces are provided.
- Planning permission is not required for the shop component of the proposal.
- The Certificate of Title does not indicate that there is a restrictive covenant which applies to the land.
- Recommendation – That the application be approved and a Notice of Decision to Grant a Planning Permit be issued subject to conditions.
- The Planning Committee at its meeting on 14 June 2011 resolved that this planning permit application be referred to Council for consideration.

**CONSULTATION:**

- Notice of the application was given by posting a sign on the land and mailing of notices to affected properties.
- 31 objections were received.
- The application has been referred internally to the following departments:
  - Capital Works Unit.
  - Transport Unit.
- The application has been referred externally to the following authorities:
  - Melbourne Water.

Referral comments to be included in separate section later in report.

**RECOMMENDATION**

**THAT** Planning Permit Application D/682/2010 be approved and a Notice of Decision to grant a Permit be issued subject to the following conditions:

- (1) Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to, and approved by, the Responsible Authority. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application (identified as TP-003, TP-004, TP-005, TP006, TP-007 (issue 2) dated September 2010 and prepared by Frank Sinopoli and Associates) by modified to show:
  - a) Any modifications in accordance with the Sustainable Design Statement (Refer to Condition No. 6 of this Permit).
  - b) A Landscape Plan in accordance with Condition 4 of this Permit.
  - c) Details of a screen or similar architectural treatment east of car parking spaces C-1 and C-3 to obscure views of cars parked in these locations from Victoria Road.
  - d) Details of partially retractable walls or a similar system to ensure the bedrooms serving Apartments 6, 7, 14 and 15 receive adequate daylight.
  - e) The vehicle access to Victoria Road reduced to a maximum width of 5.5m.
  - f) Provision of 1.5m high balustrade (including 225m wide louvre) to the balconies serving Apartments 4, 5, 6, 7, 8, 12, 13, 14, 15, 16, 18 (north edge only) and 19.
  - g) A single communal antenna for the development (refer also to Condition No. 17 of this Permit). The location of the antenna must be shown on the roof plan and elevations. The height of the antenna must be nominated.
  - h) The location of all plant and equipment (including air conditioners and the like). These are to be co-located where possible, screened to as not to be visible from the public realm and adjacent properties, located as far as practicable from site boundaries and integrated into the design of the building.

When approved, the plans will be endorsed and form part of this Permit.

- (2) The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- (3) This Permit will expire if either:
  - The development does not start within three (3) years from the date of this Permit; or
  - The development is not completed or the use is not started within five (5) years of the date of this Permit.

The Responsible Authority may extend the times referred to if a request is made in writing before this Permit expires or within three (3) months after the expiry date.

- (4) Before buildings and works start, a detailed Landscape Plan to the satisfaction of the Responsible Authority must be submitted to, and approved by the Responsible Authority. When the Landscape Plan is approved, it will be endorsed and will then form part of this Permit. The Landscape Plan must be prepared by a suitably qualified person and must incorporate:
- a) Details of all existing trees to be retained and all existing trees to be removed, including overhanging trees on adjoining properties. The genus, species, height and spread of all trees must be specified.
  - b) A planting schedule of proposed vegetation detailing the botanical name, common name, size at maturity and quantities of all plants.
  - c) Details of all surfaces including lawns, mulched garden beds and hard paving (such as asphalt, concrete, brick or gravel).
  - d) Street trees within the nature strip/s adjacent to the property.
  - e) All constructed items including retaining walls, clotheslines etc.
  - f) Edge treatment between grass (lawn) and garden beds.
  - g) An outline of the approved building/s including any basement, the location of entry doors, windows, gates and fences.
  - h) The location of both existing and proposed overhead and underground services. Conflicts of such services with the existing and proposed planting must be avoided.
  - i) Clear graphics identifying trees (deciduous and evergreen), shrubs, groundcovers and climbers.
  - j) A scale, North Point and appropriate legend.
  - k) Provision of canopy trees (2 metres advanced) along the western boundary of the site.

The species of all proposed plants selected must be to the satisfaction of the Responsible Authority.

- (5) Prior to the issue of a building permit for any building or any works authorised by this permit, a development levy must be paid to Darebin City Council. The amount of the development levy for each charge unit must be calculated in accordance with Schedule 1 to the Development Contribution Plan Overlay.
- (6) Before the development starts, an Environmentally Sustainable Development Management Plan (ESD Management Plan) prepared by a suitably qualified professional, must be submitted to, and approved in writing by, the Responsible Authority.
- a) The ESD Management Plan must address:
    - Energy Management;
    - Water Conservation and Re-use; and
    - Demolition and Construction Waste Management.
  - b) Where appropriate, the ESD Management Plan should:
    - Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards;
    - Document the means by which the appropriate target or performance will be achieved;

- Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring; and
- Demonstrate that the design elements, technologies and operational practices that comprise the ESD Management Plan can be maintained over time.

A schedule for implementing and monitoring the ESD Management Plan must be included.

The approved ESD Management Plan must be implemented to the satisfaction of the Responsible Authority.

- (7) Before the development starts, a waste management plan, to the satisfaction of the Responsible Authority, demonstrating the operation of the garbage and recyclables storage area must be submitted to the Responsible Authority.

The plan/documentation must demonstrate the means by which garbage and recyclables will be stored on the site and must clearly detail: what waste services will be provided (ie. cardboard paper plastic and metals recycling or comingled waste, general waste and even organic waste), types of bins, types of collection vehicles, frequency of collection, times of collection, location of collection point for vehicles and any other relevant matter. The plan must require that collection be undertaken by a private contractor.

Waste storage and collection must undertaken in accordance with the approved management plan and must be conducted in such a manner as not to affect the amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

- (8) The landscaping as shown on the endorsed Landscape Plan must be completed to the satisfaction of the Responsible Authority before the development is occupied and/or the use starts or at such later date as is approved by the Responsible Authority in writing.

No later than seven (7) days after the completion of the landscaping, the permit holder must advise Council, in writing, that the landscaping has been completed.

- (9) The landscaping as shown on the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the endorsed Landscape Plan to the satisfaction of the Responsible Authority.

- (10) Floor levels shown on the endorsed plans must be confirmed. The confirmation of the ground floor level must take place no later than at the time of the inspection of the subfloor of the development required under the Building Act 1993 and the Building Regulations 2006. This confirmation must be in the form of a report from a licensed land surveyor and must be submitted to the Responsible Authority no later than 7 days from the date of the sub-floor inspection. The upper floor levels must be confirmed before a Certificate of Occupancy is issued, by a report from a licensed land surveyor submitted to the Responsible Authority.

- (11) The land must be drained to the satisfaction of the Responsible Authority.

- (12) Before the development is occupied, vehicular crossing(s) must be constructed to align with approved driveways to the satisfaction of the Responsible Authority. All redundant crossing(s) or crossing opening(s) must be removed and replaced with footpath, naturestrip and kerb and channel to the satisfaction of the Responsible Authority.

- (13) Waste storage and collection must be undertaken in accordance with the approved management plan and must be conducted in such a manner as not to affect the

amenity of the surrounding area and which does not cause any interference with the circulation and parking of vehicles on abutting streets.

- (14) With the exception of guttering, rainheads and downpipes, all pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- (15) No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the prior written consent of the Responsible Authority.
- (16) Provision must be made on the land for letter boxes and receptacles for newspapers to the satisfaction of the Responsible Authority.
- (17) Only one (1) communal television antenna may be allocated to the development. Individual antennae for individual tenancies must not be erected.
- (18) Before occupation of the development, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plan(s) must be:
  - a) Constructed;
  - b) Properly formed to such levels that they can be used in accordance with the plans;
  - c) Surfaced with an all weather sealcoat; and
  - d) Drained

to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose.

- (19) All dwellings that share dividing walls and floors must be constructed to limit noise transmission to 45 STC (Sound Transmission Class) in accordance with Part F(5) of the Building Code of Australia.
- (20) The owner must ensure that the materials and finishes as approved under this permit are incorporated into the construction of the building to the satisfaction of the Responsible Authority.

Melbourne Water Condition (Condition 21):

- (21) Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or watercourses.

**REPORT****INTRODUCTION AND BACKGROUND****OWNER/APPLICANT/CONSULTANT:**

**Applicant:** V R and G Silvaggio, c/o Zoneworks  
2/68 Garnett Rd  
WHEELERS HILL VIC 3150

**Owner:** Vito Silvaggio and Giuseppe Silvaggio and Rosa Silvaggio  
688 Masons Rd  
MERENDA VIC 3754

**Consultant:** William Chow - Zoneworks  
2/68 Garnett Rd  
WHEELERS HILL VIC 3150

## Shop 1/115 Victoria Road:

- D114/1980 - GREENGROCER – Approved – 17/12/80
- D58/1983 - STORE – Approved -06/06/83
- D45/1984 – STOREROOM – Approved – 16/04/84
- D110/1985 - ERECTION OF 2XSHOPS and CONS ROOMS – Approved – 04/12/85
- D15/1986 -SHOPS/MEDICAL SUITE/CAR PARK – Approved – 20/01/86
- D253/1988 -TAKE AWAY FOOD PREMISES – Approved – 23/02/88
- D45/1990 - TIMBER SIGN – Approved – 30/04/90
- D42/1992 - STEELBAR ACROSS ENTRYWAY (SIGN) – Approved – 31/03/91
- D57/1992 - PIZZA RESTAURANT – Approved – 27/07/92
- D2/1993 – CONVERSION – Approved -11/05/93
- D-302/1993, COMMERCIAL USE – Approved – 10/12/93
- D200/1994 – CONVERSION – Approved – 22/07/94
- D40/1987 – SUBDIVISION – Approved – 04/07/94
- D3/1993 – SUBDIVISION – Approved – 25/05/93

## Shop 3/115 Victoria Road:

- D37/1993 - STRESS MANAGEMENT CENTRE – Approved – 24/05/93

## Shop 6/115 Victoria Road:

- D179/1991 - ILLUMINATED SIGN – Approved - 25/11/91
- D277/1991 - CHANGE OF USE OF OPERATING TO CHEMIST SHOP – Approved – 31/12/91

## ISSUES AND DISCUSSION

### Subject site and surrounding area:

- The site has the following dimensions:
  - Frontage 34m
  - Depth 37m
  - Area 1227m<sup>2</sup>
- The site includes part of a former right of way (ROW) located directly behind the existing premises. The remaining section of the ROW provides access to/from the site to Mitchell Street.
- The site is located on the west side of Victoria Road Northcote, two properties north of its intersection with Mitchell Street.
- The site is located within a Business 1 Zone and is covered by a Special Building Overlay and a Development Contribution Plan Overlay. The adjacent properties to the north and west are located within a Residential 1 Zone.
- Victoria Road is a Road Zone (category 2).
- The site comprises two single storey buildings (constructed adjacent the north and west perimeter of the site) comprising six (6) commercial tenancies and 11 on site car parking spaces. Two of the commercial tenancies are occupied with a bakery and fitness centre. The remaining tenancies are vacant.
- Land to the north of the site is located within a Residential 1 Zone. The site immediately to the north is occupied by a single storey dwelling setback approximately 1.2m from the common boundary and 5.1m from the Victoria Road frontage. An area of secluded private space is provided to the rear of the dwelling. A small shed is located within the rear garden adjacent the common boundary.
- The two adjacent properties to the south and fronting Victoria Road are located within a Business 1 Zone and comprise two single storey commercial buildings, used as a convenience shop and office. The immediately adjacent property at 113 Victoria Road is constructed wholly on the common boundary.
- West of the site is a three metre wide right of way (ROW). Beyond the ROW are two single storey residential dwellings. The common driveway serving the units is located adjacent the common boundary and the ROW. Outlook from the units is largely to the north, south and west (away from the site) with only two windows facing the site.
- North-west of the site is the rear garden of Unit 2, No. 2 Tanner Street.
- The site is well served by public transport including bus routes 246, 250 and 251 on Victoria Road, bus route 508 on Bastings Street to the north and Dennis Rail Station 850m to the south. Further public transport, shops and other services are available 1km to the east of the site on High Street, Northcote and 800m west of the site on Station Street Fairfield.

### The Proposal:

- The proposal involves the demolition of all existing buildings on site and the construction of a four (4) storey building comprising 20 residential apartments, one (1) shop and a reduction to the car parking requirement. The 20 residential apartments comprise four one-bedroom, eleven two-bedroom and five three-bedroom apartments.



The apartments are accessed from a common access to Victoria Road and rear ROW. All apartments have lift access. Each apartment is served by a balcony of between 11m<sup>2</sup> – 59m<sup>2</sup>.

- A total of 27 car parking spaces are provided at ground level, with 21 spaces allocated to the 20 residential apartments, 2 staff spaces associated with the shop and 4 spaces for visitors and customers. 6 bicycle parking spaces are provided.

Summary of balcony areas:

- Apartment 1– 33m<sup>2</sup>
- Apartment 2– 22m<sup>2</sup>
- Apartment 3– 40m<sup>2</sup>
- Apartment 4– 23m<sup>2</sup>
- Apartment 5– 42m<sup>2</sup>
- Apartment 6– 11m<sup>2</sup>
- Apartment 7– 11m<sup>2</sup>
- Apartment 8– 22m<sup>2</sup>
- Apartment 9 – 21m<sup>2</sup>
- Apartment 10– 22m<sup>2</sup>
- Apartment 11– 30m<sup>2</sup>
- Apartment 12– 19m<sup>2</sup>
- Apartment 13– 10m<sup>2</sup>
- Apartment 14– 11m<sup>2</sup>
- Apartment 15– 11m<sup>2</sup>
- Apartment 16– 16m<sup>2</sup>
- Apartment 17– 59m<sup>2</sup>
- Apartment 18– 52m<sup>2</sup>
- Apartment 19– 24m<sup>2</sup>
- Apartment 20– 50m<sup>2</sup>.

### **Public Notification**

#### **OBJECTIONS**

- 31 objections were received.

#### **Objections Summarised**

- Height, Scale and Character
- Overshadowing
- Overlooking
- Noise
- Car Parking
- Waste management
- Landscaping.

Officer comment on summarised objections

- The height, scale and character of the development is discussed and assessed under the Clause 22.10 assessment below.
- The submitted shadow diagrams comply with the requirements of Clause 55. At least 75 per cent, or 40m<sup>2</sup> with a minimum dimension of 3m, whichever is the lesser area, of the secluded private open space located on adjacent land will receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.
- Windows and/or balconies within 9m of existing adjacent habitable room windows and secluded private open space areas are required to be screened. A condition is attached to the recommendation to address this.
- The noise levels generated by the development will not be significantly above that of the surrounding area.
- Car parking is discussed and assessed in the body of the report under the section titled Car Parking.
- As a condition of any approval that may issue the applicant is required to submit a waste management plan detailing the means by which garbage and recyclables will be stored on the site and the time and frequency of collection and location of the collection point.
- The site is largely devoid of landscaping resulting from the site coverage of the existing buildings and car parking areas. The proposed scheme maintains some landscaping along the Victoria Road frontage and introduces new landscaping along the north boundary which separates the site from the adjacent residential property to the north.

**PLANNING ASSESSMENT****NEIGHBOURHOOD CHARACTER ASSESSMENT:**

Neighbourhood character precinct (E1 guidelines) lists a number of design guidelines that are intended to maintain the relatively low scale residential character of the wider area. An examination of these guidelines shows that they are targeted at conventional residential blocks in predominantly residential precincts. These guidelines are therefore less useful to the assessment of a multi storey development on business zoned land.

**CLAUSE 15.01 - URBAN ENVIRONMENT – ASSESSMENT:**

In assessing and determining residential development applications not covered by Clause 55, regard must be had to the urban design principles of Clause 15.01. The proposed development satisfies all the objectives of Clause 15.01.

**CLAUSE 22.10: RESIDENTIAL AND MIXED USE DEVELOPMENT OF FOUR (4) OR MORE STOREYS – ASSESSMENT:**

Clause 22.10 of the scheme provides 12 assessment criteria for residential or mixed use development of four (4) or more storeys. It is also worth noting that this policy requires the consideration of a number of objectives and standards of Clause 55 of the scheme. The following table is a summary of the assessment of the proposal against the provisions contained in the Policy.

The proposed development satisfies all the objectives of Clause 22.10 and Clause 55 (where relevant) other than detailed below:

Element	Comment	Compliance
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>Conditions of any approval will require a SDS and STEPS assessment and any modifications in accordance with these assessments.</li> </ul>	Complies subject to condition.
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>Side and rear setbacks are considered under the Clause 55 assessment below.</li> <li>The development is setback 0m to 4.68m from the front boundary in excess of the front setback requirement of 0m setback up to 10m and 1.5 for every level above 10m.</li> </ul>	Complies with objective.
<b>Amenity Impacts Including Overshadowing and Overlooking</b>	<ul style="list-style-type: none"> <li>The submitted shadow diagrams illustrate that at least 75 per cent, or 40m<sup>2</sup> with a minimum dimension of 3m, whichever is the lesser area, of the secluded private open space located adjacent the site will receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.</li> <li>Windows and/or balconies within 9m of adjacent habitable room windows and secluded private open space areas are required to be screened.</li> </ul>	Complies subject to a condition.
<b>Waste management</b>	<ul style="list-style-type: none"> <li>The development provides areas for bin storage.</li> <li>A waste management plans is required as a condition of any approval that may issue. The waste management plan will detail the times and frequencies of waste collection.</li> </ul>	Complies subject to condition.

Under Clause 22.10 it is policy to consider the following:

Side and Rear Setbacks - Clause 55.04-1 (only in relation to adjoining dwellings in a Residential zone).

The site adjoins residential properties to the north and west. It is therefore relevant to consider the setback of the north and west elevations.

#### North Elevation

- Except for the upper section of the living room of apartment 11 and the 4<sup>th</sup> floor eave, the entire north elevation complies with the setback requirement.
- The encroachment into the setback requirement is extremely minor. Given the larger part of the north elevation exceeds the setback requirement, the setback is considered reasonable.

#### **Complies with objective**

#### West Elevation:

- Except for the upper section of the balustrade of Apartments 7 and 8, the entire west elevation complies with the setback requirement.

- The encroachment into the setback requirement is extremely minor and given the larger part of the west elevation exceeds the setback requirement, the setback is considered reasonable.

#### **Complies with objective**

- In relation to the setback of the north and west elevation the following is noted. The site is zoned Business 1 and cannot be treated the same way as the land to the north and west of the site which is zoned Residential 1. The zone objectives and the mix of potential uses are quite different in a Business 1 Zone, as are the reasonable development expectations of landowners. VCAT APPEAL P46/2006 Equity Alliance Group v Melbourne CC 2006 found that:

*“Various divisions of the Tribunal have commented that residents living within, or closely abutting non-residential or mixed use zones cannot expect the same level of residential amenity as residents living in the middle of pristine residential areas. This does not mean that issues of amenity such as noise, overshadowing or overlooking should be ignored but rather that lower standards are both acceptable and realistic in such locations.”*

#### Daylight to Existing Windows (Clause 55.04-3)

- There are two habitable room windows within 3m of the development located north of the site at 127 Victoria Road.
- The entire north elevation complies with the daylight to existing windows requirement, with the exception of the upper portion of the north elevation of Apartments 3 and 11. This encroachment into the setback requirement effects one of the two existing windows located at 127 Victoria Road. Furthermore the affected window is a secondary window and not the only source of daylight to the room to which it serves. In this instance it is reasonable to allow a minor encroachment into the setback requirement.
- Furthermore the property to the north at 127 Victoria Road is reliant upon borrowed amenity from the subject site for light and outlook. Protecting this borrowed amenity in a Business 1 Zone, where intensive development is encouraged, is not an appropriate design response. This has been found in VCAT appeal P731/2008 *Kidston v Port Phillip CC* [2008] VCAT 1969:
  - *“In an urban setting borrowed amenity should be regarded as a ‘bonus’ rather than being taken for granted over the longer term.*
  - *Visibility of a building from neighbouring properties is not the test to determine whether a new building is acceptable or not.*
  - *Narrow areas between buildings and side boundaries are typically used for utility and access purposes as opposed to being areas of high amenity.*
  - *Windows on the sides of dwellings with an outlook towards side fencing or structures on neighbouring properties tend to have a daylight function as opposed to providing any meaningful outlook.*
  - *In urban settings, it is commonplace that side windows will be overshadowed to some extent by existing buildings, fencing and or vegetation.*
  - *The prescriptive application of standards to inner city locations results in the virtual prohibition of multi-storey development in such locations, an outcome which is clearly contrary to the intent of many State and Local policies, including Clause 12.”*

#### **Complies with objective**

Overlooking (Clause) 55.04-6

Windows and balconies within 9m of adjacent habitable room windows and secluded private open space areas are required to be screened.

**Complies subject to a condition**

**GUIDELINES FOR HIGHER DENSITY RESIDENTIAL DEVELOPMENT ASSESSMENT**

Element	Comment	Compliance
<b>Setbacks</b>	Side and rear setbacks are assessed under Clause 55 above.	Complies with objective.
<b>Waste management</b>	<ul style="list-style-type: none"> <li>A condition of any approval will require a waste management strategy be submitted.</li> </ul>	Complies subject to condition.

**CAR PARKING ASSESSMENT**

The development comprises 20 residential apartments and one (1) shop. A total of 27 car parking spaces are provided on site at ground level. A breakdown of the car parking required under Clause 52.06 of the scheme is set out below:

Use	Required Rate	Requirement	Parking Provided
20 Apartments	2 spaces/apartment	40 parking spaces	21 spaces
1 Shop	8 spaces/100	12 parking spaces	2 spaces (staff)
Visitor	Zero	Zero	4 spaces (visitors/customers)
		<b>Total required: 52</b>	<b>Total Provided: 27</b>

A reduction of the residential car parking requirement is considered acceptable due to the following:

- There is no parking precinct plan for the area.
- The site has excellent access to bus transport on Victoria Road and the nearby rail network.
- The site is reasonably close to Northcote and Fairfield activity centres, where shops, services and further public transport options are available.
- ABS data for postcode 3070 (Northcote and Northcote South) demonstrates that 43%, 23% and 22% of existing residents residing in similar 1, 2 and 3 bedroom accommodation respectively, do not own a vehicle. In adopting the above car ownership rates, the parking demand for the 20 apartments calculates to 21 spaces.
- The Council's Transport Management and Planning Unit support the application.

A reduction of the car parking requirement associated with the shop is considered acceptable due to the following:

- There is no parking precinct plan for the area.
- The site has excellent access to bus transport on Victoria Road and the nearby rail network.
- The shop provides a relatively small floor space and is likely to attract local customers only.

- The Council's Transport Management and Planning Unit support the application.

Having regard to the above findings and the fact that the site is located in reasonable proximity to public transport, shops and services and there is reasonable on street car parking available in the immediate area, there is scope to consider a reduction to the car parking requirement of Clause 52.06. It also noted that in applying the requirements of Clause 55.03 - 11 (Car Parking) of the scheme, the reduction in car parking is relatively minor. The provision of on site parking is consistent with the State and Local Planning Policy framework which envisages reduced car parking in areas with good access to public transport.

## POLICY IMPLICATIONS

### Environmental Sustainability

All new dwellings are required to achieve a minimum five (5) star energy rating under the relevant building controls.

### Social Inclusion and Diversity

Nil.

### Other

Nil.

## FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications as a result of the determination of this application.

## FUTURE ACTIONS

Nil.

## 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 Manager 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 Planning Scheme and the Planning and Environment Act (1987) as amended.

Plans – **Appendix A**

*Cr. Greco returned to the meeting – 8.26pm.*

This amendment (addition) was made to the Minutes by Council on 4 July 2011 – see Minutes No.197

**9.3 DRAFT DAREBIN LITTER PLAN 2011- 2014****MINUTE NO. 187****AUTHOR: Coordinator Water and Waste Strategy – Sue Phillips****REVIEWED BY: Director City Design and Environment – Daniel Freer****SUMMARY**

Litter is an important issue in Darebin and during 2009/2010 Council spent over \$2.5 million in litter management, dumped rubbish and clean up services. Litter is not just small items, but includes larger items commonly referred to as “dumped rubbish”. In 2003 Council adopted the *City of Darebin Litter Management Strategy* and this report recommends that the Strategy be updated by the attached Draft Darebin Litter Plan 2011- 2014.

The draft Darebin Litter Plan identifies four key priorities for action (providing infrastructure, education, enforcement and advocacy) across five areas where litter occurs most frequently (dumped rubbish, shopping areas, building sites, sporting grounds and charity stores/bins).

A detailed framework for action is outlined which incorporates specific actions, programs and trials for implementation. This report proposes that Council adopt the Draft Darebin Litter Plan 2011 – 2014.

**CONSULTATION**

Manager City Works, Manager Environment and Natural Resources, Manager Facilities Maintenance, Manager Parks, Manager Compliance and Amenity (Acting), Coordinator Environmental Operations, Business Development Coordinator, Coordinator Community Development, Coordinator Customer Services (Acting), Sports Development Coordinator, Festivals and Events Coordinator, Senior Research and Project Officer, Team Leader Street Cleaning.

**RECOMMENDATION**

**THAT** Council adopt the draft Darebin Litter Plan 2011 – 2014 attached as **Appendix A** to this report.

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

- (1) Adopt the draft Darebin Litter Plan 2011-2014 attached as **Appendix A** to this report.
- (2) Write to the management of Northcote Plaza, Northcote Central and Northland requesting that they consider installing public recycling facilities throughout their premises.

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

Council adopted the *City of Darebin Litter Management Strategy* in 2003 and the attached draft Darebin Litter Plan updates this document for the 2011-2014 period.

Litter is an important financial, environmental and social issue for the City of Darebin. Council collects large amounts of waste and litter from Darebin's streets and provides a range of services to support litter reduction and waste management. During 2009/2010 Council spent over \$2.5 million providing the Darebin community with litter management, dumped rubbish and clean up services. However the costs of litter are more than just financial. Litter also has broad liveability impacts such as perceptions of reduced community safety, neighbourhood appearance, civic pride, impacts on environments and lost opportunities for recycling.

Litter is not just papers and cups on the ground. It can be domestic or commercial, solid or liquid and can include a range of substances for example: glass, metal, plastic, soil, sand, concrete, rocks, vehicles and garden clippings. The most prevalent small litter items in Darebin include cigarette butts, beverage containers, plastic bags and food wrappers, while for large litter items, those that are commonly referred to as "dumped rubbish", include furniture, televisions and mattresses. Over the past five years, collections of dumped rubbish in Darebin have doubled with 2,429 collections made in 2009/2010.

There is no "typical litterer" and the drivers for littering are varied. Reasons people give for littering range from laziness, habit, or no explanation. Littering can be done directly, indirectly, deliberately or unintentionally and recent surveying of the Darebin community indicated that around one-third of respondents had littered unintentionally.

**ISSUES AND DISCUSSION**

The Draft Darebin Litter Plan's vision is to create a cleaner, more liveable and safer Darebin. It focuses on moving away from being reactive to litter issues and towards developing a more proactive, preventative and co-ordinated approach. It encourages a culture where



littering is not acceptable and supports Council working with others to turn current littering behaviours around.

The draft Litter Plan includes a framework for action which is based on best practice litter management principles. Four key priority approaches will be used to address littering and litter management in Darebin:

- Infrastructure - Supporting good litter management by providing appropriate services and infrastructure;
- Education - Increasing awareness of and communication on litter issues to reduce the amount of litter on the ground and in waterways;
- Enforcement - Discouraging littering by enforcing laws and prosecuting litterers where possible; and
- Advocacy - Working with and advocating to stakeholder agencies, organisations and groups to improve litter management.

While littering occurs throughout Darebin, there are some places and issues which warrant focussed attention. These are the areas where litter is most prevalent and persistent and where Council receives the majority of litter complaints and requests. While looking across the municipality generally, the draft Litter Plan targets five key focus areas for priority attention:

- Dumped Rubbish
- Shopping Areas
- Building Sites
- Sporting Grounds
- Charity Stores and Charity Bins.

The draft Litter Plan articulates a suite of detailed actions through a framework for action.

The draft Litter Plan is based on a co-operative approach within Council and with other stakeholders, working together to identify problems and develop solutions. Targeted communications are highlighted for culturally and linguistically diverse (CALD) communities, students, residents in Office of Housing multi-unit developments and real estate agents to address the issues and gaps that currently exist for these community members. A number of communication strategies are identified across the key areas.

Engagement and education with our community is a cornerstone of the draft Litter Plan. Working closely with traders, charity store/bin owners, sporting clubs and builders is key to achieving litter prevention and proactive outcomes. Targeted education programs focussing on unintentional dumping (placing goods on nature strips for others to take) is one example which has potential for significant outcomes.

A number of enforcement activities are recommended in the draft Litter Plan. To assist in this, an application has been made for half funding for a Local Laws Litter Prevention and Enforcement Officer, (matched funding from EPA Victoria and Council contributing \$83,802 each over two years). It is anticipated that funding of this role holds the potential to be partly recovered through decreased Council expenditure on dumped rubbish removal costs and via successful enforcement action revenue.

A range of programs and trials are identified for implementation across a range of areas. In May 2011, Council received approval for funding of \$68,130 to conduct a trial public place

recycling project to increase recycling and reduce litter at Northern Football League sporting grounds in Darebin. This partnership project will be implemented as part of the Draft Litter Plan and its outcomes will be used to inform future development of public place recycling programs with other sporting clubs.

Annual assessment of progress of the draft Litter Plan will occur in line with established key performance indicators. Community satisfaction will underpin many of these indicators – looking at levels of satisfaction with shopping area maintenance/ cleanliness, litter collection in public places, street sweeping, levels of dumped rubbish and waste collection services. Additional measures will address enforcement, dumped rubbish collection numbers and community education.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

Litter and waste management have significant environmental impacts as discussed within the report. Council adopted the *City of Darebin Waste Management Strategy* in September 2007, which maps a direction towards sustainable waste management in the Darebin community. The *Waste Management Strategy* does not include specific litter actions, but refers these to the *Litter Strategy 2003*.

The draft Litter Plan is proposed to replace the *Litter Strategy 2003* and incorporates a focus on more proactive and preventative approaches to litter management and offers opportunities for improved environmental outcomes and more sustainable litter management within Darebin.

The draft Litter Plan also complements the *City of Darebin Stormwater Management Plan*. Recommendations made in the draft Litter Plan - especially with regard to infrastructure works and gross pollutant traps - support stormwater protection and pollution prevention.

### **Social Inclusion and Diversity**

Social inclusion and diversity issues have been included in the draft Litter Plan, with specific consideration for communication needs, trials and education for CALD community members, students and residents in Office of Housing multi-unit developments. Particular attention has been given to address the issues and gaps that currently exist for these community members in order to support good litter management outcomes.

### **Other**

This report is consistent with the Council Plan.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

During 2009/20, Darebin Council spent over \$2.5 million in providing the Darebin community with litter management and clean-up services.

The majority of actions contained within the action plan will be undertaken within the current operating budget. Some actions may result in additional budget proposals to be considered in future budget processes.

External funding has also been applied for to support a number of actions within the Draft Litter Plan. Half funding for two years for the cost of an additional Officer, estimated at \$84,000, has been sought from the State Government under EPA Victoria's *Local Government Litter Prevention Officer Fund* to increase local-law enforcement and education. Council was advised in May 2011 that we have been shortlisted for this funding with final confirmation of funding pending.

## **CONCLUSION**

The draft Darebin Litter Plan 2011-14 is attached for consideration and approval by Council.

## **FUTURE ACTIONS**

- Outcome of EPA Victoria *Local Government Litter Prevention Officer Fund* – anticipated June/July 2011
- Further Council Report on introduction of area hard waste collection – August 2011

## **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 Officer reviewing 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 Report – Hard Waste and Dumped Rubbish Service Issues 2 May 2011
- City of Darebin Litter Management Strategy 2003
- City of Darebin Stormwater Management Plan
- City of Darebin Waste Management Strategy 2007- 2014

**9.4 UNDERGROUNDING ELECTRICITY TOWERS (FACILITIES)  
ALONG MERRI CREEK****MINUTE NO. 188****AUTHOR: Manager Public Realm – Allan Wicks****REVIEWED BY: Director City Design and Environment – Daniel Freer****SUMMARY:**

In June 2010, Council requested that Officers report on a campaign to underground existing electricity towers and facilities along the Merri Creek corridor through the conduct of a discussion with adjacent local governments and other stakeholders.

Council Officers wrote to the Cities of Yarra, Moreland, Whittlesea and Hume, the Merri Creek Management Committee and Friends of Merri Creek requesting their involvement and a nominated representative from their organisation.

Unfortunately a meeting has not been convened to discuss this initiative as a key stakeholder has not supported Council's request. A response was received from all those listed except Moreland City Council. The City of Hume declined to attend as the issue was outside of its municipal boundary.

**CONSULTATION:**

Manager Leisure, Public Realm and Venues

**RECOMMENDATION**

**THAT** Council officers:

- (1) Continue to liaise with Moreland City Council to keep up to date with any further developments in regard to this matter.
- (2) Facilitate a public forum inviting SP AusNet to provide information to the Darebin community on any future proposal.

**COUNCIL RESOLUTION****MOVED: Cr. B. Morgan****SECONDED: Cr. N. Katsis**

**THAT** consideration of the matter be deferred until the next Council meeting.

**CARRIED**

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

Over many years the City of Darebin has demonstrated a strong commitment to the preservation and restoration of the Merri Creek and Environs. This has manifested itself in the creation and ongoing support of Bushland Crews within Darebin Council and membership of the Merri Creek Management Committee since its inception.

The Merri Creek Corridor is also used for various infrastructure assets with many road, drainage and electricity assets present. In particular, high voltage power lines run from a sub station in Whittlesea along the creek corridor to a sub station in King Street East Brunswick. These assets are owned by power company SP AusNet.

In 2010, SP AusNet made a planning application to Moreland City Council to upgrade and enlarge the sub station in East Brunswick. This was met with strong community opposition and the application was rejected by the planning committee at Moreland City Council. The City of Darebin sent a letter objecting to the upgrade. Following this, Darebin City Council passed a motion concerning the interest for a campaign to underground all electricity assets in the Merri Creek Corridor from East Brunswick substation to the sub station just north of Mahoneys Road in Epping.

SP AusNet have made a subsequent planning application to Moreland City Council in recent weeks to undertake works at the existing sub station in East Brunswick.

**ISSUES AND DISCUSSION**

Council Officers wrote to the Chief Executive Officer at each of the member Councils of the Merri Creek Management Committee (MCMC) outlining Darebin's desire to run a campaign to underground the electricity assets and requesting they nominate a representative to attend an initial meeting. The MCMC and the Friends of Merri Creek were also invited to participate.

The response has been varied. Moreland City Council has not responded. Hume City Council has declined as the infrastructure is not located within their municipality but wishes to be kept informed via their membership of MCMC. Yarra City Council nominated their Parks and Habitat Officer and the City of Whittlesea nominated their Senior Arborist to participate.

The Manager of the Merri Creek Management Committee and the Friends of Merri Creek both indicated their willingness to participate in the process. The Friends of Merri Creek wrote about the issue in their November 2010 Newsletter.

After repeated attempts for a response from Moreland City Council, at this stage it is difficult to move the process forward as a very large portion of the electrical assets are in the creek corridor on the Moreland side of the creek and therefore Moreland is a key stakeholder in this process. In summary, the response to our request has generally been low key with a key partners not responding.

The proposal by Darebin City Council to seek support for the campaign to underground Electrical infrastructure was raised by the Darebin representative on the Merri Creek Management Committee at the last quarterly meeting held on the 18 November 2010.

An alternative method to providing information to the Darebin community in regard to the recent planning application is to facilitate a public information session by SP AusNet. This course of action is recommended to assist the Darebin community in understanding the implications of these works on our western border.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

The existing electricity infrastructure has a significant impact on the Merri Creek and environs. The very large towers and electric sub stations have a big visual impact for local communities.

The presence of the towers also affect what vegetation can be grown and maintained in the creek corridor. Energy Safe Victoria regulate line clearance specifications meaning that only vegetation less than three metres in height will be tolerated in close proximity to the high voltage lines to reduce the risk of fire.

The removal of the power infrastructure from the creek corridor would improve the visual and environmental values of the creek corridor however, if the electrical infrastructure is to be placed underground in the creek corridor, this further analysis as to its feasibility and the extent of environmental impacts is required.

Consideration may also be given to remove the electrical assets from the creek corridor and relocate them to road reserves. This too, may face opposition from residents living along these new routes unless it is placed underground in the road reserves.

Relocation of high voltage infrastructure of this size is a complex process and requires specialist advice.

### **Social Inclusion and Diversity**

The depth of support of the community for this campaign is not known. There is strong support in some sections of the community for the restoration and use of the Merri Creek corridor.

The shared pathway and other paths provide all abilities access to the creek corridor and so all members of the community are able to access this environmental and recreational asset.

### **Other**

Nil.

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The costs associated with facilitating a public meeting with regard to SP AusNet's planning application can be accommodated in the existing operating budget.

**CONCLUSION**

The Darebin Council initiative to see if there is support for a community campaign to underground existing electricity assets in the Merri Creek corridor has at this stage received a mixed response from other interested parties.

Council officers will continue to liaise with Moreland City Council to keep up to date with any further developments in regard to this matter as well as facilitating a public meeting with SP AusNet to provide information on their planning application.

**FUTURE ACTIONS**

- Ongoing liaison with Moreland City Council Planning Department
- Facilitation of a public meeting with SP AusNet.

**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 Officer reviewing 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**

Nil.

**9.5 “CARING FOR OLDER AUSTRALIANS”- UPDATE ON THE PRODUCTIVITY COMMISSION DRAFT REPORT INTO AGED CARE SERVICES IN AUSTRALIA**

**MINUTE NO. 189**

**AUTHOR: Acting Manager Aged and Disability - Bridget Monro-Hobbs**

**REVIEWED BY: Group Manager Community Services - Katrina Knox**

**SUMMARY:**

In June 2010 Council resolved that a further report be provided to Council on the out comes on the key issues address in the Municipal Association of Victoria (MAV) submission to the Productivity Commissions public inquiry into aged care services. This report outlines the recommendations from the draft report that will have the most impact on Council’s service delivery to older residents and the operations of the Aged and Disability Department.

The draft Productivity Commission Report “Caring for Older Australians” was released in January 2011. The final report is expected to be presented to the Federal Government in June 2011 and if accepted, implementation is proposed to commence immediately with full implementation within two to five years.

The Commission’s recommendations that will have the most significant impact are the simplified access to the aged care system through a single gateway assessment process and enhanced consumer choice through the direct co-contribution payment scheme.

These two proposed reforms will impact on the way assessment, monitoring and funding of services are provided. By moving to a single gateway (regional) model with assessments made via the telephone there will be a reduction of the initial interaction between client and provider and consequently the monitoring of clients. The co-contribution requiring residents to directly purchase services from providers is a departure from the current Darebin funding model and will result in uncertainty of funding for Council and greater complexity for clients.

With competition in the marketplace Council would be required to compete in both the assessment and service delivery areas, although it may be possible that Councils could join together to compete as a gateway agency to deliver assessment services and that Council could look outside Darebin for additional clients.

The MAV response on behalf of Victorian Councils reflective of the issues and concerns raised within this report was provided to the Productivity Commission in March 2011.

**CONSULTATION:**

Municipal Association of Victoria (MAV)



**RECOMMENDATION****THAT:**

- (1) Council accept and note this report into aged care services in Australia.
- (2) Officers prepare a further report for Council when the final report of the Productivity Commission report into aged care services is released.

**COUNCIL RESOLUTION**

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

**THAT:**

- (1) Council accept and note this report into aged care services in Australia.
- (2) Officers prepare a further report for Council when the final report of the Productivity Commission report into aged care services is released.
- (3) Officers prepare an advocacy plan to make representations to the Minister with the help of other Councils.

**CARRIED**

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

The Draft Productivity Commission Report into Aged Care Services was released in January 2011. The report found that the aged care system:

- Can be difficult to navigate;
- The quantity of services are limited;
- The quality of service provision can be variable;
- There are gaps in service coverage;
- There are limited choices for individuals;
- Pricing, subsidies and user contributions are inconsistent and inequitable between aged care settings;
- Workforce shortages are exacerbated by uncompetitive wages and over regulation;
- An increasing number of older people will have high expectations of their service delivery and its flexibility and quality; and
- A relative decline in the number of informal carers which means there will be a need for a larger workforce.

The Productivity Commission Report offers a detailed plan for the implementation of a new policy framework. The objectives that will have the most profound impact on the current

service delivery model are the simplified access to the aged care system and enhancing consumer choice.

## ISSUES AND DISCUSSION

A number of recommendations were made in the report however the two major recommendations that will have a significant impact are the simplified access to the aged care system through a single gateway assessment process and enhanced consumer choice through the direct co-contribution payment scheme.

### Simplified Access to the Aged Care System

- Information will be delivered by a single aged care gateway agency that will replace the needs assessment process currently undertaken by the Home and Community Care (HACC) program and the Aged Care Assessment Teams;
- Approval to an entitlement for basic home support will require a minimal assessment over the telephone through the use of a simple form;
- Individuals needing more complex care will be assessed by a team of local professionals;
- Assessors will assess for all levels of care including community and residential settings.
- Care entitlements will specify the approved services a person requires, the intensity of service delivery and the Government's set price for the service;
- The gateway agency will also make a separate assessment of the older person's financial capacity to make co-contributions; and
- If a client requires care coordination this will also be offered if requested, and a person needs will also be assessed for more complex case management if appropriate.

### Enhancing Consumer Choice

- Current funding arrangements will be replaced by a single national care contribution scheme which would apply across all approved basic support and personal care services whether they are delivered in the community or a residential care facility;
- Older people will pay a co-contribution for purchased services directly to the provider, and would sign over to the provider their service subsidy from the government;
- An individual's capacity to pay for aged care will be based on both income and assets;
- This new arrangement will require older people whose wealth is in assets and not income to draw down on these assets; and
- There will be a Government backed aged care equity release scheme, similar to the existing pension loans scheme, in which older people can flexibly draw against their co-contributions.

### Implications for Darebin

The two proposed reforms will impact on the way assessment, monitoring and funding of services are provided. By moving to a single gateway (regional) model with assessments made via the telephone there will be a reduction of the initial interaction between client and provider and consequently the monitoring of clients. The co-contribution requiring residents

to directly purchase services from providers is a departure from the current Darebin funding model based on community need and will result in uncertainty of funding for Council and greater complexity for clients.

In addition, with the competition in the marketplace, Council will be required to compete with other providers in both the assessment and service delivery areas, although it may be possible that Councils could join together to compete as a gateway agency to deliver assessment services and that Council could look outside Darebin for additional clients.

Further the report fails to understand that:

- The City of Darebin provides a gateway not just into our core HACC services but also assists our community to navigate other parts of the aged care services system.
- The assessment service we provide is paramount in ensuring clients goals are identified and explored within a restorative based, capacity building framework. That a comprehensive care plan is developed and documented, that services are tailored to meet individual needs.
- That service provision does not just include service functions ie. delivering cleaning services but also provides ongoing monitoring and support, review of care plans when there are improvements/declines in functional capacity or health.
- Our client group is often one of the most disadvantaged and vulnerable groups within our community, who can be resistant to receiving services.
- The need for basic community services can be met through an over the phone assessment by a regional agency and that the mode of assessment is left up to consumer choice fails to acknowledge that observing people in their environment and an interactive approach to assessment is crucial in determining and tailoring how services are delivered.
- There is a real concern that an over the phone assessment will leave members of our community in a more vulnerable position as the capacity to identify the full range of clients needs will be compromised.
- A centralised gateway system will also decrease the continuity of care our clients currently receive and further fragment the service system by undoing the partnership work that has occurred to date by creating a competitive nature to service delivery.
- The impact of co-contributions and service subsidies being attached to and signed over by individuals means there will be no surety of recurrent funding or that funding allocated is reflective of the demographics and projected growth of the HACC target group within our catchment area.

### **Timeframes**

The final report is due to be released in June 2011. If accepted, implementation is proposed to commence immediately after the release of the final report, with the recommendations to be fully implemented within two to five years.

### **Response to Government**

The MAV provided a response to the Productivity Commission Draft Report in March 2011 on behalf of Victorian Councils. The MAV's response is reflective of the issues and concerns raised within this report.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

The change in service and funding model outlined in the draft Productivity Commission Report will result in little change to the current environmental impact of aged care services as services will still be maintained although delivered through via an alternative management model.

### **Social Inclusion and Diversity**

The Productivity Commission Report states that these reforms will assist diverse groups by providing improved funding, better skills training of staff, flexible service delivery models, culturally appropriate assessment tools and enhanced recognition of diversity and special needs in standards and care practices to ensure better outcomes.

The recommendations however fail to acknowledge the understanding local providers have of their diverse communities and the systems they have in place to ensure their needs are met. There is a real possibility that this local understanding will be lost with the proposed reforms particularly in terms of the aged care gateway.

### **Other**

The recommendations of the Productivity Commission's draft report will impact on Council's ability to achieve the strategic objectives set out in the Darebin Active and Healthy Ageing Strategy 2011-2021. The single gateway model will impact on our commitment to no waiting lists and the co-contribution scheme requiring residents to directly purchase services from providers a departure from the current funding model and will result in uncertainty of funding for Council

## **FINANCIAL AND RESOURCE IMPLICATIONS**

The proposed reform will have implications for the way the current service system is funded and services are delivered impacting on Council's ability to plan for the delivery of services. With funding or entitlements attached to individuals, Council will be left with no guarantee of their funding levels.

## **CONCLUSION**

If the final Productivity Report reflects the Draft Report, the proposed changes will have a significant impact on the delivery of aged care services to Darebin residents. The proposed single aged care gateway will mean that the current home based assessment tailored to individual clients needs, will no longer operate. It will impact on the way services are delivered, compromise capacity to modify service provision over time as clients needs change, and negatively impact on the provision of ongoing monitoring and support.

Enhanced consumer choice will mean that the co-contribution clients pay toward services and the government subsidy will now be attached to the client rather than to their service provider. Whilst this will allow clients to choose who they receive services from it will change the way local government provides services, with no surety of either ongoing funding or the level of funding. In this environment local government will need to reassess the manner in which it provides aged services.

**FUTURE ACTIONS**

Further report to Council when the final report of the Productivity Commission report into aged care services is released.

**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 Officer reviewing 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**

- Municipal Association of Victoria - Response to Productivity Commission Draft Report caring for Older Australians.

**10. URGENT BUSINESS**

Nil.

**11. GENERAL BUSINESS**

*Note: "General Business" Item 11.1 below was considered and resolved upon earlier in the meeting as directed by Council resolution – see Pages 6 - 7.*

**11.1 PLANNING DECISION - 26 PENDER STREET, PRESTON****MINUTE NO. 190****COUNCIL RESOLUTION**

**MOVED:** Cr. N. Katsis  
**SECONDED:** Cr. B. Morgan

**THAT** officers report back to Council at the next meeting exploring legal options available to Council on the planning decision at 26 Pender Street, Preston.

**CARRIED****11.2 FEASIBILITY OF FREE HEALTH AND FITNESS BASED SESSIONS TO IMPROVE THE WELLBEING OF THE COMMUNITY****MINUTE NO. 191****COUNCIL RESOLUTION**

**MOVED:** Cr. G. Greco  
**SECONDED:** Cr. N. Katsis

**THAT** Council Officers provide a report to Council by the end of August 2011 on the feasibility of conducting a series of free health and fitness based sessions aimed at improving the general wellbeing of the community by providing health related information sessions and exercise tips.

**CARRIED**

**11.3 REQUEST TO END PROPOSED ASYLUM SEEKER DEAL  
WITH MALAYSIA AND MANDATORY DETENTION**

**MINUTE NO. 192**

**COUNCIL RESOLUTION**

**MOVED: Cr. G. Greco**  
**SECONDED: Cr. N. Katsis**

**THAT** the Mayor write to the Prime Minister to request that the Federal Government abandon its proposed asylum seeker deal with Malaysia and that it puts an end to mandatory detention.

**CARRIED**

**11.4 AFRICAN RESOURCE CENTRE – REFUGEE WEEK ART  
EXHIBITION ‘ROSES FROM THE RUBBLE’**

**MINUTE NO. 193**

**COUNCIL RESOLUTION**

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

**THAT** Council congratulates the African Resource Centre on their Refugee Week Art Exhibition ‘Roses from the Rubble’ and invites the centre to display a selection of works in the Council Chamber and other Council venues.

**CARRIED**

## 12. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

### CLOSE OF MEETING

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

**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 items which relate to contractual matters:

- 12.1 Public Lighting Electricity Contract
- 12.2 Supply of Hot Mix Asphalt (Ex Bin) – CT201073.

**CARRIED**

The meeting was closed to the members of the public at 9.01pm.

*The Council considered and resolved on Report Item 12.1 (Public Lighting Electricity Contract) and Item 12.2 (Supply of Hot Mix Asphalt (Ex Bin) – CT201073) which had been circulated to Councillors on Thursday 16 June 2011 with the Council Agenda Paper.*

### RE-OPENING OF MEETING

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

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

**CARRIED**

The meeting was reopened to members of the public at 9.03pm.



**CONFIDENTIAL****12.1 PUBLIC LIGHTING ELECTRICITY CONTRACT****MINUTE NO. 194****AUTHOR: Manager Environment and Natural Resource - Libby Hynes****REVIEWED BY: Director City Design and Environment - Daniel Freer****SUMMARY:**

Council's three year contract for the electricity supply to public lighting with AGL Sales Pty Ltd, concludes on 31 July 2011. This contract was facilitated by Procurement Australia (PA). A two year contract extension was available and due to market indications PA recommended that a public tender would achieve better price outcomes.

In February 2011, Darebin City Council and 55 other Victorian Councils appointed PA as agent to invite tenders for the supply of electricity for public lighting. This report outlines the tender outcomes and provides a recommendation on the awarding of the contract.

**CONSULTATION:**

Coordinator Procurement and Contracting, Chief Financial Officer, Your PA Procurement Australia (PA)

**RECOMMENDATION**

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

**COUNCIL RESOLUTION****MOVED: Cr. T. McCarthy****SECONDED: Cr. N. Katsis****THAT** the following Council Resolution:*That:*

- (1) *Council resolves to enter into a three year Contract with further extension available up to two years, for the Electricity Supply to Public Lighting 1407/0614 Contract from 1 August 2011 to 31 July 2014 for the rates detailed in this report with AGL Sales Pty Ltd.*
- (2) *The Director City Design and Environment be authorised to finalise and execute the documentation for this contract.*

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

**CARRIED**

**CONFIDENTIAL****12.2 SUPPLY OF HOT MIX ASPHALT (EX BIN) – CT201073****MINUTE NO. 195****AUTHOR: Manager City Works - Chris LoPiccolo****REVIEWED BY: Director City Works and Development - Michael Ballock****SUMMARY:**

The City of Darebin maintains Darebin's road infrastructure in accordance with the Darebin Road Management Plan. The supply of hot mix asphalt (ex bin) from suitably qualified organisations is required to deliver the maintenance services to meet the Management Plan requirements for asphalt surfaces.

A Tender Evaluation Panel (TEP) has evaluated the tender and a summary of the evaluation undertaken is included in this report. Based on the TEP evaluation, this report recommends awarding the contract to the preferred tenderer.

**CONSULTATION:**

Coordinator Resource Recovery  
Coordinator Capital Works  
Coordinator Operations and Direct Works  
Team Leader Permits and Drainage  
Tendering and Contracts Specialist

**RECOMMENDATION**

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

**COUNCIL RESOLUTION****MOVED: Cr. T. McCarthy****SECONDED: Cr. N. Katsis****THAT** the following Council Resolution:*That:*

- (1) *Council resolves that, subject to final contract agreement, Citywide Services Solutions Pty Ltd is the preferred tenderer for the Supply of Hot Mix Asphalt (Ex Bin) Contract CT201073 for a three year period from 15 August 2011 to 14 August 2014.*

- (2) *The Director City Works and Development be authorised to finalise and execute the contract documentation and to negotiate contract price variation annually.*

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

**CARRIED**

### **13. CLOSE OF MEETING**

The meeting closed at 9.07pm