



MINUTES OF THE COUNCIL MEETING

HELD ON

MONDAY, 19 MAY 2014

RELEASED TO THE PUBLIC ON THURSDAY 22 MAY 2014

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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 19 MAY 2014**

THE MEETING OPENED AT 7.01 PM

WELCOME

The Chairperson, Cr. Greco, in opening the meeting acknowledged the Wurundjeri people, the traditional owners of the land.

1. PRESENT

Councillors

Cr Gaetano Greco (Mayor) (Chairperson)
Cr Tim Laurence
Cr Bo Li
Cr Steven Tsitas
Cr Oliver Walsh
Cr Julie Williams (Deputy Mayor)

Municipal Monitor

Peter Lewinsky

Council Officers

Rasiah Dev – Chief Executive
Paul Crapper – Director Corporate and Planning Services
Daniel Freer – Director Culture, Leisure and Works
Katrina Knox – Director Community Development
Steve Hamilton – Director Assets and Business Services
Darren Rudd – Manager City Development
Jacinta Stevens – Manager Corporate Governance and Performance
Tiffany White – Manager Communication and Marketing
Katia Croce – Coordinator Council Business
Jody Brodribb – Council Business and Governance Officer

2. APOLOGIES

An apology was lodged on behalf of Cr. Vince Fontana who is on approved leave of absence.

Apologies were also lodged of the absence of Cr. Trent McCarthy and Cr. Angela Villella.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas
SECONDED: Cr. J. Williams

THAT the Minutes of the Ordinary Meeting of Council held on 5 May 2014 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 270

5.1 REPORT OF CR. BO LI

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

- Metropolitan Transport Forum
- Councillor Briefing session
- Workshop: Impact of high density housing development on infrastructure and services
- Merri Creek Management Committee meeting
- Family fun day/Children's Expo at Bundoora Homestead
- Residential matters including
 - Noise and anti-social behavior
 - Dumped rubbish
 - Graffiti
 - Public education
 - Community access to educational facilities

5.2 REPORT OF CR. JULIE WILLIAMS

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

- Councillor Briefing session
- Briefing from HR Specialist
- Briefing session on mail-out to 3,000 residents
- Mother's Day Stall – Volunteer
- Preston Business Advisory Committee meeting
- Happy Pants Book Launch – Post Natal Depression
- Attended Residents issues regarding streetscape, rubbish, grade separation, tree planting, and planning concerns.

5.3 REPORT OF CR. OLIVER WALSH

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

- Higher density living briefing
- Councillor Briefing session
- Attended Hearing Planning Zones hearing
- Participatory Budgeting meeting at Melbourne Town Hall with officers from both Councils and Cr Cathy Oke
- Metropolitan Transport Forum
- Minister for Multicultural affairs Dinner with Hon. Matthew Guy and which included short meeting with Hon. Kevin Andrews
- Special Into-work Board meeting
- Met with Cr Paul Paulich
- Represented Council at MAV State Council meeting
- Alphington Community Autumn Fete
- Northcote Swimming Club AGM and Presentation night
- Various Constituent matters including Lucinda Hartley

5.4 REPORT OF CR. STEVEN TSITAS

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

- Councillor Briefing session
- Constituent issues

5.5 REPORT OF CR. TIM LAURENCE

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

- Council meeting
- Councillor Briefing session
- Meeting with traders and residents
- Consultation on planning issue
- Bundoora Homestead Board of Management meeting (In quorate)
- Darebin Housing Advisory Committee (cancelled)
- Planning panel to hear Dada and other submissions
- Workshop on impact of higher density development
- Indian executive function at MCG with AFL presentation on increasing participation in Aussie Rules in diverse culturally and linguistically diverse (CALD) communities
- Meetings on various governance matters

5.6 REPORT OF CR. GAETANO GRECO

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

- Planning Committee meeting
- Council Briefing Session
- Council meeting
- Catch-ups with CEO
- Workshop - Impact of Higher Density Housing Development on Infrastructure and Services
- Telephone Briefing with Tessa, Preston Leader
- Participatory Budgeting – City of Melbourne
- Bundoora Homestead Board of Management meeting – No quorum
- Meeting to discuss Northern Horizons
- Judging of Darebin Community Awards
- Meeting with David Sautner regarding Graffiti
- HR Specialist re Development of CEO Performance Evaluation Assessment Model
- Northern Support Services
- Kathleen Chapman regarding Save Darebin’s Pets
- 2nd Workshop – Impact of Higher Density Housing Developing on Infrastructure Services
- Preserving Memories
- Open Day – Preston Neighbourhood House
- Meeting – Garage Sale Trail
- CALD Press Briefing
- Media Briefing with Weekly Review
- Italian Senior Citizens Club of Preston Mother’s Day Lunch
- Meeting with External Governance Committee
- Launch Exhibition “Open Continuum” by Warren Lane
- MAV State Council meeting
- International Day Against Homophobia
- St. Stephen’s Primary School – Improvements to Garden and New School Emblem
- Darebin Homemade Food and Wine Festival
- Northcote Swimming and Lifesaving Club AGM
- Darebin Family and Children’s Day 2014
- “A Conversation about Australian – Lebanese Return Visits to Lebanon”
- Briefing regarding Citizenship Ceremony
- Darebin Education Committee
- Melbourne Transport Forum
- Meeting to Finalise Letter to LGA

6. PUBLIC QUESTION TIME

MINUTE NO. 271

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

The following questions were submitted:

- John Nugent of Epping asked a question regarding the installation of smoke detectors in Council sporting pavilions. The question was responded to by the CEO, Rasiah Dev.
- John Nugent of Epping asked a question regarding the Dole/Donath Masterplan. The question was responded to by the Chairperson, Cr. Greco.
- John Nugent of Epping asked a question regarding budget funding for sporting clubs. The question was responded to by the CEO, Rasiah Dev.
- Nicola Coles of Thornbury asked a question regarding the number of trees planted in Darebin each year. The question was responded to by the Chairperson, Cr. Greco.
- Mary Himonas of Northcote asked a question regarding the approval of medium density housing projects. The question was responded to by the Chairperson, Cr. Greco and CEO, Rasiah Dev.
- Melinda Iser of Thornbury asked a question about the planting of native and indigenous trees in Darebin. The question was responded to by the Chairperson, Cr. Greco and Director Culture, Leisure and Works, Daniel Freer.
- Ippokratis Prokopidis asked various questions in Greek regarding approval of medium density housing projects and processes. Ms Himonas, Northcote resident assisted by translating questions in English. The questions were responded to by the Chairperson, Cr. Greco and Cr. Tsitas assisted also by responding in Greek.
- Keith Coffey of Reservoir asked the Mayor to advise members of the gallery that VCAT may waive application fees for pensioners.

After Public Question Time had concluded, four further questions were submitted in writing.

Cr. Tsitas temporarily left the meeting at the conclusion of Public Question Time – 7.43 pm

7. RECORDS OF ASSEMBLIES OF COUNCILLORS

7.1 ASSEMBLIES OF COUNCILLORS HELD

MINUTE NO. 272

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:

- Councillor Expo – Regulatory and Waste Services – 3 December 2013
- Councillor Budget Briefing Session – 19 March 2014
- Planning Committee Briefing – 28 April 2014
- Councillor Briefing Session – 28 April 2014
- Councillor Governance Briefing – 29 April 2014
- Preston Business Advisory Committee – 7 May 2014

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. B. Li

THAT the record of the Assembly of Councillors held on 3 December 2013, 19 March 2014, 28 and 29 April 2014 and 7 May 2014 be noted and incorporated in the minutes of this meeting.

CARRIED



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Expo - Regulatory and waste services
	Date:	Tuesday 3 December 2014
	Location:	Reservoir Depot
PRESENT:	Councillors:	Cr. Julie Williams, Cr Oliver Walsh, Cr Gaetano Greco
	Council Staff:	Rasiah Dev, Paul Crapper, Grant Thorne, Eddy Boscarior, Chris LoPiccolo, Libby Hynes, Ellie Mandritis, Stewart Martin, Leo Manca, Jodie Stevens, Paul Edwardes, Angelo Russo, Warren Brooker, Michael Groenewaldt, Russell Gladigau, Donald Lussier
	Other:	Nil
APOLOGIES:		Cr Tim Laurence (Mayor), Cr Bo Li, Cr Angela Villella, Cr Vince Fontana, Cr Stephen Tsitas, Cr Trent McCarthy

The Assembly commenced at 6.00 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Councillors were provided with information on the various roles and responsibilities of the regulatory and waste services delivered by Council.	<p>No disclosures were made</p> <p>Cr Julie Williams joined the assembly at approximately 6.45 pm</p> <p>Cr Oliver Walsh joined the assembly at approximately 7.00 pm</p>

The Assembly concluded at 8.50 pm

RECORD COMPLETED BY:	Officer Name:	Ellie Mandritis
	Officer Title:	Coordinator Health and Urban Protection



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Budget Briefing Session
	Date:	Tuesday 19 March 2014
	Location:	Conference Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr Gaetano Greco (Mayor), Cr Tim Laurence, Cr Vince Fontana, Cr Oliver Walsh, Cr Julie Williams (Deputy Mayor) (from 5.58 pm), Cr Bo Li (from 6.10 pm), Cr Angela Villella (from 6.37 pm).
	Council Staff:	Rasiah Dev, Daniel Freer Paul Crapper, Steve Hamilton, Katrina Knox, Kerrie Jordan, Chris Meulblok.
	Other:	Peter Lewinsky (5.45 pm to 7.10 pm)
APOLOGIES:		Cr Trent McCarthy

The Assembly commenced at 5.45 pm with a recess at 6.45 pm and recommenced at 7.00 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Budget timetable update	No disclosures were made
2	Draft 2014/2015 budget position	No disclosures were made
3	Capital program 2014/2015	<p>Daniel Freer disclosed an interest in item number 3000 – Edwin Street Special Charge Scheme.</p> <p>Cr Oliver Walsh disclosed an interest in item number 2684 St Georges Road Shared Path Improvements.</p> <p>Cr Walsh absent from 5.45 pm to 5.49 pm, 5.55 pm to 5.57 pm, 8.05 pm to 8.10 pm, 8.38 pm to 8.41 pm.</p> <p>Cr Greco absent from 7.12 pm to 7.15 pm.</p> <p>Cr Williams absent from 8.05 pm to 8.10 pm.</p>

The Assembly concluded at 8.45 pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	Director Community Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Planning Committee Briefing
	Date:	28 April 2014
	Location:	Councillors Room
PRESENT:	Councillors:	Cr Gaetano Greco (5.13 pm), Cr Bo Li (5.13 pm), Cr Julie Williams (5.13 pm), Cr Oliver Walsh (5.13 pm) and Cr Angela Villella (5.13 pm)
	Council Staff:	Cristen Sullivan, Darren Rudd and Paul Crapper
	Other:	
APOLOGIES:		Cr Fontana and Cr Lawrence

The Assembly commenced at 5.13 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Planning Permit Application D/63/2014 110 High Street, Preston	No issues were raised, however Cr Li advised he had an indirect interest in the application as he lives nearby.
2	Planning Permit Application D/926/2013 84 Miranda Road, Reservoir	No issues were raised or disclosures made.
3	Planning Permit Application D/992/2013 649 High Street, Preston	No issues were raised or disclosures made.
4	Planning Permit Application D/908/2013 952-954 High Street, Reservoir.	Cr Greco noted an indirect interest related to this application where he received a quotation from the architect related to a personal project. No other issues were raised.
5	Planning Permit Application D/668/2011 15A Anderson Road, Thornbury.	No issues were raised or disclosures made

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
6	General invitation to inspect car stackers in operation.	No issues were raised or disclosures made

The Assembly concluded at 5.27 pm

RECORD COMPLETED BY:	Officer Name:	Darren Rudd
	Officer Title:	Manager City Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	Tuesday 28 April 2014
	Location:	Function Room
PRESENT:	Councillors:	Cr Gaetano Greco (Mayor), Cr Steven Tsitas, Cr Oliver Walsh, Cr Julie Williams, Cr Bo Li, Cr Angela Villella, Cr Trent McCarthy
	Council Staff:	Rasiah Dev, Daniel Freer, Paul Crapper, Katrina Knox, Steve Hamilton, Jacinta Stevens (7.57 pm – 9.40 pm), Kerrie Jordan (8.37 pm – 11.33 pm), Robert Miskec (7.37 pm – 8.31 pm), Jim Barrett (7.37 pm - 8.38 pm), Darren Rudd (8.37 pm – 8.59 pm), Kevin O’Farrell (7.57 pm – 8.31 pm)
	Other:	Peter Lewinsky (Municipal Monitor)
APOLOGIES:		Cr Vince Fontana, Cr Tim Laurence

The Assembly commenced at 7.57pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
PRESENTATIONS		
1.	E-Pathway Demonstration/GB Items	No disclosures were made
2.	Council Plan Review	No disclosures were made
3.	Amendment C144 New Residential Zones	No disclosures were made. Cr Walsh – left at 8.38 pm returned 8.41 pm Cr Williams declared interest as photo of herself appears in a community submission
4.	2014/2015 Budget	No disclosures were made Cr Tsitas, Cr Villella, Cr Walsh and Cr Williams – left at 8.59 pm and returned 9.06 pm Cr Tsitas left at 9.41 pm and returned 9.45 pm Daniel Freer declared interest in Edwin St project as he lives in close proximity. Cr Tsitas left the assembly at 10.07 pm Cr Walsh left at 10.10 pm and returned at 10.17 pm

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT.)

CLARIFICATION REPORTS		
5.	Draft Donath/Dole Master Plan	No disclosures were made Cr Villella left at 10.10 pm and returned at 10.12 pm Cr Walsh left at 10.15 pm and returned at 10.17 pm Cr Villella left at 11.17 pm and returned at 11.19 pm
6.	Surplus State Government Land – Former Ruthven Primary School Site	No disclosures were made. Cr Walsh left at 11.18 pm and returned at 11.19 pm and left at 11.20 pm and returned 11.25 pm
7.	Sport and Recreation Victoria Grants	No disclosures were made
8.	Seniors Home Gardening Help Program	No disclosures were made
9.	Laneway Closure – Reservoir	No disclosures were made
10.	MOU Between Darebin Community Health and Council	No disclosures were made
INFORMATION REQUESTS		
11.	Grade Separation Draft Report	No disclosures were made
12.	Community Buses	No disclosures were made
13.	Darebin Transport Advisory Committee	No disclosures were made

The Assembly concluded at 11.33 pm

RECORD COMPLETED BY:	Officer Name:	Daniel Freer
	Officer Title:	Director, Culture Leisure and Works



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Governance Briefing Session
	Date:	Tuesday 29 April 2014
	Location:	Conference Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Gaetano Greco (Mayor), Cr. Julie Williams (Deputy Mayor), Cr. Tim Laurence, Cr. Bo Li, Cr. Angela Villella, Cr. Trent McCarthy (6.24 pm), Cr. Oliver Walsh (7.14 pm)
	Council Staff:	Rasiah Dev, Paul Crapper, Jacinta Stevens
	Other:	Kate Oliver, Maddocks Peter Lewinsky, Municipal Monitor
APOLOGIES:		Cr. Vince Fontana, approved leave of absence, Cr. Steven Tsitas, apology

The Assembly commenced at 6.20 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Community Advisory Committees – Councillor role and responsibilities	No disclosures were made Cr. McCarthy entered the Assembly during consideration of this matter.
2	Local Government Amendment (Governance and Conduct) Bill 2015	No disclosures were made. Cr. Walsh entered the Assembly during consideration of this matter.
3	Governance in general	No disclosures were made

The Assembly concluded at 8.05 pm

RECORD COMPLETED BY:	Officer Name:	Jacinta Stevens
	Officer Title:	Manager Corporate Governance and Performance



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Preston Business Advisory Committee
	Date:	7 May 2014
	Location:	Blue Room, Gower Street
PRESENT:	Councillors:	Cr. Julie Williams
	Council Staff:	Wendy Dinning, Jess Fraser, Patrick Buchanan, Karlee Gray
	Other:	Representatives of Snap Printing, Bell City, Northern Blues Football Club and Transport Ticketing Authority
APOLOGIES:		Cr. Vince Fontana and Cr. Bo Li

The Assembly commenced at 4.05 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Welcome, present and apologies	No disclosures were made
2	Election of Chair	No disclosures were made
3	Minutes of Previous Meeting and matters arising	No disclosures were made
4	Financial Report	No disclosures were made
5	Marketing Report – upcoming events	No disclosures were made
6	Centre Security discussion	No disclosures were made
7	Other Business	No disclosures were made

The Assembly concluded at 5.20 pm

RECORD COMPLETED BY:	Officer Name:	Karlee Gray
	Officer Title:	Retail Development and Marketing

8. CONSIDERATION OF REPORTS

8.1 FINANCIAL REPORT - 10 MONTHS ENDED 30 APRIL 2014

MINUTE NO. 273

AUTHOR: Financial Accountant

REVIEWED BY: Director Corporate & Planning Services

SUMMARY:

A comprehensive 3rd quarter financial review has been undertaken for the ten months ended 30 April 2014 to assess the financial performance of Council year-to-date and the forecast financial position as at 30 June 2014. The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$24.2 million, which is \$4.2 million ahead of budget and capital works expenditure of \$21.1 million, which is \$9.0 million behind the budget.

The forecast actual result for the year ending 30 June 2014 is an operating surplus of \$3.1 million and capital works expenditure of \$33.5 million. The forecast underlying result for the year ending 30 June 2014 is a surplus of \$0.2 million. All material variations have been explained in the report.

CONSULTATION:

- Managers and Co-ordinators

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. O. Walsh

THAT the contents of the "Financial Report for the ten months ended 30 April 2014" included as **Appendix A** to this report be received and the year-to-date and full-year forecast 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 30 April 2014. It also compares the actual and budgeted movements in the Balance Sheet and Cash Flow Statement for that period.

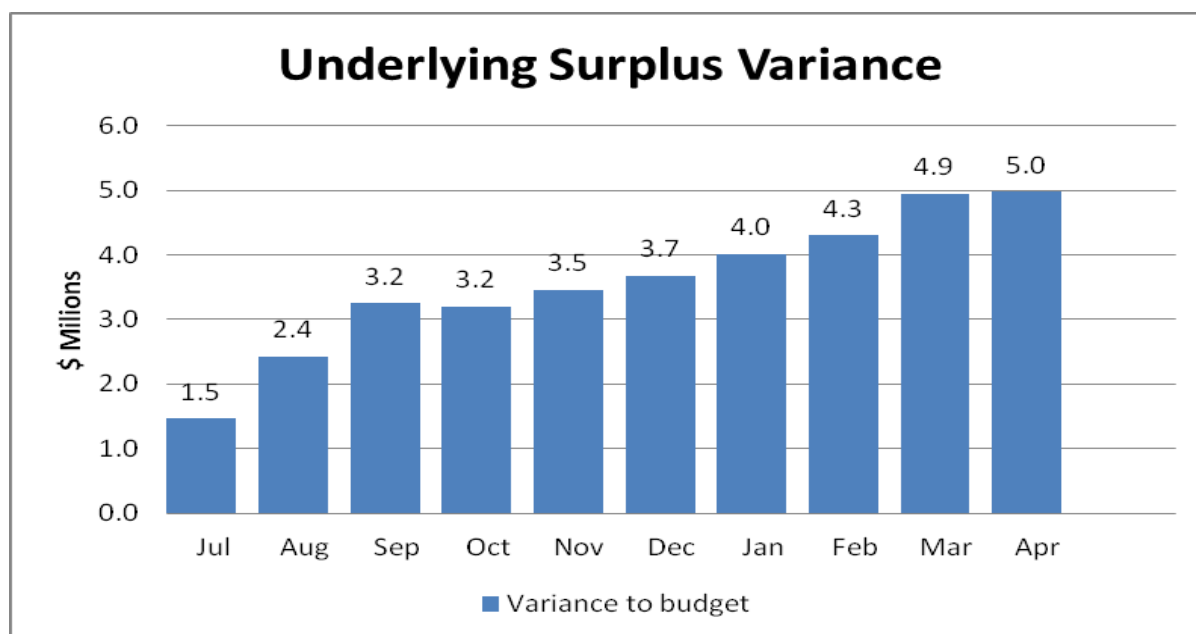
In addition, a detailed review of the estimated financial results for the year ending 30 June 2014 has been performed as part of Council's third quarter review process. The outcomes of this review are included within the report as the forecast financial results.

ISSUES AND DISCUSSION

Operating Performance

For the 10 months ended 30 April 2014 Council has recorded an operating surplus before capital revenue and other items of \$18.2 million, which is \$3.9 million ahead of the year to date budget. After capital and other items, the operating surplus is \$24.2 million, which is \$4.2 million ahead of budget. The main items contributing to this favourable variance are development contributions, employee costs and maintenance expenditure partly offset by unfavourable variances in user fees and capital grants and contributions. The forecast operating result for the year ending 30 June 2014 is an operating surplus of \$3.1 million, which is \$5.1 million less than budget. The major reason for the reduction in surplus is the once-off creation of a personal gratuity provision for of \$1.4 million required to support the new enterprise agreement payment of up to 4 weeks sick leave paid on termination.

The year to date underlying surplus was \$5.0 million ahead of budget. The forecast underlying result for the year ending 30 June 2014 is a surplus of \$0.2 million. The underlying result is the net surplus for the year adjusted for capital grants and contributions and timing differences on grants received and spent.

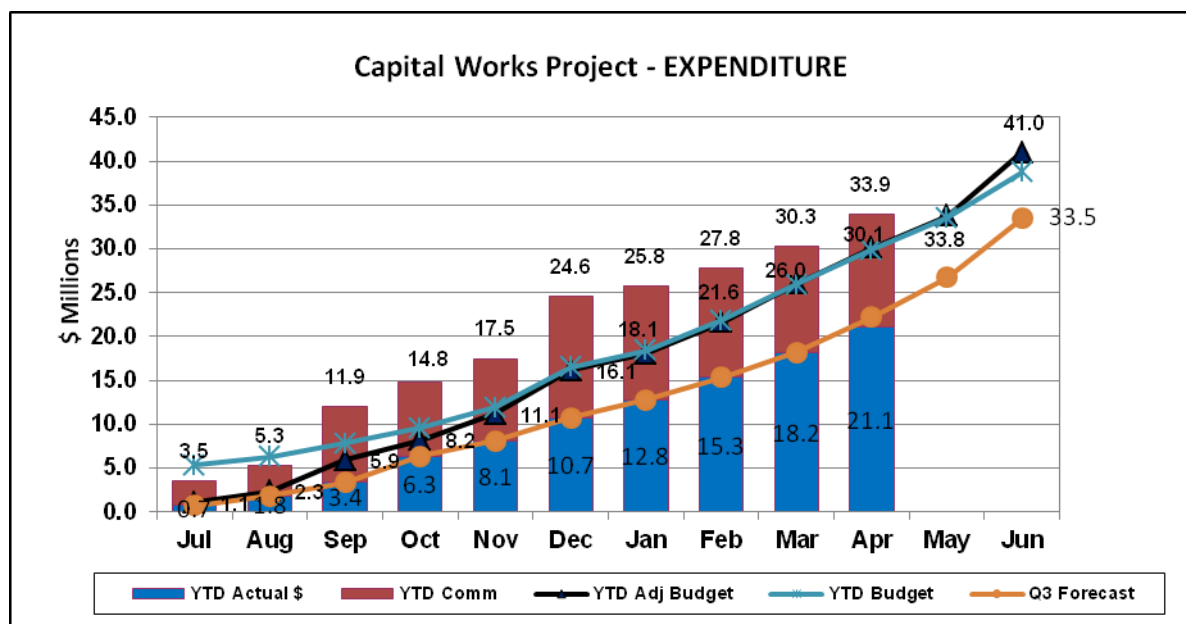


Capital Performance

For the 10 months ended 30 April 2014 Council has expended \$21.1 million on the capital works program, which is \$9.0 million behind the year to date budget. The variance is due mainly to delays with road, building works, open space projects and the purchase of plant and equipment. As at 30 April 2014 a further \$12.8 million has been committed by way of issued purchase orders. Commitments are not reflected in the reported capital expenditure and indicate that many projects are well advanced.

The forecast total to be expended on capital works for the year ending 30 June 2014 is \$33.5 million, which is \$5.2 million less than the adopted budget. A total of \$8.3 million is forecast to be carried forward into the 2014/15 year for capital works expected to be incomplete as at 30 June 2014.

	YTD Budget	YTD Actual	Forecast
% of budget expended	63%	52%	82%
% of budget expended and committed	63%	83%	82%



Financial Position

The Financial Position as at 30 April 2014 shows a cash and investment balance of \$36.2 million which is \$11.1 million ahead of budget. The variance is due mainly to the higher opening cash and investment position compared with budget. The net current asset position is \$46.1 million which is \$20.1 million more than budget. The net asset position of \$1.16 billion is \$7.9 million greater than budget. The forecast Financial Position as at 30 June 2014 shows a cash position of \$34.4 million and net current assets of \$20.0 million.

POLICY IMPLICATIONS

Environmental Sustainability

Nil

Human Rights, Equity and Inclusion

Nil

Economic Development

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

The Financial Report for the ten months ended 30 April 2014 shows that Council's year-to-date operating result is a surplus of \$24.2 million and \$21.1 million has been expended on capital works. The forecast actual result for year ending 30 June 2014 is an operating surplus of \$3.1 million and capital works expenditure of \$33.5 million. The forecast underlying result for the year ending 30 June 2014 is a surplus of \$0.2 million.

FUTURE ACTIONS

A further financial report will be presented to Council for the eleven months ending 31 May 2014.

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. Tsitas returned to the meeting during discussion of the above item – 7.48 pm

8.2 ADJUSTMENT (REVIEW) OF COUNCIL PLAN 2013-2017**MINUTE NO. 274****AUTHOR: Manager Corporate Governance and Performance****REVIEWED BY: Manager Corporate and Planning Services****SUMMARY**

Section 125 of the *Local Government Act 1989* requires all Councils to consider is an adjustment of their Council Plan once in each financial year. This report presents the outcomes of a review briefing that took place in late April 2014 and recommends that no adjustment be made to the Council Plan 2013-2017.

CONSULTATION

- Council Briefing Date – 28 April 2014
- The Council Plan 2013-2017 was developed following an extensive consultation program in early 2013. As this report proposes no change to the Council Plan, no further community consultation has been conducted.

COUNCIL RESOLUTION

MOVED: Cr. O. Walsh
SECONDED: Cr. T. Laurence

THAT Council note the outcome of its consideration of Darebin Council Plan 2013-2017 and confirm the document does not require any adjustment.

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

The Darebin City Council began work on the development of a new Council Plan shortly after its election in November 2012. The *Local Government Act 1989* required the City of Darebin to adopt a Council Plan by 30 June 2013, which included:

- The strategic objectives of the Council [s125(2)(a)],
- Strategies for achieving the objectives for at least the next 4 years [s125(2)(b)],
- Strategic indicators for monitoring the achievement of the objectives [s125(2)(c)], and
- A Strategic Resource Plan [s125(2)(d)].

Following an extensive consultation process, Council adopted its Council Plan 2013-2017 in June 2013. The *City of Darebin Council Plan 2013-2017* includes:

- S Vision and Mission;
- A Good Governance Charter (values);
- Six (6) shared goals (referred to in the Local Government Act as strategic objectives);
- Sixty-one (61) strategies to achieve those goals;
- Fifty-eight (58), four-year priority actions;
- Thirty-eight (38) strategic indicators to monitor the goals, strategies and actions;
- One hundred and three (103) Supporting Strategic Policies and Action Plans, and,
- A Strategic Resource Plan (SRP) showing the resources required to achieve the goals.

Section 125 of the *Local Government Act 1989* requires that:

- “(7) At least once in each financial year, a Council must consider whether the current Council Plan requires any adjustment in respect of the remaining period of the Council Plan.*
- (8) Subject to sub-sections (9) and (10), a Council may make any adjustment it considers necessary to the Council Plan.*
- (9) A person has a right to make a submission under section 223 on a proposed adjustment to a Council Plan which relates to a matter specified under subsection (2)(a), (2)(b) or (2)(c).*
- (10) If a Council makes an adjustment to the Council Plan, the Council must within 30 days of making the adjustment advise the Minister of the details of the adjustment to the Council Plan.”*

Given the above section 125 requirement, the need for any adjustment to the Council Plan was considered at a Council Briefing Session on Monday 28 April 2014.

ISSUES AND DISCUSSION

A Council discussion of the continued relevance of the Council Plan 2013-2017 was held during the Council Briefing Session on Monday 28 April 2014. The unanimous view of Councillors at the meeting was the strategic focus of the existing Council Plan was still relevant, and, that upon their consideration the Council Plan, Darebin Councillors did not require any alteration to the Council Plan 2013-2017 in 2014.

Darebin Councillors were given seven days after the Councillor briefing to consider if any adjustments to the Council Plan, based on a solid justification, were required and if so Councillors were to provide a written response to the Chief Executive. The Chief Executive did not receive any comments from Councillors by the close of business on 5 May 2014.

The Council Plan 2013-2017 includes a Strategic Resource Plan that details how the actions and strategies of the ‘Plan’ will be implemented. The Strategic Resource Plan of the Council Plan is updated annually as part of the Council Budget preparation and adoption process.

Any change to the Strategic Resource Plan (which is a part of the Council Plan) as a consequence of formulating the 2014/2015 Council budget, no longer requires a public exhibition process under the *Local Government Act 1989*. Therefore, any change to the Strategic Resource Plan, if needed, will be presented to Council and adopted as part of the Annual Budget process in 2014.

POLICY IMPLICATIONS

Environmental Sustainability

The Council Plan 2013-2017 provides a specific policy commitment to environmental sustainability. A decision to leave the plan unchanged ensures this policy commitment remains.

Human Rights, Equity and Inclusion

The Council Plan 2013-2017 provides a broad policy context for Council's Human Rights, Equity and Inclusion agenda. A decision to leave the plan unchanged ensures this policy commitment remains.

Economic Development

The Council Plan 2013-2017 provides a broad policy context for Council's Economic Development agenda. A decision to leave the plan unchanged ensures this policy commitment remains.

Other

By making no changes to the Council Plan 2013-2017, there is no risk of making unintended changes in Council policy intent or emphasis.

FINANCIAL AND RESOURCE IMPLICATIONS

A decision to leave the Council Plan unaltered would result in no cost to Council.

A decision to make any change to the Council Plan resulting in a need to reprint the document in suitable quantities for Council staff and members of the public would cost approximately \$40,000. No allowance has been made for this amount in Council's budget.

CONCLUSION

It is recommended that there are no adjustments to be made to the Council Plan 2013-2017.

FUTURE ACTIONS

A revised Strategic Resource Plan will be presented to Council in May 2014, in conjunction with the 2014/2015 Council Budget.

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 Plan 2013-2017
- *Local Government Act* 1989

Darren Rudd, Manager City Development circulated an alternative recommendation and an amended Appendix E to all Councillors prior to the meeting.

The recommendation outlined in the officer recommendation report in the Council Agenda is to be replaced with the alternative recommendation. At the time of writing the report the concern raised by the submitter had not formally been resolved yet, hence the recommendation was to request an independent panel. Since then, the concerns have been resolved and the outcome is that no Panel will be required.

8.3 AMENDMENT C130 – PRECINCT J EXTENSION – OUTCOMES OF PUBLIC EXHIBITION

MINUTE NO. 275

AUTHOR: Manager City Development

REVIEWED BY: Director Corporate and Planning Services

SUMMARY

The purpose of this report is to outline the outcomes of the public exhibition period for Amendment C130 (considering of submissions under section 22 of the *Planning and Environment Act 1987*) and to recommend that Council refer all submissions to Amendment C130 to the Darebin Planning Scheme under section 23 of the *Planning and Environment Act 1987* to an independent panel appointed under Part 8 of the *Planning and Environment Act 1987*. At the point of finalising the report the recommendation is to request an independent Panel. If the submitters concerns have been resolved at the time of the Council Meeting, a verbal update will be provided at the Council meeting.

CONSULTATION

- Council Briefing Date – 12 May 2014
- Statutory Planning Coordinators
- Council's Planning Appeals Advocate

RECOMMENDATION

THAT:

Having prepared and exhibited Amendment C130 to the Darebin Planning Scheme under Section 19 of the *Planning and Environment Act 1987*;

Having in accordance with Section 12 of the *Planning and Environment Act 1987* had regard to the Minister's directions and the Victoria Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects; and

Having considered all submissions to Amendment C130 under Section 22 of the *Planning and Environment Act 1987* in accordance with **Appendix F** Outcomes of Public Exhibition summary of submissions and responses to this report;

Darebin Council resolves to:

- (1) Refer all submissions to Amendment C130 to the Darebin Planning Scheme under section 23 of the *Planning and Environment Act 1987* to an independent panel appointed under Part 8 of the *Planning and Environment Act 1987*; and
- (2) The outlined summary of submissions to Amendment C130 and response **Appendix E** Outcomes of Public Exhibition to this report is adopted as Council's position on the submissions that will be presented to an independent panel.

ALTERNATIVE RECOMMENDATION

MOVED: Cr. B. Li
SECONDED: Cr. T. Laurence

THAT:

Having prepared and exhibited Amendment C130 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*; and

Having considered all submissions under section 22 of the *Planning and Environment Act 1987*;

Darebin Council resolves to:

- (1) Adopt Amendment C130 to the Darebin Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987*;
- (2) Submit Amendment C130 to the Darebin Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.

COUNCIL RESOLUTION

MOVED: Cr. B. Li
SECONDED: Cr. T. Laurence

THAT:

Having prepared and exhibited Amendment C130 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*; and

Having considered all submissions under section 22 of the *Planning and Environment Act 1987*;

Darebin Council resolves to:

- (1) Adopt Amendment C130 to the Darebin Planning Scheme in accordance with Section 29 of the *Planning and Environment Act 1987*;
- (2) Submit Amendment C130 to the Darebin Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.

(The tabled Appendix E to replace the circulated Appendix E in the Agenda)

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

The Amendment applies to 356-362 and 388 Murray Road and 1 Spring Street, Preston, being land on the north-eastern and north-western intersections of Murray Road and Spring Street. The request for Amendment is being led by a proponent representing 256-362 Murray Road. Council owns 1 Spring Street, which is currently vacant but was developed as the car park associated with the former lawn bowls site at 388 Murray Road.

The Amendment proposes to facilitate the development of the land for multi – uses and a landmark building site and recognise the important role the sites play as part of the western approach into Preston and their position on a major north-south route.

In its resolution from the 6 November 2013 Council decided to exhibit Amendment C130 in accordance with the outlined consultation plan (see **Appendix A**).

The Exhibited Planning Scheme Changes

Changes comprised inclusion of the land in the Priority Development Zone 2 (PDZ2), including designating 356-362 Murray Road as a landmark site. Additionally, proposed changes addressed the *Preston Central Incorporated Plan March 2007* to reflect those inclusions in the PDZ2 and ensured that development at 356-362 Murray Road comprises active frontages at ground level and a transition in built form towards existing residential uses to the north. Land at 388 Murray Road is allowed to be used for residential uses at ground level, as is reflected in the issued Permit D/641/2009 for the land (currently under construction).

Specifically the Planning Scheme changes exhibited were relating to:

- Rezoning the land from Residential 1 to Priority Development Zone 2 (Preston Central) to allow a wider range of uses and major developments than the current Residential 1 Zone and befitting Strategic Opportunity Sites.
- Amending Clauses 21.05-6 and 22.12 to include the land in Precinct J and indicate a landmark building on 356 – 362 Murray Road, Preston.
- Amending Schedule 2 to the Priority Development Zone to revise the boundaries between precincts Q and J to include 356 – 362, 388 Murray Road and 1 Spring Street, Preston in Precinct J and indicate a landmark building on 356 – 362 Murray Road, Preston.
- Amending the Preston Central Incorporated Plan March 2007 to include the land in Precinct J, indicate landmark building on 356 – 362 Murray Road, Preston and provide specific use, built form and design guidance for the sites.

Other Exhibited Changes

Technically, changes to the Preston Central Structure Plan 2006 lie outside of the requirements of a planning scheme amendment, but were exhibited concurrently with C130 for transparency. The changes reflect the PDZ2 boundary changes as per *Preston Central Incorporated Plan March 2007*.

For an overview map of the proposed changes see **Appendix B** and for all exhibited documents see **Appendix C**.

ISSUES AND DISCUSSION

Community Engagement and Responsiveness

Around 406 individual letters (see example letter **Appendix D**) were sent to owners and occupiers in the area outlined as per Consultation Plan in the Council resolution of 6 November 2013. The following relevant agencies were notified directly:

- PTV (response received stating 'no further comment')
- Melbourne Water (no reply)
- VicRoads (response received stating 'no further comment')
- VicTrack (no reply)

The project website had 170 visits in total. Few multiple interactions with the website were conducted. Phone and counter enquiries were very low and four submissions were received, one of support, two stated they had no further comment on the matter. One submission expressed no concern about the rezoning per se, but requested changes. **Copies of all submissions have been circulated to each Councillor separately.**

Submission Summary and Key Issues

In total, four submissions were received with only one submission requesting changes to the PDZ2 and relevant policies (see **Appendix E** for summary of submissions and responses). A copy of these submissions will be circulated separately to Councillors). The issues raised relate to a technical matter as follows:

- The submitter's concern is that once the PDZ2 would come into effect, a permit for the use of the land for dwellings at ground level would be required, although a planning permit for their construction already exists and has commenced. At the time of issue of this permit, dwelling was an as-of-right use and did not require planning permission. Hence, the planning permit does not specifically refer to the use of the land for dwellings. The submitter requested the alteration of the PDZ2 to include the use of a dwelling as an "as-of-right" use at ground floor level for the relevant site.

The matter was investigated and the following was found:

- Section 3 (definitions) of the *Planning and Environment Act 1987* states that “use” also “[...] includes use or proposed use for the purpose for which the land has been or is being or may be developed.” In this case, the land benefits from a planning permit that shows a 5 storey residential development with dwellings at ground floor. Observations of the site and aerial photos show construction of this development has commenced (in particular, the basement construction is nearing completion). Therefore, even though not actually complete, the facts and circumstances of this matter are that the current use of the land is for dwellings in a 5 storey building.
- Section 6(3)(d) of the *Planning and Environment Act 1987* states that nothing in any planning scheme or amendment shall “prevent the use of any building or work for any purpose for which was being lawfully erected or carried out immediately before that coming into operation”. In the submitter’s case, the building had lawfully commenced construction due to the presence of existing permit D/641/2009 (which the allows for a 5 storey residential development).
- At the time D/641/2009 was issued, the land was in the Residential 1 Zone, which allows use of the land as “dwelling” as of right. Therefore, no “use” permission was required for the use of the land as dwellings, whether at ground floor or not.

As a consequence, Amendment C130 cannot create the requirement for the developer to obtain a “use” permission for the ground floor dwellings as in Council’s view, the land has already acquired existing use rights for dwellings when development had lawfully commenced.

VCAT cases confirm this, e.g. the Red Dot Decision of *Glenelg Shire Council v Printz Pty Ltd* (P1023/2009). Although a slightly different matter was considered here, in their investigations and findings the Member touched on the question of the establishment of existing use rights, including previous cases brought before the High Court. In their findings at paragraph 39 the Member stated that:

“[...] Development for a dwelling has been commenced, which a new control requires a permit for. When the development commenced, the land acquired existing use rights for the purpose of residential use. A new planning control could not prohibit or restrict those existing use rights for the purpose of residential use because of section 6(3)(d) of the Act [...].”

The effect of this analysis is that Council considers the land benefits from existing use rights (for the purpose of the ground floor dwellings) as outlined in Clause 63.01 (“The use was lawfully carried out immediately before the approval date”).

In light of this understanding, the alteration of the PDZ2 use table in an individual manner as sought by the submission is not seen as an appropriate use of this planning tool.

The understanding has been referred to the submitter who has not formally responded to Council’s position. If the submitter does not accept Councils understanding of this technical matter, a referral to a Panel will be recommended as the PDZ2 alteration sought is seen as inappropriate. If the submitters concerns have been resolved at the time of the Council Meeting, a verbal update will be provided at the Council Meeting.

POLICY IMPLICATIONS

Environmental Sustainability

There are no additional environmental sustainability matters to report since the previous reports were made.

Human Rights, Equity and Inclusion

There are no additional Human Rights, Equity and Inclusion matters to report since the previous reports were made.

Economic Development

The inclusion of 356-362 Murray Road into the PDZ2 offers an opportunity for additional commercial spaces at ground floor level in Preston Central. Further, indirect economic benefit lies in the potential increase of residents due to possible future development of the land in the central commercial location, aiding Preston's vitality.

Other

There are no other matters to report since previous reports were made.

FINANCIAL AND RESOURCE IMPLICATIONS

Amendment C130 is a proponent-led amendment. As such, the proponent is responsible for paying the cost of exhibition and approval.

CONCLUSION

The public exhibition of Amendment C130 has been successfully completed as directed by Council and in accordance with the requirements of the *Planning and Environment Act 1987*. A total of four submissions were received, with only one requesting changes. The technical matter regarding usage of ground floor for dwellings has not been resolved at this point as the submitter has not formally responded at the time of writing the report. It is recommended that the matter be referred to an independent Panel. In case of any change in circumstances, a verbal update will be provided at the Council Meeting.

FUTURE ACTIONS

1. Lodge a request for an Independent Panel
2. Attend a Panel Directions Hearing;
3. Provide a copy of the submission to Panel;
4. Present at a Panel Hearing;
5. Review recommendations of Panel Report and present Amendments to Council for Adoption; and
6. Seek approval for Amendments to Minister for Planning.

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

- Preston Central Structure Plan 2006
- Preston Central Incorporated Plan March 2007
- City of Darebin Integrated Housing Strategy, October 2002
- Darebin Economic Land Use Strategy 2012
- Darebin Housing Strategy 2013
- Darebin Planning Scheme Review Report 2012
- Darebin Planning Scheme
- Draft revised Darebin Planning Scheme (Amendment C138)
- Council Minutes – 6 November 2013 (**Appendix A**)
- Overview Map of Proposed Precinct J Extension (**Appendix B**)
- Exhibited Documents (**Appendix C**)
- Copy of Information Letter Sent To Submitters (**Appendix D**)
- Summary Table of Submissions and Response (**Appendix E**)

8.4 DAREBIN'S SUBMISSION TO THE STATE PLANNING POLICY FRAMEWORK REVIEW ADVISORY COMMITTEE**MINUTE NO. 276****AUTHOR: Manager City Development****REVIEWED BY: Director Corporate and Planning Services****SUMMARY**

This report summarises the key elements of the State government's draft Planning Policy Framework (PPF) and provides Council's response submission (Refer **Appendices A and B**). The State Government is inviting comments until 23 May 2014 and anticipates that the final PPF will be released in late 2014. The Municipal Association of Victoria have also sought Darebin's input on their submission, with a corresponding draft letter of support attached (Refer to **Appendices C and D**).

The purpose of the review is to incorporate the directions and content of new state policy (including Plan Melbourne) into the State Planning Policy Framework, and to investigate a revised structure that integrates regional and local policy content as outlined in the Terms of Reference (**Appendices E and F**). The draft PPF includes updated content related to several areas of importance to Darebin, including urban vegetation, health planning, social housing, electric cars, gaming and jobs growth.

The revised structure and content has numerous benefits for Council in making more transparent planning decisions and achieving Council Plan goals relating to land use and development. The integrated structure makes the framework more legible and accessible to the community, and will result in a more concise and relevant planning scheme. The restructure also more clearly articulates matters of importance to Darebin.

The Local Planning Policy Framework will require translation into the new structure, once implemented. Key concerns with the local policy section include:

- The structure cannot easily accommodate integrated local policy content for precincts and places, as the new structure is limited to land use and development themes only.
- Some policy updates are inadequate to match the needs of local government.
- Clause 22 local planning policies need to be redrafted into the structure, some remnant parts may need to be written into new overlays. There is no direction on this and it is likely to be resource intensive.

CONSULTATION

- Council Briefing – 12 May 2014
- Department of Transport, Planning and Local Infrastructure
- Municipal Association of Victoria
- SPPF Review Advisory Committee
- Statutory Planning Unit

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. B. Li

THAT:

- (1) Council adopts the City of Darebin submission to the State Planning Policy Framework Review Advisory Committee, as tabled dated 19 May 2014 and authorises officer to make the submission prior to 23 May 2014.
- (2) Council endorses the City of Darebin letter of support to the Municipal Association of Victoria, as seen in **Appendix D** to this report.
- (3) Council authorises officers to send the letter of support to the Municipal Association of Victoria prior to 23 May 2014.
- (4) Once the final format of the Planning Policy Framework is approved by State government, a fully scoped project plan for the translation of the Darebin Local Planning Policy Framework be brought to Council for consideration in the 2015/2016 budget consideration process.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND**

The Department of Transport Planning and Local Infrastructure (DTPLI) has released a draft framework for an integrated PPF, prepared by the State Planning Policy Framework (SPPF) Review Advisory Committee on behalf of the Minister for Planning. Feedback is sought on the draft framework by 23 May 2014.

The purposes of the review are:

1. Advise on the content and structure of a revised SPPF to apply any consequential changes arising from recent legislative changes.
2. Align and integrate the framework with new state policies (a new vision for Victoria, proposed Metropolitan Planning Strategy, eight Regional Growth Plans, reformed zones and the development contributions system).
3. To investigate a revised structure for MSSs.

The role of the draft PPF is to facilitate:

1. Sound, strategic planning and co-ordinated action at State, regional and municipal levels.
2. The integration of land use and development planning and policy with other policies at State, regional and municipal levels.
3. Development.
4. Positive actions by responsible authorities and planning authorities to meet the planning objectives of Victoria.

Policy within the draft PPF will meet the following principles:

1. **Status of policy:** All formal policy must be adopted at state or local level and included in the planning scheme. Regional issues are now included in metropolitan schemes and metropolitan schemes are now included in regional schemes; bushfire policy is now included in relevant urban schemes.
2. **Relevance:** Policy needs to be relevant; policy is best approached through the land use planning and development system; current policy must be in planning schemes; state policy is to be integrated with local policy, telling a story from the broad picture to the specific.

The policy is structured as follows:

1. **Name of policy:** Local policy may repeat policy at state or regional policy, if relevant.
2. **Explanation:** A short context may be given for the policy.
3. **Objectives:** Objective/s are to be included, not grouped.
4. **Strategies:** Outlines strategies to implement objectives, balancing action themes and the approach to be taken; facilitative, not regulatory, language to be used.
5. **Guidelines for decision makers:** Guidelines (in the form of policies) may be outlined in the form of 'policy guidance' (this section will most likely replace current Clause 22, Policy), which may include three types of guidance, (i) Application requirements; (ii) Criteria for the exercise of discretion; (iii) Issues to be considered in making a decision.
6. **Strategic planning guidelines:** Outlines future actions and controls to be applied. This section is effectively the 'Implementation' section of current planning schemes.
7. **Background documents:** Provides a list of 'reference' or 'policy' documents to be used in decision-making under the planning scheme.

New themes in the statewide review of the PPF are very similar to the existing SPPF, but amended slightly to be proposed as:

1. The operation of the PPF.
2. Context.
3. The planning vision.
4. Environmental values.
5. Environmental risks.
6. Landscape and built environment.
7. Heritage.
8. Housing.
9. Economic development.
10. Community development.
11. Open space.
12. Transport.
13. Infrastructure.

Existing SPPF sections for ‘settlement’ and ‘natural resource management’ are removed, some sections renamed slightly with the new policy framework including new sections for ‘community development’ and ‘open space’.

Policy content for each section would be broken into the following sections, allowing an integration of state, regional policy (refer to image below):

1. **State policy**, applying to all of Victoria (all schemes will have some state policy for each issue).
2. **Regional policy** ((i) All regional Victoria; (ii) Specific thematic areas; (iii) Specific spatial policies for each region).
3. **Local policy** (applying to the applicable municipality).



The aim of this approach is to reduce the amount of unnecessary policy in schemes. For example, the Darebin Planning Scheme will not include detailed policy on regional Victoria, coastal areas or alpine areas. The figure above illustrates the integration of policy within the draft PPF. While no proposed specific thematic areas would apply to Darebin, specific spatial policies proposed to apply the municipality are for Metropolitan Melbourne (M00) and the Northern Subregion (M03).

Some new policy is proposed to be added to the new policy framework, e.g.:

1. New spatial policy on location of residential development and employment from the draft *Plan Melbourne* and Regional Growth Plans. A map is included to illustrate the Metropolitan Melbourne Framework; this map identifies the Emerging La Trobe Employment Cluster and Northland Urban Renewal Precinct.
2. Policy to justify existing controls without a policy basis, e.g. for licensed premises.

The Advisory Committee has established a number of questions to guide submissions; Officers have structured the submission to respond to these questions and make general comments outside of these questions where appropriate.

The Municipal Association of Victoria (MAV) has prepared a draft submission and is seeking comment from councils. The MAV submission raises similar issues to those outlined below.

Specifically, it identifies one of the key challenges regarding the structure of policy relating to themes rather than places. They make a suggestion to convene a reference group of inner Melbourne Councils to address this with the Advisory Committee.

The MAV raises valid issues which can be supported by Council. On this basis, a letter of support for the MAV submission is included in **Appendix D**. Whilst Council does not have resources to participate in the MAV's suggested reference group to assist the Advisory Committee; Council can offer to be a reference point on the issue of place based policy.

It is anticipated that the revised framework will be introduced in September 2014. Councils will be required to translate their MSS and local policies into the new format. It is anticipated that there will be some transition period for this implementation over a 2-3 year period.

ISSUES AND DISCUSSION

The following discussion addresses key matters of interest to the Council, including:

- The benefits and opportunities for Darebin
- The issues for Darebin.

These benefits and issues are expanded upon within the submission, included in **Appendix B**.

Benefits and opportunities for Darebin

The draft PPF, through its revised structure, would have a number of positive outcomes for Darebin, including:

- Facilitation of integration and co-ordination of planning at State, regional and local municipal levels.
- Encouragement of a more transparent and relevant policy approach.
- Implementation of metropolitan Melbourne strategies and policies at local planning level.
- Enhanced legibility and accessibility of the planning scheme, assisting in the creation of greater community understanding of the scheme and greater transparency in decision making.
- Recognition of the importance of community development in land use planning through the introduction of a specific policy for this area.
- Ready implementation of the Darebin Planning Scheme Review Report 2010 and proposed review of the Municipal Strategic Statement (under Amendment C138).
- A more concise and relevant planning framework through the removal of irrelevant policy.

The draft PPF includes new content that has been drawn from Plan Melbourne and other adopted State Government policy. New content that is of importance to Darebin and may support the directions set out in the Council Plan goals includes the following.

- **La Trobe Employment Cluster:** The importance of National Employment clusters, and the identification of these structures, could be further strengthened (*Goal 1: Vibrant City and Innovative Economy*).

- **Jobs diversity and growth:** Policy from Plan Melbourne relating to the location of employment has been included in Clause 09.01. This refers to the National Employment clusters and the importance of recognising the changing needs of the business sector (*Goal 1: Vibrant City and Innovative Economy*).
- **Electric cars:** Clause 06.02 (strategy 5.4) includes new policy relating to car sharing schemes and electric vehicles (*Goal 3: Sustainable and Resilient Neighbourhoods*).
- **Urban vegetation:** Clause 06.03 includes policy to increase urban vegetation and acknowledges the impact of trees in mitigating urban heat island effects. The amenity importance of trees, as well as their potential to contribute to public realm and usability, is also acknowledged (*Goal 3: Sustainable and Resilient Neighbourhoods*).
- **Social housing:** Additional objectives and strategies are included in Clause 08.02 to facilitate the supply of social housing. These strategies include facilitating social housing through varied funding and delivery models and development controls, and identifying opportunities for social housing in urban renewal precincts (*Goal 2: Healthy and Connected Community, Goal 3: Sustainable and Resilient Neighbourhoods*).
- **Gaming:** Clause 10.07 articulates policy relating to gaming and brothels. While there are some issues with the location of this policy within the framework (detailed further below), it provides guidance to ensure that gaming machines and brothels are located appropriately (*Goal 2: Healthy and Connected Community*).
- **Healthy and liveable places:** The focus upon '20 minute neighbourhoods' encourages healthy neighbourhoods through the creation of 20 minute walking/cycling catchments. Specific policy for walking is also included within the transport clause (Clause 12.02). This encourages use and development that promote walking, and the formation of walking networks (*Goal 2: Healthy and Connected Community, Goal 3: Sustainable and Resilient Neighbourhoods*).
- **City shaping infrastructure:** Of particular importance to Darebin is the inclusion of strategic planning guidelines regarding a potential North East Link (Clause 12.06-M00-01). This link would connect the M80 Ring Road to the Eastern Freeway/East Link, and should incorporate improved access to the LTEC Council will need to be included in any planning related to this North East Link (*Goal 1: Vibrant City and Innovative Economy*).

The matters above demonstrate strong alignment of policy directions between Council's goals and the state government. On this basis, Council is in a position to support these changes.

Issues for Darebin

There are several issues in the draft PPF that are likely to have a negative effect on Darebin City Council, including:

- The proposed PPF moves from a current framework of a mixture of thematic (policy themes of headings) and spatial (strategy / policy for specific geographical areas) headings to a framework based entirely on thematic headings. This potential conversion will create some issues and loss of direction for specific areas, precincts and places.

- The structure of the draft PPF may result in repetition of content for a particular area, as matters relating to jobs, housing, commercial uses and transport (which have traditionally been dealt with in the same location under a place-based approach) are dealt with under separate themes. For example, activity centres and universities, which serve multiple land use purposes, would need to be separated into different policy sections within the revised structure. One method to overcome this limitation could be to include a broad plan under Clause
- The draft PPF establishes criteria for the application of the new residential zones (Clause 08.01-S-01). The regional policy for metropolitan Melbourne states that the Neighbourhood Residential Zone should be used across 50 per cent of Melbourne's residential-zoned land (Clause 08.01-M00-01). This regional policy appears to contradict the state policy, which establishes a clear rationale for the application of the NRZ. The justification of this figure is not clear in either the draft PPF or Plan Melbourne. The application of the neighbourhood residential zone should not achieve a pre-determined outcome; rather, it should be subject to a process of rigorous analysis and balanced consideration of issues. The draft PPF should reflect this through the removal of the 50 per cent target.
- The revised PPF has highlighted gaps in Darebin's local planning policy that will require further work, including landscape and built environment, and community development. There are resource implications for this further work, detailed further below.
- There are several policies that have translated existing content within the SPPF. This includes urban design policy (Clause 06.02) and aged accommodation (Clause 08.04) and ESD (Clause 06.04). These are areas where policy review at a state level is required and additional content is warranted. The draft PPF translates existing policy within the SPPF, and in doing so addresses water and energy standards in new development. However, there are many other issues that contribute to sustainable buildings, and the lack of ESD guidance has been acknowledged by the Environmentally Efficient Design Advisory Committee. The Advisory Committee has missed an opportunity to update policy in these areas. Council should continue to advocate for use of the Sustainable Design Assessment in the Planning Process program as part of coordinated efforts with other Victorian Councils.
- While there is improved policy relating to social housing (referred to above), there is limited affordable housing policy (Clause 08.02, Clause 02.01). There is no definition of either social housing or affordable housing, which are contentious and often misinterpreted terms. The draft PPF also refers to 'key worker' housing (Clause 08.01), a term that is relatively new in the Australian planning context and requires further explanation.
- The translation of existing policy into the new format has resource implications for Council; these are addressed further below. Changes that are not policy neutral and may require translation into other planning tools will have significant resource implications. These are further articulated below.

Process from here

Below details the process that the draft PPF has taken so far, including key actions where Darebin has been active:

1. SPPF Review Advisory Committee appointed July 2013.
2. Policy neutral rewrite August 2013.

3. Targeted consultation with government departments, statutory authorities, municipalities, industry and advocacy groups September – December 2013.
4. Draft revised SPPF issued October 2013.
5. Terms of reference expanded to include consideration of local content December 2013.
6. Draft PPF released to the public for comment 14 March 2014.
7. Council Officers participated in workshops with Advisory Committee March/April 2014.
- 8. Submissions on the draft PPF are due 23 May 2014.**
9. Final PPF forecast to be released in September 2014. The state and regional policies will become effective immediately, local policies and the MSS will require translation over the following two to three years (exact timeframes are to be confirmed by the Advisory Committee).

Amendment C138, seeking to introduce a new Municipal Strategic Statement and local planning policies is at present being considered by an independently appointed panel. The panel has suggested they may be in a position to provide advice through the current amendment about the translation. It is critical that this advice can be provided in a timely fashion and avoids delaying the progress of Amendment C138 to its conclusions. The Panel Hearing is expected to be completed by the end of May, thus the Panel Report is likely to be received approximately July/August.

Anticipating that the new PPF will be introduced later in 2014, the work to undertake the translation should form part of the 2015/2016 budget consideration process which should have the benefit of the outcomes of Amendment C138 to inform an appropriate process. This is further addressed below. The resource and financial implications are further addressed below in detail.

POLICY IMPLICATIONS

Environmental Sustainability

The draft PPF is mostly a policy neutral review with the addition of select new government policies. Council Officers attended two consultation sessions regarding the draft PPF and it was acknowledged that environmentally sustainable design is a 'gap' in the current framework, i.e. it has not been expanded beyond what was already in the SPPF. Council has the opportunity to emphasise this within the submission; however, the policy neutral nature of the review means that it is not likely to result in changes to the framework.

The draft PPF includes new policy provisions at Clause 13.01-S-01 Objective 2 '*to support local electricity generation*' with strategies to support cogeneration and tri-generation plants and renewal and sustainable energy generation.

Human Rights, Equity and Inclusion

The new PPF has articulated human rights, equity and inclusion policies in the Community Development section, Clause 10). Additional matters of relevant include objectives for encouraging social and cultural infrastructure that is integrated and co-located, ensuring sufficient and appropriate active recreation opportunities. Separate chapter on community development is a positive.

Economic Development

The draft PPF includes restructured and updated policy on economic development. The La Trobe Employment Cluster and Northland Urban Renewal Precinct are acknowledged, as well as the importance of responding to the needs of the business sector. Economic development is a key pillar of the updated policy.

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

There are financial and resource implications for a policy neutral translation of the Municipal Strategic Statement and local planning policies into the revised structure which Council will be required to undertake. It is estimated that this could be up to 15 days of officer time to complete the PPF translation.

It is unknown at this time the true scope of other consequential changes that may need to be made across the suite of zones and overlays, which may not be viewed as strictly policy neutral. There has been no direction given by the Advisory Committee or Department of Transport, Planning and Local Infrastructure on this matter at this stage. At the time the 2014/2015 budget was prepared, it was not known that the new PPF would potentially commence from September 2014. This project is not programmed within the 2014/2015 budget.

SPU is seeking further clarification from DTPLI as to whether there will be other costs associated with the amendment, such as exhibition and State Government approval fees.

The Advisory Committee has indicated that there may be resources made available to councils to assist in policy translation. This could be in the form of a travelling working group that would work with Council Officers to implement the PPF. Council's submission on the draft framework should seek additional DTPLI funding, resources and support to complete the effective and timely conversion to the new PPF format.

The transition period has not formally been established; however, the Advisory Committee have indicated it could be between two and three years. The work involved in translating the local policy may therefore be referred to the 2015/2016 budget for inclusion.

The restructure and inclusion of new state policies will potentially enable Council to implement additional policies, not available previously, as well as introduce policies on landscape and built environment and community development matters which are current gaps. These matters could be referred to future budget consideration. Other changes may occur in the finalisation of the PPF review, so this is best addressed at the time the PPF is approved by State government and having regard to the burgeoning work program and expanding list of priorities being undertaken by the Strategic Planning Unit.

CONCLUSION

The Victorian Government has released a revised PPF and is seeking feedback from Councils until 23 May 2014.

The revised PPF structure is beneficial in that it improves accessibility and legibility, integrates state, regional and local policy and implements the directions of Plan Melbourne.

The shift to a thematic approach to policy may result in a loss of integrated policy for particular precincts and places. Council has adopted an integrated, place-based approach to policy that is not easily translated into the compartmentalised, thematic structure of the PPF. This and other issues are detailed the attached Council submission.

FUTURE ACTIONS

1. Lodge City of Darebin submission to the SPPF Review Advisory Committee by 23 May 2014.
2. Send letter of support to MAV regarding their submission.
3. Pending the outcome of the review, preparation of a project plan to implement changes with budget submissions as appropriate.

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

- Darebin City Planning Policy Framework – Exposure Draft (**Appendix A**)
- Darebin Submission to the Planning Policy Framework Review (**Appendix B**)
- Municipal Association of Victoria Submission: Integrated Planning Policy Framework April 2014 (**Appendix C**)
- Darebin letter of support to the Municipal Association of Victoria (**Appendix D**)
- Terms of Reference SPPF Review Advisory Committee 2013 (**Appendix E**)
- Terms of Reference – Addendum SPPF Review Advisory Committee 2013 (**Appendix F**)

Steve Hamilton, Director Assets and Business Services, temporarily left the meeting during discussion of the above item at 8.02 pm and returned at 8.04 pm.

8.5 INSTRUMENT OF APPOINTMENT AND AUTHORISATION TO APPOINT AUTHORISED OFFICERS TO ENFORCE THE PLANNING AND ENVIRONMENT ACT 1987

MINUTE NO. 277

AUTHOR: Manager Corporate Governance and Performance

REVIEWED BY: Director Corporate and Planning Services

SUMMARY:

The *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council dated 18 February 2014, makes these appointments. Maddocks Lawyers' model *Instrument of Appointment and Authorisation* developed for Victorian councils is used for this purpose.

Maddocks Lawyers have a separate *Instrument of Appointment and Authorisation* specifically for authorised officers appointed under the *Planning and Environment Act 1987*. This *Instrument of Appointment and Authorisation* provides for councils (rather than CEOs by delegation) to appoint officers by a resolution.

This report therefore presents for Council approval the *Instrument of Appointment and Authorisation* to appoint authorised officers for the purposes of enforcing the *Planning and Environment Act 1987*.

CONSULTATION:

- Coordinator Statutory Planning

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. S. Tsitas

THAT in the exercise of the powers conferred by section 147 (4) of the *Planning and Environment Act 1987* and section 232 of the *Local Government Act 1989*, Darebin City Council resolves that:

- (1) The members of Council staff referred to in the Instrument attached as **Appendix A** be appointed and authorised as set out in the instrument.
- (2) The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.
- (3) The instrument be sealed.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND**

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council dated 18 February 2014, makes these appointments. Maddocks Lawyers' model *Instrument of Appointment and Authorisation* developed for Victorian councils is used for this purpose.

Maddocks Lawyers have a separate *Instrument of Appointment and Authorisation* specifically for authorised officers appointed under the *Planning and Environment Act 1987*. This *Instrument of Appointment and Authorisation* provides for councils (rather than CEOs by delegation) to appoint officers by a resolution.

ISSUES AND DISCUSSION**Appointment of Authorised Officers to enforce the Planning and Environment Act 1987**

This *Instrument of Appointment and Authorisation*, specifically for authorised officers appointed under the *Planning and Environment Act 1987*, provides for councils (rather than CEOs by delegation) to appoint officers by a resolution, pursuant to section 147 of the *Planning and Environment Act*. The Instrument also includes the general appointment provision in section 232 of the *Local Government Act 1989* to commence proceedings in a council's name.

Section 188 (2) of the *Planning and Environment Act* provides that councils cannot delegate the power to authorise officers for the purposes of enforcing the *Planning and Environment Act*.

As the authorised officers involved enforce several other Acts and regulations other than the *Planning and Environment Act*, Maddocks Lawyers' other general *Instrument of Appointment and Authorisation* covering these Acts and regulations will continue to operate in tandem with the separate *Instrument of Appointment and Authorisation (Planning and Environment Act 1987 only)* where authorised officers are appointed by Council resolution.

POLICY IMPLICATIONS**Environmental Sustainability**

Nil

Human Rights, Equity and Inclusion

Nil

Economic Development

Nil

Other

The appointment and authorisation of officers for the purposes of enforcing the *Planning and Environment Act 1987* enables day to day statutory and operational decisions to be made in relation to this Act. The proposed *Instrument of Appointment and Authorisation (Planning and Environment Act 1987)* is based on the model developed by Maddocks Lawyers

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

It is recommended that the subject *Instrument of Appointment and Authorisation (Planning and Environment Act 1987)* specifically for authorised officers appointed under the *Planning and Environment Act 1987* be signed and sealed by the Council.

FUTURE ACTIONS

- *Instrument of Appointment and Authorisation (Planning and Environment Act 1987)* to be signed and sealed by Council.
- New authorised officer appointments for the purposes of enforcing the *Planning and Environment Act 1987* to be made by Council resolution.

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

- Proposed *Instrument of Appointment and Authorisation (Planning and Environment Act 1987)* – **Appendix A**
- Delegations and Authorisations Service – Maddocks, Lawyers
- Council Minutes – 5 March 2012, 4 June 2012, 17 September 2012, 10 December 2012, 18 February 2013, 15 April 2013, 6 May 2013, 7 October 2013, 6 November 2013 and 17 February 2014.

8.6 PROPERTY ASSET MANAGEMENT STRATEGY**MINUTE NO. 278****AUTHOR: Manager Assets and Property****DIRECTOR: Director Corporate and Business Services****SUMMARY:**

Council has a diverse property portfolio comprising community, operational and commercial properties. As stewards of this significant property portfolio, Council has a duty to manage its property in an effective, efficient and sustainable manner on behalf of the community.

In recognition of the importance of Council's role in the management of its diverse property portfolio, it embarked on a comprehensive process to improve the management, relevance and performance of its property that has led to the development of the Darebin City Council's Property Asset Management Strategy (PAMS).

PAMS (a copy is attached in **Appendix A**) sets out a coordinated and strategic approach to the management and development of its property portfolio. It provides an overarching framework that contains stated objectives, desired outcomes and strategies that contribute to the effective, efficient and sustainable delivery of Council's services, now and into the future.

CONSULTATION:

- All Council Departments
- MacroPlanDimasi

RECOMMENDATION

THAT Council adopt the Property Asset Management Strategy attached as **Appendix A** to this report.

MOTION**MOVED: Cr. S. Tsitas****SECONDED: Cr. B. Li**

THAT Council adopt the Property Asset Management Strategy attached as **Appendix A** to this report.

Cr. Walsh proposed to the mover (Cr. Tsitas) and seconder (Cr. Li) that point (2) be added to the motion as follows:

- (2) That Council receives a report outlining Council's 20 most valuable property assets.

WITH LEAVE OF THE MAYOR CR. GRECO SUGGESTED TO MOVE CR. WALSH'S PROPOSAL AS AN AMENDMENT RATHER THAN AN AMENDED MOTION

AMENDMENT

MOVED: Cr. O. Walsh
SECONDED: Cr. J. Williams

THAT Council

- (1) Adopt the Property Asset Management Strategy attached as Appendix A to this report.
- (2) Receives a report outlining Councils 20 most valuable property assets.

WITH LEAVE OF THE MAYOR CR. GRECO SUGGESTED POINT (2) OF THE AMENDMENT BE AMENDED TO INCLUDE THE WORD BRIEFING

THE AMENDMENT READ AS FOLLOWS:

AMENDMENT

MOVED: Cr. O. Walsh
SECONDED: Cr. J. Williams

THAT Council

- (1) Adopt the Property Asset Management Strategy attached as Appendix A to this report.
- (2) Receives a briefing report outlining Councils 20 most valuable property assets.

THE AMENDMENT WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL MOTION AS FOLLOWS:

MOTION

MOVED: Cr. O. Walsh
SECONDED: Cr. J. Williams

THAT Council:

- (1) Adopt the Property Asset Management Strategy attached as Appendix A to this report.
- (2) Receives a briefing report outlining Councils 20 most valuable property assets.

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

COUNCIL RESOLUTION

MOVED: Cr. O. Walsh
SECONDED: Cr. J. Williams

THAT Council:

- (1) Adopt the Property Asset Management Strategy attached as Appendix A to this report.
- (2) Receives a briefing report outlining Councils 20 most valuable property assets.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

Council manages a diverse portfolio of property assets. This includes parks, open space, gardens, reserves, kindergartens, commercial buildings, vacant land, car parks, footpaths and road reserves.

Property assets are held by Council for core operational purposes, where the property is occupied and used directly for service provisions, and for non-core uses such as commercial properties. Their deployment support Council in responding to the diverse and evolving needs of the Darebin community now and into the future.

In recognition of the importance of Council's role in the management of its diverse property portfolio, it embarked on a comprehensive process to improve the management, relevance and performance of its property.

Hence the development of a new strategy which provides an overarching framework that will assist Council in making the most of its property for effective, efficient and sustainable delivery of services.

The Darebin City Council's Property Asset Management Strategy (PAMS) sets out a strategic view of Council's property management activities by closely linking future decision making for property assets to policy priorities which reflect Council's fiscal, economic, social and environmental objectives. It aims to ensure decisions contribute to the betterment of the community through the strategic management of its property portfolio in a holistic manner.

ISSUES AND DISCUSSION

Strategic Objectives

The following six strategic objectives, which mirror the goals in the Council Plan, will direct the strategic property management approach:

1. Property assets contribute to economic growth (*Vibrant and Innovative Economy*)
2. Property assets contribute to the health and social wellbeing of the community (*Healthy and Connected Community*)
3. Property assets can promote a balance between development and sustainability (Sustainable and resilient neighbourhoods)
4. Property assets contribute to the creative culture of the City (*Thriving and Creative Culture*)
5. Council will optimise the service potential of its property assets (*Excellent Service*)
6. Council will assign responsibility and accountability for its property assets (*Open and Accountable Democracy*)

Included in the strategy is an Action Plan that details how these strategic objectives will be realised.

Property Management Framework

A key component of PAMS is the Property Management Framework. It presents a structured methodology for municipal decision making in relation to property assets that is supported by strategy and financially sustainable. It relies upon each property asset using service to undertake planning for their property asset needs, for those needs to be assessed before deciding which management action is required:

- Acquire
- Retain
- Grow
- Redevelop
- Dispose

Property Assessment Tools

Ultimately each property asset that Council possesses is required to support the delivery of a service. The following two assessment tools have been developed to assist the strategic decision making required in relation to property assets. The tools are not intended to be a mechanistic process with defined inputs and a definitive output; rather the tools are a way of organising the organic process of property asset decision making:

1. Decision Logic Map – a guided set of questions in a flow chart
2. Key Performance Criteria – a set of measures for property performance

The property assessment tools, and particularly the Decision Logic Map, enable Council to demonstrate its commitment to transparency by making decisions freely available, easily understood and accessible.

POLICY IMPLICATIONS

Environmental Sustainability

PAMS contains stated objectives and desired outcomes that contribute to the environmental sustainability of the City. It encourages Council to design property assets with climate change in mind, make property asset decisions that consider and protect the needs of future generations, look at ways at minimising demand through the use of innovative service delivery alternatives, and it supports the location property assets in areas that encourage sustainable travel alternatives.

Human Rights, Equity and Inclusion

PAMS contains stated objectives and desired outcomes that promote human rights, equity and inclusion in the supply and use of property assets. Including the provision of property assets to support cultural activities and by ensuring property assets are accessible to all. It further provides for property assets to be used to support desired affordable housing opportunities across the municipality.

Economic Development

PAMS contains stated objectives and desired outcomes that contribute to economic development, including the use of property assets to stimulate growth and regeneration that promote business hubs and jobs, and to encourage asset improvements that will promote visitation to the City.

Other

PAMS is built around Council's vision, mission and values. It aligns with the goals of the Council Plan as well as other broader policy objectives. All property management activities strategically link back to these documents.

FINANCIAL AND RESOURCE IMPLICATIONS

PAMS has been developed within the framework of projected resource and budgetary targets. Funding for a range of specific actions resulting from the strategy will be dealt with on an annual basis.

CONCLUSION

PAMS provides for the first time a 'whole-of-Council' framework for the strategic management of its property portfolio that link to the goals of the Council Plan and broader policy objectives.

It provides a sound basis for achieving a sustainable property portfolio capable of generating enhanced community outcomes whilst serving to guide Council's future investment and resource decisions associated with Council-owned and operated property assets to achieve positive contributions to the diverse and evolving needs of the Darebin community overtime in a holistic manner.

FUTURE ACTIONS

- Implementation of the Property Asset Management Strategy

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

- **Appendix A** – Property Asset Management Strategy
- Council Plan
- Service Asset Strategies
- Asset Management Plans
- Long Term Financial Plan

Darren Rudd, Manager City Development, left the meeting during discussion of the above item – 8.08 pm

8.7 AUSTRALIAN OPEN BOWLS**MINUTE NO. 279****AUTHOR: Manager Leisure and Public Realm****REVIEWED BY: Director Culture, Leisure and Works****SUMMARY**

The Australian Open Bowls tournament commenced in 2005 and has been held at Darebin International Sports Centre (DISC) every year except 2009 and 2010 when the greens were undergoing and recovering from renovation works.

The funding agreement that ties the tournament to DISC expires following the tournament scheduled to be held in February 2014. Bowls Australia have entered into an agreement with the Queensland Government to hold the tournament there for the next five years.

At its meeting held on 3 March 2014 Council resolved:

That:

- (1) *Council continue to work with and advocate to Bowls Australia and Bowls Victoria for the hosting of significant bowling events at Darebin International Sports Centre.*
- (2) *Council delegate to the Chief Executive (or his delegate) the authority to renegotiate the agreement with the State Government for the State Bowls Centre to reduce Council's maintenance obligations.*
- (3) *A report be brought to council prior to 2014/2015 budget time.'*

Officers have been in negotiations with the State Government regarding varying the maintenance requirements for the greens at DISC but this has yet to be resolved whilst the standard and volume of future use is determined.

CONSULTATION

- Bowls Australia
- State Government – Sport and Recreation Victoria
- Manager Economic Development and Civic Compliance
- Darebin City Bowls Club

RECOMMENDATION

THAT Council:

- (1) Continue negotiations with Bowls Australia, Bowls Victoria and State Government to ensure that Darebin International Sports Centre serves as a high performing State Bowls Centre.
- (2) Receive a further report following negotiations with the State Government regarding the State Bowls Centre to reduce Council's maintenance obligations.

COUNCIL RESOLUTION

MOVED: Cr. O. Walsh

SECONDED: Cr. S. Tsitas

THAT Council:

- (3) Continue negotiations with Bowls Australia, Bowls Victoria and State Government to ensure that Darebin International Sports Centre serves as a high performing State Bowls Centre.
- (4) Receive a further report following negotiations with the State Government, Bowls Victoria and Bowls Australia regarding the State Bowls Centre to reduce Council's maintenance obligations.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND**

The Australian Open Bowls tournament commenced in 2005 and has been held at Darebin International Sports Centre every year except 2009 and 2010 when the greens were undergoing and recovering from renovation works.

In 2008 Council entered into an agreement with the State Government and Bowls Australia regarding usage of DISC by Bowls Australia. The agreement provided funding for the relocation of Bowls Australia's offices to DISC, renovation of the greens and tied the Australian Open Bowls tournament to DISC until 2014. Council received \$500,000 under the agreement in return for office upgrades, green renovation works and a \$70,000 per annum contribution for works associated with the tournament. Bowls Australia received \$900,000 over the life of the agreement for conducting the tournament at DISC.

The funding agreement expired following the tournament held in February 2014. Bowls Australia have entered into an agreement with the Queensland Government to hold the tournament there for the next five years.

At the Council meeting on 3 March 2014 Council resolved:

That:

- (1) Council continue to work with and advocate to Bowls Australia and Bowls Victoria for the hosting of significant bowling events at Darebin International Sports Centre.*
- (2) Council delegate to the Chief Executive (or his delegate) the authority to renegotiate the agreement with the State Government for the State Bowls Centre to reduce Council's maintenance obligations.*
- (3) A report be brought to council prior to 2014/2015 budget time.'*

ISSUES AND DISCUSSION

Bowls Australia

Bowls Australia indicated an interest in moving the event from DISC after 2014 to assist in promotion of the sport around the country. Bowls Australia have now entered into an agreement with the Queensland Government to hold the tournament there for the next five years. The tournament has been expanded and will utilise 22 bowls clubs across the Gold Coast.

Economic Impact

Bowls Australia conduct an economic impact assessment of the tournament each year. In 2013 the economic impact of the event for Melbourne was \$3.405M. This is based on 7,929 visits to DISC over the duration of the tournament. The report does not give a specific assessment of the impact on Darebin's economy.

DISC Funding Agreement

In December 2001, Council signed a grant funding agreement with the State Government as part of the major development of the State Bowls Centre and State Cycling Centre for \$10,500,000. The agreement requires Council to maintain the venue as State Centre for Bowls capable of acting as an international sporting venue for 30 years. This means that the existing four bowls greens must be maintained even though the tenant bowls club (Darebin City Bowls Club) currently do not require use of all four greens.

Other tournaments

Bowls Australia are responsible for coordinating international matches held in Australia. Bowls Australia also conduct other national tournaments. These include the Australian Indoor Championship, the Australian Sides Championship, the Under 18 Championships and the National Champion of Champions being held in SA in October. Bowls Australia has also developed the Australian Premier League which is a four day teams tournament covered on Foxtel.

Bowls Australia have indicated a willingness to try to attract significant event to DISC which could include Asia Pacific Championships in 2018.

Bowls Victoria is responsible for conducting state competitions and tournaments including the Victorian Open, the State Championships and the Over 60's State Championships.

DISC Licence Agreement

The first term on the licence agreement for Darebin City Bowls Club at DISC expires in August this year. The licence has two options of 10 years each which are required to be jointly exercised. Darebin City Bowls Club have been written to advising them of this situation of asking their intent in relation to future usage.

Discussions are currently being held regarding the future agreements for usage of DISC for bowls with the club, Bowls Australia, Bowls Victoria and the State Government. The funding agreement requires a level of access for the State Bowls Association to host events and development programs at the venue. The Australian Open has previously utilised some of this access but there has been little use by development squads in recent years.

Future approach – options

The moving of the Australian Open and the ending of the current licence agreement with Darebin City Bowls Club gives Council the opportunity to review its position in relation to the State Bowls Centre. Options to consider are:

1. Maintain current arrangements

Council could take the option on the existing licence agreement and rely on the club to generate usage. Council would have to maintain four bowling greens with only club and casual bowling taking place.

2. Seek to revise agreements to reduce costs for Council

As the Australian Open will not be held at DISC for the next five years, should Bowls Victoria continue its low level of usage the status of DISC as the State Bowls Centre could be queried. In this context it may be possible to negotiate with the State Government to enable a position where Council maintains two greens for club play and the capability to bring the additional greens up to playing condition for major events if and when required. This would reduce Council's annual maintenance costs by \$30,000/annum except in years when all greens are required, in which case there would be an additional cost to rejuvenate the underutilised greens.

3. Approach Bowls Australia, Bowls Victoria, Darebin City Bowls Club and State Government to maximise usage of DISC as the State Bowls Centre

Part of the original purpose in developing DISC was to create the State Bowls Centre to be utilised by state development squads, state, national and international events and to support local clubs.

Significant capital and maintenance funding has been invested in DISC over the past ten years to ensure that Council has met its obligation in providing the State Bowls Centre. The level and standard of usage has generally not matched the standard of the facility. This is partially as a result of the loss of reputation when the greens required renovation works in 2009.

There is an opportunity for Council to consider the way in which its structures the usage agreements for DISC and who should be the primary tenant of the State Bowls Centre. Usage of the centre could be driven from a state, national or club level and each of the parties with some interest in the centre have varying levels of capacity and ability to do this.

Bowls Australia are moving the Australian Open Bowls tournament to Queensland for 2015 and beyond. Council has to maintain the four greens as part of its original agreement for funding for the construction of DISC. The tenant bowls club is currently not large enough to require use of the four greens so the removal of this tournament will result in the greens being underutilised. The suggested approach is to work with all interested parties to structure usage agreements which will maximise the usage of the DISC and see its status as the State Bowls Centre enhanced. This usage could be delivered through greater club usage, increased state development squad presence, increased event usage or a combination of all of these.

POLICY IMPLICATIONS

Environmental Sustainability

There are no known environmental impacts as a result of this briefing.

Human Rights, Equity and Inclusion

DISC is an accessible venue and caters for people with different needs.

Economic Development

Events held at DISC have been shown to have a positive economic development impact for Melbourne.

Other

The suggested action fits with the direction of the Leisure Strategy 2010-2020 which seeks to maximise the use of our existing assets.

FINANCIAL AND RESOURCE IMPLICATIONS

Council currently contributes \$70,000 per annum towards the Australian Open. The current licence agreement fee for Darebin City Bowls Club is \$50,000/annum. Bowls Australia pay a lease fee of \$30,000/annum for use of the office space.

Hosting of other events may also require a financial contribution from Council. The Darebin City Council provided \$178,000 for greens maintenance in the 2013/2014 financial year.

CONCLUSION

The Australian Open Bowls Tournament will not be held in Darebin after 2014 for some time. Conversations will continue with the State Government, Bowls Australia, Bowls Victoria and Darebin City Bowls Club to understand the possibilities and what may be required to maximise the usage of the State Bowls Centre at DISC and to renegotiate agreements accordingly.

FUTURE ACTIONS

- Negotiations with Bowls Australia, Bowls Victoria, State Government and Darebin City Bowls Club around usage of DISC
- Renegotiate the agreement for DISC bowls facilities at DISC
- Seek Council endorsement of any agreement reached

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

- Australian Open Bowls 2013 Economic Impact Report
- Leisure Strategy 2010-2020
- Grant Funding Agreement between State Government, Melbourne and Olympic Parks Trust and Council, December 2001
- Grant Funding Agreement between State Government, Bowls Australia and Council, June 2008
- Council Minutes – 3 March 2014

8.8 PROPOSAL TO CHANGE THE NAME OF THE FEDERAL SEAT OF BATMAN AND OTHER LOCATIONS**MINUTE NO. 280****AUTHOR: Manager Community Planning and Customer Service****REVIEWED BY: Director Community Development****SUMMARY**

At its meeting held on 16 December 2013 Council resolved:

That:

- (1) Council notes and supports recent calls by Wurundjeri elders and other local Aboriginal leaders to change the name of the Federal seat of Batman, in the spirit of reconciliation.*
- (2) Council commits to working with the Wurundjeri Tribe Land and Compensation Council and the Darebin Aboriginal Advisory Committee and the Australian Electoral Commission to develop and advocate for options for consideration by the Australian Electoral Commission.*
- (3) Council receives a report on the results of consultation with the Wurundjeri Tribe Land and Compensation Council and the Darebin Aboriginal Advisory Committee and the Australian Electoral Commission, along with the process and timeframe for making a submission.*
- (4) Consultation also occurs around other relevant locations such as Batman Park.'*

On 22 April 2014, a meeting was held between the Wurundjeri Tribe Land and Compensation Heritage Council (Wurundjeri Council) and Darebin City Council to discuss these matters as well as other collaborative initiatives. Research was also carried out to investigate the process for name changes to Federal Divisions and the internal process for park name changes.

- In relation to the Federal Division proposal, Council's role is likely to be limited to that of an advocate for review and change
- In relation to relevant locations within Darebin, Council is able to investigate and determine the naming of places of significance in the municipality.

This is an opportunity to not only change a name which is intrinsically linked to colonisation and the dispossession of Aboriginal lands, but also to select names which reflect the indigenous history of Darebin.

CONSULTATION

- Council Briefing Date – 12 May 2014
- Community Planning and Customer Service
- Assets Management
- Darebin Aboriginal Advisory Committee
- Wurundjeri Council

COUNCIL RESOLUTION

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

THAT Council approves the recommended actions and timing outlined in this report relating to the renaming processes of the Batman Electorate and Batman Park.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND**

At its meeting on 16 December 2013, Council gave its support to calls for a change to the name of the federal division of Batman and other sites within Darebin including Batman Park and committed to community consultation on these issues, in the spirit of reconciliation. It committed to working with key partners particularly the Wurundjeri Tribe Land and Compensation Cultural Heritage Council ('Wurundjeri Council') and the Darebin Aboriginal Advisory Committee (DAAC) to develop and advocate for options for consideration to the Australian Electoral Commission (AEC).

Community calls for renaming both Batman Park and the Federal Division in Northcote were reignited at the Darebin Human Rights Day event in December 2013, and in response to Federal MP David Feeney's Christmas card to constituents which depicted the negotiation of the Batman treaty on the banks of the Merri Creek.

Other key stakeholders include the Cities of Yarra and Whittlesea (whose municipalities are also in the Federal Division of Batman) and the Member for Batman Mr David Feeney.

ISSUES AND DISCUSSION

The policy context and key implications are as follows.

Renaming of Federal Division of Batman

The Federal Seat of Batman takes in the whole of the City of Darebin and parts of the Cities of Whittlesea and Yarra. Agreement will be sought from both Yarra and Whittlesea on the name change with a view to pursuing the change as a united block. Contact will also be established with the office of David Feeney MP on this issue to begin a discussion about the name change and also ask for his support.

The final decision on the names of federal electoral divisions in a state or territory is made by the augmented Electoral Commission during the redistribution of that state or territory. Redistribution normally occurs every seven years (unless there have been significant changes to the population in the electorate to trigger an earlier redistribution). In Victoria, the last redistribution occurred in 2010 and the next is scheduled for 2017.

The AEC's non-binding guidelines or conventions on the naming of electoral divisions to guide redistribution processes note that names of divisions should not be changed or transferred without very strong reasons. Formal clarification will be sought from the AEC on the exact process for renaming an existing division (which may differ from the process of naming a new division).

Recommended Actions and Timing

Write to the AEC requesting formal notification of process and timelines for electoral division rename	May 2014
Meet with Whittlesea and Yarra to seek agreement	June 2014
Meet with Member for Batman to seek agreement	June/July 2014
Council event held during Wurundjeri Week (4-11 August)	August 2014
Liaison with Wurundjeri Council	ongoing
Liaison with DAAC	ongoing
Development of a Community Consultation Plan and Communication Plan	October 2014

Renaming of locations within the City of Darebin

In accordance with the *Geographic Place Names Act 1998*, the *Guidelines for Geographic Names 2010 (Version 2)* and Council's *Road and Place Naming Policy 2003*, Council is able to investigate and determine the naming of places with local significance including suburbs, roads, bridges, bike paths, reserves and parks within the municipality.

Relevant requirements from the current *Guidelines for Geographic Names* are as follows:

- Identification and use of Indigenous names is subject to consultation with and an agreement by all relevant Indigenous communities, and consultation should be undertaken prior to any broader public consultation on the proposed name(s). Advice to the naming authority is provided via a consultative group of relevant Indigenous groups.
- The naming of places and features should involve the public, particularly the local community directly concerned or affected. Various means exist to consult with communities. These should be transparent and the interested public involved through processes which are meaningful and informative.
- The level and form of the consultation is left to the discretion of the responsible naming authority and can vary depending on the naming proposal.

Renaming of Batman Park

At a meeting between Darebin Council and the Wurundjeri Council on 22 April 2014, Wurundjeri elders expressed interest in working with Council to raise community awareness on the genesis of the Batman Treaty in the first instance - what it entailed, who was involved and what was the impact on the Wurundjeri people. The position of the Wurundjeri Council is that Darebin Council can play a role in raising community awareness on the history of the Treaty first, leading up to calls for suggestions from the community to participate in the process of renaming the Park.

The Wurundjeri Council identified Wurundjeri Week (4 - 11 August) as an opportunity to commence community awareness-raising through a Darebin Council held event. It was agreed to hold a forum hosted by Darebin that would involve a panel of speakers to present on the Batman Treaty and provide analysis and insight.

Council will continue to build community education after the forum and as part of this will also commence community engagement and consultation on the renaming of Batman Park.

Recommended Actions and Timing

Work with Assets Management to establish procedure and timeline for renaming of Batman Park	June 2014
Work with Wurundjeri Council to develop protocols for identifying future opportunities for naming / renaming of places of local significance in Darebin	ongoing
Commence Batman Park rename process as per Council's <i>Road and Place Naming Policy 2003</i>	July 2014
Community engagement begins as part of Wurundjeri Week	August 2014

POLICY IMPLICATIONS

Environmental Sustainability

Nil

Human Rights, Equity and Inclusion

Community engagement and liaison with Darebin's Aboriginal and Torres Strait Islander community has been undertaken via the Darebin Aboriginal Advisory Committee and the Wurundjeri Council. This initiative reflects the commitments and goals of the Darebin Aboriginal Action Plan 2012-2015 which focuses on strengthening Council's relationship with and commitment to its Aboriginal community. It also forms part of Council's work as part of the Darebin Anti-Racism Strategy 2012-2015.

Economic Development

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Community engagement and education processes will require some minimal funding. Much of the work identified in this report will be undertaken within existing departmental budgets, notably Assets Management and Community Planning and Customer Service.

CONCLUSION

Council is poised to commence a process of research, engagement and awareness raising to support a name change to the Federal Division of Batman, Batman Park and potentially other sites around Darebin, in the spirit of reconciliation and as part of the commitments expressed in the Darebin Equity and Inclusion Policy (2012-2015) and the Darebin Aboriginal Action Plan (2102-2015).

FUTURE ACTIONS

- See *Recommended Actions and Timing* tables within report.

DISCLOSURE OF INTERESTS

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 briefing paper.

RELATED DOCUMENTS

- Council Minutes – 16 December 2013
- Darebin Equity and Inclusion Policy 2012-2015
- Darebin Aboriginal Action Plan 2012-2015
- Report to Darebin Aboriginal Advisory Committee – February 2014

8.9 HEATWAVE STRATEGIES**MINUTE NO. 281****AUTHOR: Manager Community Planning and Customer Service****REVIEWED BY: Director Community Development****SUMMARY**

At its meeting on 3 February 2014 Council requested a report on strategies that can be used to alleviate the impacts of heatwaves on Darebin residents including the feasibility of operating a number of Council venues as cooling centres during heatwave periods. A report was presented to Council on 3 March 2014 outlining a range of options including the costs associated with extending the hours of operation till midnight for Reservoir Leisure Centre and Northcote Aquatic Centres as well as the costs for operating the Shire hall as a cooling centre between 5.30 pm and 12 am.

Council considered the report and resolved a further resolution as follows:

That:

- (1) *Council continue to implement the actions in the Darebin Heatwave Strategy which do not support the concept of a stand-alone cooling centre as per research by Monash University.*
- (2) *Council receive a further report on options available to Council following consultation with the Darebin Environmental Reference Group, Darebin Health Steering Committee and Darebin Active and Ageing Advisory Committee, as well as a review of the Department of Energy and Climate/Pricewaterhouse Coopers 2011 report 'Protecting Human Health and Safety During Extreme and Severe Heat Events' and other comparative research and case studies from Australia and overseas (eg. UK and US).*
- (3) *The report should also outline what advocacy Council should consider undertaking to State and Federal Governments regarding funding community cool centres and other heatwave initiatives (i.e. Adopting a similar model as currently operates for bushfire relief centres).*
- (4) *Officers consult with the SES and other agencies in relation to volunteers capacity needed to keep people cool in their homes.'*

This Report responds to Council resolution by providing further information.

CONSULTATION

- Council Briefing Date – 12 May 2014
- Active and Healthy Ageing Board
- Darebin Environmental Reference Group
- Darebin Health Steering Committee
- Stonnington City Council

- Moreland City Council
- Kingston City Council
- Glen Eira City Council
- Hume City Council
- Banyule City Council
- Melbourne City Council
- State Emergency Services
- Department of Health
- Department of Human Services
- Red Cross
- Salvation Army
- Merri Outreach Support Service
- St Vincent's De Paul
- Director Community Development
- Manager Aged and Disability
- Manager Family and Children Services
- Director Culture, Leisure and Works
- Council Briefing 12 May 2014

COUNCIL RESOLUTION

MOVED: Cr. J. Williams
SECONDED: Cr. B. Li

THAT Council:

- (1) Write to State Government supporting the implementation of the recommendations of the Victorian Council of Social Services report of March 2013; Feeling the Heat (attached as **Appendix B** to this report).
- (2) Develop and implement a more comprehensive and targeted heatwave education campaign to begin in September 2014.
- (3) Build community capacity and resilience to cope with Heatwaves by working with local agencies to assist communities in developing household heatwave plans.
- (4) Establish and convene a Heatwave Taskforce as part of Council's Emergency Management's role consisting of Council officers and local agencies that provide services to vulnerable groups in Darebin to coordinate a local response, identify and address gaps in service provision.

CARRIED UNANIMOUSLY

REPORT**INTRODUCTION AND BACKGROUND**

Council developed a Darebin Heatwave Strategy which was endorsed in March 2013. The actions in the Strategy focus on Council's role in alleviating the impacts of heatwaves through education, service provision and urban design. A report on the progress of the implementation of the strategy was presented to Council on 6 November 2013.

The strategy identifies a number of groups in the community who are particularly vulnerable to heat stress, such as the elderly, the very young, those taking certain prescribed medications, people with chronic illnesses, people with psychiatric illnesses, people who are homeless and people who are socially isolated, people from low-socio economic background and those who abuse alcohol and/or illicit drugs. Through this strategy Council implements a range of actions that target the most vulnerable, but also the entire community through social messaging and education.

What Council does during a heatwave

Council officers in Aged Care Services, Maternal and Child Health, and Community Wellbeing have direct contact with clients and community groups who are vulnerable to extreme heat. A number of interventions are used such as distributing cooling collars, fans, shades, water bottles and general information to Council clients on how to stay healthy in a heatwave. Furthermore Aged Care workers conduct welfare checks for their clients during a heatwave. Every year Council begins to alert Darebin citizens to heatwave risks via an on-hold message on Council's main telephone line, social media, Darebin News, local paper and a number of local newsletters.

In 2013 Council implemented several new actions including:

- "*Know your neighbours*" a campaign to distribute information and encourage messages through faith leaders to encourage their community to check in on vulnerable neighbours
- Working with the Medicare Local to distribute heatwave safety resources to GPs and pharmacies in Darebin in an effort to reach residents who weren't engaged in Council services.
- A pedestal fan distribution program at Eric Street housing estate to 40 residents.

In previous years, Environmental Services carried out a number of projects aimed at maximizing energy efficiency to a number of households to ensure they remain as cool as possible during a heatwave.

Council Libraries provide a cool, relaxed and welcoming environment during a heatwave and Libraries have been one of the places in the municipality that people visit to seek respite from the heat. The advice from Government departments is to focus Council efforts on assisting and educating residents on various strategies to follow within their homes to cope with the heat.

Council's Municipal Emergency Resource Officer (MERO) receives a heat alert from the Department of Health and notifies other Council officers who have direct clients, this prompts the Council officers to enact their Heatwave plans. Council has an internal heatwave working group that meets to discuss their actions and debrief.

ISSUES AND DISCUSSION

Research indicates that heatwaves are likely to occur regularly and may last longer each time due to global warming and climate change. Monash University developed a heatwave vulnerability map which identified both Preston and Reservoir amongst the most at risk suburbs affected by heatwaves. According to Professor Nigel Tapper from the Cooperative Research Centre (CRC) for Water Sensitive Cities the conditions that lead to such vulnerability include lack of tree cover, housing types and the age, health and socio-economic status of the population.

He further stated *that the key factors that raised the risk of sickness or death in heatwaves involved older people living alone, ethnicity and the proportion of land covered by buildings that leads to excess urban warmth* (Monash University, 2014)

Following the report to Council on 3 March 2014, officers commissioned Direct Communications and Research to undertake research into:

- Local government strategies in addressing extreme heat events, such as cooling centres;
- Evaluations of government strategies and policies that address extreme heat events; and
- An assessment of the feasibility, effectiveness and cost of the different models.

Council officers also consulted a number of research reports, Council's advisory committees, eight other local councils and relevant local agencies.

Findings from commissioned research:

The main findings from the commissioned research (attached as **Appendix A** to this report) are:

- Evaluations of government strategies that address heatwaves are scant. Recommendations of particular strategies in the literature are largely based on anecdotal evidence and expert opinion. In the absence of evidence for the effectiveness of individual strategies, it appears to be prudent to use a range of strategies.
- Given the absence of relevant evaluations, assessments of feasibility, effectiveness and cost of the different strategies are also unavailable in the public domain.
- There is no evidence that cooling centres are effective in protecting the people most vulnerable to negative health impacts of heatwaves. Anecdotal evidence points to the use of cooling centres by low risk individuals.
- Operational detail about existing cooling centres could not be located. From the limited information available it appears that cooling centres are not uncommon in the U.S., where existing government and NGO facilities such as senior citizen centres, community centres and/or health facilities are used as cooling centres. Measures in addition to the usual operation of these facilities might include extended hours of operation, assistance with transport, waiving of public transport fees, provision of cool drinks, and/or entertainment (movies, card and board games). Information about cooling centres in Australia and the UK could not be located.
- The most vulnerable people often do not perceive themselves at risk. Further, health and care professionals sometimes have gaps in their assessment of risk and heat-related illness. Therefore, community education and staff development are vital.

- The experience from overseas stresses the importance of collaboration of all relevant stakeholders in preparing for extreme heat events and ensuring good communication between stakeholders during heatwaves.
- The usefulness of indoor fans in temperatures above 35 degrees has been questioned. In the absence of air-conditioning, fans provide a cooling effect by evaporating sweat. They can increase heat stress by blowing air warmer than the body temperature over the skin.
- Local governments can mitigate the effects of extreme heat events through urban planning and design.

Findings from consultations

The summary findings from consultations with advisory committees, other councils, government departments and local agencies indicate that:

- Heatwave strategies and interventions apart from education campaign aimed at general community should target vulnerable groups mostly
- Currently agencies that service clients during a heatwave work independently of each other, have different protocols and capacity for response, apply different definitions to vulnerability and a suite of different interventions with their clients. They indicated they would greatly benefit from a coordinated approach and inter-agency collaboration
- The State Emergency Services are open to suggestions as to how they can assist during a heatwave but are not equipped with appropriate vehicles to transport people to cooling centres. Furthermore, Council was cautioned about the notion of transporting vulnerable people to cooling centres and the risks associated with it.
- Information from the City of Melbourne indicated that they did not set up a specific cooling centre but made efforts to assist homeless people to receive some cooling respite in the general customer service reception area of the Town Hall.
- They also offered Swim and Shower Passes to their Recreation Leisure Centres to homeless support agencies to issue to homeless representatives that they serviced during the February period and this was extended to the end of March. However the uptake of usage was low for a number of reasons.
- They found that the homeless support agencies implemented a number of practices where they extended operating hours, provided bottled water and showers to the homeless to assist them with staying hydrated and cooling down.
- The Melbourne City Council developed a public drinking fountain map with locations of public “cool” places where people can get some respite whilst visiting or shopping in Melbourne.
- That there is a number of vulnerable people who are not clients of any agency and the only strategy available to use to address such a group is by promoting and reinforcing the notion of neighbours looking out for each other during periods of extreme heat

In conclusion there was an overwhelming support for Council’s role in education, coordination, advocacy and urban design.

Education: Council can begin a comprehensive education campaign starting September each year and targeting groups most at risk as well as focusing on Preston and Reservoir. The education campaign would disseminate tips on most effective and cost efficient strategies to use during heatwaves, provide accurate information associated with running air conditioning, include a list of cool places in Darebin that can provide some relief from the heat and encourage neighbours and families to look out for each other.

Advocacy: Council can advocate to State Government to subsidise the purchase and installation of air conditioners for concession holder groups. Furthermore, Council supports the Million Home Campaign which seeks to retrofit a million homes in Victoria that were built prior to 2005 and involve low income groups. The retrofit will improve the cooling and heating functions of homes.

Urban design: Council can play a role in influencing the urban design of the city by having policies and strategies that promote the provision of green spaces and water in the landscape which are known to reduce local temperatures and health risks. According to Chief Executive of the Water Sensitive Cities CRC, Professor Tony Wong : *Promoting lush and well-irrigated vegetation can provide microclimate benefits by reducing excess urban heating through shading and cooling,....daytime shading provided by street tree canopies improves human comfort by significantly reducing mean radiant temperatures.*

Professor Wong further stated that: *"We should be planning more green spaces and planting more trees in the high vulnerability areas. Water planners and town planners need to work together to reduce local temperatures,"*

"This would provide long-term citywide resilience to predicted increases in the number and severity of heatwaves in Australian cities."

Coordination: Council can establish a Heatwave Task Force that involves local agencies that provide services to vulnerable groups to collaborate, share resources, identify and address gaps in service provision. Such Task Force to be convened under Council's emergency management arrangements would meet prior to heatwave season and devise a plan of action for implementation based on the emergency management model of: Prevention, Preparedness, Response and Recovery. This is in line with the Report released by PricewaterhouseCoopers in 2011 emphasising the aspect of shared responsibility for addressing impacts of heatwave

POLICY IMPLICATIONS

Environmental Sustainability

Council's Community Climate Change Action Plan and Darebin Climate Change and Peak Oil Adaptation Plans both take into account the issues related to heatwave safety and identify the development of a heatwave plan and its integration with health and emergency management response as an immediate action for Council.

Human Rights, Equity and Inclusion

Key groups of people who are at-risk in heatwave conditions are identified in Council's heatwave strategy as well as Department of Health reports. The people who are at most risk of dying during a heatwave are elderly people aged over 70 and suffering from chronic health conditions. Also at greater risk are people who are homeless or live in poor quality housing, those who lack the capacity – for a range of social and personal reasons – to change their circumstances or behaviour in extreme heat events, and people who are socially isolated (VCOSS, 2013)

Economic Development

PWC report argues that there are significant economic impacts resulting from heat stress, these include impacts on:

- infrastructure such as energy, water, information and communication technology and transport resulting in suspension of services
- Agricultural crops leading to increase in prices on food products
- Manufacturing due to downtime on machines limiting business operations
- Construction due to lost labour during heatwave

Other

The Urban Forest, GreenStreets Streetscape, Emergency Management and Recovery Plans, Health and Wellbeing Plan and Community Safety Strategy, Active and Healthy Ageing Strategy are all important for the ongoing systemic management in the face of heatwave conditions in the City of Darebin.

FINANCIAL AND RESOURCE IMPLICATIONS

The cost for Council to extend hours of either Northcote or Reservoir leisure centres and operate the Shire hall as a cooling space could amount to \$180,000 based on the assumption of funding 15 days per annum. The research for this report revealed that money is more effectively spent on a thorough and targeted education campaign that would cost Council \$25,000 per annum and is within existing program budgets.

CONCLUSION

Council can play a role in assisting Darebin communities to cope better during heatwave periods and therefore avoid and prevent deaths due to extreme heats. However, the responsibility for this work does not rest solely with Council as a number of service providers have direct contact with clients who are most vulnerable during heatwaves and are better placed than Council to play an effective role. Council can however take on a coordinating role to bring agencies together to plan and prepare for heatwave periods, share resources, identify and address gaps and strengthen advocacy efforts.

FUTURE ACTIONS

- Implement Council resolution resulting from this 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 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

- Local Government Heatwave Strategies, A literature search- summary report- by Direct Communications and Research (**Appendix A**)
- VCOSS recommendations in Report: Feeling the Heat 2013 (**Appendix B**)
- 2013 - 2017 Heatwave Strategy
- List of Agencies that provide services to groups in Darebin vulnerable to heat stress

OTHER REFERENCES

- Monash University, 2014, Heatwave map reveals Melbourne's most vulnerable postcodes (<http://monash.edu/news/show/heatwave-map-reveals-melbournes-most-vulnerable-postcodes>)
- PricewaterhouseCoopers, 2011, Protecting human health and safety during severe and extreme heat events,
- Victorian Council of Social Services, 2013, Feeling the Heat, Melbourne, Victoria
- Victorian Government, 2011, The population health impacts of heat, Department of Health, Melbourne, Victoria
- Victorian Government, 2013, Adaptive capabilities in older people during extreme heat events in Victoria: a population survey, Melbourne, Australia
- Victorian Government, 2011, Heatwave plan for Victoria, Department of Health, Melbourne, Victoria
- Council Minutes – 3 February 2014 and 3 March 2014

Cr. Walsh temporarily left the meeting during discussion of the above item at 8.35 pm and returned at 8.36 pm

8.10 CEO EMPLOYMENT MATTERS COMMITTEE**MINUTE NO. 282****AUTHOR: Manager Corporate Governance and Performance****REVIEWED BY: Director Corporate and Planning Services****SUMMARY**

This report seeks endorsement of a Chief Executive Officer Employment Matters Committee (Committee) prior to and in accordance with the proposed *Local Government Amendment (Governance and Conduct) Bill 2014* (Bill).

When passed through Parliament, Clause 11 of the Bill will insert new section 94AA into the *Local Government Act 1989* to provide that it is mandatory for a Council to establish a Committee, with an independent, suitably qualified chair.

CONSULTATION

- Councillor Briefing – 12 May 2014

RECOMMENDATION**THAT** Council:

- (1) Endorse the establishment of a Chief Executive Officer Employment Matters Committee.
- (2) Nominate the following two Councillors, Cr _____ and Cr _____ to be members of the Chief Executive Employment Matters Committee.
- (3) Note the Chief Executive Officer Employment Matters Committee will conduct the 2013/2014 Chief Executive Performance review and make recommendations to Council.
- (4) Adopt the Chief Executive Employment Matters Committee Charter attached as **Appendix A** to this report.
- (5) Note the appointment of an independent chairperson to the Chief Executive Employment Matters Committee will be the subject of a future Council report.

COUNCIL RESOLUTION**MOVED: Cr. J. Williams**
SECONDED: Cr. T. Laurence

THAT Council defer consideration of this report until the next full Council meeting in 2 weeks so that the motion can be considered by all nine Councillors.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

The *Local Government Amendment (Governance and Conduct) Bill 2014* was recently introduced in the Victorian Parliament. The Bill makes several key improvements to the *Local Government Act 1987* in relation to the governance of Councils.

One of the improvements is a new requirement for Councils to have a Chief Executive Employment Matters Committee. This Committee will be responsible for making recommendations to Council on contractual matters relating to the appointment, remuneration, and renewal of Chief Executive Officer (CEO) contracts and also for conducting CEO performance reviews.

Councils will be required to have a Chief Executive Officer Employment Matters Committee from the date the requirement comes into operation. Subject to Parliamentary process, that may be any of the following dates: 4 June, 18 June or 2 July 2014.

ISSUES AND DISCUSSION

As Council will be conducting the CEO performance review in June and the new requirements may commence before the requirements come into effect, it is recommended that Council implement the new requirements as a matter of priority.

The establishment of the Committee will ensure the upcoming CEO performance review is done in accordance with the proposed legislation.

In accordance with the proposed legislation, the Committee's role and responsibilities are as follows:

Recruitment and Contract commencement

(a) The Committee should undertake the recruitment process* adopted for the CEO and any person to act as the CEO. The Committee must make recommendations to Council on contractual matters of the:

- CEO
- Person to act as CEO

This includes making recommendations on:

- Appointment
- Remuneration and other conditions of employment

**It is open to Council to contract a recruiter. If so, the Committee should oversee the appointment of that person or organisation and subsequent steps in the recruitment process.*

Annual Review

- a) The Committee must conduct a performance review of the CEO and make recommendations to Council on matters including whether:
- The CEO meets the performance criteria in the contract
 - Implement incremental remuneration increases
 - Vary performance criteria, remuneration, or other terms of conditions of the contract

Note: A performance criteria for a person acting as the CEO is optional. If included in a contract, this should be reviewed by the Committee.

Contract Expiry

- a) As part of a performance review of the CEO* the Committee must make recommendations on whether:
- To reappoint the CEO (6 months leading up to termination of the CEO's contract of employment)
 - Exercise an option to renew the contract
 - Early termination of the contract where warranted
 - To terminate in accordance with the contract

**The Committee should also make recommendations on termination of an acting CEO following a performance review.*

POLICY IMPLICATIONS**Environmental Sustainability**

Nil

Human Rights, Equity and Inclusion

Nil

Economic Development

Nil

Other

The CEO Employment Matters Committee has been established in accordance with the proposed *Local Government Amendment (Governance and Conduct) Bill 2014*.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be a cost of approximately \$9,000 associated with the recruitment and retention of an independent chairperson.

CONCLUSION

That Council endorse the establishment of the CEO Employment Matters Committee and associated Charter.

FUTURE ACTIONS

- Recruit an independent chairperson

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

- *Local Government Amendment (Governance and Conduct) Bill* 2014
- CEO Employment Matters Charter (**Appendix A**)

Cr. Tsitas temporarily left the meeting at the conclusion of the above item – 8.44 pm.

9. NOTICES OF MOTION

Nil

10. URGENT BUSINESS

Nil

11. GENERAL BUSINESS

11.1 IMPACT OF FEDERAL BUDGET

MINUTE NO. 283

MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. J. Williams

THAT Officers report back to a council briefing prior to the consideration and adoption of the Darebin Council budget with a report on the likely impact on the Darebin Budget given reports of \$1 billion in cuts to the local government sector.

Cr. Williams proposed to the mover (Cr. Laurence) that the second point be added as follows. This was accepted by Cr. Laurence.

- (2) Officers also report back to the next council meeting on the feasibility and resources needed to hold a community forum on the impact of the proposed GP co-payment with health service providers and health service users in on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. J. Williams

THAT:

- (1) Officers report back to a council briefing prior to the consideration and adoption of the Darebin Council budget with a report on the likely impact on the Darebin Budget given reports of \$1 billion in cuts to the local government sector.

- (2) Officers also report back to the next council meeting on the feasibility and resources needed to hold a community forum on the impact of the proposed GP co-payment with health service providers and health service users in on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

Cr. Li proposed to the mover (Cr. Laurence) and the seconder (Cr. Williams) that the second point be amended as follows. This was accepted by Cr. Laurence and Cr. Williams.

- (2) Officers also report back to an appropriate future council meeting on the feasibility and resources needed to hold a community forum on the impact of the proposed budget measures in relation to health, education and social services and their impacts on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

THE FURTHER AMENDED MOTION THEN READ AS FOLLOWS:

FURTHER AMENDED MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. J. Williams

THAT:

- (1) Officers report back to a council briefing prior to the consideration and adoption of the Darebin Council budget with a report on the likely impact on the Darebin Budget given reports of \$1 billion in cuts to the local government sector.
- (2) Officers also report back to an appropriate future council meeting on the feasibility and resources needed to hold a community forum on the impact of the proposed budget measures in relation to health, education and social services and their impacts on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

Cr. Walsh proposed to the mover (Cr. Laurence) and the seconder (Cr. Williams) that the second point be amended as follows. This was not accepted by Cr. Laurence.

- (2) Officers prepare a report on the impact of the proposed GP co-payment after consultation with our key partners in community health and primary care providers on the impact of the proposed budget measures in relation to health, education and social services and their impacts on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

AMENDMENT

MOVED: Cr. O. Walsh
SECONDED: -

- (1) Officers report back to a council briefing prior to the consideration and adoption of the Darebin Council budget with a report on the likely impact on the Darebin Budget given reports of \$1 billion in cuts to the local government sector.
- (2) Officers prepare a report on the impact of the proposed GP co-payment after consultation with our key partners in community health and primary care providers on the impact of the proposed budget measures in relation to health, education and social services and their impacts on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

THE AMENDMENT LAPSED WITH WANT OF A SECONDER

THE MOTION BEFORE THE CHAIR IS AS FOLLOWS:

MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. J. Williams

THAT:

- (1) Officers report back to a council briefing prior to the consideration and adoption of the Darebin Council budget with a report on the likely impact on the Darebin Budget given reports of \$1 billion in cuts to the local government sector.
- (2) Officers also report back to an appropriate future council meeting on the feasibility and resources needed to hold a community forum on the impact of the proposed budget measures in relation to health, education and social services and their impacts on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

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

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. J. Williams

THAT:

- (1) Officers report back to a council briefing prior to the consideration and adoption of the Darebin Council budget with a report on the likely impact on the Darebin Budget given reports of \$1 billion in cuts to the local government sector.
- (2) Officers also report back to an appropriate future council meeting on the feasibility and resources needed to hold a community forum on the impact of the proposed budget measures in relation to health, education and social services and their impacts on our diverse community with the goal of submitting a community impact statement to the Australian Senate.

CARRIED

Cr. Tsitas returned to the meeting during discussion of the above item at 8.48 pm.

12. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

MOVED: Cr. J. Williams

SECONDED: Cr. B. Li

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:

12.1 Darebin Mayoral Writing Competition

12.2 Preston Cemetery

12.3 Regional Grade Separation Project

CARRIED

Tiffany White, Manager Communication and Marketing left the meeting at 9.01 pm

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

The Council considered and resolved on Report Item 12.1 (Darebin Mayoral Writing Competition), Item 12.2 (Preston Cemetery) and Item 12.3 (Regional Grade Separation Project) which had been circulated to Councillors on 15 May 2014 with the Council Agenda Paper.

RE-OPENING OF MEETING

MOVED: Cr. J. Williams

SECONDED: Cr. S. Tsitas

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

CARRIED

The meeting was re-opened to members of the public at 9.07 pm.

CONFIDENTIAL**12.1 DAREBIN MAYORAL WRITING COMPETITION****MINUTE NO. 284****AUTHOR: Acting Manager Creative Culture****REVIEWED BY: Director Culture, Leisure and Works****SUMMARY**

The inaugural Darebin Mayoral Writing Competition was included as part of the 2013-2014 budget as part of a commitment to increase and broaden art and cultural activities in Darebin. The following report outlines the judging process, categories and prizes for the winners and also makes a recommendation for the winners of the inaugural Darebin Mayoral Writing Competition.

Winners of the Darebin Mayoral Writing Competition will be announced at an event as part of Melbourne's Emerging Writers Festival on Tuesday June 3 2014.

CONSULTATION

- Arts and Culture Team - City of Darebin
- Manager Creative Culture - City of Darebin
- Human Rights Officer - City of Darebin
- Water and Waste Strategy Coordinator - City of Darebin
- Library Customer Relations Officer - City of Darebin
- City of Melbourne (Lord Mayor's Writing Competition Coordinator)
- Bayside City Council (Cultural Development Officer)
- Emerging Writers Festival
- Viewpoint: On Books for Young Adults
- n-SCRIBE Magazine Selection Panel

RECOMMENDATION

THAT the Council Resolution and report remain confidential.

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas
SECONDED: Cr. J. Williams

THAT the Council Resolution and report remain confidential.

CARRIED

CONFIDENTIAL**12.2 PRESTON CEMETERY****MINUTE NO. 285****AUTHOR: Director Corporate and Planning Services****REVIEWED BY: Chief Executive****SUMMARY**

This report provides Councillors with information in relation to the construction of the 3rd stage of the mausoleum at Preston Cemetery.

CONSULTATION

- Council Briefing Date – 12 May 2014
- Maddocks
- FOI Solutions

RECOMMENDATION

THAT the Council Resolution and report remain confidential.

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas
SECONDED: Cr. J. Williams

THAT the Council Resolution and report remain confidential.

CARRIED

CONFIDENTIAL**12.3 REGIONAL GRADE SEPARATION PROJECT****MINUTE NO. 286****AUTHOR: Coordinator Transport Management****REVIEWED BY: Director Assets and Business Services****SUMMARY**

This report is to provide Council with an update on the current progress of the regional Grade Separation project that has been jointly undertaken between Darebin and Moreland Councils. The report outlines a preliminary business case and provides the basis for future advocacy to seek state Government for the delivery of key grade separations within the region.

CONSULTATION

- Council Briefing Date – 28 April 2014
- This report has been prepared in consultation with Moreland City Council and the Project Steering Group.

RECOMMENDATION

THAT the Council Resolution and report remain confidential.

COUNCIL RESOLUTION

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

THAT the Council Resolution and report remain confidential.

CARRIED

13. CLOSE OF MEETING

The meeting closed at 9.08 pm.