



the place
to live

AGENDA

Council meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 19 September 2016
at 7.00 pm.

Public question time will
commence shortly after 7.00 pm

Table of Contents

Item Number	Page Number
1. MEMBERSHIP	1
2. APOLOGIES.....	1
3. DISCLOSURES OF CONFLICTS OF INTEREST.....	1
4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS	1
5. PUBLIC QUESTION TIME.....	2
6. CONSIDERATION OF REPORTS	3
6.1 SOLAR \$AVER SPECIAL CHARGE SCHEME declaration.....	3
6.2 NORTHERN ALLIANCE FOR GREENHOUSE ACTION ANNUAL REPORT	13
6.3 AMENDMENT TO THE 2016/2017 FEES AND CHARGES SCHEDULE	18
6.4 FOOD SECURITY AND NUTRITION ACTION PLAN 2016-2020	22
6.5 2016 – 2017 ARTS PARTNERSHIP INITIATIVE	28
6.6 ECONOMIC IMPACT STUDY ON THE VALUE OF THE ARTS IN DAREBIN.....	34
6.7 SENIORS HOME GARDENING PROGRAM UPDATE	38
6.8 APPLICATION FOR APPROVAL OF DEVELOPMENT PLAN POD/3/2015.....	42
6.9 PROPOSED ROAD DISCONTINUANCE ADJOINING 2 GREENOCK STREET AND 8 TO 10 BANFF STREET, RESERVOIR.....	47
6.10 PROPOSED DISCONTINUANCE OF ROAD AT REAR OF 15-25A BRUCE STREET AND 10-20 HERBERT STREET, PRESTON	52
6.11 PROGRESS REPORT ON COUNCIL’S STRATEGIES	59
7. CONSIDERATION OF RESPONSES TO NOTICES OF MOTION AND GENERAL BUSINESS.....	63
8. NOTICES OF MOTION	63
9. URGENT BUSINESS.....	63
10. GENERAL BUSINESS	63
11. PETITIONS	63
12. REPORTS OF STANDING COMMITTEES	64
12.1 SUMMARY REPORT OF AUDIT COMMITTEE.....	64
13. RECORDS OF ASSEMBLIES OF COUNCILLORS.....	65
13.1 ASSEMBLIES OF COUNCILLORS HELD	65
14. REPORTS BY MAYOR AND COUNCILLORS	67
15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	68
15.1 SOLAR \$AVER FOR COUNCIL OWNED COMMUNITY BUILDINGS	69
15.2 CT201551 PROVISION OF A PANEL OF ENGINEERING ADVISORY SERVICES	70
15.3 OUTCOME OF COUNCIL OFFER PROCESS FOR PROPOSED SALE OF COUNCIL LAND REAR 16 SYMONS STREET AND 15 MCNAMARA STREET, PRESTON.....	71
16. CLOSE OF MEETING.....	73

Agenda

1. MEMBERSHIP

Cr. Vince Fontana (Mayor) (Chairperson)

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Bo Li

Cr. Trent McCarthy

Cr. Steven Tsitas

Cr. Angela Villella

Cr. Oliver Walsh

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 5 September 2016 be confirmed as a correct record of business transacted.

5. PUBLIC QUESTION TIME

PLEASE NOTE: Questions from the public must be submitted prior to the commencement of Council meetings.

- Questions can be submitted online up to 4.00 pm on the day of the meeting:
 - At darebin.vic.gov.au/publicquestiontime; or
 - By email to PQT@darebin.vic.gov.au
- Questions can also be submitted in person:
 - At the counter of the Preston Customer Service, 274 Gower Street, Preston until 5.00 pm on the day of the meeting
 - At the Council Chamber from 6.45 pm to 7.00 pm on the day of the meeting (including from residents who seek to directly ask their question from the gallery)

No questions will be accepted after 7.00 pm on the night of the Council meeting. This includes questions from residents who seek to directly ask their questions from the gallery, which must first be submitted to officers for review prior to the meeting.

Questions that:

- Relate to items that are listed on the Agenda; or
- Are of an operational nature; or
- Relate to personnel matters, contractual matters or legal advice; or
- Are aimed at embarrassing a councillor or a member of council staff or is political in nature

will not be responded to.

Further, in accordance with section 54(5) of the Darebin Governance Local Law, a member of the gallery cannot ask more than two (2) questions.

The Mayor, in the first instance, will read questions and provide a response to those submitted online before taking questions from members in the gallery. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question. Any question responded to verbally at the meeting, will not be responded to in writing.

Residents do not need to attend the meeting for a question to be answered.

A period of up to 30 minutes will be set aside to enable the Chairperson to read out the questions submitted by the public in accordance with the above guidelines and to provide responses.

6. CONSIDERATION OF REPORTS

6.1 SOLAR \$AVER SPECIAL CHARGE SCHEME DECLARATION

Author: Coordinator Environmental Strategy

Reviewed By: Acting Director Operations and Environment

Report Background

This report follows Council's resolution on 18 July 2016 to give notice of its intention to declare a special charge in relation to the Solar \$aver scheme.

Previous Council Resolution

At its meeting held on 18 July 2016 Council resolved that:

- (1) *Council give notice of its intention to declare a special charge in accordance with section 163 of the Local Government Act 1989 (Act) as follows:*
 - a. *A special charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.*
 - b. *The special charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar \$aver scheme, which project:*
 - i. *Council considers there is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution); and*
 - ii. *arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.*
 - c. *The total:*
 - i. *cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$351,797.00; and*
 - ii. *amount for the special charge to be levied be recorded as \$351,797.00, or such other amount as is lawfully levied as a consequence of this resolution.*
 - d. *The special charge be declared in relation to all rateable land described in the table included as Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.*
 - e. *The following be specified as the criteria which form the basis of the special charge so declared:*

Ownership of any land described in paragraph 1(d) of this resolution.
 - f. *The following be specified as the manner in which the special charge so declared will be assessed and levied:*
 - i. *a special charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar \$aver scheme, in respect of which a Householder Agreement has been executed, totalling \$351,797.00, being the total cost of the scheme to Council;*

Council Plan Goal/Endorsed Strategy

- Council Plan Goal 3 – Sustainable and resilient neighbourhoods
- Community Climate Change Action Plan

Summary

This report recommends Council declare a Special Charge Scheme under section 163 of the *Local Government Act 1989* for the purposes of defraying expenses relating to the provision of solar energy systems on residential properties participating in the Solar Saver scheme.

Formal submissions on the proposal were sought and no submissions or objections were received. Since public advertising of the scheme, five households been withdrawn from the scheme due to changed circumstances. These households have been removed from the scheme and minor cost reductions have also been made to seven properties. As all changes are reductions in cost, these changes do not require further public notice and do not affect Council's declaration of the Special Charge Scheme.

Additionally the 3 neighbourhood houses (Preston, Reservoir and Thornbury Neighbourhood Houses) have been withdrawn from this scheme to be considered in the separate "Solar Saver on Council owned Community Buildings" report being considered at this meeting.

Recommendation

That:

- (1) Darebin City Council ("Council") having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, hereby declares a Special Charge ("Special Charge") under section 163 of the Act as follows:
 - a. A special charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - b. The special charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which project:
 - i. Council considers is or will be a special benefit to those persons required to pay the special charge (and who are described in succeeding parts of this resolution); and
 - ii. arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. The total:
 - i. cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$296,587.00; and
 - ii. amount for the special charge to be levied be recorded as \$296,587.00, or such other amount as is lawfully levied as a consequence of this resolution.
 - d. The special charge be declared in relation to all rateable land described in the table included as **Appendix A** to this report, in the amount specified in the table as applying to each piece of rateable land.
 - e. The following be specified as the criteria which form the basis of the special charge so declared:

- Ownership of any land described in paragraph 1(d) of this resolution.
- f. The following be specified as the manner in which the special charge so declared will be assessed and levied:
 - i. a special charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$296,587.00, being the total cost of the scheme to Council;
 - ii. to be levied each year for a period of 10 years.
 - g. Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the special charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- (2) Council considers that there will be a special benefit to the persons required to pay the special charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed special charge, as a result of the expenditure proposed by the special charge, in that the properties will have the benefit of a solar energy system being installed.
- (3) Council, for the purposes of having determined the total amount of the special charge to be levied:
- a. considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the special charge, and there are no community benefits to be paid by Council; and
 - b. formally determines for the purposes of section 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the special charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the special charge is 100%.
- (4) Council directs that notice be given to all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Rate are that –
- a. there is no objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;
 - b. Council considers that it is acting in accordance with the functions and powers conferred on it under the Local Government Act 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c. all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.

- (5) Where a Householder wishes to withdraw from the Scheme, Council agrees to such withdrawal where the Householder has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the Householder's solar PV system.
-

Introduction

The 2015/2016 Solar \$aver program has been offered to the following categories of people and organisations:

- pensioners who receive the rate rebate and other pensioners;
- people in retirement villages or supported accommodation;
- renters who have a level of disadvantage (in receipt of Centrelink benefit or in housing poverty) with authorisation from property owner; and
- child care, kindergarten and community centres(Council owned).

Non-pensioner property owners and commercial businesses are able to access the competitive prices negotiated by Council through the Bulk buy program.

The Solar \$aver scheme provider is a partnership with Positive Charge providing the information and quotation to the residents with SunEdison Australia supplying and installing the solar systems. A separate company, Solargain, has been selected to provide the general solar bulk buy scheme available for all residents and businesses.

On 18 July 2016 Council resolved to give notice of its intention to declare a special charge for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar \$aver scheme.

Public notice was posted in the 26 July 2016 edition of the Preston Leader and the 27 July 2016 edition of the Northcote Leader. The public notice advised of the proposed declaration and invited submissions under section 223 of the Act by 5pm on 24 August 2016.

No submissions or objections were received. However two telephone calls were received to clarify details of the scheme and, five households have been withdrawn from the scheme due to changed circumstances.

Issues and Discussion

The 18 July 2016 report indicated that 3 neighbourhood houses (Preston, Reservoir and Thornbury Neighbourhood Houses) had chosen to participate in the Solar \$aver scheme. It is now proposed that installation of solar PV on these centres, along with six other community centres be considered in the separate "Solar \$aver on Council owned Community Buildings" report being considered at this meeting

One household has made a request to withdraw from the scheme due to changed personal circumstances.

Consequently the 3 neighbourhood houses properties with solar PV to the value of \$32,495.00 have been withdrawn from this proposed Solar \$aver Scheme. With the five residential households withdrawing this results in a revised scheme of 83 residential properties who have signed contracts by July 2016 to the amount of \$296,587.00.

These properties have been removed from the scheme and additionally 7 properties have had minor reductions to the original cost. These changes all represent reductions in cost and do not require further public notice and does not affect Council's declaration of the Special Charge Scheme. This has reduced the proposed cost of \$351,797.00 to \$296,587.00.

Proposed special charge declaration

Under Section 163 of the *Local Government Act 1989* (Act), Council is empowered to declare a special charge for the purposes of defraying any expenses in relation to the performance of a function or the exercise of a power of Council, if Council considers that the performance of the function or the exercise of the power is, or will be, of special benefit to the persons required to pay the special rate or special charge.

In this case, the installation of solar energy systems on properties as part of the Solar \$aver scheme arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community. Each participating property has signed a Householder Agreement with Council to participate in the scheme, which includes the overall cost and repayments which would be paid by the property should the scheme be approved (see **Appendix A**).

In September 2004, the Minister for Local Government issued a guideline for the preparation of special charge schemes. The guideline specifically deals with the calculation of the maximum total amount that a council may levy as a special charge.

The guideline requires that Council identify the following:

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries
- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits
- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

A. Purpose of the Works

The purpose of the works is to supply and install solar energy systems on properties to reduce energy costs and encourage and increase the use of renewable energy in Darebin.

B. Ensure Coherence

The proposed works have a natural coherence with the proposed beneficiaries, as the properties proposed to be included in the scheme are receiving solar energy systems to the value of their participation.

C. Calculate the Total Cost

The proposed solar system installation includes the following items:

- Assessment and administration costs
- Supply and installation of solar energy systems

For the purposes of section 163(1) of the Act, the total cost of the works is calculated at \$296,587.00 based on signed quotations.

The expenses in the estimate of works are consistent with the allowable expenses listed in section 163(6) of the Act.

D. Identify the Special Beneficiaries

Council is required to identify those properties that would receive a special benefit from the proposed works. A special benefit is considered to be received by a property if the proposed works or services will provide a benefit that is additional to or greater than the benefit to other properties.

The Ministerial Guideline notes that a special benefit is considered to exist if it could reasonably be expected to benefit the owners or occupiers of the property. It is not necessary for the benefit to be actually used by the particular owners or occupiers of a specified property at a particular time in order for a special benefit to be attributed to the property.

Property owners participating in the Solar Saver scheme are considered to receive special benefit from the proposed supply and installation of solar PV systems by means of:

- Reduced energy costs over the life of the solar PV system
- Ownership of the solar PV system after the special rate repayments are paid in full
- Increased property value

The proposed properties taking part in the scheme, the owners of which have signed a Householder Agreement with Council to participate in the scheme, are listed in **Appendix B**.

E. Determine Properties to Include

Once the properties that receive special benefit are identified, Council must decide which properties to include in the scheme. If a property will receive a special benefit but is not included in the scheme, the calculation of the benefit ratio will result in Council paying the share of costs related to the special benefits for that property.

It is accepted that only those properties at which the solar energy systems are installed will receive a special benefit from the scheme. Accordingly, it is proposed to include only those residential properties whose owners have signed Householder Agreements in the scheme. Council will not, then, be required to pay a share of costs related to special benefits for any property that is not included in the scheme.

F. Estimate Total Special Benefits

As per the Ministerial Guideline for Special Rates and Charges, total special benefits are defined according to the formula below:

$$\text{TSB} = \text{TSB}_{(\text{in})} + \text{TSB}_{(\text{out})}$$

- **TSB** is the estimated total special benefit for all properties that have been identified to receive a special benefit
- **TSB_(in)** is the estimated total special benefit for those properties that are included in the scheme
- **TSB_(out)** is the estimated total special benefit for those properties with an identified special benefit that are not included in the scheme

For the purposes of the proposed scheme, total special benefits have been calculated as follows:

- **TSB_(in)** – The estimated total special benefit is based on the quoted cost of the solar PV system to be installed (which has been included in the Householder Agreement signed by the property owner). It is expected that the benefit in reduced energy costs will exceed this special benefit.

- **TSB_(out)** – This is not applicable as all participating properties are included.

G. Estimate Community Benefits

Whilst the reduction of energy use, greenhouse emissions and increase of renewable energy is considered a community benefit there are no direct quantifiable costs.

- **TCB** – Total Community Benefit is assessed to be 0 benefit units

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

$$R = \frac{\text{TSB}_{(in)}}{\text{TSB}_{(in)} + \text{TSB}_{(out)} + \text{TCB}}$$

Where:

$$\text{TSB}_{(in)} = \$296,587.00$$

$$\text{TSB}_{(out)} = 0$$

$$\text{TCB} = 0$$

$$R = 1$$

I. Calculate the Maximum Total Levy

In order to calculate the maximum total levy **S**, the following formula is used:

$$S = R \times C$$

Where **R** is the benefit ratio and **C** is the cost of all works

$$\text{Therefore } S = 1 * \$296,587.00 = \$296,587.00$$

Note there is no community benefit amount payable by Council.

Apportionment of Costs

Once the maximum levy amount has been calculated, it is necessary to establish an appropriate way to distribute these costs to all affected landowners.

As the properties have all received individual quotations based on the solar system and work required, it is proposed to apportion the costs based on these quotes. It is noted that the householders have been notified and signed agreements on the basis of these costs for the purpose of declaring this scheme.

It is proposed to distribute the costs as shown in **Appendix A**.

Financial and Resource Implications

- Council allocated \$1 million from the 2015/2016 Council budget for the delivery of the Solar Saver program in 2015/2016. To date \$433,000 (GST exclusive) has been committed through the Special Charge Scheme adopted July 18, 2016 and administration
- \$135,557 was expended in the 2015/2016 budget and \$750,000 has been allocated in the 2016/2017 budget to pay for the installation of the solar systems should the Special Charge Scheme be passed.

- Should the recommended special charge scheme be declared, Council will pay \$296,587.00 (GST exclusive) for the supply and installation of the solar PV systems on the properties listed in **Appendix A**. In accordance with their respective Householder Agreements, property owners will pay for the cost of the solar energy system by equal installments apportioned over a 10-year period, commencing from January 2016. Council is expected to receive \$29,658.70 in special charge repayments annually for this scheme over the 10 year period. It should be noted that the special charge scheme is effectively an interest free loan to the households.
- Payments to Council by property owners for works via special charge schemes are GST exempt.
- Should the property be sold during the 10 year period in which the special charge scheme applies, the amount outstanding on the special charge scheme at the time of sale will be fully paid.
- Council will consider a further report in early 2017 regarding options for the expenditure of the remaining funds.

Risk Management

As noted previously, the American parent company of SunEdison has filed for bankruptcy. SunEdison Australia (formerly EnergyMatters), informed Council that SunEdison has entered into an agreement with Flextronics Australia Pty Ltd, wherein Flextronics will acquire SunEdison's global Residential and Small Commercial (RSC) business, which also includes businesses in North America and Australia.

Officers will continue to monitor this situation and report to Council if there are any issues of concern.

The 10 year warranties are independent of SunEdison and with large companies.

Policy Implications

Economic Development

It is estimated that the average participating household could save \$20 to 90 per year after the special scheme payment. After 10 years households can save \$300 - \$400 per year. This represents potential funds that can be spent within the Darebin community rather than on utility bills.

Environmental Sustainability

This project is consistent with Darebin's Community Climate Change Action Plans and the Darebin Climate Change and Peak Oil Adaptation Plan.

Human Rights, Equity and Inclusion

Council has committed through its Community Climate Action Plan not only to reduce emissions, but to support those most vulnerable to climate change impacts and increasing energy costs.

This project was specifically aimed at low income households, who are more vulnerable to increasing energy costs. Many participating pensioners are also from culturally and linguistically diverse (CALD) communities.

Other

This is consistent with the Council Plan and Council Budget.

Future Actions

- Provision of a notice to property owners
- 30 day period for an objection to be lodged with VCAT (likely to be a procedural matter only as all households have signed an agreement to proceed with the scheme)
- Installation of solar systems September – December 2016
- Future report in early 2017 regarding Solar \$aver options

Consultation and Advocacy

- Public notice was posted in the 26 July 2016 edition of the Preston Leader and the 27 July 2016 edition of the Northcote Leader. The public notice advised of the proposed declaration and invited submissions under section 223 of the Act by 5pm on 24 August 2016. No submissions or objections were received. Two telephone calls were received to clarify details of the scheme and five households have withdrawn from the scheme due to changed circumstances.
- The program was advertised on the Council website, in the local paper and through direct mail to over 10,500 pensioner households.
- Over 430 homes have received home visits from Positive Charge to provide quotations for the Solar \$aver program and receive energy advice. Participating households have all signed agreements to participate in the program based on quoted prices.
- Council has consulted with Aged and Disability - Community Development Officer and Marketing and Community Engagement Officer, Equity and Diversity – Community Planner, Interfaith Development Officer and Aboriginal Policy Officer.
- Council has consulted with the following external organisations: Baptcare – Sanctuary Bellhaven Hostel, Northcote Rental Housing Co-operative, Community Equity Housing Ltd, Lions Village, Veronica Gardens Retirement Village.
- Chief Financial Officer

Related Documents

- Council Minutes – 18 July 2016, 16 May 2016 and 23 November 2015
- *Local Government Act 1989*
- Community Climate Change Action Plan
- The Macquarie Special Rates and Charges Manual 2012
- Declared Special Charge Scheme for Solar \$aver Program (**Appendix A**)

Disclosure of Interest

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.

6.2 NORTHERN ALLIANCE FOR GREENHOUSE ACTION ANNUAL REPORT

Reviewed By: Acting Director Operations and Environment

Reviewed By: Acting Chief Executive Officer

Report Background

At the Council meeting held 3 August 2015, Council resolved to receive an annual report regarding the work and outcomes of the Northern Alliance for Greenhouse action (NAGA) of which Council is a member.

Previous Council Resolution

At its meeting held on 3 August 2015, Council resolved that Council:

- (1) *Authorise the Chief Executive to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding for the period completing 30 June 2017 at a total cost of \$48,800 (GST inclusive).*
- (2) *Receive an annual report regarding the work and outcomes of NAGA.*

Previous Briefing(s)

None

Council Plan Goal/Endorsed Strategy

- Council Plan Goal 3 – Sustainable and resilient neighbourhoods
- Community Climate Change Action Plan

Summary

This report provides a summary of the work and outcomes achieved by the Northern Alliance for Greenhouse action (NAGA) through the 2015-2016 financial year. NAGA's current members are the cities of Banyule, Hume, Manningham, Melbourne, Moreland, Whittlesea and Yarra, Shire of Nillumbik and Moreland Energy Foundation. The work has included attracting \$796,000 grants and substantial advocacy work including: solar feed in tariffs and energy legislation and state government reviews of the climate change act and strategy. The current Memorandum of Understanding (MoU) with Council concludes June 2017 and Council will consider a further report regarding the NAGA MoU renewal in April.

Recommendation

That Council:

- (1) Note this report.
- (2) Receive a further report in April 2017 regarding renewal of the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding.

Introduction

NAGA formed in 2002 as a network to share information, skills and resources related to climate change action. NAGA's current members are the cities of Banyule, Hume, Manningham, Melbourne, Moreland, Whittlesea and Yarra, Shire of Nillumbik and Moreland Energy Foundation.

NAGA's goal is to substantially contribute to the transition to a climate-changed, low-carbon future by delivering effective programs and leveraging local government, community and business action.

Through NAGA's and its members' commitment to regional collaboration on climate change action, they have established a leadership reputation successfully attracting millions of dollars of grants funding to the region's climate change and energy efficiency efforts.

Council annually appoints a member to the NAGA executive who determines the strategic direction of NAGA and the current appointee is Cr. McCarthy. The Manager Environment and Natural Resources attends as an officer and advises on the NAGA governance committee. Officers attend networks and forums.

Issues and Discussion

The key activities of NAGA over 2015/2016 were as follows:

Governance and networks

The Strategic Plan for 2015-2020 and work plan for 2015/2016 were finalised and adopted by the NAGA Executive. All member councils have signed Memorandum of Understandings with NAGA.

NAGA has been trialling different approaches to sharing best practice and knowledge across councils in the region including; online podcast interviews with experts and case studies from around the world, video updates from key meetings and events that NAGA attends, videos and animations to describe complex topics. In addition to this NAGA continues to run networks for sharing best practice (e.g. Solar scale up bimonthly meetings, climate change adaptation planning), and develop issues and briefing papers on key advocacy issues.

Grants

NAGA, in conjunction with the Eastern Alliance for Greenhouse Action, was successful in securing funding of \$764,589 from the Victorian Government's New Energy Jobs Fund to work with 22 councils on models of Darebin's Solar Saver program to install solar on low-income households through two alternative financing models. One model uses a special rates mechanism as per the Darebin program and the second model is a low interest bank loan, which is also paid back over ten years. The funding covers four staff positions to be distributed amongst the different greenhouse alliances, including one at NAGA, who will assist local governments in developing and implementing the interventions. This program is consistent with Council's goal to extend the Solar Saver program to other areas and officers are supporting the program with learnings from the Darebin program.

NAGA also received \$32,000 from Energy Consumers Australia for a project, which brings together planners from electricity distributors and local government. A series of workshops will identify likely growth pressure points in municipalities that could place pressure on the grid. The project replicates and broadens an initial workshop held in 2015 with eastern local governments and AusNet, which has formed the basis of an ongoing working relationship.

Projects/events

NAGA held its 2016 annual conference on 5 April, featuring panels on the role of local government post-Paris, financing and procuring renewable energy, effective measurement of adaptation strategies and the development and implementation of urban greening strategies. More than 100 people attended from NAGA member councils as well as other local governments, state government departments, universities and consultancies.

NAGA has delivered final versions of the municipal energy profiles for 2013; these reports collect energy use data from distribution businesses and create profiles of consumption trends across residential and commercial sectors, including local (suburban) averages. This helps councils plan for where energy saving programs can best be delivered. NAGA has all data for 2014 except for one distributor. NAGA has worked with the Moreland Energy Foundation to streamline collection and cleaning of the data from the electricity distributors.

Regional Building Vulnerability Assessment - NAGA worked with the Eastern Alliance for Greenhouse Action and ARUP to deliver tailored training sessions to council facility and asset managers to consider climate change asset vulnerabilities within their capital expenditure plans and rate capping variations. This was identified as a priority action in the regional Adaptation in the North project that NAGA developed in the previous year with State Government funding.

Advocacy

NAGA has prepared and submitted positions on behalf of its members on the following issues:

- Fair price for local renewable energy generation - NAGA proactively engaged and submitted a position to the Essential Services Commission (ESC) review which was further supported by Darebin Council in recent letters to Ministers which highlighted the following points:
 - There is a need for a mandatory minimum Feed-in Tariff (FiT) to ensure equity and fairness for small-scale energy generators, specifically solar photo-voltaics (PV).
 - The current ESC methodology for calculating solar feed in tariffs is too narrow in scope and does not consider broader environmental and social benefits of small-scale renewable energy generation to the grid and other consumers.
 - There is a need to identify existing barriers to distributed generation beyond fair payment structures, and recommend to Victorian Government resolutions to these barriers advocating for an increase to the value received by local renewable energy generators (i.e. solar feed in tariffs).
- Policy Support for Zero and Low Emission Vehicles – letter to the Minister for the Environment calling for support for electric vehicles, including measures such as: registration and stamp duty discounts for electric vehicles; subsidies for charging equipment; developing a target for electric vehicle uptake in Victoria and increasing the percentage of electric vehicles within the state government fleet.
- Local Generation Network Credit Rule Change Request - NAGA submitted a letter of support to the Australian Energy Market Commission's proposed rule change to introduce a payment from distribution networks to embedded generators, which reflects any benefits the generators provide to the network.
- Local Government Act - NAGA is advocating to accelerate legislative changes to the special rates charge. These changes will help councils offer low interest finance to households receiving rates rebates for energy improvements such as solar PV and energy efficiency (such as the Darebin Solar Savers program).
- Plan Melbourne refresh - NAGA has been advocating for changes to the Plan Melbourne submission to strengthen consideration of climate change and ensure stronger sustainability principles in the Victorian planning system.
- Changes to the Victorian Energy Efficiency Target scheme, incorporating project-based assessments.
- Electricity Network Tariff reform - NAGA has been meeting with electricity network businesses to discuss the new cost reflective tariffs being proposed with key messages to ensure no negative impacts on low income and solar households.

- Community Energy - NAGA working closely with the Victorian Community Solar Alliance has recently successfully advocated for changes to the Victorian energy licensing framework to remove barriers to community energy projects.
- Victorian Renewable Energy Roadmap - NAGA's submission advocated for a strong target of 50% by 2025, a transition plan away from fossil fuels, support for battery storage, and establishment of a forum for collaboration between local and state government in maximising the deployment of renewable energy
- Energy licensing framework reviews - NAGA made a detailed submission and engaged closely with state government on how to ensure retail licensing regulation facilitates and does not hinder new innovative energy business models in the electricity market. This is important for local councils wanting to develop new approaches to deploying renewable energy in their own buildings and with their communities.
- Energy procurement - NAGA made a submission on behalf of all the alliances to Procurement Australia on new criteria for selecting new energy contracts for local government for 2016-2018. Key points were around improved customer service, support for renewable energy, access to greenhouse and energy data, and ethical attributes.
- Victorian Climate Change Act - NAGA made a submission to the Victorian Climate Change Act review. Key advocacy points included a strengthening of the Act's mitigation focus, stronger targets and alignment with other government departments and support for local government.
- Environmental Upgrade Agreements - NAGA is developing an advocacy paper on Environmental Upgrade Agreements (EUA). EUAs fund environmental improvements on commercial properties, and involve a voluntary tripartite agreement between a building owner, a financier and the local government.
- Infrastructure Victoria's discussion paper for Victoria's 30-Year Strategy
- Victorian Climate Change Adaptation Plan

NAGA, along with the other greenhouse alliances, has also met with senior policy staff from Sustainability Victoria and the Department of Environment, Land, Water and Planning to advocate for a stronger role for local government working in partnership with the Victorian Government in responding to climate change.

Options for Consideration

Nil - this is an information report only

Financial and Resource Implications

The 2015 – 2017 NAGA MOU committed Council to an annual contribution of \$24,039 (GST inclusive) in the 2015/2016 financial year and \$24,761 (GST inclusive) in the 2016/2017 financial year. This membership fee is included in the Environment and Natural Resources operating budget. The MOU and annual membership commitment can be terminated by providing 21 days' notice.

Risk Management

NAGA includes risk management as a strategic consideration in development of projects.

Policy Implications

Economic Development

NAGA promotes and facilitates Councils, the community and business moving to a low carbon economy. NAGA is currently working with council on Environmental Upgrade Agreements and coffee machine timers to save power overnight.

Environmental Sustainability

Participation in NAGA complements and adds value to Darebin's leadership position on climate change action within our operations and the community. It is consistent with Council's climate change action plans.

Human Rights, Equity and Inclusion

NAGA regional projects target low income and CALD communities across the northern region

Other

This is consistent with the Council Plan and 2016/2017 Council Budget.

Future Actions

The Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding concludes in June 2017 and Council will consider a further report in April 2017 regarding subsequent agreements.

Consultation and Advocacy

- Northern Alliance for Greenhouse Action Executive Officer

Related Documents

- Council Minutes – 3 August 2015

Disclosure of Interest

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.

6.3 AMENDMENT TO THE 2016/2017 FEES AND CHARGES SCHEDULE

Author: Management Accountant

Reviewed By: Acting Director Corporate Services

Report Background

This report seeks to amend the 2016/2017 fees and charges schedule to update fees that were recorded incorrectly and to include fees that were omitted from the original fees and charges schedule to the Budget 2016/2017 in error.

Previous Council Resolution

On 27 June 2016 Council adopted the 2016/2017 fees and charges schedule as part of the Budget 2016/2017.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Open and Accountable Democracy

Summary

The 2016/2017 fees and charges schedule was prepared as part of the Budget 2016/2017, included in **Appendix A** - Fees and charges schedule. Subsequent to the adoption of the Budget 2016/2017 it was identified that some fees in Health Protection and Transport Management and Planning were omitted or incorrectly recorded.

Health Protection

Fees relating to the Public Health and Wellbeing Act (prescribed accommodation) were omitted in error and a new fee that has been introduced in the Budget 2016/2017 was recorded incorrectly. Other fees reported in the fees and charges schedule require amendments for rounding.

Transport Management and Planning

In line with the recent amendment to the Road Management Act, Council are now seeking to incorporate fees relating to road closures. These fees will replace the existing road closure permit fee listed in the 2016/2017 fees and charges schedule.

Recommendation

That Council:

- (1) Amend the 2016/2017 fees and charges schedule to include the following fees:
 - a. Public Health and Wellbeing Act (prescribed accommodation)
4-10 beds \$232.20

b.	Public Health and Wellbeing Act (prescribed accommodation)	
	11-15 beds	\$270.20
c.	Public Health and Wellbeing Act (prescribed accommodation)	
	16-20 beds	\$313.40
d.	Public Health and Wellbeing Act (prescribed accommodation)	
	over 20 beds	\$379.10
(2)	Amend the 2016/2017 fees and charges schedule to update the fees which were recorded incorrectly:	
a.	Public Health and Wellbeing Act (Re-inspection fee):	
	repeated follow up of major non- compliance of	
	food businesses	\$204.45
(3)	Amend the 2016/2017 fees and charges schedule to update the fees for rounding adjustments:	
a.	Premises inspection fee	\$204.45
b.	Food Act – Class 2 or 3 Temporary/mobile stall, Vehicle Premises (for 6 months operation)	\$323.65
c.	Public Health and Wellbeing Act Notification (once off registration) - Hairdressers only	\$207.45
(4)	Amend the 2016/2017 fees and charges schedule to replace and include the following fees:	
a.	Road closure permit (traffic impact works)	
i.	Arterial road footpath	\$319.60
ii.	Non arterial road footpath	\$81.60
iii.	Non-state arterial road	\$586.15
iv.	Other road <50km/h	\$319.60
b.	Road closure permit (minor works)	
i.	Arterial road footpath	\$81.60
ii.	Non arterial road footpath	\$81.60
iii.	Non-state arterial road	\$126.50
iv.	Other road <50km/h	\$126.50

Introduction

The 2016/2017 fees and charges schedule was prepared as part of the Budget 2016/2017 and included in **Appendix A** - Fees and charges schedule.

Subsequent to the adoption of the Budget 2016/2017 it was identified that fees relating to Health Protection and Transport Management and Planning were either omitted, recorded incorrectly or needed to be revised due to statutory changes.

Issues and Discussion

Subsequent to the adoption of the Budget 2016/2017 it was identified that fees:

- Relating to the *Public Health and Wellbeing Act* (prescribed accommodation) were omitted in error from **Appendix A** – Fees and charges schedule.

- Relating to the *Food Act* (re- inspection fee - repeated follow up of major non-compliance) was recorded incorrectly at \$80p/h, however it should be charged on a per inspection basis of \$204.45 per inspection.
- Required rounding adjustments to the nearest 5 cents. The changes seek to update the fee based on rounding adjustments: (a) Premises inspection fee, (b) Food Act – Class 2 or 3 Temporary/mobile stall, Vehicle Premises (for 6 months operation) and (c) Public Health and Wellbeing Act Notification (once off registration) - Hairdressers only.
- Relating to road closure permits were not updated for the amendment made to the *Road Management Act*.

Options for Consideration

- Adopt the fees and charges without amendment. This is the recommended option.
- To not adopt the fees and charges. This option is not recommended.

Financial and Resource Implications

The Budget 2016/2017 includes income of approximately \$24,000 to be collected from the Public Health and Wellbeing Act (prescribed accommodation) fees and approximately \$1,600 to be collected from the Food Act re-inspection fee.

The revised fee structure for road closure permits is expected to generate approximately \$300,000 per annum in revenue which has not been fully included in the Budget 2016/2017. The new fee structure will require a more detailed review of plans which may have some staff resource implications.

Risk Management

The Budget 2016/2017 was prepared in the context of minimising and mitigating the risks associated with Council's delivery of services and infrastructure to the community.

Policy Implications

Economic Development

There are no factors in this report which impact upon economic development.

Environmental Sustainability

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

Human Rights, Equity and Inclusion

There are no factors in this report which impact on human rights, equity and inclusion.

Other

There are no other factors which impact on this report.

Future Actions

Following the inclusion of the fees omitted and the fees recorded incorrectly

- The Public Health and Wellbeing Act (prescribed accommodation) and Road Management Act fees will be added to the 2016/2017 fees and charges schedule.
- The Reinspection fee amount for repeated follow up of major non-compliance of food businesses will be updated in the 2016/2017 fees and charges schedule.

- The rounding adjustments for the following fees will be updated in 2016/2017 fees and charges schedule (a) Premises inspection fee, (b) Food Act – Class 2 or 3 Temporary/mobile stall, Vehicle Premises (for 6 months operation) and (c) Public Health and Wellbeing Act Notification (once off registration)- Hairdressers only.

Consultation and Advocacy

Coordinator, Health and Urban Protection
Senior Coordinator, Transport

Related Documents

- Budget 2016/2017 – Appendix A | Fees and charges schedule
- *Public Health and Wellbeing Act*
- *Food Act*
- *Road Management Act*
- Council Minutes – 27 June 2016

Disclosure of Interest

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.

6.4 FOOD SECURITY AND NUTRITION ACTION PLAN 2016-2020

Author: Manager Children, Families and Community

Reviewed By: Director Community Development

Report Background

The purpose of this report is to present the draft Darebin 2016-2020 Food Security and Nutrition Action Plan (**Appendix A**) for consideration and feedback. Building on the previous Policy, the Action plan outlines the key actions Council will take to reduce food insecurity and improve nutritional outcomes for our community.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

Council Briefing – 22 August 2016

Council Plan Goal/Endorsed Strategy

- Goal 2 - Healthy and Connected Community
- 2013-2017 Health and Wellbeing Plan
- 2014-2018 Urban Food Production Strategy

Summary

As outlined in the 2013 – 2017 Darebin Health and Wellbeing Plan, Goal Five, *Objective 5.2: To promote food security, healthy eating and safe food provision for all Darebin people*, food security has been identified as a significant issue impacting the health and wellbeing of Darebin residents. Under the strategic framework of the Health and Wellbeing plan, the 2016-2020 Food Security and Nutrition Action Plan outlines actions to address food insecurity with a focus on food access and affordability, increasing nutritional knowledge, enhancing advocacy and integrated planning.

Building on the 2010- 2015 Food Security Policy, the Action Plan reflects the current policy context and the advances Council has made over the past five years to respond to the current needs and issues in our community. Further to this the scope of the Action Plan has been extended to also consider nutritional needs in the Darebin community in addition to food security.

The Action Plan recognises that the most effective role for Local Government is to coordinate an integrated action plan that works in partnership with community organisations. The Plan uses five guiding principles to deliver a range of initiatives under three objectives reduce food insecurity and improve nutritional outcomes. Further to this, the Action Plan prioritises initiatives that emphasise equity, with a focus on groups at greater risk of food insecurity and experiencing poorer nutrition outcomes.

Recommendation

That Council endorse the 2016-2020 Food Security and Nutrition Action Plan attached as **Appendix A** to this report.

Introduction

Council's first 2010-2015 Food Security Policy provided a framework to guide local level action under six guiding principles and the following five action areas:

- Advocacy for Food Security
- Planning a Sustainable and Accessible Urban Environment
- Partnerships and Knowledge Building
- Community Development around Healthy and Sustainable Food
- Leading by Example

Key achievements delivered as part of this Policy and implementation plan include:

- Establishment of partnership with SecondBite and local Darebin businesses to donate surplus produce, including Preston Market and businesses at Northland Shopping Centre.
- Development of the Darebin Food Bank Hub in partnership with SecondBite and the Salvation Army which provides over 200kg of fresh produce to emergency relief agencies each week.
- Development of the 2014-2018 Urban Food Production Strategy and a permanent part time Urban Food Production Officer.
- Increase in the number of community gardens, including two in areas of high disadvantage.
- Ongoing development of the Backyard Harvest Festival.
- An increase in the number of social meals programs.

While the principles and focus areas remain relevant and have been reflected in the new Plan, the scope and focus of the Action Plan has been updated to reflect the advancements made by Council in this time and the current needs of the Darebin community.

The 2016-2020 Food Security and Nutrition Action Plan complements the 2014-2018 Urban Food Production Strategy, which provides a comprehensive framework to guide and support food growing and preparation through local food responses. Together these Plans provide Council with a holistic framework to address food insecurity, improve nutrition in our community and strengthen the connection between local food production and food security.

Issues and Discussion

Food Security and Nutrition in Darebin

Food security refers to the ability of individuals, households and communities to access an appropriate and nutritious food supply on a regular and reliable basis, and using socially acceptable means. Food insecurity and demand for emergency relief are symptoms of underlying poverty and socio-economic disadvantage, which significantly impacts physical and mental wellbeing.

A 2015 survey of 424 residents found that in the past 12 months, 5.8% of households in Darebin reported running out of food and not having enough money to buy more (Darebin City Council 2014). Comparatively, in Victoria only 4.6% of people experience food insecurity (Victoria Department of Health 2013).

Food insecurity may be partly responsible for some of the lifestyles diseases prevalent in Darebin. 46.2% of Darebin residents are considered to be above a healthy weight (Victorian Department of Health 2013) and the most disadvantaged groups are most likely to be obese (Burns 2004).

What causes food insecurity?

The following factors are vital in influencing food access and security:

- Economic – having adequate income to buy food or having affordable food outlets in the neighbourhood.
- Physical ability – to walk, drive and carry purchases home.
- Physical infrastructure – the availability of public transport or safe walkable routes.
- Cultural relevance – availability of socially and culturally appropriate food.
- Geographical location – the availability of shops with appropriate food.

These factors reflect the broader social determinants of health and wellbeing. Council will continue to take a long term preventative approach to address these determinants through a range of strategic policies across the portfolios of transport, economic development, health and wellbeing, social inclusion and strategic planning.

Who experiences food insecurity?

While anyone can experience food insecurity at some point, those who experience the highest rate and are at most at risk of persistent food insecurity in Darebin are:

- Low income households.
- People with low proficiency in English, particularly newly arrived migrants and refugees.
- People from an Aboriginal and Torres Strait Islander background.
- Frail older adults or people with a mental illness or disability who require support for meals.
- People in housing stress or homeless.
- Women experiencing or at risk of experiencing family violence.

Many people in our community may be represented in several of these groups, compounding their experience. These groups form the focus of the initiatives outlined in the Action Plan.

Guiding Principles

The Darebin Food Security and Nutrition Action Plan is based on the following best practice and guiding principles:

- **Access to adequate and nutritious food is a fundamental human right** as stated in the Universal Declaration of Human Rights, adopted by the United Nations in 1948.
- **Action must be equity focused** and recognise the social gradient of food insecurity. A focus on inequalities and those who are most vulnerable should be maintained to ensure that equity of access to safe, nutritious and culturally appropriate food is achieved.
- **Focus on the prevention of ill health and diet-related disease** by targeting protective health factors associated with healthy eating and nutritional intake.
- **Promote environmental sustainability** through localised food production, sustainable food choices and food waste management strategies to support the future food security of the municipality against the impacts of broader factors such as climate change and peak oil.
- **Develop partnerships** at all levels to recognise the broad intersectoral context for food insecurity prevention and management. All levels of government must work with various sectors to influence the social, economic and environmental factors that determine food insecurity.

- **Work from an evidence-based approach** to ensure program planning and evaluation is informed by research and local information. Research, monitoring, evaluation are essential components that will underpin food insecurity and nutrition initiatives.

Strategic Objectives

The Action Plan provides direction to Council on where to best place implementation effort over the short, medium and longer term.

The goal of the City of Darebin Food Security and Nutrition Action Plan is:

To increase food security and enhance nutrition outcomes for communities most at risk.

The Action Plan focuses on three objectives that focus on making a meaningful short and long-term impact on the way that residents of Darebin access and consume nutritionally adequate food.

Objective 1: Increase food access and affordability for Darebin residents

Objective 2: Increase nutrition awareness and improve food practices

Objective 3: Advocate for responsive and integrated food security and nutrition policy at all levels of government

An accompanying Background Paper (**Appendix B**) provides in detail the community consultation process, key data about food and nutrition insecurity, major international, national and state policy developments, as well as Council's current food and nutrition security responses.

Evaluation and Coordination

The overall Food Security and Nutrition is set against three Key Performance Indicators that reflect the objectives and can accurately assess the effectiveness of Council's role and efforts to deliver these objectives.

Measure	Current	Target
Number of local businesses and community food enterprises donating surplus food to food relief programs	Preston Market and Northland Shopping Centre are the biggest donors of surplus food to food relief programs through the partnership with SecondBite	15% increase in the number of businesses and community food enterprises donating surplus food over the next four years
Number of services and organisations in Darebin which adopt food and nutrition guidelines or policies.	No existing measure	Council to support two organisations / services each year to develop and adopt food and nutrition guidelines
Number of submissions made to support community partners	Included in three plans	Increase the number of relevant policies which respond to food security and nutrition.

Individual actions will be implemented, monitored and reviewed against a set of outputs outlined in the action plan.

The Darebin Emergency Relief Network will act as a reference group to guide Council in the implementation of the Action Plan.

Stakeholder Review Period

The Action Plan was made available for community and stakeholder feedback for two weeks in July 2016. Five submissions were received and where relevant feedback has been incorporated into the Action Plan. Key changes that have been made based on this feedback include updating the KPIs to better reflect the overall goal and streamlining the objectives to better reflect the core issues for the Darebin community.

Options for Consideration

That Council endorse the 2016-2020 Food Security and Nutrition Action Plan.

Financial and Resource Implications

\$10,253 is allocated in 2016/2017 operating budget to deliver the Food Security and Nutrition Action Plan. Where resources are not available internally, Council will seek external funds.

Risk Management

Risks associated with individuals actions outlines in the plan will be mitigated during the planning and implementation phase through the application of Council's Risk Management Framework.

Policy Implications**Economic Development**

Local businesses can support the provision of emergency relief through the provision of excess food and fresh produce. Further to this, increasing the number of community food enterprises will provide jobs, skill development and economic opportunities related to food.

Environmental Sustainability

The Action Plan aims to encourage sustainable food production and food choices to minimise the impact on the environment and to minimise future food insecurity. Food security and nutrition strongly aligns with and complements the Urban Food Strategy 2014-2018 and supports the Darebin Climate Change and Peak Oil Adaptation Plan, the Community Climate Change Action Plan and the Transport Strategy.

Human Rights, Equity and Inclusion

The Food Security and Nutrition Action Plan recognises that access to food is a basic human right aligns with and supports Council's commitments to human rights, social inclusion and community wellbeing, focusing on community members at greatest risk of food insecurity and poor nutritional outcomes.

Other

There are no other policy implications from this report.

Future Actions

If endorsed by Council:

- Implementation of the 2016-2020 Food Security and Nutrition Action Plan.

Consultation and Advocacy

Using Council's Equity and Inclusion Planning and Audit Tool (EIPAT) and Community Engagement Plan over 160 people and 18 community organisations were consulted with through a variety of approaches, with community voices reflected throughout the document. A full list of external groups consulted with is outline in the background paper.

Internal consultations took place with the following Council areas:

- Environment and Natural Resource
- Aged and Disability
- City Development
- Economic Development
- Transport Management
- Libraries, Learning and Youth
- Information Services
- Children Families and Community
- Corporate Governance and Performance

Related Documents

- Food Security and Nutrition Action Plan 2016-2020 (**Appendix A**)
- Food Security and Nutrition Action Plan 2016-2020 Background Paper (**Appendix B**)
- Darebin Food Security Policy 2010

Disclosure of Interest

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.

6.5 2016 – 2017 ARTS PARTNERSHIP INITIATIVE

Author: Manager Creative Culture

Reviewed By: Director Community Development

Report Background

The purpose of this report paper is to advise Council of the successful recipients of the 2016-2017 Arts Partnership Initiative.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Darebin Arts Strategy 2014 – 2020: 4.1 Inclusive – Increase access and meaningful participation in the arts for priority communities

Darebin Council Plan 2013 – 2017: Goal 4 – A Thriving Creative Culture

Summary

The Arts Partnership Initiative is designed to enable new artistic partnerships within Darebin through two streams:

1. Project Partnerships: Enabling collaborations between artists and priority communities as identified in the Darebin Arts Strategy 2014-2020.

Under stream one eight partnerships will support 33 artists, with 507 participants benefitting from the projects: Flag Youth Theatre, Walker Abercrombie, Joseph O'Farrell, Kids Own Publishing, Westside Circus, Ilbijerri Theatre Company, Jamie Lewis, Compassionate Voice Choir.

2. Key Cultural Organisation: Supporting partnerships with artistic organisations that are based within Darebin and have been incorporated for at least five years.

Under stream two four organisations will benefit: Arts Project Australia, Speak Percussion, Darebin City Brass and Preston Symphony Orchestra.

Following a review of the operation of the Arts Partnership Initiative changes will be made for the 2017/2018 program that will align the program more closely with the organisations wider grants programs.

Recommendation

That Council note the outcome of the 2016-2017 Arts Partnership Initiative.

Introduction

The Arts Partnership Initiative is designed to enable new artistic partnerships within Darebin through two streams.

Stream One: Project Partnerships

This stream enables collaborations between artists and priority communities as identified in the Darebin Arts Strategy 2014-2020:

- Aboriginal and Torres Strait Islanders community
- People with disability and their carers
- Culturally and Linguistically Diverse communities
- Young People
- Older People

Stream Two: Key Cultural Organisation

This stream supports partnerships with artistic organisations that are based within Darebin and have been incorporated for at least five years.

Issues and Discussion

Application and Evaluation Process

In August 2016 expressions of interest were sought from artists and arts organisations to collaborate with the City of Darebin as part of the annual program, Arts Partnerships Initiative. The information brochure is attached as **Appendix A**. Twenty three Expressions of Interest were received and evaluated.

Sixteen expressions of interest were received for Stream One: Project Partnerships, and seven for Stream Two: Key Cultural Organisations, with the initiative being promoted via the following channels:

- Darebin Arts Website
- Darebin Arts What's On e-news
- Social media sites: Speakeasy, Loud Mouth, True North, DAEC, Northcote Town Hall
- City of Darebin communication channels via Buu-Kim – Corporate Social Media and Website
- Theatre Network Australia, national e-news letter to arts sector
- Arts Hub – premium listings in Bulletins and Grants and Funding Opportunities
- All previous recipients of a partnership
- Arts Ambassadors
- Creative Culture staff to direct artists and organisations within their database.

The expressions of interest were evaluated against the following criteria:

Stream One: Project Partnerships

- Quality of the proposed project and how it will add diversity to the City of Darebin.

- How effectively the proposed project reaches the priority communities within the City of Darebin. Explaining the current relationship with these communities or how the program intends to reach them.
- How the project progresses the organisation's/artist(s) key purpose or goals.
- The reputation of the applicant organisation/artist(s).
- A clear budget outline.

Stream Two: Key Cultural Organisation

- The organisation must have been based in Darebin for a minimum of five years.
- How the partnership will support the vibrant and visionary growth of the organisation within the City of Darebin.
- Explanation of how the work that is created is unique, interactive and inclusive.
- A detailed budget and outline of what the funding and relationship with council will result in within the 2016-2017 financial year; i.e. ongoing artistic creation, programming, public outcomes.

Internal and external representatives made up the evaluation panel:

- Manager, Creative Culture
- Manager, Children, Families and Community
- Arts Participation Coordinator
- Two (2) x Arts Ambassadors

Successful Applicants

Following the completion of the evaluation process the following partnerships will occur in 2016-2017:

Project Partnerships

Organisation	Project Title	Priority Community	Project Summary
Flag Youth Theatre	The Alfred Solomons Project	Young People + Old People	Intergenerational theatre project
Walker Abercrombie	Gathering Matters	CALD, ATSI, People with disability	One city, ten stories - free publication of informal and formal gatherings in Darebin
Joseph O'Farrell	The Cabin	Young People	Youth and community theatre workshops towards theatre show for adults
Kids Own Publishing	Partnership with Croxton School	Young People	Working with children with intellectual disability for a term in 2017 to write, illustrate and publish a 16 page book
Westside Circus	Unnamed	CALD, ATSI, Young People, People with disability	Work with participants towards production June 2017
Ilbijerri Theatre Company	The Darebin Indigenous Performance Lab	ATSI community and Young People	Week long theatre-devising and performance skills workshop for indigenous performers of all ages

Organisation	Project Title	Priority Community	Project Summary
Jamie Lewis	(Come, eat)	CALD community	Local social history performance - based on where does the food we eat come from. Stories of food, family and culture, and food security/politics
Compassionate Voices Choir	Choir	People with disability	Socially inclusive choir with regular long term members; most members have a disability and or are carers. Began as a NEAMI National program.

These successful Project Partnerships will support 33 artists, and 507 participants will benefit from and participate in the projects.

Key Cultural Organisations

Organisation	Purpose	Benefits of Partnership
Arts Project Australia	Supports artists with intellectual disabilities. Enhance opportunities for development of artists and artistic programs.	Arts Partnership Australia has a strong, long history based in Darebin. The partnership will support APA to continue and expand their work with artists with an intellectual disability. The council will be able to recommend artists to engage with the organisation, and encourage opportunities for other teams that work with community, diversity, youth and disability to engage participants in the workshops, support and access APA provides.
Speak Percussion	Internationally acclaimed profession percussive arts organisation.	Speak Percussion is driving new music in Australia, delivering ambitious music projects and championing the best in the field whilst continually nurturing new musical talent from their HQ in Thornbury. They work closely with young musicians from local high schools in Darebin. City of Darebin will be a Government Partner as they embark on key projects which will take place internationally, nationally and locally throughout 2016-2017. Within the Partnership we will explore opportunities for other areas of Council to be introduced to their work and programs for young people.
Darebin City Brass	Leading brass band in Australia, est. 1934	The partnership will directly support the operations of Darebin City Brass. DCB is an Integral organisation within the city that engages hundreds of participants of all ages throughout the year. The networking opportunities through the Arts Partnership Initiative might encourage the organisation to produce future collaborations with other artistic forms, as they have done recently. I.e. – Performance with New Zealand Dance Company at Arts Centre Melbourne.
Preston Symphony Orchestra	Orchestra performs four main concerts per year, including a Youth Concerto Competition.	The partnership will support the growth of the Youth Concerto Competition. The company intend to expand the competition, it's number of members. It will also directly support its ongoing rehearsal and performance operations.

Notifications to successful artists and organisations occurred in early September supported by formal contractual agreements with defined key performance outputs and partnership obligations stating the terms and conditions of the partnership. Successful artists and organisations will build a relationship with council over the year and will be invited to present at networking opportunities.

Review of the Program

Concurrent with the implementation of the Arts Partnership Initiative in 2016, a review of the program has been conducted. The review recommendations include:

- Streamlining the expressions of interest process by using the Smarty Grants system currently being used by the Community Grants Program.
- Aligning the Arts Partnership Initiative with Council's wider grants and investment programs for the 2017/2018 financial year.
- Working with the Finance Department and the Community Grants program to scope and assess the community benefit in integrating the Arts Partnership Initiative into the overall Council granting programs into the future.

The review is being driven by delivery of community benefits that will be reflected in the creation of a centralised and coordinated partnership program for artists, communities and organisations wanting support from Council for creative and artistic opportunities and ventures.

Options for Consideration

Note the success applicants under the 2016-2017 Arts Partnership Initiative.

Financial and Resource Implications

The Arts Partnership Initiative is funded within the 2016-2017 operational budgets with a total of \$83,154 being allocated across the two streams.

Risk Management

Any risks related to the implementation and delivery of this project delivered through the Arts Strategy 2014-2020 have been identified through assessment and compliance with Council's risk management framework.

Policy Implications

Economic Development

The initiative aims to continue leveraging benefits through a partnership approach. Our relationship with these key partners enables Darebin Council to reach more communities and continues to effectively activate Darebin through arts and culture.

Environmental Sustainability

There are no Environmental Sustainability impacts related to this report.

Human Rights, Equity and Inclusion

The Arts Strategy 2014-2020 has an emphasis on social inclusion and engagement with Darebin's diverse communities. Work continues to ensure the implementation of policies, programs and initiatives, considers all aspects of Darebin's unique and diverse community based but not limited to gender, age cultural indemnity and ability.

A partnership approach to implementing the strategy has ensured community collaboration has been a primary focus in achieving the underpinning goals of the strategy and Council Plan.

One of the Guiding Principles underpinning the Arts Strategy is Equity and a non-negotiable expectation of diversity and inclusiveness in practice.

One of the 5 Key Focus Areas includes Actions that specifically target Darebin's Aboriginal communities as well as many other "hard to reach" priority communities.

Other

Nil

Future Actions

Implement review recommendations prior to the commencement of the 2017-2018 program.

Consultation and Advocacy

- Manager, Creative Culture
- Manager, Children, Families and Community
- Arts Participation Coordinator
- Two Arts Ambassadors

Related Documents

- 2016–2017 Arts Partnership Initiative Guidelines (**Appendix A**)
- Darebin Arts Strategy 2014 – 2020

Disclosure of Interest

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.

6.6 ECONOMIC IMPACT STUDY ON THE VALUE OF THE ARTS IN DAREBIN

Author: Manager Creative Culture

Reviewed By: Director Community Development

Report Background

This report is in response to the *Council Plan 2013 -2017* Four Year Priority Action: *'Evaluate the impact of local arts and culture industries on the local economy'*.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

Councillor Briefing – 16 May 2016

Council Plan Goal/Endorsed Strategy

- Darebin Arts Strategy 2014 – 2020
- Darebin Council Plan 2013-2017, Goal 4 – A Thriving and Creative Culture
- Four Year Priority Action: *'Evaluate the impact of local arts and culture industries on the local economy'*

Summary

Council commissioned Geografia to conduct a study on the economic value and social benefit of the arts and creative sector in Darebin, including Darebin's owned and managed venues and programming. The study (**Appendix A**) provides a current-state picture of the arts, artists and creative industries in the City of Darebin and demonstrates that Darebin is a significant and valued home of choice for artists and creative industries.

Highlights of the report include

- The Arts and Creative sector is Darebin's eighth largest by Gross Regional Product (GRP), contributing \$436.2 million or 7.5% of the City's GRP.
- There are 2,577 jobs in Darebin's Arts and Creative sector that makes up 4.8% of all the jobs in Darebin. The sector indirectly supports a further 1,429 jobs through associated and complementary industries.

The study will be a valuable source of context and information for future strategies to ensure investment and approaches support a vibrant creative economy in Darebin and assist Council with decision making, asset management and future planning.

Recommendation

That Council notes the report and findings of the Economic Impact Study on the Value of Arts in Darebin attached as **Appendix A** to this report.

Introduction

Despite various reports detailing the state of the arts at a national and state level, little is known of the current state of the arts, artists and creative industries sectors in Darebin. Since the implementation of the *Creative Darebin: Darebin Arts Strategy 2014 – 2020*, there has been an increasing interest in the activities, impact and outcomes derived from investment in Darebin Council's cultural facilities, creative spaces, festivals, events and programming. This interest in economic and social uplift of the arts is growing and a report that provides evidence to demonstrate current and future shifts in the contribution of the creative sector to Darebin's liveability and social cohesion will provide a context for future arts planning and development.

Issues and Discussion

Economic Impact Study

Geografia Pty Ltd was appointed to conduct the study in early 2016. Geografia used a multi-method, collaborative approach to specifying and quantifying the creative sector in Darebin. This included disaggregated measure of the economic value and social impact of the live music scene in Darebin. Additionally, the disaggregated value derived from Council activities, including programs, facilities, festivals and grants was also assessed as part of the study. The approach considered an analysis of the effect of broader trends such as housing development and population change on the prospects for the sector; workforce and activity levels; and the likely impact of the sector with respect to Darebin's liveability.

The Arts and Creative sector has been recognised as a valuable part of the economies of developed, liveable cities, including Melbourne. It contributes to economic, social and community development. Local government has a recognised role for supporting arts and creative activity in the community.

The *Economic and Social Value of the Arts and Creative Sector in Darebin* full study is attached as **Appendix A** to the report.

Study Findings

The study highlights the following findings:

- The Arts and Creative sector is Darebin's eighth largest by Gross Regional Product (GRP), contributing \$436.2 million or 7.5% of the City's GRP.
- There are 2,577 jobs in Darebin's Arts and Creative sector that makes up 4.8% of all the jobs in Darebin. The sector indirectly supports a further 1,429 jobs through associated and complementary industries.
- The largest sector is fashion, employing 1,232 people and generating \$196 million in GRP. Followed by Performing Arts at 15% of the industry with Visual Arts and Craft and Design at 10% of the industry each.
- The 317 workers and 771,461 patrons to the live music scene generates \$32.48 in local expenditure.
- Total expenditure stimulated by Council investment in the sector is estimated at \$4.83 million. The investment of \$3.8 million in direct expenditure generates \$1.45 million in induced expenditure by visitors with the creation of an additional 15 full time flow-on jobs locally.
- Gentrification and urban revitalisation, retail strip renewal, improved tourism brand value and health and wellbeing impacts are attributable to the Arts and Creative sector.

- Community satisfaction, improved social connectedness, improved perceptions of safety and increased opportunities for self-expression are attributable to the Arts and Creative sector.

Options for Consideration

The report is for information and noting only.

Financial and Resource Implications

The study was funded within the 2015-2016 and 2016-2017 operational budgets.

Risk Management

No risks have been identified with this report.

Policy Implications**Economic Development**

The study is designed to inform, influence and enhance new strategies that recognise and support Darebin's arts and creative industries including the benefits and intersection with economic development, tourism, planning and industry.

Environmental Sustainability

There are no environmental sustainability implications related to this report.

Human Rights, Equity and Inclusion

There are no human rights, equity and inclusion implications related to this report.

Other

There are no other policy implications related to this report.

Future Actions

Distribution of the study to local and regional stakeholders, including but not limited to the Australian and Victorian governments and arts funding and investment bodies.

The development of a Cultural Infrastructure Framework for the City to identify arts and cultural infrastructure located within the municipality.

Consultation and Advocacy

- Darebin Arts Ambassadors
- Identified creative industries stakeholders
- Live music venues in Darebin
- Director Culture, Leisure and Works
- Business Development Coordinator
- Coordinator Performance Support
- Coordinator Arts Participation
- Coordinator Performing Arts Venues

- Coordinator Arts Programming
- Gallery Manager Bundoora Homestead Art Centre

Related Documents

- Darebin Council Plan 2013 – 2017
- Darebin Arts Strategy 2014 – 2020
- Creative State Global City - Creative Industries Taskforce Report November 2015
- Economic Impact of the Victoria Arts and Cultural Sector (Arts Victoria 2013)

Disclosure of Interest

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.

6.7 SENIORS HOME GARDENING PROGRAM UPDATE

Author: Manager Parks and Vegetation

Reviewed By: Director Community Development

Report Background

The report provides details of activity to date and the current state in relation to options for establishing a home gardening scheme for seniors that is cost neutral for Council.

Previous Council Resolution

At its meeting held on 2 December 2013, Council resolved:

'That Council receive a report in February 2014 on the viability of establishing a Seniors Home Gardening Help Program. The report will consider ways of delivering a cost neutral program through the establishment of traineeships working with youth and migrants, local agencies (e.g. migrant resource centres, employment agencies, etc.), existing Council plant and equipment and Home and Community Care program.'

At its meeting held on 20 April 2015, Council resolved:

- (1) *Notes the report on the Seniors Home Gardening Help Program.*
- (2) *Maintains the current service as per arrangements with HACC Service.*
- (3) *Officers provide a further report on exploring the 'seed funding' option noted in the report on pp 6-7. The report is to outline how council can partner with a community organisation in Darebin that supports youth at risk being skilled to establish a 'horticultural maintenance business'. The funding for this program would contribute to 'start up fees' and a 12 month trial period can be considered for 2016.*

Previous Briefing(s)

- Councillor Briefing – 28 April 2014
- Councillor Briefing – 23 February 2015

Council Plan Goal/Endorsed Strategy

Goal 2 - Healthy and Connected Community
2.1 Community Services
2.3 Ageing in Place

Summary

The current limited home gardening service operates within CHSP guidelines under the home maintenance program. To extend the program to establish a home gardening scheme for seniors would require a change in model.

In responding to Council's resolution of 20 April 2015 the option for a community partner/facilitation model was investigated. With the support of the Inner Northern Local Learning and Employment Network (INLLEN) the Croxton Special School was identified as a suitable local provider for an extended service as the school was already operating a horticultural program for their students and had an existing relationship with Council.

This arrangement however would require 'third party' support to be sustainable which after several approaches to agencies and initial interest from a social enterprise unfortunately could not be achieved.

Other options to extend the program such as a traineeship or Council contractor/provider could not be delivered cost neutral to Council without setting fees and charges at a full cost recovery rate.

Recommendation

That Council:

- (1) Note the seniors home gardening program update.
- (2) Maintain the current home gardening service operating under Commonwealth Home Support Program (CHSP) guidelines.

Introduction

Previous reports and briefing papers identified:

- Council currently and historically has offered a limited home gardening service under the property maintenance component of the Commonwealth Home Support Program (CHSP) formerly the Home and Community Care (HACC) program. As with other services provided under this program the service is limited to CHSP eligible clients and activities that ensure older community members are safe within their homes. This program has never offered services such as mowing of lawns and general pruning.
- Neighbouring Council's provide similar services to Darebin, with only Whittlesea and Yarra offering a limited lawn moving service with a means tested fee structure.
- If Council were to extend the service there are a number of operating model options including: Traineeship, Volunteer labour, Community Partnership/Facilitation and Council contractor or provider.
- The cost of the available options varies, with none being totally cost neutral for Council without a fee recovery cost structure.

In support of the Council resolution of 20 April 2015 officers have explored the viability of establishing a community partnership/facilitation model.

Issues and Discussion**Community Partner/Facilitation Model**

In exploring options for a community based partnership it was determined that working in partnership with the Inner Northern Local Learning and Employment Network (INLLEN) would be an advantage. In consultation with the INLLEN the Croxton Special School was identified as a suitable local provider as the school was already operating a horticultural program for their students and had an existing relationship with Council. Croxton expressed interest, but were clear that they would not proceed with a program unless the program was sustainable in the long term. In view of this it was agreed that a 'third party' to auspice the students with Council and INLLEN support would best achieve this outcome.

Due to the nature of the partnership Croxton, Council and the INLLEN agreed that potential 'third parties' should be a not for profit agency or social enterprise.

Both Council and INLLEN committed to contacting potential agencies with Council approaching both AGA/Aplus Apprenticeships and local social enterprise Clean Force. Whilst AGA/Aplus Apprenticeships advised of an inability to support the program, Clean Force expressed interest.

Unfortunately after Clean Force held further discussions with their parent company Wise Employment due to commitments in other areas of the business they advised they were not in a position to proceed. Council has not been able to attract interest from any other suitable agency, with agencies focussed on the preparation of their business operations for the implementation of the National Disability Insurance Scheme (NDIS) and aged care reforms.

The INLLEN were also unsuccessful in attracting support from appropriate agencies.

Due to the lack of success in attracting a 'third party' discussions in relation to implementation of a community partner/facilitation model have been placed on hold.

Other Options

Due to the inability to establish a community partner/facilitation model the only way extend the current service at this time would be to take up one of the previous models presented that included a traineeship, volunteer service or Council contractor or provider.

The costs of these models are estimated at:

- Traineeship: \$150,000 (including salary, equipment and supervision)
- Council contractor or provider: \$50 per hour, plus staff support costs.

As an extended service has never previously been offered it is hard to estimate what the take up would be and accordingly an accurate total cost for this model. However, based on a monthly visit of one hour and 100 clients the cost per annum of the program would be \$60,000, plus support costs. This is a minimal number with Council having in excess of 4,000 CHSP eligible clients.

Whilst a volunteer model cannot be directly costed the model has not been adopted in neighbouring Councils due to the potential for an inconsistent and unreliable service, the cost of supervision and equipment set up costs.

Options for Consideration

1. Maintain the current service offered to CHSP eligible clients limited to a service that ensures these clients are safe within their homes.
2. Extend the current service through either a traineeship or Council contractor or provider model

Financial and Resource Implications

If the current service is not maintained and Council extends the program either additional resources would need to be allocated to the program, or if seeking a cost neutral approach, fees and charges need to be set for full cost recovery.

Risk Management

Existing controls are in place to manage the risks associated with the current program. If an extended program was implemented identified risks would include:

- Traineeship model: Primarily increased OHandS exposure for Council.
- Council contractor or provider: Reputational risk if contractor does not perform to the required standard, plus increased OHandS risk.
- Extensive take up of the service leading to a significant additional cost burden to Council.

Policy Implications

Economic Development

Extending the current CHSP program may assist with job creation in the garden care industry.

Environmental Sustainability

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

Human Rights, Equity and Inclusion

The focus of the CHSP program is to remove perceived or actual barriers to care and support for older community members so they can remain living independently in their homes and communities. The current limited home gardening service is delivered in support of this focus.

Other

There are no other factors which impact on this report.

Future Actions

Any future actions will be determined by Council resolution.

Consultation and Advocacy

- Croxton Special School
- Inner Northern Local Learning and Employment Network (INLLEN)
- Clean Force
- AGA/Aplus Apprenticeships
- Economic Development Department – Business Development Unit

Related Documents

- Council Minutes – 2 December 2013 and 20 April 2015

Disclosure of Interest

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.

**6.8 APPLICATION FOR APPROVAL OF DEVELOPMENT PLAN
POD/3/2015**

Author: Manager Planning and Building

Reviewed By: Acting Director Future City and Assets

Report Background

On 7 May 2015, the Minister for Planning approved Amendment C122 to the Darebin Planning Scheme. The Amendment rezoned land at 198 Beavers Road from Industrial 3 Zone to the Residential Growth Zone, and included the site within an Environmental Audit Overlay and Development Plan Overlay (DPO). This process included a 2 month exhibition period and consideration of submissions by an independent planning panel. The Residential Growth Zone in this instance provides for a discretionary height of 4 storeys.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Council Plan Goal 1: Vibrant City and Innovative Economy

1.3 Well-designed housing development

Encourage well-designed, well-located, higher-density housing development that is accessible, inclusive, safe, affordable and consistent with Council's Housing and Affordable Housing Strategies.

Summary

This report seeks the adoption by Council of a development plan as required by schedule 12 to Clause 43.04 to the Darebin Planning Scheme. The development plan provides the guiding design principles and requirements for the future consideration of planning applications and ensures development outcomes are coordinated where there are multiple property ownerships. Development plans are relatively high level documents and are not required to include the level of detail typically expected in a planning application.

This development plan application proposes the following:

- Up to 120 dwellings with three (3) or more bedrooms.
- One vehicle access point to beavers road to the east of the site,
- Three storey development to the north of the site and four storey development in the middle, and to the east, west and south of the site.
- A maximum building height of 13.5m
- Car parking provided in accordance with clause 52.06.

Recommendation

THAT Council adopt development plan POD/1/2015 subject to the following alterations/requirements:

The approved documentation is to comprise plans: LSK01, SK1.4, SK1.5, SK1.6, SK1.7, SK1.8, SK1.9, SK1.10, SK1.11, SK1.12, SK1.13 All Rev A modified as follows:

- (1) Provision of a minimum 3 m wide paved Disability Discrimination Act 1992 compliant public pedestrian and bike access (public access) through the site from Beaconsfield Parade / Leinster Grove to Beavers Road. This is to be achieved by a Section 173 Agreement that will be required prior to the completion of the development. The public access is to be appropriately illuminated. Development adjacent to the public access is to be designed and orientated to maximise passive surveillance of the public pedestrian access. The public access is to incorporate clear sight lines / minimise hiding places where possible. Surface treatments, vehicle access / circulation and signage to ensure appropriate safety for any areas of shared pedestrian and bike / vehicle access along internal roads. The access is to be to the satisfaction of Council.
- (2) Building envelopes set back a minimum 3m from the east boundary of 200 Beavers Road except where the development plan for 200 Beavers Road approved 17 December 2016 under POD/1/2015 allows buildings on the common boundary at the same level. Where balconies or living areas are orientated towards the apartment envelope for 200 Beavers Road approved under POD/1/2015 these shall be setback 4.5m from the east boundary of 200 Beaver Road.
- (3) The building envelope setback 2m from the east boundary increased to 3m at level 1, 2 and 3 and setback 5m at level 4 with no other reductions in setbacks.
- (4) The building envelope setback a minimum 5m from Beavers Road at level 4.
- (5) The building envelope setback a minimum 5m from the golf course to the west at level 4.
- (6) Passive surveillance provided to the west over the Northcote Golf Course (SK1.10).
- (7) Building envelopes at level 2 to 4 to match section B on SK1.8.
- (8) The development plan to show any proposed super lots (maximum of 5) and staging.
- (9) Include the following notations:
 - a) Buildings fronting Beavers Road to be designed to minimise noise and other impacts associated with surrounding non – residential uses and that an acoustic, odour and emissions assessment accompany any permit application as appropriate.
 - b) Minimal balconies or living areas provided facing Croxton Special Education School.
 - c) Canopy trees are to be provided along the perimeter of the site adjacent to:
 - The Northcote Golf Course,
 - The rear yards of dwellings fronting Beaconsfield Parade; and,
 - Croxton Special Education School.
 - Beavers Road
 - d) Subdivision to create super lots only will be allowed once development is approved and common areas constructed. Subdivision of individual residential allotments to occur only once the development of the land / individual super lot is substantially completed.
 - e) Pedestrian access to dwelling entries from the internal communal access way to maximise landscaping opportunities in the shared internal access way.
 - f) Crossovers to the street 5.5m wide with visibility splays.
 - g) Car parking provided on site in accordance with Clause 52.06 for dwelling residents.
 - h) A maximum of 120 dwellings provided.

- i) Collection of waste by a private contractor.
 - j) No direct vehicle access to Beaconsfield Parade / Leinster Grove.
 - k) Earthy muted tones and non-reflective or low reflectivity materials to be used.
 - l) Garages and driveways will not dominate the internal communal access way.
 - m) Except for the buildings in the centre of the site where garages will be screened by electric gates, two car space garages will generally be in a tandem / car stacker layout unless architecturally treated in a manner where passive surveillance and activation of the ground floor of dwellings can be clearly demonstrated.
 - n) No fencing provided in the Beavers Road front setback or between dwellings and the communal shared access way.
 - o) Boundary fencing adjacent to the Northcote Golf Course a minimum 25% visually permeable.
 - p) Architectural treatments to accentuate dwelling entries and to integrate garage doors into the design of the development potentially incorporating windows / glazed panels and materials not typically associated with garage doors.
 - q) Setbacks, articulation and built form to the west boundary are to be provided having regard to the future use and development of 200 Beavers Road.
 - r) Building envelopes do not imply a right to build over the entire envelope
 - s) Setbacks from boundaries and / or internally between buildings may need to be increased to ensure equitable development opportunities and / or appropriate amenity of future neighbours and protect the amenity of the public realm.
 - t) Buildings are to be setback sufficiently to allow adequate solar access to other buildings on the land.
 - u) Environmental Audit process and building design to address gas migration issues.
 - v) Internal road paving to reinforce pedestrian / shared access requirements (not asphalted).
 - w) Fencing on the north boundary as existing or a maximum 2m in height.
 - x) SIDRA analysis must be undertaken as part of the Town Planning Application.
 - y) All outdoor lighting to be designed, baffled and/or located to ensure that no loss of amenity is caused to adjoining and nearby land to the satisfaction of the Responsible Authority.
 - z) The design of the built form towards any access ways is to reflect the fine grain pattern of nearby streets, floors to be distinguishable from each other through punctured facades (e.g. balconies, windows, façade articulation) and located to provide a comfortable pedestrian scale.
- (10) Deletion of the Standard B17 building envelope and associated notation on Plan SK1.12 and SK1.13 which contradicts with the building envelopes.
 - (11) Deletion of “no setback is provided to Beavers Road...” notation on plan SK1.4, SK1.5, SK1.6, SK1.7 which contradicts with the building envelopes.
 - (12) Deletion of proposed rooftop terrace mass from section A and B on plan SK1.8 Rev A and inclusion of a notation that any roof top terrace to be designed to have minimal visual mass and bulk.

Introduction

The Development Plan Overlay (DPO) is a flexible tool that can be used to implement a plan to guide the future use and development of the land. The overlay has two purposes:

- To identify areas that require the planning of future use or development to be shown on a plan before a permit can be granted.

- To exempt a planning permit application from notice and third party review if it is generally in accordance with an approved plan.

The approval of a development plan is a conceptual point in the process and the development plan sets the broad principles that future use and development of the land needs to satisfy, enabling it to successfully integrate with other developments likely to occur on other land within the DPO.

Issues and Discussion

See attached assessment (**Appendix A**) and advertised plans - (**Appendix B**).

Options for Consideration

See attached assessment (**Appendix A**) and advertised plans - (**Appendix B**).

Financial and Resource Implications

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

Risk Management

Nil

Policy Implications

Economic Development

There are no factors in this report which impact upon economic development.

Environmental Sustainability

All new dwellings are required to achieve a minimum six (6) star energy rating under the relevant building controls.

Human Rights, Equity and Inclusion

There are no factors in this report which impact on human rights, equity and inclusion.

Other

There are no other factors which impact on this report.

Future Actions

Nil

Consultation and Advocacy

- There is no prescribed notification process for development plans under the *Planning and Environment Act*.
- Notification comprising letters to the surrounding owners and occupiers and two (2) notices on site, one (1) fronting Beavers Road and one (1) fronting Leinster Grove were provided. Eight (8) submissions were received.
- The matter was referred internally to the Transport Management and Planning, ESD Officer, Public Realm and Capital Works.

- This application was referred externally to the Merri Creek Management Committee, Director of Public Transport and Melbourne Water.

Related Documents

- Assessment Report (**Appendix A**)
- Advertised Plans (**Appendix B**)
- Darebin Planning Scheme
- *Planning and Environment Act (1987)* as amended.

Disclosure of Interest

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.

6.9 PROPOSED ROAD DISCONTINUANCE ADJOINING 2 GREENOCK STREET AND 8 TO 10 BANFF STREET, RESERVOIR

Author: Manager Strategic Asset Management

Reviewed By: Acting Director Future City and Assets

Report Background

This report advises Council on the outcome of the statutory procedures relating to the proposed discontinuance and sale of the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (Road), and recommends that the Road be discontinued and sold by private treaty in accordance with Council policy and transfer any land not sold to itself.

Previous Council Resolution

At its meeting held on 18 April 2016, Council resolved:

‘That Council:

- (1) *Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 (“the Act”) to discontinue the road at the adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir. Shown cross-hatched on Appendix A.*
- (2) *Give public notice under Sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council’s website and such notice state that if discontinued, Council proposes to sell the land from the road to the adjoining property owners by private treaty and transfer to itself any land from the road not sold to the adjoining property owners.’*

Previous Briefing(s)

22 August 2016

Council Plan Goal/Endorsed Strategy

Goal: Excellent Service
Strategy: 5.4 Long term responsible financial planning
Property Asset Management Strategy – May 2015

Goal: Vibrant City and Innovative Economy
Strategy: 1.4 Strategic Land Use and Sustainable Transport Planning Policies.

Summary

This report provides the history and background relating to the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir as shown cross-hatched in **Appendix A** as well as the outcome of the statutory procedures into its proposed discontinuance.

In 2003, Council resolved to discontinue and sell part of the right-of-way/road which is bound by Darebin Boulevard, Argyle Street, Greenock Street and Banff Street in Reservoir (ROW). However, the section of the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (Road) was not included for discontinuance at that time.

In 2014, Council received an application from an adjoining property owner requesting the potential discontinuance and sale of the Road. Initial investigations identified that the Road is occupied by the adjoining property owner at 2 Greenock Street, Reservoir and although it is not listed in Council's Register of Public Roads, it is a road on title.

All adjoining property owners were notified of the proposal with a majority indicating their support for the discontinuance. At that time (2014) the owner of 8 Banff Street advised that they would object to the proposal indicating a preference for the Road to be reopened. This property is a corner allotment with two street frontages providing access and egress and has no current use of the Road.

Internal and external referrals to Council departments and statutory authorities have also raised no objection but have indicated the need to have easements saved over the Road, if discontinued.

At its meeting of 18 April 2016, Council resolved to commence the statutory procedures and give public notice of the proposed discontinuance of the Road.

Public notice of the proposal was given in the Preston and Northcote Leader newspapers on 17 and 18 May 2016 respectively. Adjoining property owners were notified in writing and notification was provided on Council's website. The public notice period ended on Friday 17 June 2016 with no submissions received.

This report recommends that following the completion of the statutory procedures relating to the proposed discontinuance and sale of the right-of-way/road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir (Road) and having received no submissions, that the Road be discontinued and sold by private treaty in accordance with Council policy and transfer any land not sold to itself.

Recommendation

That Council having given public notice of a proposal to discontinue the road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir, shown hatched on **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the *Local Government Act 1989*:

- (1) Discontinues the road in accordance with section 206 and schedule 10, Clause 3 to the *Local Government Act 1989*;
- (2) Directs that a notice be published in the Victoria Government Gazette;
- (3) Directs that the land from the road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy and signed "in-principle" agreements;
- (4) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water and Darebin City Council, in the road in connection with any sewers, drains or pipes, under the control of those Authorities in or near the road;
- (5) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the adjoining properties; and
- (6) Delegates power to the Chief Executive Officer perform all other actions to enable any land from the Road not sold to the adjoining property owners to be transferred to Council.

Introduction

In 2014, Council received an application from an adjoining property owner requesting the discontinuance and sale of the right-of-way/road shown cross-hatched on the plan in **Appendix A** and on the aerial photo **Appendix B**.

In 2003, the section of right-of-way/road at the rear of 18 to 40 Darebin Boulevard and rear 12 to 26 Banff Street, Reservoir was discontinued and sold. The section under investigation adjoining 2 Greenock Street and rear 8 and 10 Banff Street, Reservoir (Road) was not included in the original discontinuance and remains a 'road' on title.

The Road is not listed on Council's Register of Public Roads, is not constructed and has not been used for access for many years. The Road is currently occupied by adjoining owners and they appear to have occupied part of the Road and been using the other part to park vehicles since 1996.

Once the initial investigations confirmed the feasibility of the proposed discontinuance, Macquarie Lawyers were commissioned to undertake the statutory procedures to facilitate the possible discontinuance and sale of the 3.05m wide section of right-of-way.

Issues and Discussion

Statutory Procedures

At its meeting of 18 April 2016, Council directed that the statutory procedures for the proposed discontinuance and sale of the 3.05m wide section of Road adjoining 2 Greenock Street and 8 to 10 Banff Street, Reservoir, be commenced.

Public notice of the proposal was given in the Preston and Northcote Leader newspapers on 17 and 18 May 2016 respectively. Notification was also given on Council's website. Owners and occupiers of the adjoining properties were notified in writing and were advised that written submissions would be considered by Council as per the provisions of section 223 of the *Local Government Act 1989*.

Internal departments and the Service Authorities were consulted regarding the proposal and whilst no objections were received, both Yarra Valley Water and Council engineers' have advised that easements will need to be saved over the land to provide for existing underground assets within the Road, if discontinued. Yarra Valley Water has a sewer within part of the Road and Council has a drain in the Road.

No submissions were received from the public or adjoining property owners.

Land allocation

All of the immediate adjoining owners had been consulted regarding the proposal. The owner of 8 Banff Street expressed no interest in purchasing land from the Road, if discontinued, indicating a preference for the Road to be reopened. The discontinuance and sale of the Road would not restrict access to the rear of the property at 8 Banff Street.

The owners of 2 Greenock Street and 10 Banff Street, Reservoir, have agreed to purchase the land from the Road, if discontinued and have entered into 'in principle' agreements. The dimensions and proposed allocation/division of the Road are shown hatched in the Road Discontinuance Plan in **Appendix C** and the Title Plan provided in **Appendix D**.

If all owners adhere to the signed 'in principle' agreements, there will be no remaining land that would need to be transferred to Council.

Options for Consideration

Option 1 – Do Nothing (Recommended)

Council could resolve to take no action or may make no resolution on the matter. This option would mean that the Road would continue to vest in Council and would continue to be occupied by the adjoining property owners.

Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other roads or rights-of-way within Darebin to the detriment of the community (whether financially or as a benefiting right). Additionally Council may lose future rights to the Road if adjoining property owners are able to accrue possessory rights.

Council may, at some time in the future, resolve to commence the discontinuance process.

Option 2 - Discontinuance Process (Recommended)

Council could proceed with the discontinuance and sale of land from the Road, in accordance with the signed 'in-principle' purchase agreements. This would be consistent with the statutory procedures that were completed with no submissions received. Further it would formalise the occupation of the Road by adjoining property owners.

This option would not prevent access to rear of the property at 8 Banff Street.

Financial and Resource Implications

At the commencement of the negotiations, Council's City Valuer placed a rate per square metre on the land of \$308/m² (including GST) for 10 Banff Street and \$511.50/m² for 2 Greenock Street. This rate took into account the ROW's relationship to the purchaser and the fact that the land would be encumbered with easements in favour of Council and Yarra Valley Water.

Given the area of 112m², the market value for the land at that time was assessed at \$45,892 including GST. Costs associated with the statutory procedures and sale of the Road would be recovered from the purchaser/s. Any costs associated with Council transferring any unsold land to itself would be managed within existing annual budget allocations (if required).

Risk Management

Risks associated with each option are covered under the analysis of each option.

Policy Implications

Economic Development

There are no economic development impacts associated with this report.

Environmental Sustainability

There are no environmental sustainability impacts associated with this report.

Human Rights, Equity and Inclusion

Consultation with the immediate adjoining owners has been undertaken. The statutory procedures extended this consultation to the whole of the community by giving public notice of the proposal and providing the opportunity to make formal submissions to Council regarding the proposal.

Other

This report has been prepared having regard to Council's Sale of Minor Council Property Assets Policy.

Future Actions

- Arrange for a notice to be published in the Victoria Government Gazette.
- Arrange for the land to be sold and transferred to the owners of the adjoining properties by private treaty in accordance with Council Policy.
- Arrange for the balance of any land not sold, to be transferred into Council's ownership (if required).

Consultation and Advocacy

- Council departments
- Macquarie Local Government Lawyers
- Owners of adjoining properties
- Statutory authorities

Related Documents

- Site plan (**Appendix A**)
- 2016 Aerial photography of 2 Greenock Street and 8 to 10 Banff Street, Reservoir (**Appendix B**)
- Road Discontinuance Plan (**Appendix C**)
- Title plan – TP955714T (**Appendix D**)
- *Local Government Act 1989*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy, Darebin City Council, 2015
- Council Minutes – 18 April 2016

Disclosure of Interest

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.

6.10 PROPOSED DISCONTINUANCE OF ROAD AT REAR OF 15-25A BRUCE STREET AND 10-20 HERBERT STREET, PRESTON

Author: Manager Strategic Asset Management

Reviewed By: Acting Director Future City and Assets

Report Background

This report is to advise Council of the outcome of statutory procedures relating to the proposed discontinuance of the Road rear at the rear of 15-25A Bruce Street, 10-20 Herbert Street, and side of 20 Herbert Street Preston.

Previous Council Resolution

At its meeting held on 21 March 2016, Council resolved:

'That Council:

- (1) Record its objection to the occupation of the section of road adjacent to 20 Herbert Street, Preston.*
- (2) Declare the section of road adjacent to 20 Herbert Street, Preston to reasonably required for public use and that the road be reopened to public traffic.*
- (3) Officers take action within their existing delegated authorities to effect Council's resolution that the section of road adjacent to 20 Herbert Street, Preston be reopened to public traffic.'*

At its meeting held on 16 May 2016, Council resolved:

'That Council:

- (1) Having received further information following the decision made at its ordinary meeting of Council held on 21 March 2016 regarding the use of the road beside 20 Herbert Street, Preston, withdraws its objection and directs that the recently cancelled Notice to Comply sent to the occupier of 20 Herbert Street is not to be reissued unless directed by Council.*
- (2) Commence the statutory process to discontinue and sell to the adjoining owners in accordance with Council's Sale of Minor Council Property Assets Policy, the whole of the road at the rear of 15 - 25 Bruce Street and 10 - 20 Herbert Street and beside 20 Herbert Street, Preston (Road).*
- (3) Will decide whether to discontinue part or the entire Road after considering any written submissions received in relation to the proposal and after hearing from any submitters who have elected to speak to their submissions.'*

Previous Briefing(s)

Councillor Briefing – 22 February 2016

Council Plan Goal/Endorsed Strategy

Goal: Excellent Service
Strategy: 5.4 Long term responsible financial planning
Property Asset Management Strategy – May 2015

Goal: Vibrant City and Innovative Economy
Strategy: 1.4 Strategic Land Use and Sustainable Transport Planning Policies.

Summary

Public notice of the proposal was given in the Preston and Northcote Leader newspapers on 14 and 15 June 2016 respectively. Notification was also provided on Council's website. The notice period ended on 14 July 2016.

Two submissions were received regarding the proposal and the submitters requested to be heard in support of their submission. On 1 August 2016, the Hearing of Submissions Committee heard from the owners of 25A Bruce Street, Preston. The owner of 20 Herbert Street did not receive the registered letter advising him of the upcoming hearing and thus was not present at the hearing.

After completing the statutory procedures and having considered the submissions received in accordance with section 223 of the *Local Government Act 1989*, this report recommends that Council discontinue and sell to adjoining property owners the section of the Road located at the rear of 15-25 Bruce Street and the rear of 10-20 Herbert Street, Preston, declare the section of road adjacent to 20 Herbert Street, Preston to be a public highway and reopening it to public traffic, and take title to any unsold land.

Recommendation

That:

Council having given public notice of a proposal to discontinue the road at the rear of 15 – 25A Bruce Street and 10-20 Herbert Street, Preston (Road), shown hatched on **Appendix A** to this report, and having considered submissions received in respect of the proposal under section 223 of the *Local Government Act 1989*:

- (1) Discontinues the road at the rear 15-25 Bruce Street and the rear 10-20 Herbert Street, Preston shown hatched on the plan in Appendix A in accordance with section 206 and schedule 10 clause 3 of the *Local Government Act 1989*;
- (2) Declare the section of road adjacent to 20 Herbert Street, Preston shown hatched on the plan in Appendix A, being reasonably required for public use, a public highway in accordance with section 204(1) of the *Local Government Act 1989* and that the road be reopened to public traffic;
- (3) Directs that a notice be published in the Victoria Government Gazette in regards to:
 - a. the discontinuance of the rear 15-25 Bruce Street and the rear 10-20 Herbert Street, Preston; and
 - b. the public highway declaration for the section of road adjacent to 20 Herbert Street, Preston.
- (4) Directs that the land from the road at the rear 15-25 Bruce Street and the rear 10-20 Herbert Street, Preston be sold by private treaty to the owners of the adjoining properties in accordance with Council policy;
- (5) The Road is to be sold subject to the right, power or interest held by Yarra Valley Water Corporation in the road in connection with any sewers, drains or pipes under the control of that authority in or near the road;
- (6) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the adjoining properties;
- (7) Delegates power to the Chief Executive to do all other acts to enable any land not sold to the adjoining property owners to be transferred to Council;
- (8) Officers take action within their existing delegated authorities to effect Council's resolution that the section of road adjacent to 20 Herbert Street, Preston be reopened to public traffic;
- (9) Officers notify, in writing, every person who lodged a submission of Council's decision and the reasons for the decision.

Introduction

Since 2005, Council has received several requests from adjoining property owners regarding their interest in purchasing the land from the right-of-way/road between 15-25A Bruce Street and rear 10-20 Herbert Street, Preston and adjoining the western of 20 Herbert Street, Preston (Road), shown on site plan (see **Appendix A**) and the aerial photo (see **Appendix B**). Despite numerous attempts to proceed to the next stage of the process, Council has met with an impasse with some property owners wanting the Road reopened and others supporting its discontinuance, yet expressing minimal interest in purchasing the land from the Road.

In February 2012, Local Laws identified that the owner of 25A Bruce Street had been transgressing over rail land in order to access their rear garage as shown in **Appendix C**. Initial investigations identified that the Road exists on title for the benefit of all adjoining properties. The title confirms the Road should be providing access to the rear of 25A Bruce St, Preston. The Road is occupied and fenced within the boundary of 20 Herbert Street, Preston (**See Appendix D**). This occupation of the right-of-way was permitted by the former City of Preston under a temporary closure agreement dating back to 1982.

Metro Trains were contacted to determine if they would consider the sale of rail land at the western side of 25A Bruce Street. This would allow 25A to access their garage. Metro Trains advised that the rail land was not available. Officers worked with both the owners of 25A Bruce and 20 Herbert to facilitate a suitable outcome that would appease both parties. However, none of the alternatives proposed were found to be acceptable to both parties.

The property owners at 25A Bruce Street have no open, legal vehicle access to the rear of their property and continue to use the rail land as passage to their property. The only point of legal access continues to be enclosed within the boundaries of adjoining property owners, including the part adjoining 20 Herbert Street, Preston.

Council received a report at its meeting of 21 March 2016 which sought to commence the statutory consultation process associated with proposed road discontinuance. Following consideration of the report, Council resolved to declare the road a public highway and to reopen the Road for vehicle access, without undertaking a consultative process. Complaints were received from occupying property owners after Notices to Comply were issued which instructed them to vacate the occupied land.

At its Ordinary meeting on 16 May 2016 Council considered an item of urgent business and resolved to 'undo' part of its previous resolution (in relation to cessation of occupation and eviction of the occupiers) and to commence a statutory process to investigate discontinuance and sale of the Road to the adjoining owners. This process, as originally proposed in the report to Council of 21 March 2016, would allow those property owners affected by the proposal an opportunity to make a submission prior to taking any formal action (to discontinue, sell or open the road).

A letter and a copy of the public notice were provided to all thirteen property owners who own land adjoining the Road. Two written submissions were received and both submitters elected to be heard in support of their submission.

Issues and Discussion

Submissions

Two submissions were received from adjoining property owners.

Submission One – Mr and Mrs Georgiadis

- Submission received on 14 July 2016.
- They are seeking to have the Road reopened.

Submission Two – Mr Tsagaratos

- Submission received on 22 July 2016.
- He is seeking to have the Road discontinued and may purchase land from the road if discontinued.

A copy of the submissions was circulated separately to Councillors for their information as part of the Hearing of Submissions on 1 August 2016.

Hearing of Submissions

On 1 August 2016, the Hearing of Submissions Committee heard from the representative of the owners of 25A Bruce Street in support of their submission. A précis of the hearing is as follows:

- The representative reasserted points contained in their submission, in that they:
 - Are seeking to have the Road reopened
 - Require access from the Road as it is their only legal point of access to the rear of their property.
 - Are continuing to illegally use rail land to access the rear of their property.
 - Would like Council to reinstate the original resolution of 21 March 2016.
 - Have no objection to the section of road at the rear 15-25 Bruce Street and rear 10-20 Herbert Street, Preston being discontinued.

The owner of 20 Herbert Street, who put forward a late submission, did not receive the registered letter advising him of the upcoming hearing and thus was not present at the hearing. This letter was delivered to his nominated address however the registered mail was not collected from the post office. In accordance with section 223 of the *Local Government Act 1989* Council is required to take into consideration submissions received in respect to the matter specified in the public notice.

Easements

Internal departments and the Service Authorities were consulted regarding the proposal and one objection was received. Yarra Valley Water Corporation (YVW) has a sewer and sewer vent in the road and objected to the proposed discontinuance on the basis that the vent has special maintenance requirements and that they require unrestricted 7 day, 24 hour access. Whilst YVW's access requirement is acknowledged, this access has not been available since the early 1980's.

Council engineers have indicated that whilst they do not currently have any assets located within the Road, if discontinued an easement would need to be created over any land sold to cater for installation of drainage assets in the future.

Easements in favour of YVW and Council will be saved over the land from the Road to provide for sewerage and drainage requirements, if discontinued.

Options for Consideration**Option 1 - Do Nothing**

Council could resolve to take no action or may make no resolution on the matter. This option would mean that the Road would continue to vest in Council and would continue to be occupied by the adjoining property owners. Council may, at some time in the future, resolve to commence the discontinuance process.

Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other roads or rights-of-way within Darebin to the detriment of the community (whether financially or as a benefiting right). Additionally, Council may lose future rights to the Road if adjoining property owners are able to accrue possessory rights.

Option 2 - Discontinuance Process – Discontinue all the Road

Council could proceed with the proposed discontinuance and sale of the Road; discontinuing the section of road at the rear of 10-20 Herbert Street and the rear of 15-25 Bruce Street as well as the section adjacent to 20 Herbert Street, Preston.

Whilst this option would be consistent with the statutory procedures that were completed, it would not accord with Council's Sale of Minor Council Property Assets Policy (Council's Policy). Council's Policy provides for the sale of minor Council property assets that are no longer reasonably required for the purpose it was originally set aside for or any other strategic purpose.¹

If Council was to proceed with the discontinuance of the entire Road, including the section of road adjoining 20 Herbert Street, it could remove any legal rights of abuttal the owners of 25A Bruce Street, Preston currently have. It may also restrict any future access and egress to the garage at the rear of their property.

Option 4 – Discontinuance Process – Discontinue Part of the Road and Reopen Part of the Road (Recommended)

Council could proceed with the discontinuance and sale of land from part of the road at the rear of 10-20 Herbert Street and rear 15-25 Bruce Street, Preston and reopen the section of road adjacent to 20 Herbert Street, Preston for public traffic, declaring it a public highway (see **Appendix E**).

This would be consistent with the statutory procedures that were completed and would accord with Council policy. The assessment of the road adjacent to 20 Herbert Street, Preston indicates that it is reasonably required for the purpose it was originally set aside, being a public road.

This option would also provide for future sales to other adjoining property owners whilst protecting Council's interest in any unsold parcels of land from the section of Road proposed for discontinuance and sale. Nonetheless, by taking title to the land Council would be required to comply with further statutory procedures when a future sale is established. In addition, the reopening of the road would restore access and egress to the rear of the owner's property at 25A Bruce Street, Preston.

Option 4 – Defer the Matter

Council could resolve to defer the matter until a decision surrounding the future of the Bell Street railway level crossing removal project has been made. This option would mean the status quo would remain, the Road would continue to vest in Council and adjoining property owners would continue to be occupy the land from the Road.

It would also mean that the owners of 25A Bruce Street would not be able to use the section of Road adjoining 20 Herbert Street to gain access to the rear of their property and they may continue their current practice of using the rail land for such.

¹ Sale of Minor Council Property Assets Policy Page 4 Section 7.2

Financial and Resource Implications

The City Valuer has estimated the market valuation of the Road to have an encumbered value of \$462m² (including GST) per square metre as at 11 August 2016. Costs associated with the statutory procedures and sale of the Road would be recovered from the purchaser/s. Any costs associated with Council transferring any unsold land to itself would be managed within existing annual budget allocations.

Risk Management

Outline of risks associated with various options are contained within the individual option analyses.

Policy Implications

Economic Development

There are no factors in this report which impact upon economic development.

Environmental Sustainability

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

Human Rights, Equity and Inclusion

Consultation with the immediate adjoining owners has been undertaken. The statutory procedures extended this consultation to the whole of the community by giving public notice of the proposal and providing the opportunity to make formal submissions to Council regarding the proposal.

Other

This report has been prepared having regard to Council's Sale of Minor Council Property Assets Policy.

Future Actions

- Arrange for a notice to be published in the Victoria Government Gazette.
- Arrange for the land to be sold and transferred to the owners of the adjoining properties by private treaty in accordance with Council policy.
- Arrange for the balance of any land not sold, to be transferred into Council's ownership.

Consultation and Advocacy

- Council departments
- Macquarie Local Government Lawyers
- Owners of adjoining properties
- Statutory authorities

Related Documents

- Site plan (**Appendix A**)
- 2016 Aerial photography (**Appendix B**)
- Path used for access – railway land (**Appendix C**)
- Occupied Right-of-Way (**Appendix D**)
- Recommend proposed discontinuance and re-opening of road (**Appendix E**)
- *Local Government Act 1989*
- *Road Management Act 2004*
- *Sale of Minor Council Property Assets Policy, Darebin City Council, 2015*
- Council Minutes – 16 May 2016
- Hearing of Submissions Committee Minutes – 1 August 2016

Disclosure of Interest

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.

6.11 PROGRESS REPORT ON COUNCIL'S STRATEGIES

Author: Coordinator Council Plan and Performance

Reviewed By: Director Civic Governance and Performance

Report Background

This report outlines 37 of Council's most significant endorsed strategies whose outcomes and actions have not already been reported to Council for its attention within the last six months of the date of this report.

The attached reports provide Council with a concise picture of strategy achievements, challenges and forecasts that can be gleaned at a glance.

Previous Council Resolution

At the Council Meeting dated 6 November 2013, Council resolved:

'That Council notes the progress made on the listed strategies as attached as Appendix A to this report and have these strategies published on Council's website.'

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Goal 6 - Open and Accountable Democracy

Summary

This report outlines 37 of Council's most significant endorsed strategies whose outcomes and actions have not already been reported to Council for its attention within the last six months of the date of this report.

The attached reports provide Council with a concise picture of strategy achievements, challenges and forecasts that can be gleaned at a glance.

Recommendation

THAT Council notes the progress made on the strategies listed in **Appendix A** attached to this report.

Introduction

Council has a comprehensive framework of specific policies and strategies. To avoid duplication, not all strategies are included in this report. Some co-ordinators will report or have reported to Council separately throughout the year because greater detail has been required. Co-ordinators may also provide further reports to Council on issues relating to their strategies for information or decision-making at various other times over the year.

This report relates to the following strategies:

1. Aboriginal Action Plan 2012-2015
2. Active Healthy Ageing Strategy 2011-2021
3. Anti-Racism Strategy 2012-2015
4. Business Development and Employment Strategy 2012-2015
5. Climate Change and Peak Oil Adaptation Plan 2009-2015
6. Community Climate Change Action Plan 2009-2020
7. Community Engagement Framework 2012-2017
8. Community Safety Strategy 2012-2016
9. Corporate Climate Change Action Plan 2007-2020
10. Cycling Strategy 2013-2018
11. Digital Strategy 2013-2018
12. Disability Action and Inclusion Plan 2015-2019
13. Early Years Strategy 2011-2021
14. Equity and Inclusion Policy 2012-2017
15. Food Security Policy 2010-2014
16. Graffiti Management Strategy 2014-2018
17. Green Business Attraction Strategy 2012-2017
18. Health and Wellbeing Plan 2013-2017
19. Heatwave Strategy 2013-2017
20. Human Rights Action Plan 2012-2015
21. Leisure Strategy 2010-2020 and Action Plan 2015-2020
22. Libraries Strategy 2014-2019
23. Multicultural Action Plan 2012-2017
24. Natural Heritage Strategy 2015-2025
25. Open Space Strategy 2007-2017
26. Playspace Strategy 2010-2020
27. Preventing Violence Against Women Action Plan 2013-2015
28. Responding to Housing Stress - A Local Action Plan 2013-2017
29. Road Management Plan 2013-2017
30. Sexuality, Sex and Gender Diversity Action Plan 2012-2015
31. Transport Strategy 2007-2027
32. Urban Food Production Strategy 2014-2018
33. Urban Forest Strategy 2013-2028
34. Waste and Litter Strategy 2015-2025
35. Watershed: Towards a Water Sensitive Darebin Water Strategy 2015-2025
36. Women's Equity Strategy 2012-2015
37. Youth Engagement Strategy 2012-2017

Issues and Discussion

In the 2015/2016 financial year, Council adopted a number of new strategies that are also included in this year's reporting cycle.

All endorsed strategies, grouped by Council Goals as reported in the Council Plan, are as follows:

Vibrant City and Innovative Economy

- Business Development and Employment Strategy 2012-2015
- Digital Strategy 2013-2018
- Green Business Attraction Strategy 2012-2017
- Road Management Plan 2013-2017
- Transport Strategy 2007-2027

Healthy and Connected Community

- Aboriginal Action Plan 2012-2015
- Active Healthy Ageing Strategy 2011-2021
- Anti-Racism Strategy 2012-2015
- Disability Action and Inclusion Plan 2015-2019
- Early Years Strategy 2011-2021
- Equity and Inclusion Policy 2012-2017
- Food Security Policy 2010-2014
- Graffiti Management Strategy 2014-2018
- Health and Wellbeing Plan 2013-2017
- Heatwave Strategy 2013-2017
- Leisure Strategy 2010-2020 and Action Plan 2015-2020
- Libraries Strategy 2014-2019
- Multicultural Action Plan 2012-2017
- Playspace Strategy 2010-2020
- Preventing Violence Against Women Action Plan 2013-2015
- Responding to Housing Stress - A Local Action Plan 2013-2017
- Sexuality, Sex and Gender Diversity Action Plan 2012-2015
- Women's Equity Strategy 2012-2015
- Youth Engagement Strategy 2012-2017

Sustainable and Resilient Neighbourhoods

- Climate Change and Peak Oil Adaptation Plan 2009-2015
- Community Climate Change Action Plan 2009-2020
- Corporate Climate Change Action Plan 2007-2020
- Cycling Strategy 2013-2018
- Natural Heritage Strategy 2015-2025
- Open Space Strategy 2007-2017
- Urban Food Production Strategy 2014-2018
- Urban Forest Strategy 2013-2028
- Waste and Litter Strategy 2015-2025
- Watershed: Towards a Water Sensitive Darebin Water Strategy 2015-2025

Open and Accountable Democracy

- Community Engagement Framework 2012-2017
- Community Safety Strategy 2012-2016
- Human Rights Action Plan 2012-2015

Options for Consideration

See each individual report for details.

Financial and Resource Implications

There are no financial implications from this report. All activities and actions are conducted within current budgets.

Risk Management

There are no risks related to this report.

Policy Implications**Economic Development**

Each strategy report provides information relating to economic development.

Environmental Sustainability

Each strategy report provides information relating to environmental sustainability.

Human Rights, Equity and Inclusion

Each strategy report provides information relating to human rights, equity and inclusion.

Other

There are no other factors which impact on this report.

Future Actions

It is proposed that the next Annual Progress Report on Council's Strategies be presented to Council in October 2017.

Consultation and Advocacy

Please see each individual report for the staff consulted. Each report was compiled by the relevant responsible officer, department manager and director.

Related Documents

- Thirty-seven progress reports on endorsed strategies and action plans (**Appendix A**)

Disclosure of Interest

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.

**7. CONSIDERATION OF RESPONSES TO NOTICES OF MOTION
AND GENERAL BUSINESS**

Nil

8. NOTICES OF MOTION

Nil

9. URGENT BUSINESS

10. GENERAL BUSINESS

Nil

11. PETITIONS

12. REPORTS OF STANDING COMMITTEES

12.1 SUMMARY REPORT OF AUDIT COMMITTEE

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

A meeting of the Audit Committee was held on 29 August 2016. A summary report of the meeting is attached as **Appendix A** to this report. The minutes of the meeting, incorporating the reports considered by the Committee, have been circulated to Councillors.

Recommendation

That the Summary Report of the Audit Committee meeting held on 29 August 2016, attached as **Appendix A**, to this report be received and the Committee Recommendations be adopted.

13. RECORDS OF ASSEMBLIES OF COUNCILLORS

13.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 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:

- Strategic Workshop – 5 September 2016

Recommendation

That the record of the Assembly of Councillors held on 5 September 2016 be noted and incorporated in the minutes of this meeting.



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillors Strategic Workshop
	Date:	Monday 5 September 2016
	Location:	Function Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Vince Fontana, Cr. Gaetano Greco, Cr. Bo Li, Cr. Tim Laurence, Cr. Trent McCarthy, Cr. Angela Villella, Cr. Julie Williams, Cr. Steven Tsitas (from 6.30 pm).
	Council Staff:	Steve Hamilton, Allan Cochrane, Katrina Knox, Jacinta Stevens, Libby Hynes.
	Other:	
APOLOGIES:		Cr. Oliver Walsh

The Assembly commenced at 6.05 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1.	Election Period Policy	No disclosures were made.
2.	Negotiations for Surplus Victorian Government Land – Department of Education Sites at Ruthven and Lakeside	No disclosures were made. Cr. Villella absent from 6.41 pm to 6.44 pm. Cr. Tsitas left the meeting at 6.40 pm.

The Assembly concluded at 6.45 pm

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

14. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

MOVED: Cr.
SECONDED: Cr.

That in accordance with section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the following items which relate to contractual matters:

- 15.1 Solar Saver for Council Owned Community Buildings
- 15.2 CT201551 Provision of a Panel of Engineering Advisory Services
- 15.3 Outcome of Council Officer Process for Proposed Sale of Council Land Rear 16 Symons Street and 15 McNamara Street, Preston

RE-OPENING OF MEETING

MOVED: Cr.
SECONDED: Cr.

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

CONFIDENTIAL**15.1 SOLAR \$AVER FOR COUNCIL OWNED COMMUNITY BUILDINGS**

Author: Acting Director Operations and Environment

Reviewed By: Acting Chief Executive Officer

Report Background

Council allocated \$1 million in the 2015/2016 budget for a second round of the Solar \$aver program and included community operated child care, kindergarten and community centres in council buildings as eligible participants. This report details the proposed solar installations and arrangements for community buildings which are part of the Solar \$aver program but are separate from the special rates scheme considered in a separate report.

Previous Council Resolution

This report is not subject to a previous resolution.

Previous Briefing(s)

No previous briefing.

Council Plan Goal/Endorsed Strategy

- Council Plan Goal 3 – Sustainable and resilient neighbourhoods
- Community Climate Change Action Plan

Summary

This report details the proposed solar installations and arrangements for community buildings which are part of the Solar \$aver program but separate to the special rates scheme as Council owns the buildings and leases them to the community associations. It is proposed that 109kw of solar in total be installed on 9 buildings.

Installation of the solar PV through the proposed arrangement is expected to significantly benefit the participating kindergartens, community houses and childcare associations with estimated annual net savings for centres ranging between \$381 to \$1,944.

The report is confidential as it discloses quoted prices for solar installations.

Recommendation

That the Council report and resolution remains confidential.

CONFIDENTIAL**15.2 CT201551 PROVISION OF A PANEL OF ENGINEERING ADVISORY SERVICES**

Author: Acting Manager Transport and Public Places

Reviewed By: Acting Director Future City and Assets

Report Background

This report seeks Council endorsement to establish a panel of engineering consultants to assist various Council business units to deliver capital works projects efficiently and at competitive rates.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

It is considered that this report supports the following Council Plan Goals;

- Vibrant City and Innovative Economy
- Healthy and Connected Community
- Sustainable and Resilient Neighbourhoods

Summary

Council called for tenders for the Provision of a Panel of Engineering Advisory Services (CT201551) on 9 June 2016. The tender called for suitably experienced and capable consultants to assist various Council business units in undertaking Transport Engineering and Transport Planning, Civil Engineering and Design, Electrical Engineering, Mechanical Engineering, Structural Engineering and Hydraulic Engineering services.

The Tender Evaluation Panel assessed all submissions and recommends the award of the contract to a panel of providers on a schedule of rates agreement.

The awarding of this tender will be to a panel of 22 providers, under a schedule of rates cost for the provision of engineering advisory services. The contract will be for an initial term of 3 years with options for two (2) x one (1) year extensions. Exercising of the optional extension periods shall be at the sole discretion of Council and subject to the contractors satisfactory performance during the term of the contract.

Recommendation

That the Council report and resolution remain confidential with the exception of the successful tenderer(s) name and contract period.

CONFIDENTIAL**15.3 OUTCOME OF COUNCIL OFFER PROCESS FOR PROPOSED SALE OF COUNCIL LAND REAR 16 SYMONS STREET AND 15 MCNAMARA STREET, PRESTON**

Author: Manager Strategic Asset Management

Reviewed By: Acting Director Future City and Assets

Report Background

Officer report: Report on the outcome of the financial submission process for the sale of land from a former right-of-way/road at the rear of 16 Symons Street and 15 McNamara Street Preston, known as Lot 16 on title plan TP017779W.

Previous Council Resolution

At its meeting held on 20 December 1999, Council resolved:

'That Council being of the opinion that the road shown hatched on the plan and situated at the rear of 1-43 McNamara Street, 2-44 Symons Street and 551-555 Gilbert Road, Preston, is not reasonably required for public use:

- (1) discontinues the road in accordance with Section 206, Item 3 of Schedule 10, of the Local Government Act, 1989;*
- (2) directs that a notice be published in the Government Gazette;*
- (3) directs that the land from the road be sold by private treaty to the abutting property owners of McNamara Street, Symons Street and Gilbert Road, Preston;*
- (4) directs that the discontinuance and sale will not affect any right, power or interest held by the Council or the Statutory Authorities, in the road in connection with any sewers, drains, pipes and cables under the control of the Authorities in or near the road; and*
- (5) signs and seals Transfers of Land involving payment of sums assessed pursuant to Council's policy for parts of the land shown hatched on the plan enclosed.'*

Previous Briefing(s)

Council Briefing 22 August 2016

Council Plan Goal/Endorsed Strategy

Goal: Excellent Service
Strategy: 5.4 Long term responsible financial planning
Property Asset Management Strategy – May 2015

Goal: Vibrant City and Innovative Economy
Strategy: 1.4 Strategic Land Use and Sustainable Transport Planning Policies.

Summary

This report provides the history and background relating to the discontinued right-of-way/road adjoining 16 Symons Street and 15 McNamara Street, Preston shown hatched in the plan in **Appendix A** and on the aerial photo in **Appendix B** as well as the outcome of the financial submission process (Council Offer Process).

Recommendation

That the Council report and resolution remains confidential.

16. CLOSE OF MEETING